Douglas Partners
Geotechnics / Environment / Groundwater

Integrated Practical Solutions

Report on
Phase 2 Contamination Assessment

Proposed Shell Cove Boat Harbour Precinct
Shellharbour, NSW

Prepared for
Australand Holdings Ltd

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	Signature	Date
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Reviewer		26 October 2010

NCS INTERNATIONAL CERTIFIED QUALITY MANAGEMENT SYSTEM

Douglas Partners Pty Ltd
ABN 75 053 980 117
www.douglaspartners.com.au
96 Hermitage Road
West Ryde NSW 2114
PO Box 472
West Ryde NSW 1685
Phone (02) 9809 0666
Fax (02) 9809 4095

Executive Summary

This report presents the results of a Limited Phase 2 Contamination Assessment undertaken at Lot 8032 in Deposited Plan (DP) 1072187, Lot Part 8100 in DP 1082981, Lot Part 206 in DP 857030, Lot 9004 Part in DP1117743 and Lot 30 in DP 229374, Boollwaroo Parade, Shell Cove, Shellharbour NSW (the 'site'). The work was commissioned by Australand Holdings Ltd (Australand).

The Limited Phase 2 Contamination Assessment was required to address environmental assessment condition issued by the NSW Department of Planning's Director-General's Environmental Assessment Requirements (DGEAR) for the proposed construction of residential, commercial, retail, hotel, marina facilities, public parklands and technology park and subdivision of the site (i.e. key issue no. 5.3 – Contamination). The assessment comprised a historical information review, site walkover survey, limited intrusive sampling, laboratory analysis of samples, data interpretation and reporting.

It is understood that the Shell Cove Boat Harbour Precinct included a former Council landfill identified as Lot 8032 in DP 1072187. A Site Audit Statement prepared by Phillip Hitchcock, an EPA Accredited Site Auditor, indicated that, following remediation/relocation of the landfill, the former Council landfill area is suitable for the proposed development including residential use with accessible soil/garden. In this regard, the contamination assessment for the former landfill area is reported separately in *Site Audit Report, Former Council Landfill, Shell Cove Project, Shell Cove, NSW* prepared by Phillip Hitchcock (November 2009). No further assessment of the former landfill is included in this assessment.

The site history investigation indicated that the greater majority of the site was vacant until at least pre-1960s. The north-western portion of the site was developed into a golf course in the 1970s. The golf course ceased operation in 2004 and has since remained vacant. The remainder of the site, other than the former Council landfill, appears to have been used as farm land.

The site inspection confirmed the former golf course use in the north-western portion of the site. Remnants of the old former farm related structures on the south-eastern portion of Lot 206 in DP 857030 were observed including potential ACM which was later confirmed as ACM by analysis. Bricks, bitumen pavement, electrical cables, vehicle engine parts and a recently discarded empty engine oil drum were noted to be scattered around the location of the former farm buildings but these are located off the subject site. Stockpiles of boulders were observed on site. Some of the stockpiles contained soil.

Intrusive investigations indicated that topsoil fill has been placed on the fairways. Sandy clay and clayey sand were observed in the greens. Silty clay filling with traces of sand were observed in tee boxes. Clay was observed underlying fill in all locations.

Laboratory results indicate that the majority of the soil samples analysed were within the SAC other than some exceedances of the PPIL for cadmium, mercury, copper and zinc. The PPIL exceedances may indicate that plant growth in the proposed residential Lots may be affected.

OCPs aldrin, dieldrin, chlordane, DDD, DDE, DDT and heptachlor were detected but were within the applicable HIL. It is noted, however, that due to the limited number of samples taken, it is likely that OCP may be present in all or most tees and greens of the former golf course areas that have not been sampled.

Whilst no asbestos was detected in the soil samples analysed, an asbestos fragment was found in the near-surface of the former location of a former farm structure in the south-eastern portion of the site. In this regard, the potential presence of asbestos contamination in that location cannot be discounted.

Laboratory results of the majority of the groundwater samples analysed were within the respective GILs with the exception of minor exceedances of copper and zinc. Chloride was also detected in excess of the ANZECC 2000 guidelines for recreation purposes. Elevated copper, zinc and chloride concentrations are probably indicative of background concentrations. In this regard, it should be noted that natural soil across the site contain elevated copper concentrations and DP has found that elevated groundwater concentrations of zinc commonly occur. Chloride may be associated with connate salt, whilst copper and zinc are ubiquitous in groundwater at concentrations higher than the GIL.

The laboratory PQL for heptachlor, DDE, DDT, phenols and benzo(a)pyrene were higher than the respective GILs. It appears unlikely that they are present, however, no firm statement can be made for these particular analytes without undertaking trace analysis.

Based on the findings of the Phase 2 Contamination Assessment, the results indicate that there is no major contamination issue that will preclude the development of the site. Subject to further investigation to delineate the extent of the OCP and heavy metal impacts in the former golf course area; and heavy metals and asbestos in the locations of the former farm structures to the southeast the site can be made suitable for the proposed development. Note that asbestos pipework may also be present in the golf course area, however, this can readily be managed by implementing an Unexpected Finds Protocol for asbestos during development. Stockpiles that contained residual soil should also be evaluated for waste classification prior to disposal or for possible reuse to backfill the former Council landfill area or an appropriate location elsewere on the site.

Groundwater investigation is also recommended in the location of the former golf course area to ascertain OCP and heavy metal impacts (if any). To manage the PPIL exceedances and the findings of the further soil and groundwater investigations, a Remediation Action Plan (RAP) will need to be prepared to render the identified areas suitable for the intended development.

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Report on Limited Phase 2 Contamination Assessment
Proposed Shell Cove Boat Harbour Precinct
Shellharbour, NSW

1. Introduction

This report presents the results of a Limited Phase 2 Contamination Assessment undertaken at Lot 8032 in Deposited Plan (DP) 1072187, Lot Part 8100 in DP 1082981, Lot Part 206 in DP 857030, Lot 9004 in Part DP 1117743 and Lot 30 in DP 229374, Boollwaroo Parade, Shell Cove, Shellharbour NSW (the 'site'). This assessment was commissioned in a letter of acceptance dated 14 July 2010 by Mr Glenn Colquhoun of Australand Holdings Ltd (Australand) and was undertaken in accordance with Option 3 of Douglas Partners' proposal WOL100246 dated 25 June 2010, and the Consultancy Services Agreement between Australand and DP signed on 17 August 2010.

The Limited Phase 2 Contamination Assessment was undertaken to address the environmental assessment condition issued by the NSW Department of Planning's Director-General's Environmental Assessment Requirements (DGEAR) for the proposed construction of residential, commercial, retail, hotel, marina facilities, public parklands and technology park and subdivision of the site (i.e. key issue no. 5.3 – Contamination). For the purpose of this assessment, the development of the site is collectively referred to as the proposed Shell Cove Boat Harbour Precinct. Drawings 1 and 2, Appendix B, show the site location and the proposed land use/development of the site respectively.

It is understood that the Shell Cove Boat Harbour Precinct included a former Council landfill identified as Lot 8032 in DP 1072187. A Site Audit Statement prepared by Phillip Hitchcock, an EPA Accredited Site Auditor, indicated that, following remediation/relocation of the landfill, the former Council landfill area is suitable for the proposed development including residential use with accessible soil/garden. In this regard, the contamination assessment for the former landfill area is reported separately in *Site Audit Report, Former Council Landfill, Shell Cove Project, Shell Cove, NSW* prepared by Phillip Hitchcock (November 2009). No further assessment of the former landfill is included in this assessment.

The objectives of the Limited Phase 2 Contamination Assessment were:

- to identify past and present potential contaminating activities based on available information;
- to identify potential contaminants present within the surface and subsurface materials;
- to discuss the current site condition with respect to contamination and proposed site use;
- to provide information of the likely type, extent and level of contamination at the site; and
- to assess the need for remediation for further assessment.

2. Scope of Work

The general scope of works of the current assessment comprised:

- A site history investigation including:
  - review of site audit statement and report;
  - a search through the NSW DECCW Land Information records for any statutory notices current under the *Contaminated Land Management Act 1997* and *Protection of the Environment Operation Act 1997;*
  - groundwater bore search;
  - review of historical aerial photography;
  - review of historical title deeds; and
  - search of Council records pertaining to the site.
- site inspection to identify areas of environmental concern (AEC).
- check underground service locations using a "Dial before you Dig" search and use of an accredited service locator;
- test pitting and soil sampling from AEC and general background locations. Sample locations were selected to target AECs and provide site coverage. Samples were collected at multiple depths based on field observations to a maximum depth of 0.5 m into natural materials, 3 m or prior refusal;
- Installation of three groundwater monitoring wells;
- laboratory analysis of soils and groundwater for a combination of the following potential contaminants:
  - heavy metals (arsenic, cadmium, chromium, copper, lead, mercury, nickel and zinc);
  - Polycyclic Aromatic Hydrocarbons (PAH);
  - Total Recoverable Hydrocarbons (TRH);
  - Benzene, Toluene, Ethyl Benzene and Xylene (BTEX);
  - Phenols;
  - Organochlorine pesticides (OCP) and Organophosphate pesticides (OPP);
  - Polychlorinated Biphenyls (PCB);
  - asbestos; and
  - explosives;
- field sampling and laboratory analysis in compliance with standard environmental protocols, including a Quality Assurance/Quality Control (QA/QC) plan consisting of 10% replicate sampling, trip blank and rinsate sample, appropriate Chain-of-Custody procedures and in-house laboratory QA/QC testing;
- data interpretation reporting in general accordance with current NSW DECCW guidelines;

- provision of a report detailing the methodology and results of the assessment and making a recommendation regarding the need for additional work/remediation and the suitability (or otherwise) of the site for the proposed land use.

3. Site Identification and Surrounding Land uses

The site comprises an irregularly shaped parcel of land with an approximate land area of 100 ha. It is identified as:

- Lot 8032 DP 1072187,
- Lot Part 8100 DP 1082981,
- Lot Part 206 DP 857030,
- Lot 9004 Part DP1117743
- Lot 30 DP 229374.

A portion of Lot 8032 in DP 1072187 is a former Council landfill area. A Site Audit Statement has been prepared for the former Council landfill area which, therefore, has been excluded from this assessment. Similarly, the location of the proposed Boat Harbour, which we understand has already received a Ministerial Consent, has not been included in this assessment.

Site features and boundaries of the site, are shown in Drawing 1, Appendix B.

The surrounding land uses includes:

- North - Keith Hockey Field, residential land (Shellharbour Village);
- East –Shellharbour South Beach;
- West: vacant and residential land; and
- South - vacant land, Shell Cove Waste Containment Cell (SCWCC), Bass Point Quarry.

At the time of the investigation, the site was vacant but parts had previously been used as a golf course, farmland and a landfill.

4. Topography, Geology and Hydrogeology

The site is generally low lying and partly swampy with levels falling towards the Shellharbour swamp located west of Boollwaroo Parade. This swamp is generally within the proposed Boat Harbour and Marina zone. Elevated platforms (raised approximately 1 m) were observed in the former golf course (northwest of the site) and appeared to be former tee boxes and greens. A portion of the Shellharbour swamp, particularly near Shellharbour Village, and part of the haul road from the former Council landfill to the newly constructed Shell Cove Waste Containment Cell (SCWCC) also appeared to have been backfilled/reclaimed. A dune system separates the remnant swampland from the sea located to the east.

Reference to the 1:50000 Kiama Geological Series Sheet indicates that the site is underlain by Quaternary alluvium (sand, silt and clay). The alluvium is underlain by either Budgong Sandstone or Bumbo Latite, both belonging to the Shoalhaven Group of Permian age.

The results of the field investigation were consistent with the geological mapping with alluvial clays encountered in all the pits and latite encountered in the pit that intersected rock. Reference to the 1:25000 Albion Park Acid Sulphate Risk Map indicates that part of the site is mapped as having 'high risk of acid sulphate soils at or near the surface'. According to the Concept Plan Application and Environmental Assessment report prepared by LFA (Pacific) Pty Ltd, the site contains potential acid sulphate soils and has been the subject of extensive geotechnical studies (LFA (Pacific) Pty Ltd, February 2010).

Free groundwater was observed during test pitting and drilling on the site. Groundwater was observed at levels ranging from 1.45 m AHD to 9.15 m AHD. Based on the measured groundwater depths and the site's topography, it is considered that groundwater at the site is likely to flow in the general direction of Shellharbour South Beach to the east.

A search of the database of registered groundwater bores of the Department of Water and Energy (DWE, formerly Department of Natural Resources, now part of the DECCW) was undertaken on 19 July, 2010. The search indicated there were no licensed bores installed on the site.

A review of licensed bores in the surrounding area indicated the regional lithology, depth to groundwater and groundwater uses within the area. The closest bore to the site was located approximately 0.5 km in a south westerly direction from the site, however, no other information was available. Four other bores were identified within a 2 km radius, their details are summarised below:

- GW012996 is located approximately 1.5 km to the north, registered for domestic stock purposes. The bore extended to 34.1 m below ground level and encountered gravel, clay and pink rock;
- Unknown bore located approximately 1.5 km to the north east, no details provided;
- GW101125 is located approximately 1.5 km to the south registered for recreation purposes. The bore extended to 124.5 m below ground level and encountered clay and basalt;
- GW044447 is located approximately 1 km to the west registered for stock purposes;
- GW072892 is located approximately 2 km to the north west, registered for irrigation/recreation purposes. The bore extended to 36 m below ground level and encountered shale, clay and siltstone.

5. Site History Investigation

A review of historical information was conducted comprising aerial photographs, historical title deeds for approximately the past 100 years, Council's Section 149 Certificates and the Contaminated Land Register for Notices under the *Contaminated Land Management Act* 1997.

5.1 Regulatory Notices Search

A search of the NSW EPA (now part of Department of Environment, Climate Change and Water, DECCW) website on 19 July, 2010, indicated that:

- No Licences or Notices have been issued for the site under the *Protection of the Environment Operations Act*, 1997.
- No Notices or Orders to investigate or remediate the site have been issued under the *Contaminated Land Management Act*, 1997.

5.2 Aerial Photographs

Historical aerial photographs from eight periods of photography, archived by the Land Information Section of the Department of Lands, were inspected. Aerial photographs examined included:

- June 1949 (Run 3);
- August 1963 (Run 2K);
- 23 May 1970 (Run 4);
- 29 December 1974 (Run 2);
- 12 May 1984 (Run 2);
- 25 September 1990 (Run 4);
- 29 January 1993 (Run 3); and
- 24 March 2007 (Run 19)

Photographs were examined for signs of potential concern, viz. structures which may have been demolished, stripped soil, bulk excavation, areas of filling and evidence of stockpiling. Unexplained surface features were noted. A summary of each photograph is given below.

June 1949 (Run 3)

The site appeared to be generally vacant and covered with grass. The Shellharbour swamp appears to have been undisturbed with no signs of a landfill operation. A number of farm buildings appears to exist close to, but outside of, the central-western boundary. Farm buildings are observed in the south-eastern portion of the site (although not clear in the black and white image). The Old Bass Point Road, Boollwaroo Parade and Bass Point Tourist Road were yet to be constructed. Also, the Keith Hockey Field was not clearly defined in the 1949 image. Quarry operations on the southern boundary of the site appears to be limited compared to the present operations.

August 1963 (Run 2K)

The site appears to be generally similar to the 1949 image with the exception of increased urban development at Shellharbour Village. The Shellharbour swamp appears to have been

altered/reclaimed to build the Keith Hockey Field. The Shellharbour Cemetery, the old Bass Point Road and Boollwaroo Parade can also be observed on the 1963 image.

23 May 1970 (Run 4)

The site appeared to be similar to the 1963 image with the exception of increased quarrying on the neighbouring, southern portion of the site.

29 December 1974 (Run 2)

The north-western portion of the site appeared to be in the process of development into a golf course. Some fairways, tee boxes and greens were able to be distinguished (they appeared to be mown). No bunker, club house or maintenance areas were observed. The north-eastern part of the site appeared to have several tracks with landfill activities on the Shellharbour swamp. The farm building in the south-east appears to have been demolished.

The surrounding properties appear to be generally similar to the 1970 image with the exception of increased activities on the Bass Point quarry site and the presence of a gravel jetty/loading facility.

12 May 1984 (Run 2)

The north-western portion site appears to have been in use as a golf course. The fairways, tee boxes and greens are visible. No bunkers are observed. The club house and maintenance area were located to the north of the site, beyond the site boundary. The remainder of the site and the immediate surrounding properties remained similar to the 1974 image.

25 September 1990 (Run 4)

No discernable changes on the site and the immediate surroundings since the 1984 image were observed other than the decrease in the number of farm buildings close to the central-western boundary of the site. These buildings are not within the site.

29 January 1993 (Run 3)

No discernable changes on site and the immediate surroundings since the 1993 image were observed.

24 March 2007 (Run 19)

A haul road from the former Council landfill to the central-western boundary and to the location of the Shell Cove Containment Cell (SCCC) had been built on site. The farm buildings that existed close to the central-western portion of the site appear to have been demolished. Several stockpiles were present including on the western boundary. The SCCC can now be seen.

5.3 Historical Title Deeds Search

A title deed search was conducted by Service First Registration Pty Ltd. The title information can assist in the identification of previous land uses by identifying the occupation of individual land owners or by a descriptive company name. This may, therefore, establish potentially contaminating activities. A summary of the results of the site history and title deeds search are shown in Table 1. The full results of the search are given in Appendix D. In determining an Inferred Land Use, use has also been made of other sources, particularly the aerial photographs.

Table 1: Summary of Site History

Date	Owner and Occupation	Inferred Land Use
As regards Lot 8032 DP1072187 and Lot 8100 DP 1082981		
As to that part highlighted orange on the cadastre (Included in Appendix D)		
0.1.1918	William Frederick Fuller (Gentleman)	Vacant/residential
As to that part highlighted blue on the cadastre (Included in Appendix D)		
23.03.1911	George Lawrence Fuller (Gentleman)	Vacant/residential
05.04.1918	William Frederick Fuller (Gentleman)	Vacant/residential
As to that part highlighted orange & blue on the cadastre (Included in Appendix D)		
25.11.1935	Reginald Charles David Garnock (Solicitor) Alexander Nicholson (Accountant) Bryan Cecil Fuller (Barrister at Law) Colin Dunmore fuller (Gentleman) (Transmission not investigated)	Vacant/residential
15.06.1945	Partricia Fuller Burdis (Spinster) (Now Patricia Moree, Married Woman)	Vacant/residential
10.07.1956	Imperial chemical Industries of Australia and New Zealand	Unknown / Based on the 1963 aerial photograph, the property was most likely vacant.
05.05.1960	# Council of the Municipality of Shellharbour (# Now Shellharbour City Council)	Vacant/Golf course
As to that part highlighted green on the cadastre (Included in Appendix D)		
23.03.1911	George Lawrence Fuller (Gentleman)	Vacant/residential
05.04.1918	William Fredrick Fuller (Gentleman)	Vacant/residential
25.11.1935	Reginald Charles David Garnock (Solicitor) Alexander Nicholson (Accountant) Bryan Cecil Fuller (Barrister at Law) Colin Dunmore fuller (Gentleman) (Transmission not investigated)	Vacant/residential
15.06.1945	Partricia Fuller Burdis (Spinster) (Now Patricia Moree, Married Woman)	Vacant/residential
10.07.1956	Imperial chemical Industries of Australia and New Zealand	Unknown / Based on the 1963 aerial photograph, the greater majority of the property was most likely vacant with parts of the Shellharbour swamp used as a Council landfill.

Date	Owner and Occupation	Inferred Land Use
02.09.1979	# Council of the Municipality of Shellharbour (# Now Shellharbour City Council)	Vacant/Golf course/landfill
As regards Lot 8100 DP 1082981		
As regards to that part highlighted blue on the cadastre (Included in Appendix D)		
23.03.1911	George Lawrence Fuller (Gentleman)	Vacant/residential
05.04.1918	William Fredrick Fuller (Gentleman)	Vacant/residential
25.11.1935	Reginald Charles David Garnock (Solicitor) Alexander Nicholson (Accountant) Bryan Cecil Fuller (Barrister at Law) Colin Dunmore fuller (Gentleman) (Transmission not investigated)	Vacant/residential
15.06.1945	Partricia Fuller Burdis (Spinster) (Now Patricia Moree, Married Woman)	Vacant/residential
10.07.1956	Imperial chemical Industries of Australia and New Zealand	Unknown / Based on the 1963 aerial photograph, the property was most likely vacant.
05.05.1960	# Council of the Municipality of Shellharbour (# Now Shellharbour City Council)	Vacant/Golf course
As regards to that part highlighted green on the cadastre (Included in Appendix D)		
23.03.1911	George Lawrence Fuller (Gentleman)	Vacant/residential
05.04.1918	William Fredrick Fuller (Gentleman)	Vacant/residential
25.11.1935	Reginald Charles David Garnock (Solicitor) Alexander Nicholson (Accountant) Bryan Cecil Fuller (Barrister at Law) Colin Dunmore Fuller (Gentleman) (Transmission not investigated)	Vacant/residential
15.06.1945	Partricia Fuller Burdis (Spinster) (Now Patricia Moree, Married Woman)	Vacant/residential
07.1956	Imperial Chemical Industries of Australia and New Zealand Limited	Unknown / Based on the 1963 aerial photograph, the property was most likely vacant.
02.09.1979	# Council of the Municipality of Shellharbour (# Now Shellharbour City Council)	Vacant/Golf course
As Regards Lot 206 DP 857030, Lot 30 DP 229374, Lot 9004 DP 1117743 7, Lot 1 DP 1022866		
23.03.1911	George Lawrence Fuller (Gentleman)	Vacant/residential
05.04.1918	William Fredrick Fuller (Gentleman)	Vacant/residential
25.11.1935	Reginald Charles David Garnock (Solicitor) Alexander Nicholson (Accountant) Bryan Cecil Fuller (Barrister at Law) Colin Dunmore Fuller (Gentleman) (Transmission not investigated)	Vacant/residential
15.06.1945	Partricia Fuller Burdis (Spinster) (Now Patricia Moree, Married Woman)	Vacant/residential
10.07.1956	Imperial Chemical Industries of Australia and New Zealand (Now ICI Australia Limited)	Unknown / Based on the 1963 aerial photograph, the greater majority of the property was most

Date	Owner and Occupation	Inferred Land Use
		likely vacant. The southern most portion (near Bass Point Tourist Road) contained a number of farm buildings.
19.09.1984	Minister the Environmental Planning and Assessment Act, 1979	Vacant/Golf course
26.04.1995	# Council of the Municipality of Shellharbour (# Now Shellharbour City Council)	Vacant/Golf course
As Regards Lot 30 DP 229374		
23.03.1911	George Lawrence Fuller (Gentleman)	Vacant/residential
05.04.1918	William Fredrick Fuller (Gentleman)	Vacant/residential
25.11.1935	Reginald Charles David Garnock (Solicitor) Alexander Nicholson (Accountant) Bryan Cecil Fuller (Barrister at Law) Colin Dunmore Fuller (Gentleman) (Transmission not investigated)	Vacant/residential
15.06.1945	Partricia Fuller Burdis (Spinster) (Now Patricia Moree, Married Woman)	Vacant/residential
10.07.1956	Imperial Chemical Industries of Australia and New Zealand Limited	Unknown / Based on the 1963 aerial photograph, the property is most likely vacant.
19.06.1964	# Housing Commission of New South Wales	Vacant/residential/Sophia Park
As Regards Lot 9004 DP 1117743		
As to that part highlighted orange on the cadastre (Included in Appendix D)		
03.02.1923	Mathew McKinnery (Farmer) Edward McKinnery (Farmer)	Farming/Rural
18.02.1945	Edward McKinnery (Retired) Kathleen Mary Hoare (Married Woman) Timoty Edward McKinnery (Railway Employee) (Transmission Application not investigated)	Farming/Rural
30.11.1947	William Charles Ransome (Farmer) Marie Evelyn Ransome (Married Woman) Charles Frederick James Ransome (Farmer) Marie Daphne Ransome (Married Woman)	Farming/Rural
21.09.1956	Imperial Chemical Industries of Australia and New Zealand Limited	Unknown / Based on the 1963 aerial photograph, majority of the property was vacant whilst part of the property (near the old Bass Point Road) contained a number of farm buildings located outside the Boat Harbour Precinct.
28.10.1981	Illawarra County Council	Ditto

Date	Owner and Occupation	Inferred Land Use
14.07.1983	# Council of the Municipality of Shellharbour (# Now Shellharbour City Council)	Ditto. The certificate of title indicates that the premises was leased to ICI Australia Operations Proprietary Limited as an "Explosive Depot". According to Australand, the Shellharbour City Council has advised that an explosives store was located to the west of the study area approximately 500m from the Boat Habour Precinct.
As Regards to that part highlighted yellow on the cadastre (Included in Appendix D)		
03.02.1923	Mathew McKinnery (Farmer) Edward McKinnery (Farmer)	Farming/Rural
18.02.1945	Edward McKinnery (Retired) Kathleen Mary Hoare (Married Woman) Timoty Edward McKinnery (Railway Employee) (Transmission Application not investigated)	Farming/Rural
30.11.1947	William Charles Ransome (Farmer) Marie Evelyn Ransome (Married Woman) Charles Frederick James Ransome (Farmer) Marie Daphne Ransome (Married Woman)	Farming/Rural
21.09.1956	Imperial Chemical Industries of Australia and New Zealand (Now ICI Australia Limited)	Unknown / Based on the 1963 aerial photograph, the property is most likely vacant.
14.07.1983	Illawarra County Council	Vacant/Golf course
14.07.1983	# Council of the Municipality of Shellharbour (# Now Shellharbour City Council)	Vacant/Golf course
As Regards Lot 1 DP 1022866		
04.07.2003	# Shellharbour City Council	Vacant

Current Registered Proprietor.

5.4 Review of Section 149 Certificate

A review of the site's Planning Certificate, pursuant to Section 149 *Environmental Planning and Assessment Act*, 1979, was undertaken. Copies of the certificate are provided in Appendix E. The following were noted:

- No critical habitat was identified at the site;
- The site is not in a conservation area under Shellharbour LEP 2000; and
- There were no matters listed under Section 59(2) of the *Contaminated Land Management Act*, 1997, specified in the certificate.

The certificates indicated that uncontrolled filling may be present on site, however, there were no known contamination issues on the site.

5.5 Review of Council Records

A review of Council's files pertaining to the site was undertaken. Several files were made available and included in the files were several aerial photographs. No information was provided on the date of the photographs, however, the following was observed:

- The golf course was in bad condition (indicating the aerial photograph was most likely taken after golf course was closed);
- A stockpile of material was observed on one of the greens in the northern part of the site; and
- No fly tipping was observed.

6. Site Inspection

A site inspection was undertaken on 26-27 August, 2010. The following was noted:

- Remnants of the old farm type buildings on the south-eastern portion of Lot 206 in DP 857030 were observed on the ground including potential asbestos-containing materials (ACM) (see Photographs 1 to 7, Appendix F);
- Bricks, bitumen pavement, electrical cables, vehicle engine parts and an empty engine oil drum (recently dumped) were noted to be scattered around the location of the former farm buildings close to the central-western portion of Lot 9004 in DP 1117743 (see Photographs 8 to 12, Appendix F). The location of the former farm buildings appear to be outside the western boundary of the site;
- Stockpiles of boulders were observed on site (see Photographs 13 to 17, Appendix F). Some of the stockpiles contained soil;
- Several existing groundwater piezometers were observed through the site (see Photographs 18 to 20, Appendix F);
- The SCWCC had several groundwater monitoring wells, vapour extraction system, electrical solar panel with water tank, and a sediment pond (see Photographs 21 to 24, Appendix F). The SCWCC, the electrical and water utilities, and the pond are located upgradient of the site;
- The former Council landfill, following the transfer of general solid waste to the SCWCC and subsequent site validation, was left open (i.e. the excavation was not restored to its original level) resulting in significant ponding;
- The former golf course had tall grasses but some of the greens and tee boxes could still be recognised.

7. Potential for Contamination

From the site history review and the site inspection, potential contamination is most likely associated with the site's use as a golf course and from a limited number of farm buildings close to the central-western boundary and on the south-eastern portion of the site. Common contamination issues at golf courses include the use of imported fill for levelling and shaping and use of pesticides and fertilisers in greens and tee boxes and to a lesser extent on fairways. Farm buildings close to the central-western boundary and on the south-eastern portion of the site may be associated with the storage of chemicals, use of hydrocarbon-based products (e.g. engine oils) and asbestos-containing materials, particularly in demolition materials, formerly part of the building fabric.

It is noted that, according to the Archaeological Assessment report, the proposed use of a portion of the site (i.e. near Lot 9004 in DP 1117743) as an explosives depot did not take place. However, as a conservative approach, the central-western portion of the site was tested for explosives.

No significant off-site contamination sources were indentified other than the SCWCC. The newly constructed waste containment cell located external and to the south of the study area, encapsulates waste material extracted from the former Council landfill (previously located on the northern portion of the site adjacent Bass Point Tourist Road) to current best practice waste management standards.

The Waste Cell has been regulated under EPL12426 and as part of the conditions of that licence and the DECCW endorsed closure plan, extensive post completion environmental monitoring (including groundwater monitoring) has been undertaken in consultation with DECCW. The post completion ground water monitoring, according to Australand, has demonstrated negligible contaminants from the encapsulated waste and as a result the DECCW have confirmed that the requirements of the EPL for post construction monitoring have been met and have removed the ongoing monitoring requirements from the EPL.

Accordingly, contaminants from the waste cell are not considered a potential issue.

Based on the review of site history, and site inspection, the contaminants of concern are considered to consist of:

- heavy metals (arsenic, cadmium, chromium, copper, lead, mercury, nickel, zinc);
- Polycyclic Aromatic Hydrocarbons (PAH);
- Total Petroleum Hydrocarbons (TPH);
- Benzene, toluene, ethyl benzene, and total xylenes (BTEX);
- Organochlorine pesticides (OCP) and Organophosphorus pesticides (OPP);
- Polychlorinated Biphenyls (PCB);
- Phenols;
- Volatile and semi-volatile organic compounds (VOC/SVOC to characterise impacts from unknown sources);
- Explosives (near Lot 9004 in DP 1117743 only); and
- Asbestos.

8. Sampling Analysis and Quality Plan

8.1 Data Quality Objectives

The scope of the Preliminary Contamination Assessment works has been devised generally in accordance with the seven step data quality objective (DQO) process, as defined in Australian Standard *Guide to the investigation and sampling of sites with potentially contaminated soil Part 1: Non-volatile and semi-volatile compounds (AS 4482.1 – 2005)*. The DQO process is outlined as follows:

(a) State the Problem

The site is required to be rendered suitable for standard residential land use. The purpose of this investigation is to assess the nature and extent of the site contamination issues, and to establish whether the site can be rendered suitable for its intended land use. This will be achieved by obtaining additional data to further characterize the soil with respect to asbestos and other potential contaminants of concern. Additionally, the quality of groundwater at the site will also be investigated with a view to determine the potential for contaminant migration.

(b) Identify the Decision

The suitability of the site for the proposed residential land use will be assessed on the basis of the current soil and groundwater investigations. The soil analytical data is to be compared to the Site Assessment Criteria (SAC) for a 'standard residential' landuse (refer to Section 9 for more details).

(c) Identify Inputs to the Decision

The primary inputs that will be utilized to assess the suitability of the site are:

- Available site information regarding previous and current activities undertaken on the site and the surrounding area;
- The local geology, topography and hydrology;
- Potential contaminants;
- Published guidelines for assessing soil and groundwater quality;
- Field observations/measurements and analytical results from the Limited Phase 2 Contamination Assessment.

(d) Define the Boundary of the Assessment

The boundary of the assessment is defined by the boundary of the subject site i.e., the Shell cove Boat Harbour Precinct, which comprises Lot 8032 in DP 1072187, Lot Part 8100 in DP 1082981, Lot Part 206 in DP 857030, Lot 9004 in Part DP 1117743 and Lot 30 in DP 229374. The site comprises an irregularly shaped parcel of land with an approximate land area of 100 ha.

(e) Develop a Decision Rule

The analytical results will be assessed against relevant published guideline criteria as discussed in Section 9.

(f) Specify Acceptable Limits on Decision Errors

In order to ensure the quality of the soil and groundwater data, appropriate and adequate quality assurance and quality control (QA/QC) measures and evaluations will be incorporated into the sampling and testing regime.

DP will achieve the required sampling accuracy and precision through the analysis of 5% field duplicate/replicate samples. The potential for cross contamination and loss of volatiles will be assessed using trip blanks and trip spikes.

Appropriate sampling procedures will be undertaken to ensure that cross contamination does not occur and will follow DP's Standard Operating Procedures Manual. This specifies that:-

- Standard operating procedures are followed;
- Site safety plans are developed prior to commencement of works;
- Duplicate or replicate field samples are collected and analysed;
- Samples are stored under secure, temperature controlled conditions;
- Chain-of-custody documentation is employed for the handling, transport and delivery of samples to the selected laboratory; and that
- Contaminated soil, fill or groundwater originating from the site area is disposed in accordance with relevant regulatory guidelines.

A field and laboratory QA/QC regime, comprising the collection and analysis of replicate samples will be implemented to meet the requirements associated with the following data quality indicators (DQIs).

- conformance with specified holding times;
- accuracy of spiked samples within the laboratory's acceptable range (typically 70-130% for inorganic contaminants and greater for some organic contaminants);
- field and laboratory duplicate and replicate samples will have a precision average of +/- 30% relative percent difference (RPD) for inorganic analytes and +/- 50% RPD for organic analytes; and
- field replicates will be collected at a frequency of at least 10% of all samples (comprising 5% intra-laboratory replicates and 5% inter-laboratory replicates).

The results of field and laboratory QA/QC including RPD and other QA/QC analysis are shown in Appendix I, with the full laboratory reports included in Appendix H.

(g) Optimise the Design for Obtaining Data

The above information (steps 1 to 6) was used to optimise the sampling, analysis and quality plan for the contamination assessment of the site. Discussed in the proceeding sections are the sampling pattern, density, location and depth requirements to meet the objectives of the Limited Phase 2 Contamination Assessment.

8.2 Sampling Pattern

A judgemental (targeted) sampling pattern was adopted. In addition to the targeted samples, 10 samples were located in non-targeted areas to provide information on background conditions. The judgemental sampling pattern allowed sampling points to be selected based on information gathered in the site history information and site inspection prior to field work. The judgemental sample locations selected included areas where an elevated potential for contamination existed, such as:

- fairways, greens and tee boxes in the former golf course;
- in stockpiles that contained soils;
- in the area down-gradient to the former location of the farm buildings outside of the central-western boundary of the site;
- in the location of the former farm buildings located south of the site.

8.3 Sampling Density

Based on the size of the site (100 ha) and in accordance with the NSW EPA Contaminated Sites *Sampling Design Guidelines*, 1995, a minimum of 1,100 systematic sample points are required for site characterisation. Such a large number of sampling points is not considered to be warranted because most of the site has no known history of an industrial/commercial use or other potentially contaminating activity. Hence, based on the preliminary nature of this assessment, 36 judgemental sample locations (including 10 background locations) were considered appropriate including three locations for groundwater sampling.

8.4 Sample Location

Sample locations are indicated in Drawing 3 in Appendix B. A total of 36 locations were placed over the site, taking into account the targeted areas of environmental concern and access constraints.

8.5 Sample Depth

Samples were collected at multiple depths within fill and 0.5m into natural material to allow for the evaluation of various types of strata. Sample depths generally ranged between 0 – 2.5 m below ground level (bgl), refer to logs provided in Appendix G.

8.6 Analytical Scheme

The analytical scheme was designed around the inferred potential for contamination and is summarised in the Table 2. Generally the samples analysed were selected to provide information on the characterisation of the fill, fly tipped material and natural soils.

Table 2: Analytical Scheme

Sample Location	8 HM	PAH	TPH/ BTEX	Phenols	OCP/OPP / PCB	VOC/ SVOC	Explosives	Asbestos	Rationale
TP101 to TP108, TP121, TP122, TP124 & TP133	✓	✓	✓	✓	✓			✓	Characterisation of topsoil and near surface soil in the former golf course.
TP109 & TP110	✓	✓	✓	✓	✓		✓	✓	Characterisation of soil down-hydraulic-gradient of the former farm buildings on the central-western portion of the site.
TP117 to TP120	✓	✓	✓	✓	✓			✓	Characterisation of soil for from the former farm structures along south-estern portion of the site.
TP108, TP111, TP115, TP116 & TP123	✓	✓	✓	✓	✓			✓	Characterisation of stockpiles.
TP114, TP115, MW2, MW1	✓	✓	✓	✓	✓	✓		✓	Characterisation of soil down-gradient of the SCWCC.
TP112, TP113, & TP125 to TP133 & MW3	✓	✓	✓	✓	✓	✓		✓	Characterisation of soil not identified as AEC.

Notes:

8 HM	8 heavy metals including arsenic, cadmium, chromium, copper, lead, mercury, nickel, zinc
PAH	Polycyclic Aromatic Hydrocarbons (PAH)
TPH/BTEX	Total Petroleum Hydrocarbons (TRH) and benzene, toluene, ethyl benzene, and total xylenes (BTEX)
Phenols	As total phenols
PCB	Polychlorinated biphenyls
OPP	Organophosphate pesticides
OCP	Organochlorine pesticides
Asbestos	Asbestos (selected samples only)
VOC	Volatile organic compounds and SVOC Semi-volatile organic compounds

8.7 Sample Collection

Thirty three test pits and three test bores were excavated across the site using a mini excavator fitted with a 300 mm wide bucket and a solid flight auger. Samples were collected from the various strata encountered within the test locations.

8.8 Sampling Procedure

Environmental sampling was conducted according to standard operating procedures described in the DP *Field Procedures Manual*. In summary, all sampling data was recorded on DP Chain-of-Custody sheets, and the general sampling procedure comprised:

- the use of stainless steel sampling equipment for the collection of soil samples;
- washing of all sampling equipment in a 3% solution of phosphate free detergent (Decon 90) then rinsing with distilled water prior to each sample being collected;
- transfer of the sample into new glass jars or acidified glass bottles, sealed with a teflon lined lid;
- labelling of the sample containers with individual and unique identification including Project No. Sample No. and depth;
- placement of the containers into a chilled, enclosed and secure container for transport to the laboratory; and
- use of chain of custody documentation to ensure that sample tracking and custody can be cross-checked at any point in the transfer of samples from the field to hand-over to the laboratory.

9. Site Assessment Criteria

9.1 Soil

Soil contaminant threshold concentrations for residential sites are sourced from the NSW EPA *Contaminated Sites: Guidelines for the NSW Site Auditor Scheme* (2006) and *Guidelines for Assessing Service Station Sites* (1994).

These threshold concentrations are given in Table 4 for the contaminants of concern. The threshold concentrations adopted for the site includes Health-based Investigation Levels (HIL) to be met by the 95% upper confidence limit (95% UCL) of average concentrations.

The Site Assessment Criteria (SAC) adopted are that:

- All analytical results for a data set of like material at the 95% UCL of the average concentrations of the sample analyses shall comply with the threshold concentrations for health based risk as given in Table 3. Note that where all results comply with the HIL concentration, the 95% UCL has not been calculated;

- No individual analyte in the soil will be acceptable if the result is considered to present a potential risk. For some analytes, 250% of the HIL value is adopted for the absolute maximum upper limit concentration for individual samples; and
- When the UCL values are numerically less than the threshold concentrations, the site is considered to comply with the SAC and to be suitable for the intended residential use provided that the data does not contain isolated high contaminant concentrations.
- The standard deviation of the results is greater than 50% of the HIL.

Given that future residential development may include gardens and accessible soil, plant phytotoxic effects also have to be considered. In this respect, the Provisional Phytotoxicity-based Investigation Levels (PPIL) have also been included in the SAC as screening criteria.

It is noted that the HIL provided in the NSW EPA *Contaminated Sites: Guidelines for the NSW Site Auditor Scheme* (2006) were adopted from the National Environmental Protection Council's (NEPC) *National Environmental Protection (Assessment of Site Contamination) Measure* (NEPM), Schedule B(1) Guideline on the Investigation Levels for Soil and Groundwater (1999). The NEPM (1999) guideline is currently being revised and issued for public consultation. Based on the proposed NEPM 2011 revision, the majority of the HIL for a standard residential land use will be either similar or higher in magnitude as compared to the NEPM (1999) with the exception of nickel, aldrin and endrin. Hence, as a conservative approach, the both the current and the revised HIL were presented for nickel, aldrin and endrin for comparison purposes. The SAC for soils are included in Table 3 below.

Table 3: Site Assessment Criteria for Soils

Analyte	Site Assessment Criteria		
	Health-based Investigation Levels [a] (mg/kg)	HIL Maximum Allowable Concentration [b] (mg/kg)	Provisional Phytotoxicity-based Investigation Levels [e] (mg/kg)
As	100	250	20
Cd	20	50	3
Cr (III)	12%	30%	400
Cr (IV)	100	250	1
Cu	1 000	2 500	100
Pb	300	750	600
Hg	15	37.5	1
Ni	600 / 400 [f]	1 500 / 1 000 [f]	60
Zn	7 000	17 500	200
C_6-C_9	65 [c]	NE	NE
C_{10}-C_{14}	1 000 [c]	NE	NE
C_{15}-C_{28}			
C_{29}-C_{36}			
Benzene	1 [c]	NE	NE
Ethyl Benzene	3.1 [c]	NE	NE
Toluene	1.4 [c]	NE	NE
Xylene	14 [c]	NE	NE
PAH (total)	20	50	NE
Benzo(a)pyrene	1	2.5	NE
DDT + DDD + DDE	200	500	NE
Heptachlor	10	25	NE
Aldrin + Dieldrin	10 / 7 [f]	25 / 17.5 [f]	NE
Chlordane	50	125	NE
Phenol	8 500	21 250	NE
PCB	10	25	NE
Asbestos	None Detected in surface soils [d]	NE	NE

Notes

a. NSW EPA *Contaminated Sites Guidelines for the NSW Site Auditor Scheme* (2006) Health Investigation Levels Column 1

b. Imray and Langley (1996) *Health-Based Soil Investigation Levels*

c. NSW EPA *Guidelines for Assessing Service Station Sites*, 1994. Threshold concentrations for sensitive sites, (for TPH and BTEX), for the protection of terrestrial organisms

d. NSW EPA Auditor Advice

e. The PPIL are single number criteria. Their use has significant limitations because phytotoxicity depends on soil and species parameters in ways that are not fully understood. They are intended for use as a screening guide and may be assumed to apply to sandy loam soils or soils of closely similar texture for pH 6 to 8.

f. Proposed 2011 revision to the NEPM (1999).

NE Not established

9.2 Groundwater

According to the DECC's (now DECCW's) "*Guidelines for the Assessment and Management of Groundwater Contamination*" (2007), the preliminary assessment of groundwater contamination must be based on the assumption that drinking water is a potential beneficial use if the site fits any of the following criteria:

1. The aquifer beneath the site is included in the Department of Natural Resources (DNR, now part of the Department of Climate Change & Water, DECCW) list of major aquifers of drinking water quality.
2. There are identified users of groundwater from the aquifer as a potable water source.

If neither of the previous conditions identify groundwater as a potential drinking water supply then groundwater indicators should be used to demonstrate whether the aquifer is suitable, or otherwise, for use as a drinking water source. The DECCW has indicated that groundwater with Total Dissolved Solids (TDS) concentrations below 2000 mg/L should be considered suitable for use as a drinking water supply, and protected as such, unless it can be demonstrated that other site-specific factors, such as low yield, render such use unlikely (DECC 2007).

The aquifer beneath the site is not listed by DNR as a protected aquifer as an actual or potential drinking water supply. The salinity of the groundwater on site is 2,600 mg/L and therefore may not be suitable for domestic purposes. There are no groundwater bores used for drinking purposes on site.

Given the aquifer is not considered suitable for drinking water use, the adopted groundwater assessment criteria at the site are based on the *Australian and New Zealand Guidelines for Fresh and Marine Water Quality* (ANZECC 2000), using 90% level of protection for highly disturbed ecosystems.

Selection of the groundwater investigation level (GIL) was based on the proximity of the site to a sensitive surrounding surface water receptor (i.e. the proposed Shell Cove Boatharbour). The 90% protection level was adopted based on the results of the consultation meeting between DECCW, Worley Parsons and Australand that took place in 7 March 2005. Also, consistent with the ANZECC 2000 guidelines, 99% level of protection was used for those toxicants that are flagged as potential bioaccumulators other than copper

The trigger values for marine water were selected as the GIL based on Shellharbour South Beach being the receiving water body. Shellharbour South Beach is hydraulically connected to the proposed Shell Cove Boatharbour. It is also considered that Shellharbour South Beach is being used for primary recreation purposes. Hence, the ANZECC 2000 Guidelines for recreational water quality and aesthetics were considered as a GIL.

The threshold concentrations for the protection of aquatic ecosystems from the NSW EPA's *Contaminated Sites Guidelines for Assessing Service Station Sites* (1994) and the NEPM (1999) GIL were also used in comparison with the available ANZECC 2000 low reliability trigger values. In the case of total petroleum hydrocarbons (TPH), in view of the absence of EPA endorsed high reliability guidelines, the Airport (Environment Protection) Regulations' (1997), Schedule 2 Water Pollution Accepted Limits: Table 1.03 – Accepted limits of contamination, have been applied as screening criteria.

Adopted site assessment criteria for groundwater are summarised in Table 4.

Table 4: Groundwater Assessment Criteria

Analytes	Groundwater (µg/L)					Adopted Groundwater Investigation Level (GIL)
	ANZECC (2000) Water Quality Guidelines		NSW EPA (1994) [3]	Airport Regulations (1997) [4]	NEPM (1999) [5]	
	Trigger values for Marine Water [1]	Recreational Purposes [2]				
Organics						
TPH (C_6-C_9)	NE	NE	NE	150	NE	150 [6]
TPH (C_{10}-C_{36})	NE	NE	NE	600	NE	600 [6]
Benzene	900	10	300	300	700 [7]	10
Toluene	180 (LR)	NE	300	300	NE	180
Ethylbenzene	5 (LR)	NE	140	140	NE	5
o - Xylene	350 (LR)	NE	380	NE	NE	75
m - Xylene	75 (LR)	NE		NE	NE	
p - Xlyene	200 (LR)	NE		NE	NE	
Benzo(a)pyrene (B)	0.1 (LR)	0.01	NE	NE	NE	0.01
Anthracene (B)	0.01 (LR)	NE	NE	NE	NE	0.01
Phenanthrene (B)	0.6 (LR)	NE	NE	NE	NE	0.6
Fluoranthene (B)	1.0 (LR)	NE	NE	NE	NE	1.0
Naphthalene	90	NE	NE	NE	70 [7]	90
Total PHA	NE	NE	3	3	NE	3
Total phenolics	400	2	50	50	400 [7]	2
Aldrin (B)	0.003 (LR)	1	NE	NE	NE	0.003
Chlordane (B)	0.001 (LR)	6	NE	NE	NE	0.001
DDE (B)	0.0005 (LR)	NE	NE	NE	NE	0.0005
DDT (B)	0.0004 (LR)	3	NE	NE	NE	0.0004
Dieldrin (B)	0.01 (LR)	1	NE	NE	NE	0.01
Endosulfan (B)	0.005 (LR)	40	NE	NE	0.1 [7]	0.005
Endrin (B)	0.004 (LR)	1	NE	NE	0.008 [7]	0.004
Heptachlor (B)	0.0004 (LR)	3	NE	NE	NE	0.0004
Azinphos-methyl	0.01 (LR)	10	NE	NE	NE	0.01
Chlorpyrifos (B)	0.009 (LR)	2	NE	NE	0.009 [7]	0.009
Demeton-S-methyl	4.0 (LR)	NE	NE	NE	NE	4.0
Diazinon	0.01 (LR)	10	NE	NE	NE	0.01
Dimethoate	0.15 (LR)	100	NE	NE	NE	0.15
Fenitrothion	0.001 (LR)	20	NE	NE	NE	0.001
Malathion	0.05 (LR)	NE	NE	NE	NE	0.05
Aroclor 1242 (B)	0.3 (LR)	NE	NE	NE	NE	0.3
Aroclor 1254 (B)	0.01 (LR)	NE	NE	NE	NE	0.01
Non-metallic inorganics						
Ammonia	1200	10	NE	NE	NE	10
Chloride	NE	400000	NE	NE	NE	400 000
Cyanide	7	100	NE	NE	4 [7]	7

Analytes	Groundwater (µg/L)					
	ANZECC (2000) Water Quality Guidelines		NSW EPA (1994) [3]	Airport Regulations (1997) [4]	NEPM (1999) [5]	Adopted Groundwater Investigation Level (GIL)
	Trigger values for Marine Water [1]	Recreational Purposes [2]				
Heavy Metals						
Arsenic (total)	2.3 (LR)	50	NE	50	50	2.3
Cadmium (B)	0.7	5	NE	0.2	2.0	0.7
Chromium	48.6	50	NE	10	50 / 27.4 [7]	48.6
Copper (B)	3	NE	NE	2	5	3
Lead	6.6	50	5.0	1.0	5 / 4.4[7]	6.6
Mercury (inorganic) (B)	0.10	1	NE	0.1	0.1	0.1
Nickel	200	100	NE	15	15	200
Zinc	23	5 000	NE	5	50 / 15[7]	23

Notes:

[1] ANZECC and ARMCANZ (2000) National Water Quality Management Strategy - Australian and New Zealand Guidelines for Fresh and Marine Water Quality. Trigger values under the 90% protection level – marine water. 99% for toxicants that are flagged as bioaccumulative.

[2] ANZECC and ARMCANZ (2000) National Water Quality Management Strategy - Australian and New Zealand Guidelines for Fresh and Marine Water Quality. Water Quality Guidelines for Recreational purposes.

[3] NSW EPA Contaminated Sites Guidelines for Assessing Service Station Sites (1994). Threshold concentrations for the protection of aquatic ecosystems - Fresh water ecosystems.

[4] Airport (Environment Protection) Regulations (1997), Schedule 2 Water Pollution Accepted Limits: Table 1.03

[5] NEPM *Schedule B (1) Guideline on the Investigation Levels for Soil and Groundwater* (1999).

[6] In the absence of established threshold concentrations for TPH compounds in groundwater, the Airport Regulations (1997) was used as screening criteria.

[7] Proposed revision to the NEPM 1999.

LR Low reliability trigger value as defined in ANZECC/ARMCANZ 2000

NE = Not Established

B = Bioaccumulative

10. Results

A summary of the laboratory results are included in Tables 5 to 10 (for soils and groundwater respectively). NATA laboratory reports are included in Appendix H.

Table 5: Results of Laboratory Analysis for Soil in mg/kg, unless otherwise stated (Heavy Metals & Asbestos)

Sample ID	F – filling N – natural	Heavy Metals								Asbestos
		As	Cd	Cr	Cu	Pb	Hg	Ni	Zn	
101/0-0.1	N	<4	<0.5	16	23	31	<0.1	4	27	-
101/0.4-0.5	N	<4	<0.5	23	31	16	<0.1	3	6	-
102/0-0.1	N	<4	<0.5	21	33	22	<0.1	4	16	-
102/0.4-0.5	N	<4	<0.5	23	20	14	<0.1	3	5	-
103/0-0.1	F	<4	0.6	2	4	3	**1.0**	1	7	-
104/0-0.1	F	<4	<0.5	2	5	4	**2.3**	1	9	-
105/0-0.1	F	<4	<0.5	7	5	6	0.1	7	27	-
106/0-0.1	F	<4	0.7	3	6	3	1.1	2	14	-
107/0-0.1	F	<4	<0.5	2	7	5	1.1	1	16	-
108/0-0.1	F	<4	<0.5	16	48	19	<0.1	7	52	-
109/0-0.1	N	<4	<0.5	4	100	58	<0.1	4	66	NAF
109/0.4-0.5	N	<4	<0.5	5	**160**	18	<0.1	5	42	NAF
110/0-0.1	F	<4	<0.5	6	**200**	19	<0.1	5	51	NAF
110/0.4-0.5	N	<4	<0.5	3	62	8	<0.1	<1	5	-
111/0-0.1	F	<4	<0.5	7	**190**	24	<0.1	5	86	-
112/0-0.1	N	<4	<0.5	6	62	22	<0.1	2	10	-
113/0-0.1	N	<4	<0.5	6	**110**	20	<0.1	6	20	-
113/0.4-0.5	N	<4	<0.5	9	**190**	16	<0.1	4	7	-
114/0-0.1	N	<4	<0.5	5	66	19	<0.1	3	22	-
115/0-0.1	F	<4	<0.5	4	95	13	<0.1	2	15	-
116/0-0.1	F	<4	<0.5	5	**110**	24	<0.1	4	25	-
117/0-0.1	F	6	<0.5	7	100	280	<0.1	4	**630**	NAF
117/0.08-0.25	Fibro	-	-	-	-	-	-	-	-	Chrysotile asbestos detected
117/0.4-0.5	N	<4	<0.5	5	**120**	33	<0.1	2	53	-
118/0-0.1	N	4	<0.5	6	**110**	120	<0.1	4	**270**	NAF
118/0.4-0.5	N	<4	<0.5	6	**130**	15	<0.1	3	16	-

Sample ID	F – filling N – natural	Heavy Metals								Asbestos
		As	Cd	Cr	Cu	Pb	Hg	Ni	Zn	
119/0-0.1	F	5	**3.1**	7	100	230	0.1	6	**2300**	NAF
119/0.4-0.5	N	<4	<0.5	5	**150**	18	<0.1	3	39	-
120/0-0.1	N	<4	<0.5	6	85	72	<0.1	4	**510**	NAF
120/0.4-0.5	N	<4	<0.5	8	**110**	24	<0.1	3	15	-
121/0-0.1	N	<4	<0.5	11	59	23	<0.1	7	35	-
122/0-0.1	F	<4	<0.5	13	51	20	<0.1	5	23	NAF
122/09-1.0	F	<4	<0.5	18	41	26	<0.1	5	32	NAF
122/1.1-1.2	N	<4	<0.5	17	55	17	<0.1	5	11	-
123/0-0.1	F	<4	<0.5	3	**170**	11	<0.1	5	43	NAF
123/0.4-0.5	F	<4	<0.5	3	**170**	13	<0.1	6	43	NAF
124/0-0.1	F	<4	<0.5	9	44	17	<0.1	5	22	-
125/0-0.1	N	<4	<0.5	8	84	21	<0.1	6	9	-
126/0-0.1	N	<4	<0.5	6	94	21	<0.1	5	29	-
127/0-0.1	N	<4	<0.5	8	**130**	21	<0.1	9	15	-
128/0-0.1	F	<4	<0.5	10	100	15	<0.1	6	57	-
128/0.4-0.5	F	<4	<0.5	6	11	5	<0.1	1	7	-
129/0-0.1	F	<4	<0.5	16	31	10	<0.1	10	72	-
129/0.4-0.5	F	<4	<0.5	16	27	11	<0.1	7	37	-
130/0-0.1	F	<4	<0.5	9	**110**	16	<0.1	7	49	-
131/0-0.1	F	13	<0.5	9	61	47	<0.1	4	73	-
132/0-0.1	N	<4	<0.5	8	100	27	<0.1	4	100	-
133/0-0.1	N	<4	<0.5	12	66	25	<0.1	7	30	-
MW1/0-0.1	N	7	<0.5	12	**250**	19	<0.1	9	7	-
MW2A/0-0.1	N	<4	<0.5	6	73	16	<0.1	5	9	-
MW3/0-0.1	N	<4	<0.5	6	99	25	<0.1	4	92	-
BD2A	F	5	**3.2**	9	**130**	300	0.2	6	**2700**	-
BD5A	F	11	<0.5	8	64	59	<0.1	3	110	-
BD6A	F	<4	<0.5	4	**210**	15	<0.1	5	49	-
BD7A	F	<4	<0.5	7	**150**	20	<0.1	5	69	NAF
BD8A	F	<4	<0.5	10	45	18	<0.1	5	25	-

Sample ID	F – filling N – natural	Heavy Metals								Asbestos
		As	Cd	Cr	Cu	Pb	Hg	Ni	Zn	
PQL		4	0.5	0.5	0.5	2	0.1	0.2	0.5	0.1
HIL		100	20	12%	1 000	300	15	600	7 000	NIL^
PPIL		20	3	400	100	600	1	60	200	NE

Notes:

BOLD Results exceeded the PPIL

- not analysed

^ No asbestos present in soil at the surface (Correspondence from NSW EPA Director of Contaminated Sites to Accredited Site Auditors).

HIL Health-based investigation level

NAF No asbestos found

NE Not established

PQL Practical Quantitation Limit (PQL)

PPIL Provisional Phytotoxicity-based Investigation Levels

BD2A is a replicate sample of 119/0-0.1

BD5A is a replicate sample of 128/0-0.1

BD6A is a replicate sample of 111/0-0.1

BD7A is a replicate sample of 110/0-0.1

BD8A is a replicate sample of 103/0-0.1

Table 6: Results of Laboratory Analysis for Soil in mg/kg (TPH, BTEX & PAH)

Sample ID	F – filling N – natural	TPH		Benzene	Toluene	Ethylbenzene	Xylene	PAH	
		C_6-C_9	C_{10}-C_{36}					Total	Benzo(a)pyrene
101/0-0.1	N	<25	<250	<0.5	<0.5	<1	<3	<PQL	<0.05
101/0.4-0.5	N	<25	<250	<0.5	<0.5	<1	<3	<PQL	<0.05
102/0-0.1	N	<25	<250	<0.5	<0.5	<1	<3	<PQL	<0.05
102/0.4-0.5	N	<25	<250	<0.5	<0.5	<1	<3	<PQL	<0.05
103/0-0.1	F	<25	<250	<0.5	<0.5	<1	<3	<PQL	<0.05
104/0-0.1	F	<25	<250	<0.5	<0.5	<1	<3	<PQL	<0.05
105/0-0.1	F	<25	<250	<0.5	<0.5	<1	<3	<PQL	<0.05
106/0-0.1	F	<25	<250	<0.5	<0.5	<1	<3	<PQL	<0.05
107/0-0.1	F	<25	<250	<0.5	<0.5	<1	<3	<PQL	<0.05
108/0-0.1	F	<25	<250	<0.5	<0.5	<1	<3	<PQL	<0.05
109/0-0.1	N	<25	<250	<0.5	<0.5	<1	<3	<PQL	<0.05
109/0.4-0.5	N	<25	<250	<0.5	<0.5	<1	<3	<PQL	<0.05
110/0-0.1	F	<25	<250	<0.5	<0.5	<1	<3	<PQL	<0.05
110/0.4-0.5	N	<25	<250	<0.5	<0.5	<1	<3	<PQL	<0.05
111/0-0.1	F	<25	<250	<0.5	<0.5	<1	<3	<PQL	<0.05
112/0-0.1	N	<25	<250	<0.5	<0.5	<1	<3	<PQL	<0.05
113/0-0.1	N	<25	<250	<0.5	<0.5	<1	<3	<PQL	<1.0
113/0.4-0.5	N	<25	<250	<0.5	<0.5	<1	<3	<PQL	<1.0
114/0-0.1	N	<25	<250	<0.5	<0.5	<1	<3	<PQL	<1.0
115/0-0.1	F	<25	<250	<0.5	<0.5	<1	<3	<PQL	<1.0
116/0-0.1	F	<25	<250	<0.5	<0.5	<1	<3	<PQL	<0.05
117/0-0.1	F	<25	<250	<0.5	<0.5	<1	<3	<PQL	<0.05
117/0.08-0.25	Fibro	-	-	-	-	-	-	-	-
117/0.4-0.5	N	<25	<250	<0.5	<0.5	<1	<3	<PQL	<0.05

Sample ID	F – filling N – natural	TPH		Benzene	Toluene	Ethylbenzene	Xylene	PAH	
		C_6-C_9	C_{10}-C_{36}					Total	Benzo(a)pyrene
118/0-0.1	N	<25	<250	<0.5	<0.5	<1	<3	<PQL	<0.05
118/0.4-0.5	N	<25	<250	<0.5	<0.5	<1	<3	<PQL	<0.05
119/0-0.1	F	<25	<250	<0.5	<0.5	<1	<3	<PQL	<0.05
119/0.4-0.5	N	<25	<250	<0.5	<0.5	<1	<3	<PQL	<0.05
120/0-0.1	N	<25	<250	<0.5	<0.5	<1	<3	<PQL	<1.0
120/0.4-0.5	N	<25	<250	<0.5	<0.5	<1	<3	<PQL	<1.0
121/0-0.1	N	<25	<250	<0.5	<0.5	<1	<3	<PQL	<0.05
122/0-0.1	F	<25	<250	<0.5	<0.5	<1	<3	<PQL	<0.05
122/09-1.0	F	<25	<250	<0.5	<0.5	<1	<3	<PQL	<0.05
122/1.1-1.2	N	<25	<250	<0.5	<0.5	<1	<3	<PQL	<0.05
123/0-0.1	F	<25	<250	<0.5	<0.5	<1	<3	<PQL	<0.05
123/0.4-0.5	F	<25	<250	<0.5	<0.5	<1	<3	<PQL	<0.05
124/0-0.1	F	<25	<250	<0.5	<0.5	<1	<3	<PQL	<0.05
125/0-0.1	N	<25	<250	<0.5	<0.5	<1	<3	<PQL	<0.05
126/0-0.1	N	<25	<250	<0.5	<0.5	<1	<3	<PQL	<0.05
127/0-0.1	N	<25	<250	<0.5	<0.5	<1	<3	<PQL	<0.05
128/0-0.1	F	<25	<250	<0.5	<0.5	<1	<3	<PQL	<0.05
128/0.4-0.5	F	<25	<250	<0.5	<0.5	<1	<3	<PQL	<0.05
129/0-0.1	F	<25	<250	<0.5	<0.5	<1	<3	<PQL	<0.05
129/0.4-0.5	F	<25	<250	<0.5	<0.5	<1	<3	<PQL	<0.05
130/0-0.1	F	<25	<250	<0.5	<0.5	<1	<3	3	0.3
131/0-0.1	F	<25	<250	<0.5	<0.5	<1	<3	<PQL	<0.05
132/0-0.1	N	<25	<250	<0.5	<0.5	<1	<3	<PQL	<0.05
133/0-0.1	N	<25	<250	<0.5	<0.5	<1	<3	<PQL	<0.05
MW1/0-0.1	N	<25	<250	<0.5	<0.5	<1	<3	<PQL	<0.05
MW2A/0-0.1	N	<25	<250	<0.5	<0.5	<1	<3	<PQL	<0.05
MW3/0-0.1	N	<25	<250	<0.5	<0.5	<1	<3	<PQL	<0.05
BD2A	F	<25	<250	<0.5	<0.5	<1	<3	0.36	0.06
BD5A	F	<25	<250	<0.5	<0.5	<1	<3	<PQL	<0.05

Sample ID	F – filling N – natural	TPH		Benzene	Toluene	Ethylbenzene	Xylene	PAH	
		C_6-C_9	C_{10}-C_{36}					Total	Benzo(a)pyrene
BD6A	F	<25	<250	<0.5	<0.5	<1	<3	<PQL	<0.05
BD7A	F	<25	<250	<0.5	<0.5	<1	<3	<PQL	<0.05
BD8A	F	<25	<250	<0.5	<0.5	<1	<3	<PQL	<0.05
PQL		25	250	0.5	0.5	1	3	varies	0.05/ 1.0 (for sVOC suite)
HIL		65	1 000	1	1.4	3.1	14	20	1
PPIL		NE	NE	NE	NE	NE	NE	NE	NE

Notes:

- not analysed

HIL Health-based investigation level

NE Not established

PQL Practical Quantitation Limit (PQL)

PPIL Provisional Phytotoxicity-based Investigation Levels

BD2A is a replicate sample of 119/0-0.1

BD5A is a replicate sample of 128/0-0.1

BD6A is a replicate sample of 111/0-0.1

BD7A is a replicate sample of 110/0-0.1

BD8A is a replicate sample of 103/0-0.1

Table 7: Results of Laboratory Analysis for Soil (OCP, OPP, PCB, Phenols & Explosives)

Sample ID	F – filling N – natural	OCP	OPP	PCB	Phenols	Explosives
101/0-0.1	N	<PQL	<PQL	<PQL	<5	-
101/0.4-0.5	N	<PQL	<PQL	<PQL	<5	-
102/0-0.1	N	<PQL	<PQL	<PQL	<5	-
102/0.4-0.5	N	<PQL	<PQL	<PQL	<5	-
103/0-0.1	F	3.6/<0.1/ 0.5/<0.1	<PQL	<PQL	<5	-
104/0-0.1	F	1.0/0.1/2.1/<0.1	<PQL	<PQL	<5	-
105/0-0.1	F	<PQL	<PQL	<PQL	<5	-
106/0-0.1	F	<0.1/0.5/ 0.2/<1.0	<PQL	<PQL	<5	-
107/0-0.1	F	<0.1/<0.1/0.7/<0.1	<PQL	<PQL	<5	-
108/0-0.1	F	<PQL	<PQL	<PQL	<5	-
109/0-0.1	N	<PQL	<PQL	<PQL	<5	<PQL
109/0.4-0.5	N	<PQL	<PQL	<PQL	<5	-
110/0-0.1	F	<PQL	<PQL	<PQL	<5	<PQL
110/0.4-0.5	N	<PQL	<PQL	<PQL	<5	-
111/0-0.1	F	<PQL	<PQL	<PQL	<5	-
112/0-0.1	N	<PQL	<PQL	<PQL	<5	-
113/0-0.1	N	<PQL	-	-	<1	-
113/0.4-0.5	N	<PQL	-	-	<1	-
114/0-0.1	N	<PQL	-	-	<1	-
115/0-0.1	F	<PQL	-	-	<1	-
116/0-0.1	F	<PQL	<PQL	<PQL	<5	-
117/0-0.1	F	<PQL	<PQL	<PQL	<5	-
117/0.08-0.25	Fibro	-	-	-	-	-

Sample ID	F – filling N – natural	OCP	OPP	PCB	Phenols	Explosives
117/0.4-0.5	N	<PQL	<PQL	<PQL	<5	-
118/0-0.1	N	<PQL	<PQL	<PQL	<5	-
118/0.4-0.5	N	<PQL	<PQL	<PQL	<5	-
119/0-0.1	F	<PQL	<PQL	<PQL	<5	-
119/0.4-0.5	N	<PQL	<PQL	<PQL	<5	-
120/0-0.1	N	<PQL	-	-	<1	-
120/0.4-0.5	N	<PQL	-	-	<1	-
121/0-0.1	N	<PQL	<PQL	<PQL	<5	-
122/0-0.1	F	<PQL	<PQL	<PQL	<5	-
122/09-1.0	F	<PQL	<PQL	<PQL	<5	-
122/1.1-1.2	N	<PQL	<PQL	<PQL	<5	-
123/0-0.1	F	<PQL	<PQL	<PQL	<5	-
123/0.4-0.5	F	<PQL	<PQL	<PQL	<5	-
124/0-0.1	F	<PQL	<PQL	<PQL	<5	-
125/0-0.1	N	<PQL	<PQL	<PQL	<5	-
126/0-0.1	N	<PQL	<PQL	<PQL	<5	-
127/0-0.1	N	<PQL	<PQL	<PQL	<5	-
128/0-0.1	F	<PQL	<PQL	<PQL	<5	-
128/0.4-0.5	F	<PQL	<PQL	<PQL	<5	-
129/0-0.1	F	<PQL	<PQL	<PQL	<5	-
129/0.4-0.5	F	<PQL	<PQL	<PQL	<5	-
130/0-0.1	F	<PQL	<PQL	<PQL	<5	-
131/0-0.1	F	<PQL	<PQL	<PQL	<5	-
132/0-0.1	N	<PQL	<PQL	<PQL	<5	-
133/0-0.1	N	<PQL	<PQL	<PQL	<5	-
MW1/0-0.1	N	<PQL	<PQL	<PQL	<5	-
MW2A/0-0.1	N	<PQL	<PQL	<PQL	<5	-
MW3/0-0.1	N	<PQL	<PQL	<PQL	<5	-
BD2A	F	<PQL	<PQL	<PQL	<5	-

Sample ID	F – filling N – natural	OCP	OPP	PCB	Phenols	Explosives
BD5A	F	<PQL	<PQL	<PQL	<5	-
BD6A	F	<PQL	<PQL	<PQL	<5	-
BD7A	F	<PQL	<PQL	<PQL	<5	<PQL
BD8A	F	<PQL	<PQL	<PQL	<5	-
Site Assessment Criteria						
PQL		0.1/ 2*	0.1/ 0.8*	0.1/0.7*	5 / 1 (for sVOC suite)	0.1/1.6*
HIL		10/50/ 200/10**	NE	10	8 500	NE
PPIL		NE	NE	NE	NE	NE

Notes:

- not analysed
* Individual analytes/ total of individual analytes analysed
** given in order Aldrin+Dieldrin/Chlordane/ DDD+DDE+DDT/Heptachlor
HIL Health-based investigation level
NE Not established
PQL Practical Quantitation Limit (PQL)
PPIL Provisional Phytotoxicity-based Investigation Levels
BD2A is a replicate sample of 119/0-0.1
BD5A is a replicate sample of 128/0-0.1
BD6A is a replicate sample of 111/0-0.1
BD7A is a replicate sample of 110/0-0.1
BD8A is a replicate sample of 103/0-0.1

Table 8: Results of Laboratory Analysis for Groundwater (Heavy Metals, TPH, Hardness and Major Ions), in µg/L unless otherwise stated)

Sample ID	Heavy Metals								TPH		Hardness ^	Cations (as sodium) ^	Anions (as chloride) ^
	As	Cd	Cr	Cu	Pb	Hg	Ni	Zn	C_6-C_9	C_{10}-C_{36}			
MW1	<1	0.1	<1	**17**	2	*<0.5*	26	**76**	<10	<250	350	-	-
MW2B	<1	0.1	<1	**7**	<1	*<0.5*	17	**65**	-	-	500	780	**1300**
MW3	<1	<0.1	<1	**13**	<1	*<0.5*	12	17	<10	<250	46	-	-
BD1	<1	<0.1	<1	**16**	1	*<0.5*	26	**88**	-	-	350	-	-
Rinsate	<1	<0.1	<1	<1	<1	*<0.5*	<1	<1	-	-	-	-	-
Trip blank	-	-	-	-	-	-	-	-	-	-	-	-	-
Groundwater Investigation Level													
Guideline	2.3	0.7	48.6	3	6.6	*0.1*	200	23	150	600	NE	NE	400

Notes:

- Not analysed
^ in mg / L
Italics Guideline value < laboratory practical quantitation limit (PQL)
Bold Exceeded the applicable GILs
BD1 Field replicate sample of MW1
NE Not established

Table 9: Results of Laboratory Analysis for Groundwater (BTEX, Pah & B(a)P), in µg/L

Sample ID	Benzene	Toluene	Ethylbenzene	Xylene	Naphthalene	Benzo(a)pyrene	Total PAH
MW1	<1	<1	<1	<3	<1	*<1*	<PQL
MW2B	<1	<1	<1	<3	<10	*<10*	-
MW3	<1	<1	<1	<3	<1	*<1*	<PQL
BD1	-	-	-	-	<1	*<1*	<PQL
Rinsate	-	-	-	-	-	-	-
Trip blank	<1	<1	<1	<3	-	-	-
Guideline	10	180	5	75	90	*0.01*	3

Notes:

Italics Guideline value < laboratory practical quantitation limit (PQL)

- Not analysed

^ in mg / L

BD1 Field replicate sample of MW1

NE Not established

PQL Practical Quantitation Limit

Table 10: Results of Laboratory Analysis for Groundwater (OCP, OPP, PCB, VOC/SVOC, Phenols, cyanide & Ammonia), in µg/L

Sample ID	OCP	OPP	PCB	VOC/SVOC	Phenols	Total cyanide	Ammonia
MW1	<PQL	<PQL	<0.01	-	*<10*	NA	NA
MW2B	<PQL	<PQL	<0.01	<PQL	*<10*	*<5*	100
MW3	<PQL	<PQL	<0.01	-	*<10*	-	-
BD1	-	-	-	-	-	-	-
Rinsate	-	-	-	-	-	-	-
Trip blank	-	-	-	-	-	-	-
Guideline	0.003/ 0.001/*0.0005* /*0.0004*/ 0.01/0.005/0.004/*0.0004*^	0.01/ *0.009*/4.0/0.01/ 0.15/*0.001*/0.05^^	0.3/0.01^^^	varies	2	*4*	910

Notes:

Italics Guideline value < laboratory practical quantitation limit (PQL)

- Not analysed

^ given in order aldrin, chlordane, DDE, DDT, dieldrin, endosulfan, endrin, heptachlor

^^ given in order azinphos-methyl, chlorpyrifos, demeton-S-methyl, diazinon, dimethoate, fenitrothion, malathion

^^^ given in order arochlor 1242; arochlor 1254

BD1 Field replicate sample of MW1

PQL Practical Quantitation Limit; 0.0010 µg/L for OCP; 0.010 for OPP; 0.010 for PCB;

11. Discussion

11.1 Soils

The results of the soil analysis indicate that concentrations of heavy metals, VOC, SVOC, BTEX, PAH, OCP, OPP, PCB, total phenols and explosives in the samples analysed were either below the laboratory PQL or the adopted HIL. However, detectable concentrations of cadmium, mercury, copper and zinc were found to exceed the respective PPILs in areas that were located in the former golf course and the areas that were historically occupied by farm type buildings (western and southern portion of the site). The PPIL exceedances may indicate that plant growth may be affected.

DP has undertaken numerous investigations at golf course sites and has observed similar heavy metal (including mercury) and organochlorine pesticide (including aldrin, dieldrin, chlordane, DDD, DDE, DDT and heptachlor) concentrations in fill in tee boxes and greens. The presence of mercury and OCP can be attributed to the application of fertilisers and pesticides in green-keeping practices and based on the current results appear to be limited to the near-surface material in the tee boxes and greens.

Asbestos

Whilst no asbestos was detected in the soil samples analysed, an asbestos fragment was found in the near-surface of the former location of the farm buildings in the south-eastern portion of the site. In this regard, the potential presence of asbestos contamination in this area cannot be discounted.

11.2 Groundwater

The results of the groundwater analysis indicate that the concentrations of heavy metals, VOC, SVOC, BTEX, PAH, OCP, OPP, PCB, and phenols in the samples analysed were either below the laboratory PQL or the adopted GIL with the exception of heavy metals copper and zinc exceeding the ANZECC 2000 guideline on fresh water and marine ecosystems. Background soil copper concentrations are elevated and are likely to be associated with the GIL exceedance. Zinc is commonly found at concentrations exceeding the GIL and are considered to also represent background concentrations. Chloride was also found in excess of the ANZECC 2000 guideline value for recreational purposes. The laboratory PQL for heptachlor, DDE, DDT, phenols and benzo(a)pyrene were higher than the respective GILs and therefore no comparison was made for these particular analytes.

12. Conclusions and Recommendations

Based on the findings of the assessment, the following is concluded:

- The site history investigation indicated that the greater majority of the site was vacant until at least pre-1960s. The north-western portion of the site apparently some 17% of the Boat Habour Precinct was developed into a golf course in the 1970s. The golf course ceased operation in 2004 and has since remained vacant. The remainder of the site, other than the former Council landfill, appears to have been used as farm land. Farm type buildings existed in the south-eastern portion of the site.

- The site inspection confirmed the former golf course use in the north-western portion of the site. Remnants of the old farm buildings on the south-eastern portion of Lot 206 in DP 857030 were observed including potential ACM which was later confirmed as ACM by analysis. Bricks, bitumen pavement, electrical cables, vehicle engine parts and an empty engine oil drum (of more recent history) were noted to be scattered around the location of the former farm buildings close to but outside the central-western portion of Lot 9004 in DP 1117743. Stockpiles boulders were observed on site. Some of the stockpiles contained soil. Several existing groundwater piezometers were observed through the site.
- Intrusive investigations indicated that topsoil fill has been placed on the fairways. Sandy clay and clayey sand were observed in the greens. Silty clay filling with traces of sand were observed in tee boxes. Clay was observed underlying fill in all locations.
- Laboratory results indicate that the majority of the soil samples analysed were within the SAC other than some exceedances of the PPIL for cadmium, mercury, copper and zinc. The PPIL exceedances may indicate that plant growth in the proposed residential Lots may be affected.
- OCPs aldrin, dieldrin, chlordane, DDD, DDE, DDT and heptachlor were detected but were within the applicable HIL. It is noted, however, that due to the limited number of samples taken, it is likely that OCP may be present in all or most tees and greens of the former golf course areas that has not been sampled.
- Whilst no asbestos was detected in the soil samples analysed, an asbestos fragment was found in the near-surface of the former location of former farm buildings in the south-eastern portion of the site. In this regard, the potential presence of asbestos contamination in this location cannot be discounted.
- Laboratory results of the majority of the groundwater samples analysed were within the respective GILs with the exception of minor exceedances of copper and zinc. Chloride was also detected in excess of the ANZECC 2000 guidelines for recreation purposes. Elevated copper, zinc and chloride concentrations are probably indicative of background concentrations given that high copper and zinc in soil concentrations were identified across the site. Chloride may be associated with connate salt, whilst copper and zinc are ubiquitous in groundwater at concentrations higher than the GIL. The laboratory PQL for heptachlor, DDE, DDT, phenols and benzo(a)pyrene were higher than the respective GILs. It appears unlikely that they are present, however, no firm statement can be made for these particular analytes without undertaking trace analysis.

Based on the findings of the Phase 2 Contamination Assessment, the results indicate that there is no major contamination issue that will preclude the development of the site. Subject to further investigation to delineate the extent of the OCP and heavy metal impacts in the former golf course area; and heavy metals and asbestos in the locations of the former farm structures to the southeast the site can be made suitable for the proposed developement. Note that asbestos pipework may also be present in the golf course area, however, this can readily be managed by implementing an Unexpected Finds Protocol for asbestos during development. Stockpiles that contained residual soil should also be evaluated for waste classification prior to disposal or for possible reuse to backfill the former Council landfill area or an appropriate location elsewere on the site.

Groundwater investigation is also recommended in the location of the former golf course area to ascertain OCP and heavy metal impacts (if any). To manage the PPIL exceedances and the findings of the further soil and groundwater investigations, a Remediation Action Plan (RAP) will need to be prepared to render the identified areas suitable for the intended development.

13. Limitations

Douglas Partners (DP) has prepared this report for a project at Lot 8032 DP 1072187, Lot Part 8100 DP 1082981, Lot Part 206 DP 857030, Lot 9004 Part DP1117743 and Lot 30 DP 229374, Boollwaroo Parade, Shell Cove, Shellharbour NSW in accordance with DP's proposal dated 25 June 2010, the Consultancy Services Agreement between Australand and DP signed 17 August 2010 and acceptance received from Glenn Colquhoun of Australand Corporation Pty Ltd (Australand) on 14 July 2010. The report is provided for the exclusive use of Australand Corporation Pty Ltd for this project only and for the purpose(s) described in the report. It should not be used for other projects or by a third party. In preparing this report DP has necessarily relied upon information provided by the client and/or their agents.

The results provided in the report are indicative of the sub-surface conditions only at the specific sampling or testing locations, and then only to the depths investigated and at the time the field work was carried out. Sub-surface conditions can change abruptly due to variable geological processes and also as a result of anthropogenic influences. Such changes may occur after DP's field testing has been completed.

DP's advice is based upon the conditions encountered during this investigation. The accuracy of the advice provided by DP in this report may be limited by undetected variations in ground conditions between sampling locations. The advice may also be limited by budget constraints imposed by others or by site accessibility.

This report must be read in conjunction with all of the attached notes and should be kept in its entirety without separation of individual pages or sections. DP cannot be held responsible for interpretations or conclusions made by others unless they are supported by an expressed statement, interpretation, outcome or conclusion given in this report.

Douglas Partners Pty Ltd

Appendix A

About this Report

About this Report

Douglas Partners

Introduction

These notes have been provided to amplify DP's report in regard to classification methods, field procedures and the comments section. Not all are necessarily relevant to all reports.

DP's reports are based on information gained from limited subsurface excavations and sampling, supplemented by knowledge of local geology and experience. For this reason, they must be regarded as interpretive rather than factual documents, limited to some extent by the scope of information on which they rely.

Copyright

This report is the property of Douglas Partners Pty Ltd. The report may only be used for the purpose for which it was commissioned and in accordance with the Conditions of Engagement for the commission supplied at the time of proposal. Unauthorised use of this report in any form whatsoever is prohibited.

Borehole and Test Pit Logs

The borehole and test pit logs presented in this report are an engineering and/or geological interpretation of the subsurface conditions, and their reliability will depend to some extent on frequency of sampling and the method of drilling or excavation. Ideally, continuous undisturbed sampling or core drilling will provide the most reliable assessment, but this is not always practicable or possible to justify on economic grounds. In any case the boreholes and test pits represent only a very small sample of the total subsurface profile.

Interpretation of the information and its application to design and construction should therefore take into account the spacing of boreholes or pits, the frequency of sampling, and the possibility of other than 'straight line' variations between the test locations.

Groundwater

Where groundwater levels are measured in boreholes there are several potential problems, namely:

- In low permeability soils groundwater may enter the hole very slowly or perhaps not at all during the time the hole is left open;
- A localised, perched water table may lead to an erroneous indication of the true water table;
- Water table levels will vary from time to time with seasons or recent weather changes. They may not be the same at the time of construction as are indicated in the report; and
- The use of water or mud as a drilling fluid will mask any groundwater inflow. Water has to be blown out of the hole and drilling mud must first be washed out of the hole if water measurements are to be made.

More reliable measurements can be made by installing standpipes which are read at intervals over several days, or perhaps weeks for low permeability soils. Piezometers, sealed in a particular stratum, may be advisable in low permeability soils or where there may be interference from a perched water table.

Reports

The report has been prepared by qualified personnel, is based on the information obtained from field and laboratory testing, and has been undertaken to current engineering standards of interpretation and analysis. Where the report has been prepared for a specific design proposal, the information and interpretation may not be relevant if the design proposal is changed. If this happens, DP will be pleased to review the report and the sufficiency of the investigation work.

Every care is taken with the report as it relates to interpretation of subsurface conditions, discussion of geotechnical and environmental aspects, and recommendations or suggestions for design and construction. However, DP cannot always anticipate or assume responsibility for:

- Unexpected variations in ground conditions. The potential for this will depend partly on borehole or pit spacing and sampling frequency;
- Changes in policy or interpretations of policy by statutory authorities; or
- The actions of contractors responding to commercial pressures.

If these occur, DP will be pleased to assist with investigations or advice to resolve the matter.

About this Report

Site Anomalies

In the event that conditions encountered on site during construction appear to vary from those which were expected from the information contained in the report, DP requests that it be immediately notified. Most problems are much more readily resolved when conditions are exposed rather than at some later stage, well after the event.

Information for Contractual Purposes

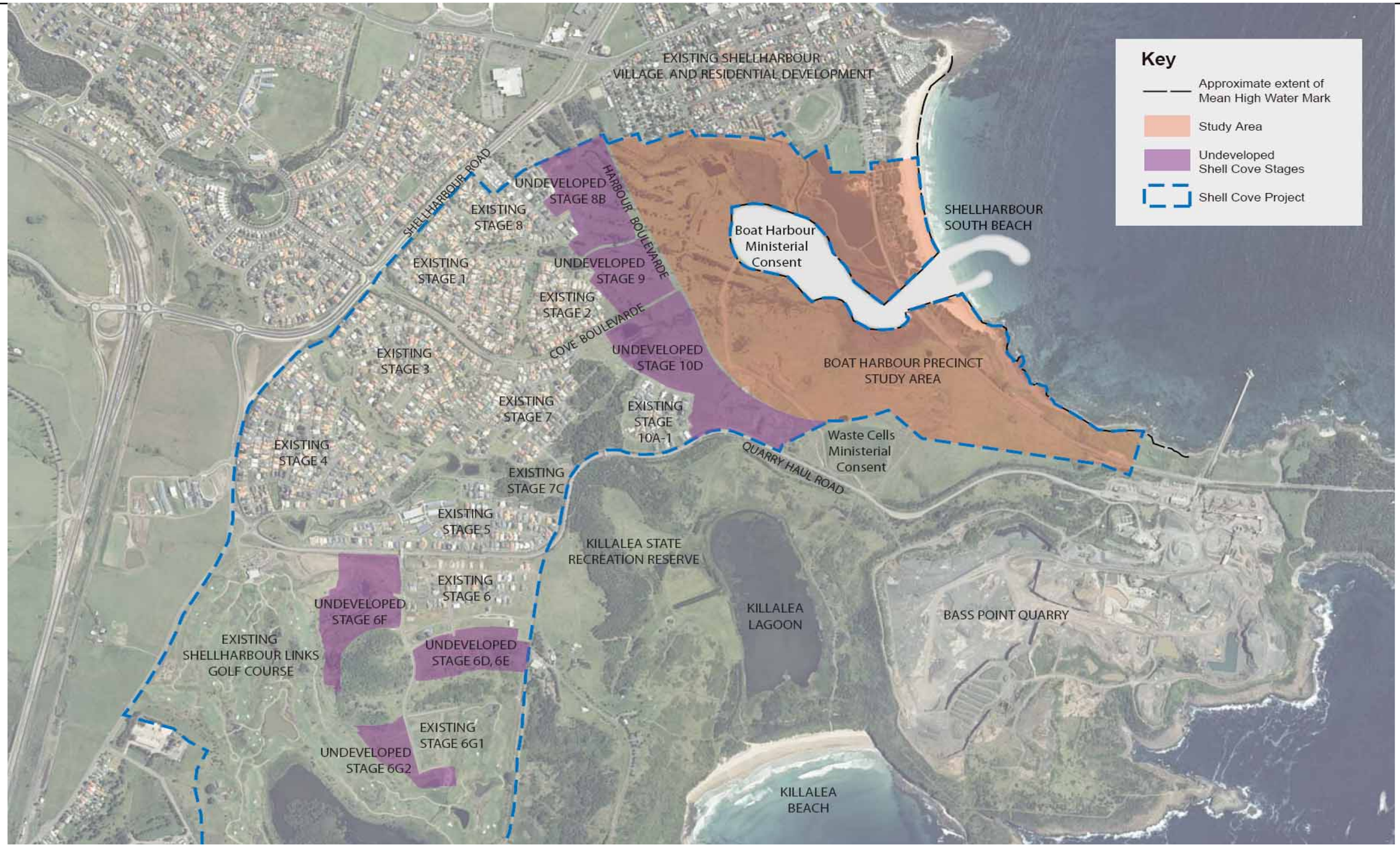
Where information obtained from this report is provided for tendering purposes, it is recommended that all information, including the written report and discussion, be made available. In circumstances where the discussion or comments section is not relevant to the contractual situation, it may be appropriate to prepare a specially edited document. DP would be pleased to assist in this regard and/or to make additional report copies available for contract purposes at a nominal charge.

Site Inspection

The company will always be pleased to provide engineering inspection services for geotechnical and environmental aspects of work to which this report is related. This could range from a site visit to confirm that conditions exposed are as expected, to full time engineering presence on site.

Appendix B

Drawings



Source: Shell Cove Boat Harbour Precinct - Concept Application and Environmental Assessment. LFA (Pacifi c) Pty Ltd. 26 February 2010.

Douglas Partners Geotechnics / Environment / Groundwater	CLIENT: Australand Corporation Pty Ltd		TITLE: **Study Area**	PROJECT No:	40999.26
	OFFICE: Sydney	DRAWN BY: Source	**Contamination Assessment**	DRAWING No:	1
	SCALE: NTS	DATE: 12.10.2010	**Proposed Shell Cove Boat Harbour Precinct**	REVISION:	A



Fig. 3.01 - Boat Harbour Precinct Concept Plan

Source: Shell Cove Boat Harbour Precinct - Concept Application and Environmental Assessment. LFA (Pacifi c) Pty Ltd. 26 February 2010.

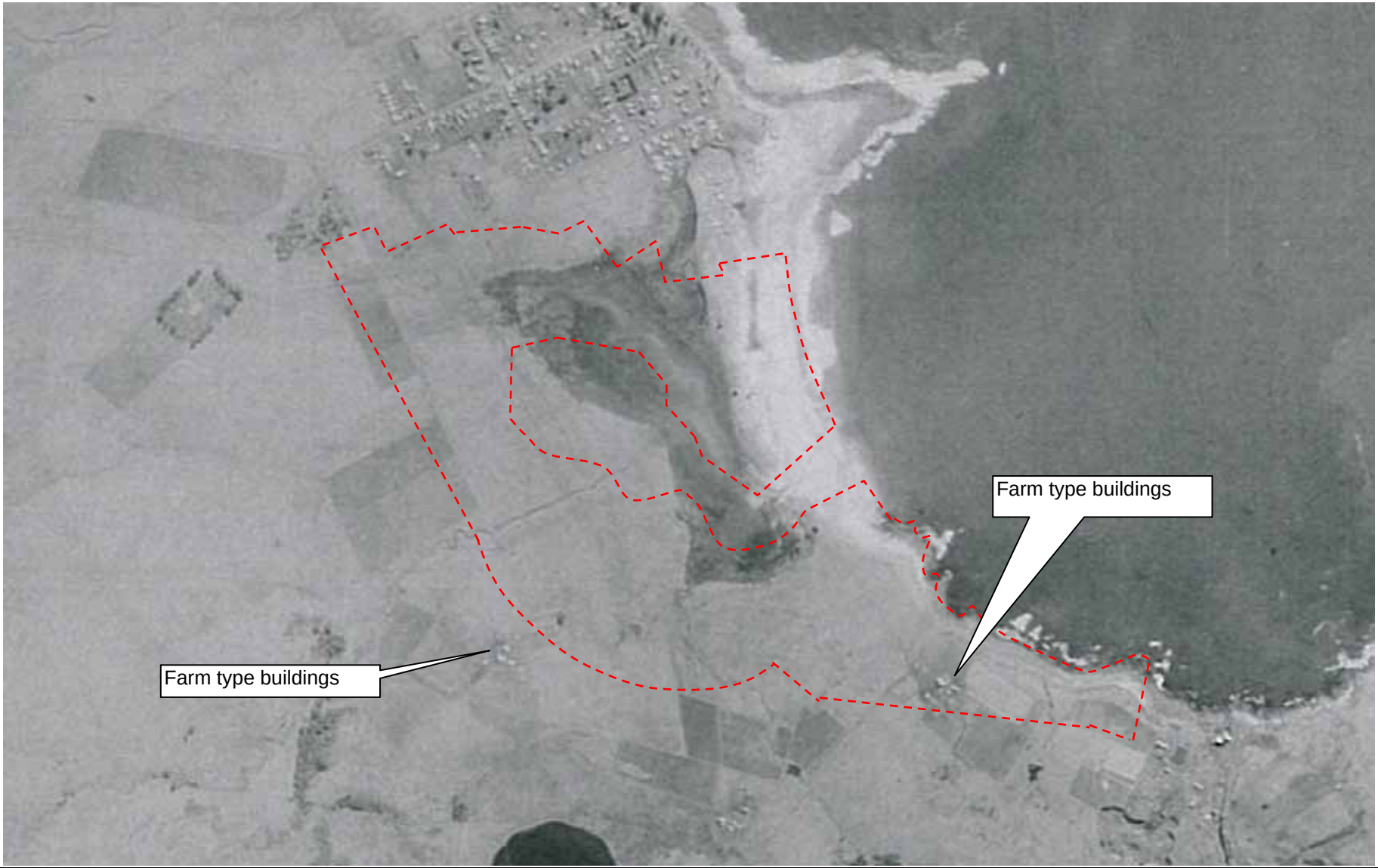
Douglas Partners Geotechnics / Environment / Groundwater	CLIENT: Australand Corporation Pty Ltd		TITLE: **Concept Plan for the Study Area**	PROJECT No:	40999.26
	OFFICE: Sydney	DRAWN BY: Source	**Contamination Assessment**	DRAWING No:	2
	SCALE: NTS	DATE: 12.10.2010	**Proposed Shell Cove Boat Harbour Precinct**	REVISION:	A



Douglas Partners Geotechnics • Environment • Groundwater	CLIENT: Australand Holdings Limited			PROJECT: 40999.26
	DRAWN BY: AAW	SCALE: As shown	OFFICE: WOL	DRAWING: 3
	APPROVED BY: RA		DATE: 13.9.10	REVISION: B
	TITLE: Proposed Test Locations Contamination Assessment Shellharbour Boat Precinct, Shell Cove			

Appendix C

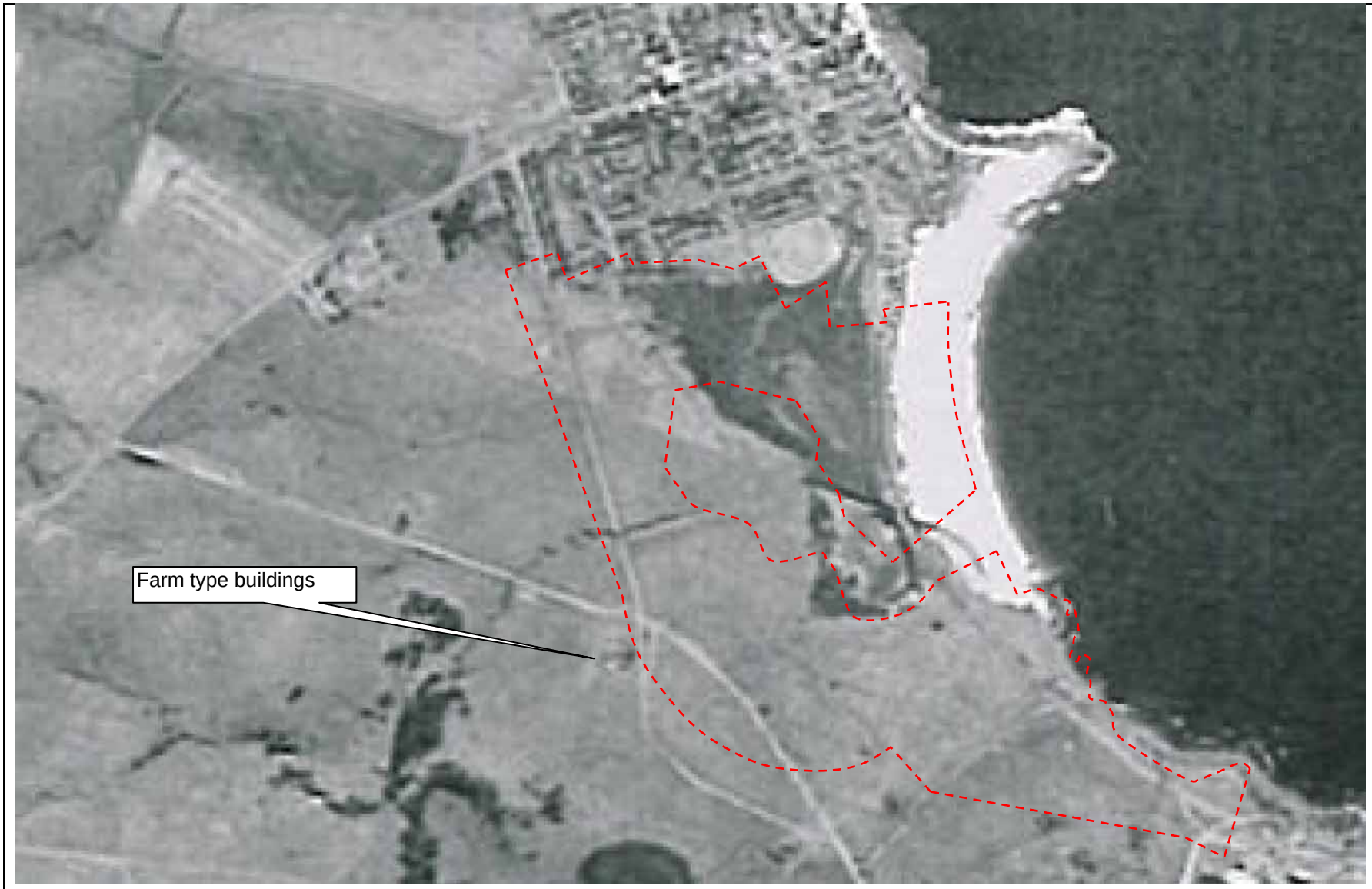
Aerial Photographs



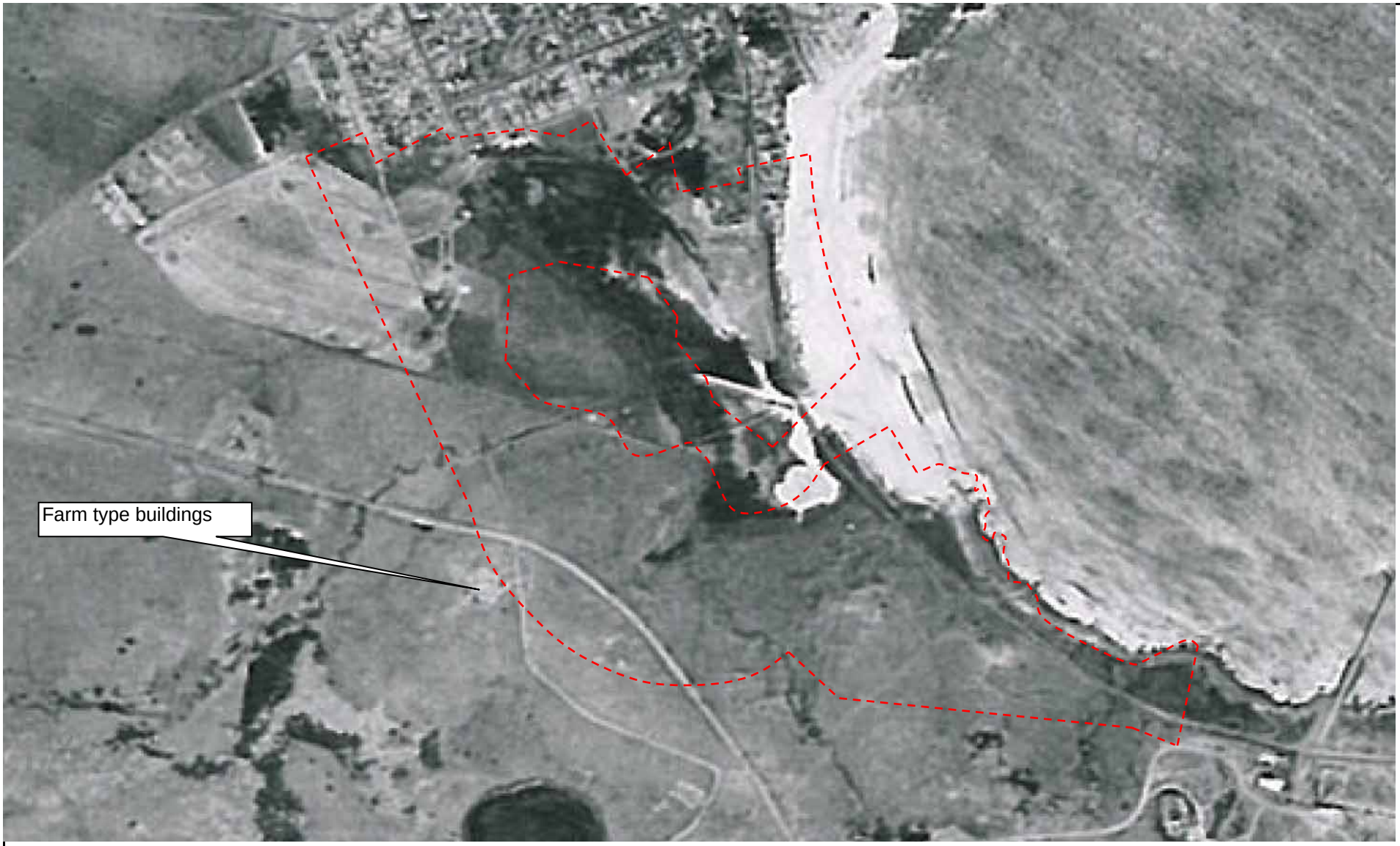
Douglas Partners Geotechnics / Environment / Groundwater	CLIENT: Australand Corporation Pty Ltd	**Aerial Photographs**	PROJECT No: 40999.26
	OFFICE: Sydney	**Proposed Shell Cove Boat Harbour**	PLATE No: Jun-49
	DATE: 10 Oct 2010	**Precinct**	REVISION: A



Douglas Partners Geotechnics / Environment / Groundwater	CLIENT: Australand Corporation Pty Ltd	**Aerial Photographs**	PROJECT No: 40999.26
	OFFICE: Sydney	**Proposed Shell Cove Boat Harbour**	PLATE No: 1-Aug-63
	DATE: 10 Oct 2010	**Precinct**	REVISION: A



Douglas Partners Geotechnics / Environment / Groundwater	CLIENT: Australand Corporation Pty Ltd	**Aerial Photographs**	PROJECT No: 40999.26
	OFFICE: Sydney	**Proposed Shell Cove Boat Harbour**	PLATE No: 23-May-70
	DATE: 10 Oct 2010	**Precinct**	REVISION: A



Douglas Partners Geotechnics / Environment / Groundwater	CLIENT: Australand Corporation Pty Ltd	**Aerial Photographs**	PROJECT No: 40999.26
	OFFICE: Sydney	**Proposed Shell Cove Boat Harbour**	PLATE No: 29-Dec-74
	DATE: 10 Oct 2010	**Precinct**	REVISION: A



Douglas Partners Geotechnics / Environment / Groundwater	CLIENT: Australand Corporation Pty Ltd	**Aerial Photographs**	PROJECT No: 40999.26
	OFFICE: Sydney	**Proposed Shell Cove Boat Harbour**	PLATE No: 12-May-84
	DATE: 10 Oct 2010	**Precinct**	REVISION: A



Douglas Partners Geotechnics / Environment / Groundwater	CLIENT: Australand Corporation Pty Ltd	**Aerial Photographs**	PROJECT No: 40999.26
	OFFICE: Sydney	**Proposed Shell Cove Boat Harbour**	PLATE No: 25-Sep-90
	DATE: 10 Oct 2010	**Precinct**	REVISION: A



Douglas Partners Geotechnics / Environment / Groundwater	CLIENT: Australand Corporation Pty Ltd	**Aerial Photographs**	PROJECT No: 40999.26
	OFFICE: Sydney	**Proposed Shell Cove Boat Harbour**	PLATE No: 29-Jan-93
	DATE: 10 Oct 2010	**Precinct**	REVISION: A



Douglas Partners Geotechnics / Environment / Groundwater	CLIENT:	Australand Corporation Pty Ltd	**Aerial Photographs** **Proposed Shell Cove Boat Harbour Precinct**	PROJECT No:	40999.26
	OFFICE:	Sydney		PLATE No:	24-Mar-07
	DATE:	10 Oct 2010		REVISION:	A



Source: GoogleEarth

Douglas Partners Geotechnics / Environment / Groundwater	CLIENT:	Australand Corporation Pty Ltd	**Aerial Photographs** **Proposed Shell Cove Boat Harbour Precinct**	PROJECT No:	40999.26
	OFFICE:	Sydney		PLATE No:	4-Oct-09
	DATE:	10 Oct 2010		REVISION:	A

Appendix D

Results of Title Deed Search

Service First Registration Pty Ltd
ACN: 108 037 029
Ph: 02 9233 1314
Fax: 9233 2878
Suite 102, Level 1, 64 Castlereagh Street
Sydney 2000
PO Box 1539 Sydney 2000
DX 189 Sydney

Summary of Owners Report

LPMA **Sydney**

Re: Shell Cove – Part 1

Description: - Lot 8032 D.P. 1072187 and Lot 8100 D.P. 1082981

As regards that part highlighted orange on the attached cadastre

Date of Acquisition and term held	Registered Proprietor(s) & Occupations where available	Reference to Title at Acquisition and sale
01.1918 (1918 to 1935)	William Frederick Fuller (Gentleman)	Vol 2864 Fol 104 now Vol 4478 Fol 225

As regards that part highlighted blue on the attached cadastre

Date of Acquisition and term held	Registered Proprietor(s) & Occupations where available	Reference to Title at Acquisition and sale
23.03.1911 (1911 to 1918)	George Lawrence Fuller (Gentleman)	Vol 2133 Fol 228
05.04.1918 (1918 to 1935)	William Frederick Fuller (Gentleman)	Vol 2133 Fol 228 now Vol 4478 Fol 225

Search continued as regards the parts highlighted orange and blue on the attached cadastre

Date of Acquisition and term held	Registered Proprietor(s) & Occupations where available	Reference to Title at Acquisition and sale
25.11.1935 (1935 to 1945)	Reginald Charles David Garnock (Solicitor) Alexander Nicholson (Accountant) Bryan Cecil Fuller (Barrister at Law) Colin Dunmore Fuller (Gentleman) (Transmission Application not investigated)	Vol 4478 Fol 225
15.06.1945 (1945 to 1956)	Patricia Fuller Burdis (Spinster) (Now Patricia Moree, Married Woman)	Vol 4478 Fol 225 now Vol 7281 Fol 169
10.07.1956 (1956 to 1960)	Imperial Chemical Industries of Australia and New Zealand	Vol 7281 Fol 169
05.05.1960 (1960 to date)	# Council of the Municipality of Shellharbour (# Now Shellharbour City Council)	Vol 7281 Fol 169 now 7281/1072187

# Denotes Current Registered Proprietor

Service First Registration Pty Ltd
ACN: 108 037 029
Ph: 02 9233 1314
Fax: 9233 2878
Suite 102, Level 1, 64 Castlereagh Street
Sydney 2000
PO Box 1539 Sydney 2000
DX 189 Sydney

As regards that part highlighted green on the attached cadastre

Date of Acquisition and term held	Registered Proprietor(s) & Occupations where available	Reference to Title at Acquisition and sale
23.03.1911 (1911 to 1918)	George Lawrence Fuller (Gentleman)	Vol 2133 Fol 228
05.04.1918 (1918 to 1935)	William Frederick Fuller (Gentleman)	Vol 2133 Fol 228 now Vol 4478 Fol 225
25.11.1935 (1935 to 1945)	Reginald Charles David Garnock (Solicitor) Alexander Nicholson (Accountant) Bryan Cecil Fuller (Barrister at Law) Colin Dunmore Fuller (Gentleman) (Transmission Application not investigated)	Vol 4478 Fol 225
15.06.1945 (1945 to 1956)	Patricia Fuller Burdis (Spinster) (Now Patricia Moree, Married Woman)	Vol 4478 Fol 225 now Vol 7281 Fol 169
10.07.1956 (1956 to 1979)	Imperial Chemical Industries of Australia and New Zealand	Vol 7281 Fol 169 now Vol 13691 Fol 156
02.09.1979 79 to date)	# Council of the Municipality of Shellharbour (# Now Shellharbour City Council)	Vol 13691 Fol 156 now 7281/1072187

# Denotes Current Registered Proprietor

As regards Lot 8100 D.P. 1082981

As regards that part highlighted blue on the attached cadastre

Date of Acquisition and term held	Registered Proprietor(s) & Occupations where available	Reference to Title at Acquisition and sale
23.03.1911 (1911 to 1918)	George Lawrence Fuller (Gentleman)	Vol 2133 Fol 228
05.04.1918 (1918 to 1935)	William Frederick Fuller (Gentleman)	Vol 2133 Fol 228 now Vol 4478 Fol 225
25.11.1935 (1935 to 1945)	Reginald Charles David Garnock (Solicitor) Alexander Nicholson (Accountant) Bryan Cecil Fuller (Barrister at Law) Colin Dunmore Fuller (Gentleman) (Transmission Application not investigated)	Vol 4478 Fol 225
)6.1945 1945 to 1956)	Patricia Fuller Burdis (Spinster) (Now Patricia Moree, Married Woman)	Vol 4478 Fol 225 now Vol 7281 Fol 169
10.07.1956 (1956 to 1960)	Imperial Chemical Industries of Australia and New Zealand	Vol 7281 Fol 169
05.05.1960 (1960 to date)	# Council of the Municipality of Shellharbour (# Now Shellharbour City Council)	Vol 7281 Fol 169 now 8100/1082981

# Denotes Current Registered Proprietor

Email: grolly1@bigpond.net.au

Service First Registration Pty Ltd
ACN: 108 037 029
Ph: 02 9233 1314
Fax: 9233 2878
Suite 102, Level 1, 64 Castlereagh Street
Sydney 2000
PO Box 1539 Sydney 2000
DX 189 Sydney

As regards that part highlighted green on the attached cadastre

Date of Acquisition and term held	Registered Proprietor(s) & Occupations where available	Reference to Title at Acquisition and sale
23.03.1911 (1911 to 1918)	George Lawrence Fuller (Gentleman)	Vol 2133 Fol 228
05.04.1918 (1918 to 1935)	William Frederick Fuller (Gentleman)	Vol 2133 Fol 228 now Vol 4478 Fol 225
25.11.1935 (1935 to 1945)	Reginald Charles David Garnock (Solicitor) Alexander Nicholson (Accountant) Bryan Cecil Fuller (Barrister at Law) Colin Dunmore Fuller (Gentleman) (Transmission Application not investigated)	Vol 4478 Fol 225
15.06.1945 (1945 to 1956)	Patricia Fuller Burdis (Spinster) (Now Patricia Moree, Married Woman)	Vol 4478 Fol 225 now Vol 7281 Fol 169
07.1956 (1956 to 1979)	Imperial Chemical Industries of Australia and New Zealand	Vol 7281 Fol 169 now Vol 13691 Fol 156
02.09.1979 (1979 to date)	# Council of the Municipality of Shellharbour (# Now Shellharbour City Council)	Vol 13691 Fol 156 now 8100/1082981

# Denotes Current Registered Proprietor

Yours Sincerely
Mark Groll
1 August 2010
(M: 0412 199 304)

Department of Lands
Reliable from the ground up

Cadastral Records Enquiry Report

Ref : 29

Requested Parcel : Lot 1 DP 1022866

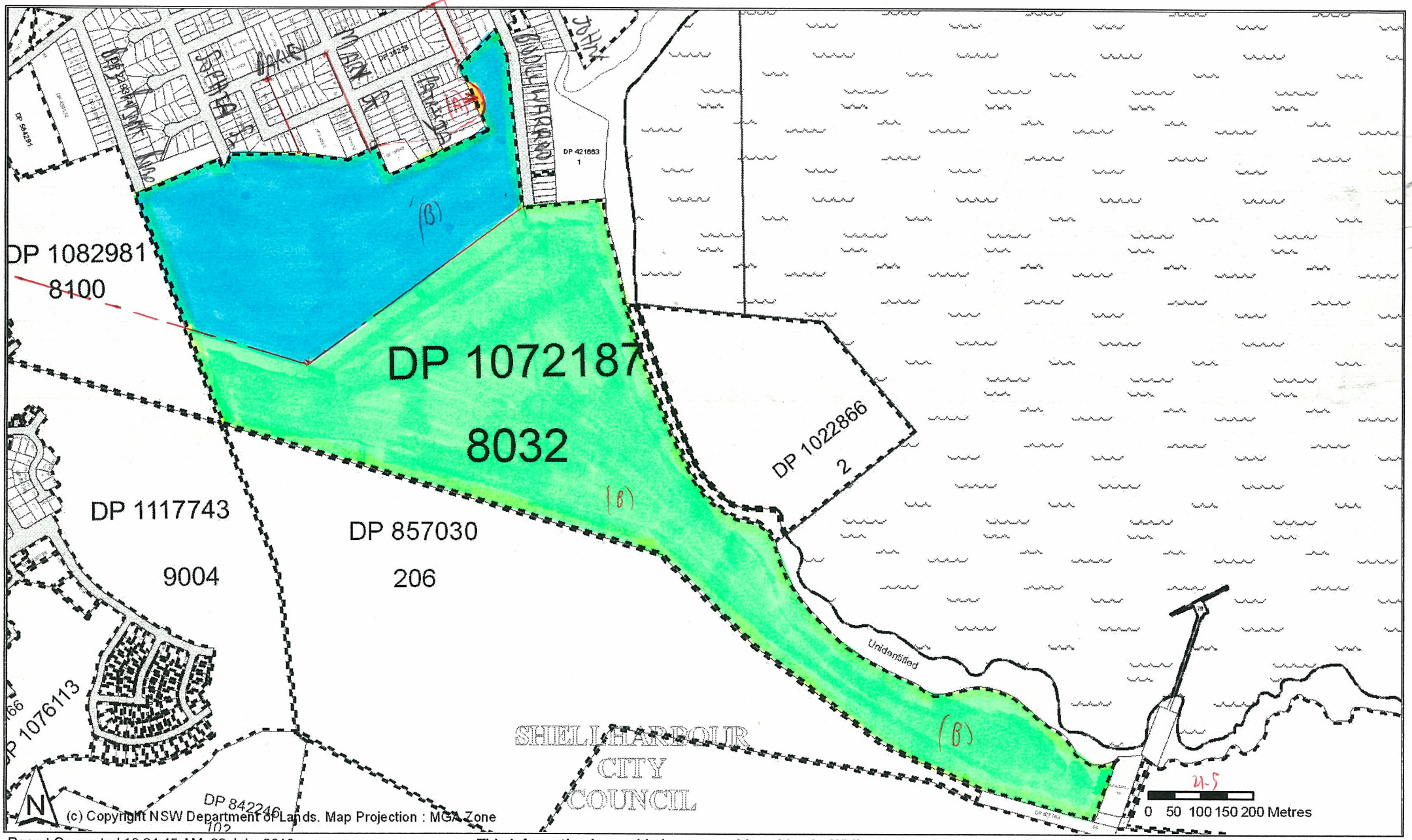
Identified Parcel : Lot 1 DP 1022866

Locality : SHELL COVE

LGA : SHELLHARBOUR

Parish : null

County : null



(c) Copyright NSW Department of Lands. Map Projection : MGA Zone

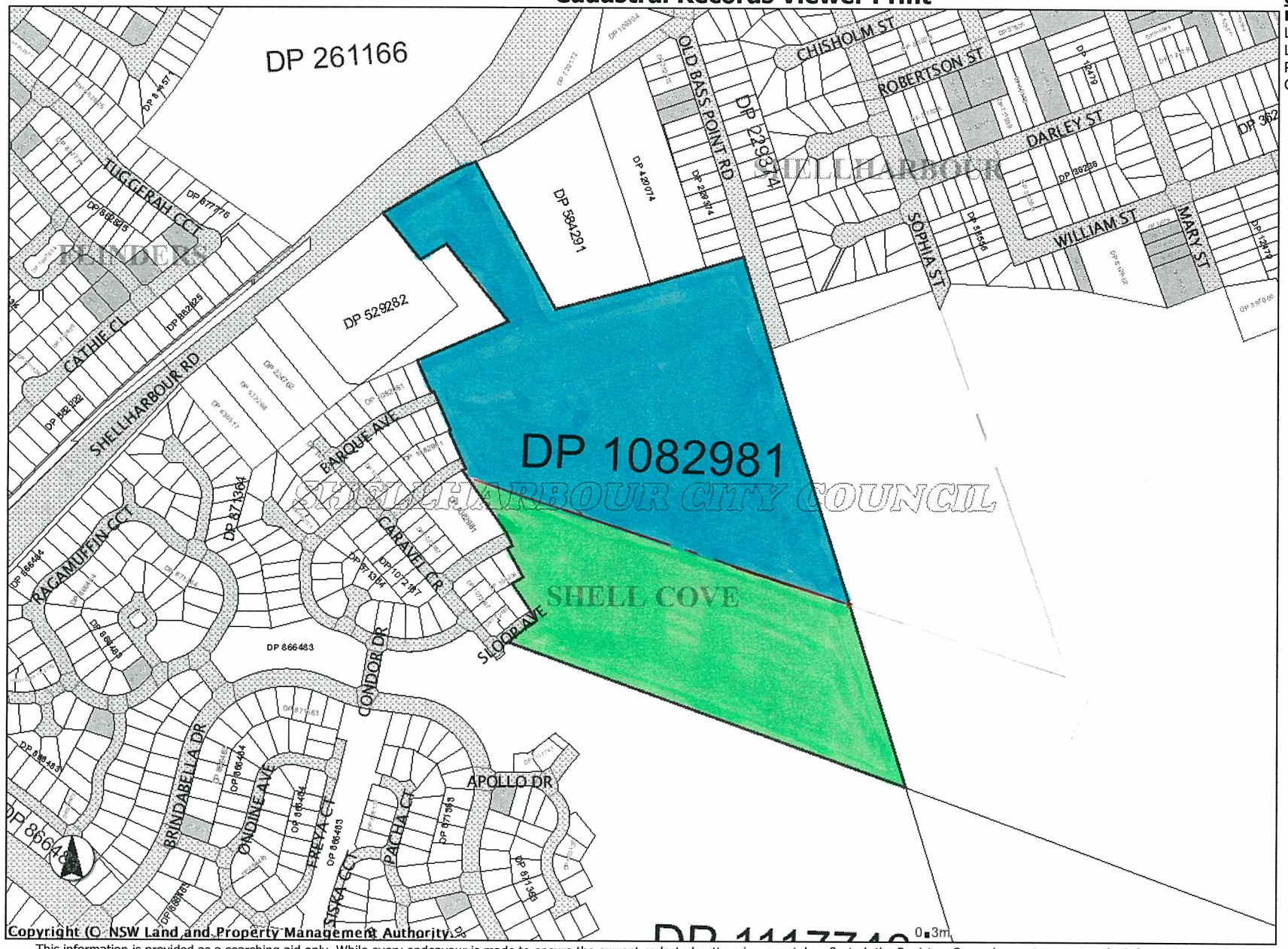
Report Generated 10:34:45 AM, 23 July, 2010

This information is provided as a searching aid only. While every endeavour is made to ensure the current cadastral pattern is accurately reflected, the Registrar General cannot guarantee the information provided. For all ACTIVITY PRIOR to SEPT 2002 you must refer to the RGs Charting and Reference Maps.

1:5000

Printed : Thursday, 29 July 2010 9:48:01 AM by planroom3

Cadastral Records Viewer Print



Current Feature
Lot 8100 DP1082981
Locality: SHELL COVE
LGA: SHELLHARBOUR
Parish: TERRAGONG
County: CAMDEN

LEGEND

Legend
Parcels [Selected Features]

- Current Feature
- Other Selected Features
- Localities
- LGAs
- Rail Corridor
- Waterway Corridor
- Waterways
- Unidentified Parcels

Parcels

- Standard Lot
- Standard Part Lot
- Strata
- Stratum
- Road Corridor
- Roads

Copyright (C) NSW Land and Property Management Authority

This information is provided as a searching aid only. While every endeavour is made to ensure the current cadastral pattern is accurately reflected, the Registrar General cannot guarantee the information provided.

Land and Property Management Authority

PLAN FORM 2 (APPROVED FORM 3)

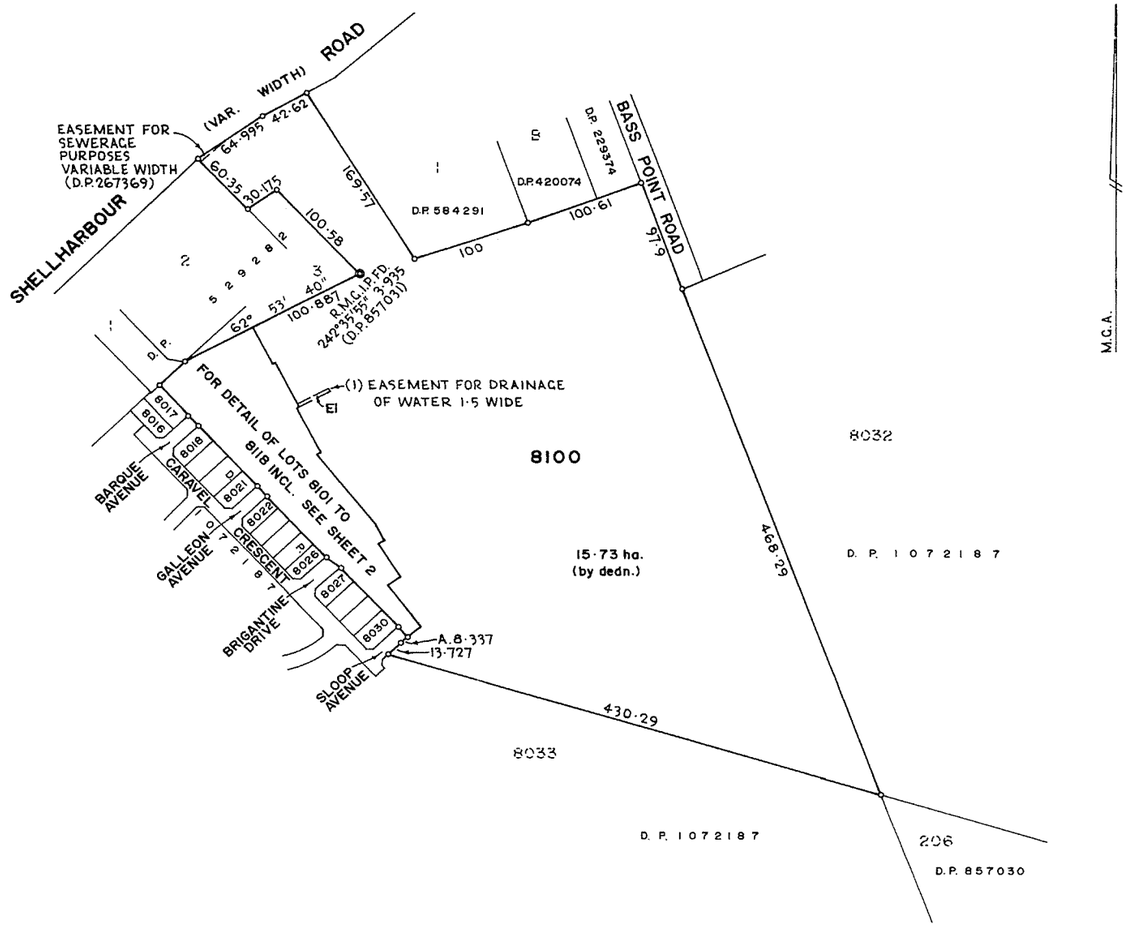
Plan Drawing only to appear in this space

SIGNATURES, AND SEALS ONLY.

THE COMMON SEAL of the COUNCIL OF THE CITY OF SHELLHARBOUR was affixed) on the twenty second day of August 2005 pursuant to a resolution made) on the seventeenth day of May 2005)

MAYOR

GENERAL MANAGER



SCHEDULE OF SURVEY MARKS AT 12 APRIL 2005 SOURCE: S.C.I.M.S.

MARK	M.G.A. COORDINATES EASTING	NORTHING	ZONE	CLASS	ORDER	ACC
S.S.M. 103059	303 698·331	6 170 669·143	56	C	4	2
S.S.M. 103074	303 610·080	6 170 696·917	56	C	4	2
S.S.M. 103075	303 594·995	6 170 764·419	56	C	4	2

COMBINED SCALE FACTOR: 1·00007
ORIGIN OF REDUCED LEVELS: P.M.46179 R.L.35·516

Department of Lands Approval

I.....in approving this plan certify (Authorised Officer) that all necessary approvals in regard to the allocation of the land shown hereon have been given.

Signature:.....

Date:.....

File Number:.....

Office:.....

Subdivision Certificate

I certify that the provisions of s.109J of the Environmental Planning and Assessment Act 1979 have been satisfied in relation to the proposed Subdivision set out herein ("Insert 'subdivision' or 'new road')

*Authorised Person/~~General Manager~~/Accredited Certifier

Consent Authority: SHELLHARBOUR CITY COUNCIL

Date of Endorsement: 21/10/05

Accreditation No: N/A

Subdivision Certificate No: 63/2003 Part 3

File No: Z63/2003 Part 3

*Delete whichever is inapplicable

SURVEYOR'S REFERENCE: D205033 / 8A2

DP1082981

*OFFICE USE ONLY

Registered: 7-9-2006

Title System: TORRENS

Purpose: SUBDIVISION

Ref. Map: W8270-4*

Last Plan: DP 1072187

PLAN OF SUBDIVISION OF LOT 8031 IN D.P.1072187

Lengths are in metres Reduction Ratio 1:3000

L.G.A.: SHELLHARBOUR

Locality: SHELL COVE

Parish: TERRAGONG

County: CAMDEN

This is sheet 1 of my plan in 2 sheets. (Delete if inapplicable)

Surveyors Regulation 2001

I, BRUCE ERNEST SMITH

of CRAVEN, ELLISTON & HAYES (DAPTO) PTY. LTD.

a surveyor registered under the Surveying Act, 2002, hereby certify that the survey represented in this plan is accurate, has been made in accordance with the Surveyors Regulation 2001 and was completed on 19 APRIL 2005

The survey relates to: LOTS 8101 TO 8118 INCL. LOT 8100 HAS BEEN COMPILED (here specify the land actually surveyed or specify any land shown in the plan that is not the subject of the survey)

(Signature)..... Dated: 7/9/05

Surveyor registered under the Surveying Act, 2002

Datum Line: SSM 103074 - SSM 103075 SHEET 2

Type: Urban / Rural

Plans used in preparation of Survey/Compilation

D.P. 1072187

PANEL FOR USE ONLY for statements of intention to dedicate public roads, to create public reserves, drainage reserves, easements, restrictions on the use of land or positive covenants

PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT, 1919, AS AMENDED, IT IS INTENDED TO CREATE:

1. EASEMENT FOR DRAINAGE OF WATER 1·5 WIDE
2. RESTRICTION ON THE USE OF LAND
3. RESTRICTION ON THE USE OF LAND
4. RESTRICTION ON THE USE OF LAND
5. RESTRICTION ON THE USE OF LAND

~~PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT, 1919, AS AMENDED, IT IS INTENDED TO RELEASE: 1. EASEMENT FOR DRAINAGE OF WATER 1·5 WIDE (D.P.1072187).~~ GEA

IT IS INTENDED THAT BARQUE AVENUE, CALLEON AVENUE, BRIGANTINE DRIVE AND SLOOP AVENUE BE DEDICATED TO THE PUBLIC AS ROAD

10 20 30 40 50 60 70 80 90 100 110 120 130 140 150 160 170 Table of mm 210 220 230 240 250 260 270 280 290 300 310 320 330 340 350 360 370 380 390

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

Req:R880427 /Doc:DP 1082981 P /Rev:14-Sep-2006 /Sts:SC.OK /Prt:23-Jul-2010 08:07 /Pgs:ALL /Seq:1 of 2
Ref:mg /Src:M

PLAN FORM 3 (APPROVED FORMS) **To be used in conjunction with Plan Form 2**

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

DP1082981

Registered: 7-9-2006

This is sheet 2 of my plan in 2 sheets
date 19 APRIL 2005

B. E. [illegible] 7/9/05

Surveyor registered under Surveying Act, 2002

This is sheet 2 of the plan of 2 sheets
covered by subdivision certificate No. 63/2003 Part 3
of

[illegible] 21/10/05

Authorised Person/~~General Manager~~/Accredited Certifier

For use where space is insufficient in any panel on Plan Form 2.

*OFFICE USE ONLY

SCHEDULE OF REFERENCE MARKS

N°	BEARING	DISTS.	MARK
A	136°58'40"	2·9 & 9·0	D.H.&WING FD. (D.P.1072187)
B	136°58'30"	2·9 & 9·15	" " "
C	152°53'30"	2·945 & 9·035	D.H.& WING
D	125°00'00"	3·285 & 10·2	" "
E	136°58'40"	2·95 & 9·05	D.H.& WING FD.(D.P.1072187)
F	136°58'40"	2·9 & 9·0	" " "
G	136°58'40"	3·35 & 11·55	" " "
H	127°39'20"	3·5 & 11·9	" " "
J	334°42'50"	3·028	S.S.M. 136207
K	353°59'50"	3·65 & 11·1	D.H.& WING FD. (D.P.1072187)
L	322°35'25"	2·9 & 9·195	" " "

SCHEDULE OF CURVES AND SHORT LINES

N°	BEARING	DIST.	ARC	RAD.
1	49°45'08"	13·221	13·225	156
2	55°18'10"	16·992	17·0	156
3	60°39'29"	12·158	12·161	156
4	61°26'22"	7·297	7·298	144
5	56°06'11"	19·512	19·526	144
6	49°46'16"	12·298	12·302	144
7	50°52'08"	14·385	14·396	106
8	58°49'32"	15·031	15·044	106
9	61°46'41"	3·653	3·653	94
10	53°49'17"	22·401	22·454	94
11	56°14'31"	50·117	50·191	267·5
12	53°49'22"	18·996	19·0	252·5
13	58°08'03"	18·996	19·0	252·5
14	60°57'13"	5·849	5·849	252·5
15	51°53'48"	14·996	15·0	191
16	51°53'48"	14·054	14·058	179
17	48°18'45"	8·895	8·896	191
18	49°19'22"	20·659	20·664	252·5
19	136°58'30"	12·0		
20	47°19'25"	3·702		
21	47°09'03"	3·829		
22	46°58'40"	0·604		
23	139°21'50"	12·01		
24	127°39'20"	15·433		
25	46°58'40"	7·36		
26	47°19'25"	3·775		
27	62°53'30"	3·838		

E1 EASEMENT FOR DRAINAGE OF WATER 1·5 WIDE (D.P.1072187)
E2 RESTRICTION ON THE USE OF LAND 1·5 WIDE (D.P.1072187)
E3 EASEMENT FOR PADMOUNT SUBSTATION 2·75 WIDE (D.P.1072187)
E4 RESTRICTION ON THE USE OF LAND (D.P.1072187)
(1) E5 EASEMENT FOR DRAINAGE OF WATER 1·5 WIDE

Reduction Ratio 1: 800

Plan Drawing only to appear in this space

SURVEYOR'S REFERENCE: D 205033 / 8A2

Req:R880427 /Doc:DP 1082981 P /Rev:14-Sep-2006 /Sts:SC.OK /Prt:23-Jul-2010 08:07 /Pgs:ALL /Seq:2 of 2
Ref:mg /Src:M

PLAN FORM 2 (APPROVED FORM 3)

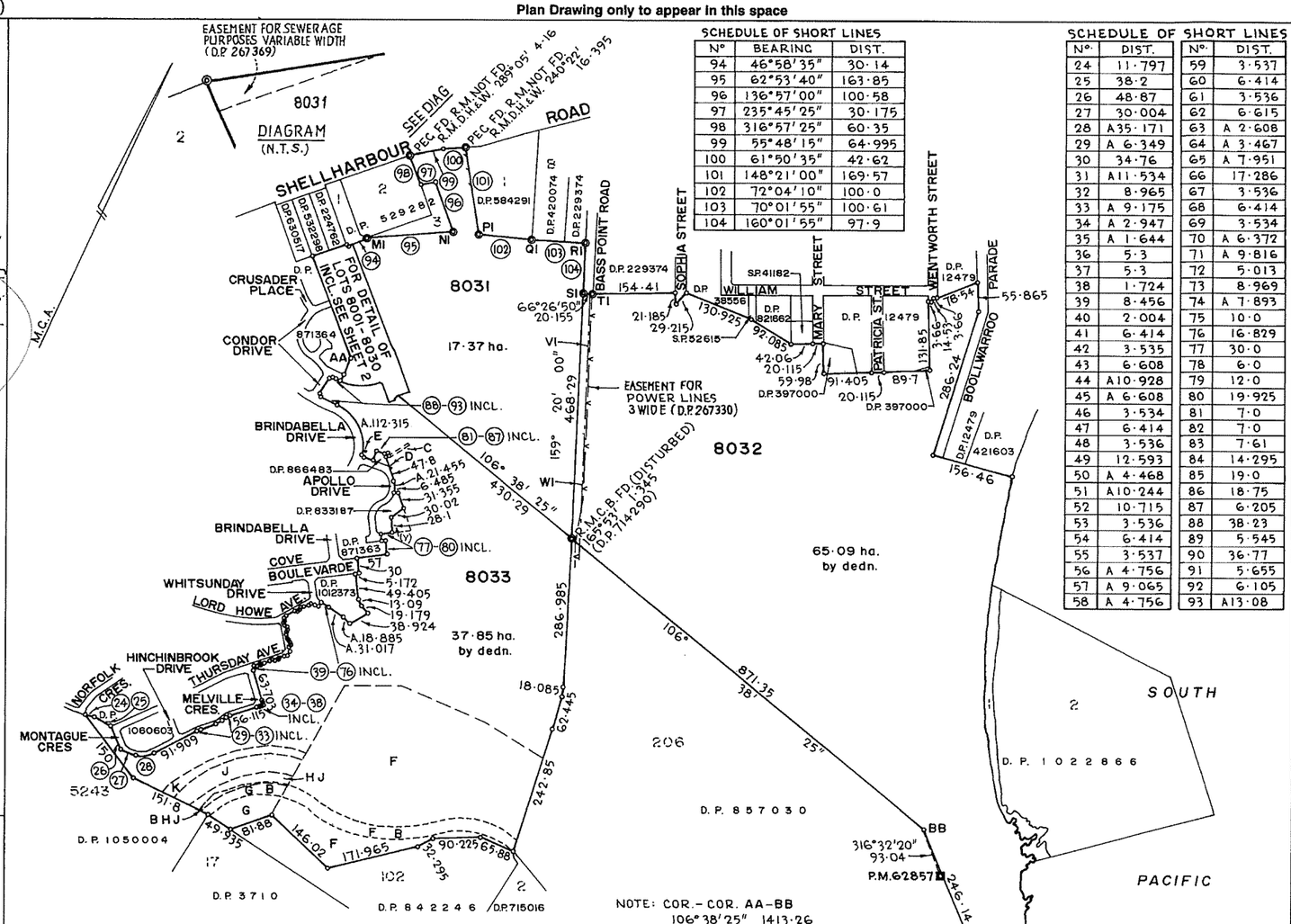
Plan Drawing only to appear in this space

SIGNATURE, AND SEALS ONLY.

THE COMMON SEAL of THE COUNCIL OF THE CITY OF SHELLHARBOUR was affixed on the 26 day of October 2004 pursuant to a resolution made on the 10 day of May 2004

MAYOR ..... COUNCILLOR

GENERAL MANAGER



SCHEDULE OF SHORT LINES		
N°	BEARING	DIST.
94	46°58'35"	30·14
95	62°53'40"	163·85
96	136°57'00"	100·58
97	235°45'25"	30·175
98	316°57'25"	60·35
99	55°48'15"	64·995
100	61°50'35"	42·62
101	148°21'00"	169·57
102	72°04'10"	100·0
103	70°01'55"	100·61
104	160°01'55"	97·9

SCHEDULE OF SHORT LINES			
N°	DIST.	N°	DIST.
24	11·797	59	3·537
25	38·2	60	6·414
26	48·87	61	3·536
27	30·004	62	6·615
28	A35·171	63	A 2·608
29	A 6·349	64	A 3·467
30	34·76	65	A 7·951
31	A11·534	66	17·286
32	8·965	67	3·536
33	A 9·175	68	6·414
34	A 2·947	69	3·534
35	A 1·644	70	A 6·372
36	5·3	71	A 9·816
37	5·3	72	5·013
38	1·724	73	8·969
39	8·456	74	A 7·893
40	2·004	75	10·0
41	6·414	76	16·829
42	3·535	77	30·0
43	6·608	78	6·0
44	A10·928	79	12·0
45	A 6·608	80	19·925
46	3·534	81	7·0
47	6·414	82	7·0
48	3·536	83	7·61
49	12·593	84	14·295
50	A 4·468	85	19·0
51	A10·244	86	18·75
52	10·715	87	6·205
53	3·536	88	38·23
54	6·414	89	5·545
55	3·537	90	36·77
56	A 4·756	91	5·655
57	A 9·065	92	6·105
58	A 4·756	93	A13·08

B RIGHT OF CARRIAGEWAY VARIABLE WIDTH (D.P. 267330)
C EASEMENT FOR SEWERAGE PURPOSES 5 WIDE (D.P. 866483)
D EASEMENT FOR ACCESS, ELECTRICITY PURPOSES AND SERVICES (D.P. 866483)
E PADMOUNT SUBSTATION EASEMENT (D.P. 871363)
F RESTRICTION ON THE USE OF LAND (D.P. 1034320)
G,H,J,K RESTRICTION ON THE USE OF LAND (D.P. 1060491)
V1 EASEMENT FOR CONVEYANCE OF WATER OVER EXISTING LINE OF PIPES
W1 EASEMENT FOR POWER LINES 3 WIDE (D.P. 267330)

SCHEDULE OF SURVEY MARKS AT 2 AUGUST 2004 SOURCE: S.C.I.M.S.

MARK	M.G.A. COORDINATES EASTING	NORTHING	ZONE	CLASS	ORDER	ACC.
SSM 103059	303 698·331	6 170 669·143	56	C	4	2
SSM 103074	303 610·080	6 170 696·917	56	C	4	2
SSM 103075	303 594·995	6 170 764·419	56	C	4	2

COMBINED SCALE FACTOR: 1·00007
ORIGIN OF REDUCED LEVELS: P.M.46179 R.L.35·516

SCHEDULE OF REFERENCE MARKS

N°	BEARING	DIST	MARK
M1	47°40'55"	1·0	G.I.P. FD. (D.P.857031)
N1	242°35'55"	3·935	G.I.P. FD. (D.P.857031)
P1	328°20'55"	1·0	G.I.P. FD. (D.P.857031)
Q1	279°25'55"	7·955	G.I.P. FD. (D.P.857031)
R1	260°40'00"	3·65	D.H.&W. IN KB. (R.M. D.P.420074 CONE)
S1	69°12'55"	0·345	G.I.P. FD. DISTURBED (D.P.421664)
T1	133°28'00"	1·02	CONC. BLK. FD. (D.P.229374)

DP1072187

Registered: 16.12.2004

Title System: TORRENS

Purpose: SUBDIVISION

Ref. Map: W 8270-82, 8 & 9

Last Plan: D.P. 857031, D.P. 1060603

PLAN OF SUBDIVISION OF LOTS 207 AND 208 IN D.P. 857031 AND LOT 7300 IN D.P. 1060603

Lengths are in metres Reduction Ratio 1: 6000

L.G.A.: SHELLHARBOUR

Locality: SHELL COVE

Parish: TERRAGONG

County: CAMDEN

This is sheet 1 of my plan in 2 sheets. (Delete if inapplicable)

Surveyors Regulation 2001

I, BRUCE ERNEST SMITH

of CRAVEN, ELLISTON & HAYES (DAPTO) PTY. LTD.

a surveyor registered under the Surveyors Act, 2002, hereby certify that the survey represented in this plan is accurate, has been made in accordance with the Surveyors Regulation 2001 and was completed on 7 SEPTEMBER 2004

The survey relates to: LOTS 8001 TO 8031 INCL. LOTS 8032 AND 8033 HAVE BEEN COMPILED (here specify the land actually surveyed or specify any land shown in the plan that is not the subject of the survey)

(Signature) ..... Dated: 10/9/04

Surveyor registered under the surveyors act 2002

Datum Line: SSM103074 - SSM103075 SHEET 2

Type: Urban / ~~Rural~~

Plans used in preparation of Survey/Compilation

D.P. 224762	D.P. 857031
D.P. 229374	D.P. 871364
D.P. 420074	D.P. 1022866
D.P. 529282	D.P. 1034320
D.P. 532298	D.P. 1060491
D.P. 584291	D.P. 1060603
D.P. 630517	

ABN 81 056 544 604

PANEL FOR USE ONLY for statements of intention to dedicate public roads, to create public reserves, drainage reserves, easements, restrictions on the use of land or positive covenants

PURSUANT TO SECTION 88B. OF THE CONVEYANCING ACT, 1919, AS AMENDED, IT IS INTENDED TO CREATE

1. EASEMENT FOR DRAINAGE OF WATER 1·5 WIDE
2. RESTRICTION ON THE USE OF LAND
3. RESTRICTION ON THE USE OF LAND
4. RESTRICTION ON THE USE OF LAND
5. EASEMENT FOR PADMOUNT SUBSTATION 2·75 WIDE
6. RESTRICTION ON THE USE OF LAND
7. RESTRICTION ON THE USE OF LAND
8. RESTRICTION ON THE USE OF LAND 1·5 WIDE

IT IS INTENDED THAT CARAVEL CRESCENT, CONDOR DRIVE, BARQUE AVENUE, GALLEON AVENUE, BRIGANTINE DRIVE AND SLOOP AVENUE BE DEDICATED TO THE PUBLIC AS ROAD

*OFFICE USE ONLY

PLAN AMENDED BY A.R. MILLER 14.12.04

Department of Land and Water Conservation Approval

I ..... (Authorised Officer) ..... in approving this plan certify that all necessary approvals in regard to the allocation of the land shown hereon have been given.

Signature: .....

Date: .....

File Number: .....

Office: .....

Subdivision Certificate

I certify that the provisions of s.109J of the Environmental Planning and Assessment Act 1979 have been satisfied in relation to the proposed SUBDIVISION set out herein

*(Insert 'subdivision' or 'new road')

*Authorised Person/~~General Manager~~/~~Accredited Certifier~~

Consent Authority: SHELLHARBOUR CITY COUNCIL

Date of Endorsement: 18/10/04

Accreditation No: N/A

Subdivision Certificate No: 631/2003

File No: Z631/2003

Note:
When the plan is to be lodged electronically in Land and Property information, it should include a signature in an electronic or digital format approved by the Registrar-General.

†Delete whichever is inapplicable

SURVEYOR'S REFERENCE: D203141 / 8A

10 20 30 40 50 60 70 80 90 100 110 120 130 140 150 160 170 Table of mm 210 220 230 240 250 260 270 280 290 300 310 320 330 340 350 360 370 380 390

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

Req:R880428 /Doc:DP 1072187 P /Rev:17-Dec-2004 /Sts:SC.OK /Prt:23-Jul-2010 08:07 /Pgs:ALL /Seq:1 of 2
Ref:mg /Src:M

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

DP1072187

Registered: 10.12.2004

This is sheet 2 of my plan in 2 sheets dated 10th SEPT. 2004

Surveyor registered under Surveyors Act 1929

This is sheet 2 of the plan of 2 sheets of covered by subdivision certificate No. 63/2003 of

18/10/04

Authorised Person/~~General Manager~~/Accredited Certifier

For use where space is insufficient in any panel on Plan Form 2.

*OFFICE USE ONLY

SCHEDULE OF REFERENCE MARKS

No.	BEARING	DISTS.	MARK
P	245°30'00"	9·455	D.H. & WING
Q	136°58'30"	2·9 & 9·15	" "
R	136°58'40"	2·9 & 9·0	" "
S	46°58'40"	2·9 & 9·0	" "
T	112°53'55"	3·175	D.H. & W.FD. (D.P.871364)
U	139°30'00"	2·85 & 9·12	D.H. & WING
V	178°43'50"	13·614	S.S.M. 137567
W	136°58'40"	2·9 & 9·0	D.H. & WING
X	46°58'40"	2·95 & 9·0	" "
A1	226°58'40"	2·95 & 9·05	" "
B1	296°10'20"	8·361	S.S.M. 137554
C1	127°39'20"	3·5 & 11·9	D.H. & WING
D1	136°58'40"	3·35 & 11·55	" "
E1	46°58'40"	3·3 & 11·45	" "
F1	357°17'25"	3·98	S.S.M. 137553
G1	322°35'25"	2·9 & 9·195	D.H. & WING
H1	226°58'40"	3·35 & 11·55	" "
J1	320°32'50"	3·45 & 11·55	" "
K1	18°53'50"	12·243	S.S.M.103059
L1	6°19'30"	3·45 & 11·55	D.H. & W.FD. (D.P.871364)
U1	317°09'00"	2·915	D.H. & WING

SCHEDULE OF R.Ls.

MARK	A.H.D.
S.S.M.137553	11·086
S.S.M.137554	13·338
S.S.M.137567	16·841
S.S.M.137568	19·505

SCHEDULE OF CURVES AND SHORT LINES

No.	BEARING	DIST.	ARC	RAD.
1	48°55'21"	18·152	18·155	267·5
2	49°19'22"	20·659	20·664	252·5
3	48°18'45"	8·895	8·896	191
4	48°18'45"	8·336	8·337	179
5	236°24'59"	16·97	17·0	83
6	249°11'14"	19·952	20·0	83
7	262°18'11"	17·965	18·0	83
8	92°09'00"	5·674		
9	2°09'00"	5·64		
10	0°48'40"	5·77		
11	90°48'40"	5·54		
12	91°58'40"	5·657		
13	1°58'40"	5·657		
14	91°58'40"	5·657		
15	46°58'40"	9·86		
16	46°58'40"	7·36		
17	1°58'40"	5·657		
18	46°59'45"	12·98		
19	3°04'00"	5·548		
20	91°58'40"	5·657		
21	181°58'40"	5·657		
22	96°19'30"	6·105		
23	51°19'30"	5·655		

(1) A EASEMENT FOR DRAINAGE OF WATER 1·5 WIDE
(8) L RESTRICTION ON THE USE OF LAND 1·5 WIDE
(5) M EASEMENT FOR PADMOUNT SUBSTATION 2·75 WIDE
(6) N RESTRICTION ON THE USE OF LAND

Reduction Ratio 1: 800

Plan Drawing only to appear in this space

SURVEYOR'S REFERENCE: D203141 / 8A

Req:R880428 /Doc:DP 1072187 P /Rev:17-Dec-2004 /Sts:SC.OK /Prt:23-Jul-2010 08:07 /Pgs:ALL /Seq:2 of 2
Ref:mg /Src:M

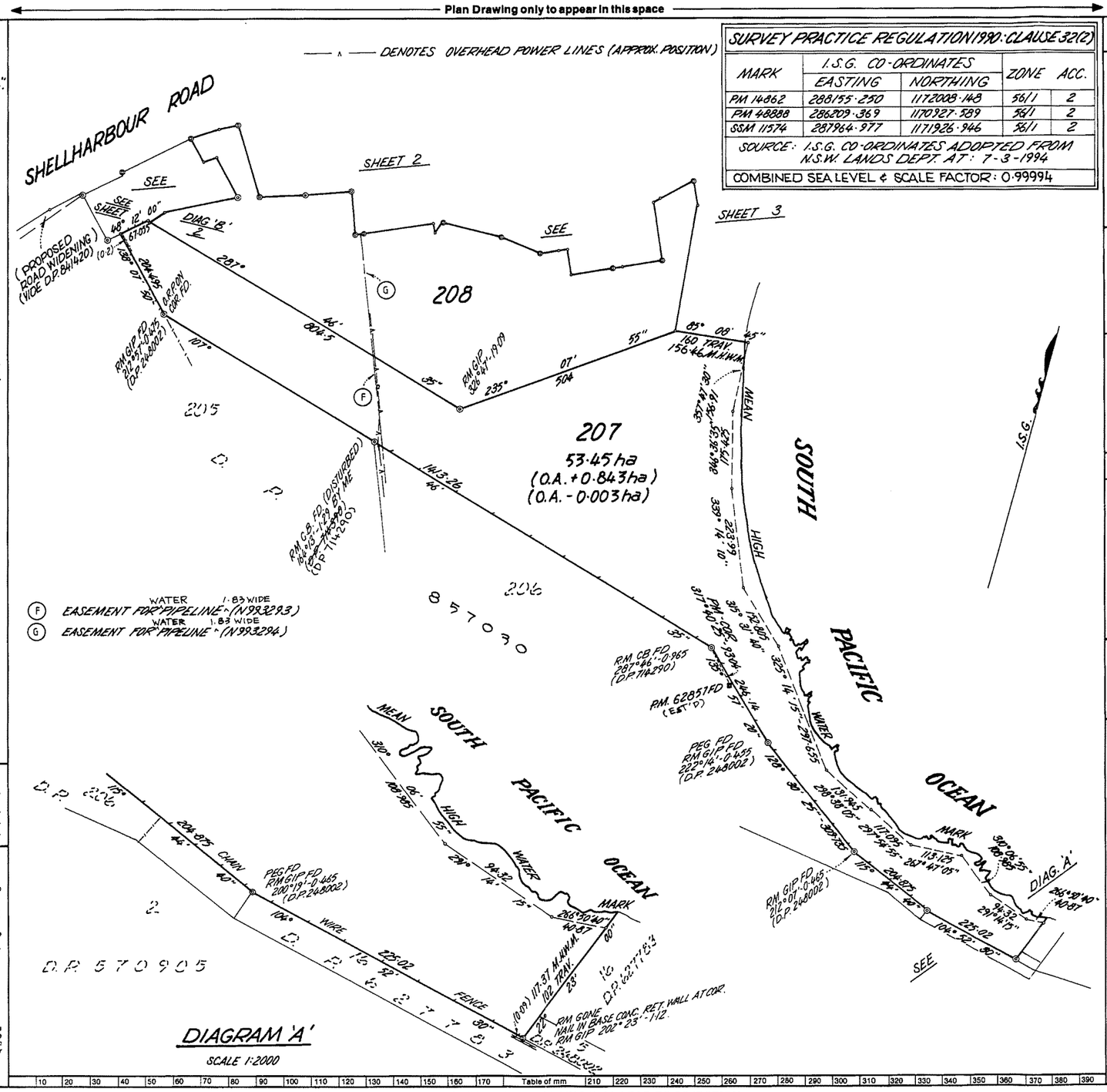
PLAN FORM 2 — Plan Drawing only to appear in this space — *OFFICE USE ONLY

SIGNATURE AND SEALS ONLY.

"THE LOCATION OF MEAN HIGH WATER MARK SHOWN HEREIN HAS BEEN APPROVED BY THE SURVEYOR GENERAL IN FILE H2227 ON 5-12-1995."

The COMMON SEAL of the COUNCIL OF THE CITY OF SHELLHARBOUR affixed on the sixth day of February 1996 pursuant to a resolution in that behalf.

MAYOR GENERAL MANAGER



SURVEY PRACTICE REGULATION 1990: CLAUSE 32(2)				
MARK	I.S.G. CO-ORDINATES EASTING	I.S.G. CO-ORDINATES NORTHING	ZONE	ACC.
PM 14862	288155·250	1172008·148	56/1	2
PM 48888	286209·369	1170927·589	56/1	2
SSM 11574	287964·977	1171926·946	56/1	2
SOURCE: I.S.G. CO-ORDINATES ADOPTED FROM N.S.W. LANDS DEPT. AT: 7-3-1994				
COMBINED SEA LEVEL & SCALE FACTOR: 0·99994				

DP 857031

Registered: 26-2-1996

C.A:

Title System: TORRENS

Purpose: REDEFINITION

Ref. Map: W8270-8*, 9* & 82*

Last Plan: DP 248002 DP 584291

PLAN OF LOT 2 IN D.P. 248002 & LOT 2 IN D.P. 584291

Lengths are in metres. Reduction Ratio 1: 6000

Mun./~~Shire~~ City: SHELLHARBOUR

Locality: SHELLHARBOUR

Parish: TERRAGONG

County: CAMDEN

This is sheet 1 of my plan in 3 sheets. (Delete if inapplicable).

I, ROGER STEPHEN BOXALL

of P.O. BOX 519 SUTHERLAND 2232 DX 4505 SUTHERLAND

a surveyor registered under the Surveyors Act, 1929, as amended, hereby certify that the survey represented in this plan is accurate and has been made in accordance with the Survey Practice Regulation 1990 and was completed on

6-5-1994 & 31-10-1994

Signature: Roger Boxall

Surveyor registered under Surveyors Act, 1929, as amended

Datum Line of Azimuth. 'X' - 'Y'

*Insert date of survey.

Plans used in preparation of survey/~~compilation~~.

D.P.'s: 248002, 584291, 570905, 627783, 12479, 38556, 812662, 320706, 173082, 4200174, 229374, 421664, 397000, 529282, 224762, 630517, 532298, 844420, 842246, 421663.

PANEL FOR USE ONLY for statements of intention to dedicate public roads, to create public reserves, drainage reserves, easements, restrictions on the use of land or positive covenants.

Crown Lands Office Approval

PLAN APPROVED ..... Authorised Officer

Land District .....

Paper No. .....

Field Book ..... pages .....

Council Clerk's Certificate

I hereby certify that —

(a) the requirements of the Local Government Act, 1919 (other than the requirements for the registration of plans), and

†(b) the requirements of section 34B of the † Metropolitan Water, Sewerage and Drainage Act, 1924, as amended, † Hunter District Water, Sewerage, and Drainage Act, 1938, as amended

have been complied with by the applicant in relation to the proposed ..... (Insert "new road", "subdivision" or "consolidated lot") set out herein

Subdivision No. .....

Date .....

(Signature) ..... Council Clerk

Council File No. .....

