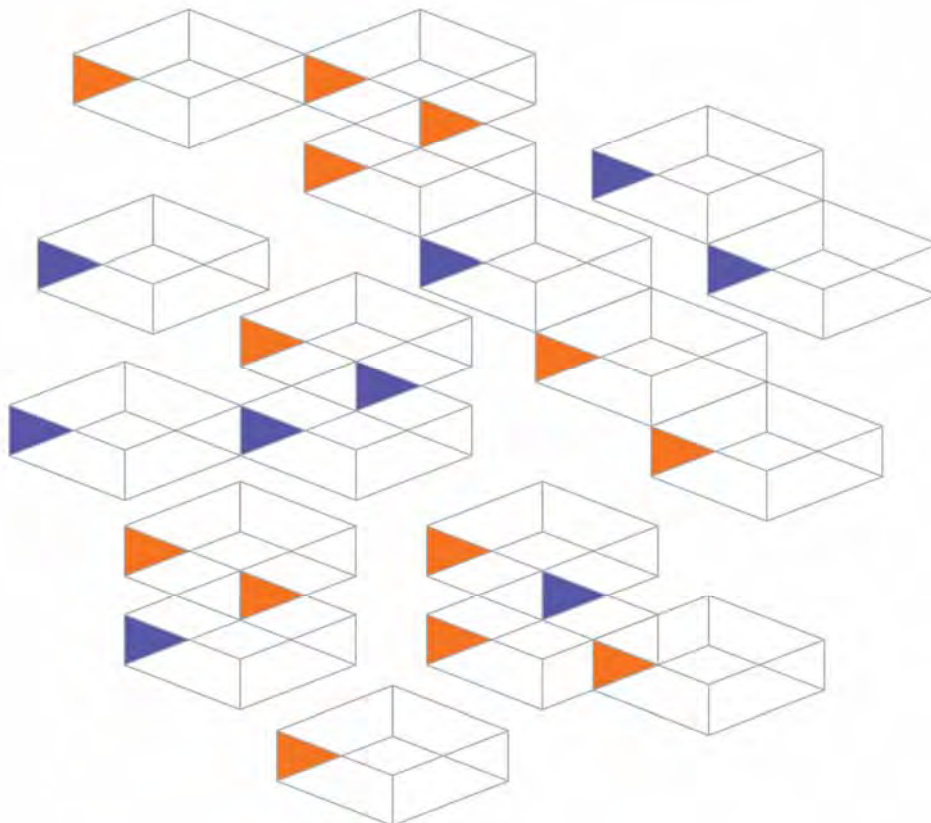


University of Newcastle

**Preliminary Contamination Assessment –
NeW Space, City Campus – Hunter Education
Precinct**

Corner of Auckland and Hunter Streets,
Newcastle NSW

3 March 2014



Boundaries
are set by those
who are afraid
to push them

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Corner of Auckland and Hunter Streets, Newcastle NSW
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Abbreviations

AEC	Area of Environmental Concern
AHD	Australian Height Datum
ANZECC	Australian and New Zealand Environment and Conservation Council
bgs	below ground surface
BH	Borehole
BTEX	Benzene, Toluene, Ethylbenzene and Xylenes
bTOC	Below Top Of Casing
C6-C36	Hydrocarbon chainlength fraction
CBD	City Business District
COC	Chemical of Concern
DO	Dissolved Oxygen
EC	Electrical Conductivity
EIL	Ecological Investigation Level
ESL	Ecological Screening Level
Envirolab	Envirolab Services Pty Ltd
Eurofins	Eurofins Environment Testing Australia Pty Ltd, trading as Eurofins MGT
GIL	Groundwater Investigation Level
HIL	Health Investigation Level
HSL	Health Screening Level
ID	Identification
JET	Johnstone Environmental & Technology Pty Ltd
LNAPL	Light Non-aqueous Phase Liquid
LOR	Limit of Reporting

Abbreviations

µg/L	micrograms per litre
mg/kg	milligrams per kilogram
mg/L	milligrams per litre
MW	Monitoring Well
NATA	National Association of Testing Authorities
NEHC	National Environmental Health Council
NEPM	National Environment Protection (Assessment of Site Contamination) Measure
NHMRC	National Health and Medical Research Council
NSW DECCW	NSW Department of Environment, Climate Change and Water (now NSW OEH)
NSW EPA	NSW Environment Protection Authority
NSW OEH	NSW Office of Environment and Heritage
PAH	Polycyclic Aromatic Hydrocarbon
PCA	Preliminary Contamination Assessment
PID	Photoionisation Detector
PPK	PPK Environment & Infrastructure Pty Ltd
ppm	parts per million
PVC	Polyvinyl Chloride
QA	Quality Assurance
QC	Quality Control
RPD	Relative Percent Difference
SKM	Sinclair Knight Merz Pty Ltd
SOP	Standard Operating Procedures
SWL	Standing Water Level

Abbreviations

TCLP	Total Characteristic Leachability Procedure
TDS	Total Dissolved Solid
TPH	Total Petroleum Hydrocarbon
UoN	University of Newcastle
VOC	Volatile Organic Compound

Executive Summary

This document presents the findings of the Preliminary Contamination Assessment (PCA) undertaken by Coffey for the proposed NeW Space, City Campus – Hunter Education Precinct located on the corner of Hunter and Auckland Streets, Newcastle NSW.

Based on information supplied by UoN, Coffey understands that the University's NeW Space project will see the expansion of the university teaching facilities in the city's central business district (CBD). At the centrepiece of the Hunter Education Precinct a new building located at the intersection of Hunter and Auckland Streets will be developed.

The objectives of the PCA were to:

- Identify potentially contaminating activities that are currently being performed and/or may have been performed in the past on or adjacent to the site;
- Assess Areas of Environmental Concern (AECs) and associated Chemicals of Concern (COCs) for the site;
- Assess the presence, location and extent of soil and groundwater contamination;
- Provide recommendations for further assessment and or management, as required;
- Provide cost estimates and a "roadmap" for remediation/management of contamination, if required.

In order to achieve the objective, the following tasks were undertaken:

- Review of existing contamination assessment reports for the site;
- A desktop study / site history assessment;
- Collection of soil samples from 12 locations;
- Installation of one groundwater well and collection of one groundwater sample;
- Laboratory analysis of soil and groundwater for the contaminants of concern;
- Data assessment and reporting.

The information obtained from the site history review identified two AECs for the site, relating to fill material of unknown origin and quality, and the use of hazardous materials (i.e. asbestos, lead paints) in the construction of former site buildings.

Previous assessments on the site identified lead and benzo(a)pyrene contamination in single soil samples, which were concluded to be associated with "*small slag or metallic inclusion*", and "*black fleck inclusion*", and were not considered representative of the site. The previous assessment also identified concentration of TPH C10-C36 above the criteria in one location, which was considered to "*not likely to compromise use of property for commercial use*". It is noted that the criteria for benzo(a)pyrene and TPH have been updated since 2001, and have become less stringent.

The current investigation did not identify contamination above the adopted criteria for commercial/industrial land use. It is noted that the laboratory results were not compared to ecological investigation levels (EILs), as the site will be covered by the proposed building development.

Based on the findings of this assessment, Coffey considers that the site is suitable for the proposed commercial development.

Executive Summary

If a more sensitive land use is proposed in the future (e.g. residential or recreational), or areas of the site will comprise gardens planted into the fill soils on site, additional investigations may be required to assess the heavy metal concentrations in the fill soils.

This report has been written in accordance with the relevant sections in the NSW OEH (2011) *Guidelines for Consultants Reporting on Contaminated Sites*. This report must be read in conjunction with the attached sheet entitled “*Important Information about your Coffey Environmental Report*”, which can be found at the end of this report.

1 INTRODUCTION

1.1 General

This document presents the findings of the Preliminary Contamination Assessment (PCA) undertaken by Coffey for the proposed NeW Space, City Campus – Hunter Education Precinct located on the corner of Hunter and Auckland Streets, Newcastle NSW. The site location is illustrated on Figure 1.

The PCA was commissioned by the University of Newcastle (UoN) in response to a Coffey proposal (Reference GEOTWARA22093AC-AA dated 23 October 2013).

Based on information supplied by UoN, Coffey understands that the University's NeW Space project will see the expansion of the university teaching facilities in the city's central business district (CBD). At the centrepiece of the Hunter Education Precinct a new building located at the intersection of Hunter and Auckland Streets will be developed.

This report has been written in accordance with the relevant sections in the NSW OEH (2011) *Guidelines for Consultants Reporting on Contaminated Sites*. This report must be read in conjunction with the attached sheet entitled "*Important Information about your Coffey Environmental Report*", which can be found at the end of this report.

1.2 Objectives

The objectives of the PCA were to:

- Identify potentially contaminating activities that are currently being performed and/or may have been performed in the past on or adjacent to the site;
- Assess Areas of Environmental Concern (AECs) and associated Chemicals of Concern (COCs) for the site;
- Assess the presence, location and extent of soil and groundwater contamination;
- Provide recommendations for further assessment and or management, as required;
- Provide cost estimates and a "roadmap" for remediation/management of contamination, if required.

1.3 Scope of Works

In order to achieve the objective, the following tasks were carried out:

- Review of existing contamination assessment reports for the site;
- A desktop study / site history assessment;
- Collection of soil samples from 12 locations;
- Installation of one groundwater well and collection of one groundwater sample;
- Laboratory analysis of soil and groundwater for the contaminants of concern;
- Data assessment and reporting.

2 SITE DESCRIPTION

2.1 Site Location and Identification

General site information is provided below in Table 2.1.

Table 2.1 – Summary of Site Details

Site Identification:	The 'site' is defined as the NewSpace, City Campus, located on the corner of Auckland and Hunter Street, Newcastle, NSW, as shown on Figure 1.
Approximate Total Site Area:	0.425 hectares (4,250m ²)
Title Identification Details	The site occupies Lots 1 and 2 in DP1188877, in the Parish of Newcastle and the County of Northumberland.
Previous Landuse:	The site appears to have been used for a car park and a range of commercial/retail outlets since 1913.
Current Landuse:	The site is currently vacant. The former buildings on the site has been demolished with only the concrete slab remaining.
Proposed Landuse:	University teaching facilities.
Adjoining Site Uses:	<ul style="list-style-type: none">• Hunter Street, commercial/retail and train line to the north.• Civic Theatre and commercial/retail to the east.• University house, gardens and King Street to the south.• Auckland Street and commercial/retail to the west.
Site Coordinates	The centre of the site is located approximately at 32°55'38"S, 151°46'17"E.

2.2 Site Topography and Drainage

Reference to the 1:25,000 Newcastle Topographic Map indicates that the site is situated in a generally level area, at an elevation of less than 10m AHD.

During the field investigations, the site was observed to be generally flat with no noticeable slope.

The site is generally covered with concrete, with the exception of small areas of soil and building rubble. Stormwater from the site is anticipated to flow into municipal drains on Auckland and Hunter Streets. Stormwater likely discharges into the Hunter River, located 250m to the north.

2.3 Regional Geology and Soils

A review of the 1:100,000 Newcastle Coalfields Geological Map indicates that the site is underlain by Quaternary Alluvium comprising sands, silts, clays and gravels.

The field investigations identified fill, overlying Aeolian (windblown dune) sands, above a sequence of estuarine sand, clayey sand and clay which become dense with depth. This estuarine sequence is likely the result of fluctuations in relative sea level during the Quaternary age.

2.4 Hydrogeology

Groundwater beneath the site was anticipated be present in estuarine soils at a depth of about 3m below ground surface (bgs). During the field investigations water inflows were recorded between about 2.5m and 3.0m bgs.

The Hunter River, which becomes Newcastle Harbour, is located 250m to the north of the site. Groundwater would be expected to flow in a north-easterly direction.

A search of the NSW Natural Resource Atlas for registered groundwater bores located within a 500m radius of the site was undertaken on 31 January 2014. The results of the search are presented in Appendix A, and the details of the registered bores are summarised below in Table 2.

Table 2.2 – Summary of Groundwater Bore Data

BORE ID	STATUS	PURPOSE	APPROXIMATE DISTANCE FROM SITE	STANDING WATER LEVEL (m bgs)
GW053243	Supply Obtained	Industrial	820m West	Unknown (final drill depth of 8.0m)
GW062106	Unknown	Industrial Irrigation	720m West	Unknown (final drill depth of 6.1m)
GW057894	Unknown	Industrial Irrigation	680m West	2.0
GW202514	Equipped	Monitoring Bore	220m South East	Unknown (final drill depth of 6.0m)
GW201491	Equipped	Monitoring Bore	175m East	2.0
GW201489	Equipped	Monitoring Bore	165m East	2.0
GW201490	Equipped	Monitoring Bore	190m East	2.0

GW055210	Supply Obtained	Domestic	790m South West	Unknown (final drill depth of 4.9m)
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2.5 Acid Sulfate Soils

Reference to the Lower Hunter 1:25,000 Acid Sulfate Soil Risk Map (Edition 3, 2008) indicates that the site is located in an area of Disturbed Terrain. The map states: *"Disturbed terrain may include filled areas, which often occur during reclamation of low lying swamps for urban development. Other disturbed terrain includes areas which have been mined or dredged, or have undergone heavy ground disturbance through general urban development or construction of dams or levees. Soil investigations are required to assess these areas for acid sulphate potential."*

3 SITE HISTORY REVIEW

A site history review was undertaken as part of the PCA, and included:

- A review of existing contamination assessment reports for the site;
- A review of historical ownership of the lot comprising the site;
- A review of historical aerial photography over the past 50 to 60 years for each site;
- A review of the Section 149 Planning Certificate for the lot comprising the site obtained from Newcastle City Council;
- Interviews with people familiar with the history of the site (if available);
- A review of NSW Office of Environment and Heritage (OEH) notices under the Contaminated Land Management Act (1997);
- A site walkover undertaken by a Coffey Environmental Scientist.

The information provided from the above reviews is summarised in the sections below.

3.1 Historical Property Ownership Search

A search of historical titles for Lot 1 DP1188877 of the site was undertaken by Advanced Legal Searchers Pty Ltd. A list of past registered proprietors for the lot was obtained dating back to 1886. Since 1886 the Lot and DP/Conveyance Book details for the site has been altered a number of times. Due to the large number of past proprietors for the site a summary has been provided below. The results of the search and the full list of past proprietors is included in Appendix B.

A small portion of the site was Crown land prior to 1968.

From 1886 to between 1913 and 2007 portions of the site were owned by a number of private land owners. The occupations of some private owners were provided and included gentlemen, wives, spinsters, merchants, book keeper, auctioneer, hotel keeper (1912 to 1919), and hotel licensee and manager (1953 to 1959).

From 1913 to between 1982 and 2007 portions of the site were owned by a number of commercial land owners. These included:

- A Goninan and Co Limited owned portions of the site between 1913 to 1935.
- Tooheys Limited owned portions of the site between 1926 and 1981.
- The Australian Provincial Assurance Associate Limited owned portions of the site between 1935 to 1953.
- Goolds Pty Limited owned portions of the site between 1950 and 1965.
- Nock and Kirby Limited owned large portions of the site between 1954 and 1979
- Stone Investments Pty Limited owned portions of the site between 1960 and 1970.
- Fines Investments Pty Ltd owned portions of the site between 1961 and 1972.
- J.A. Simpson Investment Pty Limited owned portions of the site between 1965 and 1984.

- Motel Temora Pty Limited owned portions of the site between 1970 and 1981.
- Newgate Property Investments Pty Ltd owned the site between 1972 and 1976.
- Civien Pty Ltd owned portions of the site between 1976 and 1982.
- Flints (Smithfield) Pty Ltd owned portions of the site between 1979 and 1982
- Austotel Management Pty Limited owned portions of the site between 1981 and 1991.
- J.Y. Abraham Jnr. Pty Limited owned portions of the site between 1984 and 1985.
- Goold Securities Pty Ltd owned portions of the site between 1984 and 1988
- Dandrew Pty Limited owned portions of the site between 1985 and 1998.
- Felderru Pty Ltd owned portions of the site between 1988 and 1994.
- Talcor Pty Limited owned portions of the site between 1991 and 2004.
- Bullbarnev Investments Pty Limited owned portions of the site between 2004 and 2006.
- B. Young Investments Pty Limited owned portions of the site between 2006 and 2007.

The Shortland County Council acquired portions of the site in 1982. The current landholder, Newcastle City Council acquired the site between 1988 and 2007.

The likely nature of the businesses of the above site owners are retail shops and showrooms. There is also the potential for a hotel between 19129 to 1919 and 1953 to 1959.

3.2 Aerial Photograph Review

Aerial photographs of the site were purchased from the Department of Land and Property Information and assessed by a Coffey Environmental Scientist. The results of the aerial photograph review are summarised below in Table 3.1. The aerial photographs are presented in Appendix C.

Table 3.1 – Aerial Photograph Review

YEAR	SITE	SURROUNDING LAND
1959	<p>One large building appears present in the north eastern corner of the site and three smaller buildings along the western boundary. The remainder of the site appears to be an asphalt paved car park.</p> <p>The positioning and shape of the buildings appear to be similar to those that were on the site, prior to demolition in 2013.</p>	<p>The areas surrounding the site appear to be very similar to those found today.</p> <p>The large buildings surrounding the site (what is currently known as University house, Town Hall and Civic Theatre) have already been developed.</p> <p>The train line to the north of the site is present as well as many of the roads found in the area today, including Hunter and Auckland Streets to the north and west of the site.</p> <p>The former Newcastle railway and shipping yard is also present to the north of the site.</p>
1965	<p>The building in the north eastern corner of the site has been extended to the south; and a building appears to have been developed over the former car parking areas, this is similar to the site layout, prior to demolition in 2013</p> <p>The remainder of the site appears relatively unchanged from 1959.</p>	<p>The surrounding areas appear to be similar to 1959.</p>
1974	<p>The site appears relatively unchanged from 1965.</p>	<p>The surrounding areas appear to be similar to 1965.</p>
1983	<p>The site appears relatively unchanged from 1974.</p>	<p>A large round building (currently known as the Newcastle City Council building) has been developed to the south east of the site.</p> <p>The remaining surrounding areas appear to be similar to 1974.</p>
1990	<p>The site appears relatively unchanged from 1983.</p>	<p>The surrounding areas appear to be similar to 1983.</p>
2004	<p>The site appears relatively unchanged from 1990.</p>	<p>Small buildings/structures appear to have been developed in Civic Park, located to the south east of the site (these are likely related to a short term market facility).</p> <p>The remaining surrounding areas appear to be similar to 1974.</p>
2013	<p>The site appears relatively unchanged from 2004.</p>	<p>The small buildings/structures appear to have been removed from Civic Park.</p> <p>The remaining surrounding areas appear to be similar to 2004.</p>

3.3 Site Observations

A Coffey Environmental Scientist visited the site on 20 January 2014. Site photographs were taken during the visit, and are shown in Appendix D. The site layout and features are shown on Figure 2, which is based on an aerial photograph taken prior to the site buildings being demolished. The former site buildings were demolished in 2013.

The observations noted during the site walkover are summarised below.

- The site is covered with a concrete footprint which covers the majority of the site.
- The north western and south eastern corners of the site consist of builder's rubble and soil.
- The site is relatively flat with no slope noted.
- The southern boundary of the site consists of buildings from the Newcastle University City Campus and Newcastle Town Hall.
- The eastern boundary is the Civic Theatre.

3.4 Section 149 Planning Certificates

The Section 149 Planning Certificate for Lot 1 DP 1188877 was obtained from Newcastle City Council. A copy of this certificate is provided in Appendix E. Information provided in the certificate is presented below:

- The lot is zoned as Zone B4 – Mixed Use Zone;
- The lot does not include a critical habitat;
- The lot is situated within the Newcastle City Centre Heritage Conservation Area, however no heritage items are listed for the site.
- The lot is affected by the Coastal Protection Act 1979;
- The site is within a proclaimed Mine Subsidence District under the Mine Subsidence Compensation Act 1961. Approval from the Mine Subsidence Board is required for all subdivisions and building, except for certain minor structures;
- The lot is not situated on bushfire prone land;
- The lot is affected by flood-related development controls; and
- Council is in possession of the following contaminated land documents which relate to the land:
 - Summary Site Audit Report No JET1332-00, Johnstone Environmental Technology, February 2002. 409 – 415 Hunter Street.

3.5 NSW OEH Records

A search of the NSW Office of Environment and Heritage (OEH, formerly NSW DECCW) Contaminated Land Record (<http://npws.nsw.gov.au/prclmapp/searchregister>) was undertaken on 3 February 2014. A copy of the search is provided in Appendix F. The site was not listed on the contaminated sites register.

The list of sites notified to NSW EPA under Section 60 of the Act (www.environment.nsw.gov.au/clm/publiclist.htm), shows that the site has also not been notified to the

EPA. The database revealed four properties within Newcastle, NSW as being notified to the EPA; these included:

- BHP Steelworks (Closure Site), located at Selwyn Street and Industrial Drive. The site is located approximately 2.8km to the north of the site. The EPA has completed its assessment on the site.
- Newcastle Foreshore, located at 40 Stevenson Place, Newcastle. The site is located approximately 1.4km to the east of the site. The EPA has completed its assessment on the site.
- Reclaimed Land, located at 26-28 Honeysuckle Drive, Newcastle. Approximately 600m to the north west of the site
- Former Mobil Service Station, located at 113 Parry Street, Newcastle. The site is located approximately 1.4km to the west of the site. The EPA has completed its assessment on the site.

Based on the location and the status of the sites the risk of contaminated soil and / or groundwater originating from the above properties impacting the site is considered unlikely.

3.6 Previous Assessments

Coffey is aware of two previous environmental investigations being carried out on the site:

- Sinclair Knight Merz Pty Ltd (SKM)(2000), Environmental Site Assessment, 409 – 415 Hunter Street, Newcastle; and
- PPK Environment and Infrastructure Pty Ltd (PPK) (2001), Phase 2 Environmental Site Assessment, 409 – 415 Hunter Street, Newcastle NSW.

A site audit was also carried out on the site by Edward Johnstone of Johnstone Environmental Technology Pty Ltd (JET). The site audit report reviewed the works completed by SKM and PPK. A copy of the site audit report was provided to Coffey and is summarised below.

Johnstone Environmental Technology Pty Ltd (JET) (2002), Summary Site Audit Report for 409 – 415 Hunter Street, Newcastle, NSW.

The purpose of the Site Audit was to:

- *“Determine the nature and extent of contamination present on the 409 – 415 Hunter Street, Newcastle property;*
- *Determine the nature, extent and adequacy of the soil and building material contamination investigation undertaken;*
- *Establish whether further contamination investigation and/or remediation is required to make the property suitable for future (on-going) commercial use; and*
- *Determine the suitability of the property for future commercial use.”*

The Auditor noted:

- *“The property is covered by a disused building which was formerly a show room and workshop/store for Energy Australia and the predecessor Shortland County Council.”*
- The site is covered with a concrete slab approximately 100mm thick.
- A building was present on the site prior to 1930.

- *"Fill material was heterogeneous and contained silty sands, concrete, glass, ceramics, slag, gravel and 'black flecks'.*
- As part of SKM's assessment, seven shallow hand auger boreholes were bored through the concrete floor of the existing building. It is noted that the bores did not reach the underlying natural material. PPK also carried out five hand auger boreholes to a maximum depth of 2.1m.
- A single soil sample (collected as part of SKM's investigations) reported lead results exceeding adopted criteria. Replicate samples were later collected by PPK, however these did not report elevated concentrations. It was concluded that the high lead value was *"anomalous and likely associated with "a small slag or metallic inclusion"*.
- A single soil sample (collected by PPK) also reported benzo(a)pyrene results exceeding adopted criteria. This elevated result was believed to be due to a 'black fleck' inclusion and not representative of the site.
- A single soil sample (collected by SKM) also reported concentrations of TPH C10-C36 above the adopted criteria. As the mean of all TPHC10-C36 concentrations was below the adopted criteria it was concluded that the elevated TPH results were *"not likely to compromise use of property for commercial use"*.

Based on the results of the assessment JET determined the site was suitable for commercial/industrial land uses. However this was subject to the following conditions:

- *"The existing show room concrete floor shall remain in place to secure the suitability of the property for ongoing commercial use.*
- *In the event that the existing show room is demolished and the concrete floor slab removed or otherwise broken, the fill present beneath the existing building floor slab shall be reassessed to establish its suitability in regard to soil contamination for the future use of the property on account of the presence in the soil of polycyclic aromatic hydrocarbons, petroleum hydrocarbons and the potential phytotoxic effects if left exposed in new landscape areas.*
- *Asbestos should be noted as being present in some floor coverings and asbestos cement sheeting in the building and should be removed in accordance with current Work Cover Guidelines and requirements.*
- *Lead should be noted as being present in paint on the walls of the existing building."*

As the site is being redeveloped, Coffey considered that re-assessment of the site was required.

3.7 Summary of Site History

The information obtained from the site history review has been summarised below:

- A small portion of the site was Crown land prior to 1968. From 1886 to between 1913 and 2007 portions of the site were owned by a number of private land owners. From 1913 to between 1982 and 2007 portions of the site were owned by a number of commercial land owners. The Shortland County Council acquired portions of the site in 1982.
- The current landholder, Newcastle City Council, acquired the site between 1988 and 2007.
- The majority of the buildings on the site, prior to demolition in 2013, were developed prior to 1959, with all buildings being developed prior to 1965.
- The previous uses of the site are not well known. The previous assessments by PPK and SKM indicate the site was *"formerly a show room and workshop/store for Energy Australia and the predecessor Shortland County Council"*.

- The titles search also stated that previous site owners included merchants, hotel keepers, hotel managers and licensees. Based on this, and the numerous companies that have previously owned the site, it appears the site may have been used as shops and possibly a hotel.

3.8 Gaps in the Site History

The gaps in the site history identified in the review are as follows:

- Activities undertaken on the site prior to the mid-1950s are not known.
- The origin of materials used to fill/level the site are not known.

4 POTENTIAL AREAS AND CHEMICALS OF ENVIRONMENTAL CONCERN

Based on the site history review and the site walkover, the potential AECs and COCs identified at the site are presented below in Table 4.1.

