

## Appendix C

### Field Work Methodology

#### Lots 19-23 DP746311, Bungaree Street, Maitland

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#### C1.0 Guidelines

The following key guidelines were consulted for the field work methodology:

- NEPC National Environment Protection (Assessment of Site Contamination) Measure 1999 (as amended 2013) [NEPM] (NEPC, 2013).

#### C2.0 Soil Sampling

Soil sampling is carried out in accordance with DP standard operating procedures. The general sampling and sample management procedures comprise:

- Collect soil samples directly from each 1.0 m length of push tube (geoprobe continuous sampling drilling rig) at the nominated sample depth or changes in strata or observations of contamination;
- Transfer samples in laboratory-prepared glass jars with Teflon lined lids by hand, capping immediately and minimising headspace within the sample jar;
- Collect replicate samples in zip-lock bags for PID screening;
- Wear a new disposable nitrile glove for each sample point thereby minimising potential for cross-contamination;
- Collect ~10% replicate samples for QC purposes;
- Label sample containers with individual and unique identification details, including project number, sample location and sample depth (where applicable);
- Place samples into a cooled, insulated and sealed container for transport to the laboratory; and
- Use chain of custody documentation.

Field testing is carried out in accordance with DP standard operating procedures. The general sampling and sample management procedures comprise:

##### PID Field Test

- Calibrate the PID with isobutylene gas at 100 ppm and with fresh air prior to commencement of each successive day's field work;
- Allow the headspace in the PID zip-lock bag samples to equilibrate; and
- Screen using the PID.

### C3.0 Monitoring Well Installation

Monitoring wells were constructed using class 18 uPVC machine slotted screen and blank sections with screw threaded joints. The screened section of each well is backfilled with a washed sand filter pack to approximately 0.5 m above the screened interval. Each well was completed with a hydrated bentonite plug of at least 0.5 m thick and then bentonite or concrete to the surface, finished with a cast iron cover concreted into the surrounding pavement.

### C4.0 Monitoring Well Development

Groundwater monitoring wells were developed as soon as practicable following well installation. The purpose of well development is to remove sediments and/or drilling fluid introduced to the well during drilling and to facilitate connection of the monitoring well to the aquifer. The wells were developed by bailing to remove a minimum of five well volumes, or until dry.

### C5.0 Groundwater Sampling

#### PID Field Test

- Calibrate the PID with isobutylene gas at 100 ppm and with fresh air prior to commencement of each successive day's field work;
- Screen the top of the well headspace using the PID;
- Collect a subsample of groundwater in a half filled jar and screen the groundwater headspace with the PID.

#### Bailer

Groundwater sampling is carried out in accordance with DP standard operating procedures. Groundwater samples are collected using a bailer. The sampling method is described as follows:

- Measure the static water level using an electronic interface probe and record the thickness of any LNAPL (if encountered);
- Decontaminate the interface probe and cable between monitoring wells by rinsing in a diluted Liquinox solution and then rinsing in demineralised water;
- With as little disturbance as possible purge the well with the bailer;
- Measure physical parameters by continuously passing the purged water through a flow cell; and
- Following stabilisation of the field parameters, collect samples in laboratory-prepared bottles minimising headspace within the sample bottle and cap immediately.

The general groundwater sample handling and management procedures comprise:

- Label sample containers with individual and unique identification details, including project number and sample location;

- Place the sample jars into a cooled, insulated and sealed container for transport to the laboratory; and
- Use chain of custody documentation.

## C6.0 Surface Water Field Screening

### Surface water field test

- Calibrate the multiparameter meter with a universal calibration solution prior to commencement of each successive day's field work;
- Screen surface water in-situ;
- Collect a subsample of surface water in a half filled jar and screen the surface water headspace with the PID.

## C7.0 Reference

NEPC. (2013). *National Environment Protection (Assessment of Site Contamination) Measure 1999 (as amended 2013) [NEPM]*. Australian Government Publishing Services Canberra: National Environment Protection Council.

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**Douglas Partners Pty Ltd**

Project No: 18412.01	Client Project Name:		
Client:	Location: Bungaree Street, Maitland		
Project Manager: Dew	DP Lab Received	By:	Date:
Do samples contain 'potential' HBM? Yes <input type="checkbox"/> No <input type="checkbox"/> (If YES, then handle, transport and store in accordance with FPM HAZID)			

Sample ID	Depth (m)	Duplicate Sample	Field			ASS Samples	Sampling			DP Lab Storage Locn *	For Despatch to			Notes
			Sample Type	Container Type			By	Date	Time		Lab 1 <sup>A</sup>	Lab 2 <sup>B</sup>	Lab 3 <sup>C</sup>	
			S - soil W - water	G - glass P - plastic							Date	Date	Date	
101/	0.2		S	G, P		JUL	4.8.2021	0800	BAM III					
	0.5	D1	↓	↓		↓	↓	↓	↓	9/8/21				
	1.0		↓	↓		↓	↓	↓	↓					
	2.0		↓	↓		↓	↓	↓	↓					
	2.7		↓	↓		↓	↓	↓	↓					
	2.9		↓	↓		↓	↓	↓	↓					
102/	0.5		↓	↓		↓	↓	↓	↓					
	1.0	D2	↓	↓		↓	↓	↓	↓	9/8/21				
	2.0		↓	↓		↓	↓	↓	↓					
	3.0		↓	↓		↓	↓	↓	↓	9/8/21				
	4.0		↓	↓		↓	↓	↓	↓					
	5.0		↓	↓		↓	↓	↓	↓					
103/	0.2		↓	↓		↓	↓	↓	↓					
	0.5		↓	↓		↓	↓	↓	↓					
	1.0	D3	↓	↓		↓	↓	↓	↓					
	1.5		↓	↓		↓	↓	1600	↓	9/8/21				

\* Default storage: glass containers in fridge, plastic containers shelved, ASS in freezer, water samples in fridge  
 A Provide name of Lab 1 **ENVROLAB**      B Provide name of Lab 2      C Provide name of Lab 3



Project No: 18412.01	Client Project Name:		
Client:	Location: Bungaree Street, Maitland		
Project Manager: Dew	DP Lab Received	By:	Date:
Do samples contain 'potential' HBM? Yes <input type="checkbox"/> No <input type="checkbox"/> (If YES, then handle, transport and store in accordance with FPM HAZID)			

Sample ID	Depth (m)	Duplicate Sample	Field			ASS Samples	Sampling			DP Lab Storage Locn *	For Despatch to			Notes
			Sample Type	Container Type			By	Date	Time		Lab 1 <sup>A</sup>	Lab 2 <sup>B</sup>	Lab 3 <sup>C</sup>	
			S - soil W - water	G - glass P - plastic							Date	Date	Date	
104/	0.5	04	S	G, P		JL	4.8.2021	0800	BA4/1	9/8/21				
	1.0		↓	↓						9/8/21				
	1.85		↓	↓										
	2.0		↓	↓										
	2.8		↓	↓										
105/	0.2		↓	↓						9/8/21				
	0.5		↓	↓										
	1.0		↓	↓										
	2.0		↓	↓										
	3.0		↓	↓										
	5.0		↓	↓										
106/	0.5		↓	↓						9/8/21				
	1.0		↓	↓						9/8/21				
	2.0		↓	↓										
	3.0		↓	↓										
	4.0		↓	↓						9/8/21				
	5.0		↓	↓				1600	↓					

\* Default storage: glass containers in fridge, plastic containers shelved, ASS in freezer, water samples in fridge  
 A Provide name of Lab 1 **ENVISOLAB**      B Provide name of Lab 2      C Provide name of Lab 3

3 OF 3

Project No: 18412.01						Client Project Name:							
Client:						Location: Bungaree Street, Maitland							
Project Manager: <i>DLW</i>						DP Lab Received		By:		Date:			
Do samples contain 'potential' HBM? Yes <input type="checkbox"/> No <input type="checkbox"/> (If YES, then handle, transport and store in accordance with FPM HAZID)													
Sample ID	Depth (m)	Duplicate Sample	Field		ASS Samples	Sampling			Storage Locn *	For Despatch to			Notes
			S - soil W - water	G - glass P - plastic		By	Date	Time		Lab 1 <sup>A</sup>	Lab 2 <sup>B</sup>	Lab 3 <sup>C</sup>	
107/	0.2		S	G, P		JLC	4.5.2021	0800	BA4111				
	0.5		↓	↓		↓	↓	↓	↓	9/8/21			
	1.0		↓	↓		↓	↓	↓	↓				
	2.0		↓	↓		↓	↓	↓	↓				
	3.0		↓	↓		↓	↓	↓	↓				
108/	0.2		↓	↓		↓	↓	↓	↓	9/8/21			
	1.0		↓	↓		↓	↓	↓	↓				
	2.0		↓	↓		↓	↓	↓	↓				
109/	0.2		↓	↓		↓	↓	↓	↓	9/8/21			
	0.5		↓	↓		↓	↓	↓	↓				
	1.0		↓	↓		↓	↓	1600	↓				
105			W	G, P		JLC	17.5.2021	0800		17.5.2021			
106			↓	↓		↓	↓	1800		↓			

\* Default storage: glass containers in fridge, plastic containers shelved. ASS in freezer, water samples in fridge

A Provide name of Lab 1

*ENVROLABS*

B Provide name of Lab 2

C Provide name of Lab 3

<b>Project No:</b> 18412.01	<b>Suburb:</b> Maitland	<b>To:</b> Envirolab Services
<b>Project Manager:</b> Dana Wilson	<b>Order Number:</b> 154399	<b>Sampler:</b> JCL
<b>Email:</b> Dana.Wilson@douglaspartners.com.au / Jason.Lambert@douglaspartners.com.au		<b>Attn:</b> Sample Receipt
<b>Turnaround time:</b> <input checked="" type="checkbox"/> Standard <input type="checkbox"/> 72 hour <input type="checkbox"/> 48 hour <input type="checkbox"/> 24 hour <input type="checkbox"/> Same day		<b>Contact:</b> (02) 9910 6200 <a href="mailto:samplerreceipt@envirolab.com.au">samplerreceipt@envirolab.com.au</a>

**Prior Storage:**  Fridge  Freezer  Shelf **Do samples contain 'potential' HBM?**  No  Yes (If YES, then handle, transport and store in accordance with FPM HAZID)

Lab ID	Sample ID			Date Sampled	Sample Type	Container Type	Analytes							Notes/ Preservation/ Additional Requirements		
	Location / Other ID	Depth From	Depth To		S - soil W - water	G - glass P - plastic	Combo 3 Soil	Combo 6 Soil	Combo 6A Soil	NEPM asbestos ID 500mL						
1	S1	0	0.2	9/08/21	S	G		✓								NEPM 500 mL asbestos testing
2	101	1		4/08/21	S	G		✓								
3	102	1		4/08/21	S	P				✓						
4	102	3		4/08/21	S	G		✓								
5	103	1.5		4/08/21	S	G,P			✓							
6	104	0.5		4/08/21	S	G		✓								
7	104	1.85		4/08/21	S	G		✓								
8	105	0.5		4/08/21	S	G	✓									
9	106	1		4/08/21	S	G	✓									
10	106	2		4/08/21	S	G	✓									
11	106	4		4/08/21	S	G	✓									
12	107	1		4/08/21	S	G	✓									
13	107	4		4/08/21	S	G	✓									
14	108	1		4/08/21	S	G		✓								

**Envirolab Services**  
12 Ashley St  
Chatswood NSW 2067  
Ph: (02) 9910 6200

Job No: 275888

Date Received: 10/8/21  
Time Received: 1030  
Received By: JD  
Temp: Cool/Ambient  
Cooling: Ice/Icepack  
Security: Intact/Broken/None

<b>Metals to analyse:</b> 13: As, Be, B, Cd, Cr, Co, Cu, Pb, Mn, Hg, Ni, Se, Zn	<b>LAB RECEIPT</b> <i>EWS STD</i>
<b>Number of samples in container:</b>	<b>Transported to laboratory by:</b> TNT overnight express
<b>Send results to:</b> Douglas Partners Pty Ltd	<b>Lab Ref. No:</b>
<b>Address:</b> 15 Callistemon Close, Warabrook NSW 23	<b>Received by:</b> Jason Doy
<b>Phone:</b> (02) 4960 9600	<b>Date &amp; Time:</b> 10/8/21 1030
<b>Relinquished by:</b> JRK	<b>Signed:</b> <i>JDK</i>
<b>Date:</b> 9/08/2021	<b>Signed:</b>

<b>Project No:</b> 18412.01	<b>Suburb:</b> Maitland	<b>To:</b> EnviroLab Services
<b>Project Manager:</b> Dana Wilson	<b>Order Number:</b> 154399	<b>Dispatch date:</b> 09/08/2021 12 Ashley St, Chatswood NSW 2067

Lab ID	Sample ID			Date Sampled	Sample Type	Container Type	Analytes								Notes/ Preservation/ Additional Requirements			
	Location / Other ID	Depth From	Depth To		S - soil W - water	G - glass P - plastic	Combo 3 Soil	Combo 6 Soil	Combo 6A Soil	NERP asbestos ID 500mL								
✓ 15	109	0.5		4/08/21	S	G,P			✓									
✓ 16	D4	-		4/08/21	S	G		✓										
																		275588 JKK



Project No: 15412-01 Suburb: \_\_\_\_\_ To: Envirolab Services  
 Project Manager: Dana Wilson Order Number: 154424 Sampler: JCL 12 Ashley St, Chatswood NSW 2067  
 Email: Dana.Wilson@douglaspartners.com.au / jason.lambert@douglaspartners.com.au Attn: Sample Receipt  
 Turnaround time:  Standard  72 hour  48 hour  24 hour  Same day Contact: (02) 9910 6200 samplereceipt@envirolab.com.au

Prior Storage:  Fridge  Freezer  Shelf Do samples contain 'potential' HBM?  No  Yes (If YES, then handle, transport and store in accordance with FPM HAZID)

Lab ID	Sample ID			Date Sampled	Sample Type	Container Type	Analytes										Notes/ Preservation/ Additional Requirements		
	Location / Other ID	Depth From	Depth To		S - soil W - water	G - glass P - plastic	TRH	BTEX	PAH (low level)	Metals (13)									
1	5			17.8.21	W	G,P	✓	✓	✓	✓								3 day TAT ↓	
2	6			↓	↓	↓	✓	✓	✓	✓									

**ENVIROLAB**  
 Envirolab Services  
 12 Ashley St  
 Chatswood NSW 2067  
 Ph: (02) 9910 6200  
 Job No: 276999  
 Date Received: 18/08/21  
 Time Received: 10:40  
 Received By: CH  
 Temp: Cool/Ambient  
 Cooling: Ice/Icepack  
 Security: Intact/Broken

Metals to analyse: 13: As, Be, B, Cd, Cr, Co, Cu, Pb, Mn, Hg, Ni, Se, Zn  
 Number of samples in container: 2 Transported to laboratory by: TNT overnight express  
 Send results to: Douglas Partners Pty Ltd  
 Address: 15 Callistemon Close, Warabrook NSW 23 Phone: (02) 4960 9600  
 Relinquished by: JCL Date: 17-8-2021 Signed: \_\_\_\_\_  
**LAB RECEIPT**  
 Lab Ref. No: \_\_\_\_\_  
 Received by: Christine ECF SYD  
 Date & Time: 18/8/21 @ 10:40  
 Signed: \_\_\_\_\_

2°C ICE

## SAMPLE RECEIPT ADVICE

### Client Details

<b>Client</b>	Douglas Partners Newcastle
<b>Attention</b>	Dana Wilson

### Sample Login Details

<b>Your reference</b>	18412.01, Maitland
<b>Envirolab Reference</b>	275588
<b>Date Sample Received</b>	10/08/2021
<b>Date Instructions Received</b>	10/08/2021
<b>Date Results Expected to be Reported</b>	17/08/2021

### Sample Condition

<b>Samples received in appropriate condition for analysis</b>	Yes
<b>No. of Samples Provided</b>	16 Soil
<b>Turnaround Time Requested</b>	Standard
<b>Temperature on Receipt (°C)</b>	3
<b>Cooling Method</b>	Ice
<b>Sampling Date Provided</b>	YES

### Comments

Nil

Please direct any queries to:

#### Aileen Hie

**Phone:** 02 9910 6200  
**Fax:** 02 9910 6201  
**Email:** ahie@envirolab.com.au

#### Jacinta Hurst

**Phone:** 02 9910 6200  
**Fax:** 02 9910 6201  
**Email:** jhurst@envirolab.com.au

*Analysis Underway, details on the following page:*



Sample ID	VTRH(C6-C10)/BTEXN in Soil	svTRH (C10-C40) in Soil	PAHs in Soil	Organochlorine Pesticides in soil	Organophosphorus Pesticides in Soil	PCBs in Soil	Acid Extractable metals in soil	Asbestos ID - soils	Asbestos ID - soils NEPM - ASB-001
S1-0-0.2	✓	✓	✓	✓	✓	✓	✓		
101-1	✓	✓	✓	✓	✓	✓	✓		
102-1									✓
102-3	✓	✓	✓	✓	✓	✓	✓		
103-1.5	✓	✓	✓	✓	✓	✓	✓	✓	
104-0.5	✓	✓	✓	✓	✓	✓	✓		
104-0.85	✓	✓	✓	✓	✓	✓	✓		
105-0.5	✓	✓	✓				✓		
106-1	✓	✓	✓				✓		
106-2	✓	✓	✓				✓		
106-4	✓	✓	✓				✓		
107-1	✓	✓	✓				✓		
107-4	✓	✓	✓				✓		
108-1	✓	✓	✓	✓	✓	✓	✓		
109-0.5	✓	✓	✓	✓	✓	✓	✓	✓	
D4	✓	✓	✓	✓	✓	✓	✓		

The '✓' indicates the testing you have requested. **THIS IS NOT A REPORT OF THE RESULTS.**

### Additional Info

Sample storage - Waters are routinely disposed of approximately 1 month and soils approximately 2 months from receipt.

Requests for longer term sample storage must be received in writing.

Please contact the laboratory immediately if observed settled sediment present in water samples is to be included in the extraction and/or analysis (exceptions include certain Physical Tests (pH/EC/BOD/COD/Apparent Colour etc.), Solids testing, Total Recoverable metals and PFAS analysis where solids are included by default.

TAT for Micro is dependent on incubation. This varies from 3 to 6 days.

## SAMPLE RECEIPT ADVICE

### Client Details

<b>Client</b>	Douglas Partners Newcastle
<b>Attention</b>	Dana Wilson

### Sample Login Details

<b>Your reference</b>	18912.01
<b>Envirolab Reference</b>	276099
<b>Date Sample Received</b>	18/08/2021
<b>Date Instructions Received</b>	18/08/2021
<b>Date Results Expected to be Reported</b>	23/08/2021

### Sample Condition

<b>Samples received in appropriate condition for analysis</b>	Yes
<b>No. of Samples Provided</b>	2 Water
<b>Turnaround Time Requested</b>	3 days
<b>Temperature on Receipt (°C)</b>	2
<b>Cooling Method</b>	Ice
<b>Sampling Date Provided</b>	YES

### Comments

Nil

Please direct any queries to:

#### Aileen Hie

**Phone:** 02 9910 6200  
**Fax:** 02 9910 6201  
**Email:** ahie@envirolab.com.au

#### Jacinta Hurst

**Phone:** 02 9910 6200  
**Fax:** 02 9910 6201  
**Email:** jhurst@envirolab.com.au

*Analysis Underway, details on the following page:*



Sample ID	vTRH(C6-C10)/BTEXN in Water	svTRH (C10-C40) in Water	PAHs in Water - Low Level	HM in water - dissolved
5	✓	✓	✓	✓
6	✓	✓	✓	✓

The '✓' indicates the testing you have requested. **THIS IS NOT A REPORT OF THE RESULTS.**

### Additional Info

Sample storage - Waters are routinely disposed of approximately 1 month and soils approximately 2 months from receipt.