*This part of certificate to be deleted where the application is only for a consolidated lot or the opening of a new road or where the land to be subdivided is wholly outside the areas of operations of the Metropolitan Water, Sewerage and Drainage Board and the Hunter District Water Board.

† Delete if inapplicable.

SURVEYOR'S REFERENCE: 5476/DP2 (8)

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

Req:R880433 /Doc:DP 0857031 P /Rev:27-Feb-1996 /Sts:OK.OK /Prt:23-Jul-2010 08:07 /Pgs:ALL /Seq:1 of 3
Ref:mg /Src:M

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

DP 857031

Registered 26-2-1996

This sheet 2 of 3 sheets. Surveyed 6-5-1994 & 31-10-1994

Surveyor registered under Surveyors Act 1929

This is sheet 2 of the plan of 3 sheets covered by my Certificate No. of

Council Clerk

For use where space is insufficient on any part of Plan Form 2

'D' TO 'E' 46°17'35"- 341·235 BY DP 421644
20°22'55"- 341·175 BY ME

'Y' TO PM 48888 FD 239°34'05" 762·955

(PROPOSED ROAD WIDENING) (VIDE D.P. 841420)

SHELLHARBOUR ROAD

P.M.-COR 48°37'20"-59·255

179·03

137·715

P.M.-SSM 53°51'00"-847·63

D.P. 584291

D.P. 229374

D.P. 229372

D.P. 229373

D.P. 229375

D.P. 229376

D.P. 229377

D.P. 229378

D.P. 532295

D.P. 532296

D.P. 532297

D.P. 420174

POINT RD (120·115 WIDE)

SOPHIA STREET

ROBERTSON ST.

DARLEY ST.

BASS PUBLIC RESERVE

SSM 13314 FD

P.M. 14872 FD.

SHEET 3

CONTINUED

SHEET 1

205

D.P. 857030

207

208

31·08 ha.

D.P. 224762

D.P. 532292

D.P. 229374

D.P. 389556

DIAGRAM 'B'
SCALE 1:100

DIAGRAM 'C'
SCALE 1:500

(F) EASEMENT FOR WATER PIPELINE 1·83 WIDE (N 993293)

(G) EASEMENT FOR WATER PIPELINE 1·83 WIDE (N 993294)

— ^ — DENOTES OVERHEAD POWER LINES (APPROX. POSITION)

Reduction Ratio 1: 2000

Plan Drawing only to appear in this space

SURVEYOR'S REFERENCE 5476/DP2(B)

Req:R880433 /Doc:DP 0857031 P /Rev:27-Feb-1996 /Sts:OK.OK /Prt:23-Jul-2010 08:07 /Pgs:ALL /Seq:2 of 3
Ref:mg /Src:M

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

DP 857031

Registered: 26-2-1996

This is sheet 3 of my plan in 3 sheets dated 6-5-1994 & 31-10-1994

Surveyor registered under Surveyors Act 1929

This is sheet 3 of the plan of 3 sheets covered by my Certificate No. of

Council Clerk

For use where space is insufficient in any panel on Plan Form 2.

SHEET 2

ROBERTSON ST.

SOPHIA (ALIG'D 366-12805-3.66) STREET

SSM - PM 146°33'05" 257.61

SSM 13314 FD (EST'D)

P.M. 14872 FD (EST'D)

RM GIP FD 71°34'25" - 0.43 BY ME (DP 38556)

RM CGR FD 240°45' - 0.835 BY ME (DP 38556)

P.M. - INT'N. 143°17' - 1.87

DARLEY ST.

SEE SHEET 1

DARLEY (ALIG'D 366-12805-3.66)

PM - SSM 67°40'00" - 244

SSM 11579 FD

STREET

SSM - SSM 60°45'40" - 128.025

SSM 69087 FD

SSM - SSM 75°11'00" - 110.56

(ALIGNED 366-12805-3.66) ST.

SSM 11574 FD

A.S. FD (16.42)

PM GONE

PARADE

SSM - PM 66°53'25" - 206.875

X

PM 14862 FD

PM - CGR 265°14'10" - 110.795

JOHN ST.

TO PM 48888 FD 240°57'23" - 2225.895 Y

WILLIAM STREET

D.P. 124779

WENTWORTH STREET LINE

PM CGR FD (BROKEN) 75°55'45" - 0.995 BY ME

RM DH & W ON KERB 279°44' - 4.165 (0.06) AS LAID

KERB

15.545

18

(0.04) AS LAID

RAD CONC KB AS LAID (0.02)

21' 10"

46° 22' 50"

78.54

14.33

366

PEG FD

67°14'35"

DH & W IN GUTTER

39°

35'

50"

337°

131.85

KOMARK'S FD

68°01'35"

208

DIAGRAM 'D'

SCALE : 1:500

I.S.G.

WILLIAM

D.P. 3622 3

D.P. 3622 2

D.P. 39556

I.P.'s 395.89

113.46

D.P. 124779

85.105

85.34

WENTWORTH

WELDED MESH FENCE

46° 21' 10"

78.54

DIAG. 'D'

RM DH & W ON KERB 279°44' - 4.165 (0.06)

55.865

(NOT EST'D) SSM 69088 FD

SSM - CGR 139°55' - 3.685 BY ME 34' (20.115 WIDE) STREET 55"

D.P. 812662

66.89

65.55

62.175

201.23

RM CGR FD 68°34'25" - 0.100 BY ME

DIAG. 'E'

RM NOT FD

MARY STREET

PEG FD RM GIP 32°45' - 2.05

RECENT BANK (15.345)

54' 05" PALING FEN

15.380

157°34'25"

OVAL

RM CGR FD (BROKEN) 75°55'45" - 0.995 BY ME

1 2 4 7 9

LOT 2 D.P. 397000

337°

131.85

RM GIP 210°22'20" CLOUT IN BOT. RAIL

42.06

67°04'25"

(10.055)

58.98

SEE SHEET 1

D. P. SPORTS D.P. 397000

NO MARKS

NOT MARKED (IN CHANNEL)

RM NOT FD 38°41' - 3.355

91.405 NO OCC

66° 06' 45" NO OCC

PATRICIA (NOT FORMED) ST.

NO OCC

66° 12' 55" NO OCC

89.70

PM GONE

RM GIP 212° - 10.595

67°34'55" - 20.115

208

31.08 ha.

CONTINUED ON

(20.115 WIDE)

BOOLLWARROO

288.24

285.68

180

175°

346

85°

08'

45'

D.P. 421603

PATHWAY 3.66 WIDE

180 TO TRAIL 156.46 TO M.H.W.M.

RM CGR FD 88°08'45" - 0.865 (D.P. 2479)

504 07'

804.5 287° 46' 55"

235°

RM GIP 308°47' - 19.09

207

SEE SHEET 1

337° 47' 30" 156.91 M. H. W. M.

SOUTH PACIFIC OCEAN

S.P. 41182

MARY STREET

(10.055)

42.06

67° 04' 25"

NEW CONC. KB

KERB

(0.15)

20.115

NO MARKS FOUND

67° 34' 55"

NO KERB

WIRE FENCE

25"

(1.37)

34"

D.P. 124779

58.98

CHAIN

157°

D.P. 397000

DIAGRAM 'E'

SCALE 1:500

Reduction Ratio 1: 2000

Plan Drawing only to appear in this space

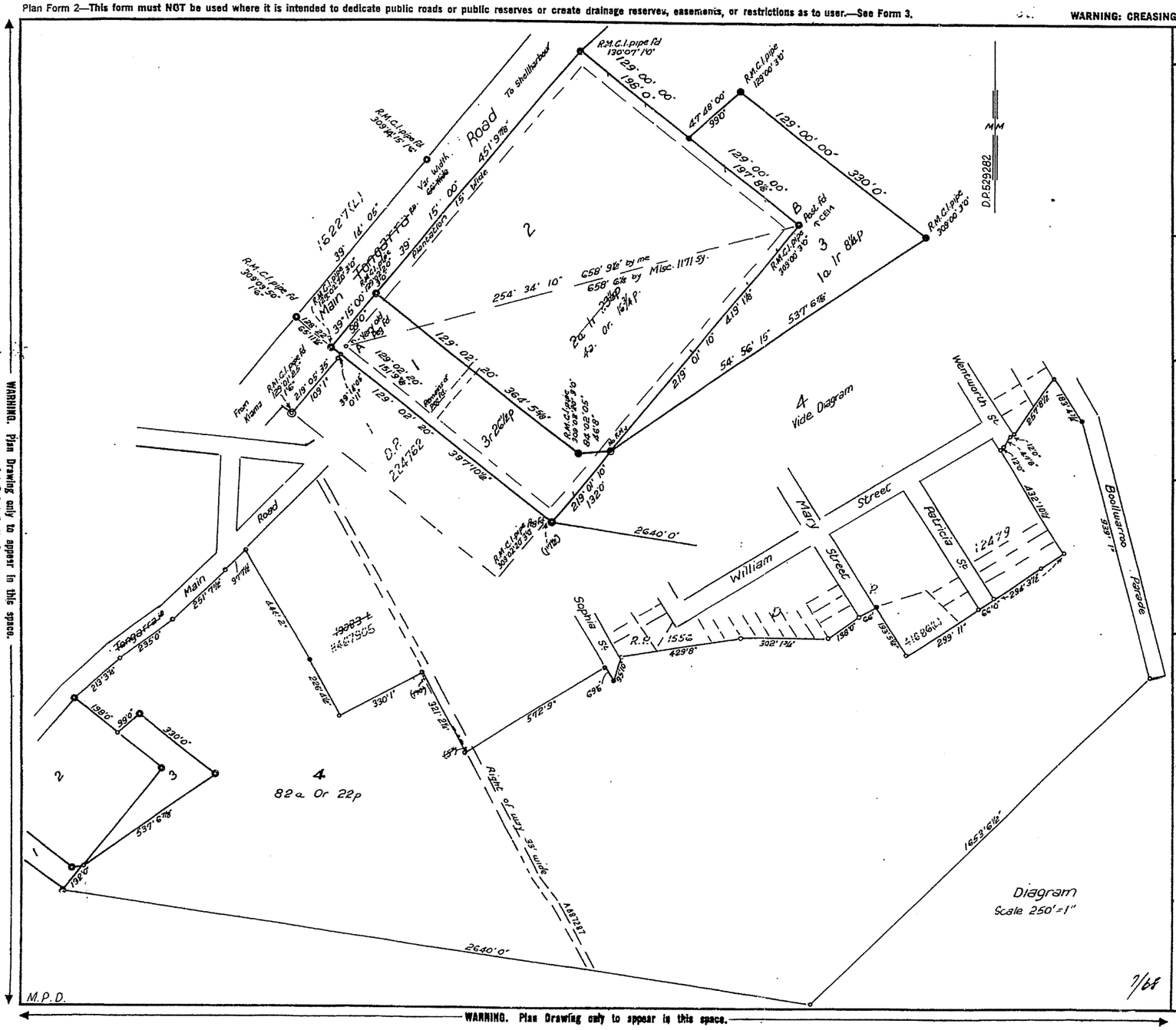
SURVEYOR'S REFERENCE: 5476/DP2 (B)

Req:R880433 /Doc:DP 0857031 P /Rev:27-Feb-1996 /Sts:OK.OK /Prt:23-Jul-2010 08:07 /Pgs:ALL /Seq:3 of 3
Ref:mg /Src:M

Req:R904065 /Doc:DP 0529282 P /Rev:28-Aug-2001 /Sts:SC.OK /Prt:28-Jul-2010 15:57 /Pgs:ALL /Seq:1 of 1
Ref:mg /Src:M

Plan Form 2—This form must NOT be used where it is intended to dedicate public roads or public reserves or create drainage reserves, easements, or restrictions as to user.—See Form 3.

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION.



WARNING. Plan Drawing only to appear in this space.

WARNING. Plan Drawing only to appear in this space.

D.P.529282 (E)

Registered: [redacted] 17-7-1968

C.A.: 7168 of 21-2-1968

Title System: Torrens & Crownland

Purpose: Subdivision

Ref. Map: Parish

Last Plan H526767 & Parish

OFFICE USE ONLY.

PLAN OF SUBDIVISION OF SHELLHARBOUR GENERAL CEMETERY & LAND IN PLAN 'B' IN H526767 ~~M.P.D.(R.P.) 1216·44~~

C.C.T. VOL. 8439 FOLIO 250

Scale: 100 feet to an inch

Mun./Shire of Shellharbour

City:

Locality: Shellharbour

Parish: of Terragong

County: of Camden

I, Robert Dovers

of Crown Street Wollongong

a surveyor registered under the Surveyors Act, 1929, as amended, hereby certify that the survey represented in this plan

is accurate and has been made *(1) by me (2) ~~under my immediate supervision~~ in accordance with the Survey Practice Regulations, 1933, and was completed on † 2nd February 1968

Signature: Robert Dovers

Surveyor registered under Surveyors Act, 1929, as amended.

Datum Line of Azimuth: A-B

*Strike out either (1) or (2). †Insert date of survey.

Amendments Asc. Or 16¾ p. and Var. Width made in Reg. Gen. Dept. at request of surveyor. 8 10.7.68

Council Clerk's Certificate.

I hereby certify that—

(a) the requirements of the Local Government Act, 1919 (other than the requirements for the registration of plans), and

*(b) the requirements of section 348 of the †Metropolitan Water, Sewerage, and Drainage Act, 1924, as amended, †Hunter District Water, Sewerage, and Drainage Act, 1938, as amended,

have been complied with by the applicant in relation to the proposed SUBDIVISION (insert "new road" or "subdivision") set out herein.

Subdivision No. 7/68

Date 21/2/1968

(Signature) D. J. Kung

Council Clerk.

*This part or certificate to be deleted where the application is only for the opening of a new road or where the land to be subdivided is wholly outside the area of operations of the Metropolitan Water Sewerage and Drainage Board and the Hunter District Water Board.

†Delete if inapplicable.

7/68

SURVEYOR'S REFERENCE: 580/67

CONVERSION TABLE ADDED IN REGISTRAR GENERAL'S DEPARTMENT

DP 529282

FEET	INCHES	METRES
-	11	0.279
1	-	0.305
1	6	0.457
1	7 1/2	0.495
3	-	0.216
10	-	3.048
12	-	3.658
15	-	4.572
19	1	5.817
29	11	9.119
33	-	10.058
43	3 3/8	13.192
45	2 1/8	13.770
46	8	14.224
47	8	14.529
51	7 1/2	15.735
65	11 1/4	20.098
66	-	20.117
69	6	21.184
69	11 1/4	21.317
95	10	29.210
97	7 1/2	29.756
97	10 1/2	29.832
99	-	30.175
109	1	33.249
132	-	40.234
138	-	42.062
151	9 7/8	46.276
183	4 3/4	55.899
193	5 1/2	58.966
197	8 1/8	60.252
198	-	60.350
213	3 1/4	65.005
226	4 1/2	68.999
235	-	71.628
251	7 1/2	76.695
255	-	77.724
257	8 1/2	78.550
294	3 1/2	89.700
299	11	91.415
302	1 3/4	92.094
321	2 1/4	97.898
330	-	100.584
330	1	100.609
364	5 5/8	111.090
397	10 1/2	121.272
413	1 1/8	127.740
429	8	130.962
432	10 1/2	131.940
444	2	135.382
451	9 7/8	137.716
537	6 5/8	163.846
537	6 7/8	163.852
537	7 7/8	163.876
572	9	174.574
658	6 1/8	200.714
658	9 1/2	200.800
666	-	202.997
839	1	255.753
939	1	286.233
1183	4 3/4	360.699
1197	8 1/8	365.052
1653	6 1/2	504.000
2648	-	804.672

AC	RD	P	SQ M
-	3	26 1/2	3705
1	1	8 1/4	5267

AC	RD	P	HA
4	-	16 3/4	1.661
82	-	22	33.24

NEW SOUTH WALES

ICATE OF TITLE

PERTY ACT, 1900, as amended.

Application No. 5627
Prior Title Volume 8439 Folio 250

Vol. 10860 Fol. 232

ID

Edition issued 15-8-1968

CANCELLED

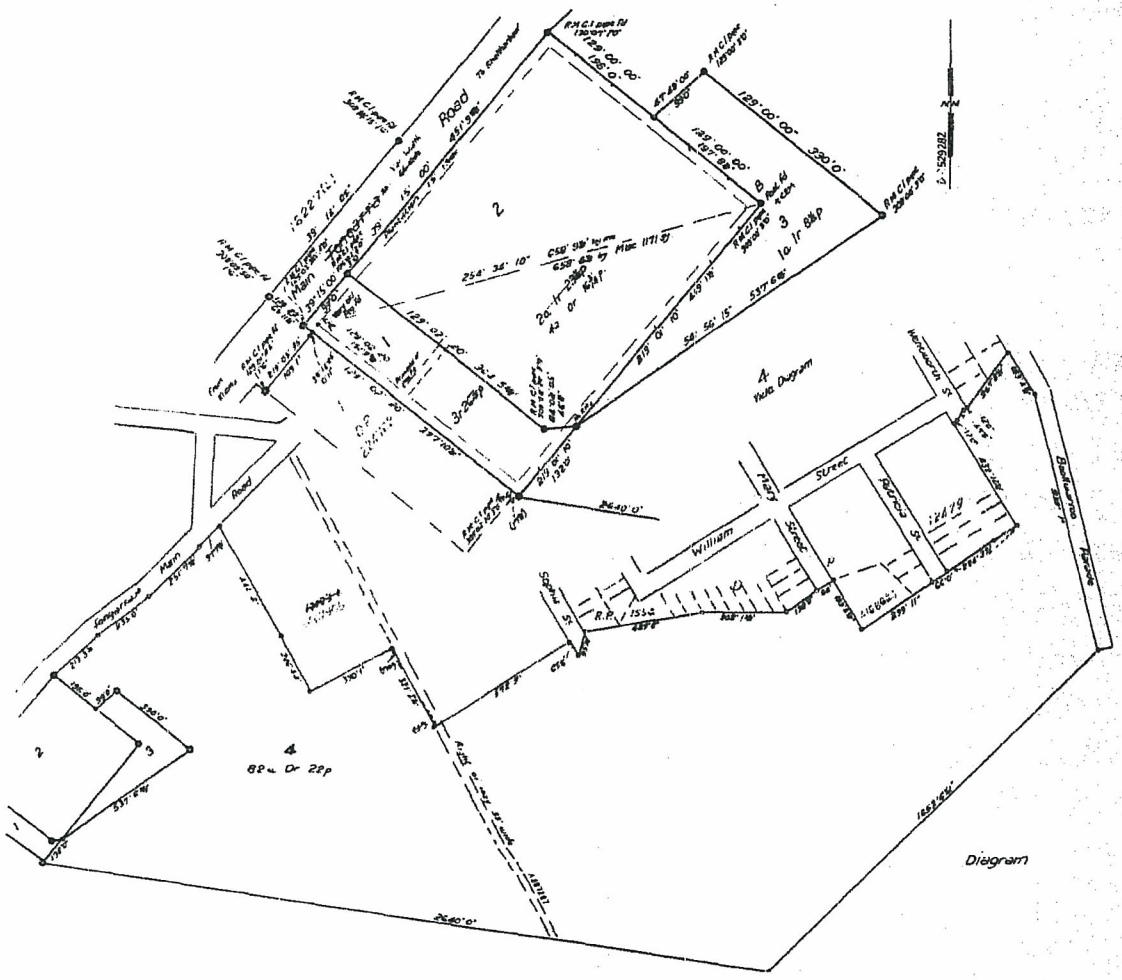
I certify that the person described in the First Schedule is the registered proprietor of the undermentioned estate in the land within described subject nevertheless to such exceptions encumbrances and interests as are shown in the Second Schedule.

Witness M.J.Flint

Registrar General.

ge 1) Vol. 10860 Fol. 232

PLAN SHOWING LOCATION OF LAND



ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 4 in Deposited Plan 529282 in the Mu icipality of Shellharbour Parish of Terragong and County of Camden being part of Portion 20 granted to D'Arcy Wentworth on 9-1-1821.

FIRST SCHEDULE (continued overleaf)

THE COUNCIL OF THE MUNICIPALITY OF SHELLHARBOUR.

SECOND SCHEDULE (continued overleaf)

1. Reservations and conditions, if any, contained in the CrownGrant above referred to.
2. Right of Way created by Transfer No.A887827 affecting the part of the land above described 33 feet wide shown in the plan hereon.
3. Covenant created by Transfer No. H526767.

Registrar General

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

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

PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDING TO TH

B29 /Req: B593884 /Doc: CT 10860-232 /Prt: 22-Jul-2010

V. C. N. BLIGHT, GOVERNMENT PRINTER

Vol. 10860 Fol 232

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR	INSTRUMENT NATURE	INSTRUMENT NUMBER	INSTRUMENT DATE	ENTERED	Signature of Registrar-General
NEW CERTIFICATES OF TITLE ISSUING ON DP 584291 NO DEALING TO BE REGISTERED WITHOUT REFERENCE TO SURVEY DRAFTING BRANCH					

N901637 V/k
N993294 Fig. ANC.
DP 584291
3c/6/76

SECOND SCHEDULE (continued)

INSTRUMENT NATURE	INSTRUMENT NUMBER	INSTRUMENT DATE	PARTICULARS	ENTERED	Signature of Registrar-General	CANCELLATION
Variation	N901637		of Covenant created by Transfer No H526767 by Deed dated 10-5-1924	24-10-1972		

This deed is cancelled as to ~~the~~ whole
New Certificates of Title have issued on 27-7-1976
for Lots in Deposited Plan No. 584291
Lots 1 & 2 Vol 13098 Fol 34+35 respectively.

REGISTRAR GENERAL

(Page 2 of 2 pages)

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

B29
/Req: B593870
/Doc: CT 13098-035
/Prt: 22-Jul-2010

(Page 1) Vol

CERTIFICATE OF TITLE

EW SOUTH WALES

...L PROPERTY ACT, 1900

Vol. 13098 Fol. 35

Appln. No.5627

Prior Title Vol.10860 Fol.232

EDITION ISSUED

27 7 1976

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

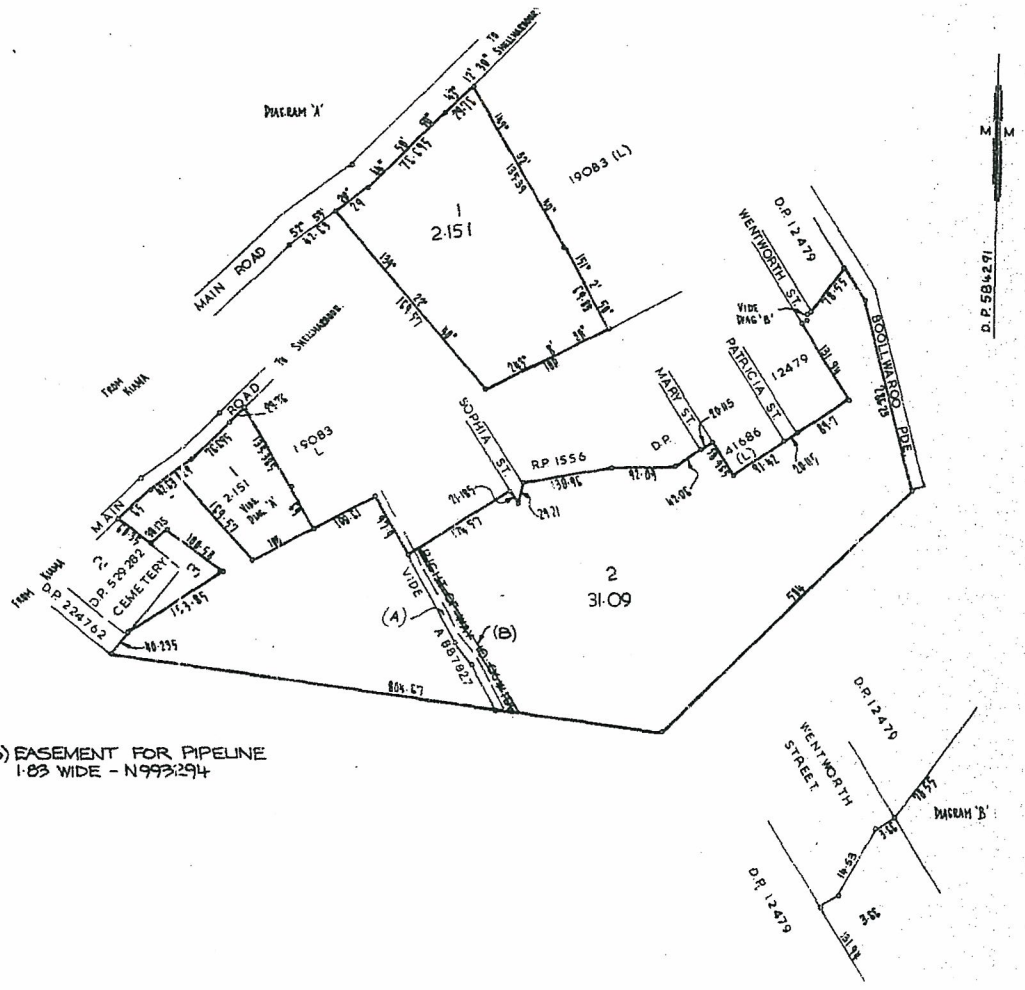
CANCELLED

Registrar General.

SEE AUTO FOLIO

PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES



(B) EASEMENT FOR PIPELINE 1.83 WIDE - N993294

ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 2 in Deposited Plan 584291 at Shellharbour in the Municipality of Shellharbour Parish of Terragong and County of Camden being part of Portion 20 granted to D'Arcy Wentworth on 9-1-1821.

FIRST SCHEDULE

THE COUNCIL OF THE MUNICIPALITY OF SHELLHARBOUR

~~THE COUNCIL OF THE MUNICIPALITY OF SHELLHARBOUR.~~

SECOND SCHEDULE

1. Reservations and conditions, if any, contained in the Crown Grant above referred to.
2. ~~Right of Way created by Transfer No.A887827 affecting the part of the land above described designated (A) in the plan hereon~~ Cancelled c4/6/8/16/18/19/21/23.
3. Covenant created by Transfer No.H526767.P
4. Variation No.N9C1637 of Covenant No.H526767 by Deed dated 10-5-1974. Registered 24-10-1974.

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

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

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

Vol. 13098 Fol. 35

N993294 Tr G
Q676816 Tr Rel:
Q — 18 Tr Rel
— 19 Tr Rel.
— 21 Tr Rel.
— 23 Tr Rel.

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR	INSTRUMENT NATURE	INSTRUMENT NUMBER	INSTRUMENT DATE	ENTERED	Signature of Registrar General
~~FCI Australia Limited~~	~~Transfer~~	~~R993294~~	~~—~~	~~3-10-1979~~	

CANCELLED

SEE AUTO FOLIO

SECOND SCHEDULE (continued)

INSTRUMENT NATURE	INSTRUMENT NUMBER	INSTRUMENT DATE	PARTICULARS	ENTERED	Signature of Registrar General	CANCELLATION
~~Transfer~~	~~Q676816~~ ~~Q676818~~ ~~Q676819~~ ~~Q676821~~ ~~Q676823~~	—	Right of way created by Transfer No (A887927) is hereby cancelled	7-6-1978		
EP Transfer	R993294 P	—	Easement for pipelines affecting the land shown so burdened in the Plan hereon	3-10-1979		

(Page 2 of 2 pages)

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

B29 /Req: B593869 /Doc: CT 13691-156 /Prt: 22-Jul-2010

13691156

NEW SOUTH WALES

CERTIFICATE OF TITLE

PROPERTY ACT, 1900

Appln. No.5627

Prior Title Vol.7281 Fol.169

Vol. 13691 Fol. 156

EDITION ISSUED

4 9 1978

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

CANCELLED

Registrar General

SEE AUTO FOLIO

(Page 1)

S

ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 2 in Deposited Plan 248002 at Shellharbour in the Municipality of Shellharbour Parish of Terragong and County of Camden being part of Portion 19 granted to D'Arcy Wentworth on 3-9-1821 and part of Portion 20 granted to D'Arcy Wentworth on 9-1-1821.

FIRST SCHEDULE

~~IMPERIAL CHEMICAL INDUSTRIES (A)STRALIA AND NEW ZEALAND LIMITED.~~

SECOND SCHEDULE

GRY 1. Reservations and conditions, if any, contained in the Crown Grants above referred to.

PERSONS ARE CAUTI... AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR A... NOTIFICATION HEREON

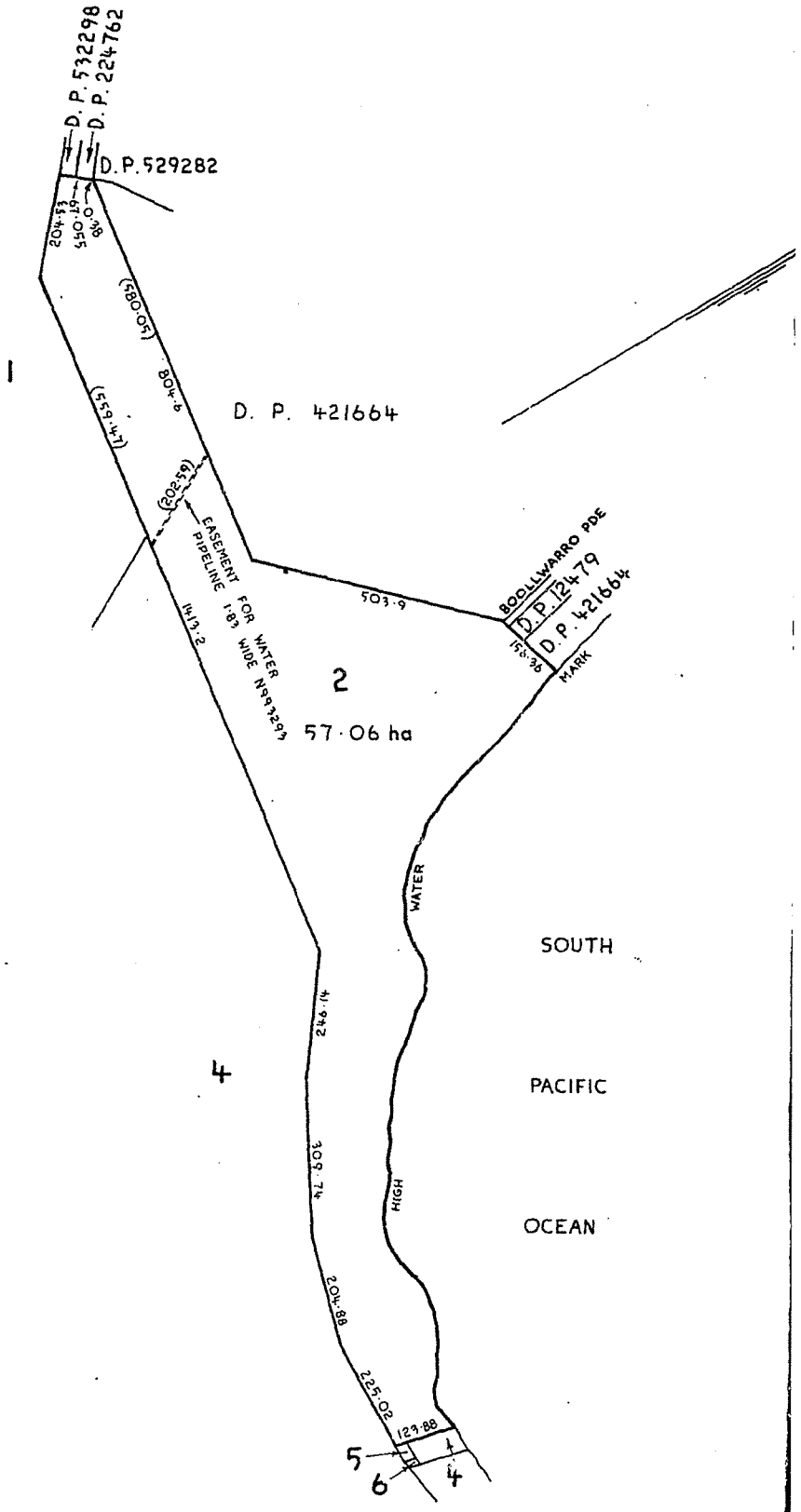
WARNING: THIS DOCUMENT MUST NOT BE REMOVED FROM THE REGISTRAR GENEBAL'S OFFICE.

RG 2/68 NOTE: ENTRIES RULED THROUGH AND AUTHENTICATED BY THE SEAL OF THE REGISTRAR GENERAL ARE CANCELLED

Vol. 13691 Fol. 156

PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES



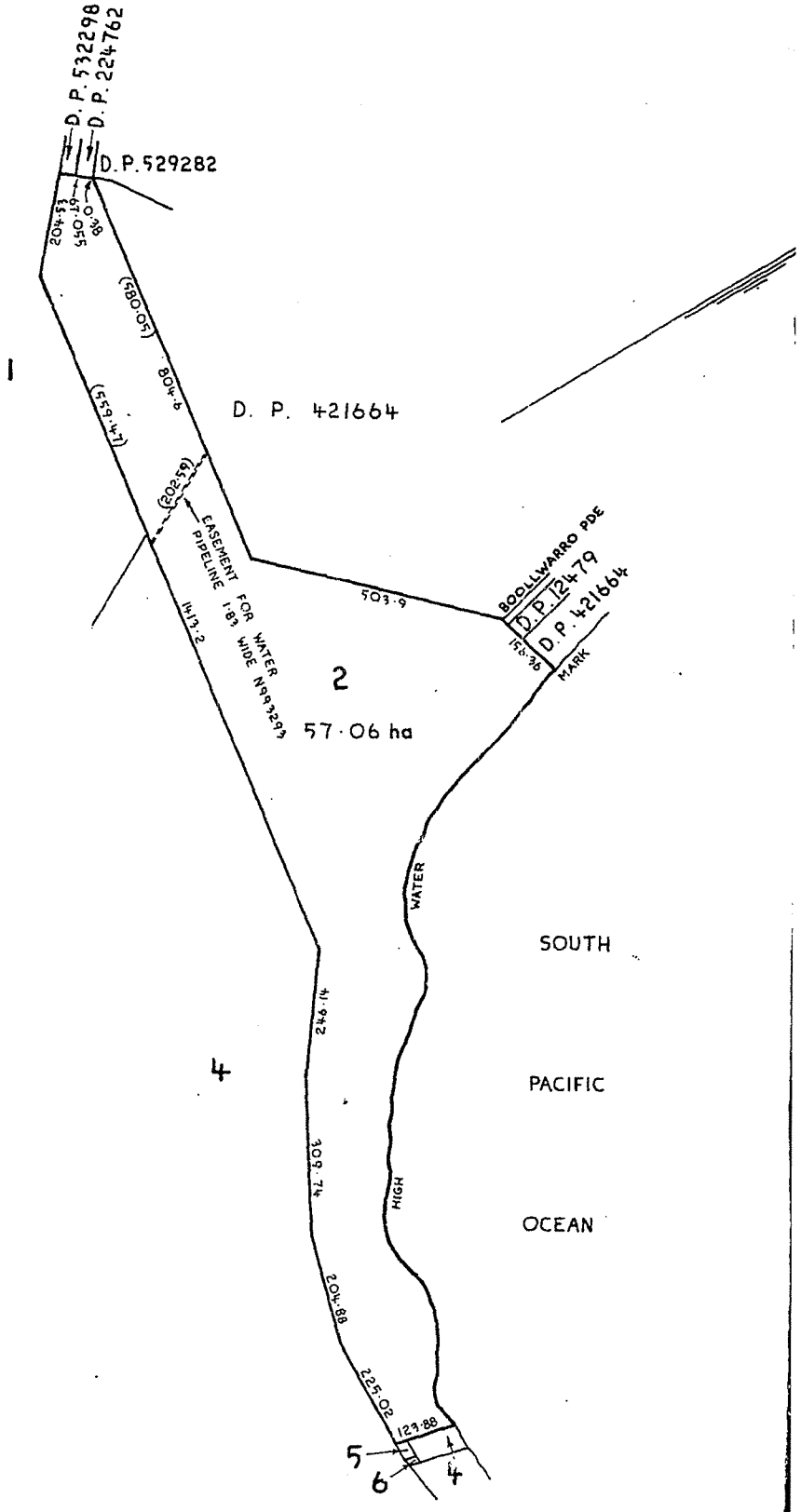
REDUCTION RATIO 1:10000

P. 248002 84

Vol. 13691 Fol. 156

PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES



P. 24B002 04

REDUCTION RATIO 1:10000

N993293 R
affects title

(Page 3 of 4 pages)

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR	INSTRUMENT NATURE	INSTRUMENT NUMBER	REGISTERED	Signature of Registrar General
The Council of the Municipality of Shellharbour.	Transfer	N993293	3-10-1979 ~~5-7-1979~~	

SECOND SCHEDULE (continued)

INSTRUMENT NATURE	INSTRUMENT NUMBER	PARTICULARS	REGISTERED	Signature of Registrar General	CANCELLATION	
EP(SB) Transfer	N993293	Easement for pipeline affecting the land shown so burdened in the plan hereon.	3-10-1979 ~~5-7-1979~~			
CV Covenant	N993293	Created by Transfer No. N993293	3-10-1979 ~~5-7-1979~~			

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

Vol. 13691 Fol. 156

Vol. 13691 Fol. 156

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR	INSTRUMENT		REGISTERED	Signature of Registrar General
	NATURE	NUMBER		

SECOND SCHEDULE (continued)

INSTRUMENT		PARTICULARS	REGISTERED	Signature of Registrar General	CANCELLATION	
NATURE	NUMBER					

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

SFR
Service First Registration

Title Search

LEAP Searching
An Approved LPI NSW
Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 8032/1072187

SEARCH DATE	TIME	EDITION NO	DATE
1/8/2010	9:04 AM	3	3/6/2008

LAND

LOT 8032 IN DEPOSITED PLAN 1072187
AT SHELL COVE
LOCAL GOVERNMENT AREA SHELLHARBOUR
PARISH OF TERRAGONG COUNTY OF CAMDEN
TITLE DIAGRAM DP1072187

FIRST SCHEDULE

SHELLHARBOUR CITY COUNCIL

SECOND SCHEDULE (4 NOTIFICATIONS)

1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
2 DP267330 EASEMENT FOR POWER LINES 3 WIDE AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
AC636829 EASEMENT RELEASED IN SO FAR AS IT BENEFITS 21/1010797
3 DP267330 EASEMENT FOR THE CONVEYANCE OF WATER OVER EXISTING LINE OF PIPES AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
AC636829 EASEMENT RELEASED IN SO FAR AS IT BENEFITS 21/1010797
4 AD915823 LEASE TO OPTUS MOBILE PTY LIMITED OF PART SHOWN HATCHED IN PLAN (PAGE 16) WITH AD915823. EXPIRES: 12/3/2013.

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

mg PRINTED ON 1/8/2010

* 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. Leap Searching hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with Section 92B(2) of the Real Property Act.

Title Search

LEAP Searching
An Approved LPI NSW
Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 8100/1082981

SEARCH DATE	TIME	EDITION NO	DATE
1/8/2010	9:13 AM	1	7/9/2006

LAND

LOT 8100 IN DEPOSITED PLAN 1082981
AT SHELL COVE
LOCAL GOVERNMENT AREA SHELLHARBOUR
PARISH OF TERRAGONG COUNTY OF CAMDEN
TITLE DIAGRAM DP1082981

FIRST SCHEDULE

SHELLHARBOUR CITY COUNCIL

SECOND SCHEDULE (4 NOTIFICATIONS)

1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
2 DP267369 EASEMENT FOR SEWERAGE VARIABLE WIDTH AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
3 DP1072187 EASEMENT FOR DRAINAGE OF WATER 1.5 METRE(S) WIDE AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
4 DP1082981 EASEMENT FOR DRAINAGE OF WATER 1.5 METRE(S) WIDE AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM

NOTATIONS

UNREGISTERED DEALINGS: PP DP1149748.

*** END OF SEARCH ***

mg PRINTED ON 1/8/2010

* 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. Leap Searching hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with Section 92B(2) of the Real Property Act.

Service First Registration Pty Ltd
ACN: 100 037 029
Ph: 02 9233 1314
Fax: 9233 2878
Suite 102, Level 1, 64 Castlereagh Street
Sydney 2000
PO Box 1539 Sydney 2000
DX 189 Sydney

Summary of Owners Report

LPMA **Sydney**

Re: Shell Cove – Part 2

Description: - Lot 206 D.P. 857030, Lot 30 D.P. 229374, Lot 9004 D.P. 1117743
Also Lot 1 D.P.; 1022866

Date of Acquisition and term held	Registered Proprietor(s) & Occupations where available	Reference to Title at Acquisition and sale
23.03.1911 (1911 to 1918)	George Lawrence Fuller (Gentleman)	Vol 2133 Fol 228
05.04.1918 (1918 to 1935)	William Frederick Fuller (Gentleman)	Vol 2133 Fol 228 now Vol 4478 Fol 225
25.11.1935 (1935 to 1945)	Reginald Charles David Garnock (Solicitor) Alexander Nicholson (Accountant) Bryan Cecil Fuller (Barrister at Law) Colin Dunmore Fuller (Gentleman) (Transmission Application not investigated)	Vol 4478 Fol 225
15.06.1945 (1945 to 1956)	Patricia Fuller Burdis (Spinster) (Now Patricia Moree, Married Woman)	Vol 4478 Fol 225 now Vol 7281 Fol 169
10.07.1956 (1956 to 1984)	Imperial Chemical Industries of Australia and New Zealand (Now ICI Australia Limited)	Vol 7281 Fol 169 now Vol 14971 Fol 13
19.09.1984 (1984 to 1995)	Minister the Environmental Planning and Assessment Act, 1979	Vol 14971 Folio 13 now 1/715016
26.04.1995 (1995 to date)	# Council of the Municipality of Shellharbour (# Now Shellharbour City Council)	1/715016 now 206/857030

# Denotes Current Registered Proprietor

As regards Lot 30 D.P. 229374

Date of Acquisition and term held	Registered Proprietor(s) & Occupations where available	Reference to Title at Acquisition and sale
23.03.1911 (1911 to 1918)	George Lawrence Fuller (Gentleman)	Vol 2133 Fol 228
05.04.1918 (1918 to 1935)	William Frederick Fuller (Gentleman)	Vol 2133 Fol 228 now Vol 4478 Fol 225
25.11.1935 (1935 to 1945)	Reginald Charles David Garnock (Solicitor) Alexander Nicholson (Accountant) Bryan Cecil Fuller (Barrister at Law) Colin Dunmore Fuller (Gentleman) (Transmission Application not investigated)	Vol 4478 Fol 225
15.06.1945 (1945 to 1956)	Patricia Fuller Burdis (Spinster) (Now Patricia Moree, Married Woman)	Vol 4478 Fol 225 now Vol 7281 Fol 169
10.07.1956 (1956 to 1964)	Imperial Chemical Industries of Australia and New Zealand	Vol 7281 Fol 169

Email: grolly1@bigpond.net.au

Service First Registration Pty Ltd
ACN: 108 037 029
Ph: 02 9233 1314
Fax: 9233 2878
Suite 102, Level 1, 64 Castlereagh Street
Sydney 2000
PO Box 1539 Sydney 2000
DX 189 Sydney

Search continued as regards Lot 30 D.P. 229374

Date of Acquisition and term held	Registered Proprietor(s) & Occupations where available	Reference to Title at Acquisition and sale
19.06.1964 (1964 to date)	# Housing Commission of New South Wales	Vol 7281 Fol 169 now 30/229374

# Denotes Current Registered Proprietor

As regards Lot 9004 D.P. 1117743

As regards the part shown highlighted orange on the attached cadastre

Date of Acquisition and term held	Registered Proprietor(s) & Occupations where available	Reference to Title at Acquisition and sale
03.02.1923 (to 1945)	Matthew McKinnery (Farmer) Edward McKinnery (Farmer)	Vol 3415 Fol's 31 & 32
18.02.1945 (1945 to 1947)	Edward McKinnery (Retired) Kathleen Mary Hoare (Married Woman) Timothy Edward McKinnery (Railway Employee) (Transmission Application not investigated)	Vol 3415 Fol's 31 & 32
30.11.1947 (1947 to 1956)	William Charles Ransome (Farmer) Marie Evelyn Ransome (Married Woman) Charles Frederick James Ransome (Farmer) Marie Daphne Ransome (Married Woman)	Vol 3415 Fol's 31 & 32 now Vol 5853 Fol's 209 to 212 inclusive
21.09.1956 (1956 to 1981)	Imperial Chemical Industries of Australia and New Zealand	Vol 5853 Fol's 209 to 212 inclusive now Vol 10958 Fol 173
28.10.1981 (1981 to 1983)	Illawarra County Council	Vol 10958 Fol 173 now Vol 14804 Fol 75
14.07.1983 (1983 to date)	# Council of the Municipality of Shellharbour (# Now Shellharbour City Council)	Vol 14804 Fol 75 now 9004/1117743

# Denotes Current Registered Proprietor

As regards the part shown highlighted yellow on the attached cadastre

Date of Acquisition and term held	Registered Proprietor(s) & Occupations where available	Reference to Title at Acquisition and sale
03.02.1923 (1923 to 1945)	Matthew McKinnery (Farmer) Edward McKinnery (Farmer)	Vol 3415 Fol's 31 & 32
18.02.1945 (1945 to 1947)	Edward McKinnery (Retired) Kathleen Mary Hoare (Married Woman) Timothy Edward McKinnery (Railway Employee) (Transmission Application not investigated)	Vol 3415 Fol's 31 & 32
30.11.1947 (1947 to 1956)	William Charles Ransome (Farmer) Marie Evelyn Ransome (Married Woman) Charles Frederick James Ransome (Farmer) Marie Daphne Ransome (Married Woman)	Vol 3415 Fol's 31 & 32 now Vol 5853 Fol's 209 to 212 inclusive
21.09.1956 (1956 to 1983)	Imperial Chemical Industries of Australia and New Zealand (Now ICI Australia Limited)	Vol 5853 Fol's 209 to 212 inclusive now Vol 15004 Fol 38
14.07.1983 (1983 to 1983)	Illawarra County Council	Vol 15004 Fol 38
14.07.1983 (1983 to date)	# Council of the Municipality of Shellharbour (# Now Shellharbour City Council)	Vol 15004 Fol 38 now 9004/1117743

# Denotes Current Registered Proprietor

Service First Registration Pty Ltd
ACN: 108 037 029
Ph: 02 9233 1314
Fax: 9233 2878
Suite 102, Level 1, 64 Castlereagh Street
Sydney 2000
PO Box 1539 Sydney 2000
DX 189 Sydney

As regards Lot 1 D.P. 1022866

This parcel of land was formerly Crown Land that was situated between the Mean High Water Mark and the Mean Low Water Mark

This parcel was resumed and vested in Shellharbour City Council by notification in Government Gazette dated 04.07.2003 Folio 7006. Such resumption being for the provision of a boat harbour and break wall.

Date of Acquisition and term held	Registered Proprietor(s) & Occupations where available	Reference to Title at Acquisition and sale
04.07.2003 (2003 to date)	# Shellharbour City Council	1/1022866

# Denotes Current Registered Proprietor

Yours Sincerely
Mark Groll
1 August 2010
(Ph: 0412 199 304)

Email: grolly1@bigpond.net.au

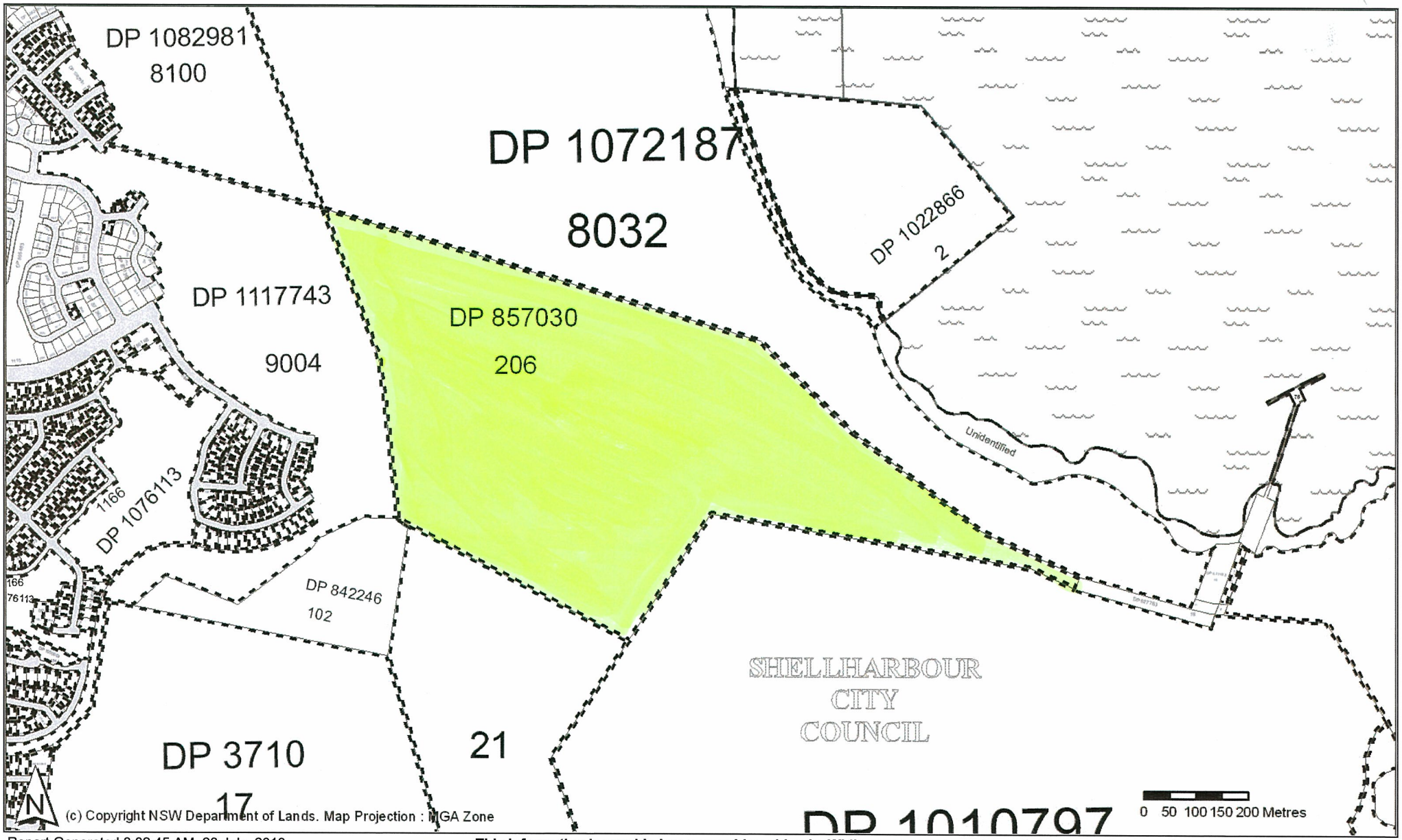
Department of Lands
Reliable from the ground up

Cadastral Records Enquiry Report

Ref : surv:scim-grollm

Requested Parcel : Lot 206 DP 857030 **Identified Parcel :** Lot 206 DP 857030

Locality : SHELL COVE **LGA :** SHELLHARBOUR **Parish :** TERRAGONG **County :** CAMDEN



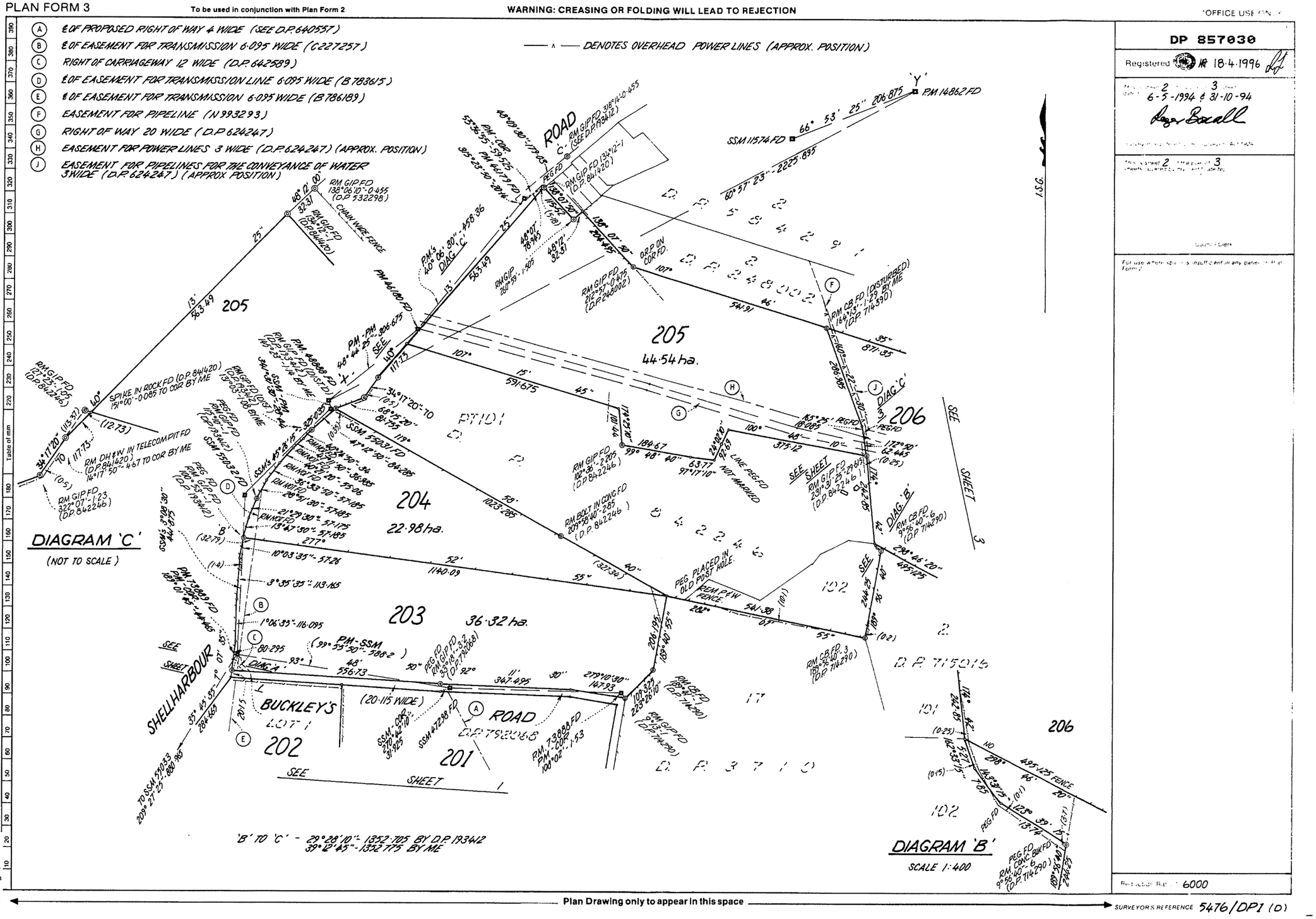
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This information is provided as a searching aid only. While every endeavour is made to ensure the current cadastral pattern is accurately reflected, the Registrar General cannot guarantee the information provided. For all ACTIVITY PRIOR to SEPT 2002 you must refer to the RGs Charting and Reference Maps.

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

Ⓐ ℄ OF PROPOSED RIGHT OF WAY 4 WIDE (SEE D.P. 640557)
Ⓑ ℄ OF EASEMENT FOR TRANSMISSION 6·095 WIDE (C227257)
Ⓒ RIGHT OF CARRIAGEWAY 12 WIDE (D.P. 642589)
Ⓓ ℄ OF EASEMENT FOR TRANSMISSION LINE 6·095 WIDE (B.788615)
Ⓔ ℄ OF EASEMENT FOR TRANSMISSION 6·095 WIDE (B.786189)
Ⓕ EASEMENT FOR PIPELINE (N993293)
Ⓖ RIGHT OF WAY 20 WIDE (D.P. 624247)
Ⓗ EASEMENT FOR POWER LINES 3 WIDE (D.P. 624247) (APPROX. POSITION)
Ⓙ EASEMENT FOR PIPELINES FOR THE CONVEYANCE OF WATER 3 WIDE (D.P. 624247) (APPROX POSITION)

—∧— DENOTES OVERHEAD POWER LINES (APPROX. POSITION)



DP 857030

Registered 18·4·1996

2 3
6-5-1994 & 31-10-94

Surveyor's Reference 5476/DP1 (D)

Req:R880435 /Doc:DP 0857030 P /Rev:18-Apr-1996 /Sts:OK.OK /Prt:23-Jul-2010 08:08 /Pgs:ALL /Seq:2 of 3
Ref:mg /Src:M

PLAN FORM 2 — Plan Drawing only to appear in this space — *OFFICE USE ONLY

SIGNATURE AND SEALS ONLY

for JOHN TREGEAR
CORPORATE SECRETARY.

METSOUTH ENERGY
Ninth

January 6

PETER SMILES

The COMMON SEAL of the COUNCIL OF THE CITY OF SHELLHARBOUR affixed on the sixth day of February 1996 pursuant to a resolution in that behalf.

MAYOR GENERAL MANAGER

Crown Lands Office Approval

PLAN APPROVED .....
Authorised Officer
Land District .....
Paper No. .....
Field Book ..... pages .....

Council Clerk's Certificate

I hereby certify that –

(a) the requirements of the Local Government Act, 1919 (other than the requirements for the registration of plans); and

*(b) the requirements of section 34B of the † Metropolitan Water, Sewerage and Drainage Act, 1924, as amended, † Hunter District Water, Sewerage, and Drainage Act, 1938, as amended

have been complied with by the applicant in relation to the proposed .....
(Insert "new road", "subdivision" or "consolidated lot") set out herein

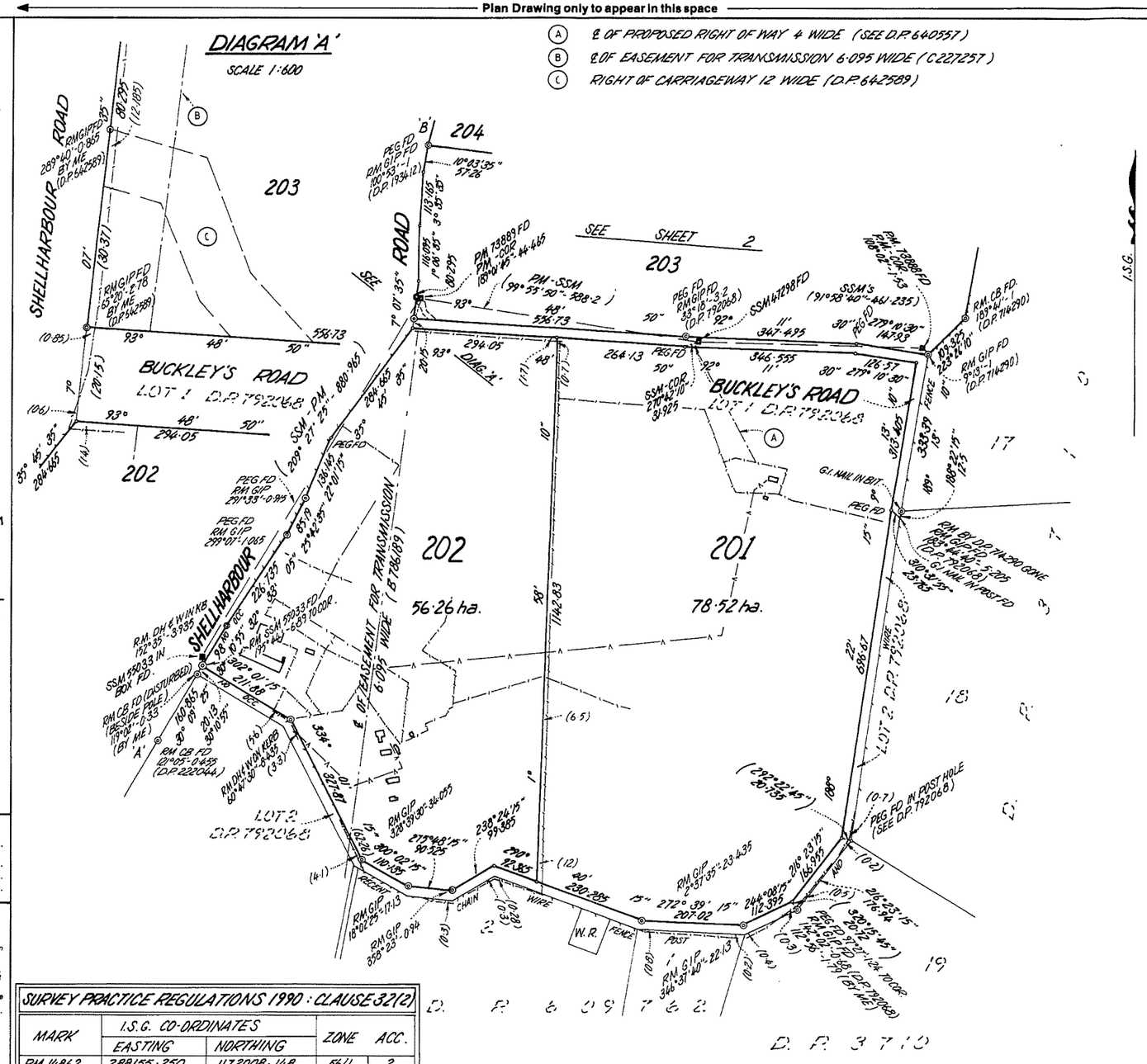
Subdivision No. .....
Date .....
(Signature) .....
Council Clerk
Council File No. .....

*This part of certificate to be deleted where the application is only for a consolidated lot or the opening of a new road or where the land to be subdivided is wholly outside the areas of operations of the Metropolitan Water Sewerage and Drainage Board and the Hunter District Water Board.
† Delete if inapplicable

DIAGRAM 'A'

SCALE 1:600

(A) ℄ OF PROPOSED RIGHT OF WAY 4 WIDE (SEE D.P. 640557)
(B) ℄ OF EASEMENT FOR TRANSMISSION 6·095 WIDE (C 227257)
(C) RIGHT OF CARRIAGEWAY 12 WIDE (D.P. 642589)



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

OFFICE USE ONLY

DP 857030

Registered: 18-4-1996

3 3
6-5-1994 & 31-10-94

SHEET 3 OF 3 SHEETS

SOUTH PACIFIC OCEAN

MEAN HIGH WATER MARK

205

206
48·61 ha

DIAGRAM 'D'
SCALE 1:1000

DENOTES OVERHEAD POWER LINES (APPROX. POSITION)

(F) EASEMENT FOR PIPELINE (N993293)
(G) RIGHT OF WAY 20 WIDE (D.P. 624247)
(H) EASEMENT FOR POWERLINES 3 WIDE (D.P. 624247) (APPROX. POSITION)
(J) EASEMENT FOR PIPELINES FOR THE CONVEYANCE OF WATER 3 WIDE (D.P. 624247) (APPROX. POSITION)

Plan Drawing only to appear in this space

SURVEYOR'S REFERENCE 5476/DP1 (D)

Req:R880435 /Doc:DP 0857030 P /Rev:18-Apr-1996 /Sts:OK.OK /Prt:23-Jul-2010 08:08 /Pgs:ALL /Seq:3 of 3
Ref:mg /Src:M

NEW SOUTH WALES

CERTIFICATE OF TITLE

PROPERTY ACT, 1900

Appln. No.5627

Prior Title Vol.7281 Fol.169

Vol. 13691 Fol. 161

EDITION ISSUED

4 9 1978

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

Registrar General.

ESTATE AND LAND REFERRED TO

1976M7

Reg. Gen. 14-3-1979

Estate in Fee Simple in ~~Lot 2~~ Lot 1 in Deposited Plan 570905 at Shellharbour in the Municipality of Shellharbour Parish of Terragong and County of Camden being part of Portion 19 granted to D'Arcy Wentworth on 3-9-1821. and part of Portion 5 granted to D'Arcy Wentworth on 9-1-1821.

FIRST SCHEDULE

IMPERIAL CHEMICAL INDUSTRIES OF AUSTRALIA AND NEW ZEALAND LIMITED.

SECOND SCHEDULE

1. Reservations and conditions, if any, contained in the Crown Grant above referred to.

(Page 1) Vol. 13691 Fol. 161

ATE OR Any NOTIFICATION HEREON

PERSONS ARE

B29 /Req: B593882 /Doc: CT 13691-161 /Prt: 22-Jul-2010

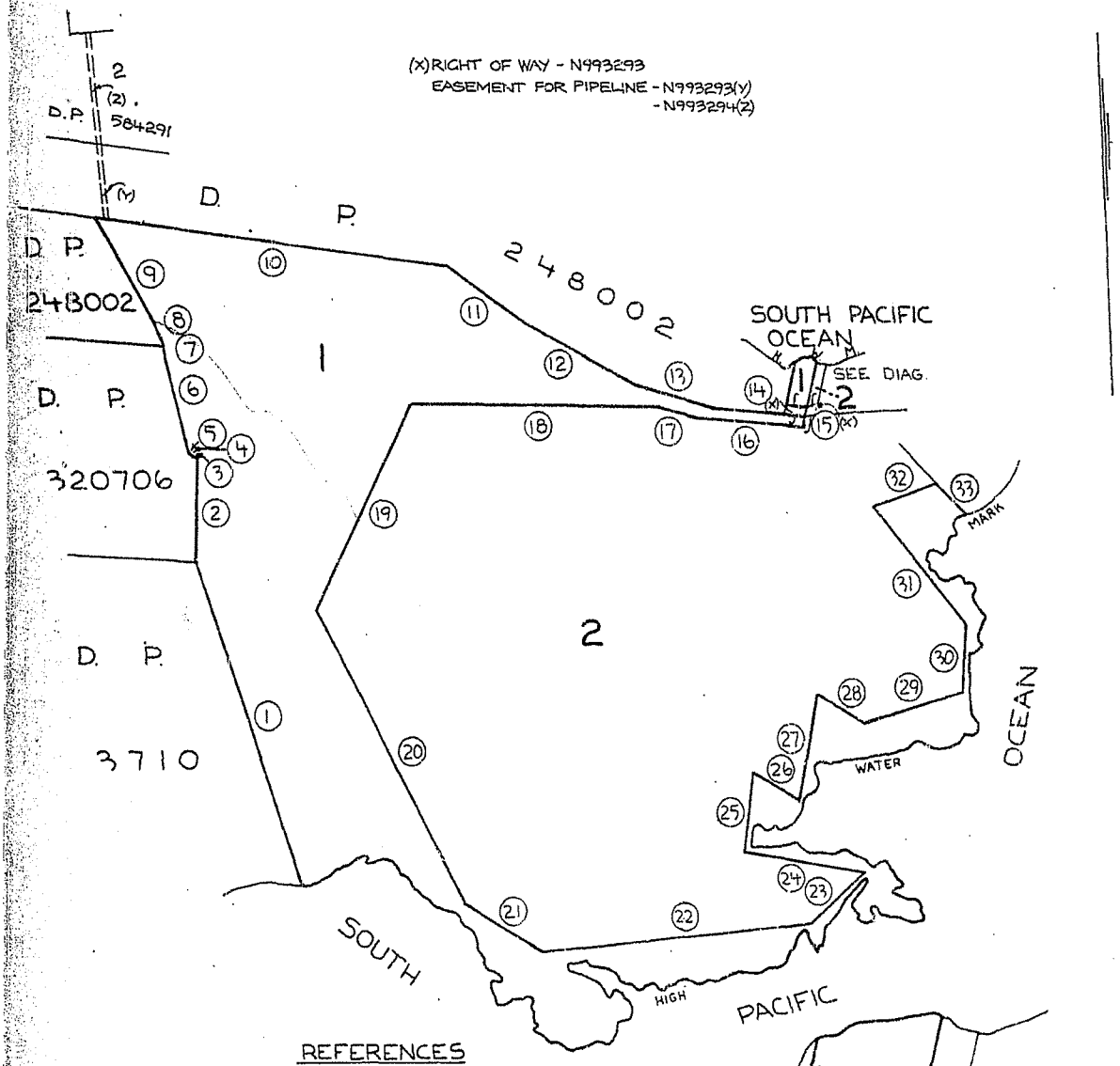
WARNING: THIS DOCUMENT MUST NOT BE REMOVED FROM THE REGISTRAR GENERAL'S OFFICE.

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

Vol. 13691 Fol. 161

PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES

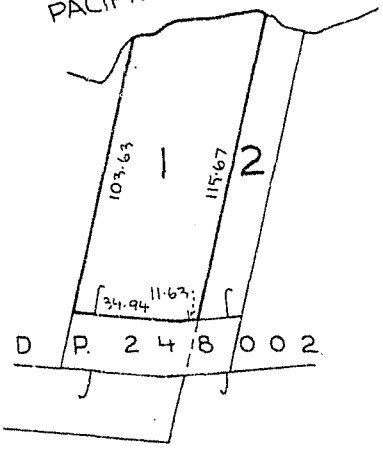


REFERENCES

1	865
2	244·3
3	13·74
4	7·85
5	5·27
6	242·8
7	62·445
8	18·085
9	286·7
10	871·3
11	246·14

12	309·74
13	204·8
14	225
15	25·58
16	268·8
17	93·09
18	619·16
19	551·7
20	798·03
21	229·2
22	676·2

23	187·5
24	309·6
25	177·5
26	118·8
27	254·2
28	136·05
29	254·75
30	163·2
31	366·35
32	175·6
33	119·18



DIAG : REDUCTION RATIO 1:2000

AREA : 51·07 ha

REDUCTION RATIO 1:12500

D. P. 570905 84

N993293E
cancelled

DP624247
7-4-82
CNI regd
24/8/82

DP627783
regd 21/1/82

(Page 3 of 4 Pages)

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR	INSTRUMENT NATURE	INSTRUMENT NUMBER	REGISTERED	Signature of Registrar General
This deed is cancelled as to Whole New Certificates of Title have issued on 1.1.83 for lots in Deposited Plan No. 627783 as follows:- Lots 15-16 Vol 11497 Fol 113-114 respectively. REGISTRAR GENERAL				

SECOND SCHEDULE (continued)

INSTRUMENT NATURE	INSTRUMENT NUMBER	PARTICULARS	REGISTERED	Signature of Registrar General	CANCELLATION	
Transfer	N993293	Right of Way appurtenant to the land above described affecting the land shown so burdened in the plan hereon.	3-10-1979 ~~27-9-1979~~.			
Transfer	N993293	Easement for Pipeline appurtenant to the land above described affecting the land shown so burdened in the plan hereon.	3-10-1979 ~~27-9-1979~~.			
Transfer	N993294	Easement for Pipeline appurtenant to the land above described affecting the land shown so burdened in the plan hereon.	3-10-1979 ~~27-9-1979~~.			
	DP624247	Right of Way affecting the land shown so burdened in DP624247	24-8-1982			
	DP624247	Easement for Pipelines for conveyance of water affecting the land shown so burdened in DP624247	24-8-1982			
	DP624247	Easement for Power Lines affecting the land shown so burdened in DP624247	24-8-1982			

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

Vol. 13691 Fol. 161

Vol. 13631 Fol. 161

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR	INSTRUMENT		REGISTERED	Signature of Registrar General
	NATURE	NUMBER		

SECOND SCHEDULE (continued)

INSTRUMENT		PARTICULARS	REGISTERED	Signature of Registrar General	CANCELLATION	
NATURE	NUMBER					

B29 /Req: B593871 /Doc: CT 14971-113 /Prt: 22-Jul-2010

IFICATE OF TITLE

NEW SOUTH WALES

AL PROPERTY ACT, 1900

Vol. 14971 Fol. 113

CANCELLED

EDITION ISSUED

7 | 1983

irst Title : Old System

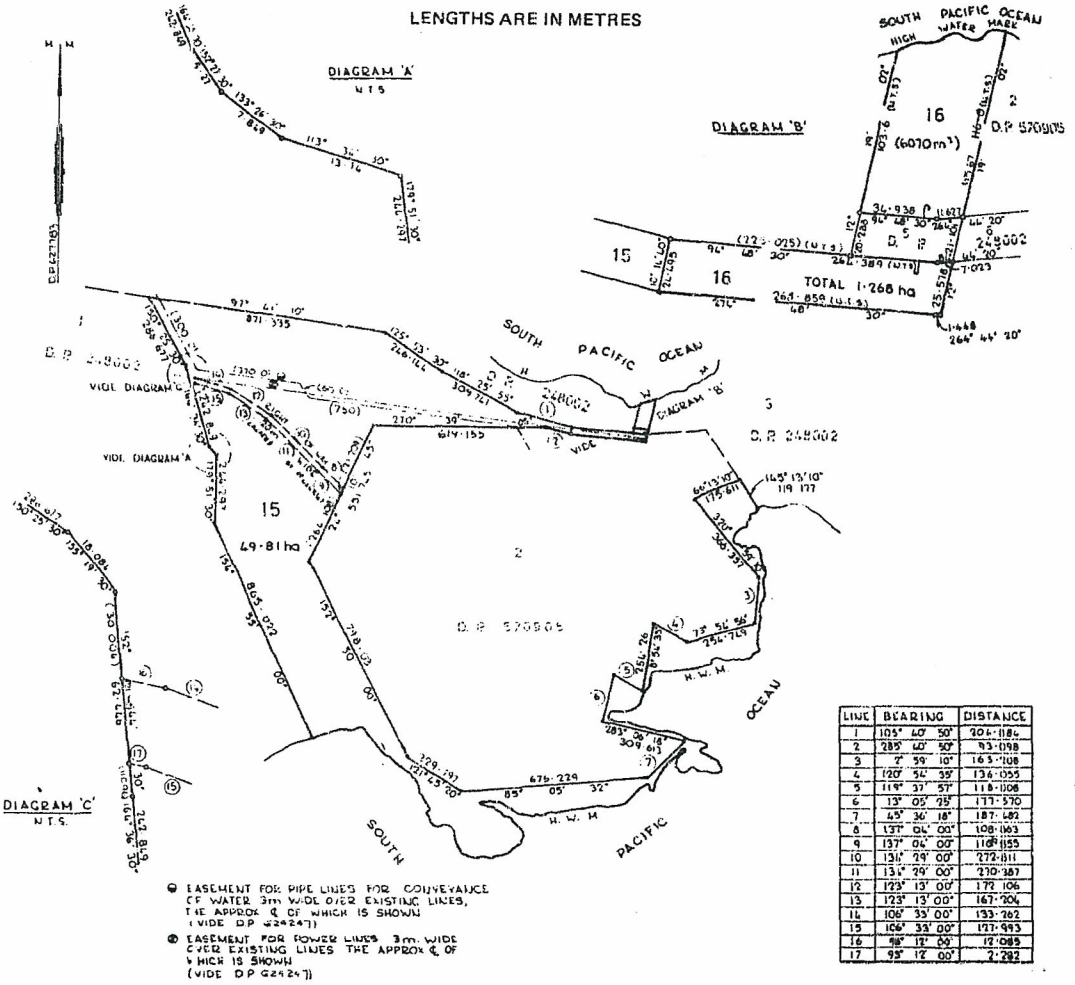
rior Title : Vol.13691 Fol.161

I certify that the person named in the First Schedule is the registered proprietor of an estate in fee simple (or such other estate or interest as is set out below) in the land described subject to the recordings appearing in the Second Schedule and to the provisions of the Real Property Act, 1900.

Registrar General.

PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES



LINE	BEARING	DISTANCE
1	105° 40' 50"	204·1184
2	285° 40' 50"	93·1098
3	7° 59' 10"	163·1108
4	120° 54' 35"	134·1055
5	119° 37' 57"	118·1108
6	13° 05' 25"	177·570
7	45° 36' 18"	187·682
8	137° 04' 00"	108·1163
9	137° 04' 00"	110·1155
10	136° 29' 00"	272·811
11	136° 29' 00"	270·387
12	123° 13' 00"	172·106
13	123° 13' 00"	167·704
14	106° 33' 00"	133·762
15	106° 33' 00"	173·993
16	98° 12' 00"	12·089
17	95° 12' 00"	2·292

① EASEMENT FOR PIPE LINES FOR CONVEYANCE OF WATER 3m WIDE OVER EXISTING LINES, THE APPROX ℄ OF WHICH IS SHOWN (VIDE DP 624247)

② EASEMENT FOR POWER LINES 3m WIDE OVER EXISTING LINES THE APPROX ℄ OF WHICH IS SHOWN (VIDE DP 624247)

LAND REFERRED TO

Lot 15 in Deposited Plan 627783 at Shellharbour in the Municipality of Shellharbour Parish of Terragong and County of Camden.

FIRST SCHEDULE

I ~~C I AUSTRALIA~~ LIMITED.

SECOND SCHEDULE

CRY 1. Reservations and conditions, if any, contained in the Crown Grant.

RWZ 2. N993293P Right of way appurtenant to the land above described affecting Lots 5 and 6 in Deposited Plan 248002.

EPZ 3. N993293P Easement for pipeline appurtenant to the land above described affecting the part of Lot 2 shown so burdened in Deposited Plan 248002.

EPZ 4. N993294P Easement for pipeline appurtenant to the land above described affecting the land shown so burdened in plan with N993294.

EA 5. DP624247P Easement for power lines affecting ~~the~~ existing lines shown so burdened in ~~Deposited~~ Plan 627783.

RG 2/64

PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR ANY NOTIFICATION (Page 1)

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

Vol 14971 Fol 113

99346D 8.81 D. West. Government Printer

FIRST SCHEDULE (continue)

REGISTERED PROPRIETOR | Registrar General

~~Minister Administering The Enviromental Planning and Assessment Act 1979 by Transfer V85687. Registered 19-4-1984~~

~~The State of New South Wales by Application W622036. Registered 27.11.1986.~~

The State of New South Wales as regards Lot 2 in DP 715016 and the Minister Administering the Environmental Planning and Assessment Act.1979 as regards the residue by Application W622036 Registered 27-11-1986.

This folio is cancelled as to part being portion 1 parish of TERRAGONG county of CAMDEN and new folio 1/715016 created.

This folio is cancelled as to ~~part~~ residue being portion 2 parish of TERRAGONG county of CAMDEN and new folio 2/715016 created.

SECOND SCHEDULE (continued)

PARTICULARS | Registrar General | CANCELLATION

NOTATIONS AND UNREGISTERED DEALINGS

W568774 DP714290R DP715016R 10-7-1985 W622036 AAR

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

Historical Title

LEAP Searching
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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

1/8/2010 6:24PM

FOLIO: 1/715016

First Title(s): OLD SYSTEM
Prior Title(s): VOL 14971 FOL 113

Recorded	Number	Type of Instrument	C.T. Issue
10/7/1985	DP715016	DEPOSITED PLAN	LOT RECORDED FOLIO NOT CREATED
16/7/1987	DP715016	DEPOSITED PLAN	FOLIO CREATED EDITION 1
26/4/1995	O182100	TRANSFER	EDITION 2
4/3/1996	O952797	DEPARTMENTAL DEALING	
17/4/1996	2089512	DEPARTMENTAL DEALING	
18/4/1996	DP857030	DEPOSITED PLAN	FOLIO CANCELLED

*** END OF SEARCH ***

mg

PRINTED ON 1/8/2010

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SFR
Service First Registration

Historical Title

LEAP Searching
An Approved LPI NSW
Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE
1/8/2010 6:23PM

FOLIO: 206/857030

First Title(s): OLD SYSTEM
Prior Title(s): 1/715016

Recorded	Number	Type of Instrument	C.T. Issue
18/4/1996	DP857030	DEPOSITED PLAN	FOLIO CREATED EDITION 1
28/2/1997	DP267330	DEPOSITED PLAN	
5/3/1997	2878601	RELEASE OF EASEMENT	
5/3/1997	2877629	DEPARTMENTAL DEALING	
10/11/1997	3565481	DEPARTMENTAL DEALING	EDITION 2
15/2/2000	6559581	CAVEAT	
2/10/2001	DP1034320	DEPOSITED PLAN	EDITION 3
7/4/2005	AB397432	WITHDRAWAL OF CAVEAT	
25/1/2007	AC636829	RELEASE OF EASEMENT	EDITION 4

*** END OF SEARCH ***

mg

PRINTED ON 1/8/2010

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SFR
Service First Registration

Title Search

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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 206/857030

SEARCH DATE	TIME	EDITION NO	DATE
1/8/2010	6:26 PM	4	25/1/2007

LAND

LOT 206 IN DEPOSITED PLAN 857030
LOCAL GOVERNMENT AREA SHELLHARBOUR
PARISH OF TERRAGONG COUNTY OF CAMDEN
TITLE DIAGRAM DP857030

FIRST SCHEDULE

THE COUNCIL OF SHELLHARBOUR

SECOND SCHEDULE (4 NOTIFICATIONS)

1 DP267330 RIGHT OF CARRIAGEWAY VARIABLE WIDTH AFFECTING THE PART(S) SHOWN SO BURDENED IN DP267330
AC636829 EASEMENT RELEASED IN SO FAR AS IT BENEFITS 21/1010797
2 DP267330 EASEMENT FOR POWER LINES 3 WIDE AFFECTING THE PART(S) SHOWN SO BURDENED IN DP267330
AC636829 EASEMENT RELEASED IN SO FAR AS IT BENEFITS 21/1010797
3 DP267330 EASEMENT FOR THE CONVEYANCE OF WATER OVER EXISTING LINE OF PIPES AFFECTING THE PART(S) SHOWN SO BURDENED IN DP267330
AC636829 EASEMENT RELEASED IN SO FAR AS IT BENEFITS 21/1010797
4 DP1034320 RESTRICTION(S) ON THE USE OF LAND

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

mg PRINTED ON 1/8/2010

* 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. Leap Searching hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with Section 92B(2) of the Real Property Act.

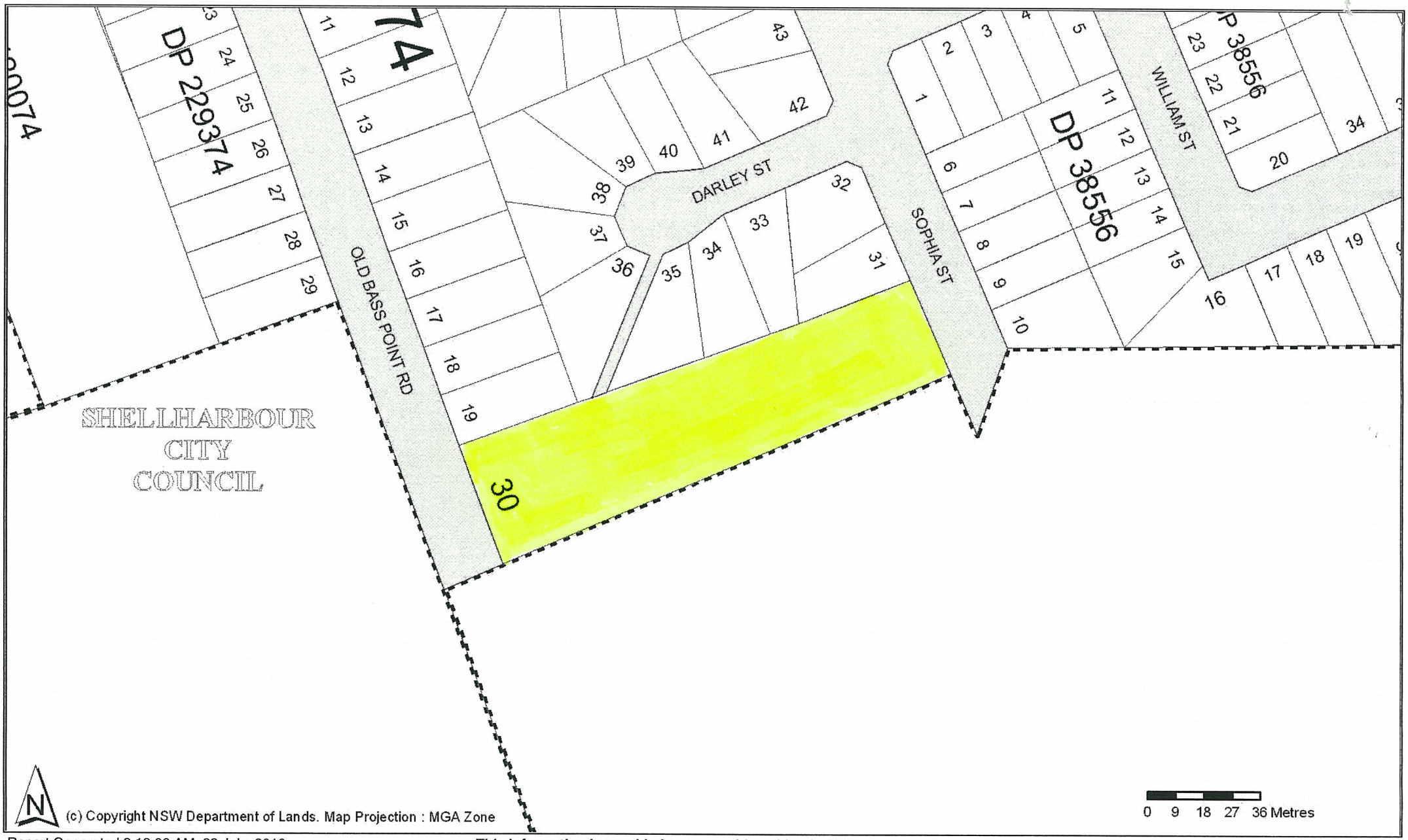
Department of Lands
Reliable from the ground up

Cadastral Records Enquiry Report

Ref : 29

Requested Parcel : Lot 30 DP 229374 **Identified Parcel :** Lot 30 DP 229374

Locality : SHELLHARBOUR **LGA :** SHELLHARBOUR **Parish :** TERRAGONG **County :** CAMDEN



(c) Copyright NSW Department of Lands. Map Projection : MGA Zone

Report Generated 9:12:06 AM, 23 July, 2010

This information is provided as a searching aid only. While every endeavour is made to ensure the current cadastral pattern is accurately reflected, the Registrar General cannot guarantee the information provided. For all ACTIVITY PRIOR to SEPT 2002 you must refer to the RGs Charting and Reference Maps.

G.

NEW SOUTH WALES

Appn No 5627

Prior Title: Vol.7281 Fol.169

CERTIFICATE OF TITLE

...PERTY ACT, 1900, as amended.

Vol. 9751 Fol. 247

1st Edition issued 17-7-1964

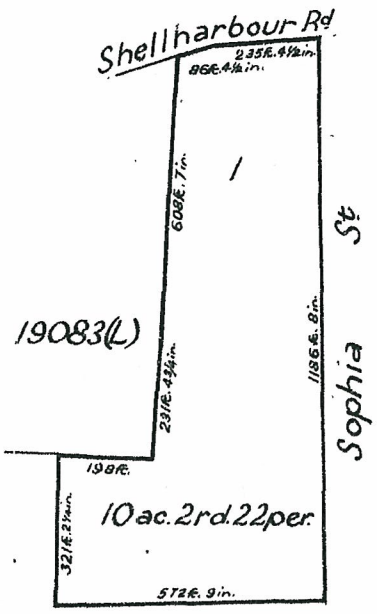
N.R J476014

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

Witness S Maclennan

Registrar-General.

PLAN SHOWING LOCATION OF LAND



64955 (L)

J476014 G.B.

Scale: 300 feet to one inch

ESTATE AND LAND REFERRED TO

Estate in Fee Simple in lot 1 in Deposited Plan 219827 at Shellharbour Municipality of Shellharbour, Parish of Terragong and County of Camden and being part of Portion 20 granted to D'Arcy Wentworth on 9-1-1821.

Registrar General

FIRST SCHEDULE (Continued overleaf)

THE HOUSING COMMISSION OF NEW SOUTH WALES.

Registrar General

SECOND SCHEDULE (Continued overleaf)

B29 /Req: B593883 /Doc: CT 09751-247 /Prt: 22-Jul-2010

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

ST 1069 V. C. M. BLIGHT, GOVERNMENT PRINTER

Vol. 9751 Fol. 247

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR	INSTRUMENT NATURE	INSTRUMENT NUMBER	INSTRUMENT DATE	ENTERED	Signature of Registrar-General
Lot C&T was on DP 329374 No dealg to be read with ref to SDR					
This deed is ~~cancelled~~ as to THE WHOLE.					
New Certificates of Title have issued for lots in					
DEPOSITED Plan No 329374 as follows:-					
Lots 1 to 74 Vol 10374 Fols 152 to 226 respectively					
REGISTRAR GENERAL					

DP 329374
03/8/96
From [illegible]
AO 2510
DP 329374
Whole
Deleted as
Folio [illegible]
also 1-81
Pul out the
Reg 18.6.97
Jul 214

SECOND SCHEDULE (continued)

INSTRUMENT NATURE	INSTRUMENT NUMBER	INSTRUMENT DATE	PARTICULARS	ENTERED	Signature of Registrar-General	CANCELLATION		

(Page 2 of 2 pages)

B29
/Req: B593873
/Doc: CT 10374-182
/Prt: 22-Jul-2010

FICATE OF TITLE

W SOUTH WALES

RTY ACT, 1900, as amended.

Appln. No. 5627
Prior Title Vol. 9751 Fol. 247

Vol. 10374 Fol. 182

CANCELLED

Edition issued 17-8-1966.

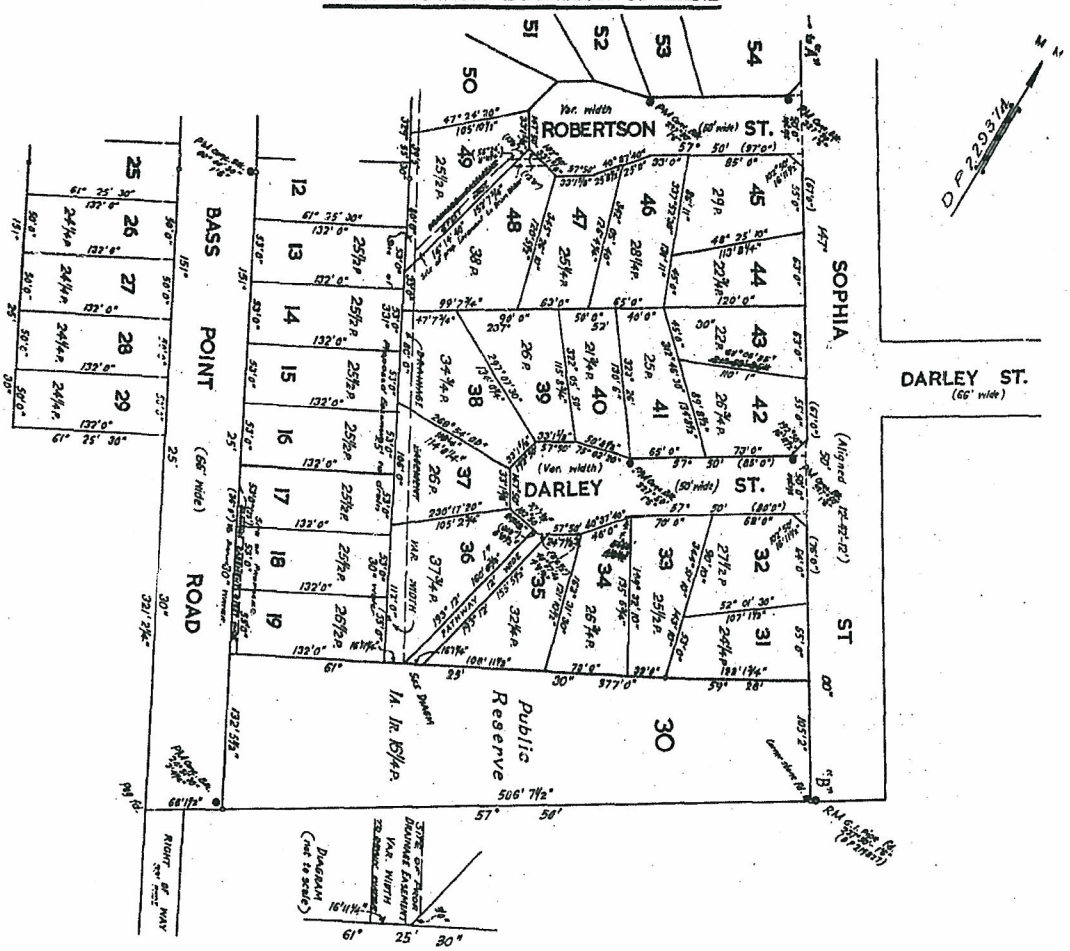
SEE AUTO FOLIO

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

tness D. O'Sullivan.

Registrar General.

PLAN SHOWING LOCATION OF LAND



ESTATE AND LAND REFERRED TO.

Estate in Fee Simple in Lot 30 in Deposited Plan 229374 in the Municipality of Shellharbour Parish of Terragong and County of Camden being part of Portion 20 granted to D'Arcy Wentworth on 9-1-1821.

FIRST SCHEDULE (Continued overleaf)

THE HOUSING COMMISSION OF NEW SOUTH WALES.

Registrar General.

SECOND SCHEDULE (Continued overleaf)

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

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

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

PT 1 , 17 V.C.N. Blight, Government Printer

Vol. 10374 Fol 182

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR	INSTRUMENT			ENTERED	Signature of Registrar-General
	NATURE	NUMBER	DATE		

SECOND SCHEDULE (continued)

INSTRUMENT			PARTICULARS	ENTERED	Signature of Registrar-General	CANCELLATION		
NATURE	NUMBER	DATE						

SFR
Service First Registration

Historical Title

LEAP Searching
An Approved LPI NSW
Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE
1/8/2010 6:45PM

FOLIO: 30/229374

First Title(s): SEE PRIOR TITLE(S)
Prior Title(s): VOL 10374 FOL 182

Recorded	Number	Type of Instrument	C.T. Issue
5/6/1987		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
22/4/1988		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED

*** END OF SEARCH ***

mg

PRINTED ON 1/8/2010

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SFR
Service First Registration

Title Search

LEAP Searching
An Approved LPI NSW
Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 30/229374

SEARCH DATE	TIME	EDITION NO	DATE
1/8/2010	6:46 PM	-	-

VOL 10374 FOL 182 IS THE CURRENT CERTIFICATE OF TITLE

LAND

LOT 30 IN DEPOSITED PLAN 229374
LOCAL GOVERNMENT AREA SHELLHARBOUR
PARISH OF TERRAGONG COUNTY OF CAMDEN
TITLE DIAGRAM DP229374

FIRST SCHEDULE

THE HOUSING COMMISSION OF NEW SOUTH WALES

SECOND SCHEDULE (0 NOTIFICATIONS)

NIL

NOTATIONS

NOTE: DEDICATED AS PUBLIC RESERVE GAZ 20.1.67 FOL. 158
UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

mg

PRINTED ON 1/8/2010

* 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. Leap Searching hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with Section 92B(2) of the Real Property Act.

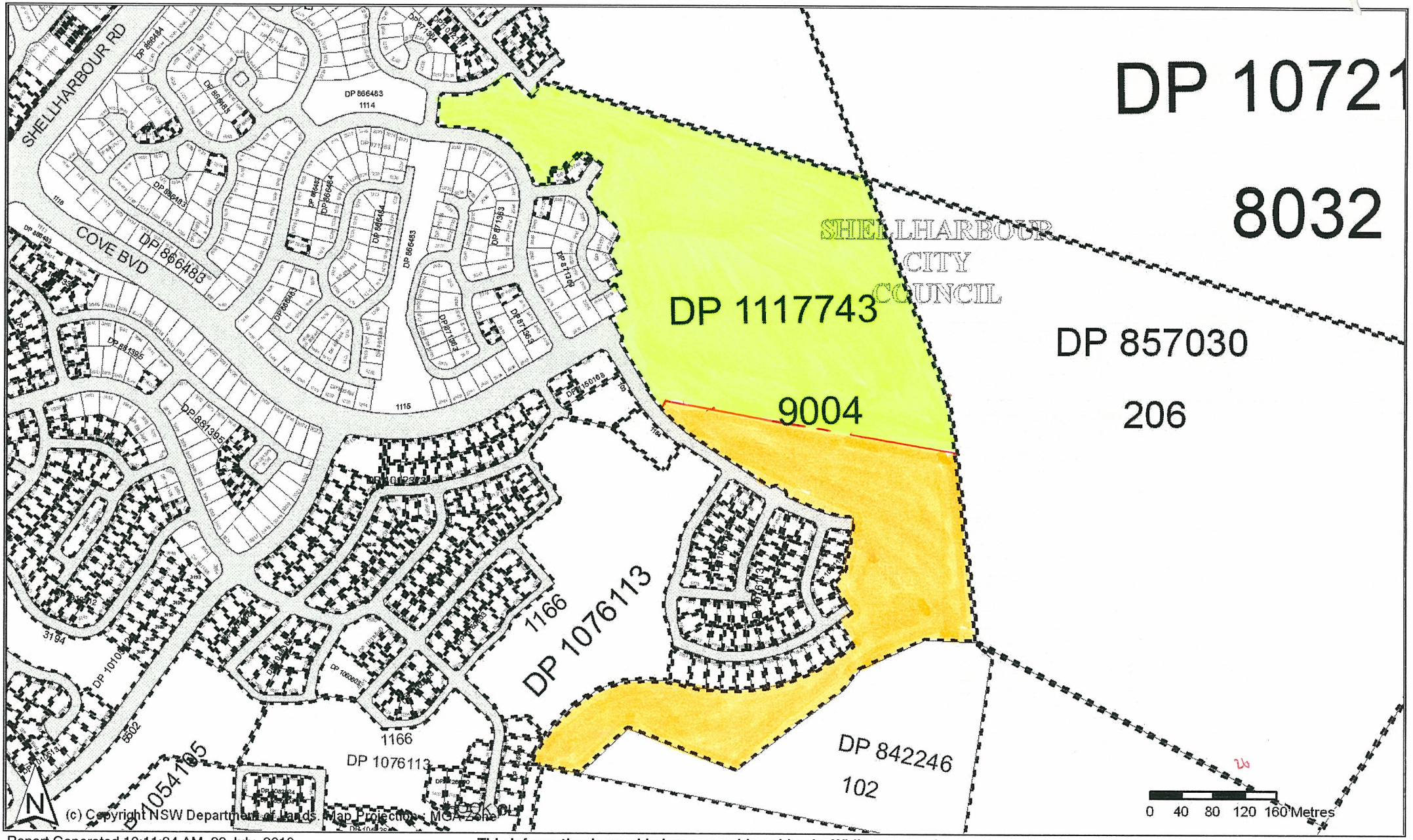
Department of Lands
Reliable from the ground up

Cadastral Records Enquiry Report

Ref : 29

Requested Parcel : Lot 9004 DP 1117743 **Identified Parcel** : Lot 9004 DP 1117743

Locality : SHELL COVE **LGA** : SHELLHARBOUR **Parish** : TERRAGONG **County** : CAMDEN



Report Generated 10:11:34 AM, 29 July, 2010

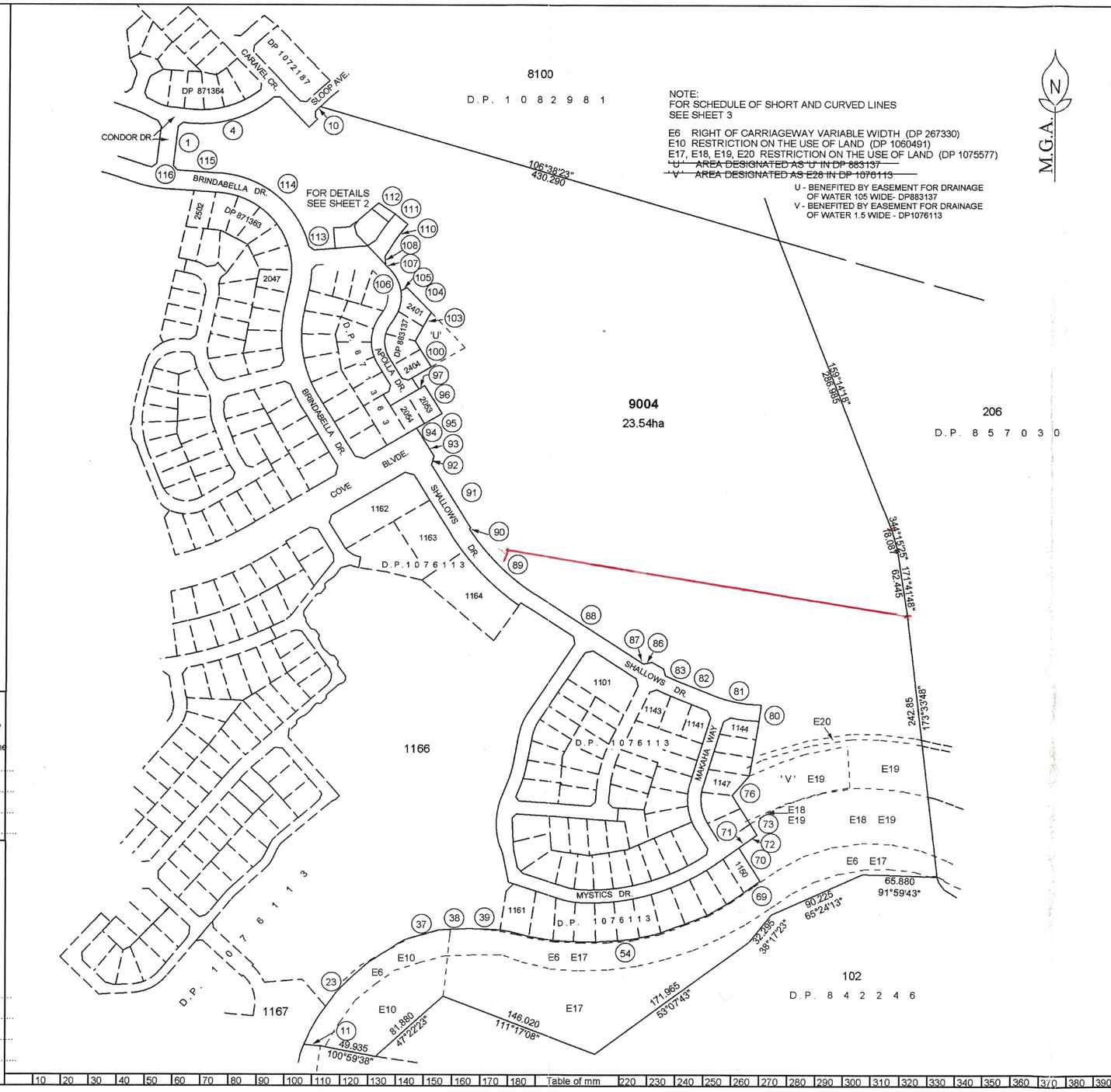
This information is provided as a searching aid only. While every endeavour is made to ensure the current cadastral pattern is accurately reflected, the Registrar General cannot guarantee the information provided. For all ACTIVITY PRIOR to SEPT 2002 you must refer to the RGs Charting and Reference Maps.

PLAN FORM 2 (APPROVED FORM 3)

DP1117743

ePlan

SIGNATURES, AND SEALS ONLY



Department of Lands Approval

I .....in approving this plan certify (Authorised Officer) that all necessary approvals in regard to the allocation of the land shown hereon have been given.

Signature: .....

Date: .....

File Number: .....

Office: .....

Subdivision Certificate

I certify that the provisions of s.109J of the Environmental Planning and Assessment Act 1979 have been satisfied in relation to the proposed

SUBDIVISION set out herein
* (insert 'subdivision' or 'new road')

SEE SIGNATURE FORM
* Authorised Person/General Manager/Accredited Certifier

Consent Authority: SHELLHARBOUR CITY COUNCIL

Date of Endorsement: .....

Accreditation no: .....

Subdivision Certificate no: .....

File no: .....
* Delete whichever is inapplicable.

SURVEYOR'S REFERENCE :D205143 RELODGED

10 20 30 40 50 60 70 80 90 100 110 120 130 140 150 160 170 180 Table of mm 220 230 240 250 260 270 280 290 300 310 320 330 340 350 360 370 380 390

WARNING CREASING OR FOLDING WILL LEAD TO REJECTION

* OFFICE USE ONLY

DP1117743

Registered: 11.10.2007

Title System: TORRENS

Purpose: SUBDIVISION

Ref. Map: W8270-8#, W8270-82#

Last Plan: DP866483, DP1076113

PLAN OF SUBDIVISION OF LOT 1126 IN DP 866483 AND LOT 1168 IN DP 1076113

Lengths are in metres. Reduction Ratio 1:2500

L. G. A. : SHELLHARBOUR

Locality : SHELL COVE

Parish : TERRAGONG

County : CAMDEN

This is sheet 1 of my plan in 3 sheets.

Surveying Regulation, 2001
I, MATTHEW BRUCE SMITH
of CRAVEN ELLISTON & HAYES (DAPTO) PTY LTD
ABN 81 056 544 604
a surveyor registered under the Surveying Act, 2002, hereby certify that the survey represented in this plan is accurate, has been made in accordance with the Surveying Regulation, 2001 and was completed on 21/10/2006

The survey relates to LOTS 9001 TO 9004 AND EASEMENTS .....
(here specify the land actually surveyed or specify any land shown in the plan that is not the subject of the survey)

(Signature) SEE SIGNATURE FORM Dated: 2/12/2006
Surveyor registered under the Surveying Act, 2002
Datum Line: SSM - 103061 AND SSM - 103069
Type: Urban

Plans used in preparation of Survey/Compilation
DP 883137, DP 871363, DP 866483, DP 1082981
DP 1076113, DP 1072187

PANEL FOR USE ONLY for statements of intention to dedicate public roads, to create public reserves, drainage reserves, easements, restrictions on the use of land or positive covenants

PURSUANT TO SECTION 88B OF THE COVEYANCING ACT 1919, AS AMENDED, IT IS INTENDED TO CREATE

1. EASEMENT FOR PAD MOUNT SUB STATION VARIABLE WIDTH
2. EASEMENT FOR SUPPORT 0.15 WIDE
3. RESTRICTION ON THE USE OF LAND
4. EASEMENT FOR SEWERAGE PURPOSES 5 WIDE

PURSUANT TO SECTION 88B OF THE COVEYANCING ACT 1919, AS AMENDED, IT IS INTENDED TO RELEASE

5. EASEMENT FOR SEWERAGE PURPOSES 5 WIDE (DP 866483)

IT IS INTENDED THAT CLIPPER AVENUE 15 WIDE BE DEDICATED TO THE PUBLIC AS ROAD SUBJECT TO EASEMENT FOR ACCESS, ELECTRICITY PURPOSES AND SERVICES

Req:R880468 /Doc:DP 1117743 P /Rev:17-Oct-2007 /Sts:SC.OK /Prt:23-Jul-2010 08:20 /Pgs:ALL /Seq:1 of 4
Ref:img /Src:M

PLAN FORM 3 (APPROVED FORM 5) To be used in conjunction with Plan Form 2 WARNING CREASING OR FOLDING WILL LEAD TO REJECTION

DP1117743

ePlan

Req:R880468 /Doc:DP 1117743 P /Rev:17-Oct-2007 /Sts:SC.OK /Prt:23-Jul-2010 08:20 /Pgs:ALL /Seq:2 of 4
Ref:img /Src:M

E2 EASEMENT FOR ACCESS, ELECTRICITY PURPOSES AND SERVICES (DP 866483)
(1) E3 EASEMENT FOR PADMOUNT SUB STATION VARIABLE WIDTH
(2) E4 EASEMENT FOR SUPPORT 0.15 WIDE
(4) E5 EASEMENT FOR SEWERAGE PURPOSES 5 WIDE
~~E6~~ PADMOUNT SUBSTATION EASEMENT (DP 871363)
E7

M.G.A

9004
23.54ha

9001
150.9m²

9002
608.5m²

9003
442.7m²

SEE DIAGRAM A

9002

DIAGRAM A
N.T.S

CLIPPER (15 WIDE) AVE.

APOLLO DRIVE (12 WIDE AND VAR)

BRINDABELLA DRIVE (18 WIDE)

SSM - 103060 FD

SSM - 103061 FD

RM DHW 355°01'25" 2.9 & 10.975

RM DH&W FD 281°59'51" 4.45 & 13.55 (DP 871363)

RM DH&W FD 173°25'38" 2.65 & 11.055 (DP 871363)

RM DH&W GONE (DP 871363)

RM DH&W FD 175°01'28" 4.95 (DP 871363)

RM DH&W FD 226°59'45" 2.825 & GONE (DP 871363)

284°14'18" 284°14'25" 75.536 MGA GND 75.536 SURVEY

176°25'40" 108.525 MGA GND & SURVEY

TO SSM - 103069 FD

2045
2064
2063
2062
2061
2065
2401
D.P. 883137

REFERENCE MARKS		
A	116°42'20"	11.97
	99°39'10"	3.51
B	15°06'45"	7.355
	337°54'50"	12.585

SCHEDULE OF SURVEY MARKS 28TH NOVEMBER 2006

MARK	EASTING	NORTHING	ZONE	CLASS	ORDER
SSM 103061	303867.290	6170532.182	56	C	4
SSM 103069	303874.056	6170423.860	56	C	4
SSM 103060	303794.069	6170550.762	56	C	4

SOURCE S.C.I.M.S
COMBINED SCALE FACTOR 1.00007

Plan Drawing only to appear in this space

DP1117743

Registered: 11.10.2007

This is sheet 2 of my plan in 3 sheets.
Dated 21/11/2006

Surveyor registered under the Surveying Act, 2002

This is 2 Sheet of my plan 3 of sheets covered by subdivision certificate No.
of

Authorised Person/General Manager/Accredited Certifier

For use where space is insufficient in any panel on Plan Form 2

* OFFICE USE ONLY

Lengths are in metres. Reduction Ratio 1:400

SURVEYOR'S REFERENCE : D205143-RELODGED

Req:R880468 /Doc:DP 1117743 P /Rev:17-Oct-2007 /Sts:SC.OK /Prt:23-Jul-2010 08:20 /Pgs:ALL /Seq:3 of 4
Ref:mg /Src:M

SCHEDULE OF CURVED LINES

Number	Radius	Arc Length	Chord Bearing	Chord Distance
4	96	81.513	251°59'57"	79.086
72	196	8.038	54°44'31"	8.038
81	117.5	43.938	281°31'15"	43.682
83	242.5	16.952	294°14'10"	16.949
87	242.5	8.165	302°24'32"	8.165
89	202.5	85.993	315°32'21"	85.348
106	36	21.455	154°04'03"	21.139
110	181.55	26.639	215°33'53"	26.615
114	89	112.313	130°10'13"	105.007

SCHEDULE OF SHORT LINES

Number	Bearing	Distance	Number	Bearing	Distance	Number	Bearing	Distance
1	6°19'22"	36.769	40	280°24'00"	9.905	79	9°44'47"	17.705
2	231°19'22"	5.657	41	103°18'51"	6.01	80	7°15'28"	15.085
3	96°19'22"	6.104	42	107°58'55"	5.96	82	292°14'01"	29.6
5	91°44'03"	5.633	43	103°35'47"	5.97	84	344°52'21"	6.686
6	136°58'34"	37.985	44	99°16'41"	17.97	85	118°50'30"	12.03
7	46°58'34"	10.5	45	96°06'29"	6.005	86	256°53'04"	7.197
8	316°58'34"	3	46	272°40'07"	6.010	88	303°22'25"	108.655
9	181°58'34"	5.657	47	93°15'23"	5.985	90	58°59'47"	1.5
10	46°58'34"	5.877	48	92°17'44"	11.970	91	328°59'47"	63.435
11	273°58'50"	15.06	49	89°20'13"	5.980	92	13°59'47"	8.485
12	201°07'49"	1.718	50	88°19'10"	6.010	93	328°59'47"	30
13	23°13'17"	6	51	268°42'31"	6	94	238°59'47"	8.187
14	203°08'25"	5.826	52	86°43'26"	5.99	95	238°59'47"	18
15	208°35'36"	5.99	53	85°42'37"	5.94	96	328°59'47"	30
16	208°28'50"	6.011	54	84°37'59"	12.03	97	58°59'47"	6
17	33°05'02"	5.989	55	261°29'09"	5.965	98	328°59'47"	12
18	34°46'51"	6	56	256°57'15"	6.02	99	238°59'47"	19.923
19	35°22'07"	6	57	77°37'49"	11.995	100	328°59'47"	18.946
20	215°03'18"	6.015	58	72°16'07"	6.02	101	328°59'47"	9.154
21	215°46'42"	6.016	59	248°23'51"	11.985	102	27°51'25"	15.196
22	42°56'02"	6.016	60	248°53'22"	5.995	103	27°59'20"	14.825
23	42°48'19"	6.011	61	68°19'15"	11.99	104	316°59'39"	31.337
24	44°39'51"	5.99	62	68°30'09"	11.955	105	243°47'29"	6.483
25	227°39'15"	6	63	241°34'59"	6.535	107	316°59'39"	6.43
26	46°51'50"	6	64	238°14'30"	12.981	108	174°11'21"	7.958
27	227°54'21"	6.026	65	237°24'30"	6.48	109	31°21'40"	9.572
28	50°51'23"	5.995	66	234°20'38"	6.496	111	309°46'05"	15
29	57°24'36"	5.99	67	54°28'49"	12.985	112	304°31'54"	18.002
30	56°40'59"	5.99	68	54°07'44"	6.485	113	126°19'03"	6.011
31	236°19'11"	5.99	69	232°25'58"	5.929	115	94°01'06"	38.232
32	237°39'01"	5.99	70	328°06'41"	35.946	116	320°10'14"	5.546
33	235°09'53"	6.012	71	233°34'02"	12.024			
34	241°01'46"	3.948	73	148°13'08"	12.01			
35	241°01'51"	3.936	74	148°49'34"	16.835			
36	69°19'44"	4.639	75	328°49'34"	14.073			
37	74°13'53"	27.295	76	39°58'50"	23.438			
38	86°39'43"	26.461	77	9°44'47"	16.874			
39	272°40'05"	27.663	78	9°44'47"	16.874			

Plan Drawing only to appear in this space

* OFFICE USE ONLY

DP1117743

Registered: 11.10.2007

This is sheet 3 of my plan in 3 sheets.
Dated 21/11/2006

SEE SIGNATURE FORM

Surveyor registered under the Surveying Act, 2002

This is 3 sheet of my plan 3 of sheets covered by subdivision certificate No.
of

Authorised Person/General Manager/Accredited Certifier

For use where space is insufficient in any panel on Plan Form 2

Lengths are in metres. Reduction Ratio

SURVEYOR'S REFERENCE :D205143 RELODGED

Req:R880468 /Doc:DP 1117743 P /Rev:17-Oct-2007 /Sts:SC.OK /Prt:23-Jul-201
Req:R /Doc:DP ALL /Seq:4 of 4

PLAN FORM 6

CERTIFICATES, SIGNATURES AND SEALS

Sheet 1 of 1 sheet(s)

PLAN OF SUBDIVISION OF LOT 1126 IN DP 886483 AND LOT 1168 IN DP 1076113

* **DP1117743**

* **Registered:** 11.10.2007

* OFFICE USE ONLY

Surveying Regulation, 2001

I, ...MATTHEW SMITH.....
of ...CRAVEN ELLISTON & HAYES (DAPTO) PTY LTD
ABN 81 056 544 604
a surveyor registered under the *Surveying Act, 2002*, certify that the survey represented in this plan is accurate, has been made in accordance with the *Surveying Regulation, 2001* and was completed on: 21/10/2006

The survey relates to LOTS 9001 TO 9004 AND EASEMENTS (specify the land actually surveyed or specify any land shown in the plan that is not the subject of the survey)

Signature .....*Dated: 2/12/2006*
Surveyor registered under the Surveying Act, 2002

Datum Line: SSM - 103060 AND SSM - 103069
Type: Urban

Crown Lands NSW/Western Lands Office Approval

I.....in approving this plan certify
(Authorised Officer)
that all necessary approvals in regard to the allocation of the land shown herein have been given

Signature:.....
Date:.....
File Number:.....
Office:.....

Subdivision Certificate

I certify that the provisions of s.109J of the Environmental Planning and Assessment Act 1979 have been satisfied in relation to:

the proposed SUBDIVSION set out herein
(insert 'subdivision' or 'new road')

SUBDIVISION
.....
* Authorised Person/General Manager/Accredited Certifier

Consent Authority: SHELLHARBOUR CITY COUNCIL
Date of Endorsement: 15/8/07
Accreditation no: .....
Subdivision Certificate no: 691/2004
File no: 691/2004

* Delete whichever is inapplicable.

SIGNATURES, SEALS and STATEMENTS of intention to dedicate public roads or to create public reserves and drainage reserves.

THE COMMON SEAL of)
)
THE COUNCIL OF THE)
CITY OF)
SHELLHARBOUR)
)
was affixed on 17th August 2007)
pursuant to a resolution)
made on 15 August 2006)

.....
Mayor

.....
General Manager

Signed for SYDNEY WATER CORPORATION by its Attorneys

JEFFREY FRANCIS COLENSO

ROSS ROLAND WYNN

who hereby state at the time of executing this instrument have no notice of the revocation of the Power of Attorney Registered No. 323 Book 4465 under Authority of which this instrument has been executed.

Use PLAN FORM 6A for additional certificates, signatures and seals

SURVEYOR'S REFERENCE:D205143

NEW SOUTH WALES

FICATE OF TITLE

OPERTY ACT, 1900, as amended.

Vol. 10958 Fol. 173

Application Nos. 5627 and 11372

Prior Title Volume 7233 Folio 120

EH Edition issued 6-1-1969

DEPOSITED PLAN 532298

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

Witness M.Flint

Registrar General.

CANCELLED

(Page 1) Vol. 10958 Fol. 173

ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 2 in plan lodged with Transfer No.B671666 (filed as F.P.320706) at Shellharbour in the Municipality of Shellharbour Parish of Terragong and County of Camden being part of Portion 5 and part of Portion 20 separately granted to D'Arcy Wentworth on 9-1-1821 and part of Portion 19 granted to D'Arcy Wentworth on 3-9-1821.

FIRST SCHEDULE

~~IMPERIAL CHEMICAL INDUSTRIES OF AUSTRALIA AND NEW ZEALAND LIMITED.~~

Registrar General.

SECOND SCHEDULE

1. Reservations and conditions, if any, contained in the Crown Grants above referred to.
2. Easement for Transmission Line created by Transfer No.B783615 affecting the piece of land 20 feet wide shown in the plan hereon.
3. ~~Right of Way created by Transfer No.A887827 appurtenant to the land above described affecting the piece of land shown as "Right of Way 50 lks. Wide" in the plan hereon.~~ Cancelled Pub 28. 06768 79.

Registrar General.

INITIAL 162

Reg. Gen. 3-10-1972

TIFICATE OR ANY NOTIFICATION HEREON

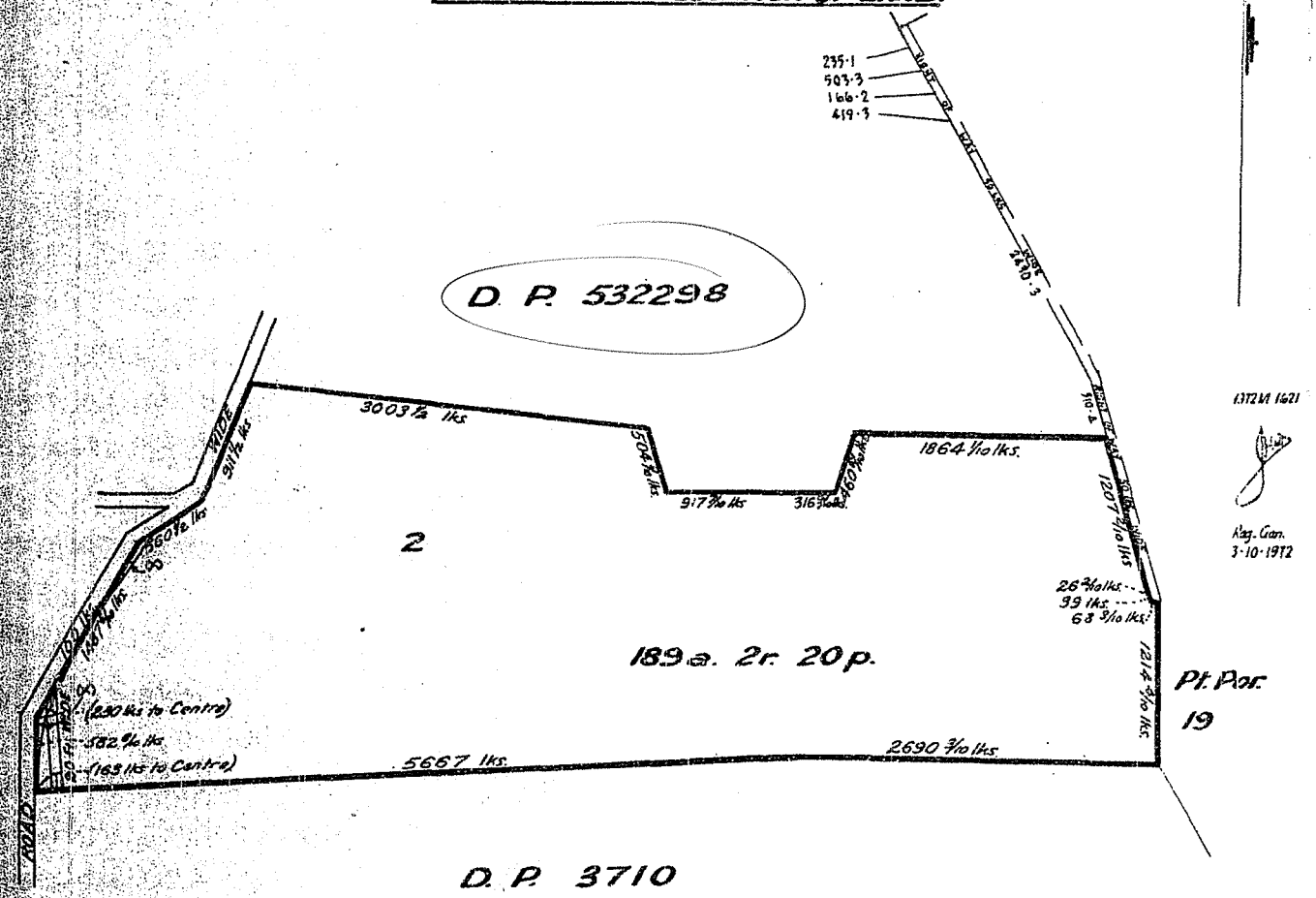
PERSONS ARE CAU

B29 /Req: B593885 /Doc: CT 10958-173 /Prt: 22-Jul-2010

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

Vol. 10958 Fol. 173

PLAN SHOWING LOCATION OF LAND



(X) ROAD (LOTS 1 & 2 IN DP 193412) - R610728

D.P. 532298 N.G.
P.C.

Scale: 10 Chains to one inch

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR	INSTRUMENT NATURE	INSTRUMENT NUMBER	INSTRUMENT DATE	ENTERED	Signature of Registrar General
Illawarra County Council by Transfer S754066. Registered 28-10-1981.					

NEW CERTIFICATE(S) OF TITLE ISSUING ON DP624266
NO DEALING TO BE REGISTERED WITHOUT REFERENCE TO DEALINGS BRANCH.

This Deed is cancelled as to ... Wide ex Road
New Certificates of Title have issued on 13-7-1982
for lots in Deposited Plan No 624266 as follows:
Lots 1-2 Vol. 11860 Fol. 75-76 respectively

REGISTRAR GENERAL

SECOND SCHEDULE (continued)

INSTRUMENT NATURE	INSTRUMENT NUMBER	INSTRUMENT DATE	PARTICULARS	ENTERED	Signature of Registrar General	CANCELLATION
Request	P413608	—	The Right of Way created by Transfer No. A887827 is hereby cancelled in so far as it affects the residue of the land in Certificate of Title, Vol. 7281, Fol. 169	11.8.1976		The residue of land in this folio comprises Road being lots 1 & 2 in DP193412
Transfer	0676819	—	The Right of way created by Transfer No. A887827 is hereby cancelled in so far as it affects the land in Certificate of Title Vol. 13098 Fol. 35	7.6.1978.		REGISTRAR GENERAL
Assumption	R610728	—	The land so indicated in the plan hereon, being lots 1 and 2 in D.P. 193412, is now public road.	21-4-1980.		

(Page 3 of 3 pages)
P238875 Part Rel 13/8/7
P413608 reg for Widening of Right of
D676819 T/R
A. RESUMED for road Gaz 16.11.79 F1116.
R610728
S754066 T/R
DP 624266
Vol. 13098 Fol. 35

Vol. 10958 Fol. 173

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR	INSTRUMENT NATURE	INSTRUMENT NUMBER	INSTRUMENT DATE	ENTERED	Signature of Registrar General

OP624266

SECOND SCHEDULE (continued)

INSTRUMENT NATURE	INSTRUMENT NUMBER	INSTRUMENT DATE	PARTICULARS	ENTERED	Signature of Registrar General	CANCELLATION		
~~Request~~	~~P 413608~~							

Reg. Gen. 15.4.1976

NEW SOUTH WALES

ICATE OF TITLE

L PROPERTY ACT, 1900

14804075

Appln. Nos.5627 & 11372

Prior Title Vol.10958 Fol.173

Vol. 14004 Fol. 75

EDITION ISSUED

13 7 1982

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

CANCELLED

Registrar General.

SEE AUTO FOLIO

ICATION HEREON (Page 1) Vol. ..... Fol. 14804 75

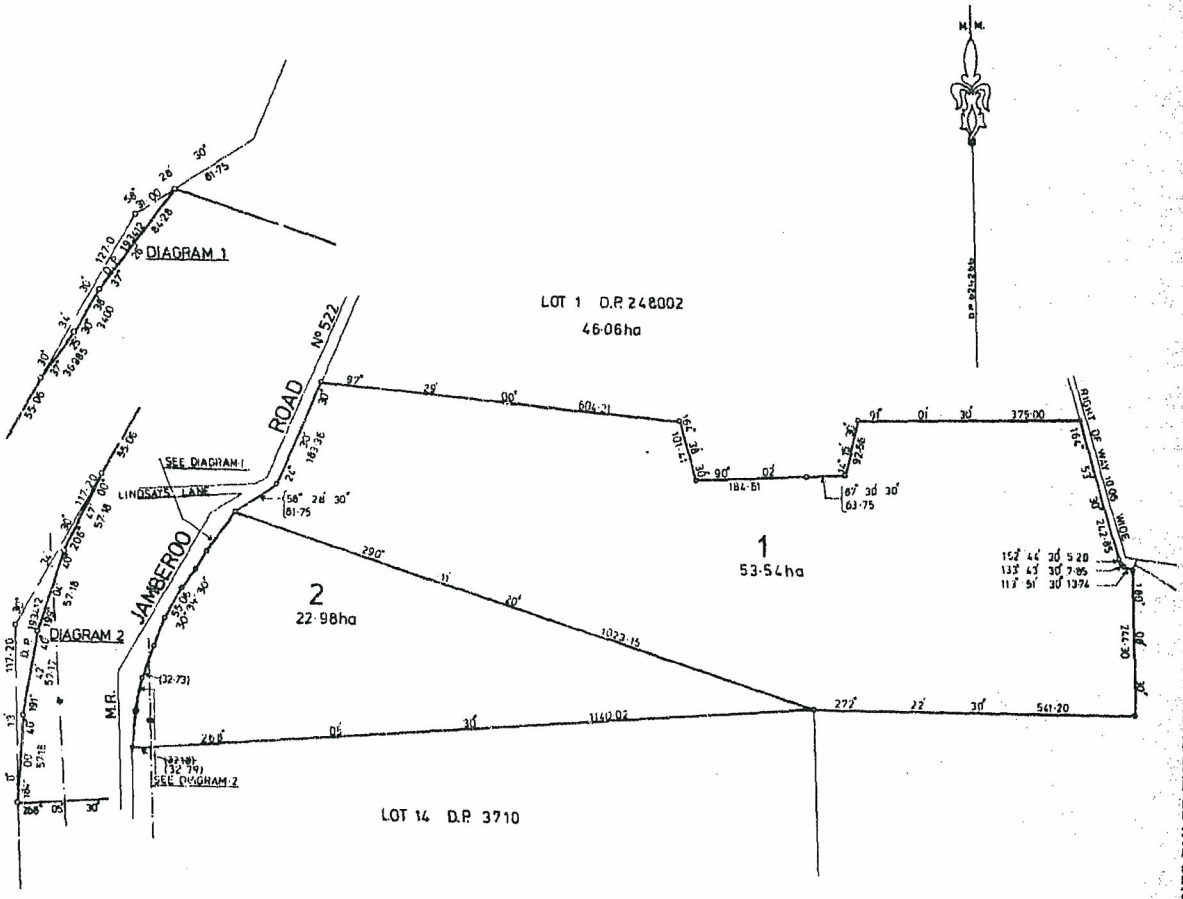
PERSONS ARE CAUTIONED AGAIN

B29 /Req: B594346 /Doc: CT 14804-075 /Prt: 29-Jul-2010

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

PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES



* ℄ OF EASEMENT FOR TRANSMISSION LINE 6·096 WIDE CREATED BY B783615 (℄ CUTS PER D.P. 193412)

ESTATE AND LAND REFERRED TO

S Estate in Fee Simple in Lot 1 in Deposited Plan 624266 at Dunmore in the Municipality of Shellharbour Parish of Terragong and County of Camden being parts of Portion 5 and 19 separately granted to D'Arcy Wentworth on 9-1-1821 and 3-9-1821 respectively.

FIRST SCHEDULE

~~ILLAWARRA COUNTY COUNCIL~~.

SECOND SCHEDULE

GRY 1. Reservations and conditions, if any, contained in the Crown Grants above referred to.

RG 2/64

Vol 14804 Fol 75

99346D 8.81 D. West, Government Printer

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR	Registrar General
The Council of the Municipality of Shellharbour by Transfer T621819. Registered 14-7-1983	

CANCELLED

SEE AUTO FOLIO

SECOND SCHEDULE (continued)

PARTICULARS	Registrar General	CANCELLATION
T551263 Lease to ICI Australia Operations Proprietary Limited of premises being "Explosives Depot." Expires 31-12-1984. Registered 23-6-1983		

NOTATIONS AND UNREGISTERED DEALINGS

T551263 Lse (pt)
T621819 T.

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

NEW SOUTH WALES

ICATE OF TITLE

OPERTY ACT, 1900, as amended.

Application No. 5627

Prior Title Volume 7233 Folio 120

Vol. 10958 Fol. 175

EH Edition issued 6-1-1969

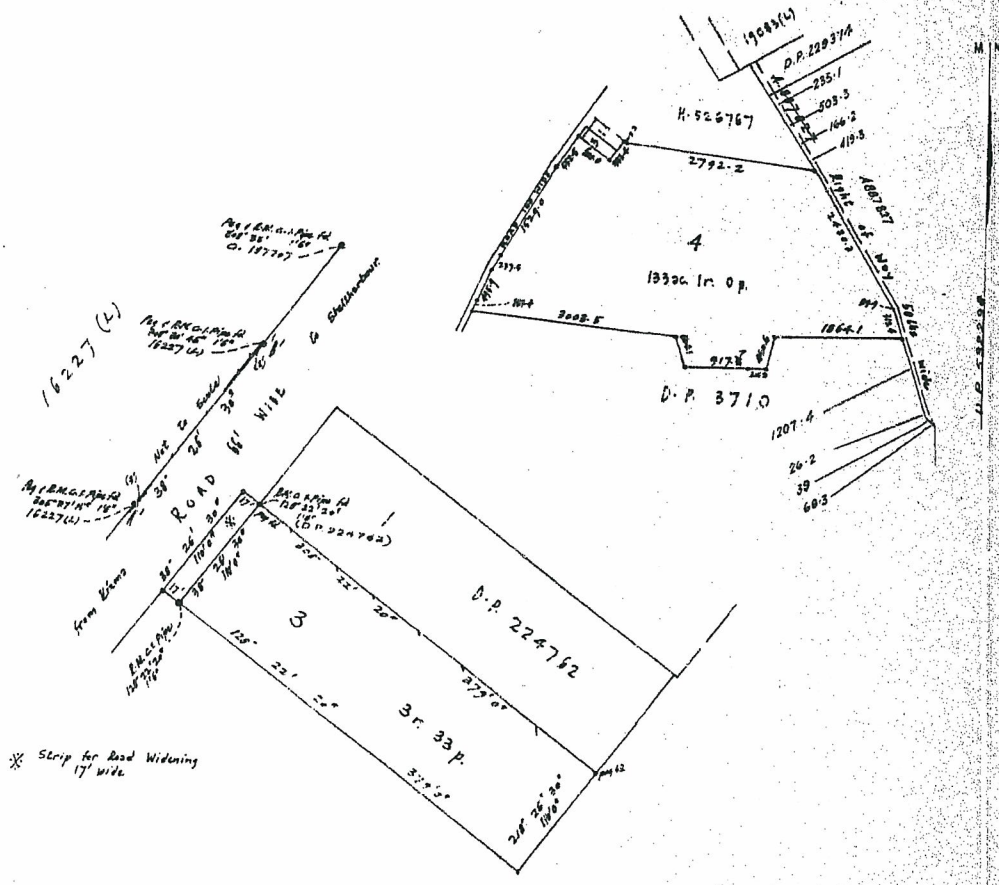
I certify that the person described in the First Schedule is the registered proprietor of the undermentioned estate in the land within described subject nevertheless to such exceptions encumbrances and interests as are shown in the Second Schedule.

Witness M Flint

Registrar General.

(Page 1) Vol. 10958 Fol. 175

PLAN SHOWING LOCATION OF LAND



ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 4 in Deposited Plan 532298 at Shellharbour in the Municipality of Shellharbour Parish of Terragong and County of Camden being part of Portion 5 and part of Portion 20 separately granted to D'Arcy Wentworth on 9-1-1821.

FIRST SCHEDULE

IMPERIAL CHEMICAL INDUSTRIES OF AUSTRALIA AND NEW ZEALAND LIMITED.

SECOND SCHEDULE

1. Reservations and conditions, if any, contained in the Crown Grants above referred to.
2. ~~Right of Way created by Transfer No. A887827 appurtenant to the land above described affecting the piece of land shown as "Right of Way 50 lks. Wide" in the plan hereon.~~ Cancelled P413605, 6676519

Registrar General.

Reg. Gen. 3-10-1972

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

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

PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDI

B29 /Req: B594968 /Doc: CT 10958-175 /Prt: 29-Jul-2010

Vol. 10958 Fol 175

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR	INSTRUMENT NATURE	INSTRUMENT NUMBER	INSTRUMENT DATE	ENTERED	Signature of Registrar General
This Deed is cancelled as to ~~part~~ WHOLE and New Certificates of Title Vol. 13691 Fol 155-159					
Issued on 4.9.1978 for lots 1-3 & 5-6 in Deposited Plan 248002.					

NEW CERTIFICATE(S) OF TITLE ISSUING ON DP 248002
NO DEALING TO BE REGISTERED WITHOUT REFERENCE TO SURVEY DRAFTING BRANCH.

NEW CERTIFICATE(S) OF TITLE ISSUING ON DP248002
NO DEALING TO BE REGISTERED WITHOUT REFERENCE TO SURVEY DRAFTING BRANCH.

DP 248002
DP 10905 13/7
N993293/6 Lot 3 DP 248002
N993293/6 Lots 2,5 & 6 DP 248002
Part 3 Reg ~~Land~~ Cancelled
Request 13.8.1975
PH13608 Request for new issues
Q676819/9 Rel

SECOND SCHEDULE (continued)

INSTRUMENT NATURE	INSTRUMENT NUMBER	INSTRUMENT DATE	PARTICULARS	ENTERED	Signature of Registrar General	CANCELLATION
Request	PH13608	—	The Right of Way created by Transfer No. A887827 is hereby cancelled in so far as it affects the residue of the land in Certificate of Title, Vol. 7281, Fol. 169.	11.8.1976		
Transfer	Q676819	—	Right of Way created by Transfer No. A887827 is hereby cancelled in so far as it affects the land in Certificate of Title Vol. 13098 Fol. 35.	7.6.1978.		

(Page 2 of 2 pages)

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

NEW SOUTH WALES

FICATE OF TITLE

AL PROPERTY ACT, 1900

Vol. 13691 Fol. 155

Appln. No.5627

Prior Title Vol.10958 Fol.175

EDITION ISSUED

4 9 1978

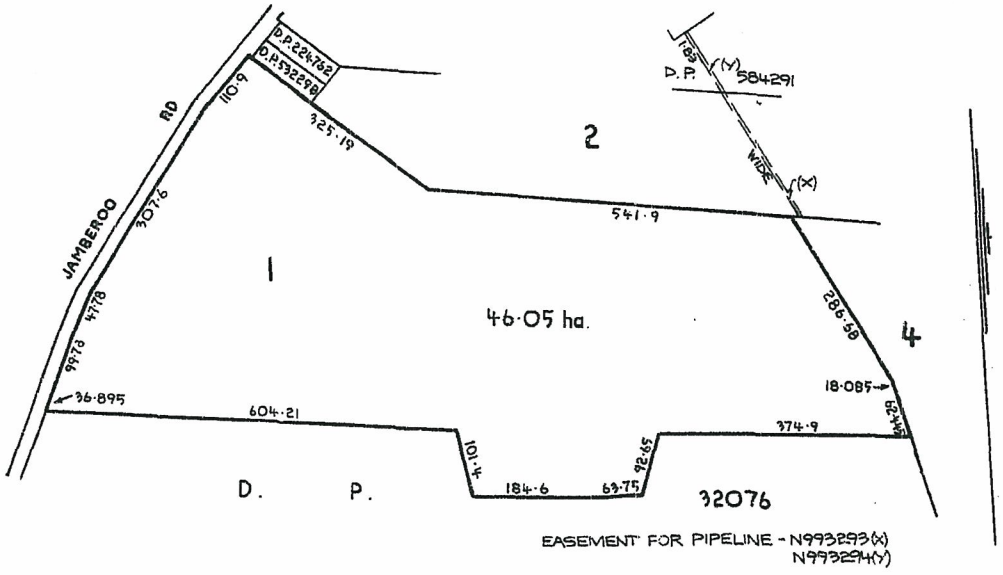
I certify that the person described in the First Schedule is the registered proprietor of the undermentioned estate in the land within described subject nevertheless to such exceptions encumbrances and interests as are shown in the Second Schedule.

Registrar General.

CANCELLED

PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES



D. P. 248002 BJ

REDUCTION RATIO 1:8000

ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 1 in Deposited Plan 248002 at Shellharbour in the Municipality of Shellharbour Parish of Terragong and County of Camden being part of Portions 5 and 20 separately granted to D'Arcy Wentworth on 9-1-1821.

FIRST SCHEDULE

IMPERIAL CHEMICAL INDUSTRIES OF AUSTRALIA AND NEW ZEALAND LIMITED.

SECOND SCHEDULE

1. Reservations and conditions, if any, contained in the Crown Grants above referred to.

(Page 1) Vol. 13691 Fol. 155

PERSONS ARE CAUTIONED A OTIFICATION HEREON

B29 /Req: B594350 /Doc: CT 13691-155 /Prt: 29-Jul-2010

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

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

Vol. 13691 Fol. 155

N993294 affecting R.
DP624247 7.4.82
C.N. regd 24/8/82
DP630517 R. 18.2.83

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR	INSTRUMENT NATURE	INSTRUMENT NUMBER	REGISTERED	Signature of Registrar General

SECOND SCHEDULE (continued)

INSTRUMENT NATURE	INSTRUMENT NUMBER	PARTICULARS	REGISTERED	Signature of Registrar General	CANCELLATION
Transfer	N993293	Easement for Pipeline appurtenant to the land above described affecting the land shown so burdened in the plan hereon.	5-10-1979. ~~27-9-1979.~~		
Transfer	N993294	Easement for Pipeline appurtenant to the land above described ~~affected~~ affecting the land shown so burdened in the plan hereon.	5-10-1979. ~~27-9-1979.~~		
	DP624247	Right of Way affecting the land shown so burdened in DP624247	24-8-1982		
	DP624247	Easement for Power Lines affecting the land shown so burdened in D.P. 624247	24-8-1982		
	DP630517	THE INTEREST OF THE COUNCIL OF THE MUNICIPALITY OF SHELLHARBOUR IN THE ADDITION TO EXISTING ROAD SHOWN ON D.P. 630517	18-2-1983		

This deed is cancelled as to the whole ex road

~~New Certificates of Title have issued on~~ 21/3/83

for lots in Deposited Plan No. 630517 as follows:-

Lots 1 & 2 Vol. 15009 Fol. 38 & 39 respectively.

The residue of land in this folio comprises road in DP 630517

REGISTRAR GENERAL

REGISTRAR GENERAL

(Page 2 of 2 pages)

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

CERTIFICATE OF TITLE

NEW SOUTH WALES — REAL PROPERTY ACT, 1900

15004038

First Title : Old System

Prior Title : Vol.13691 Fol.155

Vol. 15004 Fol. 38

EDITION 1 ISSUED 3 1983

CANCELLED

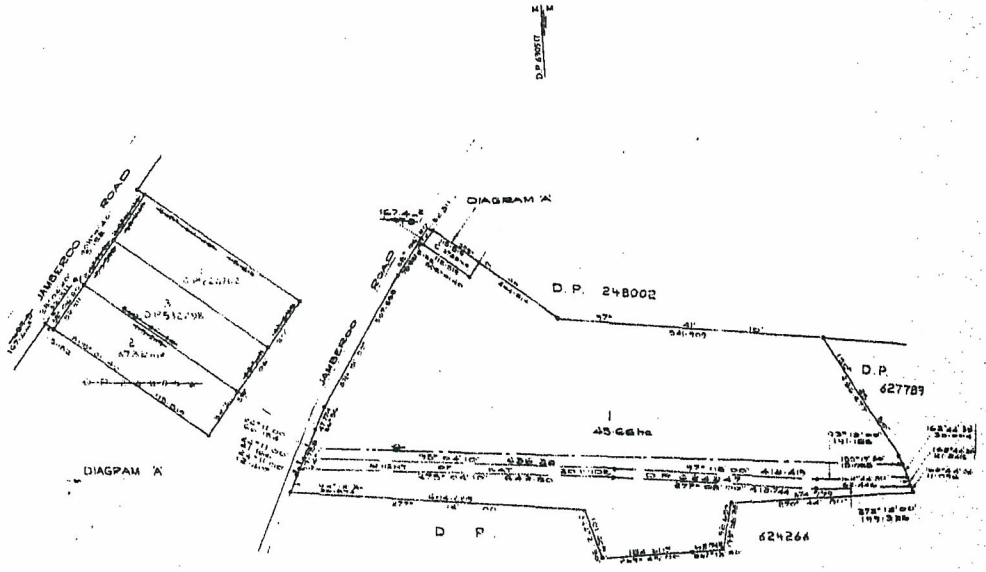
I certify that the person named in the First Schedule is the registered proprietor of an estate [illegible] estate or interest as is set out below) in the land described subject to the recordings appearing in the Second Schedule and to the provisions of the Real Property Act, 1900.

SEE AUTO

Registrar General.

PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES



EASEMENT FOR POWER LINES CREATED BY D.P. 624247 (APPROX POSITION)
LOT 2 FOR ROAD WIDENING
[illegible] OF LAND TO THE PUBLIC ROAD

S

LAND REFERRED TO

Lot 1 in Deposited Plan 630517 at Shellharbour in the Municipality of Shellharbour Parish of Terragong and County of Camden.

FIRST SCHEDULE

~~ICI AUSTRALIA LIMITED.~~

GRY

SECOND SCHEDULE

1. Reservations and conditions, if any, contained in the Crown Grant.
EP 2. N993293 P Easement for pipeline 1.83 wide appurtenant to the land above described affecting the part of Lot 2 shown so burdened in Deposited Plan 248002.
EP 3. N993294 P Easement for pipeline 1.83 wide appurtenant to the land above described affecting the land shown so burdened in the plan annexed to N993294.
RW (SB) 4. DP624247 P Right of Way 20 wide affecting the part of the land above described shown so burdened in Deposited Plan 630517.
EA (SB) 5. DP624247 P Easement for power lines affecting the part of the land above described shown so burdened in Deposited Plan 630517.

RG 2/64

NOTIFICATION HEREON (Page 1) Vol. 15004 Fol. 38

PERSONS ARE CAUTIONED A

B29 /Req: B594348 /Doc: CT 15004-038 /Prt: 29-Jul-2010

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

Vol 15004 Fol 38

99346D 8.81 D. West, Government Printer

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR	Registrar General
The Council of the Municipality of Shellharbour by Transfers T621818, T621819. Registered 14-7-1983	

CANCELLED

SEE AUTO FOLIO

SECOND SCHEDULE (continued)

PARTICULARS	Registrar General	CANCELLATION

NOTATIONS AND UNREGISTERED DEALINGS

T621818 T7

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

SFR
Service First Registration

Title Search

LEAP Searching
An Approved LPI NSW
Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 9004/1117743

SEARCH DATE	TIME	EDITION NO	DATE
1/8/2010	7:11 PM	2	17/6/2008

LAND

LOT 9004 IN DEPOSITED PLAN 1117743
AT SHELL COVE
LOCAL GOVERNMENT AREA SHELLHARBOUR
PARISH OF TERRAGONG COUNTY OF CAMDEN
TITLE DIAGRAM DP1117743

FIRST SCHEDULE

SHELLHARBOUR CITY COUNCIL

SECOND SCHEDULE (12 NOTIFICATIONS)

1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
2 DP267330 RIGHT OF CARRIAGEWAY VARIABLE WIDTH AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
AC636829 EASEMENT RELEASED IN SO FAR AS IT BENEFITS 21/1010797
DP1126976 EASEMENT RELEASED IN SO FAR AS IT AFFECTS THE PART SHOWN SO INDICATED IN DP1126976
3 DP871363 PADMOUNT SUBSTATION EASEMENT 3 METRE(S) WIDE AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
4 DP883137 EASEMENT FOR DRAINAGE OF WATER 1.5 METRE(S) WIDE APPURTENANT TO THE PART(S) OF THE LAND SHOWN SO BENEFITED IN THE TITLE DIAGRAM
5 DP1060491 RESTRICTION(S) ON THE USE OF LAND REFERRED TO AND NUMBERED (1) IN THE SEC. 88B INSTRUMENT AFFECTING THE PART SHOWN SO BURDENED IN THE TITLE DIAGRAM
6 DP1075577 RESTRICTION(S) ON THE USE OF LAND REFERRED TO AND NUMBERED (1) IN THE SEC. 88B INSTRUMENT AFFECTING THE PART SHOWN SO BURDENED IN THE TITLE DIAGRAM
7 DP1075577 RESTRICTION(S) ON THE USE OF LAND REFERRED TO AND NUMBERED (2) IN THE SEC. 88B INSTRUMENT AFFECTING THE PART SHOWN SO BURDENED IN THE TITLE DIAGRAM
8 DP1075577 RESTRICTION(S) ON THE USE OF LAND REFERRED TO AND NUMBERED (3) IN THE SEC. 88B INSTRUMENT AFFECTING THE PART SHOWN SO BURDENED IN THE TITLE DIAGRAM
9 DP1075577 RESTRICTION(S) ON THE USE OF LAND REFERRED TO AND NUMBERED (4) IN THE SEC. 88B INSTRUMENT AFFECTING THE PART SHOWN SO BURDENED IN THE TITLE DIAGRAM
10 DP1076113 EASEMENT FOR DRAINAGE OF WATER 1.5 METRE(S) WIDE

END OF PAGE 1 - CONTINUED OVER

mg

PRINTED ON 1/8/2010

FOLIO: 9004/1117743 PAGE 2

SECOND SCHEDULE (12 NOTIFICATIONS) (CONTINUED)

APPURTENANT TO THE LAND ABOVE DESCRIBED

11 DP1117743 EASEMENT FOR SEWERAGE PURPOSES 5 METRE(S) WIDE AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM

* 12 DP1126990 EASEMENT FOR DRAINAGE OF WATER 1.5 METRE(S) WIDE APPURTENANT TO THE PART DESIGNATED (X) IN DP1126990

NOTATIONS

UNREGISTERED DEALINGS: PP DP1154362.

*** END OF SEARCH ***

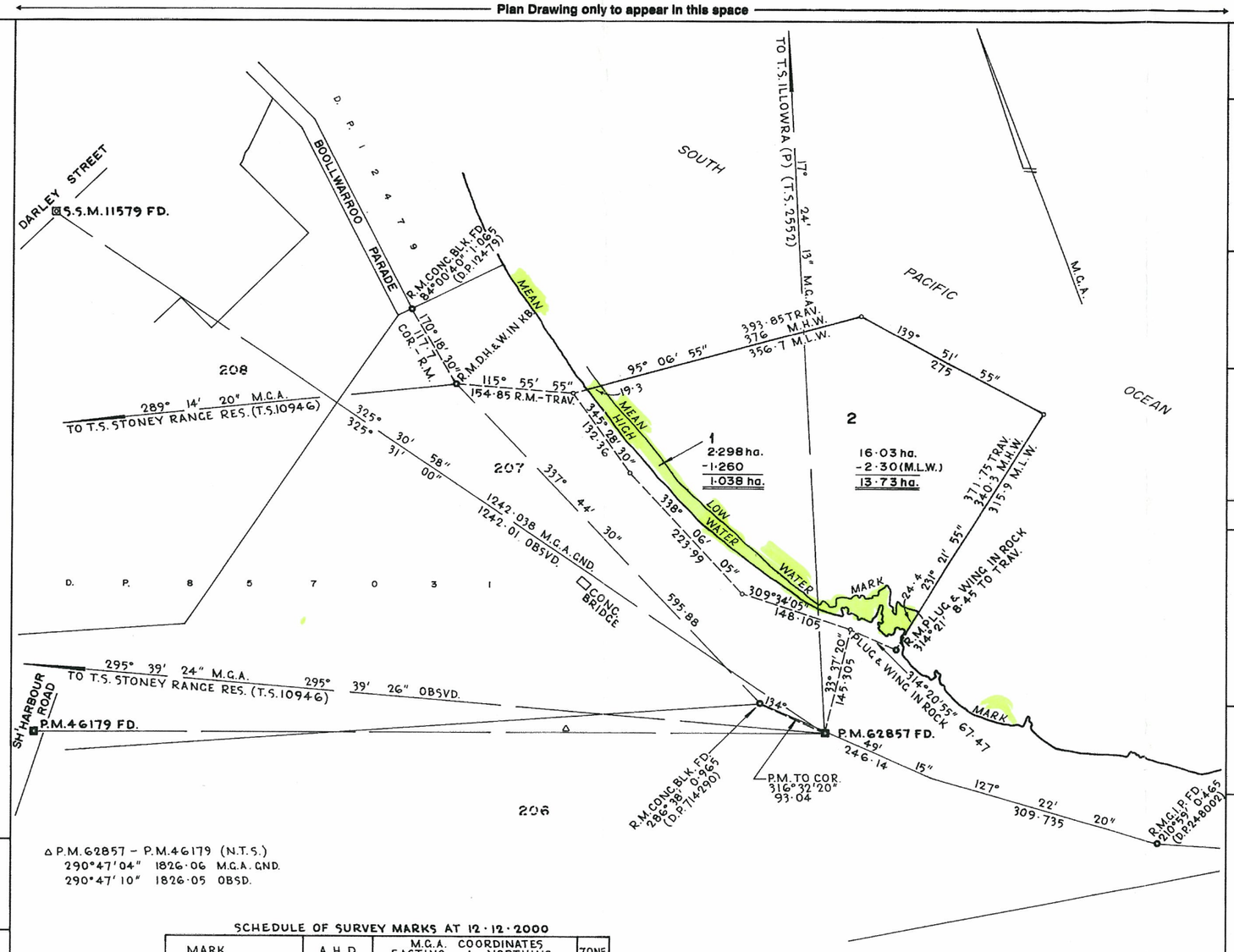
mg PRINTED ON 1/8/2010

* 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. Leap Searching hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with Section 92B(2) of the Real Property Act.

PLAN FORM 2

Plan Drawing only to appear in this space

SIGNATURES AND SEALS ONLY



△ P.M.62857 – P.M.46179 (N.T.S.)
290°47'04" 1826.06 M.G.A. GND.
290°47'10" 1826.05 OBSD.

SCHEDULE OF SURVEY MARKS AT 12·12·2000

MARK	A.H.D.	M.G.A. COORDINATES EASTING	NORTHING	ZONE
S.S.M.11579	10·594	304 414·430	6 171 267·357	56
P.M. 46179	35·516	303 410·346	6 170 891·522	56
P.M. 62857	8·104	305 117·691	6 170 243·492	56
T.S. 2552 ILLOWRA (P)	72·280	308 626·740	6 181 438·339	56
T.S. 10946 STONEY RANGE RES.	114·08	301 174·228	6 172 137·675	56

COMBINED SCALE FACTOR 1·00007

NOTE - M.H.W.M. SUBSTANTIALLY AGREES WITH M.H.W.M. IN D.P.857031
- M.L.W.M. ADOPTED AT -0·51 A.H.D. AS ADVISED BY D.P.W.S.
(MANLY HYDRAULICS LAB.)

