



## **APPENDIX O**

Land Contamination Assessment



Illawarra Metallurgical Coal  
Land Contamination Review

Dendrobium Mine Extension Project

24 March 2022

60867/144452 (Rev 0)

JBS&G

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## Abbreviations

Term	Definition
ACM	Asbestos Containing Material
AEC	Area of Environmental Concern
BTEX	Benzene, Toluene, Ethylbenzene and Xylene
CCL	Consolidated Coal Lease
COPC	Contaminant of Potential Concern
EPA	NSW Environmental Protection Authority
Dendrobium CPP	Dendrobium Coal Preparation Plant
ha	Hectare
IMC	Illawarra Metallurgical Coal
KVCLF	Kemira Valley Coal Loading Facility
MOP	Mining Operations Plan
OCPs	Organochlorine Pesticides
PAHs	Polycyclic Aromatic Hydrocarbons
PCBs	Polychlorinated Biphenyls
SEARs	Secretary's Environmental Assessment Requirements
Resilience and Hazards SEPP	State Environmental Planning Policy (Resilience and Hazards) 2021
South32	South32 Limited
TPH	Total Petroleum Hydrocarbons

## Executive Summary

JBS&G Australia Pty Ltd (JBS&G) was engaged by Illawarra Coal Holdings Pty Ltd (Illawarra Metallurgical Coal [IMC]), a wholly owned subsidiary of South32 Limited (South32), (the client) to undertake a review of the potential for land contamination on the land the subject of the Dendrobium Mine Extension Project (the Project).

The Project would support the extraction of approximately 31 million tonnes (Mt) of ROM coal from Area 5 within CCL 768. The life of the Project includes longwall mining in Area 5 up to approximately 31 December 2034, and ongoing use of existing surface facilities for handling of Area 3C ROM coal until 2041. IMC is seeking approval under Part 5 of the NSW *Environmental Planning and Assessment Act 1979* (EP&A Act), as the Project was declared as State Significant Infrastructure by the Minister for Planning and Public Spaces. Under Part 5 of the EP&A Act, Environmental Planning Instruments (including State Environmental Planning Policies) do not apply except where they apply to the declaration of a project as SSI. Notwithstanding, this report has been prepared in consideration of the project Secretary's Environmental Assessment Requirements (SEARs) and therefore this assessment has been prepared to meet the conditions of clause 4.6(1) of Chapter 4 of State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP) as if it applied to the Project, that is:

- whether the land is contaminated;
- if the land is contaminated whether the land is suitable for the Project; and
- if the land requires remediation whether the land will be remediated before the land is used for that purpose.

The only part of the Project that constitutes a 'change of use' under the Resilience and Hazards SEPP, and where contamination is a potential constraint, is the development of a proposed carpark for the Dendrobium Pit Top. A Stage 1 – Preliminary Investigation has been completed for this land (**Attachment A**). It is noted that the mining area, Area 5 and additional surface infrastructure proposed for the Project (i.e. infrastructure associated with mine ventilation [Shaft Site 5A] and gas management and abatement, water management and other ancillary infrastructure [including electricity transmission line, temporary water supply pipelines to the ventilation shaft site and temporary carpark facility at the Cordeaux Dam Access Road]), constitutes a 'change of use' under the Resilience and Hazards SEPP, however, contamination is not a potential constraint.

Based on the results of the assessment, and subject to the limitations stated in **Section 7**, for the Project area it is likely that any potential contamination (existing under pavement or on unsealed work and storage areas) is not significant. Preferential pathways leading off-site, where they exist, are controlled by site environmental management plans.

No remediation to make the sites suitable for supporting the proposed extension of the underground mining operations has been identified.

During any future ground disturbance works, it is recommended that work, health, safety and environmental management controls (including protocols to manage unexpected finds) should be implemented.

# 1. Introduction

## 1.1 Background

JBS&G Australia Pty Ltd (JBS&G) was engaged by Illawarra Coal Holdings Pty Ltd (Illawarra Metallurgical Coal [IMC]), a wholly owned subsidiary of South32 Limited (South32), (the client) to undertake a review of the potential for land contamination on the land the subject of the Dendrobium Mine Extension Project (the Project).

The Project would support the extraction of approximately 31 million tonnes (Mt) of ROM coal from Area 5 within CCL 768. The life of the Project includes longwall mining in Area 5 up to approximately 31 December 2034, and ongoing use of existing surface facilities for handling of Area 3C ROM coal until 2041. IMC is seeking approval under Part 5 of the NSW *Environmental Planning and Assessment Act 1979* (EP&A Act), as the Project was declared as State Significant Infrastructure by the Minister for Planning and Public Spaces. Under Part 5 of the EP&A Act, Environmental Planning Instruments (including State Environmental Planning Policies) do not apply except where they apply to the declaration of a project as SSI. It is understood that IMC intends to extend mining within the proposed future mining area known as Area 5 at the Dendrobium Mine (subject to approval), and preparation of an EIS.

Notwithstanding, this report has been prepared in consideration of the project Secretary's Environmental Assessment Requirements (SEARs) and therefore this Land Contamination Review has been prepared to satisfy the requirements of *State Environmental Planning Policy (Resilience and Hazards) 2021* (Resilience and Hazards SEPP) as if it applied to the Project. The location of Project components is shown in **Figures 1 and 2**.

## 1.2 Objectives

The objective of this Land Contamination Review supporting the proposed extension of mining operations, is to assess the conditions for meeting clause 4.6(1) of Chapter 4 of the Resilience and Hazards SEPP, therefore:

- whether the land incorporating the Project area is contaminated;
- if the land is contaminated, whether the land is suitable in its contaminated state (or will be suitable, after remediation) for the Project; and
- if the land requires remediation to be made suitable for the purpose for which the Project is proposed to be carried out, whether the land will be remediated before the land is used for that purpose.

## 1.3 Scope of Works

The scope of works completed for this assessment comprised:

- review of available historical site information with respect to the identification of areas of environmental concern (AECs) and associated contaminants of potential concern (COPCs);
- review of infrastructure information to identify site media and potential contaminant transportation pathways at the site;
- undertake an inspection of the Project area;
- develop and document a preliminary conceptual site model (CSM) upon which site characterisation may be based such that potential development constraints and potential remediation requirements may be quantified;

- preparation of a Land Contamination Review report in general accordance with relevant NSW Environmental Protection Authority (EPA) Guidelines; and
- undertake Stage 1 - Preliminary Investigations for any part of the Project that constitutes a 'change of use' and where contamination may be an issue.

## 2. Site Conditions and Surrounding Environment

### 2.1 Site Identification

Key surface infrastructure supporting the existing operations at the Dendrobium Mine include the Dendrobium Pit Top, Kemira Valley Coal Loading Facility (KVCLF), Kemira Valley Rail Line, Dendrobium Coal Preparation Plant (CPP) (located within the Port Kembla Steelworks precinct), Cordeaux Pit Top, West Cliff Stage 3 Coal Wash Emplacement and Ventilation Shafts (**Figures 1 and 2**). Public access to these areas is not permitted.

The locations of the proposed Project mining area (namely Area 5) is also shown on **Figure 2**. The Project would involve the continued use of the existing surface infrastructure, as well as the development of new surface infrastructure associated with mine ventilation (i.e. a ventilation shaft with upcast and downcast shafts) and gas management and abatement, water management and other ancillary infrastructure (including electricity transmission line, temporary water supply pipelines to the ventilation shaft site and temporary carpark facility at the Cordeaux Dam Access Road). The underground mining area (Area 5) is located within an existing mining lease (CCL 768).

The elements of the Project that constitute a 'change of use' under the Resilience and Hazards SEPP are the development of a proposed carpark for the Dendrobium Pit Top and mining Area 5.

Area 5 and additional surface infrastructure proposed for the Project (i.e. infrastructure associated with mine ventilation [Shaft Site 5A] and gas management and abatement, water management and other ancillary infrastructure [including electricity transmission line, temporary water supply pipelines to the ventilation shaft site and temporary carpark facility at the Cordeaux Dam Access Road]) is located within the Metropolitan Special Area, with special protections afforded to the area since 1880. The history of the area and a detailed inspection (see **Section 3.1** and **Attachment B**) did not identify contamination as a constraint to the development, and a preliminary contamination assessment is considered unnecessary.

Under the Resilience and Hazards SEPP the proposed carpark for the Dendrobium Pit Top component of the Project does warrant a preliminary contamination assessment and this is addressed separately in a Stage 1 - Preliminary Investigation provided in **Attachment A**.

### 2.2 Site Description

The Dendrobium Pit Top provides administration, workshop, and people and materials access via the Dendrobium Tunnel to the underground workings and covers an area of approximately 9 hectares (ha). The Dendrobium Pit Top area is predominantly cleared of natural vegetation with some remnant stands of trees remaining on site. A relatively large proportion of the Dendrobium Pit Top working and storage area is sealed. The site property boundary is characterised by steep and densely wooded areas.

The site is in proximity to the Mount Kembla Village and Kembla Heights communities.

The facility includes:

- administration buildings and offices;
- bathhouses, both permanent and demountable structures;
- workshop, machinery and equipment storage areas;
- current Men and Materials portal access to the underground workings via the Dendrobium Tunnel;

- five disused portals (under jurisdiction of NRE Wongawilli Colliery and sealed in 2009);
- main transport shelter;
- a sediment pond and stormwater drainage infrastructure;
- a grey water treatment and oily water separation facility;
- fuel and oil storages;
- substation;
- wash bay;
- car park; and
- Dendrobium Tunnel subsidence repair area – Harry Graham Drive.

The dominant drainage feature is American Creek and this effectively forms the south-eastern boundary to the Dendrobium Pit Top. Clean runoff water from upslope of the site is diverted into this creek as part of the site water management strategy.

It is inferred that the Dendrobium Pit Top benches were possibly constructed with sedimentary rock spoil from mining development activity. The Dendrobium Pit Top trafficable surfaces have been stabilised over time as required with road bases and gravels.

General site runoff termed as “dirty runoff” is drained to the site oily waste treatment plant and sediment pond located on the lower bench.

Treated water is reused underground in the mining operation as per the site’s water management plan. Due to this water management strategy, it is understood the sediment pond discharges infrequently and only in heavy rainfall events.

The KVCLF is approximately 9 ha in area and used for the coal clearance via the Kemira Valley Tunnel, as well as stockpiling and train loading for transport to the Dendrobium CPP via the Kemira Valley Rail Line. The KVCLF is a cleared site with rehabilitated areas predominantly grassed. The majority of roads on the site are sealed.

The KVCLF is in Kemira Valley which has been formed by Brandy and Water Creek and its tributaries draining from the steep escarpment slopes above. Clean runoff from above the site is diverted into Brandy and Water Creek, which flows through the northern edge of the site.

The site has been partly filled with coal wash in the flat areas and other fill materials (e.g. basalt, rock slag), particularly beneath the railway embankment.

The KVCLF borders naturally vegetated areas (escarpment) to the north and west and grassed pastoral lands to the east.

The facility includes:

- the Kemira Valley Bulk Haulage Portal ;
- access road to portal;
- sheds;
- water pipeline to Allans Creek;
- coal conveyor;

- rill tower;
- sediment basins, buffer dam and dosing plant;
- retaining walls;
- substation;
- culverts;
- train loading facility;
- coal sizer;
- a 150,000-tonne capacity stockpile; and
- the Kemira Valley Rail Line.

The Kemira Valley Rail Line from the KVCLF travels eastward down a private rail easement to the Dendrobium CPP.

The Dendrobium CPP is located on reclaimed coastal land within BlueScope Steel's Port Kembla Steelworks on land owned by BlueScope Steel, and contains large storage areas for raw and clean coal. The coal wash from the Dendrobium CPP is emplaced as landfill at the West Cliff Stage 3 Coal Wash Emplacement if alternative beneficial uses cannot be found.

Existing ventilation shafts associated with the underground mining operations are:

- Dendrobium No. 1 Shaft – downcast ventilation shaft providing fresh air to the mine; and
- Dendrobium No. 2 (downcast) and No. 3 (upcast) Shafts.

Dendrobium No. 1 Shaft is on private freehold land owned by Dendrobium Coal Pty Ltd, while Dendrobium No. 2 and No. 3 Shafts are located on freehold land owned and managed by WaterNSW.

Dendrobium No.1 Shaft occupies an area of approximately 2 ha and the site is surrounded by natural bushland, with access by unsealed road. The majority of infrastructure at this site has been removed. Remaining infrastructure includes:

- a substation compound (with only footings and some cables remaining);
- associated services and access road; and
- hardstand area.

Dendrobium No. 2 and No. 3 Shafts occupy an area of approximately 6 ha and are accessed via the unsealed Fire Trail 6C. The site is surrounded by bushland. The facility includes:

- one upcast ventilation shaft;
- two switch-rooms and fan-houses;
- one downcast ventilation shaft;
- three Fans;
- a substation;
- associated services and access road;
- two concrete bridges;

- hardstand area;
- communications borehole and pit; and
- four sedimentation ponds.

The Cordeaux Pit Top is within an area of approximately 10.7 ha and is located adjacent to Picton Road within the Metropolitan Special Area. Vegetation at the Cordeaux Pit Top predominantly consists of patches of introduced species as landscaping around road and hardstand areas. The site is surrounded by eucalypt forest.

The site is in care and maintenance, and infrastructure used during the operation of the Cordeaux Colliery remains at the Cordeaux Pit Top. Existing infrastructure is currently used as a storage facility and office space, for the undertaking of mining support services such as environmental, survey and exploration activities within South32 tenements which would continue for the Project.

The underground mining areas, namely Area 5, and the proposed ventilation shaft including additional surface infrastructure proposed for the Project (i.e. infrastructure associated with mine ventilation [Shaft Site 5A] and gas management and abatement, water management and other ancillary infrastructure [including electricity transmission line, temporary water supply pipelines to the ventilation shaft site and temporary carpark facility at the Cordeaux Dam Access Road]) are located within the Metropolitan Special Area which is a declared catchment area under the *Water NSW Act 2014*. Special protections were afforded to the catchment areas surrounding dams constructed under the Upper Nepean Scheme, which commenced in 1880. Complete exclusion or restricted access was mandated by the Water Board. At the time of Upper Nepean Scheme gazettal, much of the land which now makes up the Upper Nepean catchment area was unalienated Crown land where little development had occurred.

Since 1991, Area 5 (and the additional surface infrastructure proposed for the Project as discussed above) has been under a mining lease and the subject of exploration activities in accordance with Water NSW Special Areas Activities Approvals. The history of these areas does not indicate that contamination is an issue and a preliminary investigation was not considered necessary. The status of the area was confirmed by a detailed site inspection undertaken by a suitably qualified and experienced environmental consultant (see **Section 3.1**, **Table 3.1** and **Attachment B**).

### 3. Conceptual Site Model

#### 3.1 Potential Land Contaminating Activities

In order to assess the potential for historic or current activities within key surface infrastructure areas the following reports were reviewed:

- South32 Limited, Land Contamination Review, Dendrobium Mine - Plan for the Future: Coal for Steelmaking, JBS&G Australia Pty Ltd (54463 – 113139 (Rev 0), 15 April 2019).
- Environmental Management Strategy, Dendrobium Mine (Version 4, October 2017).
- Dendrobium Mine – Plan for the Future: Coal for Steelmaking Preliminary Environmental Assessment (December 2016).
- Dendrobium Mine and Cordeaux Colliery Closure Plan (September 2016).
- Field Team Emergency Preparedness and Response Plan, Exploration (Version 3, September 2016).
- Mining Operations Plan (MOP) for the Dendrobium Mine Site and Cordeaux Colliery (June 2015).
- Bush Fire Management Plan – Dendrobium Mine (March 2012).
- Preliminary Contamination Assessment of Dendrobium Mine and Kemira Valley Coal Loading Facility, Basix Environmental Solutions (March 2010).
- Preliminary Contamination Assessment of Cordeaux Colliery Pit Top and No. 3 Shaft Sites, Basix Environmental Solutions (March 2010).
- Contaminated Land Assessment, Dendrobium Mine, SEMF Pty Ltd (SEMF) (May 2010).
- Contamination Assessment, Dendrobium Mine, SEMF (October 2009).

Based on information included in these reports, potential areas of concern and associated contaminants of concern in various areas have been identified as nominated in **Table 3.1**.

**Table 3.1 Areas of Environmental Concern and Associated Contaminants of Potential Concern**

Potential Contaminating Activities	Commentary
<b><i>Dendrobium Pit Top</i></b>	
Leakage of fuel and oil storage and dispensing facilities (particularly diesel and oil). Leakage of oily wastes from oil sumps and oil treatment plant (at the Dendrobium Pit Top) due to deterioration of holding tanks (e.g. cracks etc.).	With the exception of the oily waste tank, no historical underground petroleum storage infrastructure known. The oily waste tank near the Dendrobium Pit Top sediment pond has undergone a contamination assessment of surrounding soil by SEMF (2009). No issues were identified. There is an alarm on SCADA for the Dendrobium Pit Top oily waste tank at the waste water treatment plant to minimise potential overfilling. Historical above ground diesel storage was not banded, however, contemporary storages are banded. Drummed oils are stored in banded and/or on sealed areas in temporary bunds.
Contamination from historical and current spills (e.g. spills during general operations such as maintenance/storage of oily equipment on site such as miners, drift runners).	No significant spill events identified. Potential oily water from the sealed area surrounding the workshop drains to the oily waste treatment plant located on the lower bench adjacent to the sediment pond. Sediment pond has an oil boom in place. In addition to the permanent banded areas, portable bunds are used for transient storage or transportation of oils and fuels around the site. Weekly site inspections include assessment of any spills. Spill kits in all likely spill areas. Spill response and site awareness training is conducted on an annual basis at the Southern Mines Rescue Service refresher training.

Potential Contaminating Activities	Commentary
	Emergency 'Mock' scenarios are undertaken with site personnel – some of these scenarios involve containing large spills on site.
Inappropriate landfilling with non-inert wastes	The location of the sediment pond and oily waste treatment plant is located on deep deposits of spent shale from the former Pioneer Kerosene Works (1865-1878), however assessments (SEMF, 2009) did not identify any elevated contaminant concentrations associated with the fill.  Periodic clean out of site sediment traps (as required) and sediment pond (every 2-5yrs as required) attenuates build-up of high contaminant concentrations.
Historic disposal of incinerated ash or other waste (e.g. oils) from old incineration & related waste disposal practices.	The incinerator location is now a sealed car park and migration of potential soil contamination off-site or exposure to persons would be significantly attenuated.
It is understood that on at least one occasion used transformer oil may have been disposed of down the bank of American Creek near the incinerator site (located at the present car park about 20 m north of site entry) between 1969 and 1975 when the incinerator is understood to have been operating. The area is also understood to have been used for transformer oil storage.	The analytical results returned from the limited sampling conducted in May 2010 (SEMF) returned non-detect levels for the majority of analytes tested. Benzene, Toluene, Ethylbenzene and Xylene (BTEX), Polychlorinated Biphenyls (PCBs) and phenols all returned non-detect values. Polycyclic Aromatic Hydrocarbons (PAHs) returned concentrations for a number of individual analytes in both of the deeper borehole samples; however, these concentrations were below the respective guideline criteria. Various Total Petroleum Hydrocarbons (TPH) fractions were detected in both of the deeper borehole samples (0.5 m; however, these concentrations were below the current guideline criteria (National Environmental Protection Measures, 2013).  This area is covered with healthy vegetation.
<b>Kemira Valley Coal Loading Facility</b>	
The site has been partly filled with coal wash in the flat areas and other fill materials (e.g. basalt, rock slag), particularly beneath the railway embankment.	Site runoff and runoff from the coal stockpile is received by the two treatment and holding ponds on site (referred to as the Buffer Dam and Sediment Pond). Discharge from the sediment pond is avoided where possible but is occasionally released as necessary in high rainfall periods.
Investigations (Basix, 2010) had identified staining on the railway line and some oil drops from used drums under the conveyor near the portal has been observed.	It was considered that the hydrocarbon contamination was localised and minor and did not represent any significant environmental or health threat.
<b>Kemira Valley Rail Line</b>	
Spills and leaks from coal transport by trains at KVCLF. Note: Oily residue was visible on train track ballast during earlier investigation. At the time, there were two known grease pots along the line (which grease the rail tracks) and so there may be some contamination at these locations (Basix, 2010).	It is inferred there may be low levels of hydrocarbon contamination along parts of the track.
<b>Dendrobium CPP</b>	
The site is located wholly within the Port Kembla Steelworks precinct which consists of heavy industrial plant surrounded by coal storage stockpiles, conveyors, access roads, buildings and other industrial plant infrastructure associated with the steelworks.  Possible sources of contamination include: <ul style="list-style-type: none"> <li>• pump stations and flocculation dosing stations;</li> <li>• diesel tanks, soluble oil tanks, chemical storages;</li> <li>• workshop area, wash down areas;</li> <li>• coal loading areas and car parks;</li> <li>• substation transformers;</li> <li>• treatment ponds;</li> <li>• storm water, sediment, treatment and mine water ponds and pond beds; and</li> <li>• stockpile areas.</li> </ul> Coal wash produced is classified as an inert waste and is able to be directly deposited to landfill without further processing.	Most of the Dendrobium CPP site is covered by concrete hard stand areas, buildings or the (lined) Webb's Lagoon, and some stockpile areas are covered by well compacted, low permeability coal, coal refuse or other fill layers. There are still, however, some potential losses to the shallow groundwater system in this area.  The coal blending yards and raw coal stockpiles both have a dirty surface runoff drainage system discharging to a long settling basin which is also known as Webb's Lagoon. After first settling in the primary and secondary basins, excess surface water discharges via an EPA licensed discharge point.

Potential Contaminating Activities	Commentary
<b>Dendrobium Ventilation Shafts</b>	
<i>In-situ</i> corrosion of existing lead painted, galvanised metal structures present an ongoing potential contamination risk.	Clean water is diverted around the sites. Sediment ponds with underflow drainage are installed to control sediment transfer off site.
There is no above or underground bulk fuel or oil storages on site, however, minor lubricant/fuel staining of building floors has been observed at similar installations.	Any clean water from seepage generated on site is directed away from the sediment ponds.
<b>Cordeaux Pit Top</b>	
Possible sources of historic contamination at Cordeaux Pit Top include: <ul style="list-style-type: none"> <li>• chemical dosing plant and storage areas;</li> <li>• diesel tanks, soluble oil tanks, and waste oil tanks;</li> <li>• workshop area;</li> <li>• coal loading area;</li> <li>• coal bins; and</li> <li>• substation transformers and compressor buildings.</li> </ul>	Large areas are permanently covered by pavements and buildings, with vegetation on unsealed areas. Hydrocarbon/chemical storages are generally bunded. A former underground diesel storage was monitored and had no issues recorded, however was replaced. The current underground diesel tank has volume monitoring monthly to assist loss detection. Drainage around the workshop area and fuelling facility drains to the oily water treatment system. The system is pumped out by a licensed contractor on an as needs basis, while cleaner water from the system is discharged to a primary separator lagoon via the grease trap inlet. Reportedly a small area receiving runoff from the substation had vegetation growth inhibited due to leachate and/or precipitate from slag fill used as the base of the substation.
Rainfall runoff	The surface facilities at the Cordeaux Pit Top have been designed to prevent dirty water runoff from the Cordeaux Pit Top entering the Metropolitan Special Area. Due to the cessation of mining activities, the amount of dirty water generated at the surface facilities has significantly reduced. Water from potentially dirty areas is retained within the mine water holding dams/lagoons, with the overflow from these dams being directed into the mine's underground workings, thereby negating the need for surface disposal except during heavy rainfall events. Rain water runoff from clean areas (such as sealed carpark areas and high side site perimeter diversion drains) is drained to an underflow discharge sand filter lagoon system on site and passively discharged into Cordeaux Creek.
<b>Underground Mining Area 5, Proposed Surface Infrastructure (Ventilation Shaft Area [Shaft Site No. 5A], Water Pipeline/Pump Station from Cordeaux River, Cordeaux Dam Access Road Temporary Car Park, Electrical Transmission Line and the Mine Water Extraction Borehole Site and associated pipeline)</b>	
Original vegetation remains over most of the area, except for fire trails, Picton Road, Cordeaux Dam Access Road, powerlines, underground gas main, public picnic and lookout area, and the Maldon-Dombarton rail corridor, as well as other minor disturbances. The area has been subject to extensive exploration activities as part of the proposed mining.	The infrastructure crossing the area has the potential to impact soils and surface runoff, however, WaterNSW provides close management of the area to prevent and mitigate the potential impacts. In relation to assessment and exploration activities by IMC, the conditions of an Activities Approvals from WaterNSW have been implemented, in part, to minimise the risk of environmental impacts and ensure compliance with environmental requirements. This has been inclusive of minimising risk of fuels and lubricants entering sensitive watercourses/stored water, controlling the use of chemicals, and restoring areas to pre-activity state. To facilitate management of environmental incidents (if any), IMC personnel and contractors involved in field activities undergo an induction process before field activities are undertaken, which includes the presentation of a preparedness and response plan, as well as the Illawarra Coal Project Occupational Health, Safety and Environmental Management Plan. A detailed site inspection undertaken on 14 June 2018 and 4 August 2021 identified minor potential contamination issues within an extensive bushland water catchment: the potential use of exploratory bore drilling; and filling used in rail and road formations (see <b>Attachment B</b> ). The inspection did not identify any land contamination that would preclude the development, nor land activities listed in Table 1 of the Resilience and Hazards SEPP as potentially a cause of contamination.

Based on the potential land contaminating activities outlined in **Table 3.1**, contaminants of potential concern (COPC) are metals, petroleum hydrocarbons (as TRH/BTEX and PAHs), Organochlorine Pesticides (OCPs), PCBs and asbestos.

### 3.2 Potentially Contaminated Media

Based on the potential land contaminating activities outlined in **Table 3.1**, soil and fill material in the sites are considered to be a potentially contaminated media based upon:

- the handling, storage and use of petroleum and other chemical products;
- the potential for fill material at the site to contain waste materials associated with historical site activities, including building demolition;
- the historical presence of electrical equipment containing PCBs (particularly transformers);
- the potential application of pesticides as part of building and rail maintenance;
- the presence of Asbestos Containing Material (ACM) from its use in buildings and utilities; and
- presence of galvanised and lead painted structures.

Mobilisation of contamination into groundwater from potential shallow contamination under paved surfaces would be greatly reduced by the reduction in infiltration caused by the paved surfaces.

### 3.3 Potential for Migration

Contaminants generally migrate from site via a combination of windblown dusts, rainwater infiltration, groundwater migration and surface water runoff. The potential for contaminants to migrate is a combination of:

- the nature of the contaminants (solid/liquid and mobility characteristics);
- the extent of the contaminants (isolated or widespread);
- the location of the contaminants (surface soils or at depth); and
- the site topography, geology, hydrology and hydrogeology.

The potential contaminants identified as part of the site history review and previous investigations are generally in either a solid form (e.g. heavy metals, asbestos, etc.) or liquid form (e.g. fuel, lubricants, pesticides, transformer oils, etc.).

Given the current ground surface (paved or vegetated) at the sites, the potential for:

- migration of solid contaminants via windblown dust is considered low; and
- hydrocarbon and heavy metal soil contamination, if present, is likely to be shallow and relatively localised. Pockets of such contamination from past activities, if they exist under the existing paved surfaces, would present a low risk of potential harm to environment and health.

Mobilisation of potential contamination is mitigated by the oil, soil and water management systems on the various sites.

The migration of contaminants into groundwater from potential shallow contamination under paved surfaces (if any), would be greatly attenuated by the reduction in infiltration as a result of paved surfaces.

### 3.4 Potential Exposure Pathways

Based on the COPCs identified in soils (as discussed above), the existing site uses, as well as consideration of future site development activities, the exposure pathways considered to be

potentially complete during and following development works are the potential dermal and oral contacts to impacted soils. These may be present at shallow depths and/or accessible by future service excavations across the extent of the sites.

### **3.5 Receptors**

Potential receptors of contaminant media at the sites, and which are addressed by current Workplace Health & Safety and environmental management plans, include:

- excavation/construction/maintenance workers conducting activities at, or in the vicinity of the sites, who may potentially be exposed to COPCs through direct contact with impacted soils and/or groundwater present within excavations and/or inhalation of dusts/fibres associated with impacted soils;
- site users of open space and landscaped areas or non-paved areas whom may potentially be exposed to COPCs through direct contact with impacted soils and/or inhalation of dusts/fibres associated with impacted soils; and/or
- the downstream environments.

### **3.6 Preferential Pathways**

For the purpose of this assessment, preferential pathways have been identified as natural and/or man-made pathways that result in the preferential migration of COPCs as either associated with sediments or liquids. Man-made preferential pathways would principally be overland or piped stormwater flows which are currently controlled by site environmental management plans.

## 4. Future Changes of Land Use

The Project would use existing Dendrobium Mine surface facilities, as well as involve the following surface activities within Area 5:

- development of surface infrastructure associated with mine ventilation and gas management and abatement, and other ancillary infrastructure, including one additional ventilation shaft site to support Area 5 (Shaft Site No 5A);
- monitoring, rehabilitation and remediation of subsidence and other mining effects;
- development associated with exploration in Area 5;
- use of existing road easement as a temporary construction carpark adjacent to Cordeaux Dam Road;
- development of an electricity transmission line along Fire Trail No. 6 to Site No. 5A;
- installation of a water supply pipeline and pumping station from Cordeaux River to Shaft No. 5A along Fire Trail No. 6;
- installation of a water supply pipeline from an existing borehole site to Shaft No. 5A; and
- other associated minor infrastructure, plant, equipment and activities.

Upgrades to existing infrastructure which are required to support the Project would be progressively developed in parallel with ongoing mining operations. Apart from the proposed carpark at the Dendrobium Pit Top (see **Attachment A**), upgrades to existing surface facilities would occur within the current disturbance footprint.

Following completion of Project activities, a number of post-mining land uses have been considered and may be appropriate if agreed with the final landholder and relevant stakeholders. The final land uses considered for various components of the Project include:

- Native vegetation/conservation.
- Light/heavy industrial land uses (Dendrobium CPP).
- Special-purpose historical tourism (Pit Tops and KVCLF).
- Continuation of use of the Kemira Valley Rail Line for materials handling/transportation.
- Rail terminus/line for tourist activity (KVCLF and Kemira Valley Rail Line).
- Residential development opportunities in land surrounding the Dendrobium Pit Top.
- Pastoral land.
- Wildlife/green corridor (Kemira Valley Rail Line).

With a change of land use, remediation of the land may be required to render the land suitable for these uses.

As a component of the MOP for the Dendrobium Mine, rehabilitation planning for when mining ceases is considered. For the key infrastructure, it is envisaged that all infrastructure is removed to ensure the sites are safe and free of hazardous materials (subject to heritage and alternative end land use considerations) and the sites are non-polluting in relation to water quality and soil contamination.

## 5. Conclusions

Based on the assessment of existing site information, and subject to the limitations stated in **Section 7**, for the land contamination review supporting the proposed Project, it is likely that any potential contamination (existing under pavements or on unsealed work and storage areas) is not significant, and not likely to migrate off-site. Preferential pathways, where they exist, are controlled by the implementation of site environmental management plans.

No requirement for remediation measures to make the sites suitable for supporting the proposed extension of the underground mining operations has been identified.

During any future ground disturbance works, it is recommended that work, health, safety and environmental management controls (including protocols to manage unexpected finds) should be implemented.

With a change of land use after mining ceases in the future, remediation of the land may be required to render the land suitable for alternative land uses.

## 6. References

- Bush Fire Management Plan – Dendrobium Mine. Illawarra Coal, March 2012, Ref. DENMP0034 Version 4.
- Consultants reporting on contaminated land, Contaminated land guidelines. NSW EPA, 2020.
- Contaminated Land Assessment, Dendrobium Mine. SEMF Pty Ltd, May 2010, Project No: 3578.008.
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- Dendrobium Mine and Cordeaux Colliery Closure Plan. South32 Limited, September 2016.
- Dendrobium Mine – Plan for the Future: Coal for Steelmaking Preliminary Environmental Assessment. South32 Limited, December 2016, Ref. 00812397.
- Environmental Management Strategy, Dendrobium Mine. South32 Limited (Version 4), October 2017, Ref. DENMP0039.
- Field Team Emergency Preparedness and Response Plan, Exploration. South32 Limited, September 2016, Version 3.
- Mining Operations Plan for the Dendrobium Mine Site and Cordeaux Colliery. South32 Limited, June 2015.
- National Environment Protection (Investigation of Site Contamination) Amendment Measure. National Environment Protection Council, 2013.
- Preliminary Contamination Assessment of Cordeaux Colliery Pit Top and No. 3 Shaft Sites, Basix Environmental Solutions, March 2010, Rev0.
- Preliminary Contamination Assessment of Dendrobium Mine and Kemira Valley Coal Loading Facility. Basix Environmental Solutions, March 2010, Ref. Report 1001 Rev 0.
- State Environmental Planning Policy (Resilience and Hazards) 2021. NSW State Government, 2021.

## 7. Limitations

This report has been prepared for use by the client who has commissioned the works in accordance with the project brief only, and has been based in part on information obtained from the client and other parties.

The advice herein relates only to this project and all results conclusions and recommendations made should be reviewed by a competent person with experience in environmental investigations, before being used for any other purpose.

JBS&G accepts no liability for use or interpretation by any person or body other than the client who commissioned the works. This report should not be reproduced without prior approval by the client, or amended in any way without prior approval by JBS&G, and should not be relied upon by other parties, who should make their own enquires.

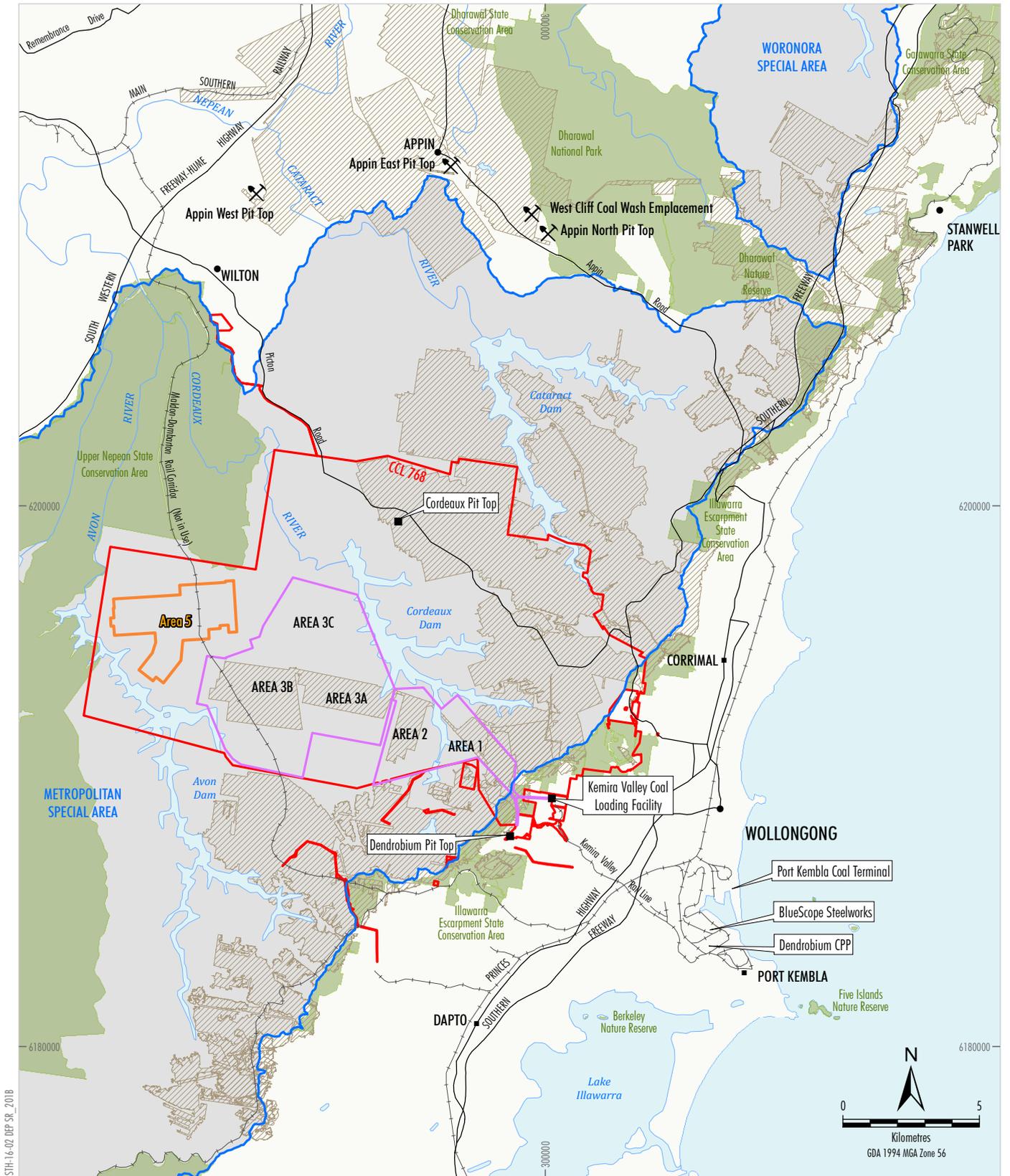
Sampling and chemical analysis of environmental media is based on appropriate guidance documents made and approved by the relevant regulatory authorities. Conclusions arising from the review and assessment of environmental data are based on the sampling and analysis considered appropriate based on the regulatory requirements.