Requests for longer term sample storage must be received in writing.

Please contact the laboratory immediately if observed settled sediment present in water samples is to be included in the extraction and/or analysis (exceptions include certain Physical Tests (pH/EC/BOD/COD/Apparent Colour etc.), Solids testing, Total Recoverable metals and PFAS analysis where solids are included by default.

TAT for Micro is dependent on incubation. This varies from 3 to 6 days.



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## Appendix D

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Title Deeds Search (InfoTrack Pty Ltd)  
Section 10.7 Planning Certificate (Lake Macquarie City Council)  
Site Search for Schedule 11 - Hazardous Chemicals on Premises  
(SafeWork NSW)  
Water NSW Work Summary (GW066950)  
Land Insight Resources Business Records Search



ABN: 36 092 724 251  
Ph: 02 9099 7400  
(Ph: 0412 199 304)

Level 14, 135 King Street, Sydney  
Sydney 2000  
GPO Box 4103 Sydney NSW 2001  
DX 967 Sydney

**Report**

**Address: - Bungaree Street, Maitland**

**Description: - Lots 19 to 23 D.P. 746311**

**As regards Lot 19 D.P. 746311**

<b><u>Date of Acquisition and term held</u></b>	<b><u>Registered Proprietor(s) &amp; Occupations where available</u></b>	<b><u>Reference to Title at Acquisition and sale</u></b>
01.06.1928 (1928 to 1930)	Joseph Bede Enright John Patrick Sarsfield Enright (Auctioneer)	Book 1527 No. 226
14.05.1930 (1930 to 1994)	Council of the Municipality of West Maitland Now Council of the City of Maitland	Book 2232 No. 740 Now 19/746311
10.10.1994 (1994 to 1994)	Albada Pty Ltd	19/746311
02.12.1994 (1994 to date)	# Davpov Pty Limited	19/746311

**As regards Lots 20 to 22 D.P. 746311**

<b><u>Date of Acquisition and term held</u></b>	<b><u>Registered Proprietor(s) &amp; Occupations where available</u></b>	<b><u>Reference to Title at Acquisition and sale</u></b>
01.06.1928 (1928 to 1960)	Joseph Bede Enright John Patrick Sarsfield Enright (Auctioneer) (& their deceased estates)	Book 1527 No. 226
15.06.1960 (1960 to 1994)	John Stewart Buffier (Cattle Dealer)	Book 2529 No. 958
10.10.1994 (1994 to 1996)	Albada Pty Ltd	Book 4073 No. 968 Now 20/746311, 21/746311 & 22/746311
05.08.1996 (1996 to date)	# Davpov Pty Limited	20/746311
02.12.1994 (1994 to date)	# Davpov Pty Limited	21/746311 & 22/746311

# Denotes current registered proprietor

**Leases: - NIL**

**Easements: -**

- 15.01.1992 (Book 3397 No. 562) Easement for Water Supply 5 wide and variable to Hunter District Water Board.
- 09.11.1982 (Book 3529 No. 480) Easement for Water Supply 5 wide and variable to Hunter District Water Board.



ABN: 36 092 724 251  
Ph: 02 9099 7400  
(Ph: 0412 199 304)

Level 14, 135 King Street, Sydney  
Sydney 2000  
GPO Box 4103 Sydney NSW 2001  
DX 967 Sydney

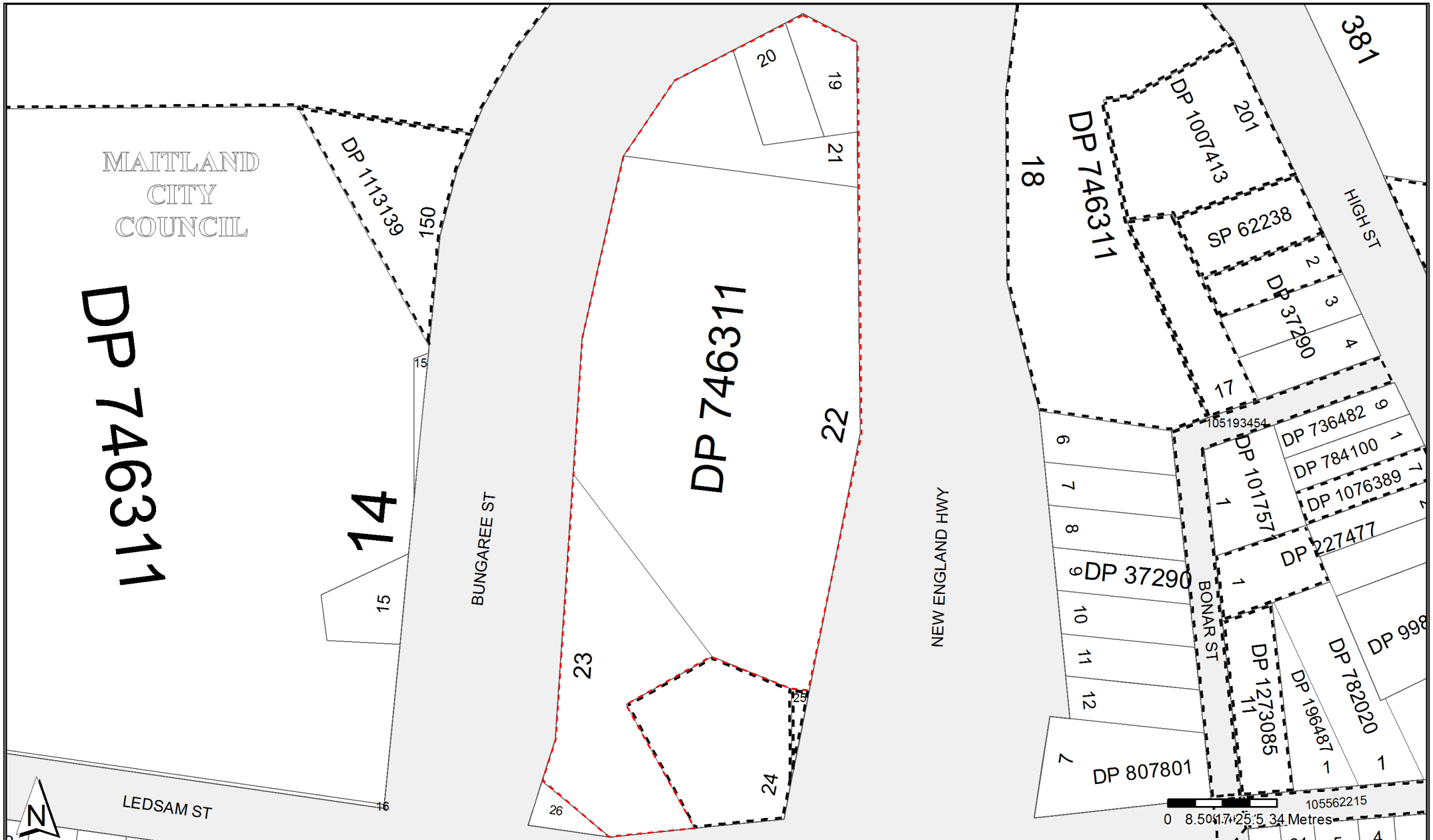
**As regards Lot 23 D.P. 746311 (Excepting land below a depth of 15.24 metres)**

<b><u>Date of Acquisition and term held</u></b>	<b><u>Registered Proprietor(s) &amp; Occupations where available</u></b>	<b><u>Reference to Title at Acquisition and sale</u></b>
11.05.1923	Within Crown Reserve No. 56146 from Sale or Lease	Revoked 20.02.1942
1931 (1931 to 1954)	Joseph Bede Enright John Patrick Sarsfield Enright (Auctioneer)	Crown Tenure Special Purchase 1931/3 Maitland Now Vol 6251 Fol 64 (Grant)
08.03.1954 (1954 to 1960)	John Patrick Sarsfield Enright (Auctioneer) Also John Patrick Sarsfield Enright (Auctioneer) (Life Estate re Joseph Bede Enright) John Patrick Sarsfield Enright (Auctioneer) John Anthony O'Brien (Company Director) (Estate in remainder re Joseph Bede Enright)	Vol 6251 Fol 64 Now Vol 7178 Fol 18 also Vol 6783 Fol's 85 & 86
13.04.1960 (1960 to	John Anthony O'Brien (Gentleman) (Estate in remainder re Joseph Bede Enright) Mary Enright (Widow) Walter Anthony Gerard Enright (Solicitor) Julian Joseph Enright (Stockman) (Section 94 Application not investigated)	Vol 6783 Fol 85 & Vol 7178 Fol 18
15.06.1960 (1960 to 1994)	John Stewart Buffier (Cattle Dealer)	Vol 6783 Fol 85 & Vol 7178 Fol 18 Now 23/746311
10.10.1994 (1994 to 1994)	Albada Pty Ltd	23/746311
02.12.1994 (1994 to date)	# Davpov Pty Limited	23/746311

# Denotes current registered proprietor

**Easements and Leases: - NIL**

Yours Sincerely,  
Mark Groll  
29 June 2021





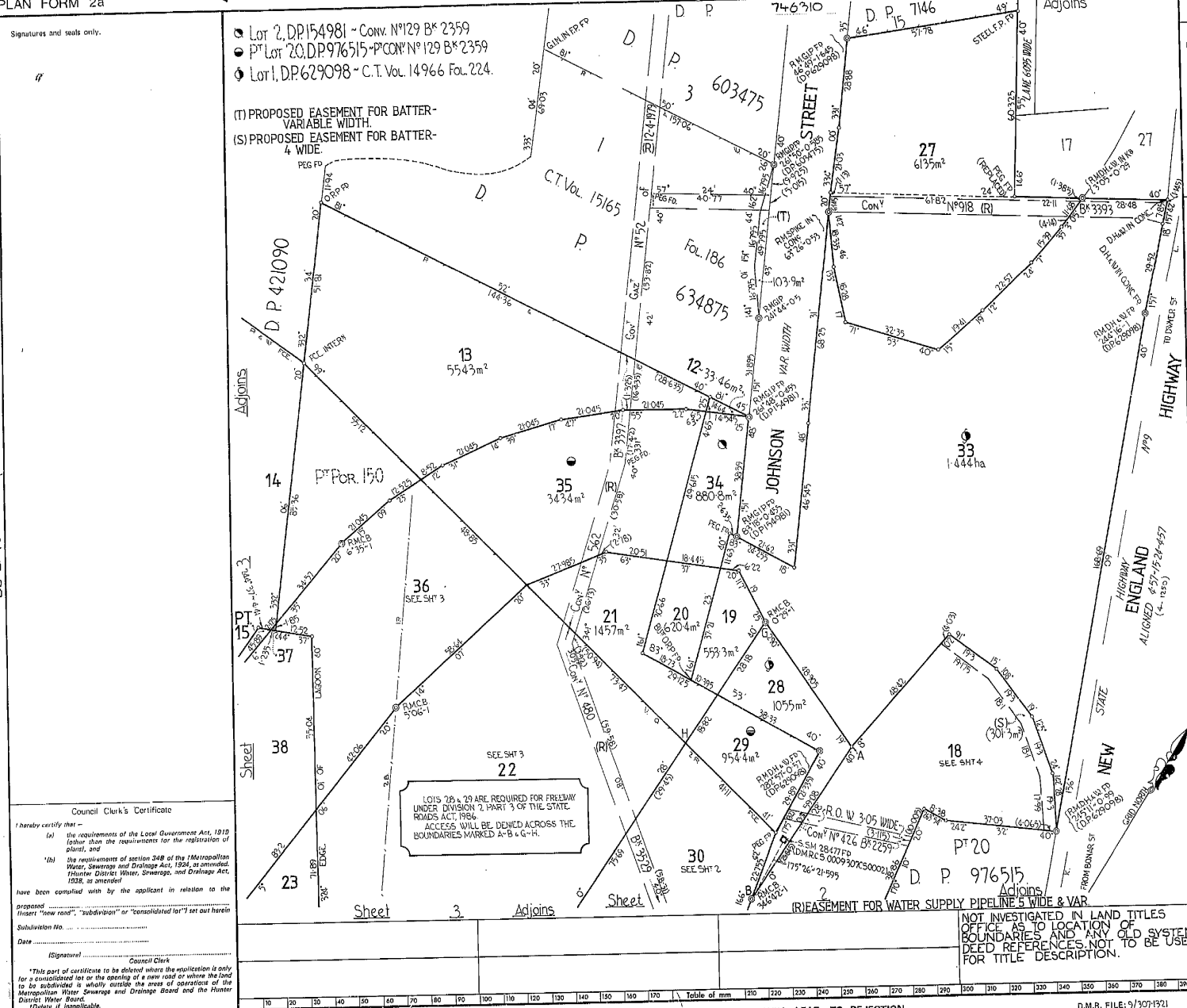
PLAN FORM 2a

Plan Drawing only to appear in this space

Signatures and seals only.

- Lot 2, DP 154981 - Conv. N°129 B\* 2359
- PT Lot 20, DP 976515 - PCON N°129 B\* 2359
- Lot 1, DP 629098 - C.T. Vol. 14966 Fol. 224.

- (T) PROPOSED EASEMENT FOR BATTER-VARIABLE WIDTH.
- (S) PROPOSED EASEMENT FOR BATTER-4 WIDE.



Council Clerk's Certificate

I hereby certify that -

(a) the requirements of the Local Government Act, 1919 (other than the requirements for the registration of plans), and

(b) the requirements of section 348 of the Metropolitan Water, Sewerage and Drainage Act, 1964, as amended (other than the provisions relating to the Metropolitan Water Sewerage and Drainage Board and the District Water Board,

have been complied with by the applicant in relation to the proposed "new road", "subdivision" or "consolidated lot" set out herein

Subdivision No. ....

Date .....

(Signature) .....

Council Clerk

\*This part of certificate to be deleted where the application is only for a consolidated lot or the opening of a new road or where the land to be subdivided is wholly outside the areas of operations of the Metropolitan Water Sewerage and Drainage Board and the Hunter District Water Board.

†Delete if inapplicable.

LOTS 28 & 29 ARE REQUIRED FOR FREEWAY UNDER DIVISION 2, PART 3 OF THE STATE ROADS ACT, 1966.

ACCESS WILL BE DENIED ACROSS THE BOUNDARIES MARKED A-B & G-H.

NOT INVESTIGATED IN LAND TITLES OFFICE AS TO LOCATION OF BOUNDARIES AND ANY OLD SYSTEM DEED REFERENCES NOT TO BE USED FOR TITLE DESCRIPTION.

DP 746311

Registered: MS 24-4-1987

C.A. ....

Title System: TORRENS, OLD SYSTEM AND CROWN LAND

Purpose: ROAD

Ref. Map: U4572-24 # U4572-52\*

DP 154981, DP 976515, DP 2027, DP 37290, DP 78950, DP 629098, DP 981602.

PLAN OF LAND TO BE ACQUIRED FOR THE PURPOSES OF THE STATE ROADS ACT, 1966.

Reduction Ratio: 1:800  
Lengths are in metres.

City: MAITLAND  
Locality: TELARAH  
Parish: MAITLAND  
County: NORTHUMBERLAND

This is sheet 1 of my plan in 4 sheets  
(Delete if inapplicable)

MALCOLM LINDSAY GARRY  
DEPARTMENT OF MAIN ROADS, N.S.W.  
I, a surveyor registered under the Surveyors Act, 1920, in accordance with the Survey Practice Regulations, 1932, and not completed on 3-2-1986.

Signature: M.L. Garry 13-9-1986  
Surveyor registered under the Surveyors Act, 1920, as amended.  
District of Maitland, N.S.W. Shire 2, 3  
D.M.R.C. PLAN 0009-30755-0851 RGD

LOTS 28 TO 32 INCLUSIVE & THAT PART OF ROAD HAVING AN AREA OF 16.67 HA ARE REQUIRED FOR FREEWAY UNDER DIVISION 2 PART 3 OF THE STATE ROADS ACT 1966.

ACCESS WILL BE DENIED ACROSS THE BOUNDARIES MARKED A-B-C-D-E-F & G-H-J-K-L-M.

LOTS 33 TO 4 & INCLUSIVE ARE REQUIRED FOR ROAD & AFTER ACQUISITION & REMOVAL OF IMPROVEMENTS WILL ULTIMATELY BE DECLARED PUBLIC ROAD.

LOTS 19 & 20 TO 26 INCLUSIVE ARE TO BE ACQUIRED BY THE COMMISSIONER FOR MAIN ROADS & WILL BE AVAILABLE FOR DISPOSAL.

LOTS 18 & 27 ARE OWNED BY THE COMMISSIONER FOR MAIN ROADS.

LOTS 18 & 27 ARE AVAILABLE FOR DISPOSAL.

APPROVED: M. L. Garry  
FOR DEPUTY PRINCIPAL SURVEYOR AND PRINCIPAL OFFICER  
DEPARTMENT OF MAIN ROADS.