Crown Lands Office Approval

PLAN APPROVED .....
Authorised Officer
Land District .....
Paper No. .....
Field Book ..... *pages* .....

Subdivision Certificate

I certify that the provisions of s. 109J of the Environmental Planning and Assessment Act 1979 have been satisfied in relation to the proposed ..... *set out herein*
(Insert 'subdivision' or 'new road')
.....
**Authorised Person/General Manager/Accredited Certifier*
Consent Authority: .....
Date of endorsement: .....
Accreditation No.: .....
Subdivision Certificate No.: .....
File No.: .....
When the plan is to be lodged electronically in the Land Titles Office, it should include a signature in an electronic or digital format approved by the Registrar-General.
**Delete whichever is inapplicable*

SURVEYOR'S REFERENCE: D99040/1

DP1022866

Registered: 7-2-2001*

Title System: CROWN TITLE

Purpose: ACQUISITION (NOT CURRENT PLAN AT REGN. S7A LG ACT 1919)

Ref Map: W 8270-9#

Last Plan: --------

PLAN OF: ACQUISITION OF CROWN LAND ADJACENT TO LOT 207 IN D.P.857031

Lengths are in metres. Reduction Ratio 1: 4000

L.G.A.: SHELLHARBOUR

Locality: SHELL COVE

Parish: TERRAGONG

County: CAMDEN

~~This is sheet 1 of my plan in ~~ ~~sheets.~~
(Delete if inapplicable)

Surveyors (Practice) Regulation 1996

I, BRUCE ERNEST SMITH
of CRAVEN, ELLISTON & HAYES (DAPTO) PTY. LTD.

a surveyor registered under the Surveyor's Act. 1929, hereby certify that the survey represented in this plan is accurate, has been made in accordance with the Surveyors (Practice) Regulation 1996 and was completed on 7 DEC 2000.

The survey relates to LOTS 1 AND 2.

(here specify the land actually surveyed or specify any land shown in the plan that is not the subject of the survey)

Datum Line: P.M.62857 - T.S.2552

Zone: Suburban/~~Country~~

(Signature) .....

Surveyor registered under the Surveyors Act. 1929

Plans used in preparation of survey/compilation

D.P. 12479
D.P. 857031

ABN 81 056 544 604

PANEL FOR USE ONLY for statements of intention to dedicate public roads, to create public reserves, drainage reserves, easements, restrictions on the use of land or positive covenants.

PLAN AMENDED IN L.P.I. AT SURVEYORS REQUEST.

*OFFICE USE ONLY

	10	20	30	40	50	60	70	80	90	100	110	120	130	140	150	160	170	Table of mm	210	220	230	240	250	260	270	280	290	300	310	320	330	340	350	360	370	380	390

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

Req:R880450 /Doc:DP 1022866 P /Rev:13-Feb-2001 /Sts:SC.OK /Prt:23-Jul-2010 08:15 /Pgs:ALL /Seq:1 of 1
Ref:mg /Src:M

consent of Council unless the tree is exempt from Order. Contravention of the Order can incur a penalty under section 126 of the Environmental Planning and Assessment Act 1979.

The following exemptions to the Order apply:

1. All completely dead trees and dead branches may be removed.
2. All trees of a height less than 5.0 metres and with a canopy spread of less than 4.0 metres.
3. Tree branches which directly overhang the roof of a dwelling, garage or commercial building may be pruned back to the nearest branch junction/collar to clear the roof, providing the owner of the trunk of the tree is in agreement. (Detached garages, detached carports and ancillary buildings are not included within this exemption).
4. All trees within 3.0 metres of an existing dwelling or proposed building with a development consent from Ku-ring-gai Council. This 3.0 metres is measured from the centre of the trunk of the tree to the external wall of the dwelling. To be exempt, both the tree and dwelling must be located within the one property. (Verandahs, detached garages, detached carports and ancillary buildings are not included within this exemption)
5. All trees that are located within the path of roadways, sewerage and drainage works, and works by public authorities which have been approved by Council and inspected by an officer of the Department of Open Space.
6. All branches within 2.0 metres of electric powerlines.
7. All of the following species are exempt:

   Acer negundo "Variegatum" (Variegated Box Elder)
   Acer negundo (Box Elder)
   Ailanthus altissima (Tree of Heaven)
   Alnus jorullensis (Evergreen Alder)
   Cinnamomum camphora (Camphor Laurel)
   Eriobotrya japonica (Loquat)
   Erythrina x sykesii (Coral Tree)
   Ficus elastica (Rubber Tree)
   Ligustrum species (Small and Large Leaved Privet)
   Liquidambar styraciflua (Liquidambar) with a height of less than 15.0 metres
   Olea europaea subsp. africana (African Olive)
   Populus nigra "Italica" (Lombardy Poplar)
   Robinia pseudoacacia (Black Locust)
   Robinia pseudoacacia "Frisia" (Golden Robinia)
   Salix species (all Willows)
   Schefflera sp. (Umbrella Tree)
   Toxiocodendron succedaneum (Rhus Tree)

NOTE:

- Notwithstanding the above exemptions, Ku-ring-gai Council may at times overrule these exemptions in regard to a particular tree, trees or geographical area containing trees.
- An application form will need to be completed for all works required on trees which are not included in the above exemptions.
- The administration fee charged for inspection of trees is detailed on the enclosed application form. This fee is non-refundable.
- A twelve (12) month expiry date applies to consents contained within Tree Preservation Order permits.
- Council will require the planting of replacement trees as a condition to consents issued under the Tree Preservation Order unless sufficient existing trees remain on the property in accordance with Council's Tree Replenishment Policy.
- Consideration of applications will take into account the number of trees currently on the property.

KU-RING-GAI COUNCIL, Locked Bag 1056, Pymble, NSW 2073. [0479]

RICHMOND VALLEY COUNCIL

Roads (General) Regulation 2000, Section 9

Notice of Naming of Roads

Council has named the lane adjoining the western boundary of Lots 1-6, DP 12376, Parish of Riley, County of Richmond, as McConnell Lane. B. A. WILKINSON, General Manager, Richmond Valley Council, Locked Bag 10, Casino, NSW 2470. [0476]

SHELLHARBOUR CITY COUNCIL

Local Government Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

THE Shellharbour City Council declares, with the approval of Her Excellency the Governor, that the land described in the Schedule below, excluding any mines or deposits of minerals in the land, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of a boat harbour, breakwaters and associated works. Dated at Shellharbour City this 1st day of July 2003. BRIAN A. WEIR, General Manager, Shellharbour City Council, PO Box 155, Shellharbour City Centre, NSW 2529.

SCHEDULE

Lots 1 and 2, DP 1022866. [0481]

SHOALHAVEN CITY COUNCIL

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Easement Over Land

THE Shoalhaven City Council declares, with the approval of His Excellency the Lieutenant-Governor, that the easements for sewer mains over lands described in the Schedule below, are acquired by compulsory process in

Title Search

LEAP Searching
An Approved LPI NSW
Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 1/1022866

SEARCH DATE	TIME	EDITION NO	DATE
1/8/2010	7:28 PM	1	16/9/2003

LAND

LOT 1 IN DEPOSITED PLAN 1022866
AT SHELL COVE
LOCAL GOVERNMENT AREA SHELLHARBOUR
PARISH OF TERRAGONG COUNTY OF CAMDEN
TITLE DIAGRAM DP1022866

FIRST SCHEDULE

SHELLHARBOUR CITY COUNCIL (PA81352)

SECOND SCHEDULE (1 NOTIFICATION)

1 LAND EXCLUDES MINERALS - SEE MEMORANDUM T447400

NOTATIONS

NOTE: THE CERTIFICATE OF TITLE FOR THIS FOLIO OF THE REGISTER DOES NOT INCLUDE SECURITY FEATURES INCLUDED ON COMPUTERISED CERTIFICATES OF TITLE ISSUED FROM 4TH JANUARY, 2004. IT IS RECOMMENDED THAT STRINGENT PROCESSES ARE ADOPTED IN VERIFYING THE IDENTITY OF THE PERSON(S) CLAIMING A RIGHT TO DEAL WITH THE LAND COMPRISED IN THIS FOLIO.
UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

mg PRINTED ON 1/8/2010

* 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. Leap Searching hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with Section 92B(2) of the Real Property Act.

PLAN FORM 2

Plan Drawing only to appear in this space

OFFICE USE ONLY

DP 883196

SIGNATURE AND SEALS ONLY.

SIGNED BY INTERGRAL ENERGY AUSTRALIA BY ITS ATTORNEY, H W SANGKUHL, PURSUANT TO POWER OF ATTORNEY REGISTERED BOOK 4158 No. 493, WHO DECLARES THAT HE HAS NO NOTICE OF REVOCATION

SIGNATURE OF ATTORNEY

OF SAME:

H. W. SANGKUHL

MANAGER, PROPERTY & GENERAL SERVICES

SIGNATURE OF COUNTER-SIGNEE

V. DUNCAN

GENERAL MANAGER CORPORATION

THE COMMON SEAL OF THE COUNCIL OF THE CITY OF SHELLHARBOUR WAS AFFIXED ON THE ... DAY OF ... 199... IN PURSUANCE OF A RESOLUTION OF COUNCIL PASSED ON THE ... DAY OF ... 199...

GENERAL MANAGER

Crown Lands Office Approval

PLAN APPROVED

Authorised Officer

Land District

Paper No.

Field Book ..... pages

Council's Certificate

I hereby certify that–

(a) the requirements of the Local Government Act, 1919 (other than the requirements for the registration of plans), and

(b) the requirements of part 3 Division 2 of the Water Board Act 1987, or Part 5 Division 7 of the Hunter Water Board (Corporatisation) Act 1991.

have been complied with by the applicant in relation to the proposed (insert "new road","subdivision"or"consolidated lot")set out herein

Subdivision No. 25/98

Date

(Signature)

General Manager/Authorised Person

Council File No. G98/16

This part of certificate to be deleted where the application is only for a consolidated lot or the opening of a new road or where the land is to be subdivided is wholly outside the areas of operations of the Water Board and the Hunter Water Corporation Ltd.

SCHEDULE of SHORT LINES

No.	BEARING	DISTANCE
1	216°04'15"	84.15
2	221°28'40"	72.835
3	275°05'20"	51.365
4	279°10'30"	147.93
5	223°26'10"	109.325
6	3°35'35"	113.165
7	10°03'35"	57.26
8	13°47'30"	57.185
9	21°29'30"	57.175
10	28°51'30"	57.185
11	36°33'50"	57.185
12	40°21'20"	55.06
13	47°11'50"	36.985
14	40°25'05"	33.99
15	47°12'50"	84.285

SCHEDULE of CURVED BOUNDARIES

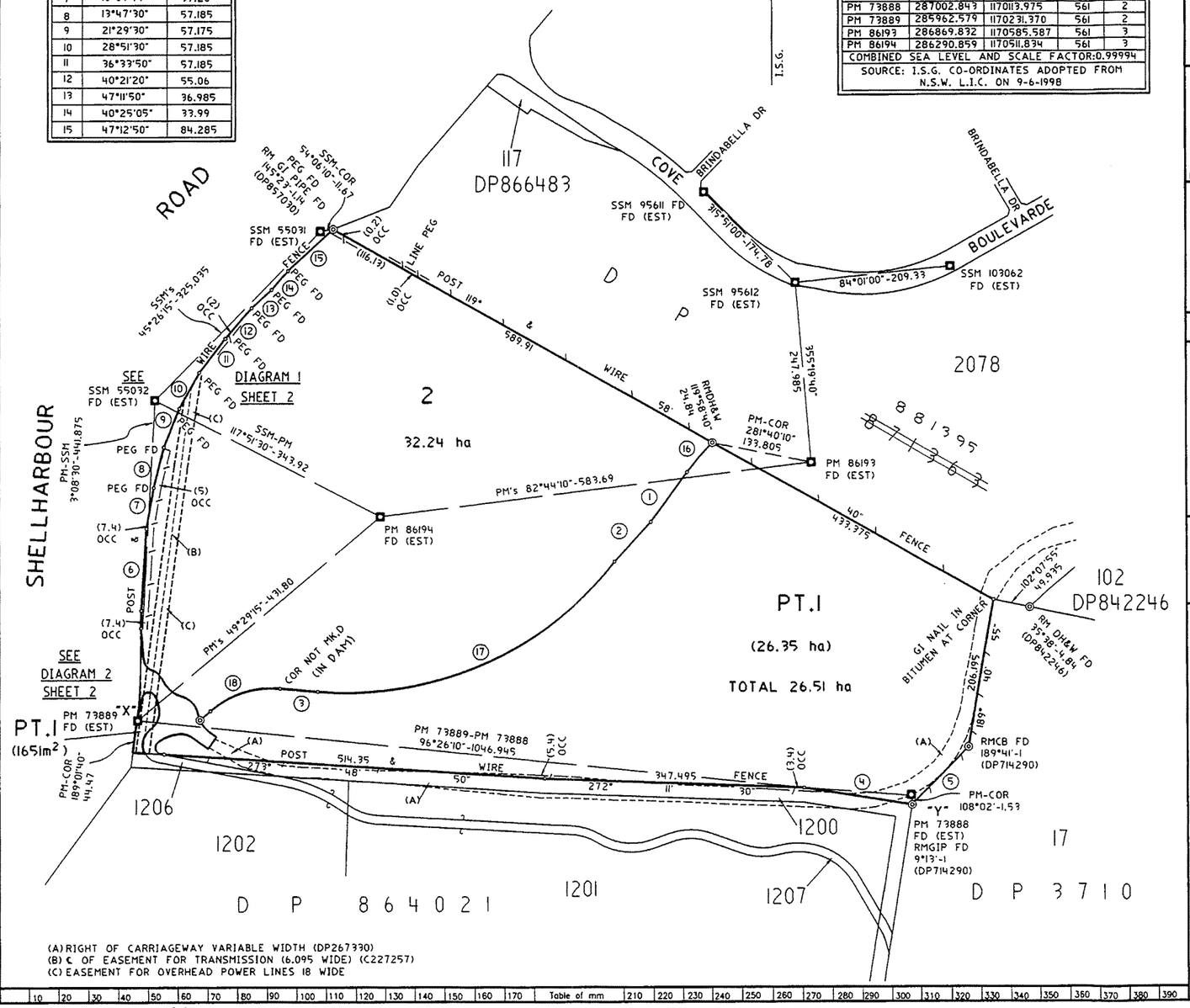
No.	BEARING	CHORD	ARC	RADIUS
16	220°54'05"	53.535	53.585	370
17	245°55'10"	438.635	458.17	450
18	251°43'30"	99.135	101.935	125

SURVEY PRACTICE REGULATION 1990: (CLAUSE 32(2)

MARK	I.S.G. CO-ORDINATES EASTING	I.S.G. CO-ORDINATES NORTHING	ZONE	ACC
SSM 55031	286218.394	1170900.586	561	3
SSM 55032	285986.820	1170672.546	561	3
SSM 95611	286727.946	1170958.144	561	3
SSM 95612	286849.661	1170832.732	561	4
SSM 103062	287057.835	1170854.528	561	4
SSM 50240	286019.655	1170247.850	561	3
PM 73888	287002.843	1170113.975	561	2
PM 73889	285962.579	1170231.370	561	2
PM 86193	286869.832	1170585.587	561	3
PM 86194	286290.859	1170511.834	561	3

COMBINED SEA LEVEL AND SCALE FACTOR:0.99994

SOURCE: I.S.G. CO-ORDINATES ADOPTED FROM N.S.W. L.I.C. ON 9-6-1998



10 20 30 40 50 60 70 80 90 100 110 120 130 140 150 160 170 Table of mm 210 220 230 240 250 260 270 280 290 300 310 320 330 340 350 360 370 380 390

Registered 2-2-1999

CA NO. 25/98 OF 18-11-1998

Title System: TORRENS

Purpose: SUBDIVISION

Ref. Map: W8270-8#

Last Plan: D. P. 857030
D. P. 864021

PLAN OF SUBDIVISION OF LOT 204 IN DP857030 AND LOT 1203 IN DP864021 AND EASEMENT WITHIN LOT 1204 IN DP864021.

Lengths are in metres Reduction Ratio 1: 4000

L G A: SHELLHARBOUR

~~Suburb~~/Locality: DUNMORE ~~SHELLHARBOUR~~

Parish: TERRAGONG

County: CAMDEN

This is sheet 1 of my plan in 2 sheets (delete if inapplicable).

I, DAVID WALLACE FAIRLIE

of ROGER BOXALL & ASSOC. P/L. P.O BOX 519 SUTHERLAND 1499

a surveyor registered under the Surveyors Act 1929, hereby certify that the survey represented in this plan is accurate, has been made in accordance with the Surveyors (Practice) Regulation 1998 and was completed on 18-9-1998

The survey relates to

(here specify the land actually surveyed, or specify any land shown in the plan that is not the subject of the survey)

(Signature) DFairlie

Datum Line: "X"-"Y" Zone: Suburban/Country

Surveyor registered under the Surveyors Act 1929

Plans used in preparation of survey/compilation. DP267330, 857030, 864021, 871363,

PANEL FOR USE ONLY for statements of intention to dedicate public roads, to create public reserves, drainage reserves, easements, restrictions on the use of land of positive covenants.

PURSUANT TO SEC 88B OF THE CONVEYANCING ACT 1919, AS AMENDED. IT IS INTENDED TO CREATE:

1. EASEMENT FOR OVERHEAD POWER LINES 18 WIDE

SURVEYOR'S REFERENCE: 6766/DP(A) RP4289

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

Req:R880431 /Doc:DP 0883196 P /Rev:05-Feb-1999 /Sts:OK.OK /Prt:23-Jul-2010 08:07 /Pgs:ALL /Seq:1 of 2
Ref:mg /Src:M

PLAN FORM 3

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

OFFICE USE ONLY

DP 883196

Registered: 2-2-1999

This is sheet 2 of my plan in 2 sheets dated

D Fairlie

Surveyor registered under the Surveyors Act 1929

This is sheet 2 of the plan of 2 sheets covered by my certificate No ... of

General Manager

For use where space is insufficient in any panel on Plan Form 2

DIAGRAM 1

R.R. 1:1000

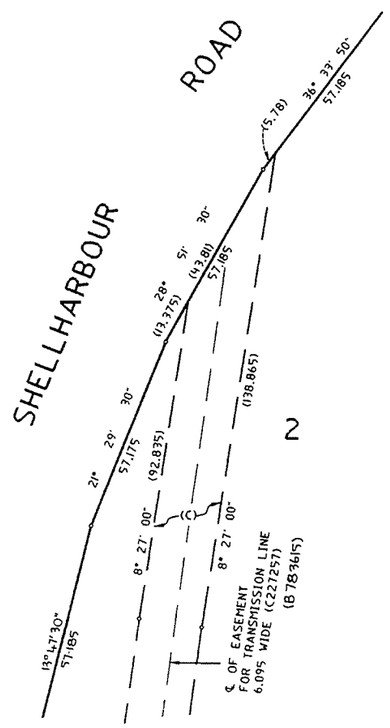
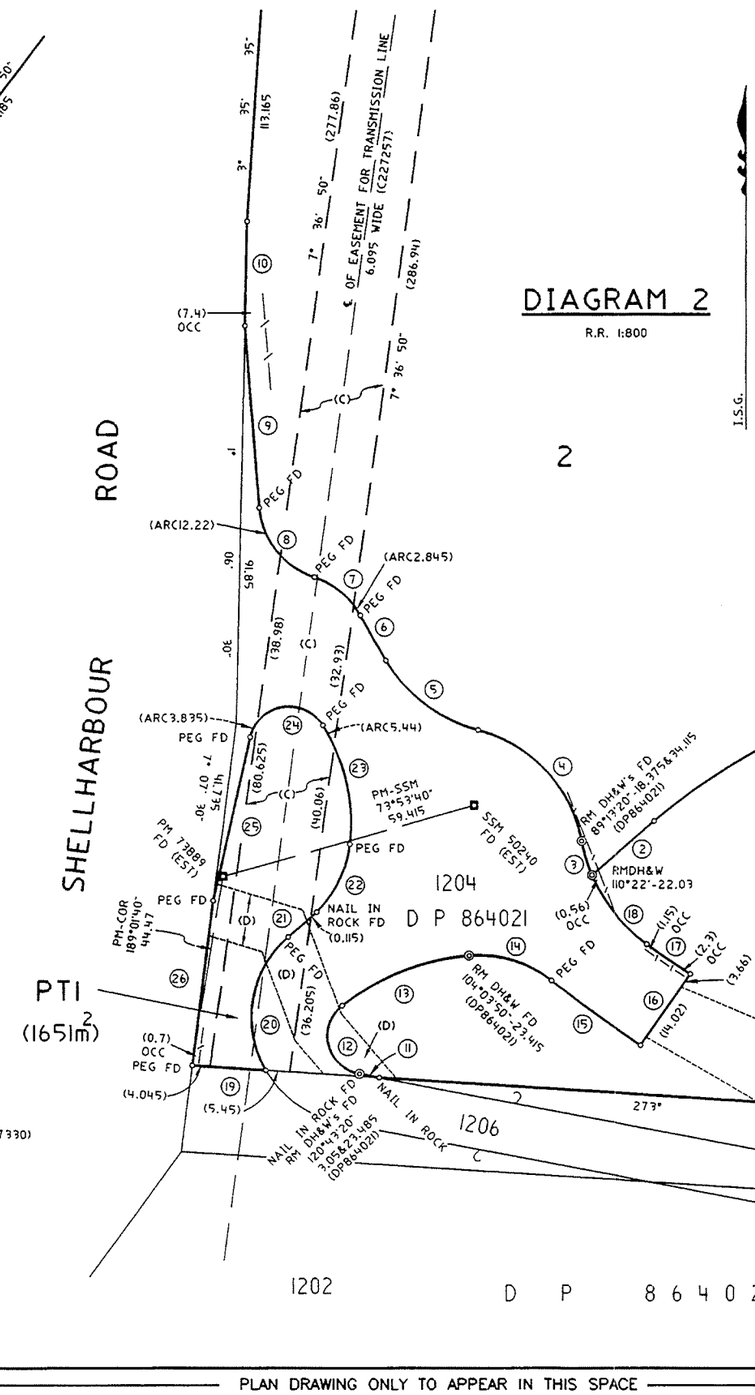


DIAGRAM 2

R.R. 1:800



(A) RIGHT OF CARRIAGEWAY VARIABLE WIDTH (DP267330)

(C) EASEMENT FOR OVERHEAD POWER LINES 18 WIDE

(D) RIGHT OF CARRIAGEWAY 12 WIDE (DP642589)

SCHEDULE of SHORT & CURVED BOUNDARIES

No.	BEARING	CHORD	ARC	RADIUS
1	251°43'30"	99.135	101.935	125
2	228°21'55"	18.85		
3	343°53'55"	8.24	8.255	38.295
4	317°49'55"	34.68	36.58	32.5
5	307°23'00"	26.53	27.18	35.725
6	330°40'05"	11.955		
7	310°26'40"	13.69	14.02	18.5
8	322°05'15"	20.345	21.54	18.5
9	355°26'35"	42.35		
10	1°06'35"	24.245		
11	281°07'05"	4.565		
12	346°08'35"	16.27	20.37	8.975
13	68°07'45"	31.215	31.675	53.5
14	107°26'15"	19.435	19.935	25.56
15	126°54'45"	25.06		
16	34°02'25"	20		
17	305°31'55"	11.975		
18	322°22'35"	20.275	20.52	38.295
19	273°48'50"	16.64		
20	189°25'55"	31.43	33.985	25.01
21	228°21'50"	6.915		
22	207°24'15"	19.055	19.485	26.635
23	167°32'10"	28.19	28.71	43.5
24	80°31'20"	16.7	21.395	9
25	12°24'55"	38.835		
26	7°07'35"	38.56		

Reduction Ratio 1: 800

RP4289

PLAN DRAWING ONLY TO APPEAR IN THIS SPACE

SURVEYOR'S REFERENCE 6766/DP(A)

Req:R880431 /Doc:DP 0883196 P /Rev:05-Feb-1999 /Sts:OK.OK /Prt:23-Jul-2010 08:07 /Pgs:ALL /Seq:2 of 2
Ref:mg /Src:M

PLAN FORM 2

Plan Drawing only to appear in this space

SIGNATURES AND SEALS ONLY

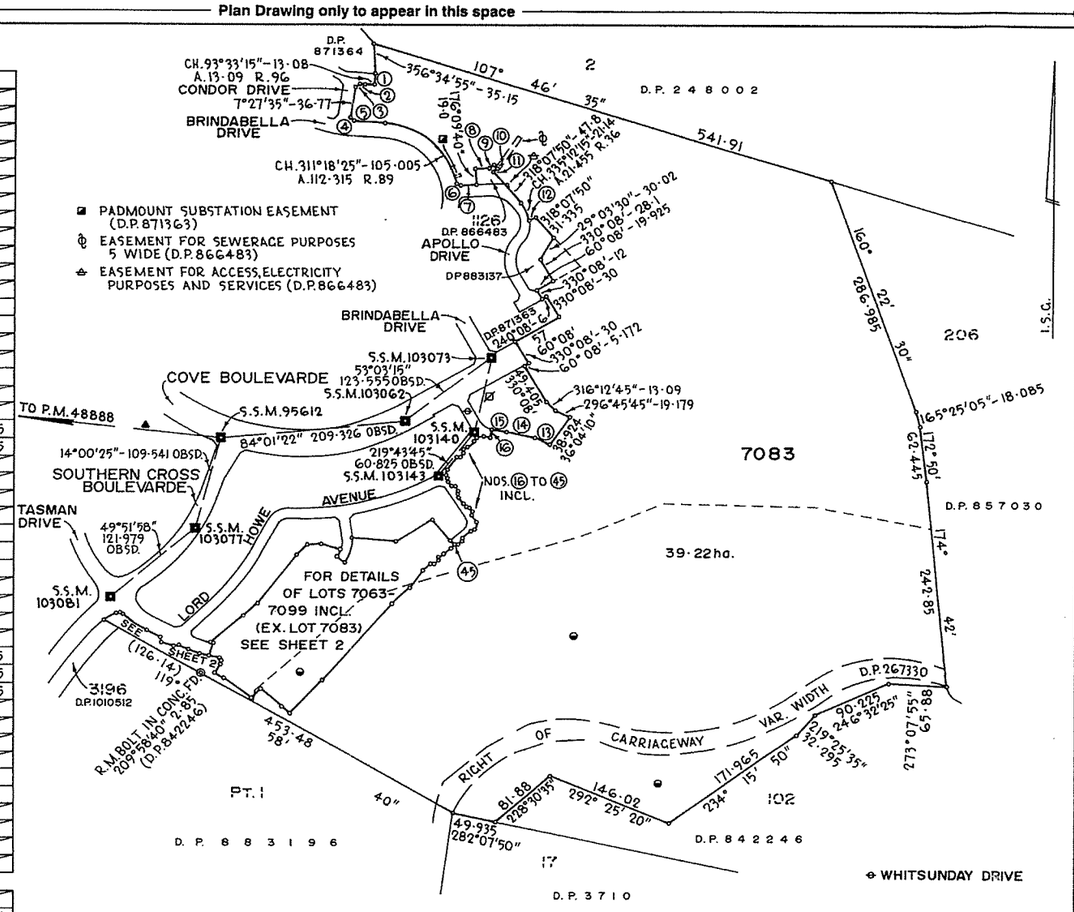
THE COMMON SEAL of the COUNCIL OF THE CITY OF SHELLHARBOUR was affixed on the 16th day of September 2000 in pursuance of a resolution of Council passed on the 16th day of October 2000

MAYOR

GENERAL MANAGER

SCHEDULE OF SHORT AND CURVED BOUNDARIES FOR SHEET 1

No.	BEARING	DIST.	ARC	RAD.
1	359°38'50"	13·0		
2	97°27'35"	6·105		
3	52°27'35"	5·655		
4	321°18'25"	5·545		
5	275°09'20"	38·23		
6	305°53'30"	6·205		
7	266°09'40"	18·75		
8	266°09'40"	14·295		
9	234°08'00"	7·61		
10	324°08'00"	7·0		
11	54°08'00"	7·0		
12	244°55'40"	6·485		
13	114°40'47"	18·816	18·815	64
14	103°18'13"	31·003	31·017	304
15	100°22'50"	16·829		
16	190°22'50"	10		
17	287°26'49"	7·873	7·893	32
18	74°17'25"	8·969		
19	34°14'15"	5·013		
20	226°53'10"	9·737	9·816	22·25
21	49°14'26"	6·338	6·372	17·75
22	353°17'30"	3·534		
23	38°17'30"	6·414		
24	83°17'30"	3·536		
25	38°17'30"	17·286		
26	3°15'01"	7·464	7·951	6·5
27	163°29'25"	3·426	3·467	6·5
28	342°10'13"	2·571	2·608	4·5
29	145°34'10"	6·615		
30	100°34'10"	3·536		
31	145°34'10"	6·414		
32	190°34'10"	3·537		
33	154°09'32"	4·741	4·756	17·25
34	325°34'08"	8·94	9·065	15·75
35	136°58'44"	4·741	4·756	17·25
36	100°34'10"	3·537		
37	145°34'10"	6·414		
38	10°34'10"	3·536		
39	145°34'10"	10·715		
40	200°56'32"	8·722	10·244	5·3
41	62°50'35"	4·426	4·468	9·5
42	49°22'15"	12·593		
43	4°22'15"	3·536		
44	49°22'15"	6·414		
45	94°22'15"	3·534		
FOR SHEET 2				
46	125°56'00"	6·684		
47	42°07'23"	6·592	6·608	27·75
48	229°22'16"	10·818	10·928	22·25
49	56°37'08"	6·592	6·608	27·25
50	4°22'15"	3·535		
51	94°22'15"	3·535		
~~52~~	~~143°07'40"~~	~~5·207~~		
~~53~~	~~120°26'15"~~	~~4·699~~		
~~54~~	~~75°03'24"~~	~~4·629~~		
55	49°15'49"	0·585	0·585	156
56	46°23'04"	15·087	15·093	156
57	42°34'14"	5·676	5·676	156
58	89°32'27"	6·727		
59	174°37'28"	6·843		
60	173°30'55"	6·727		
61	216°30'39"	6·297	6·305	36
62	201°18'48"	12·726	12·793	36
63	181°22'12"	12·209	12·269	36
64	171°36'25"	0·523		



▲ AZIMUTH P.M.48888 - S.S.M.95612
98°25'27" 647·305 OBSD.
647·263 I.S.G.

⌀ S.S.M.103073 - S.S.M.103140
192°20'51" 88·774 OBSD.

SCHEDULE OF REFERENCE MARKS FOR SHEET 2

No.	BEARING	DISTANCES	MARK
C	24°11'00"	3·305 & 12·395	D.H.&W.IN KERB FD. (D.P.1012373)
D	14°15'00"	3·40 & 11·80	" " " " "
E	301°44'00"	3·02 & 9·17	D.H.&W.IN KERB
F	301°45'00"	2·95 & 9·15	" " "
G	330°16'00"	3·43 & 11·57	" " "
H	9°34'00"	12·37	S.S.M. 105373
J	81°36'25"	2·60 & 9·0	D.H.&W.IN KERB FD.(D.P.1012373)
K	81°36'25"	2·80 & 9·07	" " " " "
L	131°31'40"	2·89 & 9·0	D.H.&W.IN KERB
M	122°17'00"	2·93 & 9·09	" " "
N	20°03'00"	3·965 & 12·43	" " "
O	313°32'20"	3·02 & 9·115	" " "
P	228°40'10"	19·215	S.S.M.122450
Q	43°09'45"	3·35 & 11·515	D.H.&W.IN KERB
R	330°21'00"	3·16 & 9·66	" " "
S	331°31'40"	3·03 & 9·095	" " "
T	319°21'15"	2·965 & 9·14	" " "
U	305°56'00"	2·60 & 6·30	D.H.&W.IN KERB FD.(D.P.1012373)
V	254°42'35"	16·338	S.S.M.103144 FD.(D.P.1012373)

● RESTRICTION ON THE USE OF LAND (D.P.1034320)

'U' BENEFITED BY EASEMENT FOR DRAINAGE OF WATER 1.5 WIDE - DP883137

SCHEDULE OF SURVEY MARKS FOUND AT 30.3.2000

MARK	A.H.D.	I.S.G. CO-ORDINATES EASTING	NORTHING	ZONE	H.V.
P.M. 48888		286 209·381	1170 927·556	56/1	3
S.S.M. 95612	23·346	286 849·661	1170 832·732	56/1	4 3
S.S.M.103062	16·557	287 057·835	1170 854·528	56/1	4

COMBINED SCALE FACTOR 0·99993
ORIGIN OF REDUCED LEVELS P.M.46179 R.L.35·516

Crown Lands Office Approval

PLAN APPROVED .....
Authorised Officer
Land District .....
Paper No. .....
Field Book ..... pages .....

Subdivision Certificate

I certify that the provisions of s. 109J of the Environmental Planning and Assessment Act 1979 have been satisfied in relation to the proposed subdivision set out herein

(Insert 'subdivision' or 'new road')

*Authorised Person/~~General Manager~~/~~Accredited Certifier~~

Consent Authority: .....
Date of endorsement: 7·9·01
Accreditation No.: .....
Subdivision Certificate No.: 2313/98
File No.: 7 2313/98

When the plan is to be lodged electronically in the Land Titles Office, it should include a signature in an electronic or digital format approved by the Registrar-General.

*Delete whichever is inapplicable

SURVEYOR'S REFERENCE: D00122 / PC 7A2

10 20 30 40 50 60 70 80 90 100 110 120 130 140 150 160 170 Table of mm 210 220 230 240 250 260 270 280 290 300 310 320 330 340 350 360 370 380 390

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

DP1018660

Registered: AE 21/10/01

C.A: SEE CERTIFICATE

Title System: TORRENS

Purpose: SUBDIVISION

Ref. Map: W8270-8#, 82#

Last Plan: DP1012373

PLAN: OF SUBDIVISION OF LOT 7065 IN DP.1012373

Lengths are in metres. Reduction Ratio 1: 4000

L.G.A.: SHELLHARBOUR

Locality: SHELL COVE

Parish: TERRAGONG

County: CAMDEN

This is sheet 1 of my plan in 2 sheets. (Delete if inapplicable)

Surveyors (Practice) Regulation 1996

I, BRUCE ERNEST SMITH
of CRAVEN,ELLISTON & HAYES(DAPTOIPTY.LTD.

a surveyor registered under the Surveyor's Act, 1929, hereby certify that the survey represented in this plan is accurate, has been made in accordance with the Surveyors (Practice) Regulation 1996 and was completed on 25 AUG 2000.

The survey relates to LOTS 7063 - 7099 INCL. EXCEPT LOT 7083 WHICH IS COMPILED

(here specify the land actually surveyed or specify any land shown in the plan that is not the subject of the survey)

Datum Line: P.M.48888 - S.S.M.95612

Zone: Suburban/~~County~~

(Signature) .....

Surveyor registered under the Surveyors Act, 1929

Plans used in preparation of survey/compilation

D.P. 871363
D.P. 1010512
D.P. 1012373

ABN 81 056 544 604

PANEL FOR USE ONLY for statements of intension to dedicate public roads, to create public reserves, drainage reserves, easements, restrictions on the use of land or positive covenants.

PURSUANT TO SECTION 88B. OF THE CONVEYANCING ACT 1919, AS AMENDED, IT IS INTENDED TO CREATE:

1. EASEMENT FOR DRAINAGE OF WATER 1·5 WIDE
2. EASEMENT FOR PADMOUNT SUBSTATION 2·75 WIDE
3. RESTRICTION ON THE USE OF LAND
4. RESTRICTION ON THE USE OF LAND
5. RESTRICTION ON THE USE OF LAND

IT IS INTENDED TO DEDICATE HINCHINBROOK DRIVE, ROTTNEST CLOSE, MONTAGUE CRESCENT, THURSDAY AVENUE AND NORFOLK CRESCENT, TO THE PUBLIC AS ROAD.
IT IS INTENDED TO DEDICATE LOT 7082 TO THE PUBLIC AS PUBLIC RESERVE.
HINCHINBROOK DRIVE, MONTAGUE CRESCENT, THURSDAY AVENUE AND THE PUBLIC RESERVE ARE BEING DEDICATED SUBJECT TO THE RESTRICTION ON THE USE OF LAND.

Req:R880432 /Doc:DP 1018660 P /Rev:04-Oct-2001 /Sts:SC.OK /Prt:23-Jul-2010 08:07 /Pgs:ALL /Seq:1 of 2
Ref:mg /Src:M

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

SCHEDULE OF SHORT AND CURVED BOUNDARIES
CONTINUED FROM SHEET 1

No.	BEARING	DIST.	ARC	RAD.
65	210°27'24"	9·218	9·275	24
66	36°36'18"	7·531		
67	59°18'20"	6·028		
68	71°58'59"	13·173	13·264	32·5
69	262°15'34"	16·834	17·254	22·5
70	104°13'41"	3·368		
71	104°58'57"	9·384		
72	105°33'37"	2·789		
73	105°33'35"	6·398		
74	109°52'50"	8·855		
75	114°11'50"	6·355		
76	122°44'45"	19·238	19·275	89
77	120°16'30"	2·825	2·825	35·5
78	91°34'35"	4·895	5·07	5·5
79	58°09'15"	15·365	15·405	63
80	15°55'36"	4·651		
81	147°33'06"	3·455		

DIAGRAM
OF EASEMENT FOR PADMOUNT SUBSTATION
R.R. 1:200

HINCHINBROOK DRIVE (VAR. WIDTH) AVENUE

HOWE — LORD — FOR CONTINUATION SEE DIAGRAM — CROTTNEST — HINCHINBROOK — NORFOLK CRESCENT — CLOSE — DRIVE

S.S.M. 103138 R.L.23·555 — S.S.M.103142 R.L.22·286 — S.S.M. 103143 R.L.20·999 — S.S.M.103144 R.L.23·939 — S.S.M.103145 R.L. — S.S.M. 122450 R.L.28·050 — S.S.M.103141 R.L.35·051 — S.S.M.105373 R.L.33·624 — S.S.M.103081 R.L.33·125 — S.S.M.122449 R.L.24·655

S.S.M.122449 – S.S.M.103144 50°39'54" 98·704

(12 WIDE) — (VAR. WIDTH) — I.S.C.

▽ THURSDAY AVENUE
(12 WIDE AND VARIABLE)

▲ MONTAGUE CRESCENT
(12 WIDE)

SOUTHERN CROSS BOULEVARD — TO S.S.M.103077

D.H.& W.IN KERB FD. 98°06'33" 4·71 (D.P.1012373)

PUBLIC RESERVE 2307m² — PT. 1 D.P. 883196

D.P. 1012373 — D.P. 1010512

(1) A EASEMENT FOR DRAINAGE OF WATER 1·5 WIDE
(2) B EASEMENT FOR PADMOUNT SUBSTATION 2·75 WIDE
● RESTRICTION ON THE USE OF LAND (D.P. 1034320)

NOTE:
FOR SCHEDULE OF REFERENCE MARKS SEE SHEET 1
FOR SCHEDULE OF S.S.Ms. SEE SHEET 1
FOR SCHEDULE OF SHORT AND CURVED BOUNDARIES
(46) – (64) INCL. SEE SHEET 1

DIAGRAM

Plan Drawing only to appear in this space

SURVEYOR'S REFERENCE: D 00122 / PC 7A2

Reduction Ratio 1: 800

DP1018660

Registered: AE 21/10/01

This is sheet 2 of my plan in 2 sheets dated 25·8·00

B. E. [signature]

Surveyor registered under Surveyors Act 1929

This is sheet 2 of the plan of 2 sheets of covered by subdivision certificate No..... of 2313/98

A. Weston

Authorised Person/~~General Manager/Accredited Certifier~~

For use where space is insufficient in any panel on Plan Form 2.

Req:R880432 /Doc:DP 1018660 P /Rev:04-Oct-2001 /Sts:SC.OK /Prt:23-Jul-2010 08:07 /Pgs:ALL /Seq:2 of 2
Ref:mg /Src:M

Req:R880429 /Doc:DP 0229374 P /Rev:09-Jun-1992 /Sts:OK.OK /Prt:23-Jul-2010 08:07 /Pgs:ALL /Seq:1 of 2
Ref:mg /Src:M

Plan Form 3—To be used where it is intended to dedicate public roads or public reserves or create drainage reserves, easements, or restrictions as to user.

Sh. 1 of 2. DP229374

DP 229374

Registered: 15.8.1979

Title System: Torrens

Purpose: Subdivision

Ref. Maps: Parish

Last Plan: D P 219827 19083(L) Parish

PLAN OF

subdivision of the whole of the land in 19083 (L) and D P 219827

Scale: 60 feet to an Inch

Mun./~~Shire~~ ~~City~~: Shellharbour

Locality: Shellharbour

Parish: Terragong

County: Camden

I, Keith Frederick Williams of 190 Crown Street, Wollongong, a surveyor registered under the Surveyors Act, 1929, as amended, hereby certify that the survey represented in this plan is accurate and has been made* ~~otherwise than (1) under my immediate supervision in accordance with the Survey Practice Regulations, 1933~~ and was completed on 3.10.1978

Signature: K. F. Williams

Surveyor registered under Surveyors Act, 1929, as amended.

Datum Line of Azimuth: A-B

Statements of intention to dedicate public roads or public reserves or create drainage reserves, easements, or restrictions as to user.
(Signatures and Seals to appear in panel provided.)

SIGNATURES AND SEALS ONLY.

Council Clerk's Certificate.

I hereby certify that--

(a) the requirements of the Local Government Act, 1919 (other than the requirements for the registration of plans), and

*(b) the requirements of section 345 of the Metropolitan Water, Sewerage, and Drainage Act, 1924, as amended,

have been complied with by the applicant in relation to the proposed ..... (insert "new road" or "subdivision") set out hereto.

Subdivision No. .....

Date. .....

(Signature) .....

Council Clerk.

* NOTE—This part of certificate to be deleted where the application is only for the opening of a new road or where the land to be subdivided is wholly outside the area of operations of the Metropolitan Water Sewerage and Drainage Board.

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION.

BEFORE USE ONLY.

Plan Amended 22.6.78

CONVERSION TABLE ADDED IN REGISTRAR GENERAL'S DEPARTMENT

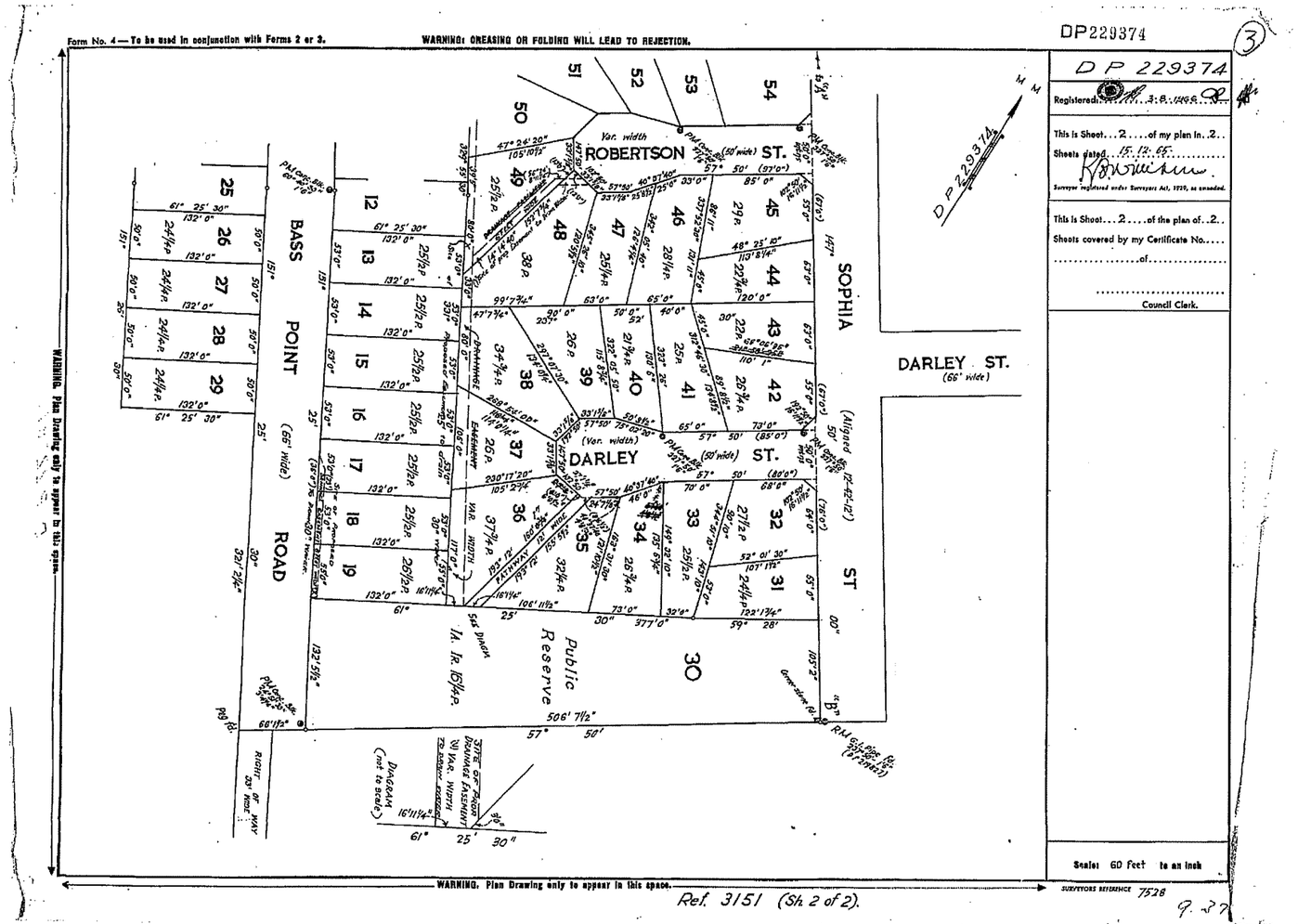
DP 229374 SH 1/2 (CONTD)

FEET	INCHES	METRES
117	-	35.662
120	0 1/2	36.576
121	0 1/2	37.114
122	6 7/8	37.360
123	2 3/4	37.560
124	11 1/2	37.986
128	3 1/2	39.103
128	6	39.167
129	1 3/4	39.364
129	5 1/2	39.751
131	1 1/4	39.954
131	9	40.157
132	8 1/2	40.234
132	-	40.234
132	9 1/2	40.462
133	7	40.716
133	8 1/2	40.754
133	9 1/2	40.792
134	9 1/2	40.945
135	4 1/2	41.091
135	5 1/2	41.129
136	3 1/2	41.529
136	3 7/8	41.551
136	4 1/2	41.567
136	5 1/2	41.605
136	6 1/4	41.643
136	6 3/4	41.681
136	7 1/4	41.719
136	7 3/4	41.757
136	8 1/4	41.795
136	8 3/4	41.833
136	9 1/4	41.871
136	9 3/4	41.909
137	10 1/4	41.947
137	10 3/4	41.985
137	11 1/4	42.023
137	11 3/4	42.061
138	-	42.099
138	0 1/4	42.137
138	0 3/4	42.175
138	1 1/4	42.213
138	1 3/4	42.251
138	2 1/4	42.289
138	2 3/4	42.327
138	3 1/4	42.365
138	3 3/4	42.403
138	4 1/4	42.441
138	4 3/4	42.479
138	5 1/4	42.517
138	5 3/4	42.555
138	6 1/4	42.593
138	6 3/4	42.631
138	7 1/4	42.669
138	7 3/4	42.707
138	8 1/4	42.745
138	8 3/4	42.783
138	9 1/4	42.821
138	9 3/4	42.859
138	10 1/4	42.897
138	10 3/4	42.935
138	11 1/4	42.973
139	-	43.011
139	0 1/4	43.049
139	0 3/4	43.087
139	1 1/4	43.125
139	1 3/4	43.163
139	2 1/4	43.201
139	2 3/4	43.239
139	3 1/4	43.277
139	3 3/4	43.315
139	4 1/4	43.353
139	4 3/4	43.391
139	5 1/4	43.429
139	5 3/4	43.467
139	6 1/4	43.505
139	6 3/4	43.543
139	7 1/4	43.581
139	7 3/4	43.619
139	8 1/4	43.657
139	8 3/4	43.695
139	9 1/4	43.733
139	9 3/4	43.771
139	10 1/4	43.809
139	10 3/4	43.847
139	11 1/4	43.885
139	11 3/4	43.923
140	-	43.961
140	0 1/4	43.999
140	0 3/4	44.037
140	1 1/4	44.075
140	1 3/4	44.113
140	2 1/4	44.151
140	2 3/4	44.189
140	3 1/4	44.227
140	3 3/4	44.265
140	4 1/4	44.303
140	4 3/4	44.341
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140	8 3/4	44.645
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140	9 3/4	44.721
140	10 1/4	44.759
140	10 3/4	44.797
140	11 1/4	44.835
140	11 3/4	44.873
141	-	44.911
141	0 1/4	44.949
141	0 3/4	44.987
141	1 1/4	45.025
141	1 3/4	45.063
141	2 1/4	45.101
141	2 3/4	45.139
141	3 1/4	45.177
141	3 3/4	45.215
141	4 1/4	45.253
141	4 3/4	45.291
141	5 1/4	45.329
141	5 3/4	45.367
141	6 1/4	45.405
141	6 3/4	45.443
141	7 1/4	45.481
141	7 3/4	45.519
141	8 1/4	45.557
141	8 3/4	45.595
141	9 1/4	45.633
141	9 3/4	45.671
141	10 1/4	45.709
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162	10 3/4	65.697
162	11 1/4	65.735
162	11 3/4	65.773
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163	10 3/4	66.647
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163	11 3/4	66.723
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165	10 3/4	68.547
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165	11 3/4	68.623
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166	0 3/4	68.737
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166	9 3/4	69.421
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166

Req:R880429 /Doc:DP 0229374 P /Rev:09-Jun-1992 /Sts:OK.OK /Prt:23-Jul-2010 08:07 /Pgs:ALL /Seq:2 of 2
Ref:mg /Src:M

Form No. 4 — To be used in conjunction with Forms 2 or 3. WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION.

DP229374



DP 229374

Registered: 3.8.1966

This is Sheet 2 of my plan in 2 Sheets dated 15.12.65

Surveyor registered under Surveyors Act, 1929, as amended.

This is Sheet 2 of the plan of 2 Sheets covered by my Certificate No. ..... of .....

Council Clerk.

AMENDMENTS OR ADDITIONS NOTED ON PLAN IN REGISTRAR GENERAL'S OFFICE.

I, Bruce Richard Davies, Registrar General for New South Wales, certify that this negative is a photograph made as a permanent record of a document in my custody this 15th day of June, 1977

2

CONVERSION TABLE ADDED IN REGISTRAR GENERAL'S DEPARTMENT

DP 229374 SH 2/2

FEET	INCHES	METRES
1	6	0.457
3	-	0.914
4	-	1.219
5	0 1/2	1.435
5	-	1.524
6	-	1.829
6	0 1/2	1.842
7	-	2.134
8	6 1/2	2.604
8	11 1/4	2.724
11	8 1/4	3.562
12	-	3.658
13	-	3.962
16	1 1/4	4.909
16	1 3/4	4.921
16	3/4	4.987
16	11 1/4	5.168
16	11 1/2	5.169
23	-	7.010
24	7 1/8	7.496
25	-	7.620
25	8 1/2	7.636
27	1 1/8	8.258
28	-	8.534
32	-	9.754
33	-	10.058
33	1 5/8	10.100
36	-	10.973
39	-	12.034
40	-	12.192
42	-	12.802
45	-	13.716
46	-	14.021
47	7 3/4	14.522
50	-	15.240
50	0 1/2	15.456
53	-	16.154
55	-	16.764
63	-	19.202
65	-	19.812
66	-	20.117
66	1 1/2	20.155
67	-	20.422
68	-	20.726
70	-	21.336
73	-	22.250
76	-	23.165
80	-	24.384
85	-	25.908
86	11	26.492
89	8 1/2	27.343
90	-	27.432
90	10	27.686
97	-	29.566
99	7 3/4	30.372
105	2	32.055
105	2 3/4	32.074
105	10 1/2	32.271
106	-	32.300
106	11 1/2	32.601
107	1 1/2	32.652
110	1	33.553
113	0 1/4	34.652
114	0 1/4	34.754
115	8 3/4	35.274
117	-	35.662
120	-	36.576
120	5 1/2	36.715
121	10 1/2	37.140
122	1 3/4	37.240
126	4 1/4	38.513
126	4 1/2	38.519
130	6	39.776
131	11	40.208
132	-	40.234
132	5 1/2	40.373
134	0 1/4	40.850

CONVERSION TABLE ADDED IN REGISTRAR GENERAL'S DEPARTMENT

DP 229374 SH 2/2 CONTD

FEET	INCHES	METRES
134	6 1/2	41.059
135	6 3/4	41.319
143	10	43.840
152	7 3/4	46.526
155	5 1/2	47.384
160	1	48.793
321	2 1/4	97.898
377	-	114.910
506	7 1/2	154.419
507	1 5/8	154.575

AC	RD	P	SQ M
-	-	21 3/4	550.1
-	-	22	556.4
-	-	22 3/4	575.4
-	-	23 1/4	588.1
-	-	24	607
-	-	24 1/4	613.4
-	-	25	632.3
-	-	25 1/4	638.6
-	-	25 1/2	645
-	-	26	657.6
-	-	26 1/2	670.3
-	-	26 3/4	676.6
-	-	27 1/2	695.6
-	-	27 3/4	701.9
-	-	28	708.2
-	-	28 1/4	714.5
-	-	29	733.5
-	-	32 1/4	815.7
-	-	34 3/4	870.9
-	-	37 3/4	954.8
-	-	38	961.1
1	1	16 1/4	5470

PLAN FORM 2 — Plan Drawing only to appear in this space — *OFFICE USE ONLY

SIGNATURE AND SEALS ONLY.

THE COMMON SEAL OF INTEGRAL ENERGY AUSTRALIA WAS HEREUNTO AFFIXED THIS 17th DAY OF OCTOBER, 1996 IN ACCORDANCE WITH THE MEMORANDUM AND ARTICLES OF ASSOCIATION, IN THE PRESENCE OF:

Integral Energy Australia — Common Seal of

DIRECTOR- ALEXANDER WALKER

CORPORATE SECRETARY – VALERIE DUNCAN

Olivia Hearne, Manager

BY DELEGATION PURSUANT TO SECTION 180 OF THE CROWN LANDS ACT 1989 & WITH AUTHORITY UNDER SECTION 13L OF THE REAL PROPERTY ACT 1900 FROM THE MINISTER ADMINISTERING THE CROWN LANDS ACT 1989 ON BEHALF OF THE STATE OF NEW SOUTH WALES

Crown Lands Office Approval

PLAN APPROVED ..... Authorised Officer

Land District .....

Paper No. .....

Field Book ..... pages .....

Council's Certificate

I hereby certify that –

(a) the requirements of the Local Government Act, 1919 (other than the requirements for the registration of plans), and

*(b) the requirements of † Part 3 Division 2 of the Water Board Act 1987, or † Part 5 Division 7 of the Hunter Water Board (Corporatisation) Act 1991,

have been complied with by the applicant in relation to the proposed SUBDIVISION (Insert "new road", "subdivision" or "consolidated lot") set out herein

Subdivision No. 12/96

Date 23-9-96

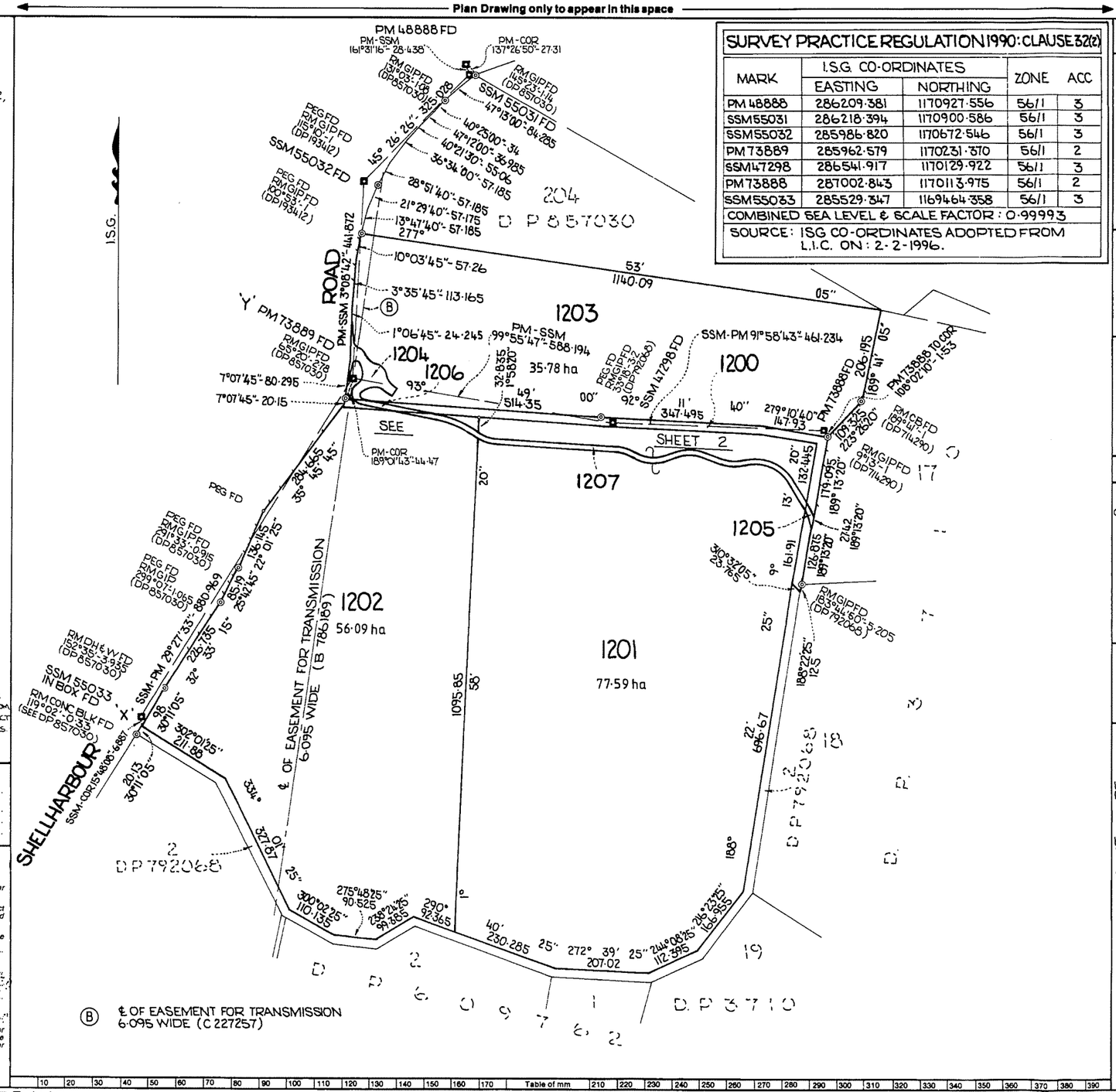
(Signature) ..... General Manager/Authorised Person

Council File No. G 95-11.2

*This part of certificate to be deleted where the application is only for a consolidated lot or the opening of a new road or where the land to be subdivided is wholly outside the areas of operations of the Water Board and the Hunter Water Corporation Ltd.

†Delete # inapplicable

SURVEYOR'S REFERENCE: 5476/DP3 (D) R.P. 4143



SURVEY PRACTICE REGULATION 1990: CLAUSE 32(2)

MARK	I.S.G. CO-ORDINATES EASTING	I.S.G. CO-ORDINATES NORTHING	ZONE	ACC
PM 48888	286209·381	1170927·556	56/1	3
SSM55031	286218·394	1170900·586	56/1	3
SSM55032	285986·820	1170672·546	56/1	3
PM 73889	285962·579	1170231·370	56/1	2
SSM47298	286541·917	1170129·922	56/1	3
PM 73888	287002·843	1170113·975	56/1	2
SSM55033	285529·347	1169464·358	56/1	3

COMBINED SEA LEVEL & SCALE FACTOR : 0·99993

SOURCE: ISG CO-ORDINATES ADOPTED FROM L.I.C. ON : 2-2-1996.

DP 864021

Registered: 19.2.1997

C.A.: No 12/96 OF 23.9.1996

Title System: TORRENS

Purpose: SUBDIVISION

Ref. Map. W8262 - 2# W8270 - 8#

Last Plan: DP792068, DP857030

PLAN OF SUBDIVISION OF LOTS 201, 202 & 203 IN DP 857030 & LOT 1 IN DP 792068.

Lengths are in metres. Reduction Ratio 1: 6000

LGA SHELLHARBOUR

Locality: DUNMORE

Parish: TERRAGONG

County: CAMDEN

This is sheet 1 of my plan in 2 sheets (Delete if inapplicable).

I, ROGER STEPHEN BOXALL

C/- ROGER BOXALL & ASSOCIATES P/L, PO BOX 519 SUTHERLAND 2232

a surveyor registered under the Surveyors Act 1929, hereby certify that the survey represented in this plan is accurate, has been made in accordance with the Survey Practice Regulation 1990 and was completed on 19-11-1996

SURVEY OF LOT 1200 & 1204-1207 INCL. ONLY LOTS 1201, 1202 & 1203 COMPILED.

Datum Line of Azimuth 'X' - 'Y'

Signature: Roger Boxall — Surveyor registered under the Surveyors Act 1929

Plans used in preparation of survey/~~compilation~~
D.P.'s: 857030, 193412, 714290, 792068, 3710, 609762

PANEL FOR USE ONLY for statements of intention to dedicate public roads, to create public reserves, drainage reserves, easements, restrictions on the use of land or positive covenants.

IT IS INTENDED TO CREATE LOT 1204 AS TEMPORARY ROAD (SUBJECT TO EASEMENT FOR TRANSMISSION 6·095 WIDE & RIGHT OF CARRIAGEWAY 12 WIDE).
IT IS INTENDED TO DEDICATE LOT 1205 TO THE PUBLIC AS ROAD.
IT IS INTENDED TO CREATE LOTS 1206 & 1207 AS TEMPORARY ROAD.

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

DP 864021

Req:R880434 /Doc:DP 0864021 P /Rev:19-Feb-1997 /Sts:OK.OK /Prt:23-Jul-2010 08:07 /Pgs:ALL /Seq:1 of 2
Ref:img /Src:M

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

DP 864021

Registered: 19.2.1997

This is sheet 2 of my plan in 2 sheets dated 19.4.1996

Surveyor registered under Surveyors Act 1929

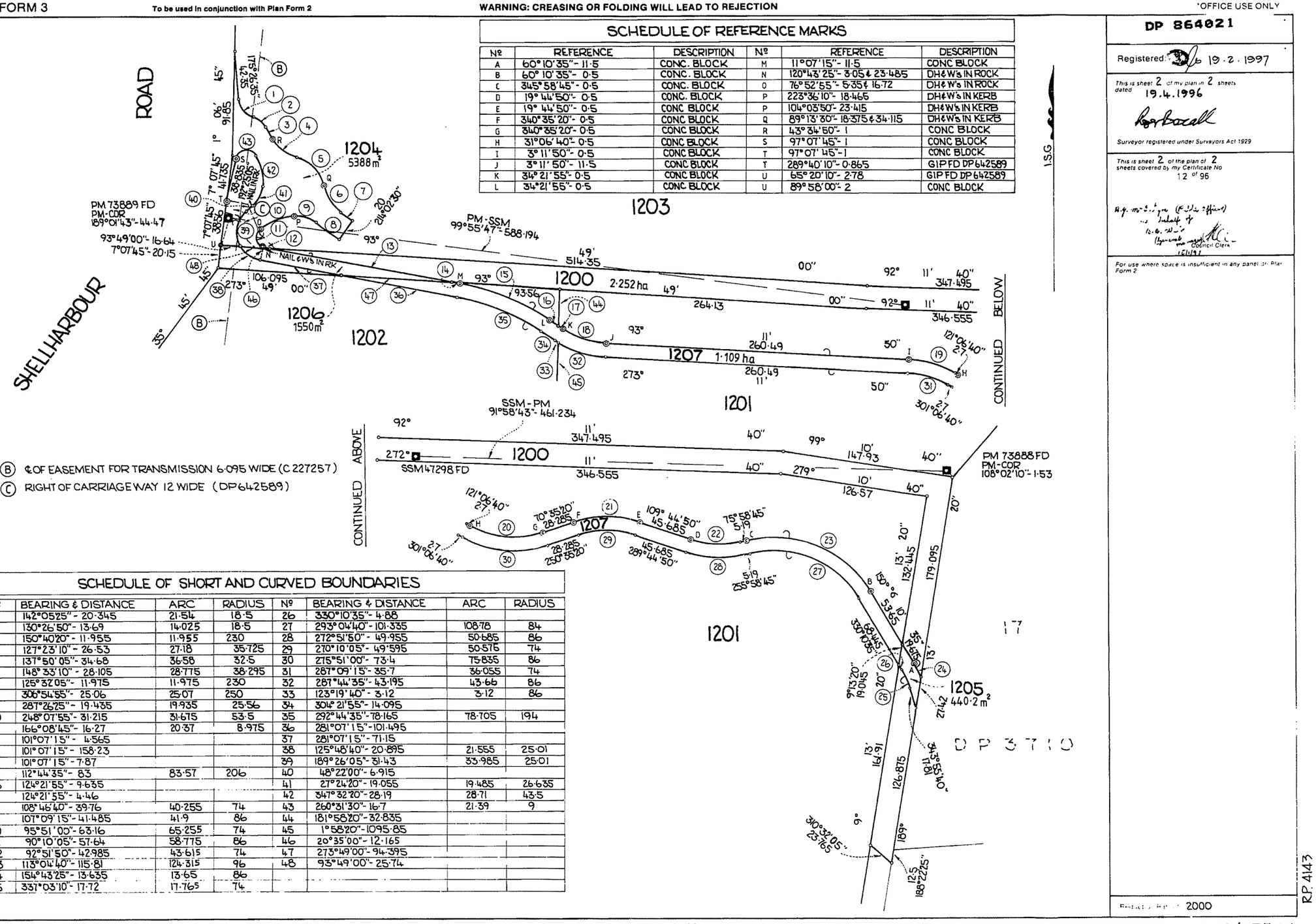
This is sheet 2 of the plan of 2 sheets covered by my Certificate No 12 of 96

Council Clerk

For use where space is insufficient in any panel of Plan Form 2

SCHEDULE OF REFERENCE MARKS

Nº	REFERENCE	DESCRIPTION	Nº	REFERENCE	DESCRIPTION
A	60°10'35"- 11·5	CONC. BLOCK	M	11°07'15"- 11·5	CONC BLOCK
B	60° 10' 35"- 0·5	CONC. BLOCK	N	120°43'25"- 3·05 & 23·485	DH&W's IN ROCK
C	345°58'45"- 0·5	CONC. BLOCK	O	76°52'55"- 5·35 & 16·72	DH&W's IN ROCK
D	19° 44'50"- 0·5	CONC. BLOCK	P	223°36'10"- 18·465	DH&W's IN KERB
E	19° 44'50"- 0·5	CONC BLOCK	P	104°03'50"- 23·415	DH&W's IN KERB
F	340°35'20"- 0·5	CONC BLOCK	Q	89°13'30"- 18·375 & 34·115	DH&W's IN KERB
G	340°35'20"- 0·5	CONC BLOCK	R	43°34'50"- 1	CONC BLOCK
H	31°06'40"- 0·5	CONC BLOCK	S	97°07'45"- 1	CONC BLOCK
I	3°11'50"- 0·5	CONC BLOCK	T	97°07'45"- 1	CONC BLOCK
J	3°11'50"- 11·5	CONC BLOCK	T	289°40'10"- 0·865	G1P FD DP642589
K	34°21'55"- 0·5	CONC BLOCK	U	65°20'10"- 2·78	G1P FD DP642589
L	34°21'55"- 0·5	CONC BLOCK	U	89°58'00"- 2	CONC BLOCK



(B) ℄ OF EASEMENT FOR TRANSMISSION 6·095 WIDE (C 227257)

(C) RIGHT OF CARRIAGE WAY 12 WIDE (DP642589)

SCHEDULE OF SHORT AND CURVED BOUNDARIES

Nº	BEARING & DISTANCE	ARC	RADIUS	Nº	BEARING & DISTANCE	ARC	RADIUS
1	142°05'25"- 20·345	21·54	18·5	26	330°10'35"- 4·88		
2	130°26'50"- 13·69	14·025	18·5	27	293°04'40"- 101·335	108·78	84
3	150°40'20"- 11·955	11·955	230	28	272°51'50"- 49·955	50·685	86
4	127°23'10"- 26·53	27·18	35·725	29	270°10'05"- 49·595	50·575	74
5	137°50'05"- 34·68	36·58	32·5	30	275°51'00"- 73·4	75·835	86
6	148°33'10"- 28·105	28·775	38·295	31	287°09'15"- 35·7	36·055	74
7	125°32'05"- 11·975	11·975	230	32	287°44'35"- 43·195	43·66	86
8	306°54'55"- 25·06	25·07	250	33	123°19'40"- 3·12	3·12	86
9	287°26'25"- 19·435	19·935	25·56	34	304°21'55"- 14·095		
10	248°07'55"- 31·215	31·675	53·5	35	292°44'35"- 78·165	78·705	194
11	166°08'45"- 16·27	20·37	8·975	36	281°07'15"- 101·495		
12	101°07'15"- 4·565			37	281°07'15"- 71·15		
13	101°07'15"- 158·23			38	125°48'40"- 20·895	21·555	25·01
14	101°07'15"- 7·87			39	189°26'05"- 31·43	33·985	25·01
15	112°44'35"- 83	83·57	206	40	48°22'00"- 6·915		
16	124°21'55"- 9·635			41	27°24'20"- 19·055	19·485	26·635
17	124°21'55"- 4·46			42	347°32'20"- 28·19	28·71	43·5
18	108°46'40"- 39·76	40·255	74	43	260°31'30"- 16·7	21·39	9
19	107°09'15"- 41·485	41·9	86	44	181°58'20"- 32·835		
20	95°51'00"- 63·16	65·255	74	45	1°58'20"- 1095·85		
21	90°10'05"- 57·64	58·775	86	46	20°35'00"- 12·165		
22	92°51'50"- 42·985	43·615	74	47	273°49'00"- 94·395		
23	113°04'40"- 115·81	124·315	96	48	93°49'00"- 25·74		
24	154°43'25"- 13·635	13·65	86				
25	331°03'10"- 17·72	17·765	74				

Plan Drawing only to appear in this space — SURVEYOR'S REFERENCE 5476/DP3 (D)

R.P. 4143

Reg:R880434 /Doc:DP 0864021 P /Rev:19-Feb-1997 /Sts:OK.OK /Prt:23-Jul-2010 08:07 /Pgs:ALL /Seq:2 of 2
Ref:mg /Src:M. % /01737

B29
/Req: B593872
/Doc: CT 14804-076
/Prt: 22-Jul-2010

W SOUTH WALES

CATE OF TITLE

PROPERTY ACT, 1900

Vol. [illegible] Fol. [illegible]

pln. No.11372

ior Title Vol.10958 Fol.173

EDITION ISSUED

13 7 1982

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

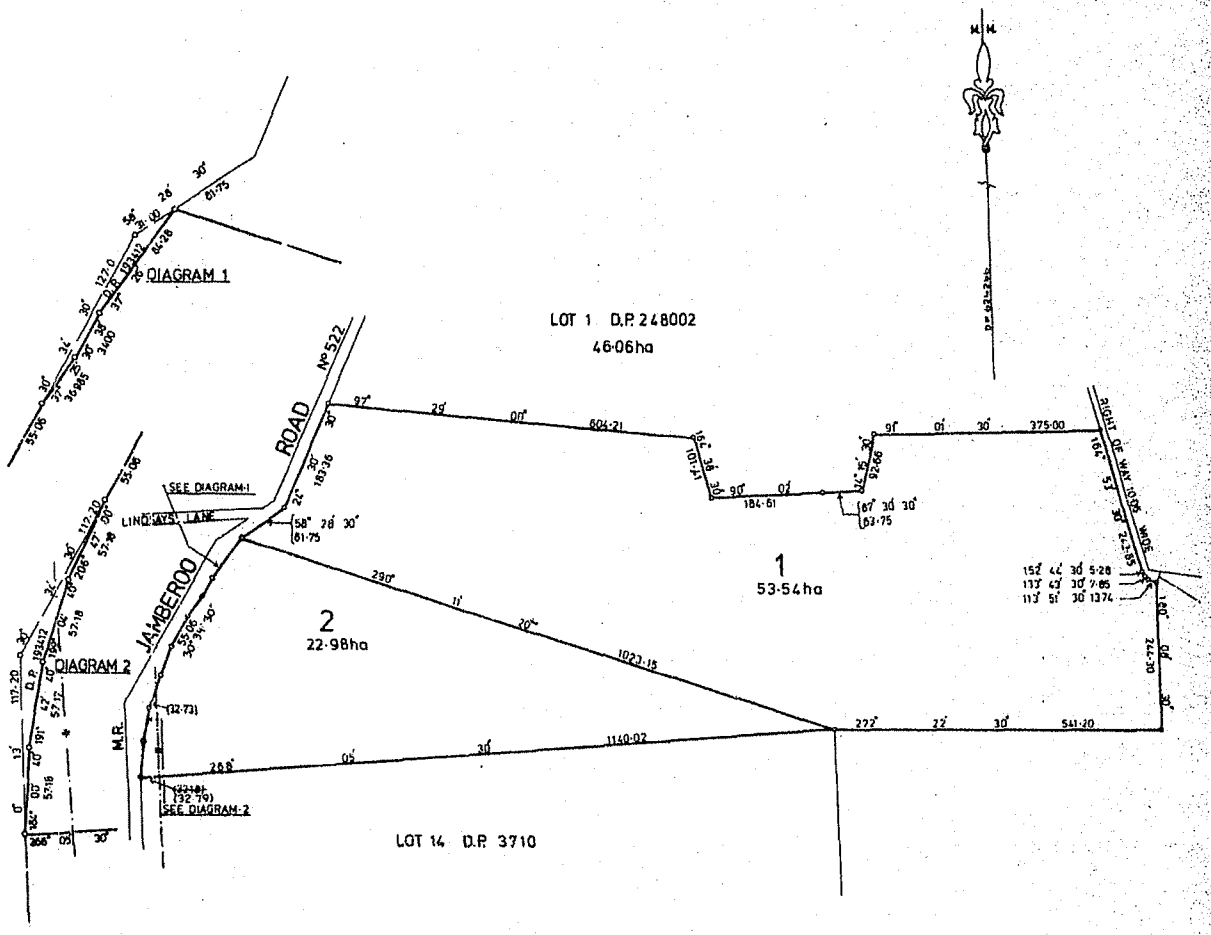
CANCELLED

Registrar General.

SEE AUTO FOLIO

PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES



* ℄ OF EASEMENT FOR TRANSMISSION LINE 6·096 WIDE CREATED BY B783615 (℄ CUTS PER D.P. 193412)

ESTATE AND LAND REFERRED TO

S Estate in Fee Simple in Lot 2 in Deposited Plan 624266 at Dunmore in the Municipality of Shellharbour Parish of Terragong and County of Camden being part of Portion 5 granted to D'Arcy Wentworth on 9-1-1821.

FIRST SCHEDULE

ILLAWARRA COUNTY COUNCIL.

SECOND SCHEDULE

GRY 1. Reservations and conditions, if any, contained in the Crown Grant above referred to.
ET(SB) 2. B783615 P Easement for transmission affecting the part of the land above described shown so burdened in Deposited Plan 624266.

RG 2/64

PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR ANY NOTIFICATION HERE (Page 1)

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

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99346D 8.81 D. West, Government Printer

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR	Registrar General
CANCELLED SEE AUTO FOLIO	

SECOND SCHEDULE (continued)

PARTICULARS	Registrar General	CANCELLATION
T551263P Lease to ICI Australia Operations Proprietary Limited of premises being "Explosives Depot." Expires 31-12-1984. Registered 23-6-1983		

NOTATIONS AND UNREGISTERED DEALINGS

T551263 Lse (pt)

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

Appendix E

Copies of Section 149 Certificate

All communication addressed to:
General Manager
Shellharbour City Council
PO Box 155, Shellharbour City Centre
NSW 2529

PHONE: 02 4221 6111
FAX: 02 4221 6016
DX 26402 Shellharbour City Centre
EMAIL: records@shellharbour.nsw.gov.au
WEB: www.shellharbour.nsw.gov.au

Applicant:

Mr B Harris
PO Box 486
UNANDERRA NSW 2526

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

Applicants Reference: **40999.26**

Certificate No: **20101059**

Receipt No: **167939**

Print Date: **21/07/2010**

LAND DESCRIPTION:

Shallows Drive SHELL COVE 2529

LOT: 9004 DP: 1117743

Parcel No: 28859

Disclaimer

Information contained in this certificate relates only to the land for which this certificate is issued on the day it is issued. This information is provided in good faith and the Council shall not incur any liability in respect of any such advice. Council relies on state agencies for advice and accordingly can only provide that information in accordance with the advice. Verification of the currency of agency advice should occur. For further information, please contact Council's Customer Service Section.

Title Information

Title information shown on this Planning Certificate is provided from Council's records and may not conform to information shown on the current Certificate of Title. Easements, restrictions as to user, rights of way and other similar information shown on the title of the land are not provided on this planning certificate.

Inspection of the land

The Council has made no inspection of the land for the purposes of this Planning Certificate.

ENGLISH

If you have difficulties understanding this correspondence, please contact Council by phone (4221 6111) or, if you wish, come into the office where staff will be pleased to assist you and if required, an appropriate interpreter will be called.

MACEDONIAN

Ако имате тедшкотии да ја разберете оваа кореспонденција, ве молиме контактирајте ја Општината по телефон на 4221 6111 или ако сакате, дојдете во канцеларијата каде што службениците со задоволство ќе ви помогнат, и ако е потребно, ќе повикат соодветен преведувач.

SPANISH

Si tuviera dificultades para entender esta correspondencia, le rogamos llamar por teléfon al Municipio, número 4221 6111, o bien, si lo prefiere, puede venir a nuestras oficinas, donde el personal tendrá el agrado de ayudarle y, si fuera necesario, de llamar a un intérprete.

GERMAN

Wenn Sie Schwierigkeiten haben, diese Korrespondenz zu verstehen, setzen Sie sich bitte telefonisch mit der Gemeinde in Verbindung (4221 6111) oder, falls Ihnen das lieber ist, kommen Sie in unser Büro: wir werden Ihnen gerne behilflich sein und werden, falls nötig, einen estsprechenden Dolmetscher hinzurufen.

ITALIAN

Se non riuscite a capire bene questa lettera, vi preghiamo di telefonare al Comune, numero telefonico: 4221 6111. Se preferite, potete venire di persona al nostro ufficio dove il personale sarà felice di aiutarvi. Se richiesto, un interprete sarà messo a vostra disposizione.

GREEK

Αν έχετε δυσκολία να καταλάβετε την παρούσα αλληλογραφία, παρακαλούμε επικοινωνήστε με τη Δημαρχία (Τηλ.4221 6111), ή αν επιθυμείτε ελάτε στα γραφεία όπου το προσωπικό θα σας βοηθήσει ευχαρίστως και αν χρειαστεί θα κληθεί κατάλληλος διερμηνέας.

CROATIAN

Ako ne možete razumjeti ovo pismo, molimo nazovite općinu na 4221 6111 ili, ako želite, dođite u naš ured gdje će vam osoblje rado pomoći i po potrebi nazvati odgovarajućeg tumača.

PORTUGUE

Se tem dificuldade de entender esta correspondência, aueira contactar o Conselho Municipal pelo telefone (4221 6111) ou, se o quiser, queira vir á secretaria onde o pessoal terá prazer de lhe prestar ajuda e, se for preciso, mandar-se-á vir um intérprete.

SERBIAN

Ако имате потешкоћа у разумевању овог дописа, молим назовите Општину на 4221 6111 или, ако желите, дођите у нашу канцеларију где ће вам особље радо помоћи, или, где је потребно, назвати одговарајућег тумач.

TURKISH

Bu yazıyı anlamakta zorluk çekerseniz, Belediyeyi lütfen telefonla 4221 6111 arayınız, veya dilerseniz ofise geliniz; oradaki görevliler size memnuniyetle yardım edecekler ve gerekirse uygun bir tercümanla temasa geçilecektir.

POLISH

Jeśli masz trudności ze zrozumieniem treści niniejszego pisma, skontaktuj się z Radą Miejskiej (Council) telefonicznie pod numerem 4221 6111, lub też - jeśli wolisz - przyjdź do naszego urzędu, gdzie personel z przyjemnością udzieli Ci pomocy i - w razie konieczności - zorganizuje pomoc tłumacza.

Translated by the Ethnic Affairs Commission

PART A: INFORMATION PROVIDED UNDER SECTION 149 (2)

Matters contained in this certificate apply only to the land on the date of issue.

1. Name of Relevant Planning Instruments and DCPs

1.1 Which environmental planning instruments apply to the carrying out of development on the land?

Local Environmental Plan

Shellharbour Local Environmental Plan 2000.

State Environmental Planning Policies

SEPP No 1 - Development Standards.
The policy sets out the principle that a development standard may be varied where strict compliance can be shown to be unreasonable or unnecessary or would tend to hinder the objectives of the Environmental Planning and Assessment Act.

SEPP No 4 - Development Without Consent & Miscellaneous Complying Development.
The policy aims to firstly, allow development which is of a very minor environmental significance to be carried out without development consent, and secondly, allow certain development by public authorities and development on land reserved or dedicated under the National Parks and Wildlife Act (1974) to be carried out without consent.

SEPP No 6 - Number Of Storeys In A Building.
A policy for determining the height of a building where height is controlled by reference to the number of storeys.

SEPP No 21 - Caravan Parks.
The policy provides that where caravan parks or camping grounds are permissible under the environmental planning instrument, movable dwellings, as defined under the Local Government Act, 1919, are permissible.

SEPP No 22 - Shops & Commercial Premises.
The policy allows with the consent of Council, a change of use from a shop to another kind of shop or commercial premises, or alternatively, commercial premises to a shop or another kind of commercial premises where the new use is prohibited under an environmental planning instrument if the Council is satisfied that the change of use will have not more than a minor environmental impact and is in keeping with the objectives of the zone.

SEPP No 30 - Intensive Agriculture.
Requires development consent for cattle feedlots having a capacity of 50 or more cattle or piggeries having a capacity of 200 or more pigs. The policy sets out requirements to ensure there are effective planning control over this export-driven rural industry.

SEPP No 32 - Urban Consolidation (Redevelopment of Urban Land).
The policy promotes orderly and economic use and development of land by enabling urban land which is no longer required for the purpose for which it is zoned or used, to be redeveloped for multi-unit housing and related development. Redevelopment is enabled by means of a Regional Environmental Plan instigated by the Minister for Planning.

SEPP No 33 - Hazardous & Offensive Development.
Provides new definitions for 'hazardous industry', 'hazardous storage establishment', 'offensive industry' and 'offensive storage establishment'. The policy also requires specified matters to be considered for proposals that are 'potentially hazardous' or 'potentially offensive' as defined in the policy.

SEPP No 36 - Manufactured Home Estates.
The policy -(i) defines where Manufactured Home Estates (MHEs) may be permitted and establishes criteria for the granting of development consent to these estates, - (ii) enables, with development consent, the subdivision of MHEs, provided such subdivision complies with the provisions of the Local Government (Manufactured Home Estates) Regulation 1993.

SEPP No 50 - Canal Estate Developments.
This policy provides that where the policy applies, a person shall not carry out canal estate development as defined in the policy.

SEPP No 55 - Remediation Of Land.
The policy aims to promote the remediation of contaminated land for the purpose of reducing risk of harm to human health or any other aspect of the environment. The policy applies to the whole state to ensure that remediation is permissible development and is always carried out to high standard. It specifies when consent is required for remediation and lists considerations that are relevant when rezoning land and determining development applications.

SEPP No 64 - Advertising And Signage.
The policy aims to improve the amenity of urban and natural settings by managing the impact of outdoor advertising.

SEPP No 65 - Design Quality Of Residential Flat Development.
The policy raises the design quality of residential flat development across the state through the application of a series of design principles. Provides for the establishment of Design Review Panels to provide independent expert advice to councils on the merit of residential flat development. The accompanying regulation requires the involvement of a qualified designer throughout the design, approval and construction stages.

SEPP No 70 - Affordable Housing (Revised Schemes).
The policy extends the life of affordable housing provisions relating to: Sydney Regional Environmental Plan No 26 - City West, Willoughby Local Environmental Plan 1995, South Sydney Local Environmental Plan 1998.

SEPP - Building Sustainability Index: Basix 2004.
This policy applies to all new single dwelling houses or dual occupancy development from 1st July 2005, and to all new multi-dwelling development or alterations and additions from 1st October 2005. BASIX is a web based tool designed to assess the potential performance of residential buildings against sustainability criteria. Details

are available at www.basix.nsw.gov.au or by contacting NSW Department of Infrastructure Planning and Natural Resources.

SEPP - (Major Developments) 2005.
This policy identifies the criteria for state significant development to be determined by the Minister for Infrastructure and Planning. This will facilitate the development, redevelopment or protection of important urban, coastal and regional sites of economic, environmental or social significance to the state.

SEPP - (Housing for Seniors or People with a Disability) 2004.
The policy aims to encourage the development of high quality accommodation for our ageing population and for people who have disabilities - housing that is in keeping with the local neighbourhood.

SEPP 71 - Coastal Protection.
This State Policy applies to all land located partly or wholly within the Coastal Zone, as identified in the NSW Coastal Policy 1997. This land is affected by this Policy.

SEPP - (Mining, Petroleum Production and Extractive Industries) 2007.
This SEPP aims to provide for the proper management and development of mineral, petroleum and extractive material resources for the purpose of promoting the social and economic welfare of the State. The policy also aims to facilitate the orderly and economic use and development of land containing mineral, petroleum and extractive material resources and to establish appropriate planning controls to encourage ecologically sustainable development through the environmental assessment and sustainable management, of development of mineral, petroleum and extractive material resources.

SEPP - (Infrastructure) 2007.
The aim of this Policy is to facilitate the effective delivery of infrastructure across the State by:

(a) improving regulatory certainty and efficiency through a consistent planning regime for infrastructure and the provision of services, and

(b) providing greater flexibility in the location of infrastructure and service facilities, and

(c) allowing for the efficient development, redevelopment or disposal of surplus government owned land, and

(d) identifying the environmental assessment category into which different types of infrastructure and services development fall (including identifying certain development of minimal environmental impact as exempt development), and

(e) identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and

(f) providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing.

SEPP - (Exempt & Complying Development Codes) 2008.
This policy aims to provide streamlined assessment processes for development that complies with specified development standards by identifying in the General Exempt

Development Code the types of development that may be carried out without the need for development consent and in the General Housing Code the types of development that may be carried out in accordance with a complying development certificate.

SEPP - State Environmental Planning Policy (Affordable Rental Housing) 2009.

The aims of this Policy are as follows:
(a) to provide a consistent planning regime for the provision of affordable rental housing,

(b) to facilitate the effective delivery of new affordable rental housing by providing incentives by way of expanded zoning permissibility, floor space ratio bonuses and non-discretionary development standards,

(c) to facilitate the retention and mitigate the loss of existing affordable rental housing,

(d) to employ a balanced approach between obligations for retaining and mitigating the loss of existing affordable rental housing, and incentives fro the development of new affordable rental housing,

(e) to facilitate an expanded role for not-for-profit-providers of affordable rental housing,

(f) to support local business centres by providing affordable rental housing for workers close to places of work,

(g) to facilitate the development of housing for the homeless and other disadvantaged people who may require support services, including group homes and supportive accommodation.

SEPP - (Rural Lands) 2008.
The aim of this policy is to facilitate the orderly and economic use and development of rural lands for rural and related purposes.

SEPP - (Temporary Structures) 2007.
This SEPP provides for the erection of temporary structures while protecting public safety and local amenity. The SEPP supports the transfer of the regulation of temporary structures (such as tents, marquees and booths) from the Local Government Act 1993 to the Environmental Planning and Assessment Act 1979.

Deemed SEPP's (Regional Environmental Plans)

Illawarra Regional Environmental Plan No 1.

1.2 Which proposed environmental planning instruments apply to the carrying out of development on the land that is or has been the subject of community consultation or public exhibition?

Draft Local Environmental Plan

No exhibited Draft Local Environmental Plans.

Draft State Environmental Planning Policies

DRAFT SEPP - Application of Development Standards 2004.
The policy aims to provide local councils with flexibility in applying development standards.

DRAFT SEPP 66 - Integrating Land Use and Transport.
The policy aims to ensure urban development is located and designed with improved walking, cycling and public transport access, reduces car dependence and supports efficient and viable public transport services.

DRAFT SEPP 1 - Development Standards (Amendment 1).
SEPP 1 gives councils the power to vary standards and approve development in some situations. When applicants use SEPP 1, they must provide sufficient evidence that proposed development meets the objectives of the local plan.

DRAFT SEPP - Subdivision.
The draft policy has been formulated in light of the intended introduction of the Local Government Bill 1992 which will have the effect of placing subdivision control entirely under the Environmental Planning and Assessment Act, 1979. At the present time, subdivision control is shared between this Act and the Local Government Act, 1919.

DRAFT SEPP - Sewerage Works.
The draft policy proposes that sewerage works by public authorities may be carried out, despite the provisions of any other environmental planning instrument, without development consent but subject to notification of certain authorities.

1.3 Which development control plans apply to the carrying out of development on the land?

DCP 2/92 - Commercial Development Control Plan No 2/92. This plan sets guidelines for commercial developments.

Residential Subdivision Development Control Plan (Amendment No 1). This plan sets out guidelines for greenfields residential subdivisions.

DCP 1/96 - Motor Showroom Development Control Plan No 1/96. This plan outlines the general design principles to be taken into consideration when preparing plans for motor showroom developments.

DCP 3/96(AM7) - Shell Cove (Stages 1-7, 8A & 10A) Development Control Plan No 3/96(AM7). This plan specifies the objectives and controls for the residential development of land within Stages 1-7, 8A & 10A of Shell Cove.

DCP 1/97 - Landscape Guidelines Development Control Plan No 1/97. This plan provides guidelines for landscaping requirements for developments and subdivisions.

DCP 2/96 - Service Station Development Control Plan No 2/96. This plan provides guidelines to assist in the design and siting of service stations and encourages the undergrounding of LGP facilities to mitigate environmental impacts.

Medium Density Development Control Plan No (Amendment No 2). This plan outlines the general design principles to be taken into consideration when preparing a development application for medium density housing, being three or more dwellings.

Residential Infill Development Control Plan (Amendment No 1). This plan outlines the general design principles to be taken into consideration when preparing a development application for residential infill development, which includes dual occupancy, integrated housing and minor resubdivision of existing residential allotments.

DCP 5/97(AM1) - Advertising and Identification Signs Development Control Plan No 5/97(AM1). This plan provides guidelines for advertisements and advertising structure opportunities on land throughout the city.

DCP 2/98 - Telecommunications Facilities Development Control Plan No 2/98. This plan contains provisions relating to the design and location of telecommunications facilities, visual amenity and electromagnetic radiation.

DCP 4/98 - On-site Waste Water Management for Single Residences Development Control Plan No 4/98. This plan provides guidelines for the preparation of plans for on-site water management facilities.

Exempt Development Control Plan (AM4). This plan identifies certain development for which development consent, assessment or notification is not required.

Complying Development Control Plan (AM3). This plan identifies minor development for which a Compliance Certificate is required from either Council or an accredited certifier.

DCP 10/98 - Notifications Policy Development Control Plan No 10/98. This plan identifies how and when potentially affected persons are notified of Development Applications.

Residential Development Control Plan (Amendment No 3). This provides general development requirements for dwelling houses and associated development that requires development consent.

Waste Minimization & Management Development Control Plan Am1. This plan requires anyone who lodges a development application to construct, demolish, refurbish or use a building or subdivide land to complete a Waste Management Plan.

Floodplain Risk Management Development Control Plan (Amendment No 1). This Plan provides details for development requirements on flood prone land being land inundated to the Probable Maximum Flood.

Draft Exhibited Development Control Plan

Exhibited Draft Shell Cove Development Control Plan AM8.The Draft Plan has been prepared to include controls and requirements for all the land in Stages 8 & 10. The Draft Plan also identifies those lots that may permit two dwellings and medium density/small lot housing within Stages 8 & 10 as well as updating registered title information in relevant Appendices.

Technical Policies

Shellharbour City Council Stormwater Policy. Council has adopted the Shellharbour City Council Stormwater Policy that would apply to all lots within the Shellharbour City Local Government Area.

Exhibited Technical Policies

There are no Exhibited Technical Policies on this land.

1.4 In this clause, proposed environmental planning instrument includes a planning proposal for the LEP or a draft environmental planning instrument.

2. ZONING AND LAND USE UNDER RELEVANT LEPs

For each environmental planning instrument or proposed instrument referred to in clause 1 above (other than a SEPP or proposed SEPP) that applies to the land:

2.1 What is the identity of the zoning for the land?

2(f) MIXED USE RESIDENTIAL F under Shellharbour LEP 2000.

2.2 For what purposes may development be carried out within the zone without the need for development consent?

2(f) Mixed Use Residential under Shellharbour LEP 2000: Exempt development and development for the purpose of:

Home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the Public Health Act 1991.

2.3 For what purposes may development not be carried out within the zone except with development consent?

2(f) Mixed Use Residential under Shellharbour LEP 2000: Development not included in subclause 2.2 or 2.4.

Exceptions

There are no additional land uses or development permitted on this land in accordance with clause 82 of Shellharbour Local Environmental Plan 2000.

2.4 For what purposes is development prohibited within the zone?

2(f) Mixed Use Residential under Shellharbour LEP 2000: Development for the purpose of:

Advertisements not displaying the purpose for which the land is used; amusement parks; animal boarding, breeding or training establishments; aquaculture; brothels; car repair stations; extractive industries; gas holders that are not ancillary to an allowable use or a use granted consent; generating works; heavy industries;

heliports; institutions; intensive horticulture; intensive livestock keeping; junk yards; light industries (other than those associated with and including boat manufacture or repair); liquid fuel depots; mineral sand mines; mines; motor showrooms (other than for caravans, boats or trailers); offensive or hazardous industries; plantation forestry; racecourses; roadside stalls; road transport terminals; rural industries; sawmills; stock and sale yards; timber yards; turf farms; warehouses; waste management facilities or works.

2.5 Are there any development standards applying to the land which fix minimum land dimensions for the erection of a dwelling house on the land and, if so, the minimum land dimensions so fixed?

No. However a minimum land area applies for the erection of a dwelling house on certain Agricultural, Rural Landscape, Nature Conservation, Rural and Environmental Protection zoned lands. For further information please contact Council's Development Services Department.

2.6 Does the land include or comprise a critical habitat?

No.

2.7 Is the land in a conservation area?

No.

2.8 Is an item of environmental heritage situated on the land?

No.

3. COMPLYING DEVELOPMENT

Note: Council does not currently have sufficiently accurate flooding information. The Council is in the process of completing a city-wide flood study for the Shellharbour local government area. This study, when completed, will form the basis of a Floodplain Risk Management Plan for each of the catchments referred to in the Floodplain Risk Management Development Control Plan 2006.

For further information regarding flooding, please contact Council's Development & Technical Services Department and consult Council's Floodplain Risk Management Development Control Plan 2006.

3.1 Whether or not 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 clause 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.*

3.2 If complying development may not be carried out on that land because of the provisions of clause 1.19 of that Policy, the reasons why it may not be carried out under that clause.

General Housing Code

Complying development under the General Housing Code MAY NOT be carried out on the land, unless the development is only the demolition or removal of a dwelling

house, the demolition of ancillary development, or the erection of a swimming pool, fence or retaining wall. The land is affected by specific land exemption.

Land that is bushfire prone land.

Housing Internal Alterations Code

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

General Commercial and Industrial Code

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

Subdivision Code

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

4. COASTAL PROTECTION

4.1 Is the land affected by the operation of section 38 or 39 of the *Coastal Protection Act 1979,* but only to the extent that the Council has been notified by the Department of Public Works?

No.

5. MINE SUBSIDENCE

5.1 Is the land proclaimed to be a mine subsidence district within the meaning of section 15 of the *Mine Subsidence Compensation Act 1961?*

No.

6. ROAD WIDENING AND ROAD REALIGNMENT

6.1 Is the land affected by any road widening or road realignment under:

(A) Division 2 of Part 3 of the *Roads Act 1993?*

No.

(B) Any environmental planning instrument?

No.

(C) Any resolution of the Council?

No.

7. HAZARD RISK RESTRICTIONS

Is the land affected by a policy either adopted by Council OR adopted by any other public authority and notified to the Council (for the express purposes 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:

7.1 Landslip

No.

7.2 Bushfire

No.

7.3 Tidal Inundation

No.

7.4 Subsidence

No.

7.5 Acid Sulphate Soils

No.

7.6 Any other risk

Contaminated Land Policy

7A. FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION

7A.1 Is development on the land or part of the land for the purposes of dwelling houses dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) subject to flood related development controls?

NOTE: Council does not currently have sufficiently accurate flooding information. The Council is in the process of completing a city wide flood study for the Shellharbour local government area. This study, when completed, will form the basis of a Floodplain Risk Management Plan for each of the catchments referred to in the Floodplain Risk Management Plan Development Control Plan April 2006.

For further information please contact Council's Development & Technical Services Department and consult Council's Floodplain Risk Management Development Control Plan 2006.

7A.2 Is development on the land or part of the land for any other purpose subject to flood related development controls?

NOTE: Council does not currently have sufficiently accurate flooding information. The Council is in the process of completing a city wide flood study for the Shellharbour local government area. This study, when completed, will form the basis of a Floodplain Risk Management Plan for each of the catchments referred to in the Floodplain Risk Management Plan Development Control Plan April 2006.

For further information please contact Council's Development & Technical Services Department and consult Council's Floodplain Risk Management Development Control Plan 2006.

7A.3 Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006.*

8. LAND RESERVED FOR ACQUISITION

8.1 Does any environmental planning instrument or proposed environmental planning instrument referred to in item 1 above make provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the *Environmental Planning & Assessment Act?*

Shellharbour Local Environmental Plan 2000 does not relate to the acquisition of the land the subject of this certificate.

9. CONTRIBUTIONS PLAN

9.1 Which contributions plan/s apply to the land?

Shellharbour City Council's Section 94 Contributions Plan 2005 Amendment 1.

9A BIODIVERSITY CERTIFIED LAND

9A.1 Is the land biodiversity certified land (within the meaning of Part 7AA of the *Threatened Species Conservation Act 1995)?*

No

10. BIOBANKING AGREEMENTS

Is there a biobanking agreement for the land under Part 7A of the *Threatened Species Conservation Act 1995,* that council is aware?

No

11. BUSH FIRE PRONE LAND

11.1 Is any of the land bushfire prone land as defined in the *Environmental Planning & Assessment Act 1979?*

Yes.

12. PROPERTY VEGETATION PLANS

12.1 Does a property vegetation plan under the *Native Vegetation Act 2003* apply to the land, being a plan to which the council has been notified of its existence by the person or body that approved the plan under the Act?

No.

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

13.1 Has an order been made under the *Trees (Disputes Between Neighbours) Act 2006* to carry out work in relation to a tree on the land, being an order to which the council has been notified of?

No.

14. DIRECTIONS UNDER PART 3A

14.1 Is there a direction by the Minister in force under section 75P(2)(c1) of the *Environmental Planning & Assessment Act 1979* 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?

No.

15. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR SENIORS HOUSING

15.1 If the land is land to which *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* applies, is there a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land?

No.

16. SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE

16.1 Is there a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land?

No.

17. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING

17.1 Is there a current site compatibility statement (affordable rental housing), of which the council is aware, in respect of proposed development on the land?

No.

17.2 Have any terms of a kind referred to in clause 17(1) or 38(1) of the *State Environmental Planning Policy (Affordable Rental Housing) 2009* been imposed as a condition of consent to a development application in respect of the land?

No.

NOTE: MATTERS PRESCRIBED BY SECTION 59(2) OF THE *CONTAMINATED LAND MANAGEMENT ACT 1997 (CLM Act)*

(a) Is the land significantly contaminated land within the meaning of the *CLM Act* at the date of this certificate?

No.

(b) Is the land subject to a management order within the meaning of the *CLM Act* at the date of this certificate?

No.

(c) Is the land the subject of an approved voluntary management proposal within the meaning of the *CLM Act* at the date of this certificate?

No.

(d) Is the land the subject of an ongoing maintenance order within the meaning of the *CLM Act* at the date of this certificate?

No.

(e) Is the land the subject of a site audit statement within the meaning of the *CLM Act* (such a statement having been provided to Council at any time)?

No.

CONTAMINATED INFORMATION - 1a. There are no matters listed under Section 59(2) of the Contaminated Land Management Act 1997 which should be specified on this certificate.

CONTAMINATED INFORMATION - 2a. The land is affected by a policy adopted by Council that restricts development of land if there is likelihood of contamination. Council has not assessed the likelihood of contamination of the land and cannot certify whether or not the policy restricts development of the land.

NOTE: Section 26 of the *Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009* provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of that Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

No Order or Authorisation has been issued under the Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009.

PART B: NOTATIONS

Tree Management Order

The Shellharbour City Council Tree Management Order prohibits the ringbarking, cutting down, pruning, lopping, topping, removing, root pruning, injuring or wilful destruction of any tree which is:

i. 3 metres or more in height.
ii. 300mm or more in trunk diameter at ground level.
iii. 3 metres or more in branch spread.

Without the written consent of Council.

The following trees with a trunk diameter of 600mm or less at ground level, will be given exemption, upon positive identification by Shellharbour City Council.

Theses species are:

1.	*Salix species*	Willow Tree
2.	*Populus species*	Poplar Tree
3.	*Erythrina x sykesii*	Coral Tree
4.	*Ligustrum species*	Privet
5.	*Toxicodendron succedaneum*	Rhus Tree
6.	*Ficus elastica*	Rubber Tree
7.	*Nerium oleander*	Oleander
8.	*Syagrus romanzoffianum*	Cocos/Queen Palm
9.	*Cinnamomum camphora*	Camphor Laurel
10.	*Schefflera actinophylla*	Umbrella Tree
11.	*Cupressus macrocarpa 'Brunniana'*	Golden Cypress
12.	*Lagunaria patersonii*	Itchy Pod Tree
13.	*Phoenix canariensis*	Canary Island Date Palm
14.	Domestic and commercial fruit trees that are not endemic species.	

The above 14 species with a trunk diameter greater 600mm at ground level are subject to the Tree Management Order. The Tree Management Order does not apply to trees required to be pruned under the Overhead Line Safety Regulation 1991, Regulation 23 and 24.

In accordance with Clause 8 of the Environmental Planning and Assessment Model Provisions 1980, Council gave notice that the above Tree Management Order had been adopted for Shellharbour City in the Government Gazette on 14 December 2001.

A person who contravenes the Tree Management Order is guilty of an offence.

PART C: - INFORMATION PROVIDED UNDER SECTION 149 (5) OF THE ACT

NOTE:
When information under section 149(5) is requested the Council is under no obligation to provide any of the information supplied in this part. We draw your attention to section 149(6) which states that a Council shall not incur any liability in respect of any advice provided in good faith pursuant to sub-section (5). The absence of any reference to any matter affecting the land does not imply that the land is not affected by any matter referred to in this planning certificate.

Endangered Ecological Community & Threatened Species.

Council has some mapping that identifies where endangered ecological communities & threatened species are known to occur. For further details contact Council's Customer Environmental Services Department.

Filling

Council has no records to indicate the land has been filled or partially filled. Uncontrolled fill may be present on this site. If you have any doubt as to whether the land is affected by fill material, the services of a suitably qualified Consulting Engineer should be obtained.

Flooding

Other than any part of the land which may experience some water inundation as a result of the creation of stormwater detention basins or channels or flow paths in the course of development of the land, Council has no record indicating that the land may be located within a flood hazard area. If you have any doubt as to whether the land is affected by flooding, the services of a suitably qualified Consulting Engineer should be obtained.

Development Consents Relating To The Land

Details of current development consents for the land are available on request from the Council.

Constraints

EXISTING QUARRY OPERATIONS:
An approved quarry operates between Shell Cove and Bass Point. This property is NOT within the "quarry buffer zone" as identified in Clause 26 of Shellharbour LEP 2000.

NSW COASTAL POLICY 1997. The NSW Coastal Policy 1997 applies to all land within the Coastal Zone as identified by the maps held by the Department of Planning. This includes the subject property.

For further information please contact the
Land & Information Services on
(02) 4221 6138

B A Weir
General Manager

Per.....



Shellharbour
Local Environmental Plan
2000

Shellharbour Local Environmental Plan 2000

Current version for 15 December 2008 to date (accessed 19 January 2009 at 08:52)
Status information

New South Wales

Status information

Currency of version
Current version for 15 December 2008 to date (accessed 19 January 2009 at 08:52).
Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force
All the provisions displayed in this version of the legislation have commenced. For commencement and other details see the Historical notes

Authorisation: This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the Interpretation Act 1987.

File last modified 15 December 2008.

New South Wales

Part 1 Preliminary

1 Name of plan

This plan is *Shellharbour Local Environmental Plan 2000*.

2 Aim of plan

The aim of this plan is to provide a framework for land use management, urban growth and change to achieve the following objectives:

(a) to ensure that land uses in the local government area of Shellharbour City are compatible with each other and are suitably located,

(b) to ensure that adequate provision is made to meet the needs of an increasing population,

(c) to ensure that various areas of land within the local government area of Shellharbour City which are environmentally sensitive, and which enhance the visual amenity of the area, are protected and suitably managed,

(d) to enable public land, owned or controlled by the Council of the City of Shellharbour under the *Local Government Act 1993*, to be classified or reclassified as operational land,

(e) to identify and manage items of the environmental and cultural heritage of the local government area,

(f) to ensure that development addresses pollution concerns and does not result in a decline in water quality.

3 Land to which the plan applies

(1) This plan applies to all land within the local government area of Shellharbour City as shown on the map.

(2) However, this plan does not apply to land to which *Shellharbour Rural Local Environmental Plan 2004* applies.

4 Relationship to other environmental planning instruments

(1) *Shellharbour Local Environmental Plan No 16* is repealed.

(2) *State Environmental Planning Policy No 4—Development Without Consent* is amended by inserting in alphabetical order of local government area in Schedule 2 (Land excepted from clauses 6–10) the following words:

City of Shellharbour local government area

5 Savings

A development application or an application for approval of an activity, relating to land to which this plan applies, that was lodged with a consent authority or determining authority, but that was not finally determined before the commencement of this plan is to be determined as if this plan had been exhibited but not been made and *Shellharbour Local Environmental Plan No 16* had not been repealed.

6 Consent authority

The Council is the consent authority for the purpose of this plan.

7 Adoption of certain Model Provisions

This plan adopts Part 1 and clauses 5, 8, 10, 11, 12, 14, 24, 27, 29 and 35 of, and Schedule 1 to, the *Environmental Planning and Assessment Model Provisions 1980*.

8 Definitions

(1) In this plan, terms defined in Schedule 1 have the same meaning as set out in that Schedule.

(2) In this plan, a reference to a map is a reference to a map kept at the office of the Council.

(3) The letters and symbols SPS, RES, SUB STN, CH, FIRE STN, PUBLIC BLDG or TEL.

EXCH, where appearing on a map, mean sewage pumping station, water reservoir, electricity sub-station, church, fire station, public building or telephone exchange, respectively.

(4) In this plan, a reference to a building or place used for a purpose includes a reference to a building or place intended to be used for the purpose.

(5) The list of contents of this plan is not part of this plan.

9 Zones indicated on the map

Land is within one of the following zones as set out in Parts 2–10 in the clause headed "General controls for development" for the zone under the heading "Land within the zone":

1 (a)—Rural A Zone

1 (c)—Rural C Zone

1 (d)—Rural D (Horticultural) Zone

2 (a)—Residential A Zone

2 (b1)—Residential B1 Zone

2 (b2)—Residential B2 Zone

2 (e)—Mixed Use Residential E Zone

2 (f)—Mixed Use Residential F Zone

3 (a)—Mixed Use Commercial Zone

3 (d)—Neighbourhood Business Zone

4 (a)—Light Industrial Zone

4 (a3)—Airport Light Industrial Zone

4 (c)—Extractive Industrial Zone

4 (f)—Special Industrial Zone

5 (a)—Special Uses Zone

5 (b)—Special Railway Uses

6 (a)—Public Open Space Zone

6 (b)—Private Open Space Zone

7 (a)—Environmental Protection (Wetlands) Zone

7 (d)—Environmental Protection (Scenic) Zone

7 (e)—Environmental Protection (Escarpment) Zone

7 (f2)—Environmental Protection (Foreshore) Zone

7 (g)—Environmental Protection (Living Area 1) Zone

7 (h)—Environmental Protection (Living Area 2) Zone

8—National Parks and Nature Reserves Zone

9 (b)—Arterial Roads Reservation Zone

9 (c)—Local Roads Reservation Zone

9 (d)—Open Space Reservation Zone

10 Zone objectives and general controls for development

(1) The objectives of each zone are set out in Parts 2–10 in the clause headed "General controls for development" for the zone under the heading "Objectives (or Objective) of the zone".

(2) Except as otherwise provided by this plan, for each zone specified in a general controls for development clause, the development that:

(a) may be carried out without development consent is indicated in that clause by the words "Allowed without development consent", or

(b) may be carried out only with development consent is indicated in that clause by the words "Allowed only with development consent", or

(c) is prohibited is indicated in that clause by the words "Prohibited in the zone".

(3) The objectives of the zone are required to be taken into account by the consent authority before development consent is given to the carrying out of development within that zone.

Part 2 Rural Zones Provisions

11 General controls for development—Zone 1 (a) (the Rural A zone)

(1) **Land within the zone**
Land is within Zone 1 (a) (the Rural A zone) if it is shown coloured cream on the map.

(2) **Objectives of the zone**

(a) To protect the agricultural potential of rural land and to prevent the fragmentation of rural holdings.

(b) To prevent premature and sporadic subdivisions and to ensure consolidation of urban areas, thus enhancing the prospect of the economic provision of public services.

(c) To prevent, on the fringe of urban areas, the subdivision of land into small lots which would prejudice the proper layout of additional urban areas as a result of natural growth.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

general agriculture; home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

advertisements not displaying the purpose for which the land is used or directional

information; brothels; car repair stations; commercial premises; dual occupancies (other than attached dual occupancies); heavy industries; junk yards; light industries; medium density housing; motor showrooms; professional consulting rooms; recreation facilities; service stations; shops; warehouses.

12 General controls for development—Zone 1 (c) (the Rural C zone)

(1) **Land within the zone**
Land is within Zone 1 (c) (the Rural C zone) if it is shown coloured pale yellow on the map.

(2) **Objectives of the zone**

(a) To allow rural residential neighbourhoods to be developed, taking advantage of changing demand for housing and the availability of rural land not suited to agricultural, industrial or urban uses.

(b) To maintain the environmental quality and visual amenity of rural areas.

(c) To reduce the demand for subdivision for residential purposes of agricultural land.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

advertisements not displaying the purpose for which the land is used; amusement parks; animal boarding, breeding or training establishments; aquaculture; backpackers inns; boarding houses; brothels; bus depots; car repair stations; clubs; commercial premises; community facilities; dual occupancies (other than attached dual occupancies); extractive industries; gas holders; general stores; generating works; heavy industries; helipads; heliports; hospitals; hotels; institutions; junk yards; light industries; liquid fuel depots; medium density housing; mineral sand mines; mines; motels; motor showrooms; offensive or hazardous industries; passenger terminals; places of assembly; public buildings; racecourses; recreation establishments; recreation facilities; refreshment rooms; road transport terminals; rural industries; sawmills; service stations; shops; showgrounds; stock and sale yards; timber yards; tourist facilities; warehouses.

13 General controls for development—Zone 1 (d) (the Rural D (Horticulture) zone)

(1) **Land within the zone**
Land is within Zone 1 (d) (the Rural D (Horticulture) zone) if it is shown coloured pale yellow and lettered 1 (d) on the map.

(2) **Objective of the zone**
To provide for horticultural activities on agricultural lots of high agricultural potential, if such uses can be accommodated without reducing the quality of water in the locality.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

Nil.

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; clearing of land; drainage; filling; general agriculture; intensive horticulture; intensive livestock keeping; roadside stalls; rural industries; turf farms; wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

14 Controls for subdivision of land within Zone 1 (a)

(1) The Council must not consent to a subdivision of land within Zone 1 (a) unless:

(a) each allotment to be created will have an area of not less than 40 hectares or the Council is satisfied that any proposed smaller allotment is not intended to be used for the purpose of agriculture or a dwelling house, but is intended to be used for another lawful purpose, and

(b) where any allotment proposed to be created will have a frontage to a main road, the frontage will be not less than 200 metres, and

(c) the Council has been informed of the purpose for which each proposed allotment to be created by the subdivision is intended to be used and, where the purpose is agriculture, of the form of agriculture for which the allotment is intended to be used.

(2) Despite any other provision of this plan, consent for a subdivision of land within Zone 1 (a) in the "Jamberoo Valley Rural Conservation Area" (which is shown on the map) to create an allotment must not be granted unless:

(a) the consent authority is satisfied that the proposed allotment will not be used for the erection of a dwelling house, and

(b) a condition of the consent prohibits the erection of a dwelling house on each lot to be created by the subdivision.

(3) The Council must not consent to a subdivision of land within Zone 1 (a) in the "Jamberoo Valley Rural Conservation Area" (which is shown on the map) unless it has considered:

(a) the relationship of the proposed allotments to adjacent or adjoining allotments and the practicality of consolidating adjacent or adjoining allotments with land to which the application for consent to the subdivision relates, and

(b) the quality of the land proposed to be subdivided and the potential agricultural productivity of that land if it remains unsubdivided, and

(c) the likely impact of the subdivision on vegetation, soil resources and stability and water resources (including the quality of water courses, ground water storage and riparian rights), and

(d) the size, quality and potential agricultural productivity of each proposed allotment, and

(e) the relationship of each proposed allotment to, and the effect of creating the allotment on, the structure and nature of agricultural industries in the locality, and

(f) the purpose for which the proposed allotments are intended to be used and the purpose for which, in the opinion of the Council, the allotments are suitable for use, and

(g) the cumulative effect of similar proposals if consent is granted, and

(h) the likelihood of the proposed allotments remaining available for agriculture.

15 Controls for building dwelling houses within Zone 1 (a)

(1) Despite any other provision of this plan, the Council must not consent to the erection of a dwelling house on an allotment in Zone 1 (a) that has an area of less than 40 hectares unless:

(a) that allotment is a vacant original holding, or

(b) the allotment has been created in accordance with a subdivision approval (or a consent for a subdivision) on which no condition has been imposed prohibiting the erection of a dwelling house on the subject property.

(2) Despite any other provision of this plan, the Council must not consent to the erection of more than one dwelling house on an allotment in Zone 1 (a) unless it is satisfied that the dwelling house will be used or occupied by a person engaged by the owner of that land in the pursuit of agriculture on that land or on land adjacent to or adjoining that land.

(3) Consent must not be granted for a dwelling house on an allotment of land in Zone 1 (a) with an area of less than 40 hectares unless the Council places a condition on the consent requiring that allotment to be consolidated with any adjoining land in the same ownership until either all adjoining properties within the same ownership are consolidated or a minimum area of 40 hectares is achieved.

(4) Despite any other provision of this plan, the Council may consent to the erection of a dwelling house on land within Zone 1 (a) in the "Jamberoo Valley Rural Conservation Area" (which is shown on the map) only if the property to which the application relates has an area of 40 hectares or more or if the Council is satisfied that the property is a vacant original holding.

(5) Despite any other provision of this plan, the Council must not consent to the erection of a second dwelling house on land within Zone 1 (a) in the "Jamberoo Valley Rural Conservation Area" (which is shown on the map) where:

(a) the property to which the application relates has an area of less than 40 hectares, or

(b) the dwelling house will not be ancillary to the agricultural use of the land, or

(c) separate ownership of the proposed dwelling house will be achievable without the subdivision of the land, or

(d) an additional access to a public road is required from the land as a result of the erection of the dwelling house, or

(e) in the opinion of the Council, the proposed dwelling house will interfere with the purpose for which the land concerned is being used.

16 Controls for the development of certain land within Zone 1 (a)—Jamberoo Valley

(1) Despite any other provision of this plan, the Council must not grant consent to an amusement park or a place of assembly on land within Zone 1 (a) in the "Jamberoo Valley Rural Conservation Area" (which is shown on the map).

(2) Despite any other provision of this plan, the Council must not consent to development on land within Zone 1 (a) in the "Jamberoo Valley Rural Conservation Area" (which is shown

on the map) unless it has considered:

(a) the effect of the proposed development on agricultural land uses undertaken on land holdings in the vicinity, and

(b) the quality of the land and the potential agricultural productivity of the land, and

(c) the likely impact of the proposed development on vegetation, soil resources and stability and water resources (including the quality of water courses, ground water storage and riparian rights), and

(d) the effect of the proposed development on the structure and nature of agricultural industries in the area, and

(e) the cumulative effect of similar proposals if consent is granted, and

(f) the likelihood of the land remaining available to agriculture, and

(g) the impact that the proposed development will have on the scenic quality of the Jamberoo Valley by way of colour, bulk, vegetation removal, road access, visual intrusiveness, reflection and traffic generation, and is satisfied that such measures as will, in its opinion, minimise that impact are proposed to be taken.

(3) The Council must take the following into consideration when assessing an application for consent to clear any land shown stippled on Sheet 3 of the map marked "Illawarra Regional Environmental Plan No 2—Jamberoo Valley" deposited in the office of the Department of Urban Affairs and Planning (being areas of significant vegetation):

(a) the movement of native fauna,

(b) any rare or significant flora or fauna,

(c) any rare or significant habitats,

(d) the effect of the proposed clearing on adjacent or adjoining land under the control of the National Parks and Wildlife Service,

(e) whether there is a reasonable alternative to the removal of that vegetation or the extent of the removal of that vegetation,

(f) the visual impact of the proposed development on the scenic quality of the Jamberoo Valley by breaking any unbroken natural tree canopy cover or creating smaller discrete parcels of vegetation from an existing stand.

17 Controls for subdivision within Zone 1 (c)

(1) The Council must not consent to the subdivision of land within Zone 1 (c) unless:

(a) each lot to be created by the subdivision has an area of not less than 0.4 hectares and the average lot size (calculated by dividing the total area of land to be subdivided by the number of lots to be created by the subdivision) is not less than 0.8 hectares, where reticulated water and sewerage services are available, and

(b) each lot to be created by the subdivision has an area of not less than 1 hectare, where reticulated water and sewerage services are not available.

(2) The Council must not consent to the subdivision of any land within Zone 1 (c) unless it has considered:

(a) the land capability (including soil resources, soil stability and capacity for on-site

waste disposal) and the natural constraints, and hazards, of the land to be subdivided in relation to the density and design of the allotments proposed to be created, and

(b) the desirability of providing a range and mixture of allotment sizes, and

(c) the ability to provide urban services to the land.

18 Controls for building dwelling houses within Zone 1 (c)

(1) A dwelling house may not be erected on land within Zone 1 (c) unless that land is an allotment that complies with clause 17 (1) (a) and (b).

(2) Despite any other provision of this plan, the Council may consent to the erection of a second dwelling house on an allotment within Zone 1 (c) with an area exceeding two hectares, but only if, in the opinion of the Council:

(a) the development will not adversely affect the visual amenity of the area, and

(b) the development will not place undue demand on the provision of public services, and

(c) the development will not increase ribbon development on any main or arterial road and will not exceed the environmental capacity of the site.

19 Controls for subdivision within Zone 1 (d)

The Council must not consent to the subdivision of land within Zone 1 (d) unless each allotment to be created by the subdivision has an area of not less than 12 hectares, even if the subdivision is by a strata plan or under the *Community Land Development Act 1989*.

Part 3 Residential Zones Provisions

20 General controls for development—Zone 2 (a) (the Residential A zone)

(1) **Land within the zone**
Land is within Zone 2 (a) (the Residential A zone) if it is shown coloured light pink on the map.

(2) **Objective of the zone**
To provide an environment primarily for detached and semi-detached housing.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

advertisements not displaying the purpose for which the land is used; amusement parks; animal boarding, breeding or training establishments; aquaculture; backpackers inns; brothels; bus depots; car repair stations; clubs; commercial premises; extractive industries; gas holders; general agriculture; general stores; generating works; heavy industries; helipads; heliports; hotels; institutions; intensive horticulture; intensive livestock keeping; junk yards; light industries; liquid fuel depots; mineral sand mines; mines; motels; motor showrooms; offensive or hazardous industries; passenger

terminals; places of assembly; plantation forestry; plant nurseries; public buildings; racecourses; recreation establishments; recreation facilities; refreshment rooms; roadside stalls; road transport terminals; rural industries; sawmills; service stations; shops; showgrounds; stock and sale yards; timber yards; tourist facilities; turf farms; veterinary surgeries; warehouses; waste management facilities or works.

21 General controls for development—Zone 2 (b1) (the Residential B1 zone)

(1) **Land within the zone**
Land is within Zone 2 (b1) (the Residential B1 zone) if it is shown coloured medium pink on the map.

(2) **Objectives of the zone**

(a) To provide for a range of housing types in locations that are accessible to retail, commercial and public transport facilities.

(b) To encourage the efficient use of aged housing stock upon redevelopment.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

advertisements not displaying the purpose for which the land is used; amusement parks; animal boarding, breeding or training establishments; aquaculture; brothels; bus depots; car repair stations; clubs; commercial premises; extractive industries; gas holders; general agriculture; generating works; heavy industries; helipads; heliports; hotels; institutions; intensive horticulture; intensive livestock keeping; junk yards; light industries; liquid fuel depots; mineral sand mines; mines; motels; motor showrooms; offensive or hazardous industries; passenger terminals; places of assembly; plantation forestry; plant nurseries; public buildings; racecourses; recreation establishments; recreation facilities; refreshment rooms; roadside stalls; road transport terminal; rural industries; sawmills; service stations; shops; showgrounds; stock and sale yards; timber yards; tourist facilities; turf farms; veterinary surgeries; warehouses; waste management facilities or works.

22 General controls for development—Zone 2 (b2) (the Residential B2 zone)

(1) **Land within the zone**
Land is within Zone 2 (b2) (the Residential B2 zone) if it is shown coloured dark pink on the map.

(2) **Objective of the zone**
To allow for medium density development in locations that are in the vicinity of retail, commercial and public transport facilities.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home business; home occupations (excluding an occupation or

industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

advertisements not displaying the purpose for which the land is used; amusement parks; animal boarding, breeding or training establishments; aquaculture; brothels; bus depots; car repair stations; clubs; commercial premises; extractive industries; gas holders; general agriculture; generating works; heavy industries; helipads; heliports; hotels; institutions; intensive horticulture; intensive livestock keeping; junk yards; light industries; liquid fuel depots; mineral sand mines; mines; motels; motor showrooms; offensive or hazardous industries; passenger terminals; places of assembly; plantation forestry; plant nurseries; public buildings; racecourses; recreation establishments; recreation facilities; refreshment rooms; roadside stalls; road transport terminals; rural industries; sawmills; service stations; shops; showgrounds; stock and sale yards; timber yards; tourist facilities; turf farms; veterinary surgeries; warehouses; waste management facilities or works.

23 General controls for development—Zone 2 (e) (the Mixed Use Residential E zone)

(1) **Land within the zone**
Land is within Zone 2 (e) (the Mixed Use Residential E zone) if it is shown coloured salmon on the map.

(2) **Objective of the zone**
To allow for mixed use residential neighbourhoods to be developed on 'greenfields' sites providing for a range of household preferences and needs compatible with fully developed residential neighbourhoods.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

advertisements not displaying the purpose for which the land is used; amusement parks; animal boarding, breeding or training establishments; aquaculture; brothels; bus depots; car repair stations; extractive industries; gas holders that are not ancillary to an allowable use or a use granted consent; generating works; heavy industries; helipads; heliports; institutions; intensive horticulture; intensive livestock keeping; junk yards; light industries; liquid fuel depots; mineral sand mines; mines; motor showrooms; offensive or hazardous industries; plantation forestry; racecourses; roadside stalls; road transport terminals; rural industries; sawmills; stock and sale yards; timber yards; turf farms; warehouses; waste management facilities or works.

24 General controls for development—Zone 2 (f) (the Mixed Use Residential F

zone)

(1) **Land within the zone**
Land is within Zone 2 (f) (the Mixed Use Residential F zone) if it is shown coloured mauve on the map.

(2) **Objectives of the zone**

(a) To allow for mixed use residential neighbourhoods to be developed providing for a range of household preferences and needs.

(b) To enable the development of a regional boat harbour facility and associated commercial and recreational activities.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

advertisements not displaying the purpose for which the land is used; amusement parks; animal boarding, breeding or training establishments; aquaculture; brothels; car repair stations; extractive industries; gas holders that are not ancillary to an allowable use or a use granted consent; generating works; heavy industries; heliports; institutions; intensive horticulture; intensive livestock keeping; junk yards; light industries (other than those associated with and including boat manufacture or repair); liquid fuel depots; mineral sand mines; mines; motor showrooms (other than for caravans, boats or trailers); offensive or hazardous industries; plantation forestry; racecourses; roadside stalls; road transport terminals; rural industries; sawmills; stock and sale yards; timber yards; turf farms; warehouses; waste management facilities or works.

25 Controls to promote commercial hierarchy within Zones 2 (e) and 2 (f)

Despite any other provision of this plan, the Council may consent to commercial or retail development (or mixed commercial and retail development) on land within Zone 2 (e) or 2 (f) only if, in the opinion of the Council, it will promote the commercial hierarchy for the Shellharbour City local government area presented in Schedule 4.

26 Development within the quarry buffer area in Zone 2 (f)

(1) Despite any other provision of this plan, a person shall not develop land in Zone 2 (f) identified as "quarry buffer area" on the map for any purpose other than general agriculture; drainage; light industries and industries associated with and including boat manufacture and repair; open space; recreation areas; roads; shops and commercial premises in accordance with Schedule 4; utility installations (other than gas holders or generating works), and warehouses.

(2) The Council shall not grant development consent in respect of any development for a purpose specified in subclause (1) unless:

(a) the development will not be unduly affected in an adverse manner by proximity to the Bass Point Quarry, having regard to the normal course of the quarry's operations, and

(b) the applicant for that consent is aware of the nature of the operation of the quarry and its likely impact on the land within the quarry buffer area and has notified the Council in writing of his, hers or its acceptance of that impact, and

(c) the development will not pose a restriction on the nature of operations within the quarry.

Part 4 Commercial Zones Provisions

27 General controls for development—Zone 3 (a) (the Mixed Use Commercial zone)

(1) **Land within the zone**
Land is within Zone 3 (a) (the Mixed Use Commercial zone) if it is shown coloured light blue on the map.

(2) **Objectives of the zone**

(a) To provide for mixed use retail/commercial centres in locations that have developed historically or which are centrally located.

(b) To allow for mixed use development incorporating residential and commercial or retail activities.

(c) To encourage the development of commercial/retail centres that provide for daily convenience and higher order needs of the surrounding residential areas.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not identified in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

animal boarding, breeding or training establishments; aquaculture; brothels; car repair stations; extractive industries; gas holders that are not ancillary to an allowable use or a use granted consent; generating works; heavy industries; helipads; heliports; hospitals; institutions; intensive horticulture; intensive livestock keeping; junk yards; light industries; liquid fuel depots; mineral sand mines; mines; offensive or hazardous industries; plantation forestry; racecourses; road transport terminals; roadside stalls; rural industries; sawmills; stock and sale yards; timber yards; turf farms; waste management facilities or works.

28 General controls for development—Zone 3 (d) (the Neighbourhood Business zone)

(1) **Land within the zone**
Land is within Zone 3 (d) (the Neighbourhood Business zone) if it is shown coloured medium blue on the map.

(2) **Objectives of the zone**

(a) To allow for retail and commercial businesses of a scale that is unlikely to prejudice

the viability of a higher order commercial centre.

(b) To provide for retail and commercial services that may cater for the daily convenience needs of the local community.

(c) To allow for mixed use development incorporating residential and commercial or retail activities.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

amusement parks; animal boarding, breeding or training establishments; aquaculture; backpackers inns; brothels; car repair stations; clubs; extractive industries; gas holders that are not ancillary to an allowable use or a use granted consent; general agriculture; generating works; heavy industries; helipads; heliports; hospitals; hotels; institutions; intensive horticulture; intensive livestock keeping; junk yards; light industries; liquid fuel depots; mineral sand mines; mines; motels; motor showrooms; offensive or hazardous industries; plantation forestry; racecourses; road transport terminals; roadside stalls; rural industries; sawmills; stock and sale yards; timber yards; turf farms; warehouses; waste management facilities or works.

29 Controls to promote commercial hierarchy

Despite any other provision of this plan, the Council may consent to commercial or retail development (or mixed commercial and retail development) on land within Zone 3 (a) or 3 (d) only if, in the opinion of the Council, it will promote the commercial hierarchy for the Shellharbour City local government area presented in Schedule 4.

Part 5 Industrial Zones Provisions

30 General controls for development—Zone 4 (a) (the Light Industrial zone)

(1) **Land within the zone**
Land is within Zone 4 (a) (the Light Industrial zone) if it is shown coloured light purple on the map.

(2) **Objective of the zone**
To provide for a wide variety of light industrial uses which are generally compatible with nearby residential neighbourhoods.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

amusement parks; aquaculture; backpackers inns; bed and breakfasts; clubs; commercial premises (other than those used in conjunction with industry and situated on land on which the industry is situated); dual occupancies; dwelling houses (other than those used in conjunction with industry and situated on land on which the industry is situated); extractive industries; gas holders that are not ancillary to an allowable use or a use granted consent; general stores; generating works; heavy industries; helipads; heliports; hospitals; hotels; institutions; intensive horticulture; intensive livestock keeping; junk yards; liquid fuel depots; medium density housing; mineral sand mines; mines; motels; offensive or hazardous industries; places of assembly; plantation forestry; professional consulting rooms; public buildings; recreational establishments; roadside stalls; rural industries; shops (other than light industrial retail outlets and those that serve the daily convenience needs of an industrial area); stock and sale yards; tourist facilities.

31 General controls for development—Zone 4 (a3) (the Airport Light Industrial zone)

(1) **Land within the zone**
Land is within Zone 4 (a3) (the Airport Light Industrial zone) if it is shown coloured dark purple and lettered 4 (a3) on the map.

(2) **Objectives of the zone**

(a) To provide for a wide variety of light industrial uses that are generally compatible with nearby residential neighbourhoods.

(b) Where appropriate, to encourage the development of industries that are airport-related and, as a result, to diversify the industrial base of Shellharbour in a manner compatible with use of the adjacent Illawarra Regional Airport.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in item (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

amusement parks; aquaculture; animal boarding, breeding or training establishments; child care centres; commercial premises (other than those used in conjunction with an allowable use and situated on land on which the use is situated or those providing a service to an airport or to airport-related uses); dual occupancies; dwelling houses (other than those used in conjunction with an allowable use and situated on land on which the use is situated); extractive industries; gas holders that are not ancillary to an allowable use or a use granted consent; general stores; generating works; heavy industries (other than airport related industries); helipads; heliports; hospitals; institutions; intensive horticulture; intensive livestock keeping; junk yards; medium density housing; mineral sand mines; mines; motor showrooms; offensive or hazardous industries; places of assembly; places of public worship; plantation forestry;

professional consulting rooms; racecourses; recreational establishments; roadside stalls; rural industries; sawmills; shops (other than light industrial retail outlets and those that serve the daily convenience needs of an industrial area or airport); stock and sale yards; waste management facilities or works.

32 General controls for development—Zone 4 (c) (the Extractive Industrial zone)

(1) **Land within the zone**
Land is within Zone 4 (c) (the Extractive Industrial zone) if it is shown coloured dark purple on the map.

(2) **Objectives of the zone**
To identify those areas specifically allocated for extractive purposes.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

Nil.

(4) **Allowed only with development consent**
Development for the purpose of:

clearing of land; drainage; extractive industries; filling; general agriculture; intensive horticulture; intensive livestock keeping; mines; turf farms; waste management facilities or works; wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

33 General controls for development—Zone 4 (f) (the Special Industrial zone)

(1) **Land within the zone**
Land is within Zone 4 (f) (the Special Industrial zone) if it is shown coloured dark purple and lettered 4 (f) on the map.

(2) **Objective of the zone**
To provide a suitable area for those industrial uses which are more appropriately located away from residential areas by reason of the emission of noise, fumes, dust or the like.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not identified in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

amusement parks; animal boarding, breeding or training establishments; aquaculture; backpackers inns; bed and breakfasts; child care centres; clubs; commercial premises (other than those used in conjunction with industry and situated on land on which the industry is situated); community facilities; dual occupancies; dwelling houses (other than those used in conjunction with industry and situated on land on which the industry is situated); extractive industries; general stores; generating works; helipads; heliports; hospitals; hotels; institutions; intensive horticulture; intensive livestock keeping;

medium density housing; mineral sand mines; mines; motels; motor showrooms; places of assembly; places of public worship; plantation forestry; professional consulting rooms; public buildings; racecourses; recreational establishments; refreshment rooms; roadside stalls; rural industries; service stations; shops (other than light industrial retail outlets and those that serve the daily convenience needs of an industrial area); stock and sale yards; tourist facilities; veterinary surgeries.

34 Bulky goods retailing within Zones 4 (a) and 4 (a3)

Despite any other provision of this plan, the Council may consent to development of land within Zone 4 (a) or 4 (a3) for the purpose of retailing of bulky goods but only if it has considered:

(a) the availability of suitable lands in any nearby business centre, and

(b) the impact of the development on the predominantly industrial nature of Zone 4 (a) or 4 (a3), and

(c) the effect of the development on the viability of the nearby business centre.

35 Controls for certain development of certain land within Zone 4 (a)

Despite any other provision of this plan, the Council must not consent to development for the purpose of a motor showroom on land within Zone 4 (a), being 13 to 97 Princes Highway; 2–6 and 1–7 Mye Place, or 6 and 8 Creole Road, Albion Park Rail, unless vehicular access to and egress from the land is not only by way of the Princes Highway but is also to and from some other additional point of access and egress.

36 Access controls within Zone 4 (a3)

(1) The Council must not grant consent for development of land within Zone 4 (a3) unless access to and egress from the site of the development is available otherwise than directly from or to a main or arterial road.

(2) In granting such a consent, the Council must prohibit direct vehicular access to or egress from the site by a main or arterial road.

(3) This clause does not apply to Lot 4211, DP 833774, Princes Highway, Albion Park Rail.

37 Controls for liquid fuel depots within Zones 4 (a3) and 4 (f)

(1) A person must not establish, enlarge or use a liquid fuel depot on land within Zone 4 (a3) or 4 (f) having an above ground storage capacity of 500 kilolitres or more of inflammable liquid without the consent of the Council.

(2)–(4) (Repealed)

Part 6 Special Uses Zones Provisions

38 General controls for development—Zone 5 (a) (the Special Uses zone)

(1) **Land within the zone**
Land is within Zone 5 (a) (the Special Uses zone) if it is shown coloured dark yellow and lettered with the special use of the land on the map.

(2) **Objective of the zone**
To maintain land for certain community facilities and services.

(3) **Allowed without development consent**

Exempt development and development for the purpose of:

home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

clearing of land; commercial premises; community facilities; drainage; educational establishments; filling; general agriculture; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; intensive horticulture; passenger terminals; places of assembly; places of public worship; the particular land use indicated by heavy black lettering on the map; turf farms; utility installations (other than gas holders or generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

39 General controls for development—Zone 5 (b) (the Special Railway Uses zone)

(1) **Land within the zone**
Land is within Zone 5 (b) (the Special Railway Uses zone) if it is shown coloured dark grey on the map.

(2) **Objective of the zone**
To maintain land for railway purposes.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

clearing of land; drainage; filling; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; railway uses (other than advertisements except at railway stations); utility installations (other than gas holders or generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

40 Interim development within Zone 5 (a)

In considering whether to grant consent to development of land within Zone 5 (a) for the erection or use of commercial premises, general agriculture, intensive horticulture or passenger terminals, the Council must assess the proposal to ensure that it will not interfere with the use of the land for the purpose identified by lettering on the zoning map.

41 Controls to promote commercial hierarchy within Zone 5 (a)

Despite any other provision of this plan, the Council may consent to commercial or retail development (or mixed commercial and retail development) on land within Zone 5 (a) only if,

in the opinion of the Council, it will promote the commercial hierarchy for the Shellharbour City local government area presented in Schedule 4.

42 Temporary uses by charities and service clubs within Zone 5 (a)

(1) Despite any other provision of this plan, a person may, with the consent of the Council, carry out development on land within Zone 5 (a) for the purpose of temporary activities such as markets, exhibitions and fund raising, but only if:

(a) the activity will be carried out by an established non-profit organisation, and

(b) the consent will not have the effect of allowing the same site to be used for the those kinds of activities more than 12 times in any one year.

(2) In considering whether to grant consent to the carrying out of any such development, the Council must take into account:

(a) the suitability of the land for the proposed development, and

(b) the availability and suitability of alternative sites for the proposed development, and

(c) the impact of the proposed development on the land and the neighbourhood, and

(d) the desirability of retaining the land for its existing or likely future use.

Part 7 Open Space Zones Provisions

43 General controls for development—Zone 6 (a) (the Public Open Space zone)

(1) **Land within the zone**
Land is within Zone 6 (a) (the Public Open Space zone) if it is shown coloured light green on the map.

(2) **Objectives of the zone**

(a) To identify areas where recreational opportunities for the general use of the community are provided.

(b) To enable development that will enhance the public enjoyment of areas referred to in subclause (2) (a).

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

aids to navigation; bushfire hazard reduction; home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*); landscaping.

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; clearing of land; community facilities; drainage; dwelling houses; educational establishments; filling; general agriculture; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; intensive horticulture; places of assembly; places of public worship; plantation forestry; racecourses; recreation areas; recreation establishments; recreation facilities; refreshment rooms; shops and commercial premises required in connection with an allowable use; showgrounds; turf

farms; utility installations (other than gas holders or generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not identified in subclause (3) or (4).

44 General controls for development—Zone 6 (b) (the Private Open Space zone)

(1) **Land within the zone**
Land is within Zone 6 (b) (the Private Open Space zone) if it is shown coloured medium green on the map.

(2) **Objective of the zone**
To identify areas where private recreation facilities may be developed.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

aids to navigation; home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; backpackers inns; bed and breakfasts; clearing of land; community facilities; drainage; dwelling houses required for use or occupation by persons employed in connection with an allowable use or a use granted consent; educational establishments; filling; general agriculture; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; intensive horticulture; places of assembly; places of public worship; racecourses; recreation areas; recreation establishments; recreation facilities; refreshment rooms; shops and commercial premises required in connection with an allowable use or a use granted consent; turf farms; tourist facilities; utility installations (other than gas holders or generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not identified in subclause (3) or (4).

45 Restriction on granting consent for development within Zone 6 (a)

Despite any other provision of this plan, the Council must not consent to any development on land within Zone 6 (a) unless it has considered:

(a) the need for the proposed development on that land, and

(b) the impact of the proposed development on the existing or likely future use of the land, and

(c) the need to retain the land for its existing or likely future use.

46 Controls for building dwelling houses within Zone 6 (a)

Despite any other provision of this plan, the Council must not consent to the erection of a dwelling house on land within Zone 6 (a) unless it is satisfied that the dwelling house is to be used for the permanent occupation of a caretaker or manager for the property on which the dwelling house is to be located.

47 Temporary uses by charities and service clubs within Zones 6 (a) and 6 (b)

(1) Despite any other provision of this plan, a person may, with the consent of the Council, carry out development on land within Zone 6 (a) or 6 (b) for the purpose of temporary activities such as markets, exhibitions and fund raising, but only if:

(a) the activity will be carried out by an established non-profit organisation, and

(b) the consent will not have the effect of allowing the same site to be used for the those kinds of activities more than 12 times in any one year.

(2) In considering whether to grant consent to the carrying out of any such development, the Council must take into account:

(a) the desirability (from the Council's view point) of the proposed development on the land, and

(b) the suitability of the land for the proposed development, and

(c) the availability and suitability of alternative sites for the proposed development, and

(d) the impact of the proposed development on the land and the neighbourhood, and

(e) the desirability of retaining the land for its existing or likely future use.

Part 8 Environmental Protection Zones Provisions

48 General controls for development—Zone 7 (a) (the Environmental Protection (Wetlands) zone)

(1) **Land within the zone**
Land is within Zone 7 (a) (the Environmental Protection (Wetland) zone) if it is shown coloured rust on the map.

(2) **Objectives of the zone**

(a) To protect and enhance wetland areas which provide important habitats for species of wetland flora and fauna.

(b) To maintain and enhance wetland environments which provide limited recreational and aesthetic opportunities for the public.

(3) **Allowed without development consent**
Development for the purpose of:

Nil.

(4) **Allowed only with development consent**
Development for the purpose of:

aids to navigation; cycleways; drainage; filling; general agriculture; utility installations (other than gas holders or generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

49 General controls for development—Zone 7 (d) (the Environmental Protection (Scenic) zone)

(1) **Land within the zone**

Land is within Zone 7 (d) (the Environmental Protection (Scenic) zone) if it is shown coloured light tan on the map.

(2) **Objective of the zone**
To protect scenic areas which are generally undeveloped and which provide an important visual backdrop for the urban areas.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

aids to navigation; home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; animal boarding, breeding or training establishments; attached dual occupancies; bed and breakfasts; clearing of land; drainage; dwelling houses; filling; general agriculture; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; intensive horticulture; intensive livestock keeping; plantation forestry; recreation areas; recreation establishments; roadside stalls; rural industries; tourist facilities; turf farms; utility installations (other than gas holders or generating works); veterinary surgeries; wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

50 General controls for development—Zone 7 (e) (the Environmental Protection (Escarpment) zone)

(1) **Land within the zone**
Land is within Zone 7 (e) (the Environmental Protection (Escarpment) zone) if it is shown coloured medium tan on the map.

(2) **Objective of the zone**
To protect escarpment areas which are generally undeveloped and which provide an important visual backdrop for urban areas and which support important native flora and fauna habitats.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; attached dual occupancies; bed and breakfasts; clearing of land; drainage; dwelling houses; filling; general agriculture; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; intensive horticulture; mines;

plantation forestry; recreation areas; recreation establishments; roadside stalls; rural industries; utility installations (other than gas holders or generating works); veterinary surgeries; wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

51 General controls for development—Zone 7 (f2) (the Environmental Protection (Foreshore) zone)

(1) **Land within the zone**
Land is within Zone 7 (f2) (the Environmental Protection (Foreshore) zone) if it is shown coloured dark tan on the map.

(2) **Objective of the zone**
To protect prominent foreshore areas which are generally undeveloped and which provide aesthetic and recreational opportunities for the public.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

aids to navigation; home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; bed and breakfasts; clearing of land; drainage; dwelling houses; filling; general agriculture; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; recreation areas; local roads; tourist facilities; utility installations (other than gas holders or generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

52 General controls for development—Zone 7 (g) (the Environmental Protection (Living Area 1) zone)

(1) **Land within the zone**
Land is within Zone 7 (g) (the Environmental Protection (Living Area 1) zone) if it is shown coloured medium tan and lettered 7 (g) on the map.

(2) **Objectives of the zone**

(a) To allow small rural holdings to be created taking advantage of the availability of rural land not generally suited to agriculture, industrial or urban uses.

(b) To maintain the environmental quality and visual amenity of Shellharbour's rural areas.

(c) To protect the quality of waters in the locality concerned.

(d) To preserve the rural backdrop to existing and proposed residential areas.

(e) To reduce the demand for subdivision for residential purposes of rural land.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; bed and breakfasts; clearing of land; drainage; dwelling houses; education establishments; filling; general agriculture; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; intensive horticulture; places of public worship; plantation forestry; professional consulting rooms; turf farms; utility installations; veterinary surgeries; wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

53 General controls for development—Zone 7 (h) (the Environmental Protection (Living Area 2) zone)

(1) **Land within the zone**
Land is within Zone 7 (h) (the Environmental Protection (Living Area 2) zone) if it is shown coloured medium tan and lettered 7 (h) on the map.

(2) **Objectives of the zone**

(a) To provide for low density detached dwelling development in localities that cannot support conventional densities by virtue of servicing constraints, the visual prominence of the site, the need to retain important remnant vegetation or any other reason.

(b) To ensure the housing styles are sympathetic to a semi-rural setting and maintain the visual amenity of the locality.

(c) To ensure areas of remnant bushland are preserved.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; bed and breakfasts; clearing of land; drainage; dwelling houses; educational establishments; filling; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; professional consulting rooms; turf farms; utility installations; wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

54 Controls for subdivision of land within Zones 7 (a), 7 (d) and 7 (e)

(1) The Council must not consent to a subdivision of land within Zone 7 (a), 7 (d) or 7 (e) unless:

(a) each allotment to be created will have an area of not less than 40 hectares or the Council is satisfied that any proposed smaller allotment is not intended to be used for the purpose of agriculture or a dwelling house, but is intended to be used for another lawful purpose, and

(b) where any allotment proposed to be created will have a frontage to a main road, the frontage will be not less than 200 metres, and

(c) the Council has been informed of the purpose for which each proposed allotment to be created by the subdivision is intended to be used and, where the purpose is agriculture, of the form of agriculture for which the allotment is intended to be used.

55 Controls for building dwelling houses within Zones 7 (d) and 7 (e)

(1) Despite any other provision of this plan, the Council must not consent to the erection of a dwelling house on an allotment within Zone 7 (d) or 7 (e) that has an area of less than 40 hectares unless:

(a) that allotment is a vacant original holding, or

(b) the allotment has been created in accordance with a subdivision approval (or a consent for a subdivision) on which no condition has been imposed prohibiting the erection of a dwelling house on the subject property.

(2) Despite any other provision of this plan, the Council must not consent to the erection of more than one dwelling house on an allotment within Zone 7 (d) or 7 (e) unless the dwelling house will be used or occupied by a person engaged by the owner of that land in the pursuit of agriculture on that land or on land adjacent to or adjoining that land.

(3) Consent must not be granted for a dwelling house on an allotment of land in Zone 7 (d) or 7 (e) with an area of less than 40 hectares unless the Council places a condition on the consent requiring that allotment to be consolidated with any adjoining land in the same ownership until either all adjoining properties within the same ownership are consolidated or a minimum area of 40 hectares is achieved.

56 Controls for the development of certain land within Zone 7 (e)

(1) The Council must not consent to development on land within Zone 7 (e) in the "Jamberoo Valley Escarpment Area" shown on the map unless:

(a) there is no reasonable alternative site for the proposed development, and

(b) the proposed development will not have a detrimental impact on the visual quality of the Jamberoo Valley, and

(c) any building and its access will be designed and sited so as to be visually unobtrusive from any public place, and

(d) the proposed development will not be subject to slip hazard, and

(e) adequate landscaping to screen the development will be provided, and

(f) it has given consideration to the impact that the proposed development will have on the scenic quality of the Jamberoo Valley by way of colour, bulk, vegetation removal, road

access, visual intrusiveness, reflection and traffic generation, and is satisfied that such measures as will, in the Council's opinion, minimise that impact are proposed to be taken.

(2) The Council must take the following into consideration when assessing an application for consent to clear any land within Zone 7 (e) shown stippled on Sheet 3 of the map marked "Illawarra Regional Environmental Plan No 2—Jamberoo Valley" deposited in the office of the Department of Urban Affairs and Planning (being areas of significant vegetation):

(a) the movement of native fauna,

(b) any rare or significant flora or fauna,

(c) any rare or significant habitats,

(d) the effect of the proposed clearing on adjacent or adjoining lands under the control of the National Parks and Wildlife Service,

(e) whether there is a reasonable alternative to the removal of that vegetation or the extent of the removal of that vegetation,

(f) the visual impact on the scenic quality of the Jamberoo Valley by breaking any unbroken natural tree canopy cover or creating smaller discrete parcels of vegetation from an existing stand.

57 Controls for subdivision of land within Zone 7 (f2)

(1) The Council must not consent to the subdivision of land within Zone 7 (f2) unless:

(a) each allotment to be created will have an area of not less than 40 hectares or the Council is satisfied that any proposed smaller allotment is not intended to be used for the purpose of agriculture or a dwelling house, but is intended to be used for another lawful purpose, and

(b) where any allotment proposed to be created will have a frontage to a main road, the frontage will be not less than 200 metres, and

(c) the Council has been informed of the purpose for which each proposed allotment to be created by the subdivision is intended to be used and, where the purpose is agriculture, of the form of agriculture for which the allotment is intended to be used.

(2) The Council must not grant consent to a subdivision of land within Zone 7 (f2) unless it has taken into consideration the following:

(a) the extent to which the development would affect the scenic qualities of the coastal landscape, headlands, dune systems, and the hinterland, including lagoons, lakes and areas where the original vegetation is still dominant,

(b) whether the development would result in the degradation of, or restriction of access to, coastal recreation areas,

(c) any plan, code, policy or design adopted by resolution of the Coastal Council of New South Wales for the purpose of protecting coastal lands,

(d) the potential impacts of climate change including sea level rise.

(3) (Repealed)

58 Restrictions on granting consent within Zone 7 (f2)

(1) Despite any other provision of this plan, the Council must not consent to the erection of a dwelling house on land within Zone 7 (f2) unless the dwelling house is to be used for the permanent occupation of a caretaker or manager for the property on which the dwelling house is to be located.

(2) The matters that the Council must take into consideration in deciding whether to grant consent to development on land within Zone 7 (f2) for the purpose of additions or alterations to an existing building or work, tourist facilities, dams, drainage, dwelling houses, roads or utility installations (other than gas holders or generation works) are:

(a) the extent to which the development would affect the scenic qualities of the coastal landscape, headlands, dune systems, and the hinterland, including lagoons, lakes and areas where the original vegetation is still dominant, and

(b) whether the development would result in the degradation of, or restriction of access to, coastal recreation areas, and

(c) any plan, code, policy or design adopted by resolution of the Coastal Council of New South Wales for the purpose of protecting coastal lands, and

(d) the potential impacts of climate change including sea level rise.

(3) (Repealed)

59 Acquisition of land within Zone 7 (f2)

(1) The owner of land within Zone 7 (f2) may, by notice in writing, require the corporation to acquire the land.

(2) On receipt of such a notice, the corporation must acquire the land.

60 Controls for subdivision of land within Zone 7 (g)

The Council must not consent to the subdivision of land within Zone 7 (g) unless:

(a) each allotment to be created (including any proposed lot under the *Strata Schemes (Leasehold Development) Act 1973* or the *Community Land Development Act 1989*) will have an area of not less than 4 hectares, and

(b) the Council has taken into consideration:

(i) the land capability (including soil resources, soil stability and capacity for on-site waste disposal) and the natural constraints, and hazards of the land to be subdivided in relation to the density and design of the allotments proposed to be created, and

(ii) the desirability of providing a range and mix of allotment sizes, and

(iii) the ability to provide services to the land, and

(iv) whether the design of each allotment to be created by the subdivision is satisfactory for the provision of those services.

61 Controls for building dwelling houses within Zone 7 (g)

A person must not erect a dwelling house on an allotment of land within Zone 7 (g) unless that land is an allotment created by a subdivision to which the Council has consented in accordance with this plan.

62 Controls for subdivision of land within Zone 7 (h)

The Council must not consent to the subdivision of land within Zone 7 (h) unless:

(a) the average size of the allotments to be created (including any proposed lot under the *Strata Schemes (Leasehold Development) Act 1973* or the *Community Land Development Act 1989*) is not less than 1000 square metres, and

(b) the Council has taken into consideration:

(i) the land capability (including soil resources, soil stability and capacity for on-site waste disposal) and the natural constraints, and hazards of the land to be subdivided in relation to the density and design of the allotments proposed to be created, and

(ii) the desirability of providing a range and mixture of allotment sizes, and

(iii) the ability to provide services to the land, and

(iv) whether the design of each allotment to be created by the subdivision is satisfactory for the provision of those services.