Table 4.1 – Potential AECs and COCs

AEC	POTENTIAL CONTAMINATING ACTIVITY	POTENTIAL COCS	LIKELIHOOD OF CONTAMINATION*
1. Entire site, fill materials	The source and quality of the fill used to develop the site is unknown	Metals, TPH, BTEX, PAH, OCP, PCB, Asbestos.	Medium to High
2 In and surrounding buildings onsite	Use of asbestos and lead based paint in building materials	Asbestos and lead	Medium to High
<p>NOTES: <i>Metals - Arsenic, Cadmium, Chromium, Copper, Iron, Lead, Mercury, Nickel and Zinc; TPH – Total Petroleum Hydrocarbons; BTEX – Benzene, Toluene, Ethylbenzene and Total Xylenes; PAH – Polycyclic Aromatic Hydrocarbons;</i> <i>* = It is important to note that this is not an assessment of the financial risk associated with the AEC in the event contamination is detected, but a qualitative assessment of the probability of contamination being detected at the potential AEC.</i></p>			

5 ASSESSMENT CRITERIA

5.1 Soil Investigation Levels

The soil investigation levels are based on the following references:

- National Environmental Protection Council (NEPC) National Environmental Protection (Assessment of Site Contamination) Measure (NEPM) (NEPM, 2013).

The NEPM (2013) presents health based investigation levels for different land uses (e.g. industrial / commercial, residential, recreational etc.) as well as ecological investigation levels.

The site is currently zoned Zone B4 – Mixed Use, however it is understood that the site will be developed for commercial use.

The following assessment criteria will be adopted for soil assessment purposes:

- Health screening level (HSL) for commercial / industrial land use for hydrocarbons (TRH and BTEX) via vapour intrusion (Table 1A(3) HSL D);
- Health investigation level (HIL) for commercial / industrial land use for metals and PAHs (Table 1A(1) HIL D);
- Management Limits for TRH fractions in soil (Table 1 B(7)).

Health Screening Levels/Health Investigation Levels

The HSLs and HILs are applicable for assessing human health risk via relevant exposure pathways. The HSLs have been developed for selected petroleum compounds and fractions and are applicable to assessing human health risk via the inhalation pathway. These HSLs depend on specific soil physicochemical properties, land use scenarios and the depth that groundwater is encountered. HILs were developed for a broad range of metals and organic substances. These are generic to all soil types and apply generally to a depth of 3m below the soil surface.

Management Limits

The purpose of the Management Limits is to “avoid or minimise” potential effects of petroleum hydrocarbons. NEPM (1999, amended 2013) Schedule B(1) provides these as an interim Tier 1 guidance to manage effects of:

- Formation of observable Light Non-Aqueous Phase Liquid (LNAPL);
- Fire and explosive hazards; and
- Effects on buried infrastructure.

The application of the management limits requires the consideration of site-specific factors such as the depth of building services and depth to groundwater, to assess the maximum depth to which the limits should apply.

Ecological Investigation Levels (EILs)/ Ecological Screening Levels (ESLs)

The ESLs and EILs have been developed for assessing risk to terrestrial ecosystems (i.e. gardens). As the proposed development is understood to cover the site, the opportunity for terrestrial ecosystems to be present is limited. Therefore, the EILs and ESLs have not been adopted for this site.

5.2 Waste Classification

The procedures for classifying waste are detailed in the NSW DECCW (2009) Waste Classification Guidelines Part 1: Classifying Waste. NSW DECCW (2009) requires that wastes be classified in a step wise manner as outlined below:

Step 1 – Is it special waste?

Step 2 – Is it liquid waste?

Step 3 – Is waste pre-classified?

- Hazardous waste
- Restricted Solid Waste
- General Solid Waste (Putrescible)
- General Solid Waste (Non-Putrescible)

Step 4 – Does waste possess hazardous characteristics?

Step 5 – Waste Classification if waste not classified in Steps 1-4.

A – Classification using specific contaminant concentration (SCC) only.

Material requiring disposal is classified by comparing analytical results from the material to threshold criteria provided in NSW DECCW (2009). NSW DECCW (2009) provides threshold concentrations for two different waste categories, namely general solid waste and restricted solid waste. The wastes which fail to meet the criteria for restricted solid waste classify as hazardous waste. Based on the SCC alone (without leachability testing), the test value for each contaminant must be less than or equal to the contaminant threshold (CT) specified for that contaminant in Table 1 of NSW DECCW, (2009). These threshold concentrations are significantly higher than would apply when leachability testing is undertaken.

- General Solid Waste \leq CT1
- Restricted Solid Waste \leq CT2

Where CT2 is exceeded a TCLP test will be necessary to determine leachable concentrations and class of waste.

B – Classifying using both the SCC test and TCLP (Toxicity Characteristic Leaching Procedure).

For those wastes that are not classified into a waste category, NSW DECCW (2009) provides threshold values for total concentrations and leachable concentrations based on TCLP test. These threshold levels are given for about 50 contaminants and groups of contaminants. For a waste to be classified under a given category, both total and leachable concentrations of the waste should meet the respective threshold concentrations.

- General Solid Waste \leq CT1 and \leq TCLP1
- Restricted Solid Waste \leq CT2 and \leq TCLP2
- Hazardous Waste $>$ CT2 or $>$ TCLP2

Step 6 – Is the waste putrescible or non-putrescible?

It is noted that under NSW DECCW (2009), the above steps for waste classification must be applied in the above order. Once a waste classification has been established under a particular step, the next step must not be continued.

5.3 Groundwater Investigation Levels

The applicable guidelines for assessing water quality are:

- ANZECC (2000) Australian and New Zealand Guidelines on Fresh and Marine Water Quality;
- NHMRC (2011) Drinking Water Guidelines;
- NHMRC (2008) Guidelines for Managing Risks in Recreational Water;
- National Environmental Protection Council (NEPC) National Environmental Protection (Assessment of Site Contamination) Measure (NEPM) (NEPM, 2013).

NEPM (2013) contains groundwater health screening levels (HSLs) for selected hydrocarbons, and groundwater investigation levels (GILs) for a broad range of contaminants.

The HSLs are applicable for assessing human health risk via the inhalation pathway. The HSLs have been developed for selected petroleum compounds and fractions. These HSLs depend on specific soil physicochemical properties, land use scenarios and the depth that groundwater is encountered.

The GILs are based on:

- ANZECC (2000) trigger values to assess the risk of groundwater contamination impacting aquatic ecosystems, and groundwater quality for irrigation and stock watering;
- NMHRC (2008) guidance to assess the risk of groundwater contamination impacting water used for recreational purposes.
- NHMRC (2011) criteria to assess the risk of groundwater contamination impacting drinking water.

In order to assess which of the above criteria are applicable for the site, the potential beneficial uses of groundwater must be assessed.

5.3.1 Potential Beneficial Uses

For assessing groundwater quality, it is first necessary to assess the beneficial uses of groundwater down gradient of the investigation area being assessed, and protection of human health. Potential beneficial uses down gradient of the site are considered to include:

- Aquatic ecosystems - discharge to surface water bodies with the nearest water body being the Hunter River located about 250m to the north of the site. The Hunter River flows north easterly into the Newcastle Harbour; and

- Recreational facilities – the receiving waters (the Hunter River) is used for recreational purposes.

Extraction of groundwater for drinking water use is considered unlikely, due to the presence of reticulated water in the area.

Given the above, potential beneficial use of groundwater is considered to be sustaining aquatic ecosystems in Hunter River, recreational, and protection of human health from vapour intrusion into buildings.

5.3.1 Protection of Aquatic Ecosystems

The trigger values for freshwater species presented in the ANZECC (2000) (and NEPM, 2013) are considered applicable for the protection of aquatic ecosystems of the receiving waters.

ANZECC (2000) advocates a site-specific approach to developing guideline trigger values based on such factors as local biological affects data, the current level of disturbance of the ecosystem, etc. The guidelines present 'low risk guidelines trigger values' which are defined as concentrations of key performance parameters below which there is a low risk that adverse biological effects will occur. It is important to note that these are not threshold values at which an environmental problem is likely to occur if exceeded. Rather, if the trigger values are exceeded, then further action is required which may include either further site-specific investigations to assess whether or not there is an actual problem, or the implementation of management / remedial actions.

Low risk trigger values are provided for the protection of 80-99% of species in fresh waters (presented in Table 3.4.1 of ANZECC (2000) and Table 1C of NEPM (2013)), with the trigger value depending on the health of the receiving waters.

It is considered that the marine water trigger values are applicable for investigating chemical concentrations in groundwater at the investigation area, as the potential receiving body (the Hunter River) is an estuarine environment.

NEPM (2013) has adopted the trigger values for the protection of 95% of aquatic ecosystems, except where contaminants are potentially bio-accumulative in which case the trigger values for protection of 99% of species are used.

ANZECC (2000) states that there is currently insufficient data to derive high reliability trigger values for various contaminants. For these contaminants, low reliability trigger values have been adopted.

ANZECC (2000) states that there is currently insufficient data to derive a high reliability trigger value for TRH.

5.3.2 Recreational

NHMRC (2008) provides guidance on managing the risks associated with recreational water, including risks associated with contaminated water.

NHMRC (2008) does not provide specific investigation levels to assess levels of contamination that would pose a risk to human health. They refer to the NHMRC (2004) Drinking Water Guidelines (superseded by NHMRC 2011), and provide the guideline values from NHMRC (2004).

NHMRC (2008) indicate that the drinking water guidelines are based on a person ingesting 2L of water a day. They suggest that for recreational purposes it may be appropriate to assume a person would ingest 10% of this volume (i.e. 200ml).

Based on this, screening levels to assess the suitability of water for recreational use could be based on the guideline values in NHMRC (2011). This would be a conservative approach.

5.3.3 Human Health Protection from Vapour Intrusion

The NEPM (2013) presents groundwater HSLs for different land uses (e.g. industrial / commercial, residential, recreational etc.), soil types and depth to groundwater.

The site is currently zoned Zone B4 – Mixed Use, however it is understood that the site will be developed for commercial use.

The following assessment criteria have been adopted for protection of human health from vapour intrusion:

- Health screening level (HSL) for commercial / industrial land use for hydrocarbons (TRH and BTEX) via vapour intrusion (Table 1A(4) HSL D);

5.3.4 Australian Drinking Water Guidelines

The NSW DECC (2009) 'Guidelines on the Duty to Report Contamination under the Contaminated Land Management Act 1997' provide trigger values for the duty to report (Column 1, Appendix A).

These trigger values are based on health criteria in Table 10.10 of the NHMRC (2011) Australian Drinking Water Guidelines.

6 FIELD AND LABORATORY PROGRAMME

6.1 Sampling Plan

The site sampling and plan was designed to target the AECs (as identified above in Table 4.1) for the site; which were developed based on previous land use, previous assessments and infrastructure located on the site. The site sampling plan was developed in accordance with the NSW EPA (1995) Sampling Design Guidelines for a site of 4,500 m². The sampling locations are shown on Figure 2.

6.2 Soil Sampling

Soil sampling was undertaken over three days, 15, 16 & 18 January 2014, by a Coffey employee trained in sampling of contaminated sites.

Environmental soil samples were collected from seven boreholes (BH02, BH03, BH06, BH07, BH10, BH10A, and BH11) drilled for geotechnical purposes. The geotechnical boreholes were drilled using solid flight augers and split-spoon sampler for the collection of environmental samples. Samples were collected from between 0.1 mbgs to 1.25m bgs, within fill materials.

Borehole BH10 encountered concrete at 0.5m depth that was not able to be cored through. Therefore a second borehole, BH10A, about 1m distant, was drilled.

Environmental soil samples were also collected from six hand auger locations (BH01, BH04, BH05, BH08, BH09, and BH12). Samples were collected from between 0.1m bgs and 1.2m bgs, within fill materials.

A clean pair of disposable gloves was used whilst handling each sample. The soil samples were placed into 250mL laboratory supplied glass jars and plastic zip-lock bags for laboratory analysis. Each sample was placed directly into an ice-chilled esky and remained chilled during transportation to the laboratory.

A sub-sample was collected at each sampling location and screened using a photo-ionisation detector (PID). The PID can provide an indication on the presence of volatile compounds.

Borehole logs and PID sheets are provided in Appendix G.

6.3 Groundwater Well Installation and Water Sampling

One groundwater monitoring well (MW1) was installed in borehole BH10A on 14 January 2014 to a depth of approximately 4.8m bgs.

The lower 3m section of the well was screened with 50mm machine slotted, threaded PVC. Solid (unslotted) 50mm PVC was used to case the well above the screen to the ground surface. Coarse sand was placed within the well annulus to approximately 0.5 m above the screen, followed by an annular seal of granular bentonite pellets to the surface. The well was completed with a 0.496m stick-up.

The well location is shown on Figure 2. Well construction details are provided on the borehole logs in Appendix G.

The monitoring well was developed during installation by 'surging' the wells using a bailer for about five minutes and the pumping approximately three well volumes of groundwater using a bailer.

Groundwater samples were collected from the newly installed monitoring well on 28 January 2014. The groundwater well was purged by pumping out three well volumes using a low flow pump with dedicated tubing. Groundwater parameters were measured during purging of the groundwater. The groundwater parameters were generally stable immediately prior to sampling.

Groundwater samples were placed directly into laboratory supplied containers and stored in a chilled ice chest during sampling and transport.

Equipment used during well development, purging and sample collection was dedicated (used for one location and then disposed of). A clean pair of disposable gloves was used when handling each sample.

6.4 Laboratory Analysis

6.4.1 Soil Laboratory Analysis

The samples were dispatched to the NATA-accredited Eurofins MGT laboratory in Lane Cove West, NSW under chain of custody conditions.

The samples were analysed for the following COCs:

- Heavy Metals (As, Cd, Cr, Cu, Pb, Hg, Ni, Zn) – 12 primary samples;
- Total characteristic leachability procedure (TCLP) of lead – 2 primary samples;
- TCLP of benzo(a)pyrene – 3 primary samples
- Polycyclic Aromatic Hydrocarbons (PAH) – 12 primary samples;
- Total Petroleum Hydrocarbons (TPH) – 12 primary samples;
- Benzene, Toluene, Ethylbenzene, Xylene (BTEX) – 12 primary samples;
- Polychlorinated biphenyls (PCBs) – 6 primary soil samples;
- Organochlorine pesticides (OCPs) – 6 primary samples; and
- Asbestos – 12 primary samples.

6.4.2 Groundwater Laboratory Analysis

The water samples were dispatched to the NATA-accredited Eurofins MGT laboratory in Lane Cove West, NSW. The samples were dispatched to the laboratory under chain of custody conditions.

The one primary groundwater sample was analysed for the following COCs:

- TPH;
- BTEX;
- PAHs; and
- Metals (arsenic, cadmium, chromium copper, lead, nickel, zinc, mercury).

7 QUALITY ASSURANCE / QUALITY CONTROL ASSESSMENT AND DATA USABILITY

Sampling activities were undertaken in accordance with Coffey's Standard Operating Procedures (SOPs), which are based on industry accepted practice. The assessment of field and laboratory quality assurance / quality control (QA / QC) procedures is included in a data validation report, which is attached in Appendix I.

In order to assess field QA / QC procedures, four duplicate samples (QC1, QC5, QC6 and QC9) and one triplicate sample (QC2) were collected during the soil sampling programme and analysed with the primary soil samples. One duplicate sample (QC1) was also collected during the water sampling programme and analysed with the primary samples. Additionally, one rinsate sample (QC3) and one trip blank sample (QC4) were collected and dispatched for analysis with the primary soil samples, and a trip blank (QC2) was collected and dispatched for analysis with the primary groundwater sample.

Primary and duplicate samples were analysed by the NATA-accredited Eurofins-MGT laboratory in Lane Cove West, NSW. Triplicate samples were analysed by the NATA-accredited Envirolab laboratory in Chatswood, NSW.

Tables LR6 to LR8 presents the relative percentage differences (RPDs) between the primary samples and the duplicate and triplicate samples analysed, and the results of the analysis undertaken on the rinsate blank and trip blank samples. A review of the Coffey QA / QC results indicates that RPDs were within the acceptable range of 0 to 50%, with the exception of:

Table 7.1 – RPD Exceedances

BH02 0.1-0.2 / QC1	Soil Duplicate	Lead 126% TRH >C16-C34 109% Numerous PAHs 135% - 181%
BH02 0.1-0.2 / QC2	Soil Triplicate	Lead 57% Mercury 114% Nickel 72% Numerous PAHs 67% - 184%
BH03 0.4-0.5 / QC5	Soil Duplicate	Arsenic 122% Copper 103% Total PAH 73%
BH05 0.1-0.2 / QC6	Soil Duplicate	Lead 80% Total PAH 93%

Note: RPDs over 50%, where results were <5 time LOR, were not included

These RPD exceedances are inferred to be to the heterogeneous nature of fill material. As the results of the duplicate and triplicate samples are below the adopted criteria, this is not considered to affect data usability.

Concentrations of copper, lead, mercury and zinc were recorded in the rinsate blank sample (QC11) collected on 16 January 2014. As the soil samples collected on the same day, showed concentrations of metals well below the adopted criteria, this is not considered to have affected data usability. BTEX concentrations were not detected in the trip blank samples analysed.

The laboratory internal QA/QC reports indicated that the appropriate laboratory QA / QC procedures and rates were undertaken for contamination studies, and that:

- Laboratory blank samples were free of contamination;
- Matrix spike recoveries were within the control limits;
- Some of the laboratory duplicate RPDs were recorded outside the control limits, though met Eurofins-MGT's acceptance criteria as stipulated in their SOP-05; and
- Surrogates and laboratory control samples were within the laboratory's acceptable range.

Based on the assessment presented in Appendix I it is considered that the field and laboratory methods for soil are appropriate and that the data obtained is usable and considered to reasonably represent the concentrations at the sampling points at the time of sampling.

8 RESULTS OF INVESTIGATION

8.1 Subsurface Conditions

Borehole logs and explanation sheets are included in Appendix G.

The soil profile is interpreted to comprise a superficial cover of mixed fill below multiple layers of concrete floor slabs. Sandstone footings (believed to have been sourced from one of the Waratah Sandstone quarries) were encountered at 0.5m in BH10A in the north eastern corner of the site.

Aeolian (windblown) dune sands exist above a sequence of estuarine sand, clayey sand and clay which become dense with depth. This estuarine sequence is likely the result of fluctuations in relative sea level during the Quaternary age.

A 1m to 2m thick residual soil layer comprising very stiff to hard clay underlies the estuarine soils. This is inferred based on data from CPTs, undertaken for geotechnical purposes. Inter-bedded siltstone and sandstone bedrock was encountered at 10.9 and 11.0m depth in the two deeper boreholes, BH03 and BH10A. Refusal in CPT06 and CPT11 indicates the rock shelf rises toward the south east with rock level likely to be in the order of 9m below the ground surface.

The typical soil types encountered during the field investigations have been divided into geotechnical units and are summarised in Table 8.1.

Table 8.1 - Summary of Geotechnical Units Encountered

Unit	Material	Description
Unit 1A Floor Slabs and Footings	CONCRETE, SANDSTONE, BASALT	
Unit 1B Fill	SAND and SILTY SAND	Fine, medium and coarse grained, dark brown to dark grey, fine to coarse angular fragments of coal, concrete, glass, brick, stone and metal.
Unit 2 Aeolian Soil	SAND	Fine to medium grained brown. Loose to medium dense.
Unit 3 Estuarine Soil	SAND, CLAY and CLAYEY SAND	Weaker layer overlying and generally stiffer / denser material. Fine and medium grained, brown and dark grey, trace of fine gravel and shells. Medium dense to dense and firm to stiff clay.
Unit 4 Residual Soil	CLAY	High plasticity, pale grey and brown, some iron alteration
Unit 5 Weathered Rock	INTERBEDDED SILTSTONE and SANDSTONE	Dark grey, dark brown, and pale brown, extremely weathered, low strength, remoulds to clay.

Table 8.2 contains a summary of the distribution of the above units at each test location.

Table 8.2 - Distribution Summary of Geotechnical Units Encountered at Borehole and CPT Locations

Borehole ID	Depth of Inferred Geotechnical Unit Below Existing Surface Level (m)						
	Unit 1A Floor Slab and Footings	Unit 1B Fill	Unit 2 Aeolian Sand	Unit 3A Weak Estuarine Soil	Unit 3B Estuarine Soil	Unit 4 Residual Soil	Unit 5 Weathered Rock
BH01/ CPT1*		0.00 - 1.10	1.10 - 1.50 1.50 - 4.50	4.50 - 5.80	5.80 - 8.80	8.80 - 11.20R	
BH02	0.00 - 0.15	0.15 - 0.53					
BH03		0.00 - 1.00	1.00 - 3.50	3.50 - 5.00	5.00 - 8.60	8.60 - 11.00	11.00 - 16.20
BH04	0.00 - 0.15	0.15 - 1.00	1.00 - 1.50				
BH05	0.00 - 0.11	0.11 - 0.78					
BH06/ CPT6*	0.00 - 0.09	0.09 - 0.60	0.60 - 1.00 1.00 - 4.20	4.20 - 4.90	4.90 - 7.60	7.60 - 9.62R	
BH07/ CPT7*	0.00 - 0.22	0.22 - 0.80	0.80 - 1.50 1.50 - 4.80	4.80 - 6.00	6.00 - 8.80	8.80 - 10.85R	
BH08	0.00 - 0.12	0.12 - 1.10	1.10 - 1.20				

Borehole	Depth of Inferred Geotechnical Unit Below Existing Surface Level (m)						
BH09	0.00 - 0.10	0.10 - 0.80	0.80 - 0.90				
BH10	0.00 - 0.50						
BH10A	0.00 - 0.74		0.74 - 5.00	5.00 - 6.00	6.00 - 9.50	9.50 - 10.80	10.80 - 16.50
BH11/ CPT11*	0.00 - 0.34	0.34 - 0.50	0.50 - 1.00 1.00 - 4.90	4.90 - 6.10	6.10 - 8.20	8.20 - 9.63R	
BH12	0.00 - 0.10	0.10 - 0.65	0.65 - 0.80				
	* = Interpretation based on relationships R = Refusal potentially rock surface						

The fill materials in the boreholes were observed to contain fragments of anthropogenic material, including concrete, bricks, glass, ceramic, tiles, metal, woodchip, and coal. The boreholes often encountered several layers of concrete slabs, and sandstone and basalt footings. No staining or odours were observed in the boreholes.

8.2 PID Results

The PID results are included in in Appendix G. The PID results ranged from 0.2ppm to 2.4ppm.

8.3 Site Specific Hydrogeology

8.3.1 Hydrogeological Information

The groundwater monitoring well location is indicated on Figure 2 and bore logs showing the construction details for groundwater monitoring well MW1 is included in Appendix G.

Gauging data for the site is presented in Table LR1. Site specific hydrogeology encountered at the site are summarised in Table 8.3.

Table 8.3 – Site Specific Hydrogeology

ITEM	DESCRIPTION
Depth to groundwater	Standing water levels present in monitoring well BH10A/MW1 measured during sampling activities was 2.494m below Top of Casing (bTOC).
Groundwater occurrence	Groundwater inflows were observed in BH03 and BH10A at approximately 2.8m bgs and 2.6m bgs respectively, in Aeolian sand.
Groundwater flow direction	The groundwater flow direction is anticipated to flow to the north – north east towards the Hunter River.

ITEM	DESCRIPTION
LNAPL	No light non-aqueous phase liquid (LNAPL) was observed in the well during gauging or purging.
Odours	A slight organic odour was observed in MW1.

8.3.2 Field Groundwater Quality Parameters

Groundwater quality parameters measured during well purging are presented in Table LR2. Post-purge groundwater quality measurements are summarised in Table 8.4 below.

Table 8.4 – Field Groundwater Quality Parameters

PARAMETER	VALUE	COMMENT
Dissolved Oxygen	2.03mg/L	Indicates typical dissolved oxygen content for groundwater in the area.
Redox Potential	-154.1mv	This indicates reducing to oxidising conditions exist in the vicinity of MW1.
Electrical conductivity	2683µScm	Indicates fresh to brackish water beneath the site.
pH	7.60	Indicates generally neutral conditions.
Temperature	24.9°C	Generally indicates typical temperature range for groundwater at the time of sampling.

8.4 Laboratory Results

8.4.1 Soil Contamination

Soil analytical results are summarised in Table LR3. The laboratory analytical reports are included in Appendix H.

The laboratory results were compared to the investigation levels described in Section 5.1. The analytical results showed concentrations below the adopted criteria in each sample tested.

8.4.2 Waste Classification

Soil analytical results compared to waste classification criteria are summarised in Table LR4. The laboratory analytical reports are included in Appendix H.

The laboratory results were compared to the general solid waste criteria, as described in Section 5.2. The analytical results, taking into account TCLP results, showed concentrations below the general solid waste criteria.

Based on this, the fill materials are classified as general solid waste (non-putrescible). It is noted that fill materials may vary from those locations sampled, and if different conditions are encountered, further advice should be sought.

8.4.3 Groundwater

Water analytical results are summarised in Table LR5. The laboratory reports are included in Appendix H.

The laboratory results were compared to the investigation levels described in Section 5.3. The analytical results showed concentrations below the adopted criteria in the sample tested.

9 DISCUSSION AND CONCLUSION

The information obtained from the site history review identified three AECs for the site, relating to fill material of unknown origin and quality, and the use of hazardous materials (i.e. asbestos, lead paints) in the construction of former site buildings.

Previous assessments on the site identified lead and benzo(a)pyrene contamination in single soil samples, which were concluded to be associated with small slag or metallic inclusion, and black fleck inclusion, and were not considered representative of the site. The previous assessment also identified concentration of TPH C10-C36 above the criteria in one location, which was considered to “*not likely to compromise use of property for commercial use*”. It is noted that the criteria for benzo(a)pyrene and TPH have been updated since 2001, and have become less stringent.

The current investigation did not identify contamination above the adopted criteria. It is noted that the laboratory results were not compared to ecological investigation levels (EILs), as the site will be covered by the proposed building development.

Based on the findings of this assessment, Coffey considers that the site is suitable for the proposed commercial development.

Given that the site is suitable for the proposed use in its current state, no remediation and/or management of contamination issues are required. Therefore no direct contamination remediation costs are expected to be incurred.

If a more sensitive land use is proposed in the future (e.g. residential or recreational), or areas of the site will comprise gardens planted into the fill soils on site, additional investigations may be required to assess the heavy metal concentrations in the fill soils.

10 LIMITATIONS

The findings within this report are the result of discrete/specific sampling practices used in accordance with normal practices and standards. To the best of our knowledge they represent a reasonable interpretation of the general conditions of the site. Under no circumstances, however, can it be considered that these findings represent the actual state of the site at all points.

It is the nature of contaminated site investigations that the degree of variability in site conditions cannot be known completely and no sampling and analysis program can eliminate all uncertainty concerning the condition of the site. Professional judgement must be exercised in the collection and interpretation of the data.