NO 33 BITE  
DB 440311 1/4

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

D.M.R. FILE: 9/3071921 D.M.R. PLAN: 0009-30755-0851

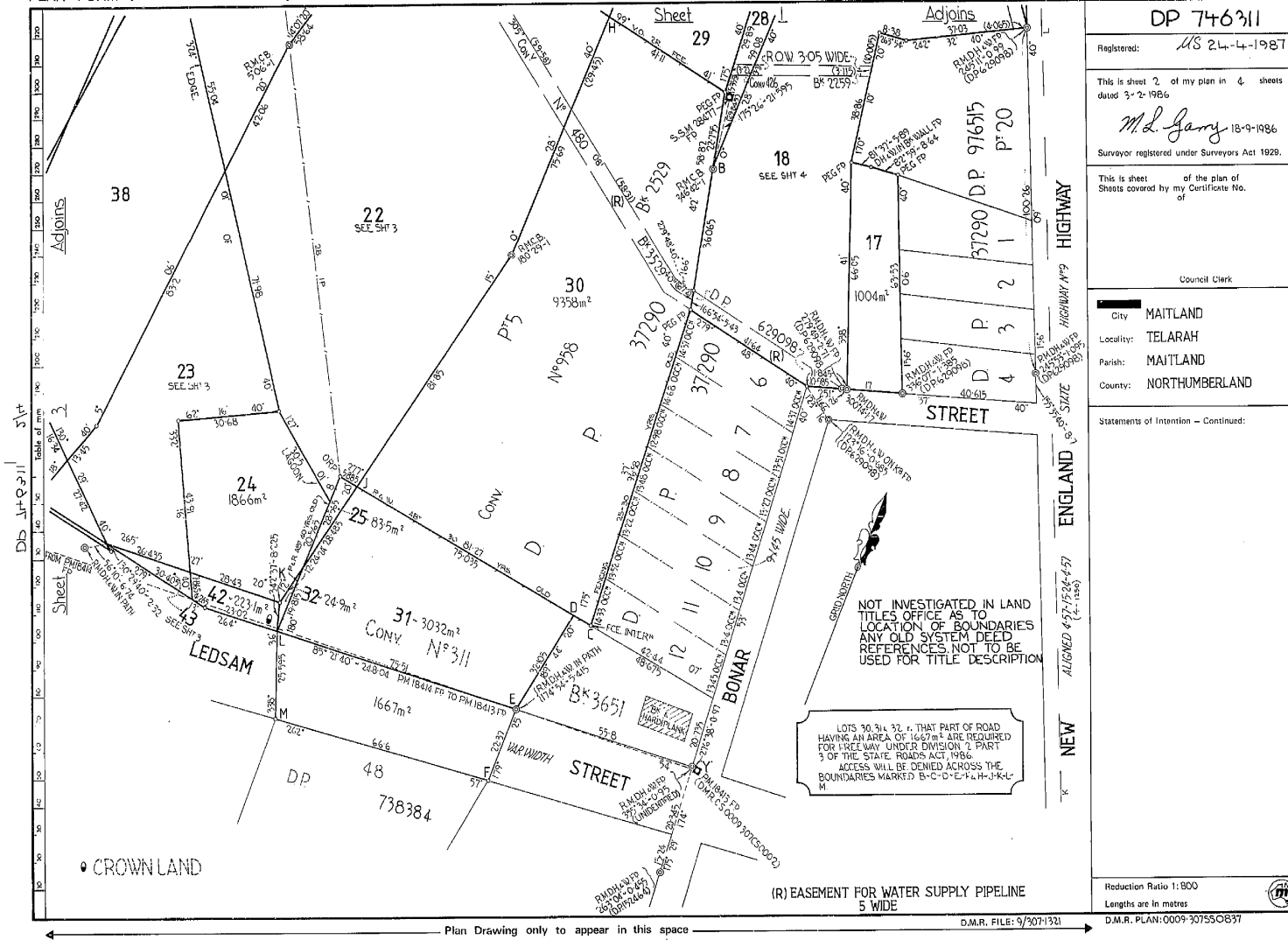
This negative is a photograph made as a permanent record of a document in the custody of the Registrar General this day, 28th April, 1987



PLAN FORM 3a

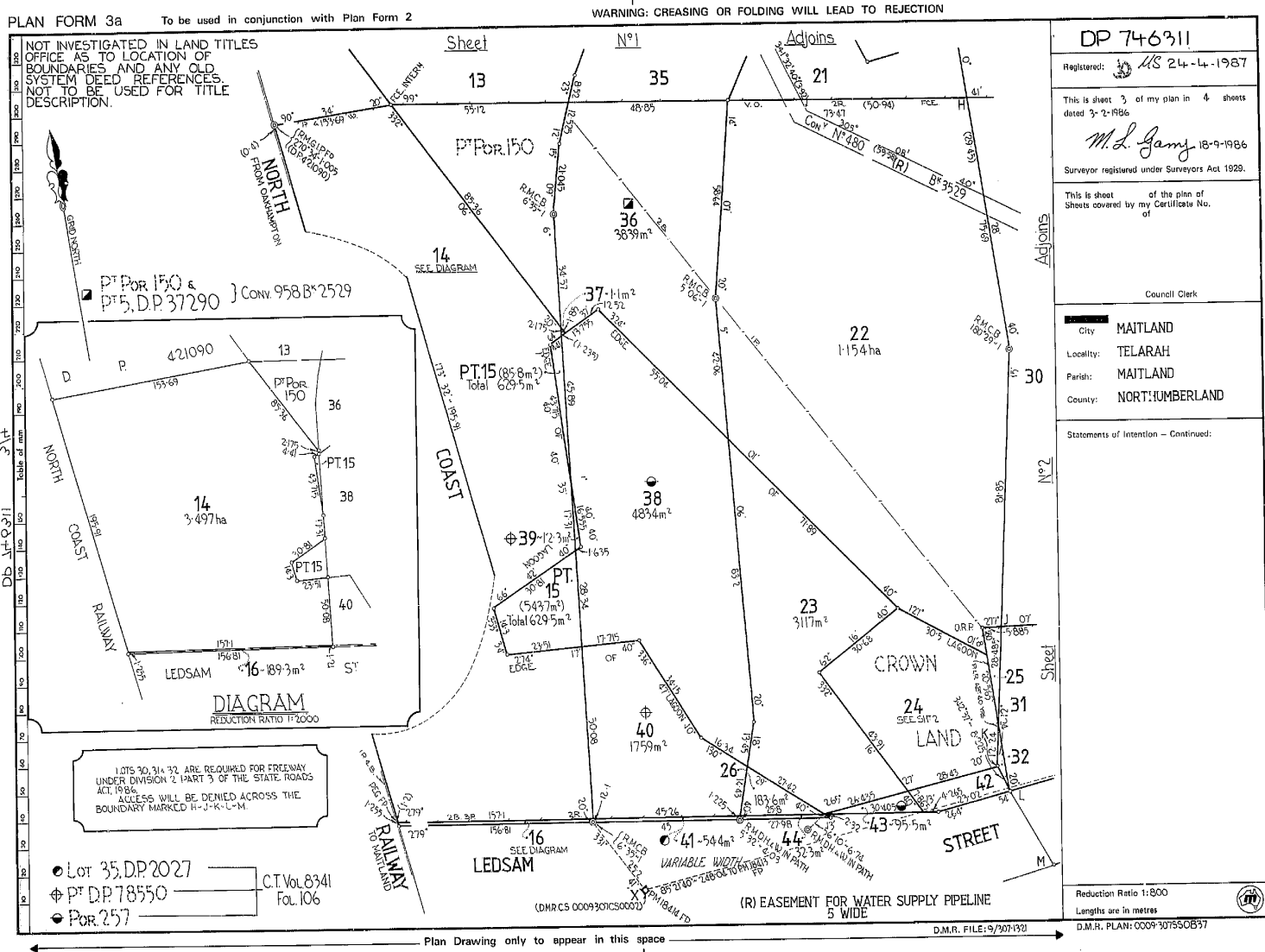
To be used in conjunction with Plan Form 2

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION



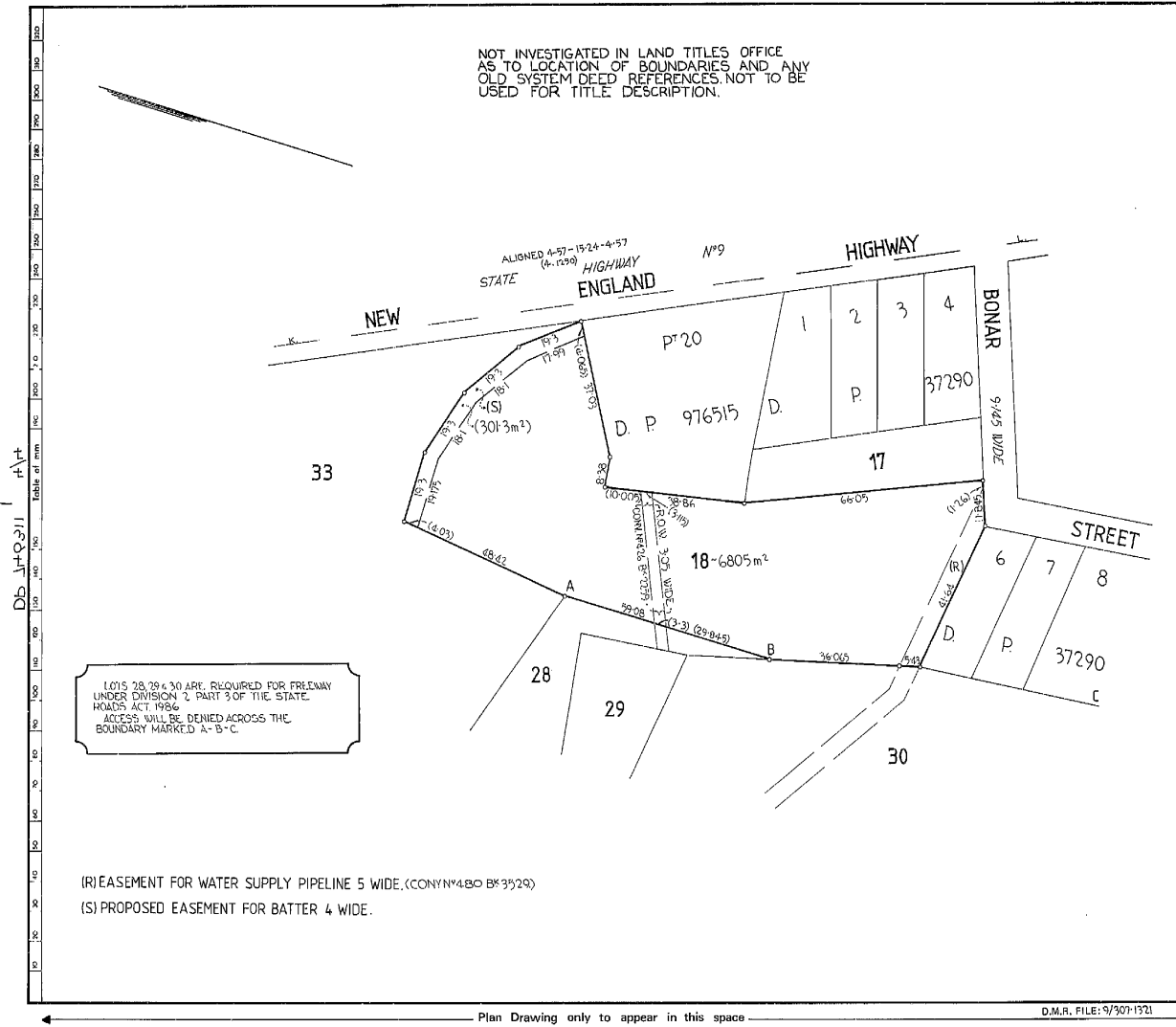
DP 746311	
Registered:	US 24-4-1987
This is sheet 2 of my plan in 4 sheets dated 3-2-1986	
<i>M.L. Gary</i> 18-9-1986	
Surveyor registered under Surveyors Act 1929.	
This sheet _____ of the plan of Sheets covered by my Certificate No. _____ of _____	
Council Clerk	
City	MAITLAND
Locality	TELARAH
Parish	MAITLAND
County	NORTHUMBERLAND
Statements of Intention - Continued:	
Reduction Ratio	1:800
Lengths are in metres	
D.M.R. FILE:	9/9071321
D.M.R. PLAN:	0009/307550837

This negative is a photograph made as a permanent record of a document in the custody of the Registrar General this day, 28th April, 1987



This negative is a photograph made as a permanent record of a document in the custody of the Registrar General this day, 28th April, 1987

NOT INVESTIGATED IN LAND TITLES OFFICE AS TO LOCATION OF BOUNDARIES AND ANY OLD SYSTEM DEED REFERENCES NOT TO BE USED FOR TITLE DESCRIPTION.



**DP 746311**  
 Registered: 115 24-4-1987  
 This is sheet 4 of my plan in 4 sheets dated 3-2-1986  
*M. L. Gary* 18-9-1986  
 Surveyor registered under Surveyors Act 1929.  
 This is sheet \_\_\_\_\_ of the plan of Sheets covered by my Certificate No. \_\_\_\_\_ of \_\_\_\_\_  
 Council Clerk  
 City: **MAITLAND**  
 Locality: **TELARAH**  
 Parish: **MAITLAND**  
 County: **NORTHUMBERLAND**  
 Statements of Intention - Continued:  
 Reduction Ratio 1: 800  
 Lengths are in metres  
 D.M.R. PLAN: 0009 30755-0837

Req:R457354 /Doc:DP 0746311 P /Rev:28-Jun-1992 /NSW IRS /Pgs:ALL /Prt:01-Sep-2021 13:40 /Seq:4 of 4  
© Office of the Registrar-General /Src:INFOTRACK /Ref:maitlands 746311

This negative is a photograph made as a permanent record of a document in the custody of the Registrar General this day, 28th April, 1987

0 10 20 30 40 50 60 70 80 90 100 110 120 130 140 150 160 170 180 190 200  
 Table of mm

14966224

# CERTIFICATE OF TITLE

PROPERTY ACT, 1900



NEW SOUTH WALES

First Title Old System

Prior Title IVA 38287  
Vol. 2709 Fol. 221  
Vol. 3299 Fol. 205

Vol. 14966 Fol. 224  
EDITION ISSUED  
13 1 1983



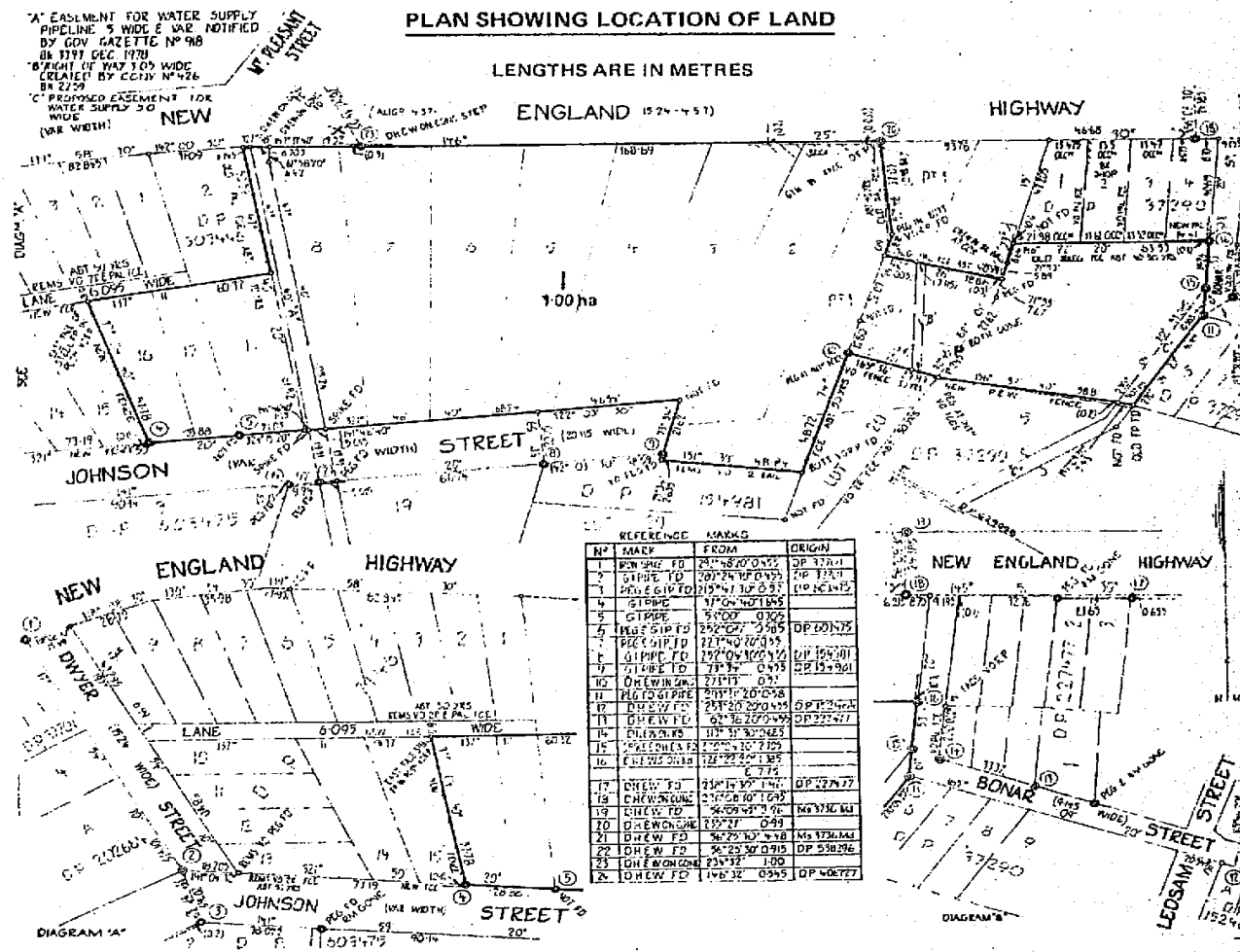
I certify that the person named in the First Schedule is the registered proprietor of an estate in fee simple (or such other estate or interest as is set out below) in the land described subject to the recordings appearing in the Second Schedule and to the provisions of the Real Property Act, 1900.

*[Signature]*  
Registrar General.



### PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES



NO	MARK	FROM	ORIGIN
1	STONE PD	281°58'00"032	DP 372/11
2	STONE PD	201°24'00"032	DP 372/11
3	STONE PD	219°41'30"032	DP 372/11
4	STONE PD	17°04'00"185	DP 201/22
5	STONE PD	17°04'00"185	DP 201/22
6	STONE PD	227°40'00"185	DP 201/22
7	STONE PD	227°40'00"185	DP 201/22
8	STONE PD	227°40'00"185	DP 201/22
9	STONE PD	227°40'00"185	DP 201/22
10	STONE PD	227°40'00"185	DP 201/22
11	STONE PD	227°40'00"185	DP 201/22
12	STONE PD	227°40'00"185	DP 201/22
13	STONE PD	227°40'00"185	DP 201/22
14	STONE PD	227°40'00"185	DP 201/22
15	STONE PD	227°40'00"185	DP 201/22
16	STONE PD	227°40'00"185	DP 201/22
17	STONE PD	227°40'00"185	DP 201/22
18	STONE PD	227°40'00"185	DP 201/22
19	STONE PD	227°40'00"185	DP 201/22
20	STONE PD	227°40'00"185	DP 201/22
21	STONE PD	227°40'00"185	DP 201/22
22	STONE PD	227°40'00"185	DP 201/22
23	STONE PD	227°40'00"185	DP 201/22
24	STONE PD	227°40'00"185	DP 201/22

### LAND REFERRED TO

Lot 1 in Deposited Plan 629098 at Telarah in the City of Maitland Parish of Maitland County of Northumberland.

### FIRST SCHEDULE

THE COUNCIL OF THE CITY OF MAITLAND.

### SECOND SCHEDULE

- Reservations and conditions, if any, contained in the Crown Grant.
- CAUTION. The land within described is held subject to any subsisting interest (as defined in Section 28A Real Property Act, 1900) affecting the part of the land above described comprised in Deeds Book 1883 No. 881 and Book 2232 No. 740.

PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR ANY NOTIFICATION HEREON (Page 1) Vol. 14966 Fol. 224

NOTE: ENTRIES RULED THROUGH AND AUTHENTICATED BY THE SEAL OF THE REGISTRAR GENERAL ARE CANCELLED

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR

Registrar General

*[Signature]*

The Commissioner for Main Roads by Transfer V460351. Registered 4-12-1984

DPLSP 746311 Registered 24.4.1987  
This folio is cancelled as to whole/part upon creation  
of computer folios for lots 12 to 44 in the  
abovementioned plan.



The residue of land in this folio comprises  
Road

SECOND SCHEDULE (continued)

PARTICULARS

Registrar General

CANCELLATION

NOTATIONS AND UNREGISTERED DEALINGS

V460351 Tr A





SEARCH DATE

1/9/2021 9:41AM

FOLIO: 19/746311

First Title(s): OLD SYSTEM

Prior Title(s): VOL 14966 FOL 224

Recorded	Number	Type of Instrument	C.T. Issue
-----	-----	-----	-----
28/4/1987	DP746311	DEPOSITED PLAN	FOLIO CREATED EDITION 1
10/10/1994	U687085	TRANSFER	
10/10/1994	U687086	MORTGAGE	EDITION 2
2/12/1994	U836796	DISCHARGE OF MORTGAGE	
2/12/1994	U836798	TRANSFER	EDITION 3
11/9/1996	2452024	MORTGAGE	EDITION 4
17/11/2017	AM895711	MORTGAGE	EDITION 5
30/6/2021	AR193873	DISCHARGE OF MORTGAGE	EDITION 6 CORD ISSUED
1/7/2021	AR202748	DISCHARGE OF MORTGAGE	
1/7/2021	AR202749	MORTGAGE	EDITION 7

\*\*\* END OF SEARCH \*\*\*

97-01 T



# TRANSFER

Real Property Act, 1900  
Including Covenant



U  
687085 B

Office of State Revenue use only

020994 2103 04 800420752/02 \$2.00

(A) **LAND TRANSFERRED**

Show no more than 20 References to Title.  
If appropriate, specify the share transferred.