63 (Repealed)

Part 9 National Parks and Nature Reserves Zone Provisions

64 General controls for development—Zone 8 (the National Parks and Nature Reserves zone)

(1) **Land within the zone**
Land is within Zone 8 (the National Parks and Nature Reserves zone) if it is shown coloured olive green on the map.

(2) **Objectives of the zone**

(a) To identify land which is reserved or dedicated under the *National Parks and Wildlife Act 1974*.

(b) To allow for the appropriate use of that land as provided for in the *National Parks and Wildlife Act 1974*.

(3) **Allowed without development consent**
Development for the purpose of:

Nil.

(4) **Allowed only with development consent**
Any development authorised by or under the *National Parks and Wildlife Act 1974* or any other development ordinarily incidental or ancillary to any such development.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

Part 10 Reservation Zones Provisions

65 General controls for development—Zone 9 (b) (the Arterial Roads Reservation zone)

(1) **Land within the zone**
Land is within Zone 9 (b) (the Arterial Roads Reservation zone) if it is shown coloured red on the map.

(2) **Objective of the zone**

To provide for the acquisition of land reserved for main or arterial roads.

(3) **Allowed without development consent**
Development for the purpose of:

main or arterial roads; widening of existing main or arterial roads.

(4) **Allowed only with development consent**
Development for the purpose of:

clearing of land; drainage; extractive industry; filling, mineral sand mines; turf farms; utility installations (other than gas holders and generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

66 General controls for development—Zone 9 (c) (the Local Roads Reservation zone)

(1) **Land within the zone**
Land is within Zone 9 (c) (the Local Roads Reservation zone) if it is shown coloured light grey on the map.

(2) **Objective of the zone**
To permit the development of reserved land where it is not immediately required for local roads.

(3) **Allowed without development consent**
Development for the purpose of:

local roads; widening of local existing roads.

(4) **Allowed only with development consent**
Development for the purpose of:

clearing of land; drainage; filling; utility installations (other than gas holders and generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

67 General controls for development—Zone 9 (d) (the Open Space Reservation zone)

(1) **Land within the zone**
Land is within Zone 9 (d) (the Open Space Reservation zone) if it is shown coloured dark green on the map.

(2) **Objective of the zone**
To allow the continued use of reserved land until it is required.

(3) **Allowed without development consent**
Development for the purpose of:

aids to navigation; bushfire hazard reduction; landscaping.

(4) **Allowed only with development consent**
Development for the purpose of:

clearing of land; drainage; filling; general agriculture; intensive horticulture; plantation forestry; recreation areas; showgrounds; utility installations (other than gas holders and generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

68 Acquisition of land within Zone 9 (b)

Note. Nothing in this clause is to be construed as requiring a public authority to acquire land—see section 27 (3) of the Act.

(1) The owner of any land within Zone 9 (b) may, by notice in writing, require the Roads and Traffic Authority (RTA) to acquire the land. 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 is included in the 5-year works program of the RTA current at the time of the receipt of the notice, or

(c) the land is not vacant but the RTA has decided not to give concurrence to an application for consent to the carrying out of development on the land, or

(d) the land is not vacant but the RTA is of the opinion that the owner of the land will suffer hardship if the land is not acquired within a reasonable period of time,

but the RTA is not required to acquire the land if it might reasonably be required to be dedicated for public road.

(2) Despite any other provision of this plan, land within Zone 9 (b) (whether or not it has been acquired) may be developed, with the consent of the Council, for any purpose for which development or compatible development may be carried out on land in an adjoining zone. In granting such a consent, the Council may impose conditions:

(a) requiring the removal of any building or work for which it has granted consent, or

(b) requiring the reinstatement of the land or removal of any waste materials or refuse, or

(c) relating to any requirement requested to be imposed in a condition by the RTA when granting concurrence.

(3) (Repealed)

69 Acquisition of land within Zone 9 (c)

(1) The owner of land within Zone 9 (c) may, by notice in writing, require the Council to acquire the land. On receipt of such a notice, the Council must acquire the land.

(2) Despite any other provision of this plan, until it is acquired, land within Zone 9 (c) may be developed, with the consent of the Council, for any purpose for which development or compatible development may be carried out on land in an adjoining zone. In granting such a consent, the Council may apply conditions requiring:

(a) the removal of any building or work for which it has granted consent, and

(b) the reinstatement of the land or removal of any waste materials or refuse.

70 Temporary uses by charities and service clubs within Zone 9 (d)

(1) Despite any other provision of this plan, a person may, with the consent of the Council, carry out development on land within Zone 9 (d) for the purpose of temporary activities such as markets, exhibitions and fund raising, but only if:

(a) the activity will be carried out by an established non-profit organisation, and

(b) the consent will not have the effect of allowing the same site to be used for the those kinds of activities more than 12 times in any one year.

(2) In considering whether to grant consent to the carrying out of any such development, the Council must take into account:

(a) the desirability (from the Council's view point) of the proposed development on the land, and

(b) the suitability of the land for the proposed development, and

(c) the availability and suitability of alternative sites for the proposed development, and

(d) the impact of the proposed development on the land and the neighbourhood, and

(e) the desirability of retaining the land for its existing or likely future use.

71 Acquisition of land within Zone 9 (d)

(1) The owner of land within Zone 9 (d) may, by notice in writing, require the Council to acquire the land. On receipt of such a notice, the Council must acquire the land.

(2) Despite any other provision of this plan, until it is acquired, land within Zone 9 (d) may be developed, with the consent of the Council, for any purpose for which development or compatible development may be carried out on land in an adjoining zone. In granting such a consent, the Council may apply conditions requiring:

(a) the removal of any building or work for which it has granted consent, and

(b) the reinstatement of the land or removal of any waste materials or refuse.

Part 11 Heritage Conservation Provisions

72 Heritage objectives

The objectives of this plan in relation to heritage are:

(a) to conserve the environmental heritage of the Shellharbour City local government area, and

(b) to conserve the heritage significance of existing significant fabric, relics, Aboriginal objects, settings and views associated with the heritage significance of heritage items and heritage conservation areas, and

(c) to ensure that archaeological sites and places of Aboriginal heritage significance are conserved, and

(d) to ensure that the heritage conservation areas throughout the Shellharbour City local government area retain their heritage significance.

73 Protection of heritage items, heritage conservation areas, relics and Aboriginal objects

(1) The following development may be carried out only with development consent:

(a) demolishing, damaging or moving a heritage item, or a building, work, relic, Aboriginal object, tree or place within a heritage conservation area,

(b) altering a heritage item or a building, work, relic or Aboriginal object within a heritage conservation area by making structural changes to its exterior,

(c) altering a heritage item or a building, work, relic or Aboriginal object within a heritage conservation area by making non-structural changes to the detail, fabric, finish or appearance of its exterior,

(d) altering a heritage item by making structural changes to its interior,

(e) moving the whole or a part of a heritage item,

(f) erecting a building on, or subdividing, land on which a heritage item is located or which is within a heritage conservation area,

(g) disturbing or excavating a place of Aboriginal heritage significance or an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic or an Aboriginal object being discovered, exposed, moved, damaged or destroyed.

(2) Development consent is not required by this clause if:

(a) in the opinion of the consent authority:

(i) the proposed development is of a minor nature or consists of maintenance of the heritage item or of a building, work, archaeological site, tree or place within a heritage conservation area, and

(ii) the proposed development would not adversely affect the significance of the heritage item or heritage conservation area, and

(b) the proponent has notified the consent authority in writing of the proposed development and the consent authority has advised the applicant in writing, before any work is carried out, that it is satisfied that the proposed development will comply with this subclause and that development consent is not otherwise required by this plan.

(3) Development consent is not required by this clause for the following development in a cemetery or burial ground if there will be no disturbance to human remains, relics in the form of grave goods, Aboriginal objects in the form of grave goods or to a place of Aboriginal heritage significance:

(a) the creation of a new grave or monument,

(b) an excavation or disturbance of land for the purpose of carrying out conservation or repair of monuments or grave markers.

(4) Before granting a consent required by this clause, the consent authority must assess the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

Note. The website of the Heritage Branch of the Department of Planning has publications that provide guidance on assessing the impact of proposed development on the heritage significance of items (for example, *Statements of Heritage Impact*).

(5) The assessment must include consideration of a heritage impact statement that addresses at least the following issues (but is not to be limited to assessment of those issues, if the heritage significance concerned involves other issues). The consent authority may also decline to grant such a consent until it has considered a conservation management plan, if

it considers the development proposed should be assessed with regard to such a plan.

(6) The minimum number of issues that must be addressed by the heritage impact statement are:

(a) for development that would affect a heritage item:

(i) the heritage significance of the item as part of the environmental heritage of the Shellharbour City local government area, and

(ii) the impact that the proposed development will have on the heritage significance of the item and its setting, including any landscape or horticultural features, and

(iii) the measures proposed to conserve the heritage significance of the item and its setting, and

(iv) whether any archaeological site would be adversely affected by the proposed development, and

(v) the extent to which the carrying out of the proposed development would affect the form of any historic subdivision, and

(b) for development that would be carried out in a heritage conservation area:

(i) the heritage significance of the heritage conservation area and the contribution which any building, work, relic, Aboriginal object, tree or place affected by the proposed development makes to this heritage significance, and

(ii) the impact that the proposed development would have on the heritage significance of the heritage conservation area, and

(iii) the compatibility of the proposed development with nearby original buildings and the character of the heritage conservation area, taking into account the size, form, scale, orientation, setbacks, materials and detailing of the proposed development, and

(iv) the measures proposed to conserve the significance of the heritage conservation area and its setting, and

(v) whether any landscape or horticultural features would be affected by the proposed development, and

(vi) whether any archaeological site would be affected by the proposed development, and

(vii) the extent to which the carrying out of the proposed development in accordance with the consent would affect any historic subdivision pattern, and

(viii) the issues raised by any submission received in relation to the proposed development in response to the notification or advertising of the application.

74 Development in heritage conservation areas

(1) Before granting consent for the erection of a building within a heritage conservation area, the consent authority must be satisfied that the features of the proposed building will be compatible with the heritage significance of the heritage conservation area, having regard to the form of, and materials used in, buildings that contribute to the heritage significance of the heritage conservation area.

(2) In satisfying itself about those features, the consent authority must have regard to at least

the following (but is not to be limited to having regard to those features):

(a) the pitch and form of the roof (if any),

(b) the style, size, proportion and position of the openings for windows or doors (if any),

(c) the colour, texture, style, size and type of finish of the materials to be used on the exterior of the building.

75 Notice of certain heritage development applications

(1) The demolishing or damaging of a heritage item or a building, work, relic, Aboriginal object, tree or place within a heritage conservation area (and the use of a building or land referred to in clause 76 for a purpose which, but for that clause, would be prohibited by this plan) are identified as advertised development.

(2) Before granting consent to the demolishing or damaging of a heritage item identified in Schedule 3 as being of State significance, the consent authority must be satisfied that any necessary excavation permit required by the *Heritage Act 1977* has been granted.

75A Development affecting places or sites of Aboriginal heritage significance

Before granting consent for development that is likely to have an impact on a place of Aboriginal heritage significance, or that will be carried out on an archaeological site of an Aboriginal object that has Aboriginal heritage significance, the consent authority must:

(a) consider the effect on the heritage significance of the place or site and any Aboriginal object known or reasonably likely to be located at the place or site, and

(b) except where the proposed development is integrated development, notify the local Aboriginal communities (in such way as it thinks appropriate) of its intention to do so and take into consideration any comments received in response within 21 days after the relevant notice is sent.

75B Development affecting archaeological sites of relics of non-Aboriginal heritage significance

(1) Before granting consent for development that will be carried out on an archaeological site of a relic that has non-Aboriginal heritage significance (whether or not it is also the site of an Aboriginal object of Aboriginal heritage significance), the consent authority must:

(a) consider a heritage impact statement explaining how the proposed development would affect the conservation of the site and any relic or Aboriginal object known or reasonably likely to be located at the site, and

(b) notify the Heritage Council of its intention to do so and take into consideration any comments received in response within 28 days after the notice is sent.

(2) This clause does not apply if the proposed development:

(a) does not involve disturbance of below-ground deposits and the consent authority is of the opinion that the heritage significance of any above-ground relics or Aboriginal objects would not be adversely affected by the proposed development, or

(b) is integrated development.

75C Development in the vicinity of heritage items

(1) Before granting consent to development in the vicinity of a heritage item, the consent authority must assess the impact of the proposed development on the heritage significance

of the heritage item and of any heritage conservation area within which it is situated.

(2) This clause extends to development:

(a) that may have an impact on the setting of a heritage item, for example, by affecting a significant view to or from the item or by overshadowing, or

(b) that may undermine or otherwise cause physical damage to a heritage item, or

(c) that will otherwise have any adverse impact on the heritage significance of a heritage item or of any heritage conservation area within which it is situated.

(3) The consent authority may refuse to grant any such consent unless it has considered a heritage impact statement that will help it assess the impact of the proposed development on the heritage significance, visual curtilage and setting of the heritage item.

(4) The heritage impact statement should include details of the size, shape and scale of, setbacks for, and the materials to be used in, any proposed buildings or works and details of any modification that would reduce the impact of the proposed development on the heritage significance of the heritage item.

76 Conservation incentives

The consent authority may grant consent to the use, for any purpose, of a building (that is a heritage item or is within a heritage conservation area) or of the land on which such a building is erected, even though the use would otherwise be prohibited by this plan, if it is satisfied that:

(a) the proposed use would not adversely affect the heritage significance of the item, its setting or the heritage conservation area, and

(b) the conservation of the heritage item or the heritage conservation area depends on the granting of the consent, and

(c) the proposed use is in accordance with a conservation management plan which has been endorsed by the consent authority, and

(d) the granting of consent to the proposed use would ensure that all necessary conservation work identified in the conservation management plan is carried out, and

(e) the proposed use would not adversely affect the amenity of the surrounding area otherwise than to an insignificant extent.

Part 12 Miscellaneous Provisions

77 Subdivision

(1) Except as provided by subclause (2), development consent is required for the subdivision of land.

(2) Development consent is not required for subdivision for any one or more of the following purposes:

(a) to excise an allotment that will be used only for the purpose of opening a public road or to widen a public road,

(b) to make minor adjustments to common property boundaries,

(c) to amalgamate a vacant original holding with one or more other vacant original holdings,

(d) to rectify an encroachment on a vacant original holding.

78 Suspension of restrictions on land

(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, the operation of any covenant, agreement or like instrument imposing restrictions on the development shall not apply to the development.

(2) Pursuant to section 28 of the Act, before the making of this plan the Governor approved of subclause (1).

79 Development on beds of lakes, rivers etc

A person shall not, without development consent, carry out any development on any land shown uncoloured on the map forming part of the bed of a harbour, bay, lake, river, lagoon, creek or any other natural watercourse.

80 Community use of school facilities and sites

(1) Where land to which this plan applies is used for the purpose of an educational establishment, the site and facilities of the establishment may, with development consent, be used for the purpose of meeting rooms, public halls, public libraries, entertainment, sport or recreation or for any other community purpose, whether or not any such use is a commercial use of the land.

(2) Nothing in this clause requires development consent to be granted for the carrying out of development on any land if that development could, but for this clause, be carried out on that land without development consent.

81 Classification or reclassification of public land as operational land

(1) The public land described in Schedule 5 is classified, or reclassified, as operational land for the purposes of the *Local Government Act 1993*.

(2) In accordance with section 30 of the *Local Government Act 1993*, a parcel of land described in Part 2 of Schedule 5, to the extent (if any) that it is a public reserve, ceases to be a public reserve on the commencement of the relevant amending plan and, by the operation of that plan, is discharged from any trusts, estates, interests, dedications, conditions, restrictions and covenants affecting the land or any part of the land, except for:

(a1) those (if any) specified for the land in Part 2 of Schedule 5, and

(a) any reservations that except land out of a Crown grant relating to the land, and

(b) reservations of minerals (within the meaning of the *Crown Lands Act 1989*).

(3) Before the relevant amending plan that inserted the description of a parcel of land into Part 2 of Schedule 5 was made, the Governor approved of subclause (2) applying to the land.

(4) In this clause, ***the relevant amending plan***, in relation to a parcel of land described in Part 2 of Schedule 5, is the local environmental plan cited at the end of the description of the parcel.

(4A) Land described in Part 3 of Schedule 5:

(a) to the extent (if any) that the land is a public reserve, does not cease to be a public reserve, and

(b) continues to be affected by any trusts, estates, interests, dedications, conditions, restrictions or covenants by which it was affected before its classification, or reclassification, as the case requires, as operational land.

(5) Land described in Part 1 of Schedule 5 is not affected by the amendments make by the *Local Government Amendment (Community Land Management) Act 1998* to section 30 of the *Local Government Act 1993*.

82 Exceptions

(1) Nothing in this plan prevents a person, with development consent, from carrying out development on land referred to in Schedule 6 for a purpose specified in relation to that land in that Schedule, subject to such conditions, if any, as are so specified.

(2) Subclause (1) does not affect the operation of any provision within this plan that is consistent with the consent to such development.

83 Development of Oak Flats interchange site, Pioneer Drive, Oak Flats

(1) This clause applies to land within Zone 5 (a) known as the Oak Flats interchange site, being Lot 2, DP 605483 and Lot 71, DP 788843, Pioneer Drive, Oak Flats, and as shown edged with a broken light blue line and lettered "Schedule 5" on Sheet 1 of the map marked "Shellharbour Local Environmental Plan 2000 (Amendment No 8)".

(2) Despite any other provision of this plan, the Council may only consent to development of the land to which this clause applies for one or more of the following purposes:

(a) an integrated bus, rail and road interchange facility that may include car parking, commuter drop off and pick up areas, bus stops, taxi ranks, bus and taxi shelters and bus driver facilities,

(b) retail and commercial development ancillary to the interchange facility that supports, but does not significantly detract from, the commercial viability of the Oak Flats commercial centre, and includes:

(i) land uses that serve the needs of commuters, such as convenience stores, medical and emergency services, child care centres and pre-schools, and

(ii) transport or interchange related uses,

(c) public buildings.

84 Development in the vicinity of Illawarra Regional Airport

Despite any other provision of this plan, consent must not be granted to development on land affected by restrictions as indicated in the plan titled "*Airport Height Limitation and Noise Exposure Forecast Plan*" dated 17 April 1998 and held in the office of the Council unless:

(a) the consent authority determines the proposal is acceptable in relation to building height, noise exposure, lighting and bird hazard management, and

(b) where a proposal does not comply with that plan, the Civil Aviation Safety Authority has been given notice of the proposal and any comments made by it to the consent authority within 28 days of its being notified have been taken into consideration by the consent authority.

85 Dunmore Wetland Catchment Protection Area

(1) Consent must not be granted to the carrying out of any development on land identified as

"Dunmore Wetland Catchment Protection Area" on the map unless the following ecological objectives of *State Environmental Planning Policy No 14—Coastal Wetlands* will be given effect in relation to land designated as Wetland No 374b on the map referred to in that policy:

(a) utilisation of the wetland habitat by migratory species listed on the JAMBA and CAMBA international migratory species agreements, being species that are recorded as using the wetland habitat,

(b) utilisation of the wetland habitat by regional wetland species, being species that are recorded as using the wetland habitat,

(c) environmental health of waterways within the Minnamurra River Catchment.

(2) In assessing whether a development proposal will give effect to the ecological objectives referred to in subclause (1), the consent authority must have regard to the following:

(a) protection of defined wetland values,

(b) protection of threatened species habitat,

(c) facilitation of land management activities within the catchment which are consistent with paragraphs (a) and (b).

86 Development on land identified on Acid Sulfate Soils Planning Maps

(deferred matter)

87 Exempt and complying development

(1) Development of minimal impact listed as exempt development in *Shellharbour Development Control Plan No 9/98 for Exempt Development*, as in force on 4 May 2005, is ***exempt development***, despite any other provisions of this plan.

(2) Development listed as complying development in *Shellharbour Development Control Plan No 11/98 for Complying Development*, as in force on 4 May 2005, is ***complying development*** if:

(a) it is local development of a kind that can be carried out with consent on the land on which it is proposed, and

(b) it is not an existing use, as defined in section 106 of the Act.

(3) Development is exempt or complying development only if it complies with the development standards and other requirements applied to the development by the relevant development control plan referred to in subclause (1) or (2).

(4) A complying development certificate issued for any complying development is to be subject to the conditions for the development specified in *Shellharbour Development Control Plan No 11/98 for Complying Development*, as in force when the certificate is issued.

88 Brothels and restricted premises

(1) The Council may only consent to an application for the carrying out of development for the purpose of a brothel or restricted premises if the brothel is not, or the restricted premises are not, located next to or directly opposite the following buildings or places:

(a) a dwelling house,

(b) a child care centre or a building or place providing home-based child care,

(c) a primary or secondary school,

(d) a place of public worship,

(e) a park,

(f) a playground,

(g) any other buildings or places regularly frequented by persons under 18 years of age.

(2) In considering an application for development referred to in subclause (1), the Council must consider the proximity of the proposed development to a building or place referred to in subclause (1) (a)–(g) and to the following buildings or places:

(a) a community facility,

(b) a hospital,

(c) premises licensed under the *Liquor Act 1982*.

(3) In this clause:

restricted premises means a building or place at which:

(a) publications classified Category 1 restricted, Category 2 restricted or RC under the *Classification (Publications, Films and Computer Games) Act 1995* of the Commonwealth are shown, exhibited, displayed, sold or otherwise rendered accessible or available to the public, or

(b) a business to which section 578E (Offences relating to advertising or displaying products associated with sexual behaviour) of the *Crimes Act 1900* applies is conducted,

but does not include a newsagency or pharmacy.

89 Savings and transitional provision

A development application lodged with the Council, but not finally determined, before the commencement of the *Shellharbour Local Environmental Plan 2000 (Amendment No 7)* is to be determined as if that plan had been exhibited but had not been made.

Schedule 1 Definitions

(Clause 8)

Aboriginal object means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises the Shellharbour City local government area, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains.

acid sulfate soils means actual or potential acid sulfate soils as defined in the *Acid Sulfate Soils Assessment and Management Guidelines* and as shown coloured and numbered on Sheets 1 and 2 of the map marked "Acid Sulfate Soil Planning Map—Albion Park and Kiama" deposited in the office of the Department, a copy of which is deposited in the office of the Council.

acid sulfate soils assessment and management guidelines means the *Acid Sulfate Soils Assessment and Management Guidelines* as published from time to time by the NSW Acid Sulfate Soils Management Advisory Committee and adopted by the Director.

advertisement means a display by the use of symbols, messages or other devices for conveying information, instructions, directions or the like, whether or not the display involves the erection of a structure or the carrying out of a work, but does not include an identification sign, a property for sale sign or a road traffic sign or signal or the like.

airport related industry means an industry that:

(a) requires access to an airport, or

(b) services an industry that requires access to an airport.

amusement park means a commercially run area where amusements and mechanical entertainments such as merry-go-rounds and the like are situated.

animal boarding, breeding or training establishment means a building or place where cats or dogs are bred, trained, nurtured or accommodated for gain or reward.

appointed day means the day on which this plan takes effect.

aquaculture means the commercial production, including breeding, hatching, rearing or cultivation of marine, estuarine or fresh water organisms, including aquatic plants or animals (such as fin fish, crustaceans, molluscs or other aquatic vertebrates).

archaeological site means the site of one or more relics or Aboriginal objects.

backpackers inn means a building (other than a motel or bed and breakfast) substantially used for the shared overnight accommodation of travellers, whether or not the building is also used for the provision of meals for those travellers.

bed and breakfast means a lawfully erected dwelling house occupied for permanent residential purposes in which a maximum of three rooms are made available by the residents for temporary holiday accommodation.

brothel means premises habitually used for the purposes of prostitution. Premises may constitute a brothel even though used by only one prostitute for the purposes of prostitution.

bulky goods means large goods which, in the opinion of the Council, are of such a size, weight or shape as to require a large area for handling, storage or display, but does not include food and grocery items.

bus depot means a building or place used for the servicing, repairing and garaging of buses and other vehicles used for the purpose of a bus transport undertaking.

car repair station means a building or place used for carrying out repairs to motor vehicles or agricultural machinery, not being:

(a) vehicle body building,

(b) panel beating which involves dismantling, or

(c) spray painting other than of a touching-up character.

child care centre means a building or place used for the supervision of or caring for children, and which:

(a) caters for 6 or more pre-school age children, whether or not those children are related to the owner or operator of the child care centre, and

(b) may include an educational function, and

(c) may be operated for gain,

but does not include a building or place providing residential care for those children.

clearing of land means any manner of destruction of a tree, shrub or plant on the land, but does not involve the destruction of any tree, shrub or plant:

(a) that is required or expressly authorised by or in pursuance of the provisions of any Act or statutory instrument or by any statutory authority in pursuance of the provisions of any Act or statutory instrument, or

(b) where the destruction is necessary in an emergency to prevent the spread of fire or in circumstances where the tree, shrub or plant presents a danger to life or property, or

(c) where the destruction is necessary to enable the carrying out of a development granted consent.

club means premises that require registration under the *Registered Clubs Act 1976*.

commercial premises means a building or place used as an office or for other business or commercial purposes, but does not include a building or place elsewhere specifically defined in this Schedule or a building or place used for a land use elsewhere specifically defined in this Schedule.

community facility means a building or place that does not require registration under the *Registered Clubs Act 1976* and that is used to provide for the physical, cultural or intellectual development or welfare of the local community.

community land means land classified as community land within the meaning of the *Local Government Act 1993*.

conservation management plan means a document prepared in accordance with the requirements of the Heritage Office that establishes the heritage significance of an item, place or heritage conservation area and identifies conservation policies and management mechanisms that are appropriate to enable that significance to be retained.

Council means the Council of the City of Shellharbour.

demolish a heritage item, or a building, work, archaeological site, relic, Aboriginal object, tree or place within a heritage conservation area, means wholly or partly destroy, dismantle or deface the heritage item or the building, work, archaeological site, relic, Aboriginal object, tree or place.

Department has the same meaning as in the Act.

development has the same meaning as in the Act.

Director-General means the Director-General of the Department.

drainage of land means the natural or engineered flow of water from the land into natural or engineered channels or water bodies, or both.

dual occupancy means two dwellings (whether attached or detached) on a single allotment of land (or which would be on a single allotment were it not for the fact that the allotment is to be subdivided as part of the development).

dwelling means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile.

dwelling house means a building containing one but not more than one dwelling.

educational establishment means a building used as a school, college, technical college, university, academy, training facility, lecture hall, gallery, museum, display centre or the like but does not include a building used wholly or principally as an institution or child care centre.

extractive industry means:

(a) the winning of extractive material, or

(b) an industry or undertaking, not being a mine, which depends for its operations on the winning of extractive material from the land on which it is carried out, and includes any washing, crushing, grinding, milling or separating into different sizes of that extractive material on that land.

extractive material means sand, gravel, clay, soil, rock, stone or similar substance, but does not include turf or any sand, soil or other substance remaining attached to turf after the extraction of turf is carried out.

filling means the placement of fill independently of other development for which consent has been granted on an area:

(a) within 40 metres of a water course, or

(b) to a depth greater than 1 metre above existing ground level and over an area exceeding 100 square metres on land within Zone 1 (a), or

(c) to a depth greater than 200mm above existing ground level on land within any zone other than Zone 1 (a), or

(d) where natural drainage to an adjacent property will be affected.

gas holder means a container designed to hold more than 500 litres of liquid petroleum gas.

general agriculture means the keeping of livestock, where the stocking rate is not above that of the demonstrated carrying capacity of the land, and rain fed cropping, where fertiliser and irrigation may be applied from time to time. It may consist of or include grazing of beef or dairy cattle, deer farming or cereal cropping. It also includes pasture improvement and the like, and the erection and use of ancillary buildings, but does not include a land use elsewhere specifically defined in this Schedule.

general store means a shop used for the sale by retail of general merchandise. It may include the facilities of a post office, dry cleaning agency, financial agency or the like.

generating works means a building or place used for the purpose of making or generating gas, electricity or other forms of energy.

health care professional means a person who renders professional health services to members of the public, and includes a podiatrist, a chiropodist, a chiropractor, a physiotherapist and an optometrist.

heavy industry means an industry, not being an extractive, light, offensive, hazardous or rural industry.

helipad means an area or place not open to public use which is authorised by the Commonwealth Department of Transport and which is set apart for the taking off and landing of helicopters.

heliport means an area or place open to public use which is licensed by the Commonwealth

Department of Transport for use by helicopters and includes terminal buildings and facilities for the parking, servicing and repair of helicopters.

heritage conservation area means an area of land described in Schedule 2 and shown edged heavy red with diagonal hatching and marked "Heritage Conservation Area" on the map and includes buildings, works, archaeological sites, relics, Aboriginal objects, trees and places situated on or within the land.

heritage impact statement means a document consisting of a statement demonstrating the heritage significance of a heritage item or heritage conservation area, or of a building, work, archaeological site, tree or place within a heritage conservation area, an assessment of the impact that proposed development will have on that significance and proposals for measures to minimise that impact.

heritage item means:

(a) a building, work, relic, Aboriginal object, archaeological site, moveable object, tree or place (which may or may not be situated on or within land that is a heritage conservation area) specified in an inventory of heritage items that is available at the office of the Council and the site of which is described in Schedule 3 and shown by broken red edging and numbered in red on the map, or

(b) a place specified in an inventory of heritage items available at the office of the Council and described in the inventory as a place of Aboriginal heritage significance.

heritage significance means historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value.

home-based child care means a child minding service, within the meaning of the *Children (Care and Protection) Act 1987*, carried on in a dwelling erected with development consent, being a service that is either:

(a) a home-based child care service, within the meaning of the *Home-based Child Care Services Regulation 1989*, carried on in accordance with that Regulation, or

(b) a care giving service, within the meaning of the *Family Day Care Services Regulation 1989*, carried on in accordance with that Regulation.

home business means a business carried on from the allotment that is the site of a lawfully erected dwelling house, where:

(a) the majority of the business is carried on away from the dwelling house, with the dwelling house and its outbuildings and curtilage being used primarily as a base or office, and

(b) the business will not:

(i) interfere with the amenity of the neighbourhood by reason of traffic generation, noise or otherwise, or

(ii) involve the exposure to view from any adjacent premises or from any public place of any goods associated with the business or any unsightly matter, or

(iii) involve the parking of heavy vehicles either on or adjacent to the property, or

(iv) involve the employment of persons other than the permanent residents of the dwelling house at the base or office, and

(c) the dwelling house continues to be used for permanent residential occupation by the person

carrying out the business.

home occupation means an occupation or industry carried on from the allotment that is the site of a lawfully erected dwelling, where:

(a) the dominant use of the allotment remains that for which the land is zoned, and

(b) two car parking spaces will be provided on the allotment, at least one of which is behind the building line, and

(c) the floor space of the building or the area used for the occupation or industry does not exceed 50 square metres and is located within the curtilage of the dwelling, and

(d) the occupation or industry does not:

(i) interfere with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, or

(ii) involve exposure to view from any adjacent premises or from any public place of any unsightly matter or any goods, or

(iii) require the provision of any essential service main of a greater capacity than that available in the locality, or

(iv) involve the exhibition of any notice, advertisement or sign other than a single notice to indicate the name, occupation and contact number of the resident, or

(v) employ more than one person who is not a permanent resident of the dwelling, or

(vi) involve the sale of items (whether goods or materials) or the exposure or offer for sale of items, by retail.

hospital means a building or place used for the purpose of providing professional health care services (such as preventative or convalescent care, diagnosis, medical or surgical treatment, care for people with developmental disabilities, psychiatric care or counselling and services provided by health care professionals) to people admitted as in-patients (whether or not out-patients are also cared for or treated there) and includes a shop, refreshment rooms, accommodation, research or educational facilities or a dispensary used in conjunction with that use.

hotel means premises to which a hotelier's licence granted under the *Liquor Act 1982* relates.

industry means:

(a) any manufacturing process within the meaning of the *Factories, Shops and Industries Act 1962*, or

(b) the breaking up or dismantling of any goods or any article for trade or sale or gain or as ancillary to any business.

institution means a penal or reformative establishment.

intensive horticulture means a building or place used for the growing of plants, including vegetables, flowers, vines, fruit and the like, where application of water and fertiliser is significantly over and above that naturally occurring, but not produce grown for the consumption or enjoyment of the owner or occupier of the land.

intensive livestock keeping means a building or place used to hold livestock for the purpose of

breeding and/or nurturing by a feeding method other than natural grazing and includes:

(a) poultry farms, or

(b) fish farms, or

(c) horse training and boarding establishments, and

(d) piggeries,

and the like, but does not include a building or place elsewhere specifically defined in this Schedule or used for the keeping of livestock for personal consumption or enjoyment by the owner or occupier of the land.

Jamberoo Valley Escarpment Area means the land shown hatched and labelled "Jamberoo Valley Escarpment Area" on the map.

Jamberoo Valley Rural Conservation Area means the area of land shown hatched and labelled 'Jamberoo Valley Rural Conservation Area' on the map.

junk yard means land used for the collection, storage, dismantling or sale of scrap metals, vehicles or machinery or parts of vehicles or machinery.

light industrial retail outlet means a shop the use of which is ancillary to the principal use of the land on which it is located and:

(a) which is used in conjunction with a light industry or warehouse on land within Zone 4 (a), 4 (a3) or 4 (f), and

(b) which is situated on the land on which the light industry or warehouse is located, and

(c) in which are sold only goods that have been assembled, manufactured or stored on the land on which the shop is situated;

light industry means an industry, not being an extractive, rural, heavy, offensive or hazardous industry, in which the processes carried on, the transportation involved or the machinery or materials used do not interfere with the amenity of nearby residential neighbourhoods by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise.

liquid fuel depot means a depot or place used for the bulk storage for wholesale distribution of petrol, oil, petroleum or other inflammable liquid.

main or arterial road means a main road, state highway, freeway or tollway within the meaning of the *Roads Act 1993*.

maintenance means, in relation to a heritage item or a building, work, archaeological site, tree or place within a heritage conservation area, the ongoing protective care of the heritage item, building, work, archaeological site, tree or place. It does not include alterations, such as carrying out extensions or additions, or the introduction of new materials or technology.

medium density housing means a building or group of buildings containing 3 or more dwellings located on a single parcel of land.

mine means any place, open cut, shaft, tunnel, pit, drive, level or other excavation, drift, gutter, lead, vein, lode or reef on which, in which or by which any operation is carried on for or in connection with obtaining any metal or mineral by any method and any place on which any product of the mine is stacked, stored, crushed or otherwise treated, but does not include a quarry.

mineral sand mine means a mine used for or in connection with obtaining ilmenite, monazite, rutile, zircon or similar minerals.

Minister means the Minister responsible for the administration of the Act.

motel means a building or buildings (other than a hotel, backpackers inn or bed and breakfast) substantially used for the overnight accommodation of travellers and the vehicles used by them, whether or not the building or buildings are also used in the provision of meals to those travellers or the general public.

motor showroom means a building or place used for the display or sale of motor vehicles, caravans, boats or trailers, whether or not motor vehicle accessories, caravan accessories, boat accessories or trailer accessories are also sold or displayed there.

moveable object means a moveable object that is not a relic or an Aboriginal object.

offensive or hazardous industry means an industry which by reason of the processes involved or the method of manufacture or the nature of the materials used or produced, requires isolation from other buildings.

operational land means land classified as operational land within the meaning of the *Local Government Act 1993*.

passenger terminal means a building or place used for the assembly and dispersal of passengers travelling by a passenger transport carrier.

place of Aboriginal heritage significance means:

(a) a place that has the physical remains of pre-European occupation by, or is of contemporary significance to, the Aboriginal people. It can (but need not) include items and remnants of the occupation of the land by Aboriginal people, such as burial places, engraving sites, rock art, midden deposits, scarred and sacred trees and sharpening grooves, or

(b) a natural Aboriginal sacred site or other sacred feature. It includes natural features such as creeks or mountains of long-standing cultural significance, as well as initiation, ceremonial or story places or areas of more contemporary cultural significance.

place of assembly means a public hall, theatre, cinema, music hall, concert hall, dance hall, open-air theatre, drive-in theatre, music bowl or any other building of a like character used as such and whether used for the purpose of gain or not, but does not include a place of public worship, an institution or an educational establishment.

place of public worship means a building or place used primarily for the purpose of religious worship by a congregation or religious group, whether or not the building or place is also used for counselling, religious training or social events related to the functioning of the building.

plantation forestry includes the use of a cleared site for the purpose of arboriculture, silviculture, forest protection, the cutting, dressing and preparation, otherwise than in a sawmill, of wood and other forest products and the establishment of roads required for the removal of wood and forest products and for forest protection.

plant nursery means a building or space used for the growing and wholesale or retail selling of plants whether or not ancillary products are sold there.

professional consulting rooms means a room or a number of rooms forming either the whole of or part of, attached to or within the curtilage of, a dwelling house and used by not more than three legally qualified medical practitioners or by not more than three dentists, or by not more than three health care professionals, who practise there the profession of medicine, dentistry or health

care respectively and, if more than one, practice in partnership, and who employ not more than three employees in connection with that practice.

public building means a building used as offices or for administrative or other like purposes by the Crown, a statutory body, a Council or an organisation established for public purposes.

public utility undertaking means any of the following undertakings carried on or permitted or suffered to be carried on by authority of any Government Department or under the authority of or in pursuance of any Commonwealth or State Act:

(a) railway, road transport, water transport, air transport, wharf or river undertakings,

(b) undertakings for the supply of water, hydraulic power, electricity or gas or the provision of sewerage or drainage services,

and a reference to a person carrying on a public utility undertaking includes a reference to a Council, County Council, Government Department, corporation, firm or authority carrying on the undertaking.

quarry buffer area means the area of land shown hatched and labelled "Quarry Buffer Area" on the map.

racecourse means a place used for the organised racing of animals or vehicles and includes ancillary buildings and facilities.

recreation area means:

(a) a children's playground, or

(b) an area used for sporting activities or sporting facilities, or

(c) an area used to provide facilities for or ancillary to recreational activities that promote the physical, cultural or intellectual welfare of persons within the community,

but does not include a racecourse or a showground.

recreation establishment means health farms, religious retreat houses, youth camps and the like but does not include a building or place elsewhere specifically defined in this Schedule or a building or place used for a land use elsewhere specifically defined in this Schedule.

recreation facility means a building or place used for indoor recreation, a billiard saloon, table tennis centre, squash court, swimming pool, gymnasium, health studio, bowling alley, fun parlour or any other building of a like character used for recreation, whether used for the purpose of gain or not, but does not include a place of assembly.

refreshment room means a restaurant, café, tea room, eating house or the like.

relic means any deposit, object or material evidence (which may consist of human remains) that is more than 50 years old relating to the use or settlement, not being Aboriginal habitation, of the Shellharbour City local government area and that is a fixture or is wholly or partly within the ground.

roadside stall means a building or place not exceeding 20 square metres in floor space or area respectively where only primary products produced on the property on which the building or place is situated are exposed or offered for sale or sold by retail.

road transport terminal means a building or place used mainly for the bulk handling of goods for transport, and includes facilities for the loading and unloading of vehicles used to transport those

goods and for the parking, servicing and repair of those vehicles.

rural industry means handling, treating, processing or packing of primary products and includes the servicing in a workshop of plant or equipment used for rural purposes in the locality.

sawmill means a mill handling, cutting, and processing timber from logs or baulks.

service station means a building or place used for the fuelling of motor vehicles involving the sale by retail of petrol, oil and other petroleum products whether or not the building or place is also used for any one or more of the following:

(a) the sale by retail of spare parts and accessories for motor vehicles,

(b) washing and greasing of motor vehicles,

(c) installation of accessories,

(d) repairing and servicing of motor vehicles involving the use of hand tools (other than repairing and servicing which involves top overhaul of motors, body building, panel beating or spray painting, or suspension, transmission or chassis restoration).

shop means a building or place used for selling, exposing or offering for sale by retail, goods, merchandise or materials, but does not include a building or place elsewhere specifically defined in this Schedule.

showground means an area used to present organised cultural events to the public and may include both indoor and outdoor facilities for exhibitions and festivities.

stock and sale yard means a building or place used for offering animals for sale and includes a public cattle market.

subdivision has the same meaning as in the Act.

the Act means the *Environmental Planning and Assessment Act 1979*.

the map means the maps marked "Shellharbour Local Environmental Plan 2000", as amended by the maps (or specified sheets of maps) marked as follows:

Editorial note. The amending maps are not necessarily listed in the order of gazettal. Information about the order of gazettal can be determined by referring to the Historical notes at the end of the plan.

Shellharbour Local Environmental Plan 2000—Amendment No 2

Shellharbour Local Environmental Plan 2000 (Amendment No 6).

Shellharbour Local Environmental Plan 2000—Amendment No 7

Shellharbour Local Environmental Plan 2000 (Amendment No 8)—Sheet 2

Shellharbour Local Environmental Plan 2000 (Amendment No 10)

Shellharbour Local Environmental Plan 2000 (Amendment No 11)

Shellharbour Local Environmental Plan 2000 (Amendment No 12)

Shellharbour Local Environmental Plan 2000 (Amendment No 14)

timber yard means a place or building used for the storage, treatment and sale of timber products.

tourist facility means an establishment providing holiday accommodation or recreational

facilities, or both, on a short term use basis, and may include:

(a) a hotel, motel, bed and breakfast accommodation, backpackers inn, serviced apartments, holiday cabins, a caravan park, camping ground, houseboat, and any associated swimming pool, golf course, tennis court and marina,

(b) a restaurant, and

(c) a souvenir shop, arts and craft gallery and exhibition centre.

turf farm means a place where the cultivation and extraction of turf is carried out.

utility installation means a building or work used by a public utility undertaking, but does not include a building designed wholly or principally as administrative or business premises or as a showroom.

vacant original holding means a parcel of land, whether comprising one or any combination of contiguous lots or portions, held in one ownership as at 31 May 1974 and on which no dwelling house is erected.

veterinary surgery means a building or place used for the treatment of the diseases and injuries of animals, and includes a building or place used for the purpose of an animal hospital.

warehouse means a building or place used for the storage of goods, merchandise or materials.

waste means:

(a) any substance (whether solid, liquid, or gaseous) that is discharged, emitted or deposited in the environment in such volume, constituency or manner as to cause an alteration in the environment, or

(b) any discarded, rejected, unwanted, surplus or abandoned substance, or

(c) any otherwise discarded, rejected, unwanted, surplus, or abandoned substance intended for sale or for recycling, reprocessing, recovery or purification by separate operation from that which produced the substance, or

(d) any substance prescribed to be waste for the purposes of the *Waste Minimisation and Management Act 1995* by the regulations made under that Act.

A substance is not precluded from being waste merely because it can be reprocessed, re-used or recycled.

waste management facilities or works means any premises used for the storage, treatment, reprocessing, recycling, sorting or the disposal of waste.

wetland improvement means the creation, enhancement, regeneration or maintenance of wetlands and any related or ancillary development, whether the wetland is natural or artificial and whether or not the wetland forms part of an integrated drainage system.

Schedule 2 Heritage conservation areas

(Schedule 1)

BASS POINT

1 Bass Point Reserve
Lot 3, DP 248002, Bass Point

BLACKBUTT

2 Blackbutt Forest
Lot 3, DP 259967, Shellharbour Road, Blackbutt

MACQUARIE PASS

3 Macquarie Pass National Park
Illawarra Highway, Macquarie Pass

SHELLHARBOUR

4 Waterfront, Harbour and Breakwater
Foreshore below Wollongong Street, Shellharbour

Schedule 3 Heritage items

(Schedule 1)

Item No	Heritage Item	Level of Significance
ALBION PARK		
AP1	"Tulkeroo" Lot 1, DP 910045, 23 Calderwood Road, Albion Park	Local
AP2	Former Presbyterian manse Lot 1, DP 574775, 42 Macquarie Street, Albion Park	Local
AP3	Pioneer cemetery Part Lot 32, DP 111172, Russell Street, Albion Park	Local
AP4	"Rosetta Hill" Lot 1, DP 883020, 55 Fields Drive, Albion Park	Local
AP5	Albion Park School and former school residence Lot 1, DP 782244, Tongarra Road, Albion Park	Local
AP6	Albion Park Anglican and Roman Catholic cemeteries Part of Lot 2, DP 227785, Part of Lot 301, DP 1041577 and Part Lot 37, DP 111172, Tongarra Road, Albion Park	Local
AP7	"Ravensthorpe", including grounds and adjoining workers' cottages Lots 91–93, DP 1069273, 52–56 Tongarra Road, Albion Park	Local
AP8	Albion Park Courthouse Lot 64, DP 781264, 94–96 Tongarra Road, Albion Park	Local
AP9	Former bank building Lot 4, DP 703238, 148 Tongarra Road, Albion Park	Local
AP10	St Andrew's Presbyterian Church Part Lot 36, DP 111172, 250 Tongarra Road, Albion Park	Local
AP11	All Saints Anglican Church Part of Lot 2, DP 227785, 253 Tongarra Road, Albion Park	Regional
ALBION PARK RAIL		
AR1	Former Albion Park Dairy Co-Op building Part of Lot 2, DP 1055593 and State Rail Authority land fronting Creamery Road, Albion Park Rail	Local
AR2	General Cemetery Lot 7007, DP 1029735, 61 Croome Road, Albion Park Rail	Local
AR3	Albion Park Railway precinct, including the station, forecourts, residence and surroundings Part of Lot 2, DP 1055593, Station Residence Lot 1, DP 1055593 and State Rail Authority property fronting Station Road, Albion Park Rail	State
BASS POINT		
BP1	"Cities Service Boston" wreck monument Lot 3, DP 248002, Bass Point	Local
BLACKBUTT		

BL1	Stand of trees in Wentworth Cottage Park Lot 8222, DP 852573, Pioneer Drive, Blackbutt	Local
CALDERWOOD		
CA1	Marshall Mount Methodist cemetery Lot 1, DP 195342, Calderwood Road, Calderwood	Local
CROOM		
CR1	"The Hill" Part Lot 5, DP 3709, Dunsters Lane, Croom	State
CR2	"Kurrawong" Lot 100, DP 717430, 4 James Road, Croom	Local
CR3	Avenue of Norfolk Island Pine trees Princes Highway, Croom, extending 800 metres south and 1100 metres north of the symbol on the map	Local
DUNMORE		
DU1	"Dunmore House" Lot 1, DP 1051476, Princes Highway, Dunmore	Regional
DU2	Shellharbour Railway precinct at Dunmore, including the station, forecourts, residence and surroundings Lot 1, DP 859763 and State Rail Authority land fronting Shellharbour Road, Dunmore	State
DU3	Former Minnamurra School, including residence and grounds Lot 1, DP 745632, 40 Swamp Road, Dunmore	Regional
DU4	"Glengowrie" and fig trees Lots 12, 13 and 14, DP 1017763, Swamp Road, Dunmore	Local
DU5	Tree (in contorted form) on former "Peterborough Estate" Lot 1, DP 133603, 53 Browns Road, Dunmore	Local
MACQUARIE PASS		
MP1	"Nurrewin" Lot 68, DP 751263, Illawarra Highway, Macquarie Pass National Park	Regional
SHELL COVE		
SC1	"Killarney" Lot 10, DP 882238, 7–21 Buckley's Road, Shell Cove	Local
SHELLHARBOUR		
SH1	Boer War memorial in Caroline Chisholm Park Lot 9, DP 11740, 14 Addison Street, Shellharbour	Local
SH2	Anchor from "Rangoon" Lot 1, DP 560228, 2 Addison Street, Shellharbour	Local
SH3	Ocean Beach Hotel (former Shellharbour Hotel), including trees Lot 1, DP 560228, 2 Addison Street, Shellharbour	Local
SH4	Former corner store Lot 1, DP 745795, 10 Addison Street, Shellharbour	Local
SH5	Bakery ovens, bricks and facades of former bakery (moveable objects) Lot 7, DP 238804, 25 Addison Street, Shellharbour	Local
SH6	"Windradeen" Lot 5, DP 238804, 29 Addison Street, Shellharbour	Local
SH7	Former Shellharbour Council Chambers Lot 76, DP 751290, 32A Addison Street, Shellharbour	Local
SH8	Former Allen's store Lot 2, DP 238804, 35 Addison Street, Shellharbour	Local
SH9	Russell East Park (including Moreton Bay Fig tree and Olive tree) Lots 5 and 6, DP 24223 and Lot 5, DP 24031, 10 Eastern Avenue, Shellharbour	Local
SH10	Moreton Bay Fig tree Part Lot 1, DP 80960 and Lots 1–9, DP 18262, Mary Street, Shellharbour	Local
SH11	Uniting Church Lot 1, DP 784317, 49 Mary Street, Shellharbour	Regional
SH12	"Woodbine"—former Police Station Lot 1, DP 449871, 20 Mary Street, Shellharbour	Regional
SH13	Garden trees Lot 22, DP 11740, 36 Mary Street, Shellharbour	Local
SH14	Shellharbour General Cemetery Lots 2 and 3, DP 529282, Shellharbour Road, Shellharbour	Local
SH15	St Pauls Anglican Church Lot 1, DP 503805, 12 Towns Street, Shellharbour	Local
SH16	Norfolk Island Pine tree Lot 40, DP 15107, 54 Wentworth Street, Shellharbour	Local
SH17	Stella Maris Roman Catholic Church Lot 10, DP 1037745, Part Lot 10, Sec 2, 16–18 Wentworth Street, Shellharbour and part of Lot 9, DP 1037745, 7–9 Wilson Street, Shellharbour	Local
SH18	"The Beaches" Lot 100, DP 801475, 4 Wilson Street, Shellharbour	Local
SH19	Little Park and Norfolk Island Pine trees Part Plan Ms 408 Sy and Lot 7004, DP 1028837, Wollongong Street, Shellharbour	Regional
TULLIMBAR		
TU1	Ruins of former Tullimbar School and Headmaster's residence Lot 1, DP 905581, 38 Tullimbar Lane, Tullimbar	Local
TU2	"Toongla" Lot 82, DP 634605, Tullimbar Lane, Tullimbar	State
YELLOW ROCK		
YR1	"Wiangara" and coach house Lots 32 and 33, DP 751274, Yellow Rock Road, Yellow Rock	Local

Schedule 4 Commercial hierarchy for Shellharbour City local government area

(Clauses 25, 29, 41)

The following commercial hierarchy applies to all commercial/retail development within the local government area of Shellharbour City, with the exception of development for the purpose of bulky goods retailing or light industrial retail outlets:

1	**Category of Development:**	Sub-regional Centre
	Anticipated Size:	unlimited
	Location:	Land contained in the Shellharbour City Centre Area comprising Lots 230 and 231, DP 869094; Lot 1, DP 856215; Lots 1011, 1012 and 1013, DP 700657; Lots 4000 and 4001, DP 809913; Lot 3000, DP 739087, and part of Lot 3219, DP 800230, whether or not these lands are subsequently subdivided.
2	**Category of Development:**	District Centre
	Anticipated Size:	up to 10,000m^2
	Location:	Land contained within the General Business zone in the vicinity of Tongarra Road, Terry Street and Russell Street, Albion Park. Land contained within the General Business zone in the vicinity of Shellharbour Road, Veronica Street and Woolworths Avenue and George Street, Shellharbour Road and Beverly Avenue, Warilla. The combined land contained within the General Business zone in the vicinity of Addison Street, Mary Street and Wentworth Street, Shellharbour and the Mixed Use Residential F zone, Shell Cove.
3	**Category of Development:**	Local Centre
	Anticipated Size:	up to 4,000m^2
	Location:	Land contained within the General Business zone in the vicinity of Princes Highway, Creamery Road and

		Kaylaur Crescent, Albion Park Rail. Land contained within the General Business zone in the vicinity of Central Avenue, Oak Flats
4	**Category of Development:**	Neighbourhood Centre
	Anticipated Size:	up to 1,500m^2
	Location:	May be located to serve the local convenience needs of a surrounding residential area where a higher order centre is not within a reasonably accessible distance. A service radius in the order of 500 metres is considered reasonable as the catchment area for a neighbourhood centre.
5	**Category of Development:**	Local Shop/Local General Store
	Anticipated Size:	A single shop of approximately 50m^2–200m^2
	Location:	May be supported where Council is satisfied that there is a demand for the facility and that it is not likely to interfere with the functioning of the commercial hierarchy as outlined above in this Schedule.

Schedule 5 Classification or reclassification of public land as operational land

(Clause 81)

Part 1 Land classified, or reclassified, under original section 30 of Local Government Act 1993

Lot 202, DP 848203, corner of Shellharbour and Wattle Roads, Shellharbour.

Part of Lot 201, DP 848203, corner of Shellharbour and Wattle Roads, Shellharbour, as shown edged with a broken heavy line and labelled "Schedules 5 and 6" on the map.

Part of Lot 1, DP 588826, Benaud Crescent, Warilla as shown edged with a broken heavy line and labelled 'schedule 5' on the map.

Part of Lot 2, DP 248002, Boollwarroo Parade, Lot 1, DP 584291, Addison Street and part of Lot 2, DP 584291, Shellharbour Road, Shellharbour as shown edged with a broken heavy line and labelled 'schedule 5' on the map.

Part 2 Land classified, or reclassified, under amended section 30 of Local Government Act 1993—interests changed

Lot 2, DP 605483, Pioneer Drive, Oak Flats, as shown edged with a broken light blue line and lettered "Schedule 5" on Sheet 1 of the map marked "Shellharbour Local Environmental Plan 2000 (Amendment No 8)"—Easement for watermain (S226024) as noted on Certificate of Title Folio Identifier 2/605483.

Lot 71, DP 788843, Pioneer Drive, Oak Flats, as shown edged with a broken light blue line and lettered "Schedule 5" on Sheet 1 of the map marked "Shellharbour Local Environmental Plan 2000 (Amendment No 8)".

Part of Lot 3, DP 259967, Captain Cook Drive, Blackbutt Reserve, Blackbutt, as shown edged with a broken light blue line and lettered "Schedule 5" on Sheet 3 of the map marked "Shellharbour Local Environmental Plan 2000 (Amendment No 8)".

Part 3 Land classified, or reclassified, under amended section 30 of Local Government Act 1993—no interests changed

Lot 101 and part of Lot 100, DP 801536, Industrial Road, Oak Flats, as shown edged with a heavy black broken line and lettered "Schedule 5" on the map marked "Shellharbour Local

Environmental Plan 2000 (Amendment No 9)".

Schedule 6 Exceptions

(Clause 82)

Lot 3, DP 786522, Princes Highway, Albion Park Rail—service station.

Lot 1, DP 222288, Terry Street, Albion Park—motel.

Lot 1, DP 745632, Swamp Road, Dunmore—inhabitation of the former "Peterborough" School Building as dwelling.

Part of Lot 2, DP 248002, Boollwarroo Parade, Shellharbour—boat harbour entrance works.

Lots 1, 2 and 3, DP 627527, Tongarra Road, Albion Park Rail—funeral parlour.

Part of Lot 2, DP 808989, Terry Street, Albion Park as shown edged with a broken heavy line and labelled 'schedule 6' on the map—community uses.

Lots 196–200, DP 222963 and Lot 204, DP 224196, Madigan Boulevarde, Mount Warrigal—medical services which are ancillary to a hospital, and which are of a type, size and scale compatible with generally residential areas.

Lots 28–32, DP 23454 and Lots 24–27, DP 23988, Shellharbour Road, Warilla—professional offices which includes the offices of accountants, solicitors, architects or plan drawers, insurance brokers, real estate agents or surveyors.

Lot 56, DP 739857, Illawarra Highway, Albion Park—place of public worship and place of assembly.

Part Lot 1, DP 70380, Tongarra Road, Albion Park Rail—landscape supplies depot.

Lot 202, DP 848203, corner of Shellharbour and Wattle Roads, Shellharbour—an integrated development which may include a service station, convenience store and car wash facility.

Lot 4211, DP 833774, Princes Highway, Albion Park Rail—motel.

Lot 1, DP 534605, Shellharbour Road, Shellharbour—technology centre related to the computer industry.

Lot 13, DP 658385, Croome Lane, Albion Park Rail—earthmoving equipment depot.

Lot 18, DP 804242, Lot 5, DP 244040, Lot 2, DP 607267, Lots 101 and 102, DP 244073 and Lots 50, 51 and 52, DP 565091, Miall Way, Albion Park Rail—motor showrooms.

Lot 1, DP 833735, Shellharbour Road, Warilla—refreshment rooms.

Lot A, DP 434117, 31 Reddall Parade, Lake Illawarra—refreshment rooms.

Part of Lot 1202, DP 864021, Shellharbour Road, Dunmore as shown edged with a broken heavy line and labelled 'schedule 6' on the map—industry which does not interfere with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, waste water, waste products, grit or oil, or otherwise.

So much of Lot 202, DP 859498, Terry Street, Albion Park, as is zoned either Rural "A" or Rural "B"—a total of 14 dwelling allotments at least 13 of which are to be connected to a sewerage service.

Lot 230, DP 869094, Cygnet Avenue, Blackbutt—a single stand-alone supermarket, two take-away food restaurants and a single service station.

Lot 1, DP 998390, Terry Street, Albion Park—one dwelling house.

Lot 2707, DP 847729, Huon Crescent, Albion Park—a total of 4 allotments with no more than one dwelling house on each allotment.

Lot 21, DP 111195, Terry Street, Yellow Rock—a total of 3 allotments with no more than one dwelling house on each allotment.

So much of Lot 1, DP 851151, Terry Street, Albion Park as is zoned Rural "A"—one allotment with no more than one dwelling house on the allotment.

Lot 1, DP 779617, Cooby Road, Yellow Rock—a total of 17 allotments with no more than one dwelling house on each allotment.

Lot 2627, DP 832456, Cooby Road, Yellow Rock—a total of 3 allotments with no more than one dwelling house on each allotment.

So much of Lot 1, DP 792437, Yellow Rock Road, Yellow Rock as is zoned Rural "A"—a total of 7 allotments with no more than one dwelling house on each allotment.

Part of Lot 201, DP 848203, corner of Shellharbour and Wattle Roads, Shellharbour, as shown edged with a broken heavy line and labelled "Schedules 5 and 6" on the map—fire station, place of public worship.

Lot 1, DP 799421, 162 Tongarra Road, Albion Park—car parking for the use of the Albion Park RSL Memorial Club.

Croom Regional Sporting Complex, being Lot 2 DP 605565, Lot 3 DP 549511 and Lot 1 DP 216772, Croom Road, Croom:

(a) expositions—being events that bring together suppliers of a broad range of product lines and services that relate to a common theme for the primary purpose of exhibiting and explaining the products and services, but where sales may also form a part of the event, and

(b) trade fairs—being events that bring together a range of products or services that relate to an industry group for the purpose of demonstrating the range of products and services available to traders within that industry group.

Lots 8 and 9, DP 244040, Miall Way, Albion Park Rail—motor showrooms.

Historical notes

The following abbreviations are used in the Historical notes:

Am	amended	LW	legislation website	Sch	Schedule
Cl	clause	No	number	Schs	Schedules
Cll	clauses	p	page	Sec	section
Div	Division	pp	pages	Secs	sections
Divs	Divisions	Reg	Regulation	Subdiv	Subdivision
GG	Government Gazette	Regs	Regulations	Subdivs	subdivisions
Ins	inserted	Rep	repealed	Subst	substituted

Table of amending instruments

Shellharbour Local Environmental Plan 2000 published in Gazette No 66 of 2.6.2000, p 4565 and amended as follows:
Shellharbour Local Environmental Plan 2000—Amendment No 1 (GG No 121 of 15.9.2000, p 10552)
Shellharbour Local Environmental Plan 2000—Amendment No 2 (GG No 152 of 24.11.2000, p 12013)

Shellharbour Local Environmental Plan 2000 (Amendment No 3) (GG No 127 of 17.8.2001, p 6074)
Shellharbour Local Environmental Plan 2000 (Amendment No 5) (GG No 34 of 1.2.2002, p 680)
Shellharbour Local Environmental Plan 2000 (Amendment No 7) (GG No 121 of 1.8.2003, p 7578)
Shellharbour Local Environmental Plan 2000 (Amendment No 9) (GG No 47 of 27.2.2004, p 891)
Shellharbour Rural Local Environmental Plan 2004 (GG No 198 of 10.12.2004, p 9016)
Shellharbour Local Environmental Plan 2000 (Amendment No 10) (GG No 200 of 17.12.2004, p 9477)
State Environmental Planning Policy (Repeal of Concurrence and Referral Provisions) 2004 (GG No 201 of 17.12.2004, p 9590)

2005	(560)	Shellharbour Local Environmental Plan 2000 (Amendment No 12). GG No 113 of 9.9.2005, p 7354. Date of commencement, on gazettal.
2006	(151)	Shellharbour Local Environmental Plan 2000 (Amendment No 11). GG No 40 of 31.3.2006, p 1715. Date of commencement, on gazettal.
	No 58	Statute Law (Miscellaneous Provisions) Act 2006. Assented to 20.6.2006. Date of commencement of Sch 2.51, assent, sec 2 (2).
	(434)	Shellharbour Local Environmental Plan 2000 (Amendment No 6). GG No 98 of 4.8.2006, p 6114. Date of commencement, on gazettal.
2007	(264)	Shellharbour Local Environmental Plan 2000 (Amendment No 8). GG No 80 of 15.6.2007, p 3783. Date of commencement, on gazettal.
2008	(78)	Shellharbour Local Environmental Plan 2000 (Amendment No 14). GG No 36 of 20.3.2008, p 2438. Date of commencement, on gazettal.
	(571)	State Environmental Planning Policy (Repeal of Concurrence and Referral Provisions) 2008. GG No 157 of 12.12.2008, p 11946. Date of commencement, 15.12.2008, cl 3.

Table of amendments

Cl 3	Am 10.12.2004.
Cll 11, 12	Am 17.8.2001; 2005 (560), Sch 1 [1].
Cl 13	Am 2005 (560), Sch 1 [1].
Cll 20–24, 27, 28, 30	Am 17.8.2001; 2005 (560), Sch 1 [1].
Cl 31	Am 17.8.2001; 2005 (560), Sch 1 [1]; 2006 (434), Sch 1 [1]–[4].
Cl 32	Am 2005 (560), Sch 1 [1].
Cl 33	Am 17.8.2001; 2005 (560), Sch 1 [1].
Cl 37	Am 17.12.2004; 2006 No 58, Sch 2.51; 2008 (571), Sch 3.158 [1].
Cll 38, 39, 43, 44, 49–53	Am 17.8.2001; 2005 (560), Sch 1 [1].
Cl 57	Am 2008 (571), Sch 3.158 [2].
Cl 58	Am 2008 (571), Sch 3.158 [3].
Cl 63	Rep 17.8.2001.
Cl 68	Am 2008 (571), Sch 3.158 [4]–[6].
Part 11	Subst 2006 (151), Sch 1 [1].
Cl 72	Subst 2006 (151), Sch 1 [1].
Cl 73	Subst 2006 (151), Sch 1 [1]. Am 2008 (571), Sch 3.158 [7].
Cl 74	Subst 2006 (151), Sch 1 [1].
Cl 75	Subst 2006 (151), Sch 1 [1]. Am 2008 (571), Sch 3.158 [8].
Cl 75A	Ins 2006 (151), Sch 1 [1]. Am 2008 (571), Sch 3.158 [9] [10].
Cll 75B, 75C	Ins 2006 (151), Sch 1 [1].
Cl 76	Subst 2006 (151), Sch 1 [1].
Cl 77	Am 17.8.2001.
Cl 81	Am 27.2.2004.

Cl 83	Rep 1.8.2003. Ins 2007 (264), Sch 1 [1].
Cl 87	Am 17.8.2001; 2005 (560), Sch 1 [2]–[4].
Cl 88	Ins 1.2.2002.
Cl 89	Ins 1.8.2003.
Sch 1	Am 24.11.2000; 17.8.2001; 1.8.2003; 17.12.2004; 2005 (560), Sch 1 [5]; 2006 (151), Sch 1 [2]–[4]; 2006 (434), Sch 1 [5]; 2007 (264), Sch 1 [2]; 2008 (78), cl 4.
Sch 3	Subst 2006 (151), Sch 1 [5].
Sch 5, heading	Subst 27.2.2004.
Sch 5	Am 24.11.2000; 27.2.2004; 2007 (264), Sch 1 [3].
Sch 6	Am 15.9.2000; 24.11.2000; 17.8.2001; 1.8.2003.

All communication addressed to:
General Manager
Shellharbour City Council
PO Box 155, Shellharbour City Centre
NSW 2529

PHONE: 02 4221 6111
FAX: 02 4221 6016
DX 26402 Shellharbour City Centre
EMAIL: records@shellharbour.nsw.gov.au
WEB: www.shellharbour.nsw.gov.au

Applicant:

Mr B Harris
PO Box 486
UNANDERRA NSW 2526

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

Applicants Reference: **40999.26**

Certificate No: **20101058**

Receipt No: **167939**

Print Date: **21/07/2010**

LAND DESCRIPTION:

Sophia Street SHELLHARBOUR 2529

LOT: 30 DP: 229374

Parcel No: 11490

Disclaimer

Information contained in this certificate relates only to the land for which this certificate is issued on the day it is issued. This information is provided in good faith and the Council shall not incur any liability in respect of any such advice. Council relies on state agencies for advice and accordingly can only provide that information in accordance with the advice. Verification of the currency of agency advice should occur. For further information, please contact Council's Customer Service Section.

Title Information

Title information shown on this Planning Certificate is provided from Council's records and may not conform to information shown on the current Certificate of Title. Easements, restrictions as to user, rights of way and other similar information shown on the title of the land are not provided on this planning certificate.

Inspection of the land

The Council has made no inspection of the land for the purposes of this Planning Certificate.

ENGLISH

If you have difficulties understanding this correspondence, please contact Council by phone (4221 6111) or, if you wish, come into the office where staff will be pleased to assist you and if required, an appropriate interpreter will be called.

MACEDONIAN

Ако имате тедшкотии да ја разберете оваа кореспонденција, ве молиме контактирајте ја Општината по телефон на 4221 6111 или ако сакате, дојдете во канцеларијата каде што службениците со задоволство ќе ви помогнат, и ако е потребно, ќе повикат соодветен преведувач.

SPANISH

Si tuviera dificultades para entender esta correspondencia, le rogamos llamar por teléfon al Municipio, número 4221 6111, o bien, si lo prefiere, puede venir a nuestras oficinas, donde el personal tendrá el agrado de ayudarle y, si fuera necesario, de llamar a un intérprete.

GERMAN

Wenn Sie Schwierigkeiten haben, diese Korrespondenz zu verstehen, setzen Sie sich bitte telefonisch mit der Gemeinde in Verbindung (4221 6111) oder, falls Ihnen das lieber ist, kommen Sie in unser Büro: wir werden Ihnen gerne behilflich sein und werden, falls nötig, einen estsprechenden Dolmetscher hinzurufen.

ITALIAN

Se non riuscite a capire bene questa lettera, vi preghiamo di telefonare al Comune, numero telefonico: 4221 6111. Se preferite, potete venire di persona al nostro ufficio dove il personale sarà felice di aiutarvi. Se richiesto, un interprete sarà messo a vostra disposizione.

GREEK

Αν έχετε δυσκολία να καταλάβετε την παρούσα αλληλογραφία, παρακαλούμε επικοινωνήστε με τη Δημαρχία (Τηλ.4221 6111), ή αν επιθυμείτε ελάτε στα γραφεία όπου το προσωπικό θα σας βοηθήσει ευχαρίστως και αν χρειαστεί θα κληθεί κατάλληλος διερμηνέας.

CROATIAN

Ako ne možete razumjeti ovo pismo, molimo nazovite općinu na 4221 6111 ili, ako želite, dođite u naš ured gdje će vam osoblje rado pomoći i po potrebi nazvati odgovarajućeg tumača.

PORTUGUE

Se tem dificuldade de entender esta correspondência, aueira contactar o Conselho Municipal pelo telefone (4221 6111) ou, se o quiser, queira vir á secretaria onde o pessoal terá prazer de lhe prestar ajuda e, se for preciso, mandar-se-á vir um intérprete.

SERBIAN

Ако имате потешкоћа у разумевању овог дописа, молим назовите Општину на 4221 6111 или, ако жепите, дођите у нашу канцеларију где ће вам особље радо помоћи, или, где је потребно, назвати одговарајућег тумач.

TURKISH

Bu yazıyı anlamakta zorluk çekerseniz, Belediyeyi lütfen telefonla 4221 6111 arayınız, veya dilerseniz ofise geliniz; oradaki görevliler size memnuniyetle yardım edecekler ve gerekirse uygun bir tercümanla temasa geçilecektir.

POLISH

Jeśli masz trudności ze zrozumieniem treści niniejszego pisma, skontaktuj się z Radą Miejskiej (Council) telefonicznie pod numerem 4221 6111, lub też - jeśli wolisz - przyjdź do naszego urzędu, gdzie personel z przyjemnością udzieli Ci pomocy i - w razie konieczności - zorganizuje pomoc tłumacza.

Translated by the Public Affairs Commission

PART A: INFORMATION PROVIDED UNDER SECTION 149 (2)

Matters contained in this certificate apply only to the land on the date of issue.

1. Name of Relevant Planning Instruments and DCPs

1.1 Which environmental planning instruments apply to the carrying out of development on the land?

Local Environmental Plan

Shellharbour Local Environmental Plan 2000.

State Environmental Planning Policies

SEPP No 1 - Development Standards.
The policy sets out the principle that a development standard may be varied where strict compliance can be shown to be unreasonable or unnecessary or would tend to hinder the objectives of the Environmental Planning and Assessment Act.

SEPP No 4 - Development Without Consent & Miscellaneous Complying Development.
The policy aims to firstly, allow development which is of a very minor environmental significance to be carried out without development consent, and secondly, allow certain development by public authorities and development on land reserved or dedicated under the National Parks and Wildlife Act (1974) to be carried out without consent.

SEPP No 6 - Number Of Storeys In A Building.
A policy for determining the height of a building where height is controlled by reference to the number of storeys.

SEPP No 21 - Caravan Parks.
The policy provides that where caravan parks or camping grounds are permissible under the environmental planning instrument, movable dwellings, as defined under the Local Government Act, 1919, are permissible.

SEPP No 22 - Shops & Commercial Premises.
The policy allows with the consent of Council, a change of use from a shop to another kind of shop or commercial premises, or alternatively, commercial premises to a shop or another kind of commercial premises where the new use is prohibited under an environmental planning instrument if the Council is satisfied that the change of use will have not more than a minor environmental impact and is in keeping with the objectives of the zone.

SEPP No 30 - Intensive Agriculture.
Requires development consent for cattle feedlots having a capacity of 50 or more cattle or piggeries having a capacity of 200 or more pigs. The policy sets out requirements to ensure there are effective planning control over this export-driven rural industry.

SEPP No 32 - Urban Consolidation (Redevelopment of Urban Land).
The policy promotes orderly and economic use and development of land by enabling urban land which is no longer required for the purpose for which it is zoned or used, to be redeveloped for multi-unit housing and related development. Redevelopment is enabled by means of a Regional Environmental Plan instigated by the Minister for Planning.

SEPP No 33 - Hazardous & Offensive Development.
Provides new definitions for 'hazardous industry', 'hazardous storage establishment', 'offensive industry' and 'offensive storage establishment'. The policy also requires specified matters to be considered for proposals that are 'potentially hazardous' or 'potentially offensive' as defined in the policy.

SEPP No 36 - Manufactured Home Estates.
The policy -(i) defines where Manufactured Home Estates (MHEs) may be permitted and establishes criteria for the granting of development consent to these estates, - (ii) enables, with development consent, the subdivision of MHEs, provided such subdivision complies with the provisions of the Local Government (Manufactured Home Estates) Regulation 1993.

SEPP No 50 - Canal Estate Developments.
This policy provides that where the policy applies, a person shall not carry out canal estate development as defined in the policy.

SEPP No 55 - Remediation Of Land.
The policy aims to promote the remediation of contaminated land for the purpose of reducing risk of harm to human health or any other aspect of the environment. The policy applies to the whole state to ensure that remediation is permissible development and is always carried out to high standard. It specifies when consent is required for remediation and lists considerations that are relevant when rezoning land and determining development applications.

SEPP No 64 - Advertising And Signage.
The policy aims to improve the amenity of urban and natural settings by managing the impact of outdoor advertising.

SEPP No 65 - Design Quality Of Residential Flat Development.
The policy raises the design quality of residential flat development across the state through the application of a series of design principles. Provides for the establishment of Design Review Panels to provide independent expert advice to councils on the merit of residential flat development. The accompanying regulation requires the involvement of a qualified designer throughout the design, approval and construction stages.

SEPP No 70 - Affordable Housing (Revised Schemes).
The policy extends the life of affordable housing provisions relating to: Sydney Regional Environmental Plan No 26 - City West, Willoughby Local Environmental Plan 1995, South Sydney Local Environmental Plan 1998.

SEPP - Building Sustainability Index: Basix 2004.
This policy applies to all new single dwelling houses or dual occupancy development from 1st July 2005, and to all new multi-dwelling development or alterations and additions from 1st October 2005. BASIX is a web based tool designed to assess the potential performance of residential buildings against sustainability criteria. Details

are available at www.basix.nsw.gov.au or by contacting NSW Department of Infrastructure Planning and Natural Resources.

SEPP - (Major Developments) 2005.
This policy identifies the criteria for state significant development to be determined by the Minister for Infrastructure and Planning. This will facilitate the development, redevelopment or protection of important urban, coastal and regional sites of economic, environmental or social significance to the state.

SEPP - (Housing for Seniors or People with a Disability) 2004.
The policy aims to encourage the development of high quality accommodation for our ageing population and for people who have disabilities - housing that is in keeping with the local neighbourhood.

SEPP 71 - Coastal Protection.
This State Policy applies to all land located partly or wholly within the Coastal Zone, as identified in the NSW Coastal Policy 1997. This land is affected by this Policy.

SEPP - (Mining, Petroleum Production and Extractive Industries) 2007.
This SEPP aims to provide for the proper management and development of mineral, petroleum and extractive material resources for the purpose of promoting the social and economic welfare of the State. The policy also aims to facilitate the orderly and economic use and development of land containing mineral, petroleum and extractive material resources and to establish appropriate planning controls to encourage ecologically sustainable development through the environmental assessment and sustainable management, of development of mineral, petroleum and extractive material resources.

SEPP - (Infrastructure) 2007.
The aim of this Policy is to facilitate the effective delivery of infrastructure across the State by:

(a) improving regulatory certainty and efficiency through a consistent planning regime for infrastructure and the provision of services, and

(b) providing greater flexibility in the location of infrastructure and service facilities, and

(c) allowing for the efficient development, redevelopment or disposal of surplus government owned land, and

(d) identifying the environmental assessment category into which different types of infrastructure and services development fall (including identifying certain development of minimal environmental impact as exempt development), and

(e) identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and

(f) providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing.

SEPP - (Exempt & Complying Development Codes) 2008.
This policy aims to provide streamlined assessment processes for development that complies with specified development standards by identifying in the General Exempt

Development Code the types of development that may be carried out without the need for development consent and in the General Housing Code the types of development that may be carried out in accordance with a complying development certificate.

SEPP - State Environmental Planning Policy (Affordable Rental Housing) 2009.

The aims of this Policy are as follows:
(a) to provide a consistent planning regime for the provision of affordable rental housing,

(b) to facilitate the effective delivery of new affordable rental housing by providing incentives by way of expanded zoning permissibility, floor space ratio bonuses and non-discretionary development standards,

(c) to facilitate the retention and mitigate the loss of existing affordable rental housing,

(d) to employ a balanced approach between obligations for retaining and mitigating the loss of existing affordable rental housing, and incentives fro the development of new affordable rental housing,

(e) to facilitate an expanded role for not-for-profit-providers of affordable rental housing,

(f) to support local business centres by providing affordable rental housing for workers close to places of work,

(g) to facilitate the development of housing for the homeless and other disadvantaged people who may require support services, including group homes and supportive accommodation.

SEPP - (Rural Lands) 2008.
The aim of this policy is to facilitate the orderly and economic use and development of rural lands for rural and related purposes.

SEPP - (Temporary Structures) 2007.
This SEPP provides for the erection of temporary structures while protecting public safety and local amenity. The SEPP supports the transfer of the regulation of temporary structures (such as tents, marquees and booths) from the Local Government Act 1993 to the Environmental Planning and Assessment Act 1979.

Deemed SEPP's (Regional Environmental Plans)

Illawarra Regional Environmental Plan No 1.

1.2 Which proposed environmental planning instruments apply to the carrying out of development on the land that is or has been the subject of community consultation or public exhibition?

Draft Local Environmental Plan

No exhibited Draft Local Environmental Plans.

Draft State Environmental Planning Policies

DRAFT SEPP - Application of Development Standards 2004.
The policy aims to provide local councils with flexibility in applying development standards.

DRAFT SEPP 66 - Integrating Land Use and Transport.
The policy aims to ensure urban development is located and designed with improved walking, cycling and public transport access, reduces car dependence and supports efficient and viable public transport services.

DRAFT SEPP 1 - Development Standards (Amendment 1).
SEPP 1 gives councils the power to vary standards and approve development in some situations. When applicants use SEPP 1, they must provide sufficient evidence that proposed development meets the objectives of the local plan.

DRAFT SEPP - Subdivision.
The draft policy has been formulated in light of the intended introduction of the Local Government Bill 1992 which will have the effect of placing subdivision control entirely under the Environmental Planning and Assessment Act, 1979. At the present time, subdivision control is shared between this Act and the Local Government Act, 1919.

DRAFT SEPP - Sewerage Works.
The draft policy proposes that sewerage works by public authorities may be carried out, despite the provisions of any other environmental planning instrument, without development consent but subject to notification of certain authorities.

1.3 Which development control plans apply to the carrying out of development on the land?

DCP 1/97 - Landscape Guidelines Development Control Plan No 1/97. This plan provides guidelines for landscaping requirements for developments and subdivisions.

Residential Infill Development Control Plan (Amendment No 1). This plan outlines the general design principles to be taken into consideration when preparing a development application for residential infill development, which includes dual occupancy, integrated housing and minor resubdivision of existing residential allotments.

DCP 5/97(AM1) - Advertising and Identification Signs Development Control Plan No 5/97(AM1). This plan provides guidelines for advertisements and advertising structure opportunities on land throughout the city.

DCP 2/98 - Telecommunications Facilities Development Control Plan No 2/98. This plan contains provisions relating to the design and location of telecommunications facilities, visual amenity and electromagnetic radiation.

DCP 4/98 - On-site Waste Water Management for Single Residences Development Control Plan No 4/98. This plan provides guidelines for the preparation of plans for on-site water management facilities.

Exempt Development Control Plan (AM4). This plan identifies certain development for which development consent, assessment or notification is not required.

Complying Development Control Plan (AM3). This plan identifies minor development for which a Compliance Certificate is required from either Council or an accredited certifier.

DCP 10/98 - Notifications Policy Development Control Plan No 10/98. This plan identifies how and when potentially affected persons are notified of Development Applications.

Residential Development Control Plan (Amendment No 3). This provides general development requirements for dwelling houses and associated development that requires development consent.

Waste Minimization & Management Development Control Plan Am1. This plan requires anyone who lodges a development application to construct, demolish, refurbish or use a building or subdivide land to complete a Waste Management Plan.

Floodplain Risk Management Development Control Plan (Amendment No 1). This Plan provides details for development requirements on flood prone land being land inundated to the Probable Maximum Flood.

Draft Exhibited Development Control Plan

No exhibited draft Development Control Plans apply to the land.

Technical Policies

Shellharbour City Council Stormwater Policy. Council has adopted the Shellharbour City Council Stormwater Policy that would apply to all lots within the Shellharbour City Local Government Area.

Exhibited Technical Policies

There are no Exhibited Technical Policies on this land.

1.4 In this clause, proposed environmental planning instrument includes a planning proposal for the LEP or a draft environmental planning instrument.

2. ZONING AND LAND USE UNDER RELEVANT LEPs

For each environmental planning instrument or proposed instrument referred to in clause 1 above (other than a SEPP or proposed SEPP) that applies to the land:

2.1 What is the identity of the zoning for the land?

6(a) PUBLIC OPEN SPACE under Shellharbour LEP 2000.

2.2 For what purposes may development be carried out within the zone without the need for development consent?

6(a) Public Open Space under Shellharbour LEP 2000: Exempt development and development for the purpose of:

Aids to navigation; bushfire hazard reduction; home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the Public Health Act 1991; landscaping.

2.3 For what purposes may development not be carried out within the zone except with development consent?

6(a) Public Open Space under Shellharbour LEP 2000: Development for the purpose of:

Advertisements displaying the purpose for which the land is used; clearing of land; community facilities; drainage; dwelling houses; educational establishments; filling; general agriculture; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the Public Health Act 1991; intensive horticulture; places of assembly; places of public worship; plantation forestry; racecourses; recreation areas; recreation establishments; recreation facilities; refreshment rooms; shops and commercial premises required in connection with an allowable use; showgrounds; turf farms; utility installations (other than gas holders or generating works); wetland improvement.

Exceptions

There are no additional land uses or development permitted on this land in accordance with clause 82 of Shellharbour Local Environmental Plan 2000.

2.4 For what purposes is development prohibited within the zone?

6(a) Public Open Space under Shellharbour LEP 2000: Development not included in subclause 2.2 or 2.3

2.5 Are there any development standards applying to the land which fix minimum land dimensions for the erection of a dwelling house on the land and, if so, the minimum land dimensions so fixed?

No. However a minimum land area applies for the erection of a dwelling house on certain Agricultural, Rural Landscape, Nature Conservation, Rural and Environmental Protection zoned lands. For further information please contact Council's Development Services Department.

2.6 Does the land include or comprise a critical habitat?

No.

2.7 Is the land in a conservation area?

No.

2.8 Is an item of environmental heritage situated on the land?

No.

3. COMPLYING DEVELOPMENT

Note: Council does not currently have sufficiently accurate flooding information. The Council is in the process of completing a city-wide flood study for the Shellharbour local government area. This study, when completed, will form the basis of a Floodplain Risk Management Plan for each of the catchments referred to in the Floodplain Risk Management Development Control Plan 2006.

For further information regarding flooding, please contact Council's Development & Technical Services Department and consult Council's Floodplain Risk Management Development Control Plan 2006.

3.1 Whether or not 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 clause 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.*

3.2 If complying development may not be carried out on that land because of the provisions of clause 1.19 of that Policy, the reasons why it may not be carried out under that clause.

General Housing Code

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

Housing Internal Alterations Code

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

General Commercial and Industrial Code

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

Subdivision Code

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

4. COASTAL PROTECTION

4.1 Is the land affected by the operation of section 38 or 39 of the *Coastal Protection Act 1979,* but only to the extent that the Council has been notified by the Department of Public Works?

No.

5. MINE SUBSIDENCE

5.1 Is the land proclaimed to be a mine subsidence district within the meaning of section 15 of the *Mine Subsidence Compensation Act 1961?*

No.

6. ROAD WIDENING AND ROAD REALIGNMENT

6.1 Is the land affected by any road widening or road realignment under:

(A) Division 2 of Part 3 of the *Roads Act 1993?*

No.

(B) Any environmental planning instrument?

No.

(C) Any resolution of the Council?

No.

7. HAZARD RISK RESTRICTIONS

Is the land affected by a policy either adopted by Council OR adopted by any other public authority and notified to the Council (for the express purposes 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:

7.1 Landslip

No.

7.2 Bushfire

No.

7.3 Tidal Inundation

No.

7.4 Subsidence

No.

7.5 Acid Sulphate Soils

No.

7.6 Any other risk

Contaminated Land Policy

7A. FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION

7A.1 Is development on the land or part of the land for the purposes of dwelling houses dual occupancies, multi dwelling housing or residential flat buildings

(not including development for the purposes of group homes or seniors housing) subject to flood related development controls?

NOTE: Council does not currently have sufficiently accurate flooding information. The Council is in the process of completing a city wide flood study for the Shellharbour local government area. This study, when completed, will form the basis of a Floodplain Risk Management Plan for each of the catchments referred to in the Floodplain Risk Management Plan Development Control Plan April 2006.

For further information please contact Council's Development & Technical Services Department and consult Council's Floodplain Risk Management Development Control Plan 2006.

7A.2 Is development on the land or part of the land for any other purpose subject to flood related development controls?

NOTE: Council does not currently have sufficiently accurate flooding information. The Council is in the process of completing a city wide flood study for the Shellharbour local government area. This study, when completed, will form the basis of a Floodplain Risk Management Plan for each of the catchments referred to in the Floodplain Risk Management Plan Development Control Plan April 2006.

For further information please contact Council's Development & Technical Services Department and consult Council's Floodplain Risk Management Development Control Plan 2006.

7A.3 Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006.*

8. LAND RESERVED FOR ACQUISITION

8.1 Does any environmental planning instrument or proposed environmental planning instrument referred to in item 1 above make provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the *Environmental Planning & Assessment Act?*

Shellharbour Local Environmental Plan 2000 does not relate to the acquisition of the land the subject of this certificate.

9. CONTRIBUTIONS PLAN

9.1 Which contributions plan/s apply to the land?

Shellharbour City Council's Section 94 Contributions Plan 2005 Amendment 1.

9A BIODIVERSITY CERTIFIED LAND

9A.1 Is the land biodiversity certified land (within the meaning of Part 7AA of the *Threatened Species Conservation Act 1995)?*

No

10. BIOBANKING AGREEMENTS

Is there a biobanking agreement for the land under Part 7A of the *Threatened Species Conservation Act 1995,* that council is aware?

No

11. BUSH FIRE PRONE LAND

11.1 Is any of the land bushfire prone land as defined in the *Environmental Planning & Assessment Act 1979?*

No.

12. PROPERTY VEGETATION PLANS

12.1 Does a property vegetation plan under the *Native Vegetation Act 2003* apply to the land, being a plan to which the council has been notified of its existence by the person or body that approved the plan under the Act?

No.

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

13.1 Has an order been made under the *Trees (Disputes Between Neighbours) Act 2006* to carry out work in relation to a tree on the land, being an order to which the council has been notified of?

No.

14. DIRECTIONS UNDER PART 3A

14.1 Is there a direction by the Minister in force under section 75P(2)(c1) of the *Environmental Planning & Assessment Act 1979* 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?

No.

15. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR SENIORS HOUSING

15.1 If the land is land to which *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* applies, is there a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land?

No.

16. SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE

16.1 **Is there a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land?**

No.

17. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING

17.1 **Is there a current site compatibility statement (affordable rental housing), of which the council is aware, in respect of proposed development on the land?**

No.

17.2 **Have any terms of a kind referred to in clause 17(1) or 38(1) of the *State Environmental Planning Policy (Affordable Rental Housing) 2009* been imposed as a condition of consent to a development application in respect of the land?**

No.

NOTE: MATTERS PRESCRIBED BY SECTION 59(2) OF THE *CONTAMINATED LAND MANAGEMENT ACT 1997 (CLM Act)*

(a) **Is the land significantly contaminated land within the meaning of the *CLM Act* at the date of this certificate?**

No.

(b) **Is the land subject to a management order within the meaning of the *CLM Act* at the date of this certificate?**

No.

(c) **Is the land the subject of an approved voluntary management proposal within the meaning of the *CLM Act* at the date of this certificate?**

No.

(d) **Is the land the subject of an ongoing maintenance order within the meaning of the *CLM Act* at the date of this certificate?**

No.

(e) **Is the land the subject of a site audit statement within the meaning of the *CLM Act* (such a statement having been provided to Council at any time)?**

No.

CONTAMINATED INFORMATION - 1a. There are no matters listed under Section 59(2) of the Contaminated Land Management Act 1997 which should be specified on this certificate.

CONTAMINATED INFORMATION - 2a. The land is affected by a policy adopted by Council that restricts development of land if there is likelihood of contamination. Council has not assessed the likelihood of contamination of the land and cannot certify whether or not the policy restricts development of the land.

NOTE: Section 26 of the *Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009* provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of that Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

No Order or Authorisation has been issued under the Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009.

PART B: NOTATIONS

Tree Management Order

The Shellharbour City Council Tree Management Order prohibits the ringbarking, cutting down, pruning, lopping, topping, removing, root pruning, injuring or wilful destruction of any tree which is:

i. 3 metres or more in height.
ii. 300mm or more in trunk diameter at ground level.
iii. 3 metres or more in branch spread.

Without the written consent of Council.

The following trees with a trunk diameter of 600mm or less at ground level, will be given exemption, upon positive identification by Shellharbour City Council.

Theses species are:

1.	*Salix species*	Willow Tree
2.	*Populus species*	Poplar Tree
3.	*Erythrina x sykesii*	Coral Tree
4.	*Ligustrum species*	Privet
5.	*Toxicodendron succedaneum*	Rhus Tree
6.	*Ficus elastica*	Rubber Tree
7.	*Nerium oleander*	Oleander
8.	*Syagrus romanzoffianum*	Cocos/Queen Palm
9.	*Cinnamomum camphora*	Camphor Laurel
10.	*Schefflera actinophylla*	Umbrella Tree
11.	*Cupressus macrocarpa 'Brunniana'*	Golden Cypress
12.	*Lagunaria patersonii*	Itchy Pod Tree
13.	*Phoenix canariensis*	Canary Island Date Palm
14.	Domestic and commercial fruit trees that are not endemic species.	

The above 14 species with a trunk diameter greater 600mm at ground level are subject to the Tree Management Order. The Tree Management Order does not apply to trees required to be pruned under the Overhead Line Safety Regulation 1991, Regulation 23 and 24.

In accordance with Clause 8 of the Environmental Planning and Assessment Model Provisions 1980, Council gave notice that the above Tree Management Order had been adopted for Shellharbour City in the Government Gazette on 14 December 2001.

A person who contravenes the Tree Management Order is guilty of an offence.

PART C: - INFORMATION PROVIDED UNDER SECTION 149 (5) OF THE ACT

NOTE:
When information under section 149(5) is requested the Council is under no obligation to provide any of the information supplied in this part. We draw your attention to section 149(6) which states that a Council shall not incur any liability in respect of any advice provided in good faith pursuant to sub-section (5). The absence of any reference to any matter affecting the land does not imply that the land is not affected by any matter referred to in this planning certificate.

Endangered Ecological Community & Threatened Species.

Council has some mapping that identifies where endangered ecological communities & threatened species are known to occur. For further details contact Council's Customer Environmental Services Department.

Filling

Council has no records to indicate the land has been filled or partially filled. Uncontrolled fill may be present on this site. If you have any doubt as to whether the land is affected by fill material, the services of a suitably qualified Consulting Engineer should be obtained.

Flooding

Other than any part of the land which may experience some water inundation as a result of the creation of stormwater detention basins or channels or flow paths in the course of development of the land, Council has no record indicating that the land may be located within a flood hazard area. If you have any doubt as to whether the land is affected by flooding, the services of a suitably qualified Consulting Engineer should be obtained.

Development Consents Relating To The Land

Details of current development consents for the land are available on request from the Council.

Constraints

NSW COASTAL POLICY 1997. The NSW Coastal Policy 1997 applies to all land within the Coastal Zone as identified by the maps held by the Department of Planning. This includes the subject property.

Floor Level Restrictions - Refer Subdivision Engineer.

For further information please contact the Land & Information Services on (02) 4221 6138

B A Weir
General Manager

Per....F Cilly



Shellharbour
Local Environmental Plan
2000

Shellharbour Local Environmental Plan 2000

Current version for 15 December 2008 to date (accessed 19 January 2009 at 08:52)
Status information

New South Wales

Status information

Currency of version
Current version for 15 December 2008 to date (accessed 19 January 2009 at 08:52).
Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force
All the provisions displayed in this version of the legislation have commenced. For commencement and other details see the Historical notes

Authorisation: This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the Interpretation Act 1987.

File last modified 15 December 2008.

New South Wales

Part 1 Preliminary

1 Name of plan

This plan is *Shellharbour Local Environmental Plan 2000*.

2 Aim of plan

The aim of this plan is to provide a framework for land use management, urban growth and change to achieve the following objectives:

(a) to ensure that land uses in the local government area of Shellharbour City are compatible with each other and are suitably located,

(b) to ensure that adequate provision is made to meet the needs of an increasing population,

(c) to ensure that various areas of land within the local government area of Shellharbour City which are environmentally sensitive, and which enhance the visual amenity of the area, are protected and suitably managed,

(d) to enable public land, owned or controlled by the Council of the City of Shellharbour under the *Local Government Act 1993*, to be classified or reclassified as operational land,

(e) to identify and manage items of the environmental and cultural heritage of the local government area,

(f) to ensure that development addresses pollution concerns and does not result in a decline in water quality.

3 Land to which the plan applies

(1) This plan applies to all land within the local government area of Shellharbour City as shown on the map.

(2) However, this plan does not apply to land to which *Shellharbour Rural Local Environmental Plan 2004* applies.

4 Relationship to other environmental planning instruments

(1) *Shellharbour Local Environmental Plan No 16* is repealed.

(2) *State Environmental Planning Policy No 4—Development Without Consent* is amended by inserting in alphabetical order of local government area in Schedule 2 (Land excepted from clauses 6–10) the following words:

City of Shellharbour local government area

5 Savings

A development application or an application for approval of an activity, relating to land to which this plan applies, that was lodged with a consent authority or determining authority, but that was not finally determined before the commencement of this plan is to be determined as if this plan had been exhibited but not been made and *Shellharbour Local Environmental Plan No 16* had not been repealed.

6 Consent authority

The Council is the consent authority for the purpose of this plan.

7 Adoption of certain Model Provisions

This plan adopts Part 1 and clauses 5, 8, 10, 11, 12, 14, 24, 27, 29 and 35 of, and Schedule 1 to, the *Environmental Planning and Assessment Model Provisions 1980*.

8 Definitions

(1) In this plan, terms defined in Schedule 1 have the same meaning as set out in that Schedule.

(2) In this plan, a reference to a map is a reference to a map kept at the office of the Council.

(3) The letters and symbols SPS, RES, SUB STN, CH, FIRE STN, PUBLIC BLDG or TEL.

EXCH, where appearing on a map, mean sewage pumping station, water reservoir, electricity sub-station, church, fire station, public building or telephone exchange, respectively.

(4) In this plan, a reference to a building or place used for a purpose includes a reference to a building or place intended to be used for the purpose.

(5) The list of contents of this plan is not part of this plan.

9 Zones indicated on the map

Land is within one of the following zones as set out in Parts 2–10 in the clause headed "General controls for development" for the zone under the heading "Land within the zone":

1 (a)—Rural A Zone

1 (c)—Rural C Zone

1 (d)—Rural D (Horticultural) Zone

2 (a)—Residential A Zone

2 (b1)—Residential B1 Zone

2 (b2)—Residential B2 Zone

2 (e)—Mixed Use Residential E Zone

2 (f)—Mixed Use Residential F Zone

3 (a)—Mixed Use Commercial Zone

3 (d)—Neighbourhood Business Zone

4 (a)—Light Industrial Zone

4 (a3)—Airport Light Industrial Zone

4 (c)—Extractive Industrial Zone

4 (f)—Special Industrial Zone

5 (a)—Special Uses Zone

5 (b)—Special Railway Uses

6 (a)—Public Open Space Zone

6 (b)—Private Open Space Zone

7 (a)—Environmental Protection (Wetlands) Zone

7 (d)—Environmental Protection (Scenic) Zone

7 (e)—Environmental Protection (Escarpment) Zone

7 (f2)—Environmental Protection (Foreshore) Zone

7 (g)—Environmental Protection (Living Area 1) Zone

7 (h)—Environmental Protection (Living Area 2) Zone

8—National Parks and Nature Reserves Zone

9 (b)—Arterial Roads Reservation Zone

9 (c)—Local Roads Reservation Zone

9 (d)—Open Space Reservation Zone

10 Zone objectives and general controls for development

(1) The objectives of each zone are set out in Parts 2–10 in the clause headed "General controls for development" for the zone under the heading "Objectives (or Objective) of the zone".

(2) Except as otherwise provided by this plan, for each zone specified in a general controls for development clause, the development that:

(a) may be carried out without development consent is indicated in that clause by the words "Allowed without development consent", or

(b) may be carried out only with development consent is indicated in that clause by the words "Allowed only with development consent", or

(c) is prohibited is indicated in that clause by the words "Prohibited in the zone".

(3) The objectives of the zone are required to be taken into account by the consent authority before development consent is given to the carrying out of development within that zone.

Part 2 Rural Zones Provisions

11 General controls for development—Zone 1 (a) (the Rural A zone)

(1) **Land within the zone**
Land is within Zone 1 (a) (the Rural A zone) if it is shown coloured cream on the map.

(2) **Objectives of the zone**

(a) To protect the agricultural potential of rural land and to prevent the fragmentation of rural holdings.

(b) To prevent premature and sporadic subdivisions and to ensure consolidation of urban areas, thus enhancing the prospect of the economic provision of public services.

(c) To prevent, on the fringe of urban areas, the subdivision of land into small lots which would prejudice the proper layout of additional urban areas as a result of natural growth.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

general agriculture; home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

advertisements not displaying the purpose for which the land is used or directional

information; brothels; car repair stations; commercial premises; dual occupancies (other than attached dual occupancies); heavy industries; junk yards; light industries; medium density housing; motor showrooms; professional consulting rooms; recreation facilities; service stations; shops; warehouses.

12 General controls for development—Zone 1 (c) (the Rural C zone)

(1) **Land within the zone**
Land is within Zone 1 (c) (the Rural C zone) if it is shown coloured pale yellow on the map.

(2) **Objectives of the zone**

(a) To allow rural residential neighbourhoods to be developed, taking advantage of changing demand for housing and the availability of rural land not suited to agricultural, industrial or urban uses.

(b) To maintain the environmental quality and visual amenity of rural areas.

(c) To reduce the demand for subdivision for residential purposes of agricultural land.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

advertisements not displaying the purpose for which the land is used; amusement parks; animal boarding, breeding or training establishments; aquaculture; backpackers inns; boarding houses; brothels; bus depots; car repair stations; clubs; commercial premises; community facilities; dual occupancies (other than attached dual occupancies); extractive industries; gas holders; general stores; generating works; heavy industries; helipads; heliports; hospitals; hotels; institutions; junk yards; light industries; liquid fuel depots; medium density housing; mineral sand mines; mines; motels; motor showrooms; offensive or hazardous industries; passenger terminals; places of assembly; public buildings; racecourses; recreation establishments; recreation facilities; refreshment rooms; road transport terminals; rural industries; sawmills; service stations; shops; showgrounds; stock and sale yards; timber yards; tourist facilities; warehouses.

13 General controls for development—Zone 1 (d) (the Rural D (Horticulture) zone)

(1) **Land within the zone**
Land is within Zone 1 (d) (the Rural D (Horticulture) zone) if it is shown coloured pale yellow and lettered 1 (d) on the map.

(2) **Objective of the zone**
To provide for horticultural activities on agricultural lots of high agricultural potential, if such uses can be accommodated without reducing the quality of water in the locality.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

Nil.

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; clearing of land; drainage; filling; general agriculture; intensive horticulture; intensive livestock keeping; roadside stalls; rural industries; turf farms; wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

14 Controls for subdivision of land within Zone 1 (a)

(1) The Council must not consent to a subdivision of land within Zone 1 (a) unless:

(a) each allotment to be created will have an area of not less than 40 hectares or the Council is satisfied that any proposed smaller allotment is not intended to be used for the purpose of agriculture or a dwelling house, but is intended to be used for another lawful purpose, and

(b) where any allotment proposed to be created will have a frontage to a main road, the frontage will be not less than 200 metres, and

(c) the Council has been informed of the purpose for which each proposed allotment to be created by the subdivision is intended to be used and, where the purpose is agriculture, of the form of agriculture for which the allotment is intended to be used.

(2) Despite any other provision of this plan, consent for a subdivision of land within Zone 1 (a) in the "Jamberoo Valley Rural Conservation Area" (which is shown on the map) to create an allotment must not be granted unless:

(a) the consent authority is satisfied that the proposed allotment will not be used for the erection of a dwelling house, and

(b) a condition of the consent prohibits the erection of a dwelling house on each lot to be created by the subdivision.

(3) The Council must not consent to a subdivision of land within Zone 1 (a) in the "Jamberoo Valley Rural Conservation Area" (which is shown on the map) unless it has considered:

(a) the relationship of the proposed allotments to adjacent or adjoining allotments and the practicality of consolidating adjacent or adjoining allotments with land to which the application for consent to the subdivision relates, and

(b) the quality of the land proposed to be subdivided and the potential agricultural productivity of that land if it remains unsubdivided, and

(c) the likely impact of the subdivision on vegetation, soil resources and stability and water resources (including the quality of water courses, ground water storage and riparian rights), and

(d) the size, quality and potential agricultural productivity of each proposed allotment, and

(e) the relationship of each proposed allotment to, and the effect of creating the allotment on, the structure and nature of agricultural industries in the locality, and

(f) the purpose for which the proposed allotments are intended to be used and the purpose for which, in the opinion of the Council, the allotments are suitable for use, and

(g) the cumulative effect of similar proposals if consent is granted, and

(h) the likelihood of the proposed allotments remaining available for agriculture.

15 Controls for building dwelling houses within Zone 1 (a)

(1) Despite any other provision of this plan, the Council must not consent to the erection of a dwelling house on an allotment in Zone 1 (a) that has an area of less than 40 hectares unless:

(a) that allotment is a vacant original holding, or

(b) the allotment has been created in accordance with a subdivision approval (or a consent for a subdivision) on which no condition has been imposed prohibiting the erection of a dwelling house on the subject property.

(2) Despite any other provision of this plan, the Council must not consent to the erection of more than one dwelling house on an allotment in Zone 1 (a) unless it is satisfied that the dwelling house will be used or occupied by a person engaged by the owner of that land in the pursuit of agriculture on that land or on land adjacent to or adjoining that land.

(3) Consent must not be granted for a dwelling house on an allotment of land in Zone 1 (a) with an area of less than 40 hectares unless the Council places a condition on the consent requiring that allotment to be consolidated with any adjoining land in the same ownership until either all adjoining properties within the same ownership are consolidated or a minimum area of 40 hectares is achieved.

(4) Despite any other provision of this plan, the Council may consent to the erection of a dwelling house on land within Zone 1 (a) in the "Jamberoo Valley Rural Conservation Area" (which is shown on the map) only if the property to which the application relates has an area of 40 hectares or more or if the Council is satisfied that the property is a vacant original holding.

(5) Despite any other provision of this plan, the Council must not consent to the erection of a second dwelling house on land within Zone 1 (a) in the "Jamberoo Valley Rural Conservation Area" (which is shown on the map) where:

(a) the property to which the application relates has an area of less than 40 hectares, or

(b) the dwelling house will not be ancillary to the agricultural use of the land, or

(c) separate ownership of the proposed dwelling house will be achievable without the subdivision of the land, or

(d) an additional access to a public road is required from the land as a result of the erection of the dwelling house, or

(e) in the opinion of the Council, the proposed dwelling house will interfere with the purpose for which the land concerned is being used.

16 Controls for the development of certain land within Zone 1 (a)—Jamberoo Valley

(1) Despite any other provision of this plan, the Council must not grant consent to an amusement park or a place of assembly on land within Zone 1 (a) in the "Jamberoo Valley Rural Conservation Area" (which is shown on the map).

(2) Despite any other provision of this plan, the Council must not consent to development on land within Zone 1 (a) in the "Jamberoo Valley Rural Conservation Area" (which is shown

on the map) unless it has considered:

(a) the effect of the proposed development on agricultural land uses undertaken on land holdings in the vicinity, and

(b) the quality of the land and the potential agricultural productivity of the land, and

(c) the likely impact of the proposed development on vegetation, soil resources and stability and water resources (including the quality of water courses, ground water storage and riparian rights), and

(d) the effect of the proposed development on the structure and nature of agricultural industries in the area, and

(e) the cumulative effect of similar proposals if consent is granted, and

(f) the likelihood of the land remaining available to agriculture, and

(g) the impact that the proposed development will have on the scenic quality of the Jamberoo Valley by way of colour, bulk, vegetation removal, road access, visual intrusiveness, reflection and traffic generation, and is satisfied that such measures as will, in its opinion, minimise that impact are proposed to be taken.

(3) The Council must take the following into consideration when assessing an application for consent to clear any land shown stippled on Sheet 3 of the map marked "Illawarra Regional Environmental Plan No 2—Jamberoo Valley" deposited in the office of the Department of Urban Affairs and Planning (being areas of significant vegetation):

(a) the movement of native fauna,

(b) any rare or significant flora or fauna,

(c) any rare or significant habitats,

(d) the effect of the proposed clearing on adjacent or adjoining land under the control of the National Parks and Wildlife Service,

(e) whether there is a reasonable alternative to the removal of that vegetation or the extent of the removal of that vegetation,

(f) the visual impact of the proposed development on the scenic quality of the Jamberoo Valley by breaking any unbroken natural tree canopy cover or creating smaller discrete parcels of vegetation from an existing stand.

17 Controls for subdivision within Zone 1 (c)

(1) The Council must not consent to the subdivision of land within Zone 1 (c) unless:

(a) each lot to be created by the subdivision has an area of not less than 0.4 hectares and the average lot size (calculated by dividing the total area of land to be subdivided by the number of lots to be created by the subdivision) is not less than 0.8 hectares, where reticulated water and sewerage services are available, and

(b) each lot to be created by the subdivision has an area of not less than 1 hectare, where reticulated water and sewerage services are not available.

(2) The Council must not consent to the subdivision of any land within Zone 1 (c) unless it has considered:

(a) the land capability (including soil resources, soil stability and capacity for on-site

waste disposal) and the natural constraints, and hazards, of the land to be subdivided in relation to the density and design of the allotments proposed to be created, and

(b) the desirability of providing a range and mixture of allotment sizes, and

(c) the ability to provide urban services to the land.

18 Controls for building dwelling houses within Zone 1 (c)

(1) A dwelling house may not be erected on land within Zone 1 (c) unless that land is an allotment that complies with clause 17 (1) (a) and (b).

(2) Despite any other provision of this plan, the Council may consent to the erection of a second dwelling house on an allotment within Zone 1 (c) with an area exceeding two hectares, but only if, in the opinion of the Council:

(a) the development will not adversely affect the visual amenity of the area, and

(b) the development will not place undue demand on the provision of public services, and

(c) the development will not increase ribbon development on any main or arterial road and will not exceed the environmental capacity of the site.

19 Controls for subdivision within Zone 1 (d)

The Council must not consent to the subdivision of land within Zone 1 (d) unless each allotment to be created by the subdivision has an area of not less than 12 hectares, even if the subdivision is by a strata plan or under the *Community Land Development Act 1989*.

Part 3 Residential Zones Provisions

20 General controls for development—Zone 2 (a) (the Residential A zone)

(1) **Land within the zone**
Land is within Zone 2 (a) (the Residential A zone) if it is shown coloured light pink on the map.

(2) **Objective of the zone**
To provide an environment primarily for detached and semi-detached housing.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

advertisements not displaying the purpose for which the land is used; amusement parks; animal boarding, breeding or training establishments; aquaculture; backpackers inns; brothels; bus depots; car repair stations; clubs; commercial premises; extractive industries; gas holders; general agriculture; general stores; generating works; heavy industries; helipads; heliports; hotels; institutions; intensive horticulture; intensive livestock keeping; junk yards; light industries; liquid fuel depots; mineral sand mines; mines; motels; motor showrooms; offensive or hazardous industries; passenger

terminals; places of assembly; plantation forestry; plant nurseries; public buildings; racecourses; recreation establishments; recreation facilities; refreshment rooms; roadside stalls; road transport terminals; rural industries; sawmills; service stations; shops; showgrounds; stock and sale yards; timber yards; tourist facilities; turf farms; veterinary surgeries; warehouses; waste management facilities or works.

21 General controls for development—Zone 2 (b1) (the Residential B1 zone)

(1) **Land within the zone**
Land is within Zone 2 (b1) (the Residential B1 zone) if it is shown coloured medium pink on the map.

(2) **Objectives of the zone**

(a) To provide for a range of housing types in locations that are accessible to retail, commercial and public transport facilities.

(b) To encourage the efficient use of aged housing stock upon redevelopment.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

advertisements not displaying the purpose for which the land is used; amusement parks; animal boarding, breeding or training establishments; aquaculture; brothels; bus depots; car repair stations; clubs; commercial premises; extractive industries; gas holders; general agriculture; generating works; heavy industries; helipads; heliports; hotels; institutions; intensive horticulture; intensive livestock keeping; junk yards; light industries; liquid fuel depots; mineral sand mines; mines; motels; motor showrooms; offensive or hazardous industries; passenger terminals; places of assembly; plantation forestry; plant nurseries; public buildings; racecourses; recreation establishments; recreation facilities; refreshment rooms; road transport terminal; rural industries; sawmills; service stations; shops; showgrounds; stock and sale yards; timber yards; tourist facilities; turf farms; veterinary surgeries; warehouses; waste management facilities or works.

22 General controls for development—Zone 2 (b2) (the Residential B2 zone)

(1) **Land within the zone**
Land is within Zone 2 (b2) (the Residential B2 zone) if it is shown coloured dark pink on the map.

(2) **Objective of the zone**
To allow for medium density development in locations that are in the vicinity of retail, commercial and public transport facilities.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home business; home occupations (excluding an occupation or

industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

advertisements not displaying the purpose for which the land is used; amusement parks; animal boarding, breeding or training establishments; aquaculture; brothels; bus depots; car repair stations; clubs; commercial premises; extractive industries; gas holders; general agriculture; generating works; heavy industries; helipads; heliports; hotels; institutions; intensive horticulture; intensive livestock keeping; junk yards; light industries; liquid fuel depots; mineral sand mines; mines; motels; motor showrooms; offensive or hazardous industries; passenger terminals; places of assembly; plantation forestry; plant nurseries; public buildings; racecourses; recreation establishments; recreation facilities; refreshment rooms; roadside stalls; road transport terminals; rural industries; sawmills; service stations; shops; showgrounds; stock and sale yards; timber yards; tourist facilities; turf farms; veterinary surgeries; warehouses; waste management facilities or works.

23 General controls for development—Zone 2 (e) (the Mixed Use Residential E zone)

(1) **Land within the zone**
Land is within Zone 2 (e) (the Mixed Use Residential E zone) if it is shown coloured salmon on the map.

(2) **Objective of the zone**
To allow for mixed use residential neighbourhoods to be developed on 'greenfields' sites providing for a range of household preferences and needs compatible with fully developed residential neighbourhoods.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

advertisements not displaying the purpose for which the land is used; amusement parks; animal boarding, breeding or training establishments; aquaculture; brothels; bus depots; car repair stations; extractive industries; gas holders that are not ancillary to an allowable use or a use granted consent; generating works; heavy industries; helipads; heliports; institutions; intensive horticulture; intensive livestock keeping; junk yards; light industries; liquid fuel depots; mineral sand mines; mines; motor showrooms; offensive or hazardous industries; plantation forestry; racecourses; roadside stalls; road transport terminals; rural industries; sawmills; stock and sale yards; timber yards; turf farms; warehouses; waste management facilities or works.

24 General controls for development—Zone 2 (f) (the Mixed Use Residential F zone)

(1) **Land within the zone**
Land is within Zone 2 (f) (the Mixed Use Residential F zone) if it is shown coloured mauve on the map.

(2) **Objectives of the zone**

(a) To allow for mixed use residential neighbourhoods to be developed providing for a range of household preferences and needs.

(b) To enable the development of a regional boat harbour facility and associated commercial and recreational activities.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

advertisements not displaying the purpose for which the land is used; amusement parks; animal boarding, breeding or training establishments; aquaculture; brothels; car repair stations; extractive industries; gas holders that are not ancillary to an allowable use or a use granted consent; generating works; heavy industries; heliports; institutions; intensive horticulture; intensive livestock keeping; junk yards; light industries (other than those associated with and including boat manufacture or repair); liquid fuel depots; mineral sand mines; mines; motor showrooms (other than for caravans, boats or trailers); offensive or hazardous industries; plantation forestry; racecourses; roadside stalls; road transport terminals; rural industries; sawmills; stock and sale yards; timber yards; turf farms; warehouses; waste management facilities or works.

25 Controls to promote commercial hierarchy within Zones 2 (e) and 2 (f)

Despite any other provision of this plan, the Council may consent to commercial or retail development (or mixed commercial and retail development) on land within Zone 2 (e) or 2 (f) only if, in the opinion of the Council, it will promote the commercial hierarchy for the Shellharbour City local government area presented in Schedule 4.

26 Development within the quarry buffer area in Zone 2 (f)

(1) Despite any other provision of this plan, a person shall not develop land in Zone 2 (f) identified as "quarry buffer area" on the map for any purpose other than general agriculture; drainage; light industries and industries associated with and including boat manufacture and repair; open space; recreation areas; roads; shops and commercial premises in accordance with Schedule 4; utility installations (other than gas holders or generating works), and warehouses.

(2) The Council shall not grant development consent in respect of any development for a purpose specified in subclause (1) unless:

(a) the development will not be unduly affected in an adverse manner by proximity to the Bass Point Quarry, having regard to the normal course of the quarry's operations, and

(b) the applicant for that consent is aware of the nature of the operation of the quarry and its likely impact on the land within the quarry buffer area and has notified the Council in writing of his, hers or its acceptance of that impact, and

(c) the development will not pose a restriction on the nature of operations within the quarry.

Part 4 Commercial Zones Provisions

27 General controls for development—Zone 3 (a) (the Mixed Use Commercial zone)

(1) **Land within the zone**
Land is within Zone 3 (a) (the Mixed Use Commercial zone) if it is shown coloured light blue on the map.

(2) **Objectives of the zone**

(a) To provide for mixed use retail/commercial centres in locations that have developed historically or which are centrally located.

(b) To allow for mixed use development incorporating residential and commercial or retail activities.

(c) To encourage the development of commercial/retail centres that provide for daily convenience and higher order needs of the surrounding residential areas.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not identified in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

animal boarding, breeding or training establishments; aquaculture; brothels; car repair stations; extractive industries; gas holders that are not ancillary to an allowable use or a use granted consent; generating works; heavy industries; helipads; heliports; hospitals; institutions; intensive horticulture; intensive livestock keeping; junk yards; light industries; liquid fuel depots; mineral sand mines; mines; offensive or hazardous industries; plantation forestry; racecourses; road transport terminals; roadside stalls; rural industries; sawmills; stock and sale yards; timber yards; turf farms; waste management facilities or works.

28 General controls for development—Zone 3 (d) (the Neighbourhood Business zone)

(1) **Land within the zone**
Land is within Zone 3 (d) (the Neighbourhood Business zone) if it is shown coloured medium blue on the map.

(2) **Objectives of the zone**

(a) To allow for retail and commercial businesses of a scale that is unlikely to prejudice

the viability of a higher order commercial centre.

(b) To provide for retail and commercial services that may cater for the daily convenience needs of the local community.

(c) To allow for mixed use development incorporating residential and commercial or retail activities.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

amusement parks; animal boarding, breeding or training establishments; aquaculture; backpackers inns; brothels; car repair stations; clubs; extractive industries; gas holders that are not ancillary to an allowable use or a use granted consent; general agriculture; generating works; heavy industries; helipads; heliports; hospitals; hotels; institutions; intensive horticulture; intensive livestock keeping; junk yards; light industries; liquid fuel depots; mineral sand mines; mines; motels; motor showrooms; offensive or hazardous industries; plantation forestry; racecourses; road transport terminals; roadside stalls; rural industries; sawmills; stock and sale yards; timber yards; turf farms; warehouses; waste management facilities or works.

29 Controls to promote commercial hierarchy

Despite any other provision of this plan, the Council may consent to commercial or retail development (or mixed commercial and retail development) on land within Zone 3 (a) or 3 (d) only if, in the opinion of the Council, it will promote the commercial hierarchy for the Shellharbour City local government area presented in Schedule 4.

Part 5 Industrial Zones Provisions

30 General controls for development—Zone 4 (a) (the Light Industrial zone)

(1) **Land within the zone**
Land is within Zone 4 (a) (the Light Industrial zone) if it is shown coloured light purple on the map.

(2) **Objective of the zone**
To provide for a wide variety of light industrial uses which are generally compatible with nearby residential neighbourhoods.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

amusement parks; aquaculture; backpackers inns; bed and breakfasts; clubs; commercial premises (other than those used in conjunction with industry and situated on land on which the industry is situated); dual occupancies; dwelling houses (other than those used in conjunction with industry and situated on land on which the industry is situated); extractive industries; gas holders that are not ancillary to an allowable use or a use granted consent; general stores; generating works; heavy industries; helipads; heliports; hospitals; hotels; institutions; intensive horticulture; intensive livestock keeping; junk yards; liquid fuel depots; medium density housing; mineral sand mines; mines; motels; offensive or hazardous industries; places of assembly; plantation forestry; professional consulting rooms; public buildings; recreational establishments; roadside stalls; rural industries; shops (other than light industrial retail outlets and those that serve the daily convenience needs of an industrial area); stock and sale yards; tourist facilities.

31 General controls for development—Zone 4 (a3) (the Airport Light Industrial zone)

(1) **Land within the zone**
Land is within Zone 4 (a3) (the Airport Light Industrial zone) if it is shown coloured dark purple and lettered 4 (a3) on the map.

(2) **Objectives of the zone**

(a) To provide for a wide variety of light industrial uses that are generally compatible with nearby residential neighbourhoods.

(b) Where appropriate, to encourage the development of industries that are airport-related and, as a result, to diversify the industrial base of Shellharbour in a manner compatible with use of the adjacent Illawarra Regional Airport.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in item (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

amusement parks; aquaculture; animal boarding, breeding or training establishments; child care centres; commercial premises (other than those used in conjunction with an allowable use and situated on land on which the use is situated or those providing a service to an airport or to airport-related uses); dual occupancies; dwelling houses (other than those used in conjunction with an allowable use and situated on land on which the use is situated); extractive industries; gas holders that are not ancillary to an allowable use or a use granted consent; general stores; generating works; heavy industries (other than airport related industries); helipads; heliports; hospitals; institutions; intensive horticulture; intensive livestock keeping; junk yards; medium density housing; mineral sand mines; mines; motor showrooms; offensive or hazardous industries; places of assembly; places of public worship; plantation forestry;

professional consulting rooms; racecourses; recreational establishments; roadside stalls; rural industries; sawmills; shops (other than light industrial retail outlets and those that serve the daily convenience needs of an industrial area or airport); stock and sale yards; waste management facilities or works.

32 General controls for development—Zone 4 (c) (the Extractive Industrial zone)

(1) **Land within the zone**
Land is within Zone 4 (c) (the Extractive Industrial zone) if it is shown coloured dark purple on the map.

(2) **Objectives of the zone**
To identify those areas specifically allocated for extractive purposes.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

Nil.

(4) **Allowed only with development consent**
Development for the purpose of:

clearing of land; drainage; extractive industries; filling; general agriculture; intensive horticulture; intensive livestock keeping; mines; turf farms; waste management facilities or works; wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

33 General controls for development—Zone 4 (f) (the Special Industrial zone)

(1) **Land within the zone**
Land is within Zone 4 (f) (the Special Industrial zone) if it is shown coloured dark purple and lettered 4 (f) on the map.

(2) **Objective of the zone**
To provide a suitable area for those industrial uses which are more appropriately located away from residential areas by reason of the emission of noise, fumes, dust or the like.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not identified in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

amusement parks; animal boarding, breeding or training establishments; aquaculture; backpackers inns; bed and breakfasts; child care centres; clubs; commercial premises (other than those used in conjunction with industry and situated on land on which the industry is situated); community facilities; dual occupancies; dwelling houses (other than those used in conjunction with industry and situated on land on which the industry is situated); extractive industries; general stores; generating works; helipads; heliports; hospitals; hotels; institutions; intensive horticulture; intensive livestock keeping;

medium density housing; mineral sand mines; mines; motels; motor showrooms; places of assembly; places of public worship; plantation forestry; professional consulting rooms; public buildings; racecourses; recreational establishments; refreshment rooms; roadside stalls; rural industries; service stations; shops (other than light industrial retail outlets and those that serve the daily convenience needs of an industrial area); stock and sale yards; tourist facilities; veterinary surgeries.

34 Bulky goods retailing within Zones 4 (a) and 4 (a3)

Despite any other provision of this plan, the Council may consent to development of land within Zone 4 (a) or 4 (a3) for the purpose of retailing of bulky goods but only if it has considered:

(a) the availability of suitable lands in any nearby business centre, and

(b) the impact of the development on the predominantly industrial nature of Zone 4 (a) or 4 (a3), and

(c) the effect of the development on the viability of the nearby business centre.

35 Controls for certain development of certain land within Zone 4 (a)

Despite any other provision of this plan, the Council must not consent to development for the purpose of a motor showroom on land within Zone 4 (a), being 13 to 97 Princes Highway; 2–6 and 1–7 Mye Place, or 6 and 8 Creole Road, Albion Park Rail, unless vehicular access to and egress from the land is not only by way of the Princes Highway but is also to and from some other additional point of access and egress.

36 Access controls within Zone 4 (a3)

(1) The Council must not grant consent for development of land within Zone 4 (a3) unless access to and egress from the site of the development is available otherwise than directly from or to a main or arterial road.

(2) In granting such a consent, the Council must prohibit direct vehicular access to or egress from the site by a main or arterial road.

(3) This clause does not apply to Lot 4211, DP 833774, Princes Highway, Albion Park Rail.

37 Controls for liquid fuel depots within Zones 4 (a3) and 4 (f)

(1) A person must not establish, enlarge or use a liquid fuel depot on land within Zone 4 (a3) or 4 (f) having an above ground storage capacity of 500 kilolitres or more of inflammable liquid without the consent of the Council.

(2)–(4) (Repealed)

Part 6 Special Uses Zones Provisions

38 General controls for development—Zone 5 (a) (the Special Uses zone)

(1) **Land within the zone**
Land is within Zone 5 (a) (the Special Uses zone) if it is shown coloured dark yellow and lettered with the special use of the land on the map.

(2) **Objective of the zone**
To maintain land for certain community facilities and services.

(3) **Allowed without development consent**

Exempt development and development for the purpose of:

home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

clearing of land; commercial premises; community facilities; drainage; educational establishments; filling; general agriculture; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; intensive horticulture; passenger terminals; places of assembly; places of public worship; the particular land use indicated by heavy black lettering on the map; turf farms; utility installations (other than gas holders or generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

39 General controls for development—Zone 5 (b) (the Special Railway Uses zone)

(1) **Land within the zone**
Land is within Zone 5 (b) (the Special Railway Uses zone) if it is shown coloured dark grey on the map.

(2) **Objective of the zone**
To maintain land for railway purposes.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

clearing of land; drainage; filling; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; railway uses (other than advertisements except at railway stations); utility installations (other than gas holders or generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

40 Interim development within Zone 5 (a)

In considering whether to grant consent to development of land within Zone 5 (a) for the erection or use of commercial premises, general agriculture, intensive horticulture or passenger terminals, the Council must assess the proposal to ensure that it will not interfere with the use of the land for the purpose identified by lettering on the zoning map.

41 Controls to promote commercial hierarchy within Zone 5 (a)

Despite any other provision of this plan, the Council may consent to commercial or retail development (or mixed commercial and retail development) on land within Zone 5 (a) only if,

in the opinion of the Council, it will promote the commercial hierarchy for the Shellharbour City local government area presented in Schedule 4.

42 Temporary uses by charities and service clubs within Zone 5 (a)

(1) Despite any other provision of this plan, a person may, with the consent of the Council, carry out development on land within Zone 5 (a) for the purpose of temporary activities such as markets, exhibitions and fund raising, but only if:

(a) the activity will be carried out by an established non-profit organisation, and

(b) the consent will not have the effect of allowing the same site to be used for the those kinds of activities more than 12 times in any one year.

(2) In considering whether to grant consent to the carrying out of any such development, the Council must take into account:

(a) the suitability of the land for the proposed development, and

(b) the availability and suitability of alternative sites for the proposed development, and

(c) the impact of the proposed development on the land and the neighbourhood, and

(d) the desirability of retaining the land for its existing or likely future use.

Part 7 Open Space Zones Provisions

43 General controls for development—Zone 6 (a) (the Public Open Space zone)

(1) **Land within the zone**
Land is within Zone 6 (a) (the Public Open Space zone) if it is shown coloured light green on the map.

(2) **Objectives of the zone**

(a) To identify areas where recreational opportunities for the general use of the community are provided.

(b) To enable development that will enhance the public enjoyment of areas referred to in subclause (2) (a).

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

aids to navigation; bushfire hazard reduction; home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*); landscaping.

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; clearing of land; community facilities; drainage; dwelling houses; educational establishments; filling; general agriculture; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; intensive horticulture; places of assembly; places of public worship; plantation forestry; racecourses; recreation areas; recreation establishments; recreation facilities; refreshment rooms; shops and commercial premises required in connection with an allowable use; showgrounds; turf

farms; utility installations (other than gas holders or generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not identified in subclause (3) or (4).

44 General controls for development—Zone 6 (b) (the Private Open Space zone)

(1) **Land within the zone**
Land is within Zone 6 (b) (the Private Open Space zone) if it is shown coloured medium green on the map.

(2) **Objective of the zone**
To identify areas where private recreation facilities may be developed.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

aids to navigation; home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; backpackers inns; bed and breakfasts; clearing of land; community facilities; drainage; dwelling houses required for use or occupation by persons employed in connection with an allowable use or a use granted consent; educational establishments; filling; general agriculture; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; intensive horticulture; places of assembly; places of public worship; racecourses; recreation areas; recreation establishments; recreation facilities; refreshment rooms; shops and commercial premises required in connection with an allowable use or a use granted consent; turf farms; tourist facilities; utility installations (other than gas holders or generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not identified in subclause (3) or (4).

45 Restriction on granting consent for development within Zone 6 (a)

Despite any other provision of this plan, the Council must not consent to any development on land within Zone 6 (a) unless it has considered:

(a) the need for the proposed development on that land, and

(b) the impact of the proposed development on the existing or likely future use of the land, and

(c) the need to retain the land for its existing or likely future use.

46 Controls for building dwelling houses within Zone 6 (a)

Despite any other provision of this plan, the Council must not consent to the erection of a dwelling house on land within Zone 6 (a) unless it is satisfied that the dwelling house is to be used for the permanent occupation of a caretaker or manager for the property on which the dwelling house is to be located.

47 Temporary uses by charities and service clubs within Zones 6 (a) and 6 (b)

(1) Despite any other provision of this plan, a person may, with the consent of the Council, carry out development on land within Zone 6 (a) or 6 (b) for the purpose of temporary activities such as markets, exhibitions and fund raising, but only if:

(a) the activity will be carried out by an established non-profit organisation, and

(b) the consent will not have the effect of allowing the same site to be used for the those kinds of activities more than 12 times in any one year.

(2) In considering whether to grant consent to the carrying out of any such development, the Council must take into account:

(a) the desirability (from the Council's view point) of the proposed development on the land, and

(b) the suitability of the land for the proposed development, and

(c) the availability and suitability of alternative sites for the proposed development, and

(d) the impact of the proposed development on the land and the neighbourhood, and

(e) the desirability of retaining the land for its existing or likely future use.

Part 8 Environmental Protection Zones Provisions

48 General controls for development—Zone 7 (a) (the Environmental Protection (Wetlands) zone)

(1) **Land within the zone**
Land is within Zone 7 (a) (the Environmental Protection (Wetland) zone) if it is shown coloured rust on the map.

(2) **Objectives of the zone**

(a) To protect and enhance wetland areas which provide important habitats for species of wetland flora and fauna.

(b) To maintain and enhance wetland environments which provide limited recreational and aesthetic opportunities for the public.

(3) **Allowed without development consent**
Development for the purpose of:

Nil.

(4) **Allowed only with development consent**
Development for the purpose of:

aids to navigation; cycleways; drainage; filling; general agriculture; utility installations (other than gas holders or generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

49 General controls for development—Zone 7 (d) (the Environmental Protection (Scenic) zone)

(1) **Land within the zone**

Land is within Zone 7 (d) (the Environmental Protection (Scenic) zone) if it is shown coloured light tan on the map.

(2) **Objective of the zone**
To protect scenic areas which are generally undeveloped and which provide an important visual backdrop for the urban areas.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

aids to navigation; home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; animal boarding, breeding or training establishments; attached dual occupancies; bed and breakfasts; clearing of land; drainage; dwelling houses; filling; general agriculture; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; intensive horticulture; intensive livestock keeping; plantation forestry; recreation areas; recreation establishments; roadside stalls; rural industries; tourist facilities; turf farms; utility installations (other than gas holders or generating works); veterinary surgeries; wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

50 General controls for development—Zone 7 (e) (the Environmental Protection (Escarpment) zone)

(1) **Land within the zone**
Land is within Zone 7 (e) (the Environmental Protection (Escarpment) zone) if it is shown coloured medium tan on the map.

(2) **Objective of the zone**
To protect escarpment areas which are generally undeveloped and which provide an important visual backdrop for urban areas and which support important native flora and fauna habitats.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; attached dual occupancies; bed and breakfasts; clearing of land; drainage; dwelling houses; filling; general agriculture; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; intensive horticulture; mines;

plantation forestry; recreation areas; recreation establishments; roadside stalls; rural industries; utility installations (other than gas holders or generating works); veterinary surgeries; wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

51 General controls for development—Zone 7 (f2) (the Environmental Protection (Foreshore) zone)

(1) **Land within the zone**
Land is within Zone 7 (f2) (the Environmental Protection (Foreshore) zone) if it is shown coloured dark tan on the map.

(2) **Objective of the zone**
To protect prominent foreshore areas which are generally undeveloped and which provide aesthetic and recreational opportunities for the public.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

aids to navigation; home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; bed and breakfasts; clearing of land; drainage; dwelling houses; filling; general agriculture; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; recreation areas; local roads; tourist facilities; utility installations (other than gas holders or generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

52 General controls for development—Zone 7 (g) (the Environmental Protection (Living Area 1) zone)

(1) **Land within the zone**
Land is within Zone 7 (g) (the Environmental Protection (Living Area 1) zone) if it is shown coloured medium tan and lettered 7 (g) on the map.

(2) **Objectives of the zone**

(a) To allow small rural holdings to be created taking advantage of the availability of rural land not generally suited to agriculture, industrial or urban uses.

(b) To maintain the environmental quality and visual amenity of Shellharbour's rural areas.

(c) To protect the quality of waters in the locality concerned.

(d) To preserve the rural backdrop to existing and proposed residential areas.

(e) To reduce the demand for subdivision for residential purposes of rural land.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; bed and breakfasts; clearing of land; drainage; dwelling houses; education establishments; filling; general agriculture; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; intensive horticulture; places of public worship; plantation forestry; professional consulting rooms; turf farms; utility installations; veterinary surgeries; wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

53 General controls for development—Zone 7 (h) (the Environmental Protection (Living Area 2) zone)

(1) **Land within the zone**
Land is within Zone 7 (h) (the Environmental Protection (Living Area 2) zone) if it is shown coloured medium tan and lettered 7 (h) on the map.

(2) **Objectives of the zone**

(a) To provide for low density detached dwelling development in localities that cannot support conventional densities by virtue of servicing constraints, the visual prominence of the site, the need to retain important remnant vegetation or any other reason.

(b) To ensure the housing styles are sympathetic to a semi-rural setting and maintain the visual amenity of the locality.

(c) To ensure areas of remnant bushland are preserved.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; bed and breakfasts; clearing of land; drainage; dwelling houses; educational establishments; filling; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; professional consulting rooms; turf farms; utility installations; wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

54 Controls for subdivision of land within Zones 7 (a), 7 (d) and 7 (e)

(1) The Council must not consent to a subdivision of land within Zone 7 (a), 7 (d) or 7 (e) unless:

(a) each allotment to be created will have an area of not less than 40 hectares or the Council is satisfied that any proposed smaller allotment is not intended to be used for the purpose of agriculture or a dwelling house, but is intended to be used for another lawful purpose, and

(b) where any allotment proposed to be created will have a frontage to a main road, the frontage will be not less than 200 metres, and

(c) the Council has been informed of the purpose for which each proposed allotment to be created by the subdivision is intended to be used and, where the purpose is agriculture, of the form of agriculture for which the allotment is intended to be used.

55 Controls for building dwelling houses within Zones 7 (d) and 7 (e)

(1) Despite any other provision of this plan, the Council must not consent to the erection of a dwelling house on an allotment within Zone 7 (d) or 7 (e) that has an area of less than 40 hectares unless:

(a) that allotment is a vacant original holding, or

(b) the allotment has been created in accordance with a subdivision approval (or a consent for a subdivision) on which no condition has been imposed prohibiting the erection of a dwelling house on the subject property.

(2) Despite any other provision of this plan, the Council must not consent to the erection of more than one dwelling house on an allotment within Zone 7 (d) or 7 (e) unless the dwelling house will be used or occupied by a person engaged by the owner of that land in the pursuit of agriculture on that land or on land adjacent to or adjoining that land.

(3) Consent must not be granted for a dwelling house on an allotment of land in Zone 7 (d) or 7 (e) with an area of less than 40 hectares unless the Council places a condition on the consent requiring that allotment to be consolidated with any adjoining land in the same ownership until either all adjoining properties within the same ownership are consolidated or a minimum area of 40 hectares is achieved.

56 Controls for the development of certain land within Zone 7 (e)

(1) The Council must not consent to development on land within Zone 7 (e) in the "Jamberoo Valley Escarpment Area" shown on the map unless:

(a) there is no reasonable alternative site for the proposed development, and

(b) the proposed development will not have a detrimental impact on the visual quality of the Jamberoo Valley, and

(c) any building and its access will be designed and sited so as to be visually unobtrusive from any public place, and

(d) the proposed development will not be subject to slip hazard, and

(e) adequate landscaping to screen the development will be provided, and

(f) it has given consideration to the impact that the proposed development will have on the scenic quality of the Jamberoo Valley by way of colour, bulk, vegetation removal, road

access, visual intrusiveness, reflection and traffic generation, and is satisfied that such measures as will, in the Council's opinion, minimise that impact are proposed to be taken.

(2) The Council must take the following into consideration when assessing an application for consent to clear any land within Zone 7 (e) shown stippled on Sheet 3 of the map marked "Illawarra Regional Environmental Plan No 2—Jamberoo Valley" deposited in the office of the Department of Urban Affairs and Planning (being areas of significant vegetation):

(a) the movement of native fauna,

(b) any rare or significant flora or fauna,

(c) any rare or significant habitats,

(d) the effect of the proposed clearing on adjacent or adjoining lands under the control of the National Parks and Wildlife Service,

(e) whether there is a reasonable alternative to the removal of that vegetation or the extent of the removal of that vegetation,

(f) the visual impact on the scenic quality of the Jamberoo Valley by breaking any unbroken natural tree canopy cover or creating smaller discrete parcels of vegetation from an existing stand.

57 Controls for subdivision of land within Zone 7 (f2)

(1) The Council must not consent to the subdivision of land within Zone 7 (f2) unless:

(a) each allotment to be created will have an area of not less than 40 hectares or the Council is satisfied that any proposed smaller allotment is not intended to be used for the purpose of agriculture or a dwelling house, but is intended to be used for another lawful purpose, and

(b) where any allotment proposed to be created will have a frontage to a main road, the frontage will be not less than 200 metres, and

(c) the Council has been informed of the purpose for which each proposed allotment to be created by the subdivision is intended to be used and, where the purpose is agriculture, of the form of agriculture for which the allotment is intended to be used.

(2) The Council must not grant consent to a subdivision of land within Zone 7 (f2) unless it has taken into consideration the following:

(a) the extent to which the development would affect the scenic qualities of the coastal landscape, headlands, dune systems, and the hinterland, including lagoons, lakes and areas where the original vegetation is still dominant,

(b) whether the development would result in the degradation of, or restriction of access to, coastal recreation areas,

(c) any plan, code, policy or design adopted by resolution of the Coastal Council of New South Wales for the purpose of protecting coastal lands,

(d) the potential impacts of climate change including sea level rise.

(3) (Repealed)

58 Restrictions on granting consent within Zone 7 (f2)

(1) Despite any other provision of this plan, the Council must not consent to the erection of a dwelling house on land within Zone 7 (f2) unless the dwelling house is to be used for the permanent occupation of a caretaker or manager for the property on which the dwelling house is to be located.

(2) The matters that the Council must take into consideration in deciding whether to grant consent to development on land within Zone 7 (f2) for the purpose of additions or alterations to an existing building or work, tourist facilities, dams, drainage, dwelling houses, roads or utility installations (other than gas holders or generation works) are:

(a) the extent to which the development would affect the scenic qualities of the coastal landscape, headlands, dune systems, and the hinterland, including lagoons, lakes and areas where the original vegetation is still dominant, and

(b) whether the development would result in the degradation of, or restriction of access to, coastal recreation areas, and

(c) any plan, code, policy or design adopted by resolution of the Coastal Council of New South Wales for the purpose of protecting coastal lands, and

(d) the potential impacts of climate change including sea level rise.

(3) (Repealed)

59 Acquisition of land within Zone 7 (f2)

(1) The owner of land within Zone 7 (f2) may, by notice in writing, require the corporation to acquire the land.

(2) On receipt of such a notice, the corporation must acquire the land.

60 Controls for subdivision of land within Zone 7 (g)

The Council must not consent to the subdivision of land within Zone 7 (g) unless:

(a) each allotment to be created (including any proposed lot under the *Strata Schemes (Leasehold Development) Act 1973* or the *Community Land Development Act 1989*) will have an area of not less than 4 hectares, and

(b) the Council has taken into consideration:

(i) the land capability (including soil resources, soil stability and capacity for on-site waste disposal) and the natural constraints, and hazards of the land to be subdivided in relation to the density and design of the allotments proposed to be created, and

(ii) the desirability of providing a range and mix of allotment sizes, and

(iii) the ability to provide services to the land, and

(iv) whether the design of each allotment to be created by the subdivision is satisfactory for the provision of those services.

61 Controls for building dwelling houses within Zone 7 (g)

A person must not erect a dwelling house on an allotment of land within Zone 7 (g) unless that land is an allotment created by a subdivision to which the Council has consented in accordance with this plan.

62 Controls for subdivision of land within Zone 7 (h)

The Council must not consent to the subdivision of land within Zone 7 (h) unless:

(a) the average size of the allotments to be created (including any proposed lot under the *Strata Schemes (Leasehold Development) Act 1973* or the *Community Land Development Act 1989*) is not less than 1000 square metres, and

(b) the Council has taken into consideration:

(i) the land capability (including soil resources, soil stability and capacity for on-site waste disposal) and the natural constraints, and hazards of the land to be subdivided in relation to the density and design of the allotments proposed to be created, and

(ii) the desirability of providing a range and mixture of allotment sizes, and

(iii) the ability to provide services to the land, and

(iv) whether the design of each allotment to be created by the subdivision is satisfactory for the provision of those services.

63 (Repealed)

Part 9 National Parks and Nature Reserves Zone Provisions

64 General controls for development—Zone 8 (the National Parks and Nature Reserves zone)

(1) **Land within the zone**
Land is within Zone 8 (the National Parks and Nature Reserves zone) if it is shown coloured olive green on the map.

(2) **Objectives of the zone**

(a) To identify land which is reserved or dedicated under the *National Parks and Wildlife Act 1974*.

(b) To allow for the appropriate use of that land as provided for in the *National Parks and Wildlife Act 1974*.

(3) **Allowed without development consent**
Development for the purpose of:

Nil.

(4) **Allowed only with development consent**
Any development authorised by or under the *National Parks and Wildlife Act 1974* or any other development ordinarily incidental or ancillary to any such development.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

Part 10 Reservation Zones Provisions

65 General controls for development—Zone 9 (b) (the Arterial Roads Reservation zone)

(1) **Land within the zone**
Land is within Zone 9 (b) (the Arterial Roads Reservation zone) if it is shown coloured red on the map.

(2) **Objective of the zone**

To provide for the acquisition of land reserved for main or arterial roads.

(3) **Allowed without development consent**
Development for the purpose of:

main or arterial roads; widening of existing main or arterial roads.

(4) **Allowed only with development consent**
Development for the purpose of:

clearing of land; drainage; extractive industry; filling, mineral sand mines; turf farms; utility installations (other than gas holders and generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

66 General controls for development—Zone 9 (c) (the Local Roads Reservation zone)

(1) **Land within the zone**
Land is within Zone 9 (c) (the Local Roads Reservation zone) if it is shown coloured light grey on the map.

(2) **Objective of the zone**
To permit the development of reserved land where it is not immediately required for local roads.

(3) **Allowed without development consent**
Development for the purpose of:

local roads; widening of local existing roads.

(4) **Allowed only with development consent**
Development for the purpose of:

clearing of land; drainage; filling; utility installations (other than gas holders and generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

67 General controls for development—Zone 9 (d) (the Open Space Reservation zone)

(1) **Land within the zone**
Land is within Zone 9 (d) (the Open Space Reservation zone) if it is shown coloured dark green on the map.

(2) **Objective of the zone**
To allow the continued use of reserved land until it is required.

(3) **Allowed without development consent**
Development for the purpose of:

aids to navigation; bushfire hazard reduction; landscaping.

(4) **Allowed only with development consent**
Development for the purpose of:

clearing of land; drainage; filling; general agriculture; intensive horticulture; plantation forestry; recreation areas; showgrounds; utility installations (other than gas holders and generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

68 Acquisition of land within Zone 9 (b)

Note. Nothing in this clause is to be construed as requiring a public authority to acquire land—see section 27 (3) of the Act.

(1) The owner of any land within Zone 9 (b) may, by notice in writing, require the Roads and Traffic Authority (RTA) to acquire the land. 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 is included in the 5-year works program of the RTA current at the time of the receipt of the notice, or

(c) the land is not vacant but the RTA has decided not to give concurrence to an application for consent to the carrying out of development on the land, or

(d) the land is not vacant but the RTA is of the opinion that the owner of the land will suffer hardship if the land is not acquired within a reasonable period of time,

but the RTA is not required to acquire the land if it might reasonably be required to be dedicated for public road.

(2) Despite any other provision of this plan, land within Zone 9 (b) (whether or not it has been acquired) may be developed, with the consent of the Council, for any purpose for which development or compatible development may be carried out on land in an adjoining zone. In granting such a consent, the Council may impose conditions:

(a) requiring the removal of any building or work for which it has granted consent, or

(b) requiring the reinstatement of the land or removal of any waste materials or refuse, or

(c) relating to any requirement requested to be imposed in a condition by the RTA when granting concurrence.

(3) (Repealed)

69 Acquisition of land within Zone 9 (c)

(1) The owner of land within Zone 9 (c) may, by notice in writing, require the Council to acquire the land. On receipt of such a notice, the Council must acquire the land.

(2) Despite any other provision of this plan, until it is acquired, land within Zone 9 (c) may be developed, with the consent of the Council, for any purpose for which development or compatible development may be carried out on land in an adjoining zone. In granting such a consent, the Council may apply conditions requiring:

(a) the removal of any building or work for which it has granted consent, and

(b) the reinstatement of the land or removal of any waste materials or refuse.

70 Temporary uses by charities and service clubs within Zone 9 (d)

(1) Despite any other provision of this plan, a person may, with the consent of the Council, carry out development on land within Zone 9 (d) for the purpose of temporary activities such as markets, exhibitions and fund raising, but only if:

(a) the activity will be carried out by an established non-profit organisation, and

(b) the consent will not have the effect of allowing the same site to be used for the those kinds of activities more than 12 times in any one year.

(2) In considering whether to grant consent to the carrying out of any such development, the Council must take into account:

(a) the desirability (from the Council's view point) of the proposed development on the land, and

(b) the suitability of the land for the proposed development, and

(c) the availability and suitability of alternative sites for the proposed development, and

(d) the impact of the proposed development on the land and the neighbourhood, and

(e) the desirability of retaining the land for its existing or likely future use.

71 Acquisition of land within Zone 9 (d)

(1) The owner of land within Zone 9 (d) may, by notice in writing, require the Council to acquire the land. On receipt of such a notice, the Council must acquire the land.

(2) Despite any other provision of this plan, until it is acquired, land within Zone 9 (d) may be developed, with the consent of the Council, for any purpose for which development or compatible development may be carried out on land in an adjoining zone. In granting such a consent, the Council may apply conditions requiring:

(a) the removal of any building or work for which it has granted consent, and

(b) the reinstatement of the land or removal of any waste materials or refuse.

Part 11 Heritage Conservation Provisions

72 Heritage objectives

The objectives of this plan in relation to heritage are:

(a) to conserve the environmental heritage of the Shellharbour City local government area, and

(b) to conserve the heritage significance of existing significant fabric, relics, Aboriginal objects, settings and views associated with the heritage significance of heritage items and heritage conservation areas, and

(c) to ensure that archaeological sites and places of Aboriginal heritage significance are conserved, and

(d) to ensure that the heritage conservation areas throughout the Shellharbour City local government area retain their heritage significance.

73 Protection of heritage items, heritage conservation areas, relics and Aboriginal objects

(1) The following development may be carried out only with development consent:

(a) demolishing, damaging or moving a heritage item, or a building, work, relic, Aboriginal object, tree or place within a heritage conservation area,

(b) altering a heritage item or a building, work, relic or Aboriginal object within a heritage conservation area by making structural changes to its exterior,

(c) altering a heritage item or a building, work, relic or Aboriginal object within a heritage conservation area by making non-structural changes to the detail, fabric, finish or appearance of its exterior,

(d) altering a heritage item by making structural changes to its interior,

(e) moving the whole or a part of a heritage item,

(f) erecting a building on, or subdividing, land on which a heritage item is located or which is within a heritage conservation area,

(g) disturbing or excavating a place of Aboriginal heritage significance or an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic or an Aboriginal object being discovered, exposed, moved, damaged or destroyed.

(2) Development consent is not required by this clause if:

(a) in the opinion of the consent authority:

(i) the proposed development is of a minor nature or consists of maintenance of the heritage item or of a building, work, archaeological site, tree or place within a heritage conservation area, and

(ii) the proposed development would not adversely affect the significance of the heritage item or heritage conservation area, and

(b) the proponent has notified the consent authority in writing of the proposed development and the consent authority has advised the applicant in writing, before any work is carried out, that it is satisfied that the proposed development will comply with this subclause and that development consent is not otherwise required by this plan.

(3) Development consent is not required by this clause for the following development in a cemetery or burial ground if there will be no disturbance to human remains, relics in the form of grave goods, Aboriginal objects in the form of grave goods or to a place of Aboriginal heritage significance:

(a) the creation of a new grave or monument,

(b) an excavation or disturbance of land for the purpose of carrying out conservation or repair of monuments or grave markers.

(4) Before granting a consent required by this clause, the consent authority must assess the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

Note. The website of the Heritage Branch of the Department of Planning has publications that provide guidance on assessing the impact of proposed development on the heritage significance of items (for example, *Statements of Heritage Impact*).

(5) The assessment must include consideration of a heritage impact statement that addresses at least the following issues (but is not to be limited to assessment of those issues, if the heritage significance concerned involves other issues). The consent authority may also decline to grant such a consent until it has considered a conservation management plan, if

it considers the development proposed should be assessed with regard to such a plan.

(6) The minimum number of issues that must be addressed by the heritage impact statement are:

(a) for development that would affect a heritage item:

(i) the heritage significance of the item as part of the environmental heritage of the Shellharbour City local government area, and

(ii) the impact that the proposed development will have on the heritage significance of the item and its setting, including any landscape or horticultural features, and

(iii) the measures proposed to conserve the heritage significance of the item and its setting, and

(iv) whether any archaeological site would be adversely affected by the proposed development, and

(v) the extent to which the carrying out of the proposed development would affect the form of any historic subdivision, and

(b) for development that would be carried out in a heritage conservation area:

(i) the heritage significance of the heritage conservation area and the contribution which any building, work, relic, Aboriginal object, tree or place affected by the proposed development makes to this heritage significance, and

(ii) the impact that the proposed development would have on the heritage significance of the heritage conservation area, and

(iii) the compatibility of the proposed development with nearby original buildings and the character of the heritage conservation area, taking into account the size, form, scale, orientation, setbacks, materials and detailing of the proposed development, and

(iv) the measures proposed to conserve the significance of the heritage conservation area and its setting, and

(v) whether any landscape or horticultural features would be affected by the proposed development, and

(vi) whether any archaeological site would be affected by the proposed development, and

(vii) the extent to which the carrying out of the proposed development in accordance with the consent would affect any historic subdivision pattern, and

(viii) the issues raised by any submission received in relation to the proposed development in response to the notification or advertising of the application.

74 Development in heritage conservation areas

(1) Before granting consent for the erection of a building within a heritage conservation area, the consent authority must be satisfied that the features of the proposed building will be compatible with the heritage significance of the heritage conservation area, having regard to the form of, and materials used in, buildings that contribute to the heritage significance of the heritage conservation area.

(2) In satisfying itself about those features, the consent authority must have regard to at least

the following (but is not to be limited to having regard to those features):

(a) the pitch and form of the roof (if any),

(b) the style, size, proportion and position of the openings for windows or doors (if any),

(c) the colour, texture, style, size and type of finish of the materials to be used on the exterior of the building.

75 Notice of certain heritage development applications

(1) The demolishing or damaging of a heritage item or a building, work, relic, Aboriginal object, tree or place within a heritage conservation area (and the use of a building or land referred to in clause 76 for a purpose which, but for that clause, would be prohibited by this plan) are identified as advertised development.

(2) Before granting consent to the demolishing or damaging of a heritage item identified in Schedule 3 as being of State significance, the consent authority must be satisfied that any necessary excavation permit required by the *Heritage Act 1977* has been granted.

75A Development affecting places or sites of Aboriginal heritage significance

Before granting consent for development that is likely to have an impact on a place of Aboriginal heritage significance, or that will be carried out on an archaeological site of an Aboriginal object that has Aboriginal heritage significance, the consent authority must:

(a) consider the effect on the heritage significance of the place or site and any Aboriginal object known or reasonably likely to be located at the place or site, and

(b) except where the proposed development is integrated development, notify the local Aboriginal communities (in such way as it thinks appropriate) of its intention to do so and take into consideration any comments received in response within 21 days after the relevant notice is sent.

75B Development affecting archaeological sites of relics of non-Aboriginal heritage significance

(1) Before granting consent for development that will be carried out on an archaeological site of a relic that has non-Aboriginal heritage significance (whether or not it is also the site of an Aboriginal object of Aboriginal heritage significance), the consent authority must:

(a) consider a heritage impact statement explaining how the proposed development would affect the conservation of the site and any relic or Aboriginal object known or reasonably likely to be located at the site, and

(b) notify the Heritage Council of its intention to do so and take into consideration any comments received in response within 28 days after the notice is sent.

(2) This clause does not apply if the proposed development:

(a) does not involve disturbance of below-ground deposits and the consent authority is of the opinion that the heritage significance of any above-ground relics or Aboriginal objects would not be adversely affected by the proposed development, or

(b) is integrated development.

75C Development in the vicinity of heritage items

(1) Before granting consent to development in the vicinity of a heritage item, the consent authority must assess the impact of the proposed development on the heritage significance

of the heritage item and of any heritage conservation area within which it is situated.

(2) This clause extends to development:

(a) that may have an impact on the setting of a heritage item, for example, by affecting a significant view to or from the item or by overshadowing, or

(b) that may undermine or otherwise cause physical damage to a heritage item, or

(c) that will otherwise have any adverse impact on the heritage significance of a heritage item or of any heritage conservation area within which it is situated.

(3) The consent authority may refuse to grant any such consent unless it has considered a heritage impact statement that will help it assess the impact of the proposed development on the heritage significance, visual curtilage and setting of the heritage item.

(4) The heritage impact statement should include details of the size, shape and scale of, setbacks for, and the materials to be used in, any proposed buildings or works and details of any modification that would reduce the impact of the proposed development on the heritage significance of the heritage item.

76 Conservation incentives

The consent authority may grant consent to the use, for any purpose, of a building (that is a heritage item or is within a heritage conservation area) or of the land on which such a building is erected, even though the use would otherwise be prohibited by this plan, if it is satisfied that:

(a) the proposed use would not adversely affect the heritage significance of the item, its setting or the heritage conservation area, and

(b) the conservation of the heritage item or the heritage conservation area depends on the granting of the consent, and

(c) the proposed use is in accordance with a conservation management plan which has been endorsed by the consent authority, and

(d) the granting of consent to the proposed use would ensure that all necessary conservation work identified in the conservation management plan is carried out, and

(e) the proposed use would not adversely affect the amenity of the surrounding area otherwise than to an insignificant extent.