The investigations undertaken were limited by the nature of this assessment, and are considered to provide an assessment of the likely contamination conditions at the locations sampled.

In preparing this report, current guidelines for assessment and management of contaminated land were followed. This work has been conducted in good faith in accordance with Coffey Environments understanding of the client's brief and general accepted practice for environmental consulting.

This report was prepared for the University of Newcastle with the objectives of identifying potentially contaminating activities that are currently being performed on the site and that may have been performed on the site in the past, assessing areas of environmental concern (AECs) and chemicals of concern (COCs) for the site, identifying and establishing potential contamination in soil and groundwater at the site, and assessing the need for further investigation, remediation and/or management, if required. No warranty, expressed or implied, is made as to the information and professional advice included in this report. Anyone using this document does so at their own risk and should satisfy themselves concerning its applicability and, where necessary, should seek expert advice in relation to the particular situation.

This report does not cover hazardous building materials issues. Information within the report including borehole logs should not be used for geotechnical investigation purposes.

11 REFERENCES

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Important information about your **Coffey** Environmental Report

Introduction

This report has been prepared by Coffey for you, as Coffey's client, in accordance with our agreed purpose, scope, schedule and budget.

The report has been prepared using accepted procedures and practices of the consulting profession at the time it was prepared, and the opinions, recommendations and conclusions set out in the report are made in accordance with generally accepted principles and practices of that profession.

The report is based on information gained from environmental conditions (including assessment of some or all of soil, groundwater, vapour and surface water) and supplemented by reported data of the local area and professional experience. Assessment has been scoped with consideration to industry standards, regulations, guidelines and your specific requirements, including budget and timing. The characterisation of site conditions is an interpretation of information collected during assessment, in accordance with industry practice,

This interpretation is not a complete description of all material on or in the vicinity of the site, due to the inherent variation in spatial and temporal patterns of contaminant presence and impact in the natural environment. Coffey may have also relied on data and other information provided by you and other qualified individuals in preparing this report. Coffey has not verified the accuracy or completeness of such data or information except as otherwise stated in the report. For these reasons the report must be regarded as interpretative, in accordance with industry standards and practice, rather than being a definitive record.

Your report has been written for a specific purpose

Your report has been developed for a specific purpose as agreed by us and applies only to the site or area investigated. Unless otherwise stated in the report, this report cannot be applied to an adjacent site or area, nor can it be used when the nature of the specific purpose changes from that which we agreed.

For each purpose, a tailored approach to the assessment of potential soil and groundwater contamination is required. In most cases, a key objective is to identify, and if possible quantify, risks that both recognised and potential contamination pose in the context of the agreed purpose. Such risks may be financial (for example, clean up costs or constraints on site use) and/or physical (for example, potential health risks to users of the site or the general public).

Limitations of the Report

The work was conducted, and the report has been prepared, in response to an agreed purpose and scope, within time and budgetary constraints, and in reliance on certain data and information made available to Coffey.

The analyses, evaluations, opinions and conclusions presented in this report are based on that purpose and scope, requirements, data or information, and they could change if such requirements or data are inaccurate or incomplete.

This report is valid as of the date of preparation. The condition of the site (including subsurface conditions) and extent or nature of contamination or other environmental hazards can change over time, as a result of either natural processes or human influence. Coffey should be kept apprised of any such events and should be consulted for further investigations if any changes are noted, particularly during construction activities where excavations often reveal subsurface conditions.

In addition, advancements in professional practice regarding contaminated land and changes in applicable statutes and/or guidelines may affect the validity of this report. Consequently, the currency of conclusions and recommendations in this report should be verified if you propose to use this report more than 6 months after its date of issue.

The report does not include the evaluation or assessment of potential geotechnical engineering constraints of the site.

Interpretation of factual data

Environmental site assessments identify actual conditions only at those points where samples are taken and on the date collected. Data derived from indirect field measurements, and sometimes other reports on the site, are interpreted by geologists, engineers or scientists to provide an opinion about overall site conditions, their likely impact with respect to the report purpose and recommended actions.

Variations in soil and groundwater conditions may occur between test or sample locations and actual conditions may differ from those inferred to exist. No environmental assessment program, no matter how comprehensive, can reveal all subsurface details and anomalies. Similarly, no professional, no matter how well qualified, can reveal what is hidden by earth, rock or changed through time.

The actual interface between different materials may be far more gradual or abrupt than assumed based on the facts obtained. Nothing can be done to change the actual site conditions which exist, but

steps can be taken to reduce the impact of unexpected conditions.

For this reason, parties involved with land acquisition, management and/or redevelopment should retain the services of a suitably qualified and experienced environmental consultant through the development and use of the site to identify variances, conduct additional tests if required, and recommend solutions to unexpected conditions or other unrecognised features encountered on site. Coffey would be pleased to assist with any investigation or advice in such circumstances.

Recommendations in this report

This report assumes, in accordance with industry practice, that the site conditions recognised through discrete sampling are representative of actual conditions throughout the investigation area. Recommendations are based on the resulting interpretation.

Should further data be obtained that differs from the data on which the report recommendations are based (such as through excavation or other additional assessment), then the recommendations would need to be reviewed and may need to be revised.

Report for benefit of client

Unless otherwise agreed between us, the report has been prepared for your benefit and no other party. Other parties should not rely upon the report or the accuracy or completeness of any recommendation and should make their own enquiries and obtain independent advice in relation to such matters.

Coffey assumes no responsibility and will not be liable to any other person or organisation for, or in relation to, any matter dealt with or conclusions expressed in the report, or for any loss or damage suffered by any other person or organisation arising from matters dealt with or conclusions expressed in the report.

To avoid misuse of the information presented in your report, we recommend that Coffey be consulted before the report is provided to another party who may not be familiar with the background and the purpose of the report. In particular, an environmental disclosure report for a property vendor may not be suitable for satisfying the needs of that property's purchaser. This report should not be applied for any purpose other than that stated in the report.

Interpretation by other professionals

Costly problems can occur when other professionals develop their plans based on misinterpretations of a report. To help avoid misinterpretations, a suitably qualified and experienced environmental consultant should be retained to explain the implications of the report to other professionals referring to the report and then review plans and specifications produced to see how other professionals have incorporated the report findings.

Given Coffey prepared the report and has familiarity with the site, Coffey is well placed to provide such

assistance. If another party is engaged to interpret the recommendations of the report, there is a risk that the contents of the report may be misinterpreted and Coffey disowns any responsibility for such misinterpretation.

Data should not be separated from the report

The report as a whole presents the findings of the site assessment and the report should not be copied in part or altered in any way. Logs, figures, laboratory data, drawings, etc. are customarily included in our reports and are developed by scientists or engineers based on their interpretation of field logs, field testing and laboratory evaluation of samples. This information should not under any circumstances be redrawn for inclusion in other documents or separated from the report in any way.

This report should be reproduced in full. No responsibility is accepted for use of any part of this report in any other context or for any other purpose or by third parties.

Responsibility

Environmental reporting relies on interpretation of factual information using professional judgement and opinion and has a level of uncertainty attached to it, which is much less exact than other design disciplines. This has often resulted in claims being lodged against consultants, which are unfounded. As noted earlier, the recommendations and findings set out in this report should only be regarded as interpretive and should not be taken as accurate and complete information about all environmental media at all depths and locations across the site.

Tables

**Preliminary Contamination Assessment
New Space, City Campus - Hunter Education Precinct, Newcastle NSW**

TABLE LR1: GROUNDWATER GAUGING RESULTS
New SPACE, CITY CAMPUS, UNIVERSITY OF NEWCASTLE

Well ID	Date Measured	Time Measured	Event	Top of Well Casing Elevation** (mAHD)	Depth to Water* (m)	Depth to LNAPL (m)	LNAPL Thickness (m)	Total well Depth* (m)	Corrected Water Elevation (mAHD)	Comments
MW1	28/01/2014	2:05pm	Pre-purge	NK	2.494	-	-	4.813		Clear, no odour

Notes:

- * below top of well casing
- ID = identification
- mAHD = metres above Australia Height Datum
- m = metres
- LNAPL - Light Non-Aqueous Phase Liquid

Field Equipment Used:
Solinst Interface Probe

TABLE LR2: GROUNDWATER FIELD QUALITY RESULTS
New SPACE, CITY CAMPUS, UNIVERSITY OF NEWCASTLE

Well ID	Date Measured	Time Measured	Event	Dissolved Oxygen	Electrical Conductivity	pH	Redox Potential	Temperature	Purge Volume	Comments
				(mg/L)	(uS/cm)				(mV)	
MW1	28/01/2014	2:10pm	Pre-purge	2.23	6654	7.64	-192.5	25.3	1	Clear, slight organic odour
		2:50pm	Post-purge	2.03	2683	7.60	-154.1	24.9	26	Clear, slight organic odour

TABLE LR3: SOIL LABORATORY RESULTS
NEW SPACE, CITY CAMPUS, UNIVERSITY OF NEWCASTLE

Analytes	Units	EQL	¹HIL	²ELVESL	³HSL D Sand 0-1m	⁴ Management Limits												
							BH01	BH02	BH03	BH04	BH05	BH06	BH07	BH08	BH09	BH10	BH11	BH12
							0.4-0.5	0.1-0.2	0.4-0.5	0.1-0.2	0.4-0.5	0.1-0.2	0.2-0.3	0.1-0.2	0.4-0.5	0.1-0.2	0.4-0.5	0.1-0.2
							18/01/2014	15/01/2014	15/01/2014	18/01/2014	16/01/2014	16/01/2014	16/01/2014	16/01/2014	16/01/2014	16/01/2014	16/01/2014	
Metals																		
Asenic	mg/kg	2	3000	160			2.9	<2	2.9	2.5	2.6	2.2	<2	3.5	5.8	<2	<2	<2
Chromium	mg/kg	5					<5	<5	<5	<5	7.7	<5	<5	9.9	8.6	8.2	5.6	<5
Cadmium	mg/kg	0.4	800				<0.4	<0.4	0.4	<0.4	0.6	0.5	<0.4	<0.4	0.7	0.5	0.7	<0.4
Copper	mg/kg	5	240000				19	14	45	18	69	83	33	190	70	33	89	61
Lead	mg/kg	5	1500	1900			80	61	450	310	370	220	250	370	97	320	320	160
Mercury	mg/kg	0.05	730				0.08	0.11	0.52	-	0.46	0.75	0.29	0.33	0.32	0.13	0.73	0.16
Nickel	mg/kg	0.05	6000				<5	5.2	6.6	<5	7.6	9.2	9.1	17	12	11	16	<5
Zinc	mg/kg	5	400000				31	52	320	120	410	230	160	170	420	240	590	140
TPH																		
TRH >C10-C16	mg/kg	50				1000	<50	<50	<50	<50	<50	<50	57	<50	<50	<50	<50	<50
TRH >C16-C34	mg/kg	50				170	<100	<100	<100	<100	<100	<100	800	200	<100	<100	<100	<100
TRH >C34-C40	mg/kg	100				3500	<100	<100	<100	<100	<100	<100	140	<100	<100	<100	<100	<100
TRH C10-C36 (Total)	mg/kg	100				10000	<50	<50	<50	<50	<50	<50	880	200	67	<50	62	<50
TRH C10-C14	mg/kg	50					<20	<20	<20	<20	<20	<20	25	<20	<20	<20	<20	<20
TRH C15-C28	mg/kg	20					<50	<50	<50	<50	<50	<50	580	140	67	<50	62	<50
TRH C15-C28	mg/kg	50					<50	<50	<50	<50	<50	<50	270	63	<50	<50	<50	<50
TRH C6-C10	mg/kg	20				700	<20	<20	<20	<20	<20	<20	<20	<20	<20	<20	<20	<20
TRH C6-C10	mg/kg	20					<20	<20	<20	<20	<20	<20	<20	<20	<20	<20	<20	<20
TRH C6-C9	mg/kg	20					<20	<20	<20	<20	<20	<20	<20	<20	<20	<20	<20	<20
BTEX																		
Benzene	mg/kg	0.1					<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1
Ethylbenzene	mg/kg	0.1					<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1
Toluene	mg/kg	0.1					<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1
o-Xylene	mg/kg	0.1					<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1
p-Xylene (m & p)	mg/kg	0.2					<0.2	<0.2	<0.2	<0.2	<0.2	<0.2	<0.2	<0.2	<0.2	<0.2	<0.2	<0.2
Xylene (m & p)	mg/kg	0.3					<0.3	<0.3	<0.3	<0.3	<0.3	<0.3	<0.3	<0.3	<0.3	<0.3	<0.3	<0.3
OCF																		
4,4-DDDE	mg/kg	0.05					<0.05	<0.05	<0.05	<0.05	<0.05	<0.05	<0.05	<0.05	<0.05	<0.05	<0.05	<0.05
α-BHC	mg/kg	0.05					-	<0.05	-	-	<0.05	-	<0.05	<0.05	<0.05	-	-	<0.05
γ-BHC	mg/kg	0.05					-	<0.05	-	-	<0.05	-	<0.05	<0.05	<0.05	-	-	<0.05
δ-BHC	mg/kg	0.05					-	<0.05	-	-	<0.05	-	<0.05	<0.05	<0.05	-	-	<0.05
Chlordane	mg/kg	0.1	500				-	<0.1	-	-	<0.1	-	<0.1	<0.1	<0.1	-	-	<0.1
γ-BHC	mg/kg	0.05					-	<0.05	-	-	<0.05	-	<0.05	<0.05	<0.05	-	-	<0.05
DDT	mg/kg	0.05					-	<0.05	-	-	<0.05	-	<0.05	<0.05	<0.05	-	-	<0.05
Dieldrin	mg/kg	0.05					-	<0.05	-	-	<0.05	-	<0.05	<0.05	<0.05	-	-	<0.05
Endosulfan I	mg/kg	0.05					-	<0.05	-	-	<0.05	-	<0.05	<0.05	<0.05	-	-	<0.05
Endosulfan II	mg/kg	0.05					-	<0.05	-	-	<0.05	-	<0.05	<0.05	<0.05	-	-	<0.05
Endosulfan sulphate	mg/kg	0.05					-	<0.05	-	-	<0.05	-	<0.05	<0.05	<0.05	-	-	<0.05
Endrin	mg/kg	0.05	100				-	<0.05	-	-	<0.05	-	<0.05	<0.05	<0.05	-	-	<0.05
Endrin aldehyde	mg/kg	0.05					-	<0.05	-	-	<0.05	-	<0.05	<0.05	<0.05	-	-	<0.05
Endrin ketone	mg/kg	0.05					-	<0.05	-	-	<0.05	-	<0.05	<0.05	<0.05	-	-	<0.05
Fluorene	mg/kg	0.5					<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	1.9	<0.5	<0.5	<0.5	<0.5	<0.5
g-BHC (Lindane)	mg/kg	0.05					-	<0.05	-	-	<0.05	-	<0.05	<0.05	<0.05	-	-	<0.05
Hepachlor epoxide	mg/kg	0.05					-	<0.05	-	-	<0.05	-	<0.05	<0.05	<0.05	-	-	<0.05
Hexachlorobenzene	mg/kg	0.05	80				-	<0.05	-	-	<0.05	-	<0.05	<0.05	<0.05	-	-	<0.05
Methoxychlor	mg/kg	0.2	2500				-	<0.2	-	-	<0.2	-	<0.2	<0.2	<0.2	-	-	<0.2
PAH																		
Toxaphene	mg/kg	1	160				-	<1	-	-	<1	-	<1	<1	<1	-	-	<1
Acenaphthylene	mg/kg	0.5					<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	6.5	<0.5	<0.5	<0.5	0.7	<0.5
Acenaphthene	mg/kg	0.5					<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	0.8	<0.5	<0.5	<0.5	<0.5	<0.5
Anthracene	mg/kg	0.5					<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	8.9	<0.5	<0.5	<0.5	0.9	<0.5
Benz[a]anthracene	mg/kg	0.5					<0.5	0.8	0.6	<0.5	<0.5	<0.5	12	1.4	1.9	<0.5	2.1	<0.5
Benzol[a]pyrene	mg/kg	0.5					<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	7	1.3	1.5	<0.5	1.4	<0.5
Benzol[a]pyrene TEQ (lower bound)*	mg/kg	0.5	40				<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	9.6	1.7	2	<0.5	1.9	<0.5
Benzol[g,h,i]perylene	mg/kg	0.5					<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	1.8	<0.5	<0.5	<0.5	<0.5	<0.5
Benzol[k]fluoranthene	mg/kg	0.5					<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	5.2	0.9	0.9	<0.5	1	<0.5
Chrysene	mg/kg	0.5					<0.5	0.6	0.6	<0.5	<0.5	<0.5	8.8	1.4	1.8	<0.5	1.7	<0.5
Benzof[1,2,3-cd]fluoranthene	mg/kg	0.5					<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	5.3	1.7	2.2	<0.5	1.3	<0.5
DiBenz[1,2,3-cd]fluoranthene	mg/kg	0.5					<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5
Fluoranthene	mg/kg	0.5					<0.5	1.4	1.1	<0.5	0.8	<0.5	25	2.6	3.4	<0.5	3.8	0.6
Indeno[1,2,3-cd]pyrene	mg/kg	0.5					<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	2.2	<0.5	<0.5	<0.5	<0.5	<0.5
Hepachlor	mg/kg	0.05					-	<0.05	-	-	<0.05	-	<0.05	<0.05	<0.05	-	-	<0.05
Naphthalene	mg/kg	0.05	50				<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5
Phenanthrene	mg/kg	0.5					<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5
Phenanthrene	mg/kg	0.5					<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	29	1.3	1.4	<0.5	2.4	<0.5
Total PAH	mg/kg	0.5	4000				<0.5	4	3.3	<0.5	1.6	<0.5	140	1.1	1.1	16	<0.5	19
Pyrene	mg/kg	0.5					<0.5	1.2	1	<0.5	0.8	<0.5	20	2.4	3	<0.5	3.3	0.5
PCBs																		

TABLE LR4: SOIL LABORATORY RESULTS - WASTE CLASSIFICATION
New SPACE, CITY CAMPUS, UNIVERSITY OF NEWCASTLE

Field ID	BH01	BH02	BH03	BH04	BH05	BH06	BH07	BH08	BH09	BH10	BH11	BH12
Sample Depth	0.4-0.5	0.1-0.2	0.4-0.5	0.4-0.5	0.1-0.2	0.4-0.5	0.2-0.3	0.1-0.2	0.1-0.2	0.4-0.5	0.4-0.5	0.1-0.2
Sample Date	18/01/2014	15/01/2014	15/01/2014	18/01/2014	16/01/2014	18/01/2014	18/01/2014	16/01/2014	16/01/2014	16/01/2014	18/01/2014	16/01/2014
Sample Type	CT1/SCC1	CT1/SCC1	CT1/SCC1	TCLP1	CT1/SCC1	CT1/SCC1	CT1/SCC1	TCLP1	CT1/SCC1	TCLP1	CT1/SCC1	CT1/SCC1
Analytes	EQI		General Solid Waste (no leaching) CT1		General Solid Waste (with leaching) SCC1		General Solid Waste (with leaching) TCLP1					
	mg/kg	mg/kg	mg/kg	mg/kg	mg/kg	mg/kg	mg/L					
Metals	Arsenic	2	100	500	5	2.9	<2	<5	<2	<2	<2	<2
	Chromium	5	100	1900	5	<5	<5	<5	<5	8.2	5.6	<5
	Cadmium	0.4	20	100	<0.4	0.4	<0.4	0.6	0.7	0.5	0.7	<0.4
	Copper	5			19	14	45	69	70	33	89	61
	Lead	5	100	1500	80	61	450	310	370	190	370	160
	Mercury	0.05	4	50	0.08	0.11	0.52	-	0.46	0.75	0.32	0.16
	Nickel	5	40	1050	<5	5.2	6.6	-	17	12	11	<5
TPH	Zinc	5			31	52	320	120	410	230	170	140
	TRH C10-C36 (Total)	50		10,000	<50	<50	<50	<50	<50	<50	<50	<50
	TRH C10-C14	20			<20	<20	<20	<20	<20	<20	<20	<20
	TRH C15-C28	50			<50	<50	<50	<50	<50	<50	<50	<50
	TRH C29-C36	50			<50	<50	<50	<50	<50	<50	<50	<50
BTX	TRH C6-C9	20		650	<20	<20	<20	<20	<20	<20	<20	<20
	Benzene	0.1	10	18	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1
	Ethylbenzene	0.1	600	1080	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1
	Toluene	0.1	288	518	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1
	o-Xylene	0.1			<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1
OCP	Xylene (m & p)	0.2			<0.2	<0.2	<0.2	<0.2	<0.2	<0.2	<0.2	<0.2
	Xylene Total	0.3		1800	<0.3	<0.3	<0.3	<0.3	<0.3	<0.3	<0.3	<0.3
	Total OCPs	0.05		50	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5
	Benz(a)pyrene	0.5	0.8	10	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5
	Total PAH	0.5		200	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5
PCBs	PCBs (Sum of total)	0.5		50	-	<0.5	-	<0.5	<0.5	<0.5	<0.5	<0.5
Asbestos	Asbestos in Soil/ACM	0.5		ND	ND	ND	ND	ND	ND	ND	ND	ND

Notes:
Result Concentration exceeds general solid waste criteria
Not Analysed

Criteria:
NSW DECCW (2009) Waste Classification Guidelines

TABLE LR5: GROUNDWATER LABORATORY RESULTS
NeW SPACE, CITY CAMPUS, UNIVERSITY OF NEWCASTLE

Field_ID	BH10A/MW1
Sampled_Date	28/01/2014

Analytes		Units	EQL	ADWG 2011 Health	GW HSL D Sand 2-4m Vapour Intrusion	GILs, Marine Waters(A)	
BTEX	Benzene	µg/L	1	1	5000	500	<1
	Ethylbenzene	µg/L	1	3*			<1
	m&p-Xylenes	µg/L	2				<2
	o-Xylene	µg/L	1				<1
	Toluene	µg/L	1	25*			12
	Xylenes - Total	µg/L	3	20*			<3
Metals	Arsenic (filtered)	mg/L	0.01	0.01		-	0.01
	Cadmium (filtered)	mg/L	0.0001	0.002		0.0007	< 0.0001
	Chromium (filtered)	mg/L	0.001	0.05		0.0044	< 0.001
	Copper (filtered)	mg/L	0.001	1*		0.0013	< 0.001
	Lead (filtered)	mg/L	0.001	0.01		0.0044	< 0.001
	Mercury (filtered)	mg/L	0.0001	0.001		0.0001	< 0.0001
	Nickel (filtered)	mg/L	0.001	0.02		0.007	0.002
PAHs	Zinc (filtered)	mg/L	0.001	3*		0.015	0.008
	Acenaphthene	µg/L	1				<1
	Acenaphthylene	µg/L	1				<1
	Anthracene	µg/L	1				<1
	Benz(a)anthracene	µg/L	1				<1
	Benzo(a)pyrene	µg/L	1				<1
	Benzo(b&j)fluoranthene	µg/L	1				<1
	Benzo(g,h,i)perylene	µg/L	1				<1
	Benzo(k)fluoranthene	µg/L	1				<1
	Chrysene	µg/L	1				<1
	Dibenz(a,h)anthracene	µg/L	1				<1
	Fluoranthene	µg/L	1				<1
	Fluorene	µg/L	1				<1
	Indeno(1,2,3-cd)pyrene	µg/L	1				<1
	Naphthalene	µg/L	1			50	6
	Phenanthrene	µg/L	1				<1
	Pyrene	µg/L	1				<1
	Total PAH	µg/L	1				6
TRH	TRH >C10-C16	µg/L	50				120
	TRH >C10-C16 less Naphthalene (F2)	µg/L	50				120
	TRH >C16-C34	µg/L	100				<100
	TRH >C34-C40	µg/L	100				<100
	TRH C6-C10	µg/L	20				30
	TRH C6-C10 less BTEX (F1)	µg/L	20		6000		20

Result	Concentration exceed NHMRC (2011) Drinking Water Guidelines - Health
Result	Concentration exceeds HSL
Result	Concentration exceeds ANZECC (2000)
Result	LOR exceeds investigation level

* NHMRC (2011) Drinking Water Guidelines- Aesthetics

ANZECC (2000) Australian and New Zealand Guidelines for Fresh and Marine Water Quality - Table 3.4.1 trigger values for protection of 95% to 99% of species

NEPM Amendment (2013) Table 1A(4) - HSL D, Commercial/Industrial, Sand 2m to <4m

TABLE LR7: GROUNDWATER QUALITY CONTROL RESULTS - DUPLICATES
NeW SPACE, CITY CAMPUS, UNIVERSITY OF NEWCASTLE

Field ID	BH10A/MW1
Sample Date	28/01/2014

Analytes		Units	EQL	
BTEx	Benzene	mg/L	0.001	< 0.001
	Ethylbenzene	mg/L	0.001	< 0.001
	m&p-Xylenes	mg/L	0.002	< 0.002
	o-Xylene	mg/L	0.001	< 0.001
	Toluene	mg/L	0.001	0.012
	Xylenes - Total	mg/L	0.003	< 0.003
Metals	Arsenic	mg/L	0.001	0.01
	Cadmium	mg/L	0.0001	< 0.0001
	Chromium	mg/L	0.001	< 0.001
	Copper	mg/L	0.001	< 0.001
	Lead	mg/L	0.001	< 0.001
	Mercury	mg/L	0.0001	< 0.0001
	Nickel	mg/L	0.001	0.002
	Zinc	mg/L	0.005	0.008
PAHs	Acenaphthene	mg/L	0.001	< 0.001
	Acenaphthylene	mg/L	0.001	< 0.001
	Anthracene	mg/L	0.001	< 0.001
	Benz(a)anthracene	mg/L	0.001	< 0.001
	Benzo(a)pyrene	mg/L	0.001	< 0.001
	Benzo(b&j)fluoranthene	mg/L	0.001	< 0.001
	Benzo(g,h,i)perylene	mg/L	0.001	< 0.001
	Benzo(k)fluoranthene	mg/L	0.001	< 0.001
	Chrysene	mg/L	0.001	< 0.001
	Dibenz(a,h)anthracene	mg/L	0.001	< 0.001
	Fluoranthene	mg/L	0.001	< 0.001
	Fluorene	mg/L	0.001	< 0.001
	Indeno(1,2,3-cd)pyrene	mg/L	0.001	< 0.001
	Naphthalene	mg/L	0.001	0.006
	Phenanthrene	mg/L	0.001	< 0.001
	Pyrene	mg/L	0.001	< 0.001
	Total PAH	mg/L	0.001	0.006
TRH	Naphthalene	mg/L	0.02	< 0.02

