

## STATEMENT OF ENVIRONMENTAL EFFECTS LORN RIVERBANK BOWDEN STREET, LORN DEMOLITION OF STRUCTURES



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## 1. INTRODUCTION & BACKGROUND

The Lorn Riverbank (the site) is an area that sits between the permanent water level of the Hunter River and the Hunter Valley Flood Mitigation Scheme levee bank that separates the river from the residential area of Lorn. Access to the area is obtained via an existing sealed road within the corridor of Bowden Street.

The site is used as a passive recreation area that attracts walkers and off leash animals to the area. The area is also utilised by four-wheel drive enthusiasts.

There is a series of sheds and fenced yards/paddocks towards the eastern extent of the site which are deteriorating and are not currently in use. The site features are located across two land parcels identified as Lot 1, DP953307 which is owned by Council and classified as operational land and Lot 7007, DP1006732 which is Crown Land with Council identified as the Crown Land Manager.

This infrastructure contradicts with the desired amenity of the Lorn Riverbank and it is proposed to demolish the structures and associated fencing. A plan showing the proposed works to demolish the features can be found in Appendix A.

## 2. PLANNING / STATUTORY CONTROLS

Property reports for Lot 1, DP953307 and Lot 7007, DP1006732 have been downloaded from the NSW eplanning spatial viewer and can be found in Appendix B. The following planning and statutory controls have been identified from the property reports.

### 2.1. State Environmental Planning Policies

A number of State Environmental Planning Policies were identified as applying to the site and can be found listed within the eplanning property reports. However, most of the identified SEPP's are not considered to apply in this instance due to site factors including location, land zoning, vegetation and proposed development type.

Of the listed policies only the SEPP Exempt and Complying Development Codes 2008 is considered to apply. Demolition works are only considered exempt if they are not carried out *"on or in a heritage item or a draft heritage item or on or in a heritage conservation area or a draft heritage conservation area"*. The site falls within the Lorn Heritage Conservation Area and thus cannot be exempt development thereby requiring approval for the demolition of the site features.

### 2.2. Maitland Local Environmental Plan 2011

The site is zoned RU1 – Primary Production in accordance with the Maitland Local Environmental Plan 2011. See following figure.

Part 2.7 of the LEP establishes that *"The demolition of a building or work may be carried out only with development consent"*.

The site is located within the established flood planning area. However, the proposal to demolish structures is not considered to impact on any adverse flooding impacts.

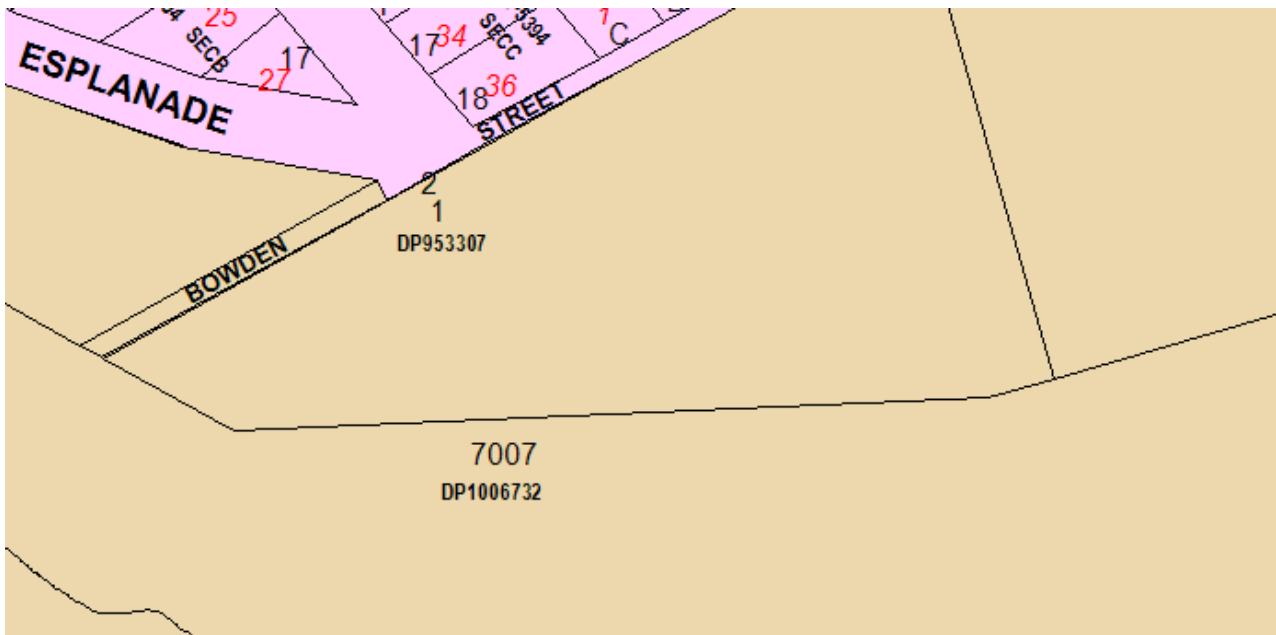


Figure: Land Zoning as per Maitland LEP 2011

### **2.3. Water Management Act 2000**

Lot 1, DP953307 supports the levee system associated with the Hunter Valley Flood Mitigation Scheme and thus triggers the requirement for referral for development consent. However, the proposed site of works is positioned outside the extents of the defined Hunter Valley Flood Mitigation Scheme Development Consent Area and thus does not require approval from this authority under Section 256 of the Water Management Act.

### **2.4. Crown Land Management Act 2016**

Lot 7007, DP1006732 has been identified as Crown Land. In accordance with Section 8.7 of the Crown Land Management Act, an assessment of the proposed activity on native title rights is required. A Native Title Assessment Summary has been completed by Councils Native Title Manager and is attached as Appendix C. The summary concludes that the proposed works are not a future act, that notification is not required to any native title claim group and that the proposed works do not affect native title rights.

### 3. SITE ANALYSIS & EXISTING USES

The Lorn Riverbank (The site) is located within an area bounded by the permanent water level of the Hunter River and the Hunter Valley Flood Mitigation Scheme levee bank that separates the river from residential area of Lorn. Access to the area is obtained via an existing sealed road within the corridor of Bowden Street before transitioning to a gravel access and unformed land. The site comprises of two (2) land parcels being Lot 1, DP953307 which is owned by Council and classified as operational land and Lot 7007, DP1006732 which is Crown Land with Council identified as the Crown Land Manager.

The site is predominately undeveloped with grass cover although there are established cleared parking areas and tracks worn in by frequent vehicle and pedestrian use. Rural style boundary and internal paddock fencing has been installed for the purposes of livestock occupation. These features can be observed in the following figure.



