

BARNES PROPERTY INVESTMENTS PTY
LTD

DECEMBER 2021

PRELIMINARY SITE INVESTIGATION - BAYSIDE GARDENS, 437 WARDS HILL ROAD, EMPIRE BAY

wsp



Question today Imagine tomorrow Create for the future

Preliminary Site Investigation - Bayside Gardens, 437 Wards Hill Road, Empire Bay


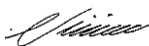



Barnes Property Investments Pty Ltd

WSP

Level 3, 51-55 Bolton St
Newcastle NSW 2300
PO Box 1162
Newcastle NSW 2300

Tel: +61 2 4929 8300
Fax: +61 2 4929 8382
wsp.com

REV	DATE	DETAILS
A	26/11/2021	Draft Report
B	7/12/2021	Final

	NAME	DATE	SIGNATURE
Prepared by:	Richie Lamont	7/12/2021	
Reviewed by:	Jon Hilliard	7/12/2021	 
Approved by:	Jon Hilliard	7/12/2021	 

This document may contain confidential and legally privileged information, neither of which are intended to be waived, and must be used only for its intended purpose. Any unauthorised copying, dissemination or use in any form or by any means other than by the addressee, is strictly prohibited. If you have received this document in error or by any means other than as authorised addressee, please notify us immediately and we will arrange for its return to us.



TABLE OF CONTENTS

	EXECUTIVE SUMMARY.....	III
1	PROJECT BACKGROUND.....	1
1.1	BACKGROUND	1
1.2	OBJECTIVES.....	1
1.3	SCOPE.....	1
1.4	TECHNICAL FRAMEWORK.....	2
2	DESKTOP STUDY	3
2.1	SITE DESCRIPTION	3
2.2	SITE LAYOUT AND OPERATIONS	3
2.3	SURROUNDING LAND USES.....	4
2.4	ENVIRONMENTAL SETTING.....	5
2.4.1	GEOLOGY.....	5
2.4.2	HYDROGEOLOGY	5
2.4.3	HYDROLOGY.....	5
2.4.4	ACID SULFATE SOILS.....	5
3	SITE HISTORY.....	6
3.1	HISTORICAL AERIAL PHOTOGRAPHS	6
3.2	PUBLIC DATABASE SEARCH	7
3.2.1	SITE NOTIFICATIONS	7
3.2.2	CONTAMINATED LAND DATABASE SEARCH	7
3.3	TITLE SEARCH	7
3.4	PLANNING CERTIFICATES.....	10
4	PRELIMINARY CONCEPTUAL SITE MODEL	12
5	CONCLUSIONS.....	13
6	LIMITATIONS.....	14
7	REFERENCES.....	16

LIST OF APPENDICES

APPENDIX A SITE FIGURE



APPENDIX B PHOTO LOG

APPENDIX C HISTORICAL AERIAL PHOTOGRAPHS

APPENDIX D TITLE SEARCH AND SECTION 10.7 CERTIFICATE

EXECUTIVE SUMMARY

WSP Australia Pty Ltd (WSP) was engaged by Progressive Property Solutions (PPS) on behalf of Barnes Property Investments Pty Ltd to conduct a preliminary site investigation (PSI) at Bayside Gardens caravan park, 437 Wards Hill Road, Empire Bay (the site).

WSP understands that the PSI is required for due diligence purposes as the owner Barnes Property Investments Pty Ltd are seeking to have the site rezoned with an amendment to the current Central Coast Local Environmental Plan (CCLEP) to allow “caravan park” which in turn will permit long term residency at the site. The site is understood to currently operate as a long-term stay caravan park.

The scope of works completed as part of this PSI included a site inspection and a desktop study to review the site environmental setting, history and environmental regulatory status.

The site covers an area of approximately 3.7ha and consists of Lot 1 in DP610629. The site comprises of bitumen and gravel roads, relocatable homes within the northern and south western portions of the site, with the south east portion comprising a two storey private residency. During the site inspection, potential asbestos containing material (ACM) was observed in two small buildings, one utilised for firewood storage and the other unused and partially covered in vegetation. There were several small soil and building waste stockpiles with a combined volume of approximately 60m³, located in the southern portion, with the majority of the stockpiles covered in vegetation.

On the basis of the inspection and information review (to date), we consider that the site is suitable for ongoing residential use, albeit the presence of potential contamination including:

- The use hazardous building materials containing ACM; and
- Fill stockpiles.

It is noted that WSP were not provided with any previous hazardous building materials or asbestos reports for the site. WSP recommends that a hazardous building materials survey is conducted to determine the presence of ACM in building materials and inform any management controls required and undertake assessment of the identified stockpiles be undertaken to characterise for risk to human health and/or for chemical suitability for re-use within the site or off-site disposal. Apart from this item, this PSI did not identify any contamination risks which preclude the site from ongoing caravan park.

1 PROJECT BACKGROUND

1.1 BACKGROUND

WSP Australia Pty Ltd (WSP) was engaged by Progressive Property Solutions (PPS) on behalf of Barnes Property Investments Pty Ltd to conduct a preliminary site investigation (PSI) at Bayside Gardens caravan park, 437 Wards Hill Road, Empire Bay (hereafter referred to as “the site”), presented in Figure 1 of Appendix A.

WSP understands that the PSI is required for due diligence purposes as the owner (Barnes Property Investments Pty Ltd) is seeking to have the site rezoned with an amendment to the current Central Coast Local Environmental Plan (CCLEP) to allow “caravan park” which in turn will permit long term residency at the site. It is understood that the Gosford Local Environmental (2014), will be in effect once the planning proposal is finalised. The site is understood to currently operate as a long-term stay caravan park.

The investigation was undertaken in general accordance with WSP’s proposal, which was accepted by Barnes Property Investments Pty Ltd on 25 October 2021.

1.2 OBJECTIVES

The objective of the PSI assessment was to collect environmental data to support Barnes Property Investments due diligence for the proposed site rezoning with an amendment to the current CCLEP. The assessment was required to generally comply with the *National Environment Protection (Assessment of Site Contamination) Measure 1999* (NEPM; as amended 2013), to evaluate the site with respect to:

- The site’s suitability for ongoing long-term stay accommodation; and
 - The potential rezoning for long-term stay accommodation.
-

1.3 SCOPE

The following scope of work was completed in the preparation of this document:

- A desktop study of the site to gather the following information:
 - Property details and location;
 - Current and proposed land use, site zoning and environmental planning controls; and
 - Physical site setting, including geology and hydrogeology, mine subsidence, acid sulfate soils, topography and local and regional soil types and landscapes.
- A review of historical site documentation including:
 - Current and former use of the site;
 - Historical aerial photographs;
 - NSW Environmental Protection Authority (EPA) records including the notified sites register, records of regulated sites and environmental protection licences; and
 - Bore records held by the NSW Department of Industry.
- The completion of a site inspection.

1.4 TECHNICAL FRAMEWORK

The report was prepared in general accordance with the requirement of Schedule B2 of the National Environment Protection (Assessment of Site Contamination) Measure (1999 as amended in 2013) and the NSW EPA 2020 *Contaminated land guidelines: Consultants reporting on contaminated land*.

2 DESKTOP STUDY

2.1 SITE DESCRIPTION

Details of the site location, ownership, zoning and current site use are provided in Table 2.1 below (refer to Figure 1, Appendix A for site extent).

Table 2.1 Site Details

Site address	437 Wards Hill Road, Empire Bay
Legal description	Lot 1 in DP610629
Size	Approximately 3.7 ha
Current use	Caravan park and associated amenities
Zoning	7(c2) Conservation and Scenic Protection (Scenic Protection – Rural Small Holdings)
Local planning instrument	Gosford LEP

Of note: the site is within the greater Central Coast Council, with the current LEP still under the former Gosford Council LEP

2.2 SITE LAYOUT AND OPERATIONS

WSP undertook a site inspection on 4 November 2021, with observations of the current site condition described in Table 2.2. Site inspection photographs are included in Appendix B.

Table 2.2 Site conditions and observations

Topography	The site is generally flat within the northern portion of the site, with a slight gradient towards the south on the southern portion of the site. The site is approximately 20 metres above Australian height datum (m AHD). (Source: Google Earth, accessed November 2021).
------------	--

Site conditions	The north-west portion of the site is concrete and/or bitumen road/driveway with a garden bounding the southern site boundary with visitor parking, office and relocatable homes bounding the northern boundary of the site. The north central portion of the site consists of bitumen roads, relocatable homes and a grassed communal area for residents/guests (Photograph 1). The south-western boundary of this area grass and trees along with a small bunded wall that appeared to consist of soil and building waste material, i.e. concrete. The southern portion is divided, with the south western portion consisting of gravel road, grassed area relocatable homes and caravans. There was an area that appeared to be for the cutting and storage of firewood (Photograph 2). There were several small soil and building waste stockpiles located in the southern portion, with the majority of the stockpiles covered in vegetation, with a combined volume of approximately 60m ³ (Photograph 3, 4 and 5). There were two small buildings that appeared to be constructed of asbestos containing material (ACM) (Photograph 6). One of the buildings was utilised for firewood storage and the other appeared unused and partially covered in vegetation. The south-eastern portion of the site was occupied by a two-story residential building, along with unused caravans' vehicles.
Visual signs of contamination	There were no significant signs of contamination, apart from the previously mentioned stockpiles and the potential ACM and other hazardous materials (i.e. synthetic mineral fibres (SMF), lead-based paint and polychlorinated biphenyls (PCBs)) within the structures.
Presence of drums or waste	There was no evidence of drums within the site. There was no evidence of waste apart from the previously mentioned stockpiles.
Odours	There were no noticeable odours within the site.
Evidence of current or former petroleum facilities	There was no evidence of current or former petroleum facilities within the site.
Chemicals stored on-site	There was no evidence of chemicals stored within the site. WSP did not undertake an inspection within the buildings: some household chemical quantities are expected.
Evidence of waste burial	There was no evidence of any waste being buried during the inspection.
Visible signs of plant stress	There were no visible signs of any plant stress during the inspection.

2.3 SURROUNDING LAND USES

The site is located within a predominantly residential and undeveloped parcels of land.

- North: low-density residential housing, Empire Bay Drive, and undeveloped bushland.
- South: low-density residential housing and low traffic roads.
- East: low-density residential housing.
- West: Wards Hill Road, Empire Bay Drive, mixture of commercial/industrial, including a service station and electrical substation, and low-density residential housing and low traffic roads.

It is considered unlikely that adjacent land uses would pose a contamination risk, with the service station approximately 120m to the west.

2.4 ENVIRONMENTAL SETTING

2.4.1 GEOLOGY

The NSW Planning and Environment state wide seamless geological map (<https://minview.geoscience.nsw.gov.au/#/?l=&lat=148.9143431&lon=-32.6560775&z=6&bm=bm1> – accessed October 2021) indicates that the regional geology underlying the site is characterised by alluvial fan deposits consisting of fluvially-deposited quartz-lithic sand, silt, gravel and clay.

The soil landscape as identified in NSW OEH eSPADE (online access to land and soil information primarily sourced from the NSW Soil and Land Information System (SALIS) - <https://www.environment.nsw.gov.au/espade2webapp> – accessed October 2021), is that of estuarine Cockle Bay variant consisting of alluvial and marine quartz sand, clay and some silt with ferruginous and humic cementation in places and common shell layers.

2.4.2 HYDROGEOLOGY

A search of the WaterNSW groundwater database (<https://realtime.data.waternsw.com.au/>) was conducted in October 2021. The search identified four monitoring wells within a 500m radius of the site.

Table 2.3 Monitoring Wells within 500m Radius of the Site

MONITORING WELL IDENTIFICATION	USAGE	DEPTH OF GROUNDWATER (MBGL)	DIRECTION AND DISTANCE FROM SITE
GW200692	Domestic	10.5	220 m south-west
GW048742	General Use	Unknown	150 m south
GW047258	Irrigation	Unknown	150 m south-east
GW202323	Horticulture	6.5	350 m west

2.4.3 HYDROLOGY

The closest identified surface water receptor to the site is an unnamed creek located approximately 200m north-east. The unnamed creek flows into Cockle Bay which flows into Brisbane Water. Brisbane Water flows into the South Pacific Ocean.

