

building to the site area of the land on which the building is to be erected does not exceed the ratio shown opposite that zone in Column II of that Table.

- (3) For the purpose of subclause (1), "gross floor area" does not include the area of enclosed private balconies at a height of more than 2 metres about the ground level immediately beneath the balcony.

TABLE

Column I	Column II
Zone No. 2(a)	0.5:1
Zone No. 2(b)	0.6:1
Zone No. 2(c)	0.75:1

Provision of water supply, sewerage and drainage

17. The Council shall not consent to the carrying out of development on any land unless and until arrangements satisfactory to Hunter Water Corporation and the Council have been made for the provision of water supply to, and for the removal and disposal of sewage from and the drainage of, that land or unless and until arrangements satisfactory to the Council and the Department of Health have been made for the installation of the land of a water supply system and a septic tank.

Suspension of certain laws

18. (1) For the purpose of enabling development to be carried out in accordance with this plan or in accordance with a consent granted under the Act -
- (a) in relation to any development, Section 314(1)(c) of, and Schedule 7 to the Local Government Act, 1919, and
- (b) in relation to development within any zone other than Zone No. 2(a), 2(b) or 2(c), the operation of any covenant, agreement or instrument imposing restrictions on development,

to the extent necessary to serve that purpose, shall not apply to any such development.

- (2) Pursuant to Section 28 of the Act, before the making of this plan -
- (a) the Governor approved of subclause (1); and
- (b) the Minister for the time being administering the provisions of the Local Government Act, 1919, referred to in subclause (1)(a) concurred in writing in the recommendation for the approval of the

Governor or subclause (1) in so far as subclause relates to those provisions.

Bushfire risk in residential zones

26. A person shall not erect a dwelling in Zone No. 2(a), 2(b) or 2(c) unless the Council has considered-
- (a) whether the building will be affected by bushfire hazard; and
- (b) if the building will be so affected, whether adequate provision can be made to mitigate the bushfire hazard to the building.

Definitions

"Exhibition home", means a dwelling-house used for the purpose of displaying the house, its contents and its surrounds for a limited period.

"Guest house", means a dwelling-house used to accommodate paying guest where:

- (a) the length of residence by a paying guest in the house is not less than one day and not more than 10 days in any month;
- (b) not less than 3 and not more than 5 bedrooms of the house are used, or are capable of being used, for that purpose; and
- (c) the operator of the guest house resides permanently on the premises and provides meals and house-keeping services for the guest.

ATTACHMENT G: SECTION 101(1)

MINISTERIAL DIRECTIONS

<u>Subject</u>	<u>Date</u>	<u>General Effect of Direction</u>
Canals and artificial waterways	14 Nov 1985	All applications, other than applications by public authorities, to carry out development on the land for the purposes of canals or artificial waterways, shall be referred by Council to the Secretary of the Department of Planning for determination by the Minister for Planning.
Coal Mining	4 June 1987	All applications for new coal mines that require new coal leases as provided for under Section 41 of the Coal Mining Act 1973, shall be referred by Council to the Secretary of the Department of Planning for determination by the Minister for Planning.
Hunter Coastal Urban Settlement Strategy	10 Sep 1994	The Strategy has been prepared to guide urban development in the Coastal areas of the Hunter Region for the next 20 years.
New South Wales Government Policy	24 Sep 1990	Policy for making land use decisions on public and private owned land along the length of the NSW coast.

Certificate No. 2002/1138
Page 1 of 7



HARPER SOMERS PTY LTD
C/-JASON WASIAK
49616500

Applicant's Ref:

SECTION 149 PLANNING CERTIFICATE, ENVIRONMENTAL
PLANNING AND ASSESSMENT ACT, 1979

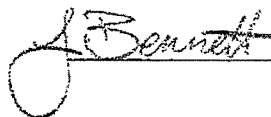
Issue Date 09/08/2001
Fee Paid..... 100.00
Receipt No... 1111111
Receipt Date 09/08/2001

DESCRIPTION OF LAND

Address: 59 Lakeview Road
MORISSET PARK NSW 2264

Lot Details: LOT 1 DP 7394, LOT 2 DP 7394, LOT 3 DP
7394, LOT 4 DP 7394, LOT 38 DP 75842
Parish: Morisset
County: Northumberland

Owner: THE TRUST OF THE HOSPITALIER

 for KEN HOLT
GENERAL MANAGER

Telephone: 02
126-138 Main Road Speers Point NSW 2284
Box 1906, Hunter Region Mail Centre NSW 2310
Facsimile: 02 4958 7257 Email: enquiries@lakemac.nsw.gov.au

ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(2)

A. Local Environmental Plans

The Lake Macquarie Local Environmental Plan, 1984 ("the Plan") applies to the land and identifies the land as being zoned-

Residential 2a
Open Space 6c (Local Resvn)
Sp. Uses 5a (St John College)

Purposes for which development may be carried out on the land, either with or without Council consent, and the purposes for which development is prohibited, are specified opposite the relevant zone(s) in the table to Clause 10 of the Plan. An extract from the Table is appended to this Certificate as Attachment A.

Additional purposes specified under certain Clauses of the Plan for which development may be carried out on the land with Council consent:

NONE

In addition, the Plan imposes certain other restrictions on development, including development standards, which may affect the land. Attention is drawn to the Environmental Planning and Assessment Model Provisions, 1980 which are adopted by the Plan. Copies of these instruments may be obtained at the State Government Information Service, Sydney, or viewed at either Council's Administration Centre or the Speers Point Branch Library during normal business hours.

B. Draft Local Environmental Plans

The land IS NOT AFFECTED by a Draft Local Environmental Plan exhibited pursuant to Section 66(1)(b) of the Act.

C. State Environmental Planning Policies and Regional Environmental Plans

The land is affected by the State and Regional Planning Instruments.

State Environmental Planning Policy No.19 - Bushland in Urban Areas.
State Environmental Planning Policy No.10 - Retention of Low-Cost Rental Accommodation.

State Environmental Planning Policy No. 1 - Development Standards.
State Environmental Planning Policy No. 4 - Development without Consent.

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

State Environmental Planning Policy No. 8 - Surplus Public Lands.

State Environmental Planning Policy No. 9 - Group Homes.

State Environmental Planning Policy No.11 - Traffic Generating Development.

State Environmental Planning Policy No.21 - Caravan Parks.

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

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

State Environmental Planning Policy No.35 - Maintenance and Dredging of Tidal Waterways.

State Environmental Planning Policy No.36 - Manufactured Homes Estates.

State Environmental Planning Policy No. 5 - Housing for Older People with a Disability.

State Environmental Planning Policy No.16 - Tertiary Institutions.

State Environmental Planning Policy No.44 - Koala Habitat Protection.

State Environmental Planning Policy No.45 - Permissibility of Mining.

State Environmental Planning Policy No.48 - Major Putrescible Landfill Sites.

State Environmental Planning Policy No.50 - Canal Estate Development.

State Environmental Planning Policy No.55 - Remediation of Land.

State Environmental Planning Policy No.64 - Advertising Signs.

State Environmental Planning Policy No.37 - Continued Mines and Extractive Industries.

State Environmental Planning Policy No.34 - Major Employment
Generating Industrial Development.

D. Erection of a dwelling-house on vacant land

The erection of a dwelling-house on the land, if the land is vacant, IS NOT PROHIBITED by reason of a development standard relating to the minimum area on which a dwelling-house may be erected.

E. Demolition of buildings

Demolition of any building on the land requires development consent to be obtained.

F. Development Control Plans

The land IS AFFECTED by the following Development Control Plan/s.
Development Control Plan No. 3 - Lake & Foreshore Development.
Development Control Plan No. 9 - Medium Density Residential Development.
Development Control Plan No. 14 - Professional Consulting Rooms.
Development Control Plan No.21 - Energy Efficient & Sustainable Housing.
Development Control Plan No. 31 - Landscaping.
Development Control Plan No. 33 - Exempt Development.
Development Control Plan No. 34 - Complying Development.
Development Control Plan No. 35 - Notification of Development Applications.

F1. Contributions Plan

Lake Macquarie City Council has adopted the following Section 94 Contribution Plan/s which effects this land:-

Lake Macquarie Section 94 Contributions Plan No.1 - City Wide

Further advice on contribution rates can be obtained from the Council Administrative Office.

G. State Significant Development

WHETHER ANY APPLICATION TO CARRY OUT DEVELOPMENT ON THE LAND WAS, AT THE TIME THE APPLICATION FOR THE CERTIFICATE WAS LODGED, THE SUBJECT OF A NOTICE BY THE MINISTER UNDER SECTION (76) (B) OF THE ACT DECLARING THE DEVELOPMENT TO BE STATE SIGNIFICANT DEVELOPMENT.