Figure: Aerial Image of site and proposed development area with existing features

The site is predominately flat with site levels ranging from 11.0m at the base of the levee bank and grading south towards the river down to 7.0m before becoming steeper leading down to the river at 0.0m elevation. The river at this location is subject to tidal effects.

The site is quite visible despite being bordered by the river and the levee network. The site sits on the inside of a bend in the river which provides a wide angle of directional viewing from the site. Its low-lying level makes the site visible from adjacent elevated locations such as the top of the levee network and the opposite southern bank of the river which supports the city of Maitland.

The land is included within the Lorn Heritage Conservation Area and the Maitland Flood Planning Area although the cleared nature of the site does not trigger significant concerns with regards to the planning parameters associated with these areas.

The site is not identified as being within a defined Mine Subsidence District.

#### **4. OPERATIONAL DETAILS**

Demolition of the structures on the site is nominated to remove the unsightly features and eliminate the risk/hazard the buildings may propose. Removing the structures will also increase access within the Lorn Riverbank and improve the overall amenity of this recreational area. Once works are complete, the site will continue to operate as it currently functions as a recreational area.

#### **5. ACCESS & TRAFFIC**

Entry and exit to the site are via the sealed road segment of Bowden Street which allows for access over the existing levee embankment. Parking and vehicle movements are not currently controlled or restricted. A network of worn access tracks helps vehicles manoeuvre around the site. The large open space provides ample area for informalised parking to occur.

#### **6. UTILITIES, SERVICES & WASTE**

The site does not support a dwelling and as such is not currently serviced with utilities.

Demolition works are expected to involve the dismantling and removal of all existing features from the site. As such, any waste generated by the proposal will be removed from site upon completion of the works and recycled or disposed of at an approved waste disposal facility.

#### **7. PRIVACY, VIEWS & OVERSHADOWING**

The proposed demolition works are not considered to introduce any privacy, view or overshadowing impacts. Demolition is expected to improve visual amenity to this area with the removal of the structures.

#### **8. FLOODING & DRAINAGE**

A 1050mm diameter stormwater pipe that drains the low-lying areas of Lorn to the river runs beneath the structures but is at sufficient depth to not be an issue to demolition works.

The site slopes gently from north to south and drains directly to the Hunter River.

The site is within the Maitland Flood Planning Area and inside the Hunter Valley Flood Mitigation System levee embankments. The land is subject to frequent inundation and flooding given its location. The 1% Annual Exceedance Probability (AEP) storm event has been estimated as having a peak flood level of 11.03m AHD. Given site levels of approx. 9.0m in the vicinity of the proposal, this equates to flood depths of approximately 2m with depths increasing as you move further south towards the main Hunter River channel.

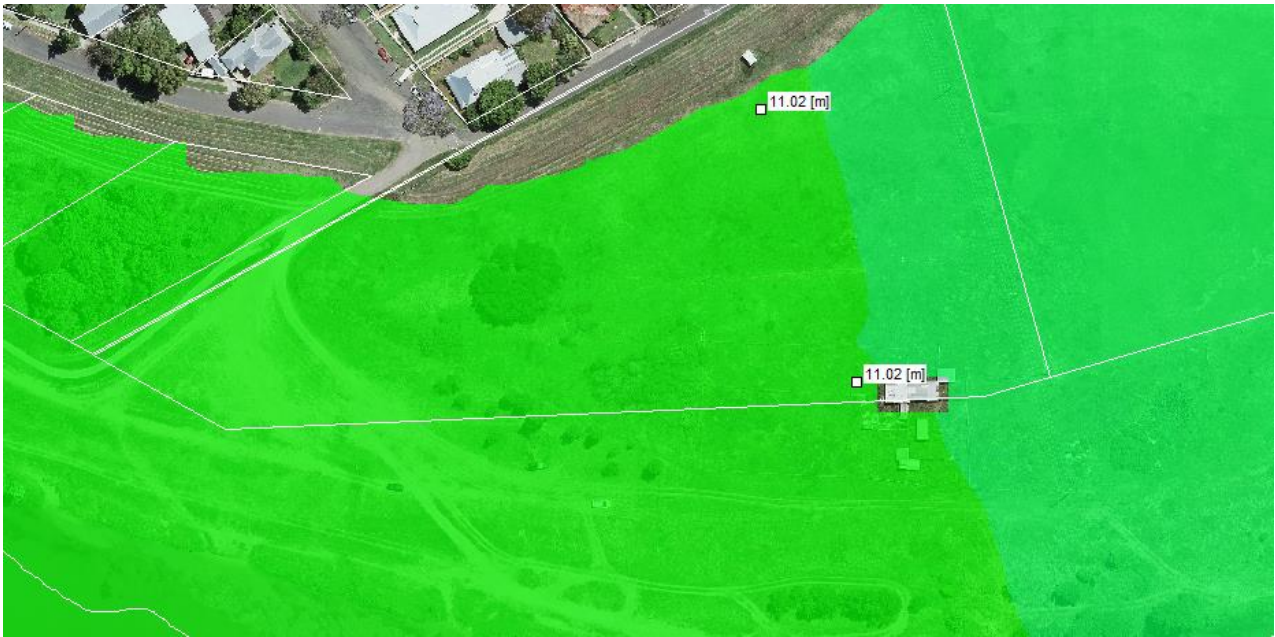


Figure: 1% AEP Hunter River flood depths across the site

Flood velocities across the site vary greatly with high velocities of approx. 3.5m/s noted within the main Hunter River channel before reducing to around 1.0m/s or less in proximity to the existing structures.