Based on the surface topography, the groundwater is anticipated to flow north-east towards the unnamed creek and Cockle Bay.

2.4.4 ACID SULFATE SOILS

The soil landscape as identified in NSW OEH eSPADE (online access to land and soil information primarily sourced from the NSW Soil and Land Information System (SALIS) - <https://www.environment.nsw.gov.au/espade2webapp> – accessed October 2021), indicates the site is in an area of no known occurrence. The Gosford LEP (2014) indicates that the site is in an area of no known occurrence.

3 SITE HISTORY

3.1 HISTORICAL AERIAL PHOTOGRAPHS

WSP reviewed historical aerial photographs and Table 3.1 summarises the observations at the site and surrounding environment. Historical aerial photographs are included Appendix C.

Table 3.1 Historical Aerial Photographs

<p>1961 – B&W</p>	<p>The site appears to be vacant within the northern portion, with what appears to be a residential dwelling in the southern portion of the site. The majority of the site is heavily vegetated with trees, with areas on the north-western and southern portions of the site cleared.</p> <p>The surrounding land appears to be a mix of undeveloped bushland, semirural and residential properties. Farming or rural residential structures are situated to the south, south-east and south-west of the site.</p>
<p>1972 – B&W</p>	<p>The site appears to be cleared of the majority of vegetation. The residential dwelling noted in the previous photograph appears to be the only building within the site.</p> <p>The surrounding area has not change significantly, with the exception of heavy bushland to the west appearing to have been partially cleared of large trees.</p>
<p>1986 – Colour</p>	<p>The site has change significantly from the previous photograph with the site appearing to be a caravan park. The northern portion of the site has an asphalted road entering from Wards Hill Road, with caravans and/or cabins lining the access road. The southern portion of the site appears to be more heavily vegetated with caravan and/or cabins on the western boundary. There appears to be a large building in the central eastern portion of the site, which may be a residential building or amenities.</p> <p>The area to the south and west appears to have more development, with additional roads and residential properties. The area to the north appears to have a road being constructed, Empire Bay Road. The area to the east appears to have changed little since the previous photograph. Large areas of exposed soil are noted further to the west of the site.</p>
<p>1994 - Colour</p>	<p>The site has not change significantly, with more vegetated areas, large trees, and additional caravans and/or cabins.</p> <p>The area to the west has been cleared of a significant amount of vegetation, with additional residential and commercial buildings i.e. the Empire Bay Tavern. Empire Bay Road construction is completed to the north. The remaining surrounding areas have not changed significantly, with additional residential dwellings.</p>
<p>2005 - Colour</p>	<p>The site has changed little since the previous photograph, with the exception of the vegetation having grown thicker.</p> <p>The areas to the north and east appear to have additional residential dwelling, access roads and a large building to the west of the site and Wards Hill Road i.e., service station. The areas to the east and south appear to have changed little since the previous photograph.</p>
<p>2014 - Colour</p>	<p>The site has changed little since the previous photograph.</p> <p>The surrounding area has changed little, apart from additional vegetation within previously cleared areas.</p>

2021 - Colour	<p>The site has changed little since the previous photograph with the exception of the trees appearing to have been cut back.</p> <p>The surrounding area has changed little since the previous photograph.</p>
----------------------	---

3.2 PUBLIC DATABASE SEARCH

3.2.1 SITE NOTIFICATIONS

WSP undertook a search of the Department of Agriculture, Water and the Environment heritage register for Empire Bay and identified that there are no Aboriginal Places or items on the State Heritage Register within the vicinity of the site.

3.2.2 CONTAMINATED LAND DATABASE SEARCH

WSP undertook a search of the NSW EPA public register and did not find any record of Environment Protection Licences under the Protection of the Environment Operations Act within an 1,000 metre radius of the site.

WSP undertook a search of sites notified to the NSW EPA as potentially requiring regulation (<http://www.epa.nsw.gov.au/clm/publiclist.htm> as updated 11 October 2021) and confirmed the site is not listed as being notified. There is one site with Empire Bay which has been notified (1,900 metres to the north-west of the site):

- Empire Bay Marina, 16b Sorrento Road, Empire Bay – contamination under assessment.

3.3 TITLE SEARCH

A title search was received by WSP on 2 November 2021, which is summarised in Table 3.2 below. The title search is contained within Appendix D.

Table 3.2 Historical Title Search

YEAR	LOT AND DP	OWNER
2007	Lot 1 DP610629	Jamie Patrick Barnes, Kyle Elizabeth Barnes
2004	Lot 1 DP610629	Joseph John Gilles, Gregory George Eliades
1988	Lot 1 DP610629	Samuel Reusser
1988	Lot 1 DP610629 – CTVol 14198 Fol 192	Samuel Reusser
1980	Lot 1 DP610629 – CTVol 14198 Fol 192	Aldo Filich, buyer, Samuel Reusser, manager
1980	Lot 1 DP610629 – CTVol 14198 Fol 192	Aldo Filich, buyer, Samuel Reusser, manager, Norman Arthur Huntley, Liz Huntley
1972	Lot 35 DP15651 – CTVol 5585 Fol 217	Aldo Filich, buyer, Samuel Reusser, manager
1970	Lot 35 DP15651 – CTVol 5585 Fol 217	Dieter Piwek, Laurel Piwek, Aldo Filich, buyer, Samuel Reusser, manager
1970	Lot 35 DP15651 – CTVol 5585 Fol 217	Blaxal Pty Limited

YEAR	LOT AND DP	OWNER
1960	Lot 35 DP15651 – CTVol 5585 Fol 217	Ernest Harold Peasley
1957	Lot 35 DP15651 – CTVol 5585 Fol 217	Cecil Bartley, Gertrude Bartley
1949	Lot 35 DP15651 – CTVol 5585 Fol 217	Vincent Clement Rowney
1946	Lot 35 DP15651 – CTVol 5585 Fol 217	Claude Roy Francke
1939	Lots 1 to 15, 17 to 28, 34 to 38 and 40 DP15651 – CTVol 5104 Fol 146	John Andrew Allen
1937	Lots 1 to 28, 34 to 38 and 40 DP15651 – CTVol 4853 Fol 106	Anthony Ocken
1936	Lots 1 to 28, 32 to 38 and 40 DP15651 – CTVol 4788 Fol 81	Anthony Ocken
1922	Part Portion 120 Parish Kincumber – CTVol 2364 Fol 200	Anthony Ocken
1913	Part Portion 120 Parish Kincumber – CTVol 2364 Fol 200	James Clarence Hawker
1972	Lot 37 DP15651 – CTVol 5618 Fol 101	Aldo Filich, buyer, Samuel Reusser, manager
1970	Lot 37 DP15651 – CTVol 5618 Fol 101	Dieter Piwek, Laurel Piwek, Aldo Filich, buyer, Samuel Reusser, manager
1970	Lot 37 DP15651 – CTVol 5618 Fol 101	Blaxal Pty Limited
1960	Lot 37 DP15651 – CTVol 5618 Fol 101	Ernest Harold Peasley
1958	Lot 37 DP15651 – CTVol 5618 Fol 101	Cecil Bartley
1956	Lot 37 DP15651 – CTVol 5618 Fol 101	Roy Charles Blake, Gladys Hannah Blake
1956	Lot 37 DP15651 – CTVol 5618 Fol 101	Edward Arthur Gray
1946	Lot 37 DP15651 – CTVol 5618 Fol 101	Allan Arthur Gray
1944	Lots 1 to 15, 18 to 28, 35 to 38 and 40 DP15651 – CTVol 5411 Fol 50	John Andrew Allen
1939	Lots 1 to 15, 17 to 28, 34 to 38 and 40 DP15651 – CTVol 5104 Fol 146	John Andrew Allen
1937	Lots 1 to 28, 34 to 38 and 40 DP15651 – CTVol 4853 Fol 106	John Andrew Allen
1936	Lots 1 to 28, 32 to 38 and 40 DP15651 – CTVol 4788 Fol 81	Anthony Ocken

YEAR	LOT AND DP	OWNER
1922	Part Portion 120 Parish Kincumber – CTVol 2364 Fol 200	Anthony Ocken
1913	Part Portion 120 Parish Kincumber – CTVol 2364 Fol 200	James Clarence Hawker
1972	Lot 38 DP15651 – CTVol 5618 Fol 102	Aldo Filich, buyer, Samuel Reusser, manager
1970	Lot 38 DP15651 – CTVol 5618 Fol 102	Dieter Piwek, Laurel Piwek, Aldo Filich, buyer, Samuel Reusser, manager
1970	Lot 38 DP15651 – CTVol 5618 Fol 102	Blaxal Pty Limited
1960	Lot 38 DP15651 – CTVol 5618 Fol 102	Ernest Harold Peasley
1985	Lot 38 DP15651 – CTVol 5618 Fol 102	Cecil Bartley
1956	Lot 38 DP15651 – CTVol 5618 Fol 102	Roy Charles Blake, Gladys Hannah Blake
1946	Lot 38 DP15651 – CTVol 5618 Fol 102	William Martin Gray
1944	Lots 1 to 15, 18 to 28, 35 to 38 and 40 DP15651 – CTVol 5411 Fol 50	John Andrew Allen
1939	Lots 1 to 15, 17 to 28, 34 to 38 and 40 DP15651 – CTVol 5104 Fol 146	John Andrew Allen
1937	Lots 1 to 28, 34 to 38 and 40 DP15651 – CTVol 4853 Fol 106	John Andrew Allen
1936	Lots 1 to 28, 32 to 38 and 40 DP15651 – CTVol 4788 Fol 81	Anthony Ocken
1922	Part Portion 120 Parish Kincumber – CTVol 2364 Fol 200	Anthony Ocken
1913	Part Portion 120 Parish Kincumber – CTVol 2364 Fol 200	James Clarence Hawker
1972	Lot 36 DP15651 – CTVol 5870 Fol 63	Aldo Filich, buyer, Samuel Reusser, manager
1970	Lot 36 DP15651 – CTVol 5870 Fol 63	Dieter Piwek, Laurel Piwek, Aldo Filich, buyer, Samuel Reusser, manager
1970	Lot 36 DP15651 – CTVol 5870 Fol 63	Blaxal Pty Limited
1960	Lot 36 DP15651 – CTVol 5870 Fol 63	Ernest Harold Peasley
1957	Lot 36 DP15651 – CTVol 5870 Fol 63	Cecil Bartley, Gertrude Bartley
1949	Lot 36 DP15651 – CTVol 5870 Fol 63	Vincent Clement Rowney
1948	Lot 36 DP15651 – CTVol 5870 Fol 63	Claude Roy Francke

YEAR	LOT AND DP	OWNER
1944	Lots 1 to 15, 18 to 28, 35 to 38 and 40 DP15651 – CTVol 5411 Fol 50	John Andrew Allen
1939	Lots 1 to 15, 17 to 28, 34 to 38 and 40 DP15651 – CTVol 5104 Fol 146	John Andrew Allen
1937	Lots 1 to 28, 34 to 38 and 40 DP15651 – CTVol 4853 Fol 106	John Andrew Allen
1936	Lots 1 to 28, 32 to 38 and 40 DP15651 – CTVol 4788 Fol 81	Anthony Ocken
1922	Part Portion 120 Parish Kincumber – CTVol 2364 Fol 200	Anthony Ocken
1913	Part Portion 120 Parish Kincumber – CTVol 2364 Fol 200	James Clarence Hawker
1976	Lot 34 DP15651 – CTVol 11986 Fol 62	Norman Arthur Huntley, Liz Huntley
1972	Lot 34 DP15651 – CTVol 11986 Fol 62	Norman Arthur Huntley, Ronald Keith Huntley
1951	Lot 34 DP15651 – CTVol 5374 Fol 165	Norman Arthur Huntley, Ronald Keith Huntley
1943	Lot 34 DP15651 – CTVol 5374 Fol 165	Claude Roy Francke
1939	Lots 1 to 15, 17 to 28, 34 to 38 and 40 DP15651 – CTVol 5104 Fol 146	John Andrew Allen
1937	Lots 1 to 28, 34 to 38 and 40 DP15651 – CTVol 4853 Fol 106	John Andrew Allen
1936	Lots 1 to 28, 32 to 38 and 40 DP15651 – CTVol 4788 Fol 81	Anthony Ocken
1922	Part Portion 120 Parish Kincumber – CTVol 2364 Fol 200	Anthony Ocken
1913	Part Portion 120 Parish Kincumber – CTVol 2364 Fol 200	James Clarence Hawker

3.4 PLANNING CERTIFICATES

The Section 10.7 Planning Certificate was received by WSP on 18 November 2021 and is contained within Appendix D. In summary:

- Activities permitted without consent include agriculture, home occupation and recreation areas;
- Activities permitted with consent include animal establishments, bed and breakfast accommodation, centre-based child care facilities, dams, dual occupancies-attached, dwelling-houses, educational establishments, home industries, horse establishments, places of public worship, plant nurseries, roads, roadside stalls, utility installations, veterinary hospitals and subdivision;

- Activities prohibited are any purpose other than those permissible with or without consent;
- The property is not a critical habitat;
- The property is not a conservation area;
- The property does not have a heritage item;
- The property is not within a mine subsidence district declared under section 20 of the Coal Mine Subsidence Compensation Act 2017;
- The property may be affected by road widening or re-alignment as the property is adjacent to a State Road under the control of Transport for NSW (TfNSW);
- The property is not affected by Council and other public authority policies on hazard risk restrictions;
- The property is within the flood planning area and probable maximum flood and subject to related development controls;
- The property is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016;
- The property is not a biodiversity stewardship site under Part 5 of the Biodiversity Conservation Act 2016;
- The property does not have native vegetation clearing set aside;
- The property is within a bushfire prone area;
- The property has not been identified to contain loose-fill asbestos insulation;
- The property is not listed as significantly contaminated; and
- The property has Swamp Mahogany forest, and the community may qualify as the endangered ecological community Swamp Forest Complex.