Yes. Development to which State Environmental Planning Policy No.34 - Major Employment Generating Industrial Development and State Environmental Planning Policy No.48 - Major Putrescible Landfill Sites apply is State Significant development.

Under Clause 17(1) of the Environmental Planning and Assessment (Savings and Transitional) Regulation 1998, all s.101 directions in existence before 1 July 1998 are taken to be State Significant development. Attachment G specifies these purposes.

H. Coastal Protection Act, 1979

Council HAS NOT received any notification from the Department of Public Works that the land is affected by the operation of Section 38 or 39 of the Coastal Protection Act, 1979.

I. Mines Subsidence Compensation Act, 1961

The land IS WITHIN a Mines Subsidence District proclaimed under Section 15 of the Mines Subsidence Compensation Act 1961. Contact the Mines Subsidence Board regarding permissible surface development.

J. Road Acquisition proposals by Council

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

If the land is affected by any road widening or road alignment under any environmental planning instrument, reference to this is made under items A or B above.

The land IS NOT AFFECTED by road widening or road alignment under resolution of Council.

NOTE: THE INFORMATION ABOVE RELATES TO COUNCIL'S ROAD PROPOSALS ONLY. OTHER AUTHORITIES, INCLUDING THE ROADS AND TRAFFIC AUTHORITY, MAY HAVE PROPOSALS NOT SET OUT ABOVE.

K. Restrictions on Development Due to Natural Hazards

K.1 Landslip/Subsidence:

Council HAS NOT by resolution adopted a policy to restrict the development of the land by reason of the likelihood of land slip or subsidence.

K.2 Flooding/Tidal Inundation:

Council HAS by resolution adopted a policy to restrict the development of the land by reason of the likelihood of flooding or tidal inundation.

ADVICE: Further information on the development restriction mentioned, may be obtained from Council upon application for a "Development Restriction Certificate - Flooding/Tidal Inundation."

K.3 Bush Fire:

Council HAS NOT by resolution adopted a policy to restrict the development of the land by reason of the likelihood of bush fire.

NOTE: THE ABSENCE OF A COUNCIL POLICY RESTRICTING DEVELOPMENT OF THE LAND BY REASON OF A PARTICULAR NATURAL HAZARD DOES NOT MEAN THAT THE RISK FROM THAT HAZARD IS NON-EXISTENT.

SPECIAL NOTE

The Environmental Planning and Assessment Amendment Act 1997 commenced operation on the 1 July 1998. As a consequence of this Act the information contained in this certificate needs to be read in conjunction with the provisions of the Environmental Planning and Assessment (Amendment) Regulation 1998, Environmental Planning and Assessment (Further Amendment) Regulation 1998 and Environmental Planning and Assessment (Savings and Transitional) Regulation 1998.

ADVICE PROVIDED IN ACCORDANCE WITH SECTION 149(5)

NOTE: SECTION 149(6) OF THE ACT STATES THAT A COUNCIL SHALL NOT INCUR ANY LIABILITY IN RESPECT OF ANY ADVICE PROVIDED IN GOOD FAITH PURSUANT TO SECTION 149(5).

L. Clearing and lopping of trees

The land IS AFFECTED by a Tree Preservation Order. Council consent is required to cut down, ringbark or lop trees in excess of 3 metres in height, and all mangroves irrespective of height.

N. Easements

The land is NOT affected by a proposed easement in favour of Lake Macquarie City Council.

As to affectation by existing easements, a search of the relevant Title of the land should be undertaken.

O. Section 5 of Unhealthy Building Land Act, 1990

The land IS NOT WITHIN an area affected by a notice under Section 5 of the Unhealthy Building Land Act, 1990.

P. Outstanding Notices

The land IS NOT AFFECTED by an outstanding building notice.
The land IS NOT AFFECTED by an outstanding health notice.
The land IS NOT AFFECTED by an outstanding notice issued under Section 66 of the Rural Fires Act, 1997.

Q. Other Matters

* A foreshore building line applies to this property. Information on the extent of this affectation is available by contacting the Development Assessment & Compliance Division.

Council has prepared a draft strategy to provide direction for future land use planning, urban design and development of the City until the year 2020. A copy of "Lifestyle 2020 - A Strategy for Our Future" is available from Council.

An earthquake was experienced throughout most of the city area on 28/12/89. Prospective purchasers should make their own enquiries as to whether buildings/structures on the land sustained any structural damage.

New South Wales Coastal Government Policy, 1997.
The NSW Coastal Policy 1997 applies to the coast eastwards from the high water mark in Lake Macquarie City. Coastal land MAY BE AFFECTED by the provisions of the Policy, where changes in landuse or development affects ocean waters. The Environmental Planning and Assessment Act requires Council to take the Coastal Policy into consideration when determining Development Applications for affected land.

ATTACHMENT A

LAND IN RESIDENTIAL ZONES

Specified below for each nominated zone are:

- (1) the intentions of that zone;
- (2) the purpose for which development may be carried out without consent;
- (3) the purposes for which development may be carried out only with consent; and
- (4) the purposes for which development is prohibited.

This information is subject to further provisions in the Lake Macquarie Local Environmental Plan, 1984. Provisions most likely to be relevant are printed overleaf, but perusal of the full instrument is advised.

ZONE : RESIDENTIAL 2(a)

1. **Intention of Zone**
To set aside land predominantly for neighbourhoods of dwelling-houses.
2. **Without Development Consent**
See DCP 33- Exempt Development and DCP 34- Complying Development.
3. **Only with Development Consent**
Any purpose other than those included in Item 2 or 4.
4. **Prohibited**
Advertising structures; advertisements; aerodromes; automotive uses, bulk stores; cemeteries and crematoria; commercial premises (other than home offices); funeral parlours; generating works; hotels; industries (other than home industries); junk yards; liquid fuel depots; mines, quarries; roadside stalls; sawmills; shops (other than general stores having a gross floor area not exceeding 250 square metres); service stations; stock and sale yards; timber yards; brothels; tourist facilities; transport terminals; warehouses.

ZONE : RESIDENTIAL 2(b)

1. **Intention to Zone**
To set aside land predominantly for low-density residential flat building development up to a density of 60 bedrooms per hectare.
2. **Without Development Consent**
See DCP 33- Exempt Development and DCP 34- Complying Development.
3. **Only with Development Consent**
Any purpose other than those included in Item 2 or 4.
4. **Prohibited**
Advertising structures; advertisements; aerodromes; automotive uses; bulk stores;

cemeteries and crematoria; commercial premises (other than home offices); funeral parlours; generating works; industries (other than home industries); junk yards; liquid fuel depots; mines; quarries; roadside stalls; brothels; stock and sale yards; timber yards; tourist facilities (other than motels); transport terminals; warehouses.

ZONE : RESIDENTIAL 2(c)

1. **Intention of Zone**
To set aside land predominantly for medium-density residential flat building development up to a density of 120 bedrooms per hectare.
2. **Without Development Consent**
See DCP 33- Exempt Development and DCP 34- Complying Development.
3. **Only with Development Consent**
Any purpose other than those included in Item 2 or 4.
4. **Prohibited**
Advertising structures; advertisements; aerodromes; automotive uses; bulk store; cemeteries and crematoria; funeral parlours; generating works; industries (other than or home industries); junk yards; liquid fuel depots; mines; quarries; roadside stalls; sawmills; stock and sale yards; timber yards; brothels; tourist facilities (other than motels); transport terminals; warehouses.

SELECTED SPECIAL PROVISIONS FROM THE LAKE MACQUARIE LEP 1984 (as amended)

Subdivision of land, generally

11. (1) A person shall not subdivide any land without the consent of the Council.
- (2) In respect of any application for the subdivision of land, the Council may as a condition of consent require the provision of an electricity reticulation system satisfying the requirements of energyAustralia, including the provision of sites for electricity substations and easements for access and electricity mains in favour of and without cost to energyAustralia.

Height of buildings

14. A person shall not erect a building which exceeds 9 metres in height without the consent of Council.

Floor space ratios

15. (1) Except as provided by subclause (2), a person shall not erect any building on land within a zone specified in Column 1 of the Table to this Clause unless the ratio of the gross floor area of the

building to the site area of the land on which the building is to be erected does not exceed the ratio shown opposite that zone in Column II of that Table.

- (3) For the purpose of subclause (1), "gross floor area" does not include the area of enclosed private balconies at a height of more than 2 metres about the ground level immediately beneath the balcony.

TABLE

Column I	Column II
Zone No. 2(a)	0.5:1
Zone No. 2(b)	0.6:1
Zone No. 2(c)	0.75:1

Provision of water supply, sewerage and drainage

17. The Council shall not consent to the carrying out of development on any land unless and until arrangements satisfactory to Hunter Water Corporation and the Council have been made for the provision of water supply to, and for the removal and disposal of sewage from and the drainage of, that land or unless and until arrangements satisfactory to the Council and the Department of Health have been made for the installation of the land of a water supply system and a septic tank.