Part 12 Miscellaneous Provisions

77 Subdivision

(1) Except as provided by subclause (2), development consent is required for the subdivision of land.

(2) Development consent is not required for subdivision for any one or more of the following purposes:

(a) to excise an allotment that will be used only for the purpose of opening a public road or to widen a public road,

(b) to make minor adjustments to common property boundaries,

(c) to amalgamate a vacant original holding with one or more other vacant original holdings,

(d) to rectify an encroachment on a vacant original holding.

78 Suspension of restrictions on land

(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, the operation of any covenant, agreement or like instrument imposing restrictions on the development shall not apply to the development.

(2) Pursuant to section 28 of the Act, before the making of this plan the Governor approved of subclause (1).

79 Development on beds of lakes, rivers etc

A person shall not, without development consent, carry out any development on any land shown uncoloured on the map forming part of the bed of a harbour, bay, lake, river, lagoon, creek or any other natural watercourse.

80 Community use of school facilities and sites

(1) Where land to which this plan applies is used for the purpose of an educational establishment, the site and facilities of the establishment may, with development consent, be used for the purpose of meeting rooms, public halls, public libraries, entertainment, sport or recreation or for any other community purpose, whether or not any such use is a commercial use of the land.

(2) Nothing in this clause requires development consent to be granted for the carrying out of development on any land if that development could, but for this clause, be carried out on that land without development consent.

81 Classification or reclassification of public land as operational land

(1) The public land described in Schedule 5 is classified, or reclassified, as operational land for the purposes of the *Local Government Act 1993*.

(2) In accordance with section 30 of the *Local Government Act 1993*, a parcel of land described in Part 2 of Schedule 5, to the extent (if any) that it is a public reserve, ceases to be a public reserve on the commencement of the relevant amending plan and, by the operation of that plan, is discharged from any trusts, estates, interests, dedications, conditions, restrictions and covenants affecting the land or any part of the land, except for:

(a1) those (if any) specified for the land in Part 2 of Schedule 5, and

(a) any reservations that except land out of a Crown grant relating to the land, and

(b) reservations of minerals (within the meaning of the *Crown Lands Act 1989*).

(3) Before the relevant amending plan that inserted the description of a parcel of land into Part 2 of Schedule 5 was made, the Governor approved of subclause (2) applying to the land.

(4) In this clause, ***the relevant amending plan***, in relation to a parcel of land described in Part 2 of Schedule 5, is the local environmental plan cited at the end of the description of the parcel.

(4A) Land described in Part 3 of Schedule 5:

(a) to the extent (if any) that the land is a public reserve, does not cease to be a public reserve, and

(b) continues to be affected by any trusts, estates, interests, dedications, conditions, restrictions or covenants by which it was affected before its classification, or reclassification, as the case requires, as operational land.

(5) Land described in Part 1 of Schedule 5 is not affected by the amendments make by the *Local Government Amendment (Community Land Management) Act 1998* to section 30 of the *Local Government Act 1993*.

82 Exceptions

(1) Nothing in this plan prevents a person, with development consent, from carrying out development on land referred to in Schedule 6 for a purpose specified in relation to that land in that Schedule, subject to such conditions, if any, as are so specified.

(2) Subclause (1) does not affect the operation of any provision within this plan that is consistent with the consent to such development.

83 Development of Oak Flats interchange site, Pioneer Drive, Oak Flats

(1) This clause applies to land within Zone 5 (a) known as the Oak Flats interchange site, being Lot 2, DP 605483 and Lot 71, DP 788843, Pioneer Drive, Oak Flats, and as shown edged with a broken light blue line and lettered "Schedule 5" on Sheet 1 of the map marked "Shellharbour Local Environmental Plan 2000 (Amendment No 8)".

(2) Despite any other provision of this plan, the Council may only consent to development of the land to which this clause applies for one or more of the following purposes:

(a) an integrated bus, rail and road interchange facility that may include car parking, commuter drop off and pick up areas, bus stops, taxi ranks, bus and taxi shelters and bus driver facilities,

(b) retail and commercial development ancillary to the interchange facility that supports, but does not significantly detract from, the commercial viability of the Oak Flats commercial centre, and includes:

(i) land uses that serve the needs of commuters, such as convenience stores, medical and emergency services, child care centres and pre-schools, and

(ii) transport or interchange related uses,

(c) public buildings.

84 Development in the vicinity of Illawarra Regional Airport

Despite any other provision of this plan, consent must not be granted to development on land affected by restrictions as indicated in the plan titled "*Airport Height Limitation and Noise Exposure Forecast Plan*" dated 17 April 1998 and held in the office of the Council unless:

(a) the consent authority determines the proposal is acceptable in relation to building height, noise exposure, lighting and bird hazard management, and

(b) where a proposal does not comply with that plan, the Civil Aviation Safety Authority has been given notice of the proposal and any comments made by it to the consent authority within 28 days of its being notified have been taken into consideration by the consent authority.

85 Dunmore Wetland Catchment Protection Area

(1) Consent must not be granted to the carrying out of any development on land identified as

"Dunmore Wetland Catchment Protection Area" on the map unless the following ecological objectives of *State Environmental Planning Policy No 14—Coastal Wetlands* will be given effect in relation to land designated as Wetland No 374b on the map referred to in that policy:

(a) utilisation of the wetland habitat by migratory species listed on the JAMBA and CAMBA international migratory species agreements, being species that are recorded as using the wetland habitat,

(b) utilisation of the wetland habitat by regional wetland species, being species that are recorded as using the wetland habitat,

(c) environmental health of waterways within the Minnamurra River Catchment.

(2) In assessing whether a development proposal will give effect to the ecological objectives referred to in subclause (1), the consent authority must have regard to the following:

(a) protection of defined wetland values,

(b) protection of threatened species habitat,

(c) facilitation of land management activities within the catchment which are consistent with paragraphs (a) and (b).

86 Development on land identified on Acid Sulfate Soils Planning Maps

(deferred matter)

87 Exempt and complying development

(1) Development of minimal impact listed as exempt development in *Shellharbour Development Control Plan No 9/98 for Exempt Development*, as in force on 4 May 2005, is ***exempt development***, despite any other provisions of this plan.

(2) Development listed as complying development in *Shellharbour Development Control Plan No 11/98 for Complying Development*, as in force on 4 May 2005, is ***complying development*** if:

(a) it is local development of a kind that can be carried out with consent on the land on which it is proposed, and

(b) it is not an existing use, as defined in section 106 of the Act.

(3) Development is exempt or complying development only if it complies with the development standards and other requirements applied to the development by the relevant development control plan referred to in subclause (1) or (2).

(4) A complying development certificate issued for any complying development is to be subject to the conditions for the development specified in *Shellharbour Development Control Plan No 11/98 for Complying Development*, as in force when the certificate is issued.

88 Brothels and restricted premises

(1) The Council may only consent to an application for the carrying out of development for the purpose of a brothel or restricted premises if the brothel is not, or the restricted premises are not, located next to or directly opposite the following buildings or places:

(a) a dwelling house,

(b) a child care centre or a building or place providing home-based child care,

(c) a primary or secondary school,

(d) a place of public worship,

(e) a park,

(f) a playground,

(g) any other buildings or places regularly frequented by persons under 18 years of age.

(2) In considering an application for development referred to in subclause (1), the Council must consider the proximity of the proposed development to a building or place referred to in subclause (1) (a)–(g) and to the following buildings or places:

(a) a community facility,

(b) a hospital,

(c) premises licensed under the *Liquor Act 1982*.

(3) In this clause:

restricted premises means a building or place at which:

(a) publications classified Category 1 restricted, Category 2 restricted or RC under the *Classification (Publications, Films and Computer Games) Act 1995* of the Commonwealth are shown, exhibited, displayed, sold or otherwise rendered accessible or available to the public, or

(b) a business to which section 578E (Offences relating to advertising or displaying products associated with sexual behaviour) of the *Crimes Act 1900* applies is conducted,

but does not include a newsagency or pharmacy.

89 Savings and transitional provision

A development application lodged with the Council, but not finally determined, before the commencement of the *Shellharbour Local Environmental Plan 2000 (Amendment No 7)* is to be determined as if that plan had been exhibited but had not been made.

Schedule 1 Definitions

(Clause 8)

Aboriginal object means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises the Shellharbour City local government area, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains.

acid sulfate soils means actual or potential acid sulfate soils as defined in the *Acid Sulfate Soils Assessment and Management Guidelines* and as shown coloured and numbered on Sheets 1 and 2 of the map marked "Acid Sulfate Soil Planning Map—Albion Park and Kiama" deposited in the office of the Department, a copy of which is deposited in the office of the Council.

acid sulfate soils assessment and management guidelines means the *Acid Sulfate Soils Assessment and Management Guidelines* as published from time to time by the NSW Acid Sulfate Soils Management Advisory Committee and adopted by the Director.

advertisement means a display by the use of symbols, messages or other devices for conveying information, instructions, directions or the like, whether or not the display involves the erection of a structure or the carrying out of a work, but does not include an identification sign, a property for sale sign or a road traffic sign or signal or the like.

airport related industry means an industry that:

(a) requires access to an airport, or

(b) services an industry that requires access to an airport.

amusement park means a commercially run area where amusements and mechanical entertainments such as merry-go-rounds and the like are situated.

animal boarding, breeding or training establishment means a building or place where cats or dogs are bred, trained, nurtured or accommodated for gain or reward.

appointed day means the day on which this plan takes effect.

aquaculture means the commercial production, including breeding, hatching, rearing or cultivation of marine, estuarine or fresh water organisms, including aquatic plants or animals (such as fin fish, crustaceans, molluscs or other aquatic vertebrates).

archaeological site means the site of one or more relics or Aboriginal objects.

backpackers inn means a building (other than a motel or bed and breakfast) substantially used for the shared overnight accommodation of travellers, whether or not the building is also used for the provision of meals for those travellers.

bed and breakfast means a lawfully erected dwelling house occupied for permanent residential purposes in which a maximum of three rooms are made available by the residents for temporary holiday accommodation.

brothel means premises habitually used for the purposes of prostitution. Premises may constitute a brothel even though used by only one prostitute for the purposes of prostitution.

bulky goods means large goods which, in the opinion of the Council, are of such a size, weight or shape as to require a large area for handling, storage or display, but does not include food and grocery items.

bus depot means a building or place used for the servicing, repairing and garaging of buses and other vehicles used for the purpose of a bus transport undertaking.

car repair station means a building or place used for carrying out repairs to motor vehicles or agricultural machinery, not being:

(a) vehicle body building,

(b) panel beating which involves dismantling, or

(c) spray painting other than of a touching-up character.

child care centre means a building or place used for the supervision of or caring for children, and which:

(a) caters for 6 or more pre-school age children, whether or not those children are related to the owner or operator of the child care centre, and

(b) may include an educational function, and

(c) may be operated for gain,

but does not include a building or place providing residential care for those children.

clearing of land means any manner of destruction of a tree, shrub or plant on the land, but does not involve the destruction of any tree, shrub or plant:

(a) that is required or expressly authorised by or in pursuance of the provisions of any Act or statutory instrument or by any statutory authority in pursuance of the provisions of any Act or statutory instrument, or

(b) where the destruction is necessary in an emergency to prevent the spread of fire or in circumstances where the tree, shrub or plant presents a danger to life or property, or

(c) where the destruction is necessary to enable the carrying out of a development granted consent.

club means premises that require registration under the *Registered Clubs Act 1976*.

commercial premises means a building or place used as an office or for other business or commercial purposes, but does not include a building or place elsewhere specifically defined in this Schedule or a building or place used for a land use elsewhere specifically defined in this Schedule.

community facility means a building or place that does not require registration under the *Registered Clubs Act 1976* and that is used to provide for the physical, cultural or intellectual development or welfare of the local community.

community land means land classified as community land within the meaning of the *Local Government Act 1993*.

conservation management plan means a document prepared in accordance with the requirements of the Heritage Office that establishes the heritage significance of an item, place or heritage conservation area and identifies conservation policies and management mechanisms that are appropriate to enable that significance to be retained.

Council means the Council of the City of Shellharbour.

demolish a heritage item, or a building, work, archaeological site, relic, Aboriginal object, tree or place within a heritage conservation area, means wholly or partly destroy, dismantle or deface the heritage item or the building, work, archaeological site, relic, Aboriginal object, tree or place.

Department has the same meaning as in the Act.

development has the same meaning as in the Act.

Director-General means the Director-General of the Department.

drainage of land means the natural or engineered flow of water from the land into natural or engineered channels or water bodies, or both.

dual occupancy means two dwellings (whether attached or detached) on a single allotment of land (or which would be on a single allotment were it not for the fact that the allotment is to be subdivided as part of the development).

dwelling means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile.

dwelling house means a building containing one but not more than one dwelling.

educational establishment means a building used as a school, college, technical college, university, academy, training facility, lecture hall, gallery, museum, display centre or the like but does not include a building used wholly or principally as an institution or child care centre.

extractive industry means:

(a) the winning of extractive material, or

(b) an industry or undertaking, not being a mine, which depends for its operations on the winning of extractive material from the land on which it is carried out, and includes any washing, crushing, grinding, milling or separating into different sizes of that extractive material on that land.

extractive material means sand, gravel, clay, soil, rock, stone or similar substance, but does not include turf or any sand, soil or other substance remaining attached to turf after the extraction of turf is carried out.

filling means the placement of fill independently of other development for which consent has been granted on an area:

(a) within 40 metres of a water course, or

(b) to a depth greater than 1 metre above existing ground level and over an area exceeding 100 square metres on land within Zone 1 (a), or

(c) to a depth greater than 200mm above existing ground level on land within any zone other than Zone 1 (a), or

(d) where natural drainage to an adjacent property will be affected.

gas holder means a container designed to hold more than 500 litres of liquid petroleum gas.

general agriculture means the keeping of livestock, where the stocking rate is not above that of the demonstrated carrying capacity of the land, and rain fed cropping, where fertiliser and irrigation may be applied from time to time. It may consist of or include grazing of beef or dairy cattle, deer farming or cereal cropping. It also includes pasture improvement and the like, and the erection and use of ancillary buildings, but does not include a land use elsewhere specifically defined in this Schedule.

general store means a shop used for the sale by retail of general merchandise. It may include the facilities of a post office, dry cleaning agency, financial agency or the like.

generating works means a building or place used for the purpose of making or generating gas, electricity or other forms of energy.

health care professional means a person who renders professional health services to members of the public, and includes a podiatrist, a chiropodist, a chiropractor, a physiotherapist and an optometrist.

heavy industry means an industry, not being an extractive, light, offensive, hazardous or rural industry.

helipad means an area or place not open to public use which is authorised by the Commonwealth Department of Transport and which is set apart for the taking off and landing of helicopters.

heliport means an area or place open to public use which is licensed by the Commonwealth

Department of Transport for use by helicopters and includes terminal buildings and facilities for the parking, servicing and repair of helicopters.

heritage conservation area means an area of land described in Schedule 2 and shown edged heavy red with diagonal hatching and marked "Heritage Conservation Area" on the map and includes buildings, works, archaeological sites, relics, Aboriginal objects, trees and places situated on or within the land.

heritage impact statement means a document consisting of a statement demonstrating the heritage significance of a heritage item or heritage conservation area, or of a building, work, archaeological site, tree or place within a heritage conservation area, an assessment of the impact that proposed development will have on that significance and proposals for measures to minimise that impact.

heritage item means:

(a) a building, work, relic, Aboriginal object, archaeological site, moveable object, tree or place (which may or may not be situated on or within land that is a heritage conservation area) specified in an inventory of heritage items that is available at the office of the Council and the site of which is described in Schedule 3 and shown by broken red edging and numbered in red on the map, or

(b) a place specified in an inventory of heritage items available at the office of the Council and described in the inventory as a place of Aboriginal heritage significance.

heritage significance means historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value.

home-based child care means a child minding service, within the meaning of the *Children (Care and Protection) Act 1987*, carried on in a dwelling erected with development consent, being a service that is either:

(a) a home-based child care service, within the meaning of the *Home-based Child Care Services Regulation 1989*, carried on in accordance with that Regulation, or

(b) a care giving service, within the meaning of the *Family Day Care Services Regulation 1989*, carried on in accordance with that Regulation.

home business means a business carried on from the allotment that is the site of a lawfully erected dwelling house, where:

(a) the majority of the business is carried on away from the dwelling house, with the dwelling house and its outbuildings and curtilage being used primarily as a base or office, and

(b) the business will not:

(i) interfere with the amenity of the neighbourhood by reason of traffic generation, noise or otherwise, or

(ii) involve the exposure to view from any adjacent premises or from any public place of any goods associated with the business or any unsightly matter, or

(iii) involve the parking of heavy vehicles either on or adjacent to the property, or

(iv) involve the employment of persons other than the permanent residents of the dwelling house at the base or office, and

(c) the dwelling house continues to be used for permanent residential occupation by the person

carrying out the business.

home occupation means an occupation or industry carried on from the allotment that is the site of a lawfully erected dwelling, where:

(a) the dominant use of the allotment remains that for which the land is zoned, and

(b) two car parking spaces will be provided on the allotment, at least one of which is behind the building line, and

(c) the floor space of the building or the area used for the occupation or industry does not exceed 50 square metres and is located within the curtilage of the dwelling, and

(d) the occupation or industry does not:

(i) interfere with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, or

(ii) involve exposure to view from any adjacent premises or from any public place of any unsightly matter or any goods, or

(iii) require the provision of any essential service main of a greater capacity than that available in the locality, or

(iv) involve the exhibition of any notice, advertisement or sign other than a single notice to indicate the name, occupation and contact number of the resident, or

(v) employ more than one person who is not a permanent resident of the dwelling, or

(vi) involve the sale of items (whether goods or materials) or the exposure or offer for sale of items, by retail.

hospital means a building or place used for the purpose of providing professional health care services (such as preventative or convalescent care, diagnosis, medical or surgical treatment, care for people with developmental disabilities, psychiatric care or counselling and services provided by health care professionals) to people admitted as in-patients (whether or not out-patients are also cared for or treated there) and includes a shop, refreshment rooms, accommodation, research or educational facilities or a dispensary used in conjunction with that use.

hotel means premises to which a hotelier's licence granted under the *Liquor Act 1982* relates.

industry means:

(a) any manufacturing process within the meaning of the *Factories, Shops and Industries Act 1962*, or

(b) the breaking up or dismantling of any goods or any article for trade or sale or gain or as ancillary to any business.

institution means a penal or reformative establishment.

intensive horticulture means a building or place used for the growing of plants, including vegetables, flowers, vines, fruit and the like, where application of water and fertiliser is significantly over and above that naturally occurring, but not produce grown for the consumption or enjoyment of the owner or occupier of the land.

intensive livestock keeping means a building or place used to hold livestock for the purpose of

breeding and/or nurturing by a feeding method other than natural grazing and includes:

(a) poultry farms, or

(b) fish farms, or

(c) horse training and boarding establishments, and

(d) piggeries,

and the like, but does not include a building or place elsewhere specifically defined in this Schedule or used for the keeping of livestock for personal consumption or enjoyment by the owner or occupier of the land.

Jamberoo Valley Escarpment Area means the land shown hatched and labelled "Jamberoo Valley Escarpment Area" on the map.

Jamberoo Valley Rural Conservation Area means the area of land shown hatched and labelled 'Jamberoo Valley Rural Conservation Area' on the map.

junk yard means land used for the collection, storage, dismantling or sale of scrap metals, vehicles or machinery or parts of vehicles or machinery.

light industrial retail outlet means a shop the use of which is ancillary to the principal use of the land on which it is located and:

(a) which is used in conjunction with a light industry or warehouse on land within Zone 4 (a), 4 (a3) or 4 (f), and

(b) which is situated on the land on which the light industry or warehouse is located, and

(c) in which are sold only goods that have been assembled, manufactured or stored on the land on which the shop is situated;

light industry means an industry, not being an extractive, rural, heavy, offensive or hazardous industry, in which the processes carried on, the transportation involved or the machinery or materials used do not interfere with the amenity of nearby residential neighbourhoods by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise.

liquid fuel depot means a depot or place used for the bulk storage for wholesale distribution of petrol, oil, petroleum or other inflammable liquid.

main or arterial road means a main road, state highway, freeway or tollway within the meaning of the *Roads Act 1993*.

maintenance means, in relation to a heritage item or a building, work, archaeological site, tree or place within a heritage conservation area, the ongoing protective care of the heritage item, building, work, archaeological site, tree or place. It does not include alterations, such as carrying out extensions or additions, or the introduction of new materials or technology.

medium density housing means a building or group of buildings containing 3 or more dwellings located on a single parcel of land.

mine means any place, open cut, shaft, tunnel, pit, drive, level or other excavation, drift, gutter, lead, vein, lode or reef on which, in which or by which any operation is carried on for or in connection with obtaining any metal or mineral by any method and any place on which any product of the mine is stacked, stored, crushed or otherwise treated, but does not include a quarry.

mineral sand mine means a mine used for or in connection with obtaining ilmenite, monazite, rutile, zircon or similar minerals.

Minister means the Minister responsible for the administration of the Act.

motel means a building or buildings (other than a hotel, backpackers inn or bed and breakfast) substantially used for the overnight accommodation of travellers and the vehicles used by them, whether or not the building or buildings are also used in the provision of meals to those travellers or the general public.

motor showroom means a building or place used for the display or sale of motor vehicles, caravans, boats or trailers, whether or not motor vehicle accessories, caravan accessories, boat accessories or trailer accessories are also sold or displayed there.

moveable object means a moveable object that is not a relic or an Aboriginal object.

offensive or hazardous industry means an industry which by reason of the processes involved or the method of manufacture or the nature of the materials used or produced, requires isolation from other buildings.

operational land means land classified as operational land within the meaning of the *Local Government Act 1993*.

passenger terminal means a building or place used for the assembly and dispersal of passengers travelling by a passenger transport carrier.

place of Aboriginal heritage significance means:

(a) a place that has the physical remains of pre-European occupation by, or is of contemporary significance to, the Aboriginal people. It can (but need not) include items and remnants of the occupation of the land by Aboriginal people, such as burial places, engraving sites, rock art, midden deposits, scarred and sacred trees and sharpening grooves, or

(b) a natural Aboriginal sacred site or other sacred feature. It includes natural features such as creeks or mountains of long-standing cultural significance, as well as initiation, ceremonial or story places or areas of more contemporary cultural significance.

place of assembly means a public hall, theatre, cinema, music hall, concert hall, dance hall, open-air theatre, drive-in theatre, music bowl or any other building of a like character used as such and whether used for the purpose of gain or not, but does not include a place of public worship, an institution or an educational establishment.

place of public worship means a building or place used primarily for the purpose of religious worship by a congregation or religious group, whether or not the building or place is also used for counselling, religious training or social events related to the functioning of the building.

plantation forestry includes the use of a cleared site for the purpose of arboriculture, silviculture, forest protection, the cutting, dressing and preparation, otherwise than in a sawmill, of wood and other forest products and the establishment of roads required for the removal of wood and forest products and for forest protection.

plant nursery means a building or space used for the growing and wholesale or retail selling of plants whether or not ancillary products are sold there.

professional consulting rooms means a room or a number of rooms forming either the whole of or part of, attached to or within the curtilage of, a dwelling house and used by not more than three legally qualified medical practitioners or by not more than three dentists, or by not more than three health care professionals, who practise there the profession of medicine, dentistry or health

care respectively and, if more than one, practice in partnership, and who employ not more than three employees in connection with that practice.

public building means a building used as offices or for administrative or other like purposes by the Crown, a statutory body, a Council or an organisation established for public purposes.

public utility undertaking means any of the following undertakings carried on or permitted or suffered to be carried on by authority of any Government Department or under the authority of or in pursuance of any Commonwealth or State Act:

(a) railway, road transport, water transport, air transport, wharf or river undertakings,

(b) undertakings for the supply of water, hydraulic power, electricity or gas or the provision of sewerage or drainage services,

and a reference to a person carrying on a public utility undertaking includes a reference to a Council, County Council, Government Department, corporation, firm or authority carrying on the undertaking.

quarry buffer area means the area of land shown hatched and labelled "Quarry Buffer Area" on the map.

racecourse means a place used for the organised racing of animals or vehicles and includes ancillary buildings and facilities.

recreation area means:

(a) a children's playground, or

(b) an area used for sporting activities or sporting facilities, or

(c) an area used to provide facilities for or ancillary to recreational activities that promote the physical, cultural or intellectual welfare of persons within the community,

but does not include a racecourse or a showground.

recreation establishment means health farms, religious retreat houses, youth camps and the like but does not include a building or place elsewhere specifically defined in this Schedule or a building or place used for a land use elsewhere specifically defined in this Schedule.

recreation facility means a building or place used for indoor recreation, a billiard saloon, table tennis centre, squash court, swimming pool, gymnasium, health studio, bowling alley, fun parlour or any other building of a like character used for recreation, whether used for the purpose of gain or not, but does not include a place of assembly.

refreshment room means a restaurant, café, tea room, eating house or the like.

relic means any deposit, object or material evidence (which may consist of human remains) that is more than 50 years old relating to the use or settlement, not being Aboriginal habitation, of the Shellharbour City local government area and that is a fixture or is wholly or partly within the ground.

roadside stall means a building or place not exceeding 20 square metres in floor space or area respectively where only primary products produced on the property on which the building or place is situated are exposed or offered for sale or sold by retail.

road transport terminal means a building or place used mainly for the bulk handling of goods for transport, and includes facilities for the loading and unloading of vehicles used to transport those

goods and for the parking, servicing and repair of those vehicles.

rural industry means handling, treating, processing or packing of primary products and includes the servicing in a workshop of plant or equipment used for rural purposes in the locality.

sawmill means a mill handling, cutting, and processing timber from logs or baulks.

service station means a building or place used for the fuelling of motor vehicles involving the sale by retail of petrol, oil and other petroleum products whether or not the building or place is also used for any one or more of the following:

(a) the sale by retail of spare parts and accessories for motor vehicles,

(b) washing and greasing of motor vehicles,

(c) installation of accessories,

(d) repairing and servicing of motor vehicles involving the use of hand tools (other than repairing and servicing which involves top overhaul of motors, body building, panel beating or spray painting, or suspension, transmission or chassis restoration).

shop means a building or place used for selling, exposing or offering for sale by retail, goods, merchandise or materials, but does not include a building or place elsewhere specifically defined in this Schedule.

showground means an area used to present organised cultural events to the public and may include both indoor and outdoor facilities for exhibitions and festivities.

stock and sale yard means a building or place used for offering animals for sale and includes a public cattle market.

subdivision has the same meaning as in the Act.

the Act means the *Environmental Planning and Assessment Act 1979*.

the map means the maps marked "Shellharbour Local Environmental Plan 2000", as amended by the maps (or specified sheets of maps) marked as follows:

Editorial note. The amending maps are not necessarily listed in the order of gazettal. Information about the order of gazettal can be determined by referring to the Historical notes at the end of the plan.

Shellharbour Local Environmental Plan 2000—Amendment No 2

Shellharbour Local Environmental Plan 2000 (Amendment No 6).

Shellharbour Local Environmental Plan 2000—Amendment No 7

Shellharbour Local Environmental Plan 2000 (Amendment No 8)—Sheet 2

Shellharbour Local Environmental Plan 2000 (Amendment No 10)

Shellharbour Local Environmental Plan 2000 (Amendment No 11)

Shellharbour Local Environmental Plan 2000 (Amendment No 12)

Shellharbour Local Environmental Plan 2000 (Amendment No 14)

timber yard means a place or building used for the storage, treatment and sale of timber products.

tourist facility means an establishment providing holiday accommodation or recreational

facilities, or both, on a short term use basis, and may include:

(a) a hotel, motel, bed and breakfast accommodation, backpackers inn, serviced apartments, holiday cabins, a caravan park, camping ground, houseboat, and any associated swimming pool, golf course, tennis court and marina,

(b) a restaurant, and

(c) a souvenir shop, arts and craft gallery and exhibition centre.

turf farm means a place where the cultivation and extraction of turf is carried out.

utility installation means a building or work used by a public utility undertaking, but does not include a building designed wholly or principally as administrative or business premises or as a showroom.

vacant original holding means a parcel of land, whether comprising one or any combination of contiguous lots or portions, held in one ownership as at 31 May 1974 and on which no dwelling house is erected.

veterinary surgery means a building or place used for the treatment of the diseases and injuries of animals, and includes a building or place used for the purpose of an animal hospital.

warehouse means a building or place used for the storage of goods, merchandise or materials.

waste means:

(a) any substance (whether solid, liquid, or gaseous) that is discharged, emitted or deposited in the environment in such volume, constituency or manner as to cause an alteration in the environment, or

(b) any discarded, rejected, unwanted, surplus or abandoned substance, or

(c) any otherwise discarded, rejected, unwanted, surplus, or abandoned substance intended for sale or for recycling, reprocessing, recovery or purification by separate operation from that which produced the substance, or

(d) any substance prescribed to be waste for the purposes of the *Waste Minimisation and Management Act 1995* by the regulations made under that Act.

A substance is not precluded from being waste merely because it can be reprocessed, re-used or recycled.

waste management facilities or works means any premises used for the storage, treatment, reprocessing, recycling, sorting or the disposal of waste.

wetland improvement means the creation, enhancement, regeneration or maintenance of wetlands and any related or ancillary development, whether the wetland is natural or artificial and whether or not the wetland forms part of an integrated drainage system.

Schedule 2 Heritage conservation areas

(Schedule 1)

BASS POINT

1 Bass Point Reserve
Lot 3, DP 248002, Bass Point

BLACKBUTT

2 Blackbutt Forest
Lot 3, DP 259967, Shellharbour Road, Blackbutt

MACQUARIE PASS

3 Macquarie Pass National Park
Illawarra Highway, Macquarie Pass

SHELLHARBOUR

4 Waterfront, Harbour and Breakwater
Foreshore below Wollongong Street, Shellharbour

Schedule 3 Heritage items

(Schedule 1)

Item No	Heritage Item	Level of Significance
ALBION PARK		
AP1	"Tulkeroo" Lot 1, DP 910045, 23 Calderwood Road, Albion Park	Local
AP2	Former Presbyterian manse Lot 1, DP 574775, 42 Macquarie Street, Albion Park	Local
AP3	Pioneer cemetery Part Lot 32, DP 111172, Russell Street, Albion Park	Local
AP4	"Rosetta Hill" Lot 1, DP 883020, 55 Fields Drive, Albion Park	Local
AP5	Albion Park School and former school residence Lot 1, DP 782244, Tongarra Road, Albion Park	Local
AP6	Albion Park Anglican and Roman Catholic cemeteries Part of Lot 2, DP 227785, Part of Lot 301, DP 1041577 and Part Lot 37, DP 111172, Tongarra Road, Albion Park	Local
AP7	"Ravensthorpe", including grounds and adjoining workers' cottages Lots 91–93, DP 1069273, 52–56 Tongarra Road, Albion Park	Local
AP8	Albion Park Courthouse Lot 64, DP 781264, 94–96 Tongarra Road, Albion Park	Local
AP9	Former bank building Lot 4, DP 703238, 148 Tongarra Road, Albion Park	Local
AP10	St Andrew's Presbyterian Church Part Lot 36, DP 111172, 250 Tongarra Road, Albion Park	Local
AP11	All Saints Anglican Church Part of Lot 2, DP 227785, 253 Tongarra Road, Albion Park	Regional
ALBION PARK RAIL		
AR1	Former Albion Park Dairy Co-Op building Part of Lot 2, DP 1055593 and State Rail Authority land fronting Creamery Road, Albion Park Rail	Local
AR2	General Cemetery Lot 7007, DP 1029735, 61 Croome Road, Albion Park Rail	Local
AR3	Albion Park Railway precinct, including the station, forecourts, residence and surroundings Part of Lot 2, DP 1055593, Station Residence Lot 1, DP 1055593 and State Rail Authority property fronting Station Road, Albion Park Rail	State
BASS POINT		
BP1	"Cities Service Boston" wreck monument Lot 3, DP 248002, Bass Point	Local
BLACKBUTT		

BL1	Stand of trees in Wentworth Cottage Park Lot 8222, DP 852573, Pioneer Drive, Blackbutt	Local
CALDERWOOD		
CA1	Marshall Mount Methodist cemetery Lot 1, DP 195342, Calderwood Road, Calderwood	Local
CROOM		
CR1	"The Hill" Part Lot 5, DP 3709, Dunsters Lane, Croom	State
CR2	"Kurrawong" Lot 100, DP 717430, 4 James Road, Croom	Local
CR3	Avenue of Norfolk Island Pine trees Princes Highway, Croom, extending 800 metres south and 1100 metres north of the symbol on the map	Local
DUNMORE		
DU1	"Dunmore House" Lot 1, DP 1051476, Princes Highway, Dunmore	Regional
DU2	Shellharbour Railway precinct at Dunmore, including the station, forecourts, residence and surroundings Lot 1, DP 859763 and State Rail Authority land fronting Shellharbour Road, Dunmore	State
DU3	Former Minnamurra School, including residence and grounds Lot 1, DP 745632, 40 Swamp Road, Dunmore	Regional
DU4	"Glengowrie" and fig trees Lots 12, 13 and 14, DP 1017763, Swamp Road, Dunmore	Local
DU5	Tree (in contorted form) on former "Peterborough Estate" Lot 1, DP 133603, 53 Browns Road, Dunmore	Local
MACQUARIE PASS		
MP1	"Nurrewin" Lot 68, DP 751263, Illawarra Highway, Macquarie Pass National Park	Regional
SHELL COVE		
SC1	"Killarney" Lot 10, DP 882238, 7–21 Buckley's Road, Shell Cove	Local
SHELLHARBOUR		
SH1	Boer War memorial in Caroline Chisholm Park Lot 9, DP 11740, 14 Addison Street, Shellharbour	Local
SH2	Anchor from "Rangoon" Lot 1, DP 560228, 2 Addison Street, Shellharbour	Local
SH3	Ocean Beach Hotel (former Shellharbour Hotel), including trees Lot 1, DP 560228, 2 Addison Street, Shellharbour	Local
SH4	Former corner store Lot 1, DP 745795, 10 Addison Street, Shellharbour	Local
SH5	Bakery ovens, bricks and facades of former bakery (moveable objects) Lot 7, DP 238804, 25 Addison Street, Shellharbour	Local
SH6	"Windradeen" Lot 5, DP 238804, 29 Addison Street, Shellharbour	Local
SH7	Former Shellharbour Council Chambers Lot 76, DP 751290, 32A Addison Street, Shellharbour	Local
SH8	Former Allen's store Lot 2, DP 238804, 35 Addison Street, Shellharbour	Local
SH9	Russell East Park (including Moreton Bay Fig tree and Olive tree) Lots 5 and 6, DP 24223 and Lot 5, DP 24031, 10 Eastern Avenue, Shellharbour	Local
SH10	Moreton Bay Fig tree Part Lot 1, DP 80960 and Lots 1–9, DP 18262, Mary Street, Shellharbour	Local
SH11	Uniting Church Lot 1, DP 784317, 49 Mary Street, Shellharbour	Regional
SH12	"Woodbine"—former Police Station Lot 1, DP 449871, 20 Mary Street, Shellharbour	Regional
SH13	Garden trees Lot 22, DP 11740, 36 Mary Street, Shellharbour	Local
SH14	Shellharbour General Cemetery Lots 2 and 3, DP 529282, Shellharbour Road, Shellharbour	Local
SH15	St Pauls Anglican Church Lot 1, DP 503805, 12 Towns Street, Shellharbour	Local
SH16	Norfolk Island Pine tree Lot 40, DP 15107, 54 Wentworth Street, Shellharbour	Local
SH17	Stella Maris Roman Catholic Church Lot 10, DP 1037745, Part Lot 10, Sec 2, 16–18 Wentworth Street, Shellharbour and part of Lot 9, DP 1037745, 7–9 Wilson Street, Shellharbour	Local
SH18	"The Beaches" Lot 100, DP 801475, 4 Wilson Street, Shellharbour	Local
SH19	Little Park and Norfolk Island Pine trees Part Plan Ms 408 Sy and Lot 7004, DP 1028837, Wollongong Street, Shellharbour	Regional
TULLIMBAR		
TU1	Ruins of former Tullimbar School and Headmaster's residence Lot 1, DP 905581, 38 Tullimbar Lane, Tullimbar	Local
TU2	"Toongla" Lot 82, DP 634605, Tullimbar Lane, Tullimbar	State
YELLOW ROCK		
YR1	"Wiangara" and coach house Lots 32 and 33, DP 751274, Yellow Rock Road, Yellow Rock	Local

Schedule 4 Commercial hierarchy for Shellharbour City local government area

(Clauses 25, 29, 41)

The following commercial hierarchy applies to all commercial/retail development within the local government area of Shellharbour City, with the exception of development for the purpose of bulky goods retailing or light industrial retail outlets:

1	**Category of Development:**	Sub-regional Centre
	Anticipated Size:	unlimited
	Location:	Land contained in the Shellharbour City Centre Area comprising Lots 230 and 231, DP 869094; Lot 1, DP 856215; Lots 1011, 1012 and 1013, DP 700657; Lots 4000 and 4001, DP 809913; Lot 3000, DP 739087, and part of Lot 3219, DP 800230, whether or not these lands are subsequently subdivided.
2	**Category of Development:**	District Centre
	Anticipated Size:	up to 10,000m^2
	Location:	Land contained within the General Business zone in the vicinity of Tongarra Road, Terry Street and Russell Street, Albion Park. Land contained within the General Business zone in the vicinity of Shellharbour Road, Veronica Street and Woolworths Avenue and George Street, Shellharbour Road and Beverly Avenue, Warilla. The combined land contained within the General Business zone in the vicinity of Addison Street, Mary Street and Wentworth Street, Shellharbour and the Mixed Use Residential F zone, Shell Cove.
3	**Category of Development:**	Local Centre
	Anticipated Size:	up to 4,000m^2
	Location:	Land contained within the General Business zone in the vicinity of Princes Highway, Creamery Road and

		Kaylaur Crescent, Albion Park Rail. Land contained within the General Business zone in the vicinity of Central Avenue, Oak Flats
4	**Category of Development:**	Neighbourhood Centre
	Anticipated Size:	up to 1,500m^2
	Location:	May be located to serve the local convenience needs of a surrounding residential area where a higher order centre is not within a reasonably accessible distance. A service radius in the order of 500 metres is considered reasonable as the catchment area for a neighbourhood centre.
5	**Category of Development:**	Local Shop/Local General Store
	Anticipated Size:	A single shop of approximately 50m^2–200m^2
	Location:	May be supported where Council is satisfied that there is a demand for the facility and that it is not likely to interfere with the functioning of the commercial hierarchy as outlined above in this Schedule.

Schedule 5 Classification or reclassification of public land as operational land

(Clause 81)

Part 1 Land classified, or reclassified, under original section 30 of Local Government Act 1993

Lot 202, DP 848203, corner of Shellharbour and Wattle Roads, Shellharbour.

Part of Lot 201, DP 848203, corner of Shellharbour and Wattle Roads, Shellharbour, as shown edged with a broken heavy line and labelled "Schedules 5 and 6" on the map.

Part of Lot 1, DP 588826, Benaud Crescent, Warilla as shown edged with a broken heavy line and labelled 'schedule 5' on the map.

Part of Lot 2, DP 248002, Boollwarroo Parade, Lot 1, DP 584291, Addison Street and part of Lot 2, DP 584291, Shellharbour Road, Shellharbour as shown edged with a broken heavy line and labelled 'schedule 5' on the map.

Part 2 Land classified, or reclassified, under amended section 30 of Local Government Act 1993—interests changed

Lot 2, DP 605483, Pioneer Drive, Oak Flats, as shown edged with a broken light blue line and lettered "Schedule 5" on Sheet 1 of the map marked "Shellharbour Local Environmental Plan 2000 (Amendment No 8)"—Easement for watermain (S226024) as noted on Certificate of Title Folio Identifier 2/605483.

Lot 71, DP 788843, Pioneer Drive, Oak Flats, as shown edged with a broken light blue line and lettered "Schedule 5" on Sheet 1 of the map marked "Shellharbour Local Environmental Plan 2000 (Amendment No 8)".

Part of Lot 3, DP 259967, Captain Cook Drive, Blackbutt Reserve, Blackbutt, as shown edged with a broken light blue line and lettered "Schedule 5" on Sheet 3 of the map marked "Shellharbour Local Environmental Plan 2000 (Amendment No 8)".

Part 3 Land classified, or reclassified, under amended section 30 of Local Government Act 1993—no interests changed

Lot 101 and part of Lot 100, DP 801536, Industrial Road, Oak Flats, as shown edged with a heavy black broken line and lettered "Schedule 5" on the map marked "Shellharbour Local

Environmental Plan 2000 (Amendment No 9)".

Schedule 6 Exceptions

(Clause 82)

Lot 3, DP 786522, Princes Highway, Albion Park Rail—service station.

Lot 1, DP 222288, Terry Street, Albion Park—motel.

Lot 1, DP 745632, Swamp Road, Dunmore—inhabitation of the former "Peterborough" School Building as dwelling.

Part of Lot 2, DP 248002, Boollwarroo Parade, Shellharbour—boat harbour entrance works.

Lots 1, 2 and 3, DP 627527, Tongarra Road, Albion Park Rail—funeral parlour.

Part of Lot 2, DP 808989, Terry Street, Albion Park as shown edged with a broken heavy line and labelled 'schedule 6' on the map—community uses.

Lots 196–200, DP 222963 and Lot 204, DP 224196, Madigan Boulevarde, Mount Warrigal—medical services which are ancillary to a hospital, and which are of a type, size and scale compatible with generally residential areas.

Lots 28–32, DP 23454 and Lots 24–27, DP 23988, Shellharbour Road, Warilla—professional offices which includes the offices of accountants, solicitors, architects or plan drawers, insurance brokers, real estate agents or surveyors.

Lot 56, DP 739857, Illawarra Highway, Albion Park—place of public worship and place of assembly.

Part Lot 1, DP 70380, Tongarra Road, Albion Park Rail—landscape supplies depot.

Lot 202, DP 848203, corner of Shellharbour and Wattle Roads, Shellharbour—an integrated development which may include a service station, convenience store and car wash facility.

Lot 4211, DP 833774, Princes Highway, Albion Park Rail—motel.

Lot 1, DP 534605, Shellharbour Road, Shellharbour—technology centre related to the computer industry.

Lot 13, DP 658385, Croome Lane, Albion Park Rail—earthmoving equipment depot.

Lot 18, DP 804242, Lot 5, DP 244040, Lot 2, DP 607267, Lots 101 and 102, DP 244073 and Lots 50, 51 and 52, DP 565091, Miall Way, Albion Park Rail—motor showrooms.

Lot 1, DP 833735, Shellharbour Road, Warilla—refreshment rooms.

Lot A, DP 434117, 31 Reddall Parade, Lake Illawarra—refreshment rooms.

Part of Lot 1202, DP 864021, Shellharbour Road, Dunmore as shown edged with a broken heavy line and labelled 'schedule 6' on the map—industry which does not interfere with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, waste water, waste products, grit or oil, or otherwise.

So much of Lot 202, DP 859498, Terry Street, Albion Park, as is zoned either Rural "A" or Rural "B"—a total of 14 dwelling allotments at least 13 of which are to be connected to a sewerage service.

Lot 230, DP 869094, Cygnet Avenue, Blackbutt—a single stand-alone supermarket, two take-away food restaurants and a single service station.

Lot 1, DP 998390, Terry Street, Albion Park—one dwelling house.

Lot 2707, DP 847729, Huon Crescent, Albion Park—a total of 4 allotments with no more than one dwelling house on each allotment.

Lot 21, DP 111195, Terry Street, Yellow Rock—a total of 3 allotments with no more than one dwelling house on each allotment.

So much of Lot 1, DP 851151, Terry Street, Albion Park as is zoned Rural "A"—one allotment with no more than one dwelling house on the allotment.

Lot 1, DP 779617, Cooby Road, Yellow Rock—a total of 17 allotments with no more than one dwelling house on each allotment.

Lot 2627, DP 832456, Cooby Road, Yellow Rock—a total of 3 allotments with no more than one dwelling house on each allotment.

So much of Lot 1, DP 792437, Yellow Rock Road, Yellow Rock as is zoned Rural "A"—a total of 7 allotments with no more than one dwelling house on each allotment.

Part of Lot 201, DP 848203, corner of Shellharbour and Wattle Roads, Shellharbour, as shown edged with a broken heavy line and labelled "Schedules 5 and 6" on the map—fire station, place of public worship.

Lot 1, DP 799421, 162 Tongarra Road, Albion Park—car parking for the use of the Albion Park RSL Memorial Club.

Croom Regional Sporting Complex, being Lot 2 DP 605565, Lot 3 DP 549511 and Lot 1 DP 216772, Croom Road, Croom:

(a) expositions—being events that bring together suppliers of a broad range of product lines and services that relate to a common theme for the primary purpose of exhibiting and explaining the products and services, but where sales may also form a part of the event, and

(b) trade fairs—being events that bring together a range of products or services that relate to an industry group for the purpose of demonstrating the range of products and services available to traders within that industry group.

Lots 8 and 9, DP 244040, Miall Way, Albion Park Rail—motor showrooms.

Historical notes

The following abbreviations are used in the Historical notes:

Am	amended	LW	legislation website	Sch	Schedule
Cl	clause	No	number	Schs	Schedules
Cll	clauses	p	page	Sec	section
Div	Division	pp	pages	Secs	sections
Divs	Divisions	Reg	Regulation	Subdiv	Subdivision
GG	Government Gazette	Regs	Regulations	Subdivs	subdivisions
Ins	inserted	Rep	repealed	Subst	substituted

Table of amending instruments

Shellharbour Local Environmental Plan 2000 published in Gazette No 66 of 2.6.2000, p 4565 and amended as follows:
Shellharbour Local Environmental Plan 2000—Amendment No 1 (GG No 121 of 15.9.2000, p 10552)
Shellharbour Local Environmental Plan 2000—Amendment No 2 (GG No 152 of 24.11.2000, p 12013)

Shellharbour Local Environmental Plan 2000 (Amendment No 3) (GG No 127 of 17.8.2001, p 6074)
Shellharbour Local Environmental Plan 2000 (Amendment No 5) (GG No 34 of 1.2.2002, p 680)
Shellharbour Local Environmental Plan 2000 (Amendment No 7) (GG No 121 of 1.8.2003, p 7578)
Shellharbour Local Environmental Plan 2000 (Amendment No 9) (GG No 47 of 27.2.2004, p 891)
Shellharbour Rural Local Environmental Plan 2004 (GG No 198 of 10.12.2004, p 9016)
Shellharbour Local Environmental Plan 2000 (Amendment No 10) (GG No 200 of 17.12.2004, p 9477)
State Environmental Planning Policy (Repeal of Concurrence and Referral Provisions) 2004 (GG No 201 of 17.12.2004, p 9590)

2005	(560)	Shellharbour Local Environmental Plan 2000 (Amendment No 12). GG No 113 of 9.9.2005, p 7354. Date of commencement, on gazettal.
2006	(151)	Shellharbour Local Environmental Plan 2000 (Amendment No 11). GG No 40 of 31.3.2006, p 1715. Date of commencement, on gazettal.
	No 58	Statute Law (Miscellaneous Provisions) Act 2006. Assented to 20.6.2006. Date of commencement of Sch 2.51, assent, sec 2 (2).
	(434)	Shellharbour Local Environmental Plan 2000 (Amendment No 6). GG No 98 of 4.8.2006, p 6114. Date of commencement, on gazettal.
2007	(264)	Shellharbour Local Environmental Plan 2000 (Amendment No 8). GG No 80 of 15.6.2007, p 3783. Date of commencement, on gazettal.
2008	(78)	Shellharbour Local Environmental Plan 2000 (Amendment No 14). GG No 36 of 20.3.2008, p 2438. Date of commencement, on gazettal.
	(571)	State Environmental Planning Policy (Repeal of Concurrence and Referral Provisions) 2008. GG No 157 of 12.12.2008, p 11946. Date of commencement, 15.12.2008, cl 3.

Table of amendments

Cl 3	Am 10.12.2004.
Cll 11, 12	Am 17.8.2001; 2005 (560), Sch 1 [1].
Cl 13	Am 2005 (560), Sch 1 [1].
Cll 20–24, 27, 28, 30	Am 17.8.2001; 2005 (560), Sch 1 [1].
Cl 31	Am 17.8.2001; 2005 (560), Sch 1 [1]; 2006 (434), Sch 1 [1]–[4].
Cl 32	Am 2005 (560), Sch 1 [1].
Cl 33	Am 17.8.2001; 2005 (560), Sch 1 [1].
Cl 37	Am 17.12.2004; 2006 No 58, Sch 2.51; 2008 (571), Sch 3.158 [1].
Cll 38, 39, 43, 44, 49–53	Am 17.8.2001; 2005 (560), Sch 1 [1].
Cl 57	Am 2008 (571), Sch 3.158 [2].
Cl 58	Am 2008 (571), Sch 3.158 [3].
Cl 63	Rep 17.8.2001.
Cl 68	Am 2008 (571), Sch 3.158 [4]–[6].
Part 11	Subst 2006 (151), Sch 1 [1].
Cl 72	Subst 2006 (151), Sch 1 [1].
Cl 73	Subst 2006 (151), Sch 1 [1]. Am 2008 (571), Sch 3.158 [7].
Cl 74	Subst 2006 (151), Sch 1 [1].
Cl 75	Subst 2006 (151), Sch 1 [1]. Am 2008 (571), Sch 3.158 [8].
Cl 75A	Ins 2006 (151), Sch 1 [1]. Am 2008 (571), Sch 3.158 [9] [10].
Cll 75B, 75C	Ins 2006 (151), Sch 1 [1].
Cl 76	Subst 2006 (151), Sch 1 [1].
Cl 77	Am 17.8.2001.
Cl 81	Am 27.2.2004.

Cl 83	Rep 1.8.2003. Ins 2007 (264), Sch 1 [1].
Cl 87	Am 17.8.2001; 2005 (560), Sch 1 [2]–[4].
Cl 88	Ins 1.2.2002.
Cl 89	Ins 1.8.2003.
Sch 1	Am 24.11.2000; 17.8.2001; 1.8.2003; 17.12.2004; 2005 (560), Sch 1 [5]; 2006 (151), Sch 1 [2]–[4]; 2006 (434), Sch 1 [5]; 2007 (264), Sch 1 [2]; 2008 (78), cl 4.
Sch 3	Subst 2006 (151), Sch 1 [5].
Sch 5, heading	Subst 27.2.2004.
Sch 5	Am 24.11.2000; 27.2.2004; 2007 (264), Sch 1 [3].
Sch 6	Am 15.9.2000; 24.11.2000; 17.8.2001; 1.8.2003.

All communication addressed to:
General Manager
Shellharbour City Council
PO Box 155, Shellharbour City Centre
NSW 2529

PHONE: 02 4221 6111
FAX: 02 4221 6016
DX 26402 Shellharbour City Centre
EMAIL: records@shellharbour.nsw.gov.au
WEB: www.shellharbour.nsw.gov.au

Applicant:

Mr B Harris
PO Box 486
UNANDERRA NSW 2526

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

Applicants Reference: **40999.26**

Certificate No: **20101057**

Receipt No: **167939**

Print Date: **21/07/2010**

LAND DESCRIPTION:

Boollwarroo Parade SHELL COVE 2529

LOT: 1 DP: 1022866

Parcel No: 24328

Disclaimer

Information contained in this certificate relates only to the land for which this certificate is issued on the day it is issued. This information is provided in good faith and the Council shall not incur any liability in respect of any such advice. Council relies on state agencies for advice and accordingly can only provide that information in accordance with the advice. Verification of the currency of agency advice should occur. For further information, please contact Council's Customer Service Section.

Title Information

Title information shown on this Planning Certificate is provided from Council's records and may not conform to information shown on the current Certificate of Title. Easements, restrictions as to user, rights of way and other similar information shown on the title of the land are not provided on this planning certificate.

Inspection of the land

The Council has made no inspection of the land for the purposes of this Planning Certificate.

ENGLISH

If you have difficulties understanding this correspondence, please contact Council by phone (4221 6111) or, if you wish, come into the office where staff will be pleased to assist you and if required, an appropriate interpreter will be called.

MACEDONIAN

Ако имате тедшкотии да ја разберете оваа кореспонденција, ве молиме контактирајте ја Општината по телефон на 4221 6111 или ако сакате, дојдете во канцеларијата каде што службениците со задоволство ќе ви помогнат, и ако е потребно, ќе повикат соодветен преведувач.

SPANISH

Si tuviera dificultades para entender esta correspondencia, le rogamos llamar por teléfon al Municipio, número 4221 6111, o bien, si lo prefiere, puede venir a nuestras oficinas, donde el personal tendrá el agrado de ayudarle y, si fuera necesario, de llamar a un intérprete.

GERMAN

Wenn Sie Schwierigkeiten haben, diese Korrespondenz zu verstehen, setzen Sie sich bitte telefonisch mit der Gemeinde in Verbindung (4221 6111) oder, falls Ihnen das lieber ist, kommen Sie in unser Büro: wir werden Ihnen gerne behilflich sein und werden, falls nötig, einen estsprechenden Dolmetscher hinzurufen.

ITALIAN

Se non riuscite a capire bene questa lettera, vi preghiamo di telefonare al Comune, numero telefonico: 4221 6111. Se preferite, potete venire di persona al nostro ufficio dove il personale sarà felice di aiutarvi. Se richiesto, un interprete sarà messo a vostra disposizione.

GREEK

Αν έχετε δυσκολία να καταλάβετε την παρούσα αλληλογραφία, παρακαλούμε επικοινωνήστε με τη Δημαρχία (Τηλ.4221 6111), ή αν επιθυμείτε ελάτε στα γραφεία όπου το προσωπικό θα σας βοηθήσει ευχαρίστως και αν χρειαστεί θα κληθεί κατάλληλος διερμηνέας.

CROATIAN

Ako ne možete razumjeti ovo pismo, molimo nazovite općinu na 4221 6111 ili, ako želite, dođite u naš ured gdje će vam osoblje rado pomoći i po potrebi nazvati odgovarajućeg tumača.

PORTUGUESE

Se tem dificuldade de entender esta correspondência, aueira contactar o Conselho Municipal pelo telefone (4221 6111) ou, se o quiser, queira vir à secretaria onde o pessoal terá prazer de lhe prestar ajuda e, se for preciso, mandar-se-á vir um intèrprete.

SERBIAN

Ако имате потешкоћа у разумевању овог дописа, молим назовите Општину на 4221 6111 или, ако желите, дођите у нашу канцеларију где ће вам особље радо помоћи, или, где је потребно, назвати одговарајућег тумач.

TURKISH

Bu yazıyı anlamakta zorluk çekerseniz, Belediyeyi lütfen telefonla 4221 6111 arayınız, veya dilerseniz ofise geliniz; oradaki görevliler size memnuniyetle yardım edecekler ve gerekirse uygun bir tercümanla temasa geçilecektir.

POLISH

Jeśli masz trudności ze zrozumieniem treści niniejszego pisma, skontaktuj się z Radą Miejskiej (Council) telefonicznie pod numerem 4221 6111, lub też - jeśli wolisz - przyjdź do naszego urzędu, gdzie personel z przyjemnością udzieli Ci pomocy i - w razie konieczności - zorganizuje pomoc tłumacza.

Translated by the Ethnic Affairs Commission

PART A: INFORMATION PROVIDED UNDER SECTION 149 (2)

Matters contained in this certificate apply only to the land on the date of issue.

1. Name of Relevant Planning Instruments and DCPs

1.1 Which environmental planning instruments apply to the carrying out of development on the land?

Local Environmental Plan

Shellharbour Local Environmental Plan 2000.

State Environmental Planning Policies

SEPP No 1 - Development Standards.
The policy sets out the principle that a development standard may be varied where strict compliance can be shown to be unreasonable or unnecessary or would tend to hinder the objectives of the Environmental Planning and Assessment Act.

SEPP No 4 - Development Without Consent & Miscellaneous Complying Development.
The policy aims to firstly, allow development which is of a very minor environmental significance to be carried out without development consent, and secondly, allow certain development by public authorities and development on land reserved or dedicated under the National Parks and Wildlife Act (1974) to be carried out without consent.

SEPP No 6 - Number Of Storeys In A Building.
A policy for determining the height of a building where height is controlled by reference to the number of storeys.

SEPP No 21 - Caravan Parks.
The policy provides that where caravan parks or camping grounds are permissible under the environmental planning instrument, movable dwellings, as defined under the Local Government Act, 1919, are permissible.

SEPP No 22 - Shops & Commercial Premises.
The policy allows with the consent of Council, a change of use from a shop to another kind of shop or commercial premises, or alternatively, commercial premises to a shop or another kind of commercial premises where the new use is prohibited under an environmental planning instrument if the Council is satisfied that the change of use will have not more than a minor environmental impact and is in keeping with the objectives of the zone.

SEPP No 30 - Intensive Agriculture.
Requires development consent for cattle feedlots having a capacity of 50 or more cattle or piggeries having a capacity of 200 or more pigs. The policy sets out requirements to ensure there are effective planning control over this export-driven rural industry.

SEPP No 32 - Urban Consolidation (Redevelopment of Urban Land).
The policy promotes orderly and economic use and development of land by enabling urban land which is no longer required for the purpose for which it is zoned or used, to be redeveloped for multi-unit housing and related development. Redevelopment is enabled by means of a Regional Environmental Plan instigated by the Minister for Planning.

SEPP No 33 - Hazardous & Offensive Development.
Provides new definitions for 'hazardous industry', 'hazardous storage establishment', 'offensive industry' and 'offensive storage establishment'. The policy also requires specified matters to be considered for proposals that are 'potentially hazardous' or 'potentially offensive' as defined in the policy.

SEPP No 36 - Manufactured Home Estates.
The policy -(i) defines where Manufactured Home Estates (MHEs) may be permitted and establishes criteria for the granting of development consent to these estates, - (ii) enables, with development consent, the subdivision of MHEs, provided such subdivision complies with the provisions of the Local Government (Manufactured Home Estates) Regulation 1993.

SEPP No 50 - Canal Estate Developments.
This policy provides that where the policy applies, a person shall not carry out canal estate development as defined in the policy.

SEPP No 55 - Remediation Of Land.
The policy aims to promote the remediation of contaminated land for the purpose of reducing risk of harm to human health or any other aspect of the environment. The policy applies to the whole state to ensure that remediation is permissible development and is always carried out to high standard. It specifies when consent is required for remediation and lists considerations that are relevant when rezoning land and determining development applications.

SEPP No 64 - Advertising And Signage.
The policy aims to improve the amenity of urban and natural settings by managing the impact of outdoor advertising.

SEPP No 65 - Design Quality Of Residential Flat Development.
The policy raises the design quality of residential flat development across the state through the application of a series of design principles. Provides for the establishment of Design Review Panels to provide independent expert advice to councils on the merit of residential flat development. The accompanying regulation requires the involvement of a qualified designer throughout the design, approval and construction stages.

SEPP No 70 - Affordable Housing (Revised Schemes).
The policy extends the life of affordable housing provisions relating to: Sydney Regional Environmental Plan No 26 - City West, Willoughby Local Environmental Plan 1995, South Sydney Local Environmental Plan 1998.

SEPP - Building Sustainability Index: Basix 2004.
This policy applies to all new single dwelling houses or dual occupancy development from 1st July 2005, and to all new multi-dwelling development or alterations and additions from 1st October 2005. BASIX is a web based tool designed to assess the potential performance of residential buildings against sustainability criteria. Details

are available at www.basix.nsw.gov.au or by contacting NSW Department of Infrastructure Planning and Natural Resources.

SEPP - (Major Developments) 2005.
This policy identifies the criteria for state significant development to be determined by the Minister for Infrastructure and Planning. This will facilitate the development, redevelopment or protection of important urban, coastal and regional sites of economic, environmental or social significance to the state.

SEPP - (Housing for Seniors or People with a Disability) 2004.
The policy aims to encourage the development of high quality accommodation for our ageing population and for people who have disabilities - housing that is in keeping with the local neighbourhood.

SEPP 71 - Coastal Protection.
This State Policy applies to all land located partly or wholly within the Coastal Zone, as identified in the NSW Coastal Policy 1997. This land is affected by this Policy.

SEPP - (Mining, Petroleum Production and Extractive Industries) 2007.
This SEPP aims to provide for the proper management and development of mineral, petroleum and extractive material resources for the purpose of promoting the social and economic welfare of the State. The policy also aims to facilitate the orderly and economic use and development of land containing mineral, petroleum and extractive material resources and to establish appropriate planning controls to encourage ecologically sustainable development through the environmental assessment and sustainable management, of development of mineral, petroleum and extractive material resources.

SEPP - (Infrastructure) 2007.
The aim of this Policy is to facilitate the effective delivery of infrastructure across the State by:

(a) improving regulatory certainty and efficiency through a consistent planning regime for infrastructure and the provision of services, and

(b) providing greater flexibility in the location of infrastructure and service facilities, and

(c) allowing for the efficient development, redevelopment or disposal of surplus government owned land, and

(d) identifying the environmental assessment category into which different types of infrastructure and services development fall (including identifying certain development of minimal environmental impact as exempt development), and

(e) identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and

(f) providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing.

SEPP - (Exempt & Complying Development Codes) 2008.
This policy aims to provide streamlined assessment processes for development that complies with specified development standards by identifying in the General Exempt

Development Code the types of development that may be carried out without the need for development consent and in the General Housing Code the types of development that may be carried out in accordance with a complying development certificate.

SEPP - State Environmental Planning Policy (Affordable Rental Housing) 2009.

The aims of this Policy are as follows:
(a) to provide a consistent planning regime for the provision of affordable rental housing,

(b) to facilitate the effective delivery of new affordable rental housing by providing incentives by way of expanded zoning permissibility, floor space ratio bonuses and non-discretionary development standards,

(c) to facilitate the retention and mitigate the loss of existing affordable rental housing,

(d) to employ a balanced approach between obligations for retaining and mitigating the loss of existing affordable rental housing, and incentives fro the development of new affordable rental housing,

(e) to facilitate an expanded role for not-for-profit-providers of affordable rental housing,

(f) to support local business centres by providing affordable rental housing for workers close to places of work,

(g) to facilitate the development of housing for the homeless and other disadvantaged people who may require support services, including group homes and supportive accommodation.

SEPP - (Rural Lands) 2008.
The aim of this policy is to facilitate the orderly and economic use and development of rural lands for rural and related purposes.

SEPP - (Temporary Structures) 2007.
This SEPP provides for the erection of temporary structures while protecting public safety and local amenity. The SEPP supports the transfer of the regulation of temporary structures (such as tents, marquees and booths) from the Local Government Act 1993 to the Environmental Planning and Assessment Act 1979.

Deemed SEPP's (Regional Environmental Plans)

Illawarra Regional Environmental Plan No 1.

1.2 Which proposed environmental planning instruments apply to the carrying out of development on the land that is or has been the subject of community consultation or public exhibition?

Draft Local Environmental Plan

No exhibited Draft Local Environmental Plans.

Draft State Environmental Planning Policies

DRAFT SEPP - Application of Development Standards 2004.
The policy aims to provide local councils with flexibility in applying development standards.

DRAFT SEPP 66 - Integrating Land Use and Transport.
The policy aims to ensure urban development is located and designed with improved walking, cycling and public transport access, reduces car dependence and supports efficient and viable public transport services.

DRAFT SEPP 1 - Development Standards (Amendment 1).
SEPP 1 gives councils the power to vary standards and approve development in some situations. When applicants use SEPP 1, they must provide sufficient evidence that proposed development meets the objectives of the local plan.

DRAFT SEPP - Subdivision.
The draft policy has been formulated in light of the intended introduction of the Local Government Bill 1992 which will have the effect of placing subdivision control entirely under the Environmental Planning and Assessment Act, 1979. At the present time, subdivision control is shared between this Act and the Local Government Act, 1919.

DRAFT SEPP - Sewerage Works.
The draft policy proposes that sewerage works by public authorities may be carried out, despite the provisions of any other environmental planning instrument, without development consent but subject to notification of certain authorities.

1.3 Which development control plans apply to the carrying out of development on the land?

DCP 1/97 - Landscape Guidelines Development Control Plan No 1/97. This plan provides guidelines for landscaping requirements for developments and subdivisions.

Residential Infill Development Control Plan (Amendment No 1). This plan outlines the general design principles to be taken into consideration when preparing a development application for residential infill development, which includes dual occupancy, integrated housing and minor resubdivision of existing residential allotments.

DCP 5/97(AM1) - Advertising and Identification Signs Development Control Plan No 5/97(AM1). This plan provides guidelines for advertisements and advertising structure opportunities on land throughout the city.

DCP 2/98 - Telecommunications Facilities Development Control Plan No 2/98. This plan contains provisions relating to the design and location of telecommunications facilities, visual amenity and electromagnetic radiation.

DCP 4/98 - On-site Waste Water Management for Single Residences Development Control Plan No 4/98. This plan provides guidelines for the preparation of plans for on-site water management facilities.

Exempt Development Control Plan (AM4). This plan identifies certain development for which development consent, assessment or notification is not required.

Complying Development Control Plan (AM3). This plan identifies minor development for which a Compliance Certificate is required from either Council or an accredited certifier.

DCP 10/98 - Notifications Policy Development Control Plan No 10/98. This plan identifies how and when potentially affected persons are notified of Development Applications.

Residential Development Control Plan (Amendment No 3). This provides general development requirements for dwelling houses and associated development that requires development consent.

Waste Minimization & Management Development Control Plan Am1. This plan requires anyone who lodges a development application to construct, demolish, refurbish or use a building or subdivide land to complete a Waste Management Plan.

Floodplain Risk Management Development Control Plan (Amendment No 1). This Plan provides details for development requirements on flood prone land being land inundated to the Probable Maximum Flood.

Draft Exhibited Development Control Plan

No exhibited draft Development Control Plans apply to the land.

Technical Policies

Shellharbour City Council Stormwater Policy. Council has adopted the Shellharbour City Council Stormwater Policy that would apply to all lots within the Shellharbour City Local Government Area.

Exhibited Technical Policies

There are no Exhibited Technical Policies on this land.

1.4 In this clause, proposed environmental planning instrument includes a planning proposal for the LEP or a draft environmental planning instrument.

2. ZONING AND LAND USE UNDER RELEVANT LEPs

For each environmental planning instrument or proposed instrument referred to in clause 1 above (other than a SEPP or proposed SEPP) that applies to the land:

2.1 What is the identity of the zoning for the land?

6(a) PUBLIC OPEN SPACE under Shellharbour LEP 2000.

2.2 For what purposes may development be carried out within the zone without the need for development consent?

6(a) Public Open Space under Shellharbour LEP 2000: Exempt development and development for the purpose of:

Aids to navigation; bushfire hazard reduction; home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the Public Health Act 1991; landscaping.

2.3 For what purposes may development not be carried out within the zone except with development consent?

6(a) Public Open Space under Shellharbour LEP 2000: Development for the purpose of:

Advertisements displaying the purpose for which the land is used; clearing of land; community facilities; drainage; dwelling houses; educational establishments; filling; general agriculture; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the Public Health Act 1991; intensive horticulture; places of assembly; places of public worship; plantation forestry; racecourses; recreation areas; recreation establishments; recreation facilities; refreshment rooms; shops and commercial premises required in connection with an allowable use; showgrounds; turf farms; utility installations (other than gas holders or generating works); wetland improvement.

Exceptions

There are no additional land uses or development permitted on this land in accordance with clause 82 of Shellharbour Local Environmental Plan 2000.

2.4 For what purposes is development prohibited within the zone?

6(a) Public Open Space under Shellharbour LEP 2000: Development not included in subclause 2.2 or 2.3

2.5 Are there any development standards applying to the land which fix minimum land dimensions for the erection of a dwelling house on the land and, if so, the minimum land dimensions so fixed?

No. However a minimum land area applies for the erection of a dwelling house on certain Agricultural, Rural Landscape, Nature Conservation, Rural and Environmental Protection zoned lands. For further information please contact Council's Development Services Department.

2.6 Does the land include or comprise a critical habitat?

No.

2.7 Is the land in a conservation area?

No.

2.8 Is an item of environmental heritage situated on the land?

No.

3. COMPLYING DEVELOPMENT

Note: Council does not currently have sufficiently accurate flooding information. The Council is in the process of completing a city-wide flood study for the Shellharbour local government area. This study, when completed, will form the basis of a Floodplain Risk Management Plan for each of the catchments referred to in the Floodplain Risk Management Development Control Plan 2006.

For further information regarding flooding, please contact Council's Development & Technical Services Department and consult Council's Floodplain Risk Management Development Control Plan 2006.

3.1 Whether or not 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 clause 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.*

3.2 If complying development may not be carried out on that land because of the provisions of clause 1.19 of that Policy, the reasons why it may not be carried out under that clause.

General Housing Code

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

Housing Internal Alterations Code

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

General Commercial and Industrial Code

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

Subdivision Code

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

4. COASTAL PROTECTION

4.1 Is the land affected by the operation of section 38 or 39 of the *Coastal Protection Act 1979,* but only to the extent that the Council has been notified by the Department of Public Works?

No.

5. MINE SUBSIDENCE

5.1 Is the land proclaimed to be a mine subsidence district within the meaning of section 15 of the *Mine Subsidence Compensation Act 1961?*

No.

6. ROAD WIDENING AND ROAD REALIGNMENT

6.1 Is the land affected by any road widening or road realignment under:

(A) Division 2 of Part 3 of the *Roads Act 1993?*

No.

(B) Any environmental planning instrument?

No.

(C) Any resolution of the Council?

No.

7. HAZARD RISK RESTRICTIONS

Is the land affected by a policy either adopted by Council OR adopted by any other public authority and notified to the Council (for the express purposes 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:

7.1 Landslip

No.

7.2 Bushfire

No.

7.3 Tidal Inundation

No.

7.4 Subsidence

No.

7.5 Acid Sulphate Soils

No.

7.6 Any other risk

Contaminated Land Policy

7A. FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION

7A.1 Is development on the land or part of the land for the purposes of dwelling houses dual occupancies, multi dwelling housing or residential flat buildings

(not including development for the purposes of group homes or seniors housing) subject to flood related development controls?

NOTE: Council does not currently have sufficiently accurate flooding information. The Council is in the process of completing a city wide flood study for the Shellharbour local government area. This study, when completed, will form the basis of a Floodplain Risk Management Plan for each of the catchments referred to in the Floodplain Risk Management Plan Development Control Plan April 2006.

For further information please contact Council's Development & Technical Services Department and consult Council's Floodplain Risk Management Development Control Plan 2006.

7A.2 Is development on the land or part of the land for any other purpose subject to flood related development controls?

NOTE: Council does not currently have sufficiently accurate flooding information. The Council is in the process of completing a city wide flood study for the Shellharbour local government area. This study, when completed, will form the basis of a Floodplain Risk Management Plan for each of the catchments referred to in the Floodplain Risk Management Plan Development Control Plan April 2006.

For further information please contact Council's Development & Technical Services Department and consult Council's Floodplain Risk Management Development Control Plan 2006.

7A.3 Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006.*

8. LAND RESERVED FOR ACQUISITION

8.1 Does any environmental planning instrument or proposed environmental planning instrument referred to in item 1 above make provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the *Environmental Planning & Assessment Act?*

Shellharbour Local Environmental Plan 2000 does not relate to the acquisition of the land the subject of this certificate.

9. CONTRIBUTIONS PLAN

9.1 Which contributions plan/s apply to the land?

Shellharbour City Council's Section 94 Contributions Plan 2005 Amendment 1.

9A BIODIVERSITY CERTIFIED LAND

9A.1 Is the land biodiversity certified land (within the meaning of Part 7AA of the *Threatened Species Conservation Act 1995)?*

No

10. BIOBANKING AGREEMENTS

Is there a biobanking agreement for the land under Part 7A of the *Threatened Species Conservation Act 1995,* that council is aware?

No

11. BUSH FIRE PRONE LAND

11.1 Is any of the land bushfire prone land as defined in the *Environmental Planning & Assessment Act 1979?*

No.

12. PROPERTY VEGETATION PLANS

12.1 Does a property vegetation plan under the *Native Vegetation Act 2003* apply to the land, being a plan to which the council has been notified of its existence by the person or body that approved the plan under the Act?

No.

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

13.1 Has an order been made under the *Trees (Disputes Between Neighbours) Act 2006* to carry out work in relation to a tree on the land, being an order to which the council has been notified of?

No.

14. DIRECTIONS UNDER PART 3A

14.1 Is there a direction by the Minister in force under section 75P(2)(c1) of the *Environmental Planning & Assessment Act 1979* 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?

No.

15. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR SENIORS HOUSING

15.1 If the land is land to which *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* applies, is there a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land?

No.

16. SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE

16.1 Is there a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land?

No.

17. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING

17.1 Is there a current site compatibility statement (affordable rental housing), of which the council is aware, in respect of proposed development on the land?

No.

17.2 Have any terms of a kind referred to in clause 17(1) or 38(1) of the *State Environmental Planning Policy (Affordable Rental Housing) 2009* been imposed as a condition of consent to a development application in respect of the land?

No.

NOTE: MATTERS PRESCRIBED BY SECTION 59(2) OF THE *CONTAMINATED LAND MANAGEMENT ACT 1997 (CLM Act)*

(a) Is the land significantly contaminated land within the meaning of the *CLM Act* at the date of this certificate?

No.

(b) Is the land subject to a management order within the meaning of the *CLM Act* at the date of this certificate?

No.

(c) Is the land the subject of an approved voluntary management proposal within the meaning of the *CLM Act* at the date of this certificate?

No.

(d) Is the land the subject of an ongoing maintenance order within the meaning of the *CLM Act* at the date of this certificate?

No.

(e) Is the land the subject of a site audit statement within the meaning of the *CLM Act* (such a statement having been provided to Council at any time)?

No.

CONTAMINATED INFORMATION - 1a. There are no matters listed under Section 59(2) of the Contaminated Land Management Act 1997 which should be specified on this certificate.

CONTAMINATED INFORMATION - 2a. The land is affected by a policy adopted by Council that restricts development of land if there is likelihood of contamination. Council has not assessed the likelihood of contamination of the land and cannot certify whether or not the policy restricts development of the land.

NOTE: Section 26 of the *Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009* provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of that Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

No Order or Authorisation has been issued under the Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009.

PART B: NOTATIONS

Tree Management Order

The Shellharbour City Council Tree Management Order prohibits the ringbarking, cutting down, pruning, lopping, topping, removing, root pruning, injuring or wilful destruction of any tree which is:

i. 3 metres or more in height.
ii. 300mm or more in trunk diameter at ground level.
iii. 3 metres or more in branch spread.

Without the written consent of Council.

The following trees with a trunk diameter of 600mm or less at ground level, will be given exemption, upon positive identification by Shellharbour City Council.

Theses species are:

1.	*Salix species*	Willow Tree
2.	*Populus species*	Poplar Tree
3.	*Erythrina x sykesii*	Coral Tree
4.	*Ligustrum species*	Privet
5.	*Toxicodendron succedaneum*	Rhus Tree
6.	*Ficus elastica*	Rubber Tree
7.	*Nerium oleander*	Oleander
8.	*Syagrus romanzoffianum*	Cocos/Queen Palm
9.	*Cinnamomum camphora*	Camphor Laurel
10.	*Schefflera actinophylla*	Umbrella Tree
11.	*Cupressus macrocarpa 'Brunniana'*	Golden Cypress
12.	*Lagunaria patersonii*	Itchy Pod Tree
13.	*Phoenix canariensis*	Canary Island Date Palm
14.	Domestic and commercial fruit trees that are not endemic species.	

The above 14 species with a trunk diameter greater 600mm at ground level are subject to the Tree Management Order. The Tree Management Order does not apply to trees required to be pruned under the Overhead Line Safety Regulation 1991, Regulation 23 and 24.

In accordance with Clause 8 of the Environmental Planning and Assessment Model Provisions 1980, Council gave notice that the above Tree Management Order had been adopted for Shellharbour City in the Government Gazette on 14 December 2001.

A person who contravenes the Tree Management Order is guilty of an offence.

PART C: - INFORMATION PROVIDED UNDER SECTION 149 (5) OF THE ACT

NOTE:
When information under section 149(5) is requested the Council is under no obligation to provide any of the information supplied in this part. We draw your attention to section 149(6) which states that a Council shall not incur any liability in respect of any advice provided in good faith pursuant to sub-section (5). The absence of any reference to any matter affecting the land does not imply that the land is not affected by any matter referred to in this planning certificate.

Endangered Ecological Community & Threatened Species.

Council has some mapping that identifies where endangered ecological communities & threatened species are known to occur. For further details contact Council's Customer Environmental Services Department.

Filling

Council has no records to indicate the land has been filled or partially filled. Uncontrolled fill may be present on this site. If you have any doubt as to whether the land is affected by fill material, the services of a suitably qualified Consulting Engineer should be obtained.

Flooding

Other than any part of the land which may experience some water inundation as a result of the creation of stormwater detention basins or channels or flow paths in the course of development of the land, Council has no record indicating that the land may be located within a flood hazard area. If you have any doubt as to whether the land is affected by flooding, the services of a suitably qualified Consulting Engineer should be obtained.

Development Consents Relating To The Land

Details of current development consents for the land are available on request from the Council.

Constraints

SENSITIVE COASTAL LOCATION - SEPP 71. This property is identified as being within a sensitive coastal location under SEPP 71 - Coastal Protection. Further details can be obtained by contacting the Department of Planning.

NSW COASTAL POLICY 1997. The NSW Coastal Policy 1997 applies to all land within the Coastal Zone as identified by the maps held by the Department of Planning. This includes the subject property.

For further information please contact the Land & Information Services on (02) 4221 6138

B A Weir
General Manager

Per.....



Shellharbour
Local Environmental Plan
2000

Shellharbour Local Environmental Plan 2000

Current version for 15 December 2008 to date (accessed 19 January 2009 at 08:52)
Status information

New South Wales

Status information

Currency of version
Current version for 15 December 2008 to date (accessed 19 January 2009 at 08:52).
Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force
All the provisions displayed in this version of the legislation have commenced. For commencement and other details see the Historical notes

Authorisation: This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the Interpretation Act 1987.

File last modified 15 December 2008.

New South Wales

Part 1 Preliminary

1 Name of plan

This plan is *Shellharbour Local Environmental Plan 2000*.

2 Aim of plan

The aim of this plan is to provide a framework for land use management, urban growth and change to achieve the following objectives:

(a) to ensure that land uses in the local government area of Shellharbour City are compatible with each other and are suitably located,

(b) to ensure that adequate provision is made to meet the needs of an increasing population,

(c) to ensure that various areas of land within the local government area of Shellharbour City which are environmentally sensitive, and which enhance the visual amenity of the area, are protected and suitably managed,

(d) to enable public land, owned or controlled by the Council of the City of Shellharbour under the *Local Government Act 1993*, to be classified or reclassified as operational land,

(e) to identify and manage items of the environmental and cultural heritage of the local government area,

(f) to ensure that development addresses pollution concerns and does not result in a decline in water quality.

3 Land to which the plan applies

(1) This plan applies to all land within the local government area of Shellharbour City as shown on the map.

(2) However, this plan does not apply to land to which *Shellharbour Rural Local Environmental Plan 2004* applies.

4 Relationship to other environmental planning instruments

(1) *Shellharbour Local Environmental Plan No 16* is repealed.

(2) *State Environmental Planning Policy No 4—Development Without Consent* is amended by inserting in alphabetical order of local government area in Schedule 2 (Land excepted from clauses 6–10) the following words:

City of Shellharbour local government area

5 Savings

A development application or an application for approval of an activity, relating to land to which this plan applies, that was lodged with a consent authority or determining authority, but that was not finally determined before the commencement of this plan is to be determined as if this plan had been exhibited but not been made and *Shellharbour Local Environmental Plan No 16* had not been repealed.

6 Consent authority

The Council is the consent authority for the purpose of this plan.

7 Adoption of certain Model Provisions

This plan adopts Part 1 and clauses 5, 8, 10, 11, 12, 14, 24, 27, 29 and 35 of, and Schedule 1 to, the *Environmental Planning and Assessment Model Provisions 1980*.

8 Definitions

(1) In this plan, terms defined in Schedule 1 have the same meaning as set out in that Schedule.

(2) In this plan, a reference to a map is a reference to a map kept at the office of the Council.

(3) The letters and symbols SPS, RES, SUB STN, CH, FIRE STN, PUBLIC BLDG or TEL.

EXCH, where appearing on a map, mean sewage pumping station, water reservoir, electricity sub-station, church, fire station, public building or telephone exchange, respectively.

(4) In this plan, a reference to a building or place used for a purpose includes a reference to a building or place intended to be used for the purpose.

(5) The list of contents of this plan is not part of this plan.

9 Zones indicated on the map

Land is within one of the following zones as set out in Parts 2–10 in the clause headed "General controls for development" for the zone under the heading "Land within the zone":

1 (a)—Rural A Zone

1 (c)—Rural C Zone

1 (d)—Rural D (Horticultural) Zone

2 (a)—Residential A Zone

2 (b1)—Residential B1 Zone

2 (b2)—Residential B2 Zone

2 (e)—Mixed Use Residential E Zone

2 (f)—Mixed Use Residential F Zone

3 (a)—Mixed Use Commercial Zone

3 (d)—Neighbourhood Business Zone

4 (a)—Light Industrial Zone

4 (a3)—Airport Light Industrial Zone

4 (c)—Extractive Industrial Zone

4 (f)—Special Industrial Zone

5 (a)—Special Uses Zone

5 (b)—Special Railway Uses

6 (a)—Public Open Space Zone

6 (b)—Private Open Space Zone

7 (a)—Environmental Protection (Wetlands) Zone

7 (d)—Environmental Protection (Scenic) Zone

7 (e)—Environmental Protection (Escarpment) Zone

7 (f2)—Environmental Protection (Foreshore) Zone

7 (g)—Environmental Protection (Living Area 1) Zone

7 (h)—Environmental Protection (Living Area 2) Zone

8—National Parks and Nature Reserves Zone

9 (b)—Arterial Roads Reservation Zone

9 (c)—Local Roads Reservation Zone

9 (d)—Open Space Reservation Zone

10 Zone objectives and general controls for development

(1) The objectives of each zone are set out in Parts 2–10 in the clause headed "General controls for development" for the zone under the heading "Objectives (or Objective) of the zone".

(2) Except as otherwise provided by this plan, for each zone specified in a general controls for development clause, the development that:

(a) may be carried out without development consent is indicated in that clause by the words "Allowed without development consent", or

(b) may be carried out only with development consent is indicated in that clause by the words "Allowed only with development consent", or

(c) is prohibited is indicated in that clause by the words "Prohibited in the zone".

(3) The objectives of the zone are required to be taken into account by the consent authority before development consent is given to the carrying out of development within that zone.

Part 2 Rural Zones Provisions

11 General controls for development—Zone 1 (a) (the Rural A zone)

(1) **Land within the zone**
Land is within Zone 1 (a) (the Rural A zone) if it is shown coloured cream on the map.

(2) **Objectives of the zone**

(a) To protect the agricultural potential of rural land and to prevent the fragmentation of rural holdings.

(b) To prevent premature and sporadic subdivisions and to ensure consolidation of urban areas, thus enhancing the prospect of the economic provision of public services.

(c) To prevent, on the fringe of urban areas, the subdivision of land into small lots which would prejudice the proper layout of additional urban areas as a result of natural growth.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

general agriculture; home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

advertisements not displaying the purpose for which the land is used or directional

information; brothels; car repair stations; commercial premises; dual occupancies (other than attached dual occupancies); heavy industries; junk yards; light industries; medium density housing; motor showrooms; professional consulting rooms; recreation facilities; service stations; shops; warehouses.

12 General controls for development—Zone 1 (c) (the Rural C zone)

(1) **Land within the zone**
Land is within Zone 1 (c) (the Rural C zone) if it is shown coloured pale yellow on the map.

(2) **Objectives of the zone**

(a) To allow rural residential neighbourhoods to be developed, taking advantage of changing demand for housing and the availability of rural land not suited to agricultural, industrial or urban uses.

(b) To maintain the environmental quality and visual amenity of rural areas.

(c) To reduce the demand for subdivision for residential purposes of agricultural land.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

advertisements not displaying the purpose for which the land is used; amusement parks; animal boarding, breeding or training establishments; aquaculture; backpackers inns; boarding houses; brothels; bus depots; car repair stations; clubs; commercial premises; community facilities; dual occupancies (other than attached dual occupancies); extractive industries; gas holders; general stores; generating works; heavy industries; helipads; heliports; hospitals; hotels; institutions; junk yards; light industries; liquid fuel depots; medium density housing; mineral sand mines; mines; motels; motor showrooms; offensive or hazardous industries; passenger terminals; places of assembly; public buildings; racecourses; recreation establishments; recreation facilities; refreshment rooms; road transport terminals; rural industries; sawmills; service stations; shops; showgrounds; stock and sale yards; timber yards; tourist facilities; warehouses.

13 General controls for development—Zone 1 (d) (the Rural D (Horticulture) zone)

(1) **Land within the zone**
Land is within Zone 1 (d) (the Rural D (Horticulture) zone) if it is shown coloured pale yellow and lettered 1 (d) on the map.

(2) **Objective of the zone**
To provide for horticultural activities on agricultural lots of high agricultural potential, if such uses can be accommodated without reducing the quality of water in the locality.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

Nil.

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; clearing of land; drainage; filling; general agriculture; intensive horticulture; intensive livestock keeping; roadside stalls; rural industries; turf farms; wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

14 Controls for subdivision of land within Zone 1 (a)

(1) The Council must not consent to a subdivision of land within Zone 1 (a) unless:

(a) each allotment to be created will have an area of not less than 40 hectares or the Council is satisfied that any proposed smaller allotment is not intended to be used for the purpose of agriculture or a dwelling house, but is intended to be used for another lawful purpose, and

(b) where any allotment proposed to be created will have a frontage to a main road, the frontage will be not less than 200 metres, and

(c) the Council has been informed of the purpose for which each proposed allotment to be created by the subdivision is intended to be used and, where the purpose is agriculture, of the form of agriculture for which the allotment is intended to be used.

(2) Despite any other provision of this plan, consent for a subdivision of land within Zone 1 (a) in the "Jamberoo Valley Rural Conservation Area" (which is shown on the map) to create an allotment must not be granted unless:

(a) the consent authority is satisfied that the proposed allotment will not be used for the erection of a dwelling house, and

(b) a condition of the consent prohibits the erection of a dwelling house on each lot to be created by the subdivision.

(3) The Council must not consent to a subdivision of land within Zone 1 (a) in the "Jamberoo Valley Rural Conservation Area" (which is shown on the map) unless it has considered:

(a) the relationship of the proposed allotments to adjacent or adjoining allotments and the practicality of consolidating adjacent or adjoining allotments with land to which the application for consent to the subdivision relates, and

(b) the quality of the land proposed to be subdivided and the potential agricultural productivity of that land if it remains unsubdivided, and

(c) the likely impact of the subdivision on vegetation, soil resources and stability and water resources (including the quality of water courses, ground water storage and riparian rights), and

(d) the size, quality and potential agricultural productivity of each proposed allotment, and

(e) the relationship of each proposed allotment to, and the effect of creating the allotment on, the structure and nature of agricultural industries in the locality, and.

(f) the purpose for which the proposed allotments are intended to be used and the purpose for which, in the opinion of the Council, the allotments are suitable for use, and

(g) the cumulative effect of similar proposals if consent is granted, and

(h) the likelihood of the proposed allotments remaining available for agriculture.

15 Controls for building dwelling houses within Zone 1 (a)

(1) Despite any other provision of this plan, the Council must not consent to the erection of a dwelling house on an allotment in Zone 1 (a) that has an area of less than 40 hectares unless:

(a) that allotment is a vacant original holding, or

(b) the allotment has been created in accordance with a subdivision approval (or a consent for a subdivision) on which no condition has been imposed prohibiting the erection of a dwelling house on the subject property.

(2) Despite any other provision of this plan, the Council must not consent to the erection of more than one dwelling house on an allotment in Zone 1 (a) unless it is satisfied that the dwelling house will be used or occupied by a person engaged by the owner of that land in the pursuit of agriculture on that land or on land adjacent to or adjoining that land.

(3) Consent must not be granted for a dwelling house on an allotment of land in Zone 1 (a) with an area of less than 40 hectares unless the Council places a condition on the consent requiring that allotment to be consolidated with any adjoining land in the same ownership until either all adjoining properties within the same ownership are consolidated or a minimum area of 40 hectares is achieved.

(4) Despite any other provision of this plan, the Council may consent to the erection of a dwelling house on land within Zone 1 (a) in the "Jamberoo Valley Rural Conservation Area" (which is shown on the map) only if the property to which the application relates has an area of 40 hectares or more or if the Council is satisfied that the property is a vacant original holding.

(5) Despite any other provision of this plan, the Council must not consent to the erection of a second dwelling house on land within Zone 1 (a) in the "Jamberoo Valley Rural Conservation Area" (which is shown on the map) where:

(a) the property to which the application relates has an area of less than 40 hectares, or

(b) the dwelling house will not be ancillary to the agricultural use of the land, or

(c) separate ownership of the proposed dwelling house will be achievable without the subdivision of the land, or

(d) an additional access to a public road is required from the land as a result of the erection of the dwelling house, or

(e) in the opinion of the Council, the proposed dwelling house will interfere with the purpose for which the land concerned is being used.

16 Controls for the development of certain land within Zone 1 (a)—Jamberoo Valley

(1) Despite any other provision of this plan, the Council must not grant consent to an amusement park or a place of assembly on land within Zone 1 (a) in the "Jamberoo Valley Rural Conservation Area" (which is shown on the map).

(2) Despite any other provision of this plan, the Council must not consent to development on land within Zone 1 (a) in the "Jamberoo Valley Rural Conservation Area" (which is shown

on the map) unless it has considered:

(a) the effect of the proposed development on agricultural land uses undertaken on land holdings in the vicinity, and

(b) the quality of the land and the potential agricultural productivity of the land, and

(c) the likely impact of the proposed development on vegetation, soil resources and stability and water resources (including the quality of water courses, ground water storage and riparian rights), and

(d) the effect of the proposed development on the structure and nature of agricultural industries in the area, and

(e) the cumulative effect of similar proposals if consent is granted, and

(f) the likelihood of the land remaining available to agriculture, and

(g) the impact that the proposed development will have on the scenic quality of the Jamberoo Valley by way of colour, bulk, vegetation removal, road access, visual intrusiveness, reflection and traffic generation, and is satisfied that such measures as will, in its opinion, minimise that impact are proposed to be taken.

(3) The Council must take the following into consideration when assessing an application for consent to clear any land shown stippled on Sheet 3 of the map marked "Illawarra Regional Environmental Plan No 2—Jamberoo Valley" deposited in the office of the Department of Urban Affairs and Planning (being areas of significant vegetation):

(a) the movement of native fauna,

(b) any rare or significant flora or fauna,

(c) any rare or significant habitats,

(d) the effect of the proposed clearing on adjacent or adjoining land under the control of the National Parks and Wildlife Service,

(e) whether there is a reasonable alternative to the removal of that vegetation or the extent of the removal of that vegetation,

(f) the visual impact of the proposed development on the scenic quality of the Jamberoo Valley by breaking any unbroken natural tree canopy cover or creating smaller discrete parcels of vegetation from an existing stand.

17 Controls for subdivision within Zone 1 (c)

(1) The Council must not consent to the subdivision of land within Zone 1 (c) unless:

(a) each lot to be created by the subdivision has an area of not less than 0.4 hectares and the average lot size (calculated by dividing the total area of land to be subdivided by the number of lots to be created by the subdivision) is not less than 0.8 hectares, where reticulated water and sewerage services are available, and

(b) each lot to be created by the subdivision has an area of not less than 1 hectare, where reticulated water and sewerage services are not available.

(2) The Council must not consent to the subdivision of any land within Zone 1 (c) unless it has considered:

(a) the land capability (including soil resources, soil stability and capacity for on-site

waste disposal) and the natural constraints, and hazards, of the land to be subdivided in relation to the density and design of the allotments proposed to be created, and

(b) the desirability of providing a range and mixture of allotment sizes, and

(c) the ability to provide urban services to the land.

18 Controls for building dwelling houses within Zone 1 (c)

(1) A dwelling house may not be erected on land within Zone 1 (c) unless that land is an allotment that complies with clause 17 (1) (a) and (b).

(2) Despite any other provision of this plan, the Council may consent to the erection of a second dwelling house on an allotment within Zone 1 (c) with an area exceeding two hectares, but only if, in the opinion of the Council:

(a) the development will not adversely affect the visual amenity of the area, and

(b) the development will not place undue demand on the provision of public services, and

(c) the development will not increase ribbon development on any main or arterial road and will not exceed the environmental capacity of the site.

19 Controls for subdivision within Zone 1 (d)

The Council must not consent to the subdivision of land within Zone 1 (d) unless each allotment to be created by the subdivision has an area of not less than 12 hectares, even if the subdivision is by a strata plan or under the *Community Land Development Act 1989*.

Part 3 Residential Zones Provisions

20 General controls for development—Zone 2 (a) (the Residential A zone)

(1) **Land within the zone**
Land is within Zone 2 (a) (the Residential A zone) if it is shown coloured light pink on the map.

(2) **Objective of the zone**
To provide an environment primarily for detached and semi-detached housing.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

advertisements not displaying the purpose for which the land is used; amusement parks; animal boarding, breeding or training establishments; aquaculture; backpackers inns; brothels; bus depots; car repair stations; clubs; commercial premises; extractive industries; gas holders; general agriculture; general stores; generating works; heavy industries; helipads; heliports; hotels; institutions; intensive horticulture; intensive livestock keeping; junk yards; light industries; liquid fuel depots; mineral sand mines; mines; motels; motor showrooms; offensive or hazardous industries; passenger

terminals; places of assembly; plantation forestry; plant nurseries; public buildings; racecourses; recreation establishments; recreation facilities; refreshment rooms; roadside stalls; road transport terminals; rural industries; sawmills; service stations; shops; showgrounds; stock and sale yards; timber yards; tourist facilities; turf farms; veterinary surgeries; warehouses; waste management facilities or works.

21 General controls for development—Zone 2 (b1) (the Residential B1 zone)

(1) **Land within the zone**
Land is within Zone 2 (b1) (the Residential B1 zone) if it is shown coloured medium pink on the map.

(2) **Objectives of the zone**

(a) To provide for a range of housing types in locations that are accessible to retail, commercial and public transport facilities.

(b) To encourage the efficient use of aged housing stock upon redevelopment.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

advertisements not displaying the purpose for which the land is used; amusement parks; animal boarding, breeding or training establishments; aquaculture; brothels; bus depots; car repair stations; clubs; commercial premises; extractive industries; gas holders; general agriculture; generating works; heavy industries; helipads; heliports; hotels; institutions; intensive horticulture; intensive livestock keeping; junk yards; light industries; liquid fuel depots; mineral sand mines; mines; motels; motor showrooms; offensive or hazardous industries; passenger terminals; places of assembly; plantation forestry; plant nurseries; public buildings; racecourses; recreation establishments; recreation facilities; refreshment rooms; road transport terminal; rural industries; sawmills; service stations; shops; showgrounds; stock and sale yards; timber yards; tourist facilities; turf farms; veterinary surgeries; warehouses; waste management facilities or works.

22 General controls for development—Zone 2 (b2) (the Residential B2 zone)

(1) **Land within the zone**
Land is within Zone 2 (b2) (the Residential B2 zone) if it is shown coloured dark pink on the map.

(2) **Objective of the zone**
To allow for medium density development in locations that are in the vicinity of retail, commercial and public transport facilities.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home business; home occupations (excluding an occupation or

industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

advertisements not displaying the purpose for which the land is used; amusement parks; animal boarding, breeding or training establishments; aquaculture; brothels; bus depots; car repair stations; clubs; commercial premises; extractive industries; gas holders; general agriculture; generating works; heavy industries; helipads; heliports; hotels; institutions; intensive horticulture; intensive livestock keeping; junk yards; light industries; liquid fuel depots; mineral sand mines; mines; motels; motor showrooms; offensive or hazardous industries; passenger terminals; places of assembly; plantation forestry; plant nurseries; public buildings; racecourses; recreation establishments; recreation facilities; refreshment rooms; roadside stalls; road transport terminals; rural industries; sawmills; service stations; shops; showgrounds; stock and sale yards; timber yards; tourist facilities; turf farms; veterinary surgeries; warehouses; waste management facilities or works.

23 General controls for development—Zone 2 (e) (the Mixed Use Residential E zone)

(1) **Land within the zone**
Land is within Zone 2 (e) (the Mixed Use Residential E zone) if it is shown coloured salmon on the map.

(2) **Objective of the zone**
To allow for mixed use residential neighbourhoods to be developed on 'greenfields' sites providing for a range of household preferences and needs compatible with fully developed residential neighbourhoods.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

advertisements not displaying the purpose for which the land is used; amusement parks; animal boarding, breeding or training establishments; aquaculture; brothels; bus depots; car repair stations; extractive industries; gas holders that are not ancillary to an allowable use or a use granted consent; generating works; heavy industries; helipads; heliports; institutions; intensive horticulture; intensive livestock keeping; junk yards; light industries; liquid fuel depots; mineral sand mines; mines; motor showrooms; offensive or hazardous industries; plantation forestry; racecourses; roadside stalls; road transport terminals; rural industries; sawmills; stock and sale yards; timber yards; turf farms; warehouses; waste management facilities or works.

24 General controls for development—Zone 2 (f) (the Mixed Use Residential F zone)

(1) **Land within the zone**
Land is within Zone 2 (f) (the Mixed Use Residential F zone) if it is shown coloured mauve on the map.

(2) **Objectives of the zone**

(a) To allow for mixed use residential neighbourhoods to be developed providing for a range of household preferences and needs.

(b) To enable the development of a regional boat harbour facility and associated commercial and recreational activities.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

advertisements not displaying the purpose for which the land is used; amusement parks; animal boarding, breeding or training establishments; aquaculture; brothels; car repair stations; extractive industries; gas holders that are not ancillary to an allowable use or a use granted consent; generating works; heavy industries; heliports; institutions; intensive horticulture; intensive livestock keeping; junk yards; light industries (other than those associated with and including boat manufacture or repair); liquid fuel depots; mineral sand mines; mines; motor showrooms (other than for caravans, boats or trailers); offensive or hazardous industries; plantation forestry; racecourses; roadside stalls; road transport terminals; rural industries; sawmills; stock and sale yards; timber yards; turf farms; warehouses; waste management facilities or works.

25 Controls to promote commercial hierarchy within Zones 2 (e) and 2 (f)

Despite any other provision of this plan, the Council may consent to commercial or retail development (or mixed commercial and retail development) on land within Zone 2 (e) or 2 (f) only if, in the opinion of the Council, it will promote the commercial hierarchy for the Shellharbour City local government area presented in Schedule 4.

26 Development within the quarry buffer area in Zone 2 (f)

(1) Despite any other provision of this plan, a person shall not develop land in Zone 2 (f) identified as "quarry buffer area" on the map for any purpose other than general agriculture; drainage; light industries and industries associated with and including boat manufacture and repair; open space; recreation areas; roads; shops and commercial premises in accordance with Schedule 4; utility installations (other than gas holders or generating works), and warehouses.

(2) The Council shall not grant development consent in respect of any development for a purpose specified in subclause (1) unless:

(a) the development will not be unduly affected in an adverse manner by proximity to the Bass Point Quarry, having regard to the normal course of the quarry's operations, and

(b) the applicant for that consent is aware of the nature of the operation of the quarry and its likely impact on the land within the quarry buffer area and has notified the Council in writing of his, hers or its acceptance of that impact, and

(c) the development will not pose a restriction on the nature of operations within the quarry.

Part 4 Commercial Zones Provisions

27 General controls for development—Zone 3 (a) (the Mixed Use Commercial zone)

(1) **Land within the zone**
Land is within Zone 3 (a) (the Mixed Use Commercial zone) if it is shown coloured light blue on the map.

(2) **Objectives of the zone**

(a) To provide for mixed use retail/commercial centres in locations that have developed historically or which are centrally located.

(b) To allow for mixed use development incorporating residential and commercial or retail activities.

(c) To encourage the development of commercial/retail centres that provide for daily convenience and higher order needs of the surrounding residential areas.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not identified in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

animal boarding, breeding or training establishments; aquaculture; brothels; car repair stations; extractive industries; gas holders that are not ancillary to an allowable use or a use granted consent; generating works; heavy industries; helipads; heliports; hospitals; institutions; intensive horticulture; intensive livestock keeping; junk yards; light industries; liquid fuel depots; mineral sand mines; mines; offensive or hazardous industries; plantation forestry; racecourses; road transport terminals; roadside stalls; rural industries; sawmills; stock and sale yards; timber yards; turf farms; waste management facilities or works.

28 General controls for development—Zone 3 (d) (the Neighbourhood Business zone)

(1) **Land within the zone**
Land is within Zone 3 (d) (the Neighbourhood Business zone) if it is shown coloured medium blue on the map.

(2) **Objectives of the zone**

(a) To allow for retail and commercial businesses of a scale that is unlikely to prejudice

the viability of a higher order commercial centre.

(b) To provide for retail and commercial services that may cater for the daily convenience needs of the local community.

(c) To allow for mixed use development incorporating residential and commercial or retail activities.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

amusement parks; animal boarding, breeding or training establishments; aquaculture; backpackers inns; brothels; car repair stations; clubs; extractive industries; gas holders that are not ancillary to an allowable use or a use granted consent; general agriculture; generating works; heavy industries; helipads; heliports; hospitals; hotels; institutions; intensive horticulture; intensive livestock keeping; junk yards; light industries; liquid fuel depots; mineral sand mines; mines; motels; motor showrooms; offensive or hazardous industries; plantation forestry; racecourses; road transport terminals; roadside stalls; rural industries; sawmills; stock and sale yards; timber yards; turf farms; warehouses; waste management facilities or works.

29 Controls to promote commercial hierarchy

Despite any other provision of this plan, the Council may consent to commercial or retail development (or mixed commercial and retail development) on land within Zone 3 (a) or 3 (d) only if, in the opinion of the Council, it will promote the commercial hierarchy for the Shellharbour City local government area presented in Schedule 4.

Part 5 Industrial Zones Provisions

30 General controls for development—Zone 4 (a) (the Light Industrial zone)

(1) **Land within the zone**
Land is within Zone 4 (a) (the Light Industrial zone) if it is shown coloured light purple on the map.

(2) **Objective of the zone**
To provide for a wide variety of light industrial uses which are generally compatible with nearby residential neighbourhoods.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

amusement parks; aquaculture; backpackers inns; bed and breakfasts; clubs; commercial premises (other than those used in conjunction with industry and situated on land on which the industry is situated); dual occupancies; dwelling houses (other than those used in conjunction with industry and situated on land on which the industry is situated); extractive industries; gas holders that are not ancillary to an allowable use or a use granted consent; general stores; generating works; heavy industries; helipads; heliports; hospitals; hotels; institutions; intensive horticulture; intensive livestock keeping; junk yards; liquid fuel depots; medium density housing; mineral sand mines; mines; motels; offensive or hazardous industries; places of assembly; plantation forestry; professional consulting rooms; public buildings; recreational establishments; roadside stalls; rural industries; shops (other than light industrial retail outlets and those that serve the daily convenience needs of an industrial area); stock and sale yards; tourist facilities.

31 General controls for development—Zone 4 (a3) (the Airport Light Industrial zone)

(1) **Land within the zone**
Land is within Zone 4 (a3) (the Airport Light Industrial zone) if it is shown coloured dark purple and lettered 4 (a3) on the map.

(2) **Objectives of the zone**

(a) To provide for a wide variety of light industrial uses that are generally compatible with nearby residential neighbourhoods.

(b) Where appropriate, to encourage the development of industries that are airport-related and, as a result, to diversify the industrial base of Shellharbour in a manner compatible with use of the adjacent Illawarra Regional Airport.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in item (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

amusement parks; aquaculture; animal boarding, breeding or training establishments; child care centres; commercial premises (other than those used in conjunction with an allowable use and situated on land on which the use is situated or those providing a service to an airport or to airport-related uses); dual occupancies; dwelling houses (other than those used in conjunction with an allowable use and situated on land on which the use is situated); extractive industries; gas holders that are not ancillary to an allowable use or a use granted consent; general stores; generating works; heavy industries (other than airport related industries); helipads; heliports; hospitals; institutions; intensive horticulture; intensive livestock keeping; junk yards; medium density housing; mineral sand mines; mines; motor showrooms; offensive or hazardous industries; places of assembly; places of public worship; plantation forestry;

professional consulting rooms; racecourses; recreational establishments; roadside stalls; rural industries; sawmills; shops (other than light industrial retail outlets and those that serve the daily convenience needs of an industrial area or airport); stock and sale yards; waste management facilities or works.

32 General controls for development—Zone 4 (c) (the Extractive Industrial zone)

(1) **Land within the zone**
Land is within Zone 4 (c) (the Extractive Industrial zone) if it is shown coloured dark purple on the map.

(2) **Objectives of the zone**
To identify those areas specifically allocated for extractive purposes.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

Nil.

(4) **Allowed only with development consent**
Development for the purpose of:

clearing of land; drainage; extractive industries; filling; general agriculture; intensive horticulture; intensive livestock keeping; mines; turf farms; waste management facilities or works; wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

33 General controls for development—Zone 4 (f) (the Special Industrial zone)

(1) **Land within the zone**
Land is within Zone 4 (f) (the Special Industrial zone) if it is shown coloured dark purple and lettered 4 (f) on the map.

(2) **Objective of the zone**
To provide a suitable area for those industrial uses which are more appropriately located away from residential areas by reason of the emission of noise, fumes, dust or the like.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not identified in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

amusement parks; animal boarding, breeding or training establishments; aquaculture; backpackers inns; bed and breakfasts; child care centres; clubs; commercial premises (other than those used in conjunction with industry and situated on land on which the industry is situated); community facilities; dual occupancies; dwelling houses (other than those used in conjunction with industry and situated on land on which the industry is situated); extractive industries; general stores; generating works; helipads; heliports; hospitals; hotels; institutions; intensive horticulture; intensive livestock keeping;

medium density housing; mineral sand mines; mines; motels; motor showrooms; places of assembly; places of public worship; plantation forestry; professional consulting rooms; public buildings; racecourses; recreational establishments; refreshment rooms; roadside stalls; rural industries; service stations; shops (other than light industrial retail outlets and those that serve the daily convenience needs of an industrial area); stock and sale yards; tourist facilities; veterinary surgeries.

34 Bulky goods retailing within Zones 4 (a) and 4 (a3)

Despite any other provision of this plan, the Council may consent to development of land within Zone 4 (a) or 4 (a3) for the purpose of retailing of bulky goods but only if it has considered:

(a) the availability of suitable lands in any nearby business centre, and

(b) the impact of the development on the predominantly industrial nature of Zone 4 (a) or 4 (a3), and

(c) the effect of the development on the viability of the nearby business centre.

35 Controls for certain development of certain land within Zone 4 (a)

Despite any other provision of this plan, the Council must not consent to development for the purpose of a motor showroom on land within Zone 4 (a), being 13 to 97 Princes Highway; 2–6 and 1–7 Mye Place, or 6 and 8 Creole Road, Albion Park Rail, unless vehicular access to and egress from the land is not only by way of the Princes Highway but is also to and from some other additional point of access and egress.

36 Access controls within Zone 4 (a3)

(1) The Council must not grant consent for development of land within Zone 4 (a3) unless access to and egress from the site of the development is available otherwise than directly from or to a main or arterial road.

(2) In granting such a consent, the Council must prohibit direct vehicular access to or egress from the site by a main or arterial road.

(3) This clause does not apply to Lot 4211, DP 833774, Princes Highway, Albion Park Rail.

37 Controls for liquid fuel depots within Zones 4 (a3) and 4 (f)

(1) A person must not establish, enlarge or use a liquid fuel depot on land within Zone 4 (a3) or 4 (f) having an above ground storage capacity of 500 kilolitres or more of inflammable liquid without the consent of the Council.

(2)–(4) (Repealed)

Part 6 Special Uses Zones Provisions

38 General controls for development—Zone 5 (a) (the Special Uses zone)

(1) **Land within the zone**
Land is within Zone 5 (a) (the Special Uses zone) if it is shown coloured dark yellow and lettered with the special use of the land on the map.

(2) **Objective of the zone**
To maintain land for certain community facilities and services.

(3) **Allowed without development consent**

Exempt development and development for the purpose of:

home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

clearing of land; commercial premises; community facilities; drainage; educational establishments; filling; general agriculture; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; intensive horticulture; passenger terminals; places of assembly; places of public worship; the particular land use indicated by heavy black lettering on the map; turf farms; utility installations (other than gas holders or generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

39 General controls for development—Zone 5 (b) (the Special Railway Uses zone)

(1) **Land within the zone**
Land is within Zone 5 (b) (the Special Railway Uses zone) if it is shown coloured dark grey on the map.

(2) **Objective of the zone**
To maintain land for railway purposes.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

clearing of land; drainage; filling; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; railway uses (other than advertisements except at railway stations); utility installations (other than gas holders or generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

40 Interim development within Zone 5 (a)

In considering whether to grant consent to development of land within Zone 5 (a) for the erection or use of commercial premises, general agriculture, intensive horticulture or passenger terminals, the Council must assess the proposal to ensure that it will not interfere with the use of the land for the purpose identified by lettering on the zoning map.

41 Controls to promote commercial hierarchy within Zone 5 (a)

Despite any other provision of this plan, the Council may consent to commercial or retail development (or mixed commercial and retail development) on land within Zone 5 (a) only if,

in the opinion of the Council, it will promote the commercial hierarchy for the Shellharbour City local government area presented in Schedule 4.

42 Temporary uses by charities and service clubs within Zone 5 (a)

(1) Despite any other provision of this plan, a person may, with the consent of the Council, carry out development on land within Zone 5 (a) for the purpose of temporary activities such as markets, exhibitions and fund raising, but only if:

(a) the activity will be carried out by an established non-profit organisation, and

(b) the consent will not have the effect of allowing the same site to be used for the those kinds of activities more than 12 times in any one year.

(2) In considering whether to grant consent to the carrying out of any such development, the Council must take into account:

(a) the suitability of the land for the proposed development, and

(b) the availability and suitability of alternative sites for the proposed development, and

(c) the impact of the proposed development on the land and the neighbourhood, and

(d) the desirability of retaining the land for its existing or likely future use.

Part 7 Open Space Zones Provisions

43 General controls for development—Zone 6 (a) (the Public Open Space zone)

(1) **Land within the zone**
Land is within Zone 6 (a) (the Public Open Space zone) if it is shown coloured light green on the map.

(2) **Objectives of the zone**

(a) To identify areas where recreational opportunities for the general use of the community are provided.

(b) To enable development that will enhance the public enjoyment of areas referred to in subclause (2) (a).

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

aids to navigation; bushfire hazard reduction; home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*); landscaping.

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; clearing of land; community facilities; drainage; dwelling houses; educational establishments; filling; general agriculture; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; intensive horticulture; places of assembly; places of public worship; plantation forestry; racecourses; recreation areas; recreation establishments; recreation facilities; refreshment rooms; shops and commercial premises required in connection with an allowable use; showgrounds; turf farms; utility installations (other than gas holders or generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not identified in subclause (3) or (4).

44 General controls for development—Zone 6 (b) (the Private Open Space zone)

(1) **Land within the zone**
Land is within Zone 6 (b) (the Private Open Space zone) if it is shown coloured medium green on the map.

(2) **Objective of the zone**
To identify areas where private recreation facilities may be developed.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

aids to navigation; home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; backpackers inns; bed and breakfasts; clearing of land; community facilities; drainage; dwelling houses required for use or occupation by persons employed in connection with an allowable use or a use granted consent; educational establishments; filling; general agriculture; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; intensive horticulture; places of assembly; places of public worship; racecourses; recreation areas; recreation establishments; recreation facilities; refreshment rooms; shops and commercial premises required in connection with an allowable use or a use granted consent; turf farms; tourist facilities; utility installations (other than gas holders or generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not identified in subclause (3) or (4).

45 Restriction on granting consent for development within Zone 6 (a)

Despite any other provision of this plan, the Council must not consent to any development on land within Zone 6 (a) unless it has considered:

(a) the need for the proposed development on that land, and

(b) the impact of the proposed development on the existing or likely future use of the land, and

(c) the need to retain the land for its existing or likely future use.

46 Controls for building dwelling houses within Zone 6 (a)

Despite any other provision of this plan, the Council must not consent to the erection of a dwelling house on land within Zone 6 (a) unless it is satisfied that the dwelling house is to be used for the permanent occupation of a caretaker or manager for the property on which the dwelling house is to be located.

47 Temporary uses by charities and service clubs within Zones 6 (a) and 6 (b)

(1) Despite any other provision of this plan, a person may, with the consent of the Council, carry out development on land within Zone 6 (a) or 6 (b) for the purpose of temporary activities such as markets, exhibitions and fund raising, but only if:

(a) the activity will be carried out by an established non-profit organisation, and

(b) the consent will not have the effect of allowing the same site to be used for the those kinds of activities more than 12 times in any one year.

(2) In considering whether to grant consent to the carrying out of any such development, the Council must take into account:

(a) the desirability (from the Council's view point) of the proposed development on the land, and

(b) the suitability of the land for the proposed development, and

(c) the availability and suitability of alternative sites for the proposed development, and

(d) the impact of the proposed development on the land and the neighbourhood, and

(e) the desirability of retaining the land for its existing or likely future use.

Part 8 Environmental Protection Zones Provisions

48 General controls for development—Zone 7 (a) (the Environmental Protection (Wetlands) zone)

(1) **Land within the zone**
Land is within Zone 7 (a) (the Environmental Protection (Wetland) zone) if it is shown coloured rust on the map.

(2) **Objectives of the zone**

(a) To protect and enhance wetland areas which provide important habitats for species of wetland flora and fauna.

(b) To maintain and enhance wetland environments which provide limited recreational and aesthetic opportunities for the public.

(3) **Allowed without development consent**
Development for the purpose of:

Nil.

(4) **Allowed only with development consent**
Development for the purpose of:

aids to navigation; cycleways; drainage; filling; general agriculture; utility installations (other than gas holders or generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

49 General controls for development—Zone 7 (d) (the Environmental Protection (Scenic) zone)

(1) **Land within the zone**

Land is within Zone 7 (d) (the Environmental Protection (Scenic) zone) if it is shown coloured light tan on the map.

(2) **Objective of the zone**
To protect scenic areas which are generally undeveloped and which provide an important visual backdrop for the urban areas.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

aids to navigation; home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; animal boarding, breeding or training establishments; attached dual occupancies; bed and breakfasts; clearing of land; drainage; dwelling houses; filling; general agriculture; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; intensive horticulture; intensive livestock keeping; plantation forestry; recreation areas; recreation establishments; roadside stalls; rural industries; tourist facilities; turf farms; utility installations (other than gas holders or generating works); veterinary surgeries; wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

50 General controls for development—Zone 7 (e) (the Environmental Protection (Escarpment) zone)

(1) **Land within the zone**
Land is within Zone 7 (e) (the Environmental Protection (Escarpment) zone) if it is shown coloured medium tan on the map.

(2) **Objective of the zone**
To protect escarpment areas which are generally undeveloped and which provide an important visual backdrop for urban areas and which support important native flora and fauna habitats.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; attached dual occupancies; bed and breakfasts; clearing of land; drainage; dwelling houses; filling; general agriculture; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; intensive horticulture; mines;

plantation forestry; recreation areas; recreation establishments; roadside stalls; rural industries; utility installations (other than gas holders or generating works); veterinary surgeries; wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

51 General controls for development—Zone 7 (f2) (the Environmental Protection (Foreshore) zone)

(1) **Land within the zone**
Land is within Zone 7 (f2) (the Environmental Protection (Foreshore) zone) if it is shown coloured dark tan on the map.

(2) **Objective of the zone**
To protect prominent foreshore areas which are generally undeveloped and which provide aesthetic and recreational opportunities for the public.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

aids to navigation; home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; bed and breakfasts; clearing of land; drainage; dwelling houses; filling; general agriculture; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; recreation areas; local roads; tourist facilities; utility installations (other than gas holders or generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

52 General controls for development—Zone 7 (g) (the Environmental Protection (Living Area 1) zone)

(1) **Land within the zone**
Land is within Zone 7 (g) (the Environmental Protection (Living Area 1) zone) if it is shown coloured medium tan and lettered 7 (g) on the map.

(2) **Objectives of the zone**

(a) To allow small rural holdings to be created taking advantage of the availability of rural land not generally suited to agriculture, industrial or urban uses.

(b) To maintain the environmental quality and visual amenity of Shellharbour's rural areas.

(c) To protect the quality of waters in the locality concerned.

(d) To preserve the rural backdrop to existing and proposed residential areas.

(e) To reduce the demand for subdivision for residential purposes of rural land.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; bed and breakfasts; clearing of land; drainage; dwelling houses; education establishments; filling; general agriculture; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; intensive horticulture; places of public worship; plantation forestry; professional consulting rooms; turf farms; utility installations; veterinary surgeries; wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

53 General controls for development—Zone 7 (h) (the Environmental Protection (Living Area 2) zone)

(1) **Land within the zone**
Land is within Zone 7 (h) (the Environmental Protection (Living Area 2) zone) if it is shown coloured medium tan and lettered 7 (h) on the map.

(2) **Objectives of the zone**

(a) To provide for low density detached dwelling development in localities that cannot support conventional densities by virtue of servicing constraints, the visual prominence of the site, the need to retain important remnant vegetation or any other reason.

(b) To ensure the housing styles are sympathetic to a semi-rural setting and maintain the visual amenity of the locality.

(c) To ensure areas of remnant bushland are preserved.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; bed and breakfasts; clearing of land; drainage; dwelling houses; educational establishments; filling; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; professional consulting rooms; turf farms; utility installations; wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

54 Controls for subdivision of land within Zones 7 (a), 7 (d) and 7 (e)

(1) The Council must not consent to a subdivision of land within Zone 7 (a), 7 (d) or 7 (e) unless:

(a) each allotment to be created will have an area of not less than 40 hectares or the Council is satisfied that any proposed smaller allotment is not intended to be used for the purpose of agriculture or a dwelling house, but is intended to be used for another lawful purpose, and

(b) where any allotment proposed to be created will have a frontage to a main road, the frontage will be not less than 200 metres, and

(c) the Council has been informed of the purpose for which each proposed allotment to be created by the subdivision is intended to be used and, where the purpose is agriculture, of the form of agriculture for which the allotment is intended to be used.

55 Controls for building dwelling houses within Zones 7 (d) and 7 (e)

(1) Despite any other provision of this plan, the Council must not consent to the erection of a dwelling house on an allotment within Zone 7 (d) or 7 (e) that has an area of less than 40 hectares unless:

(a) that allotment is a vacant original holding, or

(b) the allotment has been created in accordance with a subdivision approval (or a consent for a subdivision) on which no condition has been imposed prohibiting the erection of a dwelling house on the subject property.

(2) Despite any other provision of this plan, the Council must not consent to the erection of more than one dwelling house on an allotment within Zone 7 (d) or 7 (e) unless the dwelling house will be used or occupied by a person engaged by the owner of that land in the pursuit of agriculture on that land or on land adjacent to or adjoining that land.

(3) Consent must not be granted for a dwelling house on an allotment of land in Zone 7 (d) or 7 (e) with an area of less than 40 hectares unless the Council places a condition on the consent requiring that allotment to be consolidated with any adjoining land in the same ownership until either all adjoining properties within the same ownership are consolidated or a minimum area of 40 hectares is achieved.

56 Controls for the development of certain land within Zone 7 (e)

(1) The Council must not consent to development on land within Zone 7 (e) in the "Jamberoo Valley Escarpment Area" shown on the map unless:

(a) there is no reasonable alternative site for the proposed development, and

(b) the proposed development will not have a detrimental impact on the visual quality of the Jamberoo Valley, and

(c) any building and its access will be designed and sited so as to be visually unobtrusive from any public place, and

(d) the proposed development will not be subject to slip hazard, and

(e) adequate landscaping to screen the development will be provided, and

(f) it has given consideration to the impact that the proposed development will have on the scenic quality of the Jamberoo Valley by way of colour, bulk, vegetation removal, road

access, visual intrusiveness, reflection and traffic generation, and is satisfied that such measures as will, in the Council's opinion, minimise that impact are proposed to be taken.

(2) The Council must take the following into consideration when assessing an application for consent to clear any land within Zone 7 (e) shown stippled on Sheet 3 of the map marked "Illawarra Regional Environmental Plan No 2—Jamberoo Valley" deposited in the office of the Department of Urban Affairs and Planning (being areas of significant vegetation):

(a) the movement of native fauna,

(b) any rare or significant flora or fauna,

(c) any rare or significant habitats,

(d) the effect of the proposed clearing on adjacent or adjoining lands under the control of the National Parks and Wildlife Service,

(e) whether there is a reasonable alternative to the removal of that vegetation or the extent of the removal of that vegetation,

(f) the visual impact on the scenic quality of the Jamberoo Valley by breaking any unbroken natural tree canopy cover or creating smaller discrete parcels of vegetation from an existing stand.

57 Controls for subdivision of land within Zone 7 (f2)

(1) The Council must not consent to the subdivision of land within Zone 7 (f2) unless:

(a) each allotment to be created will have an area of not less than 40 hectares or the Council is satisfied that any proposed smaller allotment is not intended to be used for the purpose of agriculture or a dwelling house, but is intended to be used for another lawful purpose, and

(b) where any allotment proposed to be created will have a frontage to a main road, the frontage will be not less than 200 metres, and

(c) the Council has been informed of the purpose for which each proposed allotment to be created by the subdivision is intended to be used and, where the purpose is agriculture, of the form of agriculture for which the allotment is intended to be used.

(2) The Council must not grant consent to a subdivision of land within Zone 7 (f2) unless it has taken into consideration the following:

(a) the extent to which the development would affect the scenic qualities of the coastal landscape, headlands, dune systems, and the hinterland, including lagoons, lakes and areas where the original vegetation is still dominant,

(b) whether the development would result in the degradation of, or restriction of access to, coastal recreation areas,

(c) any plan, code, policy or design adopted by resolution of the Coastal Council of New South Wales for the purpose of protecting coastal lands,

(d) the potential impacts of climate change including sea level rise.

(3) (Repealed)

58 Restrictions on granting consent within Zone 7 (f2)

(1) Despite any other provision of this plan, the Council must not consent to the erection of a dwelling house on land within Zone 7 (f2) unless the dwelling house is to be used for the permanent occupation of a caretaker or manager for the property on which the dwelling house is to be located.

(2) The matters that the Council must take into consideration in deciding whether to grant consent to development on land within Zone 7 (f2) for the purpose of additions or alterations to an existing building or work, tourist facilities, dams, drainage, dwelling houses, roads or utility installations (other than gas holders or generation works) are:

(a) the extent to which the development would affect the scenic qualities of the coastal landscape, headlands, dune systems, and the hinterland, including lagoons, lakes and areas where the original vegetation is still dominant, and

(b) whether the development would result in the degradation of, or restriction of access to, coastal recreation areas, and

(c) any plan, code, policy or design adopted by resolution of the Coastal Council of New South Wales for the purpose of protecting coastal lands, and

(d) the potential impacts of climate change including sea level rise.

(3) (Repealed)

59 Acquisition of land within Zone 7 (f2)

(1) The owner of land within Zone 7 (f2) may, by notice in writing, require the corporation to acquire the land.

(2) On receipt of such a notice, the corporation must acquire the land.

60 Controls for subdivision of land within Zone 7 (g)

The Council must not consent to the subdivision of land within Zone 7 (g) unless:

(a) each allotment to be created (including any proposed lot under the *Strata Schemes (Leasehold Development) Act 1973* or the *Community Land Development Act 1989*) will have an area of not less than 4 hectares, and

(b) the Council has taken into consideration:

(i) the land capability (including soil resources, soil stability and capacity for on-site waste disposal) and the natural constraints, and hazards of the land to be subdivided in relation to the density and design of the allotments proposed to be created, and

(ii) the desirability of providing a range and mix of allotment sizes, and

(iii) the ability to provide services to the land, and

(iv) whether the design of each allotment to be created by the subdivision is satisfactory for the provision of those services.

61 Controls for building dwelling houses within Zone 7 (g)

A person must not erect a dwelling house on an allotment of land within Zone 7 (g) unless that land is an allotment created by a subdivision to which the Council has consented in accordance with this plan.

62 Controls for subdivision of land within Zone 7 (h)

The Council must not consent to the subdivision of land within Zone 7 (h) unless:

(a) the average size of the allotments to be created (including any proposed lot under the *Strata Schemes (Leasehold Development) Act 1973* or the *Community Land Development Act 1989*) is not less than 1000 square metres, and

(b) the Council has taken into consideration:

(i) the land capability (including soil resources, soil stability and capacity for on-site waste disposal) and the natural constraints, and hazards of the land to be subdivided in relation to the density and design of the allotments proposed to be created, and

(ii) the desirability of providing a range and mixture of allotment sizes, and

(iii) the ability to provide services to the land, and

(iv) whether the design of each allotment to be created by the subdivision is satisfactory for the provision of those services.

63 (Repealed)

Part 9 National Parks and Nature Reserves Zone Provisions

64 General controls for development—Zone 8 (the National Parks and Nature Reserves zone)

(1) **Land within the zone**
Land is within Zone 8 (the National Parks and Nature Reserves zone) if it is shown coloured olive green on the map.

(2) **Objectives of the zone**

(a) To identify land which is reserved or dedicated under the *National Parks and Wildlife Act 1974*.

(b) To allow for the appropriate use of that land as provided for in the *National Parks and Wildlife Act 1974*.

(3) **Allowed without development consent**
Development for the purpose of:

Nil.

(4) **Allowed only with development consent**
Any development authorised by or under the *National Parks and Wildlife Act 1974* or any other development ordinarily incidental or ancillary to any such development.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

Part 10 Reservation Zones Provisions

65 General controls for development—Zone 9 (b) (the Arterial Roads Reservation zone)

(1) **Land within the zone**
Land is within Zone 9 (b) (the Arterial Roads Reservation zone) if it is shown coloured red on the map.

(2) **Objective of the zone**

To provide for the acquisition of land reserved for main or arterial roads.

(3) **Allowed without development consent**
Development for the purpose of:

main or arterial roads; widening of existing main or arterial roads.

(4) **Allowed only with development consent**
Development for the purpose of:

clearing of land; drainage; extractive industry; filling, mineral sand mines; turf farms; utility installations (other than gas holders and generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

66 General controls for development—Zone 9 (c) (the Local Roads Reservation zone)

(1) **Land within the zone**
Land is within Zone 9 (c) (the Local Roads Reservation zone) if it is shown coloured light grey on the map.

(2) **Objective of the zone**
To permit the development of reserved land where it is not immediately required for local roads.

(3) **Allowed without development consent**
Development for the purpose of:

local roads; widening of local existing roads.

(4) **Allowed only with development consent**
Development for the purpose of:

clearing of land; drainage; filling; utility installations (other than gas holders and generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

67 General controls for development—Zone 9 (d) (the Open Space Reservation zone)

(1) **Land within the zone**
Land is within Zone 9 (d) (the Open Space Reservation zone) if it is shown coloured dark green on the map.

(2) **Objective of the zone**
To allow the continued use of reserved land until it is required.

(3) **Allowed without development consent**
Development for the purpose of:

aids to navigation; bushfire hazard reduction; landscaping.

(4) **Allowed only with development consent**
Development for the purpose of:

clearing of land; drainage; filling; general agriculture; intensive horticulture; plantation forestry; recreation areas; showgrounds; utility installations (other than gas holders and generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

68 Acquisition of land within Zone 9 (b)

Note. Nothing in this clause is to be construed as requiring a public authority to acquire land—see section 27 (3) of the Act.

(1) The owner of any land within Zone 9 (b) may, by notice in writing, require the Roads and Traffic Authority (RTA) to acquire the land. 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 is included in the 5-year works program of the RTA current at the time of the receipt of the notice, or

(c) the land is not vacant but the RTA has decided not to give concurrence to an application for consent to the carrying out of development on the land, or

(d) the land is not vacant but the RTA is of the opinion that the owner of the land will suffer hardship if the land is not acquired within a reasonable period of time,

but the RTA is not required to acquire the land if it might reasonably be required to be dedicated for public road.

(2) Despite any other provision of this plan, land within Zone 9 (b) (whether or not it has been acquired) may be developed, with the consent of the Council, for any purpose for which development or compatible development may be carried out on land in an adjoining zone. In granting such a consent, the Council may impose conditions:

(a) requiring the removal of any building or work for which it has granted consent, or

(b) requiring the reinstatement of the land or removal of any waste materials or refuse, or

(c) relating to any requirement requested to be imposed in a condition by the RTA when granting concurrence.

(3) (Repealed)

69 Acquisition of land within Zone 9 (c)

(1) The owner of land within Zone 9 (c) may, by notice in writing, require the Council to acquire the land. On receipt of such a notice, the Council must acquire the land.

(2) Despite any other provision of this plan, until it is acquired, land within Zone 9 (c) may be developed, with the consent of the Council, for any purpose for which development or compatible development may be carried out on land in an adjoining zone. In granting such a consent, the Council may apply conditions requiring:

(a) the removal of any building or work for which it has granted consent, and

(b) the reinstatement of the land or removal of any waste materials or refuse.

70 Temporary uses by charities and service clubs within Zone 9 (d)

(1) Despite any other provision of this plan, a person may, with the consent of the Council, carry out development on land within Zone 9 (d) for the purpose of temporary activities such as markets, exhibitions and fund raising, but only if:

(a) the activity will be carried out by an established non-profit organisation, and

(b) the consent will not have the effect of allowing the same site to be used for the those kinds of activities more than 12 times in any one year.

(2) In considering whether to grant consent to the carrying out of any such development, the Council must take into account:

(a) the desirability (from the Council's view point) of the proposed development on the land, and

(b) the suitability of the land for the proposed development, and

(c) the availability and suitability of alternative sites for the proposed development, and

(d) the impact of the proposed development on the land and the neighbourhood, and

(e) the desirability of retaining the land for its existing or likely future use.

71 Acquisition of land within Zone 9 (d)

(1) The owner of land within Zone 9 (d) may, by notice in writing, require the Council to acquire the land. On receipt of such a notice, the Council must acquire the land.

(2) Despite any other provision of this plan, until it is acquired, land within Zone 9 (d) may be developed, with the consent of the Council, for any purpose for which development or compatible development may be carried out on land in an adjoining zone. In granting such a consent, the Council may apply conditions requiring:

(a) the removal of any building or work for which it has granted consent, and

(b) the reinstatement of the land or removal of any waste materials or refuse.

Part 11 Heritage Conservation Provisions

72 Heritage objectives

The objectives of this plan in relation to heritage are:

(a) to conserve the environmental heritage of the Shellharbour City local government area, and

(b) to conserve the heritage significance of existing significant fabric, relics, Aboriginal objects, settings and views associated with the heritage significance of heritage items and heritage conservation areas, and

(c) to ensure that archaeological sites and places of Aboriginal heritage significance are conserved, and

(d) to ensure that the heritage conservation areas throughout the Shellharbour City local government area retain their heritage significance.

73 Protection of heritage items, heritage conservation areas, relics and Aboriginal objects

(1) The following development may be carried out only with development consent:

(a) demolishing, damaging or moving a heritage item, or a building, work, relic, Aboriginal object, tree or place within a heritage conservation area,

(b) altering a heritage item or a building, work, relic or Aboriginal object within a heritage conservation area by making structural changes to its exterior,

(c) altering a heritage item or a building, work, relic or Aboriginal object within a heritage conservation area by making non-structural changes to the detail, fabric, finish or appearance of its exterior,

(d) altering a heritage item by making structural changes to its interior,

(e) moving the whole or a part of a heritage item,

(f) erecting a building on, or subdividing, land on which a heritage item is located or which is within a heritage conservation area,

(g) disturbing or excavating a place of Aboriginal heritage significance or an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic or an Aboriginal object being discovered, exposed, moved, damaged or destroyed.

(2) Development consent is not required by this clause if:

(a) in the opinion of the consent authority:

(i) the proposed development is of a minor nature or consists of maintenance of the heritage item or of a building, work, archaeological site, tree or place within a heritage conservation area, and

(ii) the proposed development would not adversely affect the significance of the heritage item or heritage conservation area, and

(b) the proponent has notified the consent authority in writing of the proposed development and the consent authority has advised the applicant in writing, before any work is carried out, that it is satisfied that the proposed development will comply with this subclause and that development consent is not otherwise required by this plan.

(3) Development consent is not required by this clause for the following development in a cemetery or burial ground if there will be no disturbance to human remains, relics in the form of grave goods, Aboriginal objects in the form of grave goods or to a place of Aboriginal heritage significance:

(a) the creation of a new grave or monument,

(b) an excavation or disturbance of land for the purpose of carrying out conservation or repair of monuments or grave markers.

(4) Before granting a consent required by this clause, the consent authority must assess the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

Note. The website of the Heritage Branch of the Department of Planning has publications that provide guidance on assessing the impact of proposed development on the heritage significance of items (for example, *Statements of Heritage Impact*).

(5) The assessment must include consideration of a heritage impact statement that addresses at least the following issues (but is not to be limited to assessment of those issues, if the heritage significance concerned involves other issues). The consent authority may also decline to grant such a consent until it has considered a conservation management plan, if

it considers the development proposed should be assessed with regard to such a plan.

(6) The minimum number of issues that must be addressed by the heritage impact statement are:

(a) for development that would affect a heritage item:

(i) the heritage significance of the item as part of the environmental heritage of the Shellharbour City local government area, and

(ii) the impact that the proposed development will have on the heritage significance of the item and its setting, including any landscape or horticultural features, and

(iii) the measures proposed to conserve the heritage significance of the item and its setting, and

(iv) whether any archaeological site would be adversely affected by the proposed development, and

(v) the extent to which the carrying out of the proposed development would affect the form of any historic subdivision, and

(b) for development that would be carried out in a heritage conservation area:

(i) the heritage significance of the heritage conservation area and the contribution which any building, work, relic, Aboriginal object, tree or place affected by the proposed development makes to this heritage significance, and

(ii) the impact that the proposed development would have on the heritage significance of the heritage conservation area, and

(iii) the compatibility of the proposed development with nearby original buildings and the character of the heritage conservation area, taking into account the size, form, scale, orientation, setbacks, materials and detailing of the proposed development, and

(iv) the measures proposed to conserve the significance of the heritage conservation area and its setting, and

(v) whether any landscape or horticultural features would be affected by the proposed development, and

(vi) whether any archaeological site would be affected by the proposed development, and

(vii) the extent to which the carrying out of the proposed development in accordance with the consent would affect any historic subdivision pattern, and

(viii) the issues raised by any submission received in relation to the proposed development in response to the notification or advertising of the application.

74 Development in heritage conservation areas

(1) Before granting consent for the erection of a building within a heritage conservation area, the consent authority must be satisfied that the features of the proposed building will be compatible with the heritage significance of the heritage conservation area, having regard to the form of, and materials used in, buildings that contribute to the heritage significance of the heritage conservation area.

(2) In satisfying itself about those features, the consent authority must have regard to at least

the following (but is not to be limited to having regard to those features):

(a) the pitch and form of the roof (if any),

(b) the style, size, proportion and position of the openings for windows or doors (if any),

(c) the colour, texture, style, size and type of finish of the materials to be used on the exterior of the building.

75 Notice of certain heritage development applications

(1) The demolishing or damaging of a heritage item or a building, work, relic, Aboriginal object, tree or place within a heritage conservation area (and the use of a building or land referred to in clause 76 for a purpose which, but for that clause, would be prohibited by this plan) are identified as advertised development.

(2) Before granting consent to the demolishing or damaging of a heritage item identified in Schedule 3 as being of State significance, the consent authority must be satisfied that any necessary excavation permit required by the *Heritage Act 1977* has been granted.

75A Development affecting places or sites of Aboriginal heritage significance

Before granting consent for development that is likely to have an impact on a place of Aboriginal heritage significance, or that will be carried out on an archaeological site of an Aboriginal object that has Aboriginal heritage significance, the consent authority must:

(a) consider the effect on the heritage significance of the place or site and any Aboriginal object known or reasonably likely to be located at the place or site, and

(b) except where the proposed development is integrated development, notify the local Aboriginal communities (in such way as it thinks appropriate) of its intention to do so and take into consideration any comments received in response within 21 days after the relevant notice is sent.

75B Development affecting archaeological sites of relics of non-Aboriginal heritage significance

(1) Before granting consent for development that will be carried out on an archaeological site of a relic that has non-Aboriginal heritage significance (whether or not it is also the site of an Aboriginal object of Aboriginal heritage significance), the consent authority must:

(a) consider a heritage impact statement explaining how the proposed development would affect the conservation of the site and any relic or Aboriginal object known or reasonably likely to be located at the site, and

(b) notify the Heritage Council of its intention to do so and take into consideration any comments received in response within 28 days after the notice is sent.

(2) This clause does not apply if the proposed development:

(a) does not involve disturbance of below-ground deposits and the consent authority is of the opinion that the heritage significance of any above-ground relics or Aboriginal objects would not be adversely affected by the proposed development, or

(b) is integrated development.

75C Development in the vicinity of heritage items

(1) Before granting consent to development in the vicinity of a heritage item, the consent authority must assess the impact of the proposed development on the heritage significance

of the heritage item and of any heritage conservation area within which it is situated.

(2) This clause extends to development:

(a) that may have an impact on the setting of a heritage item, for example, by affecting a significant view to or from the item or by overshadowing, or

(b) that may undermine or otherwise cause physical damage to a heritage item, or

(c) that will otherwise have any adverse impact on the heritage significance of a heritage item or of any heritage conservation area within which it is situated.

(3) The consent authority may refuse to grant any such consent unless it has considered a heritage impact statement that will help it assess the impact of the proposed development on the heritage significance, visual curtilage and setting of the heritage item.

(4) The heritage impact statement should include details of the size, shape and scale of, setbacks for, and the materials to be used in, any proposed buildings or works and details of any modification that would reduce the impact of the proposed development on the heritage significance of the heritage item.

76 Conservation incentives

The consent authority may grant consent to the use, for any purpose, of a building (that is a heritage item or is within a heritage conservation area) or of the land on which such a building is erected, even though the use would otherwise be prohibited by this plan, if it is satisfied that:

(a) the proposed use would not adversely affect the heritage significance of the item, its setting or the heritage conservation area, and

(b) the conservation of the heritage item or the heritage conservation area depends on the granting of the consent, and

(c) the proposed use is in accordance with a conservation management plan which has been endorsed by the consent authority, and

(d) the granting of consent to the proposed use would ensure that all necessary conservation work identified in the conservation management plan is carried out, and

(e) the proposed use would not adversely affect the amenity of the surrounding area otherwise than to an insignificant extent.

Part 12 Miscellaneous Provisions

77 Subdivision

(1) Except as provided by subclause (2), development consent is required for the subdivision of land.

(2) Development consent is not required for subdivision for any one or more of the following purposes:

(a) to excise an allotment that will be used only for the purpose of opening a public road or to widen a public road,

(b) to make minor adjustments to common property boundaries,

(c) to amalgamate a vacant original holding with one or more other vacant original holdings,

(d) to rectify an encroachment on a vacant original holding.

78 Suspension of restrictions on land

(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, the operation of any covenant, agreement or like instrument imposing restrictions on the development shall not apply to the development.

(2) Pursuant to section 28 of the Act, before the making of this plan the Governor approved of subclause (1).

79 Development on beds of lakes, rivers etc

A person shall not, without development consent, carry out any development on any land shown uncoloured on the map forming part of the bed of a harbour, bay, lake, river, lagoon, creek or any other natural watercourse.

80 Community use of school facilities and sites

(1) Where land to which this plan applies is used for the purpose of an educational establishment, the site and facilities of the establishment may, with development consent, be used for the purpose of meeting rooms, public halls, public libraries, entertainment, sport or recreation or for any other community purpose, whether or not any such use is a commercial use of the land.

(2) Nothing in this clause requires development consent to be granted for the carrying out of development on any land if that development could, but for this clause, be carried out on that land without development consent.

81 Classification or reclassification of public land as operational land

(1) The public land described in Schedule 5 is classified, or reclassified, as operational land for the purposes of the *Local Government Act 1993*.

(2) In accordance with section 30 of the *Local Government Act 1993*, a parcel of land described in Part 2 of Schedule 5, to the extent (if any) that it is a public reserve, ceases to be a public reserve on the commencement of the relevant amending plan and, by the operation of that plan, is discharged from any trusts, estates, interests, dedications, conditions, restrictions and covenants affecting the land or any part of the land, except for:

(a1) those (if any) specified for the land in Part 2 of Schedule 5, and

(a) any reservations that except land out of a Crown grant relating to the land, and

(b) reservations of minerals (within the meaning of the *Crown Lands Act 1989*).

(3) Before the relevant amending plan that inserted the description of a parcel of land into Part 2 of Schedule 5 was made, the Governor approved of subclause (2) applying to the land.

(4) In this clause, ***the relevant amending plan***, in relation to a parcel of land described in Part 2 of Schedule 5, is the local environmental plan cited at the end of the description of the parcel.

(4A) Land described in Part 3 of Schedule 5:

(a) to the extent (if any) that the land is a public reserve, does not cease to be a public reserve, and

(b) continues to be affected by any trusts, estates, interests, dedications, conditions, restrictions or covenants by which it was affected before its classification, or reclassification, as the case requires, as operational land.

(5) Land described in Part 1 of Schedule 5 is not affected by the amendments make by the *Local Government Amendment (Community Land Management) Act 1998* to section 30 of the *Local Government Act 1993*.

82 Exceptions

(1) Nothing in this plan prevents a person, with development consent, from carrying out development on land referred to in Schedule 6 for a purpose specified in relation to that land in that Schedule, subject to such conditions, if any, as are so specified.

(2) Subclause (1) does not affect the operation of any provision within this plan that is consistent with the consent to such development.

83 Development of Oak Flats interchange site, Pioneer Drive, Oak Flats

(1) This clause applies to land within Zone 5 (a) known as the Oak Flats interchange site, being Lot 2, DP 605483 and Lot 71, DP 788843, Pioneer Drive, Oak Flats, and as shown edged with a broken light blue line and lettered "Schedule 5" on Sheet 1 of the map marked "Shellharbour Local Environmental Plan 2000 (Amendment No 8)".

(2) Despite any other provision of this plan, the Council may only consent to development of the land to which this clause applies for one or more of the following purposes:

(a) an integrated bus, rail and road interchange facility that may include car parking, commuter drop off and pick up areas, bus stops, taxi ranks, bus and taxi shelters and bus driver facilities,

(b) retail and commercial development ancillary to the interchange facility that supports, but does not significantly detract from, the commercial viability of the Oak Flats commercial centre, and includes:

(i) land uses that serve the needs of commuters, such as convenience stores, medical and emergency services, child care centres and pre-schools, and

(ii) transport or interchange related uses,

(c) public buildings.

84 Development in the vicinity of Illawarra Regional Airport

Despite any other provision of this plan, consent must not be granted to development on land affected by restrictions as indicated in the plan titled "*Airport Height Limitation and Noise Exposure Forecast Plan*" dated 17 April 1998 and held in the office of the Council unless:

(a) the consent authority determines the proposal is acceptable in relation to building height, noise exposure, lighting and bird hazard management, and

(b) where a proposal does not comply with that plan, the Civil Aviation Safety Authority has been given notice of the proposal and any comments made by it to the consent authority within 28 days of its being notified have been taken into consideration by the consent authority.

85 Dunmore Wetland Catchment Protection Area

(1) Consent must not be granted to the carrying out of any development on land identified as

"Dunmore Wetland Catchment Protection Area" on the map unless the following ecological objectives of *State Environmental Planning Policy No 14—Coastal Wetlands* will be given effect in relation to land designated as Wetland No 374b on the map referred to in that policy:

(a) utilisation of the wetland habitat by migratory species listed on the JAMBA and CAMBA international migratory species agreements, being species that are recorded as using the wetland habitat,

(b) utilisation of the wetland habitat by regional wetland species, being species that are recorded as using the wetland habitat,

(c) environmental health of waterways within the Minnamurra River Catchment.

(2) In assessing whether a development proposal will give effect to the ecological objectives referred to in subclause (1), the consent authority must have regard to the following:

(a) protection of defined wetland values,

(b) protection of threatened species habitat,

(c) facilitation of land management activities within the catchment which are consistent with paragraphs (a) and (b).

86 Development on land identified on Acid Sulfate Soils Planning Maps

(deferred matter)

87 Exempt and complying development

(1) Development of minimal impact listed as exempt development in *Shellharbour Development Control Plan No 9/98 for Exempt Development*, as in force on 4 May 2005, is ***exempt development***, despite any other provisions of this plan.

(2) Development listed as complying development in *Shellharbour Development Control Plan No 11/98 for Complying Development*, as in force on 4 May 2005, is ***complying development*** if:

(a) it is local development of a kind that can be carried out with consent on the land on which it is proposed, and

(b) it is not an existing use, as defined in section 106 of the Act.

(3) Development is exempt or complying development only if it complies with the development standards and other requirements applied to the development by the relevant development control plan referred to in subclause (1) or (2).

(4) A complying development certificate issued for any complying development is to be subject to the conditions for the development specified in *Shellharbour Development Control Plan No 11/98 for Complying Development*, as in force when the certificate is issued.

88 Brothels and restricted premises

(1) The Council may only consent to an application for the carrying out of development for the purpose of a brothel or restricted premises if the brothel is not, or the restricted premises are not, located next to or directly opposite the following buildings or places:

(a) a dwelling house,

(b) a child care centre or a building or place providing home-based child care,

(c) a primary or secondary school,

(d) a place of public worship,

(e) a park,

(f) a playground,

(g) any other buildings or places regularly frequented by persons under 18 years of age.

(2) In considering an application for development referred to in subclause (1), the Council must consider the proximity of the proposed development to a building or place referred to in subclause (1) (a)–(g) and to the following buildings or places:

(a) a community facility,

(b) a hospital,

(c) premises licensed under the *Liquor Act 1982*.

(3) In this clause:

restricted premises means a building or place at which:

(a) publications classified Category 1 restricted, Category 2 restricted or RC under the *Classification (Publications, Films and Computer Games) Act 1995* of the Commonwealth are shown, exhibited, displayed, sold or otherwise rendered accessible or available to the public, or

(b) a business to which section 578E (Offences relating to advertising or displaying products associated with sexual behaviour) of the *Crimes Act 1900* applies is conducted,

but does not include a newsagency or pharmacy.

89 Savings and transitional provision

A development application lodged with the Council, but not finally determined, before the commencement of the *Shellharbour Local Environmental Plan 2000 (Amendment No 7)* is to be determined as if that plan had been exhibited but had not been made.

Schedule 1 Definitions

(Clause 8)

Aboriginal object means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises the Shellharbour City local government area, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains.

acid sulfate soils means actual or potential acid sulfate soils as defined in the *Acid Sulfate Soils Assessment and Management Guidelines* and as shown coloured and numbered on Sheets 1 and 2 of the map marked "Acid Sulfate Soil Planning Map—Albion Park and Kiama" deposited in the office of the Department, a copy of which is deposited in the office of the Council.

acid sulfate soils assessment and management guidelines means the *Acid Sulfate Soils Assessment and Management Guidelines* as published from time to time by the NSW Acid Sulfate Soils Management Advisory Committee and adopted by the Director.

advertisement means a display by the use of symbols, messages or other devices for conveying information, instructions, directions or the like, whether or not the display involves the erection of a structure or the carrying out of a work, but does not include an identification sign, a property for sale sign or a road traffic sign or signal or the like.

airport related industry means an industry that:

(a) requires access to an airport, or

(b) services an industry that requires access to an airport.

amusement park means a commercially run area where amusements and mechanical entertainments such as merry-go-rounds and the like are situated.

animal boarding, breeding or training establishment means a building or place where cats or dogs are bred, trained, nurtured or accommodated for gain or reward.

appointed day means the day on which this plan takes effect.

aquaculture means the commercial production, including breeding, hatching, rearing or cultivation of marine, estuarine or fresh water organisms, including aquatic plants or animals (such as fin fish, crustaceans, molluscs or other aquatic vertebrates).

archaeological site means the site of one or more relics or Aboriginal objects.

backpackers inn means a building (other than a motel or bed and breakfast) substantially used for the shared overnight accommodation of travellers, whether or not the building is also used for the provision of meals for those travellers.

bed and breakfast means a lawfully erected dwelling house occupied for permanent residential purposes in which a maximum of three rooms are made available by the residents for temporary holiday accommodation.

brothel means premises habitually used for the purposes of prostitution. Premises may constitute a brothel even though used by only one prostitute for the purposes of prostitution.

bulky goods means large goods which, in the opinion of the Council, are of such a size, weight or shape as to require a large area for handling, storage or display, but does not include food and grocery items.

bus depot means a building or place used for the servicing, repairing and garaging of buses and other vehicles used for the purpose of a bus transport undertaking.

car repair station means a building or place used for carrying out repairs to motor vehicles or agricultural machinery, not being:

(a) vehicle body building,

(b) panel beating which involves dismantling, or

(c) spray painting other than of a touching-up character.

child care centre means a building or place used for the supervision of or caring for children, and which:

(a) caters for 6 or more pre-school age children, whether or not those children are related to the owner or operator of the child care centre, and

(b) may include an educational function, and

(c) may be operated for gain,

but does not include a building or place providing residential care for those children.

clearing of land means any manner of destruction of a tree, shrub or plant on the land, but does not involve the destruction of any tree, shrub or plant:

(a) that is required or expressly authorised by or in pursuance of the provisions of any Act or statutory instrument or by any statutory authority in pursuance of the provisions of any Act or statutory instrument, or

(b) where the destruction is necessary in an emergency to prevent the spread of fire or in circumstances where the tree, shrub or plant presents a danger to life or property, or

(c) where the destruction is necessary to enable the carrying out of a development granted consent.

club means premises that require registration under the *Registered Clubs Act 1976*.

commercial premises means a building or place used as an office or for other business or commercial purposes, but does not include a building or place elsewhere specifically defined in this Schedule or a building or place used for a land use elsewhere specifically defined in this Schedule.

community facility means a building or place that does not require registration under the *Registered Clubs Act 1976* and that is used to provide for the physical, cultural or intellectual development or welfare of the local community.

community land means land classified as community land within the meaning of the *Local Government Act 1993*.

conservation management plan means a document prepared in accordance with the requirements of the Heritage Office that establishes the heritage significance of an item, place or heritage conservation area and identifies conservation policies and management mechanisms that are appropriate to enable that significance to be retained.

Council means the Council of the City of Shellharbour.

demolish a heritage item, or a building, work, archaeological site, relic, Aboriginal object, tree or place within a heritage conservation area, means wholly or partly destroy, dismantle or deface the heritage item or the building, work, archaeological site, relic, Aboriginal object, tree or place.

Department has the same meaning as in the Act.

development has the same meaning as in the Act.