Limited sampling and laboratory analyses were undertaken as part of the investigations undertaken, as described herein. Ground conditions between sampling locations and media may vary, and this should be considered when extrapolating between sampling points. Chemical analytes are based on the information detailed in the site history. Further chemicals or categories of chemicals may exist at the site, which were not identified in the site history and which may not be expected at the site.

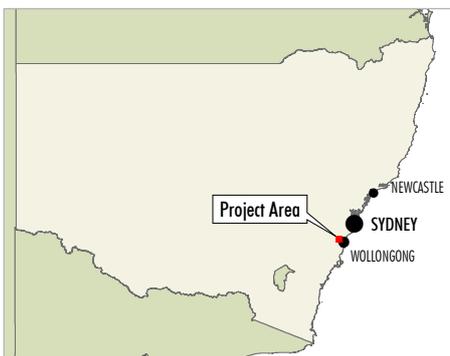
Changes to the subsurface conditions may occur subsequent to the investigations described herein, through natural processes or through the intentional or accidental addition of contaminants. The conclusions and recommendations reached in this report are based on the information obtained at the time of the investigations.

This report does not provide a complete assessment of the environmental status of the site, and it is limited to the scope defined herein. Should information become available regarding conditions at the site including previously unknown sources of contamination, JBS&G reserves the right to review the report in the context of the additional information.

## Figures



SIH-16-02 DEP SR 2018



- LEGEND**
- Dendrobium Mining Lease
  - Road
  - Railway
  - National Park, Nature Reserve and State Conservation Area
  - Historic Mine Workings
  - Declared Catchment Area
  - Dendrobium Underground Mining Area - Existing Mine (DA 60-03-2001)
  - Dendrobium Underground Mining Area Extension Project

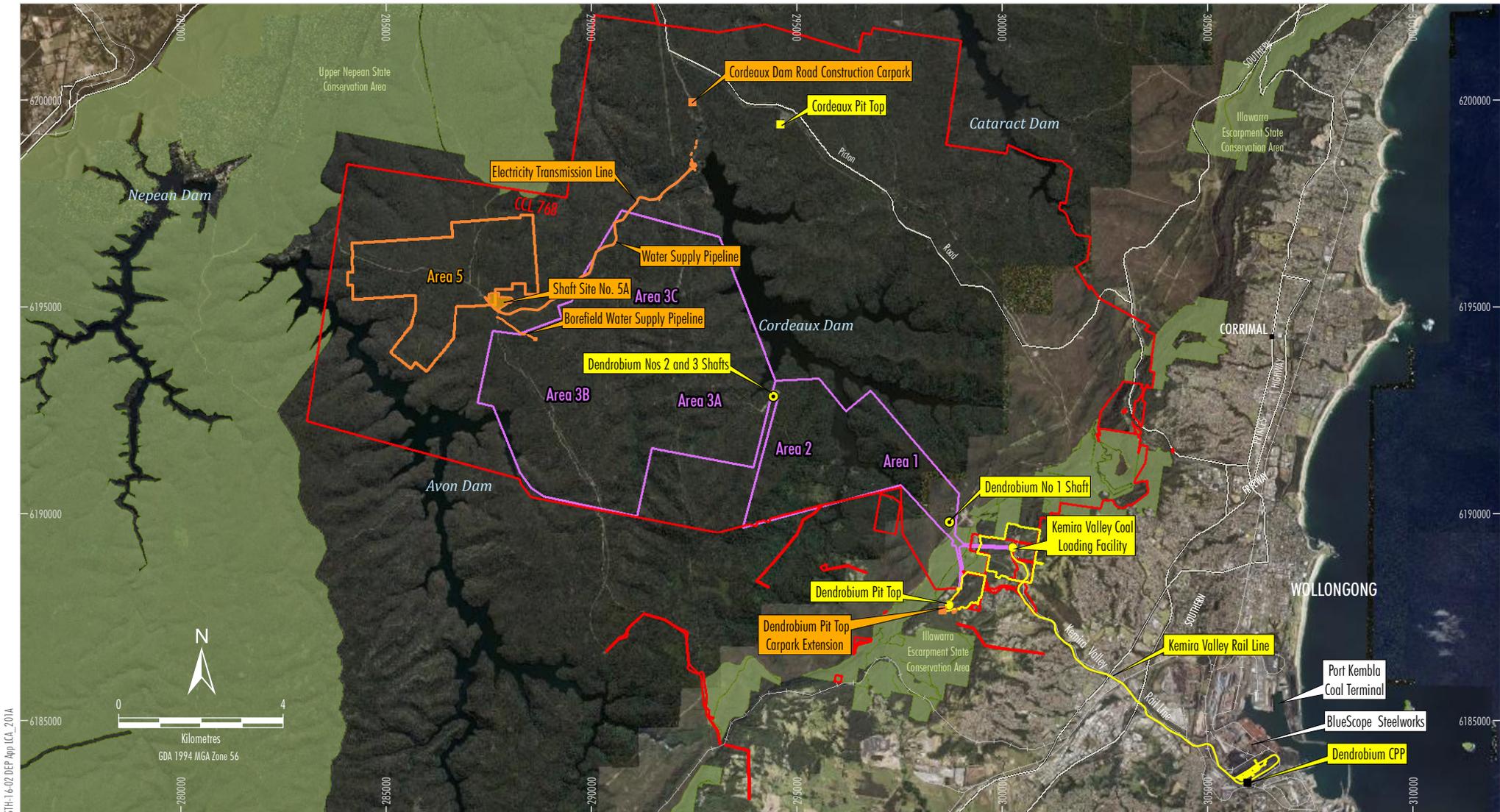
Source: Geoscience Australia, (2006); Department of Industry (2018); Department Finance, Services & Innovation (2018);



Illawarra Coal

**D E N D R O B I U M M I N E**  
Regional Location

**Figure 1**



SIH-16-02 DEP App LCA 201A

- |   |  |
|---|--|
| <b>LEGEND</b>   | <b>Dendrobium Mine Extension Project</b>   |
| <span style="border: 1px solid red; display: inline-block; width: 20px; height: 10px;"></span> Dendrobium Mining Lease  | <span style="border: 1px solid orange; display: inline-block; width: 20px; height: 10px;"></span> Underground Mining Area                                  |
| <span style="border-bottom: 1px solid black; width: 20px; display: inline-block;"></span> Road  | <span style="border: 1px solid yellow; display: inline-block; width: 20px; height: 10px;"></span> Surface Facilities (Existing Dendrobium Mine)            |
| <span style="border-bottom: 1px dashed black; width: 20px; display: inline-block;"></span> Railway  | <span style="border-bottom: 1px solid orange; width: 20px; display: inline-block;"></span> Surface Facilities (Proposed Dendrobium Mine Extension Project) |
| <span style="background-color: #90EE90; border: 1px solid black; display: inline-block; width: 20px; height: 10px;"></span> National Park, Nature Reserve and State Conservation Area |  |
| <span style="border: 1px solid purple; display: inline-block; width: 20px; height: 10px;"></span> Dendrobium Mine   |  |
| <span style="border: 1px solid purple; display: inline-block; width: 20px; height: 10px;"></span> Dendrobium Underground Mining Area - Existing Mine (DA 60-03-2001)                  |  |

Source: Geoscience Australia, (2006); Department of Industry (2018); Department Finance, Services & Innovation (2018);



**DENDROBIUM MINE**  
**General Arrangement**  
**Dendrobium Mine Extension Project**

**Figure 2**

## **Appendix A Stage 1 Preliminary Assessment of Proposed Carpark**



Illawarra Metallurgical Coal  
Stage 1 Preliminary Assessment of Proposed Carpark

24 March 2022

60867/144451(Rev 0)

JBS&G

Illawarra Metallurgical Coal  
Stage 1 Preliminary Assessment of Proposed Carpark

24 March 2022

60867/144451 (Rev 0)  
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Appendix B Registered Groundwater Bore Search Results

Appendix C Historical Aerial Photographs

Appendix D Historical Title Records

Appendix E EPA Database Records Search Results

Appendix F NSW and Australian Heritage Registers Information

Appendix G Local History Walking Tour Guide

Appendix H Wollongong City Council Planning Certificate

## Abbreviations

Term	Definition
ACM	Asbestos Containing Material
AEC	Area of Environmental Concern
BTEX	Benzene, Toluene, Ethylbenzene and Xylene
COPC	Contaminant of Potential Concern
CSM	Conceptual Site Model
EPA	NSW Environmental Protection Authority
IMC	Illawarra Metallurgical Coal
km	kilometres
kV	kilovolts
mAHD	metres Australian Height Datum
m <sup>2</sup>	square metres
mm	millimetres
NEPC	National Environment Protection Council
OCPs	Organochlorine Pesticides
PAHs	Polycyclic Aromatic Hydrocarbons
PCBs	Polychlorinated Biphenyls
POEO Act	Protection of the Environment Operations Act 1997
Resilience and Hazards SEPP	State Environmental Planning Policy (Resilience and Hazards) 2021
South32	South32 Limited
TPH	Total Petroleum Hydrocarbons
WCC	Wollongong City Council
°C	Degrees Celsius

## Executive Summary

JBS&G Australia Pty Ltd (JBS&G) was engaged by Illawarra Coal Holdings Pty Ltd (Illawarra Metallurgical Coal [IMC]), a wholly owned subsidiary of South32 Limited (South32), (the client) to undertake a Land Contamination Assessment of a proposed carpark associated with the Dendrobium Mine Extension Project (the Project).

Based on the results of the Stage 1 - Preliminary Investigation, and subject to the limitations stated in **Section 6**, there is a low potential for the site to have become contaminated as a result of historical and/or current site uses.

Based on the review of available information and site inspection, no contamination which would preclude the development of the site as a carpark has been identified.

It is recommended that work, health, safety and environmental management controls (including protocols to manage unexpected finds) should be implemented during any future ground disturbance works.

# 1. Introduction

## 1.1 Background

JBS&G Australia Pty Ltd (JBS&G) was engaged by Illawarra Coal Holdings Pty Ltd (Illawarra Metallurgical Coal [IMC]), a wholly owned subsidiary of South32 Limited (South32), (the client) to undertake a Land Contamination Assessment of a proposed carpark associated with the Dendrobium Mine Plan Extension Project (the Project).

The Project would support the extraction of approximately 31 million tonnes (Mt) of ROM coal from Area 5 within CCL 768. The life of the Project includes longwall mining in Area 5 up to approximately 31 December 2034, and ongoing use of existing surface facilities for handling of Area 3C ROM coal until 2041.

IMC is seeking approval under Part 5 of the NSW *Environmental Planning and Assessment Act 1979* (EP&A Act), as the Project was declared as State Significant Infrastructure by the Minister for Planning and Public Spaces. Under Part 5 of the EP&A Act, Environmental Planning Instruments (including State Environmental Planning Policies) do not apply except where they apply to the declaration of a project as SSI. Notwithstanding, this assessment has been prepared to meet the conditions of clause 4.6(1) of Chapter 4 of State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP) as if it applied to the Project.

It is understood that IMC intends to extend mining within Area 5 at the Dendrobium Mine (subject to approval). The only part of the Project that constitutes a 'change of use' under the Resilience and Hazards SEPP (as if it applied to the Project), and contamination is a potential constraint, is the development of a proposed carpark for the Dendrobium Pit Top.

Preparation of a Land Contamination Assessment is required for the proposed carpark to satisfy the requirements of the Resilience and Hazards SEPP, as if it applied to the Project. The location of the carpark is shown in **Figures 1** and **2**. It is noted that the mining area, Area 5, constitutes a 'change of use' under SEPP 55 (as if it applied to the Project), however, land contamination is not a potential constraint.

The scope of the assessment has been developed in general accordance with relevant guidelines made or approved by the NSW Environment Protection Authority (EPA).

## 1.2 Objectives

The objective of the Land Contamination Assessment is to complete a "Stage 1 - Preliminary Investigation" for the proposed carpark expansion area in accordance with the Managing Land Contamination, Planning Guidelines, SEPP 55 – Remediation of Land, National Environment Protection (Investigation of Site Contamination) Amendment Measure 1999, National Environment Protection Council (NEPC, 2013) and the NSW EPA (2020) guidelines for Consultants Reporting on Contaminated Land. This objective has been met by undertaking desktop review of previous land use, site inspection, identification of potentially contaminated areas, and providing recommendations for any management/remediation measures and a conclusion as to whether the land is suitable in its current state (or would be suitable, after remediation).

## 1.3 Scope of Works

The scope of works completed for this assessment comprised:

- review and documentation of available historical site use information with respect to the identification of areas of environmental concern (AECs) and associated contaminants of potential concern (COPCs);

- review and documentation of regional geological, hydrogeological, topographical and services infrastructure information to identify site media and potential contaminant transportation pathways at the site;
- development and documentation of a preliminary conceptual site model (CSM) upon which subsequent site characterisation investigations may be based such that potential development constraints and potential remediation requirements may be quantified; and
- preparation of a Stage 1 – Preliminary Investigation report in general accordance with relevant EPA guidelines.

## 2. Site Conditions and Surrounding Environment

### 2.1 Site Identification

The location of the site is shown in **Figures 1 and 2** and has approximate co-ordinates of 298830.214 E and 6187631.789 N (MGA 56). The site has a total area of approximately 2,500 square metres (m<sup>2</sup>). Details of the site are summarised in **Table 2.1**.

**Table 2.1 Summary of Site Details**

Site Portion By Address	Lot/DP Identification	Title Holder	Zoning (WLEP 2009)
Cordeaux Road, Mount Kembla	Lot 1 D.P. 1103781	Dendrobium Coal Pty Limited	E3 – Environmental Management

### 2.2 Site Description

The site comprises an area of 2,500 m<sup>2</sup> of previously cleared land with some regrowth (see **Appendix A, Photos 1-4**), plus an existing access road from Cordeaux Road (**Photos 5 and 6**).

The part of the access road within the site is generally level and the levelling has formed a low embankment (**Photo 7**).

The site is an irregular shape, dictated by the presence of a corrugated iron building (“core shed”, **Photos 3 and 8**) and embankment in the south-east corner, as shown in **Figure 2**.

An inspection of the site was initially completed on the 19 December 2017, and subsequently on the 4 August 2021. A review of Nearmap imagery indicated the site had substantially remained unchanged between December 2017 and August 2021.

During the 2017 inspection, coarse coal waste (**Photo 9**) and a single fragment of potential asbestos containing materials (ACM) (100 millimetres [mm] x 75 mm) was identified in the vicinity of the “core shed”, located within the Project surface disturbance area. The “core shed” is a building previously used to store the drill core obtained through exploration drilling activities. During the 2021 inspection, stored materials were observed on the western side of the “core shed”, including: five drums (labelled as Engine and Hydraulic Oil), rubbish bins/litter (domestic waste), timber and an old barbeque (**Photos 10, 11 and 12**). The drums of Engine and Hydraulic Oil were observed to have minor rust but were not leaking. IMC advised all drums, rubbish bins, litter and the barbeque were removed following the inspection on 9 August 2021 as shown in **Photo 13 and 14**.

At the time of the 2017 inspection, a 33 kilovolt (kV) power line passed through the site, including supporting stanchion (**Photo 15**), and to the east of the “core shed” a buried gas main is located (**Photo 16**). During the 2021 inspection, the power lines were noted to have been removed.

Vehicle access from Cordeaux Road is restricted by a locked gate and the placement of concrete blocks (**Photo 17**). Apart from what is noted above, no other dumping was apparent on the site.

Surrounding the site are bushland and grassed areas (**Photo 15**).

The condition of the site is further shown in **Photos 18, 19 and 20**.

Reference should be made to the site photographs included in **Appendix A**.

### 2.3 Surrounding Land Use

The surrounding land uses are:

- North – Continuation of low bushland, open stormwater drain, Cordeaux Road, entrance to Dendrobium Mine, mine staff carpark and transformer yard. Beyond is American Creek.

- East – “Core shed” and access (circular) road, bushland and beyond residential housing and livestock grazing.
- South – Rising elevation, with bushland and access track for historical overhead powerlines and buried gas main. Beehives were located on the first rise in 2017, however, these were not observed in 2021.
- West – Bush-covered steep hill (part of Mt Kembla).

## 2.4 Topography

The site is located in the foothills of the Illawarra Escarpment at an elevation of approximately 215 metres Australian Height Datum (m AHD). The site slopes generally down to the north east.

## 2.5 Geology

A review of the 1:100,000 ‘Wollongong-Port Hacking’ Geological Survey of NSW Sheet 9029-9129 (Geological Survey of New South Wales, 1985<sup>1</sup>), indicates the geology of the area mainly comprises Illawarra Coal Measures including interbedded quartz-lithic sandstone, grey siltstone and claystone, carbonaceous claystone, clay, laminate, and coal.

Review of the 1:100,000 ‘Wollongong Port Hacking’ Soil Landscape Survey of NSW Sheet 9029-9129 (Soil Conservation Service of NSW, 1990<sup>2</sup>), indicates the site is located in the Gwynneville Group, in the foothills of the Illawarra Escarpment and with isolated rises of the Wollongong Plains. This landscape unit is characterised by broad to moderately rounded ridges and gently to steeply inclined slopes. Soils on the upper slopes are shallow (50-100 centimetres [cm]), Brown Podzolic Soils, and Xanthozems.

## 2.6 Hydrology

The site is within the catchment of American Creek.

A review of available flood mapping and the site inspection did not indicate the site was flood prone.

## 2.7 Hydrogeology

A review of the registered groundwater bores from the NSW Department of Industry - Water database (accessed 5 August 2021), revealed that there were three groundwater bores within a 1.0 kilometre (km) radius of the site (GW100198, GW072298 and GW105494). Details of licensed wells and their location are included in **Appendix B** and are summarised in **Table 2.2**.

<sup>1</sup> Stroud W.J., Sherwin L., Roy H.N. and Baker C.J., 1985, Wollongong - Port Hacking 1:100 000 Geological Sheet 9029-9129, 1st edition. Geological Survey of New South Wales, Sydney.

<sup>2</sup> Hazelton P.A. and Tille P.J., 1990, Soil Landscapes of the Wollongong-Port Hacking 1:100,000 Sheet map and report, Soil Conservation Service of NSW, Sydney

**Table 2.2 Groundwater Bore Summary Details**

Groundwater Bore Number	Location (approx. from central portion of site)	Intended Purpose	Drilled Depth (m bgs)	Standing Water Level (m) (bgl)	Water Bearing Zones (m) (bgl)	Geological Profile
GW100198	1 km NE	Stock, Domestic	3	N/R	N/R	N/R
GW072298	1 km E	Domestic	27	N/R	4 – 6 Fractured	0-1 Brown Clay 1-2 Brown Shale 2-6 Brown Wet Shale 6-27 Black Shale with layers of white sandstone
GW105494	1 km SE	Stock, Domestic	150	25	N/R	N/R

Notes: N/R – Not Recorded

Based on the available geological and groundwater information reported in the licence documents, it is anticipated that regional groundwater underlying the site occurs within sandstone/shale bedrock at significant depths. The groundwater is anticipated to occur within zones of relatively higher permeability associated with inconsistencies in the bedrock (faults, joints, weathered zones, etc) and this is anticipated to move, at a regional level in sympathy with the regional topography.

Localised shallow subsoil groundwater seepage may also be expected, particularly following periods of significant wet weather. This would generally occur as a perched condition close to the soil-bedrock interface and/or within the initial highly weathered rock.

## 2.8 Acid Sulfate Soils

A review of the Wollongong Acid Sulfate Soil Risk Map (Department of Land and Water Conservation, 1997<sup>3</sup>) indicates that the site is located within an area of ‘no known occurrence of Acid Sulfate Soils’.

On the basis of the reported geology and the absence of identified potential risk, no further consideration of potential requirements for management of acid sulfate soils are required.

## 2.9 Meteorology

A review of average climatic data for the nearest Bureau of Meteorology monitoring location (Port Kembla Aeronautical Meteorological Office<sup>4</sup>) indicates the site is located within the following meteorological setting:

- Mean minimum temperatures vary from 9.8 degrees celsius (°C) in July to 18.7°C in February;
- Mean maximum temperatures vary from 16.7°C in July to 24.4°C in February;
- The average annual rainfall is approximately 1,261 mm with rainfall greater than 1 mm occurring on an average of 97 days per year; and
- Mean monthly rainfall varies from 55 mm in September to 184 mm in March, with the wettest periods occurring on average from January to March.

<sup>3</sup> 1:25 000 Wollongong Acid Sulfate Soil Risk Map – Edition Two, 1997, Department of Land and Water Conservation

<sup>4</sup> Commonwealth of Australia, Bureau of Meteorology, Product IDCJCM0028 prepared at 2 December 2021 and accessed by JBS&G on 3 December 2021. [http://www.bom.gov.au/climate/averages/tables/cw\\_068053.shtml](http://www.bom.gov.au/climate/averages/tables/cw_068053.shtml)

### 3. Site History

#### 3.1 Aerial Photographs

Aerial photographs from 1948, 1970, 1974, 1984, 1998, 2005, 2017 and 2021 were obtained from the Department of Land and Property Information with printed images included as **Appendix C**.

- 1948** The site appeared generally cleared, with some vegetation in drainage paths. Possible agricultural use of the land. A structure (possible residential dwelling) was located in the north-west corner of the site, and structures (possible sheds) were present in the central southern area of the site.
- Surrounding areas appeared less vegetated than currently. The mine appeared to be in active development, with large areas cleared of vegetation. To the east there was a cleared area followed by bushland (possible drainage path) and clear land and possible farm house (Gallagher's dairy farm).
- 1970** The "core shed" was present adjacent to the site, and the structures in the north-west corner and central southern areas of the site were absent. Some regrowth was apparent.
- The mine to the north had been developed, with the mine carpark and transformer yard present. To the east it appeared that the land has been sub-divided along Cordeaux Road and some suburban housing built.
- 1974** Similar to the 1970 photograph, with more mature trees on site. Residential housing was apparent on the north side of Cordeaux Road, east north-east of the site.
- 1984** Similar to the 1970 and 1974 photographs. Possibly some vegetation clearance in the alignment of the overhead powerlines.
- A large dwelling was apparent south of the original farm dwelling to the east of the site.
- 1998** Similar to the 1970, 1974 and 1984 photographs, however, with the assumed alignment of the buried gas main exhibiting disturbed vegetation and the presence of rainfall run-off controls. The gas main runs in a general north south direction, immediately to the east of the "core shed".
- 2005** Similar to the 1970, 1974, 1984 and 1998 photographs, however, there appeared to be some storage of materials on the western side of the roadway in the southern area of the site.
- The disturbed area of the gas main alignment appeared to have been revegetated.
- 2017** Similar to previous years, however, the storage on the site was not apparent. It is not clear but a small stockpile may have been present in the area of the previous storage.
- 2021** Similar to the 2017 photograph, however the power pole for the overhead powerlines has been removed.

### 3.2 Title Details

A review of historical title records was conducted on behalf of JBS&G by Scott Ashwood Pty Ltd for the site which is within Lot 1 DP 1103781. The search results are presented in **Appendix D**. The summary of historical land title records information is presented in **Table 3.1**.

**Table 3.1 Summary of Historical Title Records**

Lot 1 D.P. 1103781 – Cordeaux Road, Mount Kembla	
29.07.1915 (1915 to 1946)	Mount Kembla Collieries Limited
26.06.1946 (1946 to 2002)	Australian Iron & Steel Limited, Then Australian Iron & Steel Proprietary Limited and Now BHP Steel (AIS) Pty Limited
25.09.2002 (2002 to date)	Dendrobium Coal Pty Limited

### 3.3 EPA Records

A search of the NSW EPA's public register maintained under the *Protection of the Environment Operations Act 1997* (POEO Act) was undertaken for the subject site and surrounding area (Mount Kembla). The results of the search identified only a POEO Act licence, issued August 2000 and section 58 Licence Variation (latest 1 July 2021) for the Dendrobium Mine, however, not specifically related to the proposed carpark site. The search identified that there were no current or former prevention, clean-up or prohibition notices for the site and immediate surrounds.

A search was also undertaken through the EPA public contaminated land register. The search identified that there have been no notices issued for the site under the *Contaminated Land Management Act 1997* or any nearby surrounding properties (Mount Kembla).

EPA Records are included in **Appendix E**.

### 3.4 Australian and NSW Heritage Register

A search of the Australian Heritage Trust database and the NSW Heritage Inventory was undertaken and the resulting records are included in **Appendix F**. The search indicated that there are a number of heritage items located within the site and on surrounding properties that have local, NSW and/or Australian heritage significance. These include the Village of Mount Kembla and properties in Kembla Heights, which are of local heritage significance.

In the vicinity of the site are reported<sup>5</sup> (**Appendix G**) to have been:

- Brownley's Orchard.
- Powder Magazine for Nebo Colliery mine explosives.
- Dairy Farm, owned by the Morris family to the 1940s, the Barretts up to the 1950s and the Gallaghers following. The farm supplied milk to Mount Kembla and Kembla Heights.

The land is within the Illawarra Heritage Escarpment Conservation Area listed in Schedule 5 Part 2 of *Wollongong Local Environmental Plan 2009* (see **Section 3.5** and **Appendix H**).

<sup>5</sup> Walk 1, Self-Guided Walking Tours. Historic Mining Community of Mt Kembla Village - Kembla Heights Windy Gully

### 3.5 Council Records

The Wollongong City Council (WCC) section 10.7 (2) & (5) planning certificate is included in **Appendix H** for Lot 1 DP 1103781. The following is noted in the certificate:

- The Council has not been advised that any of the matters contained in section 59(2) as amended in the *Contaminated Land Management Act 1997* pertain to the land (i.e. the land is **not** the subject of):
  - Significantly contaminated land within the meaning of the *Contaminated Land Management Act 1997*.
  - A management order within the meaning of the *Contaminated Land Management Act 1997*.
  - An approved voluntary management proposal within the meaning of the *Contaminated Land Management Act 1997*.
  - An ongoing maintenance order within the meaning of the *Contaminated Land Management Act 1997*.
  - A site audit statement within the meaning of the *Contaminated Land Management Act 1997*.
- The land is **not** identified as containing Acid Sulfate Soils.
- The land is **not** known to be the subject of a set aside area under section 60ZC of the *Local Land Services Act 2013* (Native Vegetation Clearing Set Aside).
- Annual charges under the *Local Government Act 1993* for coastal protection service that relate to existing coastal protection works is **not** applicable to the site.
- The land is **not** proclaimed to be a mine subsidence district within the meaning of section 15 of the *Coal Mine Subsidence Compensation Act 2017*.
- The land is recorded in Council's records as bushfire prone land.
- The land is within an Environmentally Sensitive Area (Illawarra Escarpment).
- The land is included in the Natural Resources Biodiversity Sensitivity Maps of Wollongong Local Environmental Plan 2009.

### 3.6 WorkCover Dangerous Goods Database

A search of licences held for the storage of dangerous goods by NSW WorkCover was not completed as a review of background documents and the site inspection did not identify the potential for storage of Schedule 11 hazardous chemicals (*Work Health and Safety Regulation 2017*) on the subject site.

### 3.7 Hazardous Materials Survey Reports

Reportedly no hazardous materials survey assessments or asbestos registers for the site are available.

### 3.8 Previous Site Contamination Investigation Information

Assessment of available information as provided by the client and held in publicly accessible records has not identified the presence of previous site investigation documents.

### 3.9 Integrity Assessment

The information obtained from formal published sources noted above has been found to be in general agreement regarding the history of the site.

Based on the range of sources and the general consistency of the historical information, it is considered that the historical assessment has an acceptable level of accuracy with respect to the potentially contaminating activities historically occurring at the site.

## 4. Conceptual Site Model

### 4.1 Potential Areas of Environmental Concern

Based on the review of site history and site inspection, general categories of environmental concern are presented in (Table 4.1.).

**Table 4.1 Areas of Environmental Concern and Associated Contaminants of Potential Concern**

Area of Environmental Concern (AEC)	Contaminants of Potential Concern (COPC)
Previous agricultural use of the land	OCPs, TPH, asbestos, heavy metals
Demolition of previous structures on the site	Heavy metals, asbestos
Importation of fill to level the site	Heavy metals, PAHs, OCPs, PCBs, TPH/BTEX, asbestos
Road construction	PAHs, TPH/BTEX
Storage of small quantities of Engine and Hydraulic Oil	PAHs, TPH/BTEX

Notes: OCP = Organochlorine Pesticides, TPH = Total Petroleum Hydrocarbons, PAHs = Polycyclic Aromatic Hydrocarbons, PCB = Polychlorinated Biphenyls and BTEX = Benzene, Toluene, Ethylbenzene and Xylene.

### 4.2 Potentially Contaminated Media

Based on the available site history and current site use information, soil and fill material in the site, there is considered to be a low potential for contaminated media based upon:

- The potential application of pesticides as part of historic farming activities;
- The potential for fill material at the site to contain waste materials associated with historical site activities, including building demolition;
- The presence in the surface soils of the adjacent “core shed” of coal waste and a suspected ACM fragment;
- The result of road construction; and
- Storage of small quantities of Engine and Hydraulic Oil.

### 4.3 Potential for Migration

Contaminants generally migrate from site via a combination of windblown dusts, rainwater infiltration, groundwater migration and surface water runoff. The potential for contaminants to migrate is a combination of:

- The nature of the contaminants (solid/liquid and mobility characteristics);
- The extent of the contaminants (isolated or widespread);
- The location of the contaminants (surface soils or at depth); and
- The site topography, geology, hydrology and hydrogeology.

The potential contaminants identified as part of the site history review and previous investigations are generally in either a solid form (e.g. heavy metals, asbestos, etc.) and liquid form (e.g. fuel, lubricants, pesticides, etc).

Given the current ground surface (vegetated or paved) at the site, the potential for migration of solid contaminants (if any) via windblown dust is considered low. The potential for surface water migration of contaminants and also infiltration of groundwater and migration through the soil profile is similarly low.

#### **4.4 Potential Exposure Pathways**

Based on the contaminants of potential concern identified in soils as discussed above, existing site uses and with consideration of future site development activities, the exposure pathways considered currently, during and following development works is the potential for dermal and oral contact to impacted soils (if any) as present at shallow depths and/or accessible by future service excavations across the extent of the site.

#### **4.5 Receptors**

Potential receptors of environmental impact present within the site which are required to be addressed with respect to the suitability of the site for the proposed carpark use include:

- excavation/construction/maintenance workers conducting activities at or in the vicinity of the site, who may potentially be exposed to COPCs through direct contact with impacted soils and/or groundwater present within excavations and/or inhalation of dusts/fibres associated with impacted soils;
- future site users of public open space and landscaped areas or non-paved areas whom may potentially be exposed to COPCs through direct contact with impacted soils and/or inhalation of dusts/fibres associated with impacted soils; and/or
- down-gradient flora species in the vegetated areas.

#### **4.6 Preferential Pathways**

For the purpose of this assessment, preferential pathways have been identified as natural and/or man-made pathways that result in the preferential migration of COPCs as either associated with sediments or liquids.

Man-made preferential pathways would principally be overland or piped stormwater flows.

## 5. Conclusions

Based on the results of the preliminary site assessment and subject to the limitations stated in **Section 6**, there is a low potential for the site to have become contaminated as a result of historical and/or current site uses.

Based on the review of available information and site inspection, no contamination which would preclude the development of the site as a carpark has been identified.

It is recommended that work, health, safety and environmental management controls (including protocols to manage unexpected finds) should be implemented during any future ground disturbance works.

## 6. Limitations

This report has been prepared for use by the client who has commissioned the works in accordance with the project brief only, and has been based in part on information obtained from the client and other parties.

The advice herein relates only to this project and all results conclusions and recommendations made should be reviewed by a competent person with experience in environmental investigations, before being used for any other purpose.

JBS&G accepts no liability for use or interpretation by any person or body other than the client who commissioned the works. This report should not be reproduced without prior approval by the client, or amended in any way without prior approval by JBS&G, and should not be relied upon by other parties, who should make their own enquires.