Suspension of certain laws

18. (1) For the purpose of enabling development to be carried out in accordance with this plan or in accordance with a consent granted under the Act -
- (a) in relation to any development, Section 314(1)(c) of, and Schedule 7 to the Local Government Act, 1919, and
- (b) in relation to development within any zone other than Zone No. 2(a), 2(b) or 2(c), the operation of any covenant, agreement or instrument imposing restrictions on development,

to the extent necessary to serve that purpose, shall not apply to any such development.

- (2) Pursuant to Section 28 of the Act, before the making of this plan -

(a) the Governor approved of subclause (1); and

(b) the Minister for the time being administering the provisions of the Local Government Act, 1919, referred to in subclause (1)(a) concurred in writing in the recommendation for the approval of the

Governor or subclause (1) in so far as that subclause relates to those provisions.

Bushfire risk in residential zones

26. A person shall not erect a dwelling in Zone No. 2(a), 2(b) or 2(c) unless the Council has considered-
- (a) whether the building will be affected by bushfire hazard; and
- (b) if the building will be so affected, whether adequate provision can be made to mitigate the bushfire hazard to the building.

Definitions

"Exhibition home", means a dwelling-house used for the purpose of displaying the house, its contents and its surrounds for a limited period.

"Guest house", means a dwelling-house used to accommodate paying guest where:

- (a) the length of residence by a paying guest in the house is not less than one day and not more than 10 days in any month;
- (b) not less than 3 and not more than 5 bedrooms of the house are used, or are capable of being used, for that purpose; and
- (c) the operator of the guest house resides permanently on the premises and provides meals and house-keeping services for the guest.

**ATTACHMENT A
LAND IN SPECIAL USES AND OPEN SPACE ZONES
LAND UNZONED**

Specified below for each nominated zone are:

- (1) the intentions of that zone;
- (2) the purposes for which development may be carried out without consent;
- (3) the purposes for which development may be carried out only with consent;
- (4) the purposes for which development is prohibited.

This information is subject to further provisions in the Lake Macquarie Local Environmental Plan, 1984. Provisions most likely to be relevant are printed overleaf, but perusal of the full instrument is advised.

ZONE: SPECIAL USES 5(a)

- 1. Intention of Zone**
To set aside land for particular specified special purposes.
- 2. Without Development Consent**
Nil
- 3. Only with Development Consent**
The particular use referred to in Item A of the Certificate; drainage; utility installations (other than gas holders or generating works).
- 4. Prohibited**
Any purpose other than those included in item 3.

ZONE: SPECIAL USES 5(b) (PROPOSED ARTERIAL ROAD RESERVATION)

- 1. Intention of Zone**
To set aside land for future main road development.
- 2. Without Development Consent**
Nil
- 3. Only with Development Consent**
Drainage; roads; utility installations (other than gas holders or generating works).
- 4. Prohibited**
Any purpose other than those included in item 3.

ZONE: SPECIAL USES 5(c) (PROPOSED LOCAL ROAD RESERVATION)

- 1. Intention of Zone**
To set aside land for future local road development.
- 2. Without Development Consent**
Nil
- 3. Only with Development Consent**
Drainage; roads; utility installations (other than gas holders or generating works).
- 4. Prohibited**
Any purpose other than those included in item 3.

ZONE: SPECIAL USES 5(d) (RAILWAYS)

- 1. Intention of Zone**
To set aside land for use by the State Rail Authority of New South Wales for railway purposes.
- 2. Without Development Consent**
Nil.

- 3. Only with Development Consent**
Railways; drainage; roads; utility installations (other than gas holders or generating works).
- 4. Prohibited**
Any purpose other than those included in item 3.

ZONE: OPEN SPACE 6(a) (PUBLIC RECREATION)

- 1. Intention of Zone**
To set aside land owned or controlled by the Council for both passive and active public recreation.
- 2. Without Development Consent**
Works for the purpose of landscaping or gardening.
- 3. Only with Development Consent**
Agriculture; buildings for the purpose of landscaping or gardening; building or uses under the care, control and management of the council; drainage; marinas; racecourses; recreation areas; refreshment rooms; roads; showgrounds; tourist facilities; utility installations (other than gas holders and generating works).
- 4. Prohibited**
Any purpose other than those included in item 2 or 3.

ZONE: OPEN SPACE 6(b) (SPECIAL RECREATION)

- 1. Intention of Zone**
To set aside privately owned land for private recreation.
- 2. Without Development Consent**
Nil
- 3. Only with Development Consent**
Cemeteries and crematoria; clubs; drainage; dwelling-houses and residential flat buildings required for use or occupation by persons employed in connection with a purpose referred to in this item; commercial premises and industries required in connection with a purpose referred to in this item; educational establishments; marinas; recreation facilities; recreation establishments; refreshment rooms; roads; tourist facilities; utility installations (other than gas holders or generating works).
- 4. Prohibited**
Any purpose other than those included in item 3.

ZONE: OPEN SPACE 6(c) (LOCAL RECREATION)

- 1. Intention of Zone**
To set aside land for future local public recreation.
- 2. Without Development Consent**
Nil
- 3. Only with Development Consent**
Agriculture; buildings for the purpose of landscaping or gardening; buildings or uses under the care, control and management of the council; drainage; marinas; racecourses; recreation areas; refreshment rooms; roads; showgrounds; tourist facilities; utility installations (other than gas holders and generating works).
- 4. Prohibited**
Any purpose other than those included in item 3.

ZONE: OPEN SPACE 6(d) (REGIONAL RESERVATION)

- 1. Intention of Zone**
To set aside land for open space of regional significance.
- 2. Without Development Consent**
Regional Open Space.

3. **Only with Development Consent**
Drainage; roads; utility installations (other than gas holders or generating works).

4. **Prohibited**
Any purpose other than those included in item 2 or 3.

Acquisition and development of land

- 19(1) The owner of any land within:
- (a) Zone No. 5(a), 5(c), 6(c) or 7(b); or
 - (b) Zone No. 7(c),
- may, by notice in writing, require:
- (c) the Council;
 - (d) the Corporation,
- respectively, to acquire the land.
- (2) On receipt of a notice referred to in subclause (1), subject to subclause (3), the authority concerned shall acquire the land, unless the land may be required to be provided as a condition of consent to the carrying out of development.
- (3) Nothing in this plan, other than subclause (4), shall require the Council to acquire any land within Zone No. 6(c) if, in the opinion of the Council, the need for the open space has not yet been created by residential development in the vicinity.
- (4) On the receipt of a notice referred to in subclause (1), the Council must acquire land within Zone No. 6(c) if the Council is of the opinion that the owner of the land will suffer hardship if the land is not acquired within a reasonable time.
- (5) A person may, with the consent of Council, carry out development for any purpose on land within Zone No. 5(a), 5(c) or 6(c) until the land is acquired or developed for the purpose for which it is zoned.
- (6) A person shall not carry out development on land referred to in subclause (5) so as to render the land unfit for the purpose for which it is zoned.
- (7) The Council shall not grant consent as referred to in subclause (5) to the development of land to be acquired by a public authority (other than the Council) unless it has obtained the prior written concurrence of the public authority which is to acquire that land.
- (8) In determining whether or not to grant concurrence under subclause (7), the public authority concerned shall take into consideration:
- (a) the effect of the proposed development on the costs of acquisition;
 - (b) the imminence of acquisition; and
 - (c) the costs of reinstatement of the land for the purposes for which the land is to be acquired.
- (9) The Council shall not grant consent referred to in subclause (5) for the development of land within Zone No. 5(a), 5(c) or 6(c) unless consideration has been given to:
- (a) the need for the proposed development on the land;
 - (b) the impact of the proposed development on the existing or likely future use of the land;
 - (c) the need to retain the land for its existing or likely future use;
 - (d) the effect of the proposed development on the costs of acquisition;
 - (e) the imminence of acquisition; and
 - (f) the costs of reinstatement of the land for the purposes for which the land is to be acquired.
- (10) The Council may, in granting consent in accordance with subclause (5), apply conditions requiring:
- (a) the removal of any building or work for which Council has granted consent; and
 - (b) the reinstatement of the land or removal of any waste materials, refuse or contaminants without the payment of compensation by the Council.

19A (1) The owner of any land within zone No. 5(b) may, by notice in writing, require the RTA to acquire the land.

(2) On receipt of such a notice, the RTA must acquire the land if:

- (a) the land is vacant; or
- (b) the land is not vacant but:
 - (i) the land is included in the 5 year works program of the RTA current at the time of the receipt of the notice; or
 - (ii) the RTA has decided not to give concurrence under subclause (3) to an application for consent to the carrying out of development on the land; or
 - (iii) the RTA is of the opinion that the owner of the land will suffer hardship if the land is not acquired within a reasonable time. But the RTA is not required to acquire the land if it might reasonably be required to be dedicated for public road.