**FOLIO IDENTIFIER 19/746311**

(B) **LODGED BY**

L.T.O. Box	Name, Address or DX and Telephone
40L	STATE BANK OF NEW SOUTH WALES LIMITED DX 1334 SYDNEY 641 6196
	REFERENCE (max. 15 characters): DUNBAR

(C) **TRANSFEROR**

**ROADS AND TRAFFIC AUTHORITY OF NEW SOUTH WALES**  
(formerly The Commissioner for Main Roads)

(D) acknowledges receipt of the consideration of **\$7,000.00**  
and as regards the land specified above transfers to the Transferee an estate in fee simple

(E) subject to the following **ENCUMBRANCES** 1. .... 2. .... 3. ....  
and the Transferee covenants with the Transferor as in Annexure "A" hereto.

(F) **TRANSFEEE**

<b>T</b>	ALBADA PTY, LIMITED
	1 Ingram Street Kensington
	TENANCY:

(H) We certify this dealing correct for the purposes of the Real Property Act, 1900. **DATED 14-9-94**  
Signed in my presence by the Transferor who is personally known to me.

*Robert Scott*  
Signature of Witness

**ROBERT SCOTT**  
Name of Witness (BLOCK LETTERS)

**CL. Roads Traffic Authority**  
Address of Witness

*A. Looke*  
Signature of Transferor

EXECUTED PURSUANT TO DELEGATION  
BOOK 4008 No. 809

Signed in my presence by the Transferee who is personally known to

.....  
Signature of Witness

.....  
Name of Witness (BLOCK LETTERS)

.....  
Address of Witness

*Stephen Dudley Cant*  
Signature of Transferee  
{ Stephen Dudley Cant }  
{ Solicitor for Transferee }  
CHECKED BY (office use only)

INSTRUCTIONS FOR FILLING OUT THIS FORM ARE AVAILABLE FROM THE LAND TITLES OFFICE

ONCV

U687085

**ANNEXURE "A" TO TRANSFER DATED 1 MARCH 1994 FROM ROADS AND  
TRAFFIC AUTHORITY OF NEW SOUTH WALES TO ALBADA PTY. LIMITED  
ACN 002 590 994**

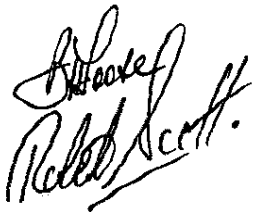
AND the Transferee does hereby for the benefit of Lots 28 and 33 in DP 746311 (hereinafter called "the dominant tenement") covenant with the Transferor (in this covenant called "the Authority") and with the Maitland City Council and so as to bind and burden Lot 19 in Deposited Plan 746311 being the land in Certificate of Title Folio Identifier 19/746311 (hereinafter called "the servient tenement") that the Transferee will not without the written consent of the Authority (which consent may be revoked at any time by the Authority at its discretion and without compensation) construct or allow to be constructed on the servient tenement any means of access to or from the dominant tenement or use or allow to be used the servient tenement as a means of access to or from the dominant tenement AND IT IS HEREBY declared that the restriction imposed by this covenant shall cease to apply if the dominant tenement after having been declared a controlled access road/freeway under Section 4 of the State Roads Act 1986 thereafter ceases to be such a controlled access road/freeway.

LAND BURDENED BY THIS COVENANT: Lot 19 DP746311

LAND BENEFITED BY THIS COVENANT: Lots 28 and 33 DP746311



.....  
STEPHEN DUDLEY CANT  
Solicitor for Transferees





FOLIO: 19/746311

SEARCH DATE	TIME	EDITION NO	DATE
1/9/2021	9:40 AM	7	1/7/2021

LAND

LOT 19 IN DEPOSITED PLAN 746311  
AT TELARAH  
LOCAL GOVERNMENT AREA MAITLAND  
PARISH OF MAITLAND COUNTY OF NORTHUMBERLAND  
TITLE DIAGRAM DP746311

FIRST SCHEDULE

DAVPOV PTY LIMITED (T U836798)

SECOND SCHEDULE (3 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 U687085 COVENANT
- 3 AR202749 MORTGAGE TO TOYOTA FINANCE AUSTRALIA LIMITED &  
AUSTRALIAN ALLIANCE AUTOMOTIVE FINANCE PTY LIMITED

NOTATIONS

UNREGISTERED DEALINGS: NIL

\*\*\* END OF SEARCH \*\*\*



SEARCH DATE

1/9/2021 9:41AM

FOLIO: 20/746311

First Title(s): OLD SYSTEM

Prior Title(s): CA65179

Recorded	Number	Type of Instrument	C.T. Issue
28/4/1987	DP746311	DEPOSITED PLAN	LOT RECORDED FOLIO NOT CREATED
28/3/1995	DP746311	DEPOSITED PLAN	FOLIO CREATED EDITION 1
5/8/1996	2351681	REQUEST	
5/8/1996	2351682	TRANSFER	EDITION 2
11/9/1996	2452024	MORTGAGE	EDITION 3
14/9/2015	AJ811575	DEPARTMENTAL DEALING	
17/11/2017	AM895711	MORTGAGE	EDITION 4
30/6/2021	AR193873	DISCHARGE OF MORTGAGE	EDITION 5 CORD ISSUED
1/7/2021	AR202748	DISCHARGE OF MORTGAGE	
1/7/2021	AR202749	MORTGAGE	EDITION 6

\*\*\* END OF SEARCH \*\*\*





FOLIO: 20/746311

SEARCH DATE	TIME	EDITION NO	DATE
1/9/2021	9:40 AM	6	1/7/2021

LAND

LOT 20 IN DEPOSITED PLAN 746311  
AT TELARAH  
LOCAL GOVERNMENT AREA MAITLAND  
PARISH OF MAITLAND COUNTY OF NORTHUMBERLAND  
TITLE DIAGRAM DP746311

FIRST SCHEDULE

DAVPOV PTY LIMITED

(T 2351682)

SECOND SCHEDULE (4 NOTIFICATIONS)

- RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- LIMITED TITLE. LIMITATION PURSUANT TO SECTION 28T(4) OF THE REAL PROPERTY ACT, 1900. THE BOUNDARIES OF THE LAND COMPRISED HEREIN HAVE NOT BEEN INVESTIGATED BY THE REGISTRAR GENERAL.
- BK 3397 NO 562 COVENANT
- AR202749 MORTGAGE TO TOYOTA FINANCE AUSTRALIA LIMITED & AUSTRALIAN ALLIANCE AUTOMOTIVE FINANCE PTY LIMITED

NOTATIONS

UNREGISTERED DEALINGS: NIL

\*\*\* END OF SEARCH \*\*\*



SEARCH DATE

1/9/2021 9:41AM

FOLIO: 21/746311

First Title(s): OLD SYSTEM

Prior Title(s): CA65179

Recorded	Number	Type of Instrument	C.T. Issue
28/4/1987	DP746311	DEPOSITED PLAN	LOT RECORDED FOLIO NOT CREATED
25/10/1994	CA65179	CONVERSION ACTION	FOLIO CREATED EDITION 1
2/12/1994	U836797	DISCHARGE OF MORTGAGE	
2/12/1994	U836798	TRANSFER	EDITION 2
1/3/1995	054783	DEPARTMENTAL DEALING	
11/9/1996	2452024	MORTGAGE	EDITION 3
14/9/2015	AJ811575	DEPARTMENTAL DEALING	
17/11/2017	AM895711	MORTGAGE	EDITION 4
30/6/2021	AR193873	DISCHARGE OF MORTGAGE	EDITION 5 CORD ISSUED
1/7/2021	AR202748	DISCHARGE OF MORTGAGE	
1/7/2021	AR202749	MORTGAGE	EDITION 6

\*\*\* END OF SEARCH \*\*\*



FOLIO: 21/746311

SEARCH DATE	TIME	EDITION NO	DATE
1/9/2021	9:40 AM	6	1/7/2021

LAND

LOT 21 IN DEPOSITED PLAN 746311  
AT RUTHERFORD  
LOCAL GOVERNMENT AREA MAITLAND  
PARISH OF MAITLAND COUNTY OF NORTHUMBERLAND  
TITLE DIAGRAM DP746311

FIRST SCHEDULE

DAVPOV PTY LIMITED (T U836798)

SECOND SCHEDULE (5 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 LIMITED TITLE. LIMITATION PURSUANT TO SECTION 28T(4) OF THE REAL PROPERTY ACT, 1900. THE BOUNDARIES OF THE LAND COMPRISED HEREIN HAVE NOT BEEN INVESTIGATED BY THE REGISTRAR GENERAL.
- 3 BK 3397 NO 562 EASEMENT FOR WATER SUPPLY 5 WIDE AND VAR. WIDTH AFFECTING THE PART OF THE LAND ABOVE DESCRIBED SHOWN SO BURDENED IN THE TITLTE DIAGRAM
- 4 BK 3397 NO 562 COVENANT
- 5 AR202749 MORTGAGE TO TOYOTA FINANCE AUSTRALIA LIMITED & AUSTRALIAN ALLIANCE AUTOMOTIVE FINANCE PTY LIMITED

NOTATIONS

UNREGISTERED DEALINGS: NIL

\*\*\* END OF SEARCH \*\*\*



SEARCH DATE

1/9/2021 9:41AM

FOLIO: 22/746311

First Title(s): OLD SYSTEM

Prior Title(s): CA65179

Recorded	Number	Type of Instrument	C.T. Issue
28/4/1987	DP746311	DEPOSITED PLAN	LOT RECORDED FOLIO NOT CREATED
25/10/1994	CA65179	CONVERSION ACTION	FOLIO CREATED EDITION 1
2/12/1994	U836797	DISCHARGE OF MORTGAGE	
2/12/1994	U836798	TRANSFER	EDITION 2
1/3/1995	054783	DEPARTMENTAL DEALING	
11/9/1996	2452024	MORTGAGE	EDITION 3
14/9/2015	AJ811575	DEPARTMENTAL DEALING	
17/11/2017	AM895711	MORTGAGE	EDITION 4
30/6/2021	AR193873	DISCHARGE OF MORTGAGE	EDITION 5 CORD ISSUED
1/7/2021	AR202748	DISCHARGE OF MORTGAGE	
1/7/2021	AR202749	MORTGAGE	EDITION 6

\*\*\* END OF SEARCH \*\*\*



FOLIO: 22/746311

SEARCH DATE	TIME	EDITION NO	DATE
1/9/2021	9:40 AM	6	1/7/2021

LAND

LOT 22 IN DEPOSITED PLAN 746311  
 AT RUTHERFORD  
 LOCAL GOVERNMENT AREA MAITLAND  
 PARISH OF MAITLAND COUNTY OF NORTHUMBERLAND  
 TITLE DIAGRAM DP746311

FIRST SCHEDULE

DAVPOV PTY LIMITED

(T U836798)

SECOND SCHEDULE (5 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 LIMITED TITLE. LIMITATION PURSUANT TO SECTION 28T(4) OF THE REAL PROPERTY ACT, 1900. THE BOUNDARIES OF THE LAND COMPRISED HEREIN HAVE NOT BEEN INVESTIGATED BY THE REGISTRAR GENERAL.
- 3 BK 3529 NO 480 EASEMENT FOR WATER SUPPLY 5 WIDE AFFECTING THE PART OF THE LAND ABOVE DESCRIBED SHOWN SO BURDENED IN THE TITLE DIAGRAM
- 4 BK 3529 NO 480 COVENANT
- 5 AR202749 MORTGAGE TO TOYOTA FINANCE AUSTRALIA LIMITED & AUSTRALIAN ALLIANCE AUTOMOTIVE FINANCE PTY LIMITED

NOTATIONS

UNREGISTERED DEALINGS: NIL

\*\*\* END OF SEARCH \*\*\*



A.294

Within Maitland Population Area Procl'd 23<sup>rd</sup> March 1887 Revoked 15-8-41  
 Within R56116 from Sale or Lease genlly Not'd 11<sup>th</sup> May 1923 Revoked 20. 2. 42

Papers L B. 31.216



**PLAN OF PORTION 257**  
 Parish of Maitland County of Northumberland  
 LAND DISTRICT OF MAITLAND LAND BOARD DISTRICT OF MAITLAND

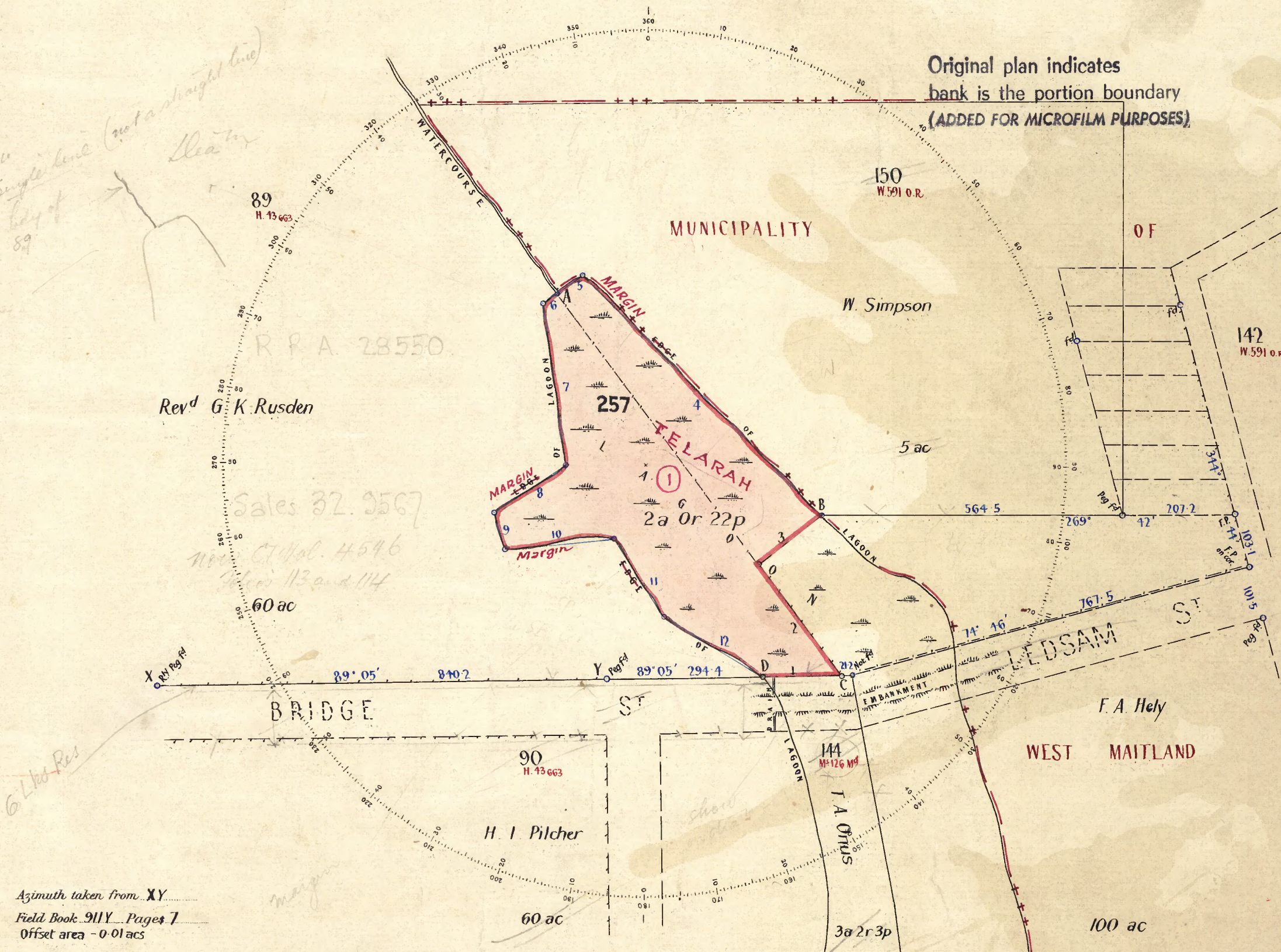
N.W. Ph. Map.

City of Maitland KEARSLEY SHIRE

Applied for under the 66<sup>th</sup> Section of the Crown Lands Consolidation Act 1913 by Joseph Bede Enright and John Patrick Enright.  
 Por 257 Sp Pur. 31-3 Gaz. 26-6-42, now Joseph Bede Enright & John Patrick Sarsfield Enright. Sale completed Sales 42/12409. Grant limited to surface & depth of 50 feet.

*Single line (not a straight line)*  
*Side of 89*

Original plan indicates bank is the portion boundary (ADDED FOR MICROFILM PURPOSES)



Azimuth taken from XY  
 Field Book 911Y Pages 7  
 Offset area - 0.01 acs

Reference to Corners

Corner	Bearing	From	Links	# on Tree
A	Numbered Stakes.			
B				
C				
D				

Reference to Traverse

Line	Bearing	Distance	To Cor. Trs. Edge of lagoon
1	89 05	151.2	
2	322 11	257.7	
3	52 11	152.7	
4	313 56	631.7	
5	234 31	62.3	
6	234 31	28.1	
7	171 35	300.0	
8	236 37	161.5	
9	163 28	71.2	
10	84 12	205.2	
11	146 42	170.0	
12	120 24	217.8	

**PLAN MICROFILMED**  
 NO ADDITIONS OR AMENDMENTS TO BE MADE

I hereby certify that I in person made and on the 21<sup>st</sup> October 1931 completed the survey represented on this plan on which are written the bearings and lengths of the lines measured by me and I declare that the survey has been executed in accordance with the regulations published for the guidance of Licensed Surveyors and the practice of the Department of Lands.

*Stanley Curran*  
 Licensed Surveyor  
 Transmitted to the District Surveyor with my letter of 7<sup>th</sup> Decr 1931 No. 89

Calculation Book No. R.36 Folio 13  
 Checked and Charted *J. J. Cooney* 8<sup>th</sup> March 1932  
 Examined *J. J. Cooney* 8<sup>th</sup> March 1932.  
 Plan approved *J. J. Cooney*  
 Officer in Charge  
 8<sup>th</sup> March 1932

Improvements

Scale 2 Chains to an Inch

Lithographed & Printed at the Department of Lands Sydney N.S.W.

Cat. No. N. 6645 2111

Charted on Head Office Maps  
*M. Kilmister* 27/1/32  
 Examined





FOLIO: 23/746311  
-----

SEARCH DATE	TIME	EDITION NO	DATE
-----	----	-----	----
1/9/2021	9:40 AM	7	1/7/2021

LAND

-----  
LOT 23 IN DEPOSITED PLAN 746311  
AT TELARAH  
LOCAL GOVERNMENT AREA MAITLAND  
PARISH OF MAITLAND COUNTY OF NORTHUMBERLAND  
TITLE DIAGRAM DP746311

FIRST SCHEDULE

-----  
DAVPOV PTY LIMITED (T U836798)

SECOND SCHEDULE (3 NOTIFICATIONS)

- 
- 1 LAND EXCLUDES MINERALS AND IS SUBJECT TO RESERVATIONS AND CONDITIONS IN FAVOUR OF THE CROWN - SEE CROWN GRANT(S)
  - 2 EXCEPTING LAND BELOW A DEPTH FROM THE SURFACE OF 15.24 METRES
  - 3 AR202749 MORTGAGE TO TOYOTA FINANCE AUSTRALIA LIMITED & AUSTRALIAN ALLIANCE AUTOMOTIVE FINANCE PTY LIMITED

NOTATIONS

-----  
UNREGISTERED DEALINGS: NIL

\*\*\* END OF SEARCH \*\*\*





SEARCH DATE

1/9/2021 9:41AM

FOLIO: 23/746311

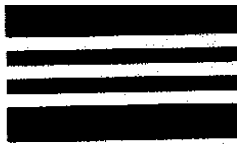
First Title(s): VOL 6251 FOL 64

Prior Title(s): VOL 8341 FOL 106

Recorded	Number	Type of Instrument	C.T. Issue
28/4/1987	DP746311	DEPOSITED PLAN	LOT RECORDED FOLIO NOT CREATED
<del>6/11/1987</del>	<del>X59747</del>	<del>TRANSFER</del>	FOLIO CREATED EDITION 1
10/10/1994	U687084	TRANSFER	
10/10/1994	U687086	MORTGAGE	EDITION 2
2/12/1994	U836796	DISCHARGE OF MORTGAGE	
2/12/1994	U836798	TRANSFER	EDITION 3
11/9/1996	2452024	MORTGAGE	EDITION 4
17/11/2017	AM895711	MORTGAGE	EDITION 5
30/6/2021	AR193873	DISCHARGE OF MORTGAGE	EDITION 6 CORD ISSUED
1/7/2021	AR202748	DISCHARGE OF MORTGAGE	
1/7/2021	AR202749	MORTGAGE	EDITION 7

\*\*\* END OF SEARCH \*\*\*

97-01T



# TRANSFER

Real Property Act, 1900



U  
687084 D



② Office of \_\_\_\_\_

00\*74 50/291+1\*008 +0 5050 +68080

**(A) LAND TRANSFERRED**

Show no more than 20 References to Title.  
If appropriate, specify the share transferred.