Director-General means the Director-General of the Department.

drainage of land means the natural or engineered flow of water from the land into natural or engineered channels or water bodies, or both.

dual occupancy means two dwellings (whether attached or detached) on a single allotment of land (or which would be on a single allotment were it not for the fact that the allotment is to be subdivided as part of the development).

dwelling means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile.

dwelling house means a building containing one but not more than one dwelling.

educational establishment means a building used as a school, college, technical college, university, academy, training facility, lecture hall, gallery, museum, display centre or the like but does not include a building used wholly or principally as an institution or child care centre.

extractive industry means:

(a) the winning of extractive material, or

(b) an industry or undertaking, not being a mine, which depends for its operations on the winning of extractive material from the land on which it is carried out, and includes any washing, crushing, grinding, milling or separating into different sizes of that extractive material on that land.

extractive material means sand, gravel, clay, soil, rock, stone or similar substance, but does not include turf or any sand, soil or other substance remaining attached to turf after the extraction of turf is carried out.

filling means the placement of fill independently of other development for which consent has been granted on an area:

(a) within 40 metres of a water course, or

(b) to a depth greater than 1 metre above existing ground level and over an area exceeding 100 square metres on land within Zone 1 (a), or

(c) to a depth greater than 200mm above existing ground level on land within any zone other than Zone 1 (a), or

(d) where natural drainage to an adjacent property will be affected.

gas holder means a container designed to hold more than 500 litres of liquid petroleum gas.

general agriculture means the keeping of livestock, where the stocking rate is not above that of the demonstrated carrying capacity of the land, and rain fed cropping, where fertiliser and irrigation may be applied from time to time. It may consist of or include grazing of beef or dairy cattle, deer farming or cereal cropping. It also includes pasture improvement and the like, and the erection and use of ancillary buildings, but does not include a land use elsewhere specifically defined in this Schedule.

general store means a shop used for the sale by retail of general merchandise. It may include the facilities of a post office, dry cleaning agency, financial agency or the like.

generating works means a building or place used for the purpose of making or generating gas, electricity or other forms of energy.

health care professional means a person who renders professional health services to members of the public, and includes a podiatrist, a chiropodist, a chiropractor, a physiotherapist and an optometrist.

heavy industry means an industry, not being an extractive, light, offensive, hazardous or rural industry.

helipad means an area or place not open to public use which is authorised by the Commonwealth Department of Transport and which is set apart for the taking off and landing of helicopters.

heliport means an area or place open to public use which is licensed by the Commonwealth

Department of Transport for use by helicopters and includes terminal buildings and facilities for the parking, servicing and repair of helicopters.

heritage conservation area means an area of land described in Schedule 2 and shown edged heavy red with diagonal hatching and marked "Heritage Conservation Area" on the map and includes buildings, works, archaeological sites, relics, Aboriginal objects, trees and places situated on or within the land.

heritage impact statement means a document consisting of a statement demonstrating the heritage significance of a heritage item or heritage conservation area, or of a building, work, archaeological site, tree or place within a heritage conservation area, an assessment of the impact that proposed development will have on that significance and proposals for measures to minimise that impact.

heritage item means:

(a) a building, work, relic, Aboriginal object, archaeological site, moveable object, tree or place (which may or may not be situated on or within land that is a heritage conservation area) specified in an inventory of heritage items that is available at the office of the Council and the site of which is described in Schedule 3 and shown by broken red edging and numbered in red on the map, or

(b) a place specified in an inventory of heritage items available at the office of the Council and described in the inventory as a place of Aboriginal heritage significance.

heritage significance means historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value.

home-based child care means a child minding service, within the meaning of the *Children (Care and Protection) Act 1987*, carried on in a dwelling erected with development consent, being a service that is either:

(a) a home-based child care service, within the meaning of the *Home-based Child Care Services Regulation 1989*, carried on in accordance with that Regulation, or

(b) a care giving service, within the meaning of the *Family Day Care Services Regulation 1989*, carried on in accordance with that Regulation.

home business means a business carried on from the allotment that is the site of a lawfully erected dwelling house, where:

(a) the majority of the business is carried on away from the dwelling house, with the dwelling house and its outbuildings and curtilage being used primarily as a base or office, and

(b) the business will not:

(i) interfere with the amenity of the neighbourhood by reason of traffic generation, noise or otherwise, or

(ii) involve the exposure to view from any adjacent premises or from any public place of any goods associated with the business or any unsightly matter, or

(iii) involve the parking of heavy vehicles either on or adjacent to the property, or

(iv) involve the employment of persons other than the permanent residents of the dwelling house at the base or office, and

(c) the dwelling house continues to be used for permanent residential occupation by the person

carrying out the business.

home occupation means an occupation or industry carried on from the allotment that is the site of a lawfully erected dwelling, where:

(a) the dominant use of the allotment remains that for which the land is zoned, and

(b) two car parking spaces will be provided on the allotment, at least one of which is behind the building line, and

(c) the floor space of the building or the area used for the occupation or industry does not exceed 50 square metres and is located within the curtilage of the dwelling, and

(d) the occupation or industry does not:

(i) interfere with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, or

(ii) involve exposure to view from any adjacent premises or from any public place of any unsightly matter or any goods, or

(iii) require the provision of any essential service main of a greater capacity than that available in the locality, or

(iv) involve the exhibition of any notice, advertisement or sign other than a single notice to indicate the name, occupation and contact number of the resident, or

(v) employ more than one person who is not a permanent resident of the dwelling, or

(vi) involve the sale of items (whether goods or materials) or the exposure or offer for sale of items, by retail.

hospital means a building or place used for the purpose of providing professional health care services (such as preventative or convalescent care, diagnosis, medical or surgical treatment, care for people with developmental disabilities, psychiatric care or counselling and services provided by health care professionals) to people admitted as in-patients (whether or not out-patients are also cared for or treated there) and includes a shop, refreshment rooms, accommodation, research or educational facilities or a dispensary used in conjunction with that use.

hotel means premises to which a hotelier's licence granted under the *Liquor Act 1982* relates.

industry means:

(a) any manufacturing process within the meaning of the *Factories, Shops and Industries Act 1962*, or

(b) the breaking up or dismantling of any goods or any article for trade or sale or gain or as ancillary to any business.

institution means a penal or reformative establishment.

intensive horticulture means a building or place used for the growing of plants, including vegetables, flowers, vines, fruit and the like, where application of water and fertiliser is significantly over and above that naturally occurring, but not produce grown for the consumption or enjoyment of the owner or occupier of the land.

intensive livestock keeping means a building or place used to hold livestock for the purpose of

breeding and/or nurturing by a feeding method other than natural grazing and includes:

(a) poultry farms, or

(b) fish farms, or

(c) horse training and boarding establishments, and

(d) piggeries,

and the like, but does not include a building or place elsewhere specifically defined in this Schedule or used for the keeping of livestock for personal consumption or enjoyment by the owner or occupier of the land.

Jamberoo Valley Escarpment Area means the land shown hatched and labelled "Jamberoo Valley Escarpment Area" on the map.

Jamberoo Valley Rural Conservation Area means the area of land shown hatched and labelled 'Jamberoo Valley Rural Conservation Area' on the map.

junk yard means land used for the collection, storage, dismantling or sale of scrap metals, vehicles or machinery or parts of vehicles or machinery.

light industrial retail outlet means a shop the use of which is ancillary to the principal use of the land on which it is located and:

(a) which is used in conjunction with a light industry or warehouse on land within Zone 4 (a), 4 (a3) or 4 (f), and

(b) which is situated on the land on which the light industry or warehouse is located, and

(c) in which are sold only goods that have been assembled, manufactured or stored on the land on which the shop is situated;

light industry means an industry, not being an extractive, rural, heavy, offensive or hazardous industry, in which the processes carried on, the transportation involved or the machinery or materials used do not interfere with the amenity of nearby residential neighbourhoods by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise.

liquid fuel depot means a depot or place used for the bulk storage for wholesale distribution of petrol, oil, petroleum or other inflammable liquid.

main or arterial road means a main road, state highway, freeway or tollway within the meaning of the *Roads Act 1993*.

maintenance means, in relation to a heritage item or a building, work, archaeological site, tree or place within a heritage conservation area, the ongoing protective care of the heritage item, building, work, archaeological site, tree or place. It does not include alterations, such as carrying out extensions or additions, or the introduction of new materials or technology.

medium density housing means a building or group of buildings containing 3 or more dwellings located on a single parcel of land.

mine means any place, open cut, shaft, tunnel, pit, drive, level or other excavation, drift, gutter, lead, vein, lode or reef on which, in which or by which any operation is carried on for or in connection with obtaining any metal or mineral by any method and any place on which any product of the mine is stacked, stored, crushed or otherwise treated, but does not include a quarry.

mineral sand mine means a mine used for or in connection with obtaining ilmenite, monazite, rutile, zircon or similar minerals.

Minister means the Minister responsible for the administration of the Act.

motel means a building or buildings (other than a hotel, backpackers inn or bed and breakfast) substantially used for the overnight accommodation of travellers and the vehicles used by them, whether or not the building or buildings are also used in the provision of meals to those travellers or the general public.

motor showroom means a building or place used for the display or sale of motor vehicles, caravans, boats or trailers, whether or not motor vehicle accessories, caravan accessories, boat accessories or trailer accessories are also sold or displayed there.

moveable object means a moveable object that is not a relic or an Aboriginal object.

offensive or hazardous industry means an industry which by reason of the processes involved or the method of manufacture or the nature of the materials used or produced, requires isolation from other buildings.

operational land means land classified as operational land within the meaning of the *Local Government Act 1993*.

passenger terminal means a building or place used for the assembly and dispersal of passengers travelling by a passenger transport carrier.

place of Aboriginal heritage significance means:

(a) a place that has the physical remains of pre-European occupation by, or is of contemporary significance to, the Aboriginal people. It can (but need not) include items and remnants of the occupation of the land by Aboriginal people, such as burial places, engraving sites, rock art, midden deposits, scarred and sacred trees and sharpening grooves, or

(b) a natural Aboriginal sacred site or other sacred feature. It includes natural features such as creeks or mountains of long-standing cultural significance, as well as initiation, ceremonial or story places or areas of more contemporary cultural significance.

place of assembly means a public hall, theatre, cinema, music hall, concert hall, dance hall, open-air theatre, drive-in theatre, music bowl or any other building of a like character used as such and whether used for the purpose of gain or not, but does not include a place of public worship, an institution or an educational establishment.

place of public worship means a building or place used primarily for the purpose of religious worship by a congregation or religious group, whether or not the building or place is also used for counselling, religious training or social events related to the functioning of the building.

plantation forestry includes the use of a cleared site for the purpose of arboriculture, silviculture, forest protection, the cutting, dressing and preparation, otherwise than in a sawmill, of wood and other forest products and the establishment of roads required for the removal of wood and forest products and for forest protection.

plant nursery means a building or space used for the growing and wholesale or retail selling of plants whether or not ancillary products are sold there.

professional consulting rooms means a room or a number of rooms forming either the whole of or part of, attached to or within the curtilage of, a dwelling house and used by not more than three legally qualified medical practitioners or by not more than three dentists, or by not more than three health care professionals, who practise there the profession of medicine, dentistry or health

care respectively and, if more than one, practice in partnership, and who employ not more than three employees in connection with that practice.

public building means a building used as offices or for administrative or other like purposes by the Crown, a statutory body, a Council or an organisation established for public purposes.

public utility undertaking means any of the following undertakings carried on or permitted or suffered to be carried on by authority of any Government Department or under the authority of or in pursuance of any Commonwealth or State Act:

(a) railway, road transport, water transport, air transport, wharf or river undertakings,

(b) undertakings for the supply of water, hydraulic power, electricity or gas or the provision of sewerage or drainage services,

and a reference to a person carrying on a public utility undertaking includes a reference to a Council, County Council, Government Department, corporation, firm or authority carrying on the undertaking.

quarry buffer area means the area of land shown hatched and labelled "Quarry Buffer Area" on the map.

racecourse means a place used for the organised racing of animals or vehicles and includes ancillary buildings and facilities.

recreation area means:

(a) a children's playground, or

(b) an area used for sporting activities or sporting facilities, or

(c) an area used to provide facilities for or ancillary to recreational activities that promote the physical, cultural or intellectual welfare of persons within the community,

but does not include a racecourse or a showground.

recreation establishment means health farms, religious retreat houses, youth camps and the like but does not include a building or place elsewhere specifically defined in this Schedule or a building or place used for a land use elsewhere specifically defined in this Schedule.

recreation facility means a building or place used for indoor recreation, a billiard saloon, table tennis centre, squash court, swimming pool, gymnasium, health studio, bowling alley, fun parlour or any other building of a like character used for recreation, whether used for the purpose of gain or not, but does not include a place of assembly.

refreshment room means a restaurant, café, tea room, eating house or the like.

relic means any deposit, object or material evidence (which may consist of human remains) that is more than 50 years old relating to the use or settlement, not being Aboriginal habitation, of the Shellharbour City local government area and that is a fixture or is wholly or partly within the ground.

roadside stall means a building or place not exceeding 20 square metres in floor space or area respectively where only primary products produced on the property on which the building or place is situated are exposed or offered for sale or sold by retail.

road transport terminal means a building or place used mainly for the bulk handling of goods for transport, and includes facilities for the loading and unloading of vehicles used to transport those

goods and for the parking, servicing and repair of those vehicles.

rural industry means handling, treating, processing or packing of primary products and includes the servicing in a workshop of plant or equipment used for rural purposes in the locality.

sawmill means a mill handling, cutting, and processing timber from logs or baulks.

service station means a building or place used for the fuelling of motor vehicles involving the sale by retail of petrol, oil and other petroleum products whether or not the building or place is also used for any one or more of the following:

(a) the sale by retail of spare parts and accessories for motor vehicles,

(b) washing and greasing of motor vehicles,

(c) installation of accessories,

(d) repairing and servicing of motor vehicles involving the use of hand tools (other than repairing and servicing which involves top overhaul of motors, body building, panel beating or spray painting, or suspension, transmission or chassis restoration).

shop means a building or place used for selling, exposing or offering for sale by retail, goods, merchandise or materials, but does not include a building or place elsewhere specifically defined in this Schedule.

showground means an area used to present organised cultural events to the public and may include both indoor and outdoor facilities for exhibitions and festivities.

stock and sale yard means a building or place used for offering animals for sale and includes a public cattle market.

subdivision has the same meaning as in the Act.

the Act means the *Environmental Planning and Assessment Act 1979*.

the map means the maps marked "Shellharbour Local Environmental Plan 2000", as amended by the maps (or specified sheets of maps) marked as follows:

Editorial note. The amending maps are not necessarily listed in the order of gazettal. Information about the order of gazettal can be determined by referring to the Historical notes at the end of the plan.

Shellharbour Local Environmental Plan 2000—Amendment No 2

Shellharbour Local Environmental Plan 2000 (Amendment No 6).

Shellharbour Local Environmental Plan 2000—Amendment No 7

Shellharbour Local Environmental Plan 2000 (Amendment No 8)—Sheet 2

Shellharbour Local Environmental Plan 2000 (Amendment No 10)

Shellharbour Local Environmental Plan 2000 (Amendment No 11)

Shellharbour Local Environmental Plan 2000 (Amendment No 12)

Shellharbour Local Environmental Plan 2000 (Amendment No 14)

timber yard means a place or building used for the storage, treatment and sale of timber products.

tourist facility means an establishment providing holiday accommodation or recreational

facilities, or both, on a short term use basis, and may include:

(a) a hotel, motel, bed and breakfast accommodation, backpackers inn, serviced apartments, holiday cabins, a caravan park, camping ground, houseboat, and any associated swimming pool, golf course, tennis court and marina,

(b) a restaurant, and

(c) a souvenir shop, arts and craft gallery and exhibition centre.

turf farm means a place where the cultivation and extraction of turf is carried out.

utility installation means a building or work used by a public utility undertaking, but does not include a building designed wholly or principally as administrative or business premises or as a showroom.

vacant original holding means a parcel of land, whether comprising one or any combination of contiguous lots or portions, held in one ownership as at 31 May 1974 and on which no dwelling house is erected.

veterinary surgery means a building or place used for the treatment of the diseases and injuries of animals, and includes a building or place used for the purpose of an animal hospital.

warehouse means a building or place used for the storage of goods, merchandise or materials.

waste means:

(a) any substance (whether solid, liquid, or gaseous) that is discharged, emitted or deposited in the environment in such volume, constituency or manner as to cause an alteration in the environment, or

(b) any discarded, rejected, unwanted, surplus or abandoned substance, or

(c) any otherwise discarded, rejected, unwanted, surplus, or abandoned substance intended for sale or for recycling, reprocessing, recovery or purification by separate operation from that which produced the substance, or

(d) any substance prescribed to be waste for the purposes of the *Waste Minimisation and Management Act 1995* by the regulations made under that Act.

A substance is not precluded from being waste merely because it can be reprocessed, re-used or recycled.

waste management facilities or works means any premises used for the storage, treatment, reprocessing, recycling, sorting or the disposal of waste.

wetland improvement means the creation, enhancement, regeneration or maintenance of wetlands and any related or ancillary development, whether the wetland is natural or artificial and whether or not the wetland forms part of an integrated drainage system.

Schedule 2 Heritage conservation areas

(Schedule 1)

BASS POINT

1 Bass Point Reserve
Lot 3, DP 248002, Bass Point

BLACKBUTT

2 Blackbutt Forest
Lot 3, DP 259967, Shellharbour Road, Blackbutt

MACQUARIE PASS

3 Macquarie Pass National Park
Illawarra Highway, Macquarie Pass

SHELLHARBOUR

4 Waterfront, Harbour and Breakwater
Foreshore below Wollongong Street, Shellharbour

Schedule 3 Heritage items

(Schedule 1)

Item No	Heritage Item	Level of Significance
ALBION PARK		
AP1	"Tulkeroo" Lot 1, DP 910045, 23 Calderwood Road, Albion Park	Local
AP2	Former Presbyterian manse Lot 1, DP 574775, 42 Macquarie Street, Albion Park	Local
AP3	Pioneer cemetery Part Lot 32, DP 111172, Russell Street, Albion Park	Local
AP4	"Rosetta Hill" Lot 1, DP 883020, 55 Fields Drive, Albion Park	Local
AP5	Albion Park School and former school residence Lot 1, DP 782244, Tongarra Road, Albion Park	Local
AP6	Albion Park Anglican and Roman Catholic cemeteries Part of Lot 2, DP 227785, Part of Lot 301, DP 1041577 and Part Lot 37, DP 111172, Tongarra Road, Albion Park	Local
AP7	"Ravensthorpe", including grounds and adjoining workers' cottages Lots 91–93, DP 1069273, 52–56 Tongarra Road, Albion Park	Local
AP8	Albion Park Courthouse Lot 64, DP 781264, 94–96 Tongarra Road, Albion Park	Local
AP9	Former bank building Lot 4, DP 703238, 148 Tongarra Road, Albion Park	Local
AP10	St Andrew's Presbyterian Church Part Lot 36, DP 111172, 250 Tongarra Road, Albion Park	Local
AP11	All Saints Anglican Church Part of Lot 2, DP 227785, 253 Tongarra Road, Albion Park	Regional
ALBION PARK RAIL		
AR1	Former Albion Park Dairy Co-Op building Part of Lot 2, DP 1055593 and State Rail Authority land fronting Creamery Road, Albion Park Rail	Local
AR2	General Cemetery Lot 7007, DP 1029735, 61 Croome Road, Albion Park Rail	Local
AR3	Albion Park Railway precinct, including the station, forecourts, residence and surroundings Part of Lot 2, DP 1055593, Station Residence Lot 1, DP 1055593 and State Rail Authority property fronting Station Road, Albion Park Rail	State
BASS POINT		
BP1	"Cities Service Boston" wreck monument Lot 3, DP 248002, Bass Point	Local
BLACKBUTT		

BL1	Stand of trees in Wentworth Cottage Park Lot 8222, DP 852573, Pioneer Drive, Blackbutt	Local
CALDERWOOD		
CA1	Marshall Mount Methodist cemetery Lot 1, DP 195342, Calderwood Road, Calderwood	Local
CROOM		
CR1	"The Hill" Part Lot 5, DP 3709, Dunsters Lane, Croom	State
CR2	"Kurrawong" Lot 100, DP 717430, 4 James Road, Croom	Local
CR3	Avenue of Norfolk Island Pine trees Princes Highway, Croom, extending 800 metres south and 1100 metres north of the symbol on the map	Local
DUNMORE		
DU1	"Dunmore House" Lot 1, DP 1051476, Princes Highway, Dunmore	Regional
DU2	Shellharbour Railway precinct at Dunmore, including the station, forecourts, residence and surroundings Lot 1, DP 859763 and State Rail Authority land fronting Shellharbour Road, Dunmore	State
DU3	Former Minnamurra School, including residence and grounds Lot 1, DP 745632, 40 Swamp Road, Dunmore	Regional
DU4	"Glengowrie" and fig trees Lots 12, 13 and 14, DP 1017763, Swamp Road, Dunmore	Local
DU5	Tree (in contorted form) on former "Peterborough Estate" Lot 1, DP 133603, 53 Browns Road, Dunmore	Local
MACQUARIE PASS		
MP1	"Nurrewin" Lot 68, DP 751263, Illawarra Highway, Macquarie Pass National Park	Regional
SHELL COVE		
SC1	"Killarney" Lot 10, DP 882238, 7–21 Buckley's Road, Shell Cove	Local
SHELLHARBOUR		
SH1	Boer War memorial in Caroline Chisholm Park Lot 9, DP 11740, 14 Addison Street, Shellharbour	Local
SH2	Anchor from "Rangoon" Lot 1, DP 560228, 2 Addison Street, Shellharbour	Local
SH3	Ocean Beach Hotel (former Shellharbour Hotel), including trees Lot 1, DP 560228, 2 Addison Street, Shellharbour	Local
SH4	Former corner store Lot 1, DP 745795, 10 Addison Street, Shellharbour	Local
SH5	Bakery ovens, bricks and facades of former bakery (moveable objects) Lot 7, DP 238804, 25 Addison Street, Shellharbour	Local
SH6	"Windradeen" Lot 5, DP 238804, 29 Addison Street, Shellharbour	Local
SH7	Former Shellharbour Council Chambers Lot 76, DP 751290, 32A Addison Street, Shellharbour	Local
SH8	Former Allen's store Lot 2, DP 238804, 35 Addison Street, Shellharbour	Local
SH9	Russell East Park (including Moreton Bay Fig tree and Olive tree) Lots 5 and 6, DP 24223 and Lot 5, DP 24031, 10 Eastern Avenue, Shellharbour	Local
SH10	Moreton Bay Fig tree Part Lot 1, DP 80960 and Lots 1–9, DP 18262, Mary Street, Shellharbour	Local
SH11	Uniting Church Lot 1, DP 784317, 49 Mary Street, Shellharbour	Regional
SH12	"Woodbine"—former Police Station Lot 1, DP 449871, 20 Mary Street, Shellharbour	Regional
SH13	Garden trees Lot 22, DP 11740, 36 Mary Street, Shellharbour	Local
SH14	Shellharbour General Cemetery Lots 2 and 3, DP 529282, Shellharbour Road, Shellharbour	Local
SH15	St Pauls Anglican Church Lot 1, DP 503805, 12 Towns Street, Shellharbour	Local
SH16	Norfolk Island Pine tree Lot 40, DP 15107, 54 Wentworth Street, Shellharbour	Local
SH17	Stella Maris Roman Catholic Church Lot 10, DP 1037745, Part Lot 10, Sec 2, 16–18 Wentworth Street, Shellharbour and part of Lot 9, DP 1037745, 7–9 Wilson Street, Shellharbour	Local
SH18	"The Beaches" Lot 100, DP 801475, 4 Wilson Street, Shellharbour	Local
SH19	Little Park and Norfolk Island Pine trees Part Plan Ms 408 Sy and Lot 7004, DP 1028837, Wollongong Street, Shellharbour	Regional
TULLIMBAR		
TU1	Ruins of former Tullimbar School and Headmaster's residence Lot 1, DP 905581, 38 Tullimbar Lane, Tullimbar	Local
TU2	"Toongla" Lot 82, DP 634605, Tullimbar Lane, Tullimbar	State
YELLOW ROCK		
YR1	"Wiangara" and coach house Lots 32 and 33, DP 751274, Yellow Rock Road, Yellow Rock	Local

Schedule 4 Commercial hierarchy for Shellharbour City local government area

(Clauses 25, 29, 41)

The following commercial hierarchy applies to all commercial/retail development within the local government area of Shellharbour City, with the exception of development for the purpose of bulky goods retailing or light industrial retail outlets:

1	**Category of Development:**	Sub-regional Centre
	Anticipated Size:	unlimited
	Location:	Land contained in the Shellharbour City Centre Area comprising Lots 230 and 231, DP 869094; Lot 1, DP 856215; Lots 1011, 1012 and 1013, DP 700657; Lots 4000 and 4001, DP 809913; Lot 3000, DP 739087, and part of Lot 3219, DP 800230, whether or not these lands are subsequently subdivided.
2	**Category of Development:**	District Centre
	Anticipated Size:	up to 10,000m^2
	Location:	Land contained within the General Business zone in the vicinity of Tongarra Road, Terry Street and Russell Street, Albion Park. Land contained within the General Business zone in the vicinity of Shellharbour Road, Veronica Street and Woolworths Avenue and George Street, Shellharbour Road and Beverly Avenue, Warilla. The combined land contained within the General Business zone in the vicinity of Addison Street, Mary Street and Wentworth Street, Shellharbour and the Mixed Use Residential F zone, Shell Cove.
3	**Category of Development:**	Local Centre
	Anticipated Size:	up to 4,000m^2
	Location:	Land contained within the General Business zone in the vicinity of Princes Highway, Creamery Road and

		Kaylaur Crescent, Albion Park Rail. Land contained within the General Business zone in the vicinity of Central Avenue, Oak Flats
4	**Category of Development:**	Neighbourhood Centre
	Anticipated Size:	up to 1,500m^2
	Location:	May be located to serve the local convenience needs of a surrounding residential area where a higher order centre is not within a reasonably accessible distance. A service radius in the order of 500 metres is considered reasonable as the catchment area for a neighbourhood centre.
5	**Category of Development:**	Local Shop/Local General Store
	Anticipated Size:	A single shop of approximately 50m^2–200m^2
	Location:	May be supported where Council is satisfied that there is a demand for the facility and that it is not likely to interfere with the functioning of the commercial hierarchy as outlined above in this Schedule.

Schedule 5 Classification or reclassification of public land as operational land

(Clause 81)

Part 1 Land classified, or reclassified, under original section 30 of Local Government Act 1993

Lot 202, DP 848203, corner of Shellharbour and Wattle Roads, Shellharbour.

Part of Lot 201, DP 848203, corner of Shellharbour and Wattle Roads, Shellharbour, as shown edged with a broken heavy line and labelled "Schedules 5 and 6" on the map.

Part of Lot 1, DP 588826, Benaud Crescent, Warilla as shown edged with a broken heavy line and labelled 'schedule 5' on the map.

Part of Lot 2, DP 248002, Boollwarroo Parade, Lot 1, DP 584291, Addison Street and part of Lot 2, DP 584291, Shellharbour Road, Shellharbour as shown edged with a broken heavy line and labelled 'schedule 5' on the map.

Part 2 Land classified, or reclassified, under amended section 30 of Local Government Act 1993—interests changed

Lot 2, DP 605483, Pioneer Drive, Oak Flats, as shown edged with a broken light blue line and lettered "Schedule 5" on Sheet 1 of the map marked "Shellharbour Local Environmental Plan 2000 (Amendment No 8)"—Easement for watermain (S226024) as noted on Certificate of Title Folio Identifier 2/605483.

Lot 71, DP 788843, Pioneer Drive, Oak Flats, as shown edged with a broken light blue line and lettered "Schedule 5" on Sheet 1 of the map marked "Shellharbour Local Environmental Plan 2000 (Amendment No 8)".

Part of Lot 3, DP 259967, Captain Cook Drive, Blackbutt Reserve, Blackbutt, as shown edged with a broken light blue line and lettered "Schedule 5" on Sheet 3 of the map marked "Shellharbour Local Environmental Plan 2000 (Amendment No 8)".

Part 3 Land classified, or reclassified, under amended section 30 of Local Government Act 1993—no interests changed

Lot 101 and part of Lot 100, DP 801536, Industrial Road, Oak Flats, as shown edged with a heavy black broken line and lettered "Schedule 5" on the map marked "Shellharbour Local

Environmental Plan 2000 (Amendment No 9)".

Schedule 6 Exceptions

(Clause 82)

Lot 3, DP 786522, Princes Highway, Albion Park Rail—service station.

Lot 1, DP 222288, Terry Street, Albion Park—motel.

Lot 1, DP 745632, Swamp Road, Dunmore—inhabitation of the former "Peterborough" School Building as dwelling.

Part of Lot 2, DP 248002, Boollwarroo Parade, Shellharbour—boat harbour entrance works.

Lots 1, 2 and 3, DP 627527, Tongarra Road, Albion Park Rail—funeral parlour.

Part of Lot 2, DP 808989, Terry Street, Albion Park as shown edged with a broken heavy line and labelled 'schedule 6' on the map—community uses.

Lots 196–200, DP 222963 and Lot 204, DP 224196, Madigan Boulevarde, Mount Warrigal—medical services which are ancillary to a hospital, and which are of a type, size and scale compatible with generally residential areas.

Lots 28–32, DP 23454 and Lots 24–27, DP 23988, Shellharbour Road, Warilla—professional offices which includes the offices of accountants, solicitors, architects or plan drawers, insurance brokers, real estate agents or surveyors.

Lot 56, DP 739857, Illawarra Highway, Albion Park—place of public worship and place of assembly.

Part Lot 1, DP 70380, Tongarra Road, Albion Park Rail—landscape supplies depot.

Lot 202, DP 848203, corner of Shellharbour and Wattle Roads, Shellharbour—an integrated development which may include a service station, convenience store and car wash facility.

Lot 4211, DP 833774, Princes Highway, Albion Park Rail—motel.

Lot 1, DP 534605, Shellharbour Road, Shellharbour—technology centre related to the computer industry.

Lot 13, DP 658385, Croome Lane, Albion Park Rail—earthmoving equipment depot.

Lot 18, DP 804242, Lot 5, DP 244040, Lot 2, DP 607267, Lots 101 and 102, DP 244073 and Lots 50, 51 and 52, DP 565091, Miall Way, Albion Park Rail—motor showrooms.

Lot 1, DP 833735, Shellharbour Road, Warilla—refreshment rooms.

Lot A, DP 434117, 31 Reddall Parade, Lake Illawarra—refreshment rooms.

Part of Lot 1202, DP 864021, Shellharbour Road, Dunmore as shown edged with a broken heavy line and labelled 'schedule 6' on the map—industry which does not interfere with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, waste water, waste products, grit or oil, or otherwise.

So much of Lot 202, DP 859498, Terry Street, Albion Park, as is zoned either Rural "A" or Rural "B"—a total of 14 dwelling allotments at least 13 of which are to be connected to a sewerage service.

Lot 230, DP 869094, Cygnet Avenue, Blackbutt—a single stand-alone supermarket, two take-away food restaurants and a single service station.

Lot 1, DP 998390, Terry Street, Albion Park—one dwelling house.

Lot 2707, DP 847729, Huon Crescent, Albion Park—a total of 4 allotments with no more than one dwelling house on each allotment.

Lot 21, DP 111195, Terry Street, Yellow Rock—a total of 3 allotments with no more than one dwelling house on each allotment.

So much of Lot 1, DP 851151, Terry Street, Albion Park as is zoned Rural "A"—one allotment with no more than one dwelling house on the allotment.

Lot 1, DP 779617, Cooby Road, Yellow Rock—a total of 17 allotments with no more than one dwelling house on each allotment.

Lot 2627, DP 832456, Cooby Road, Yellow Rock—a total of 3 allotments with no more than one dwelling house on each allotment.

So much of Lot 1, DP 792437, Yellow Rock Road, Yellow Rock as is zoned Rural "A"—a total of 7 allotments with no more than one dwelling house on each allotment.

Part of Lot 201, DP 848203, corner of Shellharbour and Wattle Roads, Shellharbour, as shown edged with a broken heavy line and labelled "Schedules 5 and 6" on the map—fire station, place of public worship.

Lot 1, DP 799421, 162 Tongarra Road, Albion Park—car parking for the use of the Albion Park RSL Memorial Club.

Croom Regional Sporting Complex, being Lot 2 DP 605565, Lot 3 DP 549511 and Lot 1 DP 216772, Croom Road, Croom:

(a) expositions—being events that bring together suppliers of a broad range of product lines and services that relate to a common theme for the primary purpose of exhibiting and explaining the products and services, but where sales may also form a part of the event, and

(b) trade fairs—being events that bring together a range of products or services that relate to an industry group for the purpose of demonstrating the range of products and services available to traders within that industry group.

Lots 8 and 9, DP 244040, Miall Way, Albion Park Rail—motor showrooms.

Historical notes

The following abbreviations are used in the Historical notes:

Am	amended	LW	legislation website	Sch	Schedule
Cl	clause	No	number	Schs	Schedules
Cll	clauses	p	page	Sec	section
Div	Division	pp	pages	Secs	sections
Divs	Divisions	Reg	Regulation	Subdiv	Subdivision
GG	Government Gazette	Regs	Regulations	Subdivs	subdivisions
Ins	inserted	Rep	repealed	Subst	substituted

Table of amending instruments

Shellharbour Local Environmental Plan 2000 published in Gazette No 66 of 2.6.2000, p 4565 and amended as follows:
Shellharbour Local Environmental Plan 2000—Amendment No 1 (GG No 121 of 15.9.2000, p 10552)
Shellharbour Local Environmental Plan 2000—Amendment No 2 (GG No 152 of 24.11.2000, p 12013)

Shellharbour Local Environmental Plan 2000 (Amendment No 3) (GG No 127 of 17.8.2001, p 6074)
Shellharbour Local Environmental Plan 2000 (Amendment No 5) (GG No 34 of 1.2.2002, p 680)
Shellharbour Local Environmental Plan 2000 (Amendment No 7) (GG No 121 of 1.8.2003, p 7578)
Shellharbour Local Environmental Plan 2000 (Amendment No 9) (GG No 47 of 27.2.2004, p 891)
Shellharbour Rural Local Environmental Plan 2004 (GG No 198 of 10.12.2004, p 9016)
Shellharbour Local Environmental Plan 2000 (Amendment No 10) (GG No 200 of 17.12.2004, p 9477)
State Environmental Planning Policy (Repeal of Concurrence and Referral Provisions) 2004 (GG No 201 of 17.12.2004, p 9590)

2005	(560)	Shellharbour Local Environmental Plan 2000 (Amendment No 12). GG No 113 of 9.9.2005, p 7354. Date of commencement, on gazettal.
2006	(151)	Shellharbour Local Environmental Plan 2000 (Amendment No 11). GG No 40 of 31.3.2006, p 1715. Date of commencement, on gazettal.
	No 58	Statute Law (Miscellaneous Provisions) Act 2006. Assented to 20.6.2006. Date of commencement of Sch 2.51, assent, sec 2 (2).
	(434)	Shellharbour Local Environmental Plan 2000 (Amendment No 6). GG No 98 of 4.8.2006, p 6114. Date of commencement, on gazettal.
2007	(264)	Shellharbour Local Environmental Plan 2000 (Amendment No 8). GG No 80 of 15.6.2007, p 3783. Date of commencement, on gazettal.
2008	(78)	Shellharbour Local Environmental Plan 2000 (Amendment No 14). GG No 36 of 20.3.2008, p 2438. Date of commencement, on gazettal.
	(571)	State Environmental Planning Policy (Repeal of Concurrence and Referral Provisions) 2008. GG No 157 of 12.12.2008, p 11946. Date of commencement, 15.12.2008, cl 3.

Table of amendments

Cl 3	Am 10.12.2004.
Cll 11, 12	Am 17.8.2001; 2005 (560), Sch 1 [1].
Cl 13	Am 2005 (560), Sch 1 [1].
Cll 20–24, 27, 28, 30	Am 17.8.2001; 2005 (560), Sch 1 [1].
Cl 31	Am 17.8.2001; 2005 (560), Sch 1 [1]; 2006 (434), Sch 1 [1]–[4].
Cl 32	Am 2005 (560), Sch 1 [1].
Cl 33	Am 17.8.2001; 2005 (560), Sch 1 [1].
Cl 37	Am 17.12.2004; 2006 No 58, Sch 2.51; 2008 (571), Sch 3.158 [1].
Cll 38, 39, 43, 44, 49–53	Am 17.8.2001; 2005 (560), Sch 1 [1].
Cl 57	Am 2008 (571), Sch 3.158 [2].
Cl 58	Am 2008 (571), Sch 3.158 [3].
Cl 63	Rep 17.8.2001.
Cl 68	Am 2008 (571), Sch 3.158 [4]–[6].
Part 11	Subst 2006 (151), Sch 1 [1].
Cl 72	Subst 2006 (151), Sch 1 [1].
Cl 73	Subst 2006 (151), Sch 1 [1]. Am 2008 (571), Sch 3.158 [7].
Cl 74	Subst 2006 (151), Sch 1 [1].
Cl 75	Subst 2006 (151), Sch 1 [1]. Am 2008 (571), Sch 3.158 [8].
Cl 75A	Ins 2006 (151), Sch 1 [1]. Am 2008 (571), Sch 3.158 [9] [10].
Cll 75B, 75C	Ins 2006 (151), Sch 1 [1].
Cl 76	Subst 2006 (151), Sch 1 [1].
Cl 77	Am 17.8.2001.
Cl 81	Am 27.2.2004.

Cl 83	Rep 1.8.2003. Ins 2007 (264), Sch 1 [1].
Cl 87	Am 17.8.2001; 2005 (560), Sch 1 [2]–[4].
Cl 88	Ins 1.2.2002.
Cl 89	Ins 1.8.2003.
Sch 1	Am 24.11.2000; 17.8.2001; 1.8.2003; 17.12.2004; 2005 (560), Sch 1 [5]; 2006 (151), Sch 1 [2]–[4]; 2006 (434), Sch 1 [5]; 2007 (264), Sch 1 [2]; 2008 (78), cl 4.
Sch 3	Subst 2006 (151), Sch 1 [5].
Sch 5, heading	Subst 27.2.2004.
Sch 5	Am 24.11.2000; 27.2.2004; 2007 (264), Sch 1 [3].
Sch 6	Am 15.9.2000; 24.11.2000; 17.8.2001; 1.8.2003.

All communication addressed to:
General Manager
Shellharbour City Council
PO Box 155, Shellharbour City Centre
NSW 2529

PHONE: 02 4221 6111
FAX: 02 4221 6016
DX 26402 Shellharbour City Centre
EMAIL: records@shellharbour.nsw.gov.au
WEB: www.shellharbour.nsw.gov.au

Applicant:

Mr B Harris
PO Box 486
UNANDERRA NSW 2526

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

Applicants Reference: **40999.26**

Certificate No: **20101062**

Receipt No: **167939**

Print Date: **21/07/2010**

LAND DESCRIPTION:

Sloop Avenue SHELL COVE 2529

LOT: 8100 DP: 1082981

Parcel No: 28414

Disclaimer

Information contained in this certificate relates only to the land for which this certificate is issued on the day it is issued. This information is provided in good faith and the Council shall not incur any liability in respect of any such advice. Council relies on state agencies for advice and accordingly can only provide that information in accordance with the advice. Verification of the currency of agency advice should occur. For further information, please contact Council's Customer Service Section.

Title Information

Title information shown on this Planning Certificate is provided from Council's records and may not conform to information shown on the current Certificate of Title. Easements, restrictions as to user, rights of way and other similar information shown on the title of the land are not provided on this planning certificate.

Inspection of the land

The Council has made no inspection of the land for the purposes of this Planning Certificate.

ENGLISH

If you have difficulties understanding this correspondence, please contact Council by phone (4221 6111) or, if you wish, come into the office where staff will be pleased to assist you and if required, an appropriate interpreter will be called.

MACEDONIAN

Ако имате тедшкотии да ја разберете оваа кореспонденција, ве молиме контактирајте ја Општината по телефон на 4221 6111 или ако сакате, дојдете во канцеларијата каде што службениците со задоволство ќе ви помогнат, и ако е потребно, ќе повикат соодветен преведувач.

SPANISH

Si tuviera dificultades para entender esta correspondencia, le rogamos llamar por teléfon al Municipio, número 4221 6111, o bien, si lo prefiere, puede venir a nuestras oficinas, donde el personal tendrá el agrado de ayudarle y, si fuera necesario, de llamar a un intérprete.

GERMAN

Wenn Sie Schwierigkeiten haben, diese Korrespondenz zu verstehen, setzen Sie sich bitte telefonisch mit der Gemeinde in Verbindung (4221 6111) oder, falls Ihnen das lieber ist, kommen Sie in unser Büro: wir werden Ihnen gerne behilflich sein und werden, falls nötig, einen estsprechenden Dolmetscher hinzurufen.

ITALIAN

Se non riuscite a capire bene questa lettera, vi preghiamo di telefonare al Comune, numero telefonico: 4221 6111. Se preferite, potete venire di persona al nostro ufficio dove il personale sarà felice di aiutarvi. Se richiesto, un interprete sarà messo a vostra disposizione.

GREEK

Αν έχετε δυσκολία να καταλάβετε την παρούσα αλληλογραφία, παρακαλούμε επικοινωνήστε με τη Δημαρχία (Τηλ.4221 6111), ή αν επιθυμείτε ελάτε στα γραφεία όπου το προσωπικό θα σας βοηθήσει ευχαρίστως και αν χρειαστεί θα κληθεί κατάλληλος διερμηνέας.

CROATIAN

Ako ne možete razumjeti ovo pismo, molimo nazovite općinu na 4221 6111 ili, ako želite, dođite u naš ured gdje će vam osoblje rado pomoći i po potrebi nazvati odgovarajućeg tumača.

PORTUGUESE

Se tem dificuldade de entender esta correspondência, aueira contactar o Conselho Municipal pelo telefone (4221 6111) ou, se o quiser, queira vir á secretaria onde o pessoal terá prazer de lhe prestar ajuda e, se for preciso, mandar-se-á vir um intérprete.

SERBIAN

Ако имате потешкоћа у разумевању овог дописа, молим назовите Општину на 4221 6111 или, ако желите, дођите у нашу канцеларију где ће вам особље радо помоћи, или, где је потребно, назвати одговарајућег тумач.

TURKISH

Bu yazıyı anlamakta zorluk çekerseniz, Belediyeyi lütfen telefonla 4221 6111 arayınız, veya dilerseniz ofise geliniz; oradaki görevliler size memnuniyetle yardım edecekler ve gerekirse uygun bir tercümanla temasa geçilecektir.

POLISH

Jeśli masz trudności ze zrozumieniem treści niniejszego pisma, skontaktuj się z Radą Miejskiej (Council) telefonicznie pod numerem 4221 6111, lub też - jeśli wolisz - przyjdź do naszego urzędu, gdzie personel z przyjemnością udzieli Ci pomocy i - w razie konieczności - zorganizuje pomoc tłumacza.

Translated by the Ethnic Affairs Commission.

PART A: INFORMATION PROVIDED UNDER SECTION 149 (2)

Matters contained in this certificate apply only to the land on the date of issue.

1. Name of Relevant Planning Instruments and DCPs

1.1 Which environmental planning instruments apply to the carrying out of development on the land?

Local Environmental Plan

Shellharbour Local Environmental Plan 2000.

State Environmental Planning Policies

SEPP No 1 - Development Standards.
The policy sets out the principle that a development standard may be varied where strict compliance can be shown to be unreasonable or unnecessary or would tend to hinder the objectives of the Environmental Planning and Assessment Act.

SEPP No 4 - Development Without Consent & Miscellaneous Complying Development.
The policy aims to firstly, allow development which is of a very minor environmental significance to be carried out without development consent, and secondly, allow certain development by public authorities and development on land reserved or dedicated under the National Parks and Wildlife Act (1974) to be carried out without consent.

SEPP No 6 - Number Of Storeys In A Building.
A policy for determining the height of a building where height is controlled by reference to the number of storeys.

SEPP No 21 - Caravan Parks.
The policy provides that where caravan parks or camping grounds are permissible under the environmental planning instrument, movable dwellings, as defined under the Local Government Act, 1919, are permissible.

SEPP No 22 - Shops & Commercial Premises.
The policy allows with the consent of Council, a change of use from a shop to another kind of shop or commercial premises, or alternatively, commercial premises to a shop or another kind of commercial premises where the new use is prohibited under an environmental planning instrument if the Council is satisfied that the change of use will have not more than a minor environmental impact and is in keeping with the objectives of the zone.

SEPP No 30 - Intensive Agriculture.
Requires development consent for cattle feedlots having a capacity of 50 or more cattle or piggeries having a capacity of 200 or more pigs. The policy sets out requirements to ensure there are effective planning control over this export-driven rural industry.

SEPP No 32 - Urban Consolidation (Redevelopment of Urban Land).
The policy promotes orderly and economic use and development of land by enabling urban land which is no longer required for the purpose for which it is zoned or used, to be redeveloped for multi-unit housing and related development. Redevelopment is enabled by means of a Regional Environmental Plan instigated by the Minister for Planning.

SEPP No 33 - Hazardous & Offensive Development.
Provides new definitions for 'hazardous industry', 'hazardous storage establishment', 'offensive industry' and 'offensive storage establishment'. The policy also requires specified matters to be considered for proposals that are 'potentially hazardous' or 'potentially offensive' as defined in the policy.

SEPP No 36 - Manufactured Home Estates.
The policy -(i) defines where Manufactured Home Estates (MHEs) may be permitted and establishes criteria for the granting of development consent to these estates, - (ii) enables, with development consent, the subdivision of MHEs, provided such subdivision complies with the provisions of the Local Government (Manufactured Home Estates) Regulation 1993.

SEPP No 50 - Canal Estate Developments.
This policy provides that where the policy applies, a person shall not carry out canal estate development as defined in the policy.

SEPP No 55 - Remediation Of Land.
The policy aims to promote the remediation of contaminated land for the purpose of reducing risk of harm to human health or any other aspect of the environment. The policy applies to the whole state to ensure that remediation is permissible development and is always carried out to high standard. It specifies when consent is required for remediation and lists considerations that are relevant when rezoning land and determining development applications.

SEPP No 64 - Advertising And Signage.
The policy aims to improve the amenity of urban and natural settings by managing the impact of outdoor advertising.

SEPP No 65 - Design Quality Of Residential Flat Development.
The policy raises the design quality of residential flat development across the state through the application of a series of design principles. Provides for the establishment of Design Review Panels to provide independent expert advice to councils on the merit of residential flat development. The accompanying regulation requires the involvement of a qualified designer throughout the design, approval and construction stages.

SEPP No 70 - Affordable Housing (Revised Schemes).
The policy extends the life of affordable housing provisions relating to: Sydney Regional Environmental Plan No 26 - City West, Willoughby Local Environmental Plan 1995, South Sydney Local Environmental Plan 1998.

SEPP - Building Sustainability Index: Basix 2004.
This policy applies to all new single dwelling houses or dual occupancy development from 1st July 2005, and to all new multi-dwelling development or alterations and additions from 1st October 2005. BASIX is a web based tool designed to assess the potential performance of residential buildings against sustainability criteria. Details

are available at www.basix.nsw.gov.au or by contacting NSW Department of Infrastructure Planning and Natural Resources.

SEPP - (Major Developments) 2005.
This policy identifies the criteria for state significant development to be determined by the Minister for Infrastructure and Planning. This will facilitate the development, redevelopment or protection of important urban, coastal and regional sites of economic, environmental or social significance to the state.

SEPP - (Housing for Seniors or People with a Disability) 2004.
The policy aims to encourage the development of high quality accommodation for our ageing population and for people who have disabilities - housing that is in keeping with the local neighbourhood.

SEPP 71 - Coastal Protection.
This State Policy applies to all land located partly or wholly within the Coastal Zone, as identified in the NSW Coastal Policy 1997. This land is affected by this Policy.

SEPP - (Mining, Petroleum Production and Extractive Industries) 2007.
This SEPP aims to provide for the proper management and development of mineral, petroleum and extractive material resources for the purpose of promoting the social and economic welfare of the State. The policy also aims to facilitate the orderly and economic use and development of land containing mineral, petroleum and extractive material resources and to establish appropriate planning controls to encourage ecologically sustainable development through the environmental assessment and sustainable management, of development of mineral, petroleum and extractive material resources.

SEPP - (Infrastructure) 2007.
The aim of this Policy is to facilitate the effective delivery of infrastructure across the State by:

(a) improving regulatory certainty and efficiency through a consistent planning regime for infrastructure and the provision of services, and

(b) providing greater flexibility in the location of infrastructure and service facilities, and

(c) allowing for the efficient development, redevelopment or disposal of surplus government owned land, and

(d) identifying the environmental assessment category into which different types of infrastructure and services development fall (including identifying certain development of minimal environmental impact as exempt development), and

(e) identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and

(f) providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing.

SEPP - (Exempt & Complying Development Codes) 2008.
This policy aims to provide streamlined assessment processes for development that complies with specified development standards by identifying in the General Exempt

Development Code the types of development that may be carried out without the need for development consent and in the General Housing Code the types of development that may be carried out in accordance with a complying development certificate.

SEPP - State Environmental Planning Policy (Affordable Rental Housing) 2009.

The aims of this Policy are as follows:
(a) to provide a consistent planning regime for the provision of affordable rental housing,

(b) to facilitate the effective delivery of new affordable rental housing by providing incentives by way of expanded zoning permissibility, floor space ratio bonuses and non-discretionary development standards,

(c) to facilitate the retention and mitigate the loss of existing affordable rental housing,

(d) to employ a balanced approach between obligations for retaining and mitigating the loss of existing affordable rental housing, and incentives fro the development of new affordable rental housing,

(e) to facilitate an expanded role for not-for-profit-providers of affordable rental housing,

(f) to support local business centres by providing affordable rental housing for workers close to places of work,

(g) to facilitate the development of housing for the homeless and other disadvantaged people who may require support services, including group homes and supportive accommodation.

SEPP - (Rural Lands) 2008.
The aim of this policy is to facilitate the orderly and economic use and development of rural lands for rural and related purposes.

SEPP - (Temporary Structures) 2007.
This SEPP provides for the erection of temporary structures while protecting public safety and local amenity. The SEPP supports the transfer of the regulation of temporary structures (such as tents, marquees and booths) from the Local Government Act 1993 to the Environmental Planning and Assessment Act 1979.

Deemed SEPP's (Regional Environmental Plans)

Illawarra Regional Environmental Plan No 1.

1.2 Which proposed environmental planning instruments apply to the carrying out of development on the land that is or has been the subject of community consultation or public exhibition?

Draft Local Environmental Plan

No exhibited Draft Local Environmental Plans.

Draft State Environmental Planning Policies

DRAFT SEPP - Application of Development Standards 2004.
The policy aims to provide local councils with flexibility in applying development standards.

DRAFT SEPP 66 - Integrating Land Use and Transport.
The policy aims to ensure urban development is located and designed with improved walking, cycling and public transport access, reduces car dependence and supports efficient and viable public transport services.

DRAFT SEPP 1 - Development Standards (Amendment 1).
SEPP 1 gives councils the power to vary standards and approve development in some situations. When applicants use SEPP 1, they must provide sufficient evidence that proposed development meets the objectives of the local plan.

DRAFT SEPP - Subdivision.
The draft policy has been formulated in light of the intended introduction of the Local Government Bill 1992 which will have the effect of placing subdivision control entirely under the Environmental Planning and Assessment Act, 1979. At the present time, subdivision control is shared between this Act and the Local Government Act, 1919.

DRAFT SEPP - Sewerage Works.
The draft policy proposes that sewerage works by public authorities may be carried out, despite the provisions of any other environmental planning instrument, without development consent but subject to notification of certain authorities.

1.3 Which development control plans apply to the carrying out of development on the land?

DCP 2/92 - Commercial Development Control Plan No 2/92. This plan sets guidelines for commercial developments.

Residential Subdivision Development Control Plan (Amendment No 1). This plan sets out guidelines for greenfields residential subdivisions.

DCP 1/96 - Motor Showroom Development Control Plan No 1/96. This plan outlines the general design principles to be taken into consideration when preparing plans for motor showroom developments.

DCP 1/97 - Landscape Guidelines Development Control Plan No 1/97. This plan provides guidelines for landscaping requirements for developments and subdivisions.

DCP 2/96 - Service Station Development Control Plan No 2/96. This plan provides guidelines to assist in the design and siting of service stations and encourages the undergrounding of LGP facilities to mitigate environmental impacts.

Medium Density Development Control Plan No (Amendment No 2). This plan outlines the general design principles to be taken into consideration when preparing a development application for medium density housing, being three or more dwellings.

Residential Infill Development Control Plan (Amendment No 1). This plan outlines the general design principles to be taken into consideration when preparing a development application for residential infill development, which includes dual

occupancy, integrated housing and minor resubdivision of existing residential allotments.

DCP 5/97(AM1) - Advertising and Identification Signs Development Control Plan No 5/97(AM1). This plan provides guidelines for advertisements and advertising structure opportunities on land throughout the city.

DCP 2/98 - Telecommunications Facilities Development Control Plan No 2/98. This plan contains provisions relating to the design and location of telecommunications facilities, visual amenity and electromagnetic radiation.

DCP 4/98 - On-site Waste Water Management for Single Residences Development Control Plan No 4/98. This plan provides guidelines for the preparation of plans for on-site water management facilities.

Exempt Development Control Plan (AM4). This plan identifies certain development for which development consent, assessment or notification is not required.

Complying Development Control Plan (AM3). This plan identifies minor development for which a Compliance Certificate is required from either Council or an accredited certifier.

DCP 10/98 - Notifications Policy Development Control Plan No 10/98. This plan identifies how and when potentially affected persons are notified of Development Applications.

Residential Development Control Plan (Amendment No 3). This provides general development requirements for dwelling houses and associated development that requires development consent.

Waste Minimization & Management Development Control Plan Am1. This plan requires anyone who lodges a development application to construct, demolish, refurbish or use a building or subdivide land to complete a Waste Management Plan.

Floodplain Risk Management Development Control Plan (Amendment No 1). This Plan provides details for development requirements on flood prone land being land inundated to the Probable Maximum Flood.

Draft Exhibited Development Control Plan

Exhibited Draft Shell Cove Development Control Plan AM8.The Draft Plan has been prepared to include controls and requirements for all the land in Stages 8 & 10. The Draft Plan also identifies those lots that may permit two dwellings and medium density/small lot housing within Stages 8 & 10 as well as updating registered title information in relevant Appendices.

Technical Policies

Shellharbour City Council Stormwater Policy. Council has adopted the Shellharbour City Council Stormwater Policy that would apply to all lots within the Shellharbour City Local Government Area.

Exhibited Technical Policies

There are no Exhibited Technical Policies on this land.

1.4 In this clause, proposed environmental planning instrument includes a planning proposal for the LEP or a draft environmental planning instrument.

2. ZONING AND LAND USE UNDER RELEVANT LEPs

For each environmental planning instrument or proposed instrument referred to in clause 1 above (other than a SEPP or proposed SEPP) that applies to the land:

2.1 What is the identity of the zoning for the land?

2(f) MIXED USE RESIDENTIAL F under Shellharbour LEP 2000.

2.2 For what purposes may development be carried out within the zone without the need for development consent?

2(f) Mixed Use Residential under Shellharbour LEP 2000: Exempt development and development for the purpose of:

Home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the Public Health Act 1991.

2.3 For what purposes may development not be carried out within the zone except with development consent?

2(f) Mixed Use Residential under Shellharbour LEP 2000: Development not included in subclause 2.2 or 2.4.

Exceptions

There are no additional land uses or development permitted on this land in accordance with clause 82 of Shellharbour Local Environmental Plan 2000.

2.4 For what purposes is development prohibited within the zone?

2(f) Mixed Use Residential under Shellharbour LEP 2000: Development for the purpose of:

Advertisements not displaying the purpose for which the land is used; amusement parks; animal boarding, breeding or training establishments; aquaculture; brothels; car repair stations; extractive industries; gas holders that are not ancillary to an allowable use or a use granted consent; generating works; heavy industries; heliports; institutions; intensive horticulture; intensive livestock keeping; junk yards; light industries (other than those associated with and including boat manufacture or repair); liquid fuel depots; mineral sand mines; mines; motor showrooms (other than for caravans, boats or trailers); offensive or hazardous industries; plantation forestry; racecourses; roadside stalls; road transport terminals; rural industries; sawmills; stock

and sale yards; timber yards; turf farms; warehouses; waste management facilities or works.

2.5 Are there any development standards applying to the land which fix minimum land dimensions for the erection of a dwelling house on the land and, if so, the minimum land dimensions so fixed?

No. However a minimum land area applies for the erection of a dwelling house on certain Agricultural, Rural Landscape, Nature Conservation, Rural and Environmental Protection zoned lands. For further information please contact Council's Development Services Department.

2.6 Does the land include or comprise a critical habitat?

No.

2.7 Is the land in a conservation area?

No.

2.8 Is an item of environmental heritage situated on the land?

No.

3. COMPLYING DEVELOPMENT

Note: Council does not currently have sufficiently accurate flooding information. The Council is in the process of completing a city-wide flood study for the Shellharbour local government area. This study, when completed, will form the basis of a Floodplain Risk Management Plan for each of the catchments referred to in the Floodplain Risk Management Development Control Plan 2006.

For further information regarding flooding, please contact Council's Development & Technical Services Department and consult Council's Floodplain Risk Management Development Control Plan 2006.

3.1 Whether or not 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 clause 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.*

3.2 If complying development may not be carried out on that land because of the provisions of clause 1.19 of that Policy, the reasons why it may not be carried out under that clause.

General Housing Code

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

Housing Internal Alterations Code

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

General Commercial and Industrial Code

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

Subdivision Code

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

4. COASTAL PROTECTION

4.1 Is the land affected by the operation of section 38 or 39 of the *Coastal Protection Act 1979,* but only to the extent that the Council has been notified by the Department of Public Works?

No.

5. MINE SUBSIDENCE

5.1 Is the land proclaimed to be a mine subsidence district within the meaning of section 15 of the *Mine Subsidence Compensation Act 1961?*

No.

6. ROAD WIDENING AND ROAD REALIGNMENT

6.1 Is the land affected by any road widening or road realignment under:

(A) Division 2 of Part 3 of the *Roads Act 1993?*

No.

(B) Any environmental planning instrument?

No.

(C) Any resolution of the Council?

No.

7. HAZARD RISK RESTRICTIONS

Is the land affected by a policy either adopted by Council OR adopted by any other public authority and notified to the Council (for the express purposes 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:

7.1 Landslip

No.

7.2 Bushfire

No.

7.3 Tidal Inundation

No.

7.4 Subsidence

No.

7.5 Acid Sulphate Soils

No.

7.6 Any other risk

Contaminated Land Policy

7A. FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION

7A.1 Is development on the land or part of the land for the purposes of dwelling houses dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) subject to flood related development controls?

NOTE: Council does not currently have sufficiently accurate flooding information. The Council is in the process of completing a city wide flood study for the Shellharbour local government area. This study, when completed, will form the basis of a Floodplain Risk Management Plan for each of the catchments referred to in the Floodplain Risk Management Plan Development Control Plan April 2006.

For further information please contact Council's Development & Technical Services Department and consult Council's Floodplain Risk Management Development Control Plan 2006.

7A.2 Is development on the land or part of the land for any other purpose subject to flood related development controls?

NOTE: Council does not currently have sufficiently accurate flooding information. The Council is in the process of completing a city wide flood study for the Shellharbour local government area. This study, when completed, will form the basis of a Floodplain Risk Management Plan for each of the catchments referred to in the Floodplain Risk Management Plan Development Control Plan April 2006.

For further information please contact Council's Development & Technical Services Department and consult Council's Floodplain Risk Management Development Control Plan 2006.

7A.3 Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006.*

8. LAND RESERVED FOR ACQUISITION

8.1 Does any environmental planning instrument or proposed environmental planning instrument referred to in item 1 above make provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the *Environmental Planning & Assessment Act?*

Shellharbour Local Environmental Plan 2000 does not relate to the acquisition of the land the subject of this certificate.

9. CONTRIBUTIONS PLAN

9.1 Which contributions plan/s apply to the land?

Shellharbour City Council's Section 94 Contributions Plan 2005 Amendment 1.

9A BIODIVERSITY CERTIFIED LAND

9A.1 Is the land biodiversity certified land (within the meaning of Part 7AA of the *Threatened Species Conservation Act 1995)?*

No

10. BIOBANKING AGREEMENTS

Is there a biobanking agreement for the land under Part 7A of the *Threatened Species Conservation Act 1995,* that council is aware?

No

11. BUSH FIRE PRONE LAND

11.1 Is any of the land bushfire prone land as defined in the *Environmental Planning & Assessment Act 1979?*

No.

12. PROPERTY VEGETATION PLANS

12.1 Does a property vegetation plan under the *Native Vegetation Act 2003* apply to the land, being a plan to which the council has been notified of its existence by the person or body that approved the plan under the Act?

No.

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

13.1 Has an order been made under the *Trees (Disputes Between Neighbours) Act 2006* to carry out work in relation to a tree on the land, being an order to which the council has been notified of?

No.

14. DIRECTIONS UNDER PART 3A

14.1 Is there a direction by the Minister in force under section 75P(2)(c1) of the *Environmental Planning & Assessment Act 1979* 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?

No.

15. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR SENIORS HOUSING

15.1 If the land is land to which *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* applies, is there a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land?

No.

16. SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE

16.1 Is there a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land?

No.

17. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING

17.1 Is there a current site compatibility statement (affordable rental housing), of which the council is aware, in respect of proposed development on the land?

No.

17.2 Have any terms of a kind referred to in clause 17(1) or 38(1) of the *State Environmental Planning Policy (Affordable Rental Housing) 2009* been imposed as a condition of consent to a development application in respect of the land?

No.

NOTE: MATTERS PRESCRIBED BY SECTION 59(2) OF THE *CONTAMINATED LAND MANAGEMENT ACT 1997 (CLM Act)*

(a) Is the land significantly contaminated land within the meaning of the *CLM Act* at the date of this certificate?

No.

(b) Is the land subject to a management order within the meaning of the *CLM Act* at the date of this certificate?

No.

(c) Is the land the subject of an approved voluntary management proposal within the meaning of the *CLM Act* at the date of this certificate?

No.

(d) Is the land the subject of an ongoing maintenance order within the meaning of the *CLM Act* at the date of this certificate?

No.

(e) Is the land the subject of a site audit statement within the meaning of the *CLM Act* (such a statement having been provided to Council at any time)?

No.

CONTAMINATED INFORMATION - 1a. There are no matters listed under Section 59(2) of the Contaminated Land Management Act 1997 which should be specified on this certificate.

CONTAMINATED INFORMATION - 2a. The land is affected by a policy adopted by Council that restricts development of land if there is likelihood of contamination. Council has not assessed the likelihood of contamination of the land and cannot certify whether or not the policy restricts development of the land.

NOTE: Section 26 of the *Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009* provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of that Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

No Order or Authorisation has been issued under the Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009.

PART B: NOTATIONS

Tree Management Order

The Shellharbour City Council Tree Management Order prohibits the ringbarking, cutting down, pruning, lopping, topping, removing, root pruning, injuring or wilful destruction of any tree which is:

i. 3 metres or more in height.
ii. 300mm or more in trunk diameter at ground level.
iii. 3 metres or more in branch spread.

Without the written consent of Council.

The following trees with a trunk diameter of 600mm or less at ground level, will be given exemption, upon positive identification by Shellharbour City Council.

Theses species are:

1.	*Salix species*	Willow Tree
2.	*Populus species*	Poplar Tree

3.	*Erythrina x sykesii*	Coral Tree
4.	*Ligustrum species*	Privet
5.	*Toxicodendron succedaneum*	Rhus Tree
6.	*Ficus elastica*	Rubber Tree
7.	*Nerium oleander*	Oleander
8.	*Syagrus romanzoffianum*	Cocos/Queen Palm
9.	*Cinnamomum camphora*	Camphor Laurel
10.	*Schefflera actinophylla*	Umbrella Tree
11.	*Cupressus macrocarpa 'Brunniana'*	Golden Cypress
12.	*Lagunaria patersonii*	Itchy Pod Tree
13.	*Phoenix canariensis*	Canary Island Date Palm
14.	Domestic and commercial fruit trees that are not endemic species.	

The above 14 species with a trunk diameter greater 600mm at ground level are subject to the Tree Management Order. The Tree Management Order does not apply to trees required to be pruned under the Overhead Line Safety Regulation 1991, Regulation 23 and 24.

In accordance with Clause 8 of the Environmental Planning and Assessment Model Provisions 1980, Council gave notice that the above Tree Management Order had been adopted for Shellharbour City in the Government Gazette on 14 December 2001.

A person who contravenes the Tree Management Order is guilty of an offence.

PART C: - INFORMATION PROVIDED UNDER SECTION 149 (5) OF THE ACT

NOTE:
When information under section 149(5) is requested the Council is under no obligation to provide any of the information supplied in this part. We draw your attention to section 149(6) which states that a Council shall not incur any liability in respect of any advice provided in good faith pursuant to sub-section (5). The absence of any reference to any matter affecting the land does not imply that the land is not affected by any matter referred to in this planning certificate.

Endangered Ecological Community & Threatened Species.

Council has some mapping that identifies where endangered ecological communities & threatened species are known to occur. For further details contact Council's Customer Environmental Services Department.

Filling

Council has no records to indicate the land has been filled or partially filled. Uncontrolled fill may be present on this site. If you have any doubt as to whether the land is affected by fill material, the services of a suitably qualified Consulting Engineer should be obtained.

Flooding

Council's records show that the land is located in an area where flooding has occurred or is suspected. The services of a suitably qualified Consulting Engineer should be sought to determine the likely effect, if any, on the land. Council's records are incomplete and there is no certainty that the land is affected by this matter.

Development Consents Relating To The Land

Details of current development consents for the land are available on request from the Council.

Constraints

EXISTING QUARRY OPERATIONS:
An approved quarry operates between Shell Cove and Bass Point. This property is NOT within the "quarry buffer zone" as identified in Clause 26 of Shellharbour LEP 2000.

NSW COASTAL POLICY 1997. The NSW Coastal Policy 1997 applies to all land within the Coastal Zone as identified by the maps held by the Department of Planning. This includes the subject property.

Floor Level Restrictions - Refer Subdivision Engineer.

For further information please contact the Land & Information Services on (02) 4221 6138

B A Weir
General Manager

Per.....F. Gilly



Shellharbour
Local Environmental Plan
2000

Shellharbour Local Environmental Plan 2000

Current version for 15 December 2008 to date (accessed 19 January 2009 at 08:52)
Status information

New South Wales

Status information

Currency of version
Current version for 15 December 2008 to date (accessed 19 January 2009 at 08:52).
Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force
All the provisions displayed in this version of the legislation have commenced. For commencement and other details see the Historical notes

Authorisation: This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the Interpretation Act 1987.

File last modified 15 December 2008.

New South Wales

Part 1 Preliminary

1 Name of plan

This plan is *Shellharbour Local Environmental Plan 2000*.

2 Aim of plan

The aim of this plan is to provide a framework for land use management, urban growth and change to achieve the following objectives:

(a) to ensure that land uses in the local government area of Shellharbour City are compatible with each other and are suitably located,

(b) to ensure that adequate provision is made to meet the needs of an increasing population,

(c) to ensure that various areas of land within the local government area of Shellharbour City which are environmentally sensitive, and which enhance the visual amenity of the area, are protected and suitably managed,

(d) to enable public land, owned or controlled by the Council of the City of Shellharbour under the *Local Government Act 1993*, to be classified or reclassified as operational land,

(e) to identify and manage items of the environmental and cultural heritage of the local government area,

(f) to ensure that development addresses pollution concerns and does not result in a decline in water quality.

3 Land to which the plan applies

(1) This plan applies to all land within the local government area of Shellharbour City as shown on the map.

(2) However, this plan does not apply to land to which *Shellharbour Rural Local Environmental Plan 2004* applies.

4 Relationship to other environmental planning instruments

(1) *Shellharbour Local Environmental Plan No 16* is repealed.

(2) *State Environmental Planning Policy No 4—Development Without Consent* is amended by inserting in alphabetical order of local government area in Schedule 2 (Land excepted from clauses 6–10) the following words:

City of Shellharbour local government area

5 Savings

A development application or an application for approval of an activity, relating to land to which this plan applies, that was lodged with a consent authority or determining authority, but that was not finally determined before the commencement of this plan is to be determined as if this plan had been exhibited but not been made and *Shellharbour Local Environmental Plan No 16* had not been repealed.

6 Consent authority

The Council is the consent authority for the purpose of this plan.

7 Adoption of certain Model Provisions

This plan adopts Part 1 and clauses 5, 8, 10, 11, 12, 14, 24, 27, 29 and 35 of, and Schedule 1 to, the *Environmental Planning and Assessment Model Provisions 1980*.

8 Definitions

(1) In this plan, terms defined in Schedule 1 have the same meaning as set out in that Schedule.

(2) In this plan, a reference to a map is a reference to a map kept at the office of the Council.

(3) The letters and symbols SPS, RES, SUB STN, CH, FIRE STN, PUBLIC BLDG or TEL.

EXCH, where appearing on a map, mean sewage pumping station, water reservoir, electricity sub-station, church, fire station, public building or telephone exchange, respectively.

(4) In this plan, a reference to a building or place used for a purpose includes a reference to a building or place intended to be used for the purpose.

(5) The list of contents of this plan is not part of this plan.

9 Zones indicated on the map

Land is within one of the following zones as set out in Parts 2–10 in the clause headed "General controls for development" for the zone under the heading "Land within the zone":

1 (a)—Rural A Zone

1 (c)—Rural C Zone

1 (d)—Rural D (Horticultural) Zone

2 (a)—Residential A Zone

2 (b1)—Residential B1 Zone

2 (b2)—Residential B2 Zone

2 (e)—Mixed Use Residential E Zone

2 (f)—Mixed Use Residential F Zone

3 (a)—Mixed Use Commercial Zone

3 (d)—Neighbourhood Business Zone

4 (a)—Light Industrial Zone

4 (a3)—Airport Light Industrial Zone

4 (c)—Extractive Industrial Zone

4 (f)—Special Industrial Zone

5 (a)—Special Uses Zone

5 (b)—Special Railway Uses

6 (a)—Public Open Space Zone

6 (b)—Private Open Space Zone

7 (a)—Environmental Protection (Wetlands) Zone

7 (d)—Environmental Protection (Scenic) Zone

7 (e)—Environmental Protection (Escarpment) Zone

7 (f2)—Environmental Protection (Foreshore) Zone

7 (g)—Environmental Protection (Living Area 1) Zone

7 (h)—Environmental Protection (Living Area 2) Zone

8—National Parks and Nature Reserves Zone

9 (b)—Arterial Roads Reservation Zone

9 (c)—Local Roads Reservation Zone

9 (d)—Open Space Reservation Zone

10 Zone objectives and general controls for development

(1) The objectives of each zone are set out in Parts 2–10 in the clause headed "General controls for development" for the zone under the heading "Objectives (or Objective) of the zone".

(2) Except as otherwise provided by this plan, for each zone specified in a general controls for development clause, the development that:

(a) may be carried out without development consent is indicated in that clause by the words "Allowed without development consent", or

(b) may be carried out only with development consent is indicated in that clause by the words "Allowed only with development consent", or

(c) is prohibited is indicated in that clause by the words "Prohibited in the zone".

(3) The objectives of the zone are required to be taken into account by the consent authority before development consent is given to the carrying out of development within that zone.

Part 2 Rural Zones Provisions

11 General controls for development—Zone 1 (a) (the Rural A zone)

(1) **Land within the zone**
Land is within Zone 1 (a) (the Rural A zone) if it is shown coloured cream on the map.

(2) **Objectives of the zone**

(a) To protect the agricultural potential of rural land and to prevent the fragmentation of rural holdings.

(b) To prevent premature and sporadic subdivisions and to ensure consolidation of urban areas, thus enhancing the prospect of the economic provision of public services.

(c) To prevent, on the fringe of urban areas, the subdivision of land into small lots which would prejudice the proper layout of additional urban areas as a result of natural growth.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

general agriculture; home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

advertisements not displaying the purpose for which the land is used or directional

information; brothels; car repair stations; commercial premises; dual occupancies (other than attached dual occupancies); heavy industries; junk yards; light industries; medium density housing; motor showrooms; professional consulting rooms; recreation facilities; service stations; shops; warehouses.

12 General controls for development—Zone 1 (c) (the Rural C zone)

(1) **Land within the zone**
Land is within Zone 1 (c) (the Rural C zone) if it is shown coloured pale yellow on the map.

(2) **Objectives of the zone**

(a) To allow rural residential neighbourhoods to be developed, taking advantage of changing demand for housing and the availability of rural land not suited to agricultural, industrial or urban uses.

(b) To maintain the environmental quality and visual amenity of rural areas.

(c) To reduce the demand for subdivision for residential purposes of agricultural land.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

advertisements not displaying the purpose for which the land is used; amusement parks; animal boarding, breeding or training establishments; aquaculture; backpackers inns; boarding houses; brothels; bus depots; car repair stations; clubs; commercial premises; community facilities; dual occupancies (other than attached dual occupancies); extractive industries; gas holders; general stores; generating works; heavy industries; helipads; heliports; hospitals; hotels; institutions; junk yards; light industries; liquid fuel depots; medium density housing; mineral sand mines; mines; motels; motor showrooms; offensive or hazardous industries; passenger terminals; places of assembly; public buildings; racecourses; recreation establishments; recreation facilities; refreshment rooms; road transport terminals; rural industries; sawmills; service stations; shops; showgrounds; stock and sale yards; timber yards; tourist facilities; warehouses.

13 General controls for development—Zone 1 (d) (the Rural D (Horticulture) zone)

(1) **Land within the zone**
Land is within Zone 1 (d) (the Rural D (Horticulture) zone) if it is shown coloured pale yellow and lettered 1 (d) on the map.

(2) **Objective of the zone**
To provide for horticultural activities on agricultural lots of high agricultural potential, if such uses can be accommodated without reducing the quality of water in the locality.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

Nil.

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; clearing of land; drainage; filling; general agriculture; intensive horticulture; intensive livestock keeping; roadside stalls; rural industries; turf farms; wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

14 Controls for subdivision of land within Zone 1 (a)

(1) The Council must not consent to a subdivision of land within Zone 1 (a) unless:

(a) each allotment to be created will have an area of not less than 40 hectares or the Council is satisfied that any proposed smaller allotment is not intended to be used for the purpose of agriculture or a dwelling house, but is intended to be used for another lawful purpose, and

(b) where any allotment proposed to be created will have a frontage to a main road, the frontage will be not less than 200 metres, and

(c) the Council has been informed of the purpose for which each proposed allotment to be created by the subdivision is intended to be used and, where the purpose is agriculture, of the form of agriculture for which the allotment is intended to be used.

(2) Despite any other provision of this plan, consent for a subdivision of land within Zone 1 (a) in the "Jamberoo Valley Rural Conservation Area" (which is shown on the map) to create an allotment must not be granted unless:

(a) the consent authority is satisfied that the proposed allotment will not be used for the erection of a dwelling house, and

(b) a condition of the consent prohibits the erection of a dwelling house on each lot to be created by the subdivision.

(3) The Council must not consent to a subdivision of land within Zone 1 (a) in the "Jamberoo Valley Rural Conservation Area" (which is shown on the map) unless it has considered:

(a) the relationship of the proposed allotments to adjacent or adjoining allotments and the practicality of consolidating adjacent or adjoining allotments with land to which the application for consent to the subdivision relates, and

(b) the quality of the land proposed to be subdivided and the potential agricultural productivity of that land if it remains unsubdivided, and

(c) the likely impact of the subdivision on vegetation, soil resources and stability and water resources (including the quality of water courses, ground water storage and riparian rights), and

(d) the size, quality and potential agricultural productivity of each proposed allotment, and

(e) the relationship of each proposed allotment to, and the effect of creating the allotment on, the structure and nature of agricultural industries in the locality, and

(f) the purpose for which the proposed allotments are intended to be used and the purpose for which, in the opinion of the Council, the allotments are suitable for use, and

(g) the cumulative effect of similar proposals if consent is granted, and

(h) the likelihood of the proposed allotments remaining available for agriculture.

15 Controls for building dwelling houses within Zone 1 (a)

(1) Despite any other provision of this plan, the Council must not consent to the erection of a dwelling house on an allotment in Zone 1 (a) that has an area of less than 40 hectares unless:

(a) that allotment is a vacant original holding, or

(b) the allotment has been created in accordance with a subdivision approval (or a consent for a subdivision) on which no condition has been imposed prohibiting the erection of a dwelling house on the subject property.

(2) Despite any other provision of this plan, the Council must not consent to the erection of more than one dwelling house on an allotment in Zone 1 (a) unless it is satisfied that the dwelling house will be used or occupied by a person engaged by the owner of that land in the pursuit of agriculture on that land or on land adjacent to or adjoining that land.

(3) Consent must not be granted for a dwelling house on an allotment of land in Zone 1 (a) with an area of less than 40 hectares unless the Council places a condition on the consent requiring that allotment to be consolidated with any adjoining land in the same ownership until either all adjoining properties within the same ownership are consolidated or a minimum area of 40 hectares is achieved.

(4) Despite any other provision of this plan, the Council may consent to the erection of a dwelling house on land within Zone 1 (a) in the "Jamberoo Valley Rural Conservation Area" (which is shown on the map) only if the property to which the application relates has an area of 40 hectares or more or if the Council is satisfied that the property is a vacant original holding.

(5) Despite any other provision of this plan, the Council must not consent to the erection of a second dwelling house on land within Zone 1 (a) in the "Jamberoo Valley Rural Conservation Area" (which is shown on the map) where:

(a) the property to which the application relates has an area of less than 40 hectares, or

(b) the dwelling house will not be ancillary to the agricultural use of the land, or

(c) separate ownership of the proposed dwelling house will be achievable without the subdivision of the land, or

(d) an additional access to a public road is required from the land as a result of the erection of the dwelling house, or

(e) in the opinion of the Council, the proposed dwelling house will interfere with the purpose for which the land concerned is being used.

16 Controls for the development of certain land within Zone 1 (a)—Jamberoo Valley

(1) Despite any other provision of this plan, the Council must not grant consent to an amusement park or a place of assembly on land within Zone 1 (a) in the "Jamberoo Valley Rural Conservation Area" (which is shown on the map).

(2) Despite any other provision of this plan, the Council must not consent to development on land within Zone 1 (a) in the "Jamberoo Valley Rural Conservation Area" (which is shown

on the map) unless it has considered:

(a) the effect of the proposed development on agricultural land uses undertaken on land holdings in the vicinity, and

(b) the quality of the land and the potential agricultural productivity of the land, and

(c) the likely impact of the proposed development on vegetation, soil resources and stability and water resources (including the quality of water courses, ground water storage and riparian rights), and

(d) the effect of the proposed development on the structure and nature of agricultural industries in the area, and

(e) the cumulative effect of similar proposals if consent is granted, and

(f) the likelihood of the land remaining available to agriculture, and

(g) the impact that the proposed development will have on the scenic quality of the Jamberoo Valley by way of colour, bulk, vegetation removal, road access, visual intrusiveness, reflection and traffic generation, and is satisfied that such measures as will, in its opinion, minimise that impact are proposed to be taken.

(3) The Council must take the following into consideration when assessing an application for consent to clear any land shown stippled on Sheet 3 of the map marked "Illawarra Regional Environmental Plan No 2—Jamberoo Valley" deposited in the office of the Department of Urban Affairs and Planning (being areas of significant vegetation):

(a) the movement of native fauna,

(b) any rare or significant flora or fauna,

(c) any rare or significant habitats,

(d) the effect of the proposed clearing on adjacent or adjoining land under the control of the National Parks and Wildlife Service,

(e) whether there is a reasonable alternative to the removal of that vegetation or the extent of the removal of that vegetation,

(f) the visual impact of the proposed development on the scenic quality of the Jamberoo Valley by breaking any unbroken natural tree canopy cover or creating smaller discrete parcels of vegetation from an existing stand.

17 Controls for subdivision within Zone 1 (c)

(1) The Council must not consent to the subdivision of land within Zone 1 (c) unless:

(a) each lot to be created by the subdivision has an area of not less than 0.4 hectares and the average lot size (calculated by dividing the total area of land to be subdivided by the number of lots to be created by the subdivision) is not less than 0.8 hectares, where reticulated water and sewerage services are available, and

(b) each lot to be created by the subdivision has an area of not less than 1 hectare, where reticulated water and sewerage services are not available.

(2) The Council must not consent to the subdivision of any land within Zone 1 (c) unless it has considered:

(a) the land capability (including soil resources, soil stability and capacity for on-site

waste disposal) and the natural constraints, and hazards, of the land to be subdivided in relation to the density and design of the allotments proposed to be created, and

(b) the desirability of providing a range and mixture of allotment sizes, and

(c) the ability to provide urban services to the land.

18 Controls for building dwelling houses within Zone 1 (c)

(1) A dwelling house may not be erected on land within Zone 1 (c) unless that land is an allotment that complies with clause 17 (1) (a) and (b).

(2) Despite any other provision of this plan, the Council may consent to the erection of a second dwelling house on an allotment within Zone 1 (c) with an area exceeding two hectares, but only if, in the opinion of the Council:

(a) the development will not adversely affect the visual amenity of the area, and

(b) the development will not place undue demand on the provision of public services, and

(c) the development will not increase ribbon development on any main or arterial road and will not exceed the environmental capacity of the site.

19 Controls for subdivision within Zone 1 (d)

The Council must not consent to the subdivision of land within Zone 1 (d) unless each allotment to be created by the subdivision has an area of not less than 12 hectares, even if the subdivision is by a strata plan or under the *Community Land Development Act 1989*.

Part 3 Residential Zones Provisions

20 General controls for development—Zone 2 (a) (the Residential A zone)

(1) **Land within the zone**
Land is within Zone 2 (a) (the Residential A zone) if it is shown coloured light pink on the map.

(2) **Objective of the zone**
To provide an environment primarily for detached and semi-detached housing.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

advertisements not displaying the purpose for which the land is used; amusement parks; animal boarding, breeding or training establishments; aquaculture; backpackers inns; brothels; bus depots; car repair stations; clubs; commercial premises; extractive industries; gas holders; general agriculture; general stores; generating works; heavy industries; helipads; heliports; hotels; institutions; intensive horticulture; intensive livestock keeping; junk yards; light industries; liquid fuel depots; mineral sand mines; mines; motels; motor showrooms; offensive or hazardous industries; passenger

terminals; places of assembly; plantation forestry; plant nurseries; public buildings; racecourses; recreation establishments; recreation facilities; refreshment rooms; roadside stalls; road transport terminals; rural industries; sawmills; service stations; shops; showgrounds; stock and sale yards; timber yards; tourist facilities; turf farms; veterinary surgeries; warehouses; waste management facilities or works.

21 General controls for development—Zone 2 (b1) (the Residential B1 zone)

(1) **Land within the zone**
Land is within Zone 2 (b1) (the Residential B1 zone) if it is shown coloured medium pink on the map.

(2) **Objectives of the zone**

(a) To provide for a range of housing types in locations that are accessible to retail, commercial and public transport facilities.

(b) To encourage the efficient use of aged housing stock upon redevelopment.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

advertisements not displaying the purpose for which the land is used; amusement parks; animal boarding, breeding or training establishments; aquaculture; brothels; bus depots; car repair stations; clubs; commercial premises; extractive industries; gas holders; general agriculture; generating works; heavy industries; helipads; heliports; hotels; institutions; intensive horticulture; intensive livestock keeping; junk yards; light industries; liquid fuel depots; mineral sand mines; mines; motels; motor showrooms; offensive or hazardous industries; passenger terminals; places of assembly; plantation forestry; plant nurseries; public buildings; racecourses; recreation establishments; recreation facilities; refreshment rooms; roadside stalls; road transport terminal; rural industries; sawmills; service stations; shops; showgrounds; stock and sale yards; timber yards; tourist facilities; turf farms; veterinary surgeries; warehouses; waste management facilities or works.

22 General controls for development—Zone 2 (b2) (the Residential B2 zone)

(1) **Land within the zone**
Land is within Zone 2 (b2) (the Residential B2 zone) if it is shown coloured dark pink on the map.

(2) **Objective of the zone**
To allow for medium density development in locations that are in the vicinity of retail, commercial and public transport facilities.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home business; home occupations (excluding an occupation or

industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

advertisements not displaying the purpose for which the land is used; amusement parks; animal boarding, breeding or training establishments; aquaculture; brothels; bus depots; car repair stations; clubs; commercial premises; extractive industries; gas holders; general agriculture; generating works; heavy industries; helipads; heliports; hotels; institutions; intensive horticulture; intensive livestock keeping; junk yards; light industries; liquid fuel depots; mineral sand mines; mines; motels; motor showrooms; offensive or hazardous industries; passenger terminals; places of assembly; plantation forestry; plant nurseries; public buildings; racecourses; recreation establishments; recreation facilities; refreshment rooms; roadside stalls; road transport terminals; rural industries; sawmills; service stations; shops; showgrounds; stock and sale yards; timber yards; tourist facilities; turf farms; veterinary surgeries; warehouses; waste management facilities or works.

23 General controls for development—Zone 2 (e) (the Mixed Use Residential E zone)

(1) **Land within the zone**
Land is within Zone 2 (e) (the Mixed Use Residential E zone) if it is shown coloured salmon on the map.

(2) **Objective of the zone**
To allow for mixed use residential neighbourhoods to be developed on 'greenfields' sites providing for a range of household preferences and needs compatible with fully developed residential neighbourhoods.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

advertisements not displaying the purpose for which the land is used; amusement parks; animal boarding, breeding or training establishments; aquaculture; brothels; bus depots; car repair stations; extractive industries; gas holders that are not ancillary to an allowable use or a use granted consent; generating works; heavy industries; helipads; heliports; institutions; intensive horticulture; intensive livestock keeping; junk yards; light industries; liquid fuel depots; mineral sand mines; mines; motor showrooms; offensive or hazardous industries; plantation forestry; racecourses; roadside stalls; road transport terminals; rural industries; sawmills; stock and sale yards; timber yards; turf farms; warehouses; waste management facilities or works.

24 General controls for development—Zone 2 (f) (the Mixed Use Residential F zone)

(1) **Land within the zone**
Land is within Zone 2 (f) (the Mixed Use Residential F zone) if it is shown coloured mauve on the map.

(2) **Objectives of the zone**

(a) To allow for mixed use residential neighbourhoods to be developed providing for a range of household preferences and needs.

(b) To enable the development of a regional boat harbour facility and associated commercial and recreational activities.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

advertisements not displaying the purpose for which the land is used; amusement parks; animal boarding, breeding or training establishments; aquaculture; brothels; car repair stations; extractive industries; gas holders that are not ancillary to an allowable use or a use granted consent; generating works; heavy industries; heliports; institutions; intensive horticulture; intensive livestock keeping; junk yards; light industries (other than those associated with and including boat manufacture or repair); liquid fuel depots; mineral sand mines; mines; motor showrooms (other than for caravans, boats or trailers); offensive or hazardous industries; plantation forestry; racecourses; roadside stalls; road transport terminals; rural industries; sawmills; stock and sale yards; timber yards; turf farms; warehouses; waste management facilities or works.

25 Controls to promote commercial hierarchy within Zones 2 (e) and 2 (f)

Despite any other provision of this plan, the Council may consent to commercial or retail development (or mixed commercial and retail development) on land within Zone 2 (e) or 2 (f) only if, in the opinion of the Council, it will promote the commercial hierarchy for the Shellharbour City local government area presented in Schedule 4.

26 Development within the quarry buffer area in Zone 2 (f)

(1) Despite any other provision of this plan, a person shall not develop land in Zone 2 (f) identified as "quarry buffer area" on the map for any purpose other than general agriculture; drainage; light industries and industries associated with and including boat manufacture and repair; open space; recreation areas; roads; shops and commercial premises in accordance with Schedule 4; utility installations (other than gas holders or generating works), and warehouses.

(2) The Council shall not grant development consent in respect of any development for a purpose specified in subclause (1) unless:

(a) the development will not be unduly affected in an adverse manner by proximity to the Bass Point Quarry, having regard to the normal course of the quarry's operations, and

(b) the applicant for that consent is aware of the nature of the operation of the quarry and its likely impact on the land within the quarry buffer area and has notified the Council in writing of his, hers or its acceptance of that impact, and

(c) the development will not pose a restriction on the nature of operations within the quarry.

Part 4 Commercial Zones Provisions

27 General controls for development—Zone 3 (a) (the Mixed Use Commercial zone)

(1) **Land within the zone**
Land is within Zone 3 (a) (the Mixed Use Commercial zone) if it is shown coloured light blue on the map.

(2) **Objectives of the zone**

(a) To provide for mixed use retail/commercial centres in locations that have developed historically or which are centrally located.

(b) To allow for mixed use development incorporating residential and commercial or retail activities.

(c) To encourage the development of commercial/retail centres that provide for daily convenience and higher order needs of the surrounding residential areas.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not identified in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

animal boarding, breeding or training establishments; aquaculture; brothels; car repair stations; extractive industries; gas holders that are not ancillary to an allowable use or a use granted consent; generating works; heavy industries; helipads; heliports; hospitals; institutions; intensive horticulture; intensive livestock keeping; junk yards; light industries; liquid fuel depots; mineral sand mines; mines; offensive or hazardous industries; plantation forestry; racecourses; road transport terminals; roadside stalls; rural industries; sawmills; stock and sale yards; timber yards; turf farms; waste management facilities or works.

28 General controls for development—Zone 3 (d) (the Neighbourhood Business zone)

(1) **Land within the zone**
Land is within Zone 3 (d) (the Neighbourhood Business zone) if it is shown coloured medium blue on the map.

(2) **Objectives of the zone**

(a) To allow for retail and commercial businesses of a scale that is unlikely to prejudice

the viability of a higher order commercial centre.

(b) To provide for retail and commercial services that may cater for the daily convenience needs of the local community.

(c) To allow for mixed use development incorporating residential and commercial or retail activities.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

amusement parks; animal boarding, breeding or training establishments; aquaculture; backpackers inns; brothels; car repair stations; clubs; extractive industries; gas holders that are not ancillary to an allowable use or a use granted consent; general agriculture; generating works; heavy industries; helipads; heliports; hospitals; hotels; institutions; intensive horticulture; intensive livestock keeping; junk yards; light industries; liquid fuel depots; mineral sand mines; mines; motels; motor showrooms; offensive or hazardous industries; plantation forestry; racecourses; road transport terminals; roadside stalls; rural industries; sawmills; stock and sale yards; timber yards; turf farms; warehouses; waste management facilities or works.

29 Controls to promote commercial hierarchy

Despite any other provision of this plan, the Council may consent to commercial or retail development (or mixed commercial and retail development) on land within Zone 3 (a) or 3 (d) only if, in the opinion of the Council, it will promote the commercial hierarchy for the Shellharbour City local government area presented in Schedule 4.

Part 5 Industrial Zones Provisions

30 General controls for development—Zone 4 (a) (the Light Industrial zone)

(1) **Land within the zone**
Land is within Zone 4 (a) (the Light Industrial zone) if it is shown coloured light purple on the map.

(2) **Objective of the zone**
To provide for a wide variety of light industrial uses which are generally compatible with nearby residential neighbourhoods.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

amusement parks; aquaculture; backpackers inns; bed and breakfasts; clubs; commercial premises (other than those used in conjunction with industry and situated on land on which the industry is situated); dual occupancies; dwelling houses (other than those used in conjunction with industry and situated on land on which the industry is situated); extractive industries; gas holders that are not ancillary to an allowable use or a use granted consent; general stores; generating works; heavy industries; helipads; heliports; hospitals; hotels; institutions; intensive horticulture; intensive livestock keeping; junk yards; liquid fuel depots; medium density housing; mineral sand mines; mines; motels; offensive or hazardous industries; places of assembly; plantation forestry; professional consulting rooms; public buildings; recreational establishments; roadside stalls; rural industries; shops (other than light industrial retail outlets and those that serve the daily convenience needs of an industrial area); stock and sale yards; tourist facilities.

31 General controls for development—Zone 4 (a3) (the Airport Light Industrial zone)

(1) **Land within the zone**
Land is within Zone 4 (a3) (the Airport Light Industrial zone) if it is shown coloured dark purple and lettered 4 (a3) on the map.

(2) **Objectives of the zone**

(a) To provide for a wide variety of light industrial uses that are generally compatible with nearby residential neighbourhoods.

(b) Where appropriate, to encourage the development of industries that are airport-related and, as a result, to diversify the industrial base of Shellharbour in a manner compatible with use of the adjacent Illawarra Regional Airport.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in item (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

amusement parks; aquaculture; animal boarding, breeding or training establishments; child care centres; commercial premises (other than those used in conjunction with an allowable use and situated on land on which the use is situated or those providing a service to an airport or to airport-related uses); dual occupancies; dwelling houses (other than those used in conjunction with an allowable use and situated on land on which the use is situated); extractive industries; gas holders that are not ancillary to an allowable use or a use granted consent; general stores; generating works; heavy industries (other than airport related industries); helipads; heliports; hospitals; institutions; intensive horticulture; intensive livestock keeping; junk yards; medium density housing; mineral sand mines; mines; motor showrooms; offensive or hazardous industries; places of assembly; places of public worship; plantation forestry;

professional consulting rooms; racecourses; recreational establishments; roadside stalls; rural industries; sawmills; shops (other than light industrial retail outlets and those that serve the daily convenience needs of an industrial area or airport); stock and sale yards; waste management facilities or works.

32 General controls for development—Zone 4 (c) (the Extractive Industrial zone)

(1) **Land within the zone**
Land is within Zone 4 (c) (the Extractive Industrial zone) if it is shown coloured dark purple on the map.

(2) **Objectives of the zone**
To identify those areas specifically allocated for extractive purposes.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

Nil.

(4) **Allowed only with development consent**
Development for the purpose of:

clearing of land; drainage; extractive industries; filling; general agriculture; intensive horticulture; intensive livestock keeping; mines; turf farms; waste management facilities or works; wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

33 General controls for development—Zone 4 (f) (the Special Industrial zone)

(1) **Land within the zone**
Land is within Zone 4 (f) (the Special Industrial zone) if it is shown coloured dark purple and lettered 4 (f) on the map.

(2) **Objective of the zone**
To provide a suitable area for those industrial uses which are more appropriately located away from residential areas by reason of the emission of noise, fumes, dust or the like.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not identified in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

amusement parks; animal boarding, breeding or training establishments; aquaculture; backpackers inns; bed and breakfasts; child care centres; clubs; commercial premises (other than those used in conjunction with industry and situated on land on which the industry is situated); community facilities; dual occupancies; dwelling houses (other than those used in conjunction with industry and situated on land on which the industry is situated); extractive industries; general stores; generating works; helipads; heliports; hospitals; hotels; institutions; intensive horticulture; intensive livestock keeping;

medium density housing; mineral sand mines; mines; motels; motor showrooms; places of assembly; places of public worship; plantation forestry; professional consulting rooms; public buildings; racecourses; recreational establishments; refreshment rooms; roadside stalls; rural industries; service stations; shops (other than light industrial retail outlets and those that serve the daily convenience needs of an industrial area); stock and sale yards; tourist facilities; veterinary surgeries.

34 Bulky goods retailing within Zones 4 (a) and 4 (a3)

Despite any other provision of this plan, the Council may consent to development of land within Zone 4 (a) or 4 (a3) for the purpose of retailing of bulky goods but only if it has considered:

(a) the availability of suitable lands in any nearby business centre, and

(b) the impact of the development on the predominantly industrial nature of Zone 4 (a) or 4 (a3), and

(c) the effect of the development on the viability of the nearby business centre.

35 Controls for certain development of certain land within Zone 4 (a)

Despite any other provision of this plan, the Council must not consent to development for the purpose of a motor showroom on land within Zone 4 (a), being 13 to 97 Princes Highway; 2–6 and 1–7 Mye Place, or 6 and 8 Creole Road, Albion Park Rail, unless vehicular access to and egress from the land is not only by way of the Princes Highway but is also to and from some other additional point of access and egress.

36 Access controls within Zone 4 (a3)

(1) The Council must not grant consent for development of land within Zone 4 (a3) unless access to and egress from the site of the development is available otherwise than directly from or to a main or arterial road.

(2) In granting such a consent, the Council must prohibit direct vehicular access to or egress from the site by a main or arterial road.

(3) This clause does not apply to Lot 4211, DP 833774, Princes Highway, Albion Park Rail.

37 Controls for liquid fuel depots within Zones 4 (a3) and 4 (f)

(1) A person must not establish, enlarge or use a liquid fuel depot on land within Zone 4 (a3) or 4 (f) having an above ground storage capacity of 500 kilolitres or more of inflammable liquid without the consent of the Council.

(2)–(4) (Repealed)

Part 6 Special Uses Zones Provisions

38 General controls for development—Zone 5 (a) (the Special Uses zone)

(1) **Land within the zone**
Land is within Zone 5 (a) (the Special Uses zone) if it is shown coloured dark yellow and lettered with the special use of the land on the map.

(2) **Objective of the zone**
To maintain land for certain community facilities and services.

(3) **Allowed without development consent**

Exempt development and development for the purpose of:

home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

clearing of land; commercial premises; community facilities; drainage; educational establishments; filling; general agriculture; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; intensive horticulture; passenger terminals; places of assembly; places of public worship; the particular land use indicated by heavy black lettering on the map; turf farms; utility installations (other than gas holders or generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

39 General controls for development—Zone 5 (b) (the Special Railway Uses zone)

(1) **Land within the zone**
Land is within Zone 5 (b) (the Special Railway Uses zone) if it is shown coloured dark grey on the map.

(2) **Objective of the zone**
To maintain land for railway purposes.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

clearing of land; drainage; filling; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; railway uses (other than advertisements except at railway stations); utility installations (other than gas holders or generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

40 Interim development within Zone 5 (a)

In considering whether to grant consent to development of land within Zone 5 (a) for the erection or use of commercial premises, general agriculture, intensive horticulture or passenger terminals, the Council must assess the proposal to ensure that it will not interfere with the use of the land for the purpose identified by lettering on the zoning map.

41 Controls to promote commercial hierarchy within Zone 5 (a)

Despite any other provision of this plan, the Council may consent to commercial or retail development (or mixed commercial and retail development) on land within Zone 5 (a) only if,

in the opinion of the Council, it will promote the commercial hierarchy for the Shellharbour City local government area presented in Schedule 4.

42 Temporary uses by charities and service clubs within Zone 5 (a)

(1) Despite any other provision of this plan, a person may, with the consent of the Council, carry out development on land within Zone 5 (a) for the purpose of temporary activities such as markets, exhibitions and fund raising, but only if:

(a) the activity will be carried out by an established non-profit organisation, and

(b) the consent will not have the effect of allowing the same site to be used for the those kinds of activities more than 12 times in any one year.

(2) In considering whether to grant consent to the carrying out of any such development, the Council must take into account:

(a) the suitability of the land for the proposed development, and

(b) the availability and suitability of alternative sites for the proposed development, and

(c) the impact of the proposed development on the land and the neighbourhood, and

(d) the desirability of retaining the land for its existing or likely future use.

Part 7 Open Space Zones Provisions

43 General controls for development—Zone 6 (a) (the Public Open Space zone)

(1) **Land within the zone**
Land is within Zone 6 (a) (the Public Open Space zone) if it is shown coloured light green on the map.

(2) **Objectives of the zone**

(a) To identify areas where recreational opportunities for the general use of the community are provided.

(b) To enable development that will enhance the public enjoyment of areas referred to in subclause (2) (a).

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

aids to navigation; bushfire hazard reduction; home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*); landscaping.

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; clearing of land; community facilities; drainage; dwelling houses; educational establishments; filling; general agriculture; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; intensive horticulture; places of assembly; places of public worship; plantation forestry; racecourses; recreation areas; recreation establishments; recreation facilities; refreshment rooms; shops and commercial premises required in connection with an allowable use; showgrounds; turf

farms; utility installations (other than gas holders or generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not identified in subclause (3) or (4).

44 General controls for development—Zone 6 (b) (the Private Open Space zone)

(1) **Land within the zone**
Land is within Zone 6 (b) (the Private Open Space zone) if it is shown coloured medium green on the map.

(2) **Objective of the zone**
To identify areas where private recreation facilities may be developed.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

aids to navigation; home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; backpackers inns; bed and breakfasts; clearing of land; community facilities; drainage; dwelling houses required for use or occupation by persons employed in connection with an allowable use or a use granted consent; educational establishments; filling; general agriculture; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; intensive horticulture; places of assembly; places of public worship; racecourses; recreation areas; recreation establishments; recreation facilities; refreshment rooms; shops and commercial premises required in connection with an allowable use or a use granted consent; turf farms; tourist facilities; utility installations (other than gas holders or generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not identified in subclause (3) or (4).

45 Restriction on granting consent for development within Zone 6 (a)

Despite any other provision of this plan, the Council must not consent to any development on land within Zone 6 (a) unless it has considered:

(a) the need for the proposed development on that land, and

(b) the impact of the proposed development on the existing or likely future use of the land, and

(c) the need to retain the land for its existing or likely future use.

46 Controls for building dwelling houses within Zone 6 (a)

Despite any other provision of this plan, the Council must not consent to the erection of a dwelling house on land within Zone 6 (a) unless it is satisfied that the dwelling house is to be used for the permanent occupation of a caretaker or manager for the property on which the dwelling house is to be located.

47 Temporary uses by charities and service clubs within Zones 6 (a) and 6 (b)

(1) Despite any other provision of this plan, a person may, with the consent of the Council, carry out development on land within Zone 6 (a) or 6 (b) for the purpose of temporary activities such as markets, exhibitions and fund raising, but only if:

(a) the activity will be carried out by an established non-profit organisation, and

(b) the consent will not have the effect of allowing the same site to be used for the those kinds of activities more than 12 times in any one year.

(2) In considering whether to grant consent to the carrying out of any such development, the Council must take into account:

(a) the desirability (from the Council's view point) of the proposed development on the land, and

(b) the suitability of the land for the proposed development, and

(c) the availability and suitability of alternative sites for the proposed development, and

(d) the impact of the proposed development on the land and the neighbourhood, and

(e) the desirability of retaining the land for its existing or likely future use.

Part 8 Environmental Protection Zones Provisions

48 General controls for development—Zone 7 (a) (the Environmental Protection (Wetlands) zone)

(1) **Land within the zone**
Land is within Zone 7 (a) (the Environmental Protection (Wetland) zone) if it is shown coloured rust on the map.

(2) **Objectives of the zone**

(a) To protect and enhance wetland areas which provide important habitats for species of wetland flora and fauna.

(b) To maintain and enhance wetland environments which provide limited recreational and aesthetic opportunities for the public.

(3) **Allowed without development consent**
Development for the purpose of:

Nil.

(4) **Allowed only with development consent**
Development for the purpose of:

aids to navigation; cycleways; drainage; filling; general agriculture; utility installations (other than gas holders or generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

49 General controls for development—Zone 7 (d) (the Environmental Protection (Scenic) zone)

(1) **Land within the zone**

Land is within Zone 7 (d) (the Environmental Protection (Scenic) zone) if it is shown coloured light tan on the map.

(2) **Objective of the zone**
To protect scenic areas which are generally undeveloped and which provide an important visual backdrop for the urban areas.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

aids to navigation; home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; animal boarding, breeding or training establishments; attached dual occupancies; bed and breakfasts; clearing of land; drainage; dwelling houses; filling; general agriculture; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; intensive horticulture; intensive livestock keeping; plantation forestry; recreation areas; recreation establishments; roadside stalls; rural industries; tourist facilities; turf farms; utility installations (other than gas holders or generating works); veterinary surgeries; wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

50 General controls for development—Zone 7 (e) (the Environmental Protection (Escarpment) zone)

(1) **Land within the zone**
Land is within Zone 7 (e) (the Environmental Protection (Escarpment) zone) if it is shown coloured medium tan on the map.

(2) **Objective of the zone**
To protect escarpment areas which are generally undeveloped and which provide an important visual backdrop for urban areas and which support important native flora and fauna habitats.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; attached dual occupancies; bed and breakfasts; clearing of land; drainage; dwelling houses; filling; general agriculture; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; intensive horticulture; mines;

plantation forestry; recreation areas; recreation establishments; roadside stalls; rural industries; utility installations (other than gas holders or generating works); veterinary surgeries; wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

51 General controls for development—Zone 7 (f2) (the Environmental Protection (Foreshore) zone)

(1) **Land within the zone**
Land is within Zone 7 (f2) (the Environmental Protection (Foreshore) zone) if it is shown coloured dark tan on the map.

(2) **Objective of the zone**
To protect prominent foreshore areas which are generally undeveloped and which provide aesthetic and recreational opportunities for the public.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

aids to navigation; home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; bed and breakfasts; clearing of land; drainage; dwelling houses; filling; general agriculture; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; recreation areas; local roads; tourist facilities; utility installations (other than gas holders or generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

52 General controls for development—Zone 7 (g) (the Environmental Protection (Living Area 1) zone)

(1) **Land within the zone**
Land is within Zone 7 (g) (the Environmental Protection (Living Area 1) zone) if it is shown coloured medium tan and lettered 7 (g) on the map.

(2) **Objectives of the zone**

(a) To allow small rural holdings to be created taking advantage of the availability of rural land not generally suited to agriculture, industrial or urban uses.

(b) To maintain the environmental quality and visual amenity of Shellharbour's rural areas.

(c) To protect the quality of waters in the locality concerned.

(d) To preserve the rural backdrop to existing and proposed residential areas.

(e) To reduce the demand for subdivision for residential purposes of rural land.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; bed and breakfasts; clearing of land; drainage; dwelling houses; education establishments; filling; general agriculture; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; intensive horticulture; places of public worship; plantation forestry; professional consulting rooms; turf farms; utility installations; veterinary surgeries; wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

53 General controls for development—Zone 7 (h) (the Environmental Protection (Living Area 2) zone)

(1) **Land within the zone**
Land is within Zone 7 (h) (the Environmental Protection (Living Area 2) zone) if it is shown coloured medium tan and lettered 7 (h) on the map.

(2) **Objectives of the zone**

(a) To provide for low density detached dwelling development in localities that cannot support conventional densities by virtue of servicing constraints, the visual prominence of the site, the need to retain important remnant vegetation or any other reason.

(b) To ensure the housing styles are sympathetic to a semi-rural setting and maintain the visual amenity of the locality.

(c) To ensure areas of remnant bushland are preserved.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; bed and breakfasts; clearing of land; drainage; dwelling houses; educational establishments; filling; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; professional consulting rooms; turf farms; utility installations; wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

54 Controls for subdivision of land within Zones 7 (a), 7 (d) and 7 (e)

(1) The Council must not consent to a subdivision of land within Zone 7 (a), 7 (d) or 7 (e) unless:

(a) each allotment to be created will have an area of not less than 40 hectares or the Council is satisfied that any proposed smaller allotment is not intended to be used for the purpose of agriculture or a dwelling house, but is intended to be used for another lawful purpose, and

(b) where any allotment proposed to be created will have a frontage to a main road, the frontage will be not less than 200 metres, and

(c) the Council has been informed of the purpose for which each proposed allotment to be created by the subdivision is intended to be used and, where the purpose is agriculture, of the form of agriculture for which the allotment is intended to be used.

55 Controls for building dwelling houses within Zones 7 (d) and 7 (e)

(1) Despite any other provision of this plan, the Council must not consent to the erection of a dwelling house on an allotment within Zone 7 (d) or 7 (e) that has an area of less than 40 hectares unless:

(a) that allotment is a vacant original holding, or

(b) the allotment has been created in accordance with a subdivision approval (or a consent for a subdivision) on which no condition has been imposed prohibiting the erection of a dwelling house on the subject property.

(2) Despite any other provision of this plan, the Council must not consent to the erection of more than one dwelling house on an allotment within Zone 7 (d) or 7 (e) unless the dwelling house will be used or occupied by a person engaged by the owner of that land in the pursuit of agriculture on that land or on land adjacent to or adjoining that land.

(3) Consent must not be granted for a dwelling house on an allotment of land in Zone 7 (d) or 7 (e) with an area of less than 40 hectares unless the Council places a condition on the consent requiring that allotment to be consolidated with any adjoining land in the same ownership until either all adjoining properties within the same ownership are consolidated or a minimum area of 40 hectares is achieved.

56 Controls for the development of certain land within Zone 7 (e)

(1) The Council must not consent to development on land within Zone 7 (e) in the "Jamberoo Valley Escarpment Area" shown on the map unless:

(a) there is no reasonable alternative site for the proposed development, and

(b) the proposed development will not have a detrimental impact on the visual quality of the Jamberoo Valley, and

(c) any building and its access will be designed and sited so as to be visually unobtrusive from any public place, and

(d) the proposed development will not be subject to slip hazard, and

(e) adequate landscaping to screen the development will be provided, and

(f) it has given consideration to the impact that the proposed development will have on the scenic quality of the Jamberoo Valley by way of colour, bulk, vegetation removal, road

access, visual intrusiveness, reflection and traffic generation, and is satisfied that such measures as will, in the Council's opinion, minimise that impact are proposed to be taken.

(2) The Council must take the following into consideration when assessing an application for consent to clear any land within Zone 7 (e) shown stippled on Sheet 3 of the map marked "Illawarra Regional Environmental Plan No 2—Jamberoo Valley" deposited in the office of the Department of Urban Affairs and Planning (being areas of significant vegetation):

(a) the movement of native fauna,

(b) any rare or significant flora or fauna,

(c) any rare or significant habitats,

(d) the effect of the proposed clearing on adjacent or adjoining lands under the control of the National Parks and Wildlife Service,

(e) whether there is a reasonable alternative to the removal of that vegetation or the extent of the removal of that vegetation,

(f) the visual impact on the scenic quality of the Jamberoo Valley by breaking any unbroken natural tree canopy cover or creating smaller discrete parcels of vegetation from an existing stand.

57 Controls for subdivision of land within Zone 7 (f2)

(1) The Council must not consent to the subdivision of land within Zone 7 (f2) unless:

(a) each allotment to be created will have an area of not less than 40 hectares or the Council is satisfied that any proposed smaller allotment is not intended to be used for the purpose of agriculture or a dwelling house, but is intended to be used for another lawful purpose, and

(b) where any allotment proposed to be created will have a frontage to a main road, the frontage will be not less than 200 metres, and

(c) the Council has been informed of the purpose for which each proposed allotment to be created by the subdivision is intended to be used and, where the purpose is agriculture, of the form of agriculture for which the allotment is intended to be used.

(2) The Council must not grant consent to a subdivision of land within Zone 7 (f2) unless it has taken into consideration the following:

(a) the extent to which the development would affect the scenic qualities of the coastal landscape, headlands, dune systems, and the hinterland, including lagoons, lakes and areas where the original vegetation is still dominant,

(b) whether the development would result in the degradation of, or restriction of access to, coastal recreation areas,

(c) any plan, code, policy or design adopted by resolution of the Coastal Council of New South Wales for the purpose of protecting coastal lands,

(d) the potential impacts of climate change including sea level rise.

(3) (Repealed)

58 Restrictions on granting consent within Zone 7 (f2)

(1) Despite any other provision of this plan, the Council must not consent to the erection of a dwelling house on land within Zone 7 (f2) unless the dwelling house is to be used for the permanent occupation of a caretaker or manager for the property on which the dwelling house is to be located.

(2) The matters that the Council must take into consideration in deciding whether to grant consent to development on land within Zone 7 (f2) for the purpose of additions or alterations to an existing building or work, tourist facilities, dams, drainage, dwelling houses, roads or utility installations (other than gas holders or generation works) are:

(a) the extent to which the development would affect the scenic qualities of the coastal landscape, headlands, dune systems, and the hinterland, including lagoons, lakes and areas where the original vegetation is still dominant, and

(b) whether the development would result in the degradation of, or restriction of access to, coastal recreation areas, and

(c) any plan, code, policy or design adopted by resolution of the Coastal Council of New South Wales for the purpose of protecting coastal lands, and

(d) the potential impacts of climate change including sea level rise.

(3) (Repealed)

59 Acquisition of land within Zone 7 (f2)

(1) The owner of land within Zone 7 (f2) may, by notice in writing, require the corporation to acquire the land.

(2) On receipt of such a notice, the corporation must acquire the land.

60 Controls for subdivision of land within Zone 7 (g)

The Council must not consent to the subdivision of land within Zone 7 (g) unless:

(a) each allotment to be created (including any proposed lot under the *Strata Schemes (Leasehold Development) Act 1973* or the *Community Land Development Act 1989*) will have an area of not less than 4 hectares, and

(b) the Council has taken into consideration:

(i) the land capability (including soil resources, soil stability and capacity for on-site waste disposal) and the natural constraints, and hazards of the land to be subdivided in relation to the density and design of the allotments proposed to be created, and

(ii) the desirability of providing a range and mix of allotment sizes, and

(iii) the ability to provide services to the land, and

(iv) whether the design of each allotment to be created by the subdivision is satisfactory for the provision of those services.

61 Controls for building dwelling houses within Zone 7 (g)

A person must not erect a dwelling house on an allotment of land within Zone 7 (g) unless that land is an allotment created by a subdivision to which the Council has consented in accordance with this plan.

62 Controls for subdivision of land within Zone 7 (h)

The Council must not consent to the subdivision of land within Zone 7 (h) unless:

(a) the average size of the allotments to be created (including any proposed lot under the *Strata Schemes (Leasehold Development) Act 1973* or the *Community Land Development Act 1989*) is not less than 1000 square metres, and

(b) the Council has taken into consideration:

(i) the land capability (including soil resources, soil stability and capacity for on-site waste disposal) and the natural constraints, and hazards of the land to be subdivided in relation to the density and design of the allotments proposed to be created, and

(ii) the desirability of providing a range and mixture of allotment sizes, and

(iii) the ability to provide services to the land, and

(iv) whether the design of each allotment to be created by the subdivision is satisfactory for the provision of those services.

63 (Repealed)

Part 9 National Parks and Nature Reserves Zone Provisions

64 General controls for development—Zone 8 (the National Parks and Nature Reserves zone)

(1) **Land within the zone**
Land is within Zone 8 (the National Parks and Nature Reserves zone) if it is shown coloured olive green on the map.

(2) **Objectives of the zone**

(a) To identify land which is reserved or dedicated under the *National Parks and Wildlife Act 1974*.

(b) To allow for the appropriate use of that land as provided for in the *National Parks and Wildlife Act 1974*.

(3) **Allowed without development consent**
Development for the purpose of:

Nil.

(4) **Allowed only with development consent**
Any development authorised by or under the *National Parks and Wildlife Act 1974* or any other development ordinarily incidental or ancillary to any such development.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

Part 10 Reservation Zones Provisions

65 General controls for development—Zone 9 (b) (the Arterial Roads Reservation zone)

(1) **Land within the zone**
Land is within Zone 9 (b) (the Arterial Roads Reservation zone) if it is shown coloured red on the map.

(2) **Objective of the zone**

To provide for the acquisition of land reserved for main or arterial roads.

(3) **Allowed without development consent**
Development for the purpose of:

main or arterial roads; widening of existing main or arterial roads.

(4) **Allowed only with development consent**
Development for the purpose of:

clearing of land; drainage; extractive industry; filling, mineral sand mines; turf farms; utility installations (other than gas holders and generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

66 General controls for development—Zone 9 (c) (the Local Roads Reservation zone)

(1) **Land within the zone**
Land is within Zone 9 (c) (the Local Roads Reservation zone) if it is shown coloured light grey on the map.

(2) **Objective of the zone**
To permit the development of reserved land where it is not immediately required for local roads.

(3) **Allowed without development consent**
Development for the purpose of:

local roads; widening of local existing roads.

(4) **Allowed only with development consent**
Development for the purpose of:

clearing of land; drainage; filling; utility installations (other than gas holders and generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

67 General controls for development—Zone 9 (d) (the Open Space Reservation zone)

(1) **Land within the zone**
Land is within Zone 9 (d) (the Open Space Reservation zone) if it is shown coloured dark green on the map.

(2) **Objective of the zone**
To allow the continued use of reserved land until it is required.

(3) **Allowed without development consent**
Development for the purpose of:

aids to navigation; bushfire hazard reduction; landscaping.

(4) **Allowed only with development consent**
Development for the purpose of:

clearing of land; drainage; filling; general agriculture; intensive horticulture; plantation forestry; recreation areas; showgrounds; utility installations (other than gas holders and generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

68 Acquisition of land within Zone 9 (b)

Note. Nothing in this clause is to be construed as requiring a public authority to acquire land—see section 27 (3) of the Act.

(1) The owner of any land within Zone 9 (b) may, by notice in writing, require the Roads and Traffic Authority (RTA) to acquire the land. 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 is included in the 5-year works program of the RTA current at the time of the receipt of the notice, or

(c) the land is not vacant but the RTA has decided not to give concurrence to an application for consent to the carrying out of development on the land, or

(d) the land is not vacant but the RTA is of the opinion that the owner of the land will suffer hardship if the land is not acquired within a reasonable period of time,

but the RTA is not required to acquire the land if it might reasonably be required to be dedicated for public road.

(2) Despite any other provision of this plan, land within Zone 9 (b) (whether or not it has been acquired) may be developed, with the consent of the Council, for any purpose for which development or compatible development may be carried out on land in an adjoining zone. In granting such a consent, the Council may impose conditions:

(a) requiring the removal of any building or work for which it has granted consent, or

(b) requiring the reinstatement of the land or removal of any waste materials or refuse, or

(c) relating to any requirement requested to be imposed in a condition by the RTA when granting concurrence.

(3) (Repealed)

69 Acquisition of land within Zone 9 (c)

(1) The owner of land within Zone 9 (c) may, by notice in writing, require the Council to acquire the land. On receipt of such a notice, the Council must acquire the land.

(2) Despite any other provision of this plan, until it is acquired, land within Zone 9 (c) may be developed, with the consent of the Council, for any purpose for which development or compatible development may be carried out on land in an adjoining zone. In granting such a consent, the Council may apply conditions requiring:

(a) the removal of any building or work for which it has granted consent, and

(b) the reinstatement of the land or removal of any waste materials or refuse.

70 Temporary uses by charities and service clubs within Zone 9 (d)

(1) Despite any other provision of this plan, a person may, with the consent of the Council, carry out development on land within Zone 9 (d) for the purpose of temporary activities such as markets, exhibitions and fund raising, but only if:

(a) the activity will be carried out by an established non-profit organisation, and

(b) the consent will not have the effect of allowing the same site to be used for the those kinds of activities more than 12 times in any one year.

(2) In considering whether to grant consent to the carrying out of any such development, the Council must take into account:

(a) the desirability (from the Council's view point) of the proposed development on the land, and

(b) the suitability of the land for the proposed development, and

(c) the availability and suitability of alternative sites for the proposed development, and

(d) the impact of the proposed development on the land and the neighbourhood, and

(e) the desirability of retaining the land for its existing or likely future use.

71 Acquisition of land within Zone 9 (d)

(1) The owner of land within Zone 9 (d) may, by notice in writing, require the Council to acquire the land. On receipt of such a notice, the Council must acquire the land.

(2) Despite any other provision of this plan, until it is acquired, land within Zone 9 (d) may be developed, with the consent of the Council, for any purpose for which development or compatible development may be carried out on land in an adjoining zone. In granting such a consent, the Council may apply conditions requiring:

(a) the removal of any building or work for which it has granted consent, and

(b) the reinstatement of the land or removal of any waste materials or refuse.

Part 11 Heritage Conservation Provisions

72 Heritage objectives

The objectives of this plan in relation to heritage are:

(a) to conserve the environmental heritage of the Shellharbour City local government area, and

(b) to conserve the heritage significance of existing significant fabric, relics, Aboriginal objects, settings and views associated with the heritage significance of heritage items and heritage conservation areas, and

(c) to ensure that archaeological sites and places of Aboriginal heritage significance are conserved, and

(d) to ensure that the heritage conservation areas throughout the Shellharbour City local government area retain their heritage significance.

73 Protection of heritage items, heritage conservation areas, relics and Aboriginal objects

(1) The following development may be carried out only with development consent:

(a) demolishing, damaging or moving a heritage item, or a building, work, relic, Aboriginal object, tree or place within a heritage conservation area,

(b) altering a heritage item or a building, work, relic or Aboriginal object within a heritage conservation area by making structural changes to its exterior,

(c) altering a heritage item or a building, work, relic or Aboriginal object within a heritage conservation area by making non-structural changes to the detail, fabric, finish or appearance of its exterior,

(d) altering a heritage item by making structural changes to its interior,

(e) moving the whole or a part of a heritage item,

(f) erecting a building on, or subdividing, land on which a heritage item is located or which is within a heritage conservation area,

(g) disturbing or excavating a place of Aboriginal heritage significance or an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic or an Aboriginal object being discovered, exposed, moved, damaged or destroyed.

(2) Development consent is not required by this clause if:

(a) in the opinion of the consent authority:

(i) the proposed development is of a minor nature or consists of maintenance of the heritage item or of a building, work, archaeological site, tree or place within a heritage conservation area, and

(ii) the proposed development would not adversely affect the significance of the heritage item or heritage conservation area, and

(b) the proponent has notified the consent authority in writing of the proposed development and the consent authority has advised the applicant in writing, before any work is carried out, that it is satisfied that the proposed development will comply with this subclause and that development consent is not otherwise required by this plan.

(3) Development consent is not required by this clause for the following development in a cemetery or burial ground if there will be no disturbance to human remains, relics in the form of grave goods, Aboriginal objects in the form of grave goods or to a place of Aboriginal heritage significance:

(a) the creation of a new grave or monument,

(b) an excavation or disturbance of land for the purpose of carrying out conservation or repair of monuments or grave markers.

(4) Before granting a consent required by this clause, the consent authority must assess the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

Note. The website of the Heritage Branch of the Department of Planning has publications that provide guidance on assessing the impact of proposed development on the heritage significance of items (for example, *Statements of Heritage Impact*).

(5) The assessment must include consideration of a heritage impact statement that addresses at least the following issues (but is not to be limited to assessment of those issues, if the heritage significance concerned involves other issues). The consent authority may also decline to grant such a consent until it has considered a conservation management plan, if

it considers the development proposed should be assessed with regard to such a plan.

(6) The minimum number of issues that must be addressed by the heritage impact statement are:

(a) for development that would affect a heritage item:

(i) the heritage significance of the item as part of the environmental heritage of the Shellharbour City local government area, and

(ii) the impact that the proposed development will have on the heritage significance of the item and its setting, including any landscape or horticultural features, and

(iii) the measures proposed to conserve the heritage significance of the item and its setting, and

(iv) whether any archaeological site would be adversely affected by the proposed development, and

(v) the extent to which the carrying out of the proposed development would affect the form of any historic subdivision, and

(b) for development that would be carried out in a heritage conservation area:

(i) the heritage significance of the heritage conservation area and the contribution which any building, work, relic, Aboriginal object, tree or place affected by the proposed development makes to this heritage significance, and

(ii) the impact that the proposed development would have on the heritage significance of the heritage conservation area, and

(iii) the compatibility of the proposed development with nearby original buildings and the character of the heritage conservation area, taking into account the size, form, scale, orientation, setbacks, materials and detailing of the proposed development, and

(iv) the measures proposed to conserve the significance of the heritage conservation area and its setting, and

(v) whether any landscape or horticultural features would be affected by the proposed development, and

(vi) whether any archaeological site would be affected by the proposed development, and

(vii) the extent to which the carrying out of the proposed development in accordance with the consent would affect any historic subdivision pattern, and

(viii) the issues raised by any submission received in relation to the proposed development in response to the notification or advertising of the application.

74 Development in heritage conservation areas

(1) Before granting consent for the erection of a building within a heritage conservation area, the consent authority must be satisfied that the features of the proposed building will be compatible with the heritage significance of the heritage conservation area, having regard to the form of, and materials used in, buildings that contribute to the heritage significance of the heritage conservation area.

(2) In satisfying itself about those features, the consent authority must have regard to at least

the following (but is not to be limited to having regard to those features):

(a) the pitch and form of the roof (if any),

(b) the style, size, proportion and position of the openings for windows or doors (if any),

(c) the colour, texture, style, size and type of finish of the materials to be used on the exterior of the building.

75 Notice of certain heritage development applications

(1) The demolishing or damaging of a heritage item or a building, work, relic, Aboriginal object, tree or place within a heritage conservation area (and the use of a building or land referred to in clause 76 for a purpose which, but for that clause, would be prohibited by this plan) are identified as advertised development.

(2) Before granting consent to the demolishing or damaging of a heritage item identified in Schedule 3 as being of State significance, the consent authority must be satisfied that any necessary excavation permit required by the *Heritage Act 1977* has been granted.

75A Development affecting places or sites of Aboriginal heritage significance

Before granting consent for development that is likely to have an impact on a place of Aboriginal heritage significance, or that will be carried out on an archaeological site of an Aboriginal object that has Aboriginal heritage significance, the consent authority must:

(a) consider the effect on the heritage significance of the place or site and any Aboriginal object known or reasonably likely to be located at the place or site, and

(b) except where the proposed development is integrated development, notify the local Aboriginal communities (in such way as it thinks appropriate) of its intention to do so and take into consideration any comments received in response within 21 days after the relevant notice is sent.

75B Development affecting archaeological sites of relics of non-Aboriginal heritage significance

(1) Before granting consent for development that will be carried out on an archaeological site of a relic that has non-Aboriginal heritage significance (whether or not it is also the site of an Aboriginal object of Aboriginal heritage significance), the consent authority must:

(a) consider a heritage impact statement explaining how the proposed development would affect the conservation of the site and any relic or Aboriginal object known or reasonably likely to be located at the site, and

(b) notify the Heritage Council of its intention to do so and take into consideration any comments received in response within 28 days after the notice is sent.

(2) This clause does not apply if the proposed development:

(a) does not involve disturbance of below-ground deposits and the consent authority is of the opinion that the heritage significance of any above-ground relics or Aboriginal objects would not be adversely affected by the proposed development, or

(b) is integrated development.

75C Development in the vicinity of heritage items

(1) Before granting consent to development in the vicinity of a heritage item, the consent authority must assess the impact of the proposed development on the heritage significance

of the heritage item and of any heritage conservation area within which it is situated.

(2) This clause extends to development:

(a) that may have an impact on the setting of a heritage item, for example, by affecting a significant view to or from the item or by overshadowing, or

(b) that may undermine or otherwise cause physical damage to a heritage item, or

(c) that will otherwise have any adverse impact on the heritage significance of a heritage item or of any heritage conservation area within which it is situated.

(3) The consent authority may refuse to grant any such consent unless it has considered a heritage impact statement that will help it assess the impact of the proposed development on the heritage significance, visual curtilage and setting of the heritage item.

(4) The heritage impact statement should include details of the size, shape and scale of, setbacks for, and the materials to be used in, any proposed buildings or works and details of any modification that would reduce the impact of the proposed development on the heritage significance of the heritage item.

76 Conservation incentives

The consent authority may grant consent to the use, for any purpose, of a building (that is a heritage item or is within a heritage conservation area) or of the land on which such a building is erected, even though the use would otherwise be prohibited by this plan, if it is satisfied that:

(a) the proposed use would not adversely affect the heritage significance of the item, its setting or the heritage conservation area, and

(b) the conservation of the heritage item or the heritage conservation area depends on the granting of the consent, and

(c) the proposed use is in accordance with a conservation management plan which has been endorsed by the consent authority, and

(d) the granting of consent to the proposed use would ensure that all necessary conservation work identified in the conservation management plan is carried out, and

(e) the proposed use would not adversely affect the amenity of the surrounding area otherwise than to an insignificant extent.

Part 12 Miscellaneous Provisions

77 Subdivision

(1) Except as provided by subclause (2), development consent is required for the subdivision of land.

(2) Development consent is not required for subdivision for any one or more of the following purposes:

(a) to excise an allotment that will be used only for the purpose of opening a public road or to widen a public road,

(b) to make minor adjustments to common property boundaries,

(c) to amalgamate a vacant original holding with one or more other vacant original holdings,

(d) to rectify an encroachment on a vacant original holding.

78 Suspension of restrictions on land

(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, the operation of any covenant, agreement or like instrument imposing restrictions on the development shall not apply to the development.

(2) Pursuant to section 28 of the Act, before the making of this plan the Governor approved of subclause (1).

79 Development on beds of lakes, rivers etc

A person shall not, without development consent, carry out any development on any land shown uncoloured on the map forming part of the bed of a harbour, bay, lake, river, lagoon, creek or any other natural watercourse.

80 Community use of school facilities and sites

(1) Where land to which this plan applies is used for the purpose of an educational establishment, the site and facilities of the establishment may, with development consent, be used for the purpose of meeting rooms, public halls, public libraries, entertainment, sport or recreation or for any other community purpose, whether or not any such use is a commercial use of the land.

(2) Nothing in this clause requires development consent to be granted for the carrying out of development on any land if that development could, but for this clause, be carried out on that land without development consent.

81 Classification or reclassification of public land as operational land

(1) The public land described in Schedule 5 is classified, or reclassified, as operational land for the purposes of the *Local Government Act 1993*.

(2) In accordance with section 30 of the *Local Government Act 1993*, a parcel of land described in Part 2 of Schedule 5, to the extent (if any) that it is a public reserve, ceases to be a public reserve on the commencement of the relevant amending plan and, by the operation of that plan, is discharged from any trusts, estates, interests, dedications, conditions, restrictions and covenants affecting the land or any part of the land, except for:

(a1) those (if any) specified for the land in Part 2 of Schedule 5, and

(a) any reservations that except land out of a Crown grant relating to the land, and

(b) reservations of minerals (within the meaning of the *Crown Lands Act 1989*).

(3) Before the relevant amending plan that inserted the description of a parcel of land into Part 2 of Schedule 5 was made, the Governor approved of subclause (2) applying to the land.

(4) In this clause, ***the relevant amending plan***, in relation to a parcel of land described in Part 2 of Schedule 5, is the local environmental plan cited at the end of the description of the parcel.

(4A) Land described in Part 3 of Schedule 5:

(a) to the extent (if any) that the land is a public reserve, does not cease to be a public reserve, and

(b) continues to be affected by any trusts, estates, interests, dedications, conditions, restrictions or covenants by which it was affected before its classification, or reclassification, as the case requires, as operational land.

(5) Land described in Part 1 of Schedule 5 is not affected by the amendments make by the *Local Government Amendment (Community Land Management) Act 1998* to section 30 of the *Local Government Act 1993*.

82 Exceptions

(1) Nothing in this plan prevents a person, with development consent, from carrying out development on land referred to in Schedule 6 for a purpose specified in relation to that land in that Schedule, subject to such conditions, if any, as are so specified.

(2) Subclause (1) does not affect the operation of any provision within this plan that is consistent with the consent to such development.

83 Development of Oak Flats interchange site, Pioneer Drive, Oak Flats

(1) This clause applies to land within Zone 5 (a) known as the Oak Flats interchange site, being Lot 2, DP 605483 and Lot 71, DP 788843, Pioneer Drive, Oak Flats, and as shown edged with a broken light blue line and lettered "Schedule 5" on Sheet 1 of the map marked "Shellharbour Local Environmental Plan 2000 (Amendment No 8)".

(2) Despite any other provision of this plan, the Council may only consent to development of the land to which this clause applies for one or more of the following purposes:

(a) an integrated bus, rail and road interchange facility that may include car parking, commuter drop off and pick up areas, bus stops, taxi ranks, bus and taxi shelters and bus driver facilities,

(b) retail and commercial development ancillary to the interchange facility that supports, but does not significantly detract from, the commercial viability of the Oak Flats commercial centre, and includes:

(i) land uses that serve the needs of commuters, such as convenience stores, medical and emergency services, child care centres and pre-schools, and

(ii) transport or interchange related uses,

(c) public buildings.

84 Development in the vicinity of Illawarra Regional Airport

Despite any other provision of this plan, consent must not be granted to development on land affected by restrictions as indicated in the plan titled "*Airport Height Limitation and Noise Exposure Forecast Plan*" dated 17 April 1998 and held in the office of the Council unless:

(a) the consent authority determines the proposal is acceptable in relation to building height, noise exposure, lighting and bird hazard management, and

(b) where a proposal does not comply with that plan, the Civil Aviation Safety Authority has been given notice of the proposal and any comments made by it to the consent authority within 28 days of its being notified have been taken into consideration by the consent authority.

85 Dunmore Wetland Catchment Protection Area

(1) Consent must not be granted to the carrying out of any development on land identified as

"Dunmore Wetland Catchment Protection Area" on the map unless the following ecological objectives of *State Environmental Planning Policy No 14—Coastal Wetlands* will be given effect in relation to land designated as Wetland No 374b on the map referred to in that policy:

(a) utilisation of the wetland habitat by migratory species listed on the JAMBA and CAMBA international migratory species agreements, being species that are recorded as using the wetland habitat,

(b) utilisation of the wetland habitat by regional wetland species, being species that are recorded as using the wetland habitat,

(c) environmental health of waterways within the Minnamurra River Catchment.

(2) In assessing whether a development proposal will give effect to the ecological objectives referred to in subclause (1), the consent authority must have regard to the following:

(a) protection of defined wetland values,

(b) protection of threatened species habitat,

(c) facilitation of land management activities within the catchment which are consistent with paragraphs (a) and (b).

86 Development on land identified on Acid Sulfate Soils Planning Maps

(deferred matter)

87 Exempt and complying development

(1) Development of minimal impact listed as exempt development in *Shellharbour Development Control Plan No 9/98 for Exempt Development*, as in force on 4 May 2005, is ***exempt development***, despite any other provisions of this plan.

(2) Development listed as complying development in *Shellharbour Development Control Plan No 11/98 for Complying Development*, as in force on 4 May 2005, is ***complying development*** if:

(a) it is local development of a kind that can be carried out with consent on the land on which it is proposed, and

(b) it is not an existing use, as defined in section 106 of the Act.

(3) Development is exempt or complying development only if it complies with the development standards and other requirements applied to the development by the relevant development control plan referred to in subclause (1) or (2).

(4) A complying development certificate issued for any complying development is to be subject to the conditions for the development specified in *Shellharbour Development Control Plan No 11/98 for Complying Development*, as in force when the certificate is issued.

88 Brothels and restricted premises

(1) The Council may only consent to an application for the carrying out of development for the purpose of a brothel or restricted premises if the brothel is not, or the restricted premises are not, located next to or directly opposite the following buildings or places:

(a) a dwelling house,

(b) a child care centre or a building or place providing home-based child care,

(c) a primary or secondary school,

(d) a place of public worship,

(e) a park,

(f) a playground,

(g) any other buildings or places regularly frequented by persons under 18 years of age.

(2) In considering an application for development referred to in subclause (1), the Council must consider the proximity of the proposed development to a building or place referred to in subclause (1) (a)–(g) and to the following buildings or places:

(a) a community facility,

(b) a hospital,

(c) premises licensed under the *Liquor Act 1982*.

(3) In this clause:

restricted premises means a building or place at which:

(a) publications classified Category 1 restricted, Category 2 restricted or RC under the *Classification (Publications, Films and Computer Games) Act 1995* of the Commonwealth are shown, exhibited, displayed, sold or otherwise rendered accessible or available to the public, or

(b) a business to which section 578E (Offences relating to advertising or displaying products associated with sexual behaviour) of the *Crimes Act 1900* applies is conducted,

but does not include a newsagency or pharmacy.

89 Savings and transitional provision

A development application lodged with the Council, but not finally determined, before the commencement of the *Shellharbour Local Environmental Plan 2000 (Amendment No 7)* is to be determined as if that plan had been exhibited but had not been made.

Schedule 1 Definitions

(Clause 8)

Aboriginal object means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises the Shellharbour City local government area, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains.

acid sulfate soils means actual or potential acid sulfate soils as defined in the *Acid Sulfate Soils Assessment and Management Guidelines* and as shown coloured and numbered on Sheets 1 and 2 of the map marked "Acid Sulfate Soil Planning Map—Albion Park and Kiama" deposited in the office of the Department, a copy of which is deposited in the office of the Council.

acid sulfate soils assessment and management guidelines means the *Acid Sulfate Soils Assessment and Management Guidelines* as published from time to time by the NSW Acid Sulfate Soils Management Advisory Committee and adopted by the Director.

advertisement means a display by the use of symbols, messages or other devices for conveying information, instructions, directions or the like, whether or not the display involves the erection of a structure or the carrying out of a work, but does not include an identification sign, a property for sale sign or a road traffic sign or signal or the like.

airport related industry means an industry that:

(a) requires access to an airport, or

(b) services an industry that requires access to an airport.

amusement park means a commercially run area where amusements and mechanical entertainments such as merry-go-rounds and the like are situated.

animal boarding, breeding or training establishment means a building or place where cats or dogs are bred, trained, nurtured or accommodated for gain or reward.

appointed day means the day on which this plan takes effect.

aquaculture means the commercial production, including breeding, hatching, rearing or cultivation of marine, estuarine or fresh water organisms, including aquatic plants or animals (such as fin fish, crustaceans, molluscs or other aquatic vertebrates).

archaeological site means the site of one or more relics or Aboriginal objects.

backpackers inn means a building (other than a motel or bed and breakfast) substantially used for the shared overnight accommodation of travellers, whether or not the building is also used for the provision of meals for those travellers.

bed and breakfast means a lawfully erected dwelling house occupied for permanent residential purposes in which a maximum of three rooms are made available by the residents for temporary holiday accommodation.

brothel means premises habitually used for the purposes of prostitution. Premises may constitute a brothel even though used by only one prostitute for the purposes of prostitution.

bulky goods means large goods which, in the opinion of the Council, are of such a size, weight or shape as to require a large area for handling, storage or display, but does not include food and grocery items.

bus depot means a building or place used for the servicing, repairing and garaging of buses and other vehicles used for the purpose of a bus transport undertaking.

car repair station means a building or place used for carrying out repairs to motor vehicles or agricultural machinery, not being:

(a) vehicle body building,

(b) panel beating which involves dismantling, or

(c) spray painting other than of a touching-up character.

child care centre means a building or place used for the supervision of or caring for children, and which:

(a) caters for 6 or more pre-school age children, whether or not those children are related to the owner or operator of the child care centre, and

(b) may include an educational function, and

(c) may be operated for gain,

but does not include a building or place providing residential care for those children.

clearing of land means any manner of destruction of a tree, shrub or plant on the land, but does not involve the destruction of any tree, shrub or plant:

(a) that is required or expressly authorised by or in pursuance of the provisions of any Act or statutory instrument or by any statutory authority in pursuance of the provisions of any Act or statutory instrument, or

(b) where the destruction is necessary in an emergency to prevent the spread of fire or in circumstances where the tree, shrub or plant presents a danger to life or property, or

(c) where the destruction is necessary to enable the carrying out of a development granted consent.

club means premises that require registration under the *Registered Clubs Act 1976*.

commercial premises means a building or place used as an office or for other business or commercial purposes, but does not include a building or place elsewhere specifically defined in this Schedule or a building or place used for a land use elsewhere specifically defined in this Schedule.

community facility means a building or place that does not require registration under the *Registered Clubs Act 1976* and that is used to provide for the physical, cultural or intellectual development or welfare of the local community.

community land means land classified as community land within the meaning of the *Local Government Act 1993*.

conservation management plan means a document prepared in accordance with the requirements of the Heritage Office that establishes the heritage significance of an item, place or heritage conservation area and identifies conservation policies and management mechanisms that are appropriate to enable that significance to be retained.

Council means the Council of the City of Shellharbour.

demolish a heritage item, or a building, work, archaeological site, relic, Aboriginal object, tree or place within a heritage conservation area, means wholly or partly destroy, dismantle or deface the heritage item or the building, work, archaeological site, relic, Aboriginal object, tree or place.

Department has the same meaning as in the Act.

development has the same meaning as in the Act.

Director-General means the Director-General of the Department.

drainage of land means the natural or engineered flow of water from the land into natural or engineered channels or water bodies, or both.

dual occupancy means two dwellings (whether attached or detached) on a single allotment of land (or which would be on a single allotment were it not for the fact that the allotment is to be subdivided as part of the development).

dwelling means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile.

dwelling house means a building containing one but not more than one dwelling.

educational establishment means a building used as a school, college, technical college, university, academy, training facility, lecture hall, gallery, museum, display centre or the like but does not include a building used wholly or principally as an institution or child care centre.

extractive industry means:

(a) the winning of extractive material, or

(b) an industry or undertaking, not being a mine, which depends for its operations on the winning of extractive material from the land on which it is carried out, and includes any washing, crushing, grinding, milling or separating into different sizes of that extractive material on that land.

extractive material means sand, gravel, clay, soil, rock, stone or similar substance, but does not include turf or any sand, soil or other substance remaining attached to turf after the extraction of turf is carried out.

filling means the placement of fill independently of other development for which consent has been granted on an area:

(a) within 40 metres of a water course, or

(b) to a depth greater than 1 metre above existing ground level and over an area exceeding 100 square metres on land within Zone 1 (a), or

(c) to a depth greater than 200mm above existing ground level on land within any zone other than Zone 1 (a), or

(d) where natural drainage to an adjacent property will be affected.

gas holder means a container designed to hold more than 500 litres of liquid petroleum gas.

general agriculture means the keeping of livestock, where the stocking rate is not above that of the demonstrated carrying capacity of the land, and rain fed cropping, where fertiliser and irrigation may be applied from time to time. It may consist of or include grazing of beef or dairy cattle, deer farming or cereal cropping. It also includes pasture improvement and the like, and the erection and use of ancillary buildings, but does not include a land use elsewhere specifically defined in this Schedule.

general store means a shop used for the sale by retail of general merchandise. It may include the facilities of a post office, dry cleaning agency, financial agency or the like.

generating works means a building or place used for the purpose of making or generating gas, electricity or other forms of energy.

health care professional means a person who renders professional health services to members of the public, and includes a podiatrist, a chiropodist, a chiropractor, a physiotherapist and an optometrist.

heavy industry means an industry, not being an extractive, light, offensive, hazardous or rural industry.

helipad means an area or place not open to public use which is authorised by the Commonwealth Department of Transport and which is set apart for the taking off and landing of helicopters.

heliport means an area or place open to public use which is licensed by the Commonwealth

Department of Transport for use by helicopters and includes terminal buildings and facilities for the parking, servicing and repair of helicopters.

heritage conservation area means an area of land described in Schedule 2 and shown edged heavy red with diagonal hatching and marked "Heritage Conservation Area" on the map and includes buildings, works, archaeological sites, relics, Aboriginal objects, trees and places situated on or within the land.

heritage impact statement means a document consisting of a statement demonstrating the heritage significance of a heritage item or heritage conservation area, or of a building, work, archaeological site, tree or place within a heritage conservation area, an assessment of the impact that proposed development will have on that significance and proposals for measures to minimise that impact.

heritage item means:

(a) a building, work, relic, Aboriginal object, archaeological site, moveable object, tree or place (which may or may not be situated on or within land that is a heritage conservation area) specified in an inventory of heritage items that is available at the office of the Council and the site of which is described in Schedule 3 and shown by broken red edging and numbered in red on the map, or

(b) a place specified in an inventory of heritage items available at the office of the Council and described in the inventory as a place of Aboriginal heritage significance.

heritage significance means historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value.

home-based child care means a child minding service, within the meaning of the *Children (Care and Protection) Act 1987*, carried on in a dwelling erected with development consent, being a service that is either:

(a) a home-based child care service, within the meaning of the *Home-based Child Care Services Regulation 1989*, carried on in accordance with that Regulation, or

(b) a care giving service, within the meaning of the *Family Day Care Services Regulation 1989*, carried on in accordance with that Regulation.

home business means a business carried on from the allotment that is the site of a lawfully erected dwelling house, where:

(a) the majority of the business is carried on away from the dwelling house, with the dwelling house and its outbuildings and curtilage being used primarily as a base or office, and

(b) the business will not:

(i) interfere with the amenity of the neighbourhood by reason of traffic generation, noise or otherwise, or

(ii) involve the exposure to view from any adjacent premises or from any public place of any goods associated with the business or any unsightly matter, or

(iii) involve the parking of heavy vehicles either on or adjacent to the property, or

(iv) involve the employment of persons other than the permanent residents of the dwelling house at the base or office, and

(c) the dwelling house continues to be used for permanent residential occupation by the person

carrying out the business.

home occupation means an occupation or industry carried on from the allotment that is the site of a lawfully erected dwelling, where:

(a) the dominant use of the allotment remains that for which the land is zoned, and

(b) two car parking spaces will be provided on the allotment, at least one of which is behind the building line, and

(c) the floor space of the building or the area used for the occupation or industry does not exceed 50 square metres and is located within the curtilage of the dwelling, and

(d) the occupation or industry does not:

(i) interfere with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, or

(ii) involve exposure to view from any adjacent premises or from any public place of any unsightly matter or any goods, or

(iii) require the provision of any essential service main of a greater capacity than that available in the locality, or

(iv) involve the exhibition of any notice, advertisement or sign other than a single notice to indicate the name, occupation and contact number of the resident, or

(v) employ more than one person who is not a permanent resident of the dwelling, or

(vi) involve the sale of items (whether goods or materials) or the exposure or offer for sale of items, by retail.

hospital means a building or place used for the purpose of providing professional health care services (such as preventative or convalescent care, diagnosis, medical or surgical treatment, care for people with developmental disabilities, psychiatric care or counselling and services provided by health care professionals) to people admitted as in-patients (whether or not out-patients are also cared for or treated there) and includes a shop, refreshment rooms, accommodation, research or educational facilities or a dispensary used in conjunction with that use.

hotel means premises to which a hotelier's licence granted under the *Liquor Act 1982* relates.

industry means:

(a) any manufacturing process within the meaning of the *Factories, Shops and Industries Act 1962*, or

(b) the breaking up or dismantling of any goods or any article for trade or sale or gain or as ancillary to any business.

institution means a penal or reformative establishment.

intensive horticulture means a building or place used for the growing of plants, including vegetables, flowers, vines, fruit and the like, where application of water and fertiliser is significantly over and above that naturally occurring, but not produce grown for the consumption or enjoyment of the owner or occupier of the land.

intensive livestock keeping means a building or place used to hold livestock for the purpose of

breeding and/or nurturing by a feeding method other than natural grazing and includes:

(a) poultry farms, or

(b) fish farms, or

(c) horse training and boarding establishments, and

(d) piggeries,

and the like, but does not include a building or place elsewhere specifically defined in this Schedule or used for the keeping of livestock for personal consumption or enjoyment by the owner or occupier of the land.

Jamberoo Valley Escarpment Area means the land shown hatched and labelled "Jamberoo Valley Escarpment Area" on the map.

Jamberoo Valley Rural Conservation Area means the area of land shown hatched and labelled 'Jamberoo Valley Rural Conservation Area' on the map.

junk yard means land used for the collection, storage, dismantling or sale of scrap metals, vehicles or machinery or parts of vehicles or machinery.

light industrial retail outlet means a shop the use of which is ancillary to the principal use of the land on which it is located and:

(a) which is used in conjunction with a light industry or warehouse on land within Zone 4 (a), 4 (a3) or 4 (f), and

(b) which is situated on the land on which the light industry or warehouse is located, and

(c) in which are sold only goods that have been assembled, manufactured or stored on the land on which the shop is situated;

light industry means an industry, not being an extractive, rural, heavy, offensive or hazardous industry, in which the processes carried on, the transportation involved or the machinery or materials used do not interfere with the amenity of nearby residential neighbourhoods by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise.

liquid fuel depot means a depot or place used for the bulk storage for wholesale distribution of petrol, oil, petroleum or other inflammable liquid.

main or arterial road means a main road, state highway, freeway or tollway within the meaning of the *Roads Act 1993*.

maintenance means, in relation to a heritage item or a building, work, archaeological site, tree or place within a heritage conservation area, the ongoing protective care of the heritage item, building, work, archaeological site, tree or place. It does not include alterations, such as carrying out extensions or additions, or the introduction of new materials or technology.

medium density housing means a building or group of buildings containing 3 or more dwellings located on a single parcel of land.

mine means any place, open cut, shaft, tunnel, pit, drive, level or other excavation, drift, gutter, lead, vein, lode or reef on which, in which or by which any operation is carried on for or in connection with obtaining any metal or mineral by any method and any place on which any product of the mine is stacked, stored, crushed or otherwise treated, but does not include a quarry.

mineral sand mine means a mine used for or in connection with obtaining ilmenite, monazite, rutile, zircon or similar minerals.

Minister means the Minister responsible for the administration of the Act.

motel means a building or buildings (other than a hotel, backpackers inn or bed and breakfast) substantially used for the overnight accommodation of travellers and the vehicles used by them, whether or not the building or buildings are also used in the provision of meals to those travellers or the general public.

motor showroom means a building or place used for the display or sale of motor vehicles, caravans, boats or trailers, whether or not motor vehicle accessories, caravan accessories, boat accessories or trailer accessories are also sold or displayed there.

moveable object means a moveable object that is not a relic or an Aboriginal object.

offensive or hazardous industry means an industry which by reason of the processes involved or the method of manufacture or the nature of the materials used or produced, requires isolation from other buildings.

operational land means land classified as operational land within the meaning of the *Local Government Act 1993*.

passenger terminal means a building or place used for the assembly and dispersal of passengers travelling by a passenger transport carrier.

place of Aboriginal heritage significance means:

(a) a place that has the physical remains of pre-European occupation by, or is of contemporary significance to, the Aboriginal people. It can (but need not) include items and remnants of the occupation of the land by Aboriginal people, such as burial places, engraving sites, rock art, midden deposits, scarred and sacred trees and sharpening grooves, or

(b) a natural Aboriginal sacred site or other sacred feature. It includes natural features such as creeks or mountains of long-standing cultural significance, as well as initiation, ceremonial or story places or areas of more contemporary cultural significance.

place of assembly means a public hall, theatre, cinema, music hall, concert hall, dance hall, open-air theatre, drive-in theatre, music bowl or any other building of a like character used as such and whether used for the purpose of gain or not, but does not include a place of public worship, an institution or an educational establishment.

place of public worship means a building or place used primarily for the purpose of religious worship by a congregation or religious group, whether or not the building or place is also used for counselling, religious training or social events related to the functioning of the building.

plantation forestry includes the use of a cleared site for the purpose of arboriculture, silviculture, forest protection, the cutting, dressing and preparation, otherwise than in a sawmill, of wood and other forest products and the establishment of roads required for the removal of wood and forest products and for forest protection.

plant nursery means a building or space used for the growing and wholesale or retail selling of plants whether or not ancillary products are sold there.

professional consulting rooms means a room or a number of rooms forming either the whole of or part of, attached to or within the curtilage of, a dwelling house and used by not more than three legally qualified medical practitioners or by not more than three dentists, or by not more than three health care professionals, who practise there the profession of medicine, dentistry or health

care respectively and, if more than one, practice in partnership, and who employ not more than three employees in connection with that practice.

public building means a building used as offices or for administrative or other like purposes by the Crown, a statutory body, a Council or an organisation established for public purposes.

public utility undertaking means any of the following undertakings carried on or permitted or suffered to be carried on by authority of any Government Department or under the authority of or in pursuance of any Commonwealth or State Act:

(a) railway, road transport, water transport, air transport, wharf or river undertakings,

(b) undertakings for the supply of water, hydraulic power, electricity or gas or the provision of sewerage or drainage services,

and a reference to a person carrying on a public utility undertaking includes a reference to a Council, County Council, Government Department, corporation, firm or authority carrying on the undertaking.

quarry buffer area means the area of land shown hatched and labelled "Quarry Buffer Area" on the map.

racecourse means a place used for the organised racing of animals or vehicles and includes ancillary buildings and facilities.

recreation area means:

(a) a children's playground, or

(b) an area used for sporting activities or sporting facilities, or

(c) an area used to provide facilities for or ancillary to recreational activities that promote the physical, cultural or intellectual welfare of persons within the community,

but does not include a racecourse or a showground.

recreation establishment means health farms, religious retreat houses, youth camps and the like but does not include a building or place elsewhere specifically defined in this Schedule or a building or place used for a land use elsewhere specifically defined in this Schedule.

recreation facility means a building or place used for indoor recreation, a billiard saloon, table tennis centre, squash court, swimming pool, gymnasium, health studio, bowling alley, fun parlour or any other building of a like character used for recreation, whether used for the purpose of gain or not, but does not include a place of assembly.

refreshment room means a restaurant, café, tea room, eating house or the like.

relic means any deposit, object or material evidence (which may consist of human remains) that is more than 50 years old relating to the use or settlement, not being Aboriginal habitation, of the Shellharbour City local government area and that is a fixture or is wholly or partly within the ground.

roadside stall means a building or place not exceeding 20 square metres in floor space or area respectively where only primary products produced on the property on which the building or place is situated are exposed or offered for sale or sold by retail.

road transport terminal means a building or place used mainly for the bulk handling of goods for transport, and includes facilities for the loading and unloading of vehicles used to transport those

goods and for the parking, servicing and repair of those vehicles.

rural industry means handling, treating, processing or packing of primary products and includes the servicing in a workshop of plant or equipment used for rural purposes in the locality.

sawmill means a mill handling, cutting, and processing timber from logs or baulks.

service station means a building or place used for the fuelling of motor vehicles involving the sale by retail of petrol, oil and other petroleum products whether or not the building or place is also used for any one or more of the following:

(a) the sale by retail of spare parts and accessories for motor vehicles,

(b) washing and greasing of motor vehicles,

(c) installation of accessories,

(d) repairing and servicing of motor vehicles involving the use of hand tools (other than repairing and servicing which involves top overhaul of motors, body building, panel beating or spray painting, or suspension, transmission or chassis restoration).

shop means a building or place used for selling, exposing or offering for sale by retail, goods, merchandise or materials, but does not include a building or place elsewhere specifically defined in this Schedule.

showground means an area used to present organised cultural events to the public and may include both indoor and outdoor facilities for exhibitions and festivities.

stock and sale yard means a building or place used for offering animals for sale and includes a public cattle market.

subdivision has the same meaning as in the Act.

the Act means the *Environmental Planning and Assessment Act 1979*.

the map means the maps marked "Shellharbour Local Environmental Plan 2000", as amended by the maps (or specified sheets of maps) marked as follows:

Editorial note. The amending maps are not necessarily listed in the order of gazettal. Information about the order of gazettal can be determined by referring to the Historical notes at the end of the plan.