TABLE LR8: QUALITY CONTROL RESULTS - RINSATES AND BLANKS
NeW SPACE, CITY CAMPUS, UNIVERSITY OF NEWCASTLE

SDG	108053-55	406118	108053-55	108166
Field_ID	QC3	QC11	QC4	QC2
Sampled_Date	15/01/2014	16/01/2014	15/01/2014	28/01/2014
Sample_Type	Rinsate	Rinsate	Trip_B	Trip_B

Analytes		Units	EQL				
BTEX	Benzene	µg/l	1	<1	< 0.1	<1	<1
	Ethylbenzene	µg/l	1	<1	< 0.1	<1	<1
	Toluene	µg/l	1	<1	< 0.1	<1	<1
	Xylene (m & p)	µg/l	2	<2	< 0.2	<2	<2
	o-Xylene	µg/l	1	<1	< 0.1	<1	<1
	Xylene Total	µg/l	3	<3	< 0.3	<3	<3
Metals	Arsenic	µg/l	1	<1	< 2	-	-
	Cadmium	µg/l	0.1	<0.1	< 5	-	-
	Chromium	µg/l	1	<1	< 0.4	-	-
	Copper	µg/l	1	<1	26	-	-
	Lead	µg/l	1	<1	62	-	-
	Mercury	µg/l	0.1	<0.1	0.14	-	-
	Nickel	µg/l	1	<1	< 5	-	-
	Zinc	µg/l	5	<5	38	-	-
PAH	Acenaphthene	µg/l	1	<1	< 0.5	-	-
	Acenaphthylene	µg/l	1	<1	< 0.5	-	-
	Anthracene	µg/l	1	<1	< 0.5	-	-
	Benzo(a)anthracene	µg/l	1	<1	< 0.5	-	-
	Benzo(a)pyrene	µg/l	1	<1	< 0.5	-	-
	Benzo(g,h,i)perylene	µg/l	1	<1	< 0.5	-	-
	Benzo(k)fluoranthene	µg/l	1	<1	< 0.5	-	-
	Chrysene	µg/l	1	<1	< 0.5	-	-
	Benzo[b+j]fluoranthene	mg/l	0.001	<0.001	< 0.5	-	-
	Dibenz(a,h)anthracene	µg/l	1	<1	< 0.5	-	-
	Fluoranthene	µg/l	1	<1	< 0.5	-	-
	Fluorene	µg/l	1	<1	< 0.5	-	-
	Naphthalene	µg/l	1	<1	< 0.5	-	-
	Indeno(1,2,3-c,d)pyrene	µg/l	1	<1	< 0.5	-	-
	Phenanthrene	µg/l	1	<1	< 0.5	-	-
	Total PAH	µg/l	1	<1	< 0.5	-	-
	Pyrene	µg/l	1	<1	< 0.5	-	-
TRH	TRH >C10-C16	µg/l	50	<50	< 50	-	-
	TRH >C10-C16 less Naphthalene	µg/l	50	<50	< 50	-	-
	TRH >C16-C34	µg/l	100	<100	< 100	-	-
	TRH >C34-C40	µg/l	100	<100	< 100	-	-
	TRH C6-C10	µg/l	20	<20	< 20	-	-
	TRH C6-C10 less BTEX (F1)	µg/l	20	<20	< 20	-	-

Figures

**Preliminary Contamination Assessment
New Space, City Campus - Hunter Education Precinct, Newcastle NSW**



A horizontal scale bar with a black and white checkerboard pattern. It is marked with numbers 0, 1, 2, 3, 4, and 5. Below the bar, the text 'SCALE' is on the left, '1:100,000 (A3)' is in the center, and 'KILOMETRES' is on the right.



coffey

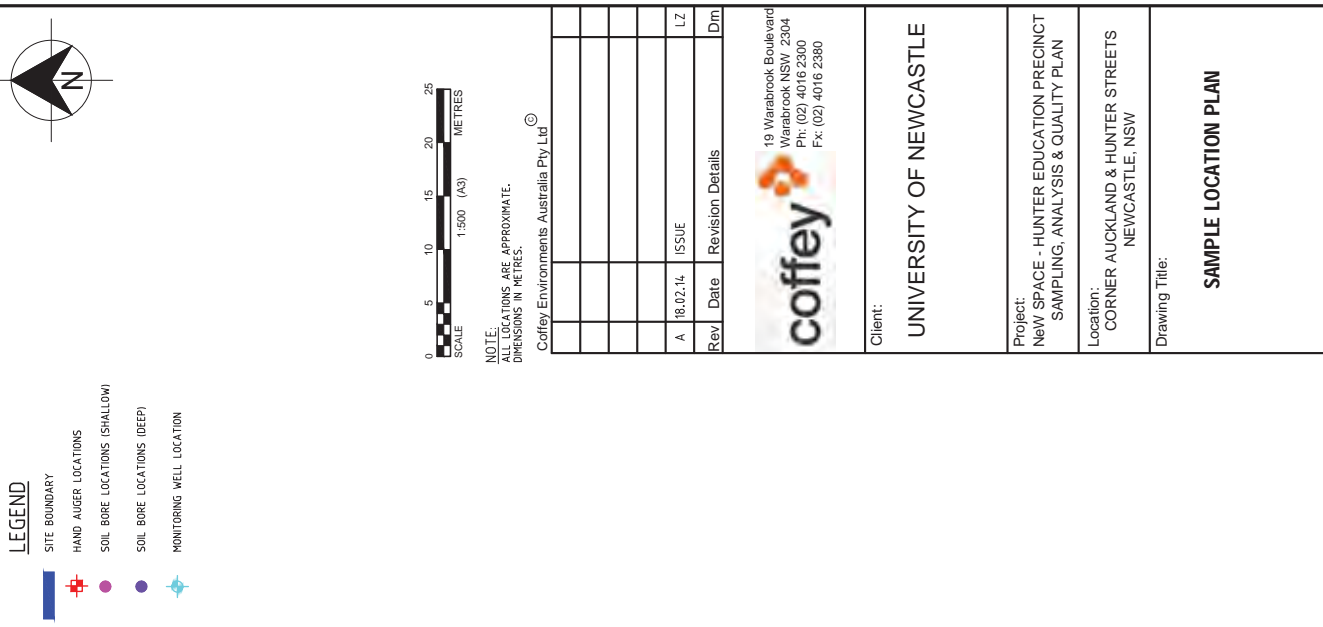
19 Warabrook Boulevard
Warabrook NSW 2304
Ph: (02) 4016 2300
Fx: (02) 4016 2380

UNIVERSITY OF NEWCASTLE

Location:
CORNER AUCKLAND & HUNTER STREETS
NEWCASTLE, NSW

SITE LOCALITY PLAN

Drawn LZ	Date 18.02.14
Project - Drawing No. GEOTWARA22093AC-D02	Figure No. <u>1</u> Rev. <u>A</u>



Project - Drawing No.	Figure No.	Rev.
CEST-10-000000-000	3	A

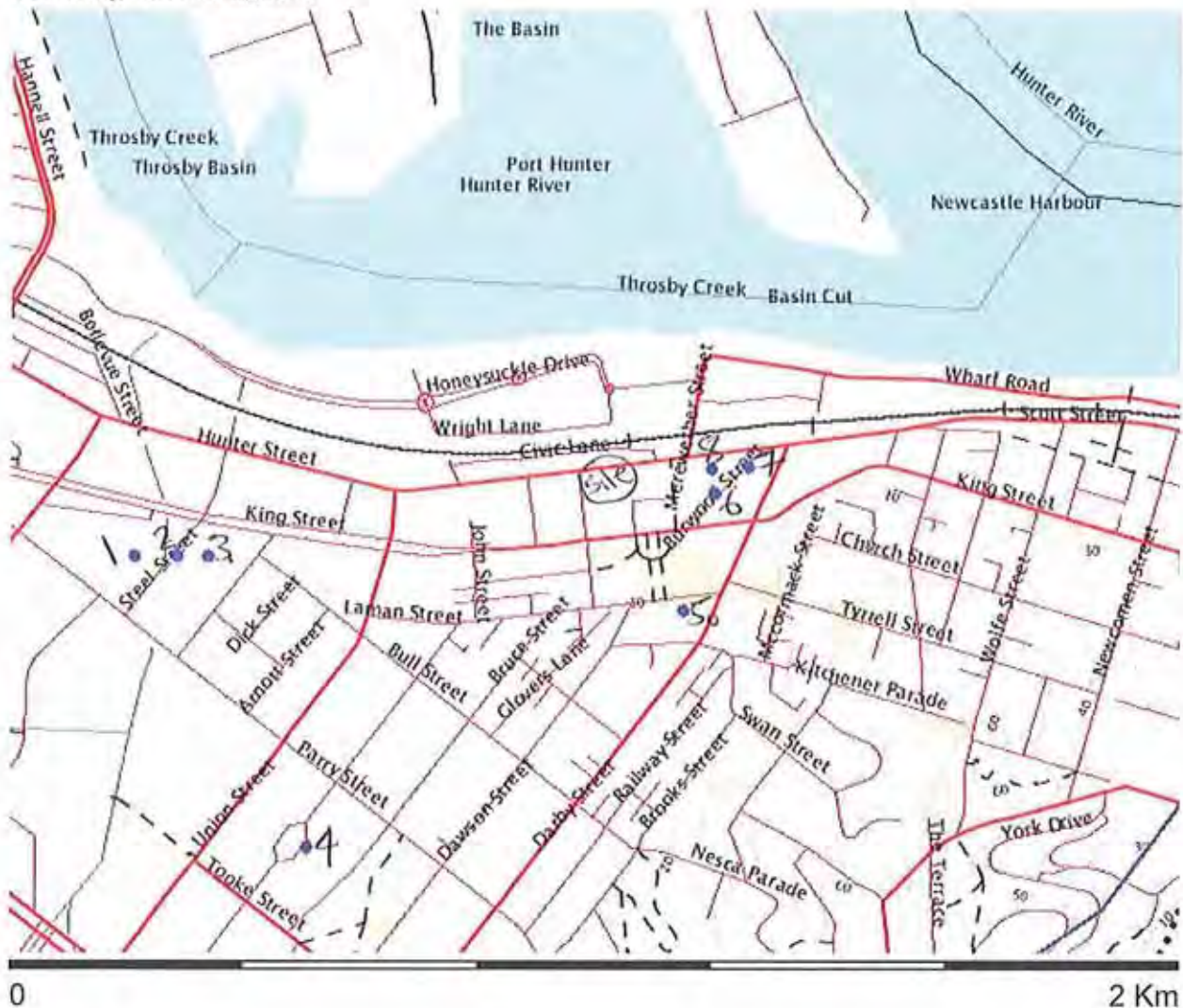
Appendix A

Groundwater Bore Search

Preliminary Contamination Assessment
New Space, City Campus - Hunter Education Precinct, Newcastle NSW

Groundwater Bore Search

Map created with NSW Natural Resource Atlas - <http://www.nratlas.nsw.gov.au>
 Wednesday, November 06, 2013



Legend

Symbol	Layer
	Cities and large towns renderImage: Cannot build image from features
	Populated places renderImage: Cannot build image from features
	Towns
	Groundwater Bores
	Catchment Management Authority boundaries
	Major rivers

Custodian

- 1. GW053243
- 2. GW062106
- 3. GW057894
- 4. GW055210
- 5. GW202514
- 6. GW201491
- 7. GW201490
- 8. GW201489

-  Primary/arterial road
-  Motorway/freeway
-  Railway
-  Runway
-  Contour
-  Background

Topographic base map

Copyright © 2013 New South Wales Government. Map has been compiled from various sources and may contain errors or omissions. No representation is made as to its accuracy or suitability.

Groundwater Works Summary

For information on the meaning of fields please see [Glossary](#)
Document Generated on Wednesday, November 6, 2013

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Work Requested -- GW053243

Works Details [\(top\)](#)

GROUNDWATER NUMBER	GW053243
LIC-NUM	20BL119173
AUTHORISED-PURPOSES	INDUSTRIAL
INTENDED-PURPOSES	RECREATION (GROUNDWATER)
WORK-TYPE	Spear
WORK-STATUS	Supply Obtained
CONSTRUCTION-METHOD	(Unknown)
OWNER-TYPE	Private
COMMENCE-DATE	
COMPLETION-DATE	1981-01-01
FINAL-DEPTH (metres)	8.00
DRILLED-DEPTH (metres)	0.00
CONTRACTOR-NAME	
DRILLER-NAME	
PROPERTY	N/A
GWMA	-
GW-ZONE	-
STANDING-WATER-LEVEL	
SALINITY	
YIELD	

Site Details [\(top\)](#)

REGION	20 - HUNTER
RIVER-BASIN	210 - HUNTER RIVER
AREA-DISTRICT	
CMA-MAP	9232-2S
GRID-ZONE	56/1
SCALE	1:25,000
ELEVATION	

ELEVATION-SOURCE (Unknown)
NORTHING 6355938.00
EASTING 384278.00
LATITUDE 32 55' 43"
LONGITUDE 151 45' 44"
GS-MAP 0053D4
AMG-ZONE 56
COORD-SOURCE GD.,ACC,MAP
REMARK

Form-A [\(top\)](#)

COUNTY NORTHUMBERLAND
PARISH NEWCASTLE
PORTION-LOT-DP L104 (268)

Licensed [\(top\)](#)

COUNTY NORTHUMBERLAND
PARISH NEWCASTLE
PORTION-LOT-DP NOT AVAILABLE

Water Bearing Zones [\(top\)](#)

no details

Drillers Log [\(top\)](#)

no details

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Groundwater Works Summary

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Work Requested -- GW062106

Works Details [\(top\)](#)

GROUNDWATER NUMBER	GW062106
LIC-NUM	20BL119210
AUTHORISED-PURPOSES	INDUSTRIAL IRRIGATION
INTENDED-PURPOSES	INDUSTRIAL
WORK-TYPE	Spear
WORK-STATUS	(Unknown)
CONSTRUCTION-METHOD	(Unknown)
OWNER-TYPE	Private
COMMENCE-DATE	
COMPLETION-DATE	1980-01-01
FINAL-DEPTH (metres)	6.10
DRILLED-DEPTH (metres)	0.00
CONTRACTOR-NAME	
DRILLER-NAME	
PROPERTY	NOT KNOWN
GWMA	-
GW-ZONE	-
STANDING-WATER-LEVEL	
SALINITY	
YIELD	

Site Details [\(top\)](#)

REGION	20 - HUNTER
RIVER-BASIN	210 - HUNTER RIVER
AREA-DISTRICT	
CMA-MAP	9232-2S
GRID-ZONE	56/1
SCALE	1:25,000
ELEVATION	
ELEVATION-SOURCE	(Unknown)
NORTHING	6355939.00
EASTING	384356.00
LATITUDE	32 55' 43"
LONGITUDE	151 45' 47"
GS-MAP	0053104
AMG-ZONE	56

COORD-SOURCE GD,ACC.MAP
REMARK

Form-A [\(top\)](#)

COUNTY NORTHUMBERLAND
PARISH NEWCASTLE
PORTION-LOT-DP 82

Licensed [\(top\)](#)

COUNTY NORTHUMBERLAND
PARISH NEWCASTLE
PORTION-LOT-DP 1 1060087

Construction [\(top\)](#)

Negative depths indicate Above Ground Level; H-Hole; P-Pipe; OD-Outside Diameter;
ID-Inside Diameter; C-Cemented; SL-Slot Length; A-Aperture; GS-Grain Size; Q-Quantity

HOLE-NO	PIPE-NO	COMPONENT-CODE	COMPONENT-TYPE	DEPTH-FROM (metres)	DEPTH-TO (metres)	OD (mm)	ID (mm)	INTERVAL	DETAIL
1	1	Casing	P.V.C.	0.00	0.00	40			(Unknown)

Water Bearing Zones [\(top\)](#)

no details

Drillers Log [\(top\)](#)

no details

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Groundwater Works Summary

For information on the meaning of fields please see [Glossary](#)
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Work Requested -- GW057894

Works Details [\(top\)](#)

GROUNDWATER NUMBER	GW057894
LIC-NUM	20BL119341
AUTHORISED-PURPOSES	INDUSTRIAL IRRIGATION
INTENDED-PURPOSES	
WORK-TYPE	Spear
WORK-STATUS	(Unknown)
CONSTRUCTION-METHOD	
OWNER-TYPE	Private
COMMENCE-DATE	
COMPLETION-DATE	1980-01-01
FINAL-DEPTH (metres)	7.60
DRILLED-DEPTH (metres)	
CONTRACTOR-NAME	
DRILLER-NAME	
PROPERTY	N/A
GWMA	-
GW-ZONE	-
STANDING-WATER-LEVEL	2.00
SALINITY	
YIELD	0.95

Site Details [\(top\)](#)

REGION	20 - HUNTER
RIVER-BASIN	
AREA-DISTRICT	
CMA-MAP	
GRID-ZONE	
SCALE	
ELEVATION	
ELEVATION-SOURCE	
NORTHING	6355939.00
EASTING	384411.00
LATITUDE	32 55' 43"
LONGITUDE	151 45' 49"
GS-MAP	
AMG-ZONE	56

COORD-SOURCE Map Interpretation
REMARK

Form-A [\(top\)](#)

COUNTY NORTHUMBERLAND
PARISH NEWCASTLE
PORTION-LOT-DP LT PT 8214 SEC II

Licensed [\(top\)](#)

COUNTY NORTHUMBERLAND
PARISH NEWCASTLE
PORTION-LOT-DP 1 1060087

Construction [\(top\)](#)

Negative depths indicate Above Ground Level; H-Hole; P-Pipe; OD-Outside Diameter;
ID-Inside Diameter; C-Cemented; SL-Slot Length; A-Aperture; GS-Grain Size; Q-Quantity

HOLE-NO	PIPE-NO	COMPONENT-CODE	COMPONENT-TYPE	DEPTH-FROM (metres)	DEPTH-TO (metres)	OD (mm)	ID (mm)	INTERVAL	DETAIL
1		Hole	Hole	0.00	7.60				(Unknown)

Water Bearing Zones [\(top\)](#)

no details

Drillers Log [\(top\)](#)

no details

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Groundwater Works Summary

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Work Requested -- GW055210

Works Details [\(top\)](#)

GROUNDWATER NUMBER	GW055210
LIC-NUM	20BL119632
AUTHORISED-PURPOSES	DOMESTIC
INTENDED-PURPOSES	NOT KNOWN
WORK-TYPE	Bore
WORK-STATUS	Supply Obtained
CONSTRUCTION-METHOD	(Unknown)
OWNER-TYPE	Private
COMMENCE-DATE	
COMPLETION-DATE	
FINAL-DEPTH (metres)	4.90
DRILLED-DEPTH (metres)	0.00
CONTRACTOR-NAME	
DRILLER-NAME	
PROPERTY	N/A
GWMA	-
GW-ZONE	-
STANDING-WATER-LEVEL	
SALINITY	
YIELD	

Site Details [\(top\)](#)

REGION	20 - HUNTER
RIVER-BASIN	210 - HUNTER RIVER
AREA-DISTRICT	
CMA-MAP	9232-2S
GRID-ZONE	56/1
SCALE	1:25,000
ELEVATION	

ELEVATION-SOURCE (Unknown)
NORTHING 6355326.00
EASTING 384597.00
LATITUDE 32 56' 3"
LONGITUDE 151 45' 56"
GS-MAP 0053D4
AMG-ZONE 56
COORD-SOURCE GD.,ACC:MAP
REMARK

Form-A [\(top\)](#)

COUNTY NORTHUMBERLAND
PARISH NEWCASTLE
PORTION-LOT-DP L91 (268)

Licensed [\(top\)](#)

COUNTY NORTHUMBERLAND
PARISH NEWCASTLE
PORTION-LOT-DP L91

Water Bearing Zones [\(top\)](#)

no details

Drillers Log [\(top\)](#)

no details

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Groundwater Works Summary

For information on the meaning of fields please see [Glossary](#)
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Work Requested -- GW202514

Works Details [\(top\)](#)

GROUNDWATER NUMBER	GW202514
LIC-NUM	20BL173249
AUTHORISED-PURPOSES	MONITORING BORE
INTENDED-PURPOSES	MONITORING BORE
WORK-TYPE	Bore
WORK-STATUS	Equipped - bore used for obs
CONSTRUCTION-METHOD	Auger - Solid Flight
OWNER-TYPE	Local Govt
COMMENCE-DATE	
COMPLETION-DATE	2012-08-28
FINAL-DEPTH (metres)	6.00
DRILLED-DEPTH (metres)	6.00
CONTRACTOR-NAME	
DRILLER-NAME	
PROPERTY	N/A
GWMA	-
GW-ZONE	-
STANDING-WATER-LEVEL	
SALINITY	
YIELD	

Site Details [\(top\)](#)

REGION	20 - HUNTER
RIVER-BASIN	210 - HUNTER RIVER
AREA-DISTRICT	
CMA-MAP	9232-2S
GRID-ZONE	56/1
SCALE	1:25,000
ELEVATION	
ELEVATION-SOURCE	
NORTHING	6355835.00
EASTING	385268.00
LATITUDE	32 55' 47"
LONGITUDE	151 46' 22"
GS-MAP	
AMG-ZONE	56

COORD-SOURCE GIS - Geographic Information System
REMARK

Form-A (top)

COUNTY NORTHUMBERLAND
PARISH NEWCASTLE
PORTION-LOT-DP 14/1122031

Licensed (top)

COUNTY NORTHUMBERLAND
PARISH NEWCASTLE
PORTION-LOT-DP 14/1122031

Construction (top)

Negative depths indicate Above Ground Level; H-Hole; P-Pipe; OD-Outside Diameter;
ID-Inside Diameter; C-Cemented; SL-Slot Length; A-Aperture; GS-Grain Size; Q-Quantity

HOLE-NO	PIPE-NO	COMPONENT-CODE	COMPONENT-TYPE	DEPTH-FROM (metres)	DEPTH-TO (metres)	OD (mm)	ID (mm)	INTERVAL	DETAIL
1		Hole	Hole	0.00	6.00	100			Auger - Solid Flight
1	1	Casing	PVC Class 18	0.00	6.00	50	46		Screwed; Seated on Bottom; End cap
1	1	Opening	Slots - Horizontal	1.80	6.00	50			PVC Class 18; Casing - Hand Sawn Slot; SL: 45mm; A: 1mm; Screwed
1		Annulus	Bentonite/Grout	0.00	1.00	100	50		
1		Annulus	Waterworn/Rounded	1.00	6.00	100	50		Graded; GS: 2-2mm; Q: .01m³

Water Bearing Zones (top)

no details

Drillers Log (top)

FROM	TO	THICKNESS	DESC	GEO-MATERIAL	COMMENT
0.00	0.80	0.80	Fill		

0.80	4.20	3.40	Silty Clay, alluvial
4.20	6.00	1.80	Sand, alluvial, trace of clay

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Groundwater Works Summary

For information on the meaning of fields please see [Glossary](#)
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Work Requested -- GW201491

Works Details [\(top\)](#)

GROUNDWATER NUMBER	GW201491
LIC-NUM	20RL172668
AUTHORISED-PURPOSES	MONITORING BORE
INTENDED-PURPOSES	MONITORING BORE
WORK-TYPE	Bore
WORK-STATUS	Equipped - bore used for obs
CONSTRUCTION-METHOD	Auger - Hollow Flight
OWNER-TYPE	Local Govt
COMMENCE-DATE	
COMPLETION-DATE	2011-01-12
FINAL-DEPTH (metres)	4.50
DRILLED-DEPTH (metres)	4.50
CONTRACTOR-NAME	
DRILLER-NAME	
PROPERTY	N/A
GWMA	-
GW-ZONE	-
STANDING-WATER-LEVEL	2.00
SALINITY	
YIELD	

Site Details [\(top\)](#)

REGION	20 - HUNTER
RIVER-BASIN	210 - HUNTER RIVER
AREA-DISTRICT	
CMA-MAP	9232-2S
GRID-ZONE	56/1
SCALE	1:25,000
ELEVATION	
ELEVATION-SOURCE	
NORTHING	6356085.00
EASTING	385320.00
LATITUDE	32 55' 39"
LONGITUDE	151 46' 24"
GS-MAP	
AMG-ZONE	56
COORD-SOURCE	GIS - Geographic Information System

REMARK

Form-A (top)

COUNTY NORTHUMBERLAND
PARISH NEWCASTLE
PORTION-LOT-DP 4//1010675

Licensed (top)

COUNTY NORTHUMBERLAND
PARISH NEWCASTLE
PORTION-LOT-DP 4 1010675

Construction (top)

Negative depths indicate Above Ground Level;H-Hole;P-Pipe;OD-Outside Diameter;
ID-Inside Diameter;C-Cemented;SL-Slot Length;A-Aperture;GS-Grain Size;Q-Quantity

HOLE-NO	PIPE-NO	COMPONENT-CODE	COMPONENT-TYPE	DEPTH-FROM (metres)	DEPTH-TO (metres)	OD (mm)	ID (mm)	INTERVAL	DETAIL
1		Hole	Hole	0.00	4.50	200			Auger - Hollow Flight
1	1	Casing	PVC Class 9	0.00	4.50	61	49		Screwed; Seated on Bottom; End cap
1	1	Opening	Slots	2.00	4.50	61			PVC Class 9; Mechanically Slotted; A: 3mm; Screwed
1		Annulus	Drill Cuttings	0.00	1.50	200	61		
1		Annulus	Bentonite	1.50	1.90	200	61		
1		Annulus	Waterworn/Rounded	1.90	4.50	200	61		Graded; GS: 2-3.5mm

Water Bearing Zones (top)

FROM-DEPTH (metres)	TO-DEPTH (metres)	THICKNESS (metres)	ROCK-CAT-DESC	S-W-L	D-D-L	YIELD	TEST-HOLE-DEPTH (metres)	DURATION	SALINITY
2.00	4.50	2.50		2.00					

Drillers Log (top)

FROM	TO	THICKNESS	DESC	GEO-MATERIAL	COMMENT
0.00	1.50	1.50	Fill, sandy/silty, dark brown		
1.50	2.50	1.00	Sand, natural white, fine to medium		
2.50	4.50	2.00	Sand, ginger brown, fine to coarse, with rounded gravels with some organic material & shell present		

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Groundwater Works Summary

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[Works Details](#) [Site Details](#) [Form A](#) [Licensed](#) [Construction](#) [Water Bearing Zones](#) [Drillers Log](#)

Work Requested -- GW201490

Works Details [\(top\)](#)