Folio Identifier 23/746311  
Folio identifier 26/746311

**(B) LODGED BY**

L.T.O. Box	Name, Address or DX and Telephone
40L	STATE BANK OF NEW SOUTH WALES LIMITED DX 1334 SYDNEY 841 6196
	REFERENCE (max. 15 characters): <b>DUNBAR</b>

**(C) TRANSFEROR**

JOHN STEWART BUFFIER

(D) acknowledges receipt of the consideration of \$85,000.00 (being the same consideration as expressed in Conveyance of today's date) and as regards the land specified above transfers to the Transferee an estate in fee simple

(E) subject to the following ENCUMBRANCES 1. .... 2. .... 3. ....

**(F) TRANSFEE**

T	ALBADA PTY. LTD. (ACN 003 590 994)
	TENANCY:

**(G)**

(H) We certify this dealing correct for the purposes of the Real Property Act, 1900.

DATED 2nd October 1994

Signed in my presence by the Transferor who is personally known to me.

*Ralph K Ward*  
Signature of Witness

**RALPH K WARD**  
Name of Witness (BLOCK LETTERS)

*Maitland Solicitors*  
Address of Witness

*John Stewart Buffier*  
Signature of Transferor

Signed in my presence by the Transferee who is personally known to

.....  
Signature of Witness

.....  
Name of Witness (BLOCK LETTERS)

.....  
Address of Witness

*Stephen Dudzey Cant*  
Signature of Transferee  
(Solicitor for Transferee)

CHECKED BY (office use only) *JVC*

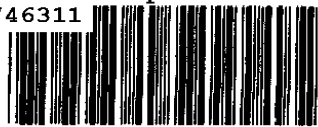
INSTRUCTIONS FOR FILLING OUT THIS FORM ARE AVAILABLE FROM THE LAND TITLES OFFICE

RP13



# TRANSFER

Real Property Act, 1900



U  
836798 J



Office of State Revenue use only  
OFFICE OF STATE REVENUE  
(N.S.W. TREASURY)  
1304795 000 110  
DUTY STAMPED  
1ST REG NO 800438683

021548



(A) **LAND TRANSFERRED**

Show no more than 20 References to Title.  
If appropriate, specify the share transferred.

Certificate of Title Identifier 19/746311 /  
Certificate of Title Identifier 23/746311 /  
Certificate of Title Identifier 26/746311 /  
Certificate of Title Identifier 21/746311 & 22/746311 /

(B) **LODGED BY**

L.T.O. Box

Name, Address or DX and Telephone  
**L. J. KANE & CO.**  
RGO Box 30P  
REFERENCE (max. 15 characters): RM - DAVPOV

(C) **TRANSFEROR**

ALBADA PTY. LIMITED (A.C.N. 003 590 994)

(D) acknowledges receipt of the consideration of \$610,000.00 being the same sum mentioned in Conveyance  
and as regards the land specified above transfers to the transferee an estate in fee simple  
of even date and made between the same parties

(E) subject to the following ENCUMBRANCES 1. .... 2. .... 3. ....

(F) **TRANSFEEE**

DAVPOV PTY. LIMITED (A.C.N. 060 381 384)  
as joint tenants/tenants in common



(H) We certify this dealing correct for the purposes of the Real Property Act, 1900.

DATE 28.10.94

Signed in my presence by the transferor who is personally known to me.



The Common Seal of Albada Pty Limited (A.C.N. 003 590 994) was hereunto affixed by the Authority of the Board of Directors previously given in the presence of

.....  
Name of Witness (BLOCK LETTERS)

.....  
Address of Witness

.....  
Signature of Transferor

Signed in my presence by the transferee who is personally known to me.

.....  
Signature of Witness

.....  
Name of Witness (BLOCK LETTERS)

.....  
Address of Witness

.....  
Signature of Transferee's solicitor  
TERENCE CHARLES MORGAN

**Certificate No.:** PC/2021/2446

**Certificate Date:** 27/07/2021

**Fee Paid:** \$133.00

**Receipt No.:** 1052734

**Your Reference:**

## **SECTION 10.7 PLANNING CERTIFICATE**

### **Environmental Planning and Assessment Act, 1979 as amended**

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<b>APPLICANT:</b>	Douglas Partners Pty Ltd  jason.lambert@douglaspartners.com.au
<b>PROPERTY DESCRIPTION:</b>	Bungaree Street TELARAH NSW 2320
<b>PARCEL NUMBER:</b>	12197
<b>LEGAL DESCRIPTION:</b>	Lot 19 DP 746311

---

#### **IMPORTANT: Please read this Certificate carefully.**

This Certificate contains important information about the land described above.

Please check for any item, which could be inconsistent with the proposed use or development of the land. If there is anything you do not understand, please contact Council by phoning (02) 4934 9700, or personally at Council's Administration Building at 285-287 High Street, Maitland.

The information provided in this Certificate relates only to the land described above. If you require information about adjoining or nearby land, or about the Council's development policies or codes for the general area, contact Council's Planning & Environment Department.

All information provided is correct as at the date of issue of this Certificate, however it is possible for changes to occur at any time after the issue of this Certificate. We recommend that you only rely upon a very recent Certificate.

The following responses are based on the Council's records and/or information from sources outside the Council. The responses are provided with all due care and in good faith, however the Council cannot accept responsibility for any omission or inaccuracy arising from information outside the control of the Council.

Furthermore, while this Certificate indicates the general effect of the zoning of the abovementioned land, it is suggested that the applicable planning instruments be further investigated to determine any additional requirements.

**Copies of Maitland City Council's Local Environmental Planning Instrument, Development Control Plans and Policies are available from Council's [website](#).**

## **PART 1: MATTERS PROVIDED PURSUANT TO SECTION 10.7 (2)**

### **1. Local Environmental Plan (LEP)**

Maitland LEP 2011, published 16 December 2011, applies to the land.

#### **Exhibited draft Local Environmental Plans**

No draft local Environmental Plans that have been on public exhibition under the Act are applicable to the land.

#### **Development Control Plan prepared by Council**

Maitland Development Control Plan 2011 applies to the land.

#### **Development Control Plan prepared by the Director General**

The Council has not been notified of any Development Control Plan applying to the land that has been prepared by the Director-General under section 51A of the Act.

#### **State Environmental Planning Policies**

The Minister for Planning has notified that the following State Environmental Planning Policies (SEPPs) shall be specified on Certificates under Section 10.7 of the Environmental Planning and Assessment Act, 1979.

The land is affected by the following State Environmental Planning Policies:

- SEPP21 Caravan Parks
- SEPP (Mining, Petroleum Production and Extractive Industries) 2007
- SEPP (State and Regional Development) 2011
- SEPP33 Hazardous and Offensive Development
- SEPP36 Manufactured Home Estates
- SEPP (Koala Habitat Protection) 2019
- SEPP50 Canal Estate Development
- SEPP (Housing for Seniors or People with a Disability) 2004
- SEPP55 Remediation of Land
- SEPP Affordable Rental Housing 2009
- SEPP Building Sustainability Index: BASIX 2004
- SEPP (Exempt and Complying Development Codes) 2008
- SEPP (Infrastructure) 2007
- SEPP Primary Production and Rural Development 2019
- SEPP65 Design Quality of Residential Apartment Development
- SEPP70 Affordable Housing (Revised Schemes)
- SEPP (Concurrences and Consents) 2018
- SEPP Vegetation in Non Rural Areas 2017
- SEPP (Educational Establishments and Child Care Facilities) 2017
-

## **Draft State Environmental Planning Policies**

The following draft State Environmental Planning Policy(s) applying to the land is, or has been, the subject of community consultation or on public exhibition under the Act:

### ***Housekeeping Amendment to the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008***

The proposed amendments to this SEPP are housekeeping amendment to the Codes SEPP to simplify and improve the policy, clarify definitions and standards, and address other minor technical matters raised. The proposed housekeeping amendment to the Codes SEPP will simplify and improve the policy, clarify definitions and standards, and address other minor technical matters.

## **2. Zoning and land use under relevant LEPs**

Maitland LEP 2011, published 16 December 2011, identifies the zone applying to the land as:

### **B6 Enterprise Corridor**

The following development information gives the objectives of the zone, the description of the zone and identifies development allowed or prohibited in each zone. Development consent where required, must be obtained from the Council.

### **B6 Enterprise Corridor**

#### **a) Purpose/Objective**

- To promote businesses along main roads and to encourage a mix of compatible uses
- To provide a range of employment uses (including business, office, retail and light industrial uses)
- To maintain the economic strength of centres by limiting retailing activity
- To provide for residential uses, but only as part of a mixed use development

#### **b) Permitted with Consent**

Business premises; Community facilities; Food and drink premises; Garden centres; Hardware and building supplies; Hotel or motel accommodation; Kiosks; Landscaping material supplies; Light industries; Office premises; Oyster Aquaculture; Passenger transport facilities; Plant nurseries; Roads; Serviced apartments; Shop top housing; Tank-based Aquaculture; Vehicle sales or hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4

#### **c) Permitted without Consent**

Home occupations

#### **d) Prohibited**

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat launching ramps;

Boat sheds; Camping grounds; Caravan parks; Cemeteries; Centre-based child care facilities; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Entertainment facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home-based child care; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Pond-based Aquaculture; Recreation facilities (major); Registered clubs; Residential accommodation; Resource recovery facilities; Respite day care centres; Restricted premises; Rural industries; Sewerage treatment plants; Sex services premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Veterinary hospitals; Waste disposal facilities; Water recreation structures; Water recycling facilities; Wharf or boating facilities; Wholesale supplies.

**e) Land dimensions to permit the erection of a dwelling house on the land**

For the land zoned B6 Enterprise Corridor the Maitland LEP 2011 does not contain a development standard specifying the land dimensions required to permit the erection of a dwelling house on the land.

**f) Critical Habitat**

No Local Environmental Plan or draft Local Environmental Plan identifies the land as including or comprising critical habitat.

**g) Conservation Area**

The land IS NOT in a Heritage Conservation Area.

**h) Item of Environmental Heritage**

The land does NOT contain an item of Environmental Heritage.

**3. Complying Development**

Complying development under the **Housing Code** may not be carried out on the land as it is not within an applicable zone.

Complying development under the **Low Rise Medium Density Housing Code and Greenfield Housing Code** may not be carried out on the land as it is not within an applicable zone.

Complying development under the **Rural Housing Code** may not be carried out on the land as it is not within an applicable zone.

Complying development under the **Housing Alterations Code** may be carried out on the land.

Complying development under the **General Development Code** may be carried out on the land.

Complying development under the **Commercial and Industrial Alterations Code** may be carried out on the land.

Complying development under the **Commercial and Industrial (New Buildings and Additions) Code** may be carried out on the land.

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Complying development under the **Demolition Code** may be carried out on the land.

Complying development under the **Fire Safety Code** may be carried out on the land.

Complying development under the **Container Recycling Facilities Code** may be carried out on the land.

**Note: Despite the above provisions, if only part of a lot is subject to an exclusion or exemption under Clause 1.17A or Clause 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) Amendment (Commercial and Industrial Development and Other Matters) 2013*, complying development may be carried out on that part of the lot that is not affected by the exclusion or exemption.**

#### **4B. Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works**

The owner (or any previous owner) of the land has NOT consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

#### **5. Coal Mine Subsidence Compensation Act 2017**

The land has NOT been proclaimed to be within a Mine Subsidence District under the meaning of section 20 of the Coal Mine Subsidence Compensation Act 2017.

#### **6. Road widening and road realignment**

- a) The land is NOT affected by road widening under Division 2 of Part 3 of the Roads Act 1993.
- b) The land is NOT affected by any environmental planning instrument
- c) The land is NOT affected by any road-widening or realignment under any resolution of the Council

The information above relates to Council's road proposals only. Other authorities, including Roads and Maritime Services, may have proposals, which have not been set out.

#### **7. Council and other public authority policies on hazard risk restrictions**

All land within the Maitland Local Government Area has the potential to contain acid sulfate soils. Clause 7.1 of the Maitland Local Environmental Plan 2011 generally applies. Development consent is required where works described in the Table to this clause are proposed on land shown on the Maitland LEP 2011 Acid Sulfate Soils Map as being of the class specified for those works.

The Council has adopted a Contaminated Lands Policy to provide a framework to appropriately manage land contamination risk through the land use planning process. This Policy seeks to ensure that changes in land use will not increase the risk to human health or the environment. The Policy applies to all land in the Maitland Local Government Area.

#### **7A. Flood Related Development Controls**



The land or part of the land IS NOT within the flood planning area and subject to flood related development controls.

The land or part of the land IS NOT between the flood planning area and the probable maximum flood and subject to flood related development controls.

The Maitland LEP 2011 identifies the flood planning level (FPL) as the level of a 1:100 ARI flood event plus 0.5m freeboard. The probable maximum flood has the same meaning as the Floodplain Development Manual.

## **8. Land Reserved for Acquisition**

No environmental planning instrument, deemed environmental planning instrument or draft environmental planning instrument applying to the land provides for the acquisition of the land by a public authority, as referred to in section 3.15 of the Act.

## **9. Contribution Plans**

The following contribution plan(s) apply to the land:

- Maitland S94A Levy Contributions Plan 2006
- Maitland City Wide Section 94 Contributions Plan 2016
- Maitland S94 Contributions Plan (City Wide) 2006

Contributions Plans may be viewed on Council's website or inspected and purchased at Council's Customer Service Centre.

## **9A. Biodiversity Certified Land**

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

## **10. Biodiversity Stewardship Sites**

The Council is not aware if the land is a biodiversity stewardship site under a biodiversity stewardship agreement under part 5 of the *Biodiversity Conservation Act 2016*.

## **10A. Native Vegetation clearing set asides**

The Council is not aware if the land contains a set aside area under 60ZC of the *Local Land Services Act 2013*.

## **11. Bushfire Prone Land**

The land is NOT identified as being bushfire prone land.

## **12. Property vegetation plans**

The Council has not received any notification from Hunter Local Land Services that this land is affected by a property vegetation plan under Part 4 of the Native Vegetation Act 2003 (and that continues in force).

## **13. Order under Trees (Disputes between Neighbours) Act 2006**

Council has NOT received notification from the Land and Environment Court of NSW that the land is affected by an Order under Trees – (Disputes Between Neighbours) Act 2006.

## **14. Directions under Part 3A**

There is NO direction by the Minister under Section 75P(2)(c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 (other than a project of a class prescribed by the regulations) of the Act does not have effect.

**15. Site Compatibility Certificate and Conditions for Seniors Housing**

**a) Site Compatibility Certificate**

Council is unaware of whether a current Site Compatibility Certificate issued under Clause 25 of the State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004 has been issued for the land.

**b) Conditions of Development Consent since 11 October 2007**

No development consent has been granted for the development permitted under State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004 after 11 October 2007.

**16. Site compatibility certificates for infrastructure, schools or TAFE establishments**

Council is unaware of whether a valid Site Compatibility Certificate has been issued under clause 19 of State Environmental Planning Policy (Infrastructure) 2007 for the land.

**17. Site compatibility certificates and conditions for affordable rental housing**

Council is unaware if a Site Compatibility Certificate (Affordable Rental Housing) has been issued in accordance with State Environmental Planning Policy (Affordable Rental Housing) 2009.

**18. Paper subdivision information**

There is no development plan that applies to the:

- 1) Land or that is proposed to be subject to a consent ballot
- 2) There is no subdivision order that applies to the land.

**19. Site verification certificates**

Council is not aware of any current site verification certificate in respect of the land.

**20. Loose-fill asbestos insulation**

There are no premises on the subject land listed on the register.

**21. Affected building notices and building product rectification orders**

The Council is NOT aware of any affected building notice which is in force in respect of the land.

The Council is NOT aware of any building product rectification order which is in force in respect of the land and that has not been fully complied with.

The Council is NOT aware of any notice of intention to make a building product rectification order being given in respect of the land and that is outstanding.

**Note. The following matters are prescribed by section 59(2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate.**

## Contaminated Land

- a) The land to which this certificate relates is NOT significantly contaminated land within the meaning of the Contaminated Land Management Act 1997.
- b) The land to which this certificate relates is NOT subject to a management order within the meaning of the Contaminated Land Management Act 1997.
- c) The land to which this certificate relates is NOT the subject of an approved voluntary management proposal within the meaning of the Contaminated Land Management Act 1997.
- d) The land to which this certificate relates is NOT the subject to an ongoing maintenance order within the meaning of the Contaminated Land Management Act 1997.
- e) Council has NOT been provided with a site audit statement, within the meaning of the Contaminated Land Management Act 1997, for the land to which this Certificate relates.

## PART 2: ADDITIONAL MATTERS PROVIDED PURSUANT TO SECTION 10.7 (5)

The following information is provided in accordance with section 10.7(5) of the Environmental Planning and Assessment Act 1979. Section 10.7(6) of the Act states that a Council shall not incur any liability in respect of advice provided in good faith pursuant to sub-section 10.7(5). If this information is to be relied upon, it should be independently checked.

### 1. Development Consent

Council's records indicate that the land has not had any development consent granted within the five (5) years preceding the date of this certificate.

### 2. Draft Development Control Plan

No draft Development Control Plans apply to the land.

### 3. Suspension of Covenants

Clause 1.9A in the Maitland LEP 2011 applies to all land within the Maitland Local Government Area. This clause suspends any agreement, covenant or other instrument that restricts the development of land that is permissible under the provisions of the Maitland Local Environmental Plan 2011 to the extent necessary to serve that purpose.

### 4. Filling of Land

Earthworks (excavation and filling of land) require development consent. Clause 7.2 in the Maitland LEP 2011 applies to all land within the Maitland Local Government Area. Earthworks (defined as both excavation and filling of land) require development consent of Council unless the works are exempt development, ancillary to other development for which development consent is required or granted, or considered by Council to be of a minor nature.

### 5. Development in the Vicinity of Heritage Items

Clause 5.10 in the Maitland LEP 2011 generally applies to all land in the Maitland Local Government Area, where the land is located in the vicinity of a heritage item or heritage conservation area. This Clause requires a consent authority to consider

the effect of the proposed development on the heritage significance of the item or area concerned, before granting development consent.

## **6. Other Matters**

There are no other specific matters.

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**David Evans**  
**General Manager**

**Certificate No.:** PC/2021/2453

**Certificate Date:** 27/07/2021

**Fee Paid:** \$133.00

**Receipt No.:** 1052758

**Your Reference:**

**SECTION 10.7 PLANNING CERTIFICATE**

**Environmental Planning and Assessment Act, 1979 as amended**

---

<b>APPLICANT:</b>	Douglas Partners Pty Ltd  jason.lambert@douglaspartners.com.au
<b>PROPERTY DESCRIPTION:</b>	Bungaree Street TELARAH NSW 2320
<b>PARCEL NUMBER:</b>	12196
<b>LEGAL DESCRIPTION:</b>	Lot 20 DP 746311

---

**IMPORTANT: Please read this Certificate carefully.**

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## **PART 1: MATTERS PROVIDED PURSUANT TO SECTION 10.7 (2)**

### **1. Local Environmental Plan (LEP)**

Maitland LEP 2011, published 16 December 2011, applies to the land.