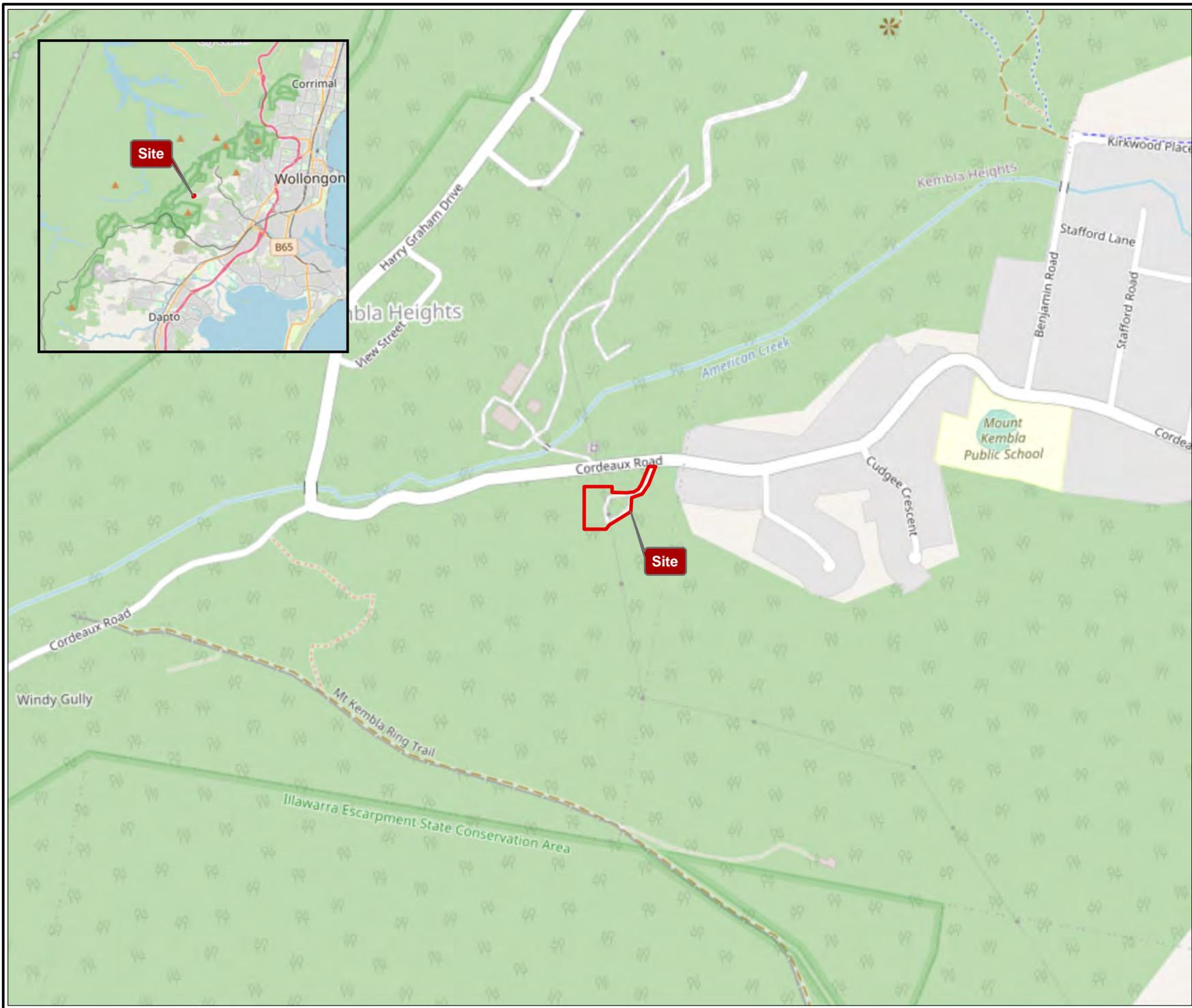
Sampling and chemical analysis of environmental media is based on appropriate guidance documents made and approved by the relevant regulatory authorities. Conclusions arising from the review and assessment of environmental data are based on the sampling and analysis considered appropriate based on the regulatory requirements.

Limited sampling and laboratory analyses were undertaken as part of the investigations undertaken, as described herein. Ground conditions between sampling locations and media may vary, and this should be considered when extrapolating between sampling points. Chemical analytes are based on the information detailed in the site history. Further chemicals or categories of chemicals may exist at the site, which were not identified in the site history and which may not be expected at the site.

Changes to the subsurface conditions may occur subsequent to the investigations described herein, through natural processes or through the intentional or accidental addition of contaminants. The conclusions and recommendations reached in this report are based on the information obtained at the time of the investigations.

This report does not provide a complete assessment of the environmental status of the site, and it is limited to the scope defined herein. Should information become available regarding conditions at the site including previously unknown sources of contamination, JBS&G reserves the right to review the report in the context of the additional information.

## Figures



**Legend**

Approximate Proposed Car Park Expansion Area

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Job No: 60867

Client: Illawarra Coal Holdings Pty Ltd

Version: R01 Rev 0    Date 3/12/2021

Drawn By: JA    Checked By: EH

Scale 1:7,500   

---

Coord. Sys. GDA 1994 MGA Zone 56

**Part of Lot 1 DP1103781  
Cordeaux Road,  
Kembla Heights, NSW**

**SITE LOCATION**

---

**FIGURE 1**

File Name: N:\Projects\Illawarra Coal\60867 Dendrobium Next Domain Project\GIS\Maps\R01 Rev 0\60867\_01\_SiteLocation.mxd  
 Reference: © OpenStreetMap (and) contributors, CC-BY-SA



**Legend**

- Approximate Proposed Car Park Expansion Area
- NSW Cadastre (DFS, 2021)



Job No: 60867

Client: Illawarra Coal Holdings Pty Ltd

Version: R01 Rev 0    Date 3/12/2021

Drawn By: JA    Checked By: EH

Scale 1:2,250



Coord. Sys. GDA 1994 MGA Zone 56

**Part of Lot 1 DP1103781  
Cordeaux Road,  
Kembla Heights, NSW**

**SITE LAYOUT**

**FIGURE 2**

## Appendix A Site Photographs

PHOTO 1: PANORAMA OF SITE (DECEMBER 2017)



PHOTO 2: PANORAMA OF SITE (DECEMBER 2017)



PHOTO 3: PANORAMA OF SITE (CORE SHED OFF-SITE)  
(DECEMBER 2017)



PHOTO 4: PANORAMA OF SITE (DECEMBER 2017)



Job No: 60867

Client: South32

Version: Rev 0

Date: 11/08/2021

Drawn By: EH

Checked By: SM

Not to Scale

Coord. Sys n/a

**Dendrobium Mine  
Cordeaux Road, Mount Kembla**

APPENDIX A

**PHOTO 5: ENTRANCE GATE OFF CORDEAUX ROAD  
(DECEMBER 2017)**



**PHOTO 6: ACCESS ROAD LOOKING TOWARD ENTRANCE  
(DECEMBER 2017)**



**PHOTO 7: EMBANKMENT CREATED BY ROADWAY WITHIN  
SITE (DECEMBER 2017)**



**PHOTO 8: CORE SHED ADJACENT TO SITE (DECEMBER 2017)**



Job No: 60867

Client: South32

Version: Rev 0

Date: 11/08/2021

Drawn By: EH

Checked By: SM

Not to Scale

Coord. Sys n/a

**Dendrobium Mine,  
Cordeaux Road, Mount Kembla**

**APPENDIX A**

**PHOTO 9: COARSE COAL WASTE ADJACENT TO CORE SHED  
(DECEMBER 2017)**



**PHOTO 10: STORED MATERIALS WEST OF THE "CORE SHED"  
(4 AUGUST 2021)**



**PHOTO 11: FIVE DRUMS, WEST OF THE "CORE SHED" (4  
AUGUST 2021)**



**PHOTO 12: OVERFLOWING RUBBISH BIN, WEST OF THE  
"CORE SHED" (4 AUGUST 2021)**



Job No: 60867

Client: South32

Version: Rev 0

Date: 11/08/2021

Drawn By: EH

Checked By: SM

Not to Scale

Coord. Sys n/a

**Dendrobium Mine  
Cordeaux Road, Mount Kembla**

**APPENDIX A**

**PHOTO 13: AREA WEST OF THE "CORE SHED" (9 AUGUST 2021)**



**PHOTO 14: AREA WEST OF THE "CORE SHED" (9 AUGUST 2021)**



**PHOTO 15: POWER LINE TRAVERSES SITE (DECEMBER 2017)**



**PHOTO 16: GAS MAIN EAST OF CORE SHED AND UNDER ACCESS ROAD (DECEMBER 2017)**



Job No: 60867

Client: South32

Version: Rev 0

Date: 11/08/2021

Drawn By: EH

Checked By: SM

Not to Scale

Coord. Sys n/a

**Dendrobium Mine  
Cordeaux Road, Mount Kembla**

**APPENDIX A**

**PHOTO 17: CONCRETE BLOCKS AND LOCKED GATE PREVENTS UNAUTHORISED VEHICLE ACCESS TO SITE (DECEMBER 2017)**



**PHOTO 18: GENERAL SITE, LOOKING WEST (4 AUGUST 2021)**



**PHOTO 19: GENERAL SITE, LOOKING NORTH (4 AUGUST 2021)**



**PHOTO 20: GENERAL SITE, LOOKING SOUTH (4 AUGUST 2021)**



Job No: 60867

Client: South32

Version: Rev 0

Date: 11/08/2021

Drawn By: EH

Checked By: SM

Not to Scale

Coord. Sys n/a

**Dendrobium Mine  
Cordeaux Road, Mount Kembla**

**APPENDIX A**

## Appendix B Registered Groundwater Bore Search Results

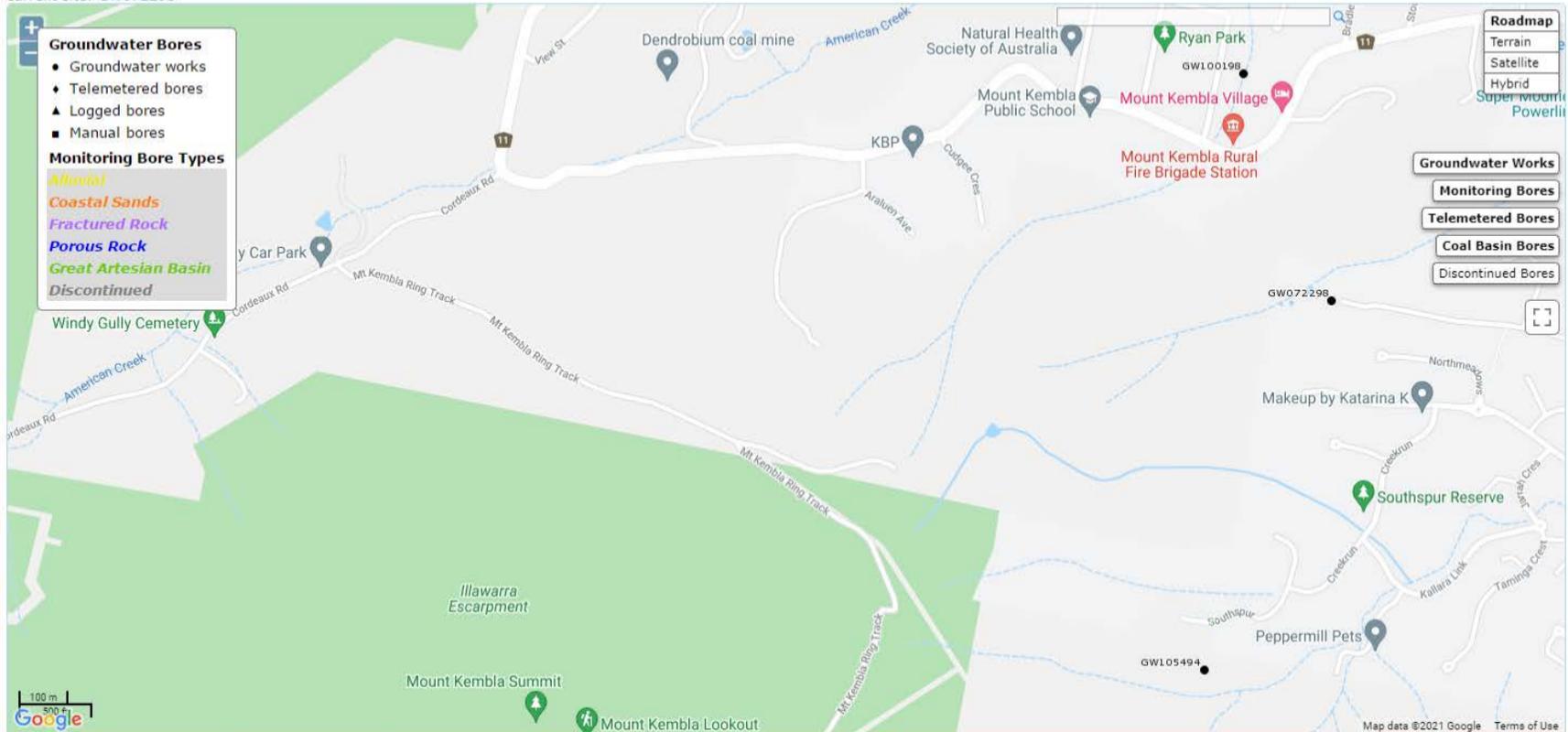
# SOUTH COAST REGION

bookmark this page

All data times are Eastern Standard Time

Map

current site: GW072298



# NSW Office of Water

## Work Summary

**GW072298**

**Licence:**

**Licence Status:**

**Authorised Purpose(s):**  
**Intended Purpose(s):** DOMESTIC

**Work Type:** Bore

**Work Status:**

**Construct.Method:** Rotary Air

**Owner Type:** Private

**Commenced Date:**  
**Completion Date:** 15/12/1994

**Final Depth:** 27.00 m  
**Drilled Depth:** 27.00 m

**Contractor Name:**

**Driller:**

**Assistant Driller:**

**Property:**

**Standing Water Level**  
(m):

**GWMA:**  
**GW Zone:**

**Salinity Description:**  
**Yield (L/s):**

### Site Details

**Site Chosen By:**

**County**  
**Form A:** CAMDE  
**Licensed:**

**Parish**  
CAMDE.031

**Cadastre**  
L6 DP751278

**Region:** 10 - Sydney South Coast

**CMA Map:**

**River Basin:** 214 - WOLLONGONG COAST  
**Area/District:**

**Grid Zone:**

**Scale:**

**Elevation:** 0.00 m (A.H.D.)  
**Elevation Source:** Unknown

**Northing:** 6187445.0  
**Easting:** 299913.0

**Latitude:** 34°26'06.5"S  
**Longitude:** 150°49'20.5"E

**GS Map:** -

**MGA Zone:** 0

**Coordinate Source:** GD.,ACC.GIS

### Construction

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

Hole	Pipe	Component	Type	From (m)	To (m)	Outside Diameter (mm)	Inside Diameter (mm)	Interval	Details
1		Annulus	(Unknown)	4.00	6.00				
1	1	Casing	P.V.C.	-0.30	6.00	150			Driven into Hole
1	1	Opening	Slots	4.00	6.00	150		1	Sawn, SL: 100.0mm, A: 0.05mm

### Water Bearing Zones

From (m)	To (m)	Thickness (m)	WBZ Type	S.W.L. (m)	D.D.L. (m)	Yield (L/s)	Hole Depth (m)	Duration (hr)	Salinity (mg/L)
4.00	6.00	2.00	Fractured	6.00		0.05			

### Geologists Log

#### Drillers Log

From (m)	To (m)	Thickness (m)	Drillers Description	Geological Material	Comments
0.00	1.00	1.00	Brown Clay	Clay	
1.00	2.00	1.00	Brown Shale	Shale	
2.00	6.00	4.00	Brown Wet Shale	Shale	
6.00	27.00	21.00	Black Shale With Layers Of White	Shale	

			Sandstone		
--	--	--	-----------	--	--

## Remarks

---

**\*\*\* End of GW072298 \*\*\***

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

# NSW Office of Water

## Work Summary

**GW100198**

**Licence:** 10BL150454

**Licence Status:** CONVERTED

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

**Work Type:** Bore

**Work Status:**

**Construct.Method:**

**Owner Type:**

**Commenced Date:**  
**Completion Date:** 01/01/1994

**Final Depth:** 3.00 m  
**Drilled Depth:**

**Contractor Name:**

**Driller:**

**Assistant Driller:**

**Property:** WILSON 268 CORDEAUX RD  
MOUNT KEMBLA 2526 NSW

**Standing Water Level:**

**GWMA:** -  
**GW Zone:** -

**Salinity:**  
**Yield:**

### Site Details

**Site Chosen By:**

County	Parish	Cadastre
<b>Form A:</b> CAMDE	CAMDE.31	101 717057
<b>Licensed:</b> CAMDEN	KEMBLA	Whole Lot 101/717057

**Region:** 10 - Sydney South Coast

**CMA Map:**

**River Basin:** - Unknown  
**Area/District:**

**Grid Zone:**

**Scale:**

**Elevation:** 0.00 m (A.H.D.)  
**Elevation Source:** Unknown

**Northing:** 6187846.0  
**Easting:** 299744.0

**Latitude:** 34°25'53.3"S  
**Longitude:** 150°49'14.2"E

**GS Map:** -

**MGA Zone:** 0

**Coordinate Source:** GIS - Geographic Information System

### Construction

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

Hole	Pipe	Component	Type	From (m)	To (m)	Outside Diameter (mm)	Inside Diameter (mm)	Interval	Details
1	1	Casing		-0.30	3.00	76			

### Water Bearing Zones

From (m)	To (m)	Thickness (m)	WBZ Type	S.W.L. (m)	D.D.L. (m)	Yield (L/s)	Hole Depth (m)	Duration (hr)	Salinity (mg/L)
----------	--------	---------------	----------	------------	------------	-------------	----------------	---------------	-----------------

### Geologists Log

#### Drillers Log

From (m)	To (m)	Thickness (m)	Drillers Description	Geological Material	Comments
----------	--------	---------------	----------------------	---------------------	----------

### Remarks

01/01/1994: Form A Remarks:

**\*\*\* End of GW100198 \*\*\***

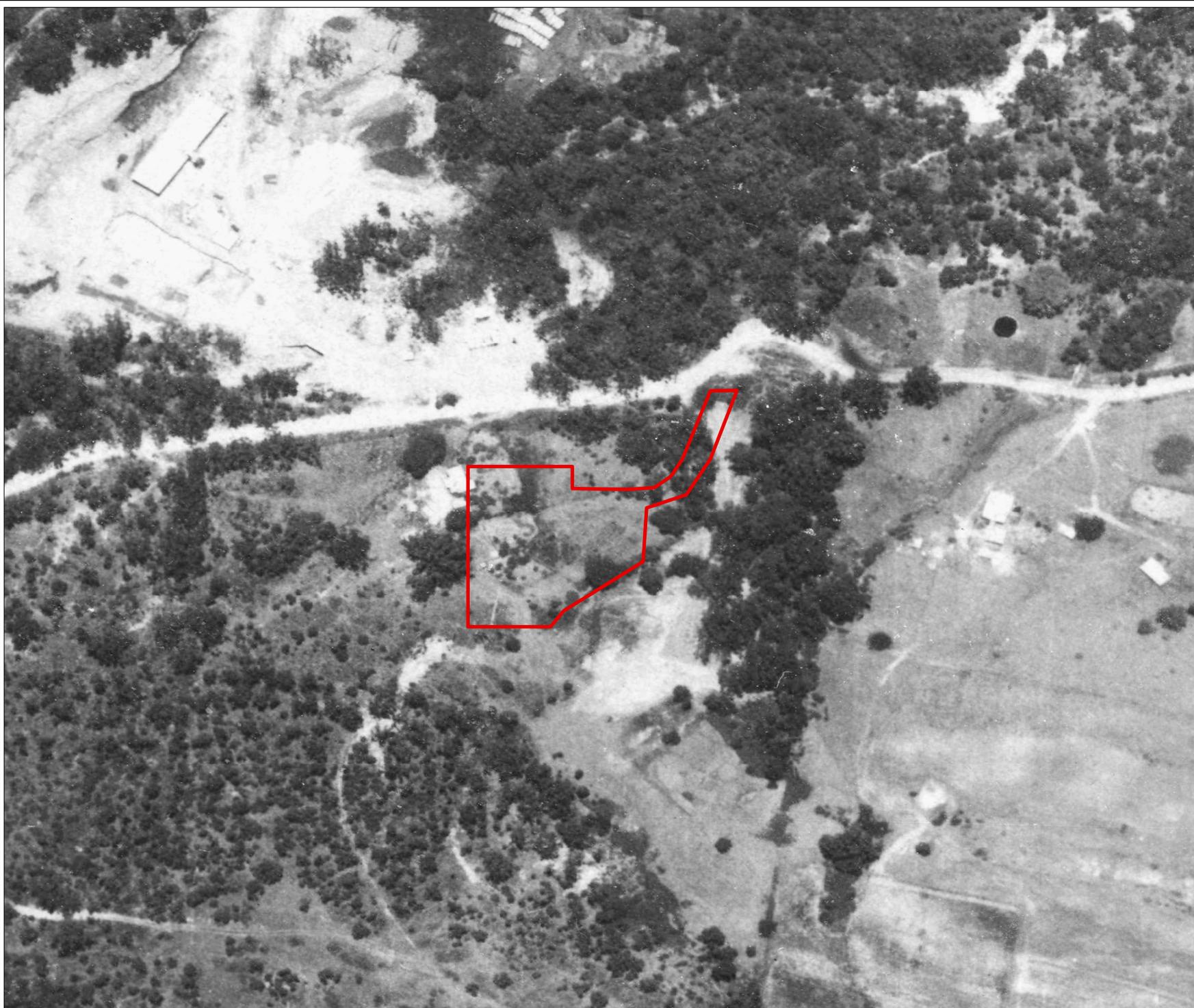
**Warning To Clients: This raw data has been supplied to the NSW Office of Water by drillers, licensees and other sources. The NOW does not verify the accuracy of this data. The data is presented for use by you at your own risk. You should consider verifying this data before relying on it. Professional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



**\*\*\* End of GW105494 \*\*\***

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

## Appendix C Historical Aerial Photographs



**Legend**

 Approximate Car Park Expansion Area



Job No: 60867

Client: Illawarra Coal Holdings Pty Ltd

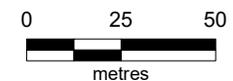
Version: Aerials

Date: 03-Dec-2021

Drawn By: RF

Checked By: EH

Scale 1:2,000



Coor. Sys. GDA 1994 MGA Zone 56

**Part of Lot 1 DP1103781**

**HISTORICAL AERIAL  
PHOTOGRAPH - 1948**

**FIGURE: 1948**



**Legend**

 Approximate Car Park Expansion Area



Job No: 60867

Client: Illawarra Coal Holdings Pty Ltd

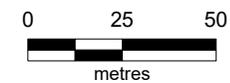
Version: Aerials

Date: 03-Dec-2021

Drawn By: RF

Checked By: EH

Scale 1:2,000



Coor. Sys. GDA 1994 MGA Zone 56

**Part of Lot 1 DP1103781**

**HISTORICAL AERIAL  
PHOTOGRAPH - 1970**

**FIGURE: 1970**



**Legend**

 Approximate Car Park Expansion Area



Job No: 60867

Client: Illawarra Coal Holdings Pty Ltd

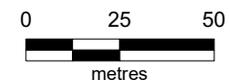
Version: Aerials

Date: 03-Dec-2021

Drawn By: RF

Checked By: EH

Scale 1:2,000



Coor. Sys. GDA 1994 MGA Zone 56

**Part of Lot 1 DP1103781**

**HISTORICAL AERIAL  
PHOTOGRAPH - 1974**

**FIGURE: 1974**



**Legend**

 Approximate Car Park Expansion Area



Job No: 60867

Client: Illawarra Coal Holdings Pty Ltd

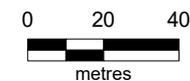
Version: Aerials

Date: 03-Dec-2021

Drawn By: RF

Checked By: EH

Scale 1:2,000



Coor. Sys. GDA 1994 MGA Zone 56

**Part of Lot 1 DP1103781**

**HISTORICAL AERIAL  
PHOTOGRAPH - 1984**

**FIGURE: 1984**



**Legend**

 Approximate Car Park Expansion Area



Job No: 60867

Client: Illawarra Coal Holdings Pty Ltd

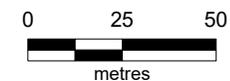
Version: Aerials

Date: 03-Dec-2021

Drawn By: RF

Checked By: EH

Scale 1:2,000



Coor. Sys. GDA 1994 MGA Zone 56

**Part of Lot 1 DP1103781**

**HISTORICAL AERIAL  
PHOTOGRAPH - 1998**

**FIGURE: 1998**



**Legend**

 Approximate Car Park Expansion Area



Job No: 60867

Client: Illawarra Coal Holdings Pty Ltd

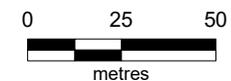
Version: Aerials

Date: 03-Dec-2021

Drawn By: RF

Checked By: EH

Scale 1:2,000



Coor. Sys. GDA 1994 MGA Zone 56

**Part of Lot 1 DP1103781**

**HISTORICAL AERIAL  
PHOTOGRAPH - 2005**

**FIGURE: 2005**



**Legend**

 Approximate Car Park Expansion Area



Job No: 60867

Client: Illawarra Coal Holdings Pty Ltd

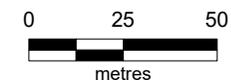
Version: Aerials

Date: 03-Dec-2021

Drawn By: RF

Checked By: EH

Scale 1:2,000



Coor. Sys. GDA 1994 MGA Zone 56

**Part of Lot 1 DP1103781**

**HISTORICAL AERIAL  
PHOTOGRAPH - 2021**

**FIGURE: 2021**



**Legend**

 Approximate Car Park Expansion Area



Job No: 60867

Client: Illawarra Coal Holdings Pty Ltd

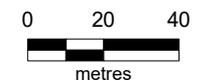
Version: Aerials

Date: 03-Dec-2021

Drawn By: RF

Checked By: EH

Scale 1:2,000



Coor. Sys. GDA 1994 MGA Zone 56

**Part of Lot 1 DP1103781**

**HISTORICAL AERIAL  
PHOTOGRAPH - 2021**

**FIGURE: 2021**

## Appendix D Historical Title Records

ABN: 42 166 543 255  
Ph: 02 9099 7400  
Fax: 02 9232 7141  
(Ph: 0412 199 304)

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

Summary of Owners Report

LRS NSW (Formerly LPI)

Sydney

Address: - Cordeaux Road, Mount Kembla

Description: - Lot 1 D.P. 1103781

<u>Date of Acquisition and term held</u>	<u>Registered Proprietor(s) &amp; Occupations where available</u>	<u>Reference to Title at Acquisition and sale</u>
29.07.1915 (1915 to 1946)	Mount Kembla Collieries Limited	Book 1063 No. 252
26.06.1946 (1946 to 2002)	Australian Iron & Steel Limited Then Australian Iron & Steel Proprietary Limited Now BHP Steel (AIS) Pty Limited	Book 1992 No. 219
25.09.2002 (2002 to date)	# Dendrobium Coal Pty Limited	Book 4364 No. 378 Now 1/1103781

# Denotes Current Registered Proprietor

Leases: - NIL

Easements: -

- 10.11.1992 (D.P. 646915 Easement for Pipeline 4 metres wide
- 21.12.2001 (D.P. 1016610 & Gazette) Pipeline Easement 20 wide

Yours Sincerely  
Mark Groll  
20 December 2017

5.05



# CERTIFICATE OF TITLE

REAL PROPERTY ACT, 1900

*DENDROBIUM  
BOUNDARY ADJUSTMENT*

*3/3/17 FL*



TORRENS TITLE

REFERENCE TO FOLIO OF THE REGISTER	
IDENTIFIER 1/1103781	
EDITION	DATE OF ISSUE
1	12/10/2006
CERTIFICATE AUTHENTICATION CODE	
BMAK-JD-4OZ4	

I certify that the person described in the First Schedule is the registered proprietor of an estate in fee simple (or such other estate or interest as is set forth in that Schedule) in the land within described subject to such exceptions, encumbrances, interests and entries as appear in the Second Schedule and to any additional entries in the Folio of the Register.



REGISTRAR GENERAL

LAND

LOT 1 IN DEPOSITED PLAN 1103781  
AT KEMBLA HEIGHTS  
LOCAL GOVERNMENT AREA: WOLLONGONG  
PARISH OF KEMBLA COUNTY OF CAMDEN  
TITLE DIAGRAM: DP1103781

FIRST SCHEDULE

DENDROBIUM COAL PTY LIMITED (CA102206)

SECOND SCHEDULE

- RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- QUALIFIED TITLE. CAUTION PURSUANT TO SECTION 28J OF THE REAL PROPERTY ACT, 1900. ENTERED 27.9.2006 BK 1992 NO 219 & BK 4364 NO 378
- LIMITED TITLE. LIMITATION PURSUANT TO SECTION 28T(4) OF THE REAL PROPERTY ACT, 1900. THE BOUNDARIES OF THE LAND COMPRISED HEREIN HAVE NOT BEEN INVESTIGATED BY THE REGISTRAR GENERAL.
- LAND EXCLUDES LOT 1 DP560813, LOT 101 DP567773, LOTS 1 & 2 538380 AND ROAD SHOWN IN DP160903
- LAND EXCLUDES THE ROAD(S) SHOWN IN THE TITLE DIAGRAM
- DP646915 EASEMENT FOR PIPELINE 4 METRE(S) WIDE AND VARIABLE AFFECTING THE PART(S) SHOWN SO BURDENED IN DP646915
- NOTIFICATION IN GOVERNMENT GAZETTE DATED 21.12.2001 FOLIO 10768: PIPELINE EASEMENT 20 WIDE AFFECTING THE PART SHOWN SO BURDENED IN DP1016610

\*\*\*\* END OF CERTIFICATE \*\*\*\*

ANY ATTEMPT TO ALTER THIS CERTIFICATE COULD RESULT IN HEAVY FINES OR IMPRISONMENT (S.141 REAL PROPERTY ACT).



B 1746R

B 1746R

1157 AR

# This Deed

made the *Twenty-sixth* day of *June*

One thousand nine hundred and forty-six BETWEEN MOUNT KEMBLA COLLIERIES LIMITED whose Registered Office is situated in the City of London England and who being registered as a foreign company in the State of New South Wales has also a registered office at 17 O'Connell Street Sydney in the said State (hereinafter called "the Vendor") of the first part ARTHUR DENIS WIGRAM ALLEN of Sydney aforesaid Solicitor HARLAND LAMPLOUGH VICKERY and MARTIN REGINALD FIRTH VICKERY both of Sydney aforesaid Company Directors who constitute the Australian Board of Directors of the Vendor and who are the duly appointed Attorneys of the Vendor (hereinafter called "the Attorneys") of the second part and AUSTRALIAN IRON & STEEL LIMITED whose registered Office is situated at Kemplab Building Margaret Street Sydney (hereinafter called "the purchaser") of the third part WHEREAS the Vendor has agreed with the purchaser for the absolute sale to the Purchaser of the Colliery of the Vendor known as the Mount Kemplab Colliery (hereinafter called "the Colliery") situated at Mount Kemplab near Unanderra in the said State (including the lands and premises hereinafter conveyed assigned transferred or expressed so to be) at a price of one hundred and one thousand pounds (£101,000) after deducting the value of property passing by delivery AND WHEREAS the said Agreement was entered into subject to approval of a Meeting of the shareholders of the Vendor AND WHEREAS at an Extraordinary General Meeting of the Members of the Vendor duly convened and held on the eighth day of January one thousand nine hundred and forty-six the said Agreement was duly approved by Special Resolution carried unanimously AND WHEREAS the lands and premises comprised in the Third Schedule hereto are under the provisions of the Real Property Act and an appropriate Memorandum of Transfer thereof has been or is intended to be executed simultaneously herewith AND WHEREAS the Crown Leases comprised in the first part of the Fourth Schedule hereto have been or are intended to be transferred by statutory transfer executed simultaneously herewith AND WHEREAS the

*Original to John Peedon  
at Kells 2/6/04*

*Returned  
Filed 8/6/04*

rents royalties covenants and conditions reserved by and contained in the Leases comprised in the said Fourth Schedule and on the part of the Vendor to be paid observed and performed have been duly paid observed and performed by the Vendor either up to the date hereof or up to the last due date for payment thereof NOW THIS DEED WITNESSETH that in pursuance of the said Agreement and in consideration of the sum of one hundred and one thousand pounds (£101,000) (being the same sum as is mentioned in the said recited Memorandum of Transfer under the Real Property Act and Statutory Transfers under the Mining Acts of even date herewith) paid to the Vendor by the Purchaser (the receipt whereof is hereby acknowledged) THE VENDOR as beneficial owner DOETH HEREBY CONVEY assign transfer and confirm unto the purchaser ALL THOSE the respective lands hereditaments and premises comprised and described in the First Schedule hereto AND all the right title and interest of the Vendor in the respective lands hereditaments and premises referred to in the Second Schedule hereto AND all those the respective lands hereditaments and premises under the provisions of the Real Property Act comprised and referred to in the Crown Grants and Certificates of Title particularised in the Third Schedule hereto but subject as therein mentioned AND all those the lands hereditaments and premises comprised and referred to in and demised by the Crown Leases particularised in the Fourth Schedule hereto and the benefit of all applications for renewals of Crown Leases AND all that the Vendor's Railway Line from the Colliery to the Junction of the Breakwater Quarry acquired and constituted under the "Mount Kembla Coal and Oil Company's Railway Act of 1881" and all lands rights and licenses held by the Vendor in regard thereto and all rails and sleepers constituting the same AND all the railway running powers and rights of the Vendor howsoever acquired including the running powers and rights referred to in the Agreement of the fourteenth day of June one thousand nine hundred and five and set forth in the fifth Schedule hereto and the rights of the Vendor under the License referred to in the said Fifth Schedule AND all other licenses rights and privileges appertaining to the Colliery and all contracts and engagements in any way relating thereto including those partly performed and the full benefit thereof and subject as from the date of these presents to the burden thereof SAVE AND EXCEPTING thereout all moneys due to the Vendor on completed or partly completed contracts or for coal delivered up to

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the date hereof and in respect of any other book debts AND EXCEPTING the Vendor's Bond to the Railway Commissioner of New South Wales AND EXCEPTING ALSO all rights under the said Agreement of the fourteenth day of June one thousand nine hundred and five other than the railway running rights and powers aforesaid. AND EXCEPTING ALSO all rights to compensation for the resumption of parts of the Mount Kembla Railway Line made in the years one thousand nine hundred and six and one thousand nine hundred and twenty-five between the Breakwater Quarry and Port Kembla TOGETHER WITH all sidings tanks pumps fixed plant and machinery gates fences lights ways water-courses houses outhouses stables buildings yards coal-beds mines minerals metals quarries liberties privileges easements rights benefits and appurtenances whatsoever belonging or in anywise appertaining usually held or enjoyed with or reputed to belong or be appurtenant to the said Colliery and the lands hereditaments and premises of whatsoever tenure particularised in the said First Second Third and Fourth Schedules hereto except as aforesaid TO HOLD the said lands hereditaments and all and singular the premises hereby conveyed assigned transferred and assured or intended so to be in the case of Freeholds UNTO the purchaser in fee simple AND in the case of Leaseholds unto the purchaser its successors and assigns for all the respective residues of the terms of the respective leases held by or belonging to the Vendor AND in the case of all other licenses rights privileges interests and assets as aforesaid unto the purchaser and its assigns absolutely SUBJECT NEVERTHELESS in the case of Freeholds to the reservations and conditions of Crown Grants and to all reservations and notifications on the respective Certificates of Title in the case of Leaseholds to the payment of the rents and royalties reserved by the said Leases and to the observance and performance of the prohibitions restrictions covenants and conditions in the said Leases contained and henceforth to be observed and performed AND in the case of Crown Leases Registered in the Mines Department as Numbers 815, 836 and 591 TO the Indentures of Sub-Lease particularised in the Sixth Schedule hereto AND SUBJECT in the case of all other licenses rights privileges agreements contracts and engagements hereinbefore mentioned to the due discharge performance and observance by the Purchaser of all the liabilities obligations and stipulations of the Vendor to be henceforth performed or observed under or by virtue or in respect of the same AND the

Purchaser DOETH HEREBY for itself its successors and assigns COVENANT with the Vendor that the Purchaser its successors and assigns will at all times hereafter during the unexpired residue of the several terms of years granted by the respective Leases particularised in the said Fourth Schedule and any renewal or renewals thereof now or hereafter inexistence pay the several rents and royalties by the said Leases reserved and observe and perform all the covenants and conditions therein contained on the part of the Lessee henceforth to be observed and performed and will at all times hereafter keep the Vendor indemnified from and against the said rents and royalties respectively and the observance and performance of the said covenants and conditions respectively and all actions proceedings claims demands costs and expenses whatsoever for or on account of the same or in anywise relating thereto AND FURTHER will perform and observe all and every the stipulations agreements provisoes conditions and covenants including covenants for production of deeds delivered to the Purchaser respectively contained in the said licenses rights privileges agreements contracts and engagements as aforesaid and in the Sub-Leases referred to in the aforesaid Sixth Schedule hereto and henceforth on the part of the Vendor to be performed and observed and will keep the Vendor indemnified against all actions suits proceedings claims demands costs and expenses by reason of the non-performance or non-observance of the said stipulations agreements provisoes conditions and covenants or any of them and anything arising thereout except such as may have accrued prior to the date hereof AND each of them the Attorneys so as to bind himself only whilst the Power of Attorney mentioned in the Seventh Schedule hereto shall remain in his possession AND the Vendor if and when the said Power of Attorney shall be in its possession and the Vendor in respect also of the Agreement referred to in the said Seventh Schedule doth hereby covenant with the purchaser for production of the documents mentioned in the said Seventh Schedule hereto.