GROUNDWATER NUMBER GW201490
LIC-NUM 20BL172668
AUTHORISED-PURPOSES MONITORING BORE
INTENDED-PURPOSES MONITORING BORE
WORK-TYPE Bore
WORK-STATUS Equipped - bore used for obs
CONSTRUCTION-METHOD Auger - Hollow Flight
OWNER-TYPE Local Govt
COMMENCE-DATE
COMPLETION-DATE 2011-01-12
FINAL-DEPTH (metres) 4.50
DRILLED-DEPTH (metres) 4.50
CONTRACTOR-NAME
DRILLER-NAME
PROPERTY N/A
GWMA -
GW-ZONE -
STANDING-WATER-LEVEL 2.00
SALINITY
YIELD

Site Details [\(top\)](#)

REGION 20 - HUNTER
RIVER-BASIN 210 - HUNTER RIVER
AREA-DISTRICT
CMA-MAP 9232-2S
GRID-ZONE 56/I
SCALE 1:25,000
ELEVATION
ELEVATION-SOURCE
NORTHING 6356140.00
EASTING 385380.00
LATITUDE 32 55' 37"
LONGITUDE 151 46' 27"
GS-MAP
AMG-ZONE 56
COORD-SOURCE GIS - Geographic Information System

REMARK

Form-A [\(top\)](#)

COUNTY NORTHUMBERLAND
PARISH NEWCASTLE
PORTION-LOT-DP 4/1010675

Licensed [\(top\)](#)

COUNTY NORTHUMBERLAND
PARISH NEWCASTLE
PORTION-LOT-DP 4 1010675

Construction [\(top\)](#)

Negative depths indicate Above Ground Level; H-Hole; P-Pipe; OD-Outside Diameter;
ID-Inside Diameter; C-Centred; SL-Slot Length; A-Aperture; GS-Grain Size; Q-Quantity

HOLE-NO	PIPE-NO	COMPONENT-CODE	COMPONENT-TYPE	DEPTH-FROM (metres)	DEPTH-TO (metres)	OD (mm)	ID (mm)	INTERVAL	DETAIL
		Hole	Hole	0.00	4.50	200			Auger - Hollow Flight
	1	Casing	PVC Class 9	2.00	4.50	61	49		Screwed; Sealed on Bottom; End cap
	1	Opening	Slots	2.00	4.50	61			PVC Class 9; Mechanically Slotted; A: 3mm; Screwed
		Annulus	Drill Cuttings	0.00	1.50	200	61		
		Annulus	Bentonite	1.50	1.90	200	61		
		Annulus	Waterworn/Rounded	1.90	4.50	200	61		Graded; GS: 2-3.5mm

Water Bearing Zones [\(top\)](#)

FROM-DEPTH (metres)	TO-DEPTH (metres)	THICKNESS (metres)	ROCK-CAT-DESC	S-W-L	D-D-L	YIELD	TEST-HOLE-DEPTH (metres)	DURATION	SALINITY
2.00	4.50	2.50		2.00					

Drillers Log [\(top\)](#)

FROM	TO	THICKNESS	DESC	GEO-MATERIAL	COMMENT
0.00	1.50	1.50	Fill, sandy silty, dark brown		
1.50	2.50	1.00	Sand, natural, white, fine to medium grained		
2.50	4.50	2.00	Sand, ginger brown, fine/coarse, with rounded gravels with some organic material & shell present		

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

Groundwater Works Summary

For information on the meaning of fields please see [Glossary](#)
Document Generated on Wednesday, November 6, 2013

[Print Report](#)

[Works Details](#) [Site Details](#) [Form A](#) [Licensed](#) [Construction](#) [Water Bearing Zones](#) [Drillers Log](#)

Work Requested -- GW201489

Works Details [\(top\)](#)

GROUNDWATER NUMBER	GW201489
LIC-NUM	20BL172668
AUTHORISED-PURPOSES	MONITORING BORE
INTENDED-PURPOSES	MONITORING BORE
WORK-TYPE	Bore
WORK-STATUS	Equipped - bore used for obs
CONSTRUCTION-METHOD	Auger - Hollow Flight
OWNER-TYPE	Local Govt
COMMENCE-DATE	
COMPLETION-DATE	2011-01-12
FINAL-DEPTH (metres)	5.00
DRILLED-DEPTH (metres)	5.00
CONTRACTOR-NAME	
DRILLER-NAME	
PROPERTY	N/A
GWMA	-
GW-ZONE	-
STANDING-WATER-LEVEL	2.00
SALINITY	
YIELD	

Site Details [\(top\)](#)

REGION	20 - HUNTER
RIVER-BASIN	210 - HUNTER RIVER
AREA-DISTRICT	
CMA-MAP	9232-2S
GRID-ZONE	56/1
SCALE	1:25,000
ELEVATION	
ELEVATION-SOURCE	
NORTHING	6356135.00
EASTING	385315.00
LATITUDE	32 55' 37"
LONGITUDE	151 46' 24"
GS-MAP	
AMG-ZONE	56
COORD-SOURCE	GIS - Geographic Information System

REMARK

Form-A (top)

COUNTY NORTHUMBERLAND
PARISH NEWCASTLE
PORTION-LOT-DP 4//1010675

Licensed (top)

COUNTY NORTHUMBERLAND
PARISH NEWCASTLE
PORTION-LOT-DP 4 1010675

Construction (top)

Negative depths indicate Above Ground Level;H-Hole;P-Pipe;OD-Outside Diameter;
ID-Inside Diameter;C-Cemented;SL-Slot Length;A-Aperture;GS-Grain Size;Q-Quantity

HOLE-NO	PIPE-NO	COMPONENT-CODE	COMPONENT-TYPE	DEPTH-FROM (metres)	DEPTH-TO (metres)	OD (mm)	ID (mm)	INTERVAL	DETAIL
1		Hole	Hole	0.00	5.00	200			Auger - Hollow Flight
1	1	Casing	PVC Class 9	0.00	5.00	61	49		Screwed; Sealed on Bottom; End cap
1	1	Opening	Slots	2.00	5.00	61			PVC Class 9; Mechanically Slotted; A: 3mm; Screwed
1		Annulus	Drill Cuttings	0.00	1.50	200	61		
1		Annulus	Bentonite	1.50	1.90	200	61		
1		Annulus	Waterworn/Rounded	1.90	5.00	200	61		Graded; GS: 2-3.5mm

Water Bearing Zones (top)

FROM-DEPTH (metres)	TO-DEPTH (metres)	THICKNESS (metres)	ROCK-CAT-DESC	S-W-L	D-D-L	YIELD	TEST-HOLE-DEPTH (metres)	DURATION	SALINITY
2.00	5.00	3.00		2.00					

Drillers Log (top)

FROM	TO	THICKNESS	DESC	GEO-MATERIAL	COMMENT
0.00	1.60	1.60	Fill, sandy silty, dark brown		
1.60	2.50	0.90	Sand, natural, white, fine to medium		
2.50	4.50	2.00	Sand, ginger brown, fine/coarse, with rounded gravels with some organic material & shell present		
4.50	5.00	0.50	Clay, marine, grey		

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

Appendix B

Historical Titles

Preliminary Contamination Assessment
New Space, City Campus - Hunter Education Precinct, Newcastle NSW

ADVANCE LEGAL SEARCHERS PTY LTD

(ACN 147 943 842)
ABN 82 147 943 842

P.O. Box 149
Yagoona NSW 2199

Telephone: +612 9644 1679
Mobile: 0412 169 809
Facsimile: +612 8076 3026
Email: alsearch@optusnet.com.au

11th November, 2013

COFFEY ENVIRONMENTS PTY LTD

19 Warabrook Boulevard,
WARABROOK NSW 2304

Attention: Libby Betz

RE:

**409 Hunter Street, Newcastle
Cnr. Auckland & Hunter Streets
PO No. WARA13-01349**

Current Search

Folio Identifier 1/1188877 (title attached)
DP 1188877 (plan attached)
Dated 6th November, 2013
Registered Proprietor:
NEWCASTLE CITY COUNCIL

Title Tree
Lot 1 DP 1188877

Folio Identifier 1/1188877

See Notes (a) to (e) inclusive

(a)

Folio Identifier 1/62977

Certificate of Title Volume 15292 Folio 204

Certificate of Title Volume 1733 Folio 81

PA 12977

(b)

Folio Identifier 731/573072

Certificate of Title Volume 12956 Folio 146

PA 51233

/

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(bi)

(bii)

Conveyance Book 2325 No. 36

Conveyance Book 2325 No. 35

Conveyance Book 2263 No. 445

Conveyance Book 2261 No. 474

Conveyance Book 1792 No. 388

Conveyance Book 1729 No. 388

Conveyance Book 602 No. 733

Conveyance Book 1014 No. 423

(c)

Folio Identifier 711/574935

Certificate of Title Volume 12884 Folio 109

(ci)

PA 51485

(cii)

Certificate of Title Volume 10866 Fol 212

Conveyance Book 3048 No. 629

Conveyance Book 2573 No. 698

Conveyance Book 2507 No. 836

Conveyance Book 2261 No. 474

Conveyance Book 1729 No. 388

Conveyance Book 1014 No. 423

(d)

Folio Identifier 174/707750

PA 58330

Conveyance Book 3580 No. 366

Conveyance Book 2754 No. 860

Conveyance Book 2126 No. 393

Conveyance Book 1106 No. 876 to 881

Conveyance Book 624 No. 321

(e)

Folio Identifier 100/1093432

Folio Identifier 1/66936

Certificate of Title Volume 14376 Fol 244

Certificate of Title Volume 4031 Fol 33

Certificate of Title Volume 2232 Fol's 101 to 105

PA 16936

**Summary of proprietor(s)
Lot 1 DP 1188877**

Year	Proprietor
	(Lot 1 DP 1188877)
2013 – todate	Newcastle City Council

See Notes (a) to (e) inclusive

Note (a)

	(Lot 1 DP 62977)
1988 – 2013	Newcastle City Council
1988 – 1988	Goold Securities Pty Limited
<i>(1988 – 2013)</i>	<i>(lease see historical search identifier 1/62977)</i>
	(Lot 1 DP 62977 – CTVol 15292 Fol 204)
1985 – 1988	Goold Securities Pty Limited
<i>(1985 – 2013)</i>	<i>(lease see CTVol 15292 Fol 204)</i>
	(Part of Lot 74 Section A, of the Australian Agricultural Company's subdivision, part of Portion 268a, Parish of Newcastle – Area 12 $\frac{3}{4}$ Perches – CTVol 1733 Fol 81)
1984 – 1985	Goold Securities Pty Limited
1978 – 1984	Olive Blanch Nichols, home duties Mavis May Ramsey, home duties Shirley Doris Pring, home duties
1962 – 1978	Frederick Ernest Moore Alayne Gomer Evans, bookkeeper Elizabeth Annie Kaylock, spinster
1949 – 1962	Frederick Ernest Moore Thomas Frederick Fairleigh Evan Thomas Johanson
1922 – 1949	John Campbell Ross Thomas Weir Walter Howard Wivell
1906 – 1922	Augustus Frederick Moore Henry James Kittley John Campbell Ross
1906 – 1906	James Nixon Brunker, auctioneer

Note (b)

	(Lot 731 DP 573072)
2002 – 2013	Newcastle City Council
1988 – 2002	The Shortland County Council
	(Lot 731 DP 573072 – CTVol 12956 Fol 146)
1982 – 1988	The Shortland County Council
1979 – 1982	Flints (Smithfield) Pty Limited
1975 – 1979	Nock & Kirby Limited

See Notes (bi) & (bii)

Note (bi)

	(Part of Lot 73 Section A, part of Australian Agricultural Company's grant, Parish of Newcastle – Area 1 Rood 1 ¼ Perches – Conv Bk 2325 No. 36)
1954 – 1975	Nock & Kirby Limited
1954 – 1954	Thomas Peter Sobb, merchant Mary Agnes Sobb, wife
	(Part of Lot 73 Section A, part of Australian Agricultural Company's grant, Parish of Newcastle – Area 1 Rood 1 ¼ Perches – Conv Bk 2263 No. 445)
1953 – 1954	Thomas Peter Sobb, merchant Mary Agnes Sobb, wife
1953 – 1953	The Australian Provincial Assurance Association Limited
	Part of (Lot 73 Section A, part of Australian Agricultural Company's grant, Parish of Newcastle – Area 1 Rood 1 ¼ Perches – Conv Bk 1792 No. 388)
1937 – 1953	The Australian Provincial Assurance Association Limited
1919 – 1937	Harold Edgar Miller, military officer, executor of the Will of David Miller
1905 – 1919	David Miller
1897 – 1905	David Miller Margaret Ann Miller, wife

Note (bii)

	(Part of Lots 71 & 72 Section A, part of Australian Agricultural Company's subdivision, Parish of Newcastle – Area 21 ½ Perches – Conv Bk 2325 No. 35)
1957 – 1975	Nock & Kirby Limited
1957 – 1957	Thomas Peter Sobb, merchant
	(Part of Lots 71 & 72 Section A, part of Australian Agricultural Company's subdivision, Parish of Newcastle – Area 2 Roods – Conv Bk 2261 No. 474)
1957 – 1957	Thomas Peter Sobb, merchant
1953 – 1957	Victor Henry Leslie Fines, hotel licensee Leonard Fines, hotel licensee Ronald Fines, hotel manager Lilly Fines, wife of licensee
1953 – 1953	The Australian Provincial Assurance Association Limited
	(Part of Lots 71 & 72 Section A, part of Australian Agricultural Company's subdivision, Parish of Newcastle – Area 2 Roods – Conv Bk 1729 No. 388)
1935 – 1953	The Australian Provincial Assurance Association Limited
1913 – 1935	A Goninan & Co. Limited
1913 – 1913	Alexander Jame Dodds Frederick Dodds

Note (c)

	(Lot 711 DP 574935)
1994 – 2013	Newcastle City Council
1990 – 1994	Felderru Pty Limited
<i>(1990 – 2001)</i>	<i>(various leases see historical search identifier 711/574935)</i>
	(Lot 711 DP 574935 – CTVol 12884 Fol 109)
1988 – 1990	Felderru Pty Limited
1982 – 1988	The Shortland County Council
1976 – 1982	Civien Pty Limited
1975 – 1976	Newgate Property Investments Pty Ltd
<i>(1975 – 1990)</i>	<i>(various leases see CTVol 12884 Fol 109)</i>

See Notes (ci) & (cii)

Note (ci)

	(Part of Lots 71 & 72 Section A, part of Australian Agricultural
--	---

	Company's subdivision, Parish of Newcastle – Area 1 Rood 18 ¼ Perches – Conv Bk 3048 No. 629)
1972 – 1975	Newgate Property Investments Pty Ltd
1972 – 1972	Fines Investments Pty Limited
	(Part of Lots 71 & 72 Section A, part of Australian Agricultural Company's subdivision, Parish of Newcastle – Area 1 Rood 18 ¼ Perches – Conv Bk 2573 No. 698)
1961 – 1972	Fines Investments Pty Limited
1961 – 1961	Ronald Fines, gentleman Leonard Fines, gentleman Victor Henry Leslie Fines, gentleman
(1955 – 1971)	(various leases shown on Conv Bk 2573 No. 698)
	(Part of Lots 71 & 72 Section A, part of Australian Agricultural Company's subdivision, Parish of Newcastle – Area 1 Rood 18 ¼ Perches – Conv Bk 2507 No. 836)
1959 – 1961	Ronald Fines, gentleman Leonard Fines, gentleman Victor Henry Leslie Fines, gentleman
1959 – 1959	Ronald Fines, gentleman Leonard Fines, gentleman Victor Henry Leslie Fines, gentleman Lilly Fines, wife of retiree
	(Part of Lots 71 & 72 Section A, part of Australian Agricultural Company's subdivision, Parish of Newcastle – Area 2 Roods – Conv Bk 2261 No. 474)
1953 – 1959	Victor Henry Leslie Fines, hotel licensee Leonard Fines, hotel licensee Ronald Fines, hotel manager Lilly Fines, wife of licensee
1953 – 1953	The Australian Provincial Assurance Association Limited
	(Part of Lots 71 & 72 Section A, part of Australian Agricultural Company's subdivision, Parish of Newcastle – Area 2 Roods – Conv Bk 1729 No. 388)
1935 – 1953	The Australian Provincial Assurance Association Limited
1913 – 1935	A Goninan & Co. Limited
1913 – 1913	Alexander Jame Dodds Frederick Dodds

Note (cii)

	(Part of Closed Road – Hunter Street – Unnecessary Road, shown on
--	--

	PC No. R 25305-1603 – CTVol 10866 Fol 212)
1972 – 1975	Newgate Property Investments Pty Ltd
1968 – 1972	Fines Investments Pty Limited, grantee, under Grant of Land No. 1968/1537
Prior – 1968	CROWN LAND – Road

Note (d)

	(Lot 174 DP 707750)
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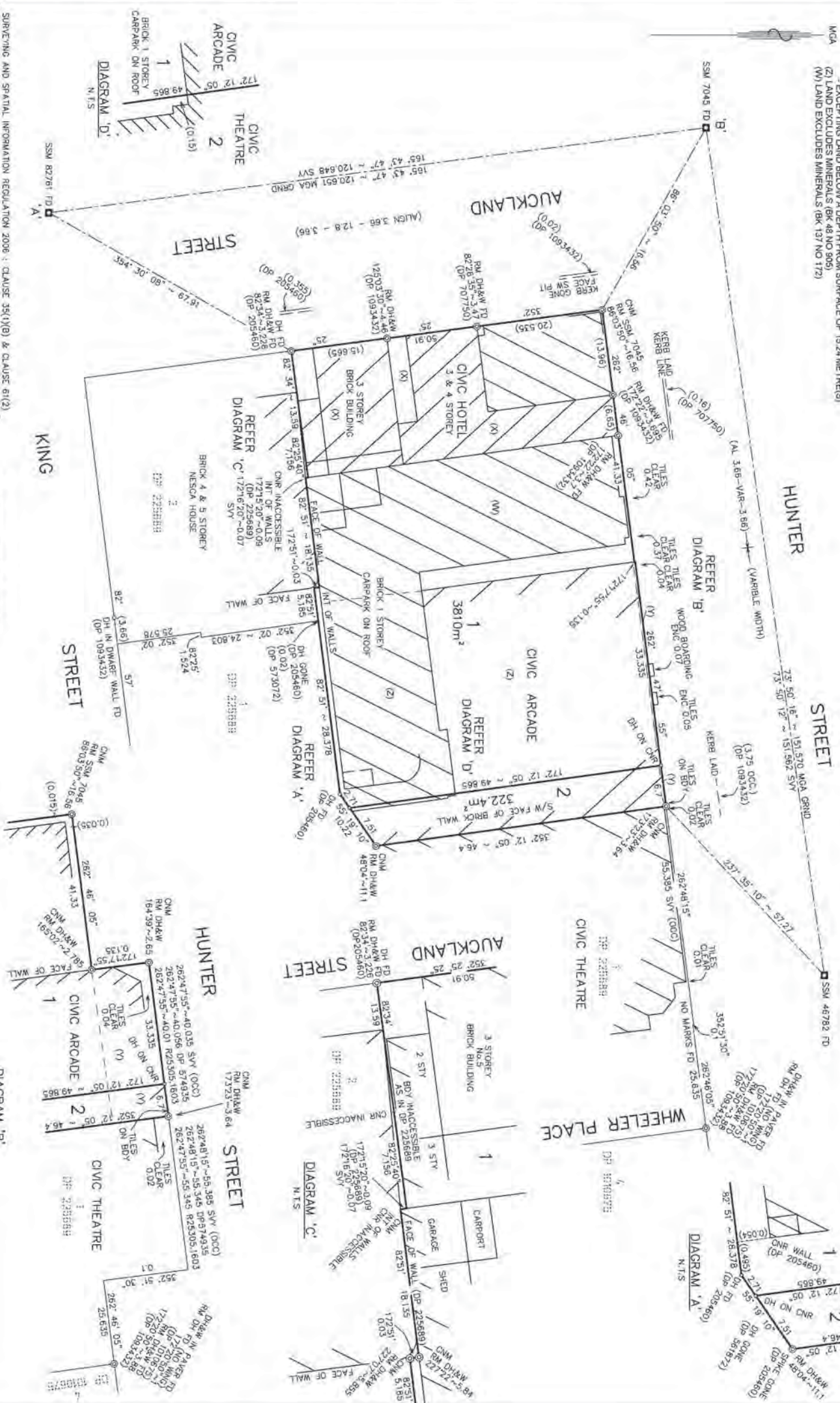
2007 – 2013	Newcastle City Council
2006 – 2007	B. Young Investments Pty Limited
2004 – 2006	Bullbarnev Investments Pty Limited
1998 – 2004	Phillip Mark Egge
1985 – 1998	Dandrew Pty Limited
1984 – 1985	J.Y. Abraham Jnr. Pty Limited
	(Part of Lot 74 Section A of Australian Agricultural Company's estate, Parish of Newcastle – Area 11 ¼ Perches – Conv Bk 3580 No. 366)
1984 – 1984	J.Y. Abraham Jnr. Pty Limited
1984 – 1984	J.A. Simpson Investment Pty Limited
	(Part of Lot 74 Section A of Australian Agricultural Company's estate, Parish of Newcastle – Area 11 ¼ Perches – Conv Bk 2754 No. 860)
1965 – 1984	J.A. Simpson Investment Pty Limited
1965 – 1965	Goolds Pty Limited
	(Part of Lot 74 Section A of Australian Agricultural Company's estate, Parish of Newcastle – Area 11 ¼ Perches – Conv Bk 2126 No. 393)
1950 – 1965	Goolds Pty Limited
1950 – 1950	William Reginald Angus, gentleman Harry Stuart Angus, gentleman Gordon Clarke Thompson, underwriter
1917 – 1950	Kathleen Angus Anetta Maria Dowling Doris Lyel Angus Harry Stuart Angus Amy Atkinson Thompson William Reginald Angus
1889 – 1917	Atkinson Alfred Patrick Tighe Arabella Vine Tighe Ada Tighe Arthur Perch Sparke
1886 – 1889	Atkinson Alfred Patrick Tighe

Note (e)

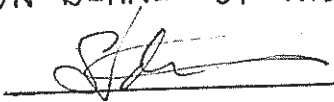
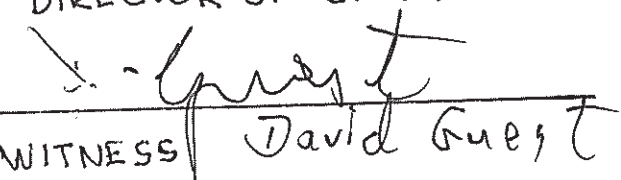


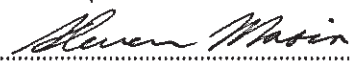
	(Lot 100 DP 1093432)
2007 – 2013	Newcastle City Council

2006 – 2007	Neville Graham Willott
	(Lot 1 DP 66936)
2004 – 2006	Neville Graham Willott
1991 – 2004	Talcor Pty Limited
1988 – 1991	Austotel Management Pty Limited
	(Lot 1 DP 66936 – CTVol 14376 Fol 224 – note document lost by LPI)
xxxx – 1988	Austotel Management Pty
1981 – xxxx	Tooheys Limited
	(Part of Lot 74 Section A, of Australian Agricultural Company's estate, part of Portion 268A, Parish of Newcastle – Area 15 ¼ Perches – CTVol 4031 Fol 33)
1981 – 1981	Tooheys Limited
1970 – 1981	Motel Temora Pty Limited
1960 – 1970	Stone Investments Pty Limited
1927 – 1960	Tooheys Limited
	(Part of Lot 74 Section A, of Australian Agricultural Company's estate, part of Portion 268A, Parish of Newcastle – Area 15 ¼ Perches – CTVol 2232 Fol's 101 to 105)
1926 – 1927	Tooheys Limited
1919 – 1926	Thomas Lancey, hotelkeeper Rose Hannah Crammond, wife of hotel keeper Isabella Elizabeth Woodfield, wife of merchant
1912 – 1919	Isabella Elizabeth Woodfield, wife of merchant Rose Hannah Crammond, wife of hotel keeper Laura Kerr, wife of mariner Mary Kelleher, wife of engineer Jane Anne Lancey, wife of hotel keeper

(X) LAND EXCLUDES MINERALS (BK 114 NO 425)
(Y) - LAND EXCLUDES MINERALS - SEE CROWN GRANT(S)
- EXCEPTING LAND BELOW A DEPTH FROM SURFACE OF 15.24 METRES
(Z) LAND EXCLUDES MINERALS (BK 48 NO 905)
(W) LAND EXCLUDES MINERALS (BK 137 NO 172)

DP1188877

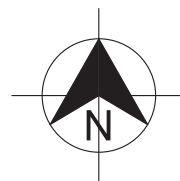
CMM DENOTES CORNER NOT MARKED


DEPOSITED PLAN ADMINISTRATION SHEET		Sheet 1 of 1 sheet(s)
<div> <div>SIGNATURES, SEALS AND STATEMENTS of intention to dedicate public roads, public reserves and drainage reserves or create easements, restrictions on the use of land and positive covenants</div> <div>PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT 1919, AS AMENDED.</div> <div>IT IS INTENDED TO RELEASE:</div> <div> <ol style="list-style-type: none"> Right of Way limited to a height of 3.64 metres (BK 2306 No 746) Right of Way limited to a height of 4.57 metres (BK 2307 No 410) Right of Carriageway for Egress (J732124) (Book 2715 No 799) Easement for Downpipes and Overhangs (P 873781) Easement for Encroachment and Overhangs (P 873781) </div> <div>ON BEHALF OF THE CITY OF NEWCASTLE</div> <div>  </div> <div>DELEGATE OF THE CITY OF NEWCASTLE DIRECTOR OF CITY ASSETS</div> <div>  </div> <div>WITNESS David Guest</div> <div>If space is insufficient use PLAN FORM 6A annexure sheet</div> <div>Crown Lands NSW/Western Lands Office Approval</div> <div>I.....in approving this plan certify (Authorised Officer) that all necessary approvals in regard to the allocation of the land shown herein have been given</div> <div>Signature:</div> <div>Date:</div> <div>File Number:</div> <div>Office:</div> </div>		
<div> <div>Office Use Only</div> <div>DP1188877</div> <div>Office Use Only</div> <div>Registered:  16.9.2013</div> <div>Title System: TORRENS</div> <div>Purpose: SUBDIVISION</div> <div>PLAN OF SUBDIVISION OF LOT 1 DP 62977, LOT 174 DP 707750, LOT 731 DP 573072, LOT 711 DP 574935 AND LOT 100 DP 1093432</div> <div>LGA: Newcastle</div> <div>Locality: Newcastle</div> <div>Parish: Newcastle</div> <div>County: Northumberland</div> <div>Survey Certificate</div> <div>I, Adam Douglas Ortiger of Monteath & Powys Pty Ltd, a surveyor registered under the Surveying and Spatial Information Act 2002, certify that the survey represented in this plan is accurate, has been made in accordance with the Surveying and Spatial Information Regulation 2006 and was completed on: 4 July 2012</div> <div>The survey relates to Lots 1 and 2 (specify the land actually surveyed or specify any land shown in the plan that is not the subject of the survey)</div> <div>Signature  Dated: 29-7-13</div> <div>Surveyor registered under the Surveying and Spatial Information Act 2002</div> <div>Datum Line: 'A - B'</div> <div>Type: Urban/Rural</div> <div>Plans used in the preparation of survey/compilation</div> <div>DP 1093432</div> <div>DP 573072</div> <div>DP 574935</div> <div>DP 707750</div> <div>DP 62977</div> <div>(If space is insufficient use PLAN FORM 6A annexure sheet)</div> <div>Surveyor's Reference: 120207DPA</div> </div>		
<div> <div>Subdivision Certificate</div> <div>I certify that the provisions of s.109J of the Environmental Planning and Assessment Act 1979 have been satisfied in relation to:</div> <div>the proposed subdivision set out herein (insert 'subdivision' or 'new road')</div> <div></div> <div>* Authorised Person/* General Manager/* Accredited Certifier</div> <div>Consent Authority: The City of Newcastle</div> <div>Date of Endorsement: 15 August 2013</div> <div>Accreditation no:</div> <div>Subdivision Certificate no: 8672</div> <div>File no: 2012/1186</div> </div>		
<div> <div>* Strike through inapplicable parts.</div> </div>		