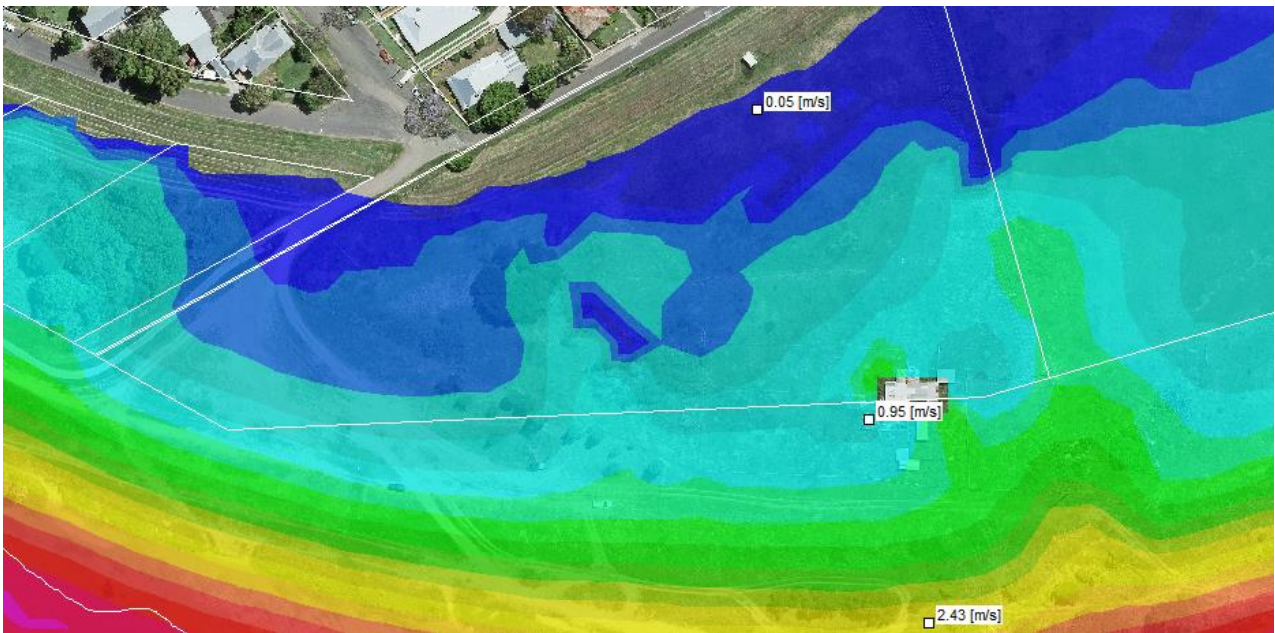


Figure: 1% AEP Hunter River flood velocities across the site

Demolition works are not expected to significantly alter previous flood modelling. The removal of structures from the floodway would be expected to improve flow conveyance during flooding events.

## 9. GEOLOGY, SOILS & CONTAMINATION

The proposal does not involve significant excavation on the site. Class 5 acid sulphate soils have been established from the NSW eplanning Property Report. As per the Maitland LEP, development consent is required for any works on land below 5m AHD. As the works require minimal cut/fill works and are positioned above R.L. 5m AHD, further consideration of potential ASS risk is not warranted.

A search of the NSW Environment Protection Authority Contaminated Lands Record across the Local Government Area of Maitland did not identify the site as being contaminated lands. Nor is the site identified as potentially contaminated lands within Councils geographical information systems. Therefore, it is not considered that the proposed activity will result in the disturbance of land that is contaminated (even if it is not formally registered as contaminated land). It is not considered that the proposal will result in land contamination.

## 10. EROSION & SEDIMENT CONTROL

All works during construction will include sedimentation and erosion controls in accordance with the Landcom publication "Managing Urban Stormwater" (The Blue Book).

## 11. HERITAGE CONSERVATION

The site is located within the Lorn Heritage Conservation Area. The subject site is shown below with the Lorn Heritage Conservation Area overlaid. Development consent is required to permit demolition works within a heritage conservation area. The structures are not considered to contribute to the heritage value of the area and therefore the proposal remains in line with the objectives of the Lorn Heritage Conservation Area.



Figure: Lorn Heritage Conservation Area

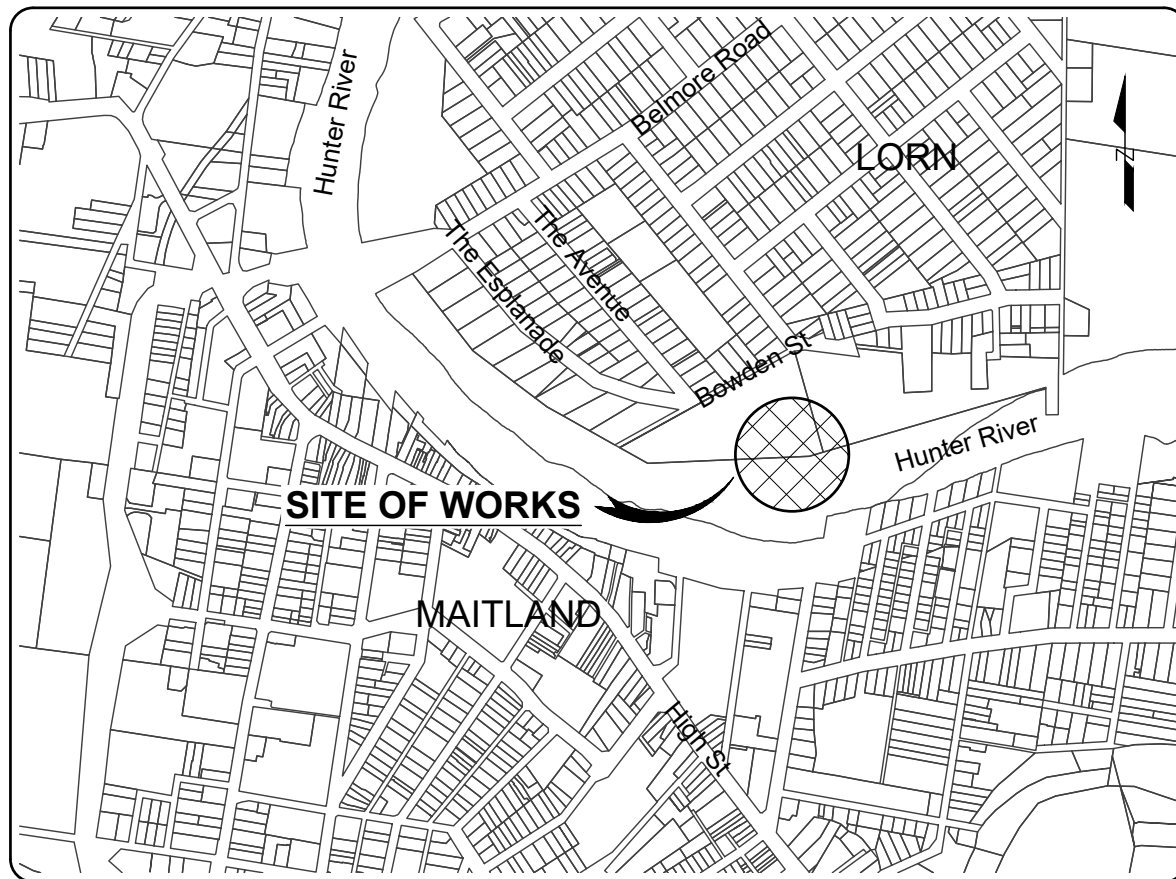


## **12. OTHER ENVIRONMENTAL IMPACTS & MITIGATION MEASURES**

The proposal to demolish structures is not considered to raise any other environmental impacts or require further mitigation measures.