IN WITNESS whereof these presents have been duly executed the day and year first hereinbefore written.

THE FIRST SCHEDULE HEREINBEFORE REFERRED TO.

FIRSTLY: ALL THAT piece or parcel of land in the said Colony containing by admeasurement fifty acres two roods and thirty-eight perches be the same more or less situated in the County of Camden and Parish of near Mount Kembla on American Creek Commencing at the North West Corner of a measured portion of one hundred and five acres nine perches and bounded on the South by the North boundary of that land being a line bearing East twenty-five chains and eighty-seven links On the East by part of the West boundary of a measured portion of one hundred and nine acres one rood and sixteen perches being a line North twenty chains On the north by a line bearing West twenty-five chains and eighty-seven links and on the West by a line bearing South twenty chains to the North West corner of the measured portion of one hundred and five acres and nine perches aforesaid exclusively of two roads passing through the South East part of this land each fifty links wide the areas of which have been deducted from the total area being the land sold as Lot six in pursuance of a Proclamation of the twenty-ninth day of June one thousand eight hundred and fifty-five.

SECONDLY: ALL THAT piece or parcel of land in the said Colony containing by admeasurement ninety acres one rood and twenty-one perches be the same more or less situated in the County of Camden aforesaid in the Parish of near Mount Kembla aforesaid Commencing at the north west corner of a measured portion of eighty-six acres one rood and sixteen perches and bounded on the West by a line bearing North twenty-two chains and eighty links on the North by the South boundary of a measured portion of ninety-five acres and thirty-five perches being a line bearing East forty chains and thirty links on the East by part of the West boundary of Stafford's one hundred acres being a line bearing South twenty-two chains and eighty links On the South by the North boundary of the aforesaid measured portion of eighty-six acres one rood and sixteen perches being a line bearing West forty chains and thirty links to the North West corner of that measured portion of eighty-six acres one rood and sixteen perches aforesaid exclusively of a road fifty links wide passing through this land the area of which has been deducted from the total area being the land sold as Lot Number Three in pursuance of the said Proclamation of the twenty-ninth day of June One thousand eight hundred and fifty-five.

THIRDLY: ALL THAT piece or parcel of land in the said Colony containing by admeasurement ninety-two acres three roods be the same more or less situate in the County of Camden aforesaid in the Parish of at the summit of Illawarra Range near the Cordeaux River Commencing at the north east corner of a measured portion of one hundred and three acres and bounded on the West by part of the East boundary line of that land bearing South thirty-six chains sixty-five links on the South by the North boundary line of B. Rixon's fifty acres two roods thirty-eight perches bearing East twenty-five chains eighty-seven links on the East by a line dividing it from part of John Gerard's one hundred and nine acres one rood and sixteen perches and ninety acres one rood and twenty-one perches and from John Gerard's eighty-six acres one rood and sixteen perches bearing North thirty-six chains sixty-five links and on the North by a line bearing West twenty-five chains eighty-seven links to the North East corner of the one hundred and three acres aforesaid exclusively of a road fifty links wide passing through this land in a South Westerly direction the area of which has been deducted from the total area.

FOURTHLY: ALL THAT piece or parcel of land containing by admeasurement fifty-five acres more or less situate in the County of Camden aforesaid Parish unnamed near the American Creek Illawarra Commencing at the South East corner and bounded on the East by a road one chain wide separating it from a measured portion of thirty-one acres being a line bearing North twenty-four chains on the North by a road one chain wide separating it from a measured portion of forty-six acres being a line bearing West twenty-three chains on the West by a line bearing South twenty-four chains and on the South by a road one chain wide separating it from a measured portion of one hundred acres being a line bearing East twenty-three chains to the South East corner aforesaid being the land sold as Lot Nineteen in pursuance of a Proclamation of the thirtieth day of April One thousand eight hundred and fifty-two.

FIFTHLY: ALL THAT piece or parcel of land containing by admeasurement ninety-nine acres more or less situated in the County of Camden aforesaid in a Parish unnamed at the American Creek Illawarra Commencing at the North East corner and bounded on the North by a road one chain wide separating it from a measured portion of fifty-five acres being a line bearing West

twenty-three chains On the West by a line bearing South forty-three chains sixty links On the South by a line bearing East twenty-three chains and on the West by a road one chain wide separating it from measured portions of thirty acres and fifteen acres respectively being a line bearing North forty three chains sixty links to the North East corner as aforesaid excepting out of the last mentioned parcel of land for public use a road fifty links wide to the Cordeaux River which passes through this land the area of which is deducted from the total area being the land sold as Lot Number Eighteen in pursuance of a Proclamation of the thirtieth day of April One thousand eight hundred and fifty-two. SIXTHLY: ALL THAT piece or parcel of land containing by admeasurement one hundred and nine acres one rood and sixteen perches more or less situate in the County of Camden aforesaid in the Parish of near Mount Kembla aforesaid on American Creed aforesaid Commencing at the North West corner of Mount Kembla Reserve and bounded on the West partly by the East boundary of a measured portion of fifty acres two roods thirty eight perches and its Northerly extension being a line in all bearing North twenty eight chains and fifty links On the North by the South boundary of a measured portion of eighty six acres one rood sixteen perches being a line bearing East forty chains thirty links On the East by the West boundary of a measured portion of sixty seven acres two roods twenty four perches being a line bearing South twenty eight chains fifty links and on the South by part of the North boundary of the aforesaid Reserve being a line bearing West forty chain and thirty links to the North West corner of that Reserve as aforesaid exclusively of three roads each fifty feet wide passing through this land the area of which have been deducted from the total area being the land sold as Lot Five in pursuance of the said Proclamation of the twenty-ninth day of June One thousand eight hundred and fifty-five. SEVENTHLY: ALL THAT piece or parcel of land containing by admeasurement eighty six acres one rood sixteen perches be the same more or less situated in the County of Camden aforesaid and Parish of near Mount Kembla Commencing at the North West corner of a measured portion of one hundred and nine acres one rood and sixteen perches and bounded on the West by a line bearing North twenty one chains and eighty links on the North by the South boundary of a measured portion of ninety acres one rood twenty one perches being a line bearing East forty chains and thirty links on the East by part of the West boundary of Stafford's one hundred acres being a line bearing South twenty one chains and eighty links and on the South by the North boundary of the aforesaid measured portion of one hundred and nine acres one rood and sixteen perches being a line bearing West forty chains and thirty links to the North West corner of that measured portion of one hundred and nine acres one rood and sixteen perches aforesaid exclusively of a road of fifty links wide passing through this land the area of which has been deducted from the total area being the land sold as Lot Four in pursuance of the said Proclamation of the twenty-ninth day of June One thousand eight hundred and fifty-five.

BEING the lands described in Indenture of Conveyance made the twenty fourth day of April One thousand eight hundred and eighty between EBENEZER VICKERY of the one part and THE MOUNT KEMBLA COAL AND OIL COMPANY LIMITED of the other part Registered Number two hundred and ninety three Book two hundred and three.

ALL THAT piece or parcel of land in the Colony of New South Wales containing by admeasurement ninety five acres and thirty five perches be the same more or less situate in the County of Camden and Parish unnamed near Mount Kembla at Brandy and Water Creek Commencing at the North West corner of a measured portion of ninety acres one rood twenty one perches and bounded on the West by a line bearing North twenty four chains on the North by the Southern boundary of a measured portion of eighty three acres one rood and twenty perches being a line bearing East forty chains and thirty links on the East by the Western boundary of Stafford's fifty five acres being a line bearing South twenty four chains and on the South by the Northern boundary of the aforesaid measured portion of ninety acres one rood twenty one perches being a line bearing West forty chains and thirty links to the North Western corner of that measured portion of ninety acres one rood twenty one perches as aforesaid exclusive of a road fifty links wide passing through the land the area of which has been deducted from the total area.

BEING the land described in Indenture of Conveyance made the first day

of April One thousand eight hundred and eighty between JAMES JONES of the one part and THE MOUNT KEMBLA COAL AND OIL COMPANY LIMITED of the other part Registered Number one hundred and twenty Book two hundred and one.

ALSO FIRSTLY: ALL THAT piece or parcel of land in the Colony of New South Wales containing by admeasurement forty three acres be the same more or less situated in the County of Camden and Parish unnamed at Kembla Creek Portion III Commencing at the left bank of Kembla Creek at the north-east corner of William Stone's one hundred and two acres and bounded thence on the West by part of the East boundary line of that land bearing South two degrees ten minutes west twenty nine chains and thirty four links On the South by part of the North boundary line of Robert Owen's eighty three acres one rood and twenty perches bearing East two degrees ten minutes south fifteen chains and thirty two links On the East by the west boundary of Portion II of fifty three acres and part of the west boundary of Portion IV of forty four acres being in all a line bearing north one degree east thirty chains and sixty links and on the North by a line bearing west one chain to Kembla Creek and thence by that Creek downwards to the point of commencement ~~exclusively of the existing road one chain wide passing along the east boundary of this land in a southerly direction for about twenty two chains and thence south-easterly the area of which has been deducted from the total area.~~ SECONDLY: ALL THAT piece or parcel of land in our said Colony containing by admeasurement forty four acres be the same more or less situated in the County of Camden and Parish unnamed at Kembla Creek Portion IV Commencing on the East side of a road one chain wide at the north-west corner of Portion II of fifty three acres and bounded thence on the west by that road dividing it from part of Portion III of forty three acres and from part of Wm. Stone's fifty four acres bearing north one degree east sixteen chains and seventy three links On the North by a continuation of that road along the Bank of Kembla Creek easterly to its intersection with the south boundary line of Wm. Stone's fifty four acres aforesaid and thence by that boundary bearing east to the south-east corner of that land again on the West by part of the east boundary line of that fifty four acres bearing north to the south-west corner of Portion VIII of forty seven acres again on the North by part of the south boundary line of that portion bearing east nine chains and fifty nine links on the East by the West boundary line of Portion V of forty five acres bearing south nineteen chains and on the South by part of the North boundary line of Portion II aforesaid bearing west one degree north twenty five chains and nine links to point of commencement being land Proclaimed as Lot Four on the seventh day of October One thousand eight hundred and sixty and selected by said JOSEPH PARSONS under the eleventh paragraph of the Regulation of the first day of March One thousand eight hundred and forty three. ALSO ALL THAT piece or parcel of land in our said Colony containing by admeasurement fifty three acres be the same more or less situated in the County of Camden and Parish unnamed at Brandy and Water Creek Portion Two Commencing on the east side of a road one chain wide at the south-west corner of Portion Four of forty four acres and bounded thence on the West by part of the East boundary line of Portion Three of forty three acres forming partly the east side of that road bearing south one degree west nineteen chains and seventy nine links On the south by a line dividing it from part of Robert Owen's eighty three acres one rood and twenty perches and from part of Robert Owen's forty six acres bearing east two degrees ten minutes south twenty eight chains and seventy links to a perpendicular Cliff on the West by that Cliff forming the west boundary of Portion One of forty four acres northerly to the south boundary of Portion Five of forty five acres On the North by a line forming part of that boundary and the south boundary of Portion Four aforesaid bearing West one degree north twenty nine chains and sixty three links to the point of commencement being the land sold as Lot Two in pursuance of the Proclamation of the seventeenth day of October One thousand eight hundred and sixty.

BEING the lands described in Indenture of Conveyance made the fifth day of December One thousand eight hundred and eighty five between JOSEPH PARSONS of the one part and THE MOUNT KEMBLA COAL AND OIL COMPANY LIMITED of the other part Registered Number Two hundred and seventy nine Book Three hundred and twenty nine.

ALSO ALL THAT piece or parcel of land in the said Colony containing by admeasurement forty five acres be the same more or less situated in the County of Camden near Brandy and Water Creek Portion Five commencing on the west side of a road one chain wide at a point bearing West one degree North from the North West corner of G.R. Waldron's fifty acres and bounded thence on the East by that Road dividing it from Portion Six of forty eight acres two roods bearing North thirty minutes East nineteen chains twenty links on the North by the South side of a Road one chain wide dividing it from part of Portion Seven of thirty two acres two roods seventeen perches and by part of the South boundary of Portion Eight of forty seven acres being in all a line bearing West twenty three chains sixty four links on the West by the East boundary line of Portion Four of forty four acres bearing South nineteen chains and on the South by the North boundary of Portion One of forty four acres and by part of the North boundary of Portion Two of fifty three acres being in all a line bearing East one degree south twenty three chains fifty four links to the point of Commencement being the land sold as Lot Five in pursuance of the Proclamation of the seventeenth day of October One thousand eight hundred and sixty.

BEING the land described in Indenture of Conveyance made the nineteenth day of June One thousand eight hundred and eighty five between BENJAMIN MARSHALL of the one part and THE MOUNT KEMBLA COAL AND OIL COMPANY LIMITED of the other part Registered Number Five hundred and eighty nine Book Three hundred and twelve. ALSO: ALL THAT piece or parcel of land in our said Territory containing by admeasurement one hundred and two acres be the same more or less situated in the County of Camden and Parish of on Kembla Creek Commencing on Kembla Creek at the north-east corner of a measured portion of one hundred and thirteen acres one rood and bounded thence on the West by the East boundary of that land being a line bearing South forty chains on the South by the North boundary of a measured portion of one hundred and eleven acres being a line bearing east twenty five chains eighty seven links on the East by part of the West boundary of R.Owen's eighty three acres one rood and twenty perches and its northerly prolongation being a line in all bearing North forty three chains to Kembla Creek and on the North by Kembla Creek downward to the point of Commencement exclusively of a road fifty links wide passing through the land in a westerly direction the area of which has been deducted from the total area being the land sold as Lot Seventeen in pursuance of the Proclamation of the seventh day of December One thousand eight hundred and fifty seven.

BEING the land described in Indenture of Conveyance made the fifth day of December One thousand eight hundred and eighty five between ALLAN McLEAN of the one part and THE MOUNT KEMBLA COAL AND OIL COMPANY LIMITED of the other part Registered Number Two hundred and eighty two Book Three hundred and twenty nine.

ALSO: ALL THAT piece or parcel of land in our said Colony containing by admeasurement thirty three acres be the same more or less situated in the County of Camden and Parish unnamed at Kembla Creek Portion Nine Commencing on the east boundary line of Portion Eight of forty seven acres at the north west corner of Portion Seven of thirty two acres two roods and seventeen perches and bounded thence on the West by part of that boundary and part of the east boundary of a measured portion of sixty nine acres being in all a line bearing North eleven chains and ninety two links On the North by the South boundary line of Portion Ten of forty four acres bearing East twenty nine chains On the East by part of the West boundary line of Thomas Cleverdon's fifty eight acres twenty six perches bearing South eleven chains and ninety two links and on the South by the North boundary line of Portion Seven aforesaid bearing West twenty nine chains to the point of Commencement exclusively of the existing road one chain wide passing along the West boundary of this land in a southerly direction the area of which has been deducted from the total area being the land sold as Lot Nine in pursuance of the Proclamation of the seventeenth day of October One thousand eight hundred and sixty.

BEING the land described in Indenture of Conveyance made the fifth day of December One thousand eight hundred and eighty five between

GEORGE RUTLEDGE of the one part and THE MOUNT KEMBLA COAL AND OIL COMPANY LIMITED of the other part Registered Number Two hundred and eighty Book Three hundred and twenty nine.

ALSO ALL THAT piece or parcel of land in our said Colony containing by admeasurement forty four acres be the same more or less situated in the County of Camden and Parish unnamed at Kembla Creek Portion ~~X~~<sup>9</sup> Commencing at the North West corner of Thomas Cleverdon's fifty eight acres and twenty six perches and bounded thence on the East by part of the West boundary line of Portion ~~XII~~<sup>9</sup> of thirty six acres bearing North sixteen chains and five links on the north by the south boundary line of Portion ~~XI~~<sup>9</sup> of forty three acres bearing West twenty nine chains to the East boundary line of a measured portion of sixty nine acres on the West by part of that boundary line bearing South sixteen chains and five links and on the South by the North boundary line of Portion ~~IX~~<sup>9</sup> of twenty three acres bearing East twenty nine chains to the point of commencement exclusively of the existing road one chain wide from Kembla Creek passing through this land in a North Westerly direction and of the existing road one chain wide passing along part of the ~~North~~ boundary of this land from the South West corner thereof ~~the area of which has been deducted from the total area being the land~~ ~~as Lot Ten on the seventeenth day of October One thousand eight hundred and sixty and selected by the said GEORGE RUTLEDGE under the eleventh paragraph of the Regulations of the first day of March One thousand eight hundred and forty three.~~

BEING the land described in Indenture of Conveyance made the fifth day of December One thousand eight hundred and eighty five between JOSEPH RUTLEDGE of the one part and THE MOUNT KEMBLA COAL AND OIL COMPANY LIMITED of the other part Registered Number Two hundred and eighty five Book Three hundred and twenty nine.

ALSO ALL beds and seams of coal kerosene shale fireclay ironstone and other mines and minerals lying and being within and under ALL THAT piece or parcel of land in our said Colony containing by admeasurement thirty two acres two roods and seventeen perches be the same more or less situated in the County of Camden and Parish unnamed near Brandy and Water Creek Portion Seven Commencing at the South West corner of Thomas Cleverdon's fifty eight acres twenty six perches and bounded thence on the East by part of the West boundary line of that land bearing North eleven chains and fifty nine links On the North by the South boundary line of Portion Nine of thirty three acres bearing West twenty nine chains On the West by part of the East boundary line of Portion Eight of forty seven acres bearing South eleven chains and nineteen links and on the South by a line forming partly the North boundary of Portion Six of forty eight acres two roods to the North boundary of Portion Five of forty five acres bearing East one degree South twenty nine chains to the point of Commencement exclusively of the existing road one chain wide passing along the West boundary of this land in a Southerly direction and along part of the South thereof in an easterly direction, the area of which has been deducted from the total area.

BEING the land described in Indenture of Conveyance made the fifth day of December One thousand eight hundred and eighty five between THOMAS PURCELL of the one part and THE MOUNT KEMBLA COAL AND OIL COMPANY LIMITED of the other part Registered Number Two hundred and eighty one Book Three hundred and twenty nine.

ALSO ALL THAT piece or parcel of land in our said Colony containing by admeasurement thirty two acres two roods and seventeen perches be the same more or less situated in the County of Camden and Parish unnamed near Brandy and Water Creek Portion Seven Commencing at the South West corner of Thomas Cleverdon's fifty eight acres twenty six perches and bounded thence on the East by part of the West boundary line of that land bearing North eleven chains and fifty nine links On the North by the South boundary line of Portion Nine of thirty three acres bearing West twenty nine chains On the West by part of the East boundary line of Portion Eight of forty seven acres bearing South eleven chains and nineteen links and on the South by a line forming partly the North boundary of Portion Six of forty eight acres two roods to the North boundary of Portion Five of forty five acres bearing East one degree South twenty nine chains to the point of Commencement exclusively of the existing road one chain wide passing along the West

boundary of this land in a Southerly direction and along part of the South thereof in an easterly direction the area of which has been deducted from the total area .

BEING the land sold as Lot Seven in pursuance of the Proclamation of the seventeenth day of October One thousand eight hundred and sixty SAVING AND EXCEPTING thereout the coal kerosene shale fire-clay iron-stone seams and other mines of minerals lying within or under the said land lastly hereinbefore described and which were Conveyed to the MOUNT KEMBLA COAL AND OIL COMPANY LIMITED by the hereinbefore mentioned Conveyance of the fifth day of December One thousand nine hundred and five Registered Number 281 Book 329.

BEING the land described in Indenture of Conveyance made the seventh day of September One thousand nine hundred and seven between JAMES ROBERT MILLAR ROBERTSON of the one part and THE MOUNT KEMBLA COAL AND OIL COMPANY LIMITED of the other part Registered Number 81 Book 838.

ALL THAT piece or parcel of land in the said Colony containing by admeasurement eighty three acres one rood and twenty perches be the same more or less situated in the County of Camden Parish of near Mount Kembla on Brandy and Water Creek Commencing on the North Western corner of a measured Portion of ninety five acres and thirty five perches and bounded on the West by a line bearing North twenty one chains On the North by a line bearing East forty chains thirty links on the East by the West boundary of a measured Portion of forty six acres being a line bearing South twenty one chains and on the South by the North boundary of the aforesaid measured Portion of ninety five acres and thirty five perches being a line bearing West forty chains thirty links to the North West corner of that measured Portion of ninety five acres and thirty five perches aforesaid exclusive of a road fifty links wide passing through this land the area of which has been deducted from the total area being the land sold as Lot One in pursuance of the Proclamation of the twenty ninth day of June One thousand eight hundred and fifty five. ALSO ALL THAT piece or parcel of land in our said Territory containing by admeasurement one hundred and twelve acres be the same more or less situate in the County of Camden Parish unnamed near Kembla Creek Commencing at the North West corner of a measured Portion of one hundred and eleven acres and bounded thence on the East by the West boundary of that land being a line bearing South forty three chains ninety five links on the South by the North boundary of a measured Portion of one hundred and three acres being a line bearing West twenty five chains fifty links On the West by the East boundary of a measured Portion of one hundred and twelve acres being a line bearing North fifty three chains and ninety five links and on the North by the South boundary of a measured Portion of one hundred and thirteen acres one rood being a line bearing East twenty five chains fifty links to the point of Commencement being the land Proclaimed as Lot Twenty four on the seventh day of December One thousand eight hundred and fifty seven and selected by M. LARKIN under the eleventh paragraph of the Regulations of the first day of March One thousand eight hundred and forty three.

BEING the land described in Indenture of Conveyance made the twelfth day of October One thousand eight hundred and ninety two between PERCY OWEN and ALFRED ALLASTON TURNER (Trustees of the Will of Robert Owen) of the first part PERCY OWEN and HENRY PERCY OWEN of the second part EBENEZER VICKERY of the third part and THE MOUNT KEMBLA COAL AND OIL COMPANY LIMITED of the fourth part Registered Number 540 Book 501.

ALSO ALL THAT piece or parcel of land in the Colony of New South Wales containing by admeasurement one hundred and two acres two roods be the same more or less situated in the County of Camden and Parish of near the Cordeaux River Commencing at the North West corner of a measured portion of one hundred and three acres and bounded on the East by the West boundary line of that land bearing South forty one chains on the South by the North boundary line of a measured Portion of ninety eight acres two roods bearing West twenty five chains to a road fifty links wide on the West by that Road separating it from two measured portions of thirty six acres each bearing north forty one chains and on the North by a line bearing East twenty five chains to the North West corner of the measured Portion of one hundred and three acres as aforesaid being the land Proclaimed as Lot Three on the tenth day of September One thousand eight hundred and fifty six and selected by WILLIAM STAFFORD under the eleventh paragraph of the Regulations of the first day of March One thousand eight hundred and forty three.

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BEING the land described in Indenture of Conveyance made the twenty third day of July One thousand eight hundred and ninety seven between ELEANOR JANE HEATH of the first part EDWIN JACOBS of the second part and THE MOUNT KEMBLA COAL AND OIL COMPANY LIMITED of the third part Registered Number 469 Book 603.

ALL THAT piece or parcel of land situate at Kembla Central near Unanderra in the Parish of Wollongong County of Camden and State of New South Wales being part of Portion Number Twenty nine of the Berkeley Estate Subdivision of Jemima Jenkins' Two thousand acres Grant containing by admeasurement twenty nine and a quarter perches Commencing at the intersection of the north eastern boundary fence of the Mount Kembla Coal and Oil Company's Railway with the eastern boundary fence of a Reserved Road forty feet wide and bounded thence on the South West by part of the North Eastern boundary fence of the said Railway bearing South Easterly one hundred and seventy four feet three inches thence on the East by a line dividing it from other part of said Portion Twenty nine bearing North Easterly ninety two feet five inches to the Northern boundary of said Portion Number Twenty nine and thence on the North by a fenced line being part of the Northern boundary of said Portion Number Twenty nine dividing it from Eady Estate land bearing Westerly one hundred and sixty nine feet to the East side of the said reserved road forty feet wide and thence on the West by part of the Eastern boundary fence of that Road bearing southerly four feet seven inches to the point of Commencement be the said several dimensions all a little more or less.

BEING the land described in Indenture of Conveyance made the fifth day of May One thousand nine hundred and eight between WILLIAM HURT of the one part and THE MOUNT KEMBLA COAL AND OIL COMPANY LIMITED of the other part Registered Number 42 Book 855.

ALSO ALL beds and seams of coal kerosene shale cannel fire-clay ironstone and other mines and minerals lying and being within and under ALL THAT piece or parcel of land in our said Colony containing by admeasurement fifty eight acres and twenty six perches being the same more or less situated in the County of Camden and Parish of near Mount Keira Commencing at the north east corner of a measured Portion of fifty six acres and twenty five perches and bounded on the South by the North boundary line of that land bearing West twenty six chains On the West by a line bearing North twenty three chains thirty three links On the North by a line dividing it from a measured Portion of thirty one acres one rood and eighteen perches bearing East twenty six chains and on the East by the west side of a road one chain wide dividing it from a measured Portion of forty two acres and two roods bearing South twenty three chains thirty three links to the north east corner aforesaid Reserving for public use the existing road one chain wide from Mount Keira to the Dapto Road passing through this land in a south-easterly direction the area of which is deducted from the total area Being the land Proclaimed as Lot Five on the eighth day of December One thousand eight hundred and fifty four and selected by THOMAS CLEVERDON under the eleventh paragraph of the Regulations of the first day of March One thousand eight hundred and forty three.

BEING the land described in Indenture of Conveyance made the fifth day of December One thousand eight hundred and eighty five between BERNARD GILLEN of the one part and THE MOUNT KEMBLA COAL AND OIL COMPANY LIMITED of the other part Registered Number 284 Book 329.

ALSO ALL beds and seams of coal kerosene shale cannel fire-clay ironstone and other mines and minerals lying and being within and under ALL THAT piece or parcel of land in the Colony of New South Wales containing by admeasurement fifty four acres be the same more or less situated in the County of Camden and Parish of between Kembla and Goondarin Creeks Commencing at the South West corner of a measured Portion of seventy acres and bounded on the North by the South boundary line of that land bearing East twenty eight chains seventy nine links on the East by a line bearing South sixteen chains on the South by a line bearing West ten chains to Kembla Creek thence by that Creek downwards to the South West corner of a measured portion of one hundred and twenty five acres two roods and on the West by part of the East boundary of that land bearing North twenty two chains thirty links to the South Western corner of the aforesaid seventy acres Exclusively of a road one chain wide passing through the South East portion of this land in a South Westerly direction the area of which has been deducted

from the total area being the land sold as Lot Sixteen in pursuance of the Proclamation of the seventh day of December One thousand eight hundred and fifty seven and conveyed by Grant dated the eighteenth day of May One thousand eight hundred and fifty eight to WILLIAM SHONE and conveyed by him by Indenture dated the thirteenth day of December One thousand eight hundred and fifty eight to the said JOHNSTON HEMPHILL.

BEING the land described in Indenture of Conveyance made the fifth day of December One thousand eight hundred and eighty five between HENRY BURLING of the one part and THE MOUNT KEMBLA COAL AND OIL COMPANY LIMITED of the other part Registered Number 283 Book 329.

ALSO ALL coal cannel ironstone and all other mines and minerals of whatsoever description lying and being under ALL THAT piece or parcel of land in the said Colony of New South Wales containing by admeasurement forty six acres be the same more or less situated in the County of Camden and Parish unnamed near the American Creek Illawarra Commencing at the south east corner of and bounded on the East by a road one chain wide separating it from a measured portion of twenty six acres being a line bearing North twenty chains On the North by a line bearing West twenty three chains on the West by a line bearing South twenty chains and on the South by a Road one chain wide separating it from a measured Portion of fifty five acres being a line bearing East twenty three chains to the south east corner as aforesaid being the land sold as Lot One in pursuance of the Proclamation of the nineteenth day of May One thousand eight hundred and fifty four.

BEING the land described in Indenture of Conveyance made the twenty seventh day of May One thousand eight hundred and eighty five between JAMES McFARLANE of the one part and THE MOUNT KEMBLA COAL AND OIL COMPANY LIMITED of the other part Registered Number 656 Book 310.

ALSO ALL AND SINGULAR the mines beds veins and seams of coal and other minerals whatsoever in or under ALL THAT piece or parcel of land containing one hundred and fifty one acres two roods more or less situated in the County of Camden and Parish of on Kembla Creek Commencing at the North West corner of a measured Portion of one hundred and thirteen acres one rood and bounded thence on the East by the West boundary of that land being a line bearing South fifty three chains on the South by the North boundary of a measured portion of one hundred and twelve acres being a line bearing West twenty five chains fifty links on the West by a line dividing it from a measured portion of one hundred and six acres one rood and from a measured portion of seventy two acres bearing North sixty eight chains to Kembla Creek and on the North by Kembla Creek upwards to the point of Commencement exclusively of a Road fifty links wide passing through this land in a North Westerly direction the area of which has been deducted from the total area being the land sold as Lot Nineteen in pursuance of the Proclamation of the seventh day of December One thousand eight hundred and fifty seven.

BEING the land described in Indenture of Conveyance made the thirteenth day of December One thousand eight hundred and ninety seven between MICHAEL MORAN of the one part and THE MOUNT KEMBLA COAL AND OIL COMPANY LIMITED of the other part Registered Number 428 Book 612.

ALSO ALL THAT piece or parcel of land situated at American Creek in the District of Illawarra County of Camden Colony of New South Wales being part of thirteen acres granted by the Crown to the said Vendor by Grant dated the eighteenth day of October One thousand eight hundred and forty four containing two acres one rood and thirty perches more or less bounded as follows Commencing at a point four chains and seventy five links South from the North West corner of the said thirteen acres and following a line East three degrees North for a distance of five chains thence by a line bearing North one chain thence by a line bearing North forty five degrees West four chains to the North boundary of said thirteen acres thence by that boundary being a line bearing East one chain and forty links thence by a line bearing South forty five degrees East four chains thence on the North by a line bearing East three degrees North six chains and thirty links more or less to a point two chains and seventy five links from the North East corner of the said thirteen acres thence on the East by the Western boundary of said thirteen acres being a line bearing South two chains thence on the South by a line bearing West three degrees South twelve chains and seventy links more or less to the western boundary of the said thirteen

acres and on the West by that boundary being a line bearing North one chain to the point of Commencement.

BEING the land described in Indenture of Conveyance made the twenty eighth day of December One thousand eight hundred and eighty between ROBERT BENJAMIN of the one part and THE MOUNT KEMBLA COAL AND OIL COMPANY LIMITED of the other part Registered Number 69 Book 216.

ALSO ALL THAT piece or parcel of land containing by estimation two acres two roods and twenty seven perches more or less in the said Colony situate at American Creek near Wollongong aforesaid in the District of Illawarra Commencing at the south west corner of JOHN VAUGHAN THOMPSON'S Crown Grant of fifteen acres bounded on the West by a line bearing North (being a portion of the west boundary of the said fifteen acres) nine chains twenty seven links more or less to a stake driven into the right bank of the blind creek which crosses the said west boundary of the said fifteen acres thence on the North and East by the right bank of the said blind creek ten chains ninety seven links more or less to a point on the south boundary of the said fifteen acres and thence on the south by that boundary line bearing West five chains seventy six links more or less to the point of Commencement AND ALSO ALL THAT piece or parcel of land containing by estimation one acre two roods and twenty three and a half perches more or less situate at American Creek aforesaid Commencing on the Western boundary of the Crown Grant of twenty acres and two roods of land to John Buckland at a point distant three chains south from the north east corner of Robert Benjamin's thirteen acres being a centre line bounded by parallel lines half a chain distant from each side of the said centre line bearing east thirty two degrees North eight chains thirty three links more or less thence by a centre line bounded by parallel lines half a chain distant from each side of the said centre line bearing East twenty two degrees North two chains and sixty eight links more or less thence by a centre line bounded by parallel lines half a chain distant from each side of said centre line bearing east seven degrees North five chains forty six links more or less to the eastern boundary of the said twenty acres and two roods.

BEING the land described in Indenture of Conveyance made the thirtieth day of March One thousand eight hundred and eighty one between ELIZABETH STAFFORD of the first part CECILIA STAFFORD of the second part ROBERT WILSON and LYDIA WILSON his wife of the third part EMMA JAMES of the fourth part ISAAC BROWN and MATILDA BROWN of the fifth part HENRY STAFFORD of the sixth part JOHN STAFFORD of the seventh part WILLIAM STAFFORD of the eighth part EDWIN STAFFORD of the ninth part the said ELIZABETH STAFFORD ROBERT JAMES and JOHN STAFFORD (Executors of the Will of William Stafford) of the tenth part EBENEZER VICKERY ROBERT JAMES and ELIZABETH STAFFORD of the eleventh part and THE MOUNT KEMBLA COAL AND OIL COMPANY LIMITED of the twelfth part Registered Number 352 Book 218.

ALSO ALL THAT piece or parcel of land situate at Mount Kembla in the Parish of Kembla County of Camden and State of New South Wales being part of ROBERT BENJAMIN'S thirteen acres grant and being also part of Lot Nine of the Benjamin Estate Subdivision being the land adjoining the said Company's incline and having a frontage of about four hundred and fifteen feet nine and a half inches to the Company's sidings with a depth of about twenty feet and being that portion of Vendor's land which is enclosed by the said Company's boundary fence.

BEING the land described in Indenture of Conveyance made the second day of October One thousand nine hundred and nine between JAMES AXAM of the one part and THE MOUNT KEMBLA COAL AND OIL COMPANY LIMITED of the other part Registered Number 439 Book 891.

ALSO ALL THAT piece or parcel of land containing by admeasurement four acres situated in the Parish of Kembla County of Camden in the said Colony of New South Wales Commencing on the Eastern side of Stone's Road by the western boundary of J. Bright's (the said Vendor) Woodbrook Estate at a point three chains forty three and half links North from a marked gum tree on the eastern side of the said Road and the Northern bank of the American Creek thence Northerly seventy five links thence Easterly and South Easterly by a curved line to the Eastern boundary of the said Vendor's land thence along that boundary eighty five links and thence by a curved line in a North West and Westerly direction to the point of Commencement The land above described and intended to be hereby conveyed being throughout the length thereof of an average width of seventy five links and the said Company's Railway being constructed upon the said land.

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BEING the land described in Indenture of Conveyance made the twenty sixth day of February One thousand eight hundred and eighty three between JOHN BRIGHT of the one part and THE MOUNT KEMBLA COAL AND OIL COMPANY LIMITED of the other part Registered Number 231 Book 264.