#### **Exhibited draft Local Environmental Plans**

No draft local Environmental Plans that have been on public exhibition under the Act are applicable to the land.

#### **Development Control Plan prepared by Council**

Maitland Development Control Plan 2011 applies to the land.

#### **Development Control Plan prepared by the Director General**

The Council has not been notified of any Development Control Plan applying to the land that has been prepared by the Director-General under section 51A of the Act.

#### **State Environmental Planning Policies**

The Minister for Planning has notified that the following State Environmental Planning Policies (SEPPs) shall be specified on Certificates under Section 10.7 of the Environmental Planning and Assessment Act, 1979.

The land is affected by the following State Environmental Planning Policies:

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- SEPP33 Hazardous and Offensive Development
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- SEPP55 Remediation of Land
- SEPP Affordable Rental Housing 2009
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- SEPP (Exempt and Complying Development Codes) 2008
- SEPP (Infrastructure) 2007
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- SEPP70 Affordable Housing (Revised Schemes)
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-

## **Draft State Environmental Planning Policies**

The following draft State Environmental Planning Policy(s) applying to the land is, or has been, the subject of community consultation or on public exhibition under the Act:

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The proposed amendments to this SEPP are housekeeping amendment to the Codes SEPP to simplify and improve the policy, clarify definitions and standards, and address other minor technical matters raised. The proposed housekeeping amendment to the Codes SEPP will simplify and improve the policy, clarify definitions and standards, and address other minor technical matters.

## **2. Zoning and land use under relevant LEPs**

Maitland LEP 2011, published 16 December 2011, identifies the zone applying to the land as:

### **B6 Enterprise Corridor**

The following development information gives the objectives of the zone, the description of the zone and identifies development allowed or prohibited in each zone. Development consent where required, must be obtained from the Council.

### **B6 Enterprise Corridor**

#### **a) Purpose/Objective**

- To promote businesses along main roads and to encourage a mix of compatible uses
- To provide a range of employment uses (including business, office, retail and light industrial uses)
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Home occupations

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**e) Land dimensions to permit the erection of a dwelling house on the land**

For the land zoned B6 Enterprise Corridor the Maitland LEP 2011 does not contain a development standard specifying the land dimensions required to permit the erection of a dwelling house on the land.

**f) Critical Habitat**

No Local Environmental Plan or draft Local Environmental Plan identifies the land as including or comprising critical habitat.

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The land IS NOT in a Heritage Conservation Area.

**h) Item of Environmental Heritage**

The land does NOT contain an item of Environmental Heritage.

**3. Complying Development**

Complying development under the **Housing Code** may not be carried out on the land as it is not within an applicable zone.

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Complying development under the **Rural Housing Code** may not be carried out on the land as it is not within an applicable zone.

Complying development under the **Housing Alterations Code** may be carried out on the land.

Complying development under the **General Development Code** may be carried out on the land.

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Complying development under the **Fire Safety Code** may be carried out on the land.

Complying development under the **Container Recycling Facilities Code** may be carried out on the land.

**Note: Despite the above provisions, if only part of a lot is subject to an exclusion or exemption under Clause 1.17A or Clause 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) Amendment (Commercial and Industrial Development and Other Matters) 2013*, complying development may be carried out on that part of the lot that is not affected by the exclusion or exemption.**

#### **4B. Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works**

The owner (or any previous owner) of the land has NOT consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

#### **5. Coal Mine Subsidence Compensation Act 2017**

The land has NOT been proclaimed to be within a Mine Subsidence District under the meaning of section 20 of the Coal Mine Subsidence Compensation Act 2017.

#### **6. Road widening and road realignment**

- a) The land is NOT affected by road widening under Division 2 of Part 3 of the Roads Act 1993.
- b) The land is NOT affected by any environmental planning instrument
- c) The land is NOT affected by any road-widening or realignment under any resolution of the Council

The information above relates to Council's road proposals only. Other authorities, including Roads and Maritime Services, may have proposals, which have not been set out.

#### **7. Council and other public authority policies on hazard risk restrictions**

All land within the Maitland Local Government Area has the potential to contain acid sulfate soils. Clause 7.1 of the Maitland Local Environmental Plan 2011 generally applies. Development consent is required where works described in the Table to this clause are proposed on land shown on the Maitland LEP 2011 Acid Sulfate Soils Map as being of the class specified for those works.

The Council has adopted a Contaminated Lands Policy to provide a framework to appropriately manage land contamination risk through the land use planning process. This Policy seeks to ensure that changes in land use will not increase the risk to human health or the environment. The Policy applies to all land in the Maitland Local Government Area.

#### **7A. Flood Related Development Controls**

The land or part of the land IS NOT within the flood planning area and subject to flood related development controls.

The land or part of the land IS NOT between the flood planning area and the probable maximum flood and subject to flood related development controls.

The Maitland LEP 2011 identifies the flood planning level (FPL) as the level of a 1:100 ARI flood event plus 0.5m freeboard. The probable maximum flood has the same meaning as the Floodplain Development Manual.

## **8. Land Reserved for Acquisition**

No environmental planning instrument, deemed environmental planning instrument or draft environmental planning instrument applying to the land provides for the acquisition of the land by a public authority, as referred to in section 3.15 of the Act.

## **9. Contribution Plans**

The following contribution plan(s) apply to the land:

- Maitland S94A Levy Contributions Plan 2006
- Maitland City Wide Section 94 Contributions Plan 2016
- Maitland S94 Contributions Plan (City Wide) 2006

Contributions Plans may be viewed on Council's website or inspected and purchased at Council's Customer Service Centre.

## **9A. Biodiversity Certified Land**

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

## **10. Biodiversity Stewardship Sites**

The Council is not aware if the land is a biodiversity stewardship site under a biodiversity stewardship agreement under part 5 of the *Biodiversity Conservation Act 2016*.

## **10A. Native Vegetation clearing set asides**

The Council is not aware if the land contains a set aside area under 60ZC of the *Local Land Services Act 2013*.

## **11. Bushfire Prone Land**

The land is NOT identified as being bushfire prone land.

## **12. Property vegetation plans**

The Council has not received any notification from Hunter Local Land Services that this land is affected by a property vegetation plan under Part 4 of the Native Vegetation Act 2003 (and that continues in force).

## **13. Order under Trees (Disputes between Neighbours) Act 2006**

Council has NOT received notification from the Land and Environment Court of NSW that the land is affected by an Order under Trees – (Disputes Between Neighbours) Act 2006.

## **14. Directions under Part 3A**

There is NO direction by the Minister under Section 75P(2)(c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 (other than a project of a class prescribed by the regulations) of the Act does not have effect.

**15. Site Compatibility Certificate and Conditions for Seniors Housing**

**a) Site Compatibility Certificate**

Council is unaware of whether a current Site Compatibility Certificate issued under Clause 25 of the State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004 has been issued for the land.

**b) Conditions of Development Consent since 11 October 2007**

No development consent has been granted for the development permitted under State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004 after 11 October 2007.

**16. Site compatibility certificates for infrastructure, schools or TAFE establishments**

Council is unaware of whether a valid Site Compatibility Certificate has been issued under clause 19 of State Environmental Planning Policy (Infrastructure) 2007 for the land.

**17. Site compatibility certificates and conditions for affordable rental housing**

Council is unaware if a Site Compatibility Certificate (Affordable Rental Housing) has been issued in accordance with State Environmental Planning Policy (Affordable Rental Housing) 2009.

**18. Paper subdivision information**

There is no development plan that applies to the:

- 1) Land or that is proposed to be subject to a consent ballot
- 2) There is no subdivision order that applies to the land.

**19. Site verification certificates**

Council is not aware of any current site verification certificate in respect of the land.

**20. Loose-fill asbestos insulation**

There are no premises on the subject land listed on the register.

**21. Affected building notices and building product rectification orders**

The Council is NOT aware of any affected building notice which is in force in respect of the land.

The Council is NOT aware of any building product rectification order which is in force in respect of the land and that has not been fully complied with.

The Council is NOT aware of any notice of intention to make a building product rectification order being given in respect of the land and that is outstanding.

**Note. The following matters are prescribed by section 59(2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate.**

## Contaminated Land

- a) The land to which this certificate relates is NOT significantly contaminated land within the meaning of the Contaminated Land Management Act 1997.
- b) The land to which this certificate relates is NOT subject to a management order within the meaning of the Contaminated Land Management Act 1997.
- c) The land to which this certificate relates is NOT the subject of an approved voluntary management proposal within the meaning of the Contaminated Land Management Act 1997.
- d) The land to which this certificate relates is NOT the subject to an ongoing maintenance order within the meaning of the Contaminated Land Management Act 1997.
- e) Council has NOT been provided with a site audit statement, within the meaning of the Contaminated Land Management Act 1997, for the land to which this Certificate relates.

## PART 2: ADDITIONAL MATTERS PROVIDED PURSUANT TO SECTION 10.7 (5)

The following information is provided in accordance with section 10.7(5) of the Environmental Planning and Assessment Act 1979. Section 10.7(6) of the Act states that a Council shall not incur any liability in respect of advice provided in good faith pursuant to sub-section 10.7(5). If this information is to be relied upon, it should be independently checked.

### 1. Development Consent

Council's records indicate that the land has not had any development consent granted within the five (5) years preceding the date of this certificate.

### 2. Draft Development Control Plan

No draft Development Control Plans apply to the land.

### 3. Suspension of Covenants

Clause 1.9A in the Maitland LEP 2011 applies to all land within the Maitland Local Government Area. This clause suspends any agreement, covenant or other instrument that restricts the development of land that is permissible under the provisions of the Maitland Local Environmental Plan 2011 to the extent necessary to serve that purpose.

### 4. Filling of Land

Earthworks (excavation and filling of land) require development consent. Clause 7.2 in the Maitland LEP 2011 applies to all land within the Maitland Local Government Area. Earthworks (defined as both excavation and filling of land) require development consent of Council unless the works are exempt development, ancillary to other development for which development consent is required or granted, or considered by Council to be of a minor nature.

### 5. Development in the Vicinity of Heritage Items

Clause 5.10 in the Maitland LEP 2011 generally applies to all land in the Maitland Local Government Area, where the land is located in the vicinity of a heritage item or heritage conservation area. This Clause requires a consent authority to consider

the effect of the proposed development on the heritage significance of the item or area concerned, before granting development consent.

## **6. Other Matters**

There are no other specific matters.

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**David Evans**  
**General Manager**



**Certificate No.:** PC/2021/2454

**Certificate Date:** 27/07/2021

**Fee Paid:** \$133.00

**Receipt No.:** 1052759

**Your Reference:**

**SECTION 10.7 PLANNING CERTIFICATE**

**Environmental Planning and Assessment Act, 1979 as amended**

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<b>APPLICANT:</b>	Douglas Partners Pty Ltd  jason.lambert@douglaspartners.com.au
<b>PROPERTY DESCRIPTION:</b>	Bungaree Street TELARAH NSW 2320
<b>PARCEL NUMBER:</b>	33605
<b>LEGAL DESCRIPTION:</b>	Lot 21 DP 746311

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**IMPORTANT: Please read this Certificate carefully.**

This Certificate contains important information about the land described above.

Please check for any item, which could be inconsistent with the proposed use or development of the land. If there is anything you do not understand, please contact Council by phoning (02) 4934 9700, or personally at Council's Administration Building at 285-287 High Street, Maitland.

The information provided in this Certificate relates only to the land described above. If you require information about adjoining or nearby land, or about the Council's development policies or codes for the general area, contact Council's Planning & Environment Department.

All information provided is correct as at the date of issue of this Certificate, however it is possible for changes to occur at any time after the issue of this Certificate. We recommend that you only rely upon a very recent Certificate.

The following responses are based on the Council's records and/or information from sources outside the Council. The responses are provided with all due care and in good faith, however the Council cannot accept responsibility for any omission or inaccuracy arising from information outside the control of the Council.

Furthermore, while this Certificate indicates the general effect of the zoning of the abovementioned land, it is suggested that the applicable planning instruments be further investigated to determine any additional requirements.

**Copies of Maitland City Council's Local Environmental Planning Instrument, Development Control Plans and Policies are available from Council's [website](#).**

## **PART 1: MATTERS PROVIDED PURSUANT TO SECTION 10.7 (2)**

### **1. Local Environmental Plan (LEP)**

Maitland LEP 2011, published 16 December 2011, applies to the land.

#### **Exhibited draft Local Environmental Plans**

No draft local Environmental Plans that have been on public exhibition under the Act are applicable to the land.

#### **Development Control Plan prepared by Council**

Maitland Development Control Plan 2011 applies to the land.

#### **Development Control Plan prepared by the Director General**

The Council has not been notified of any Development Control Plan applying to the land that has been prepared by the Director-General under section 51A of the Act.

#### **State Environmental Planning Policies**

The Minister for Planning has notified that the following State Environmental Planning Policies (SEPPs) shall be specified on Certificates under Section 10.7 of the Environmental Planning and Assessment Act, 1979.

The land is affected by the following State Environmental Planning Policies:

- SEPP21 Caravan Parks
- SEPP (Mining, Petroleum Production and Extractive Industries) 2007
- SEPP (State and Regional Development) 2011
- SEPP33 Hazardous and Offensive Development
- SEPP36 Manufactured Home Estates
- SEPP (Koala Habitat Protection) 2019
- SEPP50 Canal Estate Development
- SEPP (Housing for Seniors or People with a Disability) 2004
- SEPP55 Remediation of Land
- SEPP Affordable Rental Housing 2009
- SEPP Building Sustainability Index: BASIX 2004
- SEPP (Exempt and Complying Development Codes) 2008
- SEPP (Infrastructure) 2007
- SEPP64 Advertising and Signage
- SEPP Primary Production and Rural Development 2019
- SEPP65 Design Quality of Residential Apartment Development
- SEPP70 Affordable Housing (Revised Schemes)
- SEPP (Concurrences and Consents) 2018
- SEPP Vegetation in Non Rural Areas 2017
- SEPP (Educational Establishments and Child Care Facilities) 2017

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## **Draft State Environmental Planning Policies**

The following draft State Environmental Planning Policy(s) applying to the land is, or has been, the subject of community consultation or on public exhibition under the Act:

### ***Housekeeping Amendment to the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008***

The proposed amendments to this SEPP are housekeeping amendment to the Codes SEPP to simplify and improve the policy, clarify definitions and standards, and address other minor technical matters raised. The proposed housekeeping amendment to the Codes SEPP will simplify and improve the policy, clarify definitions and standards, and address other minor technical matters.

## **2. Zoning and land use under relevant LEPs**

Maitland LEP 2011, published 16 December 2011, identifies the zone applying to the land as:

### **B6 Enterprise Corridor**

The following development information gives the objectives of the zone, the description of the zone and identifies development allowed or prohibited in each zone. Development consent where required, must be obtained from the Council.

### **B6 Enterprise Corridor**

#### **a) Purpose/Objective**

- To promote businesses along main roads and to encourage a mix of compatible uses
- To provide a range of employment uses (including business, office, retail and light industrial uses)
- To maintain the economic strength of centres by limiting retailing activity
- To provide for residential uses, but only as part of a mixed use development

#### **b) Permitted with Consent**

Business premises; Community facilities; Food and drink premises; Garden centres; Hardware and building supplies; Hotel or motel accommodation; Kiosks; Landscaping material supplies; Light industries; Office premises; Oyster Aquaculture; Passenger transport facilities; Plant nurseries; Roads; Serviced apartments; Shop top housing; Tank-based Aquaculture; Vehicle sales or hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4

#### **c) Permitted without Consent**

Home occupations

#### **d) Prohibited**

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding



or training establishments; Biosolids treatment facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Centre-based child care facilities; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Entertainment facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home-based child care; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Pond-based Aquaculture; Recreation facilities (major); Registered clubs; Residential accommodation; Resource recovery facilities; Respite day care centres; Restricted premises; Rural industries; Sewerage treatment plants; Sex services premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Veterinary hospitals; Waste disposal facilities; Water recreation structures; Water recycling facilities; Wharf or boating facilities; Wholesale supplies.

**e) Land dimensions to permit the erection of a dwelling house on the land**

For the land zoned B6 Enterprise Corridor the Maitland LEP 2011 does not contain a development standard specifying the land dimensions required to permit the erection of a dwelling house on the land.

**f) Critical Habitat**

No Local Environmental Plan or draft Local Environmental Plan identifies the land as including or comprising critical habitat.

**g) Conservation Area**

The land IS NOT in a Heritage Conservation Area.

**h) Item of Environmental Heritage**

The land does NOT contain an item of Environmental Heritage.

**3. Complying Development**

Complying development under the **Housing Code** may not be carried out on the land as it is not within an applicable zone.

Complying development under the **Low Rise Medium Density Housing Code and Greenfield Housing Code** may not be carried out on the land as it is not within an applicable zone.

Complying development under the **Rural Housing Code** may not be carried out on the land as it is not within an applicable zone.

Complying development under the **Housing Alterations Code** may be carried out on the land.

Complying development under the **General Development Code** may be carried out on the land.

Complying development under the **Commercial and Industrial Alterations Code** may be carried out on the land.

Complying development under the **Commercial and Industrial (New Buildings and Additions) Code** may be carried out on the land.

Complying development under the **Subdivisions Code** may be carried out on the land.

Complying development under the **Demolition Code** may be carried out on the land.

Complying development under the **Fire Safety Code** may be carried out on the land.

Complying development under the **Container Recycling Facilities Code** may be carried out on the land.

**Note: Despite the above provisions, if only part of a lot is subject to an exclusion or exemption under Clause 1.17A or Clause 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) Amendment (Commercial and Industrial Development and Other Matters) 2013*, complying development may be carried out on that part of the lot that is not affected by the exclusion or exemption.**

#### **4B. Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works**

The owner (or any previous owner) of the land has NOT consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

#### **5. Coal Mine Subsidence Compensation Act 2017**

The land has NOT been proclaimed to be within a Mine Subsidence District under the meaning of section 20 of the Coal Mine Subsidence Compensation Act 2017.

#### **6. Road widening and road realignment**

- a) The land is NOT affected by road widening under Division 2 of Part 3 of the Roads Act 1993.
- b) The land is NOT affected by any environmental planning instrument
- c) The land is NOT affected by any road-widening or realignment under any resolution of the Council

The information above relates to Council's road proposals only. Other authorities, including Roads and Maritime Services, may have proposals, which have not been set out.

#### **7. Council and other public authority policies on hazard risk restrictions**

All land within the Maitland Local Government Area has the potential to contain acid sulfate soils. Clause 7.1 of the Maitland Local Environmental Plan 2011 generally applies. Development consent is required where works described in the Table to this clause are proposed on land shown on the Maitland LEP 2011 Acid Sulfate Soils Map as being of the class specified for those works.

The Council has adopted a Contaminated Lands Policy to provide a framework to appropriately manage land contamination risk through the land use planning process. This Policy seeks to ensure that changes in landuse will not increase the risk to human health or the environment. The Policy applies to all land in the Maitland Local Government Area.

#### **7A. Flood Related Development Controls**

The land or part of the land IS within the flood planning area and subject to flood related development controls.

The land or part of the land IS between the flood planning area and the probable maximum flood and subject to flood related development controls.

The Maitland LEP 2011 identifies the flood planning level (FPL) as the level of a 1:100 ARI flood event plus 0.5m freeboard. The probable maximum flood has the same meaning as the Floodplain Development Manual.