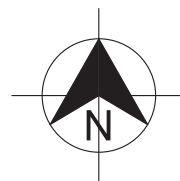
Appendix C


Aerial Photographs

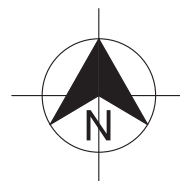
Preliminary Contamination Assessment
New Space, City Campus - Hunter Education Precinct, Newcastle NSW




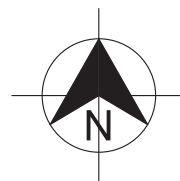
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date	12.11.13		project: PRELIMINARY CONTAMINATION ASSESSMENT CORNER HUNTER & AUCKLAND STREET, NEWCASTLE, NSW	
scale	1:5,000			
original size	A4		title: AERIAL PHOTO - NOVEMBER 1959	job no: GEOTWARA22093AC




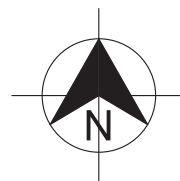
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date	12.11.13		project: PRELIMINARY CONTAMINATION ASSESSMENT CORNER HUNTER & AUCKLAND STREET, NEWCASTLE, NSW	
scale	1:5,000			
original size	A4		title: AERIAL PHOTO - SEPTEMBER 1965	job no: GEOTWARA22093AC




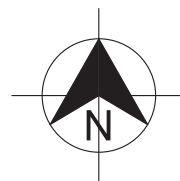
drawn	LZ		client: UNIVERSITY OF NEWCASTLE	
date	12.11.13		project: PRELIMINARY CONTAMINATION ASSESSMENT CORNER HUNTER & AUCKLAND STREET, NEWCASTLE, NSW	
scale	1:5,000		title: AERIAL PHOTO - OCTOBER 1974	
original size	A4		job no:	GEOTWARA22093AC




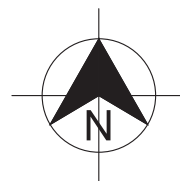
drawn	LZ		client: UNIVERSITY OF NEWCASTLE	
date	12.11.13		project: PRELIMINARY CONTAMINATION ASSESSMENT CORNER HUNTER & AUCKLAND STREET, NEWCASTLE, NSW	
scale	1:5,000		title: AERIAL PHOTO - SEPTEMBER 1983	
original size	A4		job no:	GEOTWARA22093AC




drawn	LZ		client: UNIVERSITY OF NEWCASTLE	
date	12.11.13		project: PRELIMINARY CONTAMINATION ASSESSMENT CORNER HUNTER & AUCKLAND STREET, NEWCASTLE, NSW	
scale	1:5,000			
original size	A4		title: AERIAL PHOTO - APRIL 1990	job no: GEOTWARA22093AC



drawn	LZ		client: UNIVERSITY OF NEWCASTLE	
date	12.11.13		project: PRELIMINARY CONTAMINATION ASSESSMENT CORNER HUNTER & AUCKLAND STREET, NEWCASTLE, NSW	
scale	1:5,000			
original size	A4		title: AERIAL PHOTO - OCTOBER 2004	job no: GEOTWARA22093AC



drawn	LZ		client: UNIVERSITY OF NEWCASTLE	
date	12.11.13		project: PRELIMINARY CONTAMINATION ASSESSMENT CORNER HUNTER & AUCKLAND STREET, NEWCASTLE, NSW	
scale	1:5,000			
original size	A4		title: AERIAL PHOTO - APRIL 2013	job no: GEOTWARA22093AC

Appendix D

Site Photographs

Preliminary Contamination Assessment
New Space, City Campus - Hunter Education Precinct, Newcastle NSW



Photograph 1: Site condition



Photograph 2: View to the west across site

drawn	MW		client:	UNIVERSITY OF NEWCASTLE	
approved			project:	PHASE 1 INVESTIGATION	
date	11/02/2013			AUCKLAND STREET, NEWCASTLE NSW	
scale	NTS		title:	SITE PHOTOGRAPHS	
original size	A4		project no:	GEOTWARA22093AC	photo no: 1 & 2

Appendix E

Section 149 Certificate

Preliminary Contamination Assessment
New Space, City Campus - Hunter Education Precinct, Newcastle NSW



PLANNING CERTIFICATE

Section 149, Environmental Planning and Assessment Act 1979

To: Coffey
19 Warabrook Boulevard
WARABROOK NSW 2304

Certificate No: 172017
Fees Paid: \$133.00
Receipt No(s): 3901233

Your Reference: Libby Betz

Date of Issue: 07/11/2013

The Land: Lot: 1 DP: 1188877
409 HUNTER STREET NEWCASTLE 2300

Advice provided on this Certificate:

Advice under section 149(2): see items 1 – 18
Additional advice under section 149 (5): see Items 19 – 28

IMPORTANT: Please read this certificate carefully

This certificate contains important information about the land.

Please check for any item which could be inconsistent with the proposed use or development of the land. If there is anything you do not understand, phone Council's **Customer Enquiry Centre** on (02) 4974 2000, or come in and see us.

The information provided in this certificate relates only to the land described above. If you need information about adjoining or nearby land, or about the Council's development policies for the general area, contact Council's **Customer Enquiry Centre**.

All information provided is correct as at 07/11/2013. However, it's possible for changes to occur within a short time. We recommend that you only rely upon a very recent certificate.

The City of Newcastle

PO Box 489
NEWCASTLE 2300

Phone: (02) 4974 2000
Facsimile: (02) 4974 2222

Customer Enquiry Centre
Ground floor,
282 King Street
Newcastle NSW 2300

Office hours:
Mondays to Fridays 8.30 am to 5.00 pm

PART 1:

ADVICE PROVIDED UNDER SECTION 149(2)

ATTENTION: The explanatory notes appearing in italic print within Part 1 are provided to assist understanding, but do not form part of the advice provided under section 149(2). These notes shall be taken as being advice provided under section 149(5).

1. Names of relevant planning instruments and DCPs

The following environmental planning instruments, proposed environmental planning instruments and development control plans apply to the land, either in full or in part.

State Environmental Planning Policy No. 6 - Number of Storeys in a Building

State Environmental Planning Policy No. 22 - Shops and Commercial Premises

State Environmental Planning Policy No. 44 - Koala Habitat Protection

State Environmental Planning Policy No. 50 - Canal Estate Development

State Environmental Planning Policy No. 55 - Remediation of Land

State Environmental Planning Policy No. 62 - Sustainable Aquaculture

State Environmental Planning Policy No. 64 - Advertising and Signage

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

State Environmental Planning Policy (Housing For Seniors or People with a Disability) 2004

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

State Environmental Planning Policy (Major Development) 2005

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

State Environmental Planning Policy (Temporary Structures) 2007

State Environmental Planning Policy (Infrastructure) 2007

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

State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (Urban Renewal) 2010

State Environmental Planning Policy (State and Regional Development) 2011

Newcastle Local Environmental Plan 2012

Planning Proposal Newcastle Local Environmental Plan 2012 (PP_2013_NEWCA_011_00)

Newcastle Development Control Plan 2012

2. Zoning and land use under relevant LEPs

Newcastle Local Environmental Plan 2012

Zoning: The Newcastle Local Environmental Plan 2012 identifies the land as being within the following zone(s):

Zone B4 Mixed Use

Note: Refer to www.newcastle.nsw.gov.au or www.legislation.nsw.gov.au web site for LEP instrument and zoning maps.

The following is an extract from the zoning provisions contained in Newcastle Local Environmental Plan 2012:

Zone B4 Mixed Use Zone

- **Objectives of zone**

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To support nearby or adjacent commercial centres without adversely impacting on the viability of those centres.

- **Permitted without consent**

Environmental protection works; Home occupations

- **Permitted with consent**

Boarding houses; Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Seniors housing; Shop top housing; Any other development not specified in, permitted without consent or prohibited

- **Prohibited**

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Camping grounds; Caravan parks; Cemeteries; Dual occupancies; Dwelling houses; Eco-tourist facilities; Electricity generating works; Farm buildings; Exhibition villages; Extractive industries; Forestry; Freight transport facilities; Heavy industrial storage establishments; Heavy industries; Helipads; High technology industries; Open cut mining; Resource recovery facilities; Rural industries; Secondary dwellings; Semi-detached dwellings; Sewage treatment plants; Truck depots; Vehicle body repair workshops; Waste disposal facilities; Water recycling facilities; Water supply systems

Minimum land dimensions for erection of a dwelling-house: There are no minimum land dimensions for the erection of a dwelling-house that apply to this site.

Critical habitat: The Newcastle Local Environmental Plan 2012 does not identify the land as including or comprising critical habitat.

Heritage conservation area: The land is situated within the Newcastle City Centre Heritage Conservation Area. Refer to the Newcastle Local Environmental Plan 2012 for provisions relating to development within a heritage conservation area.

Heritage items: There are no heritage items listed in the Newcastle Local Environmental Plan 2012 situated on the land.

Planning Proposal Newcastle Local Environmental Plan 2012 (PP_2013_NEWCA_011_00)

The Planning Proposal (PP_2013_NEWCA_011_00) contains amending provisions to amend clause 4.1A 'Exceptions to minimum lot sizes to certain residential development' of Newcastle Local Environmental Plan 2012 to facilitate retention of existing dwellings on lots below the minimum lot size, in some circumstances.

3. Complying development

Note Other requirements: The advice below for all Complying Development Codes, is limited to identifying whether or not the land, the subject of the certificate, is land on which complying development may be carried out because of Clauses 1.17A(c) & (d) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (the Codes SEPP). There are other requirements under the Codes SEPP that must also be satisfied to be considered as complying development. Clauses 1.17 and 1.18 of the Codes SEPP identify the general requirements to be classified as complying development.

General Housing Code

Complying development under the General Housing Code may NOT be carried out on this land. The land is affected by:

Specific land exemptions being land within a Heritage Conservation Area or a Draft Heritage Conservation Area unless the development is for a detached outbuilding.

Rural Housing Code

Complying development under the Rural Housing Code may NOT be carried out on this land. The land is affected by:

Specific land exemptions being land within a Heritage Conservation Area or a Draft Heritage Conservation Area unless the development is for a detached outbuilding. Unless complying development is carried out on the part of the lot to which clause 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 does not apply.

Housing Alterations Code

Complying development under the Housing Alterations Code MAY be carried out on this land.

General Development Code

Complying development under the General Development Code MAY be carried out on this land.

General Commercial and Industrial Code

Complying development under the General Commercial and Industrial Code MAY be carried out on this land.

Subdivision Code

Complying development under the Subdivision Code MAY be carried out on this land.

Demolition Code

Complying development under the Demolition Code MAY be carried out on this land.

4. Coastal Protection Act 1979

The land IS AFFECTED by the operation of sections 38 or 39 of the Coastal Protection Act 1979.

4A. Certain information relating to beaches and coasts

The land IS NOT AFFECTED by an order under Part 4D of the Coastal Protection Act 1979 in relation to temporary coastal protection works (within the meaning of that Act) on the land (or on public land adjacent to that land), except where the council is satisfied that such an order has been fully complied with.

The Council HAS NOT been notified under section 55X of the Coastal Protection Act 1979 that temporary coastal protection works (within the meaning of that Act) have been placed on the land (or on public land adjacent to that land).

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

The land IS NOT subject to an agreement for annual charges under section 496B of the Local Government Act 1993 for coastal protection services (within the meaning of section 553B of that Act).

5. Mine Subsidence Compensation Act 1961

The land IS within a proclaimed Mine Subsidence District under the Mine Subsidence Compensation Act 1961. The approval of the Mine Subsidence Board is required for all subdivision and building, except for certain minor structures. Surface development controls are in place to prevent damage from old, current or future mining. It is strongly recommended prospective purchasers consult with the Mine Subsidence Board regarding mine

subsidence and any surface development guidelines. The Board can assist with information about mine subsidence and advise whether existing structures comply with the requirements of the Act.

NOTE: Plans of existing and abandoned mine workings are available for viewing at the Mine Subsidence Board's offices. For further clarification and details, contact the Mine Subsidence Board, 117 Bull Street, Newcastle West. Ph (02) 49084300.

6. Road widening or realignment

NOTE: The Roads and Maritime Services (RMS) may have proposals that are not referred to in this item. For advice about affectation by RMS proposals, contact the Roads and Maritime Services, Locked Mail Bag 30 Newcastle 2300. Ph: 131 782.

The land IS NOT AFFECTED by any road widening or road realignment under Division 2 of Part 3 of the Roads Act 1993.

The land IS NOT AFFECTED by any road widening or road realignment under an environmental planning instrument.

The land IS NOT AFFECTED by any road widening or road realignment under a resolution of the Council.

7. Policies on hazard risk restrictions

Except as stated below, the land is not affected by a policy referred to in Item 7 of Schedule 4 of the Environmental Planning and Assessment Regulation 2000 that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

Potential acid sulfate soils: Works carried out on the land must be undertaken in accordance with Clause 6.1 Acid sulfate soils of the Newcastle Local Environmental Plan 2012.

Land Contamination: Council's information currently indicates that the property may be affected by land contamination. Council has adopted a policy of restricting development or imposing conditions on properties affected by land contamination. Refer to Section 5.02 Land Contamination of Newcastle Development Control Plan 2012, which may be inspected or purchased at Council's Customer Enquiry Centre.

NOTE: The absence of a policy to restrict development of the land because of the likelihood of a particular risk does not imply that the land is free from that risk. The Council considers the likelihood of natural and man-made risks when determining development applications under section 79C of the Environmental Planning and Assessment Act 1979. Detailed investigation carried out in conjunction with the preparation or assessment of a development application may result in the Council either refusing development consent or imposing conditions of consent on the basis of risks that are not identified above.

7A. Flood related development controls information

Council's information currently indicates that the property is, or contains, flood prone land as defined in the Floodplain Development Manual: the management of flood liable land, April 2005 published by the NSW Government.

Development of flood prone land is controlled by Section 4.01 Flood Management of Newcastle DCP 2012. The Newcastle DCP 2012 provides restrictions or imposes conditions with respect to all development of flood prone land. This includes development for the purpose of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings.

NOTE: More detailed flood information specific to the property is available on separate flooding certificate application through Council's Customer Enquiry Centre on (02) 4974 2000

8. Land reserved for acquisition

The land is not identified for acquisition by a public authority (as referred to in section 27 of the Act) by any environmental planning instrument or proposed environmental planning instrument applying to the land.

9. Contributions plans

The following contribution plan/s apply to the land.

Section 94A Development Contributions Plan 2009 - Updated April 2013:

The Plan specifies section 94A contributions that may be imposed as a condition of development consent.

NOTE: Contributions plans are available on Council's website or may be inspected or purchased at Council's Customer Enquiry Centre.

9A. Biodiversity certified land

The land IS NOT biodiversity certified land within the meaning of Part 7AA of the Threatened Species Conservation Act 1995.

10. Biobanking agreements

The land IS NOT land to which a biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995 relates.

11. Bush fire prone land

The land IS NOT bush fire prone land for the purposes of the Environmental Planning and Assessment Act 1979.

12. Property vegetation plans

Not applicable. The Native Vegetation Act 2003 does not apply to the Newcastle local government area.

13. Orders under Trees (Disputes Between Neighbours) Act 2006

Council HAS NOT 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.

14. Directions under Part 3A

The land IS NOT AFFECTED by a direction by the Minister in force under section 75P (2) (c1) of the Act.

15. Site compatibility certificates and conditions for seniors housing

(a) The land IS NOT AFFECTED by a current site compatibility certificate (of which the Council is aware) issued under the State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004.

(b) The land IS NOT AFFECTED by any terms of kind referred to in clause 18(2) of the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004, that have been imposed as a condition of consent to a development application granted after 11 October, 2007 in respect of the land.

16. Site compatibility certificates for infrastructure

The land IS NOT AFFECTED by a valid site compatibility certificate (of which the Council is aware) issued under the State Environmental Planning Policy (Infrastructure) 2007.

17. Site compatibility certificates and conditions for affordable rental housing

The land IS NOT AFFECTED by a valid site compatibility certificate (of which the Council is aware) issued under the State Environmental Planning Policy (Affordable Rental Housing) 2009.

18. Paper subdivision information

The land is NOT AFFECTED by any development plan that applies to the land or that is proposed to be subject to a consent ballot.

Note. The following matters are prescribed by section 59(2) of the Contaminated Land Management Act 1997.

The land to which the certificate relates is the subject of a site audit statement(s) within the meaning of the Contaminated Land Management Act 1997.

You can contact Council's Compliance Services Unit on (02) 49742525 to obtain further information. NOTE: Contamination information that relates to the land that is not required to be disclosed under section 59(2) Contaminated Land Management Act 1997, may be provided under a section 149(5) certificate.

PART 2:

ADVICE PROVIDED UNDER SECTION 149(5)

ATTENTION: Section 149(6) of the Act states that a Council shall not incur any liability in respect of advice provided in good faith pursuant to sub-section 149(5).

19. Outstanding Notices and Orders issued by Council.

Council records indicate that this premise IS NOT AFFECTED by an outstanding notice or order (excluding the notices or orders mentioned in the note below).

NOTE: The Council has not inspected the premises immediately prior to the issue of this certificate. It is possible that the premises are affected by matters of which the Council is unaware.

NOTE: This Certificate does not include any advice regarding outstanding notices or orders issued under the Environmental Planning and Assessment Act 1979 or the Local Government Act 1993. To obtain advice regarding these matters, you should lodge an application for a Certificate as to Outstanding Notices and Orders (accompanied by the appropriate fee). For further information, please contact the Customer Enquiry Centre on (02) 4974 2000.

20. Further consent requirements under the Newcastle Local Environmental Plan 2012.

The following provisions of the Newcastle Local Environmental Plan 2012 affect the carrying out of development on the land. These provisions are in addition to those required to be disclosed at Item 2 of this Certificate.

Refer to clause 3.1 Exempt Development of the Newcastle Local Environmental Plan 2012

Refer to clause 3.2 Complying Development of the Newcastle Local Environmental Plan 2012

Note: The Newcastle Local Environmental 2012 may have additional provisions that affect the carry out of development. Refer to the Newcastle Local Environmental 2012 for the full affect it may have on the land or obtain profession advice for more information.

21. Suspension of covenants.

Refer to 1.9A Suspension of covenants, agreements and instruments of the Newcastle Local Environmental Plan 2012.

22. Unexhibited proposed environmental planning instruments.

The land IS NOT AFFECTED by a resolution of the Council to endorse a planning proposal which has yet to have a gateway determination pursuant to section 56(2) of the Act.

23. Draft development control plans.

A draft development control plan DOES NOT APPLY to the land. The draft plans are exhibited pursuant to Part 3 of the Environmental Planning and Assessment Regulation 2000.

24. Heritage Act 1977.

The land IS NOT AFFECTED by a listing on the State Heritage Register or an Interim Heritage Order that is in force under the Heritage Act 1977.

NOTE: The above advice is provided to the extent that Council has been notified by the Heritage Council of NSW. For up-to-date details, contact the Office of Environment and Heritage, PO Box A290, South Sydney NSW 1232 Ph: (02) 9995 5000.

25. Listing by National Trust of Australia.

The land IS NOT AFFECTED by a listing of the National Trust of Australia (NSW).

NOTE: The above advice is provided to the extent that Council has been notified by the National Trust of Australia (NSW). For up-to-date details, contact the National Trust.

26. Australian Heritage Database.

The land IS NOT AFFECTED by a listing on the Australian Heritage Database.

NOTE: The above advice is provided to the extent that Council has been notified by the Department of the Environment, Heritage, Water and the Arts. For up-to-date details, contact the Department of the Environment, Heritage, Water and the Arts, King Edward Terrace, Parkes ACT 2600. Ph (02) 6274 1111.

27. Environment Protection & Biodiversity Conservation Act 1999 (Cth)

Under the (Commonwealth) Environment Protection and Biodiversity Conservation Act 1999, actions which have, may have or are likely to have, a significant impact on a matter of national environmental significance may be taken only with the approval of the Commonwealth Minister for the Environment.

Approval is also required for actions that have a significant effect on the environment of Commonwealth land. These actions may be on Commonwealth land or other land.

This approval is in addition to any approvals under the (NSW) Environmental Planning and Assessment Act 1979 or other NSW legislation.

Matters of national environmental significance are:

- declared World Heritage areas
- declared Ramsar wetlands
- listed threatened species and ecological communities
- listed migratory species
- nuclear actions
- the environment of Commonwealth marine areas.

Locations within the City of Newcastle that are a declared Ramsar wetland include Kooragang Nature Reserve and Shortland Wetlands. Listed threatened species and listed migratory species are known to occur within the City of Newcastle.

28. Other matters

The land is affected by the following:

Newcastle earthquake

Earthquakes occurred in the vicinity of Newcastle on 28th December 1989 and 6 August 1994. Buildings on the land may have suffered damage as a consequence of the earthquakes. Prospective purchasers are advised to make their own enquiries as to whether the property is affected by any damage.

Newcastle Urban Strategy (Updated 2009)

The Newcastle Urban Strategy was adopted by the Council on 11 March 1998 and updated on 15 December 2009. The contents of the Strategy will be taken into account when the Council assesses development applications and amendments to the Newcastle Local Environmental Plan 2012.

Note: Refer to Council's website to view the document. www.newcastle.nsw.gov.au

Lower Hunter Regional Strategy (2006 - 2031)

The Lower Hunter Regional Strategy has been prepared by the Department of Planning and Infrastructure. The contents of the strategy will be taken into account when Council assesses development applications and amendments to the Newcastle Local Environmental Plan 2012.

Note: Refer to Council's website to view the document. www.newcastle.nsw.gov.au

Newcastle City-Wide Floodplain Risk Management Study and Plan (2012)

The Newcastle City-wide Floodplain Risk Management Study and Plan addresses flood management for the City of Newcastle. The Study and Plan will be taken into account when Council assesses development applications and amendments to the Newcastle Local Environmental Plan 2012.

Note: Refer to Council's website to view the document. www.newcastle.nsw.gov.au

Parking permit policy

This property is within the Permit Exclusion Area of the City Centre Parking Strategy adopted by Council on 25 June 2002 and updated on 16 May 2005. Residents within the Permit Exclusion Area are not eligible for resident parking permit stickers. For further information please contact Parking Services Coordinator Michael Heather on 4974 5008.

Draft development contribution plan

The following draft development contribution plan/s APPLY to the land. The draft plan has been exhibited pursuant to Part 4 of the Environmental Planning and Assessment Regulation 2000.

Draft Section 94A Plan 2009 (updated September 2013)

NOTE: Draft contributions plans are available on Council's website or may be inspected or purchased at Council's Customer Enquiry Centre.

Contaminated land information

Council is in possession of contaminated land information relating to this property. Appendix A contains a list of this information. You can contact Council's Compliance Services Unit on 02 4974 2525 to arrange to view any documents listed.

Issued without alterations or additions, 07/11/13



for:

**KEN GOULDTHORP
GENERAL MANAGER**

Contaminated Land Information

ECM Number

Council is in possession of the following contaminated land document(s) which relate to the land. Persons relying on the certificate are advised to examine and consider the contents of each document:

1. Report: Summary Site Audit Report No JET1332-00, Johnstone Environmental Technology, February 2002. 409-415 Hunter Street (Note: Currently a copy of this document is not able to be located in Council records).

DW

Persons relying on the certificate are advised to make their own investigations as to whether the land is affected by elevated concentrations of soil or groundwater contaminants in relation to proposed purchase or use of land.



PLANNING CERTIFICATE

Section 149, Environmental Planning and Assessment Act 1979

To: THE CITY OF NEWCASTLE
PO BOX 489
NEWCASTLE NSW 2300

Certificate No: 152580
Fee Paid: \$ 100.00
Receipt No(s): 507050

Attention: PETER WAGHORN

Date of Issue: 31/08/10

The Land: LOT 731 DP 573072.
409 HUNTER ST, NEWCASTLE.

Advice provided on this Certificate:

Advice under section 149(2): see Items 1 – 17
Additional advice under section 149 (5): see Items 18 – 28

IMPORTANT: Please read this certificate carefully

This certificate contains important information about the land.

Please check for any item which could be inconsistent with the proposed use or development of the land. If there is anything you do not understand, phone Council's **Customer Enquiry Centre** on (02) 4974 2030, or come in and see us.

The information provided in this certificate relates only to the land described above. If you need information about adjoining or nearby land, or about the Council's development policies for the general area, contact Council's **Customer Enquiry Centre**.

All information provided is correct as at 31/08/2010. However, it's possible for changes to occur within a short time. We recommend that you only rely upon a very recent certificate.