4 PRELIMINARY CONCEPTUAL SITE MODEL

Based on the historical information reviewed and the observations made during the site inspection, a preliminary conceptual site model was prepared including features which have the potential to impact soil and/or groundwater at the site.

Sources of potential contamination identified at the site include:

- Historical fill;
- Use of asbestos containing materials within buildings; and
- Limited usage of chemicals.

The contaminants of potential concern (COPCs) associated with the potential sources of contamination above and/or previously identified at the site include:

- TRH;
- Benzene, toluene, ethylbenzene, xylenes, naphthalene (BTEXN);
- Polycyclic aromatic hydrocarbons (PAHs);
- Metals;
- Organochlorine pesticides (OCP);
- Organophosphorus pesticides (OPP);
- Polychlorinated biphenyls; and
- Asbestos.

Potentially affected media from the identified potential sources of contamination include:

- Surface soil material: may have been directly impacted by chemical spills onsite, material breakdown with regards to ACM and general site activities;
- Underlying soils and weathered bedrock: through the downward migration of contaminants from the potential chemical spill. Based upon the limited evidence of chemical storage and the lack of surface evidence of chemical spills, any spills would be considered to be highly localised in nature;
- Groundwater underlying the site: based on the anticipated depth of groundwater and the leachability of the identified COPCs, groundwater on site is unlikely to be affected; and
- Surface water body (unnamed creek and Cockle Bay): surface runoff from the site.

Based on the site setting and current and proposed land zoning, sensitive receptors potentially include:

- Current and future occupiers of the site;
- Maintenance workers at the site;
- Occupiers of residential properties surrounding the site (dust and vapour inhalation, groundwater extraction); and
- Ecological receptors within the surface watercourses receiving discharge from the site, unnamed creek and Cockle Bay.

5 CONCLUSIONS

On the basis of the inspection and information review (to date), we consider that the site would be suitable for ongoing residential use following further characterisation of identified potential contamination sources including:

- The use hazardous building materials containing ACM; and
- Fill stockpiles.

It is noted that WSP were not provided with any previous hazardous building materials or asbestos reports for the site. WSP recommends that a hazardous building materials survey is conducted to determine the presence of ACM in building materials and inform any management controls required.

Additionally, WSP recommend that assessment of the identified stockpiles be undertaken to characterise risk to human health and/or for chemical suitability for re-use within the site or off-site disposal. Apart from this item, this PSI did not identify any contamination risks which preclude the site from ongoing caravan park.

6 LIMITATIONS

This Report is provided by WSP Australia Pty Limited (WSP) for Barnes Property Group (Client) in response to specific instructions from the Client and in accordance with WSP's proposal dated 20 September 2021 and agreement with the Client dated 28 October 2021 (Agreement).

PERMITTED PURPOSE

This Report is provided by WSP for the purpose described in the Agreement and no responsibility is accepted by WSP for the use of the Report in whole or in part, for any other purpose (Permitted Purpose).

QUALIFICATIONS AND ASSUMPTIONS

The services undertaken by WSP in preparing this Report were limited to those specifically detailed in the Report and are subject to the scope, qualifications, assumptions and limitations set out in the Report or otherwise communicated to the Client.

Except as otherwise stated in the Report and to the extent that statements, opinions, facts, conclusion and / or recommendations in the Report (Conclusions) are based in whole or in part on information provided by the Client and other parties identified in the report (Information), those Conclusions are based on assumptions by WSP of the reliability, adequacy, accuracy and completeness of the Information and have not been verified. WSP accepts no responsibility for the Information.

WSP has prepared the Report without regard to any special interest of any person other than the Client when undertaking the services described in the Agreement or in preparing the Report.

USE AND RELIANCE

This Report should be read in its entirety and must not be copied, distributed or referred to in part only. The Report must not be reproduced without the written approval of WSP. WSP will not be responsible for interpretations or conclusions drawn by the reader. This Report (or sections of the Report) should not be used as part of a specification for a project or for incorporation into any other document without the prior agreement of WSP.

WSP is not (and will not be) obliged to provide an update of this Report to include any event, circumstance, revised Information or any matter coming to WSP's attention after the date of this Report. Data reported and Conclusions drawn are based solely on information made available to WSP at the time of preparing the Report. The passage of time; unexpected variations in ground conditions; manifestations of latent conditions; or the impact of future events (including (without limitation) changes in policy, legislation, guidelines, scientific knowledge; and changes in interpretation of policy by statutory authorities); may require further investigation or subsequent re-evaluation of the Conclusions.

This Report can only be relied upon for the Permitted Purpose and may not be relied upon for any other purpose. The Report does not purport to recommend or induce a decision to make (or not make) any purchase, disposal, investment, divestment, financial commitment or otherwise. It is the responsibility of the Client to accept (if the Client so chooses) any Conclusions contained within the Report and implement them in an appropriate, suitable and timely manner.

In the absence of express written consent of WSP, no responsibility is accepted by WSP for the use of the Report in whole or in part by any party other than the Client for any purpose whatsoever. Without the express written consent of WSP, any use which a third party makes of this Report or any reliance on (or decisions to be made) based on this Report is at the sole risk of those third parties without recourse to WSP. Third parties should make their own enquiries and obtain independent advice in relation to any matter dealt with or Conclusions expressed in the Report.

DISCLAIMER

No warranty, undertaking or guarantee whether expressed or implied, is made with respect to the data reported or the Conclusions drawn. To the fullest extent permitted at law, WSP, its related bodies corporate and its officers, employees and agents assumes no responsibility and will not be liable to any third party for, or in relation to any losses, damages or expenses (including any indirect, consequential or punitive losses or damages or any amounts for loss of profit, loss of revenue, loss of opportunity to earn profit, loss of production, loss of contract, increased operational costs, loss of business opportunity, Site deprecation costs, business interruption or economic loss) of any kind whatsoever, suffered on incurred by a third party.

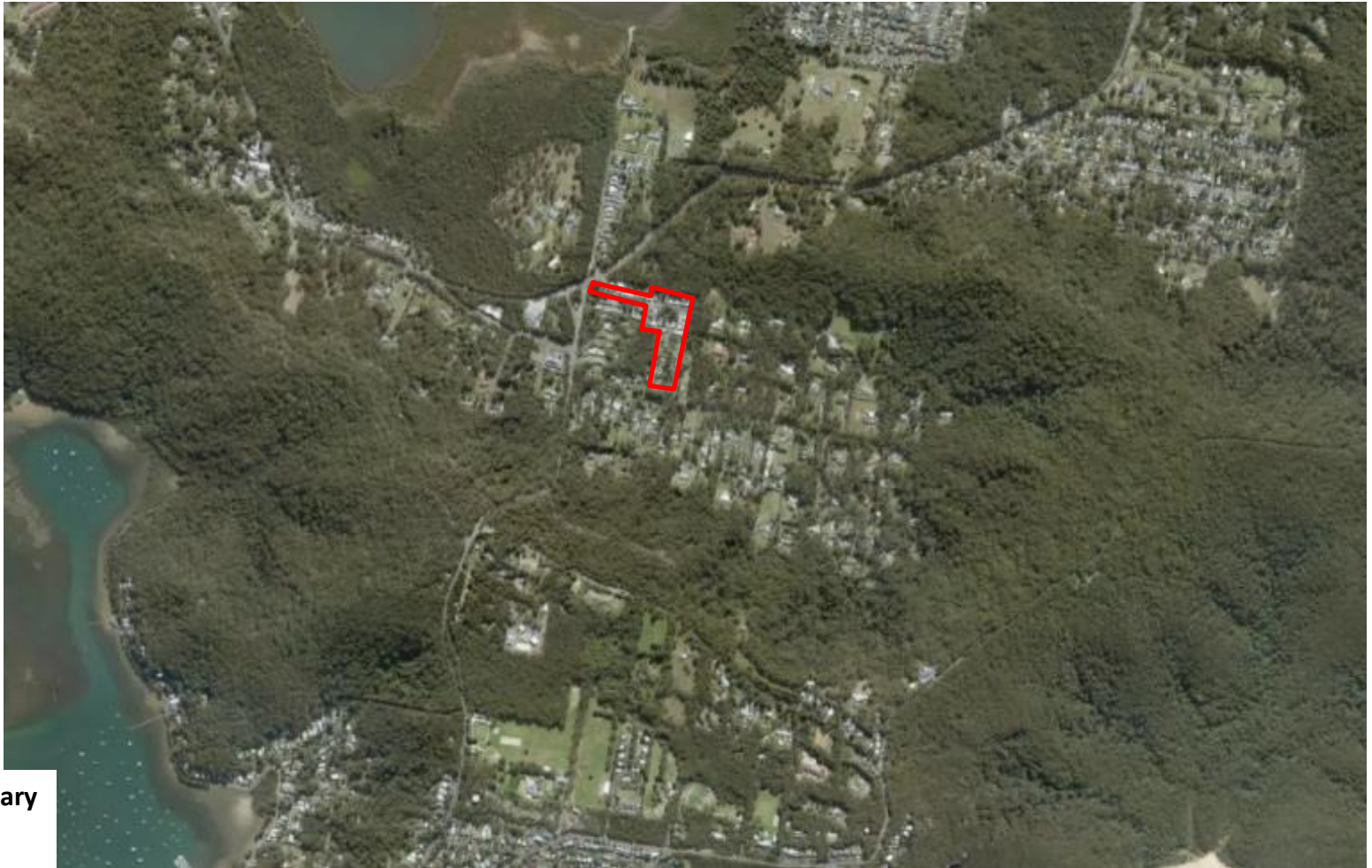
7 REFERENCES

- Gosford Local Environmental Plan (LEP) 2014 – Accessed October 2021.
- NSW Department of Land and Property Information, Historical Imagery Viewer - Accessed October 2021.
- NSW EPA Contaminated Sites database (www.epa.nsw.gov.au/prclmapp/searchregister) - Accessed October 2021.
- NSW EPA Protection of the Environment Act, (*public register of licence, applications and notices*) database - Accessed October 2021 (<http://www.epa.nsw.gov.au/licensing-and-regulation/>).
- NSW Government Department of Planning, Industry and Environment ‘eSpade’ Soil maps and information (<https://www.environment.nsw.gov.au/eSpade2WebApp>) - Accessed October 2021.
- WaterNSW groundwater database (<https://realtimedata.waternsw.com.au/>) – accessed October 2021.

APPENDIX A

SITE FIGURE





Site Boundary



**Barnes Property Investments – Bayside Gardens, 437 Wards Hill Road, Empire Bay, NSW
Preliminary Site Investigation**



Figure 2 Site location and layout plan

APPENDIX B

PHOTO LOG





PHOTOGRAPHIC LOG
Field Investigation Site Photographs

Client Name
Barnes Property
Investments

Site Location
Bayside Gardens, 437 Wards Hill Road, Empire Bay, NSW

Project No.
PS127315

Photo No.
1.