## **APPENDIX A – PROPOSED DEVELOPMENT PLANS**



**LOCALITY SKETCH**

**LEGEND**

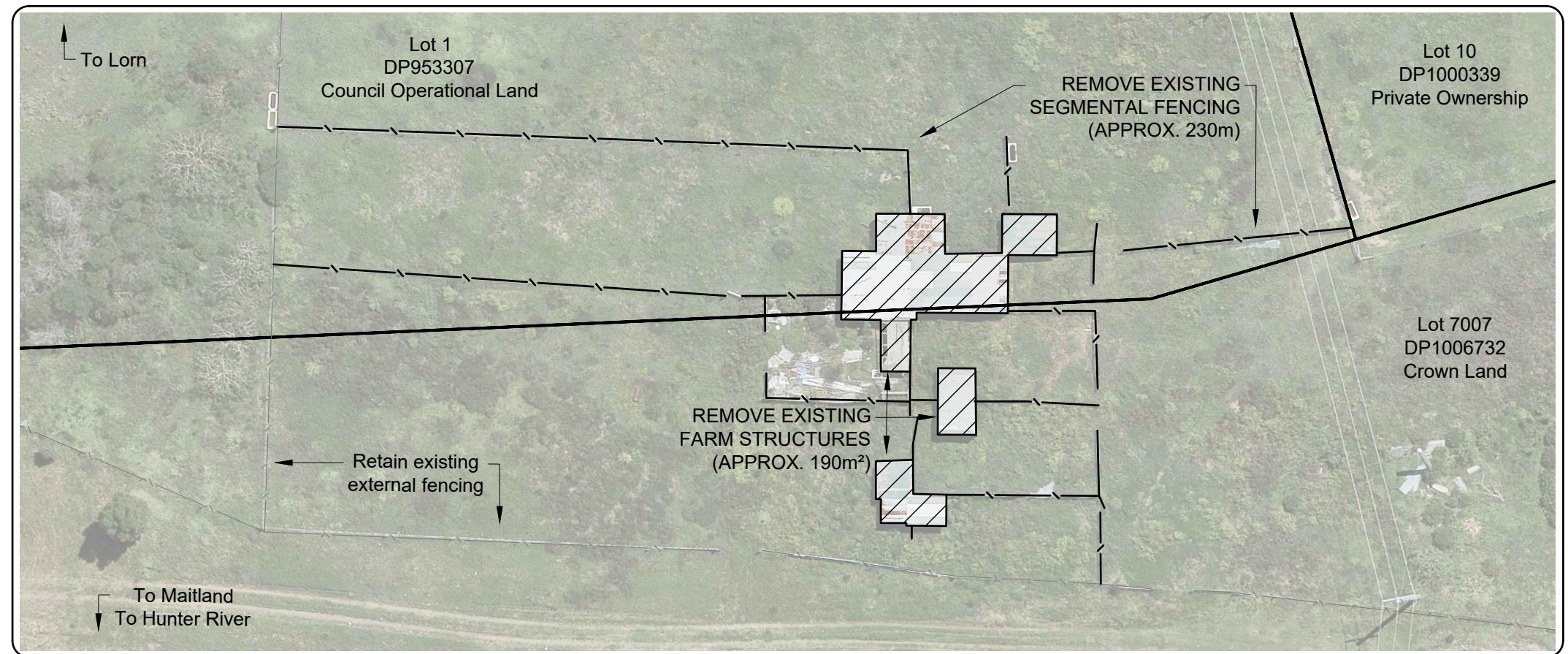
	Existing Fence		Proposed Fence
	Existing Gas Meter & Gas Line		Proposed Vehicle Crossing
	Existing Electricity Box, U/G Lines & Power Light Pole		Proposed Kerb
	Existing Power Pole, Overhead Lines & Light Pole		Proposed Kerb Inlet Pit, Drainage Pipe & Headwall
	Existing Kerb Inlet Pit, Drainage Pipe & Headwall		Proposed Surface Inlet Pit
	Existing Surface Inlet Pit		Proposed Sign
	Existing Sewer Manhole, Sewer Line & Inspection Pit		Proposed Subsoil Flushpoint & Subsoil Drainage Pipe
	Existing Sign		Proposed Table Drain
	Existing Stop Valve, Water Main & Hydrant		Proposed Shrub
	Existing Table Drain		Proposed Tree
	Existing Telecom Pit, Line & Post		
	Existing Shrub		
	Existing Tree		

**SCOPE OF WORKS**

- Demolish and remove existing sheet metal cladding & timber frame structures, holding yard fencing and associated farming items.

**NOTES**

- These drawings have been prepared in accordance with the relevant Australian Standards, Austroads, Roads & Maritime Services Supplements and the Preliminary Project Information sheet (PPI).
- Dimensions shall not be scaled off plans. Any additional dimensions, clarification or discrepancies shall be referred to the Co-ordinator, Design & Project Engineering before proceeding with the Works.
- A DBYD search has been carried out & services physically located where required at the time of design. The DBYD search is to be repeated prior to start of works. Services are to be located & marked on site & the marks maintained throughout the construction period.
- Occupiers of properties & businesses affected by the Works shall be notified prior to the start of work. Where access to a property or business is affected, the affected parties shall be consulted with and arrangements made to minimise the affect or provide alternative access or parking.
- Works shall be carried out in accordance with the Environmental Management Plan (EMP) and any additional measures implemented by the Manager Works.
- Variations to the estimated cost shall be referred to the Capital Works Programme Group for consideration before being committed.
- A "Works As Executed" Plan shall be prepared and forwarded to the Co-ordinator, Design & Project Engineering on completion of the Works. The WAE Plans shall show all variations, final locations & levels.



**SITE PLAN**

P:\Task Folders Special Projects\Lorn Riverbank Masterplan - 3874\02 DESIGN\Lorn Riverbank Rec Plan.dwg

A	ORIGINAL ISSUE	C.P.	18/05/2021
	SHEET REVISION	BY	DATE

**CONCEPT PLAN - NOT FOR CONSTRUCTION**

RATIO @A3	
Horizontal Ratio: 1:500	
Vertical Ratio:	
SURVEYOR N / A	DATUM A.H.D.
DESIGNER C. Pinchen	DATE OF PLAN 05/02/2021

**MAITLAND CITY COUNCIL**  
INFRASTRUCTURE & WORKS  
285-287 HIGH STREET  
P.O. BOX 220  
MAITLAND 2320  
PHONE: (02) 49349700  
FAX (02) 49333209  
DX 21613 MAITLAND

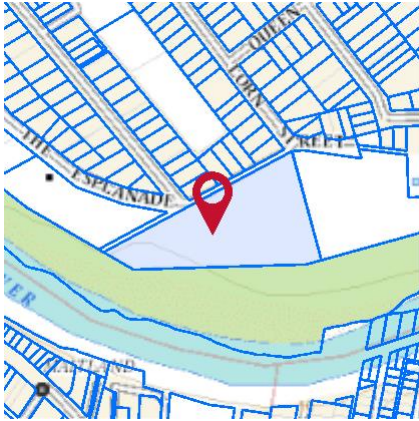
**LORN RIVERBANK**  
**Bowden St**  
**Lorn**  
**PLAN OF DEMOLITION**

PLAN No.  
**3874-1A**  
Sheet 1 of 1

## **APPENDIX B – NSW EPLANNING PROPERTY REPORT**

# Property Report

THE ESPLANADE LORN 2320



## Property Details

Address: THE ESPLANADE LORN 2320  
 Lot/Section 1/-/DP953307 2/-/DP953307  
 /Plan No:  
 Council: MAITLAND CITY COUNCIL

## Summary of planning controls

Planning controls held within the Planning Database are summarised below. The property may be affected by additional planning controls not outlined in this report. Please contact your council for more information.