- (3) A person may, with the consent of the Council and the concurrence of the RTA, carry out development on land within Zone No 5(b).
- (a) for a purpose for which development may be carried out on land in an adjoining zone; or
 - (b) for any other purpose which is compatible with development which may be carried out on land in an adjoining zone.
- (4) In deciding whether to grant concurrence to proposed development under this clause, the RTA must take the following matters into consideration:
- (a) the need to carry out development on the land for the purpose for which the land is reserved.
 - (b) the imminence of the acquisition.
 - (c) the likely additional cost to the RTA resulting from the carrying out of the proposed development.
- (5) Land acquired under this clause may be developed, with the consent of the Council, for any purpose, until such time as it is required for the purpose for which it was acquired.
- (6) In this clause -
"the RTA" means the Roads and Traffic Authority constitution under the Transport Administration Act, 1988.
"vacant land" means land on which, immediately before the day on which a notice under subclause (1) is given there were no buildings other than fences.

Unzoned land

- 14.(1) A person shall not carry out development on a public road shown uncoloured on the map or part of such road lawfully closed without the consent of the consent authority.
2. The consent authority shall only grant its consent under subclause (1) for a purpose which may be carried out either with or without the consent of the consent authority on land adjoining that road.

(E.P.A. Model Provisions, 1980)

(DOC. 0168B)

ATTACHMENT G: SECTION 101(1)

MINISTERIAL DIRECTIONS

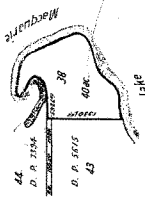
<u>Subject</u>	<u>Date</u>	<u>General Effect of Direction</u>
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New South Wales Government Policy	24 Sep 1990	Policy for making land use decisions on public and private owned land along the length of the NSW coast.

Appendix 2

Historical Title Search

The Most Reverend Michael Kelly Roman Catholic Bishop of Sydney and Peter Martin Elizabeth O'Connor Josephine Mary O'Connor and John O'Connor all of New South Wales have been appointed by the Court of Chancery of New South Wales to administer the estate of the late John O'Connor subject nevertheless to the reservations and conditions, if any, contained in the Grant hereinafter referred to, and also subject to such encumbrances, liens, and interests as are notified herein, in that piece of land situated in the Parish of _____ and County of _____ containing _____ or thereabouts, as shown in the Plan hereon and therein edged red being Folios 38 originally granted to William Charles Browne by _____ brown, Grant dated the 17th day of July 1875 Volume 226 Folio 86

In witness whereof I have hereunto signed my name and affixed my Seal, this _____ day of _____ 1937
 Signed in the presence of _____
 Registrar General



No. 125242 NOTICE OF DEATH. Proof having been furnished to the Registrar General by the Registrar of the Court of Chancery of New South Wales that the late John O'Connor was deceased, the Registrar General has caused the following Joint Tenancy to be registered in the Registrar General's Office:

No. 125242 TRANSFER dated 24th August 1937. The Registrar General has caused the following Transfer to be registered in the Registrar General's Office:

No. 125242 TRANSFER dated 24th August 1937. The Registrar General has caused the following Transfer to be registered in the Registrar General's Office:

No. 125242 MORTGAGE dated 24th August 1937. The Registrar General has caused the following Mortgage to be registered in the Registrar General's Office:

No. 125242 DISCHARGE of within mortgage dated 24th August 1937. The Registrar General has caused the following Discharge to be registered in the Registrar General's Office:

No. 125242 DISCHARGE of within mortgage dated 24th August 1937. The Registrar General has caused the following Discharge to be registered in the Registrar General's Office:

REGISTRAR GENERAL

REGISTRAR GENERAL

6341413-2214 14/11/19



Galloway & Co.

LTO On-Line

Galloway & Co hereby certifies that the information contained in this document has been provided electronically by the Registrar General.

Information provided through Tri-Search an approved LPINSW Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

14/8/2001 9:05AM

FOLIO: 38/755242

First Title(s): SEE PRIOR TITLE(S)

Prior Title(s): VOL 4628 FOL 218

Recorded Number Type of Instrument

18/1/1989 TITLE AUTOMATION PROJECT

14/8/1989 CONVERTED TO COMPUTER FOLIO

16/4/1991 AMENDMENT: TITLE DIAGRAM

*** END OF SEARCH ***

C.T. Issue

LOT RECORDED

FOLIO NOT CREATED

FOLIO CREATED

CT NOT ISSUED

mp

PRINTED ON 14/8/2001

*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.

ACS Search Information System

NSW LTO Title Search

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: AUTO CONSOL 6393-204

SEARCH DATE	TIME	EDITION NO	DATE
8/8/2001	3:01PM	-	-

VOL 6393 FOL 204 IS THE CURRENT CERTIFICATE OF TITLE

LAND

LAND DESCRIBED IN SCHEDULE OF PARCELS
LOCAL GOVERNMENT AREA: LAKE MACQUARIE
PARISH OF MORISSET COUNTY OF NORTHUMBERLAND
TITLE DIAGRAM: DP5615

FIRST SCHEDULE

THE TRUSTEES OF THE HOSPITALLER BROTHERS OF ST JOHN OF GOD
(AP L341473)

SECOND SCHEDULE (1 NOTIFICATION)

1. RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)

NOTATIONS

UNREGISTERED DEALINGS: NIL

SCHEDULE OF PARCELS

LOTS 4-21 SEC. 2 IN DP5615
LOT 40 SEC. 2 IN DP5615.

*** END OF SEARCH ***

38/755242

19894

PRINTED ON 8/8/2001

ACS Search 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.

<http://www.acssearch.com.au/index.cgi?XJk9RT1odGx0b2V.../PkVORDw8JnBuPTI0OTc> 8/08/01

**Land and
Property
Information**

No. B136

Search certified to:

8/8/2001 4:08PM

TITLE SEARCHComputer Folio Certificate issued under
Section 96D of the Real Property Act 1900

COMPUTER FOLIO REFERENCE

38/755242

EDITION No. & DATE OF CURRENT CERTIFICATE OF TITLE

-

-

Page 1

VOL 4628 FOL 218 IS THE CURRENT CERTIFICATE OF TITLE

LAND

LOT 38 IN DEPOSITED PLAN 755242

LOCAL GOVERNMENT AREA: LAKE MACQUARIE

PARISH OF MORISSET COUNTY OF NORTHUMBERLAND

(FORMERLY KNOWN AS PORTION 38)

TITLE DIAGRAM: CROWN PLAN 772.1501

FIRST SCHEDULE

THE TRUSTEES OF THE HOSPITALLER BROTHERS OF ST JOHN OF GOD

(AP L341473)

SECOND SCHEDULE (1 NOTIFICATION)

1. RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

doccop6

PRINTED ON 8/8/2001 B136

The Registrar General certifies that at the date and time specified above the person(s) described in the First Schedule was the registered proprietor of an estate in fee simple (or other such estate or interest set out in the Schedule) in the land described, subject to any exceptions, encumbrances, interests and entries which appear in the Second Schedule.

*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.



Registrar General

Appendix 3

Analytical Data

Validation Assessment Analytical Data (CHEMICAL)



No. 13542.

AQISAUSTRALIAN QUARANTINE
AND INSPECTION SERVICE

SYDNEY License No. N0356.

Accredited for compliance with ISO/IEC 17025. The results of tests, calibrations and/or measurements included in this document are traceable to Australian/national standards. NATA is a signatory to the APLAC mutual recognition arrangement for the mutual recognition of the equivalence of testing, calibration and inspection reports.

Quarantine Approved Premises criteria 5.1 for quarantine containment level 1 (QCI) facilities. Class five criteria cover premises utilised for research, analysis and testing of biological material, soil, animal, plant and human products.

CUSTOMER CENTRIC - ANALYTICAL CHEMISTS**FINAL CERTIFICATE OF ANALYSIS - ENVIRONMENTAL DIVISION**

Laboratory Report No: E030062
Client Name: David Lane Associates
Client Reference: Morrisett Validation
Contact Name: David Lane
Chain of Custody No: S08601-S08609
Sample Matrix: SOIL & WATER

Cover Page 1 of 4
 plus Sample Results

Date Received: 19/01/2007
 Date Reported: 01/02/2007

This Final Certificate of Analysis consists of sample results, DQI's, method descriptions, laboratory definitions, and internationally recognised NATA accreditation and endorsement. The DQO compliance relates specifically to QA/QC results as performed as part of the sample analysis, and may provide an indication of sample result quality. Transfer of report ownership from Labmark to the client shall only occur once full & final payment has been settled and verified. All report copies may be retracted where full payment has not occurred within the agreed settlement period.