Shellharbour Local Environmental Plan 2000—Amendment No 2

Shellharbour Local Environmental Plan 2000 (Amendment No 6).

Shellharbour Local Environmental Plan 2000—Amendment No 7

Shellharbour Local Environmental Plan 2000 (Amendment No 8)—Sheet 2

Shellharbour Local Environmental Plan 2000 (Amendment No 10)

Shellharbour Local Environmental Plan 2000 (Amendment No 11)

Shellharbour Local Environmental Plan 2000 (Amendment No 12)

Shellharbour Local Environmental Plan 2000 (Amendment No 14)

timber yard means a place or building used for the storage, treatment and sale of timber products.

tourist facility means an establishment providing holiday accommodation or recreational

facilities, or both, on a short term use basis, and may include:

(a) a hotel, motel, bed and breakfast accommodation, backpackers inn, serviced apartments, holiday cabins, a caravan park, camping ground, houseboat, and any associated swimming pool, golf course, tennis court and marina,

(b) a restaurant, and

(c) a souvenir shop, arts and craft gallery and exhibition centre.

turf farm means a place where the cultivation and extraction of turf is carried out.

utility installation means a building or work used by a public utility undertaking, but does not include a building designed wholly or principally as administrative or business premises or as a showroom.

vacant original holding means a parcel of land, whether comprising one or any combination of contiguous lots or portions, held in one ownership as at 31 May 1974 and on which no dwelling house is erected.

veterinary surgery means a building or place used for the treatment of the diseases and injuries of animals, and includes a building or place used for the purpose of an animal hospital.

warehouse means a building or place used for the storage of goods, merchandise or materials.

waste means:

(a) any substance (whether solid, liquid, or gaseous) that is discharged, emitted or deposited in the environment in such volume, constituency or manner as to cause an alteration in the environment, or

(b) any discarded, rejected, unwanted, surplus or abandoned substance, or

(c) any otherwise discarded, rejected, unwanted, surplus, or abandoned substance intended for sale or for recycling, reprocessing, recovery or purification by separate operation from that which produced the substance, or

(d) any substance prescribed to be waste for the purposes of the *Waste Minimisation and Management Act 1995* by the regulations made under that Act.

A substance is not precluded from being waste merely because it can be reprocessed, re-used or recycled.

waste management facilities or works means any premises used for the storage, treatment, reprocessing, recycling, sorting or the disposal of waste.

wetland improvement means the creation, enhancement, regeneration or maintenance of wetlands and any related or ancillary development, whether the wetland is natural or artificial and whether or not the wetland forms part of an integrated drainage system.

Schedule 2 Heritage conservation areas

(Schedule 1)

BASS POINT

1 Bass Point Reserve
Lot 3, DP 248002, Bass Point

BLACKBUTT

2 Blackbutt Forest
Lot 3, DP 259967, Shellharbour Road, Blackbutt

MACQUARIE PASS

3 Macquarie Pass National Park
Illawarra Highway, Macquarie Pass

SHELLHARBOUR

4 Waterfront, Harbour and Breakwater
Foreshore below Wollongong Street, Shellharbour

Schedule 3 Heritage items

(Schedule 1)

Item No	Heritage Item	Level of Significance
ALBION PARK		
AP1	"Tulkeroo" Lot 1, DP 910045, 23 Calderwood Road, Albion Park	Local
AP2	Former Presbyterian manse Lot 1, DP 574775, 42 Macquarie Street, Albion Park	Local
AP3	Pioneer cemetery Part Lot 32, DP 111172, Russell Street, Albion Park	Local
AP4	"Rosetta Hill" Lot 1, DP 883020, 55 Fields Drive, Albion Park	Local
AP5	Albion Park School and former school residence Lot 1, DP 782244, Tongarra Road, Albion Park	Local
AP6	Albion Park Anglican and Roman Catholic cemeteries Part of Lot 2, DP 227785, Part of Lot 301, DP 1041577 and Part Lot 37, DP 111172, Tongarra Road, Albion Park	Local
AP7	"Ravensthorpe", including grounds and adjoining workers' cottages Lots 91–93, DP 1069273, 52–56 Tongarra Road, Albion Park	Local
AP8	Albion Park Courthouse Lot 64, DP 781264, 94–96 Tongarra Road, Albion Park	Local
AP9	Former bank building Lot 4, DP 703238, 148 Tongarra Road, Albion Park	Local
AP10	St Andrew's Presbyterian Church Part Lot 36, DP 111172, 250 Tongarra Road, Albion Park	Local
AP11	All Saints Anglican Church Part of Lot 2, DP 227785, 253 Tongarra Road, Albion Park	Regional
ALBION PARK RAIL		
AR1	Former Albion Park Dairy Co-Op building Part of Lot 2, DP 1055593 and State Rail Authority land fronting Creamery Road, Albion Park Rail	Local
AR2	General Cemetery Lot 7007, DP 1029735, 61 Croome Road, Albion Park Rail	Local
AR3	Albion Park Railway precinct, including the station, forecourts, residence and surroundings Part of Lot 2, DP 1055593, Station Residence Lot 1, DP 1055593 and State Rail Authority property fronting Station Road, Albion Park Rail	State
BASS POINT		
BP1	"Cities Service Boston" wreck monument Lot 3, DP 248002, Bass Point	Local
BLACKBUTT		

BL1	Stand of trees in Wentworth Cottage Park Lot 8222, DP 852573, Pioneer Drive, Blackbutt	Local
CALDERWOOD		
CA1	Marshall Mount Methodist cemetery Lot 1, DP 195342, Calderwood Road, Calderwood	Local
CROOM		
CR1	"The Hill" Part Lot 5, DP 3709, Dunsters Lane, Croom	State
CR2	"Kurrawong" Lot 100, DP 717430, 4 James Road, Croom	Local
CR3	Avenue of Norfolk Island Pine trees Princes Highway, Croom, extending 800 metres south and 1100 metres north of the symbol on the map	Local
DUNMORE		
DU1	"Dunmore House" Lot 1, DP 1051476, Princes Highway, Dunmore	Regional
DU2	Shellharbour Railway precinct at Dunmore, including the station, forecourts, residence and surroundings Lot 1, DP 859763 and State Rail Authority land fronting Shellharbour Road, Dunmore	State
DU3	Former Minnamurra School, including residence and grounds Lot 1, DP 745632, 40 Swamp Road, Dunmore	Regional
DU4	"Glengowrie" and fig trees Lots 12, 13 and 14, DP 1017763, Swamp Road, Dunmore	Local
DU5	Tree (in contorted form) on former "Peterborough Estate" Lot 1, DP 133603, 53 Browns Road, Dunmore	Local
MACQUARIE PASS		
MP1	"Nurrewin" Lot 68, DP 751263, Illawarra Highway, Macquarie Pass National Park	Regional
SHELL COVE		
SC1	"Killarney" Lot 10, DP 882238, 7–21 Buckley's Road, Shell Cove	Local
SHELLHARBOUR		
SH1	Boer War memorial in Caroline Chisholm Park Lot 9, DP 11740, 14 Addison Street, Shellharbour	Local
SH2	Anchor from "Rangoon" Lot 1, DP 560228, 2 Addison Street, Shellharbour	Local
SH3	Ocean Beach Hotel (former Shellharbour Hotel), including trees Lot 1, DP 560228, 2 Addison Street, Shellharbour	Local
SH4	Former corner store Lot 1, DP 745795, 10 Addison Street, Shellharbour	Local
SH5	Bakery ovens, bricks and facades of former bakery (moveable objects) Lot 7, DP 238804, 25 Addison Street, Shellharbour	Local
SH6	"Windradeen" Lot 5, DP 238804, 29 Addison Street, Shellharbour	Local
SH7	Former Shellharbour Council Chambers Lot 76, DP 751290, 32A Addison Street, Shellharbour	Local
SH8	Former Allen's store Lot 2, DP 238804, 35 Addison Street, Shellharbour	Local
SH9	Russell East Park (including Moreton Bay Fig tree and Olive tree) Lots 5 and 6, DP 24223 and Lot 5, DP 24031, 10 Eastern Avenue, Shellharbour	Local
SH10	Moreton Bay Fig tree Part Lot 1, DP 80960 and Lots 1–9, DP 18262, Mary Street, Shellharbour	Local
SH11	Uniting Church Lot 1, DP 784317, 49 Mary Street, Shellharbour	Regional
SH12	"Woodbine"—former Police Station Lot 1, DP 449871, 20 Mary Street, Shellharbour	Regional
SH13	Garden trees Lot 22, DP 11740, 36 Mary Street, Shellharbour	Local
SH14	Shellharbour General Cemetery Lots 2 and 3, DP 529282, Shellharbour Road, Shellharbour	Local
SH15	St Pauls Anglican Church Lot 1, DP 503805, 12 Towns Street, Shellharbour	Local
SH16	Norfolk Island Pine tree Lot 40, DP 15107, 54 Wentworth Street, Shellharbour	Local
SH17	Stella Maris Roman Catholic Church Lot 10, DP 1037745, Part Lot 10, Sec 2, 16–18 Wentworth Street, Shellharbour and part of Lot 9, DP 1037745, 7–9 Wilson Street, Shellharbour	Local
SH18	"The Beaches" Lot 100, DP 801475, 4 Wilson Street, Shellharbour	Local
SH19	Little Park and Norfolk Island Pine trees Part Plan Ms 408 Sy and Lot 7004, DP 1028837, Wollongong Street, Shellharbour	Regional
TULLIMBAR		
TU1	Ruins of former Tullimbar School and Headmaster's residence Lot 1, DP 905581, 38 Tullimbar Lane, Tullimbar	Local
TU2	"Toongla" Lot 82, DP 634605, Tullimbar Lane, Tullimbar	State
YELLOW ROCK		
YR1	"Wiangara" and coach house Lots 32 and 33, DP 751274, Yellow Rock Road, Yellow Rock	Local

Schedule 4 Commercial hierarchy for Shellharbour City local government area

(Clauses 25, 29, 41)

The following commercial hierarchy applies to all commercial/retail development within the local government area of Shellharbour City, with the exception of development for the purpose of bulky goods retailing or light industrial retail outlets:

1	**Category of Development:**	Sub-regional Centre
	Anticipated Size:	unlimited
	Location:	Land contained in the Shellharbour City Centre Area comprising Lots 230 and 231, DP 869094; Lot 1, DP 856215; Lots 1011, 1012 and 1013, DP 700657; Lots 4000 and 4001, DP 809913; Lot 3000, DP 739087, and part of Lot 3219, DP 800230, whether or not these lands are subsequently subdivided.
2	**Category of Development:**	District Centre
	Anticipated Size:	up to 10,000m^2
	Location:	Land contained within the General Business zone in the vicinity of Tongarra Road, Terry Street and Russell Street, Albion Park. Land contained within the General Business zone in the vicinity of Shellharbour Road, Veronica Street and Woolworths Avenue and George Street, Shellharbour Road and Beverly Avenue, Warilla. The combined land contained within the General Business zone in the vicinity of Addison Street, Mary Street and Wentworth Street, Shellharbour and the Mixed Use Residential F zone, Shell Cove.
3	**Category of Development:**	Local Centre
	Anticipated Size:	up to 4,000m^2
	Location:	Land contained within the General Business zone in the vicinity of Princes Highway, Creamery Road and

		Kaylaur Crescent, Albion Park Rail. Land contained within the General Business zone in the vicinity of Central Avenue, Oak Flats
4	**Category of Development:**	Neighbourhood Centre
	Anticipated Size:	up to 1,500m^2
	Location:	May be located to serve the local convenience needs of a surrounding residential area where a higher order centre is not within a reasonably accessible distance. A service radius in the order of 500 metres is considered reasonable as the catchment area for a neighbourhood centre.
5	**Category of Development:**	Local Shop/Local General Store
	Anticipated Size:	A single shop of approximately 50m^2–200m^2
	Location:	May be supported where Council is satisfied that there is a demand for the facility and that it is not likely to interfere with the functioning of the commercial hierarchy as outlined above in this Schedule.

Schedule 5 Classification or reclassification of public land as operational land

(Clause 81)

Part 1 Land classified, or reclassified, under original section 30 of Local Government Act 1993

Lot 202, DP 848203, corner of Shellharbour and Wattle Roads, Shellharbour.

Part of Lot 201, DP 848203, corner of Shellharbour and Wattle Roads, Shellharbour, as shown edged with a broken heavy line and labelled "Schedules 5 and 6" on the map.

Part of Lot 1, DP 588826, Benaud Crescent, Warilla as shown edged with a broken heavy line and labelled 'schedule 5' on the map.

Part of Lot 2, DP 248002, Boollwarroo Parade, Lot 1, DP 584291, Addison Street and part of Lot 2, DP 584291, Shellharbour Road, Shellharbour as shown edged with a broken heavy line and labelled 'schedule 5' on the map.

Part 2 Land classified, or reclassified, under amended section 30 of Local Government Act 1993—interests changed

Lot 2, DP 605483, Pioneer Drive, Oak Flats, as shown edged with a broken light blue line and lettered "Schedule 5" on Sheet 1 of the map marked "Shellharbour Local Environmental Plan 2000 (Amendment No 8)"—Easement for watermain (S226024) as noted on Certificate of Title Folio Identifier 2/605483.

Lot 71, DP 788843, Pioneer Drive, Oak Flats, as shown edged with a broken light blue line and lettered "Schedule 5" on Sheet 1 of the map marked "Shellharbour Local Environmental Plan 2000 (Amendment No 8)".

Part of Lot 3, DP 259967, Captain Cook Drive, Blackbutt Reserve, Blackbutt, as shown edged with a broken light blue line and lettered "Schedule 5" on Sheet 3 of the map marked "Shellharbour Local Environmental Plan 2000 (Amendment No 8)".

Part 3 Land classified, or reclassified, under amended section 30 of Local Government Act 1993—no interests changed

Lot 101 and part of Lot 100, DP 801536, Industrial Road, Oak Flats, as shown edged with a heavy black broken line and lettered "Schedule 5" on the map marked "Shellharbour Local

Environmental Plan 2000 (Amendment No 9)".

Schedule 6 Exceptions

(Clause 82)

Lot 3, DP 786522, Princes Highway, Albion Park Rail—service station.

Lot 1, DP 222288, Terry Street, Albion Park—motel.

Lot 1, DP 745632, Swamp Road, Dunmore—inhabitation of the former "Peterborough" School Building as dwelling.

Part of Lot 2, DP 248002, Boollwarroo Parade, Shellharbour—boat harbour entrance works.

Lots 1, 2 and 3, DP 627527, Tongarra Road, Albion Park Rail—funeral parlour.

Part of Lot 2, DP 808989, Terry Street, Albion Park as shown edged with a broken heavy line and labelled 'schedule 6' on the map—community uses.

Lots 196–200, DP 222963 and Lot 204, DP 224196, Madigan Boulevarde, Mount Warrigal—medical services which are ancillary to a hospital, and which are of a type, size and scale compatible with generally residential areas.

Lots 28–32, DP 23454 and Lots 24–27, DP 23988, Shellharbour Road, Warilla—professional offices which includes the offices of accountants, solicitors, architects or plan drawers, insurance brokers, real estate agents or surveyors.

Lot 56, DP 739857, Illawarra Highway, Albion Park—place of public worship and place of assembly.

Part Lot 1, DP 70380, Tongarra Road, Albion Park Rail—landscape supplies depot.

Lot 202, DP 848203, corner of Shellharbour and Wattle Roads, Shellharbour—an integrated development which may include a service station, convenience store and car wash facility.

Lot 4211, DP 833774, Princes Highway, Albion Park Rail—motel.

Lot 1, DP 534605, Shellharbour Road, Shellharbour—technology centre related to the computer industry.

Lot 13, DP 658385, Croome Lane, Albion Park Rail—earthmoving equipment depot.

Lot 18, DP 804242, Lot 5, DP 244040, Lot 2, DP 607267, Lots 101 and 102, DP 244073 and Lots 50, 51 and 52, DP 565091, Miall Way, Albion Park Rail—motor showrooms.

Lot 1, DP 833735, Shellharbour Road, Warilla—refreshment rooms.

Lot A, DP 434117, 31 Reddall Parade, Lake Illawarra—refreshment rooms.

Part of Lot 1202, DP 864021, Shellharbour Road, Dunmore as shown edged with a broken heavy line and labelled 'schedule 6' on the map—industry which does not interfere with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, waste water, waste products, grit or oil, or otherwise.

So much of Lot 202, DP 859498, Terry Street, Albion Park, as is zoned either Rural "A" or Rural "B"—a total of 14 dwelling allotments at least 13 of which are to be connected to a sewerage service.

Lot 230, DP 869094, Cygnet Avenue, Blackbutt—a single stand-alone supermarket, two take-away food restaurants and a single service station.

Lot 1, DP 998390, Terry Street, Albion Park—one dwelling house.

Lot 2707, DP 847729, Huon Crescent, Albion Park—a total of 4 allotments with no more than one dwelling house on each allotment.

Lot 21, DP 111195, Terry Street, Yellow Rock—a total of 3 allotments with no more than one dwelling house on each allotment.

So much of Lot 1, DP 851151, Terry Street, Albion Park as is zoned Rural "A"—one allotment with no more than one dwelling house on the allotment.

Lot 1, DP 779617, Cooby Road, Yellow Rock—a total of 17 allotments with no more than one dwelling house on each allotment.

Lot 2627, DP 832456, Cooby Road, Yellow Rock—a total of 3 allotments with no more than one dwelling house on each allotment.

So much of Lot 1, DP 792437, Yellow Rock Road, Yellow Rock as is zoned Rural "A"—a total of 7 allotments with no more than one dwelling house on each allotment.

Part of Lot 201, DP 848203, corner of Shellharbour and Wattle Roads, Shellharbour, as shown edged with a broken heavy line and labelled "Schedules 5 and 6" on the map—fire station, place of public worship.

Lot 1, DP 799421, 162 Tongarra Road, Albion Park—car parking for the use of the Albion Park RSL Memorial Club.

Croom Regional Sporting Complex, being Lot 2 DP 605565, Lot 3 DP 549511 and Lot 1 DP 216772, Croom Road, Croom:

(a) expositions—being events that bring together suppliers of a broad range of product lines and services that relate to a common theme for the primary purpose of exhibiting and explaining the products and services, but where sales may also form a part of the event, and

(b) trade fairs—being events that bring together a range of products or services that relate to an industry group for the purpose of demonstrating the range of products and services available to traders within that industry group.

Lots 8 and 9, DP 244040, Miall Way, Albion Park Rail—motor showrooms.

Historical notes

The following abbreviations are used in the Historical notes:

Am	amended	LW	legislation website	Sch	Schedule
Cl	clause	No	number	Schs	Schedules
Cll	clauses	p	page	Sec	section
Div	Division	pp	pages	Secs	sections
Divs	Divisions	Reg	Regulation	Subdiv	Subdivision
GG	Government Gazette	Regs	Regulations	Subdivs	subdivisions
Ins	inserted	Rep	repealed	Subst	substituted

Table of amending instruments

Shellharbour Local Environmental Plan 2000 published in Gazette No 66 of 2.6.2000, p 4565 and amended as follows:
Shellharbour Local Environmental Plan 2000—Amendment No 1 (GG No 121 of 15.9.2000, p 10552)
Shellharbour Local Environmental Plan 2000—Amendment No 2 (GG No 152 of 24.11.2000, p 12013)

Shellharbour Local Environmental Plan 2000 (Amendment No 3) (GG No 127 of 17.8.2001, p 6074)
Shellharbour Local Environmental Plan 2000 (Amendment No 5) (GG No 34 of 1.2.2002, p 680)
Shellharbour Local Environmental Plan 2000 (Amendment No 7) (GG No 121 of 1.8.2003, p 7578)
Shellharbour Local Environmental Plan 2000 (Amendment No 9) (GG No 47 of 27.2.2004, p 891)
Shellharbour Rural Local Environmental Plan 2004 (GG No 198 of 10.12.2004, p 9016)
Shellharbour Local Environmental Plan 2000 (Amendment No 10) (GG No 200 of 17.12.2004, p 9477)
State Environmental Planning Policy (Repeal of Concurrence and Referral Provisions) 2004 (GG No 201 of 17.12.2004, p 9590)

2005	(560)	Shellharbour Local Environmental Plan 2000 (Amendment No 12). GG No 113 of 9.9.2005, p 7354. Date of commencement, on gazettal.
2006	(151)	Shellharbour Local Environmental Plan 2000 (Amendment No 11). GG No 40 of 31.3.2006, p 1715. Date of commencement, on gazettal.
	No 58	Statute Law (Miscellaneous Provisions) Act 2006. Assented to 20.6.2006. Date of commencement of Sch 2.51, assent, sec 2 (2).
	(434)	Shellharbour Local Environmental Plan 2000 (Amendment No 6). GG No 98 of 4.8.2006, p 6114. Date of commencement, on gazettal.
2007	(264)	Shellharbour Local Environmental Plan 2000 (Amendment No 8). GG No 80 of 15.6.2007, p 3783. Date of commencement, on gazettal.
2008	(78)	Shellharbour Local Environmental Plan 2000 (Amendment No 14). GG No 36 of 20.3.2008, p 2438. Date of commencement, on gazettal.
	(571)	State Environmental Planning Policy (Repeal of Concurrence and Referral Provisions) 2008. GG No 157 of 12.12.2008, p 11946. Date of commencement, 15.12.2008, cl 3.

Table of amendments

Cl 3	Am 10.12.2004.
Cll 11, 12	Am 17.8.2001; 2005 (560), Sch 1 [1].
Cl 13	Am 2005 (560), Sch 1 [1].
Cll 20–24, 27, 28, 30	Am 17.8.2001; 2005 (560), Sch 1 [1].
Cl 31	Am 17.8.2001; 2005 (560), Sch 1 [1]; 2006 (434), Sch 1 [1]–[4].
Cl 32	Am 2005 (560), Sch 1 [1].
Cl 33	Am 17.8.2001; 2005 (560), Sch 1 [1].
Cl 37	Am 17.12.2004; 2006 No 58, Sch 2.51; 2008 (571), Sch 3.158 [1].
Cll 38, 39, 43, 44, 49–53	Am 17.8.2001; 2005 (560), Sch 1 [1].
Cl 57	Am 2008 (571), Sch 3.158 [2].
Cl 58	Am 2008 (571), Sch 3.158 [3].
Cl 63	Rep 17.8.2001.
Cl 68	Am 2008 (571), Sch 3.158 [4]–[6].
Part 11	Subst 2006 (151), Sch 1 [1].
Cl 72	Subst 2006 (151), Sch 1 [1].
Cl 73	Subst 2006 (151), Sch 1 [1]. Am 2008 (571), Sch 3.158 [7].
Cl 74	Subst 2006 (151), Sch 1 [1].
Cl 75	Subst 2006 (151), Sch 1 [1]. Am 2008 (571), Sch 3.158 [8].
Cl 75A	Ins 2006 (151), Sch 1 [1]. Am 2008 (571), Sch 3.158 [9] [10].
Cll 75B, 75C	Ins 2006 (151), Sch 1 [1].
Cl 76	Subst 2006 (151), Sch 1 [1].
Cl 77	Am 17.8.2001.
Cl 81	Am 27.2.2004.

Cl 83	Rep 1.8.2003. Ins 2007 (264), Sch 1 [1].
Cl 87	Am 17.8.2001; 2005 (560), Sch 1 [2]–[4].
Cl 88	Ins 1.2.2002.
Cl 89	Ins 1.8.2003.
Sch 1	Am 24.11.2000; 17.8.2001; 1.8.2003; 17.12.2004; 2005 (560), Sch 1 [5]; 2006 (151), Sch 1 [2]–[4]; 2006 (434), Sch 1 [5]; 2007 (264), Sch 1 [2]; 2008 (78), cl 4.
Sch 3	Subst 2006 (151), Sch 1 [5].
Sch 5, heading	Subst 27.2.2004.
Sch 5	Am 24.11.2000; 27.2.2004; 2007 (264), Sch 1 [3].
Sch 6	Am 15.9.2000; 24.11.2000; 17.8.2001; 1.8.2003.

All communication addressed to:
General Manager
Shellharbour City Council
PO Box 155, Shellharbour City Centre
NSW 2529

PHONE: 02 4221 6111
FAX: 02 4221 6016
DX 26402 Shellharbour City Centre
EMAIL: records@shellharbour.nsw.gov.au
WEB: www.shellharbour.nsw.gov.au

Applicant:

Mr B Harris
PO Box 486
UNANDERRA NSW 2526

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

Applicants Reference: **40999.26**

Certificate No: **20101061**

Receipt No: **167939**

Print Date: **21/07/2010**

LAND DESCRIPTION:

Boollwarroo Parade SHELL COVE 2529

LOT: 8032 DP: 1072187

Parcel No: 27460

Disclaimer

Information contained in this certificate relates only to the land for which this certificate is issued on the day it is issued. This information is provided in good faith and the Council shall not incur any liability in respect of any such advice. Council relies on state agencies for advice and accordingly can only provide that information in accordance with the advice. Verification of the currency of agency advice should occur. For further information, please contact Council's Customer Service Section.

Title Information

Title information shown on this Planning Certificate is provided from Council's records and may not conform to information shown on the current Certificate of Title. Easements, restrictions as to user, rights of way and other similar information shown on the title of the land are not provided on this planning certificate.

Inspection of the land

The Council has made no inspection of the land for the purposes of this Planning Certificate.

ENGLISH

If you have difficulties understanding this correspondence, please contact Council by phone (4221 6111) or, if you wish, come into the office where staff will be pleased to assist you and if required, an appropriate interpreter will be called.

MACEDONIAN

Ако имате тедшкотии да ја разберете оваа кореспонденција, ве молиме контактирајте ја Општината по телефон на 4221 6111 или ако сакате, дојдете во канцеларијата каде што службениците со задоволство ќе ви помогнат, и ако е потребно, ќе повикат соодветен преведувач.

SPANISH

Si tuviera dificultades para entender esta correspondencia, le rogamos llamar por teléfon al Municipio, número 4221 6111, o bien, si lo prefiere, puede venir a nuestras oficinas, donde el personal tendrá el agrado de ayudarle y, si fuera necesario, de llamar a un intérprete.

GERMAN

Wenn Sie Schwierigkeiten haben, diese Korrespondenz zu verstehen, setzen Sie sich bitte telefonisch mit der Gemeinde in Verbindung (4221 6111) oder, falls Ihnen das lieber ist, kommen Sie in unser Büro: wir werden Ihnen gerne behilflich sein und werden, falls nötig, einen estsprechenden Dolmetscher hinzurufen.

ITALIAN

Se non riuscite a capire bene questa lettera, vi preghiamo di telefonare al Comune, numero telefonico: 4221 6111. Se preferite, potete venire di persona al nostro ufficio dove il personale sarà felice di aiutarvi. Se richiesto, un interprete sarà messo a vostra disposizione.

GREEK

Αν έχετε δυσκολία να καταλάβετε την παρούσα αλληλογραφία, παρακαλούμε επικοινωνήστε με τη Δημαρχία (Τηλ.4221 6111), ή αν επιθυμείτε ελάτε στα γραφεία όπου το προσωπικό θα σας βοηθήσει ευχαρίστως και αν χρειαστεί θα κληθεί κατάλληλος διερμηνέας.

CROATIAN

Ako ne možete razumjeti ovo pismo, molimo nazovite općinu na 4221 6111 ili, ako želite, dođite u naš ured gdje će vam osoblje rado pomoći i po potrebi nazvati odgovarajućeg tumača.

PORTUGUESE

Se tem dificuldade de entender esta correspondência, aueira contactar o Conselho Municipal pelo telefone (4221 6111) ou, se o quiser, queira vir á secretaria onde o pessoal terá prazer de lhe prestar ajuda e, se for preciso, mandar-se-á vir um intérprete.

SERBIAN

Ако имате потешкоћа у разумевању овог дописа, молим назовите Општину на 4221 6111 или, ако желите, дођите у нашу канцеларију где ће вам особље радо помоћи, или, где је потребно, назвати одговарајућег тумач.

TURKISH

Bu yazıyı anlamakta zorluk çekerseniz, Belediyeyi lütfen telefonla 4221 6111 arayınız, veya dilerseniz ofise geliniz; oradaki görevliler size memnuniyetle yardım edecekler ve gerekirse uygun bir tercümanla temasa geçilecektir.

POLISH

Jeśli masz trudności ze zrozumieniem treści niniejszego pisma, skontaktuj się z Radą Miejskiej (Council) telefonicznie pod numerem 4221 6111, lub też - jeśli wolisz - przyjdź do naszego urzędu, gdzie personel z przyjemnością udzieli Ci pomocy i - w razie konieczności - zorganizuje pomoc tłumacza.

Translated by the Ethnic Affairs Commission

PART A: INFORMATION PROVIDED UNDER SECTION 149 (2)

Matters contained in this certificate apply only to the land on the date of issue.

1. Name of Relevant Planning Instruments and DCPs

1.1 Which environmental planning instruments apply to the carrying out of development on the land?

Local Environmental Plan

Shellharbour Local Environmental Plan 2000.

State Environmental Planning Policies

SEPP No 1 - Development Standards.
The policy sets out the principle that a development standard may be varied where strict compliance can be shown to be unreasonable or unnecessary or would tend to hinder the objectives of the Environmental Planning and Assessment Act.

SEPP No 4 - Development Without Consent & Miscellaneous Complying Development.
The policy aims to firstly, allow development which is of a very minor environmental significance to be carried out without development consent, and secondly, allow certain development by public authorities and development on land reserved or dedicated under the National Parks and Wildlife Act (1974) to be carried out without consent.

SEPP No 6 - Number Of Storeys In A Building.
A policy for determining the height of a building where height is controlled by reference to the number of storeys.

SEPP No 21 - Caravan Parks.
The policy provides that where caravan parks or camping grounds are permissible under the environmental planning instrument, movable dwellings, as defined under the Local Government Act, 1919, are permissible.

SEPP No 22 - Shops & Commercial Premises.
The policy allows with the consent of Council, a change of use from a shop to another kind of shop or commercial premises, or alternatively, commercial premises to a shop or another kind of commercial premises where the new use is prohibited under an environmental planning instrument if the Council is satisfied that the change of use will have not more than a minor environmental impact and is in keeping with the objectives of the zone.

SEPP No 30 - Intensive Agriculture.
Requires development consent for cattle feedlots having a capacity of 50 or more cattle or piggeries having a capacity of 200 or more pigs. The policy sets out requirements to ensure there are effective planning control over this export-driven rural industry.

SEPP No 32 - Urban Consolidation (Redevelopment of Urban Land).
The policy promotes orderly and economic use and development of land by enabling urban land which is no longer required for the purpose for which it is zoned or used, to be redeveloped for multi-unit housing and related development. Redevelopment is enabled by means of a Regional Environmental Plan instigated by the Minister for Planning.

SEPP No 33 - Hazardous & Offensive Development.
Provides new definitions for 'hazardous industry', 'hazardous storage establishment', 'offensive industry' and 'offensive storage establishment'. The policy also requires specified matters to be considered for proposals that are 'potentially hazardous' or 'potentially offensive' as defined in the policy.

SEPP No 36 - Manufactured Home Estates.
The policy -(i) defines where Manufactured Home Estates (MHEs) may be permitted and establishes criteria for the granting of development consent to these estates, - (ii) enables, with development consent, the subdivision of MHEs, provided such subdivision complies with the provisions of the Local Government (Manufactured Home Estates) Regulation 1993.

SEPP No 50 - Canal Estate Developments.
This policy provides that where the policy applies, a person shall not carry out canal estate development as defined in the policy.

SEPP No 55 - Remediation Of Land.
The policy aims to promote the remediation of contaminated land for the purpose of reducing risk of harm to human health or any other aspect of the environment. The policy applies to the whole state to ensure that remediation is permissible development and is always carried out to high standard. It specifies when consent is required for remediation and lists considerations that are relevant when rezoning land and determining development applications.

SEPP No 64 - Advertising And Signage.
The policy aims to improve the amenity of urban and natural settings by managing the impact of outdoor advertising.

SEPP No 65 - Design Quality Of Residential Flat Development.
The policy raises the design quality of residential flat development across the state through the application of a series of design principles. Provides for the establishment of Design Review Panels to provide independent expert advice to councils on the merit of residential flat development. The accompanying regulation requires the involvement of a qualified designer throughout the design, approval and construction stages.

SEPP No 70 - Affordable Housing (Revised Schemes).
The policy extends the life of affordable housing provisions relating to: Sydney Regional Environmental Plan No 26 - City West, Willoughby Local Environmental Plan 1995, South Sydney Local Environmental Plan 1998.

SEPP - Building Sustainability Index: Basix 2004.
This policy applies to all new single dwelling houses or dual occupancy development from 1st July 2005, and to all new multi-dwelling development or alterations and additions from 1st October 2005. BASIX is a web based tool designed to assess the potential performance of residential buildings against sustainability criteria. Details

are available at www.basix.nsw.gov.au or by contacting NSW Department of Infrastructure Planning and Natural Resources.

SEPP - (Major Developments) 2005.
This policy identifies the criteria for state significant development to be determined by the Minister for Infrastructure and Planning. This will facilitate the development, redevelopment or protection of important urban, coastal and regional sites of economic, environmental or social significance to the state.

SEPP - (Housing for Seniors or People with a Disability) 2004.
The policy aims to encourage the development of high quality accommodation for our ageing population and for people who have disabilities - housing that is in keeping with the local neighbourhood.

SEPP 71 - Coastal Protection.
This State Policy applies to all land located partly or wholly within the Coastal Zone, as identified in the NSW Coastal Policy 1997. This land is affected by this Policy.

SEPP - (Mining, Petroleum Production and Extractive Industries) 2007.
This SEPP aims to provide for the proper management and development of mineral, petroleum and extractive material resources for the purpose of promoting the social and economic welfare of the State. The policy also aims to facilitate the orderly and economic use and development of land containing mineral, petroleum and extractive material resources and to establish appropriate planning controls to encourage ecologically sustainable development through the environmental assessment and sustainable management, of development of mineral, petroleum and extractive material resources.

SEPP - (Infrastructure) 2007.
The aim of this Policy is to facilitate the effective delivery of infrastructure across the State by:

(a) improving regulatory certainty and efficiency through a consistent planning regime for infrastructure and the provision of services, and

(b) providing greater flexibility in the location of infrastructure and service facilities, and

(c) allowing for the efficient development, redevelopment or disposal of surplus government owned land, and

(d) identifying the environmental assessment category into which different types of infrastructure and services development fall (including identifying certain development of minimal environmental impact as exempt development), and

(e) identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and

(f) providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing.

SEPP - (Exempt & Complying Development Codes) 2008.
This policy aims to provide streamlined assessment processes for development that complies with specified development standards by identifying in the General Exempt

Development Code the types of development that may be carried out without the need for development consent and in the General Housing Code the types of development that may be carried out in accordance with a complying development certificate.

SEPP - State Environmental Planning Policy (Affordable Rental Housing) 2009.

The aims of this Policy are as follows:
(a) to provide a consistent planning regime for the provision of affordable rental housing,

(b) to facilitate the effective delivery of new affordable rental housing by providing incentives by way of expanded zoning permissibility, floor space ratio bonuses and non-discretionary development standards,

(c) to facilitate the retention and mitigate the loss of existing affordable rental housing,

(d) to employ a balanced approach between obligations for retaining and mitigating the loss of existing affordable rental housing, and incentives fro the development of new affordable rental housing,

(e) to facilitate an expanded role for not-for-profit-providers of affordable rental housing,

(f) to support local business centres by providing affordable rental housing for workers close to places of work,

(g) to facilitate the development of housing for the homeless and other disadvantaged people who may require support services, including group homes and supportive accommodation.

SEPP - (Rural Lands) 2008.
The aim of this policy is to facilitate the orderly and economic use and development of rural lands for rural and related purposes.

SEPP - (Temporary Structures) 2007.
This SEPP provides for the erection of temporary structures while protecting public safety and local amenity. The SEPP supports the transfer of the regulation of temporary structures (such as tents, marquees and booths) from the Local Government Act 1993 to the Environmental Planning and Assessment Act 1979.

Deemed SEPP's (Regional Environmental Plans)

Illawarra Regional Environmental Plan No 1.

1.2 Which proposed environmental planning instruments apply to the carrying out of development on the land that is or has been the subject of community consultation or public exhibition?

Draft Local Environmental Plan

No exhibited Draft Local Environmental Plans.

Draft State Environmental Planning Policies

DRAFT SEPP - Application of Development Standards 2004.
The policy aims to provide local councils with flexibility in applying development standards.

DRAFT SEPP 66 - Integrating Land Use and Transport.
The policy aims to ensure urban development is located and designed with improved walking, cycling and public transport access, reduces car dependence and supports efficient and viable public transport services.

DRAFT SEPP 1 - Development Standards (Amendment 1).
SEPP 1 gives councils the power to vary standards and approve development in some situations. When applicants use SEPP 1, they must provide sufficient evidence that proposed development meets the objectives of the local plan.

DRAFT SEPP - Subdivision.
The draft policy has been formulated in light of the intended introduction of the Local Government Bill 1992 which will have the effect of placing subdivision control entirely under the Environmental Planning and Assessment Act, 1979. At the present time, subdivision control is shared between this Act and the Local Government Act, 1919.

DRAFT SEPP - Sewerage Works.
The draft policy proposes that sewerage works by public authorities may be carried out, despite the provisions of any other environmental planning instrument, without development consent but subject to notification of certain authorities.

1.3 Which development control plans apply to the carrying out of development on the land?

DCP 2/92 - Commercial Development Control Plan No 2/92. This plan sets guidelines for commercial developments.

Residential Subdivision Development Control Plan (Amendment No 1). This plan sets out guidelines for greenfields residential subdivisions.

DCP 1/96 - Motor Showroom Development Control Plan No 1/96. This plan outlines the general design principles to be taken into consideration when preparing plans for motor showroom developments.

DCP 1/97 - Landscape Guidelines Development Control Plan No 1/97. This plan provides guidelines for landscaping requirements for developments and subdivisions.

DCP 2/96 - Service Station Development Control Plan No 2/96. This plan provides guidelines to assist in the design and siting of service stations and encourages the undergrounding of LGP facilities to mitigate environmental impacts.

Medium Density Development Control Plan No (Amendment No 2). This plan outlines the general design principles to be taken into consideration when preparing a development application for medium density housing, being three or more dwellings.

Residential Infill Development Control Plan (Amendment No 1). This plan outlines the general design principles to be taken into consideration when preparing a development application for residential infill development, which includes dual

occupancy, integrated housing and minor resubdivision of existing residential allotments.

DCP 5/97(AM1) - Advertising and Identification Signs Development Control Plan No 5/97(AM1). This plan provides guidelines for advertisements and advertising structure opportunities on land throughout the city.

DCP 2/98 - Telecommunications Facilities Development Control Plan No 2/98. This plan contains provisions relating to the design and location of telecommunications facilities, visual amenity and electromagnetic radiation.

DCP 4/98 - On-site Waste Water Management for Single Residences Development Control Plan No 4/98. This plan provides guidelines for the preparation of plans for on-site water management facilities.

Exempt Development Control Plan (AM4). This plan identifies certain development for which development consent, assessment or notification is not required.

Complying Development Control Plan (AM3). This plan identifies minor development for which a Compliance Certificate is required from either Council or an accredited certifier.

DCP 10/98 - Notifications Policy Development Control Plan No 10/98. This plan identifies how and when potentially affected persons are notified of Development Applications.

Residential Development Control Plan (Amendment No 3). This provides general development requirements for dwelling houses and associated development that requires development consent.

Waste Minimization & Management Development Control Plan Am1. This plan requires anyone who lodges a development application to construct, demolish, refurbish or use a building or subdivide land to complete a Waste Management Plan.

Floodplain Risk Management Development Control Plan (Amendment No 1). This Plan provides details for development requirements on flood prone land being land inundated to the Probable Maximum Flood.

Draft Exhibited Development Control Plan

No exhibited draft Development Control Plans apply to the land.

Technical Policies

Shellharbour City Council Stormwater Policy. Council has adopted the Shellharbour City Council Stormwater Policy that would apply to all lots within the Shellharbour City Local Government Area.

Exhibited Technical Policies

There are no Exhibited Technical Policies on this land.

1.4 In this clause, proposed environmental planning instrument includes a planning proposal for the LEP or a draft environmental planning instrument.

2. ZONING AND LAND USE UNDER RELEVANT LEPs

For each environmental planning instrument or proposed instrument referred to in clause 1 above (other than a SEPP or proposed SEPP) that applies to the land:

2.1 What is the identity of the zoning for the land?

2(f) MIXED USE RESIDENTIAL F under Shellharbour LEP 2000.

6(a) PUBLIC OPEN SPACE under Shellharbour LEP 2000.

2.2 For what purposes may development be carried out within the zone without the need for development consent?

6(a) Public Open Space under Shellharbour LEP 2000: Exempt development and development for the purpose of:

Aids to navigation; bushfire hazard reduction; home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the Public Health Act 1991; landscaping.

2(f) Mixed Use Residential under Shellharbour LEP 2000: Exempt development and development for the purpose of:

Home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the Public Health Act 1991.

2.3 For what purposes may development not be carried out within the zone except with development consent?

6(a) Public Open Space under Shellharbour LEP 2000: Development for the purpose of:

Advertisements displaying the purpose for which the land is used; clearing of land; community facilities; drainage; dwelling houses; educational establishments; filling; general agriculture; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the Public Health Act 1991; intensive horticulture; places of assembly; places of public worship; plantation forestry; racecourses; recreation areas; recreation establishments; recreation facilities; refreshment rooms; shops and commercial premises required in connection with an allowable use; showgrounds; turf farms; utility installations (other than gas holders or generating works); wetland improvement.

2(f) Mixed Use Residential under Shellharbour LEP 2000: Development not included in subclause 2.2 or 2.4.

Exceptions

There are no additional land uses or development permitted on this land in accordance with clause 82 of Shellharbour Local Environmental Plan 2000.

2.4 For what purposes is development prohibited within the zone?

2(f) Mixed Use Residential under Shellharbour LEP 2000: Development for the purpose of:

Advertisements not displaying the purpose for which the land is used; amusement parks; animal boarding, breeding or training establishments; aquaculture; brothels; car repair stations; extractive industries; gas holders that are not ancillary to an allowable use or a use granted consent; generating works; heavy industries; heliports; institutions; intensive horticulture; intensive livestock keeping; junk yards; light industries (other than those associated with and including boat manufacture or repair); liquid fuel depots; mineral sand mines; mines; motor showrooms (other than for caravans, boats or trailers); offensive or hazardous industries; plantation forestry; racecourses; roadside stalls; road transport terminals; rural industries; sawmills; stock and sale yards; timber yards; turf farms; warehouses; waste management facilities or works.

6(a) Public Open Space under Shellharbour LEP 2000: Development not included in subclause 2.2 or 2.3

2.5 Are there any development standards applying to the land which fix minimum land dimensions for the erection of a dwelling house on the land and, if so, the minimum land dimensions so fixed?

No. However a minimum land area applies for the erection of a dwelling house on certain Agricultural, Rural Landscape, Nature Conservation, Rural and Environmental Protection zoned lands. For further information please contact Council's Development Services Department.

2.6 Does the land include or comprise a critical habitat?

No.

2.7 Is the land in a conservation area?

No.

2.8 Is an item of environmental heritage situated on the land?

No.

3. COMPLYING DEVELOPMENT

Note: Council does not currently have sufficiently accurate flooding information. The Council is in the process of completing a city-wide flood study for the Shellharbour local government area. This study, when completed, will form the basis of a Floodplain Risk Management Plan for each of the catchments referred to in the Floodplain Risk Management Development Control Plan 2006.

For further information regarding flooding, please contact Council's Development & Technical Services Department and consult Council's Floodplain Risk Management Development Control Plan 2006.

3.1 Whether or not 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 clause 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.*

3.2 If complying development may not be carried out on that land because of the provisions of clause 1.19 of that Policy, the reasons why it may not be carried out under that clause.

General Housing Code

Complying development under the General Housing Code MAY NOT be carried out on the land. The land is affected by specific land exemption.

Land that is Class 1 or Class 2 Acid Sulfate Soils.

Housing Internal Alterations Code

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

General Commercial and Industrial Code

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

Subdivision Code

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

4. COASTAL PROTECTION

4.1 Is the land affected by the operation of section 38 or 39 of the *Coastal Protection Act 1979*, but only to the extent that the Council has been notified by the Department of Public Works?

No.

5. MINE SUBSIDENCE

5.1 Is the land proclaimed to be a mine subsidence district within the meaning of section 15 of the *Mine Subsidence Compensation Act 1961?*

No.

6. ROAD WIDENING AND ROAD REALIGNMENT

6.1 Is the land affected by any road widening or road realignment under:

(A) Division 2 of Part 3 of the *Roads Act 1993?*

No.

(B) Any environmental planning instrument?

No.

(C) Any resolution of the Council?

No.

7. HAZARD RISK RESTRICTIONS

Is the land affected by a policy either adopted by Council OR adopted by any other public authority and notified to the Council (for the express purposes 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:

7.1 Landslip

No.

7.2 Bushfire

No.

7.3 Tidal Inundation

No.

7.4 Subsidence

No.

7.5 Acid Sulphate Soils

Yes.

7.6 Any other risk

Contaminated Land Policy

7A. FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION

7A.1 Is development on the land or part of the land for the purposes of dwelling houses dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) subject to flood related development controls?

NOTE: Council does not currently have sufficiently accurate flooding information. The Council is in the process of completing a city wide flood study for the Shellharbour local government area. This study, when completed, will form the basis of a Floodplain Risk Management Plan for each of the catchments referred to in the Floodplain Risk Management Plan Development Control Plan April 2006.

For further information please contact Council's Development & Technical Services Department and consult Council's Floodplain Risk Management Development Control Plan 2006.

7A.2 Is development on the land or part of the land for any other purpose subject to flood related development controls?

NOTE: Council does not currently have sufficiently accurate flooding information. The Council is in the process of completing a city wide flood study for the Shellharbour local government area. This study, when completed, will form the basis of a Floodplain Risk Management Plan for each of the catchments referred to in the Floodplain Risk Management Plan Development Control Plan April 2006.

For further information please contact Council's Development & Technical Services Department and consult Council's Floodplain Risk Management Development Control Plan 2006.

7A.3 Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006.*

8. LAND RESERVED FOR ACQUISITION

8.1 Does any environmental planning instrument or proposed environmental planning instrument referred to in item 1 above make provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the *Environmental Planning & Assessment Act?*

Shellharbour Local Environmental Plan 2000 does not relate to the acquisition of the land the subject of this certificate.

9. CONTRIBUTIONS PLAN

9.1 Which contributions plan/s apply to the land?

Shellharbour City Council's Section 94 Contributions Plan 2005 Amendment 1.

9A BIODIVERSITY CERTIFIED LAND

9A.1 Is the land biodiversity certified land (within the meaning of Part 7AA of the *Threatened Species Conservation Act 1995)?*

No

10. BIOBANKING AGREEMENTS

Is there a biobanking agreement for the land under Part 7A of the *Threatened Species Conservation Act 1995,* that council is aware?

No

11. BUSH FIRE PRONE LAND

11.1 Is any of the land bushfire prone land as defined in the *Environmental Planning & Assessment Act 1979?*

No.

12. PROPERTY VEGETATION PLANS

12.1 Does a property vegetation plan under the *Native Vegetation Act 2003* apply to the land, being a plan to which the council has been notified of its existence by the person or body that approved the plan under the Act?

No.

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

13.1 Has an order been made under the *Trees (Disputes Between Neighbours) Act 2006* to carry out work in relation to a tree on the land, being an order to which the council has been notified of?

No.

14. DIRECTIONS UNDER PART 3A

14.1 Is there a direction by the Minister in force under section 75P(2)(c1) of the *Environmental Planning & Assessment Act 1979* 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?

No.

15. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR SENIORS HOUSING

15.1 If the land is land to which *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* applies, is there a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land?

No.

16. SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE

16.1 Is there a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land?

No.

17. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING

17.1 Is there a current site compatibility statement (affordable rental housing), of which the council is aware, in respect of proposed development on the land?

No.

17.2 Have any terms of a kind referred to in clause 17(1) or 38(1) of the *State Environmental Planning Policy (Affordable Rental Housing) 2009* been imposed as a condition of consent to a development application in respect of the land?

No.

NOTE: MATTERS PRESCRIBED BY SECTION 59(2) OF THE *CONTAMINATED LAND MANAGEMENT ACT 1997 (CLM Act)*

(a) Is the land significantly contaminated land within the meaning of the *CLM Act* at the date of this certificate?

No.

(b) Is the land subject to a management order within the meaning of the *CLM Act* at the date of this certificate?

No.

(c) Is the land the subject of an approved voluntary management proposal within the meaning of the *CLM Act* at the date of this certificate?

No.

(d) Is the land the subject of an ongoing maintenance order within the meaning of the *CLM Act* at the date of this certificate?

No.

(e) Is the land the subject of a site audit statement within the meaning of the *CLM Act* (such a statement having been provided to Council at any time)?

No.

CONTAMINATED INFORMATION - 1B(e). The following matter(s) are prescribed under Clause 59(2) of the Contaminated Land Management Act 1997 for inclusion on this certificate - the land to which the certificate relates is the subject of a site audit statement.

CONTAMINATED INFORMATION - 2c. The land is affected by a policy adopted by Council that restricts development of land if there is likelihood of contamination. Council has received a report from a consultant regarding contamination. SEE ANNEXURE.

NOTE: Section 26 of the *Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009* provides that a planning certificate must include advice about any exemption under

section 23 or authorisation under section 24 of that Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

No Order or Authorisation has been issued under the Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009.

PART B: NOTATIONS

Tree Management Order

The Shellharbour City Council Tree Management Order prohibits the ringbarking, cutting down, pruning, lopping, topping, removing, root pruning, injuring or wilful destruction of any tree which is:

i. 3 metres or more in height.
ii. 300mm or more in trunk diameter at ground level.
iii. 3 metres or more in branch spread.

Without the written consent of Council.

The following trees with a trunk diameter of 600mm or less at ground level, will be given exemption, upon positive identification by Shellharbour City Council.

Theses species are:

1.	*Salix species*	Willow Tree
2.	*Populus species*	Poplar Tree
3.	*Erythrina x sykesii*	Coral Tree
4.	*Ligustrum species*	Privet
5.	*Toxicodendron succedaneum*	Rhus Tree
6.	*Ficus elastica*	Rubber Tree
7.	*Nerium oleander*	Oleander
8.	*Syagrus romanzoffianum*	Cocos/Queen Palm
9.	*Cinnamomum camphora*	Camphor Laurel
10.	*Schefflera actinophylla*	Umbrella Tree
11.	*Cupressus macrocarpa 'Brunniana'*	Golden Cypress
12.	*Lagunaria patersonii*	Itchy Pod Tree
13.	*Phoenix canariensis*	Canary Island Date Palm
14.	Domestic and commercial fruit trees that are not endemic species.	

The above 14 species with a trunk diameter greater 600mm at ground level are subject to the Tree Management Order. The Tree Management Order does not apply to trees required to be pruned under the Overhead Line Safety Regulation 1991, Regulation 23 and 24.

In accordance with Clause 8 of the Environmental Planning and Assessment Model Provisions 1980, Council gave notice that the above Tree Management Order had been adopted for Shellharbour City in the Government Gazette on 14 December 2001.

A person who contravenes the Tree Management Order is guilty of an offence.

PART C: - INFORMATION PROVIDED UNDER SECTION 149 (5) OF THE ACT

NOTE:
When information under section 149(5) is requested the Council is under no obligation to provide any of the information supplied in this part. We draw your attention to section 149(6) which states that a Council shall not incur any liability in respect of any advice provided in good faith pursuant to sub-section (5). The absence of any reference to any matter affecting the land does not imply that the land is not affected by any matter referred to in this planning certificate.

Endangered Ecological Community & Threatened Species.

Council has some mapping that identifies where endangered ecological communities & threatened species are known to occur. For further details contact Council's Customer Environmental Services Department.

Filling

Council has no records to indicate the land has been filled or partially filled. Uncontrolled fill may be present on this site. If you have any doubt as to whether the land is affected by fill material, the services of a suitably qualified Consulting Engineer should be obtained.

Flooding

Council's records show that the land is located in an area where flooding has occurred or is suspected. The services of a suitably qualified Consulting Engineer should be sought to determine the likely effect, if any, on the land. Council's records are incomplete and there is no certainty that the land is affected by this matter.

Development Consents Relating To The Land

Details of current development consents for the land are available on request from the Council.

Constraints

SENSITIVE COASTAL LOCATION - SEPP 71. This property is identified as being within a sensitive coastal location under SEPP 71 - Coastal Protection. Further details can be obtained by contacting the Department of Planning.

EXISTING QUARRY OPERATIONS:
An approved quarry operates between Shell Cove and Bass Point. This property is NOT within the "quarry buffer zone" as identified in Clause 26 of Shellharbour LEP 2000.

NSW COASTAL POLICY 1997. The NSW Coastal Policy 1997 applies to all land within the Coastal Zone as identified by the maps held by the Department of Planning. This includes the subject property.

Floor Level Restrictions - Refer Subdivision Engineer.

For further information please contact the
Land & Information Services on
(02) 4221 6138

B A Weir
General Manager

Per.....FCOe

Annexure

Section 149 Contamination Information

Lot No: 8032 DP No: 1072187

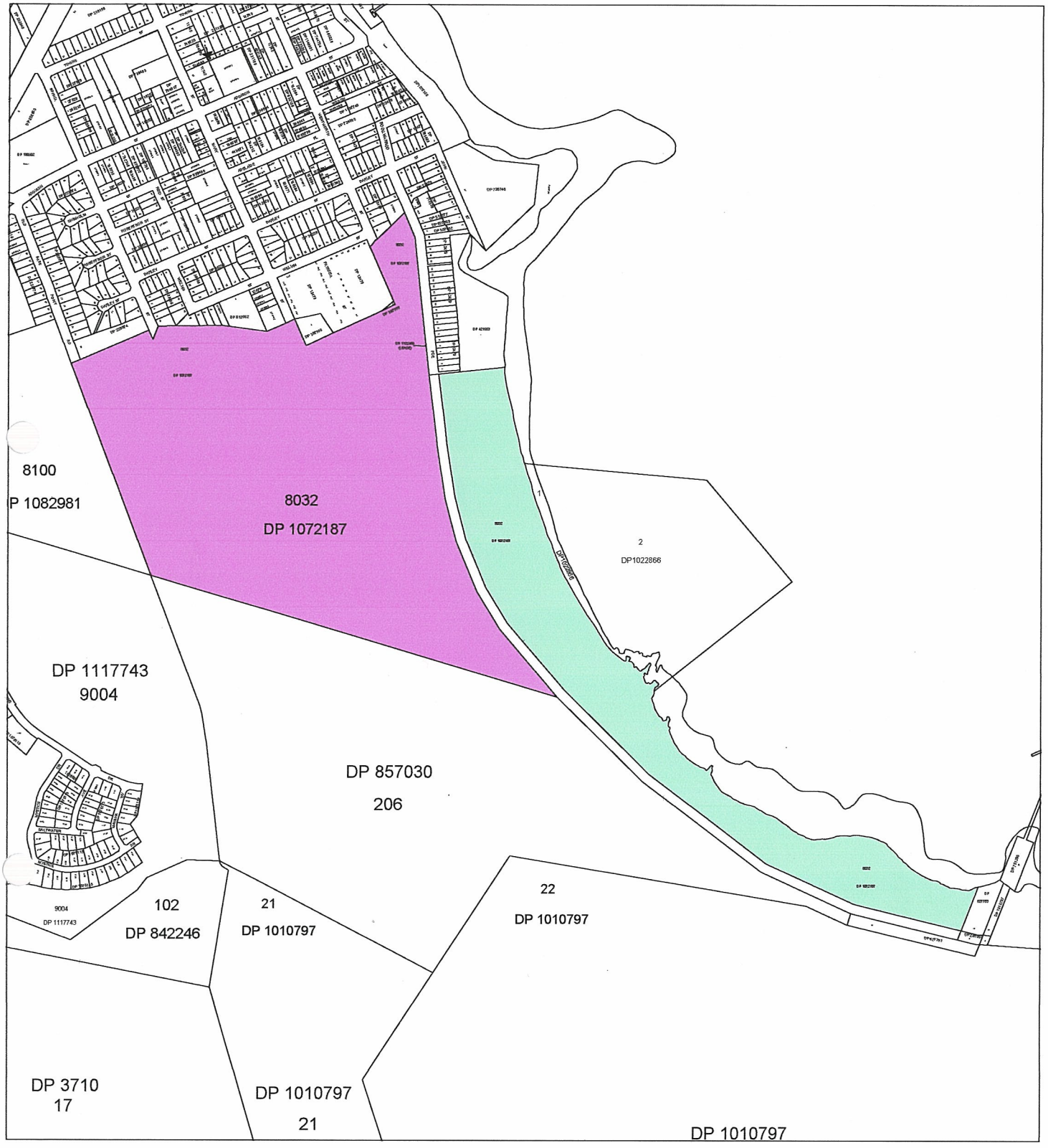
Council is aware of the existence of a Site Audit Statement in the possession of Australand and completed by ENVIRON Australia dated 3/11/2009 which concludes that at that time the land was suitable for:

Residential use

The policy restricts development of the land for any other use if the level of any contamination is unsuitable for the development.

For information on reports held by Council, please contact Council's Public Officer on 4221 6111.

SHELLHARBOUR CITY COUNCIL
SPLIT ZONE - LEP 2000



Zone Descriptions

2 (f) MIXED USE RESIDENTIAL 'F'

6 (a) PUBLIC OPEN SPACE

N
W E
S

SHELLHARBOUR CITY COUNCIL

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Map Printed By
GIS Section
Shellharbour City Council
20th July 2010



Shellharbour
Local Environmental Plan
2000

Shellharbour Local Environmental Plan 2000

Current version for 15 December 2008 to date (accessed 19 January 2009 at 08:52)
Status information

New South Wales

Status information

Currency of version
Current version for 15 December 2008 to date (accessed 19 January 2009 at 08:52).
Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force
All the provisions displayed in this version of the legislation have commenced. For commencement and other details see the Historical notes

Authorisation: This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the Interpretation Act 1987.

File last modified 15 December 2008.

New South Wales

Part 1 Preliminary

1 Name of plan

This plan is *Shellharbour Local Environmental Plan 2000*.

2 Aim of plan

The aim of this plan is to provide a framework for land use management, urban growth and change to achieve the following objectives:

(a) to ensure that land uses in the local government area of Shellharbour City are compatible with each other and are suitably located,

(b) to ensure that adequate provision is made to meet the needs of an increasing population,

(c) to ensure that various areas of land within the local government area of Shellharbour City which are environmentally sensitive, and which enhance the visual amenity of the area, are protected and suitably managed,

(d) to enable public land, owned or controlled by the Council of the City of Shellharbour under the *Local Government Act 1993*, to be classified or reclassified as operational land,

(e) to identify and manage items of the environmental and cultural heritage of the local government area,

(f) to ensure that development addresses pollution concerns and does not result in a decline in water quality.

3 Land to which the plan applies

(1) This plan applies to all land within the local government area of Shellharbour City as shown on the map.

(2) However, this plan does not apply to land to which *Shellharbour Rural Local Environmental Plan 2004* applies.

4 Relationship to other environmental planning instruments

(1) *Shellharbour Local Environmental Plan No 16* is repealed.

(2) *State Environmental Planning Policy No 4—Development Without Consent* is amended by inserting in alphabetical order of local government area in Schedule 2 (Land excepted from clauses 6–10) the following words:

City of Shellharbour local government area

5 Savings

A development application or an application for approval of an activity, relating to land to which this plan applies, that was lodged with a consent authority or determining authority, but that was not finally determined before the commencement of this plan is to be determined as if this plan had been exhibited but not been made and *Shellharbour Local Environmental Plan No 16* had not been repealed.

6 Consent authority

The Council is the consent authority for the purpose of this plan.

7 Adoption of certain Model Provisions

This plan adopts Part 1 and clauses 5, 8, 10, 11, 12, 14, 24, 27, 29 and 35 of, and Schedule 1 to, the *Environmental Planning and Assessment Model Provisions 1980*.

8 Definitions

(1) In this plan, terms defined in Schedule 1 have the same meaning as set out in that Schedule.

(2) In this plan, a reference to a map is a reference to a map kept at the office of the Council.

(3) The letters and symbols SPS, RES, SUB STN, CH, FIRE STN, PUBLIC BLDG or TEL.

EXCH, where appearing on a map, mean sewage pumping station, water reservoir, electricity sub-station, church, fire station, public building or telephone exchange, respectively.

(4) In this plan, a reference to a building or place used for a purpose includes a reference to a building or place intended to be used for the purpose.

(5) The list of contents of this plan is not part of this plan.

9 Zones indicated on the map

Land is within one of the following zones as set out in Parts 2–10 in the clause headed "General controls for development" for the zone under the heading "Land within the zone":

1 (a)—Rural A Zone

1 (c)—Rural C Zone

1 (d)—Rural D (Horticultural) Zone

2 (a)—Residential A Zone

2 (b1)—Residential B1 Zone

2 (b2)—Residential B2 Zone

2 (e)—Mixed Use Residential E Zone

2 (f)—Mixed Use Residential F Zone

3 (a)—Mixed Use Commercial Zone

3 (d)—Neighbourhood Business Zone

4 (a)—Light Industrial Zone

4 (a3)—Airport Light Industrial Zone

4 (c)—Extractive Industrial Zone

4 (f)—Special Industrial Zone

5 (a)—Special Uses Zone

5 (b)—Special Railway Uses

6 (a)—Public Open Space Zone

6 (b)—Private Open Space Zone

7 (a)—Environmental Protection (Wetlands) Zone

7 (d)—Environmental Protection (Scenic) Zone

7 (e)—Environmental Protection (Escarpment) Zone

7 (f2)—Environmental Protection (Foreshore) Zone

7 (g)—Environmental Protection (Living Area 1) Zone

7 (h)—Environmental Protection (Living Area 2) Zone

8—National Parks and Nature Reserves Zone

9 (b)—Arterial Roads Reservation Zone

9 (c)—Local Roads Reservation Zone

9 (d)—Open Space Reservation Zone

10 Zone objectives and general controls for development

(1) The objectives of each zone are set out in Parts 2–10 in the clause headed "General controls for development" for the zone under the heading "Objectives (or Objective) of the zone".

(2) Except as otherwise provided by this plan, for each zone specified in a general controls for development clause, the development that:

(a) may be carried out without development consent is indicated in that clause by the words "Allowed without development consent", or

(b) may be carried out only with development consent is indicated in that clause by the words "Allowed only with development consent", or

(c) is prohibited is indicated in that clause by the words "Prohibited in the zone".

(3) The objectives of the zone are required to be taken into account by the consent authority before development consent is given to the carrying out of development within that zone.

Part 2 Rural Zones Provisions

11 General controls for development—Zone 1 (a) (the Rural A zone)

(1) **Land within the zone**
Land is within Zone 1 (a) (the Rural A zone) if it is shown coloured cream on the map.

(2) **Objectives of the zone**

(a) To protect the agricultural potential of rural land and to prevent the fragmentation of rural holdings.

(b) To prevent premature and sporadic subdivisions and to ensure consolidation of urban areas, thus enhancing the prospect of the economic provision of public services.

(c) To prevent, on the fringe of urban areas, the subdivision of land into small lots which would prejudice the proper layout of additional urban areas as a result of natural growth.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

general agriculture; home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

advertisements not displaying the purpose for which the land is used or directional

information; brothels; car repair stations; commercial premises; dual occupancies (other than attached dual occupancies); heavy industries; junk yards; light industries; medium density housing; motor showrooms; professional consulting rooms; recreation facilities; service stations; shops; warehouses.

12 General controls for development—Zone 1 (c) (the Rural C zone)

(1) **Land within the zone**
Land is within Zone 1 (c) (the Rural C zone) if it is shown coloured pale yellow on the map.

(2) **Objectives of the zone**

(a) To allow rural residential neighbourhoods to be developed, taking advantage of changing demand for housing and the availability of rural land not suited to agricultural, industrial or urban uses.

(b) To maintain the environmental quality and visual amenity of rural areas.

(c) To reduce the demand for subdivision for residential purposes of agricultural land.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

advertisements not displaying the purpose for which the land is used; amusement parks; animal boarding, breeding or training establishments; aquaculture; backpackers inns; boarding houses; brothels; bus depots; car repair stations; clubs; commercial premises; community facilities; dual occupancies (other than attached dual occupancies); extractive industries; gas holders; general stores; generating works; heavy industries; helipads; heliports; hospitals; hotels; institutions; junk yards; light industries; liquid fuel depots; medium density housing; mineral sand mines; mines; motels; motor showrooms; offensive or hazardous industries; passenger terminals; places of assembly; public buildings; racecourses; recreation establishments; recreation facilities; refreshment rooms; road transport terminals; rural industries; sawmills; service stations; shops; showgrounds; stock and sale yards; timber yards; tourist facilities; warehouses.

13 General controls for development—Zone 1 (d) (the Rural D (Horticulture) zone)

(1) **Land within the zone**
Land is within Zone 1 (d) (the Rural D (Horticulture) zone) if it is shown coloured pale yellow and lettered 1 (d) on the map.

(2) **Objective of the zone**
To provide for horticultural activities on agricultural lots of high agricultural potential, if such uses can be accommodated without reducing the quality of water in the locality.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

Nil.

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; clearing of land; drainage; filling; general agriculture; intensive horticulture; intensive livestock keeping; roadside stalls; rural industries; turf farms; wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

14 Controls for subdivision of land within Zone 1 (a)

(1) The Council must not consent to a subdivision of land within Zone 1 (a) unless:

(a) each allotment to be created will have an area of not less than 40 hectares or the Council is satisfied that any proposed smaller allotment is not intended to be used for the purpose of agriculture or a dwelling house, but is intended to be used for another lawful purpose, and

(b) where any allotment proposed to be created will have a frontage to a main road, the frontage will be not less than 200 metres, and

(c) the Council has been informed of the purpose for which each proposed allotment to be created by the subdivision is intended to be used and, where the purpose is agriculture, of the form of agriculture for which the allotment is intended to be used.

(2) Despite any other provision of this plan, consent for a subdivision of land within Zone 1 (a) in the "Jamberoo Valley Rural Conservation Area" (which is shown on the map) to create an allotment must not be granted unless:

(a) the consent authority is satisfied that the proposed allotment will not be used for the erection of a dwelling house, and

(b) a condition of the consent prohibits the erection of a dwelling house on each lot to be created by the subdivision.

(3) The Council must not consent to a subdivision of land within Zone 1 (a) in the "Jamberoo Valley Rural Conservation Area" (which is shown on the map) unless it has considered:

(a) the relationship of the proposed allotments to adjacent or adjoining allotments and the practicality of consolidating adjacent or adjoining allotments with land to which the application for consent to the subdivision relates, and

(b) the quality of the land proposed to be subdivided and the potential agricultural productivity of that land if it remains unsubdivided, and

(c) the likely impact of the subdivision on vegetation, soil resources and stability and water resources (including the quality of water courses, ground water storage and riparian rights), and

(d) the size, quality and potential agricultural productivity of each proposed allotment, and

(e) the relationship of each proposed allotment to, and the effect of creating the allotment on, the structure and nature of agricultural industries in the locality, and

(f) the purpose for which the proposed allotments are intended to be used and the purpose for which, in the opinion of the Council, the allotments are suitable for use, and

(g) the cumulative effect of similar proposals if consent is granted, and

(h) the likelihood of the proposed allotments remaining available for agriculture.

15 Controls for building dwelling houses within Zone 1 (a)

(1) Despite any other provision of this plan, the Council must not consent to the erection of a dwelling house on an allotment in Zone 1 (a) that has an area of less than 40 hectares unless:

(a) that allotment is a vacant original holding, or

(b) the allotment has been created in accordance with a subdivision approval (or a consent for a subdivision) on which no condition has been imposed prohibiting the erection of a dwelling house on the subject property.

(2) Despite any other provision of this plan, the Council must not consent to the erection of more than one dwelling house on an allotment in Zone 1 (a) unless it is satisfied that the dwelling house will be used or occupied by a person engaged by the owner of that land in the pursuit of agriculture on that land or on land adjacent to or adjoining that land.

(3) Consent must not be granted for a dwelling house on an allotment of land in Zone 1 (a) with an area of less than 40 hectares unless the Council places a condition on the consent requiring that allotment to be consolidated with any adjoining land in the same ownership until either all adjoining properties within the same ownership are consolidated or a minimum area of 40 hectares is achieved.

(4) Despite any other provision of this plan, the Council may consent to the erection of a dwelling house on land within Zone 1 (a) in the "Jamberoo Valley Rural Conservation Area" (which is shown on the map) only if the property to which the application relates has an area of 40 hectares or more or if the Council is satisfied that the property is a vacant original holding.

(5) Despite any other provision of this plan, the Council must not consent to the erection of a second dwelling house on land within Zone 1 (a) in the "Jamberoo Valley Rural Conservation Area" (which is shown on the map) where:

(a) the property to which the application relates has an area of less than 40 hectares, or

(b) the dwelling house will not be ancillary to the agricultural use of the land, or

(c) separate ownership of the proposed dwelling house will be achievable without the subdivision of the land, or

(d) an additional access to a public road is required from the land as a result of the erection of the dwelling house, or

(e) in the opinion of the Council, the proposed dwelling house will interfere with the purpose for which the land concerned is being used.

16 Controls for the development of certain land within Zone 1 (a)—Jamberoo Valley

(1) Despite any other provision of this plan, the Council must not grant consent to an amusement park or a place of assembly on land within Zone 1 (a) in the "Jamberoo Valley Rural Conservation Area" (which is shown on the map).

(2) Despite any other provision of this plan, the Council must not consent to development on land within Zone 1 (a) in the "Jamberoo Valley Rural Conservation Area" (which is shown

on the map) unless it has considered:

(a) the effect of the proposed development on agricultural land uses undertaken on land holdings in the vicinity, and

(b) the quality of the land and the potential agricultural productivity of the land, and

(c) the likely impact of the proposed development on vegetation, soil resources and stability and water resources (including the quality of water courses, ground water storage and riparian rights), and

(d) the effect of the proposed development on the structure and nature of agricultural industries in the area, and

(e) the cumulative effect of similar proposals if consent is granted, and

(f) the likelihood of the land remaining available to agriculture, and

(g) the impact that the proposed development will have on the scenic quality of the Jamberoo Valley by way of colour, bulk, vegetation removal, road access, visual intrusiveness, reflection and traffic generation, and is satisfied that such measures as will, in its opinion, minimise that impact are proposed to be taken.

(3) The Council must take the following into consideration when assessing an application for consent to clear any land shown stippled on Sheet 3 of the map marked "Illawarra Regional Environmental Plan No 2—Jamberoo Valley" deposited in the office of the Department of Urban Affairs and Planning (being areas of significant vegetation):

(a) the movement of native fauna,

(b) any rare or significant flora or fauna,

(c) any rare or significant habitats,

(d) the effect of the proposed clearing on adjacent or adjoining land under the control of the National Parks and Wildlife Service,

(e) whether there is a reasonable alternative to the removal of that vegetation or the extent of the removal of that vegetation,

(f) the visual impact of the proposed development on the scenic quality of the Jamberoo Valley by breaking any unbroken natural tree canopy cover or creating smaller discrete parcels of vegetation from an existing stand.

17 Controls for subdivision within Zone 1 (c)

(1) The Council must not consent to the subdivision of land within Zone 1 (c) unless:

(a) each lot to be created by the subdivision has an area of not less than 0.4 hectares and the average lot size (calculated by dividing the total area of land to be subdivided by the number of lots to be created by the subdivision) is not less than 0.8 hectares, where reticulated water and sewerage services are available, and

(b) each lot to be created by the subdivision has an area of not less than 1 hectare, where reticulated water and sewerage services are not available.

(2) The Council must not consent to the subdivision of any land within Zone 1 (c) unless it has considered:

(a) the land capability (including soil resources, soil stability and capacity for on-site

waste disposal) and the natural constraints, and hazards, of the land to be subdivided in relation to the density and design of the allotments proposed to be created, and

(b) the desirability of providing a range and mixture of allotment sizes, and

(c) the ability to provide urban services to the land.

18 Controls for building dwelling houses within Zone 1 (c)

(1) A dwelling house may not be erected on land within Zone 1 (c) unless that land is an allotment that complies with clause 17 (1) (a) and (b).

(2) Despite any other provision of this plan, the Council may consent to the erection of a second dwelling house on an allotment within Zone 1 (c) with an area exceeding two hectares, but only if, in the opinion of the Council:

(a) the development will not adversely affect the visual amenity of the area, and

(b) the development will not place undue demand on the provision of public services, and

(c) the development will not increase ribbon development on any main or arterial road and will not exceed the environmental capacity of the site.

19 Controls for subdivision within Zone 1 (d)

The Council must not consent to the subdivision of land within Zone 1 (d) unless each allotment to be created by the subdivision has an area of not less than 12 hectares, even if the subdivision is by a strata plan or under the *Community Land Development Act 1989*.

Part 3 Residential Zones Provisions

20 General controls for development—Zone 2 (a) (the Residential A zone)

(1) **Land within the zone**
Land is within Zone 2 (a) (the Residential A zone) if it is shown coloured light pink on the map.

(2) **Objective of the zone**
To provide an environment primarily for detached and semi-detached housing.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

advertisements not displaying the purpose for which the land is used; amusement parks; animal boarding, breeding or training establishments; aquaculture; backpackers inns; brothels; bus depots; car repair stations; clubs; commercial premises; extractive industries; gas holders; general agriculture; general stores; generating works; heavy industries; helipads; heliports; hotels; institutions; intensive horticulture; intensive livestock keeping; junk yards; light industries; liquid fuel depots; mineral sand mines; mines; motels; motor showrooms; offensive or hazardous industries; passenger

terminals; places of assembly; plantation forestry; plant nurseries; public buildings; racecourses; recreation establishments; recreation facilities; refreshment rooms; roadside stalls; road transport terminals; rural industries; sawmills; service stations; shops; showgrounds; stock and sale yards; timber yards; tourist facilities; turf farms; veterinary surgeries; warehouses; waste management facilities or works.

21 General controls for development—Zone 2 (b1) (the Residential B1 zone)

(1) **Land within the zone**
Land is within Zone 2 (b1) (the Residential B1 zone) if it is shown coloured medium pink on the map.

(2) **Objectives of the zone**

(a) To provide for a range of housing types in locations that are accessible to retail, commercial and public transport facilities.

(b) To encourage the efficient use of aged housing stock upon redevelopment.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

advertisements not displaying the purpose for which the land is used; amusement parks; animal boarding, breeding or training establishments; aquaculture; brothels; bus depots; car repair stations; clubs; commercial premises; extractive industries; gas holders; general agriculture; generating works; heavy industries; helipads; heliports; hotels; institutions; intensive horticulture; intensive livestock keeping; junk yards; light industries; liquid fuel depots; mineral sand mines; mines; motels; motor showrooms; offensive or hazardous industries; passenger terminals; places of assembly; plantation forestry; plant nurseries; public buildings; racecourses; recreation establishments; recreation facilities; refreshment rooms; roadside stalls; road transport terminal; rural industries; sawmills; service stations; shops; showgrounds; stock and sale yards; timber yards; tourist facilities; turf farms; veterinary surgeries; warehouses; waste management facilities or works.

22 General controls for development—Zone 2 (b2) (the Residential B2 zone)

(1) **Land within the zone**
Land is within Zone 2 (b2) (the Residential B2 zone) if it is shown coloured dark pink on the map.

(2) **Objective of the zone**
To allow for medium density development in locations that are in the vicinity of retail, commercial and public transport facilities.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home business; home occupations (excluding an occupation or

industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

advertisements not displaying the purpose for which the land is used; amusement parks; animal boarding, breeding or training establishments; aquaculture; brothels; bus depots; car repair stations; clubs; commercial premises; extractive industries; gas holders; general agriculture; generating works; heavy industries; helipads; heliports; hotels; institutions; intensive horticulture; intensive livestock keeping; junk yards; light industries; liquid fuel depots; mineral sand mines; mines; motels; motor showrooms; offensive or hazardous industries; passenger terminals; places of assembly; plantation forestry; plant nurseries; public buildings; racecourses; recreation establishments; recreation facilities; refreshment rooms; roadside stalls; road transport terminals; rural industries; sawmills; service stations; shops; showgrounds; stock and sale yards; timber yards; tourist facilities; turf farms; veterinary surgeries; warehouses; waste management facilities or works.

23 General controls for development—Zone 2 (e) (the Mixed Use Residential E zone)

(1) **Land within the zone**
Land is within Zone 2 (e) (the Mixed Use Residential E zone) if it is shown coloured salmon on the map.

(2) **Objective of the zone**
To allow for mixed use residential neighbourhoods to be developed on 'greenfields' sites providing for a range of household preferences and needs compatible with fully developed residential neighbourhoods.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

advertisements not displaying the purpose for which the land is used; amusement parks; animal boarding, breeding or training establishments; aquaculture; brothels; bus depots; car repair stations; extractive industries; gas holders that are not ancillary to an allowable use or a use granted consent; generating works; heavy industries; helipads; heliports; institutions; intensive horticulture; intensive livestock keeping; junk yards; light industries; liquid fuel depots; mineral sand mines; mines; motor showrooms; offensive or hazardous industries; plantation forestry; racecourses; roadside stalls; road transport terminals; rural industries; sawmills; stock and sale yards; timber yards; turf farms; warehouses; waste management facilities or works.

24 General controls for development—Zone 2 (f) (the Mixed Use Residential F

zone)

(1) **Land within the zone**
Land is within Zone 2 (f) (the Mixed Use Residential F zone) if it is shown coloured mauve on the map.

(2) **Objectives of the zone**

(a) To allow for mixed use residential neighbourhoods to be developed providing for a range of household preferences and needs.

(b) To enable the development of a regional boat harbour facility and associated commercial and recreational activities.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

advertisements not displaying the purpose for which the land is used; amusement parks; animal boarding, breeding or training establishments; aquaculture; brothels; car repair stations; extractive industries; gas holders that are not ancillary to an allowable use or a use granted consent; generating works; heavy industries; heliports; institutions; intensive horticulture; intensive livestock keeping; junk yards; light industries (other than those associated with and including boat manufacture or repair); liquid fuel depots; mineral sand mines; mines; motor showrooms (other than for caravans, boats or trailers); offensive or hazardous industries; plantation forestry; racecourses; roadside stalls; road transport terminals; rural industries; sawmills; stock and sale yards; timber yards; turf farms; warehouses; waste management facilities or works.

25 Controls to promote commercial hierarchy within Zones 2 (e) and 2 (f)

Despite any other provision of this plan, the Council may consent to commercial or retail development (or mixed commercial and retail development) on land within Zone 2 (e) or 2 (f) only if, in the opinion of the Council, it will promote the commercial hierarchy for the Shellharbour City local government area presented in Schedule 4.

26 Development within the quarry buffer area in Zone 2 (f)

(1) Despite any other provision of this plan, a person shall not develop land in Zone 2 (f) identified as "quarry buffer area" on the map for any purpose other than general agriculture; drainage; light industries and industries associated with and including boat manufacture and repair; open space; recreation areas; roads; shops and commercial premises in accordance with Schedule 4; utility installations (other than gas holders or generating works), and warehouses.

(2) The Council shall not grant development consent in respect of any development for a purpose specified in subclause (1) unless:

(a) the development will not be unduly affected in an adverse manner by proximity to the Bass Point Quarry, having regard to the normal course of the quarry's operations, and

(b) the applicant for that consent is aware of the nature of the operation of the quarry and its likely impact on the land within the quarry buffer area and has notified the Council in writing of his, hers or its acceptance of that impact, and

(c) the development will not pose a restriction on the nature of operations within the quarry.

Part 4 Commercial Zones Provisions

27 General controls for development—Zone 3 (a) (the Mixed Use Commercial zone)

(1) **Land within the zone**
Land is within Zone 3 (a) (the Mixed Use Commercial zone) if it is shown coloured light blue on the map.

(2) **Objectives of the zone**

(a) To provide for mixed use retail/commercial centres in locations that have developed historically or which are centrally located.

(b) To allow for mixed use development incorporating residential and commercial or retail activities.

(c) To encourage the development of commercial/retail centres that provide for daily convenience and higher order needs of the surrounding residential areas.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not identified in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

animal boarding, breeding or training establishments; aquaculture; brothels; car repair stations; extractive industries; gas holders that are not ancillary to an allowable use or a use granted consent; generating works; heavy industries; helipads; heliports; hospitals; institutions; intensive horticulture; intensive livestock keeping; junk yards; light industries; liquid fuel depots; mineral sand mines; mines; offensive or hazardous industries; plantation forestry; racecourses; road transport terminals; roadside stalls; rural industries; sawmills; stock and sale yards; timber yards; turf farms; waste management facilities or works.

28 General controls for development—Zone 3 (d) (the Neighbourhood Business zone)

(1) **Land within the zone**
Land is within Zone 3 (d) (the Neighbourhood Business zone) if it is shown coloured medium blue on the map.

(2) **Objectives of the zone**

(a) To allow for retail and commercial businesses of a scale that is unlikely to prejudice

the viability of a higher order commercial centre.

(b) To provide for retail and commercial services that may cater for the daily convenience needs of the local community.

(c) To allow for mixed use development incorporating residential and commercial or retail activities.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

amusement parks; animal boarding, breeding or training establishments; aquaculture; backpackers inns; brothels; car repair stations; clubs; extractive industries; gas holders that are not ancillary to an allowable use or a use granted consent; general agriculture; generating works; heavy industries; helipads; heliports; hospitals; hotels; institutions; intensive horticulture; intensive livestock keeping; junk yards; light industries; liquid fuel depots; mineral sand mines; mines; motels; motor showrooms; offensive or hazardous industries; plantation forestry; racecourses; road transport terminals; roadside stalls; rural industries; sawmills; stock and sale yards; timber yards; turf farms; warehouses; waste management facilities or works.

29 Controls to promote commercial hierarchy

Despite any other provision of this plan, the Council may consent to commercial or retail development (or mixed commercial and retail development) on land within Zone 3 (a) or 3 (d) only if, in the opinion of the Council, it will promote the commercial hierarchy for the Shellharbour City local government area presented in Schedule 4.

Part 5 Industrial Zones Provisions

30 General controls for development—Zone 4 (a) (the Light Industrial zone)

(1) **Land within the zone**
Land is within Zone 4 (a) (the Light Industrial zone) if it is shown coloured light purple on the map.

(2) **Objective of the zone**
To provide for a wide variety of light industrial uses which are generally compatible with nearby residential neighbourhoods.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

amusement parks; aquaculture; backpackers inns; bed and breakfasts; clubs; commercial premises (other than those used in conjunction with industry and situated on land on which the industry is situated); dual occupancies; dwelling houses (other than those used in conjunction with industry and situated on land on which the industry is situated); extractive industries; gas holders that are not ancillary to an allowable use or a use granted consent; general stores; generating works; heavy industries; helipads; heliports; hospitals; hotels; institutions; intensive horticulture; intensive livestock keeping; junk yards; liquid fuel depots; medium density housing; mineral sand mines; mines; motels; offensive or hazardous industries; places of assembly; plantation forestry; professional consulting rooms; public buildings; recreational establishments; roadside stalls; rural industries; shops (other than light industrial retail outlets and those that serve the daily convenience needs of an industrial area); stock and sale yards; tourist facilities.

31 General controls for development—Zone 4 (a3) (the Airport Light Industrial zone)

(1) **Land within the zone**
Land is within Zone 4 (a3) (the Airport Light Industrial zone) if it is shown coloured dark purple and lettered 4 (a3) on the map.

(2) **Objectives of the zone**

(a) To provide for a wide variety of light industrial uses that are generally compatible with nearby residential neighbourhoods.

(b) Where appropriate, to encourage the development of industries that are airport-related and, as a result, to diversify the industrial base of Shellharbour in a manner compatible with use of the adjacent Illawarra Regional Airport.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in item (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

amusement parks; aquaculture; animal boarding, breeding or training establishments; child care centres; commercial premises (other than those used in conjunction with an allowable use and situated on land on which the use is situated or those providing a service to an airport or to airport-related uses); dual occupancies; dwelling houses (other than those used in conjunction with an allowable use and situated on land on which the use is situated); extractive industries; gas holders that are not ancillary to an allowable use or a use granted consent; general stores; generating works; heavy industries (other than airport related industries); helipads; heliports; hospitals; institutions; intensive horticulture; intensive livestock keeping; junk yards; medium density housing; mineral sand mines; mines; motor showrooms; offensive or hazardous industries; places of assembly; places of public worship; plantation forestry;

professional consulting rooms; racecourses; recreational establishments; roadside stalls; rural industries; sawmills; shops (other than light industrial retail outlets and those that serve the daily convenience needs of an industrial area or airport); stock and sale yards; waste management facilities or works.

32 General controls for development—Zone 4 (c) (the Extractive Industrial zone)

(1) **Land within the zone**
Land is within Zone 4 (c) (the Extractive Industrial zone) if it is shown coloured dark purple on the map.

(2) **Objectives of the zone**
To identify those areas specifically allocated for extractive purposes.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

Nil.

(4) **Allowed only with development consent**
Development for the purpose of:

clearing of land; drainage; extractive industries; filling; general agriculture; intensive horticulture; intensive livestock keeping; mines; turf farms; waste management facilities or works; wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

33 General controls for development—Zone 4 (f) (the Special Industrial zone)

(1) **Land within the zone**
Land is within Zone 4 (f) (the Special Industrial zone) if it is shown coloured dark purple and lettered 4 (f) on the map.

(2) **Objective of the zone**
To provide a suitable area for those industrial uses which are more appropriately located away from residential areas by reason of the emission of noise, fumes, dust or the like.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not identified in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

amusement parks; animal boarding, breeding or training establishments; aquaculture; backpackers inns; bed and breakfasts; child care centres; clubs; commercial premises (other than those used in conjunction with industry and situated on land on which the industry is situated); community facilities; dual occupancies; dwelling houses (other than those used in conjunction with industry and situated on land on which the industry is situated); extractive industries; general stores; generating works; helipads; heliports; hospitals; hotels; institutions; intensive horticulture; intensive livestock keeping;

medium density housing; mineral sand mines; mines; motels; motor showrooms; places of assembly; places of public worship; plantation forestry; professional consulting rooms; public buildings; racecourses; recreational establishments; refreshment rooms; roadside stalls; rural industries; service stations; shops (other than light industrial retail outlets and those that serve the daily convenience needs of an industrial area); stock and sale yards; tourist facilities; veterinary surgeries.

34 Bulky goods retailing within Zones 4 (a) and 4 (a3)

Despite any other provision of this plan, the Council may consent to development of land within Zone 4 (a) or 4 (a3) for the purpose of retailing of bulky goods but only if it has considered:

(a) the availability of suitable lands in any nearby business centre, and

(b) the impact of the development on the predominantly industrial nature of Zone 4 (a) or 4 (a3), and

(c) the effect of the development on the viability of the nearby business centre.

35 Controls for certain development of certain land within Zone 4 (a)

Despite any other provision of this plan, the Council must not consent to development for the purpose of a motor showroom on land within Zone 4 (a), being 13 to 97 Princes Highway; 2–6 and 1–7 Mye Place, or 6 and 8 Creole Road, Albion Park Rail, unless vehicular access to and egress from the land is not only by way of the Princes Highway but is also to and from some other additional point of access and egress.

36 Access controls within Zone 4 (a3)

(1) The Council must not grant consent for development of land within Zone 4 (a3) unless access to and egress from the site of the development is available otherwise than directly from or to a main or arterial road.

(2) In granting such a consent, the Council must prohibit direct vehicular access to or egress from the site by a main or arterial road.

(3) This clause does not apply to Lot 4211, DP 833774, Princes Highway, Albion Park Rail.

37 Controls for liquid fuel depots within Zones 4 (a3) and 4 (f)

(1) A person must not establish, enlarge or use a liquid fuel depot on land within Zone 4 (a3) or 4 (f) having an above ground storage capacity of 500 kilolitres or more of inflammable liquid without the consent of the Council.

(2)–(4) (Repealed)

Part 6 Special Uses Zones Provisions

38 General controls for development—Zone 5 (a) (the Special Uses zone)

(1) **Land within the zone**
Land is within Zone 5 (a) (the Special Uses zone) if it is shown coloured dark yellow and lettered with the special use of the land on the map.

(2) **Objective of the zone**
To maintain land for certain community facilities and services.

(3) **Allowed without development consent**

Exempt development and development for the purpose of:

home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

clearing of land; commercial premises; community facilities; drainage; educational establishments; filling; general agriculture; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; intensive horticulture; passenger terminals; places of assembly; places of public worship; the particular land use indicated by heavy black lettering on the map; turf farms; utility installations (other than gas holders or generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

39 General controls for development—Zone 5 (b) (the Special Railway Uses zone)

(1) **Land within the zone**
Land is within Zone 5 (b) (the Special Railway Uses zone) if it is shown coloured dark grey on the map.

(2) **Objective of the zone**
To maintain land for railway purposes.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

clearing of land; drainage; filling; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; railway uses (other than advertisements except at railway stations); utility installations (other than gas holders or generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

40 Interim development within Zone 5 (a)

In considering whether to grant consent to development of land within Zone 5 (a) for the erection or use of commercial premises, general agriculture, intensive horticulture or passenger terminals, the Council must assess the proposal to ensure that it will not interfere with the use of the land for the purpose identified by lettering on the zoning map.

41 Controls to promote commercial hierarchy within Zone 5 (a)

Despite any other provision of this plan, the Council may consent to commercial or retail development (or mixed commercial and retail development) on land within Zone 5 (a) only if,

in the opinion of the Council, it will promote the commercial hierarchy for the Shellharbour City local government area presented in Schedule 4.

42 Temporary uses by charities and service clubs within Zone 5 (a)

(1) Despite any other provision of this plan, a person may, with the consent of the Council, carry out development on land within Zone 5 (a) for the purpose of temporary activities such as markets, exhibitions and fund raising, but only if:

(a) the activity will be carried out by an established non-profit organisation, and

(b) the consent will not have the effect of allowing the same site to be used for the those kinds of activities more than 12 times in any one year.

(2) In considering whether to grant consent to the carrying out of any such development, the Council must take into account:

(a) the suitability of the land for the proposed development, and

(b) the availability and suitability of alternative sites for the proposed development, and

(c) the impact of the proposed development on the land and the neighbourhood, and

(d) the desirability of retaining the land for its existing or likely future use.

Part 7 Open Space Zones Provisions

43 General controls for development—Zone 6 (a) (the Public Open Space zone)

(1) **Land within the zone**
Land is within Zone 6 (a) (the Public Open Space zone) if it is shown coloured light green on the map.

(2) **Objectives of the zone**

(a) To identify areas where recreational opportunities for the general use of the community are provided.

(b) To enable development that will enhance the public enjoyment of areas referred to in subclause (2) (a).

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

aids to navigation; bushfire hazard reduction; home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*); landscaping.

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; clearing of land; community facilities; drainage; dwelling houses; educational establishments; filling; general agriculture; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; intensive horticulture; places of assembly; places of public worship; plantation forestry; racecourses; recreation areas; recreation establishments; recreation facilities; refreshment rooms; shops and commercial premises required in connection with an allowable use; showgrounds; turf farms; utility installations (other than gas holders or generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not identified in subclause (3) or (4).

44 General controls for development—Zone 6 (b) (the Private Open Space zone)

(1) **Land within the zone**
Land is within Zone 6 (b) (the Private Open Space zone) if it is shown coloured medium green on the map.

(2) **Objective of the zone**
To identify areas where private recreation facilities may be developed.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

aids to navigation; home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; backpackers inns; bed and breakfasts; clearing of land; community facilities; drainage; dwelling houses required for use or occupation by persons employed in connection with an allowable use or a use granted consent; educational establishments; filling; general agriculture; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; intensive horticulture; places of assembly; places of public worship; racecourses; recreation areas; recreation establishments; recreation facilities; refreshment rooms; shops and commercial premises required in connection with an allowable use or a use granted consent; turf farms; tourist facilities; utility installations (other than gas holders or generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not identified in subclause (3) or (4).

45 Restriction on granting consent for development within Zone 6 (a)

Despite any other provision of this plan, the Council must not consent to any development on land within Zone 6 (a) unless it has considered:

(a) the need for the proposed development on that land, and

(b) the impact of the proposed development on the existing or likely future use of the land, and

(c) the need to retain the land for its existing or likely future use.

46 Controls for building dwelling houses within Zone 6 (a)

Despite any other provision of this plan, the Council must not consent to the erection of a dwelling house on land within Zone 6 (a) unless it is satisfied that the dwelling house is to be used for the permanent occupation of a caretaker or manager for the property on which the dwelling house is to be located.

47 Temporary uses by charities and service clubs within Zones 6 (a) and 6 (b)

(1) Despite any other provision of this plan, a person may, with the consent of the Council, carry out development on land within Zone 6 (a) or 6 (b) for the purpose of temporary activities such as markets, exhibitions and fund raising, but only if:

(a) the activity will be carried out by an established non-profit organisation, and

(b) the consent will not have the effect of allowing the same site to be used for the those kinds of activities more than 12 times in any one year.

(2) In considering whether to grant consent to the carrying out of any such development, the Council must take into account:

(a) the desirability (from the Council's view point) of the proposed development on the land, and

(b) the suitability of the land for the proposed development, and

(c) the availability and suitability of alternative sites for the proposed development, and

(d) the impact of the proposed development on the land and the neighbourhood, and

(e) the desirability of retaining the land for its existing or likely future use.

Part 8 Environmental Protection Zones Provisions

48 General controls for development—Zone 7 (a) (the Environmental Protection (Wetlands) zone)

(1) **Land within the zone**
Land is within Zone 7 (a) (the Environmental Protection (Wetland) zone) if it is shown coloured rust on the map.

(2) **Objectives of the zone**

(a) To protect and enhance wetland areas which provide important habitats for species of wetland flora and fauna.

(b) To maintain and enhance wetland environments which provide limited recreational and aesthetic opportunities for the public.

(3) **Allowed without development consent**
Development for the purpose of:

Nil.

(4) **Allowed only with development consent**
Development for the purpose of:

aids to navigation; cycleways; drainage; filling; general agriculture; utility installations (other than gas holders or generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

49 General controls for development—Zone 7 (d) (the Environmental Protection (Scenic) zone)

(1) **Land within the zone**

Land is within Zone 7 (d) (the Environmental Protection (Scenic) zone) if it is shown coloured light tan on the map.

(2) **Objective of the zone**
To protect scenic areas which are generally undeveloped and which provide an important visual backdrop for the urban areas.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

aids to navigation; home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; animal boarding, breeding or training establishments; attached dual occupancies; bed and breakfasts; clearing of land; drainage; dwelling houses; filling; general agriculture; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; intensive horticulture; intensive livestock keeping; plantation forestry; recreation areas; recreation establishments; roadside stalls; rural industries; tourist facilities; turf farms; utility installations (other than gas holders or generating works); veterinary surgeries; wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

50 General controls for development—Zone 7 (e) (the Environmental Protection (Escarpment) zone)

(1) **Land within the zone**
Land is within Zone 7 (e) (the Environmental Protection (Escarpment) zone) if it is shown coloured medium tan on the map.

(2) **Objective of the zone**
To protect escarpment areas which are generally undeveloped and which provide an important visual backdrop for urban areas and which support important native flora and fauna habitats.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; attached dual occupancies; bed and breakfasts; clearing of land; drainage; dwelling houses; filling; general agriculture; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; intensive horticulture; mines;

plantation forestry; recreation areas; recreation establishments; roadside stalls; rural industries; utility installations (other than gas holders or generating works); veterinary surgeries; wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

51 General controls for development—Zone 7 (f2) (the Environmental Protection (Foreshore) zone)

(1) **Land within the zone**
Land is within Zone 7 (f2) (the Environmental Protection (Foreshore) zone) if it is shown coloured dark tan on the map.

(2) **Objective of the zone**
To protect prominent foreshore areas which are generally undeveloped and which provide aesthetic and recreational opportunities for the public.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

aids to navigation; home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; bed and breakfasts; clearing of land; drainage; dwelling houses; filling; general agriculture; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; recreation areas; local roads; tourist facilities; utility installations (other than gas holders or generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

52 General controls for development—Zone 7 (g) (the Environmental Protection (Living Area 1) zone)

(1) **Land within the zone**
Land is within Zone 7 (g) (the Environmental Protection (Living Area 1) zone) if it is shown coloured medium tan and lettered 7 (g) on the map.

(2) **Objectives of the zone**

(a) To allow small rural holdings to be created taking advantage of the availability of rural land not generally suited to agriculture, industrial or urban uses.

(b) To maintain the environmental quality and visual amenity of Shellharbour's rural areas.

(c) To protect the quality of waters in the locality concerned.

(d) To preserve the rural backdrop to existing and proposed residential areas.

(e) To reduce the demand for subdivision for residential purposes of rural land.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; bed and breakfasts; clearing of land; drainage; dwelling houses; education establishments; filling; general agriculture; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; intensive horticulture; places of public worship; plantation forestry; professional consulting rooms; turf farms; utility installations; veterinary surgeries; wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

53 General controls for development—Zone 7 (h) (the Environmental Protection (Living Area 2) zone)

(1) **Land within the zone**
Land is within Zone 7 (h) (the Environmental Protection (Living Area 2) zone) if it is shown coloured medium tan and lettered 7 (h) on the map.

(2) **Objectives of the zone**

(a) To provide for low density detached dwelling development in localities that cannot support conventional densities by virtue of servicing constraints, the visual prominence of the site, the need to retain important remnant vegetation or any other reason.

(b) To ensure the housing styles are sympathetic to a semi-rural setting and maintain the visual amenity of the locality.

(c) To ensure areas of remnant bushland are preserved.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; bed and breakfasts; clearing of land; drainage; dwelling houses; educational establishments; filling; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; professional consulting rooms; turf farms; utility installations; wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

54 Controls for subdivision of land within Zones 7 (a), 7 (d) and 7 (e)

(1) The Council must not consent to a subdivision of land within Zone 7 (a), 7 (d) or 7 (e) unless:

(a) each allotment to be created will have an area of not less than 40 hectares or the Council is satisfied that any proposed smaller allotment is not intended to be used for the purpose of agriculture or a dwelling house, but is intended to be used for another lawful purpose, and

(b) where any allotment proposed to be created will have a frontage to a main road, the frontage will be not less than 200 metres, and

(c) the Council has been informed of the purpose for which each proposed allotment to be created by the subdivision is intended to be used and, where the purpose is agriculture, of the form of agriculture for which the allotment is intended to be used.

55 Controls for building dwelling houses within Zones 7 (d) and 7 (e)

(1) Despite any other provision of this plan, the Council must not consent to the erection of a dwelling house on an allotment within Zone 7 (d) or 7 (e) that has an area of less than 40 hectares unless:

(a) that allotment is a vacant original holding, or

(b) the allotment has been created in accordance with a subdivision approval (or a consent for a subdivision) on which no condition has been imposed prohibiting the erection of a dwelling house on the subject property.

(2) Despite any other provision of this plan, the Council must not consent to the erection of more than one dwelling house on an allotment within Zone 7 (d) or 7 (e) unless the dwelling house will be used or occupied by a person engaged by the owner of that land in the pursuit of agriculture on that land or on land adjacent to or adjoining that land.

(3) Consent must not be granted for a dwelling house on an allotment of land in Zone 7 (d) or 7 (e) with an area of less than 40 hectares unless the Council places a condition on the consent requiring that allotment to be consolidated with any adjoining land in the same ownership until either all adjoining properties within the same ownership are consolidated or a minimum area of 40 hectares is achieved.

56 Controls for the development of certain land within Zone 7 (e)

(1) The Council must not consent to development on land within Zone 7 (e) in the "Jamberoo Valley Escarpment Area" shown on the map unless:

(a) there is no reasonable alternative site for the proposed development, and

(b) the proposed development will not have a detrimental impact on the visual quality of the Jamberoo Valley, and

(c) any building and its access will be designed and sited so as to be visually unobtrusive from any public place, and

(d) the proposed development will not be subject to slip hazard, and

(e) adequate landscaping to screen the development will be provided, and

(f) it has given consideration to the impact that the proposed development will have on the scenic quality of the Jamberoo Valley by way of colour, bulk, vegetation removal, road

access, visual intrusiveness, reflection and traffic generation, and is satisfied that such measures as will, in the Council's opinion, minimise that impact are proposed to be taken.

(2) The Council must take the following into consideration when assessing an application for consent to clear any land within Zone 7 (e) shown stippled on Sheet 3 of the map marked "Illawarra Regional Environmental Plan No 2—Jamberoo Valley" deposited in the office of the Department of Urban Affairs and Planning (being areas of significant vegetation):

(a) the movement of native fauna,

(b) any rare or significant flora or fauna,

(c) any rare or significant habitats,

(d) the effect of the proposed clearing on adjacent or adjoining lands under the control of the National Parks and Wildlife Service,

(e) whether there is a reasonable alternative to the removal of that vegetation or the extent of the removal of that vegetation,

(f) the visual impact on the scenic quality of the Jamberoo Valley by breaking any unbroken natural tree canopy cover or creating smaller discrete parcels of vegetation from an existing stand.

57 Controls for subdivision of land within Zone 7 (f2)

(1) The Council must not consent to the subdivision of land within Zone 7 (f2) unless:

(a) each allotment to be created will have an area of not less than 40 hectares or the Council is satisfied that any proposed smaller allotment is not intended to be used for the purpose of agriculture or a dwelling house, but is intended to be used for another lawful purpose, and

(b) where any allotment proposed to be created will have a frontage to a main road, the frontage will be not less than 200 metres, and

(c) the Council has been informed of the purpose for which each proposed allotment to be created by the subdivision is intended to be used and, where the purpose is agriculture, of the form of agriculture for which the allotment is intended to be used.

(2) The Council must not grant consent to a subdivision of land within Zone 7 (f2) unless it has taken into consideration the following:

(a) the extent to which the development would affect the scenic qualities of the coastal landscape, headlands, dune systems, and the hinterland, including lagoons, lakes and areas where the original vegetation is still dominant,

(b) whether the development would result in the degradation of, or restriction of access to, coastal recreation areas,

(c) any plan, code, policy or design adopted by resolution of the Coastal Council of New South Wales for the purpose of protecting coastal lands,

(d) the potential impacts of climate change including sea level rise.

(3) (Repealed)

58 Restrictions on granting consent within Zone 7 (f2)

(1) Despite any other provision of this plan, the Council must not consent to the erection of a dwelling house on land within Zone 7 (f2) unless the dwelling house is to be used for the permanent occupation of a caretaker or manager for the property on which the dwelling house is to be located.

(2) The matters that the Council must take into consideration in deciding whether to grant consent to development on land within Zone 7 (f2) for the purpose of additions or alterations to an existing building or work, tourist facilities, dams, drainage, dwelling houses, roads or utility installations (other than gas holders or generation works) are:

(a) the extent to which the development would affect the scenic qualities of the coastal landscape, headlands, dune systems, and the hinterland, including lagoons, lakes and areas where the original vegetation is still dominant, and

(b) whether the development would result in the degradation of, or restriction of access to, coastal recreation areas, and

(c) any plan, code, policy or design adopted by resolution of the Coastal Council of New South Wales for the purpose of protecting coastal lands, and

(d) the potential impacts of climate change including sea level rise.

(3) (Repealed)

59 Acquisition of land within Zone 7 (f2)

(1) The owner of land within Zone 7 (f2) may, by notice in writing, require the corporation to acquire the land.

(2) On receipt of such a notice, the corporation must acquire the land.

60 Controls for subdivision of land within Zone 7 (g)

The Council must not consent to the subdivision of land within Zone 7 (g) unless:

(a) each allotment to be created (including any proposed lot under the *Strata Schemes (Leasehold Development) Act 1973* or the *Community Land Development Act 1989*) will have an area of not less than 4 hectares, and

(b) the Council has taken into consideration:

(i) the land capability (including soil resources, soil stability and capacity for on-site waste disposal) and the natural constraints, and hazards of the land to be subdivided in relation to the density and design of the allotments proposed to be created, and

(ii) the desirability of providing a range and mix of allotment sizes, and

(iii) the ability to provide services to the land, and

(iv) whether the design of each allotment to be created by the subdivision is satisfactory for the provision of those services.

61 Controls for building dwelling houses within Zone 7 (g)

A person must not erect a dwelling house on an allotment of land within Zone 7 (g) unless that land is an allotment created by a subdivision to which the Council has consented in accordance with this plan.

62 Controls for subdivision of land within Zone 7 (h)

The Council must not consent to the subdivision of land within Zone 7 (h) unless:

(a) the average size of the allotments to be created (including any proposed lot under the *Strata Schemes (Leasehold Development) Act 1973* or the *Community Land Development Act 1989*) is not less than 1000 square metres, and

(b) the Council has taken into consideration:

(i) the land capability (including soil resources, soil stability and capacity for on-site waste disposal) and the natural constraints, and hazards of the land to be subdivided in relation to the density and design of the allotments proposed to be created, and

(ii) the desirability of providing a range and mixture of allotment sizes, and

(iii) the ability to provide services to the land, and

(iv) whether the design of each allotment to be created by the subdivision is satisfactory for the provision of those services.

63 (Repealed)

Part 9 National Parks and Nature Reserves Zone Provisions

64 General controls for development—Zone 8 (the National Parks and Nature Reserves zone)

(1) **Land within the zone**
Land is within Zone 8 (the National Parks and Nature Reserves zone) if it is shown coloured olive green on the map.

(2) **Objectives of the zone**

(a) To identify land which is reserved or dedicated under the *National Parks and Wildlife Act 1974*.

(b) To allow for the appropriate use of that land as provided for in the *National Parks and Wildlife Act 1974*.

(3) **Allowed without development consent**
Development for the purpose of:

Nil.

(4) **Allowed only with development consent**
Any development authorised by or under the *National Parks and Wildlife Act 1974* or any other development ordinarily incidental or ancillary to any such development.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

Part 10 Reservation Zones Provisions

65 General controls for development—Zone 9 (b) (the Arterial Roads Reservation zone)

(1) **Land within the zone**
Land is within Zone 9 (b) (the Arterial Roads Reservation zone) if it is shown coloured red on the map.

(2) **Objective of the zone**

To provide for the acquisition of land reserved for main or arterial roads.

(3) **Allowed without development consent**
Development for the purpose of:

main or arterial roads; widening of existing main or arterial roads.

(4) **Allowed only with development consent**
Development for the purpose of:

clearing of land; drainage; extractive industry; filling, mineral sand mines; turf farms; utility installations (other than gas holders and generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

66 General controls for development—Zone 9 (c) (the Local Roads Reservation zone)

(1) **Land within the zone**
Land is within Zone 9 (c) (the Local Roads Reservation zone) if it is shown coloured light grey on the map.

(2) **Objective of the zone**
To permit the development of reserved land where it is not immediately required for local roads.

(3) **Allowed without development consent**
Development for the purpose of:

local roads; widening of local existing roads.

(4) **Allowed only with development consent**
Development for the purpose of:

clearing of land; drainage; filling; utility installations (other than gas holders and generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

67 General controls for development—Zone 9 (d) (the Open Space Reservation zone)

(1) **Land within the zone**
Land is within Zone 9 (d) (the Open Space Reservation zone) if it is shown coloured dark green on the map.

(2) **Objective of the zone**
To allow the continued use of reserved land until it is required.

(3) **Allowed without development consent**
Development for the purpose of:

aids to navigation; bushfire hazard reduction; landscaping.

(4) **Allowed only with development consent**
Development for the purpose of:

clearing of land; drainage; filling; general agriculture; intensive horticulture; plantation forestry; recreation areas; showgrounds; utility installations (other than gas holders and generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

68 Acquisition of land within Zone 9 (b)

Note. Nothing in this clause is to be construed as requiring a public authority to acquire land—see section 27 (3) of the Act.

(1) The owner of any land within Zone 9 (b) may, by notice in writing, require the Roads and Traffic Authority (RTA) to acquire the land. 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 is included in the 5-year works program of the RTA current at the time of the receipt of the notice, or

(c) the land is not vacant but the RTA has decided not to give concurrence to an application for consent to the carrying out of development on the land, or

(d) the land is not vacant but the RTA is of the opinion that the owner of the land will suffer hardship if the land is not acquired within a reasonable period of time,

but the RTA is not required to acquire the land if it might reasonably be required to be dedicated for public road.

(2) Despite any other provision of this plan, land within Zone 9 (b) (whether or not it has been acquired) may be developed, with the consent of the Council, for any purpose for which development or compatible development may be carried out on land in an adjoining zone. In granting such a consent, the Council may impose conditions:

(a) requiring the removal of any building or work for which it has granted consent, or

(b) requiring the reinstatement of the land or removal of any waste materials or refuse, or

(c) relating to any requirement requested to be imposed in a condition by the RTA when granting concurrence.

(3) (Repealed)

69 Acquisition of land within Zone 9 (c)

(1) The owner of land within Zone 9 (c) may, by notice in writing, require the Council to acquire the land. On receipt of such a notice, the Council must acquire the land.

(2) Despite any other provision of this plan, until it is acquired, land within Zone 9 (c) may be developed, with the consent of the Council, for any purpose for which development or compatible development may be carried out on land in an adjoining zone. In granting such a consent, the Council may apply conditions requiring:

(a) the removal of any building or work for which it has granted consent, and

(b) the reinstatement of the land or removal of any waste materials or refuse.

70 Temporary uses by charities and service clubs within Zone 9 (d)

(1) Despite any other provision of this plan, a person may, with the consent of the Council, carry out development on land within Zone 9 (d) for the purpose of temporary activities such as markets, exhibitions and fund raising, but only if:

(a) the activity will be carried out by an established non-profit organisation, and

(b) the consent will not have the effect of allowing the same site to be used for the those kinds of activities more than 12 times in any one year.

(2) In considering whether to grant consent to the carrying out of any such development, the Council must take into account:

(a) the desirability (from the Council's view point) of the proposed development on the land, and

(b) the suitability of the land for the proposed development, and

(c) the availability and suitability of alternative sites for the proposed development, and

(d) the impact of the proposed development on the land and the neighbourhood, and

(e) the desirability of retaining the land for its existing or likely future use.

71 Acquisition of land within Zone 9 (d)

(1) The owner of land within Zone 9 (d) may, by notice in writing, require the Council to acquire the land. On receipt of such a notice, the Council must acquire the land.

(2) Despite any other provision of this plan, until it is acquired, land within Zone 9 (d) may be developed, with the consent of the Council, for any purpose for which development or compatible development may be carried out on land in an adjoining zone. In granting such a consent, the Council may apply conditions requiring:

(a) the removal of any building or work for which it has granted consent, and

(b) the reinstatement of the land or removal of any waste materials or refuse.

Part 11 Heritage Conservation Provisions

72 Heritage objectives

The objectives of this plan in relation to heritage are:

(a) to conserve the environmental heritage of the Shellharbour City local government area, and

(b) to conserve the heritage significance of existing significant fabric, relics, Aboriginal objects, settings and views associated with the heritage significance of heritage items and heritage conservation areas, and

(c) to ensure that archaeological sites and places of Aboriginal heritage significance are conserved, and

(d) to ensure that the heritage conservation areas throughout the Shellharbour City local government area retain their heritage significance.

73 Protection of heritage items, heritage conservation areas, relics and Aboriginal objects

(1) The following development may be carried out only with development consent:

(a) demolishing, damaging or moving a heritage item, or a building, work, relic, Aboriginal object, tree or place within a heritage conservation area,

(b) altering a heritage item or a building, work, relic or Aboriginal object within a heritage conservation area by making structural changes to its exterior,

(c) altering a heritage item or a building, work, relic or Aboriginal object within a heritage conservation area by making non-structural changes to the detail, fabric, finish or appearance of its exterior,

(d) altering a heritage item by making structural changes to its interior,

(e) moving the whole or a part of a heritage item,

(f) erecting a building on, or subdividing, land on which a heritage item is located or which is within a heritage conservation area,

(g) disturbing or excavating a place of Aboriginal heritage significance or an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic or an Aboriginal object being discovered, exposed, moved, damaged or destroyed.

(2) Development consent is not required by this clause if:

(a) in the opinion of the consent authority:

(i) the proposed development is of a minor nature or consists of maintenance of the heritage item or of a building, work, archaeological site, tree or place within a heritage conservation area, and

(ii) the proposed development would not adversely affect the significance of the heritage item or heritage conservation area, and

(b) the proponent has notified the consent authority in writing of the proposed development and the consent authority has advised the applicant in writing, before any work is carried out, that it is satisfied that the proposed development will comply with this subclause and that development consent is not otherwise required by this plan.

(3) Development consent is not required by this clause for the following development in a cemetery or burial ground if there will be no disturbance to human remains, relics in the form of grave goods, Aboriginal objects in the form of grave goods or to a place of Aboriginal heritage significance:

(a) the creation of a new grave or monument,

(b) an excavation or disturbance of land for the purpose of carrying out conservation or repair of monuments or grave markers.

(4) Before granting a consent required by this clause, the consent authority must assess the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

Note. The website of the Heritage Branch of the Department of Planning has publications that provide guidance on assessing the impact of proposed development on the heritage significance of items (for example, *Statements of Heritage Impact*).

(5) The assessment must include consideration of a heritage impact statement that addresses at least the following issues (but is not to be limited to assessment of those issues, if the heritage significance concerned involves other issues). The consent authority may also decline to grant such a consent until it has considered a conservation management plan, if

it considers the development proposed should be assessed with regard to such a plan.

(6) The minimum number of issues that must be addressed by the heritage impact statement are:

(a) for development that would affect a heritage item:

(i) the heritage significance of the item as part of the environmental heritage of the Shellharbour City local government area, and

(ii) the impact that the proposed development will have on the heritage significance of the item and its setting, including any landscape or horticultural features, and

(iii) the measures proposed to conserve the heritage significance of the item and its setting, and

(iv) whether any archaeological site would be adversely affected by the proposed development, and

(v) the extent to which the carrying out of the proposed development would affect the form of any historic subdivision, and

(b) for development that would be carried out in a heritage conservation area:

(i) the heritage significance of the heritage conservation area and the contribution which any building, work, relic, Aboriginal object, tree or place affected by the proposed development makes to this heritage significance, and

(ii) the impact that the proposed development would have on the heritage significance of the heritage conservation area, and

(iii) the compatibility of the proposed development with nearby original buildings and the character of the heritage conservation area, taking into account the size, form, scale, orientation, setbacks, materials and detailing of the proposed development, and

(iv) the measures proposed to conserve the significance of the heritage conservation area and its setting, and

(v) whether any landscape or horticultural features would be affected by the proposed development, and

(vi) whether any archaeological site would be affected by the proposed development, and

(vii) the extent to which the carrying out of the proposed development in accordance with the consent would affect any historic subdivision pattern, and

(viii) the issues raised by any submission received in relation to the proposed development in response to the notification or advertising of the application.

74 Development in heritage conservation areas

(1) Before granting consent for the erection of a building within a heritage conservation area, the consent authority must be satisfied that the features of the proposed building will be compatible with the heritage significance of the heritage conservation area, having regard to the form of, and materials used in, buildings that contribute to the heritage significance of the heritage conservation area.

(2) In satisfying itself about those features, the consent authority must have regard to at least

the following (but is not to be limited to having regard to those features):

(a) the pitch and form of the roof (if any),

(b) the style, size, proportion and position of the openings for windows or doors (if any),

(c) the colour, texture, style, size and type of finish of the materials to be used on the exterior of the building.

75 Notice of certain heritage development applications

(1) The demolishing or damaging of a heritage item or a building, work, relic, Aboriginal object, tree or place within a heritage conservation area (and the use of a building or land referred to in clause 76 for a purpose which, but for that clause, would be prohibited by this plan) are identified as advertised development.

(2) Before granting consent to the demolishing or damaging of a heritage item identified in Schedule 3 as being of State significance, the consent authority must be satisfied that any necessary excavation permit required by the *Heritage Act 1977* has been granted.

75A Development affecting places or sites of Aboriginal heritage significance

Before granting consent for development that is likely to have an impact on a place of Aboriginal heritage significance, or that will be carried out on an archaeological site of an Aboriginal object that has Aboriginal heritage significance, the consent authority must:

(a) consider the effect on the heritage significance of the place or site and any Aboriginal object known or reasonably likely to be located at the place or site, and

(b) except where the proposed development is integrated development, notify the local Aboriginal communities (in such way as it thinks appropriate) of its intention to do so and take into consideration any comments received in response within 21 days after the relevant notice is sent.

75B Development affecting archaeological sites of relics of non-Aboriginal heritage significance

(1) Before granting consent for development that will be carried out on an archaeological site of a relic that has non-Aboriginal heritage significance (whether or not it is also the site of an Aboriginal object of Aboriginal heritage significance), the consent authority must:

(a) consider a heritage impact statement explaining how the proposed development would affect the conservation of the site and any relic or Aboriginal object known or reasonably likely to be located at the site, and

(b) notify the Heritage Council of its intention to do so and take into consideration any comments received in response within 28 days after the notice is sent.

(2) This clause does not apply if the proposed development:

(a) does not involve disturbance of below-ground deposits and the consent authority is of the opinion that the heritage significance of any above-ground relics or Aboriginal objects would not be adversely affected by the proposed development, or

(b) is integrated development.

75C Development in the vicinity of heritage items

(1) Before granting consent to development in the vicinity of a heritage item, the consent authority must assess the impact of the proposed development on the heritage significance

of the heritage item and of any heritage conservation area within which it is situated.

(2) This clause extends to development:

(a) that may have an impact on the setting of a heritage item, for example, by affecting a significant view to or from the item or by overshadowing, or

(b) that may undermine or otherwise cause physical damage to a heritage item, or

(c) that will otherwise have any adverse impact on the heritage significance of a heritage item or of any heritage conservation area within which it is situated.

(3) The consent authority may refuse to grant any such consent unless it has considered a heritage impact statement that will help it assess the impact of the proposed development on the heritage significance, visual curtilage and setting of the heritage item.

(4) The heritage impact statement should include details of the size, shape and scale of, setbacks for, and the materials to be used in, any proposed buildings or works and details of any modification that would reduce the impact of the proposed development on the heritage significance of the heritage item.

76 Conservation incentives

The consent authority may grant consent to the use, for any purpose, of a building (that is a heritage item or is within a heritage conservation area) or of the land on which such a building is erected, even though the use would otherwise be prohibited by this plan, if it is satisfied that:

(a) the proposed use would not adversely affect the heritage significance of the item, its setting or the heritage conservation area, and

(b) the conservation of the heritage item or the heritage conservation area depends on the granting of the consent, and

(c) the proposed use is in accordance with a conservation management plan which has been endorsed by the consent authority, and

(d) the granting of consent to the proposed use would ensure that all necessary conservation work identified in the conservation management plan is carried out, and

(e) the proposed use would not adversely affect the amenity of the surrounding area otherwise than to an insignificant extent.

Part 12 Miscellaneous Provisions

77 Subdivision

(1) Except as provided by subclause (2), development consent is required for the subdivision of land.

(2) Development consent is not required for subdivision for any one or more of the following purposes:

(a) to excise an allotment that will be used only for the purpose of opening a public road or to widen a public road,

(b) to make minor adjustments to common property boundaries,

(c) to amalgamate a vacant original holding with one or more other vacant original holdings,

(d) to rectify an encroachment on a vacant original holding.

78 Suspension of restrictions on land

(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, the operation of any covenant, agreement or like instrument imposing restrictions on the development shall not apply to the development.

(2) Pursuant to section 28 of the Act, before the making of this plan the Governor approved of subclause (1).

79 Development on beds of lakes, rivers etc

A person shall not, without development consent, carry out any development on any land shown uncoloured on the map forming part of the bed of a harbour, bay, lake, river, lagoon, creek or any other natural watercourse.

80 Community use of school facilities and sites

(1) Where land to which this plan applies is used for the purpose of an educational establishment, the site and facilities of the establishment may, with development consent, be used for the purpose of meeting rooms, public halls, public libraries, entertainment, sport or recreation or for any other community purpose, whether or not any such use is a commercial use of the land.

(2) Nothing in this clause requires development consent to be granted for the carrying out of development on any land if that development could, but for this clause, be carried out on that land without development consent.

81 Classification or reclassification of public land as operational land

(1) The public land described in Schedule 5 is classified, or reclassified, as operational land for the purposes of the *Local Government Act 1993*.

(2) In accordance with section 30 of the *Local Government Act 1993*, a parcel of land described in Part 2 of Schedule 5, to the extent (if any) that it is a public reserve, ceases to be a public reserve on the commencement of the relevant amending plan and, by the operation of that plan, is discharged from any trusts, estates, interests, dedications, conditions, restrictions and covenants affecting the land or any part of the land, except for:

(a1) those (if any) specified for the land in Part 2 of Schedule 5, and

(a) any reservations that except land out of a Crown grant relating to the land, and

(b) reservations of minerals (within the meaning of the *Crown Lands Act 1989*).

(3) Before the relevant amending plan that inserted the description of a parcel of land into Part 2 of Schedule 5 was made, the Governor approved of subclause (2) applying to the land.

(4) In this clause, ***the relevant amending plan***, in relation to a parcel of land described in Part 2 of Schedule 5, is the local environmental plan cited at the end of the description of the parcel.

(4A) Land described in Part 3 of Schedule 5:

(a) to the extent (if any) that the land is a public reserve, does not cease to be a public reserve, and

(b) continues to be affected by any trusts, estates, interests, dedications, conditions, restrictions or covenants by which it was affected before its classification, or reclassification, as the case requires, as operational land.

(5) Land described in Part 1 of Schedule 5 is not affected by the amendments make by the *Local Government Amendment (Community Land Management) Act 1998* to section 30 of the *Local Government Act 1993*.

82 Exceptions

(1) Nothing in this plan prevents a person, with development consent, from carrying out development on land referred to in Schedule 6 for a purpose specified in relation to that land in that Schedule, subject to such conditions, if any, as are so specified.

(2) Subclause (1) does not affect the operation of any provision within this plan that is consistent with the consent to such development.

83 Development of Oak Flats interchange site, Pioneer Drive, Oak Flats

(1) This clause applies to land within Zone 5 (a) known as the Oak Flats interchange site, being Lot 2, DP 605483 and Lot 71, DP 788843, Pioneer Drive, Oak Flats, and as shown edged with a broken light blue line and lettered "Schedule 5" on Sheet 1 of the map marked "Shellharbour Local Environmental Plan 2000 (Amendment No 8)".

(2) Despite any other provision of this plan, the Council may only consent to development of the land to which this clause applies for one or more of the following purposes:

(a) an integrated bus, rail and road interchange facility that may include car parking, commuter drop off and pick up areas, bus stops, taxi ranks, bus and taxi shelters and bus driver facilities,

(b) retail and commercial development ancillary to the interchange facility that supports, but does not significantly detract from, the commercial viability of the Oak Flats commercial centre, and includes:

(i) land uses that serve the needs of commuters, such as convenience stores, medical and emergency services, child care centres and pre-schools, and

(ii) transport or interchange related uses,

(c) public buildings.

84 Development in the vicinity of Illawarra Regional Airport

Despite any other provision of this plan, consent must not be granted to development on land affected by restrictions as indicated in the plan titled "*Airport Height Limitation and Noise Exposure Forecast Plan*" dated 17 April 1998 and held in the office of the Council unless:

(a) the consent authority determines the proposal is acceptable in relation to building height, noise exposure, lighting and bird hazard management, and

(b) where a proposal does not comply with that plan, the Civil Aviation Safety Authority has been given notice of the proposal and any comments made by it to the consent authority within 28 days of its being notified have been taken into consideration by the consent authority.

85 Dunmore Wetland Catchment Protection Area

(1) Consent must not be granted to the carrying out of any development on land identified as

"Dunmore Wetland Catchment Protection Area" on the map unless the following ecological objectives of *State Environmental Planning Policy No 14—Coastal Wetlands* will be given effect in relation to land designated as Wetland No 374b on the map referred to in that policy:

(a) utilisation of the wetland habitat by migratory species listed on the JAMBA and CAMBA international migratory species agreements, being species that are recorded as using the wetland habitat,

(b) utilisation of the wetland habitat by regional wetland species, being species that are recorded as using the wetland habitat,

(c) environmental health of waterways within the Minnamurra River Catchment.

(2) In assessing whether a development proposal will give effect to the ecological objectives referred to in subclause (1), the consent authority must have regard to the following:

(a) protection of defined wetland values,

(b) protection of threatened species habitat,

(c) facilitation of land management activities within the catchment which are consistent with paragraphs (a) and (b).

86 Development on land identified on Acid Sulfate Soils Planning Maps

(deferred matter)

87 Exempt and complying development

(1) Development of minimal impact listed as exempt development in *Shellharbour Development Control Plan No 9/98 for Exempt Development*, as in force on 4 May 2005, is ***exempt development***, despite any other provisions of this plan.

(2) Development listed as complying development in *Shellharbour Development Control Plan No 11/98 for Complying Development*, as in force on 4 May 2005, is ***complying development*** if:

(a) it is local development of a kind that can be carried out with consent on the land on which it is proposed, and

(b) it is not an existing use, as defined in section 106 of the Act.

(3) Development is exempt or complying development only if it complies with the development standards and other requirements applied to the development by the relevant development control plan referred to in subclause (1) or (2).

(4) A complying development certificate issued for any complying development is to be subject to the conditions for the development specified in *Shellharbour Development Control Plan No 11/98 for Complying Development*, as in force when the certificate is issued.

88 Brothels and restricted premises

(1) The Council may only consent to an application for the carrying out of development for the purpose of a brothel or restricted premises if the brothel is not, or the restricted premises are not, located next to or directly opposite the following buildings or places:

(a) a dwelling house,

(b) a child care centre or a building or place providing home-based child care,

(c) a primary or secondary school,

(d) a place of public worship,

(e) a park,

(f) a playground,

(g) any other buildings or places regularly frequented by persons under 18 years of age.

(2) In considering an application for development referred to in subclause (1), the Council must consider the proximity of the proposed development to a building or place referred to in subclause (1) (a)–(g) and to the following buildings or places:

(a) a community facility,

(b) a hospital,

(c) premises licensed under the *Liquor Act 1982*.

(3) In this clause:

restricted premises means a building or place at which:

(a) publications classified Category 1 restricted, Category 2 restricted or RC under the *Classification (Publications, Films and Computer Games) Act 1995* of the Commonwealth are shown, exhibited, displayed, sold or otherwise rendered accessible or available to the public, or

(b) a business to which section 578E (Offences relating to advertising or displaying products associated with sexual behaviour) of the *Crimes Act 1900* applies is conducted,

but does not include a newsagency or pharmacy.

89 Savings and transitional provision

A development application lodged with the Council, but not finally determined, before the commencement of the *Shellharbour Local Environmental Plan 2000 (Amendment No 7)* is to be determined as if that plan had been exhibited but had not been made.

Schedule 1 Definitions

(Clause 8)

Aboriginal object means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises the Shellharbour City local government area, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains.

acid sulfate soils means actual or potential acid sulfate soils as defined in the *Acid Sulfate Soils Assessment and Management Guidelines* and as shown coloured and numbered on Sheets 1 and 2 of the map marked "Acid Sulfate Soil Planning Map—Albion Park and Kiama" deposited in the office of the Department, a copy of which is deposited in the office of the Council.

acid sulfate soils assessment and management guidelines means the *Acid Sulfate Soils Assessment and Management Guidelines* as published from time to time by the NSW Acid Sulfate Soils Management Advisory Committee and adopted by the Director.

advertisement means a display by the use of symbols, messages or other devices for conveying information, instructions, directions or the like, whether or not the display involves the erection of a structure or the carrying out of a work, but does not include an identification sign, a property for sale sign or a road traffic sign or signal or the like.

airport related industry means an industry that:

(a) requires access to an airport, or

(b) services an industry that requires access to an airport.

amusement park means a commercially run area where amusements and mechanical entertainments such as merry-go-rounds and the like are situated.

animal boarding, breeding or training establishment means a building or place where cats or dogs are bred, trained, nurtured or accommodated for gain or reward.

appointed day means the day on which this plan takes effect.

aquaculture means the commercial production, including breeding, hatching, rearing or cultivation of marine, estuarine or fresh water organisms, including aquatic plants or animals (such as fin fish, crustaceans, molluscs or other aquatic vertebrates).

archaeological site means the site of one or more relics or Aboriginal objects.

backpackers inn means a building (other than a motel or bed and breakfast) substantially used for the shared overnight accommodation of travellers, whether or not the building is also used for the provision of meals for those travellers.

bed and breakfast means a lawfully erected dwelling house occupied for permanent residential purposes in which a maximum of three rooms are made available by the residents for temporary holiday accommodation.

brothel means premises habitually used for the purposes of prostitution. Premises may constitute a brothel even though used by only one prostitute for the purposes of prostitution.

bulky goods means large goods which, in the opinion of the Council, are of such a size, weight or shape as to require a large area for handling, storage or display, but does not include food and grocery items.

bus depot means a building or place used for the servicing, repairing and garaging of buses and other vehicles used for the purpose of a bus transport undertaking.

car repair station means a building or place used for carrying out repairs to motor vehicles or agricultural machinery, not being:

(a) vehicle body building,

(b) panel beating which involves dismantling, or

(c) spray painting other than of a touching-up character.

child care centre means a building or place used for the supervision of or caring for children, and which:

(a) caters for 6 or more pre-school age children, whether or not those children are related to the owner or operator of the child care centre, and

(b) may include an educational function, and

(c) may be operated for gain,

but does not include a building or place providing residential care for those children.

clearing of land means any manner of destruction of a tree, shrub or plant on the land, but does not involve the destruction of any tree, shrub or plant:

(a) that is required or expressly authorised by or in pursuance of the provisions of any Act or statutory instrument or by any statutory authority in pursuance of the provisions of any Act or statutory instrument, or

(b) where the destruction is necessary in an emergency to prevent the spread of fire or in circumstances where the tree, shrub or plant presents a danger to life or property, or

(c) where the destruction is necessary to enable the carrying out of a development granted consent.

club means premises that require registration under the *Registered Clubs Act 1976*.

commercial premises means a building or place used as an office or for other business or commercial purposes, but does not include a building or place elsewhere specifically defined in this Schedule or a building or place used for a land use elsewhere specifically defined in this Schedule.

community facility means a building or place that does not require registration under the *Registered Clubs Act 1976* and that is used to provide for the physical, cultural or intellectual development or welfare of the local community.

community land means land classified as community land within the meaning of the *Local Government Act 1993*.

conservation management plan means a document prepared in accordance with the requirements of the Heritage Office that establishes the heritage significance of an item, place or heritage conservation area and identifies conservation policies and management mechanisms that are appropriate to enable that significance to be retained.

Council means the Council of the City of Shellharbour.

demolish a heritage item, or a building, work, archaeological site, relic, Aboriginal object, tree or place within a heritage conservation area, means wholly or partly destroy, dismantle or deface the heritage item or the building, work, archaeological site, relic, Aboriginal object, tree or place.

Department has the same meaning as in the Act.

development has the same meaning as in the Act.

Director-General means the Director-General of the Department.

drainage of land means the natural or engineered flow of water from the land into natural or engineered channels or water bodies, or both.

dual occupancy means two dwellings (whether attached or detached) on a single allotment of land (or which would be on a single allotment were it not for the fact that the allotment is to be subdivided as part of the development).

dwelling means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile.

dwelling house means a building containing one but not more than one dwelling.

educational establishment means a building used as a school, college, technical college, university, academy, training facility, lecture hall, gallery, museum, display centre or the like but does not include a building used wholly or principally as an institution or child care centre.

extractive industry means:

(a) the winning of extractive material, or

(b) an industry or undertaking, not being a mine, which depends for its operations on the winning of extractive material from the land on which it is carried out, and includes any washing, crushing, grinding, milling or separating into different sizes of that extractive material on that land.

extractive material means sand, gravel, clay, soil, rock, stone or similar substance, but does not include turf or any sand, soil or other substance remaining attached to turf after the extraction of turf is carried out.

filling means the placement of fill independently of other development for which consent has been granted on an area:

(a) within 40 metres of a water course, or

(b) to a depth greater than 1 metre above existing ground level and over an area exceeding 100 square metres on land within Zone 1 (a), or

(c) to a depth greater than 200mm above existing ground level on land within any zone other than Zone 1 (a), or

(d) where natural drainage to an adjacent property will be affected.

gas holder means a container designed to hold more than 500 litres of liquid petroleum gas.

general agriculture means the keeping of livestock, where the stocking rate is not above that of the demonstrated carrying capacity of the land, and rain fed cropping, where fertiliser and irrigation may be applied from time to time. It may consist of or include grazing of beef or dairy cattle, deer farming or cereal cropping. It also includes pasture improvement and the like, and the erection and use of ancillary buildings, but does not include a land use elsewhere specifically defined in this Schedule.

general store means a shop used for the sale by retail of general merchandise. It may include the facilities of a post office, dry cleaning agency, financial agency or the like.

generating works means a building or place used for the purpose of making or generating gas, electricity or other forms of energy.

health care professional means a person who renders professional health services to members of the public, and includes a podiatrist, a chiropodist, a chiropractor, a physiotherapist and an optometrist.

heavy industry means an industry, not being an extractive, light, offensive, hazardous or rural industry.

helipad means an area or place not open to public use which is authorised by the Commonwealth Department of Transport and which is set apart for the taking off and landing of helicopters.

heliport means an area or place open to public use which is licensed by the Commonwealth

Department of Transport for use by helicopters and includes terminal buildings and facilities for the parking, servicing and repair of helicopters.

heritage conservation area means an area of land described in Schedule 2 and shown edged heavy red with diagonal hatching and marked "Heritage Conservation Area" on the map and includes buildings, works, archaeological sites, relics, Aboriginal objects, trees and places situated on or within the land.

heritage impact statement means a document consisting of a statement demonstrating the heritage significance of a heritage item or heritage conservation area, or of a building, work, archaeological site, tree or place within a heritage conservation area, an assessment of the impact that proposed development will have on that significance and proposals for measures to minimise that impact.

heritage item means:

(a) a building, work, relic, Aboriginal object, archaeological site, moveable object, tree or place (which may or may not be situated on or within land that is a heritage conservation area) specified in an inventory of heritage items that is available at the office of the Council and the site of which is described in Schedule 3 and shown by broken red edging and numbered in red on the map, or

(b) a place specified in an inventory of heritage items available at the office of the Council and described in the inventory as a place of Aboriginal heritage significance.

heritage significance means historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value.

home-based child care means a child minding service, within the meaning of the *Children (Care and Protection) Act 1987*, carried on in a dwelling erected with development consent, being a service that is either:

(a) a home-based child care service, within the meaning of the *Home-based Child Care Services Regulation 1989*, carried on in accordance with that Regulation, or

(b) a care giving service, within the meaning of the *Family Day Care Services Regulation 1989*, carried on in accordance with that Regulation.

home business means a business carried on from the allotment that is the site of a lawfully erected dwelling house, where:

(a) the majority of the business is carried on away from the dwelling house, with the dwelling house and its outbuildings and curtilage being used primarily as a base or office, and

(b) the business will not:

(i) interfere with the amenity of the neighbourhood by reason of traffic generation, noise or otherwise, or

(ii) involve the exposure to view from any adjacent premises or from any public place of any goods associated with the business or any unsightly matter, or

(iii) involve the parking of heavy vehicles either on or adjacent to the property, or

(iv) involve the employment of persons other than the permanent residents of the dwelling house at the base or office, and

(c) the dwelling house continues to be used for permanent residential occupation by the person

carrying out the business.

home occupation means an occupation or industry carried on from the allotment that is the site of a lawfully erected dwelling, where:

(a) the dominant use of the allotment remains that for which the land is zoned, and

(b) two car parking spaces will be provided on the allotment, at least one of which is behind the building line, and

(c) the floor space of the building or the area used for the occupation or industry does not exceed 50 square metres and is located within the curtilage of the dwelling, and

(d) the occupation or industry does not:

(i) interfere with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, or

(ii) involve exposure to view from any adjacent premises or from any public place of any unsightly matter or any goods, or

(iii) require the provision of any essential service main of a greater capacity than that available in the locality, or

(iv) involve the exhibition of any notice, advertisement or sign other than a single notice to indicate the name, occupation and contact number of the resident, or

(v) employ more than one person who is not a permanent resident of the dwelling, or

(vi) involve the sale of items (whether goods or materials) or the exposure or offer for sale of items, by retail.

hospital means a building or place used for the purpose of providing professional health care services (such as preventative or convalescent care, diagnosis, medical or surgical treatment, care for people with developmental disabilities, psychiatric care or counselling and services provided by health care professionals) to people admitted as in-patients (whether or not out-patients are also cared for or treated there) and includes a shop, refreshment rooms, accommodation, research or educational facilities or a dispensary used in conjunction with that use.

hotel means premises to which a hotelier's licence granted under the *Liquor Act 1982* relates.

industry means:

(a) any manufacturing process within the meaning of the *Factories, Shops and Industries Act 1962*, or

(b) the breaking up or dismantling of any goods or any article for trade or sale or gain or as ancillary to any business.

institution means a penal or reformative establishment.

intensive horticulture means a building or place used for the growing of plants, including vegetables, flowers, vines, fruit and the like, where application of water and fertiliser is significantly over and above that naturally occurring, but not produce grown for the consumption or enjoyment of the owner or occupier of the land.

intensive livestock keeping means a building or place used to hold livestock for the purpose of

breeding and/or nurturing by a feeding method other than natural grazing and includes:

(a) poultry farms, or

(b) fish farms, or

(c) horse training and boarding establishments, and

(d) piggeries,

and the like, but does not include a building or place elsewhere specifically defined in this Schedule or used for the keeping of livestock for personal consumption or enjoyment by the owner or occupier of the land.

Jamberoo Valley Escarpment Area means the land shown hatched and labelled "Jamberoo Valley Escarpment Area" on the map.

Jamberoo Valley Rural Conservation Area means the area of land shown hatched and labelled 'Jamberoo Valley Rural Conservation Area' on the map.

junk yard means land used for the collection, storage, dismantling or sale of scrap metals, vehicles or machinery or parts of vehicles or machinery.

light industrial retail outlet means a shop the use of which is ancillary to the principal use of the land on which it is located and:

(a) which is used in conjunction with a light industry or warehouse on land within Zone 4 (a), 4 (a3) or 4 (f), and

(b) which is situated on the land on which the light industry or warehouse is located, and

(c) in which are sold only goods that have been assembled, manufactured or stored on the land on which the shop is situated;

light industry means an industry, not being an extractive, rural, heavy, offensive or hazardous industry, in which the processes carried on, the transportation involved or the machinery or materials used do not interfere with the amenity of nearby residential neighbourhoods by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise.

liquid fuel depot means a depot or place used for the bulk storage for wholesale distribution of petrol, oil, petroleum or other inflammable liquid.

main or arterial road means a main road, state highway, freeway or tollway within the meaning of the *Roads Act 1993*.

maintenance means, in relation to a heritage item or a building, work, archaeological site, tree or place within a heritage conservation area, the ongoing protective care of the heritage item, building, work, archaeological site, tree or place. It does not include alterations, such as carrying out extensions or additions, or the introduction of new materials or technology.

medium density housing means a building or group of buildings containing 3 or more dwellings located on a single parcel of land.

mine means any place, open cut, shaft, tunnel, pit, drive, level or other excavation, drift, gutter, lead, vein, lode or reef on which, in which or by which any operation is carried on for or in connection with obtaining any metal or mineral by any method and any place on which any product of the mine is stacked, stored, crushed or otherwise treated, but does not include a quarry.

mineral sand mine means a mine used for or in connection with obtaining ilmenite, monazite, rutile, zircon or similar minerals.

Minister means the Minister responsible for the administration of the Act.

motel means a building or buildings (other than a hotel, backpackers inn or bed and breakfast) substantially used for the overnight accommodation of travellers and the vehicles used by them, whether or not the building or buildings are also used in the provision of meals to those travellers or the general public.

motor showroom means a building or place used for the display or sale of motor vehicles, caravans, boats or trailers, whether or not motor vehicle accessories, caravan accessories, boat accessories or trailer accessories are also sold or displayed there.

moveable object means a moveable object that is not a relic or an Aboriginal object.

offensive or hazardous industry means an industry which by reason of the processes involved or the method of manufacture or the nature of the materials used or produced, requires isolation from other buildings.

operational land means land classified as operational land within the meaning of the *Local Government Act 1993*.

passenger terminal means a building or place used for the assembly and dispersal of passengers travelling by a passenger transport carrier.

place of Aboriginal heritage significance means:

(a) a place that has the physical remains of pre-European occupation by, or is of contemporary significance to, the Aboriginal people. It can (but need not) include items and remnants of the occupation of the land by Aboriginal people, such as burial places, engraving sites, rock art, midden deposits, scarred and sacred trees and sharpening grooves, or

(b) a natural Aboriginal sacred site or other sacred feature. It includes natural features such as creeks or mountains of long-standing cultural significance, as well as initiation, ceremonial or story places or areas of more contemporary cultural significance.

place of assembly means a public hall, theatre, cinema, music hall, concert hall, dance hall, open-air theatre, drive-in theatre, music bowl or any other building of a like character used as such and whether used for the purpose of gain or not, but does not include a place of public worship, an institution or an educational establishment.

place of public worship means a building or place used primarily for the purpose of religious worship by a congregation or religious group, whether or not the building or place is also used for counselling, religious training or social events related to the functioning of the building.

plantation forestry includes the use of a cleared site for the purpose of arboriculture, silviculture, forest protection, the cutting, dressing and preparation, otherwise than in a sawmill, of wood and other forest products and the establishment of roads required for the removal of wood and forest products and for forest protection.

plant nursery means a building or space used for the growing and wholesale or retail selling of plants whether or not ancillary products are sold there.

professional consulting rooms means a room or a number of rooms forming either the whole of or part of, attached to or within the curtilage of, a dwelling house and used by not more than three legally qualified medical practitioners or by not more than three dentists, or by not more than three health care professionals, who practise there the profession of medicine, dentistry or health

care respectively and, if more than one, practice in partnership, and who employ not more than three employees in connection with that practice.

public building means a building used as offices or for administrative or other like purposes by the Crown, a statutory body, a Council or an organisation established for public purposes.

public utility undertaking means any of the following undertakings carried on or permitted or suffered to be carried on by authority of any Government Department or under the authority of or in pursuance of any Commonwealth or State Act:

(a) railway, road transport, water transport, air transport, wharf or river undertakings,

(b) undertakings for the supply of water, hydraulic power, electricity or gas or the provision of sewerage or drainage services,

and a reference to a person carrying on a public utility undertaking includes a reference to a Council, County Council, Government Department, corporation, firm or authority carrying on the undertaking.

quarry buffer area means the area of land shown hatched and labelled "Quarry Buffer Area" on the map.

racecourse means a place used for the organised racing of animals or vehicles and includes ancillary buildings and facilities.

recreation area means:

(a) a children's playground, or

(b) an area used for sporting activities or sporting facilities, or

(c) an area used to provide facilities for or ancillary to recreational activities that promote the physical, cultural or intellectual welfare of persons within the community,

but does not include a racecourse or a showground.

recreation establishment means health farms, religious retreat houses, youth camps and the like but does not include a building or place elsewhere specifically defined in this Schedule or a building or place used for a land use elsewhere specifically defined in this Schedule.

recreation facility means a building or place used for indoor recreation, a billiard saloon, table tennis centre, squash court, swimming pool, gymnasium, health studio, bowling alley, fun parlour or any other building of a like character used for recreation, whether used for the purpose of gain or not, but does not include a place of assembly.

refreshment room means a restaurant, café, tea room, eating house or the like.

relic means any deposit, object or material evidence (which may consist of human remains) that is more than 50 years old relating to the use or settlement, not being Aboriginal habitation, of the Shellharbour City local government area and that is a fixture or is wholly or partly within the ground.

roadside stall means a building or place not exceeding 20 square metres in floor space or area respectively where only primary products produced on the property on which the building or place is situated are exposed or offered for sale or sold by retail.

road transport terminal means a building or place used mainly for the bulk handling of goods for transport, and includes facilities for the loading and unloading of vehicles used to transport those

goods and for the parking, servicing and repair of those vehicles.

rural industry means handling, treating, processing or packing of primary products and includes the servicing in a workshop of plant or equipment used for rural purposes in the locality.

sawmill means a mill handling, cutting, and processing timber from logs or baulks.

service station means a building or place used for the fuelling of motor vehicles involving the sale by retail of petrol, oil and other petroleum products whether or not the building or place is also used for any one or more of the following:

(a) the sale by retail of spare parts and accessories for motor vehicles,

(b) washing and greasing of motor vehicles,

(c) installation of accessories,

(d) repairing and servicing of motor vehicles involving the use of hand tools (other than repairing and servicing which involves top overhaul of motors, body building, panel beating or spray painting, or suspension, transmission or chassis restoration).

shop means a building or place used for selling, exposing or offering for sale by retail, goods, merchandise or materials, but does not include a building or place elsewhere specifically defined in this Schedule.

showground means an area used to present organised cultural events to the public and may include both indoor and outdoor facilities for exhibitions and festivities.

stock and sale yard means a building or place used for offering animals for sale and includes a public cattle market.

subdivision has the same meaning as in the Act.

the Act means the *Environmental Planning and Assessment Act 1979*.

the map means the maps marked "Shellharbour Local Environmental Plan 2000", as amended by the maps (or specified sheets of maps) marked as follows:

Editorial note. The amending maps are not necessarily listed in the order of gazettal. Information about the order of gazettal can be determined by referring to the Historical notes at the end of the plan.

Shellharbour Local Environmental Plan 2000—Amendment No 2

Shellharbour Local Environmental Plan 2000 (Amendment No 6).

Shellharbour Local Environmental Plan 2000—Amendment No 7

Shellharbour Local Environmental Plan 2000 (Amendment No 8)—Sheet 2

Shellharbour Local Environmental Plan 2000 (Amendment No 10)

Shellharbour Local Environmental Plan 2000 (Amendment No 11)

Shellharbour Local Environmental Plan 2000 (Amendment No 12)

Shellharbour Local Environmental Plan 2000 (Amendment No 14)

timber yard means a place or building used for the storage, treatment and sale of timber products.

tourist facility means an establishment providing holiday accommodation or recreational

facilities, or both, on a short term use basis, and may include:

(a) a hotel, motel, bed and breakfast accommodation, backpackers inn, serviced apartments, holiday cabins, a caravan park, camping ground, houseboat, and any associated swimming pool, golf course, tennis court and marina,

(b) a restaurant, and

(c) a souvenir shop, arts and craft gallery and exhibition centre.

turf farm means a place where the cultivation and extraction of turf is carried out.

utility installation means a building or work used by a public utility undertaking, but does not include a building designed wholly or principally as administrative or business premises or as a showroom.

vacant original holding means a parcel of land, whether comprising one or any combination of contiguous lots or portions, held in one ownership as at 31 May 1974 and on which no dwelling house is erected.

veterinary surgery means a building or place used for the treatment of the diseases and injuries of animals, and includes a building or place used for the purpose of an animal hospital.

warehouse means a building or place used for the storage of goods, merchandise or materials.

waste means:

(a) any substance (whether solid, liquid, or gaseous) that is discharged, emitted or deposited in the environment in such volume, constituency or manner as to cause an alteration in the environment, or

(b) any discarded, rejected, unwanted, surplus or abandoned substance, or

(c) any otherwise discarded, rejected, unwanted, surplus, or abandoned substance intended for sale or for recycling, reprocessing, recovery or purification by separate operation from that which produced the substance, or

(d) any substance prescribed to be waste for the purposes of the *Waste Minimisation and Management Act 1995* by the regulations made under that Act.

A substance is not precluded from being waste merely because it can be reprocessed, re-used or recycled.

waste management facilities or works means any premises used for the storage, treatment, reprocessing, recycling, sorting or the disposal of waste.

wetland improvement means the creation, enhancement, regeneration or maintenance of wetlands and any related or ancillary development, whether the wetland is natural or artificial and whether or not the wetland forms part of an integrated drainage system.