Date
4/11/2021

Description
View west of the main
thoroughfare through the site.



Photo No.
2.

Date
4/11/2021

Description
View south of firewood storage
area.





PHOTOGRAPHIC LOG
Field Investigation Site Photographs

Client Name

Barnes Property Investments

Site Location

Bayside Gardens, 437 Wards Hill Road, Empire Bay, NSW

Project No.

PS127315

Photo No.

3.

Date

4/11/2021

Description

Small overgrown stockpile on the south-western boundary of the site.



Photo No.

4.

Date

4/11/2021

Description

Small overgrown stockpile on the south-western portion of the site.





PHOTOGRAPHIC LOG
Field Investigation Site Photographs

Client Name

Barnes Property Investments

Site Location

Bayside Gardens, 437 Wards Hill Road, Empire Bay, NSW

Project No.

PS127315

Photo No.

5.

Date

4/11/2021

Description

Small stockpiles of building waste on the south-western portion of the site.



Photo No.

6.

Date

4/11/2021

Description

Small unused building constructed of potential ACM partially overgrown in south western portion of the site.



APPENDIX C

HISTORICAL AERIAL PHOTOGRAPHS





Historical Aerial Photographs

Client Name

Barnes Property Investments

Site Location

Bayside Gardens, 437 Wards Hill Road, Empire Bay, NSW

Project No.

PS127315



Photo No.	Date	
1.	1961	
Description B&W		

Photo No.	Date	
2.	1972	
Description B&W		



Historical Aerial Photographs

Client Name
Barnes Property Investments

Site Location
Bayside Gardens, 437 Wards Hill Road, Empire Bay, NSW

Project No.
PS127315

Photo No. 3.	Date 1986
Description Colour	



Photo No. 4.	Date 1994
Description Colour	





Historical Aerial Photographs

Client Name

Barnes Property Investments

Site Location

Bayside Gardens, 437 Wards Hill Road, Empire Bay, NSW

Project No.

PS127315

Photo No.

5.

Date

2005

Description

Colour

**Photo No.**

6.

Date

2014

Description

Colour





Historical Aerial Photographs

Client Name

Barnes Property Investments

Site Location

Bayside Gardens, 437 Wards Hill Road, Empire Bay, NSW

Project No.

PS127315

Photo No.

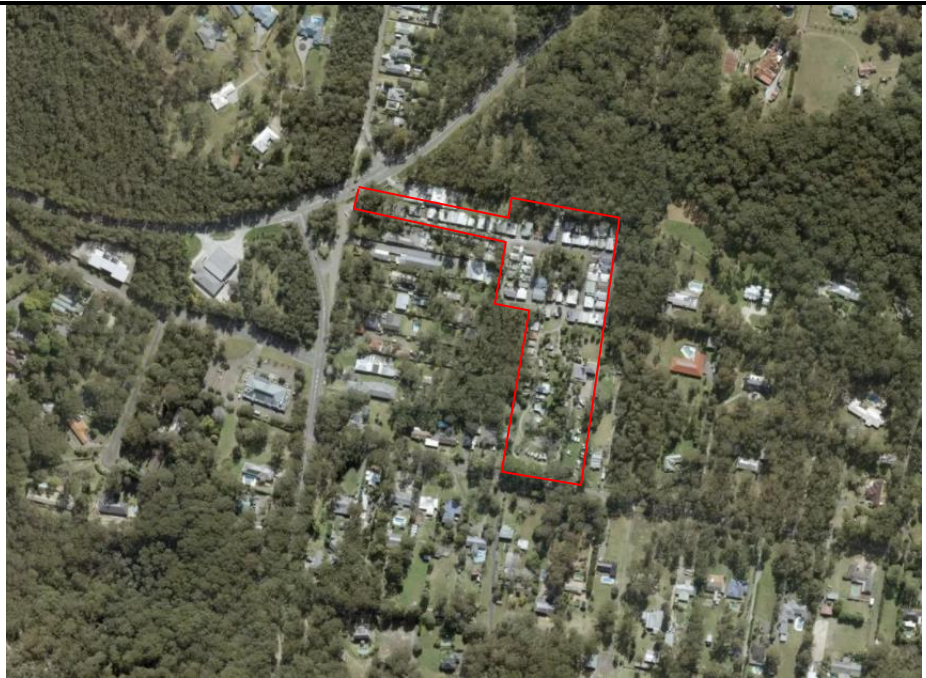
7.

Date

2021

Description

Colour



APPENDIX D

TITLE SEARCH AND SECTION 10.7
CERTIFICATE



ADVANCE LEGAL SEARCHERS PTY LTD

(ACN 147 943 842)

ABN 82 147 943 842

18/36 Osborne Road,
Manly NSW 2095

Mobile: 0412 169 809

Email: search@alsearchers.com.au

02nd November, 2021

LAND INSIGHT AND RESOURCES PTY LTD

**Tower 3, Level 24,
300 Barangaroo Avenue,
SYDNEY NSW 2000**

Attention: Tim Osborne,

RE:

**437 Wards Hill Road,
Empire Bay**

Current Search

Folio Identifier 1/610629 (title attached)

DP 610629 (plan attached)

Dated 01st November, 2021

Registered Proprietor:

JAMIE PATRICK BARNES

KYLIE ELIZABETH BARNES

Title Tree
Lot 1 DP 610629

Folio Identifier 1/610629

Certificate of Title Volume 14198 Folio 192

See Notes (a), (b), (c), (d), (e) & (f)
DP 610629

(a)

CTVol 5585 Folio 217

(b)

CTVol 5618 Folio 101

(c)

CTVol 5618 Folio 102

Certificate of Title Volume 5411 Folio 50

Certificate of Title Volume 5104 Folio 146

Certificate of Title Volume 4853 Folio 106

Certificate of Title Volume 4788 Folio 81

Certificate of Title Volume 2364 Folio 200

(d)	(e)	(f)
CTVol 5870 Folio 63	CTVol 11986 Folio 62	CTVol 14074 Folio 104
CTVol 5411 Folio 50	CTVol 5374 Folio 165	CTVol 13955 Folio 30
\		CTVol 6098 Folio 26
\		CTVol 5411 Folio 50

Certificate of Title Volume 5104 Folio 146

Certificate of Title Volume 4853 Folio 106

Certificate of Title Volume 4788 Folio 81

Certificate of Title Volume 2364 Folio 200

Index

T – Transfer

TA – Transmission Application

**Summary of Proprietor(s)
Lot 1 DP 610629**

Year	Proprietor(s)	
	(Lot 1 DP 610629)	
25 Jan 2007 – todate	Jamie Patrick Barnes Kylie Elizabeth Barnes	T
09 Jun 2004	Joseph John Gilles Gregory George Eliades	TA
07 Sep 1988	Samuel Reusser	
	(Lot 1 DP 610629 – CTVol 14198 Fol 192)	
27 Feb 1985	Samuel Reusser	TA
04 Nov 1980	Aldo Filich, buyer Samuel Reusser, manager	T
23 Sep 1980	Aldo Filich, buyer Samuel Reusser, manager Norman Arthur Huntley, railway porter Lize Huntley, his wife Aldo Filich, manager Samuel Reusser, manager	

See Notes (a), (b), (c), (d), (e) & (f)

Note (a)

	(Lot 35 DP 15651 – Area 2 Acres – CTVol 5585 Fol 217)	
15 Feb 1972	Aldo Filich, buyer Samuel Reusser, manager	T
11 Sep 1970	Dieter Piwek, telephone technician Laurel Piwek, his wife Aldo Filich, buyer Samuel Reusser, manager	T
24 Apr 1970	Blaxal Pty Limited	T
18 Aug 1960	Ernest Harold Peasley, retired farmer	T
17 Dec 1957	Cecil Bartley, picture framer Gertrude Bartley, spinster	T
21 Mar 1949	Vincent Clement Rowney, founder	T
01 Jul 1946	Claude Roy Francke, printer	T
	(Lots 1 to 15, 18 to 28, 35 to 38 & 40 DP 15651 – Area 45 Acres 1 Rood 33 ½ Perches – CTVol 5411 Fol 50)	
26 Jan 1944	John Andrew Allen, farmer	
	(Lots 1 to 15, 17 to 28, 34 to 38 & 40 DP 15651 – Area 47 Acres 2 Roods 29 ½ Perches – CTVol 5104 Fol 146)	
13 Dec 1939	John Andrew Allen, farmer	T
	(Lots 1 to 28, 34 to 38 & 40 DP 15651 – Area 47 Acres 3 Roods 25 ½ Perches – CTVol 4853 Fol 106)	
06 Jul 1937	Anthony Ocken, farmer	
	(Lots 1 to 28, 32 to 38 & 40 DP 15651 – Area 50 Acres 0 Roods 12 ¼ Perches – CTVol 4788 Fol 81)	
09 Sep 1936	Anthony Ocken, labourer	
	(Part Portion 120 Parish Kincumber – Area 55 Acres 2 Roods 5 Perches – CTVol 2364 Fol 200)	
02 Feb 1922	Anthony Ocken, labourer	T
10 May 1913	James Clarence Hawker, lieutenant colonel in the military forces	

Note (b)

	(Lot 37 DP 15651 – Area 2 Acres – CTVol 5618 Fol 101)	
15 Feb 1972	Aldo Filich, buyer Samuel Reusser, manager	T
11 Sep 1970	Dieter Piwek, telephone technician Laurel Piwek, his wife Aldo Filich, buyer Samuel Reusser, manager	T
24 Apr 1970	Blaxal Pty Limited	T
18 Aug 1960	Ernest Harold Peasley, retired farmer	T
08 Jul 1958	Cecil Bartley, picture framer	T
15 Oct 1956	Roy Charles Blake, roof tiler Gladys Hannah Blake, his wife	T
02 Aug 1956	Edward Arthur Gray, poultry farmer	TA
07 Nov 1946	Allan Arthur Gray, farmer	T
	(Lots 1 to 15, 18 to 28, 35 to 38 & 40 DP 15651 – Area 45 Acres 1 Rood 33 ½ Perches – CTVol 5411 Fol 50)	
26 Jan 1944	John Andrew Allen, farmer	
	(Lots 1 to 15, 17 to 28, 34 to 38 & 40 DP 15651 – Area 47 Acres 2 Roods 29 ½ Perches – CTVol 5104 Fol 146)	
13 Dec 1939	John Andrew Allen, farmer	T
	(Lots 1 to 28, 34 to 38 & 40 DP 15651 – Area 47 Acres 3 Roods 25 ½ Perches – CTVol 4853 Fol 106)	
06 Jul 1937	Anthony Ocken, farmer	
	(Lots 1 to 28, 32 to 38 & 40 DP 15651 – Area 50 Acres 0 Roods 12 ¼ Perches – CTVol 4788 Fol 81)	
09 Sep 1936	Anthony Ocken, labourer	
	(Part Portion 120 Parish Kincumber – Area 55 Acres 2 Roods 5 Perches – CTVol 2364 Fol 200)	
02 Feb 1922	Anthony Ocken, labourer	T
10 May 1913	James Clarence Hawker, lieutenant colonel in the military forces	

Note (c)