The City of Newcastle

PO Box 489
NEWCASTLE 2300

Phone: (02) 4974 2000
Facsimile: (02) 4974 2505

Enquiries:

S149 Cert: (02) 4974 2511
Rates (02) 4974 2306

In person: Customer Enquiry Centre
Ground floor,
282 King Street, Newcastle

Office hours:

Mondays to Fridays 8.30 am to 5.00 pm

PART 1:

ADVICE PROVIDED UNDER SECTION 149(2)

ATTENTION: The explanatory notes appearing in italic print within Part 1 are provided to assist understanding, but do not form part of the advice provided under section 149(2). These notes shall be taken as being advice provided under section 149(6).

1. Names of relevant planning instruments and DCPs

The following environmental planning instruments, draft environmental planning instruments and development control plans apply to the land, either in full or in part.

State Environmental Planning Policy No. 6—Number of Storeys in a Building

State Environmental Planning Policy No. 10—Retention of Low-cost Rental Accommodation

State Environmental Planning Policy No. 21—Caravan Parks

State Environmental Planning Policy No. 22—Shops and Commercial Premises

State Environmental Planning Policy No. 30—Intensive Agriculture

State Environmental Planning Policy No. 32—Urban Consolidation (Redevelopment of Urban Land)

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

State Environmental Planning Policy No. 36—Manufactured Home Estates

State Environmental Planning Policy No. 44—Koala Habitat Protection

State Environmental Planning Policy No. 50—Canal Estate Development

State Environmental Planning Policy No. 55—Remediation of Land

State Environmental Planning Policy No. 62—Sustainable Aquaculture

State Environmental Planning Policy No. 64—Advertising and Signage

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

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

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

State Environmental Planning Policy (Major Development) 2005

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

State Environmental Planning Policy (Temporary Structures and Places of Public Entertainment) 2007

State Environmental Planning Policy (Infrastructure) 2007

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

State Environmental Planning Policy (Affordable Rental Housing) 2009

Newcastle City Centre Local Environmental Plan 2008

Newcastle Development Control Plan 2005

2. Zoning and land use under relevant LEPs

Newcastle City Centre Local Environmental Plan 2008

Zoning: The Newcastle City Centre Local Environmental Plan 2008 identifies the land as being within the following zone:

B4 Mixed Use Zone

The following is an extract from the zoning provisions contained in the Newcastle City Centre Local Environmental Plan 2008:

Zone B4 Mixed Use Zone

- Objectives of zone
 - To provide a mixture of compatible land uses.
 - To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
 - To support the higher order Commercial Core zone, while providing for the daily needs of the Mixed Use zone.
 - To encourage a diverse and compatible range of activities including:
 - commercial and retail development, and
 - cultural and entertainment facilities, and
 - tourism, leisure and recreation facilities, and
 - social, education and health services, and
 - higher density residential development.
 - To allow development along the coastline to take advantage of and retain view corridors whilst avoiding a continuous built edge along the waterfront.
 - To create opportunities to improve the public domain and pedestrian links within the Mixed Use zone.
 - To protect and enhance the unique qualities and character of special areas within the Newcastle city centre.
- Permitted without consent

Nil
- Permitted with consent

Any other development not otherwise specified in development permitted without consent and development prohibited.
- Prohibited

Bulky goods premises having a gross floor area greater than 400 square metres; Car parks (other than car parks required by this Plan or public car parks provided by or on behalf of the Council); Caravan parks; Cemeteries; Extractive Industries; Hazardous Industries; Hazardous storage establishments; Industries (excluding light industries); Liquid fuel depots; Mines; Offensive Industries; Offensive storage establishments; Roadside stalls; Warehouses or distribution centres; Waste management facilities.

NOTE: The above advice relates only to restrictions that apply by virtue of the zones indicated. The Newcastle City Centre Local Environmental Plan 2008 includes additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

Minimum land dimensions for erection of a dwelling-house: The Newcastle City Centre Local Environmental Plan 2008 does not contain any development standards relating to minimum land dimensions for the erection of a dwelling-house.

Critical habitat: The Newcastle City Centre Local Environmental Plan 2008 does not identify the land as including or comprising critical habitat.

Heritage Conservation area: The land is situated within the NEWCASTLE CITY CENTRE HERITAGE CONSERVATION AREA. Refer to clause 46 of the Newcastle City Centre Local Environmental Plan 2008 for provisions relating to development within a heritage conservation area.

Heritage Items: There are no heritage items listed in Schedule 5 of the Newcastle City Centre Local Environmental Plan 2008 situated on the land.

3. Complying Development

Note Other requirements: The advice below for all Complying Development Codes, is limited to identifying whether or not the land, the subject of the certificate, is land on which complying development may be carried out because of Clause 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (the Codes SEPP). There are other requirements under the Codes SEPP that must also be satisfied to be considered as complying development. Clauses 1.17 and 1.18 of the Codes SEPP identify the general requirements to be classified as complying development.

General Housing Code

Complying development under the General Housing Code may NOT be carried out on this land. The land is affected by:

Specific land exemptions being land within a heritage conservation area.

Specific land exemptions being land that is a flood control lot.

Housing Internal Alterations Code

Complying development under the Housing Internal Alterations Code MAY be carried out on this land.

General Commercial and Industrial Code

Complying development under the General Commercial and Industrial Code MAY be carried out on this land.

Subdivision Code

Complying development under the Subdivision Code MAY be carried out on this land.

4. Coastal Protection Act 1979

The land IS AFFECTED by the operation of sections 38 or 39 of the Coastal Protection Act 1979.

5. Mine Subsidence Compensation Act 1961

The land IS within a proclaimed Mine Subsidence District under the Mine Subsidence Compensation Act 1961. The approval of the Mine Subsidence Board is required for all subdivision and building, except for certain minor structures. Surface development controls are in place to prevent damage from old, current or future mining. It is strongly recommended prospective purchasers consult with the Mine Subsidence Board regarding mine subsidence and any surface development guidelines. The Board can assist with information about mine subsidence and advise whether existing structures comply with the requirements of the Act.

NOTE: Plans of existing and abandoned mine workings are available for viewing at the Mine Subsidence Board's offices. For further clarification and details, contact the Mine Subsidence Board, 117 Bull Street, Newcastle West. Ph (02) 49084300.

6. Road widening or realignment

NOTE: The Roads and Traffic Authority may have proposals that are not referred to in this item. For advice about affectation by RTA proposals, contact the Roads and Traffic Authority, Locked Mail Bag 30 Newcastle 2300. Ph: 13 1782.

The land IS NOT AFFECTED by any road widening or road realignment under Division 2 of Part 3 of the Roads Act 1993.

The land IS NOT AFFECTED by any road widening or road realignment under an environmental planning instrument.

The land IS NOT AFFECTED by any road widening or road realignment under a resolution of the Council.

7. Policies on hazard risk restrictions

Except as stated below, the land is not affected by a policy referred to in Item 7 of Schedule 4 of the Environmental Planning and Assessment Regulation 2000 that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

Earthquake: The Council has adopted standards for earthquake resistant construction in a Local Approvals Policy titled "Building Materials & Practices Structural Quality Policy" (dated 11 July 1995). This document may be inspected or purchased at Council's Customer Enquiry Centre.

Potential acid sulphate soils: Works carried out on the land must be undertaken in accordance with clause 51 of the Newcastle City Centre Local Environmental Plan 2008.

Land Contamination: Council's information currently indicates that the property may be affected by Land Contamination. Council has adopted a policy of restricting development or imposing conditions on properties affected by Land Contamination. Refer to the Newcastle Development Control Plan 2005, which may be inspected or purchased at Council's Customer Enquiry Centre.

NOTE: The absence of a policy to restrict development of the land because of the likelihood of a particular risk does not imply that the land is free from that risk. The Council considers the likelihood of natural and man-made risks when determining development applications under section 79C of the Environmental Planning and Assessment Act 1979. Detailed investigation carried out in conjunction with the preparation or assessment of a development application may result in the Council either refusing development consent or imposing conditions of consent on the basis of risks that are not identified above.

7A. Flood related development controls information

Council's information currently indicates that the property is, or contains, flood prone land as defined in the Floodplain Development Manual: the management of flood liable land, April 2005 published by the NSW Government.

Development of flood prone land is controlled by Element 4.3 of the Newcastle Development Control Plan 2005. The Newcastle Development Control Plan 2005 provides restrictions or imposes conditions with respect to all development of flood prone land. This includes development for the purpose of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings.

The Newcastle Development Control Plan 2005 may be inspected or purchased at Council's Customer Enquiry Centre.

NOTE: More detailed flood information specific to the property is available on separate flooding certificate application through Council's Customer Enquiry Centre on (02) 4974 2050.

8. Land reserved for acquisition

The land is not identified for acquisition by a public authority (as referred to in section 27 of the Act) by any environmental planning instrument or proposed environmental planning instrument applying to the land.

9. Contributions plans

The following contribution plan/s apply to the land.

Section 94A Development Contributions Plan 2009:

The Plan specifies section 94A contributions that may be imposed as a condition of development consent.

NOTE: Contributions plans are available on Council's website or may be inspected or purchased at Council's Customer Enquiry Centre.

9A. Biodiversity certified land

The land IS NOT biodiversity certified land within the meaning of Part 7AA of the Threatened Species Conservation Act 1995.

10. Biobanking agreements

The land IS NOT land to which a biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995 relates.

11. Bush fire prone land

The land IS NOT bush fire prone land for the purposes of the Environmental Planning and Assessment Act 1979.

12. Property vegetation plans

Not applicable. The Native Vegetation Act 2003 does not apply to the Newcastle local government area.

13. Orders under Trees (Disputes Between Neighbours) Act 2006

Council HAS NOT 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.

14. Directions under Part 3A

The land IS NOT AFFECTED by a direction by the Minister in force under section 75P (2) (c1) of the Act.

15. Site compatibility certificates and conditions for seniors housing

(a) The land IS NOT AFFECTED by a current site compatibility certificate (of which the Council is aware) issued under the State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004.

(b) The land IS NOT AFFECTED by any terms of kind referred to in clause 18(2) of the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004, that have been imposed as a condition of consent to a development application granted after 11 October, 2007 in respect of the land.

16. Site compatibility certificates for infrastructure

The land IS NOT AFFECTED by a valid site compatibility certificate (of which the Council is aware) issued under the State Environmental Planning Policy (Infrastructure) 2007.

17. Site compatibility certificates and conditions for affordable rental housing

The land IS NOT AFFECTED by a valid site compatibility certificate (of which the Council is aware) issued under the State Environmental Planning Policy (Affordable Rental Housing) 2009.

Note. The following matters are prescribed by section 59(2) of the Contaminated Land Management Act 1997.

Council is in possession of the following site audit statements which may be examined upon request by contacting our Environmental Services Unit, phone (02) 4974 2525.

Site Audit Statement No TJ0046 (11/2/02) produced by Edward Johnstone of Johnstone Environmental Technology Pty Ltd.

Summary Site Audit Report No JET1332-00, Johnstone Environmental Technology, February 2002. 409-415 Hunter Street.

NOTE: Contamination information that relates to the land that is not required to be disclosed under section 59(2) Contaminated Land Management Act 1997, may be provided under a section 149(5) certificate

PART 2:

ADVICE PROVIDED UNDER SECTION 149(5)

ATTENTION: Section 149(6) of the Act states that a Council shall not incur any liability in respect of advice provided in good faith pursuant to sub-section 149(5).

18. Outstanding written request issued by Council.

The land IS NOT AFFECTED by an outstanding written request issued by Council.

NOTE: The Council has not inspected the premises immediately prior to the issue of this certificate. It is possible that the premises are affected by matters of which the Council is unaware.

NOTE: This Certificate does not include any advice regarding outstanding notices or orders issued under the Environmental Planning and Assessment Act 1979, the Local Government Act 1993 or the Swimming Pool Act 1992. To obtain advice regarding these matters, you should lodge an application for a Certificate as to Outstanding Notices and Orders (accompanied by the appropriate fee). For further information, please contact the Customer Enquiry Centre on (02) 4974 2030.

19. Development consents

Development consent HAS been granted in relation to the land within the five years preceding the date of this certificate. Summary details are as follows:

Consent No.:	DA 08/0003	Date:	14/05/2008
Consent No.:	DA 06/0016	Date:	5/05/2006

NOTE: More information about these consents may be obtained by inspecting the Register of Development Consents at the Council's Customer Enquiry Centre.

20. Further consent requirements under Newcastle City Centre Local Environmental Plan 2008

Attention is drawn to the following provisions of the Newcastle City Centre Local Environmental Plan 2008 that affect the need to obtain consent before carrying out of development on the land. These provisions are in addition to those required to be disclosed at Item 2 of this Certificate.

Clause 16 Subdivision - consent requirements.

Clause 17: Temporary use of land.

Clause 18 Exempt development.

Clause 19: Complying development.

Clause 44: Excavation and filling of land.

Clause 45: Preservation of trees or vegetation.

Clause 48: Development of group homes.

Clause 49: Crown development and public utilities.

Clause 50: Council development.

Existing uses: 'Existing uses' (as defined in section 106 of the Environmental Planning and Assessment Act 1979) may in specified circumstances, be enlarged, expanded, intensified, altered, extended, rebuilt or changed with development consent. See Part 5 of the Environmental Planning and Assessment Regulation 2000. These provisions are deemed by section 108(2) of the Act to be incorporated in the Newcastle City Centre Local Environmental Plan 2008.

NOTE: There are other provisions within the Newcastle City Centre Local Environmental Plan 2008 that affect the carrying out of development. If you propose to carry out development on the land, you should consider the need to obtain further professional advice regarding the full effect of the Newcastle City Centre Local Environment Plan 2008 and other environmental planning instruments.

21. Suspension of covenants

Under clause 9 of the Newcastle City Centre Local Environmental Plan 2008, any agreement, covenant or other similar instrument that restricts the carrying out of development on the land does not apply, to the extent necessary to enable development to be carried out in accordance with that Plan, or with a consent granted under the Act. Certain exceptions apply. For details, refer to the clause.

NOTE: Covenants that burden neighbouring land (and which benefit the subject land) may also have been suspended. In determining a development application, the Council is not required to take into consideration whether the proposed development would comply with any applicable covenant. The Council holds no records on the existence of covenants, nor does it carry out a title search when assessing applications. The enforcement of covenants is a private matter between covenantees.

22. Unexhibited proposed environmental planning instruments

The land IS NOT AFFECTED by a resolution of the Council to endorse a planning proposal which has yet to have a gateway determination pursuant to section 56(2) of the Act.

23. Draft development control plans

A draft development control plan DOES NOT APPLY to the land. Draft plans are exhibited pursuant to Part 3 of the Environmental Planning and Assessment Regulation 2000.

24. Heritage Act 1977

The land IS NOT AFFECTED by a listing on the State Heritage Register or an Interim Heritage Order that is in force under the Heritage Act 1977.

NOTE: The above advice is provided to the extent that Council has been notified by the Heritage Council of NSW. For up-to-date details, contact the Department of Planning - Heritage Branch, Locked Bag 5020, Parramatta NSW 2124. Ph: (02) 9873 8500.

25. Listings by the National Trust of Australia

The land IS NOT AFFECTED by a listing of the National Trust of Australia (NSW).

NOTE: The above advice is provided to the extent that Council has been notified by the National Trust of Australia (NSW). For up-to-date details, contact the National Trust.

26. Australian Heritage Database

The land IS NOT AFFECTED by a listing on the Australian Heritage Database.

NOTE: The above advice is provided to the extent that Council has been notified by the Department of the Environment, Heritage, Water and the Arts. For up-to-date details, contact the Department of the Environment, Heritage, Water and the Arts, King Edward Terrace, Parkes ACT 2600. Ph (02) 6274 2111.

27. Environment Protection & Biodiversity Conservation Act 1999 (Cth)

Under the (Commonwealth) Environment Protection and Biodiversity Conservation Act 1999, actions which have, may have or are likely to have, a significant impact on a matter of national environmental significance may be taken only with the approval of the Commonwealth Minister for the Environment.

Approval is also required for actions that have a significant effect on the environment of Commonwealth land. These actions may be on Commonwealth land or other land.

This approval is in addition to any approvals under the (NSW) Environmental Planning and Assessment Act 1979 or other NSW legislation.

Matters of national environmental significance are:

- declared World Heritage areas
- places included in the National Heritage List
- declared Ramsar wetlands
- listed threatened species and ecological communities
- listed migratory species
- nuclear actions
- the environment of Commonwealth marine areas.

Locations within the City of Newcastle that are a declared Ramsar wetland include Kooragang Nature Reserve and Shortland Wetlands. Listed threatened species and listed migratory species are known to occur within the City of Newcastle.

28. Other matters

The land is affected by the following:

Newcastle earthquake

Earthquakes occurred in the vicinity of Newcastle on 28th December 1989 and 6 August 1994. Buildings on the land may have suffered damage as a consequence of the earthquakes. Prospective purchasers are advised to make their own enquiries as to whether the property is affected by any damage.

Newcastle Urban Strategy

The Newcastle Urban Strategy was adopted by the Council on 11 March 1998. The contents of the Strategy will be taken into account when the Council determines development applications.

Note: The Strategy is available for purchase from Council's Customer Enquiry Centre.

Draft Master Plan for the Newcastle Civic and Cultural Precinct

This land is in the area identified in Draft Master Plan for the Newcastle Civic and Cultural Precinct. The document is on exhibition from Monday 10 November 2003 till Saturday 31 January 2004 and for further information please contact our Business Strategy Unit phone (02) 4974 2870.

Parking permit policy

This property is within the Permit Exclusion Area of the City Centre Parking Strategy adopted by Council on 25 June 2002 and updated on 16 May 2005. Residents within the Permit Exclusion Area are not eligible for resident parking permit stickers. For further information please contact Parking Services Coordinator Michael Heather on 4974 5008.

ATTACHMENTS: NONE

Issued without alterations or additions, 31/08/10.



for:
LINDY HYAM
GENERAL MANAGER



PLANNING CERTIFICATE

Section 149, Environmental Planning and Assessment Act 1979

To: THE CITY OF NEWCASTLE
PO BOX 489
NEWCASTLE NSW 2300

Certificate No: 152581
Fee Paid: \$ 100.00
Receipt No(s): 507050

Attention: PETER WAGHORN

Date of Issue: 31/08/10

The Land: LOT 100 DP 1093432.
417 HUNTER ST, NEWCASTLE.

Advice provided on this Certificate:

Advice under section 149(2): see Items 1 – 17
Additional advice under section 149 (5): see Items 18 – 28

IMPORTANT: Please read this certificate carefully

This certificate contains important information about the land.

Please check for any item which could be inconsistent with the proposed use or development of the land. If there is anything you do not understand, phone Council's **Customer Enquiry Centre** on (02) 4974 2030, or come in and see us.

The information provided in this certificate relates only to the land described above. If you need information about adjoining or nearby land, or about the Council's development policies for the general area, contact Council's **Customer Enquiry Centre**.

All information provided is correct as at 31/08/2010. However, it's possible for changes to occur within a short time. We recommend that you only rely upon a very recent certificate.

The City of Newcastle

PO Box 489
NEWCASTLE 2300

Phone: (02) 4974 2000
Facsimile: (02) 4974 2505

Enquiries:

S149 Cert: (02) 4974 2511
Rates (02) 4974 2306

In person: Customer Enquiry Centre
Ground floor,
282 King Street, Newcastle

Office hours:

Mondays to Fridays 8.30 am to 5.00 pm

PART 1:

ADVICE PROVIDED UNDER SECTION 149(2)

ATTENTION: The explanatory notes appearing in italic print within Part 1 are provided to assist understanding, but do not form part of the advice provided under section 149(2). These notes shall be taken as being advice provided under section 149(5).

1. Names of relevant planning instruments and DCPs

The following environmental planning instruments, draft environmental planning instruments and development control plans apply to the land, either in full or in part.

State Environmental Planning Policy No. 6—Number of Storeys in a Building

State Environmental Planning Policy No. 10—Retention of Low-cost Rental Accommodation

State Environmental Planning Policy No. 21—Caravan Parks

State Environmental Planning Policy No. 22—Shops and Commercial Premises

State Environmental Planning Policy No. 30—Intensive Agriculture

State Environmental Planning Policy No. 32—Urban Consolidation (Redevelopment of Urban Land)

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

State Environmental Planning Policy No. 36—Manufactured Home Estates

State Environmental Planning Policy No. 44—Koala Habitat Protection

State Environmental Planning Policy No. 50—Canal Estate Development

State Environmental Planning Policy No. 55—Remediation of Land

State Environmental Planning Policy No. 62—Sustainable Aquaculture

State Environmental Planning Policy No. 64—Advertising and Signage

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

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

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

State Environmental Planning Policy (Major Development) 2005

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

State Environmental Planning Policy (Temporary Structures and Places of Public Entertainment) 2007

State Environmental Planning Policy (Infrastructure) 2007

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

State Environmental Planning Policy (Affordable Rental Housing) 2009

Newcastle City Centre Local Environmental Plan 2008

Newcastle Development Control Plan 2005

2. Zoning and land use under relevant LEPs

Newcastle City Centre Local Environmental Plan 2008

Zoning: The Newcastle City Centre Local Environmental Plan 2008 identifies the land as being within the following zone:

B4 Mixed Use Zone

The following is an extract from the zoning provisions contained in the Newcastle City Centre Local Environmental Plan 2008:

Zone B4 Mixed Use Zone

- Objectives of zone
 - To provide a mixture of compatible land uses.
 - To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
 - To support the higher order Commercial Core zone, while providing for the daily needs of the Mixed Use zone.
 - To encourage a diverse and compatible range of activities including:
 - commercial and retail development, and
 - cultural and entertainment facilities, and
 - tourism, leisure and recreation facilities, and
 - social, education and health services, and
 - higher density residential development.
 - To allow development along the coastline to take advantage of and retain view corridors whilst avoiding a continuous built edge along the waterfront.
 - To create opportunities to improve the public domain and pedestrian links within the Mixed Use zone.
 - To protect and enhance the unique qualities and character of special areas within the Newcastle city centre.
- Permitted without consent

Nil
- Permitted with consent

Any other development not otherwise specified in development permitted without consent and development prohibited.
- Prohibited

Bulky goods premises having a gross floor area greater than 400 square metres; Car parks (other than car parks required by this Plan or public car parks provided by or on behalf of the Council); Caravan parks; Cemeteries; Extractive Industries; Hazardous Industries; Hazardous storage establishments; Industries (excluding light industries); Liquid fuel depots; Mines; Offensive Industries; Offensive storage establishments; Roadside stalls; Warehouses or distribution centres; Waste management facilities.

NOTE: The above advice relates only to restrictions that apply by virtue of the zones indicated. The Newcastle City Centre Local Environmental Plan 2008 includes additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

Minimum land dimensions for erection of a dwelling-house: The Newcastle City Centre Local Environmental Plan 2008 does not contain any development standards relating to minimum land dimensions for the erection of a dwelling-house.

Critical habitat: The Newcastle City Centre Local Environmental Plan 2008 does not identify the land as including or comprising critical habitat.

Heritage Conservation area: The land is situated within the NEWCASTLE CITY CENTRE HERITAGE CONSERVATION AREA. Refer to clause 46 of the Newcastle City Centre Local Environmental Plan 2008 for provisions relating to development within a heritage conservation area.

Heritage Items: There are no heritage items listed in Schedule 5 of the Newcastle City Centre Local Environmental Plan 2008 situated on the land.

3. Complying Development

Note Other requirements: The advice below for all Complying Development Codes, is limited to identifying whether or not the land, the subject of the certificate, is land on which complying development may be carried out because of Clause 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (the Codes SEPP). There are other requirements under the Codes SEPP that must also be satisfied to be considered as complying development. Clauses 1.17 and 1.18 of the Codes SEPP identify the general requirements to be classified as complying development.

General Housing Code

Complying development under the General Housing Code may NOT be carried out on this land. The land is affected by:

Specific land exemptions being land within a heritage conservation area.

Specific land exemptions being land that is a flood control lot.

Housing Internal Alterations Code

Complying development under the Housing Internal Alterations Code MAY be carried out on this land.

General Commercial and Industrial Code

Complying development under the General Commercial and Industrial Code MAY be carried out on this land.

Subdivision Code

Complying development under the Subdivision Code MAY be carried out on this land.

4. Coastal Protection Act 1979

The land IS AFFECTED by the operation of sections 38 or 39 of the Coastal Protection Act 1979.

5. Mine Subsidence Compensation Act 1961

The land IS within a proclaimed Mine Subsidence District under the Mine Subsidence Compensation Act 1961. The approval of the Mine Subsidence Board is required for all subdivision and building, except for certain minor structures. Surface development controls are in place to prevent damage from old, current or future mining. It is strongly recommended prospective purchasers consult with the Mine Subsidence Board regarding mine subsidence and any surface development guidelines. The Board can assist with information about mine subsidence and advise whether existing structures comply with the requirements of the Act.

NOTE: Plans of existing and abandoned mine workings are available for viewing at the Mine Subsidence Board's offices. For further clarification and details, contact the Mine Subsidence Board, 117 Bull Street, Newcastle West. Ph (02) 49084300.

6. Road widening or realignment

NOTE: The Roads and Traffic Authority may have proposals that are not referred to in this item. For advice about affectation by RTA proposals, contact the Roads and Traffic Authority, Locked Mail Bag 30 Newcastle 2300. Ph: 13 1782.

The land IS NOT AFFECTED by any road widening or road realignment under Division 2 of Part 3 of the Roads Act 1993.

The land IS NOT AFFECTED by any road widening or road realignment under an environmental planning instrument.

The land IS NOT AFFECTED by any road widening or road realignment under a resolution of the Council.

7. Policies on hazard risk restrictions

Except as stated below, the land is not affected by a policy referred to in Item 7 of Schedule 4 of the Environmental Planning and Assessment Regulation 2000 that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

Earthquake: The Council has adopted standards for earthquake resistant construction in a Local Approvals Policy titled "Building Materials & Practices Structural Quality Policy" (dated 11 July 1995). This document may be inspected or purchased at Council's Customer Enquiry Centre.

Potential acid sulphate soils: Works carried out on the land must be undertaken in accordance with clause 51 of the Newcastle City Centre Local Environmental Plan 2008.

Land Contamination: Council has adopted a policy of restricting development or imposing conditions on properties affected by Land Contamination. Refer to the Newcastle Development Control Plan 2005, which may be inspected or purchased at Council's Customer Enquiry Centre.

NOTE: The absence of a policy to restrict development of the land because of the likelihood of a particular risk does not imply that the land is free from that risk. The Council considers the likelihood of natural and man-made risks when determining development applications under section 79C of the Environmental Planning and Assessment Act 1979. Detailed investigation carried out in conjunction with the preparation or assessment of a development application may result in the Council either refusing development consent or imposing conditions of consent on the basis of risks that are not identified above.