Local Environmental Plans	Maitland Local Environmental Plan 2011 (pub. 16-12-2011)
Land Zoning	RE1 - Public Recreation: (pub. 25-8-2017)
Height Of Building	NA
Floor Space Ratio	NA
Minimum Lot Size	NA
Heritage	Lorn Heritage Conservation Area Significance: Local
Land Reservation Acquisition	NA
Foreshore Building Line	NA
Acid Sulfate Soils	Class 5
Flood Planning	Flood Planning Area

## Detailed planning information

### State Environmental Planning Policies which apply to this property

State Environmental Planning Policies can specify planning controls for certain areas and/or types of development. They can also identify the development assessment system that applies and the type of environmental assessment that is required.

This report provides general information only and does not replace a Section 10.7 Certificate (formerly Section 149)

- State Environmental Planning Policy (Affordable Rental Housing) 2009: Land Application (pub. 31-7-2009)
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004: Land Application (pub. 25-6-2004)
- State Environmental Planning Policy (Coastal Management) 2018: Land Application (pub. 17-12-2018)
- State Environmental Planning Policy (Coastal Management) 2018: Subject Land (pub. 23-3-2018)
- State Environmental Planning Policy (Concurrences and Consents) 2018: Land Application (pub. 21-12-2018)
- State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017: Land Application (pub. 1-9-2017)
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008: Land Application (pub. 12-12-2008)
- State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004: Land Application (pub. 31-3-2004)
- State Environmental Planning Policy (Infrastructure) 2007: Land Application (pub. 21-12-2007)
- State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007: Land Application (pub. 16-2-2007)
- State Environmental Planning Policy (Primary Production and Rural Development) 2019: Land Application (pub. 28-2-2019)
- State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017: Subject Land (pub. 25-8-2017)
- State Environmental Planning Policy No 21—Caravan Parks: Land Application (pub. 24-4-1992)
- State Environmental Planning Policy No 33—Hazardous and Offensive Development: Land Application (pub. 13-3-1992)
- State Environmental Planning Policy No 36—Manufactured Home Estates: Land Application (pub. 16-7-1993)
- State Environmental Planning Policy No 50—Canal Estate Development: Land Application (pub. 10-11-1997)
- State Environmental Planning Policy No 55—Remediation of Land: Land Application (pub. 28-8-1998)
- State Environmental Planning Policy No 64—Advertising and Signage: Land Application (pub. 16-3-2001)
- State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development: Land Application (pub. 26-7-2002)
- State Environmental Planning Policy No 70—Affordable Housing (Revised Schemes): Land Application (pub. 31-5-2002)

This report provides general information only and does not replace a Section 10.7 Certificate (formerly Section 149)



### Other matters affecting the property

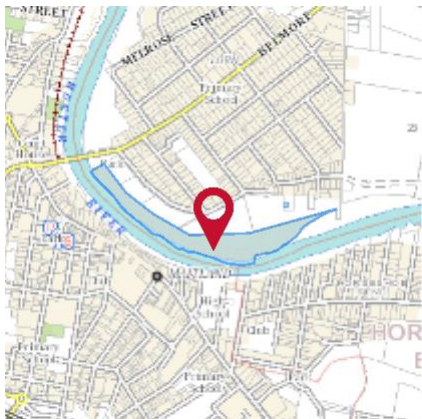
Information held in the Planning Database about other matters affecting the property appears below. The property may also be affected by additional planning controls not outlined in this report. Please speak to your council for more information

Hunter Valley Flood Mitigation Scheme Development Consent Area	Levee (Lorn Levee - Area 10 )
Local Aboriginal Land Council	MINDARIBBA
Regional Plan Boundary	Hunter

This report provides general information only and does not replace a Section 10.7 Certificate (formerly Section 149)

# Property Report

BELMORE ROAD LORN 2320



## Property Details

Address: BELMORE ROAD LORN 2320  
 Lot/Section 7007/-/DP100673  
 /Plan No: 2  
 Council: MAITLAND CITY COUNCIL

## Summary of planning controls

Planning controls held within the Planning Database are summarised below. The property may be affected by additional planning controls not outlined in this report. Please contact your council for more information.

Local Environmental Plans	Maitland Local Environmental Plan 2011 (pub. 16-12-2011)
Land Zoning	RE1 - Public Recreation: (pub. 25-8-2017)
Height Of Building	NA
Floor Space Ratio	NA
Minimum Lot Size	NA
Heritage	Lorn Heritage Conservation Area Significance: Local
Land Reservation Acquisition	NA
Foreshore Building Line	NA
Acid Sulfate Soils	Class 1 Class 5
Flood Planning	Flood Planning Area

## Detailed planning information

### State Environmental Planning Policies which apply to this property

State Environmental Planning Policies can specify planning controls for certain areas and/or types of development. They can also identify the development assessment system that applies and the type of environmental assessment that is required.

This report provides general information only and does not replace a Section 10.7 Certificate (formerly Section 149)



- State Environmental Planning Policy (Affordable Rental Housing) 2009: Land Application (pub. 31-7-2009)
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004: Land Application (pub. 25-6-2004)
- State Environmental Planning Policy (Coastal Management) 2018: Land Application (pub. 17-12-2018)
- State Environmental Planning Policy (Coastal Management) 2018: Subject Land (pub. 23-3-2018)
- State Environmental Planning Policy (Concurrences and Consents) 2018: Land Application (pub. 21-12-2018)
- State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017: Land Application (pub. 1-9-2017)
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008: Land Application (pub. 12-12-2008)
- State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004: Land Application (pub. 31-3-2004)
- State Environmental Planning Policy (Infrastructure) 2007: Land Application (pub. 21-12-2007)
- State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007: Land Application (pub. 16-2-2007)
- State Environmental Planning Policy (Primary Production and Rural Development) 2019: Land Application (pub. 28-2-2019)
- State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017: Subject Land (pub. 25-8-2017)
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- State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development: Land Application (pub. 26-7-2002)
- State Environmental Planning Policy No 70—Affordable Housing (Revised Schemes): Land Application (pub. 31-5-2002)