	(Lot 38 DP 15651 – Area 2 Acres – CTVol 5618 Fol 102)	
15 Feb 1972	Aldo Filich, buyer Samuel Reusser, manager	T
11 Sep 1970	Dieter Piwek, telephone technician Laurel Piwek, his wife Aldo Filich, buyer Samuel Reusser, manager	T
24 Apr 1970	Blaxal Pty Limited	T
18 Aug 1960	Ernest Harold Peasley, retired farmer	T
08 Jul 1958	Cecil Bartley, picture framer	T
09 Oct 1956	Roy Charles Blake, roof tiler Gladys Hannah Blake, his wife	T
07 Nov 1946	William Martin Gray, farmer	T
	(Lots 1 to 15, 18 to 28, 35 to 38 & 40 DP 15651 – Area 45 Acres 1 Rood 33 ½ Perches – CTVol 5411 Fol 50)	
26 Jan 1944	John Andrew Allen, farmer	
	(Lots 1 to 15, 17 to 28, 34 to 38 & 40 DP 15651 – Area 47 Acres 2 Roods 29 ½ Perches – CTVol 5104 Fol 146)	
13 Dec 1939	John Andrew Allen, farmer	T
	(Lots 1 to 28, 34 to 38 & 40 DP 15651 – Area 47 Acres 3 Roods 25 ½ Perches – CTVol 4853 Fol 106)	
06 Jul 1937	Anthony Ocken, farmer	
	(Lots 1 to 28, 32 to 38 & 40 DP 15651 – Area 50 Acres 0 Roods 12 ¼ Perches – CTVol 4788 Fol 81)	
09 Sep 1936	Anthony Ocken, labourer	
	(Part Portion 120 Parish Kincumber – Area 55 Acres 2 Roods 5 Perches – CTVol 2364 Fol 200)	
02 Feb 1922	Anthony Ocken, labourer	T
10 May 1913	James Clarence Hawker, lieutenant colonel in the military forces	

Note (d)

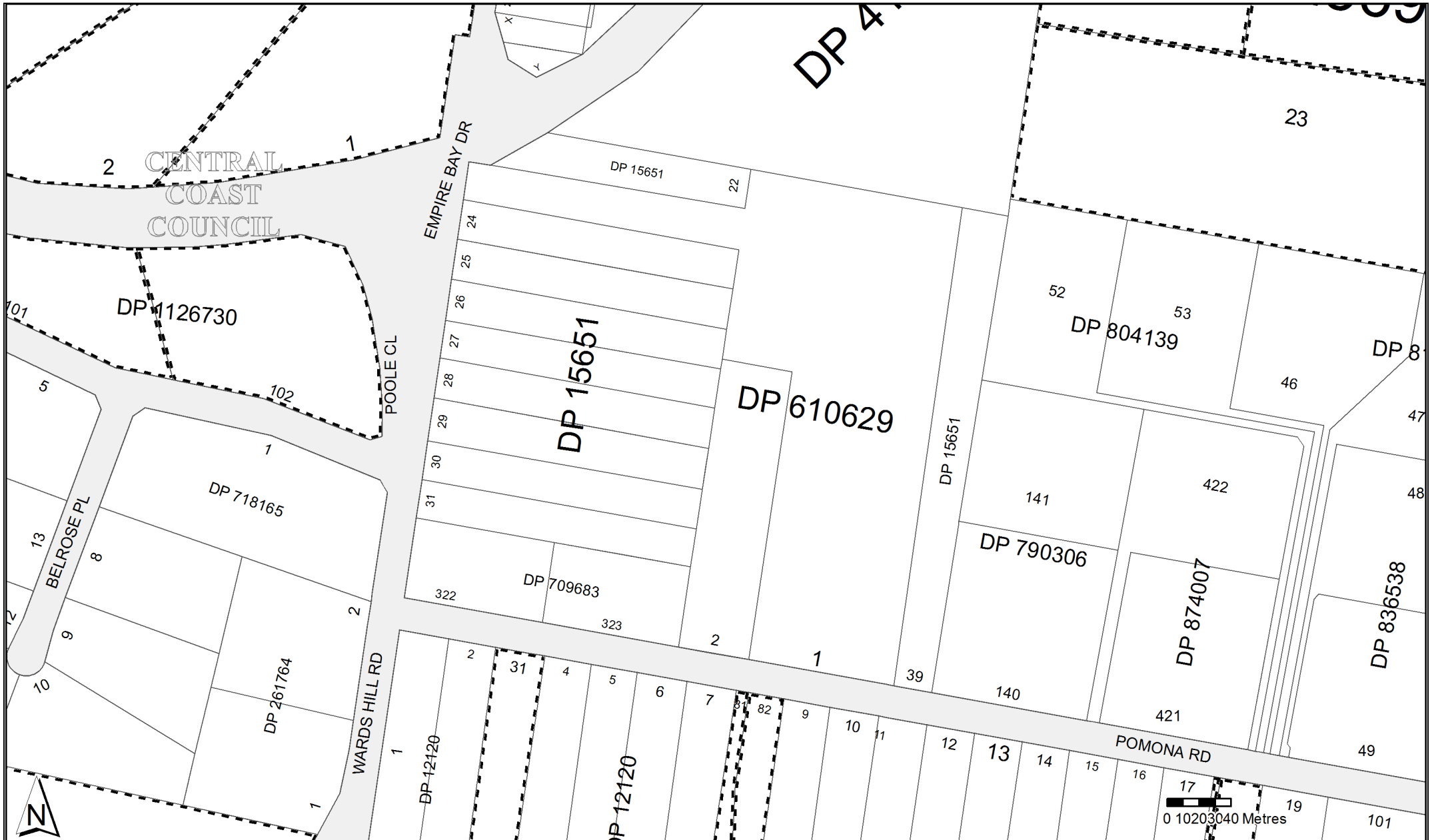
	(Lot 36 DP 15651 – Area 2 Acres – CTVol 5870 Fol 63)	
15 Feb 1972	Aldo Filich, buyer Samuel Reusser, manager	T
11 Sep 1970	Dieter Piwek, telephone technician Laurel Piwek, his wife Aldo Filich, buyer Samuel Reusser, manager	T
24 Apr 1970	Blaxal Pty Limited	T
18 Aug 1960	Ernest Harold Peasley, retired farmer	T
17 Dec 1957	Cecil Bartley, picture framer Gertrude Bartley, spinster	T
21 Mar 1949	Vincent Clement Rowney, founder	T
09 Sep 1948	Claude Roy Francke, printer	T
	(Lots 1 to 15, 18 to 28, 35 to 38 & 40 DP 15651 – Area 45 Acres 1 Rood 33 ½ Perches – CTVol 5411 Fol 50)	
26 Jan 1944	John Andrew Allen, farmer	
	(Lots 1 to 15, 17 to 28, 34 to 38 & 40 DP 15651 – Area 47 Acres 2 Roods 29 ½ Perches – CTVol 5104 Fol 146)	
13 Dec 1939	John Andrew Allen, farmer	T
	(Lots 1 to 28, 34 to 38 & 40 DP 15651 – Area 47 Acres 3 Roods 25 ½ Perches – CTVol 4853 Fol 106)	
06 Jul 1937	Anthony Ocken, farmer	
	(Lots 1 to 28, 32 to 38 & 40 DP 15651 – Area 50 Acres 0 Roods 12 ¼ Perches – CTVol 4788 Fol 81)	
09 Sep 1936	Anthony Ocken, labourer	
	(Part Portion 120 Parish Kincumber – Area 55 Acres 2 Roods 5 Perches – CTVol 2364 Fol 200)	
02 Feb 1922	Anthony Ocken, labourer	T
10 May 1913	James Clarence Hawker, lieutenant colonel in the military forces	



Note (e)

	(Lot 34 DP 15651 – CTVol 11986 Fol 62)	
12 Mar 1976	Norman Arthur Huntley, railway porter Lize Huntley, his wife	T
24 Nov 1972	Norman Arthur Huntley, railway porter Ronald Keith Huntley, loom turner	
	(Lot 34 DP 15651 – Area 2 Acres – CTVol 5374 Fol 165)	
08 Aug 1951	Norman Arthur Huntley, railway porter Ronald Keith Huntley, loom turner	T
29 Apr 1943	Claude Roy Francke, printer	T
	(Lots 1 to 15, 17 to 28, 34 to 38 & 40 DP 15651 – Area 47 Acres 2 Roods 29 ½ Perches – CTVol 5104 Fol 146)	
13 Dec 1939	John Andrew Allen, farmer	T
	(Lots 1 to 28, 34 to 38 & 40 DP 15651 – Area 47 Acres 3 Roods 25 ½ Perches – CTVol 4853 Fol 106)	
06 Jul 1937	Anthony Ocken, farmer	
	(Lots 1 to 28, 32 to 38 & 40 DP 15651 – Area 50 Acres 0 Roods 12 ¼ Perches – CTVol 4788 Fol 81)	
09 Sep 1936	Anthony Ocken, labourer	
	(Part Portion 120 Parish Kincumber – Area 55 Acres 2 Roods 5 Perches – CTVol 2364 Fol 200)	
02 Feb 1922	Anthony Ocken, labourer	T
10 May 1913	James Clarence Hawker, lieutenant colonel in the military forces	

Note (f)

	(Lot 23 DP 15651 – CTVol 14074 Fol 104)	
28 Mar 1980	Aldo Filich, manager Samuel Reusser, manager	T
21 Mar 1980	Colin Alfred Taylor, news vendor	
	(Lots 23 to 25 DP 15651 – CTVol 13955 Fol 30)	
24 Oct 1979	Colin Alfred Taylor, news vendor	
	(Lots 23 to 28 DP 15651 _ Area 6 Acres 1 Rood 39 ½ Perches – CTVol 6098 Fol 26)	
17 Feb 1971	Colin Alfred Taylor, news vendor	T
02 Sep 1968	Margaret Clare Smith, wife of Sydney George Smith, master pastry cook	T
01 Apr 1966	Alfred George Dennis, solicitor Douglas Edgar Dennis, farmer & grazier	TA
28 Feb 1956	Alfred Australia Dennis, farmer & grazier	T
16 Feb 1950	Sydney George Smith, master pastry cook Margaret Clare Smith, his wife	T
	(Lots 1 to 15, 18 to 28, 35 to 38 & 40 DP 15651 – Area 45 Acres 1 Rood 33 ½ Perches – CTVol 5411 Fol 50)	
26 Jan 1944	John Andrew Allen, farmer	T
	(Lot 34 DP 15651 – Area 2 Acres – CTVol 5374 Fol 165)	
29 Apr 1943	Claude Roy Francke, printer	T
	(Lots 1 to 15, 17 to 28, 34 to 38 & 40 DP 15651 – Area 47 Acres 2 Roods 29 ½ Perches – CTVol 5104 Fol 146)	
13 Dec 1939	John Andrew Allen, farmer	T
	(Lots 1 to 28, 34 to 38 & 40 DP 15651 – Area 47 Acres 3 Roods 25 ½ Perches – CTVol 4853 Fol 106)	
06 Jul 1937	Anthony Ocken, farmer	
	(Lots 1 to 28, 32 to 38 & 40 DP 15651 – Area 50 Acres 0 Roods 12 ¼ Perches – CTVol 4788 Fol 81)	
09 Sep 1936	Anthony Ocken, labourer	
	(Part Portion 120 Parish Kincumber – Area 55 Acres 2 Roods 5 Perches – CTVol 2364 Fol 200)	
02 Feb 1922	Anthony Ocken, labourer	T
10 May 1913	James Clarence Hawker, lieutenant colonel in the military forces	



	Status	Surv/Comp	Purpose
DP1001713 Lot(s): 2			
 DP261764	HISTORICAL	SURVEY	SUBDIVISION
 RESERVATION OF BOUDDI NATIONAL PARK - LOTS 1-2 AND 6-8 DP10341, LOT 2 DP1001713, LOT 2 DP1040659 AND LOT 1 DP126809			
DP1012569 Lot(s): 22, 23, 24			
 DP735068	HISTORICAL	COMPILATION	SUBDIVISION
DP1015095 Lot(s): 81, 82			
 DP12120	HISTORICAL	SURVEY	UNRESEARCHED
DP1019376 Lot(s): 1, 2, 3			
 DP755234	HISTORICAL	COMPILATION	CROWN ADMIN NO.
 DP878613	HISTORICAL	SURVEY	SUBDIVISION
DP1063962 Lot(s): 181, 182			
 DP12120	HISTORICAL	SURVEY	UNRESEARCHED
DP1100903 Lot(s): 31			
 DP12120	HISTORICAL	SURVEY	UNRESEARCHED
DP1126730 Lot(s): 101, 102			
 DP878613	HISTORICAL	SURVEY	SUBDIVISION
Road Polygon Id(s): 108013392			
 NSW GAZ. 13-12-2013			Folio : 5754
TRANSFER OF CROWN ROAD TO COUNCIL			

Caution: This information is provided as a searching aid only. Whilst every endeavour is made to ensure that current map, plan and titling information is accurately reflected, the Registrar General cannot guarantee the information provided. For **ALL** **ACTIVITY PRIOR TO SEPTEMBER 2002** you must refer to the RGs Charting and Reference Maps.