7A. Flood related development controls information

Council's Information currently indicates that the property is, or contains, flood prone land as defined in the Floodplain Development Manual: the management of flood liable land, April 2005 published by the NSW Government.

Development of flood prone land is controlled by Element 4.3 of the Newcastle Development Control Plan 2005. The Newcastle Development Control Plan 2005 provides restrictions or imposes conditions with respect to all development of flood prone land. This includes development for the purpose of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings.

The Newcastle Development Control Plan 2005 may be inspected or purchased at Council's Customer Enquiry Centre.

NOTE: More detailed flood information specific to the property is available on separate flooding certificate application through Council's Customer Enquiry Centre on (02) 4974 2050.

8. Land reserved for acquisition

The land is not identified for acquisition by a public authority (as referred to in section 27 of the Act) by any environmental planning instrument or proposed environmental planning instrument applying to the land.

9. Contributions plans

The following contribution plan/s apply to the land.

Section 94A Development Contributions Plan 2009:

The Plan specifies section 94A contributions that may be imposed as a condition of development consent.

NOTE: Contributions plans are available on Council's website or may be inspected or purchased at Council's Customer Enquiry Centre.

9A. Biodiversity certified land

The land IS NOT biodiversity certified land within the meaning of Part 7AA of the Threatened Species Conservation Act 1995.

10. Biobanking agreements

The land IS NOT land to which a biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995 relates.

11. Bush fire prone land

The land IS NOT bush fire prone land for the purposes of the Environmental Planning and Assessment Act 1979.

12. Property vegetation plans

Not applicable. The Native Vegetation Act 2003 does not apply to the Newcastle local government area.

13. Orders under Trees (Disputes Between Neighbours) Act 2006

Council HAS NOT 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.

14. Directions under Part 3A

The land IS NOT AFFECTED by a direction by the Minister in force under section 75P (2) (c1) of the Act.

15. Site compatibility certificates and conditions for seniors housing

(a) The land IS NOT AFFECTED by a current site compatibility certificate (of which the Council is aware) issued under the State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004.

(b) The land IS NOT AFFECTED by any terms of kind referred to in clause 18(2) of the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004, that have been imposed as a condition of consent to a development application granted after 11 October, 2007 in respect of the land.

16. Site compatibility certificates for infrastructure

The land IS NOT AFFECTED by a valid site compatibility certificate (of which the Council is aware) issued under the State Environmental Planning Policy (Infrastructure) 2007.

17. Site compatibility certificates and conditions for affordable rental housing

The land IS NOT AFFECTED by a valid site compatibility certificate (of which the Council is aware) issued under the State Environmental Planning Policy (Affordable Rental Housing) 2009.

Note. There are no matters prescribed by section 59(2) of the Contaminated Land Management Act 1997 to be disclosed, however if other contamination information is held by the Council this may be provided under a section 149(5) certificate.

PART 2:

ADVICE PROVIDED UNDER SECTION 149(5)

ATTENTION: Section 149(6) of the Act states that a Council shall not incur any liability in respect of advice provided in good faith pursuant to sub-section 149(5).

18. Outstanding written request issued by Council.

The land IS NOT AFFECTED by an outstanding written request issued by Council.

NOTE: The Council has not inspected the premises immediately prior to the issue of this certificate. It is possible that the premises are affected by matters of which the Council is unaware.

NOTE: This Certificate does not include any advice regarding outstanding notices or orders issued under the Environmental Planning and Assessment Act 1979, the Local Government Act 1993 or the Swimming Pool Act 1992. To obtain advice regarding these matters, you should lodge an application for a Certificate as to Outstanding Notices and Orders (accompanied by the appropriate fee). For further information, please contact the Customer Enquiry Centre on (02) 4974 2030.

19. Development consents

Development consent HAS NOT been granted in relation to the land within the five years preceding the date of this certificate.

20. Further consent requirements under Newcastle City Centre Local Environmental Plan 2008

Attention is drawn to the following provisions of the Newcastle City Centre Local Environmental Plan 2008 that affect the need to obtain consent before carrying out of development on the land. These provisions are in addition to those required to be disclosed at Item 2 of this Certificate.

Clause 16 Subdivision - consent requirements.

Clause 17: Temporary use of land.

Clause 18 Exempt development.

Clause 19: Complying development.

Clause 44: Excavation and filling of land.

Clause 45: Preservation of trees or vegetation.

Clause 48: Development of group homes.

Clause 49: Crown development and public utilities.

Clause 60: Council development.

Existing uses: 'Existing uses' (as defined in section 106 of the Environmental Planning and Assessment Act 1979) may in specified circumstances, be enlarged, expanded, intensified, altered, extended, rebuilt or changed with development consent. See Part 5 of the Environmental Planning and Assessment Regulation 2000. These provisions are deemed by section 108(2) of the Act to be incorporated in the Newcastle City Centre Local Environmental Plan 2008.

NOTE: There are other provisions within the Newcastle City Centre Local Environmental Plan 2008 that affect the carrying out of development. If you propose to carry out development on the land, you should consider the need to obtain further professional advice regarding the full effect of the Newcastle City Centre Local Environment Plan 2008 and other environmental planning instruments.

21. Suspension of covenants

Under clause 9 of the Newcastle City Centre Local Environmental Plan 2008, any agreement, covenant or other similar instrument that restricts the carrying out of development on the land does not apply, to the extent necessary to enable development to be carried out in accordance with that Plan, or with a consent granted under the Act. Certain exceptions apply. For details, refer to the clause.

NOTE: Covenants that burden neighbouring land (and which benefit the subject land) may also have been suspended. In determining a development application, the Council is not required to take into consideration whether the proposed development would comply with any applicable covenant. The Council holds no records on the existence of covenants, nor does it carry out a title search when assessing applications. The enforcement of covenants is a private matter between covenantees.

22. Unexhibited proposed environmental planning instruments

The land IS NOT AFFECTED by a resolution of the Council to endorse a planning proposal which has yet to have a gateway determination pursuant to section 56(2) of the Act.

23. Draft development control plans

A draft development control plan DOES NOT APPLY to the land. Draft plans are exhibited pursuant to Part 3 of the Environmental Planning and Assessment Regulation 2000.

24. Heritage Act 1977

The land IS NOT AFFECTED by a listing on the State Heritage Register or an Interim Heritage Order that is in force under the Heritage Act 1977.

NOTE: The above advice is provided to the extent that Council has been notified by the Heritage Council of NSW. For up-to-date details, contact the Department of Planning - Heritage Branch, Locked Bag 6020, Parramatta NSW 2124. Ph: (02) 9673 8500.

25. Listings by the National Trust of Australia

The land IS NOT AFFECTED by a listing of the National Trust of Australia (NSW).

NOTE: The above advice is provided to the extent that Council has been notified by the National Trust of Australia (NSW). For up-to-date details, contact the National Trust.

26. Australian Heritage Database

The land IS NOT AFFECTED by a listing on the Australian Heritage Database.

NOTE: The above advice is provided to the extent that Council has been notified by the Department of the Environment, Heritage, Water and the Arts. For up-to-date details, contact the Department of the Environment, Heritage, Water and the Arts, King Edward Terrace, Parkes ACT 2600. Ph (02) 6274 2111.

27. Environment Protection & Biodiversity Conservation Act 1999 (Cth)

Under the (Commonwealth) *Environment Protection and Biodiversity Conservation Act 1999*, actions which have, may have or are likely to have, a significant impact on a matter of national environmental significance may be taken only with the approval of the Commonwealth Minister for the Environment.

Approval is also required for actions that have a significant effect on the environment of Commonwealth land. These actions may be on Commonwealth land or other land.

This approval is in addition to any approvals under the (NSW) *Environmental Planning and Assessment Act 1979* or other NSW legislation.

Matters of national environmental significance are:

- declared World Heritage areas
- places included in the National Heritage List
- declared Ramsar wetlands
- listed threatened species and ecological communities
- listed migratory species
- nuclear actions
- the environment of Commonwealth marine areas.

Locations within the City of Newcastle that are a declared Ramsar wetland include Kooragang Nature Reserve and Shortland Wetlands. Listed threatened species and listed migratory species are known to occur within the City of Newcastle.

28. Other matters

The land is affected by the following:

Newcastle earthquake

Earthquakes occurred in the vicinity of Newcastle on 28th December 1989 and 6 August 1994. Buildings on the land may have suffered damage as a consequence of the earthquakes. Prospective purchasers are advised to make their own enquiries as to whether the property is affected by any damage.

Newcastle Urban Strategy

The Newcastle Urban Strategy was adopted by the Council on 11 March 1998. The contents of the Strategy will be taken into account when the Council determines development applications.

Note: The Strategy is available for purchase from Council's Customer Enquiry Centre.

Draft Master Plan for the Newcastle Civic and Cultural Precinct

This land is in the area identified in Draft Master Plan for the Newcastle Civic and Cultural Precinct. The document is on exhibition from Monday 10 November 2003 till Saturday 31 January 2004 and for further information please contact our Business Strategy Unit phone (02) 4974 2870.

Parking permit policy

This property is within the Permit Exclusion Area of the City Centre Parking Strategy adopted by Council on 25 June 2002 and updated on 16 May 2005. Residents within the Permit Exclusion Area are not eligible for resident parking permit stickers. For further information please contact Parking Services Coordinator Michael Heather on 4974 5008.

ATTACHMENTS: NONE

Issued without alterations or additions, 31/08/10.


for:
LINDY HYAM
GENERAL MANAGER



PLANNING CERTIFICATE

Section 149, Environmental Planning and Assessment Act 1979

To: THE CITY OF NEWCASTLE
PO BOX 489
NEWCASTLE NSW 2300

Certificate No: 152582
Fee Paid: \$ 100.00
Receipt No(s): 507050

Attention: PETER WAGHORN

Date of Issue: 31/08/10

The Land: LOT 174 DP 707750.
419 HUNTER ST, NEWCASTLE.

Advice provided on this Certificate:

Advice under section 149(2): see Items 1 – 17
Additional advice under section 149 (5): see Items 18 – 28

IMPORTANT: Please read this certificate carefully

This certificate contains important information about the land.

Please check for any item which could be inconsistent with the proposed use or development of the land. If there is anything you do not understand, phone Council's Customer Enquiry Centre on (02) 4974 2030, or come in and see us.

The information provided in this certificate relates only to the land described above. If you need information about adjoining or nearby land, or about the Council's development policies for the general area, contact Council's Customer Enquiry Centre.

All information provided is correct as at 31/08/2010. However, it's possible for changes to occur within a short time. We recommend that you only rely upon a very recent certificate.

The City of Newcastle

PO Box 489
NEWCASTLE 2300

Phone: (02) 4974 2000
Facsimile: (02) 4974 2505

Enquiries:
S149 Cert: (02) 4974 2511
Rates (02) 4974 2306

In person: Customer Enquiry Centre
Ground floor,
282 King Street, Newcastle

Office hours:
Mondays to Fridays 8.30 am to 5.00 pm

PART 1:

ADVICE PROVIDED UNDER SECTION 149(2)

ATTENTION: The explanatory notes appearing in italic print within Part 1 are provided to assist understanding, but do not form part of the advice provided under section 149(2). These notes shall be taken as being advice provided under section 149(5).

1. Names of relevant planning instruments and DCPs

The following environmental planning instruments, draft environmental planning instruments and development control plans apply to the land, either in full or in part.

State Environmental Planning Policy No. 6—Number of Storeys in a Building

State Environmental Planning Policy No. 10—Retention of Low-cost Rental Accommodation

State Environmental Planning Policy No. 21—Caravan Parks

State Environmental Planning Policy No. 22—Shops and Commercial Premises

State Environmental Planning Policy No. 30—Intensive Agriculture

State Environmental Planning Policy No. 32—Urban Consolidation (Redevelopment of Urban Land)

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

State Environmental Planning Policy No. 36—Manufactured Home Estates

State Environmental Planning Policy No. 44—Koala Habitat Protection

State Environmental Planning Policy No. 50—Canal Estate Development

State Environmental Planning Policy No. 55—Remediation of Land

State Environmental Planning Policy No. 62—Sustainable Aquaculture

State Environmental Planning Policy No. 64—Advertising and Signage

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

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

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

State Environmental Planning Policy (Major Development) 2005

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

State Environmental Planning Policy (Temporary Structures and Places of Public Entertainment) 2007

State Environmental Planning Policy (Infrastructure) 2007

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

State Environmental Planning Policy (Affordable Rental Housing) 2009

Newcastle City Centre Local Environmental Plan 2008

Newcastle Development Control Plan 2005

2. Zoning and land use under relevant LEPs

Newcastle City Centre Local Environmental Plan 2008

Zoning: The Newcastle City Centre Local Environmental Plan 2008 identifies the land as being within the following zone:

B4 Mixed Use Zone

The following is an extract from the zoning provisions contained in the Newcastle City Centre Local Environmental Plan 2008:

Zone B4 Mixed Use Zone

- **Objectives of zone**
 - To provide a mixture of compatible land uses.
 - To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
 - To support the higher order Commercial Core zone, while providing for the daily needs of the Mixed Use zone.
 - To encourage a diverse and compatible range of activities including:
 - commercial and retail development, and
 - cultural and entertainment facilities, and
 - tourism, leisure and recreation facilities, and
 - social, education and health services, and
 - higher density residential development.
 - To allow development along the coastline to take advantage of and retain view corridors whilst avoiding a continuous built edge along the waterfront.
 - To create opportunities to improve the public domain and pedestrian links within the Mixed Use zone.
 - To protect and enhance the unique qualities and character of special areas within the Newcastle city centre.
- **Permitted without consent**

Nil
- **Permitted with consent**

Any other development not otherwise specified in development permitted without consent and development prohibited.
- **Prohibited**

Bulky goods premises having a gross floor area greater than 400 square metres; Car parks (other than car parks required by this Plan or public car parks provided by or on behalf of the Council); Caravan parks; Cemeteries; Extractive Industries; Hazardous Industries; Hazardous storage establishments; Industries (excluding light industries); Liquid fuel depots; Mines; Offensive Industries; Offensive storage establishments; Roadside stalls; Warehouses or distribution centres; Waste management facilities.

NOTE: The above advice relates only to restrictions that apply by virtue of the zones indicated. The Newcastle City Centre Local Environmental Plan 2008 includes additional provisions that require development consent for particular types of development, or in particular circumstances, irrespective of zoning.

Minimum land dimensions for erection of a dwelling-house: The Newcastle City Centre Local Environmental Plan 2008 does not contain any development standards relating to minimum land dimensions for the erection of a dwelling-house.

Critical habitat: The Newcastle City Centre Local Environmental Plan 2008 does not identify the land as including or comprising critical habitat.

Heritage Conservation area: The land is situated within the NEWCASTLE CITY CENTRE HERITAGE CONSERVATION AREA. Refer to clause 46 of the Newcastle City Centre Local Environmental Plan 2008 for provisions relating to development within a heritage conservation area.

Heritage Items: There are no heritage items listed in Schedule 5 of the Newcastle City Centre Local Environmental Plan 2008 situated on the land.

3. Complying Development

Note Other requirements: The advice below for all Complying Development Codes, is limited to identifying whether or not the land, the subject of the certificate, is land on which complying development may be carried out because of Clause 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (the Codes SEPP). There are other requirements under the Codes SEPP that must also be satisfied to be considered as complying development. Clauses 1.17 and 1.18 of the Codes SEPP identify the general requirements to be classified as complying development.

General Housing Code

Complying development under the General Housing Code may NOT be carried out on this land. The land is affected by:

Specific land exemptions being land within a heritage conservation area.

Specific land exemptions being land that is a flood control lot.

Housing Internal Alterations Code

Complying development under the Housing Internal Alterations Code MAY be carried out on this land.

General Commercial and Industrial Code

Complying development under the General Commercial and Industrial Code MAY be carried out on this land.

Subdivision Code

Complying development under the Subdivision Code MAY be carried out on this land.

4. Coastal Protection Act 1979

The land IS AFFECTED by the operation of sections 38 or 39 of the Coastal Protection Act 1979.

5. Mine Subsidence Compensation Act 1961

The land IS within a proclaimed Mine Subsidence District under the Mine Subsidence Compensation Act 1961. The approval of the Mine Subsidence Board is required for all subdivision and building, except for certain minor structures. Surface development controls are in place to prevent damage from old, current or future mining. It is strongly recommended prospective purchasers consult with the Mine Subsidence Board regarding mine subsidence and any surface development guidelines. The Board can assist with information about mine subsidence and advise whether existing structures comply with the requirements of the Act.

NOTE: Plans of existing and abandoned mine workings are available for viewing at the Mine Subsidence Board's offices. For further clarification and details, contact the Mine Subsidence Board, 117 Bull Street, Newcastle West. Ph (02) 49084300.

6. Road widening or realignment

NOTE: The Roads and Traffic Authority may have proposals that are not referred to in this item. For advice about affectation by RTA proposals, contact the Roads and Traffic Authority, Locked Mail Bag 30 Newcastle 2300. Ph: 13 1782.

The land IS NOT AFFECTED by any road widening or road realignment under Division 2 of Part 3 of the Roads Act 1993.

The land IS NOT AFFECTED by any road widening or road realignment under an environmental planning instrument.

The land IS NOT AFFECTED by any road widening or road realignment under a resolution of the Council.

7. Policies on hazard risk restrictions

Except as stated below, the land is not affected by a policy referred to in Item 7 of Schedule 4 of the Environmental Planning and Assessment Regulation 2000 that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

Earthquake: The Council has adopted standards for earthquake resistant construction in a Local Approvals Policy titled "Building Materials & Practices Structural Quality Policy" (dated 11 July 1995). This document may be inspected or purchased at Council's Customer Enquiry Centre.

Potential acid sulphate soils: Works carried out on the land must be undertaken in accordance with clause 51 of the Newcastle City Centre Local Environmental Plan 2008.

Land Contamination: Council has adopted a policy of restricting development or imposing conditions on properties affected by Land Contamination. Refer to the Newcastle Development Control Plan 2005, which may be inspected or purchased at Council's Customer Enquiry Centre.

NOTE: The absence of a policy to restrict development of the land because of the likelihood of a particular risk does not imply that the land is free from that risk. The Council considers the likelihood of natural and man-made risks when determining development applications under section 79C of the Environmental Planning and Assessment Act 1979. Detailed investigation carried out in conjunction with the preparation or assessment of a development application may result in the Council either refusing development consent or imposing conditions of consent on the basis of risks that are not identified above.

7A. Flood related development controls Information

Council's information currently indicates that the property is, or contains, flood prone land as defined in the Floodplain Development Manual: the management of flood liable land, April 2005 published by the NSW Government.

Development of flood prone land is controlled by Element 4.3 of the Newcastle Development Control Plan 2005. The Newcastle Development Control Plan 2005 provides restrictions or imposes conditions with respect to all development of flood prone land. This includes development for the purpose of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings.

The Newcastle Development Control Plan 2005 may be inspected or purchased at Council's Customer Enquiry Centre.

NOTE: More detailed flood information specific to the property is available on separate flooding certificate application through Council's Customer Enquiry Centre on (02) 4974 2050.

8. Land reserved for acquisition

The land is not identified for acquisition by a public authority (as referred to in section 27 of the Act) by any environmental planning instrument or proposed environmental planning instrument applying to the land.

9. Contributions plans

The following contribution plan/s apply to the land.

Section 94A Development Contributions Plan 2009:

The Plan specifies section 94A contributions that may be imposed as a condition of development consent.

NOTE: Contributions plans are available on Council's website or may be inspected or purchased at Council's Customer Enquiry Centre.

9A. Biodiversity certified land

The land IS NOT biodiversity certified land within the meaning of Part 7AA of the Threatened Species Conservation Act 1995.

10. Blobanking agreements

The land IS NOT land to which a biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995 relates.

11. Bush fire prone land

The land IS NOT bush fire prone land for the purposes of the Environmental Planning and Assessment Act 1979.

12. Property vegetation plans

Not applicable. The Native Vegetation Act 2003 does not apply to the Newcastle local government area.

13. Orders under Trees (Disputes Between Neighbours) Act 2006

Council HAS NOT 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.

14. Directions under Part 3A

The land IS NOT AFFECTED by a direction by the Minister in force under section 75P (2) (c1) of the Act.

15. Site compatibility certificates and conditions for seniors housing

(a) The land IS NOT AFFECTED by a current site compatibility certificate (of which the Council is aware) issued under the State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004.

(b) The land IS NOT AFFECTED by any terms of kind referred to in clause 18(2) of the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004, that have been imposed as a condition of consent to a development application granted after 11 October, 2007 in respect of the land.

16. Site compatibility certificates for infrastructure

The land IS NOT AFFECTED by a valid site compatibility certificate (of which the Council is aware) issued under the State Environmental Planning Policy (Infrastructure) 2007.

17. Site compatibility certificates and conditions for affordable rental housing

The land IS NOT AFFECTED by a valid site compatibility certificate (of which the Council is aware) issued under the State Environmental Planning Policy (Affordable Rental Housing) 2009.

Note. There are no matters prescribed by section 59(2) of the Contaminated Land Management Act 1997 to be disclosed, however if other contamination information is held by the Council this may be provided under a section 149(5) certificate.

PART 2:

ADVICE PROVIDED UNDER SECTION 149(5)

ATTENTION: Section 149(6) of the Act states that a Council shall not incur any liability in respect of advice provided in good faith pursuant to sub-section 149(5).

18. Outstanding written request issued by Council.

The land IS NOT AFFECTED by an outstanding written request issued by Council.

NOTE: The Council has not inspected the premises immediately prior to the issue of this certificate. It is possible that the premises are affected by matters of which the Council is unaware.

NOTE: This Certificate does not include any advice regarding outstanding notices or orders issued under the Environmental Planning and Assessment Act 1979, the Local Government Act 1993 or the Swimming Pool Act 1992. To obtain advice regarding these matters, you should lodge an application for a Certificate as to Outstanding Notices and Orders (accompanied by the appropriate fee). For further information, please contact the Customer Enquiry Centre on (02) 4974 2030.

19. Development consents

Development consent HAS NOT been granted in relation to the land within the five years preceding the date of this certificate.

20. Further consent requirements under Newcastle City Centre Local Environmental Plan 2008

Attention is drawn to the following provisions of the Newcastle City Centre Local Environmental Plan 2008 that affect the need to obtain consent before carrying out of development on the land. These provisions are in addition to those required to be disclosed at Item 2 of this Certificate.

Clause 16 Subdivision - consent requirements.

Clause 17: Temporary use of land.

Clause 18 Exempt development.

Clause 19: Complying development.

Clause 44: Excavation and filling of land.

Clause 45: Preservation of trees or vegetation.

Clause 48: Development of group homes.

Clause 49: Crown development and public utilities.

Clause 60: Council development.

Existing uses: 'Existing uses' (as defined in section 106 of the Environmental Planning and Assessment Act 1979) may in specified circumstances, be enlarged, expanded, intensified, altered, extended, rebuilt or changed with development consent. See Part 5 of the Environmental Planning and Assessment Regulation 2000. These provisions are deemed by section 108(2) of the Act to be incorporated in the Newcastle City Centre Local Environmental Plan 2008.

NOTE: There are other provisions within the Newcastle City Centre Local Environmental Plan 2008 that affect the carrying out of development. If you propose to carry out development on the land, you should consider the need to obtain further professional advice regarding the full effect of the Newcastle City Centre Local Environment Plan 2008 and other environmental planning instruments.

21. Suspension of covenants

Under clause 9 of the Newcastle City Centre Local Environmental Plan 2008, any agreement, covenant or other similar instrument that restricts the carrying out of development on the land does not apply, to the extent necessary to enable development to be carried out in accordance with that Plan, or with a consent granted under the Act. Certain exceptions apply. For details, refer to the clause.

NOTE: Covenants that burden neighbouring land (and which benefit the subject land) may also have been suspended. In determining a development application, the Council is not required to take into consideration whether the proposed development would comply with any applicable covenant. The Council holds no records on the existence of covenants, nor does it carry out a title search when assessing applications. The enforcement of covenants is a private matter between covenantees.

22. Unexhibited proposed environmental planning instruments

The land IS NOT AFFECTED by a resolution of the Council to endorse a planning proposal which has yet to have a gateway determination pursuant to section 58(2) of the Act.

23. Draft development control plans

A draft development control plan DOES NOT APPLY to the land. Draft plans are exhibited pursuant to Part 3 of the Environmental Planning and Assessment Regulation 2000.

24. Heritage Act 1977

The land IS NOT AFFECTED by a listing on the State Heritage Register or an Interim Heritage Order that is in force under the Heritage Act 1977.

NOTE: The above advice is provided to the extent that Council has been notified by the Heritage Council of NSW. For up-to-date details, contact the Department of Planning - Heritage Branch, Locked Bag 5020, Parramatta NSW 2124. Ph: (02) 9873 8500.

25. Listings by the National Trust of Australia

The land IS NOT AFFECTED by a listing of the National Trust of Australia (NSW).

NOTE: The above advice is provided to the extent that Council has been notified by the National Trust of Australia (NSW). For up-to-date details, contact the National Trust.

26. Australian Heritage Database

The land IS NOT AFFECTED by a listing on the Australian Heritage Database.

NOTE: The above advice is provided to the extent that Council has been notified by the Department of the Environment, Heritage, Water and the Arts. For up-to-date details, contact the Department of the Environment, Heritage, Water and the Arts, King Edward Terrace, Parkes ACT 2600. Ph (02) 6274 2111.

27. Environment Protection & Biodiversity Conservation Act 1999 (Cth)

Under the (Commonwealth) *Environment Protection and Biodiversity Conservation Act 1999*, actions which have, may have or are likely to have, a significant impact on a matter of national environmental significance may be taken only with the approval of the Commonwealth Minister for the Environment.

Approval is also required for actions that have a significant effect on the environment of Commonwealth land. These actions may be on Commonwealth land or other land.

This approval is in addition to any approvals under the (NSW) *Environmental Planning and Assessment Act 1979* or other NSW legislation.

Matters of national environmental significance are:

- declared World Heritage areas
- places included in the National Heritage List
- declared Ramsar wetlands
- listed threatened species and ecological communities
- listed migratory species
- nuclear actions
- the environment of Commonwealth marine areas.

Locations within the City of Newcastle that are a declared Ramsar wetland include Kooragang Nature Reserve and Shortland Wetlands. Listed threatened species and listed migratory species are known to occur within the City of Newcastle.

28. Other matters

The land is affected by the following:

Newcastle earthquake