This report provides general information only and does not replace a Section 10.7 Certificate (formerly Section 149)



# Property Report

BELMORE ROAD LORN 2320

## Other matters affecting the property

Information held in the Planning Database about other matters affecting the property appears below. The property may also be affected by additional planning controls not outlined in this report. Please speak to your council for more information

1.5 m Buffer around Classified Roads	Classified Road Adjacent
Crown Land	Crown Land
Government Property Index:Lot Area	60315 sqm
Local Aboriginal Land Council	MINDARIBBA
Regional Plan Boundary	Hunter

This report provides general information only and does not replace a Section 10.7 Certificate (formerly Section 149)

## **APPENDIX C – NATIVE TITLE ASSESSMENT SUMMARY**

## NATIVE TITLE ASSESSMENT

### RESERVE, SITE AND PROPOSED WORK DETAILS

<b>Reserve Name:</b>	<b>Lorn River Bank Reserve</b>
<b>Reserve No:</b>	<b>R1002864</b>
<b>Reserve Purpose:</b>	<b>Public Recreation</b>
<b>Reserve Category:</b>	<b>Reserve Trust</b>
<b>Lot/DP:</b>	<b>Lot 7007 DP1006732</b>
<b>Address:</b>	<b>Belmore Road Lorn NSW 2320</b>
<b>Property No:</b>	<b>11087</b>
<b>Site Description:</b>	
<b>Gazettal Notice Details:</b>	<b>19/11/1999</b>

<b>Description of Proposed Work:</b>	Demolition of existing farm sheds and associated fencing that encroaches from Council owned operational land Lot 1 DP953307 onto Crown land Lot 7007 DP1006732. The demolition works do not require excavation or clearing of land other than excavation and clearing that is reasonably necessary for the protection of public health and safety.
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## Native Title Assessment Summary

1. The subject Crown land is not excluded land and therefore native title manager advice is required under s8.7 of the Crown Land Management Act 2016 (NSW).
2. The proposed works do not affect native title rights - ie the proposed works do not prevent native title holders from accessing and using the site area for particular purpose eg camping, using natural resources, cultural or spiritual rights or for performing traditional ceremonies.
3. The construction of public works commencing on or before 23 December 1996 is identified under section 23B(7) of the Native Title Act 1993 (Cth) as a previous exclusive possession act
4. The subject Crown land is determined as having had a previous exclusive possession act defined under s23A of the Native Title Act 1993 (Cth). Section 23A(2) of the Native Title Act 1993 (Cth) identifies that the construction or establishment of public works will have completely extinguished native title.
5. As attached documentation supports the conclusion that a public work was established or constructed on the subject Crown land, Council can assert that native title has been extinguished. However, it is noted that only the Federal Court or High Court of Australia can determine the extinguishment of native title.
6. The subject land was resumed for Flood Mitigation purposes by Notice of 8 July 1892 with occupation granted by the Minister for Public Works for Council to construct, improve and embellish the land for the purpose of a public reserve under occupation commencing 1 January 1967.
7. If the public work is determined to have extinguished native title, the extinguishment is taken to have occurred at the date when the construction or establishment began.
8. As the subject Crown land is determined as having a previous exclusive possession act being the construction or establishment of public works, Council can assert the proposed works are not considered a future act and therefore notification to any native title claim group is not considered to be required.

Attachment A - Locality Plan



## Attachment 2 – Title Search



Order number: 61291389  
Your Reference: Native Title  
05/03/20 10:53



NSW LRS - Title Search

NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH  
-----

FOLIO: 7007/1006732  
-----

SEARCH DATE	TIME	EDITION NO	DATE
5/3/2020	10:53 AM	-	-

CERTIFICATE OF TITLE HAS NOT ISSUED

LAND  
-----

LOT 7007 IN DEPOSITED PLAN 1006732  
AT LORN  
LOCAL GOVERNMENT AREA MAITLAND  
PARISH OF MIDDLEHOPE COUNTY OF DURHAM  
TITLE DIAGRAM DP1006732

FIRST SCHEDULE  
-----

THE STATE OF NEW SOUTH WALES (CA104332)

SECOND SCHEDULE (3 NOTIFICATIONS)  
-----

- \* 1 THE LAND IS A RESERVE WITHIN THE MEANING OF PART 5 OF THE CROWN LANDS ACT 1989 AND THERE ARE RESTRICTIONS ON TRANSFER AND OTHER DEALINGS IN THE LAND UNDER THAT ACT, WHICH MAY REQUIRE CONSENT OF THE MINISTER.
- \* 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 THE PLAN DEFINING THE LAND IN THIS FOLIO WHICH WAS PREPARED FOR IDENTIFICATION PURPOSES IS NOW SUITABLE FOR TITLE ISSUE. IT IS NOT A CURRENT PLAN IN TERMS OF SECTION 7A OF THE CONVEYANCING ACT 1919.

NOTATIONS  
-----

UNREGISTERED DEALINGS: NIL

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

## Attachment 3 - Gazette Notices

19 November 1999

OFFICIAL I

**MAITLAND**  
**Department of Land and**  
**Newcastle Road (P.O. Box 6),**  
**Phone: (02) 4934 2280;**

### RESERVATION OF CROWN LAND

PURSUANT to section 87 of the Crown Lands Act 1989, the Crown Land specified in Column 1 of the Schedules hereunder is reserved as specified opposite thereto in Column 2 of the Schedules.

RICHARD AMERY, M.P.,  
Minister for Agriculture  
and Minister for Land and Water Conservation.

#### SCHEDULE 1

COLUMN 1	COLUMN 2
Land District: Maitland. Local Government Area: Maitland City Council Parish: Maitland. County: Northumberland. Locality: Maitland. Lot 100, section *, D.P. 831018. Area: 1313 square metres. File No.: MD99 R 37.	Reserve No.: 1002862. Public Purpose: Public recreation.

#### SCHEDULE 2

COLUMN 1	COLUMN 2
Land District: Maitland. Local Government Area: Maitland City Council. Parish: Middlehope. County: Durham. Locality: Lorn. Lot 7007, section *, D.P. 1006732#. Area: 6.88 hectares. File No.: MD99 R 36.	Reserve No.: 1002864. Public Purpose: Public recreation.

Please note that the above lot numbers marked # are for Departmental use only.



NOTIFICATION OF RESUMPTION OF LAND UNDER  
THE "PUBLIC WORKS ACT OF 1888," 51 VICTORIA

No. 37.

New South Wales,

to wit.

(L.S.)