ALSO ALL THAT piece or parcel of land containing by admeasurement six acres two roods and twenty perches situate in the Parish of Wollongor County of Camden Commencing on the southern boundary of the said Vendor's Keelogue's Estate three chains seventy seven and a half links West from the North West corner of the said Vendor's twelve acres known as the Avenue thence in a north westerly and Westerly direction by a curved line at an average distance of thirty seven and a half links from the centre of the Mount Kembla Railway to the Western boundary of the said Vendor's land and the eastern boundary of John Bright's Woodbroc Estate thence by that boundary Southerly eighty five links thence by curved line Easterly and South East direction to the Southern boundary of the said Vendor's land and thence by that boundary ninety links to the point of Commencement the land above described and intended to be hereby conveyed being of an average width of seventy five links and the said Company's Railway being constructed upon the said land.

BEING the land described in Indenture of Conveyance made the twenty eighth day of October One thousand eight hundred and eighty two between THOMAS WILSON EADY of the one part and THE MOUNT KEMBLA COAL AND OIL COMPANY LIMITED of the other part Registered Number 621 Book 258.

ALSO ALL THAT piece or parcel of land situated at Berkeley in the District of Illawarra County of Camden Colony of New South Wales containing by estimation two acres two roods and thirty nine perches more or less being portion of two thousand acres granted to Jemima Jenkins Commencing on the Northern boundary of the Berkeley Estate being the Southern boundary of the Keelogue's Estate now the property of T.W. Eady Esquire and at a point thirty links West from the South West margin of the American Creek Road being the South East corner of the said Keelogue's Estate and being a centre line bounded by parallel lines twenty feet distant from each side of the said centre line bearing East thirty three degrees South eighteen chains and fifty eight links more or less thence by a centre line bounded by parallel lines twenty feet distant from each side of the said centre line bearing East eleven degrees South twenty six chains and forty nine links more or less to the Main South Coast Road AND ALSO ALL THAT piece or parcel of land sitauted at Berkeley aforesaid also being a portion of the said two thousand acres containing by estimation nine acres and five perches more or less Commencing at a point two chains East from the North East corner of the intersection of the Five Islands Road with the Main South Coast Road bounded on the South by the Northern boundary of the Five Islands Road being a line bearing West two chains on the West by the Main South Coast Road being a line bearing North one chain on the North by a line parallel with the said Five Islands Road two chains and on the East by a line Southerly parallel with the Main South Coast Road one chain to the point of commencement thence by a centre line commencing on the Eastern boundary of the portion last described thirty links from the North East corner and bounded by parallel lines twenty feet distant from each side of the said centre line bearing East twenty one degrees South seven chains and seventy links more or less thence by a centre line bounded by parallel lines twenty feet distant from each side of the said centre line bearing East twenty three degrees South six chains and sixty one links more or less thence by a centre line bounded by parallel lines twenty feet distant from each side of the centre line bearing East thirty eight degrees South nineteen chain and sixty three links thence by a centre line bounded by parallel line twenty feet distant from each side of the said centre line bearing East forty five degrees South twenty nine chains and ten links more or less thence by a centre line bounded by parallel lines twenty feet distant from each side of said centre line bearing East twenty four and a half degrees South twenty chains and fifty links thence by a centre line bounded by parallel lines twenty feet distant from each side of said centre line bearing East thirty degrees South forty seven chains and thirty three links more or less thence by a centre line bounded by parallel lines twenty feet distant from each side of said centre line bearing East twenty seven and a half degrees South seventeen chains and twenty five links to the Eastern boundary of the said Berkeley Estate.

BEING the land described in Indenture of Conveyance made the seventeenth day of March One thousand eight hundred and eighty one between

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WILLIAM FREDERICK JONES of the first part WILLIAM WARREN JENKINS of the second part and THE MOUNT KEMBLA COAL AND OIL COMPANY LIMITED of the third part Registered Number 70 Book 216.

ALSO ALL THAT piece or parcel of land situated in the Parish of Wollongong County of Camden Colony of New South Wales being part of Jemima Jenkin's two thousand acres grant Commencing at the intersection of the Western side of a Road leading from the Cordeaux River Road to Lake Illawarra with the Southern side of the said Cordeaux River Road leading from Cordeaux River to Wollongong and bounded on the East by the first mentioned Road being a line bearing South two degrees sixteen minutes West two hundred and sixty nine and four-tenth links on the South East again by that Road being lines bearing South thirty six degrees fifty eight minutes West three hundred and thirty four and seven tenth links and South forty seven degrees eight minutes West eighty and one half links on the South by a fenced line bearing South eighty nine degrees two minutes West three hundred and eighty two links on the West by a fenced line bearing North two degrees thirty nine minutes East five hundred and eighty nine and two tenth links and on the North by a fenced line and partly by the said Cordeaux River Road being a line bearing North eighty nine degrees nine minutes East six hundred and twenty five and eight tenths links to the point of Commencement excluding thereout portion of the Mount Kembla Railway forty feet wide and containing an area exclusive of the said Railway of three acres a little more or less.

BEING the land described in Indenture of Conveyance made the tenth day of September One thousand nine hundred between WILLIAM JAMES ROBERT JENKINS ROBERT THOMAS JENKINS and DEIGHTON TAYLOR of the one part and THE MOUNT KEMBLA COAL AND OIL COMPANY LIMITED of the other part Registered Number 820 Book 672.

ALSO FIRST ALL THAT piece or parcel of land in the said Territory containing by admeasurement fifty acres be the same more or less situated in the County of Camden and Parish unnamed at the American Creek Illawarra near Wollongong Commencing at the South East corner and bounded on the East by a measured portion of fifty acres being a line bearing North twenty chains fifty links on the North by a line bearing West twenty four chains ninety links On the West by a line bearing South twenty chains fifty links and on the South by a Road one chain wide separating it from measured land being a line bearing East twenty four chains ninety links to the South East corner as aforesaid being the land sold as Lot Seven in pursuance of the Proclamation of the twenty ninth day of July One thousand eight hundred and fifty one. EXCEPTING and reserving thereout FIRSTLY: ALL THAT piece or parcel of land containing by admeasurement one acre and six perches more or less being part of G.K. Waldron's fifty one acres Grant in the Parish of Kembla County of Camden Colony of New South Wales Commencing at a point West six hundred and sixty seven links and North one hundred and seventy five links from the South East corner of the said fifty one acres Grant bounded on the South by a line bearing West thirty two degrees eleven minutes South for three hundred and forty links On the West by a line bearing North twenty six degrees thirteen minutes West for three hundred and five links On the North by a chain wide Road separating it from the remainder of the two acres bearing East nine degrees forty six minutes South for three hundred and twenty four and a half links On the East by a line bearing South thirty two degrees eleven minutes East for two hundred and fifty nine links to the point of commencement.

AND SECONDLY: ALL THAT piece or parcel of land containing by admeasurement three roods thirty seven perches being a part of the said fifty one acres Grant Commencing at a point North thirty two degrees eleven minutes West one hundred and ten links from the North East corner of the one acre Lot described above bounded on the East by a line bearing North thirty two degrees eleven minutes West for four hundred and seventy one links On the North by a line bearing West thirty two degrees eleven minutes South for two hundred and thirty three links On the West by a line bearing South thirty two degrees eleven minutes East for three hundred and seventy five links On the South by a chain wide Road separating it from the one acre Lot described above bearing East nine degrees forty six minutes South for two hundred and fifty two links to the point of commencement, including all beds and seams of coal and other mines and minerals in upon or under the same land, AND SECONDLY: ALL THAT piece or parcel of land in the said Colony containing by admeasurement forty seven acres be the same more or less situated in the County of Camden and Parish unnamed at Kembla Creek Portion VIII Commencing at

the North East corner of William Shone's fifty four acres and bounded thence on the West by part of the East boundary line of that land bearing South sixteen chains and eight links On the South by the North boundaries of Portion  $\frac{7}{10}$  of forty five acres and portion  $\frac{9}{14}$  of forty four acres being in all a line bearing East thirty chains and twenty three links to a Road one chain wide On the East by that Road dividing it from Portion  $\frac{9}{11}$  of thirty two acres two roods seventeen perches and from part of Portion  $\frac{1}{10}$  of thirty three acres bearing North sixteen chains and eight links and on the North by the South boundary line of a measured Portion of sixty nine acres bearing West thirty chains and twenty three links to the point of commencement Exclusively of the existing Road one chain wide passing through this land in a South West-erly direction the area of which has been deducted from the total area being the land proclaimed as Lot Eight on the seventeenth day of October One thousand eight hundred and sixty and selected by JAMES FLANNAGHAN under the twelfth paragraph of the Regulations of the first day of March One thousand eight hundred and forty three. INCLUDING all beds and seams of coal and other mines and minerals in upon or under the same land. AND THIRDLY: ALL THAT piece or parcel of land contain- ing by admeasurement four acres being a portion of L.G. Gordon's Grant of forty eight acres two roods situated on the Southern boundary of the said Grant and bounded as follows Commencing at a point ten chains from the South East corner of L.G. Gordon's forty eight and a half acres by a line bearing West one degree fifty minutes North which line divides it from W. Fitzgerald's fifty one acres On the South by this line bear- ing West one degree fifty minutes North for eight chains on the West by a line bearing North one degree fifty minutes East for five chains On the North by a line bearing East one degree fifty minutes South for eight chains thence on the East by a line bearing South one degree fifty minutes West for five chains to the point of commencement INCLUD- ING all beds and seams of coal and other mines and minerals in upon or under the same land. AND FOURTHLY: all beds and seams of coal shale and other mines and minerals lying and being within and under all those pieces or parcels of land following that is to say FIRSTLY: ALL THAT piece or parcel of land in the said Colony containing by admeasurement sixty nine acres be the same more or less situated in the County of Camden and Parish unnamed between Kembla and Goondarin Creeks Commenc- ing at the South West corner of a measured portion of one hundred and eleven acres one rood and bounded on the North by the South boundary line of that land bearing East twenty nine chains twenty links and on the East by a line bearing South twenty four chains forty links On the South by a line bearing West twenty nine chains twenty links and on the West by the East boundary line of a measured portion of seventy acres bearing North twenty four chains forty links to the South West corner of the aforesaid one hundred and eleven acres one rood Exclusively of a road one chain wide passing through this land in a South Westerly dir- ection the area of which has been deducted from the total area being the land Proclaimed as Lot Fifteen on the seventh day of December One thousand eight hundred and fifty seven and selected by Benjamin Marshall under the eleventh paragraph of the Regulations of the first day of March One thousand eight hundred and forty three. SECONDLY: ALL THAT piece or parcel of land in the said Colony containing by admeasure- ment one hundred and forty nine acres two roods be the same more or less situated in the County of Camden and Parish unnamed between Kembla and Goondarin Creeks Commencing on the Goondarin Creek at the North West corner of a measured portion of seventy seven acres one rood and bounded on the East by the West boundary line of that land bearing South thirty seven chains sixty links On the South by the North boundary line of a measured portion of one hundred and two acres three roods bearing West twenty nine chains to the Cordeaux River on the West by that River downwards to the junction of Goondarin Creek and thence on the North by that Creek upwards to the North West corner of the afore- said seventy seven acres one rood Exclusively of a road one chain wide passing through this land in a North Westerly direction the area of which has been deducted from the total area being the land Proclaimed as Lot One on the seventh day of December One thousand eight hundred and fifty seven and selected by WILLIAM LEMPRIERE FREDERICK SHEAFFE under the eleventh paragraph of the Regulation of the first day of March One thousand eight hundred and forty three. THIRDLY: ALL THAT piece or parcel of land in the said Colony containing by admeasurement one hundred and two acres three roods be the same more or less situated in the County of Camden and Parish unnamed between Kembla and Goondarin Creeks Commencing on Kembla Creek at the South West corner of a measured portion of one hundred and seventeen acres three roods and bounded on the East by the West boundary line of that land bearing North fifty

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four chains twenty links on the North by the South boundary line of a measured portion of one hundred and forty nine acres two roods bearing West twenty nine chains to the Cordeaux River on the West by that River upwards to the junction of Kembla Creek and thence on the South by that Creek upwards to the South West corner of the aforesaid one hundred and seventeen acres three roods being the land Proclaimed as Lot Eight on the seventh day of December One thousand eight hundred and fifty seven and selected by the said WILLIAM LEMPRIERE FREDERICK SHEAFFE under the twelfth paragraph of the Regulations of the first day of March One thousand eight hundred and forty three. FOURTHLY: ALL THAT piece or parcel of land in the said Colony containing by admeasurement seventy seven acres one rood be the same more or less situated in the County of Camden and Parish unnamed between Kembla and Goondarin Creeks Commencing on Goondarin Creek at the North East corner of a measured portion of forty nine acres two roods and bounded on the West by the East boundary line of that land bearing South thirty seven chains sixty links on the South by the North boundary line of a measured portion of one hundred and seventeen acres three roods bearing East twenty one chains fifty links On the East by the West boundary line of a measured portion of ninety two acres three roods bearing North thirty eight chains to Goondarin Creek and on the North by that Creek downwards to the North East corner of the aforesaid one hundred and forty nine acres two roods Exclusively of two roads one chain wide and fifty links wide respectively passing through this land each in a North Westerly direction the areas of which have been deducted from the total area being the land Proclaimed as Lot Two on the seventh day of December One thousand eight hundred and fifty seven and selected by the said WILLIAM LEMPRIERE FREDERICK SHEAFFE under the eleventh paragraph of the first day of March One thousand eight hundred and forty three. FIFTHLY: ALL THAT piece or parcel of land situated in the County of Camden and Parish unnamed at Kembla Creek Portion XI containing by admeasurement forty three acres be the same more or less Commencing on the East boundary line of a measured portion of sixty nine acres at the North Western corner of Portion X of forty four acres and bounded thence on the South by the North boundary line of that Portion bearing East twenty nine chains on the East by part of the West boundary line of Portion XII of thirty six acres bearing North sixteen chains and thirteen links to a road one chain wide on the North by a line forming partly the South side of that Road one chain wide and the South boundary line of a measured portion of seventy two acres two roods bearing West twenty nine chains and on the West by a line forming part of the East boundary of a measured portion of one hundred and eleven acres one rood and part of the East boundary of the sixty nine acres aforesaid bearing South sixteen chains and thirteen links to the point of commencement AND ALL beds and seams of coal shale and other mines and minerals lying and being within and under ALL THAT piece or parcel of land containing by admeasurement an area not exceeding three acres being that portion of Lewis Grant Gordon's Grant of forty eight acres two roods lying South and West of a line commencing on the Northern boundary of the said Grant at a point one chain distant from the North West corner thereof and running in a South Easterly direction to a point on the Northern boundary of the land described in the Fourth Schedule hereto AND ALL seams westerly from the North East corner thereof the South boundary of the said three acres to be parallel with the said boundary in a South Easterly direction.

and described in Indenture of Conveyance made the fifth day of December One thousand eight hundred and ninety three between MAHLON E. COLLETS of the one part and THE MOUNT KEMBLA COAL AND OIL COMPANY LIMITED of the other part Registered number 596 Book 527.

AND ALL those the mines veins and seams of coal in through and lying under ALL THAT piece or parcel of land being Portion One hundred and fifty one of the Parish of Kembla County of Camden described in the original Crown Grant as follows ALL THAT piece or parcel of land containing by admeasurement forty four acres be the same more or less situated in the County of Camden Parish of Kembla and State of New South Wales at Brandy and Water Creek Portion One COMMENCING on the west side of a Road one chain wide at a point bearing west one degree north from the north west corner of G.K. Waldron's fifty acres on the east side of that Road and bounded thence on the north by part of the South boundary line of Portion Five of forty five acres bearing west one degree north nineteen chains to a perpendicular cliff on the west by that cliff southerly to the north boundary of Robert Owen's forty six acres on the

east  
 south by a line dividing it partly from that forty six acres and south  
 twenty chains ten links to the aforesaid Road and on the east by that  
 Road dividing it from G.K. Waldron's fifty acres aforesaid bearing  
 North one degree east twenty one chains twelve links to the point of  
 commencement Exclusively of the existing road one chain wide passing  
 along part of the southern boundary of this land in a westerly direct-  
 ion from the south east corner thereof the area of which has been de-  
 ducted from the total area being the land sold as Lot One in pursuance  
 of the Proclamation of the seventeenth day of October One thousand  
 eight hundred and sixty but inclusive in this Conveyance of all coal  
 (if any) to which the Vendor is entitled under the last mentioned road.

BEING the land described in Indenture of Conveyance made the twenty-  
 seventh day of November One thousand nine hundred and forty between  
 JAMES FISHLOCK of the one part and MOUNT KEMBLA COLLIERIES LIMITED  
 of the other part Registered Number 704 Book 1883.

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THE SECOND SCHEDULE HEREINBEFORE REFERRED TO.

\* ALL THAT piece of land comprising about 13 perches on the deviation of the Cordeaux Road which became vested in the Vendor by Government Gazette Notice of twenty-ninth August one thousand nine hundred and forty-one

AND ALSO the right title and interest of the Vendor to all mines and minerals (except gold and mines of gold) lying in and under ALL THOSE pieces of land situate in the Parish of Kembla being FIRSTLY Portion 167 of the said Parish comprising 70 acres 2 roods 24 perches or thereabouts formerly comprised in Crown Grant Volume 895 Folio 245 and SECONDLY Portion 13 of the said Parish comprising 125 acres 2 roods or thereabouts formerly comprised in Crown Grant Volume 1017 Folio 124 TOGETHER WITH the power of the Vendor ~~to~~ to sink shafts necessary for the working of the said mines and minerals and also right of way and access to the said shafts. \*

THE THIRD SCHEDULE HEREINBEFORE REFERRED TO.

ALL AND SINGULAR the lands and hereditaments mines minerals veins seams and beds of coal AND all rights powers and privileges in respect thereof AND the benefit and advantage of all notifications and reservations in favour of or vested in the Vendor or appurtenant to the said lands and hereditaments mines minerals veins seams and beds of coal contained in the Certificates of Title and Crown Grants hereunder mentioned and in all Transfers made by the Vendor or its predecessors in title of any lands contained in the Certificates of Title and Crown Grants hereinafter mentioned or formerly comprised in any Certificates of Title and Crown Grants for the residue of the lands comprised in which the Certificates of Title and Crown Grants hereunder mentioned have been issued SUBJECT NEVERTHELESS to the several and respective reservations and exceptions noted upon the said Certificates of Title and Crown Grants respectively AND all the lands hereditaments and premises (if any) now vested in the Vendor and forming portion of the Colliery now vested in or belonging to or held by the Vendor under the said Certificates of Title and Crown Grants or prior Certificates of Title and Crown Grants.

PARISH	COUNTY	NATURE OF INSTRUMENT.	VOLUME.	FOLIO.
KEMBLA	Camden	Certificate of Title	503	183
"	"	"	39	74
"	"	Crown Grant	27	246
"	"	"	27	245
"	"	"	29	176
"	"	Certificate of Title	1069	147
"	"	"	1125	99
"	"	"	1020	21
"	"	"	1233	129
"	"	"	1341	96
"	"	"	1341	97
"	"	"	1799	41
Wollongong	"	"	1125	96
Cordeaux	"	"	1125	97
"	"	"	1125	95
"	"	"	1125	98
Kembla	"	"	"	"
Cordeaux & Kembla	"	"	1125	100
"	"	"	1125	101

THE FOURTH SCHEDULE HEREINBEFORE REFERRED TO

FIRST PART

LEASE NO.	MP. or M.L. NUMBER	PARISH	AREA A.R.P.	DATE OF LEASE	DATE OF EXPIRY	DATE OF RENEWAL
75	Por.168	Kembla	89.1.0	26/10/1917	25.10.1957	1.6.1938
582	Mining Purposes Lease	"	"	"	"	No
	M.L.21 (Trans Line)	"	28.3.1.	5.7.1927	4.7.1947	Renewal
592	Por.147	Kembla	94.3.30	13. 3.1894	12. 3.1954	17.1.1913 & 20.12.1933
593	M.L.1	Cordeaux	246.1.17	15. 5.1894	14. 5.1954	17. 1.1913 & 20.12.1933
700	M.P.17	Kembla	121.1.18	14.12.1903	13.12.1943	15. 1.1924
701	M.P.18	"	620. 0.0	14.12.1903	13.12.1943	15. 1.1924
766	M.P. 6	Cordeaux	380. 0.0	16. 9.1905	15. 9.1945	26.11.1925
814	M.P. 5	"	312.0.26	7. 9.1907	16. 9.1947	20. 9.1927
816	M.P.23	"	69.1. 0	17. 9.1907	16. 9.1947	20. 9.1927
837	M.P.22	"	497.0. 0	24.10.1907	23.10.1947	20. 9.1927
838	M.P.32	"	144.2. 0	24.10.1907	23.10.1947	20. 9.1927
850	Por.12	Kembla	136.0. 0	16. 1.1908	15. 1.1948	24.10.1927
591	M.P.17	Cordeaux	104.2.26	13. 3.1894	12. 3.1954	17. 1.1913 & 20.12.1933
836	M.P.25	"	640.0. 0	24.10.1907	23.10.1947	20. 9.1927
815	M.P.24	"	240.0. 0	17. 9.1907	16. 9.1947	20. 9.1927
960	M.P.16 & ) M.P.3 )	Kembla	19.2. 2	25.1. 1932	24. 1.1952	No Renewal
969	M.L.22	"	11.0. 0	30.8. 1932	12. 8.1952	" "
970	M.L.23	"	8.3.33	30.8. 1932	12. 8.1952	" "
554	Ptn.151	"	44.0. 0	4.9. 1941	3. 9.1961	" "
1053	M.L.11	Cordeaux	40.0. 0	1.7. 1941	30. 6.1961	" "
1054	M.L.12	"	179.0. 0	1.7. 1941	30. 6.1961	" "
1055	M.L.13	"	40.2. 0	1.7. 1941	30. 6.1961	" "
1056	M.L.14	"	53.1. 0	1.7. 1941	30. 6.1961	" "
1057	M.L.25	Kembla & "	44.0. 0	1.7. 1941	30. 6.1961	" "
1058	M.L.16	Cordeaux	42.1. 0	1.7. 1941	30. 6.1961	" "

All in the County of Camden.

SECOND PART.

INDENTURE OF SUB-LEASE dated the eighth day of August 1930  
made between CORRIMAL BALGOWNIE COLLIERIES LIMITED as Lessor  
and MCUNT KEMBLA COLLIERIES LIMITED as Lessee in respect of  
640 acres being M.P. No.21 except the surface to a depth of 500 feet

*Handwritten notes:*  
M.P. No. 21  
640 acres  
28.10

held under Indenture of Lease from the Crown registered in Mines Department on 26th. September 1930.

THE FIFTH SCHEDULE HEREINBEFORE REFERRED TO.

AGREEMENT dated 14th. June 1905 between The Honourable Charles Alfred Lee Minister for Public Works of the State of New South Wales and The Mount Kembla Coal and Oil Company Limited in so far as the same relates to running powers and rights forever over the railway or railways within the resumed area therein mentioned and not further or otherwise.

License dated 22nd. September 1944 from the Council of the Shire of Central Illawarra to cross a road with Vendor's railway.

THE SIXTH SCHEDULE HEREINBEFORE REFERRED TO.

INDENTURE OF SUB-LEASE dated the 8th. August 1930 made between MOUNT KEMBLA COLLIERIES LIMITED as Lessor and CORRIMAL BALGOWNIE COLLIERIES LIMITED as Lessee in respect of 240 acres being M.P. 24 held under Crown Lease Registered in the Mines Department as number 815 AND 368 acres 1 rood 13 perches being part of M.P. 25 held under Crown Lease No.836 AND 51 acres 12 perches being part of M.P. 17 held under Crown Lease number 591 ALSO INDENTURE OF SUB-LEASE dated 21st. November 1934 made between the same parties IN RESPECT OF the said 51 acres 12 perches being part of M.P.17 held under Crown Lease number 591.

THE SEVENTH SCHEDULE HEREINBEFORE REFERRED TO.

POWER OF ATTORNEY CREATED the 12th. December 1944 MOUNT KEMBLA COLLIERIES LIMITED to ARTHUR DENIS WIGRAM ALLEN HAROLD LAMPLOUGH VICKERY and MARTIN REGINALD FIRTH VICKERY registered in Miscellaneous Register No.32058.

AGREEMENT dated 14th. June 1905 referred to in the Fifth Schedule hereto.

SIGNED SEALED AND DELIVERED by MOUNT KEMBLA COLLIERIES LIMITED by its duly constituted Attorneys ARTHUR DENIS WIGRAM ALLEN HARLAND LAMPLOUGH VICKERY and MARTIN REGINALD FIRTH VICKERY in the presence of :

MOUNT KEMBLA COLLIERIES LIMITED by its Attorneys:

*R. H. Stottman*  
Conveyancing Clerk with  
Allen, Allen & Hensley,  
Solicitors, Sydney.

*Arthur Allen*  
*Harold Lamplough*  
*Martin Vickery*

SIGNED SEALED AND DELIVERED the said ARTHUR DENIS WIGRAM ALLEN in the presence of

*R. H. Stottman*

*Arthur Allen*

SIGNED SEALED AND DELIVERED by the said HARLAND LAMPLOUGH VICKERY in the presence of

*R. H. Stottman*

*Harold Lamplough*

SIGNED SEALED AND DELIVERED by the said MARTIN REGINALD FIRTH VICKERY in the presence of

*R. H. Stottman*

*Martin Vickery*

THE COMMON SEAL of AUSTRALIAN IRON & STEEL LIMITED was hereunto duly affixed in the presence of:

*R. G. News*  
SECRETARY.

*J. G. Darling*  
*Thomas*

DIRECTORS.

WE, the withinnamed, ARTHUR DENIS WIGRAM ALLEN, HARLAND LAMPLOUGH VICKERY and MARTIN REGINALD FIRTH VICKERY being the duly constituted Attorneys under and by virtue of Power of Attorney from MOUNT KEMBLA COLLIERIES LIMITED dated the twelfth day of December One thousand nine hundred and forty-four Registered No.32058 Miscellaneous Register by virtue of which we have just executed the hereinbefore written Conveyance DO HEREBY STATE that we have no notice of the revocation of the said Power of Attorney at the date of our so executing as aforesaid.

SIGNED at *Sydney* the *26<sup>th</sup>* day of *June*  
One thousand nine hundred and forty-~~six~~

SIGNED at the place and on the date }  
abovementioned in the presence of: }

*R. G. H. Thomas*

*Arthur Allen  
H. Vickery  
M. F. Vickery*

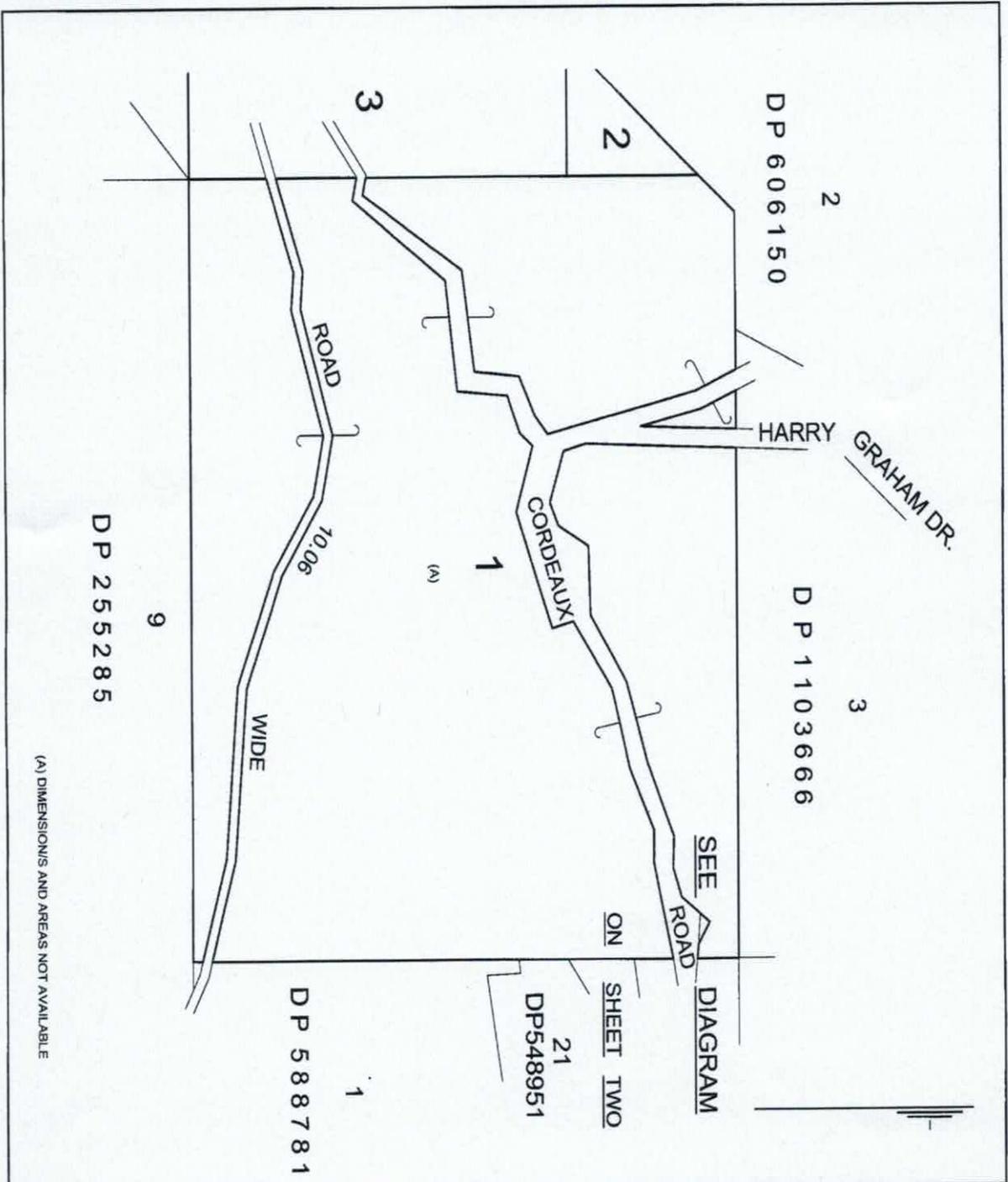
RECEIVED into the Registration of Deeds Office at  
Sydney this *fourteenth* day of *August*  
One thousand nine hundred and *forty six* at *fifty*  
minutes past *two* o'clock in the *after* noon from and  
verified by *John Ransome* Clerk to Messieurs Minter,  
Simpson and Company, of Sydney aforesaid Solicitors a  
true copy of the within *Conveyance* numbered *219*  
Book *1992*

*E. H. Stanbury*  
Deputy Registrar.

*Transfer of the sub-lease dated 8<sup>th</sup> August 1930 from  
Mount Kembla Collieries Limited to Australian Iron & Steel  
Limited respecting General Lease No. 321(48 Vic. No. 10) referred  
to in the second part of the Fourth Schedule herein registered in the  
Department of Mines, Sydney, this *twelfth* day of *December* 1940.*

*Red Burnett*  
Registrar.





**DP1103781**

Registered:  26.9.2006

Title System: OLD SYSTEM

Purpose: LIMITED FOLIO CREATION

Ref. Map: W8285-4

Last Plan: 224.672

PLAN OF PART OF THE LAND COMPRISED IN THE FIRST SCHEDULE IN DEED BK. 1992 NO. 219

BEING PART OF PORTIONS

4 - (DESCRIPT. 6 IN SCHED. - LOT 1)  
 171 - (DESCRIPT. 3 IN SCHED. - LOT 2)  
 172 - (DESCRIPT. 1 IN SCHED. - LOT 3)

Lengths are in metres. Reduction Ratio - NTS

Sheet 1 of 2 sheets

L.G.A.: WOLLONGONG

LOCALITY: KEMBLA HEIGHTS

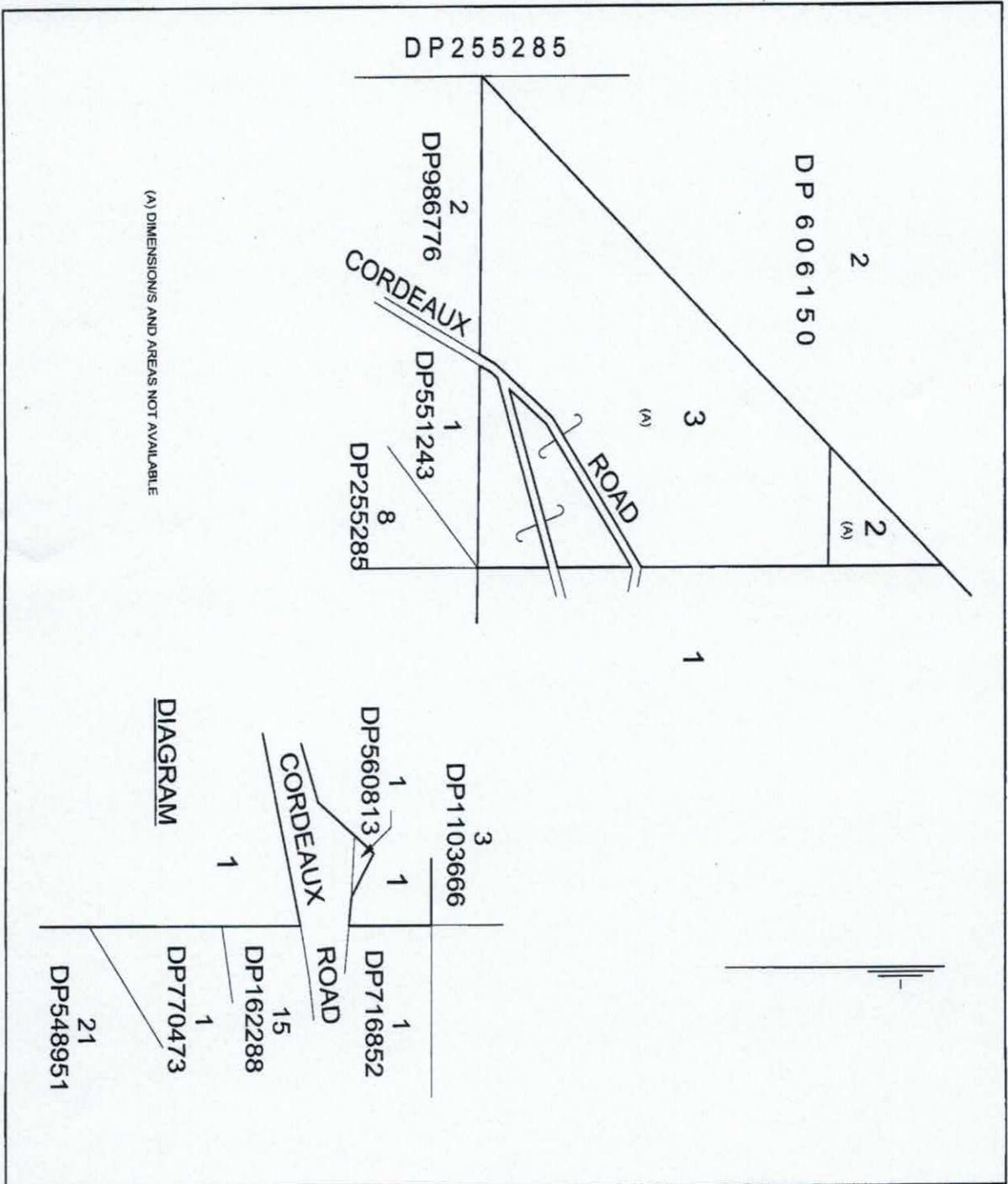
PARISH: KEMBLA

COUNTY: CAMDEN

THIS PLAN WAS PREPARED SOLELY TO IDENTIFY THE LAND IN THE ABOVE DEED AND THE BOUNDARIES HAVE NOT BEEN INVESTIGATED BY THE REGISTRAR GENERAL

THIS PLAN IS NOT A CURRENT PLAN IN TERMS OF S.7A CONVEYANCING ACT 1919.