Plan	Surv/Comp	Purpose
DP12120	SURVEY	UNRESEARCHED
DP15651	SURVEY	UNRESEARCHED
DP261764	SURVEY	SUBDIVISION
DP415041	COMPILATION	UNRESEARCHED
DP610629	COMPILATION	SUBDIVISION
DP701359	SURVEY	SUBDIVISION
DP709683	SURVEY	SUBDIVISION
DP718165	COMPILATION	CONSOLIDATION
DP749452	SURVEY	SUBDIVISION
DP790306	SURVEY	SUBDIVISION
DP804139	SURVEY	SUBDIVISION
DP810783	SURVEY	SUBDIVISION
DP836538	SURVEY	SUBDIVISION
DP874007	SURVEY	SUBDIVISION
DP1001713	SURVEY	SUBDIVISION
DP1012569	SURVEY	SUBDIVISION
DP1015095	SURVEY	SUBDIVISION
DP1019376	SURVEY	SUBDIVISION
DP1063962	SURVEY	SUBDIVISION
DP1100903	SURVEY	SUBDIVISION
DP1126730	SURVEY	SUBDIVISION

Caution: This information is provided as a searching aid only. Whilst every endeavour is made to ensure that current map, plan and titling information is accurately reflected, the Registrar General cannot guarantee the information provided. For **ALL** **ACTIVITY PRIOR TO SEPTEMBER 2002** you must refer to the RGs Charting and Reference Maps.



11986062

STATE OF TITLE
PROPERTY ACT, 1900

NEW SOUTH WALES

Appln. No. 17584
Prior Title Vol. 5374 Fol. 165

Vol. **11986** Fol. **62**

Edition issued 24-11-1972

M930241

CANCELLED



I certify that the person described in the First Schedule is the registered proprietor of the undermentioned estate in the land within described subject nevertheless to such exceptions encumbrances and interests as are shown in the Second Schedule.

Jawatson
Registrar General.



ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 34 in Deposited Plan 15651 in the Shire of Gosford Parish of Kincumber and County of Northumberland being part of Portion 120 granted to Edward Davies on 17-3-1838.

FIRST SCHEDULE

~~NORMAN ARTHUR HUNTLEY, Railway Porter and RONALD KEITH HUNTLEY, Loom Turner, both of Belmore, as Joint Tenants.~~

Jawatson
Registrar General.

SECOND SCHEDULE

1. Reservations and conditions, if any, contained in the Crown Grant above referred to.
2. Easement for Drainage created by Transfer No.C429802 affecting the piece of land 1.83 metres wide shown in the plan hereon.

Jawatson
Registrar General.

11986 Fol. 62
(Page 1) Vol.

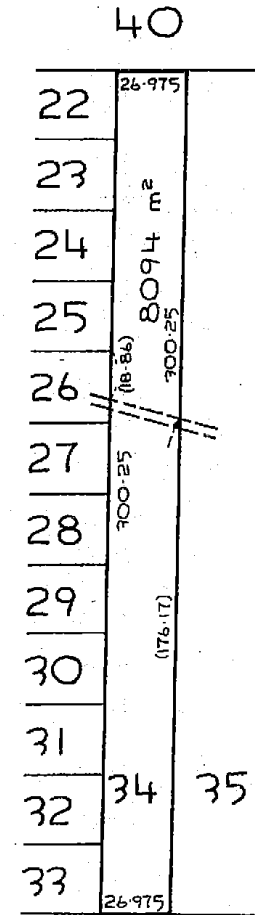
PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR ANY NOTIFICATION HEREON

WARNING: THIS DOCUMENT MUST NOT BE REMOVED FROM THE LAND TITLES OFFICE



PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES



POMONA RD

M990241

REDUCTION RATIO 1:2000

16325927
 D160029
 8/5/16

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR	NATURE	INSTRUMENT NUMBER	DATE	ENTERED	Signature of Registrar General
Norman Arthur Huntley of Empire Bay, Railway Porter and Lize Huntley his wife as joint tenants	Transfer	P632592		12-3-1976	<i>[Signature]</i>

NEW CERTIFICATES OF TITLE ISSUED ON 23/10/2011
 NO DEEDS TO BE REGISTERED WITHOUT REFERENCE TO
 THIS NOTICE

SECOND SCHEDULE (continued)

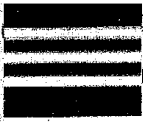
PARTICULARS	ENTERED	Signature of Registrar General	CANCELLATION
This deed is cancelled as to <u>unbalance</u> New certificates of Title have issued on <u>23.1.1980</u> for lots in <u>Deposited Plan No 610629</u> as follows:- Lots <u>1 & 2</u> Vol <u>14198</u> Fol <u>112 & 113</u> respectively.			

[Signature]
 REGISTRAR GENERAL



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

NEW SOUTH WALES



CERTIFICATE OF TITLE

LAND PROPERTY ACT, 1900



13955030

Vol. 13955 Fol. 30

Appln No 17584

Prior Title Vol. 6098 Fol. 26



CANCELLED

EDITION ISSUED

13955 Fol. 30

(Page 1) Vol.

I certify that the person described in the First Schedule is the registered proprietor of the undermentioned estate in the land within described subject nevertheless to such exceptions encumbrances and interests as are shown in the Second Schedule.

24 10 1978

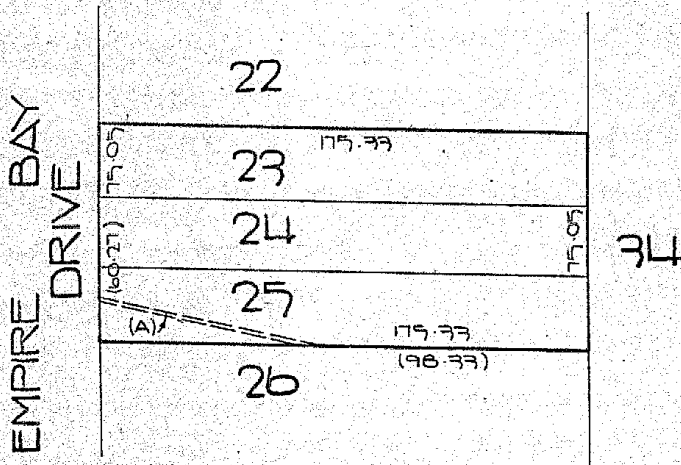
[Signature]

Registrar General.



PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES



(A) EASEMENT FOR DRAINAGE, 1.83 WIDE - C429802

1.314 ha

AREA: ~~2629 ha~~

REDUCTION RATIO 1 : 2000

R 362081 *[Signature]*

1979M7

[Signature]
Reg. Gen.
8-2-1980

ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lots 23, 24 and 25 in Deposited Plan 15651 in the Shire of Gosford Parish of Kincumber County of Northumberland being part of Portion 120 granted to Edward Davies on 17-3-1836.

FIRST SCHEDULE

COLIN ALFRED TAYLOR of Woy Woy, Newsvendor.

SECOND SCHEDULE

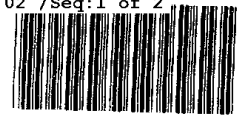
1. Reservations and conditions, if any, contained in the Crown grant above referred to.
2. C429802 Easement for drainage affecting the land shown so burdened in the plan hereon.

PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR ANY NOTIFICATION HEREON

WARNING: THIS DOCUMENT MUST NOT BE REMOVED FROM THE REGISTRAR GENERAL'S OFFICE.

CERTIFICATE OF TITLE

PROPERTY ACT, 1900



NEW SOUTH WALES

Vol. 14074 Fol. 104

Appln No 17584
Prior Title Vol. 13955 Fol. 30



EDITION ISSUED

21 3 1980

I certify that the person described in the First Schedule is the registered proprietor of the undermentioned estate in the land within described subject nevertheless to such exceptions encumbrances and interests as are shown in the Second Schedule.

[Signature]

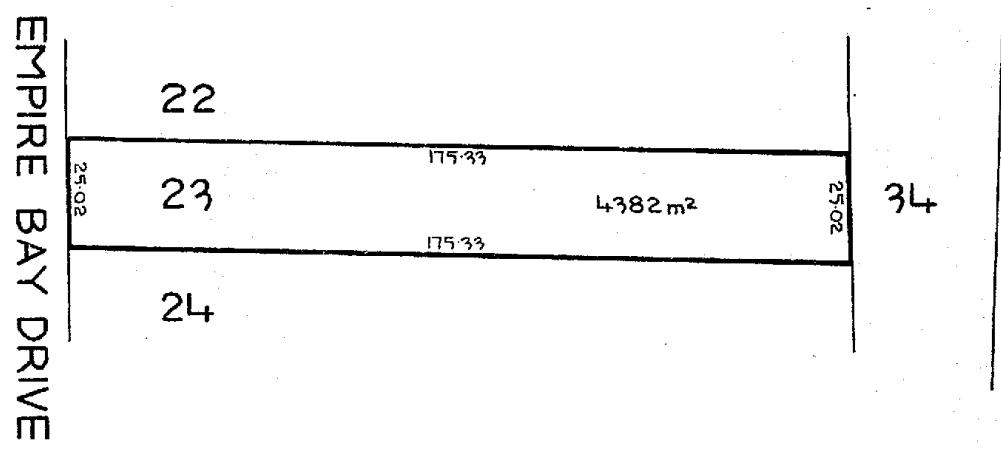
Registrar General.



PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES

CANCELLED



R620615 *[Signature]*

REDUCTION RATIO 1:1250

ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 23 in Deposited Plan 15651 in the City of Gosford Parish of Kincumber County of Northumberland being part of Portion 120 granted to Edward Davies on 17-3-1836.

FIRST SCHEDULE

~~GOLIN ALFRED TAYLOR of W...~~, Newevender.

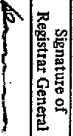
SECOND SCHEDULE

- Reservations and conditions, if any, contained in the Crown grant above referred to.

PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR ANY NOTIFICATION HEREON (Page 1) Vol. 14074 Fol. 104

WARNING: THIS DOCUMENT MUST NOT BE REMOVED FROM THE REGISTRAR GENERAL'S OFFICE


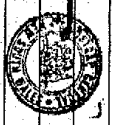
FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR			
Aldo Fillich, and Samuel Reusser both of Bondi, Managers as joint tenants.			
INSTRUMENT NATURE	INSTRUMENT NUMBER	REGISTERED	Signature of Registrar General
Transfer	R564894	28-3-1980	

NEW CERTIFICATE(S) OF TITLE ISSUING ON 21/6/06 22
 NO DRAWING TO BE REGISTERED WITHOUT REFERENCE TO
 SURVEY DRAFTING BOARD

R564894 Fol
 21/6/06 22
 4/5/10

SECOND SCHEDULE (continued)

INSTRUMENT NATURE	INSTRUMENT NUMBER	PARTICULARS	REGISTERED	Signature of Registrar General	CANCELLATION
		<p>This deed is cancelled as to <u>whole (see road)</u> New certificates of title have issued on <u>23-9-1980</u> for lots in <u>Deposited Plan No 60629</u> as follows:- Lots <u>1 & 2</u> Vol <u>14098</u> Fol <u>492 & 193</u> respectively.</p> <p style="text-align: center;"> REGISTRAR GENERAL</p> <p>The residue of land in this folio comprises <u>the road.</u></p> <p style="text-align: center;"> REGISTRAR GENERAL</p>			

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



14198192

NEW SOUTH WALES

CERTIFICATE OF TITLE

REAL PROPERTY ACT, 1900

Appln. No. 17584
Prior Titles Vol. 5585 Fol.
Vol. 5618 Fols. 101
and 102
Vol. 5870 Fol. 63
Vol. 11986 Fol. 62
Vol. 14074 Fol. 104

Vol. **14198** Fol. **192**



EDITION ISSUED

23 9 1980

14198, Fol. 192
(Page 1) Vol.

I certify that the person described in the First Schedule is the registered proprietor of the undermentioned estate in the land within described subject nevertheless to such exceptions encumbrances and interests as are shown in the Second Schedule.