Jersey,

Governor,

Proclamation by His Excellency The Right Honourable Victor Albert George, Earl of Jersey, a Member of Her Majesty's Most Honourable Privy Council, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George,

Governor and Commander-in-Chief of the Colony of New South Wales and its Dependencies.

WHEREAS I, Victor Albert George, Earl of Jersey,

the Governor aforesaid, with the advice of the Executive

Council, have directed that a certain public work, that is to say, the construction of Flood Embankments for the protection of the town of West Maitland, in the said Colony, for which public funds are lawfully available, the estimated cost of which does not exceed twenty thousand pounds, shall be carried out under the provisions of the 41 Public Works Act of 1888," as an authorised work by the Minister for Public Works as Constructing Authority, and that the land described in the Schedule hereto, which is in my opinion required for carrying out the said work, shall be acquired by taking the same under the "Lands for Public Purposes Acquisition Act," as adopted by the "Public Works Act of 1888"; Now, therefore, I, the said Governor, with the

advice aforesaid, in pursuance of the "Public Works Act of 1888," do declare by this notification, to be published in the Government Gazette and in one or more newspapers published

or circulated in the Police District wherein the said land is

situated, that the Crown Land comprised within the description set forth in the Schedule hereto has been appropriated, and the private property within such description has been resumed, for the public purpose aforesaid, to the intent that upon the publication of this notification in the Gazette, the said land described in the said Schedule hereto shall forthwith be vested in the said

Constructing Authority as a corporation sole on behalf of Her Majesty, for the purposes of the said "Public Works Act of 1888," for an estate in fee simple in possession, freed and discharged from all trusts, obligations, estates, interests, contracts, charges, rates, rights-of-way, or other easements whatsoever; and to the further intent that the legal estate therein, together with all powers incident thereto or conferred by the said last-mentioned Act, shall be vested in such Constructing Authority as a Trustee: And I declare that the following is the Schedule of land hereinbefore referred to:—

Schedule.

---

All that piece or parcel of land situated in the parish of Middlehope, county of Durham, and Colony of New South Wales : Commencing at a point bearing north 60 degrees 27 minutes 53 seconds east, and distant 10 chains 61 links from the intersection of the north-eastern building alignment of High-street with the south-eastern building alignment of Andrew-street, in the town of West Maitland ; and bounded thence by lines bearing south 46 degrees 51 minutes east 6 chains 51 links; thence by a line bearing south 61 degrees 41 minutes 10 seconds east 6 chains 6 links; thence by a line bearing south 69 degrees 20 minutes 50 seconds east 7 chains 58 links ; thence by a line bearing north 79 degrees 18 minutes 50 seconds east 10 chains 61 links; thence by a line bearing north 65 degrees 11 minutes 30 seconds east 16 chains 29 links to the waters on the northern side of the Hunter River; thence by the waters of the said river to a point situated at the southern boundary of the Government Hoed near Belmore Bridge; thence by the said road bearing north 49 degrees 53 minutes 10 seconds east 2 chains 94 links, to the point of commencement ; containing an area of 16 acres 2 roods 7 perches, more or less, and said to belong to the Trustees of the late Alexander M'Dougall.

In witness whereof I have hereunto set my Hand, and


caused the Great Seal of the Colony to be hereto affixed, at Government House, Sydney, this thirtieth day of June, in the year of our Lord one thousand eight hundred and ninety-two, and in the fifty-sixth year of Her Majesty's Beign.

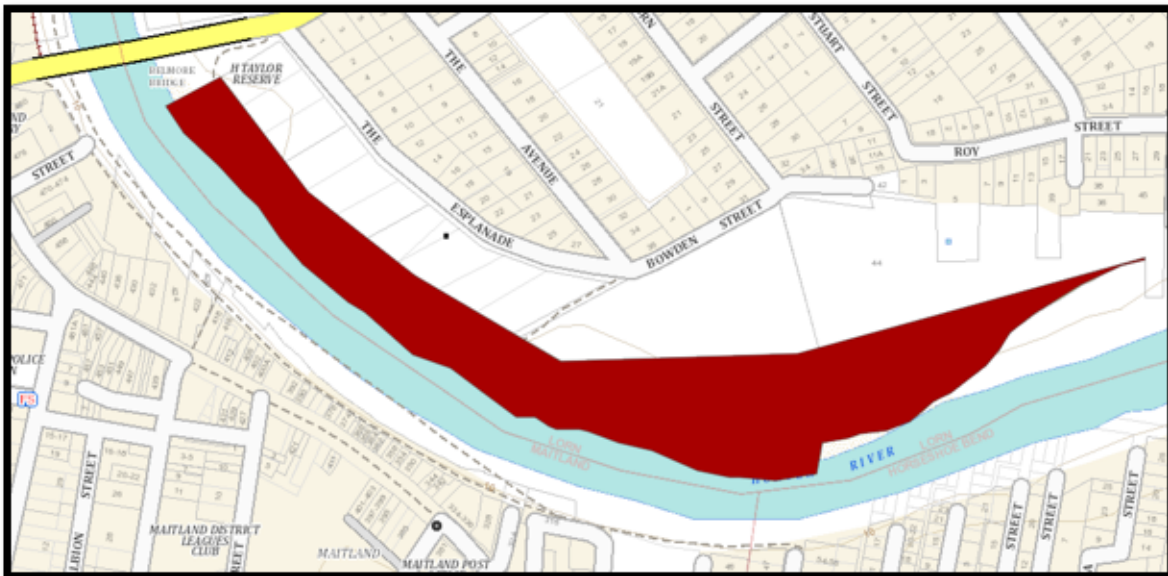
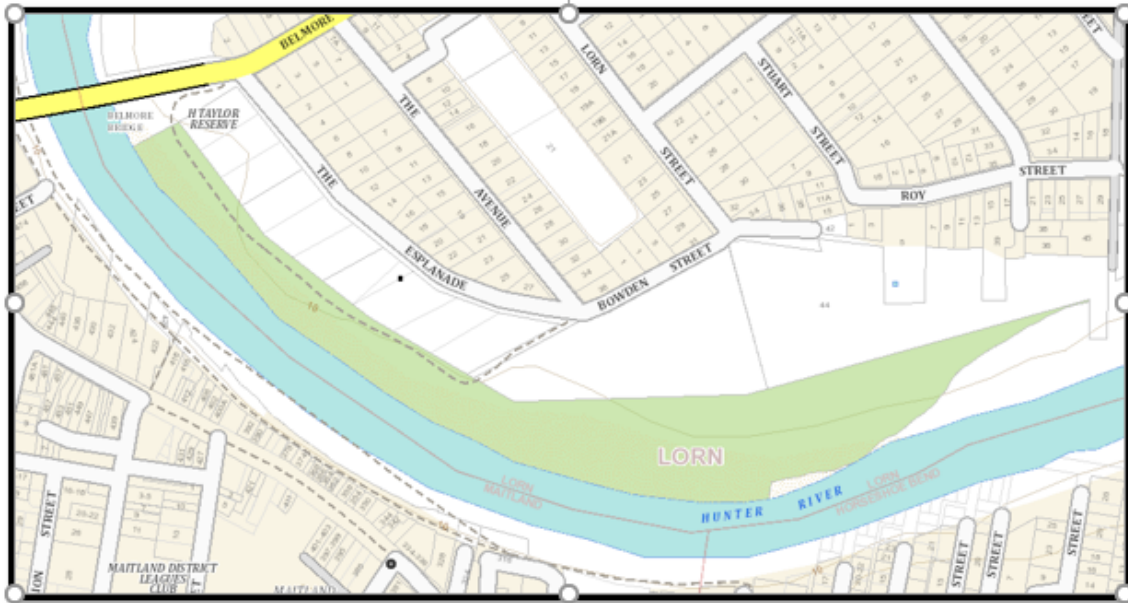
By His Excellency's Command,