## **8. Land Reserved for Acquisition**

No environmental planning instrument, deemed environmental planning instrument or draft environmental planning instrument applying to the land provides for the acquisition of the land by a public authority, as referred to in section 3.15 of the Act.

## **9. Contribution Plans**

The following contribution plan(s) apply to the land:

- Maitland S94A Levy Contributions Plan 2006
- Maitland City Wide Section 94 Contributions Plan 2016
- Maitland S94 Contributions Plan (City Wide) 2006

Contributions Plans may be viewed on Council's website or inspected and purchased at Council's Customer Service Centre.

## **9A. Biodiversity Certified Land**

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

## **10. Biodiversity Stewardship Sites**

The Council is not aware if the land is a biodiversity stewardship site under a biodiversity stewardship agreement under part 5 of the *Biodiversity Conservation Act 2016*.

## **10A. Native Vegetation clearing set asides**

The Council is not aware if the land contains a set aside area under 60ZC of the *Local Land Services Act 2013*.

## **11. Bushfire Prone Land**

The land is NOT identified as being bushfire prone land.

## **12. Property vegetation plans**

The Council has not received any notification from Hunter Local Land Services that this land is affected by a property vegetation plan under Part 4 of the Native Vegetation Act 2003 (and that continues in force).

## **13. Order under Trees (Disputes between Neighbours) Act 2006**

Council has NOT received notification from the Land and Environment Court of NSW that the land is affected by an Order under Trees – (Disputes Between Neighbours) Act 2006.

## **14. Directions under Part 3A**

There is NO direction by the Minister under Section 75P(2)(c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 (other than a project of a class prescribed by the regulations) of the Act does not have effect.

**15. Site Compatibility Certificate and Conditions for Seniors Housing**

**a) Site Compatibility Certificate**

Council is unaware of whether a current Site Compatibility Certificate issued under Clause 25 of the State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004 has been issued for the land.

**b) Conditions of Development Consent since 11 October 2007**

No development consent has been granted for the development permitted under State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004 after 11 October 2007.

**16. Site compatibility certificates for infrastructure, schools or TAFE establishments**

Council is unaware of whether a valid Site Compatibility Certificate has been issued under clause 19 of State Environmental Planning Policy (Infrastructure) 2007 for the land.

**17. Site compatibility certificates and conditions for affordable rental housing**

Council is unaware if a Site Compatibility Certificate (Affordable Rental Housing) has been issued in accordance with State Environmental Planning Policy (Affordable Rental Housing) 2009.

**18. Paper subdivision information**

There is no development plan that applies to the:

- 1) Land or that is proposed to be subject to a consent ballot
- 2) There is no subdivision order that applies to the land.

**19. Site verification certificates**

Council is not aware of any current site verification certificate in respect of the land.

**20. Loose-fill asbestos insulation**

There are no premises on the subject land listed on the register.

**21. Affected building notices and building product rectification orders**

The Council is NOT aware of any affected building notice which is in force in respect of the land.

The Council is NOT aware of any building product rectification order which is in force in respect of the land and that has not been fully complied with.

The Council is NOT aware of any notice of intention to make a building product rectification order being given in respect of the land and that is outstanding.

**Note. The following matters are prescribed by section 59(2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate.**



## Contaminated Land

- a) The land to which this certificate relates is NOT significantly contaminated land within the meaning of the Contaminated Land Management Act 1997.
- b) The land to which this certificate relates is NOT subject to a management order within the meaning of the Contaminated Land Management Act 1997.
- c) The land to which this certificate relates is NOT the subject of an approved voluntary management proposal within the meaning of the Contaminated Land Management Act 1997.
- d) The land to which this certificate relates is NOT the subject to an ongoing maintenance order within the meaning of the Contaminated Land Management Act 1997.
- e) Council has NOT been provided with a site audit statement, within the meaning of the Contaminated Land Management Act 1997, for the land to which this Certificate relates.

## PART 2: ADDITIONAL MATTERS PROVIDED PURSUANT TO SECTION 10.7 (5)

The following information is provided in accordance with section 10.7(5) of the Environmental Planning and Assessment Act 1979. Section 10.7(6) of the Act states that a Council shall not incur any liability in respect of advice provided in good faith pursuant to sub-section 10.7(5). If this information is to be relied upon, it should be independently checked.

### 1. Development Consent

Council's records indicate that the land has not had any development consent granted within the five (5) years preceding the date of this certificate.

### 2. Draft Development Control Plan

No draft Development Control Plans apply to the land.

### 3. Suspension of Covenants

Clause 1.9A in the Maitland LEP 2011 applies to all land within the Maitland Local Government Area. This clause suspends any agreement, covenant or other instrument that restricts the development of land that is permissible under the provisions of the Maitland Local Environmental Plan 2011 to the extent necessary to serve that purpose.

### 4. Filling of Land

Earthworks (excavation and filling of land) require development consent. Clause 7.2 in the Maitland LEP 2011 applies to all land within the Maitland Local Government Area. Earthworks (defined as both excavation and filling of land) require development consent of Council unless the works are exempt development, ancillary to other development for which development consent is required or granted, or considered by Council to be of a minor nature.

### 5. Development in the Vicinity of Heritage Items

Clause 5.10 in the Maitland LEP 2011 generally applies to all land in the Maitland Local Government Area, where the land is located in the vicinity of a heritage item or heritage conservation area. This Clause requires a consent authority to consider

the effect of the proposed development on the heritage significance of the item or area concerned, before granting development consent.

## **6. Other Matters**

There are no other specific matters.

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**David Evans**  
**General Manager**

**Certificate No.:** PC/2021/2455

**Certificate Date:** 27/07/2021

**Fee Paid:** \$133.00

**Receipt No.:** 1052760

**Your Reference:**

## **SECTION 10.7 PLANNING CERTIFICATE**

### **Environmental Planning and Assessment Act, 1979 as amended**

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<b>APPLICANT:</b>	Douglas Partners Pty Ltd  jason.lambert@douglaspartners.com.au
<b>PROPERTY DESCRIPTION:</b>	Bungaree Street MAITLAND NSW 2320
<b>PARCEL NUMBER:</b>	31389
<b>LEGAL DESCRIPTION:</b>	Lot 22 DP 746311

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#### **IMPORTANT: Please read this Certificate carefully.**

This Certificate contains important information about the land described above.

Please check for any item, which could be inconsistent with the proposed use or development of the land. If there is anything you do not understand, please contact Council by phoning (02) 4934 9700, or personally at Council's Administration Building at 285-287 High Street, Maitland.

The information provided in this Certificate relates only to the land described above. If you require information about adjoining or nearby land, or about the Council's development policies or codes for the general area, contact Council's Planning & Environment Department.

All information provided is correct as at the date of issue of this Certificate, however it is possible for changes to occur at any time after the issue of this Certificate. We recommend that you only rely upon a very recent Certificate.

The following responses are based on the Council's records and/or information from sources outside the Council. The responses are provided with all due care and in good faith, however the Council cannot accept responsibility for any omission or inaccuracy arising from information outside the control of the Council.

Furthermore, while this Certificate indicates the general effect of the zoning of the abovementioned land, it is suggested that the applicable planning instruments be further investigated to determine any additional requirements.

**Copies of Maitland City Council's Local Environmental Planning Instrument, Development Control Plans and Policies are available from Council's [website](#).**



## **PART 1: MATTERS PROVIDED PURSUANT TO SECTION 10.7 (2)**

### **1. Local Environmental Plan (LEP)**

Maitland LEP 2011, published 16 December 2011, applies to the land.

#### **Exhibited draft Local Environmental Plans**

No draft local Environmental Plans that have been on public exhibition under the Act are applicable to the land.

#### **Development Control Plan prepared by Council**

Maitland Development Control Plan 2011 applies to the land.

#### **Development Control Plan prepared by the Director General**

The Council has not been notified of any Development Control Plan applying to the land that has been prepared by the Director-General under section 51A of the Act.

#### **State Environmental Planning Policies**

The Minister for Planning has notified that the following State Environmental Planning Policies (SEPPs) shall be specified on Certificates under Section 10.7 of the Environmental Planning and Assessment Act, 1979.

The land is affected by the following State Environmental Planning Policies:

- SEPP21 Caravan Parks
- SEPP (Mining, Petroleum Production and Extractive Industries) 2007
- SEPP (State and Regional Development) 2011
- SEPP33 Hazardous and Offensive Development
- SEPP36 Manufactured Home Estates
- SEPP (Koala Habitat Protection) 2019
- SEPP50 Canal Estate Development
- SEPP (Housing for Seniors or People with a Disability) 2004
- SEPP55 Remediation of Land
- SEPP Affordable Rental Housing 2009
- SEPP Building Sustainability Index: BASIX 2004
- SEPP (Exempt and Complying Development Codes) 2008
- SEPP (Infrastructure) 2007
- SEPP64 Advertising and Signage
- SEPP Primary Production and Rural Development 2019
- SEPP65 Design Quality of Residential Apartment Development
- SEPP70 Affordable Housing (Revised Schemes)
- SEPP (Concurrences and Consents) 2018
- SEPP Vegetation in Non Rural Areas 2017
- SEPP (Educational Establishments and Child Care Facilities) 2017

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## **Draft State Environmental Planning Policies**

The following draft State Environmental Planning Policy(s) applying to the land is, or has been, the subject of community consultation or on public exhibition under the Act:

### ***Housekeeping Amendment to the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008***

The proposed amendments to this SEPP are housekeeping amendment to the Codes SEPP to simplify and improve the policy, clarify definitions and standards, and address other minor technical matters raised. The proposed housekeeping amendment to the Codes SEPP will simplify and improve the policy, clarify definitions and standards, and address other minor technical matters.

## **2. Zoning and land use under relevant LEPs**

Maitland LEP 2011, published 16 December 2011, identifies the zone applying to the land as:

### **B6 Enterprise Corridor, E2 Environmental Conservation**

The following development information gives the objectives of the zone, the description of the zone and identifies development allowed or prohibited in each zone. Development consent where required, must be obtained from the Council.

#### **B6 Enterprise Corridor**

##### **a) Purpose/Objective**

- To promote businesses along main roads and to encourage a mix of compatible uses
- To provide a range of employment uses (including business, office, retail and light industrial uses)
- To maintain the economic strength of centres by limiting retailing activity
- To provide for residential uses, but only as part of a mixed use development

##### **b) Permitted with Consent**

Business premises; Community facilities; Food and drink premises; Garden centres; Hardware and building supplies; Hotel or motel accommodation; Kiosks; Landscaping material supplies; Light industries; Office premises; Oyster Aquaculture; Passenger transport facilities; Plant nurseries; Roads; Serviced apartments; Shop top housing; Tank-based Aquaculture; Vehicle sales or hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4

##### **c) Permitted without Consent**

Home occupations

##### **d) Prohibited**

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding

or training establishments; Biosolids treatment facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Centre-based child care facilities; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Entertainment facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home-based child care; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Pond-based Aquaculture; Recreation facilities (major); Registered clubs; Residential accommodation; Resource recovery facilities; Respite day care centres; Restricted premises; Rural industries; Sewerage treatment plants; Sex services premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Veterinary hospitals; Waste disposal facilities; Water recreation structures; Water recycling facilities; Wharf or boating facilities; Wholesale supplies.

## **E2 Environmental Conservation**

### **a) Purpose/Objective**

- To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values
- To prevent development that could destroy, damage or otherwise have an adverse effect on those values
- To ensure that development and management of the land has minimal impact on water quality and environmental flows of receiving waters
- To permit limited extensive agricultural uses where such uses do not compromise the ecological values of the wetland

### **b) Permitted with Consent**

Environmental facilities; Environmental protection works; Extensive agriculture; Oyster Aquaculture; Water reticulation systems

### **c) Permitted without Consent**

Nil

### **d) Prohibited**

Business premises; Dairies (pasture-based); Hotel or motel accommodation; Industries; Multi dwelling housing; Pond-based Aquaculture; Recreation facilities (major); Residential flat buildings; Restricted premises; Retail premises; Seniors housing; Service stations; Tank-based Aquaculture; Warehouse or distribution centres; Any other development not specified in item 2 or 3.

### **e) Land dimensions to permit the erection of a dwelling house on the land**

For the land zoned B6 Enterprise Corridor and E2 Environmental Conservation the Maitland LEP 2011 does not contain a development standard specifying the land dimensions required to permit the erection of a dwelling house on the land.

### **f) Critical Habitat**

No Local Environmental Plan or draft Local Environmental Plan identifies the land

as including or comprising critical habitat.

**g) Conservation Area**

The land IS NOT in a Heritage Conservation Area.

**h) Item of Environmental Heritage**

The land does NOT contain an item of Environmental Heritage.

**3. Complying Development**

Complying development under the **Housing Code** may not be carried out on the land as it is not within an applicable zone and the land is:

Land identified under an environmental planning instrument as an ecologically sensitive area.

Complying development under the **Low Rise Medium Density Housing Code and Greenfield Housing Code** may not be carried out on the land as it is not within an applicable zone and the land is:

Land identified under an environmental planning instrument as an ecologically sensitive area.

Complying development under the **Rural Housing Code** may not be carried out on the land as it is not within an applicable zone and the land is:

Land identified under an environmental planning instrument as an ecologically sensitive area.

Complying development under the **Housing Alterations Code** may be carried out on the land.

Complying development under the **General Development Code** may be carried out on the land.

Complying development under the **Commercial and Industrial Alterations Code** may be carried out on the land.

Complying development under the **Commercial and Industrial (New Buildings and Additions) Code** may not be carried out on the land as it is not within an applicable zone and the land is:

Land identified under an environmental planning instrument as an ecologically sensitive area.

Complying development under the **Subdivisions Code** may be carried out on the land.

Complying development under the **Demolition Code** may be carried out on the land.

Complying development under the **Fire Safety Code** may be carried out on the land.

Complying development under the **Container Recycling Facilities Code** may be carried out on the land.



**Note: Despite the above provisions, if only part of a lot is subject to an exclusion or exemption under Clause 1.17A or Clause 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) Amendment (Commercial and Industrial Development and Other Matters) 2013*, complying development may be carried out on that part of the lot that is not affected by the exclusion or exemption.**

**4B. Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works**

The owner (or any previous owner) of the land has NOT consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

**5. Coal Mine Subsidence Compensation Act 2017**

The land has NOT been proclaimed to be within a Mine Subsidence District under the meaning of section 20 of the Coal Mine Subsidence Compensation Act 2017.

**6. Road widening and road realignment**

- a) The land is NOT affected by road widening under Division 2 of Part 3 of the Roads Act 1993.
- b) The land is NOT affected by any environmental planning instrument
- c) The land is NOT affected by any road-widening or realignment under any resolution of the Council

The information above relates to Council's road proposals only. Other authorities, including Roads and Maritime Services, may have proposals, which have not been set out.

**7. Council and other public authority policies on hazard risk restrictions**

All land within the Maitland Local Government Area has the potential to contain acid sulfate soils. Clause 7.1 of the Maitland Local Environmental Plan 2011 generally applies. Development consent is required where works described in the Table to this clause are proposed on land shown on the Maitland LEP 2011 Acid Sulfate Soils Map as being of the class specified for those works.

The Council has adopted a Contaminated Lands Policy to provide a framework to appropriately manage land contamination risk through the land use planning process. This Policy seeks to ensure that changes in land use will not increase the risk to human health or the environment. The Policy applies to all land in the Maitland Local Government Area.

**7A. Flood Related Development Controls**

The land or part of the land IS within the flood planning area and subject to flood related development controls.

The land or part of the land IS between the flood planning area and the probable maximum flood and subject to flood related development controls.

The Maitland LEP 2011 identifies the flood planning level (FPL) as the level of a 1:100 ARI flood event plus 0.5m freeboard. The probable maximum flood has the

same meaning as the Floodplain Development Manual.

## **8. Land Reserved for Acquisition**

No environmental planning instrument, deemed environmental planning instrument or draft environmental planning instrument applying to the land provides for the acquisition of the land by a public authority, as referred to in section 3.15 of the Act.

## **9. Contribution Plans**

The following contribution plan(s) apply to the land:

- Maitland S94A Levy Contributions Plan 2006
- Maitland City Wide Section 94 Contributions Plan 2016
- Maitland S94 Contributions Plan (City Wide) 2006

Contributions Plans may be viewed on Council's website or inspected and purchased at Council's Customer Service Centre.

## **9A. Biodiversity Certified Land**

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

## **10. Biodiversity Stewardship Sites**

The Council is not aware if the land is a biodiversity stewardship site under a biodiversity stewardship agreement under part 5 of the *Biodiversity Conservation Act 2016*.

## **10A. Native Vegetation clearing set asides**

The Council is not aware if the land contains a set aside area under 60ZC of the *Local Land Services Act 2013*.

## **11. Bushfire Prone Land**

The land is NOT identified as being bushfire prone land.

## **12. Property vegetation plans**

The Council has not received any notification from Hunter Local Land Services that this land is affected by a property vegetation plan under Part 4 of the Native Vegetation Act 2003 (and that continues in force).

## **13. Order under Trees (Disputes between Neighbours) Act 2006**

Council has NOT received notification from the Land and Environment Court of NSW that the land is affected by an Order under Trees – (Disputes Between Neighbours) Act 2006.

## **14. Directions under Part 3A**

There is NO direction by the Minister under Section 75P(2)(c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 (other than a project of a class prescribed by the regulations) of the Act does not have effect.

## **15. Site Compatibility Certificate and Conditions for Seniors Housing**

**a) Site Compatibility Certificate**

Council is unaware of whether a current Site Compatibility Certificate issued under Clause 25 of the State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004 has been issued for the land.

**b) Conditions of Development Consent since 11 October 2007**

No development consent has been granted for the development permitted under State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004 after 11 October 2007.

**16. Site compatibility certificates for infrastructure, schools or TAFE establishments**

Council is unaware of whether a valid Site Compatibility Certificate has been issued under clause 19 of State Environmental Planning Policy (Infrastructure) 2007 for the land.

**17. Site compatibility certificates and conditions for affordable rental housing**

Council is unaware if a Site Compatibility Certificate (Affordable Rental Housing) has been issued in accordance with State Environmental Planning Policy (Affordable Rental Housing) 2009.

**18. Paper subdivision information**

There is no development plan that applies to the:

- 1) Land or that is proposed to be subject to a consent ballot
- 2) There is no subdivision order that applies to the land.

**19. Site verification certificates**

Council is not aware of any current site verification certificate in respect of the land.

**20. Loose-fill asbestos insulation**

There are no premises on the subject land listed on the register.

**21. Affected building notices and building product rectification orders**

The Council is NOT aware of any affected building notice which is in force in respect of the land.

The Council is NOT aware of any building product rectification order which is in force in respect of the land and that has not been fully complied with.

The Council is NOT aware of any notice of intention to make a building product rectification order being given in respect of the land and that is outstanding.

**Note. The following matters are prescribed by section 59(2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate.**

**Contaminated Land**

- a) The land to which this certificate relates is NOT significantly contaminated land within the meaning of the Contaminated Land Management Act 1997.
- b) The land to which this certificate relates is NOT subject to a management order within the meaning of the Contaminated Land Management Act 1997.
- c) The land to which this certificate relates is NOT the subject of an approved



voluntary management proposal within the meaning of the Contaminated Land Management Act 1997.

- d) The land to which this certificate relates is NOT the subject to an ongoing maintenance order within the meaning of the Contaminated Land Management Act 1997.
- e) Council has NOT been provided with a site audit statement, within the meaning of the Contaminated Land Management Act 1997, for the land to which this Certificate relates.

## **PART 2: ADDITIONAL MATTERS PROVIDED PURSUANT TO SECTION 10.7 (5)**

The following information is provided in accordance with section 10.7(5) of the Environmental Planning and Assessment Act 1979. Section 10.7(6) of the Act states that a Council shall not incur any liability in respect of advice provided in good faith pursuant to sub-section 10.7(5). If this information is to be relied upon, it should be independently checked.