LPI Ref.: TC817



**DP 1103781**

Registered:  26.9.2006

Title System: OLD SYSTEM

Purpose: LIMITED FOLIO CREATION

Ref. Map: W8285-4

Last Plan: 224.672

PLAN OF PART OF THE LAND  
 COMPRISED IN THE FIRST SCHEDULE  
 IN DEED BK. 1992 NO. 219

BEING PART OF PORTIONS  
 4 - (DESCRIPT. 6 IN SCHED. - LOT 1)  
 171 - (DESCRIPT. 3 IN SCHED. - LOT 2)  
 172 - (DESCRIPT. 1 IN SCHED. - LOT 3)

Lengths are in metres. Reduction Ratio - NTS

Sheet 2 of 2 sheets

L.G.A.: WOLLONGONG

LOCALITY: KEMBLA HEIGHTS

PARISH: KEMBLA

COUNTY: CAMDEN

THIS PLAN WAS PREPARED SOLELY TO  
 IDENTIFY THE LAND IN THE ABOVE DEED  
 AND THE BOUNDARIES HAVE NOT BEEN  
 INVESTIGATED BY THE REGISTRAR GENERAL  
 THIS PLAN IS NOT A CURRENT PLAN IN TERMS OF  
 S.7A CONVEYANCING ACT 1918.

LPI Ref.: TCB17

PLAN FORM 2

THE COMMON SEAL OF  
 THE GOVERNMENT OF  
 WESTERN AUSTRALIA  
 IN WITNESS WHEREOF  
 I have hereunto set  
 my hand and seal  
 at Perth this 20th day of  
 December 1992



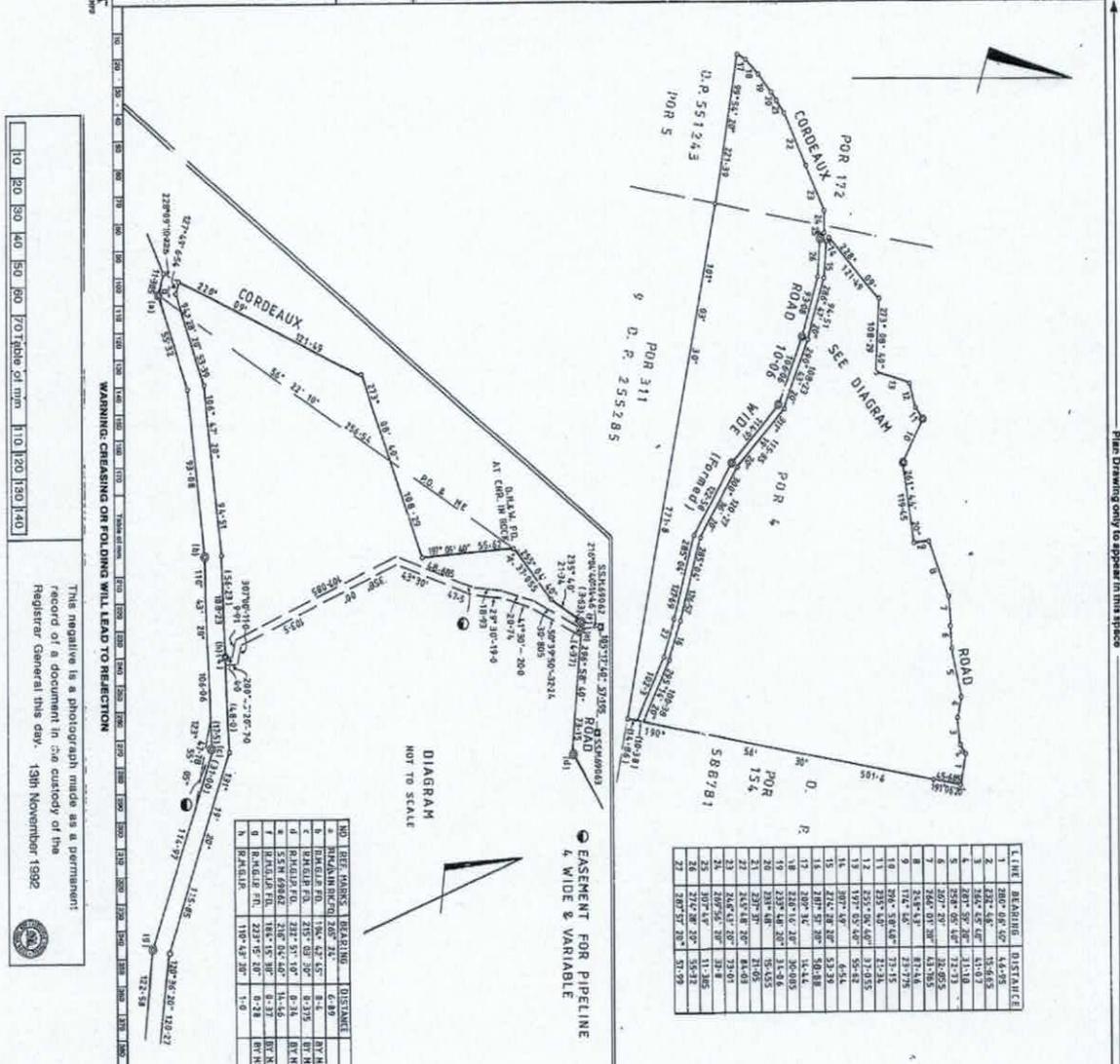
Consent of the Land Office Approval

Consent of the Land Office Approval  
 Land Office  
 File No. 100407

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 Land Office  
 File No. 100407

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 Land Office  
 File No. 100407

Consent of the Land Office Approval  
 Land Office  
 File No. 100407



OFFICE USE ONLY  
 DP 646915  
 Registered 4/10/11/1992  
 Title: OLD SYSTEM  
 Project: EASEMENT  
 H/L Ref: W 8285 - 4  
 Plan No: 100407  
 PLAN OF EASEMENT FOR PIPELINE  
 A WIDE AND VARIABLE OVER  
 THE LAND COMPRISED IN CONV 219 BOOK 1992  
 COMPRISED IN CONV 219 BOOK 1992  
 THE EASEMENT IS TO BE CREATED  
 PURSUANT TO SECTION 888 OF  
 THE CONVEYANCING ACT  
 1919 IT IS PROPOSED TO  
 CREATE  
 1. EASEMENT FOR PIPELINE  
 4. WIDE & VARIABLE.

Prepared in pursuance of a contract of survey/consent  
 in CONV 219 BOOK 1992 (UNREGISTERED)  
 D/LR PLAN PREPARED BY SURVEYOR  
 A. J. S. 11/06/1992 H.E. 348231  
 A. J. S. 11/06/1992 H.E. 348231  
 A. J. S. 11/06/1992 H.E. 348231  
 A. J. S. 11/06/1992 H.E. 348231

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PLAN FORM 3 To be used in conjunction with Plan Form 2

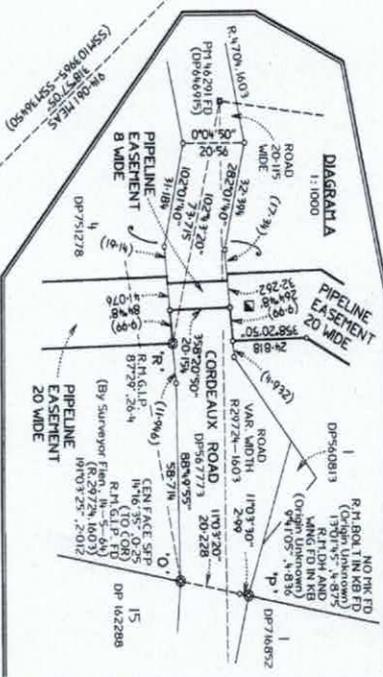


Plan Drawing only to appear in this space

WARNING: CREASING OR FOLDING WILL LEAD TO REFLECTION

JOHN SHEET NO. 3

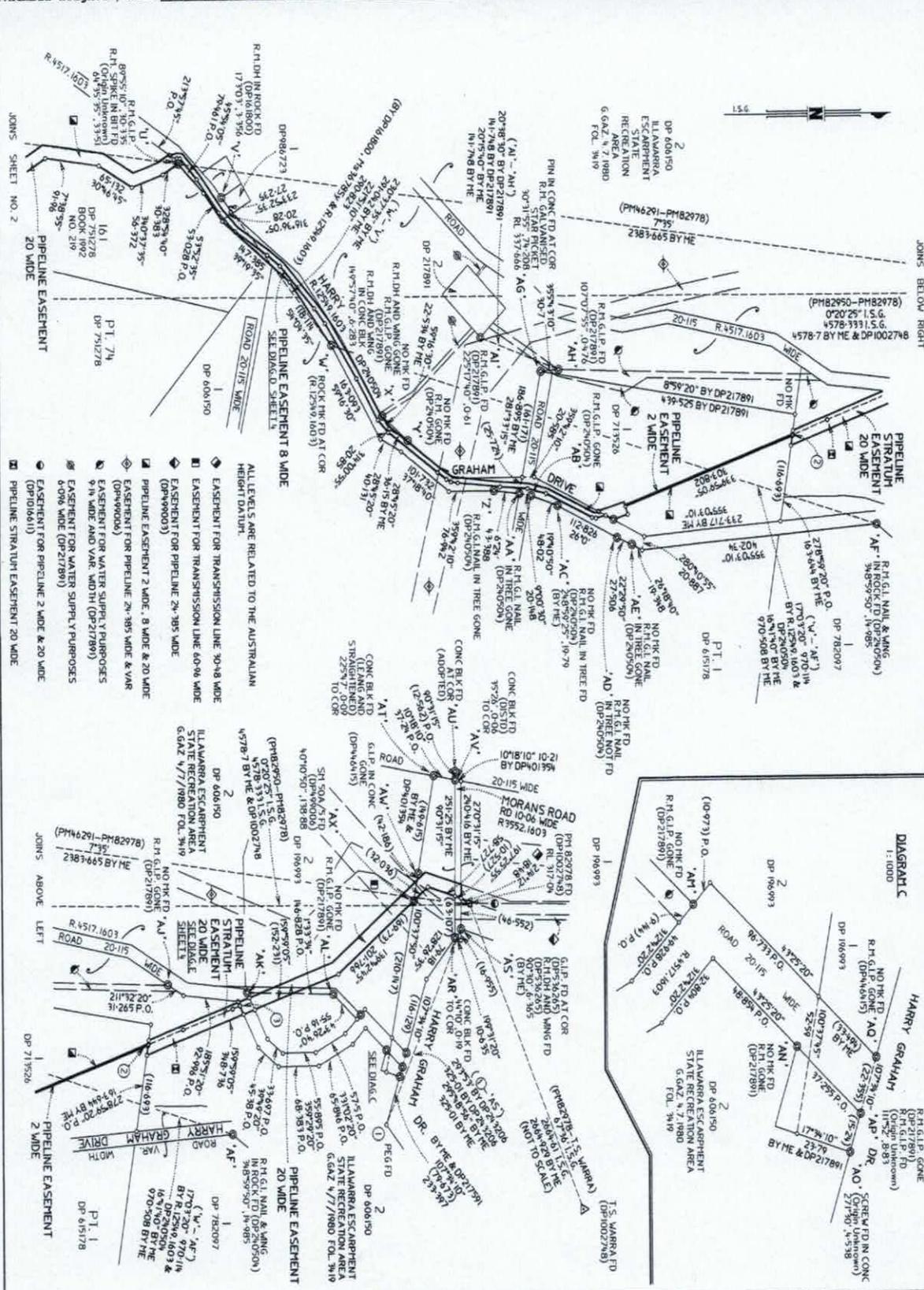
DIAGRAM B  
1:1000



<p>1. I certify that this is Sheet 2 of a plan in accordance with the Pipelines Regulation 2000.</p> <p>Signed: <i>[Signature]</i>                  Date: 28 May 2001</p>	<p>For use where space is insufficient in any plan on Form 3 or 2.</p> <p>Council Clerk</p>	<p>Plans used in the preparation of Survey:</p> <p>DP606190, DP106993, DP291306, DP536265, DP104615, DP986723, DP271603, R.1218.47, DP252285, DP1002716, DP261286, DP977005, DP534849, DP265180, DP85702, DP759502, DP780676, DP588781, DP12981601, DP217180, DP240504, P1367853, DP745266, P1373256</p>
<p>Registered DP1016610</p> <p>This is sheet 2 of any plan in 4 sheets dated 18/09/2001</p> <p>Surveyor registered under Surveyors Act 1928</p> <p>This is sheet 2 of the plan of 4 sheets covered by my Certificate No. <i>[Number]</i></p>	<p>Reduction Ratio: 1: 4000</p> <p>NO 0755-50/09</p> <p>SURVEYOR'S CERTIFICATE: CHECKLIST COMPLETED</p>	<p>OFFICE USE ONLY</p>



PLAN FORM 3 To be used in conjunction with Plan Form 2  
 WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION  
 OFFICE USE ONLY



- ALL LEVELS ARE RELATED TO THE AUSTRALIAN HEIGHT DATUM
- 1 EASEMENT FOR TRANSMISSION LINE 90x18 WIDE
- 2 EASEMENT FOR TRANSMISSION LINE 60x90 WIDE
- 3 EASEMENT FOR PIPELINE 2x-385 WIDE
- 4 EASEMENT FOR PIPELINE 2x-385 WIDE (DPH490003)
- 5 PIPELINE EASEMENT 2 WIDE, 8 WIDE & 20 WIDE (DPH490003)
- 6 EASEMENT FOR WATER SUPPLY PURPOSES 9' IN WIDE AND VAR. WIDTH (DP217891)
- 7 EASEMENT FOR WATER SUPPLY PURPOSES 6.076 WIDE (DP217891)
- 8 EASEMENT FOR PIPELINE 2 WIDE & 20 WIDE (DP1016611)
- 9 PIPELINE STRAIGHT EASEMENT 20 WIDE

Plan Drawing only to appear in this space

Registered DP1016610 25-172201	Sheet 3 of 4 This is sheet 3 of 4 sheets covered by my Certificate No.	I certify that this is Sheet 3 of 4 plan of 4 sheets which have been prepared in accordance with the Regulations (1993)	For use where space is insufficient in my plan or plan form 3.
Reduction Ratio: 1:4000 NO 07/95-50/09 SURVEYOR'S REGISTER: CIRCULARS/COUNTRY	Signature: <i>[Handwritten Signature]</i> Date: 28 May 2002	Council Clerk	Date:











**Pipelines Act 1967**  
**Form 14**

Instrument Pursuant to Schedule 3 of the Pipelines Regulations, 1993  
 This is Sheet 5 of a 8 Sheet Instrument  
 Plan No. DP267423  
 Plan of Pipeline from Longford to Wilton containing 18 plans  
 with 74 plan sheets as certified on 17 March, 1997 by or on behalf of the applicant

SCHEDULE TO PART 2 OF THIS INSTRUMENT

Land or Easement (related to relevant Sheet No. of within mentioned plan)	Reference to Title and Land Description (including County, Parish and LGA) (Highlighted Lots affected by proposed pipeline)	Names of Interested Persons (State Nature of Interest)	Details (Registered No. or Description) of any Instrument referred to in Schedule 3 (10) (d) or (e) to Pipelines Regulation 1993
883 Pipeline Easement shown in Sheet 2/3 of DP267423	2656690 Lot 2 in Deposited Plan 858690 Easement for water supply works Easement for transmission line	Integr Energy Australia (Owner) DP956600 Z209906 (P775652)	Option Agreement to enter into Easement
884 Pipeline Easement shown in Sheet 2/3 of DP267423	Volume 13448 Folio 81 Lot 1 in Deposited Plan 588140 Easement for transmission line Easement for water supply Easement for transmission line	Australian Iron & Steel Proprietary Limited (Owner) Z209906 Z209906 Z330268 Z338866 (Gov Gaz 19/11/43 Folio 2015 & 2016)	Option Agreement to enter into Easement
885 Pipeline Easement shown in Sheet 2/3 of DP267423	Dapto Creek	Crown - NSW (Owner)	To be acquired under the Pipelines Act
886 Pipeline Easement shown in Sheet 2/3 of DP267423	1865826 Lot 1 in Deposited Plan 655258 Easement for transmission line Easement for transmission line	The Grange Golf Club Ltd (Owner) C057564 Z209906	Option Agreement to enter into Easement
887 Pipeline Easement shown in Sheet 2/3 of DP267423	Volume 13448 Folio 82 Lot 1 in Deposited Plan 588141 Easement for transmission line Easement for transmission line Easement for water supply works	BHP Steel (AS) Pty Ltd (Owner) Z209906 Gov Gaz 19/11/43 Folios 2015 & 2016 Z330268	Option Agreement to enter into Easement
888 Pipeline Easement shown in Sheet 2/3 of DP267423	West Dapto Road	Wollongong City Council (Owner)	To be acquired under the Pipelines Act
889 Pipeline Easement shown in Sheet 2/3 of DP267423	2792822 Lot 2 in Deposited Plan 792592 Easement for transmission lines	Australian Iron & Steel Proprietary Limited (Owner) Gov Gaz 9/12/1938 Folio 4077 & Gov Gaz 19/11/43 Folios 2015 & 2016	To be acquired under the Pipelines Act
890 Pipeline Easement shown in Sheet 2/3 of DP267423	Road Reserve	Wollongong City Council (Owner)	To be acquired under the Pipelines Act
891 Pipeline Easement shown in Sheet 2/3 of DP267423	1792690 Lot 1 in Deposited Plan 702650 Easement for transmission line Easement for transmission line Easement for transmission lines Easement for transmission lines Easement for transmission lines Easement for transmission lines	BHP Steel (AS) Pty Ltd (Owner) Z209906 Z209906 Z209906 Z209906 Gov Gaz 19/5/1957 Folios 1473 & 1476	Option Agreement to enter into Easement

Westcoast Energy Australia (Pipelines) Pty Ltd ACN 068 570 847

Signature of Applicant M.P. Birch

BHP Petroleum (Pipelines) Pty Ltd ACN 006 919 115

Signature of Applicant L.J. Cutler

REGISTERED 27.2.1998

**Pipelines Act 1967**  
**Form 14**

Instrument Pursuant to Schedule 3 of the Pipelines Regulations, 1993  
 This is Sheet 7 of a 8 Sheet Instrument  
 Plan No. DP267423  
 Plan of Pipeline from Longford to Wilton containing 18 plans  
 with 74 plan sheets as certified on 17 March, 1997 by or on behalf of the applicant

SCHEDULE TO PART 2 OF THIS INSTRUMENT

Land or Easement (related to relevant Sheet No. of within mentioned plan)	Reference to Title and Land Description (including County, Parish and LGA) (Highlighted Lots affected by proposed pipeline)	Names of Interested Persons (State Nature of Interest)	Details (Registered No. or Description) of any Instrument referred to in Schedule 3 (10) (d) or (e) to Pipelines Regulation 1993
914 Pipeline Easement shown in Sheet 3/3 of DP267423	10067288 Lot 10 in Deposited Plan 261286 Two (2) "Rights of carriageway" Two (2) "Easements for services"	Sydney Water Corporation Ltd (Owner) DP26 1286 DP26 1286	To be acquired under the Pipelines Act
915 Pipeline Easement shown in Sheet 3/3 of DP267423	3097505 Lot 3 in Deposited Plan 997505 Easement for water supply works	Charles Nelson Senior and Colin Benjamin Senior (Owners) DP265330	Option Agreement to enter into Easement
916 Pipeline Easement shown in Sheet 3/3 of DP267423	3097505 Lot 2 in Deposited Plan 997505 Easement for water supply works	Agnes Marie Hickey and Jack Hickey (Owners) DP265330	Option Agreement to enter into Easement
917 Pipeline Easement shown in Sheet 3/3 of DP267423	1097505 Lot 1 in Deposited Plan 997505 Easement for water supply works	Agnes Marie Hickey and Jack Hickey (Owners) DP265330	Option Agreement to enter into Easement
918 Pipeline Easement shown in Sheet 3/3 of DP267423	Blank Space - VOID	Blank Space - VOID	Option Agreement to enter into Easement
919 Pipeline Easement shown in Sheet 3/3 of DP267423	Road Reserve - VOID	Road Reserve - VOID	To be acquired under the Pipelines Act
920 Pipeline Easement shown in Sheet 3/3 of DP267423	1794558 Lot 1 in Deposited Plan 794358 Mortgage	Jennifer Jaye Morris (Owner) Z072666 National Australia Bank Limited	Option Agreement to enter into Easement
921 Pipeline Easement shown in Sheet 3/3 of DP267423	257845702 Lot 2578 in Deposited Plan 945702 Easement for transmission line Easement for transmission line	RW Shearqat Pty Ltd (Owner) Z072666 1957770 Gov Gaz 9/10/1963 Folio 2236	Option Agreement to enter into Easement
922 Pipeline Easement shown in Sheet 3/3 of DP267423	1058761 Lot 1 in Deposited Plan 588781 Mortgage	Roland Williams Foster and Heidi Marie Foster (Owners) Z378411 (Commonwealth Bank of Australia) Z02836 (Commonwealth Bank of Australia)	Option Agreement to enter into Easement
923 Pipeline Easement shown in Sheet 3/3 of DP267423	Bk 1992 No. 219 Part Lot 4 in Deposited Plan 751278	BHP Steel (AS) Pty Ltd (Owner)	Option Agreement to enter into Easement
924 Pipeline Easement shown in Sheet 3/3 of DP267423	Cordoba Road	Wollongong City Council (Owner)	To be acquired under the Pipelines Act
925 Pipeline Easement shown in Sheet 3/3 of DP267423	Bk 1992 No. 219 Part Lot 180 in Deposited Plan 751278	BHP Steel (AS) Pty Ltd (Owner)	Option Agreement to enter into Easement
926 Pipeline Easement shown in Sheet 3/3 of DP267423	Bk 1992 No. 219 Part Lot 181 in Deposited Plan 751278	BHP Steel (AS) Pty Ltd (Owner)	Option Agreement to enter into Easement
927 Pipeline Easement shown in Sheet 3/3 of DP267423	Hairy Graham Road	Wollongong City Council (Owner)	To be acquired under the Pipelines Act

Westcoast Energy Australia (Pipelines) Pty Ltd ACN 068 570 847

Signature of Applicant M.P. Birch

BHP Petroleum (Pipelines) Pty Ltd ACN 006 919 115

Signature of Applicant L.J. Cutler

REGISTERED 27.2.1998

**Pipelines Act 1967**  
**Form 14**

Instrument Pursuant to Schedule 3 of the Pipelines Regulations, 1993  
 This is Sheet 6 of a 8 Sheet Instrument  
 Plan No. DP267423  
 Plan of Pipeline from Longford to Wilton containing 18 plans  
 with 74 plan sheets as certified on 17 March, 1997 by or on behalf of the applicant

SCHEDULE TO PART 2 OF THIS INSTRUMENT

Land or Easement (related to relevant Sheet No. of within mentioned plan)	Reference to Title and Land Description (including County, Parish and LGA) (Highlighted Lots affected by proposed pipeline)	Names of Interested Persons (State Nature of Interest)	Details (Registered No. or Description) of any Instrument referred to in Schedule 3 (10) (d) or (e) to Pipelines Regulation 1993
902 Pipeline Easement shown in Sheet 2/3 of DP267423	961462370 Lot 961 in Deposited Plan 622270 Easement for transmission line Easement for water supply works Easement for water supply works Lease - Expires 31.3.2022	Sydney Water Corporation Ltd (Owner) J067772 M6136 Gov Gaz 2/11/1970 Folio 173291894 (Wytuna Water Pty Limited)	To be acquired under the Pipelines Act
903 Pipeline Easement shown in Sheet 2/3 of DP267423	1528538 Lot 1 in Deposited Plan 628538 Easement for water supply Mortgage	Johannes Guet Van de Haar and Lynette Van de Haar (Owners) Bk 5021 No. 512 2570340 (Australia and New Zealand Banking Group Limited)	Option Agreement to enter into Easement
904 Pipeline Easement shown in Sheet 2/3 of DP267423	Volume 15329 Folio 188 Lot 1 in Deposited Plan 569201 Easement for transmission line	The Council of the City of Wollongong (Owner) V597770 K200009P (Registrar General)	To be acquired under the Pipelines Act
905 Pipeline Easement shown in Sheet 2/3 of DP267423	Mosvale - Urundina Railroad	State Rail Authority - NSW	To be acquired under the Pipelines Act
906 Pipeline Easement shown in Sheet 2/3 of DP267423	Volume 13477 Folio 115 Lot 1 in Deposited Plan 38313 Canal	The Council of the City of Wollongong (Owner) K200009P (Registrar General)	To be acquired under the Pipelines Act
907 Pipeline Easement shown in Sheet 2/3 of DP267423	161850629 Lot 101 in Deposited Plan 800225 Easement for water supply	RAMIRO CILIZI (Owners) M4858, CRUJZ (Owners) Bk 2088 No. 537	Option Agreement to enter into Easement
908 Pipeline Easement shown in Sheet 2/3 of DP267423	Farnborough Road	Wollongong City Council (Owner)	To be acquired under the Pipelines Act
909 Pipeline Easement shown in Sheet 2/3 of DP267423	102825516 Lot 102 in Deposited Plan 626516	Sydney Water Corporation Ltd (Owner)	To be acquired under the Pipelines Act
910 Pipeline Easement shown in Sheet 2/3 of DP267423	2433803 Lot 3 in Deposited Plan 538003	Sydney Water Corporation Ltd (Owner)	To be acquired under the Pipelines Act
911 Pipeline Easement shown in Sheet 3/3 of DP267423	107422517 Lot 107 in Deposited Plan 825517	Sydney Water Corporation Ltd (Owner)	To be acquired under the Pipelines Act
912 Pipeline Easement shown in Sheet 3/3 of DP267423	105822517 Lot 105 in Deposited Plan 625517	Sydney Water Corporation Ltd (Owner)	To be acquired under the Pipelines Act
913 Pipeline Easement shown in Sheet 3/3 of DP267423	Volume 14495 Folio 9 Lot 9 in Deposited Plan 281286	Sydney Water Corporation Ltd (Owner)	To be acquired under the Pipelines Act

Westcoast Energy Australia (Pipelines) Pty Ltd ACN 068 570 847

Signature of Applicant M.P. Birch

BHP Petroleum (Pipelines) Pty Ltd ACN 006 919 115

Signature of Applicant L.J. Cutler

REGISTERED 27.2.1998

**Pipelines Act 1967**  
**Form 14**

Instrument Pursuant to Schedule 3 of the Pipelines Regulations, 1993  
 This is Sheet 8 of a 8 Sheet Instrument  
 Plan No. DP267423  
 Plan of Pipeline from Longford to Wilton containing 18 plans  
 with 74 plan sheets as certified on 17 March, 1997 by or on behalf of the applicant

SCHEDULE TO PART 2 OF THIS INSTRUMENT

Land or Easement (related to relevant Sheet No. of within mentioned plan)	Reference to Title and Land Description (including County, Parish and LGA) (Highlighted Lots affected by proposed pipeline)	Names of Interested Persons (State Nature of Interest)	Details (Registered No. or Description) of any Instrument referred to in Schedule 3 (10) (d) or (e) to Pipelines Regulation 1993
928 Pipeline Easement shown in Sheet 3/3 of DP267423	17713256 Lot 1 in Deposited Plan 713256 Easement for water supply purposes Mortgage	Theresa Margaret Jackson and James Arthur Jackson (Owner) Gov Gaz 1/9/1967 Folio 2916 Z3156 (Australia and New Zealand Banking Group Limited)	Option Agreement to enter into Easement
929 Pipeline Easement shown in Sheet 3/3 of DP267423	Gal 4771963 Folio 3419 Lot 2 DP 486110 Substrate Easement	Blawarna Escarpment State Recreational Area (Owner)	To be acquired under the Pipelines Act

Westcoast Energy Australia (Pipelines) Pty Ltd ACN 068 570 847

Signature of Applicant M.P. Birch

BHP Petroleum (Pipelines) Pty Ltd ACN 006 919 115

Signature of Applicant L.J. Cutler

REGISTERED 27.2.1998

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

SEARCH DATE  
-----

20/12/2017.11:41PM

FOLIO: 1/1103781  
-----

First Title(s): OLD SYSTEM

Prior Title(s): BK 1992 NO 219 BK 4364 NO 378

Recorded -----	Number -----	Type of Instrument -----	C.T. Issue -----
26/9/2006	DP1103781	DEPOSITED PLAN	LOT RECORDED FOLIO NOT CREATED
27/9/2006	CA102206	CONVERSION ACTION	FOLIO CREATED CT NOT ISSUED
12/10/2006	AC662861	DEPARTMENTAL DEALING	EDITION 1
11/9/2013	AI9589	DEPARTMENTAL DEALING	

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

NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

---

FOLIO: 1/1103781

---

SEARCH DATE	TIME	EDITION NO	DATE
20/12/2017	11:54 PM	1	12/10/2006

LAND

---

LOT 1 IN DEPOSITED PLAN 1103781  
AT KEMBLA HEIGHTS  
LOCAL GOVERNMENT AREA WOLLONGONG  
PARISH OF KEMBLA COUNTY OF CAMDEN  
TITLE DIAGRAM DP1103781

FIRST SCHEDULE

---

DENDROBIUM COAL PTY LIMITED (CA102206)

SECOND SCHEDULE (7 NOTIFICATIONS)

---

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 QUALIFIED TITLE. CAUTION PURSUANT TO SECTION 28J OF THE REAL PROPERTY ACT, 1900. ENTERED 27.9.2006 BK 1992 NO 219 & BK 4364 NO 378
- 3 LIMITED TITLE. LIMITATION PURSUANT TO SECTION 28T(4) OF THE REAL PROPERTY ACT, 1900. THE BOUNDARIES OF THE LAND COMPRISED HEREIN HAVE NOT BEEN INVESTIGATED BY THE REGISTRAR GENERAL.
- \* 4 LAND EXCLUDES LOT 1 DP560813, LOT 101 DP567773, LOTS 1 & 2 538380 AND THE ROAD SHOWN IN DP160903
- 5 LAND EXCLUDES THE ROAD(S) SHOWN IN THE TITLE DIAGRAM
- 6 DP646915 EASEMENT FOR PIPELINE 4 METRE(S) WIDE AND VARIABLE AFFECTING THE PART(S) SHOWN SO BURDENED IN DP646915
- 7 NOTIFICATION IN GOVERNMENT GAZETTE DATED 21.12.2001 FOLIO 10768: PIPELINE EASEMENT 20 WIDE AFFECTING THE PART SHOWN SO BURDENED IN DP1016610

NOTATIONS

---

UNREGISTERED DEALINGS: DP1229417.

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

kembla heights

PRINTED ON 20/12/2017

\* Any entries preceded by an asterisk do not appear on the current edition of the Certificate of Title. Warning: the information appearing under notations has not been formally recorded in the Register. InfoTrack an approved NSW Information Broker hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with Section 96B(2) of the Real Property Act 1900.

5.05



# CERTIFICATE OF TITLE

REAL PROPERTY ACT, 1900

*DENDROBIUM  
BOUNDARY ADJUSTMENT*



*3/3/17 FL*

TORRENS TITLE

REFERENCE TO FOLIO OF THE REGISTER

IDENTIFIER 1/1103781

EDITION

1

DATE OF ISSUE

12/10/2006

CERTIFICATE AUTHENTICATION CODE

BMAK-JD-4OZ4

I certify that the person described in the First Schedule is the registered proprietor of an estate in fee simple (or such other estate or interest as is set forth in that Schedule) in the land within described subject to such exceptions, encumbrances, interests and entries as appear in the Second Schedule and to any additional entries in the Folio of the Register.



REGISTRAR GENERAL

LAND

LOT 1 IN DEPOSITED PLAN 1103781  
AT KEMBLA HEIGHTS  
LOCAL GOVERNMENT AREA: WOLLONGONG  
PARISH OF KEMBLA COUNTY OF CAMDEN  
TITLE DIAGRAM: DP1103781

FIRST SCHEDULE

DENDROBIUM COAL PTY LIMITED

(CA102206)

SECOND SCHEDULE

- RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- QUALIFIED TITLE. CAUTION PURSUANT TO SECTION 28J OF THE REAL PROPERTY ACT, 1900. ENTERED 27.9.2006 BK 1992 NO 219 & BK 4364 NO 378
- LIMITED TITLE. LIMITATION PURSUANT TO SECTION 28T(4) OF THE REAL PROPERTY ACT, 1900. THE BOUNDARIES OF THE LAND COMPRISED HEREIN HAVE NOT BEEN INVESTIGATED BY THE REGISTRAR GENERAL.
- LAND EXCLUDES LOT 1 DP560813, LOT 101 DP567773, LOTS 1 & 2 538380 AND ROAD SHOWN IN DP160903
- LAND EXCLUDES THE ROAD(S) SHOWN IN THE TITLE DIAGRAM
- DP646915 EASEMENT FOR PIPELINE 4 METRE(S) WIDE AND VARIABLE AFFECTING THE PART(S) SHOWN SO BURDENED IN DP646915
- NOTIFICATION IN GOVERNMENT GAZETTE DATED 21.12.2001 FOLIO 10768: PIPELINE EASEMENT 20 WIDE AFFECTING THE PART SHOWN SO BURDENED IN DP1016610

\*\*\*\* END OF CERTIFICATE \*\*\*\*

ANY ATTEMPT TO ALTER THIS CERTIFICATE COULD RESULT IN HEAVY FINES OR IMPRISONMENT (S.141 REAL PROPERTY ACT).

## Appendix E EPA Database Records Search Results

## Search results

Your search for: LGA: WOLLONGONG CITY COUNCIL

Matched 49 notices  
relating to 14 sites.