CANCELLED
be

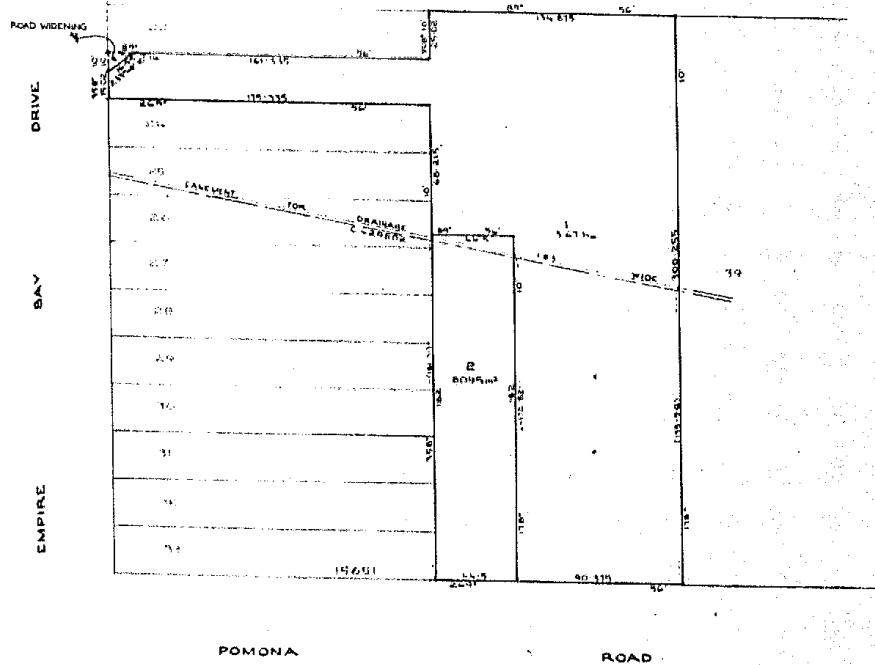


Registrar General.
SEE AUTO FOLIO



PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES



PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR ANY NOTIFICATION HEREON

WARNING: THIS DOCUMENT MUST NOT BE REMOVED FROM THE REGISTRAR GENERAL'S OFFICE.

ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 1 in Deposited Plan 610629 at Empire Bay in the City of Gosford Parish of Kincumber and County of Northumberland being part of Portion 120 granted to Edward Davies on 17-3-1838.

FIRST SCHEDULE

~~AILDO FILIGH and SAMUEL REUSSER, both of Bondi, Managers, as Joint Tenants as regards the part formerly comprised in Certificate of Title Volume 14074 Folio 104, NORMAN ARTHUR HUNTLEY of Empire Bay, Railway Porter and LIZE HUNTLEY, his wife, as Joint Tenants as regards the part formerly comprised in Certificate of Title Volume 11986 Folio 62 and AILDO FILIGH and SAMUEL REUSSER, both of Bondi, Managers, as Tenants in Common in Equal Shares as regards the parts formerly comprised in Certificates of Title Volume 5585 Folio 217, Volume 5618 Fols 101 and 102 and Volume 5870 Folio 63.~~

SECOND SCHEDULE

- GRY 1. Reservations and conditions, if any, contained in the Crown Grant above referred to.
- ED(S) 2. C429802 P/Basement for drainage affecting the part of the land above described shown so burdened in Deposited Plan 610629.

S129148 Te MK
 0.7.12.1.81
 S286931 MK
 V332687 X
 V555185
 V571933 TA
 CT 25-1-85
 W880576 D

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR	INSTRUMENT		REGISTERED	Signature of Registrar General
	NATURE	NUMBER		
Aldo Fillich, Buyer in 1/2 share and Samuel Reusser, Manager in 1/2 share, both of Empire Bay, tenancy in common	Transfer	S129148	4-11-1980	
Samuel Reusser by Transmission V572933. Registered 27-2-1985				

CANCELLED

SECOND SCHEDULE (continued)

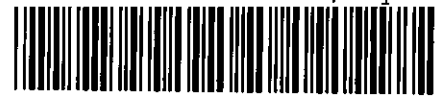
PARTICULARS	REGISTERED	Signature of Registrar General	CANCELLATION
Mortgage to Commonwealth Development Bank of Australia	4-11-1980		Discharged W880576
Mortgage to Commonwealth Trading Bank of Australia	6-2-1981		Withdrawn V555185
V332687 Caved by Deputy Commissioner of Stamp Duties against the interest of Aldo Fillich. Registered 7-9-1984			

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

Form: . 011
Licence: . 05-11-638
Licensee: Softdocs
Tonkin Drysdale Partners

①

TRANSFER
New South Wales
Real Property Act 1900



AC893322P

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises the use of this form for the establishment and maintenance of the Real Property Act Register. Section 96B RP Act requires that the Register is made available to any person for search upon payment of a fee, if any.

STAMP DUTY

Office of State Revenue use only

Office of State Revenue
NSW Treasury
Client No: 2122472 68
Duty: \$2.00 Trans No: 38196 508
Asst details:

(A) TORRENS TITLE

1/610629

(B) LODGED BY

Document Collection Box	Name, Address or DX, Telephone and LLPN if any LLPN: 46X 123832N	Code T TW (Sheriff)
	GADENS C/- ESPREON DX 885 SYDNEY 02 9210 0993	
	Reference (optional): 2700298 KZD	

(C) TRANSFEROR

JOSEPH JOHN GILLES and GREGORY GEORGE ELIADES

(D) CONSIDERATION

The transferor acknowledges receipt of the consideration of \$ 1,615,247.00 and as regards

(E) ESTATE

the land specified above transfers to the transferee an estate in fee simple.

(F) SHARE TRANSFERRED

(G) Encumbrances (if applicable):

(H) TRANSFEREE

JAMIE PATRICK BARNES and KYLIE ELIZABETH BARNES

(I)

TENANCY: Joint Tenants

DATE

16 / 01 / 07

(J) I certify that the person(s) signing opposite, with whom I am personally acquainted or as to whose identity I am otherwise satisfied, signed this instrument in my presence.

Certified correct for the purposes of the Real Property Act 1900 by the transferor.

Signature of witness:

M. Howes

Signature of transferor:

Name of witness:

MARGARET HOWES

Address of witness:

506 Bunnarong Rd.
MATEVALIK.

Certified correct for the purposes of the Real Property Act 1900 by the person whose signature appears below.

Signature:

Signatory's name: PAUL TONKIN

Signatory's capacity: Solicitor for the transferee



NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

1/11/2021 11:57AM

FOLIO: 1/610629

First Title(s): SEE PRIOR TITLE(S)
Prior Title(s): VOL 14198 FOL 192

<u>Recorded</u>	<u>Number</u>	<u>Type of Instrument</u>	<u>C.T. Issue</u>
28/3/1988		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
7/9/1988		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
9/6/2004 9/6/2004	AA708564 AA708565	DISCHARGE OF MORTGAGE TRANSMISSION APPLICATION	EDITION 1
25/1/2007 25/1/2007	AC893322 AC893323	TRANSFER MORTGAGE	EDITION 2
22/1/2010 22/1/2010	AF267939 AF267940	DISCHARGE OF MORTGAGE MORTGAGE	EDITION 3
12/10/2010 12/10/2010	AF808371 AF808372	DISCHARGE OF MORTGAGE MORTGAGE	EDITION 4
14/5/2018 14/5/2018	AN338006 AN338007	DISCHARGE OF MORTGAGE MORTGAGE	EDITION 5 CORD ISSUED

*** END OF SEARCH ***

advlegs

PRINTED ON 1/11/2021



NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 1/610629

SEARCH DATE	TIME	EDITION NO	DATE
1/11/2021	11:57 AM	5	14/5/2018

LAND

LOT 1 IN DEPOSITED PLAN 610629
AT EMPIRE BAY
LOCAL GOVERNMENT AREA CENTRAL COAST
PARISH OF KINCUMBER COUNTY OF NORTHUMBERLAND
TITLE DIAGRAM DP610629

FIRST SCHEDULE

JAMIE PATRICK BARNES
KYLIE ELIZABETH BARNES
AS JOINT TENANTS

(T AC893322)

SECOND SCHEDULE (3 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 C429802 EASEMENT FOR DRAINAGE AFFECTING THE PART(S) SHOWN
SO BURDENED IN THE TITLE DIAGRAM
- 3 AN338007 MORTGAGE TO AUSTRALIA AND NEW ZEALAND BANKING GROUP
LIMITED

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

advlegs

PRINTED ON 1/11/2021



Land Insight & Resources Pty Ltd
300 Barangaroo Ave
SYDNEY NSW 2000

PLANNING CERTIFICATE

This Planning Certificate is issued in accordance with Section 10.7 of the *Environmental Planning and Assessment Act, 1979*

Certificate No: 176278
Certificate Date: 18 November 2021
Address: 437 Wards Hill Road EMPIRE BAY
Lot Description: LOT: 1 DP: 610629

Parish: Kincumber
County: Northumberland
Assessment No: 438744

Receipt No:

Parcel No: 42836

Applicants Reference: LOT: 1 DP: 610629

Applicants Email:



Wyong Office: 2 Hely St / PO Box 20 Wyong NSW 2259
Gosford Office: 49 Mann St / PO Box 21 Gosford NSW 2250

P 1300 463 954 | **E** ask@centralcoast.nsw.gov.au | **W** centralcoast.nsw.gov.au | ABN 73 149 644 003

Part 2 - Environmental Planning and Assessment Regulation 2000

1 NAMES OF RELEVANT PLANNING INSTRUMENTS and DCPS

- (1) The name of each environmental planning instrument that applies to the carrying out of development on the land.

Interim Development Order 122 gazetted 30/03/79 (as amended)

Specific Site State Environmental Planning Policies

State Environmental Planning Policy (Coastal Management) 2018 (part of lot).

General Site State Environmental Planning Policies

ZONE 7(c2) CONSERVATION AND SCENIC PROTECTION (SCENIC PROTECTION - RURAL SMALL HOLDINGS) UNDER INTERIM DEVELOPMENT ORDER NO.122

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

State Environmental Planning Policy (Major Development) 2005

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Development

State Environmental Planning Policy No. 64 - Advertising and Signage

State Environmental Planning Policy No. 55 - Remediation of Land

State Environmental Planning Policy No. 50 - Canal Estate Development

State Environmental Planning Policy No. 36 - Manufactured Home Estates

State Environmental Planning Policy No. 33 - Hazardous and Offensive Development

State Environmental Planning Policy No. 21 - Caravan Parks

State Environmental Planning Policy No. 19 - Bushland in Urban Areas

State Environmental Planning Policy No. 1 - Development Standards

State Regional Planning Policy No. 9 - Extractive Industry (No 2-1995)

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

State Environmental Planning Policy (Primary Production and Rural Development) 2019

State Environmental Planning Policy No 70 - Affordable Housing (Revised Schemes)

State Environmental Planning Policy (Koala Habitat Protection) 2020.

- (2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of

community consultation or on public exhibition under the Act (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

Draft Central Coast Local Environmental Plan will replace Gosford Local Environmental Plan 2014, Interim Development Order No. 122 - Gosford, Gosford Planning Scheme Ordinance and Wyong Local Environmental Plan 2013.

Proposed Standard Instrument (Local Environmental Plans) Order 2006

Proposed State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

Proposed State Environmental Planning Policy (Environment) 2017

Proposed State Environmental Planning Policy (Short-term Rental Accommodation) 2019

Proposed State Environmental Planning Policy (Infrastructure) 2007

Proposed State Environmental Planning Policy Design and Place

Proposed State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

Proposed State Environmental Planning Policy (State and Regional Development) 2011

Proposed State Environmental Planning Policy (Housing Diversity)

- (3) The name of each development control plan that applies to the carrying out of development on the land.

Gosford Development Control Plan 2013

2 ZONING AND LAND USE UNDER RELEVANT LOCAL ENVIRONMENTAL PLANS

- (a) to (d) is the zoning of the land and the land use table for each of the zones listed, including existing and proposed Local Environmental Plans in landuse tables.

Zone No.7(c2) Conservation and Scenic Protection (Scenic Protection-Rural Small Holdings) under Interim Development Order No.122

DEVELOPMENT PERMISSIBLE WITHOUT CONSENT

Development (other than exempt development) for the purpose of: agriculture; home occupations; recreation areas.

Exempt development.