QUALITY ASSURANCE CRITERIA

Accuracy: matrix spike: 1 in first 5-20, then 1 every 20 samples
 lcs, crm, method: 1 per analytical batch
 surrogate spike: addition per target organic method

Precision: laboratory duplicate: 1 in first 5-10, then 1 every 10 samples

laboratory triplicate: re-extracted & reported when duplicate RPD values exceed acceptance criteria

Holding Times: soils, waters: Refer to LabMark Preservation & THT table
 VOC's 14 days water / soil
 VAC's 7 days water or 14 days acidified
 VAC's 14 days soil
 SVOC's 7 days water, 14 days soil
 Pesticides 7 days water, 14 days soil
 Metals 6 months general elements
 Mercury 28 days

Confirmation: target organic analysis: GC/MS, or confirmatory column

Sensitivity: EQL: Typically 2-5 x Method Detection Limit (MDL)

QUALITY CONTROL**GLOBAL ACCEPTANCE CRITERIA (GAC)**

Accuracy: spike, lcs, crm general analytes 70% - 130% recovery
 surrogate: phenol analytes 50% - 130% recovery
 organophosphorous pesticide analytes 60% - 130% recovery
 phenoxy acid herbicides 50% - 130% recovery

anion/cation bal: +/- 10% (0-3 meq/l),
 +/- 5% (>3 meq/l)

Precision: method blank: not detected >95% of the reported EQL
 duplicate lab 0-30% (>10xEQL), 0-75% (5-10xEQL)
 RPD (metals): 0-100% (<5xEQL)
 duplicate lab 0-50% (>10xEQL), 0-75% (5-10xEQL)
 RPD: 0-100% (<5xEQL)

QUALITY CONTROL**ANALYTE SPECIFIC ACCEPTANCE CRITERIA (ASAC)**

Accuracy: spike, lcs, crm analyte specific recovery data
 surrogate: <3xsd of historical mean

Uncertainty: spike, lcs: measurement calculated from historical analyte specific control charts

RESULT ANNOTATION

Data Quality Objective	s: matrix spike recovery	p: pending	bcs: batch specific lcs
Data Quality Indicator	d: laboratory duplicate	lcs: laboratory control sample	bmb: batch specific mb
Estimated Quantitation Limit	t: laboratory triplicate	crm: certified reference material	
not applicable	r: RPD relative % difference	mb: method blank	

Ivan Povolny
Quality Control (Report signatory)
 ivan.povolny@labmark.com.au

Geoff Weir
Authorising Chemist (NATA signatory)
 geoff.weir@labmark.com.au

Simon Mills
Authorising Chemist (NATA signatory)
 simon.mills@labmark.com.au

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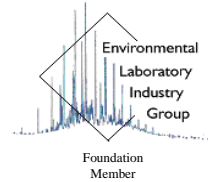
* SYDNEY: Unit 1, 8 Leighton Place Asquith NSW 2077
 * Telephone: (02) 9476 6533 * Fax: (02) 9476 8219

* MELBOURNE: 116 Moray Street, South Melbourne VIC 3205
 * Telephone: (03) 9686 8344 * Fax: (03) 9686 7344

Form QS0144, Rev. 0 : Date Issued 10/03/05



CUSTOMER CENTRIC - ANALYTICAL CHEMISTS



Laboratory Report: E030062

Cover Page 2 of 4

NEPC GUIDELINE COMPLIANCE - DQO

1. GENERAL

- A. Results relate specifically to samples as received. Sample results are not corrected for matrix spike, lcs, or surrogate recovery data.
- B. EQL's are matrix dependant and may be increased due to sample dilution or matrix interference.
- C. Laboratory QA/QC samples are specific to this project.
- D. Inter-laboratory proficiency results are available upon request. NATA accreditation details available at www.nata.asn.au.
- E. VOC spikes & surrogates added to samples during extraction, SVOC spikes & surrogates added prior to extraction.
- F. Recovery data outside GAC limits shall be investigated and compared to ASAC (historical mean +/- 3sd). If recovery data <20%, then the relevant results for that compound are considered not reliable.
- G. Recovery data (ms, surrogate, crm, lcs) outside ASAC limits shall initiate an investigative action. Anomalous QC data is examined in conjunction with other QC samples and a final decision whether to accept or reject results is provided by the professional judgement of the senior analyst. The USEPA-CLP National Functional Guidelines are referred to for specific recommendations.
- H. Extraction (preparation) date refers to the date that sample preparation was initiated. Note that certain methods not requiring sample preparation (eg. VOCs in water, etc) may report a common extraction and analysis date.
- I. LabMark shall maintain an official copy of this Certificate of Analysis for all traceable reference purposes.

2. CHAIN OF CUSTODY (COC) & SAMPLE RECEIPT NOTICE (SRN) REQUIREMENTS

- A. SRN issued to client upon sample receipt & login verification.
- B. Preservation & sampling date details specified on COC and SRN, unless noted.
- C. Sample Integrity & Validated Time of Sample Receipt (VTSR) Holding Times verified (preservation may extend holding time, refer to preservation chart).

3. NATA ACCREDITED METHODS

- A. NATA accreditation held for each in-house method and sample matrix type reported, unless noted below (Refer to subcontracted test reports for NATA accreditation status).
- B. NATA accredited in-house laboratory methods are referenced from NEPC, ASTM, modified USEPA / APHA documents. Corporate Accreditation No. 13542.
- C. Subcontracted analyses: Refer to Sample Receipt Notice and additional DQO comments.

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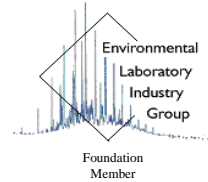
* Telephone: (02) 9476 6533 * Fax: (02) 9476 8219

* Telephone: (03) 9686 8344 * Fax: (03) 9686 7344

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CUSTOMER CENTRIC - ANALYTICAL CHEMISTS



Laboratory Report: E030062

Cover Page 3 of 4

4. QA/QC FREQUENCY COMPLIANCE TABLE SPECIFIC TO THIS REPORT

Matrix: **SOIL**

Page:	Method:	Totals:	#d	%d-ratio	#t	#s	%s-ratio
1	BTEX by P&T	46	5	11%	0	3	7%
1	Volatile TPH by P&T (vTPH)	46	5	11%	0	3	7%
8	Petroleum Hydrocarbons (TPH)	44	5	11%	0	3	7%
14	Polycyclic Aromatic Hydrocarbons (PAH)	79	8	10%	0	4	5%
26	Organochlorine Pesticides (OC)	44	5	11%	0	3	7%
32	Organophosphorus Pesticides (OP)	44	5	11%	0	3	7%
38	Polychlorinated Biphenyls (PCB)	44	5	11%	0	3	7%
44	Acid extractable metals (M7)	79	8	10%	1	4	5%
55	Acid extractable mercury	79	8	10%	0	4	5%
61	Moisture	81	--	--	--	--	--

Matrix: **WATER**

Page:	Method:	Totals:	#d	%d-ratio	#t	#s	%s-ratio
25	Polycyclic Aromatic Hydrocarbons (PAH)	1	0	0%	0	0	0%

GLOSSARY:

#d	number of discrete duplicate extractions/analyses performed.
%d-ratio	NEPC guideline for laboratory duplicates is 1 in 10 samples (min 10%).
#t	number of triplicate extractions/analyses performed.
#s	number of spiked samples analysed.
%s-ratio	USEPA guideline for laboratory matrix spikes is 1 in 20 samples (min 5%).

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* MELBOURNE: 116 Moray Street, South Melbourne VIC 3205

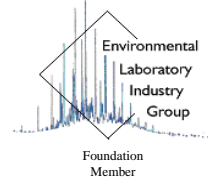
* Telephone: (02) 9476 6533 * Fax: (02) 9476 8219

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Form QS0144, Rev. 0 : Date Issued 10/03/05



CUSTOMER CENTRIC - ANALYTICAL CHEMISTS



Laboratory Report: E030062

Cover Page 4 of 4

5. ADDITIONAL COMMENTS SPECIFIC TO THIS REPORT

- A. All tests were conducted by LabMark Environmental Sydney, NATA accreditation No. 13542, Corporate Site No. 13535., unless indicated below.
- B. Metals (soil) spike recovery for Lead in sample 65277s is at 59%, corresponding LCS is 104%.
- C. Metals (soil) Lab #65285d reported RPD of 0 - 145%, triplicate results issued.

Laboratory QA/QC data shall relate specifically to this report, and may provide an indication of site specific sample result quality. LabMark DOES NOT report NON-RELEVANT BATCH QA/QC data. Acceptance of this self assessment certificate does not preclude any requirement for a QA/QC review by a accredited contaminated site EPA auditor, when and wherever necessary. Laboratory QA/QC self assessment references available upon request.