[Search Again](#)

[Refine Search](#)

Suburb	Address	Site Name	Notices related to this site
BULLI	7 Molloy STREET	<a href="#">Scrap Yard</a>	1 former
FAIRY MEADOW	46 Montague STREET	<a href="#">Caltex Fuel Depot and adjoining land</a>	2 former
KANAHOOKA	Off Kanahooka ROAD	<a href="#">Former Dapto Smelter Site, Kanahooka (redeveloped)</a>	3 former
PORT KEMBLA	Springhill ROAD	<a href="#">BHP Area 21</a>	1 former
PORT KEMBLA	Flinders STREET	<a href="#">Manildra Park</a>	4 former
PORT KEMBLA	Five Islands ROAD	<a href="#">No 2 Steelworks</a>	4 former
PORT KEMBLA	Military ROAD	<a href="#">Port Kembla Copper Smelter</a>	6 former
PORT KEMBLA	Foreshore Road and Darcy ROAD	<a href="#">Port Kembla Orica</a>	2 current
STANWELL TOPS	Plateau ROAD	<a href="#">Christian Conference Centre</a>	1 current
UNANDERRA	13 Marley PLACE	<a href="#">BlueScope Stainless Steel</a>	6 current
UNANDERRA	41-49 Princes HIGHWAY	<a href="#">Former Prime Service Station and adjoining lands</a>	4 former
WOLLONGONG	Springhill ROAD	<a href="#">Greenhouse Park</a>	3 current and 1 former
WOLLONGONG	425 Crown STREET	<a href="#">Woolworths Service Station</a>	3 current and 4 former
YALLAH	Princes HIGHWAY	<a href="#">Tallawarra Power Station site</a>	1 current and 3 former

Page 1 of 1

5 August 2021

### For business and industry ^

### For local government ^

### Contact us

131 555 (tel:131555)

Online (<https://yoursay.epa.nsw.gov.au/epa-website-feedback>)

[info@epa.nsw.gov.au](mailto:info@epa.nsw.gov.au) (<mailto:info@epa.nsw.gov.au>)

EPA Office Locations (<https://www.epa.nsw.gov.au/about-us/contact-us/locations>)

[Accessibility \(https://www.epa.nsw.gov.au/about-us/contact-us/website-service-standards/help-index\)](https://www.epa.nsw.gov.au/about-us/contact-us/website-service-standards/help-index)

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epa/

Find us on

Number	Name	Location	Type	Status	Issued date
1609643		CORDEAUX ROAD, MOUNT KEMBLA, NSW 2526	s.58 Licence Variation	Issued	1-Jul-21
1007305	BLUESCOPE STEEL (AIS) PTY. LTD.	CORDEAUX ROAD, MOUNT KEMBLA, NSW 2526	s.58 Licence Variation	Issued	30-Aug-01
1013588	BLUESCOPE STEEL (AIS) PTY. LTD.	CORDEAUX ROAD, MOUNT KEMBLA, NSW 2526	s.58 Licence Variation	Issued	20-Dec-01
3241	DENDROBIUM COAL PTY LTD	CORDEAUX ROAD, MOUNT KEMBLA, NSW 2526	POEO licence	Issued	1-Aug-00
1023750	DENDROBIUM COAL PTY LTD	CORDEAUX ROAD, MOUNT KEMBLA, NSW 2526	s.58 Licence Variation	Issued	9-Jan-03
1027351	DENDROBIUM COAL PTY LTD	CORDEAUX ROAD, MOUNT KEMBLA, NSW 2526	s.58 Licence Variation	Issued	26-Aug-03
1037647	DENDROBIUM COAL PTY LTD	CORDEAUX ROAD, MOUNT KEMBLA, NSW 2526	s.58 Licence Variation	Issued	9-Sep-04
1040989	DENDROBIUM COAL PTY LTD	CORDEAUX ROAD, MOUNT KEMBLA, NSW 2526	s.58 Licence Variation	Issued	11-Oct-04
1043713	DENDROBIUM COAL PTY LTD	CORDEAUX ROAD, MOUNT KEMBLA, NSW 2526	s.58 Licence Variation	Issued	13-Jan-05
1046243	DENDROBIUM COAL PTY LTD	CORDEAUX ROAD, MOUNT KEMBLA, NSW 2526	s.58 Licence Variation	Issued	12-May-05
1050667	DENDROBIUM COAL PTY LTD	CORDEAUX ROAD, MOUNT KEMBLA, NSW 2526	s.58 Licence Variation	Issued	31-Aug-05
1053902	DENDROBIUM COAL PTY LTD	CORDEAUX ROAD, MOUNT KEMBLA, NSW 2526	s.58 Licence Variation	Issued	23-Nov-05
1061069	DENDROBIUM COAL PTY LTD	CORDEAUX ROAD, MOUNT KEMBLA, NSW 2526	s.58 Licence Variation	Issued	14-Sep-06
1067616	DENDROBIUM COAL PTY LTD	CORDEAUX ROAD, MOUNT KEMBLA, NSW 2526	s.58 Licence Variation	Issued	12-Dec-06
1071389	DENDROBIUM COAL PTY LTD	CORDEAUX ROAD, MOUNT KEMBLA, NSW 2526	s.58 Licence Variation	Issued	27-Jun-07
1077998	DENDROBIUM COAL PTY LTD	CORDEAUX ROAD, MOUNT KEMBLA, NSW 2526	s.58 Licence Variation	Issued	25-Sep-08
1096988	DENDROBIUM COAL PTY LTD	CORDEAUX ROAD, MOUNT KEMBLA, NSW 2526	s.58 Licence Variation	Issued	5-Mar-09
1104174	DENDROBIUM COAL PTY LTD	CORDEAUX ROAD, MOUNT KEMBLA, NSW 2526	s.58 Licence Variation	Issued	2-Nov-09
1117496	DENDROBIUM COAL PTY LTD	CORDEAUX ROAD, MOUNT KEMBLA, NSW 2526	s.58 Licence Variation	Issued	29-Oct-10
1128025	DENDROBIUM COAL PTY LTD	CORDEAUX ROAD, MOUNT KEMBLA, NSW 2526	s.58 Licence Variation	Issued	12-May-11
1129879	DENDROBIUM COAL PTY LTD	CORDEAUX ROAD, MOUNT KEMBLA, NSW 2526	s.58 Licence Variation	Issued	30-Jun-11
1500739	DENDROBIUM COAL PTY LTD	CORDEAUX ROAD, MOUNT KEMBLA, NSW 2526	s.58 Licence Variation	Issued	8-Aug-11
1503454	DENDROBIUM COAL PTY LTD	CORDEAUX ROAD, MOUNT KEMBLA, NSW 2526	s.58 Licence Variation	Issued	16-Jan-12
1515435	DENDROBIUM COAL PTY LTD	CORDEAUX ROAD, MOUNT KEMBLA, NSW 2526	s.58 Licence Variation	Issued	5-Sep-13
1521876	DENDROBIUM COAL PTY LTD	CORDEAUX ROAD, MOUNT KEMBLA, NSW 2526	s.58 Licence Variation	Issued	19-May-14
1534593	DENDROBIUM COAL PTY LTD	CORDEAUX ROAD, MOUNT KEMBLA, NSW 2526	s.58 Licence Variation	Issued	2-Nov-15
1572569	DENDROBIUM COAL PTY LTD	CORDEAUX ROAD, MOUNT KEMBLA, NSW 2526	s.58 Licence Variation	Issued	16-Nov-18
1590978	DENDROBIUM COAL PTY LTD	CORDEAUX ROAD, MOUNT KEMBLA, NSW 2526	s.58 Licence Variation	Issued	17-Feb-20
1598667	DENDROBIUM COAL PTY LTD	CORDEAUX ROAD, MOUNT KEMBLA, NSW 2526	s.58 Licence Variation	Issued	10-Aug-20
3173529985	DENDROBIUM COAL PTY LTD	CORDEAUX ROAD, MOUNT KEMBLA, NSW 2526	Penalty Notice	Issued	18-Mar-21

## **Appendix F NSW and Australian Heritage Registers Information**

# Search Results

3 results found.

<a href="#">Illawarra Escarpment</a> Princes Hwy	Wollongong, NSW, Australia	( <a href="#">Indicative Place</a> ) Register of the National Estate (Non-statutory archive)
<a href="#">Indigenous Place</a>	Mount Kembla, NSW, Australia	( <a href="#">Registered</a> ) Register of the National Estate (Non-statutory archive)
<a href="#">Village of Mount Kembla</a> Cordeaux Rd	Mount Kembla, NSW, Australia	( <a href="#">Indicative Place</a> ) Register of the National Estate (Non-statutory archive)

Report Produced: Thu Aug 5 15:32:47 2021



Item Name	Location	LGA	SHR Id	Item Type	Record Owner
Anglican Church Australia and Cemetery	301 Cordeaux Road MOUNT KEMBLA NSW 2526	Wollongong City		Built	LGOV
Cottage	2 Kirkwood Place MOUNT KEMBLA NSW 2526	Wollongong City		Built	LGOV
Former St. Clements Roman Catholic Church	356 Cordeaux Road MOUNT KEMBLA NSW 2526	Wollongong City		Built	LGOV
General Store	Cordeaux Road MOUNT KEMBLA NSW 2526	Wollongong City		Built	GAZ
House	321 Cordeaux Road MOUNT KEMBLA NSW 2526	Wollongong City		Built	LGOV
House	315 Cordeaux Road MOUNT KEMBLA NSW 2526	Wollongong City		Built	LGOV
Illawarra Escarpment Landscape Conservation Area	MACQUARIE PASS NSW 2577	Shellharbour		Conservation Area	LGOV
Kembla Heights Conservation Area	Kembla Heights MOUNT KEMBLA NSW 2526	Wollongong City		Conservation Area	LGOV
Mine Manager's House	Harry Graham Drive MOUNT KEMBLA NSW 2526	Wollongong City		Built	GAZ
Mount Kembla Hotel	274 Cordeaux Road MOUNT KEMBLA NSW 2526	Wollongong City		Built	LGOV
Mount Kembla Hotel	Cordeaux Road MOUNT KEMBLA NSW 2526	Wollongong City		Built	GAZ
Mount Kembla Post Office and General Store	314 Cordeaux Road MOUNT KEMBLA NSW 2526	Wollongong City		Built	LGOV

Mount Kembla Public School - Buildings B00A and B00C	323-327 Cordeaux Road MOUNT KEMBLA NSW 2526	Wollongong City		Built	SGOV
Mount Kembla Public School - Buildings B00A and B00C	323-327 Cordeaux Road MOUNT KEMBLA NSW 2526	Wollongong City		Built	SGOV
Mount Kembla Reservoir	Cordeaux Road MOUNT KEMBLA NSW 2526	Wollongong City		Built	SGOV
Mt Kembla School and Headmasters Residence	323-327 Cordeaux Road MOUNT KEMBLA NSW 2526	Wollongong City		Built	LGOV
Public School and Principal's Residence	Cordeaux Road MOUNT KEMBLA NSW 2526	Wollongong City		Built	GAZ
Slow's Cottage	336 Cordeaux Road MOUNT KEMBLA NSW 2526	Wollongong City		Built	LGOV
Soldiers' & Miners' Memorial Church and Cemetery inc Mine Disaster Memorial	MOUNT KEMBLA NSW 2526	Wollongong City		Built	GAZ
Stinson's Cottage	310 Cordeaux Road MOUNT KEMBLA NSW 2526	Wollongong City		Built	LGOV



## Appendix G Local History Walking Tour Guide

- 14 Catholic Church** St Clement's, Patron saint of miners 1894 -1981, built on the site called 'The Willows' on private property
- 15 Dairy Farm** Morris family to 1940's, Barrett's; 1950's - Gallagher's - supplied milk to Mt Kembla and Kembla Heights
- 16 Powder Magazine for Nebo Colliery** mine explosives were kept here
- 17 Dendrobium Mine Main Buildings** 2001 newly refurbished mine offices & works buildings; near original kerosene works. Formerly Nebo Colliery 1946 - 1970
- 18 Brownley's Orchard**
- 19 Saw Mill\*** no remains, on private property
- 20 Farmhouse** Harry Lehaney then Rees - recently renovated
- 21 Stafford's Farmhouse 1840's** additions over time have disguised this little farmhouse.
- 22 Miner's Cottage** remains in the original style - on private property
- 23 Shop** Jack James (blacklisted during miners' strike)
- 24 Blacksmith\*** Benjamin Road
- 25 Site of old Oxley family home** Lock Lomond
- 26 Miner's Cottage** 13 Benjamin Road - recently renovated
- 27 Miner's Cottage** 12 James Rd (restored)
- 28 Home** Mrs May Perry (Mr Fred Kirkwood's sister) born in 1899. May had limited recollections of the mine disaster of 1902. Died aged 107 years in 2007

\* Denotes no remains present

## Mt Kembla Area History Timeline

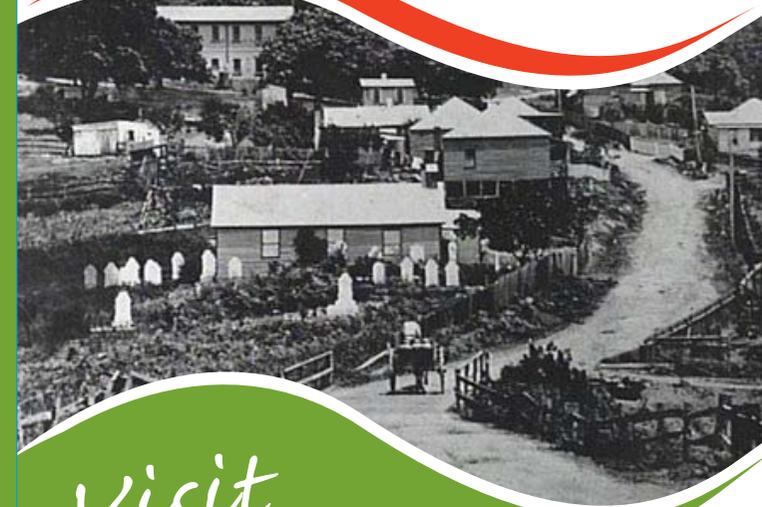
1770	25th April Lt. James Cook notes 'Hat Hill' in ship's log, hill shaped like Admirals Hat
1810	Cedar getters active in area
1818	First land grants
1820's	Small, self-sufficient farms
1840's	The village of American Creek was formed
1849	Oil bearing shale found by Rev W B Clarke
1858	Church of England built
1859	First school 'Violet Hill' - also the name given to the area
1864	Methodist Church built in Kembla Heights
1865 to 1878	Kerosene oil was refined on the site of the present Dendrobium Mine Buildings
1865	Graham Bros. sent first load of kerosene from shale oil production on American Creek to Wollongong
1874	Graham Bros. sold kerosene works to the Mt Kembla Coal & Oil Company
1879	Mt Kembla Coal & Oil Co floated in England with British capital
1881	Rail line authorized to be built from Mt Kembla to Red Point (Kembla Bay)
1883	Mt Kembla Mine opens & Post Office established at Mt Kembla
1883	900ft long Kembla Jetty designed by William Burrell completed at Port Kembla
1883	27 Jan - SS Arawatta brings 75 dignitaries from Sydney to visit Mt Kembla Mine and the first load of Mt Kembla coal leaves Port Kembla
1883	John Graham was appointed Post Master
1884	A larger school built - name changed to Mt Kembla School
1888	Presbyterian Church built in Kembla Heights
1893	Roman Catholic Church, St Clements built on private land "The Willows"
1893	The telephone was connected
1895	A fine stone school and residence built
1902	July 31 - Mt Kembla Mine explosion - 96 men and boys killed at approximately 2.03pm. 336 men employed at Mt Kembla Mine
1913	Mine name changed to Mt Kembla Collieries Ltd
1955	New Kembla Heights Hall opened after funding by local public subscriptions
1970	Mt Kembla Mine closed
1878 - 1970	Coal mined - over 14 million tonnes
1970 - present	The predominately mining community has changed to a more diverse mix of occupations - an escarpment village community
1973	A modern building on the site of the original school
2001 - present	New BHPB Dendrobium Mine approved by NSW Government for Mt Kembla. It is the first new mine in NSW in more than 20 years
2002 - present	2002 present Mt Kembla Mining Heritage Festival (Annual end July) Community commemorates Centenary of Mt Kembla Mine Disaster 1902

*An initiative of Mt Kembla Mining Heritage Inc - Proudly supported by Dendrobium Mine Community Enhancement Program*

## Historic Mining Community of Mt Kembla Village

### Kembla Heights

### Windy Gully



*Visit*

## Walk 1

## Mt Kembla Village

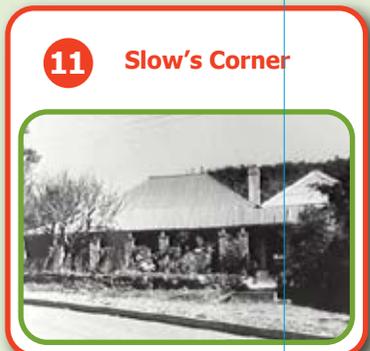
Site of Australia's most devastating mine disaster

31st July, 1902

96 Souls

*The past we inherit  
 - the future we build*

**Self-Guided Walking Tours**



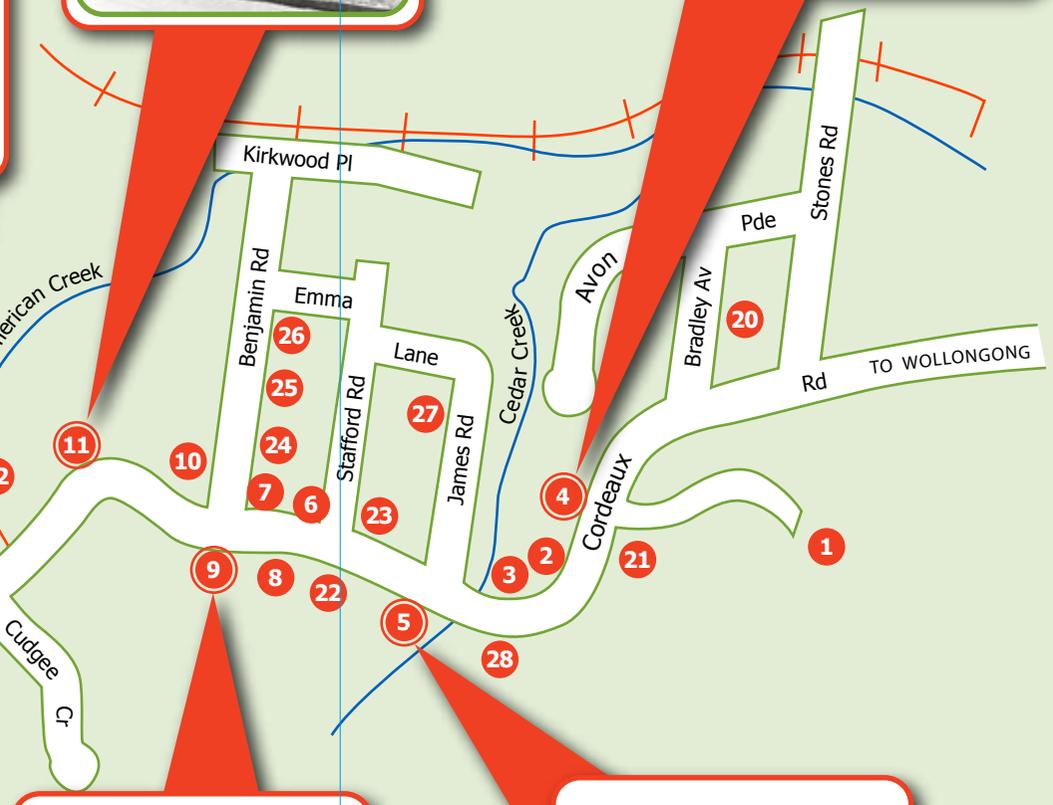
**11 Slow's Corner**



**4 Mt Kembla Hotel**



**13 Kerosene Shale Mine**



**9 Mt Kembla School**



**5 Memorial Church**

- 1 Wilson's Slaughter Yards\*** now private property
- 2 Mt Kembla Rural Fire Service**
- 3 Wilson's Butchery** 1920's - 30's (Wilson's lived nearby in James Road\* & Bob Napier's Greengrocery 1940's - 1950's)
- 4 Mount Kembla Hotel** built in 1898 for Mr John O'Halloran on Robert Wilson's land
- 5 Mount Kembla Soldiers' & Miners' Memorial Anglican Church** 1856 -1860 School held in the Church; 1858 a church was built east of the school; 1932 a new church was built in memory of the mine disaster victims and the soldiers of WW1
- 6 Village General Store** c 1850's. The first store was set up opposite the present store (probably the same house) by James Beadle; 1883 John Graham was appointed Post Master. The telephone was connected in 1893; 1925 - Ruttly's Bus Service Depot beside store
- 7 Brown's General Store & Dance Hall** built 1904, burnt down in 1973\*
- 8 1859 'Violet Hill' School Site**, original school; 1884 changed name to Mount Kembla School after new coal mine; 1973, the modern building added to the school
- 9 1895 Mount Kembla Public School & Residence** stone buildings built. The sandstone Residence is now used as the school's Administration Building
- 10 1953 P.A.F.S. Hall** Protestant Alliance Friendly Society well-used meeting place now in private ownership converted for use as a pre-school
- 11 'Slow's Corner'** original Kerosene Works Mine Manager's Residence c. 1865 'Slow's' comes from the respected Slow family, who lived in the residence for many years; the name, an appropriate warning as the road here has a sharp corner which has claimed numerous vehicles over time.
- 12 'Kerosene Track'** to Kerosene Shale Mine, later used as a quick route to Kembla Heights on private property
- 13 1865 - 1878 Kerosene Shale Mine** 1st Kerosene Shale Mine in Australia - site near present Dendrobium Works Buildings



\*Photos by permission from Wollongong City Library & Illawarra Historical Society & Mt Kembla Mining Heritage Inc Collection

## Appendix H Wollongong City Council Planning Certificate

<b>CERTIFICATE</b>	<b>202107126</b>
Issued	26 November 2021
Certificate Type	Sections 10.7(2) & (5)
Fee	\$133.00
Your Reference	60867:215819
Council Property Reference	385688

Ellen Howley

## PLANNING CERTIFICATE

### Issued Under Section 10.7 of the Environmental Planning and Assessment Act 1979

<b>PROPERTY DETAILS</b>	Legal Description	Lot 1 DP 1103781
	Location	561 Cordeaux Road KEMBLA HEIGHTS NSW 2526

This certificate provides information on how a property (such as land and buildings) may be used and the limits on its development. The certificate contains information Council is aware of through its records and environmental plans, along with data supplied by the State Government.

## SECTION 10.7 (2) DETAILS

As at the date of this certificate, the following prescribed matters under section 10.7(2) of the Act relate to the abovementioned land:

### 1. NAMES OF RELEVANT PLANNING INSTRUMENTS & DEVELOPMENT CONTROL PLANS

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

Wollongong Local Environmental Plan 2009

#### State Environmental Planning Policies

- State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011
- State Environmental Planning Policy (State and Regional Development) 2011
- State Environmental Planning Policy (Urban Renewal) 2010
- State Environmental Planning Policy (Affordable Rental Housing) Amendment (Build to Rent) 2009
- State Environmental Planning Policy (Exempt and Complying Codes) 2008
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007
- State Environmental Planning Policy (State Significant Precincts) 2005
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004
- State Environmental Planning Policy No 70 Affordable Housing (Revised Schemes) Amendment (Short-term Rental Accommodation) 2021

State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development

State Environmental Planning Policy No. 64 – Advertising and Signage

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 50 – Canal Estate Development

State Environmental Planning Policy No. 36 – Manufactured Home Estates

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

State Environmental Planning Policy No. 21 – Caravan Parks

State Environmental Planning Policy (Vegetation in Non Rural areas) 2017

State Environmental Planning Policy (Vegetation in Non Rural areas) Amendment 2021

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

State Environmental Planning Policy (Primary Production and Rural Development) 2013

State Environmental Planning Policy (Coastal Management) 2018

State Environmental Planning Policy (Concurrences and Consents) 2018

State Environmental Planning Policy (Koala Habitat Protection) 2021

State Environmental Planning Policy (Housing for Seniors or People with a Disability) Amendment (Heritage Conservation Areas Exemption) 2020

State Environmental Planning Policy (Infrastructure) Amendment (Energy Storage Technology) (No 2) 2020

State Environmental Planning Policy (Exempt & Complying Development Codes) Amendment (Low Rise Housing Diversity Code) 2020

State Environmental Planning Policy Amendment (Flood Planning) 2021

**(2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not yet been approved)**

Draft State Environmental Planning Policy - Infrastructure - Amendment (Shooting Ranges) 2013

Draft State Environmental Planning Policy - Infrastructure - Amendment (Sport and Recreation) 2013

Explanation of Intended Effect - Proposed Draft Environment SEPP (2017)

Explanation of Intended Effect - Proposed Repeal of Two Operational SEPPs – SEPP 1 Development Standards and SEPP (Miscellaneous Consent Provisions) 2007 (2017)

Explanation of Intended Effect - Proposed new Remediation of Land SEPP and the Draft Planning Guidelines

Explanation of Intended Effect - Proposed Amendment to SEPP (Affordable Rental Housing) 2009

Explanation of Intended Effect - Proposed Amendment to SEPP Three Ports 2013

Explanation of Intended Effect - Proposed Amendment to SEPP - Short Term Rental Accommodation

Explanation of Intended Effect - Proposed Design and Place SEPP 2021

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

**Wollongong Development Control Plan 2009**

Wollongong Development Control Plan 2009, contains detailed development controls which supplement the provisions of Wollongong Local Environmental Plan 2009.

**Note:** The Wollongong Development Control Plan 2009 should be consulted to ascertain its full effect on the land.

**(4) In this clause, proposed environmental planning instrument includes a planning proposal for a Local Environmental Plan or a draft environmental planning instrument.**

## **2. ZONING AND LAND USE UNDER RELEVANT LEPs**

**Wollongong Local Environmental Plan 2009.**

**For each environmental planning instrument or proposed instrument referred to in clause 1 (other than a State Environmental Planning Policy or proposed State Environmental Planning Policy) that includes the land in any zone (however described):**

- (a) **the identity of the zone, whether by reference to a name (such as “Residential Zone” or “Heritage Area”) or by reference to a number (such as “Zone No 2(a)”)**

E3 – Environmental Management

- (b) **the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent**

Home occupations.

- (c) **the purposes for which the instrument provides that development may not be carried out within the zone except with development consent**

Animal boarding and training establishments; Bed and breakfast accommodation; Building identification signs; Business identification signs; Community facilities; Dwelling houses; Environmental facilities; Environmental protection works; Extensive agriculture; Farm buildings; Farm stay accommodation; Forestry; Home based child care; Home businesses, Home industries, Oyster aquaculture, Pond-based aquaculture, Recreation areas; Roads; Secondary dwellings, Tank-based aquaculture.

- (d) **The purposes for which the instrument provides that development is prohibited within the zone.**

Industries; Multi dwelling housing; Residential flat buildings; Retail premises;

Seniors housing; Service stations; Warehouse or distribution centres; Any development not specified in subclause (2) or (3).

**Note:** For subdivision consent requirements see Clause 2.6, of Wollongong Local Environmental Plan 2009.

Demolition of a building or work requires consent see Clause 2.6AA, of Wollongong Local Environmental Plan 2009.

Development below the mean high water mark requires consent see Clause 5.7, of Wollongong Local Environmental Plan 2009.

**Note: Wollongong Local Environmental Plan 2009 should be consulted to ascertain its full effect on the land.**

#### **Clause 4.2A Erection of dwelling houses in certain rural and environmental protection zones**

1. This clause applies to land in the following zones:  
Zone RU1 Primary Production,  
Zone RU2 Rural Landscape,  
Zone E3 Environmental Management.
2. Development consent must not be granted for the erection of a dwelling house on land to which this clause applies, and on which no dwelling house has been erected, unless the land is:
  - (a) a lot created in accordance with 4.1, or
  - (b) a lot created before this Plan commenced that met the minimum lot size specified to permit the erection of a dwelling house under Wollongong Local Environmental Plan 1990 in effect. Immediately before that commencement, or
  - (c) a lot created before this Plan commenced that is at least the minimum lot size specified for that lot by the Lot Size Map, or
  - (d) land that will be a lot in a subdivisions for which development consent was granted or approval under Part 3A of the Act was given before this Plan commenced and on which the erection of a dwelling house would have been permissible immediately before that commencement, or
  - (e) an existing holding with an area of not less than 10 hectares, or
  - (f) a lot that was created after 30 April 1971 but before 23 February 1984 and which has an area of not less than 20 hectares, or
  - (g) a lot that was created on or after 23 February 1984 but before the commencement of this Plan and which has an area of not less than 40 hectares, or
  - (h) a lot that was created before the commencement of this Plan, but only if the subdivision requirements for the land, or number of dwelling houses to be erected on the land, were specified in Schedule 2 to the *Wollongong Local Environmental Plan 1990* immediately before that commencement.

*Note. A dwelling cannot be erected on a lot created under clause 9 of State Environmental Planning Policy (Rural Lands) 2008 or clause 4.2.*
3. Land ceases to be an existing holding for the purposes of subclause (2) (e), if an application for development consent referred to in subclause (2) is not made in relation to that land before 31 December 2012.
4. Despite any other provision of this clause, development consent may be granted for the erection of a dwelling house on land in a zone to which this clause applies if:
  - (a) there is a lawfully erected dwelling house on the land and the dwelling house

- (b) to be erected is intended only to replace the existing dwelling house, or the land would have been a lot or a holding referred to in subclause (2) had it not been affected by:
  - (i) a minor realignment of its boundaries that did not create an additional lot, or
  - (ii) a subdivision creating or widening a public road or public reserve or for another public purpose.
- 5. In determining whether to grant consent for the erection of a dwelling house, the consent authority must consider the extent to which the development is likely to affect the environmental and ecological conservation of the land with respect to the extent of clearing required for the development, including any clearing required for the provision of infrastructure, access and any asset protection zone identified for the land in a bush fire risk management plan in force under the *Rural Fires Act 1997*.
- 6. In this clause:
 

**existing holding** means all adjoining land, even if separated by a road or railway, held in the same ownership:

  - (a) on 30 April 1971, and
  - (b) at the time of lodging a development application for the erection of a dwelling house under this clause, and includes any other land adjoining that land acquired by the owner since 30 April 1971.

Note: The owner in whose ownership all the land is at the time the application is lodged need not be the same person as the owner in whose ownership all the land was on the stated date.

**For each environmental planning instrument or proposed instrument referred to in clause 1 (other than a State Environmental Planning Policy or proposed State Environmental Planning Policy) that includes the land in any zone (however described):**

- (a) **the identity of the zone, whether by reference to a name (such as “Residential Zone” or “Heritage Area”) or by reference to a number (such as “Zone No 2(a)”)**

E4 – Environmental Living

- (b) **the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent**

Building identification signs; Home occupations.

- (c) **the purposes for which the instrument provides that development may not be carried out within the zone except with development consent**

Bed and breakfast accommodation; Business identification signs; Community facilities; Dwelling houses; Environmental facilities; Environmental protection works; Home base child care; Home businesses, Home industries, Oyster aquaculture, Pond-based aquaculture, Recreation areas; Roads; Secondary dwellings, Tank-based aquaculture.

- (d) **The purposes for which the instrument provides that development is**

**prohibited within the zone.**

Industries; Service stations; Warehouse or distribution centres; Any development not specified in subclause (2) or (3).

**Note:** For subdivision consent requirements see Clause 2.6, of Wollongong Local Environmental Plan 2009.

Demolition of a building or work requires consent see Clause 2.6AA, of Wollongong Local Environmental Plan 2009.

Development below the mean high water mark requires consent see Clause 5.7, of Wollongong Local Environmental Plan 2009.

**Note: Wollongong Local Environmental Plan 2009 should be consulted to ascertain its full effect on the land.**

**For each environmental planning instrument or proposed instrument referred to in clause 1 (other than a State Environmental Planning Policy or proposed State Environmental Planning Policy) that includes the land in any zone (however described):**

- (a) **the identity of the zone, whether by reference to a name (such as “Residential Zone” or “Heritage Area”) or by reference to a number (such as “Zone No 2(a)”)**

RU1 – Primary Production

- (b) **the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent**

Building identification signs; Extensive agriculture; Home occupations.

- (c) **the purposes for which the instrument provides that development may not be carried out within the zone except with development consent**

Agricultural produce industries; Agriculture; Animal boarding or training establishments; Aquaculture, Business identification signs; Dwelling houses; Environmental protection works; Extractive industries; Farm buildings; Forestry; Intensive livestock agriculture; Intensive plant agriculture; Open cut mining; Roads; Roadside stalls.

- (d) **the purposes for which the instrument provides that development is prohibited within the zone.**

Any development not specified in subclause (2) or (3).

**Note:** For subdivision consent requirements see Clause 2.6, of Wollongong Local Environmental Plan 2009.

Demolition of a building or work requires consent see Clause 2.6AA, of Wollongong

Local Environmental Plan 2009.

Development below the mean high water mark requires consent see Clause 5.7, of Wollongong Local Environmental Plan 2009.

**Clause 4.2 Rural Subdivision**

1. The objective of this clause is to provide flexibility in the application of standards for subdivision in rural zones to allow land owners a greater chance to achieve the objectives for development in the relevant zone.
2. This clause applies to the following rural zones:
  - (a) Zone RU1 Primary Production,
  - (b) Zone RU2 Rural Landscape,
  - (c) Zone RU4 Rural Small Holdings
  - (d) Zone RU6 Transition
3. Land in a zone to which this clause applies may, with consent, be subdivided for the purpose of primary production to create a lot of a size that is less than the minimum size shown on the Lot Size Map in relation to that land.
4. However, such a lot cannot be created if an existing dwelling would, as the result of the subdivision, be situated on the lot.
5. A dwelling cannot be erected on such a lot.

**Note.** A dwelling includes a rural worker's dwelling (see definition of that term in the Dictionary).

**Note.** This Plan does not include Zone RU6.

**Clause 4.1AA Minimum subdivision lot size for community title schemes**

1. The objectives of this clause are as follows:
  - (a) to ensure that land to which this clause applies is not fragmented by subdivisions that would create additional dwelling entitlements.
2. This clause applies to a subdivision (being a subdivision that requires development consent) under the Community Land Development Act 1989 of land in any of the following zones:
  - (a) Zone RU1 Primary Production
  - (b) Zone RU2 Rural Landscape
3. The size of any lot resulting from a subdivision of land to which this clause applies (other than any lot comprising association property within the meaning of the Community Land Development Act 1989) is not to be less than the minimum size shown on the Lot Size Map in relation to that land

**Clause 4.2A Erection of dwelling houses in certain rural and environmental protection zones**

1. This clause applies to land in the following zones:  
Zone RU1 Primary Production,  
Zone RU2 Rural Landscape,  
Zone E3 Environmental Management.
2. Development consent must not be granted for the erection of a dwelling house on land to which this clause applies, and on which no dwelling house has been erected, unless the land is:

- (a) a lot created in accordance with 4.1, or
- (b) a lot created before this Plan commenced and on which the erection of a dwelling house was permissible immediately before that commencement, or
- (c) a lot created before this Plan commenced that is at least the minimum lot size specified for that lot by the Lot Size Map, or
- (d) land that will be a lot in a subdivisions for which development consent was granted or approval under Part 3A of the Act was given before this Plan commenced and on which the erection of a dwelling house would have been permissible immediately before that commencement, or
- (e) an existing holding with an area of not less than 10 hectares, or
- (f) a lot that was created after 30 April 1971 but before 23 February 1984 and which has an area of not less than 20 hectares, or
- (g) a lot that was created on or after 23 February 1984 but before the commencement of this Plan and which has an area of not less than 40 hectares, or
- (h) a lot that was created before the commencement of this Plan, but only if the subdivision requirements for the land, or number of dwelling houses to be erected on the land, were specified in Schedule 2 to the *Wollongong Local Environmental Plan 1990* immediately before that commencement.

*Note. A dwelling cannot be erected on a lot created under clause 9 of State Environmental Planning Policy (Rural Lands) 2008 or clause 4.2.*

3. Land ceases to be an existing holding for the purposes of subclause (2) (e), if an application for development consent referred to in subclause (2) is not made in relation to that land before 31 December 2012.
4. Despite any other provision of this clause, development consent may be granted for the erection of a dwelling house on land in a zone to which this clause applies if:
  - (a) there is a lawfully erected dwelling house on the land and the dwelling house
    - (b) to be erected is intended only to replace the existing dwelling house, or
    - (b) the land would have been a lot or a holding referred to in subclause (2) had it not been affected by:
      - (i) a minor realignment of its boundaries that did not create an additional lot, or
      - (ii) a subdivision creating or widening a public road or public reserve or for another public purpose.
5. In determining whether to grant consent for the erection of a dwelling house, the consent authority must consider the extent to which the development is likely to affect the environmental and ecological conservation of the land with respect to the extent of clearing required for the development, including any clearing required for the provision of infrastructure, access and any asset protection zone identified for the land in a bush fire risk management plan in force under the *Rural Fires Act 1997*.
6. In this clause:
 

**existing holding** means all adjoining land, even if separated by a road or railway, held in the same ownership:

  - (a) on 30 April 1971, and
  - (b) at the time of lodging a development application for the erection of a dwelling house under this clause, and includes any other land adjoining that land acquired by the owner since 30 April 1971.