WILLIAM JOHN LYNB.

[3331] GOD SAVE THE QUEEN

# Attachment 4 - Overview from CLM Portal

Overview from CLM Portal – Lot 7007 DP 1006732  Lorn Riverbank Reserve



**Crown Land Reserves:**

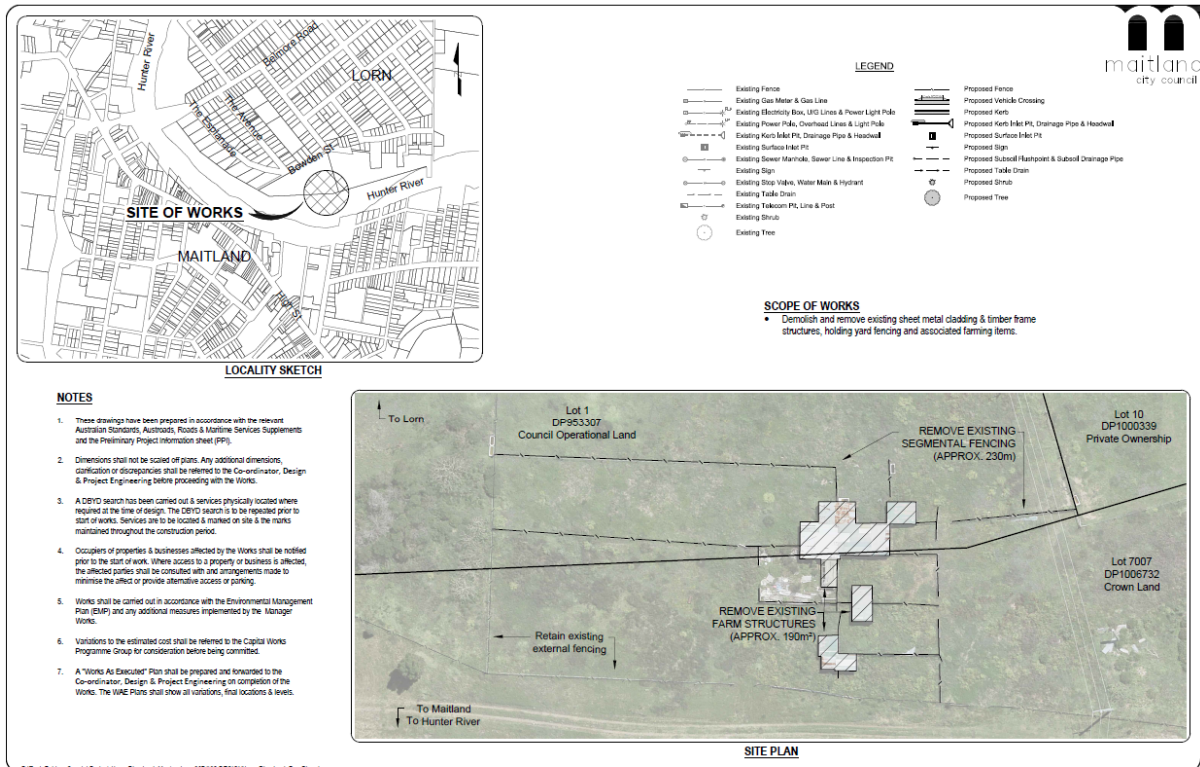
Reserve Number 1002864  
Reserve Type RESERVE  
Reserve Name LORN RIVER BANK RESERVE  
Gazetted Date 19/11/1999  
Status CURRENT  
Management Type Council Crown Land Manager



Manager Maitland City Council  
Purpose Public Recreation  
Additional Purpose  
Lots Whole: Lot 7007 DP 1006732 Parish Middlehope County Durham  
Parish MIDDLEHOPE  
County DURHAM  
LGA MAITLAND  
Council MAITLAND CITY COUNCIL  
Suburb LORN

Area (m2) 60,205.60

# Attachment 5 – Concept Plan of Proposed Works



P:\Task Folder\Special Prohibitions\Riverbank Maitland - 3874-1A\3874-1A\3874-1A Plan.dwg

<table border="1"> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </table>																		<b>CONCEPT PLAN - NOT FOR CONSTRUCTION</b>	<table border="1"> <tr> <td colspan="2"> <small>VERTICAL</small>                      Horizontal Ratio: 1:500                      Vertical Ratio:                 </td> </tr> <tr> <td> <small>DESIGNER</small>                      N.A.                 </td> <td> <small>CHECKED</small>                      A.H.D.                 </td> </tr> <tr> <td> <small>ISSUED</small>                      G. Pascher                 </td> <td> <small>DATE</small>                      09/05/2021                 </td> </tr> </table>	<small>VERTICAL</small> Horizontal Ratio: 1:500 Vertical Ratio:		<small>DESIGNER</small> N.A.	<small>CHECKED</small> A.H.D.	<small>ISSUED</small> G. Pascher	<small>DATE</small> 09/05/2021	<b>MAITLAND CITY COUNCIL</b> INFRASTRUCTURE & WORKS 285-287 HIGH STREET P.O. BOX 200 MAITLAND 2320	<b>LORN RIVERBANK</b> Bowden St Lorn <b>PLAN OF DEMOLITION</b>	PLAN No: <b>3874-1A</b> Sheet 1 of 1
<small>VERTICAL</small> Horizontal Ratio: 1:500 Vertical Ratio:																												
<small>DESIGNER</small> N.A.	<small>CHECKED</small> A.H.D.																											
<small>ISSUED</small> G. Pascher	<small>DATE</small> 09/05/2021																											
<small>ORIGINAL ISSUED</small> G.P.	<small>DATE</small> 16/05/2021	<small>PHONE (02)</small> 48349700	<small>FAX (02)</small> 48333299																									