Laboratory Report No: E030062

Client Name: David Lane Associates

Contact Name: David Lane

Client Reference: Morrisett Validation

Page: 1 of 65

plus cover page

Date: 01/02/07

This report supercedes reports issued on: N/A

Final

Certificate

of Analysis



Laboratory Identification		65256	65258	65260	65262	65264	65266	65268	65271	65273	65275
Sample Identification		TP-V1	TP-V3	TP-V5	TP-V7	TP-V9	TP-V11	TP-V13	TP-V16	TP-V18	TP-V20
Depth (m)		--	--	--	--	--	--	--	--	--	--
Sampling Date recorded on COC		19/1/07	19/1/07	19/1/07	19/1/07	19/1/07	19/1/07	19/1/07	19/1/07	19/1/07	19/1/07
Laboratory Extraction (Preparation) Date		23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07
Laboratory Analysis Date		25/1/07	25/1/07	25/1/07	25/1/07	25/1/07	25/1/07	25/1/07	25/1/07	25/1/07	25/1/07
Method : E002.2 BTEx by P&T											
Benzene Toluene Ethylbenzene meta- and para-Xylene ortho-Xylene Total Xylene C _D F _B (Surr @ 10mg/kg)	EQL										
	0.2	<0.2	<0.2	<0.2	<0.2	<0.2	<0.2	<0.2	<0.2	<0.2	<0.2
	0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5
	0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5
	1	<1	<1	<1	<1	<1	<1	<1	<1	<1	<1
	0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5
--		--	--	--	--	--	--	--	--	--	--
--		103%	103%	100%	103%	100%	103%	103%	98%	101%	99%
Method : E003.2 Volatile TPH by P&T (vTPH)											
C6 - C9 Fraction											
EQL											
10		<10	<10	<10	<10	<10	<10	<10	<10	<10	<10

Results expressed in mg/kg dry weight unless otherwise specified

Comments: - Results for Trip Spike sample are expressed in % recovery.

E003.2: 8-10g soil extracted with 20ml methanol. Analysis by P&T/GC/FID.

E002.2: 8-10g soil extracted with 20ml methanol. Analysis by P&T/GC/PID/MSD.



Laboratory Report No: E030062

Client Name: David Lane Associates

Contact Name: David Lane

Client Reference: Morrisett Validation

Page: 2 of 65

plus cover page

Date: 01/02/07

This report supersedes reports issued on: N/A

Final

Certificate

of Analysis



Laboratory Identification		65277	65279	65281	65283	65285	65287	65289	65291	65293	65295
Sample Identification		TP-V22	TP-V24	TP-V26	TP-V28	TP-V30	TP-V32	TP-V34	TP-V36	TP-V38	TP-V40
Depth (m)		--	--	--	--	--	--	--	--	--	--
Sampling Date recorded on COC		19/1/07	19/1/07	19/1/07	19/1/07	19/1/07	19/1/07	19/1/07	19/1/07	19/1/07	19/1/07
Laboratory Extraction (Preparation) Date		23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07
Laboratory Analysis Date		27/1/07	27/1/07	27/1/07	27/1/07	27/1/07	27/1/07	27/1/07	27/1/07	27/1/07	27/1/07
Method : E002.2 BTEx by P&T											
Benzene Toluene Ethylbenzene meta- and para-Xylene ortho-Xylene Total Xylene <i>CDFB (Surr @ 10mg/kg)</i>	EQL										
	0.2	<0.2	<0.2	<0.2	<0.2	<0.2	<0.2	<0.2	<0.2	<0.2	<0.2
	0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5
	0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5
	1	<1	<1	<1	<1	<1	<1	<1	<1	<1	<1
	0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5
	--	--	--	--	--	--	--	--	--	--	--
<i>CDFB (Surr @ 10mg/kg)</i>		99%	96%	101%	101%	109%	94%	95%	96%	104%	96%
Method : E003.2 Volatile TPH by P&T (vTPH)											
C6 - C9 Fraction	EQL										
	10	<10	<10	<10	<10	<10	<10	<10	<10	<10	<10

Results expressed in mg/kg dry weight unless otherwise specified

Comments: - Results for Trip Spike sample are expressed in % recovery.

E003.2: 8-10g soil extracted with 20ml methanol. Analysis by P&T/GC/FID.

E002.2: 8-10g soil extracted with 20ml methanol. Analysis by P&T/GC/PID/MSD.



Laboratory Report No: E030062

Client Name: David Lane Associates

Contact Name: David Lane

Client Reference: Morrisett Validation

Page: 3 of 65

plus cover page

Date: 01/02/07

This report supersedes reports issued on: N/A

Final

Certificate

of Analysis



Laboratory Identification		65297	65299	65300	65302	65304	65306	65308	65310	65312	65314
Sample Identification		TP-V42	TP-V44	TP-VL1	TP-VL3	TP-VL5	TP-VL7	TP-VL9	TP-VL11	TP-VL13	TP-VL15
Depth (m)		--	--	--	--	--	--	--	--	--	--
Sampling Date recorded on COC		19/1/07	19/1/07	19/1/07	19/1/07	19/1/07	19/1/07	19/1/07	19/1/07	19/1/07	19/1/07
Laboratory Extraction (Preparation) Date		23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07
Laboratory Analysis Date		27/1/07	28/1/07	28/1/07	28/1/07	28/1/07	28/1/07	28/1/07	28/1/07	28/1/07	28/1/07
Method : E002.2		EQL 0.2 0.5 0.5 1 0.5 -- --	<0.2 <0.5 <0.5 <1 <0.5 -- 92%	<0.2 <0.5 <0.5 <1 <0.5 -- 101%	<0.2 <0.5 <0.5 <1 <0.5 -- 96%	<0.2 <0.5 <0.5 <1 <0.5 -- 94%	<0.2 <0.5 <0.5 <1 <0.5 -- 105%	<0.2 <0.5 <0.5 <1 <0.5 -- 90%	<0.2 <0.5 <0.5 <1 <0.5 -- 97%	<0.2 <0.5 <0.5 <1 <0.5 -- 98%	<0.2 <0.5 <0.5 <1 <0.5 -- 97%
BTEX by P&T											
Benzene											
Toluene											
Ethylbenzene											
meta- and para-Xylene											
ortho-Xylene											
Total Xylene											
<i>CDFB (Surr @ 10mg/kg)</i>											
Method : E003.2		EQL 10	<10	<10	<10	<10	<10	<10	<10	<10	<10
Volatile TPH by P&T (vTPH)											
C6 - C9 Fraction											

Results expressed in mg/kg dry weight unless otherwise specified

Comments: - Results for Trip Spike sample are expressed in % recovery.

E003.2: 8-10g soil extracted with 20ml methanol. Analysis by P&T/GC/FID.

E002.2: 8-10g soil extracted with 20ml methanol. Analysis by P&T/GC/PID/MSD.



Laboratory Report No: E030062

Client Name: David Lane Associates

Contact Name: David Lane

Client Reference: Morrisett Validation

Page: 4 of 65

plus cover page

Date: 01/02/07

This report supersedes reports issued on: N/A

Final

Certificate

of Analysis



Laboratory Identification		65316	65318	65320	65322	65324	65326	65328	65329	65330	65331
Sample Identification		TP-VL17	TP-VL19	TP-VL21	TP-VL23	TP-VL25	TP-VL27	Trip Blank	Trip Spike	TP-Dup1	TP-Dup2
Depth (m)		--	--	--	--	--	--	--	--	--	--
Sampling Date recorded on COC		19/1/07	19/1/07	19/1/07	19/1/07	19/1/07	19/1/07	19/1/07	19/1/07	19/1/07	19/1/07
Laboratory Extraction (Preparation) Date		23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07
Laboratory Analysis Date		28/1/07	28/1/07	28/1/07	28/1/07	28/1/07	28/1/07	28/1/07	30/1/07	28/1/07	28/1/07
Method : E002.2 BTEx by P&T											
Benzene Toluene Ethylbenzene meta- and para-Xylene ortho-Xylene Total Xylene <i>CDFB (Surr @ 10mg/kg)</i>	EQL										
	0.2	<0.2	<0.2	<0.2	<0.2	<0.2	<0.2	<0.2	117	<0.2	<0.2
	0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	110	<0.5	<0.5
	0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	108	<0.5	<0.5
	1	<1	<1	<1	<1	<1	<1	<1	107	<1	<1
	0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	106	<0.5	<0.5
		--	--	--	--	--	--	--	--	--	--
		104%	90%	97%	99%	94%	90%	94%	98%	88%	92%
Method : E003.2 Volatile TPH by P&T (vTPH)											
C6 - C9 Fraction											
		<10	<10	<10	<10	<10	<10	<10	107	<10	<10

Results expressed in mg/kg dry weight unless otherwise specified

Comments: - Results for Trip Spike sample are expressed in % recovery.

E003.2: 8-10g soil extracted with 20ml methanol. Analysis by P&T/GC/FID.

E002.2: 8-10g soil extracted with 20ml methanol. Analysis by P&T/GC/PID/MSD.