**Note:** The owner in whose ownership all the land is at the time the application is lodged need not be the same person as the owner in whose ownership all the land was on the stated

date.

**Clause 4.2B – No strata plan or community title subdivision in certain rural zones.**

1. The objective of this clause is to ensure that land to which this clause applies is not fragmented by subdivisions that would create additional dwelling entitlements.
2. This clause applies to Land in the following zones that is used, or proposed to be used, for residential accommodation or tourist and visitor accommodation:
  - (a) Zone RU1 Primary Production
  - (b) Zone RU2 Rural Landscape
3. Development consent must not be granted for the subdivision of a lot to which this clause applies under a strata plan that would create lots below the minimum size shown on the Lot Size Map for that land.

Note: Part 6 of State Environmental Planning Policy (Exempt and Complying Development) Codes 2008 provides that the strata subdivision of a building in certain circumstances is specified complying development.

**Note: Wollongong Local Environmental Plan 2009 should be consulted to ascertain its full effect on the land.**

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

See Clauses 4.1, 4.1AA, 4.1A, 4.1B, 4.2 and 4.2A of the Local Environmental Plan.

**(f) Whether the land includes or comprises critical habitat**

Nil

**(g) Whether the land is in a conservation area (however described)**

The land is within the Illawarra Heritage Conservation Area - General listed in Schedule 5 Part 2 of Wollongong Local Environmental Plan 2009.

The Kembla Heights Mining Village, Harry Graham Drive and Soldiers Road, is a Heritage Conservation Area – General, listed in Schedule 5 Part 2 of Wollongong Local Environmental Plan 2009.

The land is within the Illawarra Heritage Escarpment Conservation Area listed in Schedule 5 Part 2 of Wollongong Local Environmental Plan 2009.

**(h) Whether an item of environmental heritage (however described) is situated on the land**

The “Nebo Colliery” is a Heritage Item listed in Schedule 5 Part 1 of Wollongong Local Environmental Plan 2009.

The Site of Pioneer Kerosene Works is a Heritage Item listed in Schedule 5 Part 1 of Wollongong Local Environmental Plan 2009.

## **2A. ZONING AND LAND USE UNDER STATE ENVIRONMENTAL PLANNING POLICY (SYDNEY REGIONAL GROWTH CENTRES) 2006**

To the extent that the land is within any zone (however described) under:

- (a) **Part 3 of the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the 2006 SEPP), or**
- (b) **a Precinct Plan (within the meaning of the 2006 SEPP),**
- (c) **a proposed Precinct Plan that is or has been the subject of community consultation or on public exhibition under the Act,**

**the particulars referred to in clause 2 (a) – (h) in relation to that land (with a reference to “the instrument” in any of those paragraphs being read as a reference to Part 3 of the 2006 SEPP, or the Precinct Plan or proposed Precinct Plan, as the case requires).**

Not Applicable.

## **3. COMPLYING DEVELOPMENT**

**(1) The extent to which the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1), (c3) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.**

**(2) The extent to which complying development may not be carried out on that land because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18(1)(c3) and 1.19 of that Policy and the reasons why it may not be carried out under those clauses.**

**(3) If the council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land, a statement that a restriction applies to the land, but it may not apply to all of the land, and that council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.**

Note: For land to which State Environmental Planning Policy (Three Ports) 2013 applies, Exempt and Complying Development is detailed under clauses 24 and 25 of this SEPP.

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

(1) Subject to the terms of each code, and the zoning of the land, complying development may be carried out for the following codes to the extent that the land is not affected by the provisions identified at (2) below.

- Part 2 - Exempt Development Code
- Part 3 - Housing Code (R1, R2, R3, R4, RU5)
- Part 3A - Rural Housing Code (RU1, RU2, RU3, RU4, RU6, R5)
- Part 3B - Low Rise Housing Diversity Code (R1, R2, R3, RU5)
- Part 4 - Housing Alterations Code
- Part 4A - General Development Code
- Part 5 - Commercial and Industrial (Alterations) Code
- Part 5A - Commercial and Industrial (New Buildings and Additions) Code

- Part 5B - Container Recycling Facilities Code
- Part 6 - Subdivisions Code
- Part 7 - Demolition Code
- Part 8 - Fire Safety Code

(2) Complying development **may not** be carried out on the land to the extent that it is **partially affected by a Heritage Conservation Area or Draft Heritage Conservation Area - General** because of the provisions of clauses 1.17A, 1.18 or 1.19 of *State Environmental Planning Policy (Exempt and Complying Codes) 2008*

- Housing Code (R1, R2, R3, R4, RU5)
- Low Rise Housing Diversity Code (R1, R2, R3, RU5)
- Rural Housing Code (RU1, RU2, RU3, RU4, RU6, R5)
- Commercial and Industrial (New Buildings & Additions) Code

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

(1) Subject to the terms of each code, and the zoning of the land, complying development **may be** carried out for the following codes to the extent that the land is not affected by the provisions identified at (2) below.

- Part 2 - Exempt Development Code
- Part 3 - Housing Code (R1, R2, R3, R4, RU5)
- Part 3A - Rural Housing Code (RU1, RU2, RU3, RU4, RU6, R5)
- Part 3B - Low Rise Housing Diversity Code (R1, R2, R3, RU5)
- Part 4 - Housing Alterations Code
- Part 4A - General Development Code
- Part 5 - Commercial and Industrial (Alterations) Code
- Part 5A - Commercial and Industrial (New Buildings and Additions) Code
- Part 5B - Container Recycling Facilities Code
- Part 6 - Subdivisions Code
- Part 7 - Demolition Code
- Part 8 - Fire Safety Code

(2) Complying development **may not** be carried out on the land to the extent that it is **partially identified as Environmentally Sensitive Land** zoned RU1, E2, E3, W1 or W2 because of the provisions of clauses 1.17A, 1.18 or 1.19 of *State Environmental Planning Policy (Exempt and Complying Codes) 2008*

- Housing Code (R1, R2, R3, R4, RU5)
- Low Rise Housing Diversity Code (R1, R2, R3, RU5)
- Rural Housing Code (RU1, RU2, RU3, RU4, RU6, R5)
- Commercial and Industrial (New Buildings & Additions) Code
- Commercial and Industrial (Alterations) Code

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

(1) Subject to the terms of each code, and the zoning of the land, complying development **may be** carried out for the following codes to the extent that the land is not affected by the provisions identified at (2) below.

- Part 2 - Exempt Development Code
- Part 3 - Housing Code (R1, R2, R3, R4, RU5)
- Part 3A - Rural Housing Code (RU1, RU2, RU3, RU4, RU6, R5)
- Part 3B - Low Rise Housing Diversity Code (R1, R2, R3, RU5)
- Part 4 - Housing Alterations Code
- Part 4A - General Development Code
- Part 5 - Commercial and Industrial (Alterations) Code
- Part 5A - Commercial and Industrial (New Buildings and Additions) Code
- Part 5B - Container Recycling Facilities Code
- Part 6 - Subdivisions Code
- Part 7 - Demolition Code
- Part 8 - Fire Safety Code

(2) Complying development **may not** be carried out on the land to the extent that it is **partially identified as land that comprises, or on which there is an item of Environmental Heritage or Draft Environmental Heritage** because of the provisions of clauses 1.17A, 1.18 or 1.19 of *State Environmental Planning Policy (Exempt and Complying Codes) 2008*

- Housing Code (R1, R2, R3, R4, RU5)
- Low Rise Housing Diversity Code (R1, R2, R3, RU5)
- Rural Housing Code (RU1, RU2, RU3, RU4, RU6, R5)
- Housing Alterations Code
- General Development Code
- Commercial and Industrial (New Buildings & Additions) Code
- Commercial and Industrial (Alterations) Code
- Subdivision Code
- Demolition Code

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

(1) Subject to the terms of each code, and the zoning of the land, complying development **may be** carried out for the following codes to the extent that the land is not affected by the provisions identified at (2) below.

- Part 2 - Exempt Development Code
- Part 3 - Housing Code (R1, R2, R3, R4, RU5)
- Part 3A - Rural Housing Code (RU1, RU2, RU3, RU4, RU6, R5)
- Part 3B - Low Rise Housing Diversity Code (R1, R2, R3, RU5)

- Part 4 - Housing Alterations Code
- Part 4A - General Development Code
- Part 5 - Commercial and Industrial (Alterations) Code
- Part 5A - Commercial and Industrial (New Buildings and Additions) Code
- Part 5B - Container Recycling Facilities Code
- Part 6 - Subdivisions Code
- Part 7 - Demolition Code
- Part 8 - Fire Safety Code

(2) Complying development **may not** be carried out on the land to the extent that it is **partially identified as Environmentally Sensitive Land - Illawarra Escarpment** because of provisions of clauses 1.17A, 1.18 or 1.19 of *State Environmental Planning Policy (Exempt and Complying Codes) 2008*

- Housing Code (R1, R2, R3, R4, RU5)
- Low Rise Housing Diversity Code (R1, R2, R3, RU5)
- Rural Housing Code (RU1, RU2, RU3, RU4, RU6, R5)
- Commercial and Industrial (New Buildings and Additions) Code

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

(1) Subject to the terms of each code, and the zoning of the land, complying development **may be** carried out for the following codes to the extent that the land is not affected by the provisions identified at (2) below.

- Part 2 - Exempt Development Code
- Part 3 - Housing Code (R1, R2, R3, R4, RU5)
- Part 3A - Rural Housing Code (RU1, RU2, RU3, RU4, RU6, R5)
- Part 3B - Low Rise Housing Diversity Code (R1, R2, R3, RU5)
- Part 4 - Housing Alterations Code
- Part 4A - General Development Code
- Part 5 - Commercial and Industrial (Alterations) Code
- Part 5A - Commercial and Industrial (New Buildings and Additions) Code
- Part 5B - Container Recycling Facilities Code
- Part 6 - Subdivisions Code
- Part 7 - Demolition Code
- Part 8 - Fire Safety Code

(2) Complying development **may not** be carried out on the land to the extent that it is **partially affected by Ecologically Sensitive Land – Natural Resource/ Biodiversity** because of provisions of clauses 1.17A, 1.18 or 1.19 of *State Environmental Planning Policy (Exempt and*

*Complying Codes) 2008*

- Housing Code (R1, R2, R3, R4, RU5)
- Low Rise Housing Diversity Code (R1, R2, R3, RU5)
- Rural Housing Code (RU1, RU2, RU3, RU4, RU6, R5)
- Commercial and Industrial (New Buildings and Additions) Code

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

(1) Subject to the terms of each code, and the zoning of the land, complying development **may be** carried out for the following codes to the extent that the land is not affected by the provisions identified at (2) below.

- Part 2 - Exempt Development Code
- Part 3 - Housing Code (R1, R2, R3, R4, RU5)
- Part 3A - Rural Housing Code (RU1, RU2, RU3, RU4, RU6, R5)
- Part 3B - Low Rise Housing Diversity Code (R1, R2, R3, RU5)
- Part 4 - Housing Alterations Code
- Part 4A - General Development Code
- Part 5 - Commercial and Industrial (Alterations) Code
- Part 5A - Commercial and Industrial (New Buildings and Additions) Code
- Part 5B - Container Recycling Facilities Code
- Part 6 - Subdivisions Code
- Part 7 - Demolition Code
- Part 8 - Fire Safety Code

(2) Complying development **may not** be carried out on the land to the extent that it is **partially affected by a Heritage Conservation Area or Draft Heritage Conservation Area - Landscape** because of the provisions of clauses 1.17A, 1.18 or 1.19 of *State Environmental Planning Policy (Exempt and Complying Codes) 2008*

- Housing Code (R1, R2, R3, R4, RU5)
- Low Rise Low Rise Housing Diversity Code (R1, R2, R3, RU5)
- Rural Housing Code (RU1, RU2, RU3, RU4, RU6, R5)
- Commercial and Industrial (New Buildings & Additions) Code

**4B. ANNUAL CHARGES UNDER LOCAL GOVERNMENT ACT 1993 FOR COASTAL PROTECTION SERVICES THAT RELATE TO EXISTING COASTAL PROTECTION WORKS**

**In relation to a coastal council- whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act)**

*Note: “Existing coastal protection works” are works to reduce the impact of coastal hazards on the land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993*

Not applicable

## **5. MINE SUBSIDENCE**

**Whether or not the land is proclaimed to be a mine subsidence district within the meaning of the Coal Mine Subsidence Compensation Act 2017.**

The land is not proclaimed to be a mine subsidence district within the meaning of the Coal Mine Subsidence Compensation Act 2017.

## **6. ROAD WIDENING AND ROAD REALIGNMENT**

**Whether or not the land is affected by any road widening or road realignment under:**

- (a) Division 2 of Part 3 of the Roads Act 1993 or**
- (b) Any environmental planning instrument or**
- (c) Any resolution of the council**

Council has no record that the land is affected by any Road Widening or Road Realignment under:

- a) Division 2 of Part 3 of the *Roads Act 1993*, or
- b) any environmental planning instrument, or
- c) any resolution of the Council.

## **7. COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS**

**Whether or not the land is affected by a policy:**

- a) adopted by the council, or**
- b) adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the council, that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulfate soils or any other risk (other than flooding).**

Council has adopted “Wollongong Development Control Plan 2009 – Chapter E12 Geotechnical Assessment”.

Council has adopted Acid Sulfate Maps, Wollongong Local Environmental Plan 2009 – Clause 7.5 Acid Sulfate Soils.

Council has adopted “Wollongong Development Control Plan 2009 – Chapter E16 Bushfire Management”. The Rural Fire Service has endorsed the Bush Fire Prone Land map.

Unhealthy Building Land Policy, adopted by the Environmental Protection Authority.

Council has adopted Wollongong City Council Coastal Zone Study (Cardno, Lawson, Treloar 2010).

## **7A. FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION**

### **(1) If the land or part of the land is within the flood planning area and is subject to flood related development controls**

It is unknown if the land or part of the land is within the flood planning area and thus subject to flood related controls. Please refer to Council's Wollongong LEP 2009 and Wollongong DCP 2009 – Chapters E13, NSW State Government's Floodplain Development Manual (2005) and any relevant Flood Studies or Floodplain Risk Management Studies and Plans. Further flood information relating to this land may be available by application under section 10.7(5) of the Environmental Planning & Assessment Act 1979.

### **(2) If the land or part of the land is between the flood planning area and probable maximum flood and is subject to flood related development controls.**

It is unknown if the land or part of the land is between the flood planning area and probable maximum area and thus is subject to flood related controls. Please refer to Council's Wollongong LEP 2009 and Wollongong DCP 2009 – Chapters E13, NSW State Government's Floodplain Development Manual (2005) and any relevant Flood Studies or Floodplain Risk Management Studies and Plans. Further flood information relating to this land may be available by application under section 10.7(5) of the Environmental Planning & Assessment Act 1979

### **(3) In this clause -**

**Flood planning area** has the same meaning as in the Floodplain Development Manual.

**Floodplain Development Manual** means the Floodplain Development Manual (ISBN 0 7347 5476 0) published by the NSW Government in April 2005.

**Probable maximum flood** has the same meaning as in the Floodplain Development Manual.

Further flood information relating to this parcel of land is available by application under section 10.7(5) of the Environmental Planning & Assessment Act 1979.

Please note that flood information may change due to Council's flood study and Floodplain Risk Management Study currently being reviewed. As part of the review, design parameters for these studies are changing, and therefore the flood levels, velocities and flood risks may vary from the current flood study.

## **8. LAND RESERVED FOR ACQUISITION**

**Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the Act.**

Nil.

## **9. CONTRIBUTION PLANS**

**The name of each contributions plan applying to the land.**

**Wollongong City Wide-Development Contributions Plan**

This plan levies contributions under Section 7.12 of the *Environmental Planning and Assessment Act 1979 (NSW)*. The Contribution is calculated based on the proposed cost of carrying out development and, where applicable, the requirement to pay contributions will be included in any development consent or complying development certificate issued. Further information is available from Councils website.

## **9A. BIODIVERSITY CERTIFIED LAND**

**If the land biodiversity certified land under Part 8 of the *Biodiversity Conservation Act 2016*, a statement to that effect.**

Note: Biodiversity certified land includes land certified under Part 7AA of the Threatened Species Conservation Act 1995 that is taken to be certified under Part 8 of the *Biodiversity Conservation Act 2016*.

Nil.

## **10. BIODIVERSITY STEWARDSHIP SITES**

**If the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the *Biodiversity Conservation Act 2016*, a statement to that effect (but only if the council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage).**

Note: Biodiversity stewardship agreements include bio-banking agreements under Part 7A of the *Threatened Species Conservation Act 1995* that are taken to be biodiversity stewardship agreements under Part 5 of the *Biodiversity Conservation Act 2016*.

Nil.

## **10A. NATIVE VEGETATION CLEARING SET ASIDES**

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

Nil.

## **11. BUSH FIRE PRONE LAND**

**If any of the land is bush fire prone land (as defined in the Act), a statement that all or, as the case may be, some of the land is bush fire prone land.**

**If none of the land is bush fire prone land, a statement to that effect.**

The land is recorded in Council's records as bushfire prone land.

## **12. PROPERTY VEGETATION PLANS**

**If the land is land to which a property vegetation plan approved under Part 4 of the Native Vegetation Act 2003 (and that continues in force), a statement to that effect (but only if the council has been notified of the existence of the plan by the person or body that approved the plan under the Act).**

Council has not been notified that the land is affected by a Property Vegetation Plan issued under the Native Vegetation Act 2003.

## **13. ORDERS UNDER TREES (DISPUTES BETWEEN NEIGHBOURS) ACT 2006**

**Whether 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 (but only if the council has been notified of the order)**

Council has not been notified of an order.

## **14. STATE SIGNIFICANT DEVELOPMENT**

**If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.**

Nil

## **STATE SIGNIFICANT INFRASTRUCTURE**

**If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.**

Nil

## **15. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR SENIORS HOUSING**

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

- (1) A statement of whether there is a current, site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:
  - (a) the period for which the certificate is current, and
  - (b) that a copy may be obtained from the head office of the Department of Planning, and
- (2) A statement setting out any terms of a kind referred to in clause 18(2) of that Policy that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land

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

## **16. SITE COMPATIBILITY CERTIFICATE FOR INFRASTRUCTURE**

A statement of whether there is a valid site compatibility certificate (infrastructure), or site compatibility certificate (schools or TAFE establishments) of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

- (a) the period for which the certificate is valid, and
- (b) that a copy may be obtained from the head office of the Department.

State Environmental Planning Policy (Infrastructure) 2007  
Nil.

## **17. SITE COMPATIBILITY CERTIFICATE AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING**

- (1) A statement of whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:
  - (a) the period for which the certificate is current, and
  - (b) that a copy may be obtained from the head office of the Department.
- (2) A statement setting out any terms of a kind referred to in clause 17 (1) or 38 (1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 that have been imposed as a condition of consent to a development application in respect of the land.

State Environmental Planning Policy (Affordable Rental Housing) 2009  
Nil.

## **18. PAPER SUBDIVISION INFORMATION**

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

Nil

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

Not applicable

**(3) Words and expressions used in this clause have the same meaning as they have in Part 16C of this Regulation.**

## **19. SITE VERIFICATION CERTIFICATES**

**A statement of whether there is a current site verification certificate, of which the council is aware, in respect of the land and, if there is a certificate, the statement is to include:**

**(a) the matter certified by the certificate, and**

*Note: A site verification certificate sets out the Director-General's opinion as to whether the land concerned is or is not biophysical strategic agricultural land or critical industry cluster land-see Division 3 of Part 4AA of State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries 2007).*

**(b) the date on which the certificate ceases to be current (if any), and**

**(c) that a copy may be obtained from the head office of the Department.**

Nil

## **20. LOOSE-FILL ASBESTOS INSULATION REGISTER**

**If the land includes any residential premises (within the meaning of Division 1A of Part 8 of the Home Building Act 1989) that are listed on the register, that is required to be maintained under that Division, a statement to that effect.**

For register information contact [www.fairtrading.nsw.gov.au](http://www.fairtrading.nsw.gov.au)

Nil.

## **21. AFFECTED BUILDING NOTICES AND BUILDING PRODUCT RECTIFICATION ORDERS**

**(1) A statement of whether there is any affected building notice of which the council is aware that is in force in respect of the land.**

**(2) A statement of:**

**(a) whether there is any building product rectification order of which the council is aware that is in force in respect of the land and has not been fully complied with, and**

**(b) Whether any notice of intention to make a building product rectification order of which the council is aware has been given in respect of the land and is outstanding.**

**(3) In this clause: affected building notice has the same meaning as in Part 4 of the Building Products (Safety) Act 2017. building product rectification order has the same meaning as in the Building Products (Safety) Act 2017.**

Affected building notice has the same meaning as Part 4 of the [Building Products \(Safety\) Act 2017 No 69](#)

Building product rectification order has the same meaning as in the [Building Products \(Safety\) Act 2017 No 69](#)

Nil.

### **CONTAMINATED LAND MANAGEMENT ACT 1997**

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

- (a) that the land to which the certificate relates is significantly contaminated within the meaning of that Act- if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,**
- (b) that the land to which the certificate relates is subject to a management order within the meaning of the Act- if it is subject to such an order at the date when the certificate is issued,**
- (c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act – if it is the subject of such an approved proposal at the date when the certificate is issued,**
- (d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act – if it is subject to such an order at the date when the certificate is issued,**
- (e) that the land to which the certificate relates is the subject of a site audit statement within the meaning of the Act – if a copy of such a statement has been provided at any time to the local authority issuing the certificate**

Council has **not** been advised that:

- a) The land is significantly contaminated land within the meaning of the Contaminated Land Management Act 1997
- b) The land is subject to a management order within the meaning of the Contaminated Land Management Act 1997
- c) The land is subject to an approved voluntary management proposal within the meaning of the Contaminated Land Management Act 1997
- d) The land is subject to an ongoing maintenance order within the meaning of the

Contaminated Land Management Act 1997

- e) The land is the subject of a site audit statement within the meaning of the Contaminated Land Management Act 1997.

## **SECTION 10.7 (5) DETAILS**

As at the date of this certificate, the following additional information, provided in good faith pursuant to section 10.7 (5) of the Act, relate to the abovementioned land. Council has selected these matters as those most likely to be of concern but they do not comprise an exhaustive list of matters likely to affect the land.

When information pursuant to section 10.7 (5) is requested the Council is under no obligation to furnish any of the information supplied herein pursuant to that section. Council draws your attention to section 10.7 (6) which states that a council shall not incur any liability in respect of any advice provided in good faith pursuant to subsection (5). The absence of any reference to any matter affecting the land shall not imply that the land is not affected by any matter referred to in this certificate.

## **RESOLUTION TO PREPARE PLANNING PROPOSAL**

Council on 17 July 2017 resolved to commence the preparation of a draft Planning Proposal to introduce Housing Affordability provisions or SEPP 70 Housing Affordability provisions into the Wollongong Local Environmental Plan 2009. The form of the provisions will be subject to a future report and subsequent community consultation.

## **PROPOSED DRAFT DEVELOPMENT CONTROL PLANS**

The following plans have been placed on exhibition pursuant to the provisions of section 3.43 of the Environmental Planning and Assessment Act 1979:

### **Draft Development Control Plan 2009 Review**

The Wollongong Development Control Plan 2009 came into force on 3 March 2010. The following draft chapters are available for public exhibition.

D16 Draft Neighbourhood Plans for various lots – West Dapto Urban Release Area  
DE1 Access for people with a disability

## **LAND STABILITY**

Council's land constraint/stability assessment maps show that the land is located in an area where landslip and/or subsidence have occurred, or land stability is suspected. The services of a suitably qualified geotechnical engineer should be sought to ascertain the likely effect if any, on the land.

**Note:** The advice provided by Council in respect of the stability of the land is based on information contained in Council's land constraint maps. The maps have been compiled from data received by

Council and considered by Council to be reasonably reliable. Council does not warrant that its land constraint maps contain all information ever received by Council relating to the stability of the land.

## **FLOOD AND DRAINAGE**

### **1 Classification of Flood Risk**

From Council records, Council has determined that this property is located within a **Flood Affected - Uncategorised Flood Risk** precinct.

Council has a completed catchment wide Flood Study for this area but no Floodplain Risk Management Study has been completed to determine flood risk precincts.

**Note:** Advice given by Council relating to the likelihood of land being flooded or the nature or extent of such flooding is based on information contained in Council's flood maps. The maps are compiled from data received by Council and/or studies prepared by Council and considered by Council to be reasonably reliable. Council does not warrant that its flood maps contain all information ever received by Council relating to the likelihood of land being flooded or the nature or extent of any such flooding.

Council has prepared a development control plan known as Wollongong Development Control Plan 2009 that provides details of flood related development controls that may be applicable.

### **2 Estimated Flood Levels**

Council is aware that it may hold estimated and/or historical flood levels in the vicinity of this property. In order to pursue this matter further, please complete a Flood Level Information Advice form or apply online which are both available on Council website or at Customer Service front counter of the Administration Building. A cost is involved for this service. Payment must be made prior to information being provided.

Please note that flood information may change due to Council's flood study and Floodplain Risk Management Study currently being reviewed. As part of the review, design parameters for these studies are changing, and therefore the flood levels, velocities and flood risks may vary from the current flood study.

## **ACID SULFATE SOILS**

Nil.

## **CONTAMINATED LAND**

No advice provided.

## **STATE SIGNIFICANT DEVELOPMENT**

Nil.

## **BUILDING LINES**

Wollongong Development Control Plan 2009 details the setbacks applicable to the land.

## **OTHER HERITAGE MATTERS KNOWN TO COUNCIL**

### **Aboriginal Heritage**

All development within the Wollongong Local Government Area is subject to the Aboriginal Heritage requirements of the National Parks and Wildlife Act 1974. To determine if your property is affected by an Aboriginal Site, it is recommended that an Aboriginal Heritage Information Management System (AHIMS) search be undertaken by contacting the AHIMS Administrator on (02) 9995 5000. Further detail on Council's Aboriginal Heritage requirements for Development is contained within Chapter E10 of the Wollongong Development Control Plan 2009.

## **DEVELOPMENT HISTORY**

Application may be made for a Building Certificate under section 10.7B of Environmental Planning and Assessment Act 1979 if written certification of existing buildings on the land is required.

The history of development consent approval applicable to the land may be obtained by consulting the Development Consent Register. Enquiries concerning the register may be made at Council's Customer Service Centre, 41 Burelli Street Wollongong during office hours.

## **LOOSE-FILL ASBESTOS**

Council recommends you make your own enquiries as to the age of the buildings on the land to which this certificate relates and, if it contains a building constructed prior to 1980, the Council also strongly recommends that any potential purchaser obtain advice from a licensed asbestos assessor to determine whether loose-fill asbestos is present in any building on the land and, if so, the health risks (if any) this may pose for the building's occupants.

Contact NSW Fair Trading for further information.

## **OTHER INFORMATION**

### **Illawarra Shoalhaven Regional Plan**

The Department of Planning, Industry and Environment released the Illawarra Shoalhaven Regional Plan 2041 and Special Infrastructure Contribution.

The land is within an Environmentally Sensitive Area (Illawarra Escarpment).

The land is included in the Natural Resources Biodiversity Sensitivity Maps of Wollongong Local Environmental Plan 2009.

### **Bushfire**

In accordance with State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Clause 1.19A any complying development (except under the Housing Alternation Code) may only be carried out on the lot if the development will not be carried out on any part of the lot that in the bush fire attack level-40 (BAL- 40) or the flame zone (BAL-FZ). In addition, for

development specified for the Rural Housing Code any associated access way to the development must be on land that is not in the BAL- 40 or BAL-FZ or grassland.

## GENERAL INFORMATION

The following general information is brought to the attention of land owners.

### 1. Tree Management Policy

The Wollongong Tree Management Policy allows proper assessment to be made of the environmental importance and viability of trees before they are pruned, removed or damaged in any way. This Policy prohibits the ringbarking, cutting down, topping, lopping, removing, injuring or destruction of any tree except with the prior written consent of Council.

The Tree Management Policy applies to any tree that:

- Is 3 metres or more in height,
- Has a trunk diameter of 200mm or more at a height of 1 metre from the ground, or
- Has a branch spread of 3 metres or more

Please note that:

- A dead/dying tree is subject to the Tree Management Policy
- Pruning of major structural or anchor roots is also subject to the Tree Management Policy

Some trees may be exempt and do not require a permit to prune or remove them. Following is a list of the exempt tree species:

Common Name	Botanical Name
African fern pine, Yellowwood	<i>Afrocarpus falcatus</i> (Syn. <i>Nageia falcatus</i> )
African Olive	<i>Olea europaea</i> subsp. <i>cuspidata</i>
Alder	<i>Alnus</i> species
Black Locust	<i>Robinia pseudoacacia</i>
Box Elder	<i>Acer negundo</i>
Camphor Laurel	<i>Cinnamomum camphora</i>
Canary Island Date Palm	<i>Phoenix canariensis</i>
China Doll	<i>Radermachera sinica</i>
Chinese Tallow	<i>Triadica sebifera</i> [ <i>Sapium sebiferum</i> ]
Cocos or Queen Palm	<i>Syagrus romanzoffiana</i>
Common Hackberry	<i>Celtis occidentalis</i>
Coral Tree	<i>Erythrina x sykesii</i>
Cotoneaster	<i>Cotoneaster</i> species
Domestic Fruit Trees	
Golden Cypress Pine	<i>Cupressus macrocarpa</i> 'Brunniana'
Goldenrain Tree	<i>Koelreuteria paniculata</i>
Honey Locust	<i>Gleditsia triacanthos</i>
Kaffir Plum	<i>Harpephyllum caffrum</i>
Liquidambar	<i>Liquidambar</i> species
Norfolk Island Hibiscus/Itchy Pod Tree	<i>Lagunaria patersonii</i>

Common Name	Botanical Name
Oleander	<i>Nerium oleander</i>
Peppercorn, Pepper Tree	<i>Schinus areira</i>
Poplar	<i>Populus</i> species
Privet	<i>Ligustrum</i> species
Radiata Pine	<i>Pinus radiata</i>
Rubber Tree	<i>Ficus elastica</i>
Silky Oak	<i>Grevillea robusta</i>
Umbrella Tree	<i>Schefflera actinophylla</i>
Willow	<i>Salix</i> species

For the full list of other exemptions please refer to the Tree Management Policy document available via Council's website.

Any person acting on a permit issued under this Policy must comply with all conditions of that permit.

Any person who contravenes, or causes or permits the contravention of this Policy is guilty of an offence under the Environmental Planning and Assessment Act 1979.

Development Consents may contain restrictions relating to trees.

Further information regarding Council's Tree Management Policy including how to lodge an application can be made by contacting Council's Customer Service on telephone 4227 7111. Alternatively information can be obtained from Council's website via the following link <http://www.wollongong.nsw.gov.au/services/household/trees/Pages/Lodgeatmp.aspx>.

## **2. Termite Management for Buildings**

Australian Standards 3660.1-2000 (New Buildings) AS 3660.2-2000 (Existing Buildings) Termite Management, recommends that buildings be inspected and be maintained in order to achieve termite management of buildings. Licensed Pest Control Contractors should be contacted to achieve necessary termite control.

## **3. Lead Paint and Building Renovations**

Your attention is drawn to the hazards associated with lead-based paints during building renovation. Suitable precautions should be taken when removing flaking paint or sanding painted surfaces suspected to have been treated with lead-based paint to prevent contamination of the immediate environment and associated health risk from lead dust.

AS 4361 – Part 2 – Guide to Lead Paint Management – Residential and Commercial.

#### **4. Sewage Management Systems**

Where a property has on-site sewage management system (this includes septic tanks, disposal trenches, aerated waste water treatment systems, composting toilets and pump out systems) the new owner must obtain an “Approval to Operate” from Council within 3 months of land ownership being transferred or otherwise conveyed.

#### **5. Asbestos**

Exposure to asbestos is a serious health hazard. In Australia, asbestos was gradually phased out of building materials in the 1980s and the supply and installation of asbestos containing goods has been prohibited since 31 December 2003. However, asbestos legacy materials still exist in many homes, buildings and other assets and infrastructure.

Council on the 27 October 2014 adopted an Asbestos policy which states Council’s commitment to and responsibilities for safely managing asbestos, and provides information for Council and the local community on safely managing asbestos. The policy can be viewed on Council’s website: [www.wollongong.nsw.gov.au](http://www.wollongong.nsw.gov.au).

#### **6. Loose-Fill Asbestos Insulation**

Some residential homes located in NSW have been identified as containing loose-fill asbestos insulation, for example in the roof space. NSW Fair Trading maintains a Register of homes that are affected by loose-fill asbestos insulation.

You should make your own enquiries as to the age of the buildings on the land to which this certificate relates and if it contains a building constructed prior to 1980, the council strongly recommends that any potential purchaser obtain advice from a licenced asbestos assessor to determine whether loose-fill asbestos is present in any building on the land and, if so, the health risks (if any) this may pose for the buildings occupants.

Contact NSW Fair Trading for further information.

#### **7. Building Product Use Ban**

On 10 August 2018, the Commissioner of Fair Trading, Department of Finance, Services and Innovation issued, by way of a notice, a Building Product Use Ban under Section 9(1) of the Building Products (Safety) Act 2017. This notice prohibited the use of Aluminium Composite Panels (ACPs) with a core of greater 30 percent Polyethylene (PE) by mass (“the building product”) in any external cladding, external wall, external insulation, faced or rendered finish in certain classes of buildings under the National Construction Code and subject to certain exceptions. The ban commenced operation on Wednesday 15 August 2018.

You should undertake your own inquiries as to whether any of the Panels referenced in the Building Product Use Ban have been utilised in the building.

This letter is authorised by

**Miriam Tolhurst**

LIS Information Officer Section 10.7 Planning Certificates

Wollongong City Council

Telephone (02) 4227 7111

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## Appendix B Photolog from Site Inspection

**PHOTOGRAPH A: AREA 5, EXPLORATION DRILLING ACTIVITIES (14/06/2018)**



**PHOTOGRAPH B: AREA 5, FILL MATERIAL IN RAILWAY FORMATION (14/06/2018)**



**PHOTOGRAPH C: AREA 5, FILL MATERIAL IN ROADWAY AND BUSHLAND (14/06/2018)**



**PHOTOGRAPH D: DENDROBIUM MINING LEASE AREA (CL768), PROPOSED PUMP AND ELECTRICAL CONNECTION (CORDEAUX RIVER) (5/08/2021)**



Job No: 60867

Client: South32 Limited

Version: R01 Rev 0

Date: 05/08/2021

Drawn By: EH

Checked By: SM

Not to Scale

Coord. Sys n/a

**Picton Road.  
Cordeaux NSW**

**ATTACHMENT B**

**PHOTOGRAPH E: DENDROBIUM MINING LEASE AREA (CL768), PROPOSED CONSTRUCTION CAR PARK AREA ADJACENT CORDEAUX DAM ROAD (5/08/2021)**



**PHOTOGRAPH F: AREA 5, WATER TANKS, FILL MATERIAL IN STORAGE AREA (5/08/2021)**



**PHOTOGRAPH G: AREA 5, STOCKPILE IN STORAGE AREA (5/08/2021)**



**PHOTOGRAPH L: AREA 5, WATER TANKS, FILL MATERIAL IN STORAGE AREA (5/08/2021)**



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**ATTACHMENT B**

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