### **1. Development Consent**

Councils records indicate that the land has not had any development consent granted within the five (5) years preceding the date of this certificate.

### **2. Draft Development Control Plan**

No draft Development Control Plans apply to the land.

### **3. Suspension of Covenants**

Clause 1.9A in the Maitland LEP 2011 applies to all land within the Maitland Local Government Area. This clause suspends any agreement, covenant or other instrument that restricts the development of land that is permissible under the provisions of the Maitland Local Environmental Plan 2011 to the extent necessary to serve that purpose.

### **4. Filling of Land**

Earthworks (excavation and filling of land) require development consent. Clause 7.2 in the Maitland LEP 2011 applies to all land within the Maitland Local Government Area. Earthworks (defined as both excavation and filling of land) require development consent of Council unless the works are exempt development, ancillary to other development for which development consent is required or granted, or considered by Council to be of a minor nature.

### **5. Development in the Vicinity of Heritage Items**

Clause 5.10 in the Maitland LEP 2011 generally applies to all land in the Maitland Local Government Area, where the land is located in the vicinity of a heritage item or heritage conservation area. This Clause requires a consent authority to consider the effect of the proposed development on the heritage significance of the item or area concerned, before granting development consent.

### **6. Other Matters**

There are no other specific matters.

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**David Evans**  
**General Manager**

285 - 287 High Street  
Maitland NSW 2320

t 02 4934 9700  
f 02 4933 3209

[info@maitland.nsw.gov.au](mailto:info@maitland.nsw.gov.au)  
[maitland.nsw.gov.au](http://maitland.nsw.gov.au)

All correspondence should be directed to: General Manager P.O. Box 220 Maitland NSW 2320

**Certificate No.:** PC/2021/2457

**Certificate Date:** 23/08/2021

**Fee Paid:** \$133.00

**Receipt No.:** 1052782

**Your Reference:**

## **SECTION 10.7 PLANNING CERTIFICATE**

### **Environmental Planning and Assessment Act, 1979 as amended**

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<b>APPLICANT:</b>	Douglas Partners Pty Ltd  jason.lambert@douglaspartners.com.au
<b>PROPERTY DESCRIPTION:</b>	Ledsam Street MAITLAND NSW 2320
<b>PARCEL NUMBER:</b>	33606
<b>LEGAL DESCRIPTION:</b>	Lot 23 DP 746311

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#### **IMPORTANT: Please read this Certificate carefully.**

This Certificate contains important information about the land described above.

Please check for any item, which could be inconsistent with the proposed use or development of the land. If there is anything you do not understand, please contact Council by phoning (02) 4934 9700, or personally at Council's Administration Building at 285-287 High Street, Maitland.

The information provided in this Certificate relates only to the land described above. If you require information about adjoining or nearby land, or about the Council's development policies or codes for the general area, contact Council's Planning & Environment Department.

All information provided is correct as at the date of issue of this Certificate, however it is possible for changes to occur at any time after the issue of this Certificate. We recommend that you only rely upon a very recent Certificate.

The following responses are based on the Council's records and/or information from sources outside the Council. The responses are provided with all due care and in good faith, however the Council cannot accept responsibility for any omission or inaccuracy arising from information outside the control of the Council.

Furthermore, while this Certificate indicates the general effect of the zoning of the abovementioned land, it is suggested that the applicable planning instruments be further investigated to determine any additional requirements.

**Copies of Maitland City Council's Local Environmental Planning Instrument, Development Control Plans and Policies are available from Council's [website](#).**

## **PART 1: MATTERS PROVIDED PURSUANT TO SECTION 10.7 (2)**

### **1. Local Environmental Plan (LEP)**

Maitland LEP 2011, published 16 December 2011, applies to the land.

#### **Exhibited draft Local Environmental Plans**

No draft local Environmental Plans that have been on public exhibition under the Act are applicable to the land.

#### **Development Control Plan prepared by Council**

Maitland Development Control Plan 2011 applies to the land.

#### **Development Control Plan prepared by the Director General**

The Council has not been notified of any Development Control Plan applying to the land that has been prepared by the Director-General under section 51A of the Act.

#### **State Environmental Planning Policies**

The Minister for Planning has notified that the following State Environmental Planning Policies (SEPPs) shall be specified on Certificates under Section 10.7 of the Environmental Planning and Assessment Act, 1979.

The land is affected by the following State Environmental Planning Policies:

- SEPP21 Caravan Parks
- SEPP (Mining, Petroleum Production and Extractive Industries) 2007
- SEPP (State and Regional Development) 2011
- SEPP33 Hazardous and Offensive Development
- SEPP36 Manufactured Home Estates
- SEPP (Koala Habitat Protection) 2019
- SEPP50 Canal Estate Development
- SEPP (Housing for Seniors or People with a Disability) 2004
- SEPP55 Remediation of Land
- SEPP Affordable Rental Housing 2009
- SEPP Building Sustainability Index: BASIX 2004
- SEPP (Exempt and Complying Development Codes) 2008
- SEPP (Infrastructure) 2007
- SEPP64 Advertising and Signage
- SEPP Primary Production and Rural Development 2019
- SEPP65 Design Quality of Residential Apartment Development
- SEPP70 Affordable Housing (Revised Schemes)
- SEPP (Concurrences and Consents) 2018
- SEPP Vegetation in Non Rural Areas 2017
- SEPP (Educational Establishments and Child Care Facilities) 2017

- 

## **Draft State Environmental Planning Policies**

The following draft State Environmental Planning Policy(s) applying to the land is, or has been, the subject of community consultation or on public exhibition under the Act:

### ***Housekeeping Amendment to the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008***

The proposed amendments to this SEPP are housekeeping amendment to the Codes SEPP to simplify and improve the policy, clarify definitions and standards, and address other minor technical matters raised. The proposed housekeeping amendment to the Codes SEPP will simplify and improve the policy, clarify definitions and standards, and address other minor technical matters.

## **2. Zoning and land use under relevant LEPs**

Maitland LEP 2011, published 16 December 2011, identifies the zone applying to the land as:

### **E2 Environmental Conservation**

The following development information gives the objectives of the zone, the description of the zone and identifies development allowed or prohibited in each zone. Development consent where required, must be obtained from the Council.

### **E2 Environmental Conservation**

#### **a) Purpose/Objective**

- To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values
- To prevent development that could destroy, damage or otherwise have an adverse effect on those values
- To ensure that development and management of the land has minimal impact on water quality and environmental flows of receiving waters
- To permit limited extensive agricultural uses where such uses do not compromise the ecological values of the wetland

#### **b) Permitted with Consent**

Environmental facilities; Environmental protection works; Extensive agriculture; Oyster Aquaculture; Water reticulation systems

#### **c) Permitted without Consent**

Nil

#### **d) Prohibited**

Business premises; Dairies (pasture-based); Hotel or motel accommodation; Industries; Multi dwelling housing; Pond-based Aquaculture; Recreation facilities (major); Residential flat buildings; Restricted premises; Retail premises; Seniors housing; Service stations; Tank-based Aquaculture; Warehouse or distribution



centres; Any other development not specified in item 2 or 3.

**e) Land dimensions to permit the erection of a dwelling house on the land**

For the land zoned E2 Environmental Conservation the Maitland LEP 2011 does not contain a development standard specifying the land dimensions required to permit the erection of a dwelling house on the land.

**f) Critical Habitat**

No Local Environmental Plan or draft Local Environmental Plan identifies the land as including or comprising critical habitat.

**g) Conservation Area**

The land IS NOT in a Heritage Conservation Area.

**h) Item of Environmental Heritage**

The land does NOT contain an item of Environmental Heritage.

**3. Complying Development**

Complying development under the **Housing Code** may not be carried out on the land as it is not within an applicable zone and the land is:

Land identified under an environmental planning instrument as an ecologically sensitive area.

Complying development under the **Low Rise Medium Density Housing Code and Greenfield Housing Code** may not be carried out on the land as it is not within an applicable zone and the land is:

Land identified under an environmental planning instrument as an ecologically sensitive area.

Complying development under the **Rural Housing Code** may not be carried out on the land as it is not within an applicable zone and the land is:

Land identified under an environmental planning instrument as an ecologically sensitive area.

Complying development under the **Housing Alterations Code** may be carried out on the land.

Complying development under the **General Development Code** may be carried out on the land.

Complying development under the **Commercial and Industrial Alterations Code** may be carried out on the land.

Complying development under the **Commercial and Industrial (New Buildings and Additions) Code** may not be carried out on the land as it is not within an applicable zone and the land is:

Land identified under an environmental planning instrument as an ecologically sensitive area.

Complying development under the **Subdivisions Code** may be carried out on the land.

Complying development under the **Demolition Code** may be carried out on the land.

Complying development under the **Fire Safety Code** may be carried out on the land.

Complying development under the **Container Recycling Facilities Code** may not be carried out on the land.

**Note: Despite the above provisions, if only part of a lot is subject to an exclusion or exemption under Clause 1.17A or Clause 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) Amendment (Commercial and Industrial Development and Other Matters) 2013, complying development may be carried out on that part of the lot that is not affected by the exclusion or exemption.**

#### **4B. Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works**

The owner (or any previous owner) of the land has NOT consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

#### **5. Coal Mine Subsidence Compensation Act 2017**

The land has NOT been proclaimed to be within a Mine Subsidence District under the meaning of section 20 of the Coal Mine Subsidence Compensation Act 2017.

#### **6. Road widening and road realignment**

- a) The land is NOT affected by road widening under Division 2 of Part 3 of the Roads Act 1993.
- b) The land is NOT affected by any environmental planning instrument
- c) The land is NOT affected by any road-widening or realignment under any resolution of the Council

The information above relates to Council's road proposals only. Other authorities, including Roads and Maritime Services, may have proposals, which have not been set out.

#### **7. Council and other public authority policies on hazard risk restrictions**

All land within the Maitland Local Government Area has the potential to contain acid sulfate soils. Clause 7.1 of the Maitland Local Environmental Plan 2011 generally applies. Development consent is required where works described in the Table to this clause are proposed on land shown on the Maitland LEP 2011 Acid Sulfate Soils Map as being of the class specified for those works.

The Council has adopted a Contaminated Lands Policy to provide a framework to appropriately manage land contamination risk through the land use planning process. This Policy seeks to ensure that changes in landuse will not increase the



risk to human health or the environment. The Policy applies to all land in the Maitland Local Government Area.

#### **7A. Flood Related Development Controls**

The land or part of the land IS within the flood planning area and subject to flood related development controls.

The land or part of the land IS between the flood planning area and the probable maximum flood and subject to flood related development controls.

The Maitland LEP 2011 identifies the flood planning level (FPL) as the level of a 1:100 ARI flood event plus 0.5m freeboard. The probable maximum flood has the same meaning as the Floodplain Development Manual.

#### **8. Land Reserved for Acquisition**

No environmental planning instrument, deemed environmental planning instrument or draft environmental planning instrument applying to the land provides for the acquisition of the land by a public authority, as referred to in section 3.15 of the Act.

#### **9. Contribution Plans**

The following contribution plan(s) apply to the land:

- Maitland S94A Levy Contributions Plan 2006
- Maitland City Wide Section 94 Contributions Plan 2016
- Maitland S94 Contributions Plan (City Wide) 2006

Contributions Plans may be viewed on Council's website or inspected and purchased at Council's Customer Service Centre.

#### **9A. Biodiversity Certified Land**

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

#### **10. Biodiversity Stewardship Sites**

The Council is not aware if the land is a biodiversity stewardship site under a biodiversity stewardship agreement under part 5 of the *Biodiversity Conservation Act 2016*.

#### **10A. Native Vegetation clearing set asides**

The Council is not aware if the land contains a set aside area under 60ZC of the *Local Land Services Act 2013*.

#### **11. Bushfire Prone Land**

The land is NOT identified as being bushfire prone land.

#### **12. Property vegetation plans**

The Council has not received any notification from Hunter Local Land Services that this land is affected by a property vegetation plan under Part 4 of the Native Vegetation Act 2003 (and that continues in force).

#### **13. Order under Trees (Disputes between Neighbours) Act 2006**

Council has NOT received notification from the Land and Environment Court of

NSW that the land is affected by an Order under Trees – (Disputes Between Neighbours) Act 2006.

#### **14. Directions under Part 3A**

There is NO direction by the Minister under Section 75P(2)(c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 (other than a project of a class prescribed by the regulations) of the Act does not have effect.

#### **15. Site Compatibility Certificate and Conditions for Seniors Housing**

##### **a) Site Compatibility Certificate**

Council is unaware of whether a current Site Compatibility Certificate issued under Clause 25 of the State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004 has been issued for the land.

##### **b) Conditions of Development Consent since 11 October 2007**

No development consent has been granted for the development permitted under State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004 after 11 October 2007.

#### **16. Site compatibility certificates for infrastructure, schools or TAFE establishments**

Council is unaware of whether a valid Site Compatibility Certificate has been issued under clause 19 of State Environmental Planning Policy (Infrastructure) 2007 for the land.

#### **17. Site compatibility certificates and conditions for affordable rental housing**

Council is unaware if a Site Compatibility Certificate (Affordable Rental Housing) has been issued in accordance with State Environmental Planning Policy (Affordable Rental Housing) 2009.

#### **18. Paper subdivision information**

There is no development plan that applies to the:

- 1) Land or that is proposed to be subject to a consent ballot
- 2) There is no subdivision order that applies to the land.

#### **19. Site verification certificates**

Council is not aware of any current site verification certificate in respect of the land.

#### **20. Loose-fill asbestos insulation**

There are no premises on the subject land listed on the register.

#### **21. Affected building notices and building product rectification orders**

The Council is NOT aware of any affected building notice which is in force in respect of the land.

The Council is NOT aware of any building product rectification order which is in force in respect of the land and that has not been fully complied with.

The Council is NOT aware of any notice of intention to make a building product rectification order being given in respect of the land and that is outstanding.

**Note. The following matters are prescribed by section 59(2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate.**

### **Contaminated Land**

- a) The land to which this certificate relates is NOT significantly contaminated land within the meaning of the Contaminated Land Management Act 1997.
- b) The land to which this certificate relates is NOT subject to a management order within the meaning of the Contaminated Land Management Act 1997.
- c) The land to which this certificate relates is NOT the subject of an approved voluntary management proposal within the meaning of the Contaminated Land Management Act 1997.
- d) The land to which this certificate relates is NOT the subject to an ongoing maintenance order within the meaning of the Contaminated Land Management Act 1997.
- e) Council has NOT been provided with a site audit statement, within the meaning of the Contaminated Land Management Act 1997, for the land to which this Certificate relates.

### **PART 2: ADDITIONAL MATTERS PROVIDED PURSUANT TO SECTION 10.7 (5)**

The following information is provided in accordance with section 10.7(5) of the Environmental Planning and Assessment Act 1979. Section 10.7(6) of the Act states that a Council shall not incur any liability in respect of advice provided in good faith pursuant to sub-section 10.7(5). If this information is to be relied upon, it should be independently checked.

#### **1. Development Consent**

Councils records indicate that the land has not had any development consent granted within the five (5) years preceding the date of this certificate.

#### **2. Draft Development Control Plan**

No draft Development Control Plans apply to the land.

#### **3. Suspension of Covenants**

Clause 1.9A in the Maitland LEP 2011 applies to all land within the Maitland Local Government Area. This clause suspends any agreement, covenant or other instrument that restricts the development of land that is permissible under the provisions of the Maitland Local Environmental Plan 2011 to the extent necessary to serve that purpose.

#### **4. Filling of Land**

Earthworks (excavation and filling of land) require development consent. Clause 7.2 in the Maitland LEP 2011 applies to all land within the Maitland Local Government Area. Earthworks (defined as both excavation and filling of land) require development consent of Council unless the works are exempt development, ancillary to other development for which development consent is required or granted, or considered by Council to be of a minor nature.

## 5. Development in the Vicinity of Heritage Items

Clause 5.10 in the Maitland LEP 2011 generally applies to all land in the Maitland Local Government Area, where the land is located in the vicinity of a heritage item or heritage conservation area. This Clause requires a consent authority to consider the effect of the proposed development on the heritage significance of the item or area concerned, before granting development consent.

## 6. Other Matters

There are no other specific matters.

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**David Evans**  
**General Manager**



Our Ref: D21/132531

16 August 2021

Jason.lambert@douglaspartners.com.au  
Douglas Partners  
[jason.lambert.douglaspartners.com](http://jason.lambert.douglaspartners.com)

Dear Jason,

**RE SITE: Lot 19-23 DP746311 Bungaree Street Maitland NSW 2320**

I refer to your site search request received by SafeWork NSW requesting information on Storage of Hazardous Chemicals for the above sites.

A search of the records held by SafeWork NSW has not located any records pertaining to the above-mentioned premises.

For further information or if you have any questions, please call us on 13 10 50 or email [licensing@safework.nsw.gov.au](mailto:licensing@safework.nsw.gov.au)

Yours sincerely

May Neill

Licensing Representative, Licensing and Funds  
Licensing and Funds | Better Regulation Division  
Department of Customer Service  
p 13 10 50  
[www.customerservice.nsw.gov.au](http://www.customerservice.nsw.gov.au)  
Level 3, 32 Mann Street, Gosford NSW 2250



# WaterNSW

## Work Summary

GW066950

Licence: 20WA210341

Licence Status: CURRENT

Authorised Purpose(s): STOCK,DOMESTIC  
Intended Purpose(s): STOCK, DOMESTIC

Work Type: Bore

Work Status: Supply Obtained

Construct.Method:

Owner Type: Private

Commenced Date:

Final Depth: 14.00 m

Completion Date:

Drilled Depth: 14.00 m

Contractor Name: (None)

Driller:

Assistant Driller:

Property: N/A NSW

Standing Water Level  
(m):

GWMA: -  
GW Zone: -

Salinity Description:  
Yield (L/s): 0.500

### Site Details

Site Chosen By:

County: NORTHUMBERLAND  
Parish: MAITL  
Cadastre: 100  
Form A: NORTHUMBERLAND  
Licensed: NORTHUMBERLAND  
MAITLAND  
Whole Lot 1//76713

Region: 20 - Hunter

CMA Map:

River Basin: 210 - HUNTER RIVER  
Area/District:

Grid Zone:

Scale:

Elevation: 10.00 m (A.H.D.)  
Elevation Source: Est. Contour 8-15M.

Northing: 6377823.000  
Easting: 363688.000

Latitude: 32°43'44.3"S  
Longitude: 151°32'43.1"E

GS Map: -

MGA Zone: 56

Coordinate Source: GD.,ACC.MAP

### Construction

Negative depths indicate Above Ground Level; C-Cemented; SL-Slot Length; A-Aperture; GS-Grain Size; Q-Quantity; PL-Placement of Gravel Pack; PC-Pressure Cemented; S-Sump; CE-Centralisers

Hole	Pipe	Component	Type	From (m)	To (m)	Outside Diameter (mm)	Inside Diameter (mm)	Interval	Details
1	1	Casing	P.V.C.	0.00	14.00	150			Seated on Bottom

### Water Bearing Zones

From (m)	To (m)	Thickness (m)	WBZ Type	S.W.L. (m)	D.D.L. (m)	Yield (L/s)	Hole Depth (m)	Duration (hr)	Salinity (mg/L)
8.00	10.00	2.00	Unconsolidated			0.50			

### Remarks

24/11/2009: Updated details as per existing data.

**\*\*\* End of GW066950 \*\*\***

**Warning To Clients:** This raw data has been supplied to the NSW Office of Water by drillers, licensees and other sources. The NOW does not verify the accuracy of this data. The data is presented for use by you at your own risk. You should consider verifying this data before relying on it. Professional hydrogeological advice should be sought in interpreting and using this data.