Laboratory Report No: E030062

Client Name: David Lane Associates

Contact Name: David Lane

Client Reference: Morrisett Validation

Page: 5 of 65

plus cover page

Date: 01/02/07

This report supercedes reports issued on: N/A

Final

Certificate of Analysis



Laboratory Identification		65332	65333	65334	65335	65336	65337	65256d	65256r	65266d	65266r
Sample Identification		TP-Dup3	TP-Dup4	TP-Dup5	TP-Dup6	TP-Dup7	TP-Dup8	QC	QC	QC	QC
Depth (m)		--	--	--	--	--	--	--	--	--	--
Sampling Date recorded on COC		19/1/07	19/1/07	19/1/07	19/1/07	19/1/07	19/1/07	--	--	--	--
Laboratory Extraction (Preparation) Date		23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	--	23/1/07	--
Laboratory Analysis Date		28/1/07	28/1/07	28/1/07	28/1/07	28/1/07	28/1/07	25/1/07	--	25/1/07	--
Method : E002.2 BTEx by P&T											
Benzene Toluene Ethylbenzene meta- and para-Xylene ortho-Xylene Total Xylene <i>CDFB (Surr @ 10mg/kg)</i>	EQL										
	0.2	<0.2	<0.2	<0.2	<0.2	<0.2	<0.2	<0.2	--	<0.2	--
	0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	--	<0.5	--
	0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	--	<0.5	--
	1	<1	<1	<1	<1	<1	<1	<1	--	<1	--
	0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	--	<0.5	--
	--	--	--	--	--	--	--	--	--	--	--
<i>CDFB (Surr @ 10mg/kg)</i>		90%	91%	84%	86%	87%	83%	101%	2%	103%	0%
Method : E003.2 Volatile TPH by P&T (vTPH)											
C6 - C9 Fraction		<10	<10	<10	<10	<10	<10	<10	--	<10	--
EQL		10									

Results expressed in mg/kg dry weight unless otherwise specified

Comments: - Results for Trip Spike sample are expressed in % recovery.

E003.2: 8-10g soil extracted with 20ml methanol. Analysis by P&T/GC/FID.

E002.2: 8-10g soil extracted with 20ml methanol. Analysis by P&T/GC/PID/MSD.



Laboratory Report No: E030062

Client Name: David Lane Associates

Contact Name: David Lane

Client Reference: Morrisett Validation

Page: 6 of 65

plus cover page

Date: 01/02/07

This report supersedes reports issued on: N/A

Final

Certificate

of Analysis



Laboratory Identification		65275d	65275r	65285d	65285r	65295d	65295r	65258s	65277s	65297s	ics
Sample Identification		QC	QC	QC	QC	QC	QC	QC	QC	QC	QC
Depth (m)		--	--	--	--	--	--	--	--	--	--
Sampling Date recorded on COC		--	--	--	--	--	--	--	--	--	--
Laboratory Extraction (Preparation) Date		23/1/07	--	23/1/07	--	23/1/07	--	23/1/07	23/1/07	23/1/07	23/1/07
Laboratory Analysis Date		25/1/07	--	27/1/07	--	27/1/07	--	25/1/07	27/1/07	27/1/07	24/1/07
Method : E002.2 BTEx by P&T		EQL									
Benzene		0.2	--	<0.2	--	<0.2	--	100%	87%	96%	109%
Toluene		0.5	--	<0.5	--	<0.5	--	97%	94%	105%	106%
Ethylbenzene		0.5	--	<0.5	--	<0.5	--	95%	88%	91%	103%
meta- and para-Xylene		1	--	<1	--	<1	--	100%	96%	102%	107%
ortho-Xylene		0.5	--	<0.5	--	<0.5	--	101%	92%	100%	108%
Total Xylene		--	--	--	--	--	--	--	--	--	--
CDFB (Surr @ 10mg/kg)		--	2%	102%	7%	93%	3%	98%	101%	107%	104%
Method : E003.2 Volatile TPH by P&T (vTPH)		EQL									
C6 - C9 Fraction		10	--	<10	--	<10	--	108%	83%	86%	107%

Results expressed in mg/kg dry weight unless otherwise specified

Comments: - Results for Trip Spike sample are expressed in % recovery.

E003.2: 8-10g soil extracted with 20ml methanol. Analysis by P&T/GC/FID.

E002.2: 8-10g soil extracted with 20ml methanol. Analysis by P&T/GC/PID/MSD.



Laboratory Report No: E030062

Client Name: David Lane Associates

Contact Name: David Lane

Client Reference: Morrisett Validation

Page: 7 of 65

plus cover page

Date: 01/02/07

This report supercedes reports issued on: N/A

Final

Certificate of Analysis



Laboratory Identification		mb																	
Sample Identification		QC																	
Depth (m)		--																	
Sampling Date recorded on COC		--																	
Laboratory Extraction (Preparation) Date		23/1/07																	
Laboratory Analysis Date		24/1/07																	
Method : E002.2 BTEx by P&T		EQL																	
Benzene		0.2																	
Toluene		0.5																	
Ethylbenzene		0.5																	
meta- and para-Xylene		1																	
ortho-Xylene		0.5																	
Total Xylene		--																	
CDFB (Surr @ 10mg/kg)		--																	
Method : E003.2 Volatile TPH by P&T (vTPH)		EQL																	
C6 - C9 Fraction		10																	
		<10																	

Results expressed in mg/kg dry weight unless otherwise specified

Comments: - Results for Trip Spike sample are expressed in % recovery.

E003.2: 8-10g soil extracted with 20ml methanol. Analysis by P&T/GC/FID.

E002.2: 8-10g soil extracted with 20ml methanol. Analysis by P&T/GC/PID/MSD.



Laboratory Report No: E030062

Client Name: David Lane Associates

Contact Name: David Lane

Client Reference: Morrisett Validation

Page: 8 of 65

plus cover page

Date: 01/02/07

This report supersedes reports issued on: N/A

Final

Certificate

of Analysis



Laboratory Identification		65256	65258	65260	65262	65264	65266	65268	65271	65273	65275
Sample Identification		TP-V1	TP-V3	TP-V5	TP-V7	TP-V9	TP-V11	TP-V13	TP-V16	TP-V18	TP-V20
Depth (m)		--	--	--	--	--	--	--	--	--	--
Sampling Date recorded on COC		19/1/07	19/1/07	19/1/07	19/1/07	19/1/07	19/1/07	19/1/07	19/1/07	19/1/07	19/1/07
Laboratory Extraction (Preparation) Date		23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07
Laboratory Analysis Date		24/1/07	24/1/07	24/1/07	24/1/07	24/1/07	24/1/07	24/1/07	24/1/07	24/1/07	24/1/07
Method : E006.2											
Petroleum Hydrocarbons (TPH)		EQL									
C10 - C14 Fraction		<50	<50	<50	<50	60	120	<50	<50	<50	<50
C15 - C28 Fraction		<100	<100	<100	<100	<100	160	<100	<100	<100	<100
C29 - C36 Fraction		<100	180	100	<100	120	250	<100	<100	<100	<100
Sum of TPH C10 - C36		--	180	100	--	180	530	--	--	--	--

Results expressed in mg/kg dry weight unless otherwise specified

Comments:

E006.2: 8-10g soil extracted with 20ml DCM/Acetone (8:2). Analysis by GC/FID.



Laboratory Report No: E030062

Client Name: David Lane Associates

Contact Name: David Lane

Client Reference: Morrisett Validation

Page: 9 of 65

plus cover page

Date: 01/02/07

This report supercedes reports issued on: N/A

Final

Certificate

of Analysis



Laboratory Identification		65277	65279	65281	65283	65285	65287	65289	65291	65293	65295
Sample Identification		TP-V22	TP-V24	TP-V26	TP-V28	TP-V30	TP-V32	TP-V34	TP-V36	TP-V38	TP-V40
Depth (m)		--	--	--	--	--	--	--	--	--	--
Sampling Date recorded on COC		19/1/07	19/1/07	19/1/07	19/1/07	19/1/07	19/1/07	19/1/07	19/1/07	19/1/07	19/1/07
Laboratory Extraction (Preparation) Date		23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07
Laboratory Analysis Date		24/1/07	24/1/07	24/1/07	24/1/07	24/1/07	24/1/07	24/1/07	24/1/07	24/1/07	24/1/07
Method : E006.2											
Petroleum Hydrocarbons (TPH)		EQL									
C10 - C14 Fraction		<50	<50	<50	<50	<50	<50	<50	<50	<50	<50
C15 - C28 Fraction		<100	200	<100	<100	<100	<100	<100	<100	<100	<100
C29 - C36 Fraction		<100	100	<100	<100	<100	<100	<100	<100	<100	<100
Sum of TPH C10 - C36		--	300	--	--	--	--	--	--	--	--

Results expressed in mg/kg dry weight unless otherwise specified

Comments:

E006.2: 8-10g soil extracted with 20ml DCM/Acetone (8:2). Analysis by GC/FID.