DEVELOPMENT PERMISSIBLE WITH CONSENT

Development (other than exempt development) for the purpose of: animal establishments; bed and breakfast accommodation; centre-based child care facilities;

dams; dual occupancies-attached; dwelling-houses; educational establishments; home industries; horse establishments; places of public worship; plant nurseries; roads; roadside stalls; utility installations; veterinary hospitals.

Subdivision.

PROHIBITED DEVELOPMENT

Any purpose other than those permissible with or without consent.

Proposed Zone E3 Environmental Management under Draft Central Coast Local Environmental Plan.

Please refer to attached Draft Land Use Table - E3 Environmental Management.

- (e) whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land, if so, the minimum land dimensions so fixed,

No.

There are no development standards applying to the land that fix minimum land dimensions for the erection of a dwelling-house on the land. However there are minimum lot sizes applying to the subdivision of land, and in some zones the entitlement to erect a dwelling-house, or carry out other types of residential development, is linked to that minimum lot size.

- (f) whether the land includes or comprises critical habitat,

None

- (g) whether the land is in a conservation area (however described),

No.

- (h) whether an item of environmental heritage (however described) is situated on the land.

No.

2A ZONING AND LAND USE UNDER SEPP (SYDNEY REGIONAL GROWTH CENTRES) 2006

Not applicable

3 COMPLYING DEVELOPMENT

General Housing Code

Complying development under the General Housing Code may not be carried out on the land except as otherwise provided by State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. The land is affected by the requirements for

complying development: The land is within an environmentally sensitive area. Please contact your Private Accredited Certifier to ascertain the extent of the constraint on the land.

Rural Housing Code

Complying development under the Rural Housing Code may not be carried out on the land except as otherwise provided by State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. The land is affected by the requirements for complying development: The land is within an environmentally sensitive area. Please contact your Private Accredited Certifier to ascertain the extent of the constraint on the land.

Housing Alterations Code

Complying development under the Housing Alterations Code may not be carried out on the land except as otherwise provided by State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. The land is affected by the requirements for complying development: The land is within an environmentally sensitive area. Please contact your Private Accredited Certifier to ascertain the extent of the constraint on the land.

General Development Code

Complying development under the General Development Code may not be carried out on the land except as otherwise provided by State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. The land is affected by the requirements for complying development: The land is within an environmentally sensitive area. Please contact your Private Accredited Certifier to ascertain the extent of the constraint on the land.

Subdivision Code

Complying development under the Subdivisions Code may not be carried out on the land except as otherwise provided by State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. The land is affected by the requirements for complying development: The land is within an environmentally sensitive area. Please contact your Private Accredited Certifier to ascertain the extent of the constraint on the land.

Demolition Code

Complying development under the Demolition Code may not be carried out on the land except as otherwise provided by State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. The land is affected by the requirements for complying development: The land is within an environmentally sensitive area. Please contact your Private Accredited Certifier to ascertain the extent of the constraint on the land.

Commercial and Industrial (New Buildings and Additions) Code

Complying development under the Commercial and Industrial (New Buildings and Additions) Code may not be carried out on the land except as otherwise provided by State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. The land

is affected by the requirements for complying development: The land is within an environmentally sensitive area. Please contact your Private Accredited Certifier to ascertain the extent of the constraint on the land.

Commercial and Industrial Alterations Code

Complying development under the Commercial and Industrial Alterations Code may not be carried out on the land except as otherwise provided by State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. The land is affected by the requirements for complying development: The land is within an environmentally sensitive area. Please contact your Private Accredited Certifier to ascertain the extent of the constraint on the land.

Fire Safety Code

Complying development under the Fire Safety Code may not be carried out on the land except as otherwise provided by State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. The land is affected by the requirements for complying development: The land is within an environmentally sensitive area. Please contact your Private Accredited Certifier to ascertain the extent of the constraint on the land.

Low Rise Housing Diversity Code

Complying development under the Low Rise Housing Diversity Code may not be carried out on the land except as otherwise provided by State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. The land is affected by the requirements for complying development: The land is within an environmentally sensitive area. Please contact your Private Accredited Certifier to ascertain the extent of the constraints on the land.

Greenfield Housing Code

The Greenfield Housing Code is not applicable to this land.

4 (Repealed)

4A (Repealed)

4B Annual Charges for coastal protection services under *Local Government Act 1993*

None

5 MINE SUBSIDENCE

The land is not within a Mine Subsidence District declared under section 20 of the *Coal Mine Subsidence Compensation Act 2017*.

6 ROAD WIDENING AND ROAD RE-ALIGNMENT

Whether or not the land is affected by any road widening or road alignment.

The property is adjacent to a State Road under the control of Transport for NSW (TfNSW) and may be affected by an existing road widening scheme.

Any enquiries to TfNSW (Roads) formerly known as RMS regarding this matter should be lodged via the following portal <https://myrta.com/opis/index.jsp> or through the Central Register of Restrictions (CRR) via a conveyancer or agency.

7 COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS (No, unless a message is listed below)

Chapter 6.4 of Gosford Development Control Plan (Geotechnical Requirements) applies to the land and the land may be subject to slip. When considering a development application, each circumstance will be considered and development may be restricted.

7A FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION

- (1) Is the land or part of the land within the flood planning area and subject to flood related development controls.

Yes.

- (2) Is the land or part of the land between the flood planning area and the probable maximum flood and subject to flood related development controls.

Yes.

- (3) In this clause—
- flood planning area has the same meaning as in the Floodplain Development Manual.
 - Floodplain Development Manual means the Floodplain Development Manual (ISBN 0 7347 5476 0) published by the NSW Government in April 2005.
 - probable maximum flood has the same meaning as in the Floodplain Development Manual.

8 LAND RESERVED FOR ACQUISITION

No.

9 CONTRIBUTION PLANS

Central Coast Regional Section 7.12 Development Contributions Plan 2019.

9A BIODIVERSITY CERTIFIED LAND

Is the land biodiversity certified land under Part 8 of the *Biodiversity Conservation Act 2016*?

No.

10 BIODIVERSITY STEWARDSHIP SITES

Is the land a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the *Biodiversity Conservation Act 2016*?

No.

10A NATIVE VEGETATION CLEARING SET ASIDES

If the land contains a set aside area under section 60ZC of the *Local Land Services Act 2013*, a statement to that effect (but only if the council has been notified of the existence of the set aside area by Local Land Services or it is registered in the public register under that section).

None.

11 BUSHFIRE PRONE LAND

The information currently available to Council indicates all of the land is shown as bush fire prone land according to the Act.

12 PROPERTY VEGETATION PLANS

Has Council been notified by the person or body that approved the plan that the land is land to which a property vegetation plan under the *Native Vegetation Act 2003* applies?

No.

13 ORDERS UNDER TREES (DISPUTE BETWEEN NEIGHBOURS) ACT 2006

Has Council been notified that an order has been made under the *Trees (Disputes Between Neighbours) Act 2006* to carry out work in relation to a tree on the land?

No.

14 DIRECTIONS UNDER PART 3A

If there is a direction by the Minister in force 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 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

No.

15 SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR SENIORS HOUSING

15(a) IS COUNCIL AWARE OF A CURRENT SITE COMPATIBILITY CERTIFICATE (SENIORS HOUSING) IN RESPECT OF PROPOSED DEVELOPMENT ON THE LAND?

If the land is land to which *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* applies.

No.

15(b) ARE THERE ANY CONDITIONS IMPOSED BY A CONSENT AUTHORITY IN TERMS OF CLAUSE 18 (2) OF STATE ENVIRONMENTAL PLANNING POLICY (HOUSING FOR SENIORS OR PEOPLE WITH A DISABILITY) 2004 AFTER 11 OCTOBER 2007?

No.

16 SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE

No.

17 SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING

17(1) IS COUNCIL AWARE OF A CURRENT SITE COMPATIBILITY CERTIFICATE (AFFORDABLE RENTAL HOUSING) IN RESPECT OF PROPOSED DEVELOPMENT ON THE LAND?

No.

17(2) ARE THERE ANY CONDITIONS IMPOSED BY A CONSENT AUTHORITY IN TERMS OF CL 17 (1) OR 37 (1) OF STATE ENVIRONMENTAL PLANNING POLICY (AFFORDABLE RENTAL HOUSING) 2009?

No.

18 PAPER SUBDIVISION INFORMATION

(1) The name of any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot.

None

(2) The date of any subdivision order that applies to the land.

Nil

19 SITE VERIFICATION CERTIFICATE

There is no current site verification certificate, of which the Council is aware in respect of the land.

20 LOOSE-FILL ASBESTOS INSULATION

NSW Fair Trading has not identified any residential dwellings erected within Central Coast Council Local Government Area as containing loose-fill asbestos ceiling insulation, as per the Loose-Fill Asbestos Insulation Register.

21 AFFECTED BUILDING NOTICES AND BUILDING PRODUCT RECTIFICATION ORDERS (BUILDING PRODUCT SAFETY ACT 2017)

- (1) Is there any affected building notice of which the council is aware that is in force in respect of the land?

No

- (2) Is there any building product rectification order of which the council is aware that is in force in respect of the land and has not been fully complied with?

No

- (3) Is there any notice of intention to make a building product rectification order of which the council is aware has been given in respect of the land and is outstanding.

No

Note

1 **CONTAMINATED LAND MANAGEMENT ACT 1997 NOTICES UNDER SECTION 59(2)**

- (a) that the land to which the certificate relates is significantly contaminated land within the meaning of that Act - if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,

No.

- (b) that the land to which the certificate relates is subject to a management order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,

No.

- (c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act - if it is the subject of such an approved proposal at the date when the certificate is issued,

No.

- (d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,

No.

- (e) that the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act - if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

No.

The following additional information is issued under Section 10.7(5) of the *Environmental Planning and Assessment Act, 1979*

Council has fixed a foreshore building line on all lands fronting any harbour, bay, ocean, lake, estuary, lagoon or tidal river and creek.

If this land adjoins land or roads over which there is an easement for services to drain water, to drain sewage or where services, drainage, sewerage or other utilities have been installed and easements have not been created, foundations may be required such as will ensure the stability of any improvements on the subject land against any influence from use of the easement or installations over the adjoining land or roads.

This land has been identified as containing a Swamp Mahogany Forest plant community. This community may qualify as the endangered ecological community Swamp Forest Complex as listed under Part 1 Schedule 1 of the Threatened Species Conservation Act, 1995. The presence of this community may restrict the development potential of the land. The nature and extent of any threatened species or cultural heritage constraints should be determined following an assessment of the land by a qualified and experienced ecologist/consultant.

This property is connected to the Cockle Bay Towns Sewerage Scheme, via a low pressure sewer pumping unit. The owner is responsible for operating costs. Council shall be responsible for maintenance and replacement of the low pressure pump unit when required. A contribution charge of \$24,934 per ET (indexed by CPI from the date connection became available on 31.10.2016) will apply to any further development approved on this property.

Land subject to Interim Development Order 122 Clearing (including the underscrubbing) of vacant land is prohibited. The clearing of vacant land (including underscrubbing) is not and cannot be considered as a specific action for which development consent can be given. Clearing (including underscrubbing) is only permitted in association with lawful consent (such as a previous approval by Council or the court). Min.No:71/98

Note: This Certificate is issued without Alteration and Erasure.

LAND USE TABLE

Zone E3 Environmental Management

Draft Central Coast Local Environmental Plan

1 Objectives of zone

To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.

To provide for a limited range of development that does not have an adverse effect on those values.

To provide transitions to high ecologically valued land or constrained lands.

2 Permitted without consent

Home occupations.

3 Permitted with consent

Animal boarding or training establishments; Bed and breakfast accommodation; Building identification signs; Business identification signs; Community facilities; Dual occupancy; Dwelling houses; Eco-tourist facilities; Emergency services facilities; Environmental facilities; Environmental protection works; Extensive agriculture; Farm buildings; farm stay accommodation; flood mitigation works; Home-based child care; Home businesses; Home industries; Horticulture; Information and education facilities; Recreation areas; Research stations; Roads; Roadside stalls; Secondary dwellings; Sewage reticulation systems; Sewage treatment plants; Veterinary hospitals; Water recreation structures; Water recycling facilities; Water supply systems.

4 Prohibited

Industries; Multi dwelling housing; Residential flat buildings; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; Any development not specified in item 2 or 3