Laboratory Report No: E030062

Page: 10 of 65

Final

Client Name: David Lane Associates

Certificate

Contact Name: David Lane

of Analysis

Date: 01/02/07



This report supersedes reports issued on: N/A

Client Reference Morrisett Validation

Laboratory Identification		65297	65299	65300	65302	65304	65306	65308	65310	65312	65314
Sample Identification		TP-V42	TP-V44	TP-VL1	TP-VL3	TP-VL5	TP-VL7	TP-VL9	TP-VL11	TP-VL13	TP-VL15
Depth (m)		--	--	--	--	--	--	--	--	--	--
Sampling Date recorded on COC		19/1/07	19/1/07	19/1/07	19/1/07	19/1/07	19/1/07	19/1/07	19/1/07	19/1/07	19/1/07
Laboratory Extraction (Preparation) Date		23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07
Laboratory Analysis Date		24/1/07	24/1/07	24/1/07	24/1/07	24/1/07	24/1/07	25/1/07	25/1/07	25/1/07	25/1/07
Method : E006.2											
Petroleum Hydrocarbons (TPH)		EQL									
C10 - C14 Fraction	50	<50	<50	80	<50	<50	<50	<50	<50	<50	<50
C15 - C28 Fraction	100	<100	<100	160	<100	<100	<100	<100	<100	<100	<100
C29 - C36 Fraction	100	<100	170	180	170	<100	<100	140	<100	220	<100
Sum of TPH C10 - C36	--	--	170	420	170	--	--	140	--	220	--

Results expressed in mg/kg dry weight unless otherwise specified

Comments:

E006.2: 8-10g soil extracted with 20ml DCM/Acetone (8:2). Analysis by GC/FID.



Laboratory Report No: E030062

Client Name: David Lane Associates

Contact Name: David Lane

Client Reference: Morrisett Validation

Page: 11 of 65

plus cover page

Date: 01/02/07

This report supersedes reports issued on: N/A

Final

Certificate

of Analysis



Laboratory Identification		65316	65318	65320	65322	65324	65326	65330	65331	65332	65333
Sample Identification		TP-VL17	TP-VL19	TP-VL21	TP-VL23	TP-VL25	TP-VL27	TP-Dup1	TP-Dup2	TP-Dup3	TP-Dup4
Depth (m)		--	--	--	--	--	--	--	--	--	--
Sampling Date recorded on COC		19/1/07	19/1/07	19/1/07	19/1/07	19/1/07	19/1/07	19/1/07	19/1/07	19/1/07	19/1/07
Laboratory Extraction (Preparation) Date		23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07
Laboratory Analysis Date		25/1/07	25/1/07	25/1/07	25/1/07	25/1/07	25/1/07	25/1/07	25/1/07	25/1/07	25/1/07
Method : E006.2											
Petroleum Hydrocarbons (TPH)		EQL									
C10 - C14 Fraction		50	<50	<50	<50	<50	<50	<50	80	<50	<50
C15 - C28 Fraction		100	<100	<100	<100	<100	<100	<100	<100	<100	<100
C29 - C36 Fraction		100	<100	170	<100	<100	<100	<100	<100	<100	<100
Sum of TPH C10 - C36		--	--	170	--	--	--	--	80	--	--

Results expressed in mg/kg dry weight unless otherwise specified

Comments:

E006.2: 8-10g soil extracted with 20ml DCM/Acetone (8:2). Analysis by GC/FID.



Laboratory Report No: E030062

Client Name: David Lane Associates

Contact Name: David Lane

Client Reference: Morrisett Validation

Page: 12 of 65

plus cover page

Date: 01/02/07

Final

Certificate

of Analysis



This report supersedes reports issued on: N/A

Laboratory Identification		65334	65335	65336	65337	65256d	65256r	65266d	65266r	65275d	65275r
Sample Identification		TP-Dup5	TP-Dup6	TP-Dup7	TP-Dup8	QC	QC	QC	QC	QC	QC
Depth (m)		--	--	--	--	--	--	--	--	--	--
Sampling Date recorded on COC		19/1/07	19/1/07	19/1/07	19/1/07	--	--	--	--	--	--
Laboratory Extraction (Preparation) Date		23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	--	23/1/07	--	23/1/07	--
Laboratory Analysis Date		25/1/07	25/1/07	25/1/07	25/1/07	24/1/07	--	24/1/07	--	24/1/07	--
Method : E006.2											
Petroleum Hydrocarbons (TPH)		EQL									
C10 - C14 Fraction		<50	<50	<50	<50	<50	--	120	0%	<50	--
C15 - C28 Fraction		<100	<100	<100	<100	<100	--	170	6%	<100	--
C29 - C36 Fraction		<100	<100	<100	<100	<100	--	290	15%	<100	--
Sum of TPH C10 - C36		--	--	--	--	--	--	580	9%	--	--

Results expressed in mg/kg dry weight unless otherwise specified

Comments:

E006.2: 8-10g soil extracted with 20ml DCM/Acetone (8:2). Analysis by GC/FID.



Laboratory Report No: E030062

Client Name: David Lane Associates

Contact Name: David Lane

Client Reference: Morrisett Validation

Page: 13 of 65

plus cover page

Date: 01/02/07

This report supersedes reports issued on: N/A

Final

Certificate of Analysis



Laboratory Identification		65285d	65285r	65295d	65295r	65258s	65277s	65297s	lcs	mb	
Sample Identification		QC	QC	QC	QC	QC	QC	QC	QC	QC	
Depth (m)		--	--	--	--	--	--	--	--	--	
Sampling Date recorded on COC		--	--	--	--	--	--	--	--	--	
Laboratory Extraction (Preparation) Date		23/1/07	--	23/1/07	--	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	
Laboratory Analysis Date		24/1/07	--	24/1/07	--	24/1/07	24/1/07	24/1/07	24/1/07	24/1/07	
Method : E006.2											
Petroleum Hydrocarbons (TPH)		EQL									
C10 - C14 Fraction		<50	--	<50	--	--	--	--	--	<50	
C15 - C28 Fraction		<100	--	<100	--	107%	95%	97%	95%	<100	
C29 - C36 Fraction		<100	--	<100	--	--	--	--	--	<100	
Sum of TPH C10 - C36		--	--	--	--	--	--	--	--	--	

Results expressed in mg/kg dry weight unless otherwise specified

Comments:

E006.2: 8-10g soil extracted with 20ml DCM/Acetone (8:2). Analysis by GC/FID.



Laboratory Report No: E030062
Client Name: David Lane Associates
Contact Name: David Lane
Client Reference Morrisett Validation

Page: 14 of 65
plus cover page
Date: 01/02/07

Final Certificate
of Analysis



This report supercedes reports issued on: N/A

Laboratory Identification		65256	65257	65258	65259	65260	65261	65262	65263	65264	65265
Sample Identification		TP-V1	TP-V2	TP-V3	TP-V4	TP-V5	TP-V6	TP-V7	TP-V8	TP-V9	TP-V10
Depth (m)		--	--	--	--	--	--	--	--	--	--
Sampling Date recorded on COC		19/1/07	19/1/07	19/1/07	19/1/07	19/1/07	19/1/07	19/1/07	19/1/07	19/1/07	19/1/07
Laboratory Extraction (Preparation) Date		23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07	23/1/07
Laboratory Analysis Date		24/1/07	24/1/07	24/1/07	24/1/07	24/1/07	24/1/07	24/1/07	24/1/07	24/1/07	24/1/07
Method : E007.2											
Polyaromatic Hydrocarbons (PAH)		EQL									
Naphthalene		0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5
Acenaphthylene		0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5
Acenaphthene		0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5
Fluorene		0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5
Phenanthrene		0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5
Anthracene		0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5
Fluoranthene		0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5
Pyrene		0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5
Benz(a)anthracene		0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5
Chrysene		0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5
Benzo(b)&(k)fluoranthene		1	<1	<1	<1	<1	<1	<1	<1	1	<1
Benzo(a) pyrene		0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5
Indeno(1,2,3-c,d)pyrene		0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5
Dibenz(a,h)anthracene		0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5
Benzo(g,h,i)perylene		0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	0.6	<0.5
Sum of reported PAHs		--	--	--	--	--	--	--	--	6.1	--
2-FBP (Surr @ 5mg/kg)		96%	100%	104%	97%	89%	98%	93%	100%	97%	100%
TP-d14 (Surr @ 5mg/kg)		108%	93%	106%	95%	96%	97%	102%	95%	96%	96%

Results expressed in mg/kg dry weight unless otherwise specified

Comments: -

E007.2: 8-10g soil extracted with 20ml DCM/acetone (8:2). Analysis by GC/MS.