Schedule 2 Heritage conservation areas

(Schedule 1)

BASS POINT

1 Bass Point Reserve
Lot 3, DP 248002, Bass Point

BLACKBUTT

2 Blackbutt Forest
Lot 3, DP 259967, Shellharbour Road, Blackbutt

MACQUARIE PASS

3 Macquarie Pass National Park
Illawarra Highway, Macquarie Pass

SHELLHARBOUR

4 Waterfront, Harbour and Breakwater
Foreshore below Wollongong Street, Shellharbour

Schedule 3 Heritage items

(Schedule 1)

Item No	Heritage Item	Level of Significance
ALBION PARK		
AP1	"Tulkeroo" Lot 1, DP 910045, 23 Calderwood Road, Albion Park	Local
AP2	Former Presbyterian manse Lot 1, DP 574775, 42 Macquarie Street, Albion Park	Local
AP3	Pioneer cemetery Part Lot 32, DP 111172, Russell Street, Albion Park	Local
AP4	"Rosetta Hill" Lot 1, DP 883020, 55 Fields Drive, Albion Park	Local
AP5	Albion Park School and former school residence Lot 1, DP 782244, Tongarra Road, Albion Park	Local
AP6	Albion Park Anglican and Roman Catholic cemeteries Part of Lot 2, DP 227785, Part of Lot 301, DP 1041577 and Part Lot 37, DP 111172, Tongarra Road, Albion Park	Local
AP7	"Ravensthorpe", including grounds and adjoining workers' cottages Lots 91–93, DP 1069273, 52–56 Tongarra Road, Albion Park	Local
AP8	Albion Park Courthouse Lot 64, DP 781264, 94–96 Tongarra Road, Albion Park	Local
AP9	Former bank building Lot 4, DP 703238, 148 Tongarra Road, Albion Park	Local
AP10	St Andrew's Presbyterian Church Part Lot 36, DP 111172, 250 Tongarra Road, Albion Park	Local
AP11	All Saints Anglican Church Part of Lot 2, DP 227785, 253 Tongarra Road, Albion Park	Regional
ALBION PARK RAIL		
AR1	Former Albion Park Dairy Co-Op building Part of Lot 2, DP 1055593 and State Rail Authority land fronting Creamery Road, Albion Park Rail	Local
AR2	General Cemetery Lot 7007, DP 1029735, 61 Croome Road, Albion Park Rail	Local
AR3	Albion Park Railway precinct, including the station, forecourts, residence and surroundings Part of Lot 2, DP 1055593, Station Residence Lot 1, DP 1055593 and State Rail Authority property fronting Station Road, Albion Park Rail	State
BASS POINT		
BP1	"Cities Service Boston" wreck monument Lot 3, DP 248002, Bass Point	Local
BLACKBUTT		

BL1	Stand of trees in Wentworth Cottage Park Lot 8222, DP 852573, Pioneer Drive, Blackbutt	Local
CALDERWOOD		
CA1	Marshall Mount Methodist cemetery Lot 1, DP 195342, Calderwood Road, Calderwood	Local
CROOM		
CR1	"The Hill" Part Lot 5, DP 3709, Dunsters Lane, Croom	State
CR2	"Kurrawong" Lot 100, DP 717430, 4 James Road, Croom	Local
CR3	Avenue of Norfolk Island Pine trees Princes Highway, Croom, extending 800 metres south and 1100 metres north of the symbol on the map	Local
DUNMORE		
DU1	"Dunmore House" Lot 1, DP 1051476, Princes Highway, Dunmore	Regional
DU2	Shellharbour Railway precinct at Dunmore, including the station, forecourts, residence and surroundings Lot 1, DP 859763 and State Rail Authority land fronting Shellharbour Road, Dunmore	State
DU3	Former Minnamurra School, including residence and grounds Lot 1, DP 745632, 40 Swamp Road, Dunmore	Regional
DU4	"Glengowrie" and fig trees Lots 12, 13 and 14, DP 1017763, Swamp Road, Dunmore	Local
DU5	Tree (in contorted form) on former "Peterborough Estate" Lot 1, DP 133603, 53 Browns Road, Dunmore	Local
MACQUARIE PASS		
MP1	"Nurrewin" Lot 68, DP 751263, Illawarra Highway, Macquarie Pass National Park	Regional
SHELL COVE		
SC1	"Killarney" Lot 10, DP 882238, 7–21 Buckley's Road, Shell Cove	Local
SHELLHARBOUR		
SH1	Boer War memorial in Caroline Chisholm Park Lot 9, DP 11740, 14 Addison Street, Shellharbour	Local
SH2	Anchor from "Rangoon" Lot 1, DP 560228, 2 Addison Street, Shellharbour	Local
SH3	Ocean Beach Hotel (former Shellharbour Hotel), including trees Lot 1, DP 560228, 2 Addison Street, Shellharbour	Local
SH4	Former corner store Lot 1, DP 745795, 10 Addison Street, Shellharbour	Local
SH5	Bakery ovens, bricks and facades of former bakery (moveable objects) Lot 7, DP 238804, 25 Addison Street, Shellharbour	Local
SH6	"Windradeen" Lot 5, DP 238804, 29 Addison Street, Shellharbour	Local
SH7	Former Shellharbour Council Chambers Lot 76, DP 751290, 32A Addison Street, Shellharbour	Local
SH8	Former Allen's store Lot 2, DP 238804, 35 Addison Street, Shellharbour	Local
SH9	Russell East Park (including Moreton Bay Fig tree and Olive tree) Lots 5 and 6, DP 24223 and Lot 5, DP 24031, 10 Eastern Avenue, Shellharbour	Local
SH10	Moreton Bay Fig tree Part Lot 1, DP 80960 and Lots 1–9, DP 18262, Mary Street, Shellharbour	Local
SH11	Uniting Church Lot 1, DP 784317, 49 Mary Street, Shellharbour	Regional
SH12	"Woodbine"—former Police Station Lot 1, DP 449871, 20 Mary Street, Shellharbour	Regional
SH13	Garden trees Lot 22, DP 11740, 36 Mary Street, Shellharbour	Local
SH14	Shellharbour General Cemetery Lots 2 and 3, DP 529282, Shellharbour Road, Shellharbour	Local
SH15	St Pauls Anglican Church Lot 1, DP 503805, 12 Towns Street, Shellharbour	Local
SH16	Norfolk Island Pine tree Lot 40, DP 15107, 54 Wentworth Street, Shellharbour	Local
SH17	Stella Maris Roman Catholic Church Lot 10, DP 1037745, Part Lot 10, Sec 2, 16–18 Wentworth Street, Shellharbour and part of Lot 9, DP 1037745, 7–9 Wilson Street, Shellharbour	Local
SH18	"The Beaches" Lot 100, DP 801475, 4 Wilson Street, Shellharbour	Local
SH19	Little Park and Norfolk Island Pine trees Part Plan Ms 408 Sy and Lot 7004, DP 1028837, Wollongong Street, Shellharbour	Regional
TULLIMBAR		
TU1	Ruins of former Tullimbar School and Headmaster's residence Lot 1, DP 905581, 38 Tullimbar Lane, Tullimbar	Local
TU2	"Toongla" Lot 82, DP 634605, Tullimbar Lane, Tullimbar	State
YELLOW ROCK		
YR1	"Wiangara" and coach house Lots 32 and 33, DP 751274, Yellow Rock Road, Yellow Rock	Local

Schedule 4 Commercial hierarchy for Shellharbour City local government area

(Clauses 25, 29, 41)

The following commercial hierarchy applies to all commercial/retail development within the local government area of Shellharbour City, with the exception of development for the purpose of bulky goods retailing or light industrial retail outlets:

1	**Category of Development:**	Sub-regional Centre
	Anticipated Size:	unlimited
	Location:	Land contained in the Shellharbour City Centre Area comprising Lots 230 and 231, DP 869094; Lot 1, DP 856215; Lots 1011, 1012 and 1013, DP 700657; Lots 4000 and 4001, DP 809913; Lot 3000, DP 739087, and part of Lot 3219, DP 800230, whether or not these lands are subsequently subdivided.
2	**Category of Development:**	District Centre
	Anticipated Size:	up to 10,000m^2
	Location:	Land contained within the General Business zone in the vicinity of Tongarra Road, Terry Street and Russell Street, Albion Park. Land contained within the General Business zone in the vicinity of Shellharbour Road, Veronica Street and Woolworths Avenue and George Street, Shellharbour Road and Beverly Avenue, Warilla. The combined land contained within the General Business zone in the vicinity of Addison Street, Mary Street and Wentworth Street, Shellharbour and the Mixed Use Residential F zone, Shell Cove.
3	**Category of Development:**	Local Centre
	Anticipated Size:	up to 4,000m^2
	Location:	Land contained within the General Business zone in the vicinity of Princes Highway, Creamery Road and

		Kaylaur Crescent, Albion Park Rail. Land contained within the General Business zone in the vicinity of Central Avenue, Oak Flats
4	**Category of Development:**	Neighbourhood Centre
	Anticipated Size:	up to 1,500m^2
	Location:	May be located to serve the local convenience needs of a surrounding residential area where a higher order centre is not within a reasonably accessible distance. A service radius in the order of 500 metres is considered reasonable as the catchment area for a neighbourhood centre.
5	**Category of Development:**	Local Shop/Local General Store
	Anticipated Size:	A single shop of approximately 50m^2–200m^2
	Location:	May be supported where Council is satisfied that there is a demand for the facility and that it is not likely to interfere with the functioning of the commercial hierarchy as outlined above in this Schedule.

Schedule 5 Classification or reclassification of public land as operational land

(Clause 81)

Part 1 Land classified, or reclassified, under original section 30 of Local Government Act 1993

Lot 202, DP 848203, corner of Shellharbour and Wattle Roads, Shellharbour.

Part of Lot 201, DP 848203, corner of Shellharbour and Wattle Roads, Shellharbour, as shown edged with a broken heavy line and labelled "Schedules 5 and 6" on the map.

Part of Lot 1, DP 588826, Benaud Crescent, Warilla as shown edged with a broken heavy line and labelled 'schedule 5' on the map.

Part of Lot 2, DP 248002, Boollwarroo Parade, Lot 1, DP 584291, Addison Street and part of Lot 2, DP 584291, Shellharbour Road, Shellharbour as shown edged with a broken heavy line and labelled 'schedule 5' on the map.

Part 2 Land classified, or reclassified, under amended section 30 of Local Government Act 1993—interests changed

Lot 2, DP 605483, Pioneer Drive, Oak Flats, as shown edged with a broken light blue line and lettered "Schedule 5" on Sheet 1 of the map marked "Shellharbour Local Environmental Plan 2000 (Amendment No 8)"—Easement for watermain (S226024) as noted on Certificate of Title Folio Identifier 2/605483.

Lot 71, DP 788843, Pioneer Drive, Oak Flats, as shown edged with a broken light blue line and lettered "Schedule 5" on Sheet 1 of the map marked "Shellharbour Local Environmental Plan 2000 (Amendment No 8)".

Part of Lot 3, DP 259967, Captain Cook Drive, Blackbutt Reserve, Blackbutt, as shown edged with a broken light blue line and lettered "Schedule 5" on Sheet 3 of the map marked "Shellharbour Local Environmental Plan 2000 (Amendment No 8)".

Part 3 Land classified, or reclassified, under amended section 30 of Local Government Act 1993—no interests changed

Lot 101 and part of Lot 100, DP 801536, Industrial Road, Oak Flats, as shown edged with a heavy black broken line and lettered "Schedule 5" on the map marked "Shellharbour Local

Environmental Plan 2000 (Amendment No 9)".

Schedule 6 Exceptions

(Clause 82)

Lot 3, DP 786522, Princes Highway, Albion Park Rail—service station.

Lot 1, DP 222288, Terry Street, Albion Park—motel.

Lot 1, DP 745632, Swamp Road, Dunmore—inhabitation of the former "Peterborough" School Building as dwelling.

Part of Lot 2, DP 248002, Boollwarroo Parade, Shellharbour—boat harbour entrance works.

Lots 1, 2 and 3, DP 627527, Tongarra Road, Albion Park Rail—funeral parlour.

Part of Lot 2, DP 808989, Terry Street, Albion Park as shown edged with a broken heavy line and labelled 'schedule 6' on the map—community uses.

Lots 196–200, DP 222963 and Lot 204, DP 224196, Madigan Boulevarde, Mount Warrigal—medical services which are ancillary to a hospital, and which are of a type, size and scale compatible with generally residential areas.

Lots 28–32, DP 23454 and Lots 24–27, DP 23988, Shellharbour Road, Warilla—professional offices which includes the offices of accountants, solicitors, architects or plan drawers, insurance brokers, real estate agents or surveyors.

Lot 56, DP 739857, Illawarra Highway, Albion Park—place of public worship and place of assembly.

Part Lot 1, DP 70380, Tongarra Road, Albion Park Rail—landscape supplies depot.

Lot 202, DP 848203, corner of Shellharbour and Wattle Roads, Shellharbour—an integrated development which may include a service station, convenience store and car wash facility.

Lot 4211, DP 833774, Princes Highway, Albion Park Rail—motel.

Lot 1, DP 534605, Shellharbour Road, Shellharbour—technology centre related to the computer industry.

Lot 13, DP 658385, Croome Lane, Albion Park Rail—earthmoving equipment depot.

Lot 18, DP 804242, Lot 5, DP 244040, Lot 2, DP 607267, Lots 101 and 102, DP 244073 and Lots 50, 51 and 52, DP 565091, Miall Way, Albion Park Rail—motor showrooms.

Lot 1, DP 833735, Shellharbour Road, Warilla—refreshment rooms.

Lot A, DP 434117, 31 Reddall Parade, Lake Illawarra—refreshment rooms.

Part of Lot 1202, DP 864021, Shellharbour Road, Dunmore as shown edged with a broken heavy line and labelled 'schedule 6' on the map—industry which does not interfere with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, waste water, waste products, grit or oil, or otherwise.

So much of Lot 202, DP 859498, Terry Street, Albion Park, as is zoned either Rural "A" or Rural "B"—a total of 14 dwelling allotments at least 13 of which are to be connected to a sewerage service.

Lot 230, DP 869094, Cygnet Avenue, Blackbutt—a single stand-alone supermarket, two take-away food restaurants and a single service station.

Lot 1, DP 998390, Terry Street, Albion Park—one dwelling house.

Lot 2707, DP 847729, Huon Crescent, Albion Park—a total of 4 allotments with no more than one dwelling house on each allotment.

Lot 21, DP 111195, Terry Street, Yellow Rock—a total of 3 allotments with no more than one dwelling house on each allotment.

So much of Lot 1, DP 851151, Terry Street, Albion Park as is zoned Rural "A"—one allotment with no more than one dwelling house on the allotment.

Lot 1, DP 779617, Cooby Road, Yellow Rock—a total of 17 allotments with no more than one dwelling house on each allotment.

Lot 2627, DP 832456, Cooby Road, Yellow Rock—a total of 3 allotments with no more than one dwelling house on each allotment.

So much of Lot 1, DP 792437, Yellow Rock Road, Yellow Rock as is zoned Rural "A"—a total of 7 allotments with no more than one dwelling house on each allotment.

Part of Lot 201, DP 848203, corner of Shellharbour and Wattle Roads, Shellharbour, as shown edged with a broken heavy line and labelled "Schedules 5 and 6" on the map—fire station, place of public worship.

Lot 1, DP 799421, 162 Tongarra Road, Albion Park—car parking for the use of the Albion Park RSL Memorial Club.

Croom Regional Sporting Complex, being Lot 2 DP 605565, Lot 3 DP 549511 and Lot 1 DP 216772, Croom Road, Croom:

(a) expositions—being events that bring together suppliers of a broad range of product lines and services that relate to a common theme for the primary purpose of exhibiting and explaining the products and services, but where sales may also form a part of the event, and

(b) trade fairs—being events that bring together a range of products or services that relate to an industry group for the purpose of demonstrating the range of products and services available to traders within that industry group.

Lots 8 and 9, DP 244040, Miall Way, Albion Park Rail—motor showrooms.

Historical notes

The following abbreviations are used in the Historical notes:

Am	amended	LW	legislation website	Sch	Schedule
Cl	clause	No	number	Schs	Schedules
Cll	clauses	p	page	Sec	section
Div	Division	pp	pages	Secs	sections
Divs	Divisions	Reg	Regulation	Subdiv	Subdivision
GG	Government Gazette	Regs	Regulations	Subdivs	subdivisions
Ins	inserted	Rep	repealed	Subst	substituted

Table of amending instruments

Shellharbour Local Environmental Plan 2000 published in Gazette No 66 of 2.6.2000, p 4565 and amended as follows:
Shellharbour Local Environmental Plan 2000—Amendment No 1 (GG No 121 of 15.9.2000, p 10552)
Shellharbour Local Environmental Plan 2000—Amendment No 2 (GG No 152 of 24.11.2000, p 12013)

Shellharbour Local Environmental Plan 2000 (Amendment No 3) (GG No 127 of 17.8.2001, p 6074)
Shellharbour Local Environmental Plan 2000 (Amendment No 5) (GG No 34 of 1.2.2002, p 680)
Shellharbour Local Environmental Plan 2000 (Amendment No 7) (GG No 121 of 1.8.2003, p 7578)
Shellharbour Local Environmental Plan 2000 (Amendment No 9) (GG No 47 of 27.2.2004, p 891)
Shellharbour Rural Local Environmental Plan 2004 (GG No 198 of 10.12.2004, p 9016)
Shellharbour Local Environmental Plan 2000 (Amendment No 10) (GG No 200 of 17.12.2004, p 9477)
State Environmental Planning Policy (Repeal of Concurrence and Referral Provisions) 2004 (GG No 201 of 17.12.2004, p 9590)

2005	(560)	Shellharbour Local Environmental Plan 2000 (Amendment No 12). GG No 113 of 9.9.2005, p 7354. Date of commencement, on gazettal.
2006	(151)	Shellharbour Local Environmental Plan 2000 (Amendment No 11). GG No 40 of 31.3.2006, p 1715. Date of commencement, on gazettal.
	No 58	Statute Law (Miscellaneous Provisions) Act 2006. Assented to 20.6.2006. Date of commencement of Sch 2.51, assent, sec 2 (2).
	(434)	Shellharbour Local Environmental Plan 2000 (Amendment No 6). GG No 98 of 4.8.2006, p 6114. Date of commencement, on gazettal.
2007	(264)	Shellharbour Local Environmental Plan 2000 (Amendment No 8). GG No 80 of 15.6.2007, p 3783. Date of commencement, on gazettal.
2008	(78)	Shellharbour Local Environmental Plan 2000 (Amendment No 14). GG No 36 of 20.3.2008, p 2438. Date of commencement, on gazettal.
	(571)	State Environmental Planning Policy (Repeal of Concurrence and Referral Provisions) 2008. GG No 157 of 12.12.2008, p 11946. Date of commencement, 15.12.2008, cl 3.

Table of amendments

Cl 3	Am 10.12.2004.
Cll 11, 12	Am 17.8.2001; 2005 (560), Sch 1 [1].
Cl 13	Am 2005 (560), Sch 1 [1].
Cll 20–24, 27, 28, 30	Am 17.8.2001; 2005 (560), Sch 1 [1].
Cl 31	Am 17.8.2001; 2005 (560), Sch 1 [1]; 2006 (434), Sch 1 [1]–[4].
Cl 32	Am 2005 (560), Sch 1 [1].
Cl 33	Am 17.8.2001; 2005 (560), Sch 1 [1].
Cl 37	Am 17.12.2004; 2006 No 58, Sch 2.51; 2008 (571), Sch 3.158 [1].
Cll 38, 39, 43, 44, 49–53	Am 17.8.2001; 2005 (560), Sch 1 [1].
Cl 57	Am 2008 (571), Sch 3.158 [2].
Cl 58	Am 2008 (571), Sch 3.158 [3].
Cl 63	Rep 17.8.2001.
Cl 68	Am 2008 (571), Sch 3.158 [4]–[6].
Part 11	Subst 2006 (151), Sch 1 [1].
Cl 72	Subst 2006 (151), Sch 1 [1].
Cl 73	Subst 2006 (151), Sch 1 [1]. Am 2008 (571), Sch 3.158 [7].
Cl 74	Subst 2006 (151), Sch 1 [1].
Cl 75	Subst 2006 (151), Sch 1 [1]. Am 2008 (571), Sch 3.158 [8].
Cl 75A	Ins 2006 (151), Sch 1 [1]. Am 2008 (571), Sch 3.158 [9] [10].
Cll 75B, 75C	Ins 2006 (151), Sch 1 [1].
Cl 76	Subst 2006 (151), Sch 1 [1].
Cl 77	Am 17.8.2001.
Cl 81	Am 27.2.2004.

Cl 83	Rep 1.8.2003. Ins 2007 (264), Sch 1 [1].
Cl 87	Am 17.8.2001; 2005 (560), Sch 1 [2]–[4].
Cl 88	Ins 1.2.2002.
Cl 89	Ins 1.8.2003.
Sch 1	Am 24.11.2000; 17.8.2001; 1.8.2003; 17.12.2004; 2005 (560), Sch 1 [5]; 2006 (151), Sch 1 [2]–[4]; 2006 (434), Sch 1 [5]; 2007 (264), Sch 1 [2]; 2008 (78), cl 4.
Sch 3	Subst 2006 (151), Sch 1 [5].
Sch 5, heading	Subst 27.2.2004.
Sch 5	Am 24.11.2000; 27.2.2004; 2007 (264), Sch 1 [3].
Sch 6	Am 15.9.2000; 24.11.2000; 17.8.2001; 1.8.2003.

All communication addressed to:
General Manager
Shellharbour City Council
PO Box 155, Shellharbour City Centre
NSW 2529

PHONE: 02 4221 6111
FAX: 02 4221 6016
DX 26402 Shellharbour City Centre
EMAIL: records@shellharbour.nsw.gov.au
WEB: www.shellharbour.nsw.gov.au

Applicant:

Mr B Harris
PO Box 486
UNANDERRA NSW 2526

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

Applicants Reference: **40999.26**

Certificate No: **20101060**

Receipt No: **167939**

Print Date: **21/07/2010**

LAND DESCRIPTION:

Boollwarroo Parade SHELL COVE 2529

LOT: 206 DP: 857030

Parcel No: 21522

Disclaimer

Information contained in this certificate relates only to the land for which this certificate is issued on the day it is issued. This information is provided in good faith and the Council shall not incur any liability in respect of any such advice. Council relies on state agencies for advice and accordingly can only provide that information in accordance with the advice. Verification of the currency of agency advice should occur. For further information, please contact Council's Customer Service Section.

Title Information

Title information shown on this Planning Certificate is provided from Council's records and may not conform to information shown on the current Certificate of Title. Easements, restrictions as to user, rights of way and other similar information shown on the title of the land are not provided on this planning certificate.

Inspection of the land

The Council has made no inspection of the land for the purposes of this Planning Certificate.

ENGLISH

If you have difficulties understanding this correspondence, please contact Council by phone (4221 6111) or, if you wish, come into the office where staff will be pleased to assist you and if required, an appropriate interpreter will be called.

MACEDONIAN

Ако имате тедшкотии да ја разберете оваа кореспонденција, ве молиме контактирајте ја Општината по телефон на 4221 6111 или ако сакате, дојдете во канцеларијата каде што службениците со задоволство ќе ви помогнат, и ако е потребно, ќе повикат соодветен преведувач.

SPANISH

Si tuviera dificultades para entender esta correspondencia, le rogamos llamar por teléfon al Municipio, número 4221 6111, o bien, si lo prefiere, puede venir a nuestras oficinas, donde el personal tendrá el agrado de ayudarle y, si fuera necesario, de llamar a un intérprete.

GERMAN

Wenn Sie Schwierigkeiten haben, diese Korrespondenz zu verstehen, setzen Sie sich bitte telefonisch mit der Gemeinde in Verbindung (4221 6111) oder, falls Ihnen das lieber ist, kommen Sie in unser Büro: wir werden Ihnen gerne behilflich sein und werden, falls nötig, einen estsprechenden Dolmetscher hinzurufen.

ITALIA

Se non riuscite a capire bene questa lettera, vi preghiamo di telefonare al Comune, numero telefonico: 4221 6111. Se preferite, potete venire di persona al nostro ufficio dove il personale sarà felice di aiutarvi. Se richiesto, un interprete sarà messo a vostra disposizione.

GREEK

Αν έχετε δυσκολία να καταλάβετε την παρούσα αλληλογραφία, παρακαλούμε επικοινωνήστε με τη Δημαρχία (Τηλ. 4221 6111), ή αν επιθυμείτε ελάτε στα γραφεία όπου το προσωπικό θα σας βοηθήσει ευχαρίστως και αν χρειαστεί θα κληθεί κατάλληλος διερμηνέας.

CROATIAN

Ako ne možete razumjeti ovo pismo, molimo nazovite općinu na 4221 6111 ili, ako želite, dođite u naš ured gdje će vam osoblje rado pomoći i po potrebi nazvati odgovarajućeg tumača.

PORTUGUES

Se tem dificuldade de entender esta correspondência, aueira contactar o Conselho Municipal pelo telefone (4221 6111) ou, se o quiser, queira vir á secretaria onde o pessoal terá prazer de lhe prestar ajuda e, se for preciso, mandar-se-á vir um intérprete.

SERBIAN

Ако имате потешкоћа у разумевању овог дописа, молим назовите Општину на 4221 6111 или, ако желите, дођите у нашу канцеларију где ће вам особље радо помоћи, или, где је потребно, назвати одговарајућег тумач.

TURKISH

Bu yazıyı anlamakta zorluk çekerseniz, Belediyeyi lütfen telefonla 4221 6111 arayınız, veya dilerseniz ofise geliniz; oradaki görevliler size memnuniyetle yardım edecekler ve gerekirse uygun bir tercümanla temasa geçilecektir.

POLISH

Jeśli masz trudności ze zrozumieniem treści niniejszego pisma, skontaktuj się z Radą Miejskiej (Council) telefonicznie pod numerem 4221 6111, lub też - jeśli wolisz - przyjdź do naszego urzędu, gdzie personel z przyjemnością udzieli Ci pomocy i - w razie konieczności - zorganizuje pomoc tłumacza.

Translated by the Ethnic Affairs Commission.

PART A: INFORMATION PROVIDED UNDER SECTION 149 (2)

Matters contained in this certificate apply only to the land on the date of issue.

1. Name of Relevant Planning Instruments and DCPs

1.1 Which environmental planning instruments apply to the carrying out of development on the land?

Local Environmental Plan

Shellharbour Local Environmental Plan 2000.

State Environmental Planning Policies

SEPP No 1 - Development Standards.
The policy sets out the principle that a development standard may be varied where strict compliance can be shown to be unreasonable or unnecessary or would tend to hinder the objectives of the Environmental Planning and Assessment Act.

SEPP No 4 - Development Without Consent & Miscellaneous Complying Development.
The policy aims to firstly, allow development which is of a very minor environmental significance to be carried out without development consent, and secondly, allow certain development by public authorities and development on land reserved or dedicated under the National Parks and Wildlife Act (1974) to be carried out without consent.

SEPP No 6 - Number Of Storeys In A Building.
A policy for determining the height of a building where height is controlled by reference to the number of storeys.

SEPP No 21 - Caravan Parks.
The policy provides that where caravan parks or camping grounds are permissible under the environmental planning instrument, movable dwellings, as defined under the Local Government Act, 1919, are permissible.

SEPP No 22 - Shops & Commercial Premises.
The policy allows with the consent of Council, a change of use from a shop to another kind of shop or commercial premises, or alternatively, commercial premises to a shop or another kind of commercial premises where the new use is prohibited under an environmental planning instrument if the Council is satisfied that the change of use will have not more than a minor environmental impact and is in keeping with the objectives of the zone.

SEPP No 30 - Intensive Agriculture.
Requires development consent for cattle feedlots having a capacity of 50 or more cattle or piggeries having a capacity of 200 or more pigs. The policy sets out requirements to ensure there are effective planning control over this export-driven rural industry.

SEPP No 32 - Urban Consolidation (Redevelopment of Urban Land).
The policy promotes orderly and economic use and development of land by enabling urban land which is no longer required for the purpose for which it is zoned or used, to be redeveloped for multi-unit housing and related development. Redevelopment is enabled by means of a Regional Environmental Plan instigated by the Minister for Planning.

SEPP No 33 - Hazardous & Offensive Development.
Provides new definitions for 'hazardous industry', 'hazardous storage establishment', 'offensive industry' and 'offensive storage establishment'. The policy also requires specified matters to be considered for proposals that are 'potentially hazardous' or 'potentially offensive' as defined in the policy.

SEPP No 36 - Manufactured Home Estates.
The policy -(i) defines where Manufactured Home Estates (MHEs) may be permitted and establishes criteria for the granting of development consent to these estates, - (ii) enables, with development consent, the subdivision of MHEs, provided such subdivision complies with the provisions of the Local Government (Manufactured Home Estates) Regulation 1993.

SEPP No 50 - Canal Estate Developments.
This policy provides that where the policy applies, a person shall not carry out canal estate development as defined in the policy.

SEPP No 55 - Remediation Of Land.
The policy aims to promote the remediation of contaminated land for the purpose of reducing risk of harm to human health or any other aspect of the environment. The policy applies to the whole state to ensure that remediation is permissible development and is always carried out to high standard. It specifies when consent is required for remediation and lists considerations that are relevant when rezoning land and determining development applications.

SEPP No 64 - Advertising And Signage.
The policy aims to improve the amenity of urban and natural settings by managing the impact of outdoor advertising.

SEPP No 65 - Design Quality Of Residential Flat Development.
The policy raises the design quality of residential flat development across the state through the application of a series of design principles. Provides for the establishment of Design Review Panels to provide independent expert advice to councils on the merit of residential flat development. The accompanying regulation requires the involvement of a qualified designer throughout the design, approval and construction stages.

SEPP No 70 - Affordable Housing (Revised Schemes).
The policy extends the life of affordable housing provisions relating to: Sydney Regional Environmental Plan No 26 - City West, Willoughby Local Environmental Plan 1995, South Sydney Local Environmental Plan 1998.

SEPP - Building Sustainability Index: Basix 2004.
This policy applies to all new single dwelling houses or dual occupancy development from 1st July 2005, and to all new multi-dwelling development or alterations and additions from 1st October 2005. BASIX is a web based tool designed to assess the potential performance of residential buildings against sustainability criteria. Details

are available at www.basix.nsw.gov.au or by contacting NSW Department of Infrastructure Planning and Natural Resources.

SEPP - (Major Developments) 2005.
This policy identifies the criteria for state significant development to be determined by the Minister for Infrastructure and Planning. This will facilitate the development, redevelopment or protection of important urban, coastal and regional sites of economic, environmental or social significance to the state.

SEPP - (Housing for Seniors or People with a Disability) 2004.
The policy aims to encourage the development of high quality accommodation for our ageing population and for people who have disabilities - housing that is in keeping with the local neighbourhood.

SEPP 71 - Coastal Protection.
This State Policy applies to all land located partly or wholly within the Coastal Zone, as identified in the NSW Coastal Policy 1997. This land is affected by this Policy.

SEPP - (Mining, Petroleum Production and Extractive Industries) 2007.
This SEPP aims to provide for the proper management and development of mineral, petroleum and extractive material resources for the purpose of promoting the social and economic welfare of the State. The policy also aims to facilitate the orderly and economic use and development of land containing mineral, petroleum and extractive material resources and to establish appropriate planning controls to encourage ecologically sustainable development through the environmental assessment and sustainable management, of development of mineral, petroleum and extractive material resources.

SEPP - (Infrastructure) 2007.
The aim of this Policy is to facilitate the effective delivery of infrastructure across the State by:

(a) improving regulatory certainty and efficiency through a consistent planning regime for infrastructure and the provision of services, and

(b) providing greater flexibility in the location of infrastructure and service facilities, and

(c) allowing for the efficient development, redevelopment or disposal of surplus government owned land, and

(d) identifying the environmental assessment category into which different types of infrastructure and services development fall (including identifying certain development of minimal environmental impact as exempt development), and

(e) identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and

(f) providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing.

SEPP - (Exempt & Complying Development Codes) 2008.
This policy aims to provide streamlined assessment processes for development that complies with specified development standards by identifying in the General Exempt

Development Code the types of development that may be carried out without the need for development consent and in the General Housing Code the types of development that may be carried out in accordance with a complying development certificate.

SEPP - State Environmental Planning Policy (Affordable Rental Housing) 2009.

The aims of this Policy are as follows:
(a) to provide a consistent planning regime for the provision of affordable rental housing,

(b) to facilitate the effective delivery of new affordable rental housing by providing incentives by way of expanded zoning permissibility, floor space ratio bonuses and non-discretionary development standards,

(c) to facilitate the retention and mitigate the loss of existing affordable rental housing,

(d) to employ a balanced approach between obligations for retaining and mitigating the loss of existing affordable rental housing, and incentives fro the development of new affordable rental housing,

(e) to facilitate an expanded role for not-for-profit-providers of affordable rental housing,

(f) to support local business centres by providing affordable rental housing for workers close to places of work,

(g) to facilitate the development of housing for the homeless and other disadvantaged people who may require support services, including group homes and supportive accommodation.

SEPP - (Rural Lands) 2008.
The aim of this policy is to facilitate the orderly and economic use and development of rural lands for rural and related purposes.

SEPP - (Temporary Structures) 2007.
This SEPP provides for the erection of temporary structures while protecting public safety and local amenity. The SEPP supports the transfer of the regulation of temporary structures (such as tents, marquees and booths) from the Local Government Act 1993 to the Environmental Planning and Assessment Act 1979.

Deemed SEPP's (Regional Environmental Plans)

Illawarra Regional Environmental Plan No 1.

1.2 Which proposed environmental planning instruments apply to the carrying out of development on the land that is or has been the subject of community consultation or public exhibition?

Draft Local Environmental Plan

No exhibited Draft Local Environmental Plans.

Draft State Environmental Planning Policies

DRAFT SEPP - Application of Development Standards 2004.
The policy aims to provide local councils with flexibility in applying development standards.

DRAFT SEPP 66 - Integrating Land Use and Transport.
The policy aims to ensure urban development is located and designed with improved walking, cycling and public transport access, reduces car dependence and supports efficient and viable public transport services.

DRAFT SEPP 1 - Development Standards (Amendment 1).
SEPP 1 gives councils the power to vary standards and approve development in some situations. When applicants use SEPP 1, they must provide sufficient evidence that proposed development meets the objectives of the local plan.

DRAFT SEPP - Subdivision.
The draft policy has been formulated in light of the intended introduction of the Local Government Bill 1992 which will have the effect of placing subdivision control entirely under the Environmental Planning and Assessment Act, 1979. At the present time, subdivision control is shared between this Act and the Local Government Act, 1919.

DRAFT SEPP - Sewerage Works.
The draft policy proposes that sewerage works by public authorities may be carried out, despite the provisions of any other environmental planning instrument, without development consent but subject to notification of certain authorities.

1.3 Which development control plans apply to the carrying out of development on the land?

DCP 2/92 - Commercial Development Control Plan No 2/92. This plan sets guidelines for commercial developments.

Residential Subdivision Development Control Plan (Amendment No 1). This plan sets out guidelines for greenfields residential subdivisions.

DCP 1/96 - Motor Showroom Development Control Plan No 1/96. This plan outlines the general design principles to be taken into consideration when preparing plans for motor showroom developments.

DCP 1/97 - Landscape Guidelines Development Control Plan No 1/97. This plan provides guidelines for landscaping requirements for developments and subdivisions.

DCP 2/96 - Service Station Development Control Plan No 2/96. This plan provides guidelines to assist in the design and siting of service stations and encourages the undergrounding of LGP facilities to mitigate environmental impacts.

Medium Density Development Control Plan No (Amendment No 2). This plan outlines the general design principles to be taken into consideration when preparing a development application for medium density housing, being three or more dwellings.

Residential Infill Development Control Plan (Amendment No 1). This plan outlines the general design principles to be taken into consideration when preparing a development application for residential infill development, which includes dual

occupancy, integrated housing and minor resubdivision of existing residential allotments.

DCP 5/97(AM1) - Advertising and Identification Signs Development Control Plan No 5/97(AM1). This plan provides guidelines for advertisements and advertising structure opportunities on land throughout the city.

DCP 2/98 - Telecommunications Facilities Development Control Plan No 2/98. This plan contains provisions relating to the design and location of telecommunications facilities, visual amenity and electromagnetic radiation.

DCP 4/98 - On-site Waste Water Management for Single Residences Development Control Plan No 4/98. This plan provides guidelines for the preparation of plans for on-site water management facilities.

Exempt Development Control Plan (AM4). This plan identifies certain development for which development consent, assessment or notification is not required.

Complying Development Control Plan (AM3). This plan identifies minor development for which a Compliance Certificate is required from either Council or an accredited certifier.

DCP 10/98 - Notifications Policy Development Control Plan No 10/98. This plan identifies how and when potentially affected persons are notified of Development Applications.

Residential Development Control Plan (Amendment No 3). This provides general development requirements for dwelling houses and associated development that requires development consent.

Waste Minimization & Management Development Control Plan Am1. This plan requires anyone who lodges a development application to construct, demolish, refurbish or use a building or subdivide land to complete a Waste Management Plan.

Floodplain Risk Management Development Control Plan (Amendment No 1). This Plan provides details for development requirements on flood prone land being land inundated to the Probable Maximum Flood.

Draft Exhibited Development Control Plan

Exhibited Draft Shell Cove Development Control Plan AM8.The Draft Plan has been prepared to include controls and requirements for all the land in Stages 8 & 10. The Draft Plan also identifies those lots that may permit two dwellings and medium density/small lot housing within Stages 8 & 10 as well as updating registered title information in relevant Appendices.

Technical Policies

Shellharbour City Council Stormwater Policy. Council has adopted the Shellharbour City Council Stormwater Policy that would apply to all lots within the Shellharbour City Local Government Area.

Exhibited Technical Policies

There are no Exhibited Technical Policies on this land.

1.4 In this clause, proposed environmental planning instrument includes a planning proposal for the LEP or a draft environmental planning instrument.

2. ZONING AND LAND USE UNDER RELEVANT LEPs

For each environmental planning instrument or proposed instrument referred to in clause 1 above (other than a SEPP or proposed SEPP) that applies to the land:

2.1 What is the identity of the zoning for the land?

2(f) MIXED USE RESIDENTIAL F under Shellharbour LEP 2000.

2.2 For what purposes may development be carried out within the zone without the need for development consent?

2(f) Mixed Use Residential under Shellharbour LEP 2000: Exempt development and development for the purpose of:

Home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the Public Health Act 1991.

2.3 For what purposes may development not be carried out within the zone except with development consent?

2(f) Mixed Use Residential under Shellharbour LEP 2000: Development not included in subclause 2.2 or 2.4.

Exceptions

There are no additional land uses or development permitted on this land in accordance with clause 82 of Shellharbour Local Environmental Plan 2000.

2.4 For what purposes is development prohibited within the zone?

2(f) Mixed Use Residential under Shellharbour LEP 2000: Development for the purpose of:

Advertisements not displaying the purpose for which the land is used; amusement parks; animal boarding, breeding or training establishments; aquaculture; brothels; car repair stations; extractive industries; gas holders that are not ancillary to an allowable use or a use granted consent; generating works; heavy industries; heliports; institutions; intensive horticulture; intensive livestock keeping; junk yards; light industries (other than those associated with and including boat manufacture or repair); liquid fuel depots; mineral sand mines; mines; motor showrooms (other than for caravans, boats or trailers); offensive or hazardous industries; plantation forestry; racecourses; roadside stalls; road transport terminals; rural industries; sawmills; stock

and sale yards; timber yards; turf farms; warehouses; waste management facilities or works.

2.5 Are there any development standards applying to the land which fix minimum land dimensions for the erection of a dwelling house on the land and, if so, the minimum land dimensions so fixed?

No. However a minimum land area applies for the erection of a dwelling house on certain Agricultural, Rural Landscape, Nature Conservation, Rural and Environmental Protection zoned lands. For further information please contact Council's Development Services Department.

2.6 Does the land include or comprise a critical habitat?

No.

2.7 Is the land in a conservation area?

No.

2.8 Is an item of environmental heritage situated on the land?

No.

3. COMPLYING DEVELOPMENT

Note: Council does not currently have sufficiently accurate flooding information. The Council is in the process of completing a city-wide flood study for the Shellharbour local government area. This study, when completed, will form the basis of a Floodplain Risk Management Plan for each of the catchments referred to in the Floodplain Risk Management Development Control Plan 2006.

For further information regarding flooding, please contact Council's Development & Technical Services Department and consult Council's Floodplain Risk Management Development Control Plan 2006.

3.1 Whether or not 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 clause 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.*

3.2 If complying development may not be carried out on that land because of the provisions of clause 1.19 of that Policy, the reasons why it may not be carried out under that clause.

General Housing Code

Complying development under the General Housing Code MAY NOT be carried out on the land. The land is affected by specific land exemption.

Land that is Class 1 or Class 2 Acid Sulfate Soils.

Complying development under the General Housing Code MAY NOT be carried out on the land. The land is affected by specific land exemption.

Excluded land identified by an environmental planning instrument, land that is in a buffer area.

Housing Internal Alterations Code

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

General Commercial and Industrial Code

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

Subdivision Code

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

4. COASTAL PROTECTION

4.1 Is the land affected by the operation of section 38 or 39 of the *Coastal Protection Act 1979,* but only to the extent that the Council has been notified by the Department of Public Works?

No.

5. MINE SUBSIDENCE

5.1 Is the land proclaimed to be a mine subsidence district within the meaning of section 15 of the *Mine Subsidence Compensation Act 1961?*

No.

6. ROAD WIDENING AND ROAD REALIGNMENT

6.1 Is the land affected by any road widening or road realignment under:

(A) Division 2 of Part 3 of the *Roads Act 1993?*

No.

(B) Any environmental planning instrument?

No.

(C) Any resolution of the Council?

No.

7. HAZARD RISK RESTRICTIONS

Is the land affected by a policy either adopted by Council OR adopted by any other public authority and notified to the Council (for the express purposes 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:

7.1 Landslip

No.

7.2 Bushfire

No.

7.3 Tidal Inundation

No.

7.4 Subsidence

No.

7.5 Acid Sulphate Soils

Yes.

7.6 Any other risk

Contaminated Land Policy

7A. FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION

7A.1 Is development on the land or part of the land for the purposes of dwelling houses dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) subject to flood related development controls?

NOTE: Council does not currently have sufficiently accurate flooding information. The Council is in the process of completing a city wide flood study for the Shellharbour local government area. This study, when completed, will form the basis of a Floodplain Risk Management Plan for each of the catchments referred to in the Floodplain Risk Management Plan Development Control Plan April 2006.

For further information please contact Council's Development & Technical Services Department and consult Council's Floodplain Risk Management Development Control Plan 2006.

7A.2 Is development on the land or part of the land for any other purpose subject to flood related development controls?

NOTE: Council does not currently have sufficiently accurate flooding information. The Council is in the process of completing a city wide flood study for the Shellharbour local government area. This study, when completed, will form the basis of a Floodplain Risk Management Plan for each of the catchments referred to in the Floodplain Risk Management Plan Development Control Plan April 2006.

For further information please contact Council's Development & Technical Services Department and consult Council's Floodplain Risk Management Development Control Plan 2006.

7A.3 Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006.*

8. LAND RESERVED FOR ACQUISITION

8.1 Does any environmental planning instrument or proposed environmental planning instrument referred to in item 1 above make provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the *Environmental Planning & Assessment Act?*

Shellharbour Local Environmental Plan 2000 does not relate to the acquisition of the land the subject of this certificate.

9. CONTRIBUTIONS PLAN

9.1 Which contributions plan/s apply to the land?

Shellharbour City Council's Section 94 Contributions Plan 2005 Amendment 1.

9A BIODIVERSITY CERTIFIED LAND

9A.1 Is the land biodiversity certified land (within the meaning of Part 7AA of the *Threatened Species Conservation Act 1995)?*

No

10. BIOBANKING AGREEMENTS

Is there a biobanking agreement for the land under Part 7A of the *Threatened Species Conservation Act 1995,* that council is aware?

No

11. BUSH FIRE PRONE LAND

11.1 Is any of the land bushfire prone land as defined in the *Environmental Planning & Assessment Act 1979?*

No.

12. PROPERTY VEGETATION PLANS

12.1 Does a property vegetation plan under the *Native Vegetation Act 2003* apply to the land, being a plan to which the council has been notified of its existence by the person or body that approved the plan under the Act?

No.

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

13.1 Has an order been made under the *Trees (Disputes Between Neighbours) Act 2006* to carry out work in relation to a tree on the land, being an order to which the council has been notified of?

No.

14. DIRECTIONS UNDER PART 3A

14.1 Is there a direction by the Minister in force under section 75P(2)(c1) of the *Environmental Planning & Assessment Act 1979* 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?

No.

15. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR SENIORS HOUSING

15.1 If the land is land to which *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* applies, is there a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land?

No.

16. SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE

16.1 Is there a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land?

No.

17. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING

17.1 Is there a current site compatibility statement (affordable rental housing), of which the council is aware, in respect of proposed development on the land?

No.

17.2 Have any terms of a kind referred to in clause 17(1) or 38(1) of the *State Environmental Planning Policy (Affordable Rental Housing) 2009* been imposed as a condition of consent to a development application in respect of the land?

No.

NOTE: MATTERS PRESCRIBED BY SECTION 59(2) OF THE *CONTAMINATED LAND MANAGEMENT ACT 1997 (CLM Act)*

(a) Is the land significantly contaminated land within the meaning of the *CLM Act* at the date of this certificate?

No.

(b) Is the land subject to a management order within the meaning of the *CLM Act* at the date of this certificate?

No.

(c) Is the land the subject of an approved voluntary management proposal within the meaning of the *CLM Act* at the date of this certificate?

No.

(d) Is the land the subject of an ongoing maintenance order within the meaning of the *CLM Act* at the date of this certificate?

No.

(e) Is the land the subject of a site audit statement within the meaning of the *CLM Act* (such a statement having been provided to Council at any time)?

No.

CONTAMINATED INFORMATION - 1a. There are no matters listed under Section 59(2) of the Contaminated Land Management Act 1997 which should be specified on this certificate.

CONTAMINATED INFORMATION - 2a. The land is affected by a policy adopted by Council that restricts development of land if there is likelihood of contamination. Council has not assessed the likelihood of contamination of the land and cannot certify whether or not the policy restricts development of the land.

NOTE: Section 26 of the *Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009* provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of that Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

No Order or Authorisation has been issued under the Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009.

PART B: NOTATIONS

Tree Management Order

The Shellharbour City Council Tree Management Order prohibits the ringbarking, cutting down, pruning, lopping, topping, removing, root pruning, injuring or wilful destruction of any tree which is:

i. 3 metres or more in height.
ii. 300mm or more in trunk diameter at ground level.
iii. 3 metres or more in branch spread.

Without the written consent of Council.

The following trees with a trunk diameter of 600mm or less at ground level, will be given exemption, upon positive identification by Shellharbour City Council.

Theses species are:

1.	*Salix species*	Willow Tree
2.	*Populus species*	Poplar Tree
3.	*Erythrina x sykesii*	Coral Tree
4.	*Ligustrum species*	Privet
5.	*Toxicodendron succedaneum*	Rhus Tree
6.	*Ficus elastica*	Rubber Tree
7.	*Nerium oleander*	Oleander
8.	*Syagrus romanzoffianum*	Cocos/Queen Palm
9.	*Cinnamomum camphora*	Camphor Laurel
10.	*Schefflera actinophylla*	Umbrella Tree
11.	*Cupressus macrocarpa 'Brunniana'*	Golden Cypress
12.	*Lagunaria patersonii*	Itchy Pod Tree
13.	*Phoenix canariensis*	Canary Island Date Palm
14.	Domestic and commercial fruit trees that are not endemic species.	

The above 14 species with a trunk diameter greater 600mm at ground level are subject to the Tree Management Order. The Tree Management Order does not apply to trees required to be pruned under the Overhead Line Safety Regulation 1991, Regulation 23 and 24.

In accordance with Clause 8 of the Environmental Planning and Assessment Model Provisions 1980, Council gave notice that the above Tree Management Order had been adopted for Shellharbour City in the Government Gazette on 14 December 2001.

A person who contravenes the Tree Management Order is guilty of an offence.

PART C: - INFORMATION PROVIDED UNDER SECTION 149 (5) OF THE ACT

NOTE:
When information under section 149(5) is requested the Council is under no obligation to provide any of the information supplied in this part. We draw your attention to section 149(6) which states that a Council shall not incur any liability in respect of any advice provided in good faith pursuant to sub-section (5). The absence of any reference to any matter affecting the land does not imply that the land is not affected by any matter referred to in this planning certificate.

Endangered Ecological Community & Threatened Species.

Council has some mapping that identifies where endangered ecological communities & threatened species are known to occur. For further details contact Council's Customer Environmental Services Department.

Filling

Council's records show that during the course of subdivision the subject land has been filled or partially filled under controlled conditions. This information was accurate at the time of subdivision release and Council suggests that when construction on lots has started the lot classification may change from the original advice. The services of a suitably qualified Consulting Engineer should be obtained.

Flooding

Other than any part of the land which may experience some water inundation as a result of the creation of stormwater detention basins or channels or flow paths in the course of development of the land, Council has no record indicating that the land may be located within a flood hazard area. If you have any doubt as to whether the land is affected by flooding, the services of a suitably qualified Consulting Engineer should be obtained.

Development Consents Relating To The Land

Details of current development consents for the land are available on request from the Council.

Constraints

SENSITIVE COASTAL LOCATION - SEPP 71. This property is identified as being within a sensitive coastal location under SEPP 71 - Coastal Protection. Further details can be obtained by contacting the Department of Planning.

QUARRY BUFFER AREA:
Part of the land is within the Quarry Buffer Area. Refer to paragraph 26, Shellharbour LEP 2000.

NSW COASTAL POLICY 1997. The NSW Coastal Policy 1997 applies to all land within the Coastal Zone as identified by the maps held by the Department of Planning. This includes the subject property.

For further information please contact the Land & Information Services on (02) 4221 6138

B A Weir
General Manager

Per.....



Shellharbour
Local Environmental Plan
2000

Shellharbour Local Environmental Plan 2000

Current version for 15 December 2008 to date (accessed 19 January 2009 at 08:52)
Status information

New South Wales

Status information

Currency of version
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Provisions in force
All the provisions displayed in this version of the legislation have commenced. For commencement and other details see the Historical notes

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File last modified 15 December 2008.

New South Wales

Part 1 Preliminary

1 Name of plan

This plan is *Shellharbour Local Environmental Plan 2000*.

2 Aim of plan

The aim of this plan is to provide a framework for land use management, urban growth and change to achieve the following objectives:

(a) to ensure that land uses in the local government area of Shellharbour City are compatible with each other and are suitably located,

(b) to ensure that adequate provision is made to meet the needs of an increasing population,

(c) to ensure that various areas of land within the local government area of Shellharbour City which are environmentally sensitive, and which enhance the visual amenity of the area, are protected and suitably managed,

(d) to enable public land, owned or controlled by the Council of the City of Shellharbour under the *Local Government Act 1993*, to be classified or reclassified as operational land,

(e) to identify and manage items of the environmental and cultural heritage of the local government area,

(f) to ensure that development addresses pollution concerns and does not result in a decline in water quality.

3 Land to which the plan applies

(1) This plan applies to all land within the local government area of Shellharbour City as shown on the map.

(2) However, this plan does not apply to land to which *Shellharbour Rural Local Environmental Plan 2004* applies.

4 Relationship to other environmental planning instruments

(1) *Shellharbour Local Environmental Plan No 16* is repealed.

(2) *State Environmental Planning Policy No 4—Development Without Consent* is amended by inserting in alphabetical order of local government area in Schedule 2 (Land excepted from clauses 6–10) the following words:

City of Shellharbour local government area

5 Savings

A development application or an application for approval of an activity, relating to land to which this plan applies, that was lodged with a consent authority or determining authority, but that was not finally determined before the commencement of this plan is to be determined as if this plan had been exhibited but not been made and *Shellharbour Local Environmental Plan No 16* had not been repealed.

6 Consent authority

The Council is the consent authority for the purpose of this plan.

7 Adoption of certain Model Provisions

This plan adopts Part 1 and clauses 5, 8, 10, 11, 12, 14, 24, 27, 29 and 35 of, and Schedule 1 to, the *Environmental Planning and Assessment Model Provisions 1980*.

8 Definitions

(1) In this plan, terms defined in Schedule 1 have the same meaning as set out in that Schedule.

(2) In this plan, a reference to a map is a reference to a map kept at the office of the Council.

(3) The letters and symbols SPS, RES, SUB STN, CH, FIRE STN, PUBLIC BLDG or TEL.

EXCH, where appearing on a map, mean sewage pumping station, water reservoir, electricity sub-station, church, fire station, public building or telephone exchange, respectively.

(4) In this plan, a reference to a building or place used for a purpose includes a reference to a building or place intended to be used for the purpose.

(5) The list of contents of this plan is not part of this plan.

9 Zones indicated on the map

Land is within one of the following zones as set out in Parts 2–10 in the clause headed "General controls for development" for the zone under the heading "Land within the zone":

1 (a)—Rural A Zone

1 (c)—Rural C Zone

1 (d)—Rural D (Horticultural) Zone

2 (a)—Residential A Zone

2 (b1)—Residential B1 Zone

2 (b2)—Residential B2 Zone

2 (e)—Mixed Use Residential E Zone

2 (f)—Mixed Use Residential F Zone

3 (a)—Mixed Use Commercial Zone

3 (d)—Neighbourhood Business Zone

4 (a)—Light Industrial Zone

4 (a3)—Airport Light Industrial Zone

4 (c)—Extractive Industrial Zone

4 (f)—Special Industrial Zone

5 (a)—Special Uses Zone

5 (b)—Special Railway Uses

6 (a)—Public Open Space Zone

6 (b)—Private Open Space Zone

7 (a)—Environmental Protection (Wetlands) Zone

7 (d)—Environmental Protection (Scenic) Zone

7 (e)—Environmental Protection (Escarpment) Zone

7 (f2)—Environmental Protection (Foreshore) Zone

7 (g)—Environmental Protection (Living Area 1) Zone

7 (h)—Environmental Protection (Living Area 2) Zone

8—National Parks and Nature Reserves Zone

9 (b)—Arterial Roads Reservation Zone

9 (c)—Local Roads Reservation Zone

9 (d)—Open Space Reservation Zone

10 Zone objectives and general controls for development

(1) The objectives of each zone are set out in Parts 2–10 in the clause headed "General controls for development" for the zone under the heading "Objectives (or Objective) of the zone".

(2) Except as otherwise provided by this plan, for each zone specified in a general controls for development clause, the development that:

(a) may be carried out without development consent is indicated in that clause by the words "Allowed without development consent", or

(b) may be carried out only with development consent is indicated in that clause by the words "Allowed only with development consent", or

(c) is prohibited is indicated in that clause by the words "Prohibited in the zone".

(3) The objectives of the zone are required to be taken into account by the consent authority before development consent is given to the carrying out of development within that zone.

Part 2 Rural Zones Provisions

11 General controls for development—Zone 1 (a) (the Rural A zone)

(1) **Land within the zone**
Land is within Zone 1 (a) (the Rural A zone) if it is shown coloured cream on the map.

(2) **Objectives of the zone**

(a) To protect the agricultural potential of rural land and to prevent the fragmentation of rural holdings.

(b) To prevent premature and sporadic subdivisions and to ensure consolidation of urban areas, thus enhancing the prospect of the economic provision of public services.

(c) To prevent, on the fringe of urban areas, the subdivision of land into small lots which would prejudice the proper layout of additional urban areas as a result of natural growth.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

general agriculture; home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

advertisements not displaying the purpose for which the land is used or directional

information; brothels; car repair stations; commercial premises; dual occupancies (other than attached dual occupancies); heavy industries; junk yards; light industries; medium density housing; motor showrooms; professional consulting rooms; recreation facilities; service stations; shops; warehouses.

12 General controls for development—Zone 1 (c) (the Rural C zone)

(1) **Land within the zone**
Land is within Zone 1 (c) (the Rural C zone) if it is shown coloured pale yellow on the map.

(2) **Objectives of the zone**

(a) To allow rural residential neighbourhoods to be developed, taking advantage of changing demand for housing and the availability of rural land not suited to agricultural, industrial or urban uses.

(b) To maintain the environmental quality and visual amenity of rural areas.

(c) To reduce the demand for subdivision for residential purposes of agricultural land.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

advertisements not displaying the purpose for which the land is used; amusement parks; animal boarding, breeding or training establishments; aquaculture; backpackers inns; boarding houses; brothels; bus depots; car repair stations; clubs; commercial premises; community facilities; dual occupancies (other than attached dual occupancies); extractive industries; gas holders; general stores; generating works; heavy industries; helipads; heliports; hospitals; hotels; institutions; junk yards; light industries; liquid fuel depots; medium density housing; mineral sand mines; mines; motels; motor showrooms; offensive or hazardous industries; passenger terminals; places of assembly; public buildings; racecourses; recreation establishments; recreation facilities; refreshment rooms; road transport terminals; rural industries; sawmills; service stations; shops; showgrounds; stock and sale yards; timber yards; tourist facilities; warehouses.

13 General controls for development—Zone 1 (d) (the Rural D (Horticulture) zone)

(1) **Land within the zone**
Land is within Zone 1 (d) (the Rural D (Horticulture) zone) if it is shown coloured pale yellow and lettered 1 (d) on the map.

(2) **Objective of the zone**
To provide for horticultural activities on agricultural lots of high agricultural potential, if such uses can be accommodated without reducing the quality of water in the locality.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

Nil.

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; clearing of land; drainage; filling; general agriculture; intensive horticulture; intensive livestock keeping; roadside stalls; rural industries; turf farms; wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

14 Controls for subdivision of land within Zone 1 (a)

(1) The Council must not consent to a subdivision of land within Zone 1 (a) unless:

(a) each allotment to be created will have an area of not less than 40 hectares or the Council is satisfied that any proposed smaller allotment is not intended to be used for the purpose of agriculture or a dwelling house, but is intended to be used for another lawful purpose, and

(b) where any allotment proposed to be created will have a frontage to a main road, the frontage will be not less than 200 metres, and

(c) the Council has been informed of the purpose for which each proposed allotment to be created by the subdivision is intended to be used and, where the purpose is agriculture, of the form of agriculture for which the allotment is intended to be used.

(2) Despite any other provision of this plan, consent for a subdivision of land within Zone 1 (a) in the "Jamberoo Valley Rural Conservation Area" (which is shown on the map) to create an allotment must not be granted unless:

(a) the consent authority is satisfied that the proposed allotment will not be used for the erection of a dwelling house, and

(b) a condition of the consent prohibits the erection of a dwelling house on each lot to be created by the subdivision.

(3) The Council must not consent to a subdivision of land within Zone 1 (a) in the "Jamberoo Valley Rural Conservation Area" (which is shown on the map) unless it has considered:

(a) the relationship of the proposed allotments to adjacent or adjoining allotments and the practicality of consolidating adjacent or adjoining allotments with land to which the application for consent to the subdivision relates, and

(b) the quality of the land proposed to be subdivided and the potential agricultural productivity of that land if it remains unsubdivided, and

(c) the likely impact of the subdivision on vegetation, soil resources and stability and water resources (including the quality of water courses, ground water storage and riparian rights), and

(d) the size, quality and potential agricultural productivity of each proposed allotment, and

(e) the relationship of each proposed allotment to, and the effect of creating the allotment on, the structure and nature of agricultural industries in the locality, and

(f) the purpose for which the proposed allotments are intended to be used and the purpose for which, in the opinion of the Council, the allotments are suitable for use, and

(g) the cumulative effect of similar proposals if consent is granted, and

(h) the likelihood of the proposed allotments remaining available for agriculture.

15 Controls for building dwelling houses within Zone 1 (a)

(1) Despite any other provision of this plan, the Council must not consent to the erection of a dwelling house on an allotment in Zone 1 (a) that has an area of less than 40 hectares unless:

(a) that allotment is a vacant original holding, or

(b) the allotment has been created in accordance with a subdivision approval (or a consent for a subdivision) on which no condition has been imposed prohibiting the erection of a dwelling house on the subject property.

(2) Despite any other provision of this plan, the Council must not consent to the erection of more than one dwelling house on an allotment in Zone 1 (a) unless it is satisfied that the dwelling house will be used or occupied by a person engaged by the owner of that land in the pursuit of agriculture on that land or on land adjacent to or adjoining that land.

(3) Consent must not be granted for a dwelling house on an allotment of land in Zone 1 (a) with an area of less than 40 hectares unless the Council places a condition on the consent requiring that allotment to be consolidated with any adjoining land in the same ownership until either all adjoining properties within the same ownership are consolidated or a minimum area of 40 hectares is achieved.

(4) Despite any other provision of this plan, the Council may consent to the erection of a dwelling house on land within Zone 1 (a) in the "Jamberoo Valley Rural Conservation Area" (which is shown on the map) only if the property to which the application relates has an area of 40 hectares or more or if the Council is satisfied that the property is a vacant original holding.

(5) Despite any other provision of this plan, the Council must not consent to the erection of a second dwelling house on land within Zone 1 (a) in the "Jamberoo Valley Rural Conservation Area" (which is shown on the map) where:

(a) the property to which the application relates has an area of less than 40 hectares, or

(b) the dwelling house will not be ancillary to the agricultural use of the land, or

(c) separate ownership of the proposed dwelling house will be achievable without the subdivision of the land, or

(d) an additional access to a public road is required from the land as a result of the erection of the dwelling house, or

(e) in the opinion of the Council, the proposed dwelling house will interfere with the purpose for which the land concerned is being used.

16 Controls for the development of certain land within Zone 1 (a)—Jamberoo Valley

(1) Despite any other provision of this plan, the Council must not grant consent to an amusement park or a place of assembly on land within Zone 1 (a) in the "Jamberoo Valley Rural Conservation Area" (which is shown on the map).

(2) Despite any other provision of this plan, the Council must not consent to development on land within Zone 1 (a) in the "Jamberoo Valley Rural Conservation Area" (which is shown

on the map) unless it has considered:

(a) the effect of the proposed development on agricultural land uses undertaken on land holdings in the vicinity, and

(b) the quality of the land and the potential agricultural productivity of the land, and

(c) the likely impact of the proposed development on vegetation, soil resources and stability and water resources (including the quality of water courses, ground water storage and riparian rights), and

(d) the effect of the proposed development on the structure and nature of agricultural industries in the area, and

(e) the cumulative effect of similar proposals if consent is granted, and

(f) the likelihood of the land remaining available to agriculture, and

(g) the impact that the proposed development will have on the scenic quality of the Jamberoo Valley by way of colour, bulk, vegetation removal, road access, visual intrusiveness, reflection and traffic generation, and is satisfied that such measures as will, in its opinion, minimise that impact are proposed to be taken.

(3) The Council must take the following into consideration when assessing an application for consent to clear any land shown stippled on Sheet 3 of the map marked "Illawarra Regional Environmental Plan No 2—Jamberoo Valley" deposited in the office of the Department of Urban Affairs and Planning (being areas of significant vegetation):

(a) the movement of native fauna,

(b) any rare or significant flora or fauna,

(c) any rare or significant habitats,

(d) the effect of the proposed clearing on adjacent or adjoining land under the control of the National Parks and Wildlife Service,

(e) whether there is a reasonable alternative to the removal of that vegetation or the extent of the removal of that vegetation,

(f) the visual impact of the proposed development on the scenic quality of the Jamberoo Valley by breaking any unbroken natural tree canopy cover or creating smaller discrete parcels of vegetation from an existing stand.

17 Controls for subdivision within Zone 1 (c)

(1) The Council must not consent to the subdivision of land within Zone 1 (c) unless:

(a) each lot to be created by the subdivision has an area of not less than 0.4 hectares and the average lot size (calculated by dividing the total area of land to be subdivided by the number of lots to be created by the subdivision) is not less than 0.8 hectares, where reticulated water and sewerage services are available, and

(b) each lot to be created by the subdivision has an area of not less than 1 hectare, where reticulated water and sewerage services are not available.

(2) The Council must not consent to the subdivision of any land within Zone 1 (c) unless it has considered:

(a) the land capability (including soil resources, soil stability and capacity for on-site

waste disposal) and the natural constraints, and hazards, of the land to be subdivided in relation to the density and design of the allotments proposed to be created, and

(b) the desirability of providing a range and mixture of allotment sizes, and

(c) the ability to provide urban services to the land.

18 Controls for building dwelling houses within Zone 1 (c)

(1) A dwelling house may not be erected on land within Zone 1 (c) unless that land is an allotment that complies with clause 17 (1) (a) and (b).

(2) Despite any other provision of this plan, the Council may consent to the erection of a second dwelling house on an allotment within Zone 1 (c) with an area exceeding two hectares, but only if, in the opinion of the Council:

(a) the development will not adversely affect the visual amenity of the area, and

(b) the development will not place undue demand on the provision of public services, and

(c) the development will not increase ribbon development on any main or arterial road and will not exceed the environmental capacity of the site.

19 Controls for subdivision within Zone 1 (d)

The Council must not consent to the subdivision of land within Zone 1 (d) unless each allotment to be created by the subdivision has an area of not less than 12 hectares, even if the subdivision is by a strata plan or under the *Community Land Development Act 1989*.

Part 3 Residential Zones Provisions

20 General controls for development—Zone 2 (a) (the Residential A zone)

(1) **Land within the zone**
Land is within Zone 2 (a) (the Residential A zone) if it is shown coloured light pink on the map.

(2) **Objective of the zone**
To provide an environment primarily for detached and semi-detached housing.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

advertisements not displaying the purpose for which the land is used; amusement parks; animal boarding, breeding or training establishments; aquaculture; backpackers inns; brothels; bus depots; car repair stations; clubs; commercial premises; extractive industries; gas holders; general agriculture; general stores; generating works; heavy industries; helipads; heliports; hotels; institutions; intensive horticulture; intensive livestock keeping; junk yards; light industries; liquid fuel depots; mineral sand mines; mines; motels; motor showrooms; offensive or hazardous industries; passenger

terminals; places of assembly; plantation forestry; plant nurseries; public buildings; racecourses; recreation establishments; recreation facilities; refreshment rooms; roadside stalls; road transport terminals; rural industries; sawmills; service stations; shops; showgrounds; stock and sale yards; timber yards; tourist facilities; turf farms; veterinary surgeries; warehouses; waste management facilities or works.

21 General controls for development—Zone 2 (b1) (the Residential B1 zone)

(1) **Land within the zone**
Land is within Zone 2 (b1) (the Residential B1 zone) if it is shown coloured medium pink on the map.

(2) **Objectives of the zone**

(a) To provide for a range of housing types in locations that are accessible to retail, commercial and public transport facilities.

(b) To encourage the efficient use of aged housing stock upon redevelopment.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

advertisements not displaying the purpose for which the land is used; amusement parks; animal boarding, breeding or training establishments; aquaculture; brothels; bus depots; car repair stations; clubs; commercial premises; extractive industries; gas holders; general agriculture; generating works; heavy industries; helipads; heliports; hotels; institutions; intensive horticulture; intensive livestock keeping; junk yards; light industries; liquid fuel depots; mineral sand mines; mines; motels; motor showrooms; offensive or hazardous industries; passenger terminals; places of assembly; plantation forestry; plant nurseries; public buildings; racecourses; recreation establishments; recreation facilities; refreshment rooms; roadside stalls; road transport terminal; rural industries; sawmills; service stations; shops; showgrounds; stock and sale yards; timber yards; tourist facilities; turf farms; veterinary surgeries; warehouses; waste management facilities or works.

22 General controls for development—Zone 2 (b2) (the Residential B2 zone)

(1) **Land within the zone**
Land is within Zone 2 (b2) (the Residential B2 zone) if it is shown coloured dark pink on the map.

(2) **Objective of the zone**
To allow for medium density development in locations that are in the vicinity of retail, commercial and public transport facilities.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home business; home occupations (excluding an occupation or

industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

advertisements not displaying the purpose for which the land is used; amusement parks; animal boarding, breeding or training establishments; aquaculture; brothels; bus depots; car repair stations; clubs; commercial premises; extractive industries; gas holders; general agriculture; generating works; heavy industries; helipads; heliports; hotels; institutions; intensive horticulture; intensive livestock keeping; junk yards; light industries; liquid fuel depots; mineral sand mines; mines; motels; motor showrooms; offensive or hazardous industries; passenger terminals; places of assembly; plantation forestry; plant nurseries; public buildings; racecourses; recreation establishments; recreation facilities; refreshment rooms; roadside stalls; road transport terminals; rural industries; sawmills; service stations; shops; showgrounds; stock and sale yards; timber yards; tourist facilities; turf farms; veterinary surgeries; warehouses; waste management facilities or works.

23 General controls for development—Zone 2 (e) (the Mixed Use Residential E zone)

(1) **Land within the zone**
Land is within Zone 2 (e) (the Mixed Use Residential E zone) if it is shown coloured salmon on the map.

(2) **Objective of the zone**
To allow for mixed use residential neighbourhoods to be developed on 'greenfields' sites providing for a range of household preferences and needs compatible with fully developed residential neighbourhoods.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

advertisements not displaying the purpose for which the land is used; amusement parks; animal boarding, breeding or training establishments; aquaculture; brothels; bus depots; car repair stations; extractive industries; gas holders that are not ancillary to an allowable use or a use granted consent; generating works; heavy industries; helipads; heliports; institutions; intensive horticulture; intensive livestock keeping; junk yards; light industries; liquid fuel depots; mineral sand mines; mines; motor showrooms; offensive or hazardous industries; plantation forestry; racecourses; roadside stalls; road transport terminals; rural industries; sawmills; stock and sale yards; timber yards; turf farms; warehouses; waste management facilities or works.

24 General controls for development—Zone 2 (f) (the Mixed Use Residential F zone)

(1) **Land within the zone**
Land is within Zone 2 (f) (the Mixed Use Residential F zone) if it is shown coloured mauve on the map.

(2) **Objectives of the zone**

(a) To allow for mixed use residential neighbourhoods to be developed providing for a range of household preferences and needs.

(b) To enable the development of a regional boat harbour facility and associated commercial and recreational activities.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

advertisements not displaying the purpose for which the land is used; amusement parks; animal boarding, breeding or training establishments; aquaculture; brothels; car repair stations; extractive industries; gas holders that are not ancillary to an allowable use or a use granted consent; generating works; heavy industries; heliports; institutions; intensive horticulture; intensive livestock keeping; junk yards; light industries (other than those associated with and including boat manufacture or repair); liquid fuel depots; mineral sand mines; mines; motor showrooms (other than for caravans, boats or trailers); offensive or hazardous industries; plantation forestry; racecourses; roadside stalls; road transport terminals; rural industries; sawmills; stock and sale yards; timber yards; turf farms; warehouses; waste management facilities or works.

25 Controls to promote commercial hierarchy within Zones 2 (e) and 2 (f)

Despite any other provision of this plan, the Council may consent to commercial or retail development (or mixed commercial and retail development) on land within Zone 2 (e) or 2 (f) only if, in the opinion of the Council, it will promote the commercial hierarchy for the Shellharbour City local government area presented in Schedule 4.

26 Development within the quarry buffer area in Zone 2 (f)

(1) Despite any other provision of this plan, a person shall not develop land in Zone 2 (f) identified as "quarry buffer area" on the map for any purpose other than general agriculture; drainage; light industries and industries associated with and including boat manufacture and repair; open space; recreation areas; roads; shops and commercial premises in accordance with Schedule 4; utility installations (other than gas holders or generating works), and warehouses.

(2) The Council shall not grant development consent in respect of any development for a purpose specified in subclause (1) unless:

(a) the development will not be unduly affected in an adverse manner by proximity to the Bass Point Quarry, having regard to the normal course of the quarry's operations, and

(b) the applicant for that consent is aware of the nature of the operation of the quarry and its likely impact on the land within the quarry buffer area and has notified the Council in writing of his, hers or its acceptance of that impact, and

(c) the development will not pose a restriction on the nature of operations within the quarry.

Part 4 Commercial Zones Provisions

27 General controls for development—Zone 3 (a) (the Mixed Use Commercial zone)

(1) **Land within the zone**
Land is within Zone 3 (a) (the Mixed Use Commercial zone) if it is shown coloured light blue on the map.

(2) **Objectives of the zone**

(a) To provide for mixed use retail/commercial centres in locations that have developed historically or which are centrally located.

(b) To allow for mixed use development incorporating residential and commercial or retail activities.

(c) To encourage the development of commercial/retail centres that provide for daily convenience and higher order needs of the surrounding residential areas.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not identified in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

animal boarding, breeding or training establishments; aquaculture; brothels; car repair stations; extractive industries; gas holders that are not ancillary to an allowable use or a use granted consent; generating works; heavy industries; helipads; heliports; hospitals; institutions; intensive horticulture; intensive livestock keeping; junk yards; light industries; liquid fuel depots; mineral sand mines; mines; offensive or hazardous industries; plantation forestry; racecourses; road transport terminals; roadside stalls; rural industries; sawmills; stock and sale yards; timber yards; turf farms; waste management facilities or works.

28 General controls for development—Zone 3 (d) (the Neighbourhood Business zone)

(1) **Land within the zone**
Land is within Zone 3 (d) (the Neighbourhood Business zone) if it is shown coloured medium blue on the map.

(2) **Objectives of the zone**

(a) To allow for retail and commercial businesses of a scale that is unlikely to prejudice

the viability of a higher order commercial centre.

(b) To provide for retail and commercial services that may cater for the daily convenience needs of the local community.

(c) To allow for mixed use development incorporating residential and commercial or retail activities.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

amusement parks; animal boarding, breeding or training establishments; aquaculture; backpackers inns; brothels; car repair stations; clubs; extractive industries; gas holders that are not ancillary to an allowable use or a use granted consent; general agriculture; generating works; heavy industries; helipads; heliports; hospitals; hotels; institutions; intensive horticulture; intensive livestock keeping; junk yards; light industries; liquid fuel depots; mineral sand mines; mines; motels; motor showrooms; offensive or hazardous industries; plantation forestry; racecourses; road transport terminals; roadside stalls; rural industries; sawmills; stock and sale yards; timber yards; turf farms; warehouses; waste management facilities or works.

29 Controls to promote commercial hierarchy

Despite any other provision of this plan, the Council may consent to commercial or retail development (or mixed commercial and retail development) on land within Zone 3 (a) or 3 (d) only if, in the opinion of the Council, it will promote the commercial hierarchy for the Shellharbour City local government area presented in Schedule 4.

Part 5 Industrial Zones Provisions

30 General controls for development—Zone 4 (a) (the Light Industrial zone)

(1) **Land within the zone**
Land is within Zone 4 (a) (the Light Industrial zone) if it is shown coloured light purple on the map.

(2) **Objective of the zone**
To provide for a wide variety of light industrial uses which are generally compatible with nearby residential neighbourhoods.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

amusement parks; aquaculture; backpackers inns; bed and breakfasts; clubs; commercial premises (other than those used in conjunction with industry and situated on land on which the industry is situated); dual occupancies; dwelling houses (other than those used in conjunction with industry and situated on land on which the industry is situated); extractive industries; gas holders that are not ancillary to an allowable use or a use granted consent; general stores; generating works; heavy industries; helipads; heliports; hospitals; hotels; institutions; intensive horticulture; intensive livestock keeping; junk yards; liquid fuel depots; medium density housing; mineral sand mines; mines; motels; offensive or hazardous industries; places of assembly; plantation forestry; professional consulting rooms; public buildings; recreational establishments; roadside stalls; rural industries; shops (other than light industrial retail outlets and those that serve the daily convenience needs of an industrial area); stock and sale yards; tourist facilities.

31 General controls for development—Zone 4 (a3) (the Airport Light Industrial zone)

(1) **Land within the zone**
Land is within Zone 4 (a3) (the Airport Light Industrial zone) if it is shown coloured dark purple and lettered 4 (a3) on the map.

(2) **Objectives of the zone**

(a) To provide for a wide variety of light industrial uses that are generally compatible with nearby residential neighbourhoods.

(b) Where appropriate, to encourage the development of industries that are airport-related and, as a result, to diversify the industrial base of Shellharbour in a manner compatible with use of the adjacent Illawarra Regional Airport.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not included in item (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

amusement parks; aquaculture; animal boarding, breeding or training establishments; child care centres; commercial premises (other than those used in conjunction with an allowable use and situated on land on which the use is situated or those providing a service to an airport or to airport-related uses); dual occupancies; dwelling houses (other than those used in conjunction with an allowable use and situated on land on which the use is situated); extractive industries; gas holders that are not ancillary to an allowable use or a use granted consent; general stores; generating works; heavy industries (other than airport related industries); helipads; heliports; hospitals; institutions; intensive horticulture; intensive livestock keeping; junk yards; medium density housing; mineral sand mines; mines; motor showrooms; offensive or hazardous industries; places of assembly; places of public worship; plantation forestry;

professional consulting rooms; racecourses; recreational establishments; roadside stalls; rural industries; sawmills; shops (other than light industrial retail outlets and those that serve the daily convenience needs of an industrial area or airport); stock and sale yards; waste management facilities or works.

32 General controls for development—Zone 4 (c) (the Extractive Industrial zone)

(1) **Land within the zone**
Land is within Zone 4 (c) (the Extractive Industrial zone) if it is shown coloured dark purple on the map.

(2) **Objectives of the zone**
To identify those areas specifically allocated for extractive purposes.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

Nil.

(4) **Allowed only with development consent**
Development for the purpose of:

clearing of land; drainage; extractive industries; filling; general agriculture; intensive horticulture; intensive livestock keeping; mines; turf farms; waste management facilities or works; wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

33 General controls for development—Zone 4 (f) (the Special Industrial zone)

(1) **Land within the zone**
Land is within Zone 4 (f) (the Special Industrial zone) if it is shown coloured dark purple and lettered 4 (f) on the map.

(2) **Objective of the zone**
To provide a suitable area for those industrial uses which are more appropriately located away from residential areas by reason of the emission of noise, fumes, dust or the like.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development not identified in subclause (3) or (5).

(5) **Prohibited in the zone**
Development for the purpose of:

amusement parks; animal boarding, breeding or training establishments; aquaculture; backpackers inns; bed and breakfasts; child care centres; clubs; commercial premises (other than those used in conjunction with industry and situated on land on which the industry is situated); community facilities; dual occupancies; dwelling houses (other than those used in conjunction with industry and situated on land on which the industry is situated); extractive industries; general stores; generating works; helipads; heliports; hospitals; hotels; institutions; intensive horticulture; intensive livestock keeping;

medium density housing; mineral sand mines; mines; motels; motor showrooms; places of assembly; places of public worship; plantation forestry; professional consulting rooms; public buildings; racecourses; recreational establishments; refreshment rooms; roadside stalls; rural industries; service stations; shops (other than light industrial retail outlets and those that serve the daily convenience needs of an industrial area); stock and sale yards; tourist facilities; veterinary surgeries.

34 Bulky goods retailing within Zones 4 (a) and 4 (a3)

Despite any other provision of this plan, the Council may consent to development of land within Zone 4 (a) or 4 (a3) for the purpose of retailing of bulky goods but only if it has considered:

(a) the availability of suitable lands in any nearby business centre, and

(b) the impact of the development on the predominantly industrial nature of Zone 4 (a) or 4 (a3), and

(c) the effect of the development on the viability of the nearby business centre.

35 Controls for certain development of certain land within Zone 4 (a)

Despite any other provision of this plan, the Council must not consent to development for the purpose of a motor showroom on land within Zone 4 (a), being 13 to 97 Princes Highway; 2–6 and 1–7 Mye Place, or 6 and 8 Creole Road, Albion Park Rail, unless vehicular access to and egress from the land is not only by way of the Princes Highway but is also to and from some other additional point of access and egress.

36 Access controls within Zone 4 (a3)

(1) The Council must not grant consent for development of land within Zone 4 (a3) unless access to and egress from the site of the development is available otherwise than directly from or to a main or arterial road.

(2) In granting such a consent, the Council must prohibit direct vehicular access to or egress from the site by a main or arterial road.

(3) This clause does not apply to Lot 4211, DP 833774, Princes Highway, Albion Park Rail.

37 Controls for liquid fuel depots within Zones 4 (a3) and 4 (f)

(1) A person must not establish, enlarge or use a liquid fuel depot on land within Zone 4 (a3) or 4 (f) having an above ground storage capacity of 500 kilolitres or more of inflammable liquid without the consent of the Council.

(2)–(4) (Repealed)

Part 6 Special Uses Zones Provisions

38 General controls for development—Zone 5 (a) (the Special Uses zone)

(1) **Land within the zone**
Land is within Zone 5 (a) (the Special Uses zone) if it is shown coloured dark yellow and lettered with the special use of the land on the map.

(2) **Objective of the zone**
To maintain land for certain community facilities and services.

(3) **Allowed without development consent**

Exempt development and development for the purpose of:

home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

clearing of land; commercial premises; community facilities; drainage; educational establishments; filling; general agriculture; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; intensive horticulture; passenger terminals; places of assembly; places of public worship; the particular land use indicated by heavy black lettering on the map; turf farms; utility installations (other than gas holders or generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

39 General controls for development—Zone 5 (b) (the Special Railway Uses zone)

(1) **Land within the zone**
Land is within Zone 5 (b) (the Special Railway Uses zone) if it is shown coloured dark grey on the map.

(2) **Objective of the zone**
To maintain land for railway purposes.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

clearing of land; drainage; filling; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; railway uses (other than advertisements except at railway stations); utility installations (other than gas holders or generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

40 Interim development within Zone 5 (a)

In considering whether to grant consent to development of land within Zone 5 (a) for the erection or use of commercial premises, general agriculture, intensive horticulture or passenger terminals, the Council must assess the proposal to ensure that it will not interfere with the use of the land for the purpose identified by lettering on the zoning map.

41 Controls to promote commercial hierarchy within Zone 5 (a)

Despite any other provision of this plan, the Council may consent to commercial or retail development (or mixed commercial and retail development) on land within Zone 5 (a) only if,

in the opinion of the Council, it will promote the commercial hierarchy for the Shellharbour City local government area presented in Schedule 4.

42 Temporary uses by charities and service clubs within Zone 5 (a)

(1) Despite any other provision of this plan, a person may, with the consent of the Council, carry out development on land within Zone 5 (a) for the purpose of temporary activities such as markets, exhibitions and fund raising, but only if:

(a) the activity will be carried out by an established non-profit organisation, and

(b) the consent will not have the effect of allowing the same site to be used for the those kinds of activities more than 12 times in any one year.

(2) In considering whether to grant consent to the carrying out of any such development, the Council must take into account:

(a) the suitability of the land for the proposed development, and

(b) the availability and suitability of alternative sites for the proposed development, and

(c) the impact of the proposed development on the land and the neighbourhood, and

(d) the desirability of retaining the land for its existing or likely future use.

Part 7 Open Space Zones Provisions

43 General controls for development—Zone 6 (a) (the Public Open Space zone)

(1) **Land within the zone**
Land is within Zone 6 (a) (the Public Open Space zone) if it is shown coloured light green on the map.

(2) **Objectives of the zone**

(a) To identify areas where recreational opportunities for the general use of the community are provided.

(b) To enable development that will enhance the public enjoyment of areas referred to in subclause (2) (a).

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

aids to navigation; bushfire hazard reduction; home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*); landscaping.

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; clearing of land; community facilities; drainage; dwelling houses; educational establishments; filling; general agriculture; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; intensive horticulture; places of assembly; places of public worship; plantation forestry; racecourses; recreation areas; recreation establishments; recreation facilities; refreshment rooms; shops and commercial premises required in connection with an allowable use; showgrounds; turf

farms; utility installations (other than gas holders or generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not identified in subclause (3) or (4).

44 General controls for development—Zone 6 (b) (the Private Open Space zone)

(1) **Land within the zone**
Land is within Zone 6 (b) (the Private Open Space zone) if it is shown coloured medium green on the map.

(2) **Objective of the zone**
To identify areas where private recreation facilities may be developed.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

aids to navigation; home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; backpackers inns; bed and breakfasts; clearing of land; community facilities; drainage; dwelling houses required for use or occupation by persons employed in connection with an allowable use or a use granted consent; educational establishments; filling; general agriculture; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; intensive horticulture; places of assembly; places of public worship; racecourses; recreation areas; recreation establishments; recreation facilities; refreshment rooms; shops and commercial premises required in connection with an allowable use or a use granted consent; turf farms; tourist facilities; utility installations (other than gas holders or generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not identified in subclause (3) or (4).

45 Restriction on granting consent for development within Zone 6 (a)

Despite any other provision of this plan, the Council must not consent to any development on land within Zone 6 (a) unless it has considered:

(a) the need for the proposed development on that land, and

(b) the impact of the proposed development on the existing or likely future use of the land, and

(c) the need to retain the land for its existing or likely future use.

46 Controls for building dwelling houses within Zone 6 (a)

Despite any other provision of this plan, the Council must not consent to the erection of a dwelling house on land within Zone 6 (a) unless it is satisfied that the dwelling house is to be used for the permanent occupation of a caretaker or manager for the property on which the dwelling house is to be located.

47 Temporary uses by charities and service clubs within Zones 6 (a) and 6 (b)

(1) Despite any other provision of this plan, a person may, with the consent of the Council, carry out development on land within Zone 6 (a) or 6 (b) for the purpose of temporary activities such as markets, exhibitions and fund raising, but only if:

(a) the activity will be carried out by an established non-profit organisation, and

(b) the consent will not have the effect of allowing the same site to be used for the those kinds of activities more than 12 times in any one year.

(2) In considering whether to grant consent to the carrying out of any such development, the Council must take into account:

(a) the desirability (from the Council's view point) of the proposed development on the land, and

(b) the suitability of the land for the proposed development, and

(c) the availability and suitability of alternative sites for the proposed development, and

(d) the impact of the proposed development on the land and the neighbourhood, and

(e) the desirability of retaining the land for its existing or likely future use.

Part 8 Environmental Protection Zones Provisions

48 General controls for development—Zone 7 (a) (the Environmental Protection (Wetlands) zone)

(1) **Land within the zone**
Land is within Zone 7 (a) (the Environmental Protection (Wetland) zone) if it is shown coloured rust on the map.

(2) **Objectives of the zone**

(a) To protect and enhance wetland areas which provide important habitats for species of wetland flora and fauna.

(b) To maintain and enhance wetland environments which provide limited recreational and aesthetic opportunities for the public.

(3) **Allowed without development consent**
Development for the purpose of:

Nil.

(4) **Allowed only with development consent**
Development for the purpose of:

aids to navigation; cycleways; drainage; filling; general agriculture; utility installations (other than gas holders or generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

49 General controls for development—Zone 7 (d) (the Environmental Protection (Scenic) zone)

(1) **Land within the zone**

Land is within Zone 7 (d) (the Environmental Protection (Scenic) zone) if it is shown coloured light tan on the map.

(2) **Objective of the zone**
To protect scenic areas which are generally undeveloped and which provide an important visual backdrop for the urban areas.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

aids to navigation; home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; animal boarding, breeding or training establishments; attached dual occupancies; bed and breakfasts; clearing of land; drainage; dwelling houses; filling; general agriculture; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; intensive horticulture; intensive livestock keeping; plantation forestry; recreation areas; recreation establishments; roadside stalls; rural industries; tourist facilities; turf farms; utility installations (other than gas holders or generating works); veterinary surgeries; wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

50 General controls for development—Zone 7 (e) (the Environmental Protection (Escarpment) zone)

(1) **Land within the zone**
Land is within Zone 7 (e) (the Environmental Protection (Escarpment) zone) if it is shown coloured medium tan on the map.

(2) **Objective of the zone**
To protect escarpment areas which are generally undeveloped and which provide an important visual backdrop for urban areas and which support important native flora and fauna habitats.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; attached dual occupancies; bed and breakfasts; clearing of land; drainage; dwelling houses; filling; general agriculture; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; intensive horticulture; mines;

plantation forestry; recreation areas; recreation establishments; roadside stalls; rural industries; utility installations (other than gas holders or generating works); veterinary surgeries; wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

51 General controls for development—Zone 7 (f2) (the Environmental Protection (Foreshore) zone)

(1) **Land within the zone**
Land is within Zone 7 (f2) (the Environmental Protection (Foreshore) zone) if it is shown coloured dark tan on the map.

(2) **Objective of the zone**
To protect prominent foreshore areas which are generally undeveloped and which provide aesthetic and recreational opportunities for the public.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

aids to navigation; home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; bed and breakfasts; clearing of land; drainage; dwelling houses; filling; general agriculture; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; recreation areas; local roads; tourist facilities; utility installations (other than gas holders or generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

52 General controls for development—Zone 7 (g) (the Environmental Protection (Living Area 1) zone)

(1) **Land within the zone**
Land is within Zone 7 (g) (the Environmental Protection (Living Area 1) zone) if it is shown coloured medium tan and lettered 7 (g) on the map.

(2) **Objectives of the zone**

(a) To allow small rural holdings to be created taking advantage of the availability of rural land not generally suited to agriculture, industrial or urban uses.

(b) To maintain the environmental quality and visual amenity of Shellharbour's rural areas.

(c) To protect the quality of waters in the locality concerned.

(d) To preserve the rural backdrop to existing and proposed residential areas.

(e) To reduce the demand for subdivision for residential purposes of rural land.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; bed and breakfasts; clearing of land; drainage; dwelling houses; education establishments; filling; general agriculture; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; intensive horticulture; places of public worship; plantation forestry; professional consulting rooms; turf farms; utility installations; veterinary surgeries; wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

53 General controls for development—Zone 7 (h) (the Environmental Protection (Living Area 2) zone)

(1) **Land within the zone**
Land is within Zone 7 (h) (the Environmental Protection (Living Area 2) zone) if it is shown coloured medium tan and lettered 7 (h) on the map.

(2) **Objectives of the zone**

(a) To provide for low density detached dwelling development in localities that cannot support conventional densities by virtue of servicing constraints, the visual prominence of the site, the need to retain important remnant vegetation or any other reason.

(b) To ensure the housing styles are sympathetic to a semi-rural setting and maintain the visual amenity of the locality.

(c) To ensure areas of remnant bushland are preserved.

(3) **Allowed without development consent**
Exempt development and development for the purpose of:

home-based child care; home businesses; home occupations (excluding an occupation or industry involving the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*).

(4) **Allowed only with development consent**
Development for the purpose of:

advertisements displaying the purpose for which the land is used; bed and breakfasts; clearing of land; drainage; dwelling houses; educational establishments; filling; home occupations where the occupation or industry involves the handling or preparation (or both) of food for sale or the carrying out of skin penetration procedures as defined in the *Public Health Act 1991*; professional consulting rooms; turf farms; utility installations; wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

54 Controls for subdivision of land within Zones 7 (a), 7 (d) and 7 (e)

(1) The Council must not consent to a subdivision of land within Zone 7 (a), 7 (d) or 7 (e) unless:

(a) each allotment to be created will have an area of not less than 40 hectares or the Council is satisfied that any proposed smaller allotment is not intended to be used for the purpose of agriculture or a dwelling house, but is intended to be used for another lawful purpose, and

(b) where any allotment proposed to be created will have a frontage to a main road, the frontage will be not less than 200 metres, and

(c) the Council has been informed of the purpose for which each proposed allotment to be created by the subdivision is intended to be used and, where the purpose is agriculture, of the form of agriculture for which the allotment is intended to be used.

55 Controls for building dwelling houses within Zones 7 (d) and 7 (e)

(1) Despite any other provision of this plan, the Council must not consent to the erection of a dwelling house on an allotment within Zone 7 (d) or 7 (e) that has an area of less than 40 hectares unless:

(a) that allotment is a vacant original holding, or

(b) the allotment has been created in accordance with a subdivision approval (or a consent for a subdivision) on which no condition has been imposed prohibiting the erection of a dwelling house on the subject property.

(2) Despite any other provision of this plan, the Council must not consent to the erection of more than one dwelling house on an allotment within Zone 7 (d) or 7 (e) unless the dwelling house will be used or occupied by a person engaged by the owner of that land in the pursuit of agriculture on that land or on land adjacent to or adjoining that land.

(3) Consent must not be granted for a dwelling house on an allotment of land in Zone 7 (d) or 7 (e) with an area of less than 40 hectares unless the Council places a condition on the consent requiring that allotment to be consolidated with any adjoining land in the same ownership until either all adjoining properties within the same ownership are consolidated or a minimum area of 40 hectares is achieved.

56 Controls for the development of certain land within Zone 7 (e)

(1) The Council must not consent to development on land within Zone 7 (e) in the "Jamberoo Valley Escarpment Area" shown on the map unless:

(a) there is no reasonable alternative site for the proposed development, and

(b) the proposed development will not have a detrimental impact on the visual quality of the Jamberoo Valley, and

(c) any building and its access will be designed and sited so as to be visually unobtrusive from any public place, and

(d) the proposed development will not be subject to slip hazard, and

(e) adequate landscaping to screen the development will be provided, and

(f) it has given consideration to the impact that the proposed development will have on the scenic quality of the Jamberoo Valley by way of colour, bulk, vegetation removal, road

access, visual intrusiveness, reflection and traffic generation, and is satisfied that such measures as will, in the Council's opinion, minimise that impact are proposed to be taken.

(2) The Council must take the following into consideration when assessing an application for consent to clear any land within Zone 7 (e) shown stippled on Sheet 3 of the map marked "Illawarra Regional Environmental Plan No 2—Jamberoo Valley" deposited in the office of the Department of Urban Affairs and Planning (being areas of significant vegetation):

(a) the movement of native fauna,

(b) any rare or significant flora or fauna,

(c) any rare or significant habitats,

(d) the effect of the proposed clearing on adjacent or adjoining lands under the control of the National Parks and Wildlife Service,

(e) whether there is a reasonable alternative to the removal of that vegetation or the extent of the removal of that vegetation,

(f) the visual impact on the scenic quality of the Jamberoo Valley by breaking any unbroken natural tree canopy cover or creating smaller discrete parcels of vegetation from an existing stand.

57 Controls for subdivision of land within Zone 7 (f2)

(1) The Council must not consent to the subdivision of land within Zone 7 (f2) unless:

(a) each allotment to be created will have an area of not less than 40 hectares or the Council is satisfied that any proposed smaller allotment is not intended to be used for the purpose of agriculture or a dwelling house, but is intended to be used for another lawful purpose, and

(b) where any allotment proposed to be created will have a frontage to a main road, the frontage will be not less than 200 metres, and

(c) the Council has been informed of the purpose for which each proposed allotment to be created by the subdivision is intended to be used and, where the purpose is agriculture, of the form of agriculture for which the allotment is intended to be used.

(2) The Council must not grant consent to a subdivision of land within Zone 7 (f2) unless it has taken into consideration the following:

(a) the extent to which the development would affect the scenic qualities of the coastal landscape, headlands, dune systems, and the hinterland, including lagoons, lakes and areas where the original vegetation is still dominant,

(b) whether the development would result in the degradation of, or restriction of access to, coastal recreation areas,

(c) any plan, code, policy or design adopted by resolution of the Coastal Council of New South Wales for the purpose of protecting coastal lands,

(d) the potential impacts of climate change including sea level rise.

(3) (Repealed)

58 Restrictions on granting consent within Zone 7 (f2)

(1) Despite any other provision of this plan, the Council must not consent to the erection of a dwelling house on land within Zone 7 (f2) unless the dwelling house is to be used for the permanent occupation of a caretaker or manager for the property on which the dwelling house is to be located.

(2) The matters that the Council must take into consideration in deciding whether to grant consent to development on land within Zone 7 (f2) for the purpose of additions or alterations to an existing building or work, tourist facilities, dams, drainage, dwelling houses, roads or utility installations (other than gas holders or generation works) are:

(a) the extent to which the development would affect the scenic qualities of the coastal landscape, headlands, dune systems, and the hinterland, including lagoons, lakes and areas where the original vegetation is still dominant, and

(b) whether the development would result in the degradation of, or restriction of access to, coastal recreation areas, and

(c) any plan, code, policy or design adopted by resolution of the Coastal Council of New South Wales for the purpose of protecting coastal lands, and

(d) the potential impacts of climate change including sea level rise.

(3) (Repealed)

59 Acquisition of land within Zone 7 (f2)

(1) The owner of land within Zone 7 (f2) may, by notice in writing, require the corporation to acquire the land.

(2) On receipt of such a notice, the corporation must acquire the land.

60 Controls for subdivision of land within Zone 7 (g)

The Council must not consent to the subdivision of land within Zone 7 (g) unless:

(a) each allotment to be created (including any proposed lot under the *Strata Schemes (Leasehold Development) Act 1973* or the *Community Land Development Act 1989*) will have an area of not less than 4 hectares, and

(b) the Council has taken into consideration:

(i) the land capability (including soil resources, soil stability and capacity for on-site waste disposal) and the natural constraints, and hazards of the land to be subdivided in relation to the density and design of the allotments proposed to be created, and

(ii) the desirability of providing a range and mix of allotment sizes, and

(iii) the ability to provide services to the land, and

(iv) whether the design of each allotment to be created by the subdivision is satisfactory for the provision of those services.

61 Controls for building dwelling houses within Zone 7 (g)

A person must not erect a dwelling house on an allotment of land within Zone 7 (g) unless that land is an allotment created by a subdivision to which the Council has consented in accordance with this plan.

62 Controls for subdivision of land within Zone 7 (h)

The Council must not consent to the subdivision of land within Zone 7 (h) unless:

(a) the average size of the allotments to be created (including any proposed lot under the *Strata Schemes (Leasehold Development) Act 1973* or the *Community Land Development Act 1989*) is not less than 1000 square metres, and

(b) the Council has taken into consideration:

(i) the land capability (including soil resources, soil stability and capacity for on-site waste disposal) and the natural constraints, and hazards of the land to be subdivided in relation to the density and design of the allotments proposed to be created, and

(ii) the desirability of providing a range and mixture of allotment sizes, and

(iii) the ability to provide services to the land, and

(iv) whether the design of each allotment to be created by the subdivision is satisfactory for the provision of those services.

63 (Repealed)

Part 9 National Parks and Nature Reserves Zone Provisions

64 General controls for development—Zone 8 (the National Parks and Nature Reserves zone)

(1) **Land within the zone**
Land is within Zone 8 (the National Parks and Nature Reserves zone) if it is shown coloured olive green on the map.

(2) **Objectives of the zone**

(a) To identify land which is reserved or dedicated under the *National Parks and Wildlife Act 1974*.

(b) To allow for the appropriate use of that land as provided for in the *National Parks and Wildlife Act 1974*.

(3) **Allowed without development consent**
Development for the purpose of:

Nil.

(4) **Allowed only with development consent**
Any development authorised by or under the *National Parks and Wildlife Act 1974* or any other development ordinarily incidental or ancillary to any such development.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

Part 10 Reservation Zones Provisions

65 General controls for development—Zone 9 (b) (the Arterial Roads Reservation zone)

(1) **Land within the zone**
Land is within Zone 9 (b) (the Arterial Roads Reservation zone) if it is shown coloured red on the map.

(2) **Objective of the zone**

To provide for the acquisition of land reserved for main or arterial roads.

(3) **Allowed without development consent**
Development for the purpose of:

main or arterial roads; widening of existing main or arterial roads.

(4) **Allowed only with development consent**
Development for the purpose of:

clearing of land; drainage; extractive industry; filling, mineral sand mines; turf farms; utility installations (other than gas holders and generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

66 General controls for development—Zone 9 (c) (the Local Roads Reservation zone)

(1) **Land within the zone**
Land is within Zone 9 (c) (the Local Roads Reservation zone) if it is shown coloured light grey on the map.

(2) **Objective of the zone**
To permit the development of reserved land where it is not immediately required for local roads.

(3) **Allowed without development consent**
Development for the purpose of:

local roads; widening of local existing roads.

(4) **Allowed only with development consent**
Development for the purpose of:

clearing of land; drainage; filling; utility installations (other than gas holders and generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

67 General controls for development—Zone 9 (d) (the Open Space Reservation zone)

(1) **Land within the zone**
Land is within Zone 9 (d) (the Open Space Reservation zone) if it is shown coloured dark green on the map.

(2) **Objective of the zone**
To allow the continued use of reserved land until it is required.

(3) **Allowed without development consent**
Development for the purpose of:

aids to navigation; bushfire hazard reduction; landscaping.

(4) **Allowed only with development consent**
Development for the purpose of:

clearing of land; drainage; filling; general agriculture; intensive horticulture; plantation forestry; recreation areas; showgrounds; utility installations (other than gas holders and generating works); wetland improvement.

(5) **Prohibited in the zone**
Development not included in subclause (3) or (4).

68 Acquisition of land within Zone 9 (b)

Note. Nothing in this clause is to be construed as requiring a public authority to acquire land—see section 27 (3) of the Act.

(1) The owner of any land within Zone 9 (b) may, by notice in writing, require the Roads and Traffic Authority (RTA) to acquire the land. 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 is included in the 5-year works program of the RTA current at the time of the receipt of the notice, or

(c) the land is not vacant but the RTA has decided not to give concurrence to an application for consent to the carrying out of development on the land, or

(d) the land is not vacant but the RTA is of the opinion that the owner of the land will suffer hardship if the land is not acquired within a reasonable period of time,

but the RTA is not required to acquire the land if it might reasonably be required to be dedicated for public road.

(2) Despite any other provision of this plan, land within Zone 9 (b) (whether or not it has been acquired) may be developed, with the consent of the Council, for any purpose for which development or compatible development may be carried out on land in an adjoining zone. In granting such a consent, the Council may impose conditions:

(a) requiring the removal of any building or work for which it has granted consent, or

(b) requiring the reinstatement of the land or removal of any waste materials or refuse, or

(c) relating to any requirement requested to be imposed in a condition by the RTA when granting concurrence.

(3) (Repealed)

69 Acquisition of land within Zone 9 (c)

(1) The owner of land within Zone 9 (c) may, by notice in writing, require the Council to acquire the land. On receipt of such a notice, the Council must acquire the land.

(2) Despite any other provision of this plan, until it is acquired, land within Zone 9 (c) may be developed, with the consent of the Council, for any purpose for which development or compatible development may be carried out on land in an adjoining zone. In granting such a consent, the Council may apply conditions requiring:

(a) the removal of any building or work for which it has granted consent, and

(b) the reinstatement of the land or removal of any waste materials or refuse.

70 Temporary uses by charities and service clubs within Zone 9 (d)

(1) Despite any other provision of this plan, a person may, with the consent of the Council, carry out development on land within Zone 9 (d) for the purpose of temporary activities such as markets, exhibitions and fund raising, but only if:

(a) the activity will be carried out by an established non-profit organisation, and

(b) the consent will not have the effect of allowing the same site to be used for the those kinds of activities more than 12 times in any one year.

(2) In considering whether to grant consent to the carrying out of any such development, the Council must take into account:

(a) the desirability (from the Council's view point) of the proposed development on the land, and

(b) the suitability of the land for the proposed development, and

(c) the availability and suitability of alternative sites for the proposed development, and

(d) the impact of the proposed development on the land and the neighbourhood, and

(e) the desirability of retaining the land for its existing or likely future use.

71 Acquisition of land within Zone 9 (d)

(1) The owner of land within Zone 9 (d) may, by notice in writing, require the Council to acquire the land. On receipt of such a notice, the Council must acquire the land.

(2) Despite any other provision of this plan, until it is acquired, land within Zone 9 (d) may be developed, with the consent of the Council, for any purpose for which development or compatible development may be carried out on land in an adjoining zone. In granting such a consent, the Council may apply conditions requiring:

(a) the removal of any building or work for which it has granted consent, and

(b) the reinstatement of the land or removal of any waste materials or refuse.

Part 11 Heritage Conservation Provisions

72 Heritage objectives

The objectives of this plan in relation to heritage are:

(a) to conserve the environmental heritage of the Shellharbour City local government area, and

(b) to conserve the heritage significance of existing significant fabric, relics, Aboriginal objects, settings and views associated with the heritage significance of heritage items and heritage conservation areas, and

(c) to ensure that archaeological sites and places of Aboriginal heritage significance are conserved, and

(d) to ensure that the heritage conservation areas throughout the Shellharbour City local government area retain their heritage significance.

73 Protection of heritage items, heritage conservation areas, relics and Aboriginal objects

(1) The following development may be carried out only with development consent:

(a) demolishing, damaging or moving a heritage item, or a building, work, relic, Aboriginal object, tree or place within a heritage conservation area,

(b) altering a heritage item or a building, work, relic or Aboriginal object within a heritage conservation area by making structural changes to its exterior,

(c) altering a heritage item or a building, work, relic or Aboriginal object within a heritage conservation area by making non-structural changes to the detail, fabric, finish or appearance of its exterior,

(d) altering a heritage item by making structural changes to its interior,

(e) moving the whole or a part of a heritage item,

(f) erecting a building on, or subdividing, land on which a heritage item is located or which is within a heritage conservation area,

(g) disturbing or excavating a place of Aboriginal heritage significance or an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic or an Aboriginal object being discovered, exposed, moved, damaged or destroyed.

(2) Development consent is not required by this clause if:

(a) in the opinion of the consent authority:

(i) the proposed development is of a minor nature or consists of maintenance of the heritage item or of a building, work, archaeological site, tree or place within a heritage conservation area, and

(ii) the proposed development would not adversely affect the significance of the heritage item or heritage conservation area, and

(b) the proponent has notified the consent authority in writing of the proposed development and the consent authority has advised the applicant in writing, before any work is carried out, that it is satisfied that the proposed development will comply with this subclause and that development consent is not otherwise required by this plan.

(3) Development consent is not required by this clause for the following development in a cemetery or burial ground if there will be no disturbance to human remains, relics in the form of grave goods, Aboriginal objects in the form of grave goods or to a place of Aboriginal heritage significance:

(a) the creation of a new grave or monument,

(b) an excavation or disturbance of land for the purpose of carrying out conservation or repair of monuments or grave markers.

(4) Before granting a consent required by this clause, the consent authority must assess the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

Note. The website of the Heritage Branch of the Department of Planning has publications that provide guidance on assessing the impact of proposed development on the heritage significance of items (for example, *Statements of Heritage Impact*).

(5) The assessment must include consideration of a heritage impact statement that addresses at least the following issues (but is not to be limited to assessment of those issues, if the heritage significance concerned involves other issues). The consent authority may also decline to grant such a consent until it has considered a conservation management plan, if

it considers the development proposed should be assessed with regard to such a plan.

(6) The minimum number of issues that must be addressed by the heritage impact statement are:

(a) for development that would affect a heritage item:

(i) the heritage significance of the item as part of the environmental heritage of the Shellharbour City local government area, and

(ii) the impact that the proposed development will have on the heritage significance of the item and its setting, including any landscape or horticultural features, and

(iii) the measures proposed to conserve the heritage significance of the item and its setting, and

(iv) whether any archaeological site would be adversely affected by the proposed development, and

(v) the extent to which the carrying out of the proposed development would affect the form of any historic subdivision, and

(b) for development that would be carried out in a heritage conservation area:

(i) the heritage significance of the heritage conservation area and the contribution which any building, work, relic, Aboriginal object, tree or place affected by the proposed development makes to this heritage significance, and

(ii) the impact that the proposed development would have on the heritage significance of the heritage conservation area, and

(iii) the compatibility of the proposed development with nearby original buildings and the character of the heritage conservation area, taking into account the size, form, scale, orientation, setbacks, materials and detailing of the proposed development, and

(iv) the measures proposed to conserve the significance of the heritage conservation area and its setting, and

(v) whether any landscape or horticultural features would be affected by the proposed development, and

(vi) whether any archaeological site would be affected by the proposed development, and

(vii) the extent to which the carrying out of the proposed development in accordance with the consent would affect any historic subdivision pattern, and

(viii) the issues raised by any submission received in relation to the proposed development in response to the notification or advertising of the application.

74 Development in heritage conservation areas

(1) Before granting consent for the erection of a building within a heritage conservation area, the consent authority must be satisfied that the features of the proposed building will be compatible with the heritage significance of the heritage conservation area, having regard to the form of, and materials used in, buildings that contribute to the heritage significance of the heritage conservation area.

(2) In satisfying itself about those features, the consent authority must have regard to at least

the following (but is not to be limited to having regard to those features):

(a) the pitch and form of the roof (if any),

(b) the style, size, proportion and position of the openings for windows or doors (if any),

(c) the colour, texture, style, size and type of finish of the materials to be used on the exterior of the building.

75 Notice of certain heritage development applications

(1) The demolishing or damaging of a heritage item or a building, work, relic, Aboriginal object, tree or place within a heritage conservation area (and the use of a building or land referred to in clause 76 for a purpose which, but for that clause, would be prohibited by this plan) are identified as advertised development.

(2) Before granting consent to the demolishing or damaging of a heritage item identified in Schedule 3 as being of State significance, the consent authority must be satisfied that any necessary excavation permit required by the *Heritage Act 1977* has been granted.

75A Development affecting places or sites of Aboriginal heritage significance

Before granting consent for development that is likely to have an impact on a place of Aboriginal heritage significance, or that will be carried out on an archaeological site of an Aboriginal object that has Aboriginal heritage significance, the consent authority must:

(a) consider the effect on the heritage significance of the place or site and any Aboriginal object known or reasonably likely to be located at the place or site, and

(b) except where the proposed development is integrated development, notify the local Aboriginal communities (in such way as it thinks appropriate) of its intention to do so and take into consideration any comments received in response within 21 days after the relevant notice is sent.

75B Development affecting archaeological sites of relics of non-Aboriginal heritage significance

(1) Before granting consent for development that will be carried out on an archaeological site of a relic that has non-Aboriginal heritage significance (whether or not it is also the site of an Aboriginal object of Aboriginal heritage significance), the consent authority must:

(a) consider a heritage impact statement explaining how the proposed development would affect the conservation of the site and any relic or Aboriginal object known or reasonably likely to be located at the site, and

(b) notify the Heritage Council of its intention to do so and take into consideration any comments received in response within 28 days after the notice is sent.

(2) This clause does not apply if the proposed development:

(a) does not involve disturbance of below-ground deposits and the consent authority is of the opinion that the heritage significance of any above-ground relics or Aboriginal objects would not be adversely affected by the proposed development, or

(b) is integrated development.

75C Development in the vicinity of heritage items

(1) Before granting consent to development in the vicinity of a heritage item, the consent authority must assess the impact of the proposed development on the heritage significance

of the heritage item and of any heritage conservation area within which it is situated.

(2) This clause extends to development:

(a) that may have an impact on the setting of a heritage item, for example, by affecting a significant view to or from the item or by overshadowing, or

(b) that may undermine or otherwise cause physical damage to a heritage item, or

(c) that will otherwise have any adverse impact on the heritage significance of a heritage item or of any heritage conservation area within which it is situated.

(3) The consent authority may refuse to grant any such consent unless it has considered a heritage impact statement that will help it assess the impact of the proposed development on the heritage significance, visual curtilage and setting of the heritage item.

(4) The heritage impact statement should include details of the size, shape and scale of, setbacks for, and the materials to be used in, any proposed buildings or works and details of any modification that would reduce the impact of the proposed development on the heritage significance of the heritage item.

76 Conservation incentives

The consent authority may grant consent to the use, for any purpose, of a building (that is a heritage item or is within a heritage conservation area) or of the land on which such a building is erected, even though the use would otherwise be prohibited by this plan, if it is satisfied that:

(a) the proposed use would not adversely affect the heritage significance of the item, its setting or the heritage conservation area, and

(b) the conservation of the heritage item or the heritage conservation area depends on the granting of the consent, and

(c) the proposed use is in accordance with a conservation management plan which has been endorsed by the consent authority, and

(d) the granting of consent to the proposed use would ensure that all necessary conservation work identified in the conservation management plan is carried out, and

(e) the proposed use would not adversely affect the amenity of the surrounding area otherwise than to an insignificant extent.

Part 12 Miscellaneous Provisions

77 Subdivision

(1) Except as provided by subclause (2), development consent is required for the subdivision of land.

(2) Development consent is not required for subdivision for any one or more of the following purposes:

(a) to excise an allotment that will be used only for the purpose of opening a public road or to widen a public road,

(b) to make minor adjustments to common property boundaries,

(c) to amalgamate a vacant original holding with one or more other vacant original holdings,

(d) to rectify an encroachment on a vacant original holding.

78 Suspension of restrictions on land

(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, the operation of any covenant, agreement or like instrument imposing restrictions on the development shall not apply to the development.

(2) Pursuant to section 28 of the Act, before the making of this plan the Governor approved of subclause (1).

79 Development on beds of lakes, rivers etc

A person shall not, without development consent, carry out any development on any land shown uncoloured on the map forming part of the bed of a harbour, bay, lake, river, lagoon, creek or any other natural watercourse.

80 Community use of school facilities and sites

(1) Where land to which this plan applies is used for the purpose of an educational establishment, the site and facilities of the establishment may, with development consent, be used for the purpose of meeting rooms, public halls, public libraries, entertainment, sport or recreation or for any other community purpose, whether or not any such use is a commercial use of the land.

(2) Nothing in this clause requires development consent to be granted for the carrying out of development on any land if that development could, but for this clause, be carried out on that land without development consent.

81 Classification or reclassification of public land as operational land

(1) The public land described in Schedule 5 is classified, or reclassified, as operational land for the purposes of the *Local Government Act 1993*.

(2) In accordance with section 30 of the *Local Government Act 1993*, a parcel of land described in Part 2 of Schedule 5, to the extent (if any) that it is a public reserve, ceases to be a public reserve on the commencement of the relevant amending plan and, by the operation of that plan, is discharged from any trusts, estates, interests, dedications, conditions, restrictions and covenants affecting the land or any part of the land, except for:

(a1) those (if any) specified for the land in Part 2 of Schedule 5, and

(a) any reservations that except land out of a Crown grant relating to the land, and

(b) reservations of minerals (within the meaning of the *Crown Lands Act 1989*).

(3) Before the relevant amending plan that inserted the description of a parcel of land into Part 2 of Schedule 5 was made, the Governor approved of subclause (2) applying to the land.

(4) In this clause, ***the relevant amending plan***, in relation to a parcel of land described in Part 2 of Schedule 5, is the local environmental plan cited at the end of the description of the parcel.

(4A) Land described in Part 3 of Schedule 5:

(a) to the extent (if any) that the land is a public reserve, does not cease to be a public reserve, and

(b) continues to be affected by any trusts, estates, interests, dedications, conditions, restrictions or covenants by which it was affected before its classification, or reclassification, as the case requires, as operational land.

(5) Land described in Part 1 of Schedule 5 is not affected by the amendments make by the *Local Government Amendment (Community Land Management) Act 1998* to section 30 of the *Local Government Act 1993*.

82 Exceptions

(1) Nothing in this plan prevents a person, with development consent, from carrying out development on land referred to in Schedule 6 for a purpose specified in relation to that land in that Schedule, subject to such conditions, if any, as are so specified.

(2) Subclause (1) does not affect the operation of any provision within this plan that is consistent with the consent to such development.

83 Development of Oak Flats interchange site, Pioneer Drive, Oak Flats

(1) This clause applies to land within Zone 5 (a) known as the Oak Flats interchange site, being Lot 2, DP 605483 and Lot 71, DP 788843, Pioneer Drive, Oak Flats, and as shown edged with a broken light blue line and lettered "Schedule 5" on Sheet 1 of the map marked "Shellharbour Local Environmental Plan 2000 (Amendment No 8)".

(2) Despite any other provision of this plan, the Council may only consent to development of the land to which this clause applies for one or more of the following purposes:

(a) an integrated bus, rail and road interchange facility that may include car parking, commuter drop off and pick up areas, bus stops, taxi ranks, bus and taxi shelters and bus driver facilities,

(b) retail and commercial development ancillary to the interchange facility that supports, but does not significantly detract from, the commercial viability of the Oak Flats commercial centre, and includes:

(i) land uses that serve the needs of commuters, such as convenience stores, medical and emergency services, child care centres and pre-schools, and

(ii) transport or interchange related uses,

(c) public buildings.

84 Development in the vicinity of Illawarra Regional Airport

Despite any other provision of this plan, consent must not be granted to development on land affected by restrictions as indicated in the plan titled "*Airport Height Limitation and Noise Exposure Forecast Plan*" dated 17 April 1998 and held in the office of the Council unless:

(a) the consent authority determines the proposal is acceptable in relation to building height, noise exposure, lighting and bird hazard management, and

(b) where a proposal does not comply with that plan, the Civil Aviation Safety Authority has been given notice of the proposal and any comments made by it to the consent authority within 28 days of its being notified have been taken into consideration by the consent authority.

85 Dunmore Wetland Catchment Protection Area

(1) Consent must not be granted to the carrying out of any development on land identified as

"Dunmore Wetland Catchment Protection Area" on the map unless the following ecological objectives of *State Environmental Planning Policy No 14—Coastal Wetlands* will be given effect in relation to land designated as Wetland No 374b on the map referred to in that policy:

(a) utilisation of the wetland habitat by migratory species listed on the JAMBA and CAMBA international migratory species agreements, being species that are recorded as using the wetland habitat,

(b) utilisation of the wetland habitat by regional wetland species, being species that are recorded as using the wetland habitat,

(c) environmental health of waterways within the Minnamurra River Catchment.

(2) In assessing whether a development proposal will give effect to the ecological objectives referred to in subclause (1), the consent authority must have regard to the following:

(a) protection of defined wetland values,

(b) protection of threatened species habitat,

(c) facilitation of land management activities within the catchment which are consistent with paragraphs (a) and (b).

86 Development on land identified on Acid Sulfate Soils Planning Maps

(deferred matter)

87 Exempt and complying development

(1) Development of minimal impact listed as exempt development in *Shellharbour Development Control Plan No 9/98 for Exempt Development*, as in force on 4 May 2005, is ***exempt development***, despite any other provisions of this plan.

(2) Development listed as complying development in *Shellharbour Development Control Plan No 11/98 for Complying Development*, as in force on 4 May 2005, is ***complying development*** if:

(a) it is local development of a kind that can be carried out with consent on the land on which it is proposed, and

(b) it is not an existing use, as defined in section 106 of the Act.

(3) Development is exempt or complying development only if it complies with the development standards and other requirements applied to the development by the relevant development control plan referred to in subclause (1) or (2).

(4) A complying development certificate issued for any complying development is to be subject to the conditions for the development specified in *Shellharbour Development Control Plan No 11/98 for Complying Development*, as in force when the certificate is issued.

88 Brothels and restricted premises

(1) The Council may only consent to an application for the carrying out of development for the purpose of a brothel or restricted premises if the brothel is not, or the restricted premises are not, located next to or directly opposite the following buildings or places:

(a) a dwelling house,

(b) a child care centre or a building or place providing home-based child care,

(c) a primary or secondary school,

(d) a place of public worship,

(e) a park,

(f) a playground,

(g) any other buildings or places regularly frequented by persons under 18 years of age.

(2) In considering an application for development referred to in subclause (1), the Council must consider the proximity of the proposed development to a building or place referred to in subclause (1) (a)–(g) and to the following buildings or places:

(a) a community facility,

(b) a hospital,

(c) premises licensed under the *Liquor Act 1982*.

(3) In this clause:

restricted premises means a building or place at which:

(a) publications classified Category 1 restricted, Category 2 restricted or RC under the *Classification (Publications, Films and Computer Games) Act 1995* of the Commonwealth are shown, exhibited, displayed, sold or otherwise rendered accessible or available to the public, or

(b) a business to which section 578E (Offences relating to advertising or displaying products associated with sexual behaviour) of the *Crimes Act 1900* applies is conducted,

but does not include a newsagency or pharmacy.

89 Savings and transitional provision

A development application lodged with the Council, but not finally determined, before the commencement of the *Shellharbour Local Environmental Plan 2000 (Amendment No 7)* is to be determined as if that plan had been exhibited but had not been made.

Schedule 1 Definitions

(Clause 8)

Aboriginal object means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises the Shellharbour City local government area, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains.

acid sulfate soils means actual or potential acid sulfate soils as defined in the *Acid Sulfate Soils Assessment and Management Guidelines* and as shown coloured and numbered on Sheets 1 and 2 of the map marked "Acid Sulfate Soil Planning Map—Albion Park and Kiama" deposited in the office of the Department, a copy of which is deposited in the office of the Council.

acid sulfate soils assessment and management guidelines means the *Acid Sulfate Soils Assessment and Management Guidelines* as published from time to time by the NSW Acid Sulfate Soils Management Advisory Committee and adopted by the Director.

advertisement means a display by the use of symbols, messages or other devices for conveying information, instructions, directions or the like, whether or not the display involves the erection of a structure or the carrying out of a work, but does not include an identification sign, a property for sale sign or a road traffic sign or signal or the like.

airport related industry means an industry that:

(a) requires access to an airport, or

(b) services an industry that requires access to an airport.

amusement park means a commercially run area where amusements and mechanical entertainments such as merry-go-rounds and the like are situated.

animal boarding, breeding or training establishment means a building or place where cats or dogs are bred, trained, nurtured or accommodated for gain or reward.

appointed day means the day on which this plan takes effect.

aquaculture means the commercial production, including breeding, hatching, rearing or cultivation of marine, estuarine or fresh water organisms, including aquatic plants or animals (such as fin fish, crustaceans, molluscs or other aquatic vertebrates).

archaeological site means the site of one or more relics or Aboriginal objects.

backpackers inn means a building (other than a motel or bed and breakfast) substantially used for the shared overnight accommodation of travellers, whether or not the building is also used for the provision of meals for those travellers.

bed and breakfast means a lawfully erected dwelling house occupied for permanent residential purposes in which a maximum of three rooms are made available by the residents for temporary holiday accommodation.

brothel means premises habitually used for the purposes of prostitution. Premises may constitute a brothel even though used by only one prostitute for the purposes of prostitution.

bulky goods means large goods which, in the opinion of the Council, are of such a size, weight or shape as to require a large area for handling, storage or display, but does not include food and grocery items.

bus depot means a building or place used for the servicing, repairing and garaging of buses and other vehicles used for the purpose of a bus transport undertaking.

car repair station means a building or place used for carrying out repairs to motor vehicles or agricultural machinery, not being:

(a) vehicle body building,

(b) panel beating which involves dismantling, or

(c) spray painting other than of a touching-up character.

child care centre means a building or place used for the supervision of or caring for children, and which:

(a) caters for 6 or more pre-school age children, whether or not those children are related to the owner or operator of the child care centre, and

(b) may include an educational function, and

(c) may be operated for gain,

but does not include a building or place providing residential care for those children.

clearing of land means any manner of destruction of a tree, shrub or plant on the land, but does not involve the destruction of any tree, shrub or plant:

(a) that is required or expressly authorised by or in pursuance of the provisions of any Act or statutory instrument or by any statutory authority in pursuance of the provisions of any Act or statutory instrument, or

(b) where the destruction is necessary in an emergency to prevent the spread of fire or in circumstances where the tree, shrub or plant presents a danger to life or property, or

(c) where the destruction is necessary to enable the carrying out of a development granted consent.

club means premises that require registration under the *Registered Clubs Act 1976*.

commercial premises means a building or place used as an office or for other business or commercial purposes, but does not include a building or place elsewhere specifically defined in this Schedule or a building or place used for a land use elsewhere specifically defined in this Schedule.

community facility means a building or place that does not require registration under the *Registered Clubs Act 1976* and that is used to provide for the physical, cultural or intellectual development or welfare of the local community.

community land means land classified as community land within the meaning of the *Local Government Act 1993*.

conservation management plan means a document prepared in accordance with the requirements of the Heritage Office that establishes the heritage significance of an item, place or heritage conservation area and identifies conservation policies and management mechanisms that are appropriate to enable that significance to be retained.

Council means the Council of the City of Shellharbour.

demolish a heritage item, or a building, work, archaeological site, relic, Aboriginal object, tree or place within a heritage conservation area, means wholly or partly destroy, dismantle or deface the heritage item or the building, work, archaeological site, relic, Aboriginal object, tree or place.

Department has the same meaning as in the Act.

development has the same meaning as in the Act.

Director-General means the Director-General of the Department.

drainage of land means the natural or engineered flow of water from the land into natural or engineered channels or water bodies, or both.

dual occupancy means two dwellings (whether attached or detached) on a single allotment of land (or which would be on a single allotment were it not for the fact that the allotment is to be subdivided as part of the development).

dwelling means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile.

dwelling house means a building containing one but not more than one dwelling.

educational establishment means a building used as a school, college, technical college, university, academy, training facility, lecture hall, gallery, museum, display centre or the like but does not include a building used wholly or principally as an institution or child care centre.

extractive industry means:

(a) the winning of extractive material, or

(b) an industry or undertaking, not being a mine, which depends for its operations on the winning of extractive material from the land on which it is carried out, and includes any washing, crushing, grinding, milling or separating into different sizes of that extractive material on that land.

extractive material means sand, gravel, clay, soil, rock, stone or similar substance, but does not include turf or any sand, soil or other substance remaining attached to turf after the extraction of turf is carried out.

filling means the placement of fill independently of other development for which consent has been granted on an area:

(a) within 40 metres of a water course, or

(b) to a depth greater than 1 metre above existing ground level and over an area exceeding 100 square metres on land within Zone 1 (a), or

(c) to a depth greater than 200mm above existing ground level on land within any zone other than Zone 1 (a), or

(d) where natural drainage to an adjacent property will be affected.

gas holder means a container designed to hold more than 500 litres of liquid petroleum gas.

general agriculture means the keeping of livestock, where the stocking rate is not above that of the demonstrated carrying capacity of the land, and rain fed cropping, where fertiliser and irrigation may be applied from time to time. It may consist of or include grazing of beef or dairy cattle, deer farming or cereal cropping. It also includes pasture improvement and the like, and the erection and use of ancillary buildings, but does not include a land use elsewhere specifically defined in this Schedule.

general store means a shop used for the sale by retail of general merchandise. It may include the facilities of a post office, dry cleaning agency, financial agency or the like.

generating works means a building or place used for the purpose of making or generating gas, electricity or other forms of energy.

health care professional means a person who renders professional health services to members of the public, and includes a podiatrist, a chiropodist, a chiropractor, a physiotherapist and an optometrist.

heavy industry means an industry, not being an extractive, light, offensive, hazardous or rural industry.

helipad means an area or place not open to public use which is authorised by the Commonwealth Department of Transport and which is set apart for the taking off and landing of helicopters.

heliport means an area or place open to public use which is licensed by the Commonwealth

Department of Transport for use by helicopters and includes terminal buildings and facilities for the parking, servicing and repair of helicopters.

heritage conservation area means an area of land described in Schedule 2 and shown edged heavy red with diagonal hatching and marked "Heritage Conservation Area" on the map and includes buildings, works, archaeological sites, relics, Aboriginal objects, trees and places situated on or within the land.

heritage impact statement means a document consisting of a statement demonstrating the heritage significance of a heritage item or heritage conservation area, or of a building, work, archaeological site, tree or place within a heritage conservation area, an assessment of the impact that proposed development will have on that significance and proposals for measures to minimise that impact.

heritage item means:

(a) a building, work, relic, Aboriginal object, archaeological site, moveable object, tree or place (which may or may not be situated on or within land that is a heritage conservation area) specified in an inventory of heritage items that is available at the office of the Council and the site of which is described in Schedule 3 and shown by broken red edging and numbered in red on the map, or

(b) a place specified in an inventory of heritage items available at the office of the Council and described in the inventory as a place of Aboriginal heritage significance.

heritage significance means historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value.

home-based child care means a child minding service, within the meaning of the *Children (Care and Protection) Act 1987*, carried on in a dwelling erected with development consent, being a service that is either:

(a) a home-based child care service, within the meaning of the *Home-based Child Care Services Regulation 1989*, carried on in accordance with that Regulation, or

(b) a care giving service, within the meaning of the *Family Day Care Services Regulation 1989*, carried on in accordance with that Regulation.

home business means a business carried on from the allotment that is the site of a lawfully erected dwelling house, where:

(a) the majority of the business is carried on away from the dwelling house, with the dwelling house and its outbuildings and curtilage being used primarily as a base or office, and

(b) the business will not:

(i) interfere with the amenity of the neighbourhood by reason of traffic generation, noise or otherwise, or

(ii) involve the exposure to view from any adjacent premises or from any public place of any goods associated with the business or any unsightly matter, or

(iii) involve the parking of heavy vehicles either on or adjacent to the property, or

(iv) involve the employment of persons other than the permanent residents of the dwelling house at the base or office, and

(c) the dwelling house continues to be used for permanent residential occupation by the person

carrying out the business.

home occupation means an occupation or industry carried on from the allotment that is the site of a lawfully erected dwelling, where:

(a) the dominant use of the allotment remains that for which the land is zoned, and

(b) two car parking spaces will be provided on the allotment, at least one of which is behind the building line, and

(c) the floor space of the building or the area used for the occupation or industry does not exceed 50 square metres and is located within the curtilage of the dwelling, and

(d) the occupation or industry does not:

(i) interfere with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, or

(ii) involve exposure to view from any adjacent premises or from any public place of any unsightly matter or any goods, or

(iii) require the provision of any essential service main of a greater capacity than that available in the locality, or

(iv) involve the exhibition of any notice, advertisement or sign other than a single notice to indicate the name, occupation and contact number of the resident, or

(v) employ more than one person who is not a permanent resident of the dwelling, or

(vi) involve the sale of items (whether goods or materials) or the exposure or offer for sale of items, by retail.

hospital means a building or place used for the purpose of providing professional health care services (such as preventative or convalescent care, diagnosis, medical or surgical treatment, care for people with developmental disabilities, psychiatric care or counselling and services provided by health care professionals) to people admitted as in-patients (whether or not out-patients are also cared for or treated there) and includes a shop, refreshment rooms, accommodation, research or educational facilities or a dispensary used in conjunction with that use.

hotel means premises to which a hotelier's licence granted under the *Liquor Act 1982* relates.

industry means:

(a) any manufacturing process within the meaning of the *Factories, Shops and Industries Act 1962*, or

(b) the breaking up or dismantling of any goods or any article for trade or sale or gain or as ancillary to any business.

institution means a penal or reformative establishment.

intensive horticulture means a building or place used for the growing of plants, including vegetables, flowers, vines, fruit and the like, where application of water and fertiliser is significantly over and above that naturally occurring, but not produce grown for the consumption or enjoyment of the owner or occupier of the land.

intensive livestock keeping means a building or place used to hold livestock for the purpose of

breeding and/or nurturing by a feeding method other than natural grazing and includes:

(a) poultry farms, or

(b) fish farms, or

(c) horse training and boarding establishments, and

(d) piggeries,

and the like, but does not include a building or place elsewhere specifically defined in this Schedule or used for the keeping of livestock for personal consumption or enjoyment by the owner or occupier of the land.

Jamberoo Valley Escarpment Area means the land shown hatched and labelled "Jamberoo Valley Escarpment Area" on the map.

Jamberoo Valley Rural Conservation Area means the area of land shown hatched and labelled 'Jamberoo Valley Rural Conservation Area' on the map.

junk yard means land used for the collection, storage, dismantling or sale of scrap metals, vehicles or machinery or parts of vehicles or machinery.

light industrial retail outlet means a shop the use of which is ancillary to the principal use of the land on which it is located and:

(a) which is used in conjunction with a light industry or warehouse on land within Zone 4 (a), 4 (a3) or 4 (f), and

(b) which is situated on the land on which the light industry or warehouse is located, and

(c) in which are sold only goods that have been assembled, manufactured or stored on the land on which the shop is situated;

light industry means an industry, not being an extractive, rural, heavy, offensive or hazardous industry, in which the processes carried on, the transportation involved or the machinery or materials used do not interfere with the amenity of nearby residential neighbourhoods by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise.

liquid fuel depot means a depot or place used for the bulk storage for wholesale distribution of petrol, oil, petroleum or other inflammable liquid.

main or arterial road means a main road, state highway, freeway or tollway within the meaning of the *Roads Act 1993*.

maintenance means, in relation to a heritage item or a building, work, archaeological site, tree or place within a heritage conservation area, the ongoing protective care of the heritage item, building, work, archaeological site, tree or place. It does not include alterations, such as carrying out extensions or additions, or the introduction of new materials or technology.

medium density housing means a building or group of buildings containing 3 or more dwellings located on a single parcel of land.

mine means any place, open cut, shaft, tunnel, pit, drive, level or other excavation, drift, gutter, lead, vein, lode or reef on which, in which or by which any operation is carried on for or in connection with obtaining any metal or mineral by any method and any place on which any product of the mine is stacked, stored, crushed or otherwise treated, but does not include a quarry.

mineral sand mine means a mine used for or in connection with obtaining ilmenite, monazite, rutile, zircon or similar minerals.

Minister means the Minister responsible for the administration of the Act.

motel means a building or buildings (other than a hotel, backpackers inn or bed and breakfast) substantially used for the overnight accommodation of travellers and the vehicles used by them, whether or not the building or buildings are also used in the provision of meals to those travellers or the general public.

motor showroom means a building or place used for the display or sale of motor vehicles, caravans, boats or trailers, whether or not motor vehicle accessories, caravan accessories, boat accessories or trailer accessories are also sold or displayed there.

moveable object means a moveable object that is not a relic or an Aboriginal object.

offensive or hazardous industry means an industry which by reason of the processes involved or the method of manufacture or the nature of the materials used or produced, requires isolation from other buildings.

operational land means land classified as operational land within the meaning of the *Local Government Act 1993*.

passenger terminal means a building or place used for the assembly and dispersal of passengers travelling by a passenger transport carrier.

place of Aboriginal heritage significance means:

(a) a place that has the physical remains of pre-European occupation by, or is of contemporary significance to, the Aboriginal people. It can (but need not) include items and remnants of the occupation of the land by Aboriginal people, such as burial places, engraving sites, rock art, midden deposits, scarred and sacred trees and sharpening grooves, or

(b) a natural Aboriginal sacred site or other sacred feature. It includes natural features such as creeks or mountains of long-standing cultural significance, as well as initiation, ceremonial or story places or areas of more contemporary cultural significance.

place of assembly means a public hall, theatre, cinema, music hall, concert hall, dance hall, open-air theatre, drive-in theatre, music bowl or any other building of a like character used as such and whether used for the purpose of gain or not, but does not include a place of public worship, an institution or an educational establishment.

place of public worship means a building or place used primarily for the purpose of religious worship by a congregation or religious group, whether or not the building or place is also used for counselling, religious training or social events related to the functioning of the building.

plantation forestry includes the use of a cleared site for the purpose of arboriculture, silviculture, forest protection, the cutting, dressing and preparation, otherwise than in a sawmill, of wood and other forest products and the establishment of roads required for the removal of wood and forest products and for forest protection.

plant nursery means a building or space used for the growing and wholesale or retail selling of plants whether or not ancillary products are sold there.

professional consulting rooms means a room or a number of rooms forming either the whole of or part of, attached to or within the curtilage of, a dwelling house and used by not more than three legally qualified medical practitioners or by not more than three dentists, or by not more than three health care professionals, who practise there the profession of medicine, dentistry or health

care respectively and, if more than one, practice in partnership, and who employ not more than three employees in connection with that practice.

public building means a building used as offices or for administrative or other like purposes by the Crown, a statutory body, a Council or an organisation established for public purposes.

public utility undertaking means any of the following undertakings carried on or permitted or suffered to be carried on by authority of any Government Department or under the authority of or in pursuance of any Commonwealth or State Act:

(a) railway, road transport, water transport, air transport, wharf or river undertakings,

(b) undertakings for the supply of water, hydraulic power, electricity or gas or the provision of sewerage or drainage services,

and a reference to a person carrying on a public utility undertaking includes a reference to a Council, County Council, Government Department, corporation, firm or authority carrying on the undertaking.

quarry buffer area means the area of land shown hatched and labelled "Quarry Buffer Area" on the map.

racecourse means a place used for the organised racing of animals or vehicles and includes ancillary buildings and facilities.

recreation area means:

(a) a children's playground, or

(b) an area used for sporting activities or sporting facilities, or

(c) an area used to provide facilities for or ancillary to recreational activities that promote the physical, cultural or intellectual welfare of persons within the community,

but does not include a racecourse or a showground.

recreation establishment means health farms, religious retreat houses, youth camps and the like but does not include a building or place elsewhere specifically defined in this Schedule or a building or place used for a land use elsewhere specifically defined in this Schedule.

recreation facility means a building or place used for indoor recreation, a billiard saloon, table tennis centre, squash court, swimming pool, gymnasium, health studio, bowling alley, fun parlour or any other building of a like character used for recreation, whether used for the purpose of gain or not, but does not include a place of assembly.

refreshment room means a restaurant, café, tea room, eating house or the like.

relic means any deposit, object or material evidence (which may consist of human remains) that is more than 50 years old relating to the use or settlement, not being Aboriginal habitation, of the Shellharbour City local government area and that is a fixture or is wholly or partly within the ground.

roadside stall means a building or place not exceeding 20 square metres in floor space or area respectively where only primary products produced on the property on which the building or place is situated are exposed or offered for sale or sold by retail.

road transport terminal means a building or place used mainly for the bulk handling of goods for transport, and includes facilities for the loading and unloading of vehicles used to transport those

goods and for the parking, servicing and repair of those vehicles.

rural industry means handling, treating, processing or packing of primary products and includes the servicing in a workshop of plant or equipment used for rural purposes in the locality.

sawmill means a mill handling, cutting, and processing timber from logs or baulks.

service station means a building or place used for the fuelling of motor vehicles involving the sale by retail of petrol, oil and other petroleum products whether or not the building or place is also used for any one or more of the following:

(a) the sale by retail of spare parts and accessories for motor vehicles,

(b) washing and greasing of motor vehicles,

(c) installation of accessories,

(d) repairing and servicing of motor vehicles involving the use of hand tools (other than repairing and servicing which involves top overhaul of motors, body building, panel beating or spray painting, or suspension, transmission or chassis restoration).

shop means a building or place used for selling, exposing or offering for sale by retail, goods, merchandise or materials, but does not include a building or place elsewhere specifically defined in this Schedule.

showground means an area used to present organised cultural events to the public and may include both indoor and outdoor facilities for exhibitions and festivities.

stock and sale yard means a building or place used for offering animals for sale and includes a public cattle market.

subdivision has the same meaning as in the Act.

the Act means the *Environmental Planning and Assessment Act 1979*.

the map means the maps marked "Shellharbour Local Environmental Plan 2000", as amended by the maps (or specified sheets of maps) marked as follows:

Editorial note. The amending maps are not necessarily listed in the order of gazettal. Information about the order of gazettal can be determined by referring to the Historical notes at the end of the plan.

Shellharbour Local Environmental Plan 2000—Amendment No 2

Shellharbour Local Environmental Plan 2000 (Amendment No 6).

Shellharbour Local Environmental Plan 2000—Amendment No 7

Shellharbour Local Environmental Plan 2000 (Amendment No 8)—Sheet 2

Shellharbour Local Environmental Plan 2000 (Amendment No 10)

Shellharbour Local Environmental Plan 2000 (Amendment No 11)

Shellharbour Local Environmental Plan 2000 (Amendment No 12)

Shellharbour Local Environmental Plan 2000 (Amendment No 14)

timber yard means a place or building used for the storage, treatment and sale of timber products.

tourist facility means an establishment providing holiday accommodation or recreational

facilities, or both, on a short term use basis, and may include:

(a) a hotel, motel, bed and breakfast accommodation, backpackers inn, serviced apartments, holiday cabins, a caravan park, camping ground, houseboat, and any associated swimming pool, golf course, tennis court and marina,

(b) a restaurant, and

(c) a souvenir shop, arts and craft gallery and exhibition centre.

turf farm means a place where the cultivation and extraction of turf is carried out.

utility installation means a building or work used by a public utility undertaking, but does not include a building designed wholly or principally as administrative or business premises or as a showroom.

vacant original holding means a parcel of land, whether comprising one or any combination of contiguous lots or portions, held in one ownership as at 31 May 1974 and on which no dwelling house is erected.

veterinary surgery means a building or place used for the treatment of the diseases and injuries of animals, and includes a building or place used for the purpose of an animal hospital.

warehouse means a building or place used for the storage of goods, merchandise or materials.

waste means:

(a) any substance (whether solid, liquid, or gaseous) that is discharged, emitted or deposited in the environment in such volume, constituency or manner as to cause an alteration in the environment, or

(b) any discarded, rejected, unwanted, surplus or abandoned substance, or

(c) any otherwise discarded, rejected, unwanted, surplus, or abandoned substance intended for sale or for recycling, reprocessing, recovery or purification by separate operation from that which produced the substance, or

(d) any substance prescribed to be waste for the purposes of the *Waste Minimisation and Management Act 1995* by the regulations made under that Act.

A substance is not precluded from being waste merely because it can be reprocessed, re-used or recycled.

waste management facilities or works means any premises used for the storage, treatment, reprocessing, recycling, sorting or the disposal of waste.

wetland improvement means the creation, enhancement, regeneration or maintenance of wetlands and any related or ancillary development, whether the wetland is natural or artificial and whether or not the wetland forms part of an integrated drainage system.

Schedule 2 Heritage conservation areas

(Schedule 1)

BASS POINT

1 Bass Point Reserve
Lot 3, DP 248002, Bass Point

BLACKBUTT

2 Blackbutt Forest
Lot 3, DP 259967, Shellharbour Road, Blackbutt

MACQUARIE PASS

3 Macquarie Pass National Park
Illawarra Highway, Macquarie Pass

SHELLHARBOUR

4 Waterfront, Harbour and Breakwater
Foreshore below Wollongong Street, Shellharbour

Schedule 3 Heritage items

(Schedule 1)

Item No	Heritage Item	Level of Significance
ALBION PARK		
AP1	"Tulkeroo" Lot 1, DP 910045, 23 Calderwood Road, Albion Park	Local
AP2	Former Presbyterian manse Lot 1, DP 574775, 42 Macquarie Street, Albion Park	Local
AP3	Pioneer cemetery Part Lot 32, DP 111172, Russell Street, Albion Park	Local
AP4	"Rosetta Hill" Lot 1, DP 883020, 55 Fields Drive, Albion Park	Local
AP5	Albion Park School and former school residence Lot 1, DP 782244, Tongarra Road, Albion Park	Local
AP6	Albion Park Anglican and Roman Catholic cemeteries Part of Lot 2, DP 227785, Part of Lot 301, DP 1041577 and Part Lot 37, DP 111172, Tongarra Road, Albion Park	Local
AP7	"Ravensthorpe", including grounds and adjoining workers' cottages Lots 91–93, DP 1069273, 52–56 Tongarra Road, Albion Park	Local
AP8	Albion Park Courthouse Lot 64, DP 781264, 94–96 Tongarra Road, Albion Park	Local
AP9	Former bank building Lot 4, DP 703238, 148 Tongarra Road, Albion Park	Local
AP10	St Andrew's Presbyterian Church Part Lot 36, DP 111172, 250 Tongarra Road, Albion Park	Local
AP11	All Saints Anglican Church Part of Lot 2, DP 227785, 253 Tongarra Road, Albion Park	Regional
ALBION PARK RAIL		
AR1	Former Albion Park Dairy Co-Op building Part of Lot 2, DP 1055593 and State Rail Authority land fronting Creamery Road, Albion Park Rail	Local
AR2	General Cemetery Lot 7007, DP 1029735, 61 Croome Road, Albion Park Rail	Local
AR3	Albion Park Railway precinct, including the station, forecourts, residence and surroundings Part of Lot 2, DP 1055593, Station Residence Lot 1, DP 1055593 and State Rail Authority property fronting Station Road, Albion Park Rail	State
BASS POINT		
BP1	"Cities Service Boston" wreck monument Lot 3, DP 248002, Bass Point	Local
BLACKBUTT		

BL1	Stand of trees in Wentworth Cottage Park Lot 8222, DP 852573, Pioneer Drive, Blackbutt	Local
CALDERWOOD		
CA1	Marshall Mount Methodist cemetery Lot 1, DP 195342, Calderwood Road, Calderwood	Local
CROOM		
CR1	"The Hill" Part Lot 5, DP 3709, Dunsters Lane, Croom	State
CR2	"Kurrawong" Lot 100, DP 717430, 4 James Road, Croom	Local
CR3	Avenue of Norfolk Island Pine trees Princes Highway, Croom, extending 800 metres south and 1100 metres north of the symbol on the map	Local
DUNMORE		
DU1	"Dunmore House" Lot 1, DP 1051476, Princes Highway, Dunmore	Regional
DU2	Shellharbour Railway precinct at Dunmore, including the station, forecourts, residence and surroundings Lot 1, DP 859763 and State Rail Authority land fronting Shellharbour Road, Dunmore	State
DU3	Former Minnamurra School, including residence and grounds Lot 1, DP 745632, 40 Swamp Road, Dunmore	Regional
DU4	"Glengowrie" and fig trees Lots 12, 13 and 14, DP 1017763, Swamp Road, Dunmore	Local
DU5	Tree (in contorted form) on former "Peterborough Estate" Lot 1, DP 133603, 53 Browns Road, Dunmore	Local
MACQUARIE PASS		
MP1	"Nurrewin" Lot 68, DP 751263, Illawarra Highway, Macquarie Pass National Park	Regional
SHELL COVE		
SC1	"Killarney" Lot 10, DP 882238, 7–21 Buckley's Road, Shell Cove	Local
SHELLHARBOUR		
SH1	Boer War memorial in Caroline Chisholm Park Lot 9, DP 11740, 14 Addison Street, Shellharbour	Local
SH2	Anchor from "Rangoon" Lot 1, DP 560228, 2 Addison Street, Shellharbour	Local
SH3	Ocean Beach Hotel (former Shellharbour Hotel), including trees Lot 1, DP 560228, 2 Addison Street, Shellharbour	Local
SH4	Former corner store Lot 1, DP 745795, 10 Addison Street, Shellharbour	Local
SH5	Bakery ovens, bricks and facades of former bakery (moveable objects) Lot 7, DP 238804, 25 Addison Street, Shellharbour	Local
SH6	"Windradeen" Lot 5, DP 238804, 29 Addison Street, Shellharbour	Local
SH7	Former Shellharbour Council Chambers Lot 76, DP 751290, 32A Addison Street, Shellharbour	Local
SH8	Former Allen's store Lot 2, DP 238804, 35 Addison Street, Shellharbour	Local
SH9	Russell East Park (including Moreton Bay Fig tree and Olive tree) Lots 5 and 6, DP 24223 and Lot 5, DP 24031, 10 Eastern Avenue, Shellharbour	Local
SH10	Moreton Bay Fig tree Part Lot 1, DP 80960 and Lots 1–9, DP 18262, Mary Street, Shellharbour	Local
SH11	Uniting Church Lot 1, DP 784317, 49 Mary Street, Shellharbour	Regional
SH12	"Woodbine"—former Police Station	Regional

	Lot 1, DP 449871, 20 Mary Street, Shellharbour	
SH13	Garden trees Lot 22, DP 11740, 36 Mary Street, Shellharbour	Local
SH14	Shellharbour General Cemetery Lots 2 and 3, DP 529282, Shellharbour Road, Shellharbour	Local
SH15	St Pauls Anglican Church Lot 1, DP 503805, 12 Towns Street, Shellharbour	Local
SH16	Norfolk Island Pine tree Lot 40, DP 15107, 54 Wentworth Street, Shellharbour	Local
SH17	Stella Maris Roman Catholic Church Lot 10, DP 1037745, Part Lot 10, Sec 2, 16–18 Wentworth Street, Shellharbour and part of Lot 9, DP 1037745, 7–9 Wilson Street, Shellharbour	Local
SH18	"The Beaches" Lot 100, DP 801475, 4 Wilson Street, Shellharbour	Local
SH19	Little Park and Norfolk Island Pine trees Part Plan Ms 408 Sy and Lot 7004, DP 1028837, Wollongong Street, Shellharbour	Regional
TULLIMBAR		
TU1	Ruins of former Tullimbar School and Headmaster's residence Lot 1, DP 905581, 38 Tullimbar Lane, Tullimbar	Local
TU2	"Toongla" Lot 82, DP 634605, Tullimbar Lane, Tullimbar	State
YELLOW ROCK		
YR1	"Wiangara" and coach house Lots 32 and 33, DP 751274, Yellow Rock Road, Yellow Rock	Local

Schedule 4 Commercial hierarchy for Shellharbour City local government area

(Clauses 25, 29, 41)

The following commercial hierarchy applies to all commercial/retail development within the local government area of Shellharbour City, with the exception of development for the purpose of bulky goods retailing or light industrial retail outlets:

1	**Category of Development:**	Sub-regional Centre
	Anticipated Size:	unlimited
	Location:	Land contained in the Shellharbour City Centre Area comprising Lots 230 and 231, DP 869094; Lot 1, DP 856215; Lots 1011, 1012 and 1013, DP 700657; Lots 4000 and 4001, DP 809913; Lot 3000, DP 739087, and part of Lot 3219, DP 800230, whether or not these lands are subsequently subdivided.
2	**Category of Development:**	District Centre
	Anticipated Size:	up to 10,000m^2
	Location:	Land contained within the General Business zone in the vicinity of Tongarra Road, Terry Street and Russell Street, Albion Park. Land contained within the General Business zone in the vicinity of Shellharbour Road, Veronica Street and Woolworths Avenue and George Street, Shellharbour Road and Beverly Avenue, Warilla. The combined land contained within the General Business zone in the vicinity of Addison Street, Mary Street and Wentworth Street, Shellharbour and the Mixed Use Residential F zone, Shell Cove.
3	**Category of Development:**	Local Centre
	Anticipated Size:	up to 4,000m^2
	Location:	Land contained within the General Business zone in the vicinity of Princes Highway, Creamery Road and

		Kaylaur Crescent, Albion Park Rail. Land contained within the General Business zone in the vicinity of Central Avenue, Oak Flats
4	**Category of Development:**	Neighbourhood Centre
	Anticipated Size:	up to 1,500m^2
	Location:	May be located to serve the local convenience needs of a surrounding residential area where a higher order centre is not within a reasonably accessible distance. A service radius in the order of 500 metres is considered reasonable as the catchment area for a neighbourhood centre.
5	**Category of Development:**	Local Shop/Local General Store
	Anticipated Size:	A single shop of approximately 50m^2–200m^2
	Location:	May be supported where Council is satisfied that there is a demand for the facility and that it is not likely to interfere with the functioning of the commercial hierarchy as outlined above in this Schedule.

Schedule 5 Classification or reclassification of public land as operational land

(Clause 81)

Part 1 Land classified, or reclassified, under original section 30 of Local Government Act 1993

Lot 202, DP 848203, corner of Shellharbour and Wattle Roads, Shellharbour.

Part of Lot 201, DP 848203, corner of Shellharbour and Wattle Roads, Shellharbour, as shown edged with a broken heavy line and labelled "Schedules 5 and 6" on the map.

Part of Lot 1, DP 588826, Benaud Crescent, Warilla as shown edged with a broken heavy line and labelled 'schedule 5' on the map.

Part of Lot 2, DP 248002, Boollwarroo Parade, Lot 1, DP 584291, Addison Street and part of Lot 2, DP 584291, Shellharbour Road, Shellharbour as shown edged with a broken heavy line and labelled 'schedule 5' on the map.

Part 2 Land classified, or reclassified, under amended section 30 of Local Government Act 1993—interests changed

Lot 2, DP 605483, Pioneer Drive, Oak Flats, as shown edged with a broken light blue line and lettered "Schedule 5" on Sheet 1 of the map marked "Shellharbour Local Environmental Plan 2000 (Amendment No 8)"—Easement for watermain (S226024) as noted on Certificate of Title Folio Identifier 2/605483.

Lot 71, DP 788843, Pioneer Drive, Oak Flats, as shown edged with a broken light blue line and lettered "Schedule 5" on Sheet 1 of the map marked "Shellharbour Local Environmental Plan 2000 (Amendment No 8)".

Part of Lot 3, DP 259967, Captain Cook Drive, Blackbutt Reserve, Blackbutt, as shown edged with a broken light blue line and lettered "Schedule 5" on Sheet 3 of the map marked "Shellharbour Local Environmental Plan 2000 (Amendment No 8)".

Part 3 Land classified, or reclassified, under amended section 30 of Local Government Act 1993—no interests changed

Lot 101 and part of Lot 100, DP 801536, Industrial Road, Oak Flats, as shown edged with a heavy black broken line and lettered "Schedule 5" on the map marked "Shellharbour Local

Environmental Plan 2000 (Amendment No 9)".

Schedule 6 Exceptions

(Clause 82)

Lot 3, DP 786522, Princes Highway, Albion Park Rail—service station.

Lot 1, DP 222288, Terry Street, Albion Park—motel.

Lot 1, DP 745632, Swamp Road, Dunmore—inhabitation of the former "Peterborough" School Building as dwelling.

Part of Lot 2, DP 248002, Boollwarroo Parade, Shellharbour—boat harbour entrance works.

Lots 1, 2 and 3, DP 627527, Tongarra Road, Albion Park Rail—funeral parlour.

Part of Lot 2, DP 808989, Terry Street, Albion Park as shown edged with a broken heavy line and labelled 'schedule 6' on the map—community uses.

Lots 196–200, DP 222963 and Lot 204, DP 224196, Madigan Boulevarde, Mount Warrigal—medical services which are ancillary to a hospital, and which are of a type, size and scale compatible with generally residential areas.

Lots 28–32, DP 23454 and Lots 24–27, DP 23988, Shellharbour Road, Warilla—professional offices which includes the offices of accountants, solicitors, architects or plan drawers, insurance brokers, real estate agents or surveyors.

Lot 56, DP 739857, Illawarra Highway, Albion Park—place of public worship and place of assembly.

Part Lot 1, DP 70380, Tongarra Road, Albion Park Rail—landscape supplies depot.

Lot 202, DP 848203, corner of Shellharbour and Wattle Roads, Shellharbour—an integrated development which may include a service station, convenience store and car wash facility.

Lot 4211, DP 833774, Princes Highway, Albion Park Rail—motel.

Lot 1, DP 534605, Shellharbour Road, Shellharbour—technology centre related to the computer industry.

Lot 13, DP 658385, Croome Lane, Albion Park Rail—earthmoving equipment depot.

Lot 18, DP 804242, Lot 5, DP 244040, Lot 2, DP 607267, Lots 101 and 102, DP 244073 and Lots 50, 51 and 52, DP 565091, Miall Way, Albion Park Rail—motor showrooms.

Lot 1, DP 833735, Shellharbour Road, Warilla—refreshment rooms.

Lot A, DP 434117, 31 Reddall Parade, Lake Illawarra—refreshment rooms.

Part of Lot 1202, DP 864021, Shellharbour Road, Dunmore as shown edged with a broken heavy line and labelled 'schedule 6' on the map—industry which does not interfere with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, waste water, waste products, grit or oil, or otherwise.

So much of Lot 202, DP 859498, Terry Street, Albion Park, as is zoned either Rural "A" or Rural "B"—a total of 14 dwelling allotments at least 13 of which are to be connected to a sewerage service.

Lot 230, DP 869094, Cygnet Avenue, Blackbutt—a single stand-alone supermarket, two take-away food restaurants and a single service station.

Lot 1, DP 998390, Terry Street, Albion Park—one dwelling house.

Lot 2707, DP 847729, Huon Crescent, Albion Park—a total of 4 allotments with no more than one dwelling house on each allotment.

Lot 21, DP 111195, Terry Street, Yellow Rock—a total of 3 allotments with no more than one dwelling house on each allotment.

So much of Lot 1, DP 851151, Terry Street, Albion Park as is zoned Rural "A"—one allotment with no more than one dwelling house on the allotment.

Lot 1, DP 779617, Cooby Road, Yellow Rock—a total of 17 allotments with no more than one dwelling house on each allotment.

Lot 2627, DP 832456, Cooby Road, Yellow Rock—a total of 3 allotments with no more than one dwelling house on each allotment.

So much of Lot 1, DP 792437, Yellow Rock Road, Yellow Rock as is zoned Rural "A"—a total of 7 allotments with no more than one dwelling house on each allotment.

Part of Lot 201, DP 848203, corner of Shellharbour and Wattle Roads, Shellharbour, as shown edged with a broken heavy line and labelled "Schedules 5 and 6" on the map—fire station, place of public worship.

Lot 1, DP 799421, 162 Tongarra Road, Albion Park—car parking for the use of the Albion Park RSL Memorial Club.

Croom Regional Sporting Complex, being Lot 2 DP 605565, Lot 3 DP 549511 and Lot 1 DP 216772, Croom Road, Croom:

(a) expositions—being events that bring together suppliers of a broad range of product lines and services that relate to a common theme for the primary purpose of exhibiting and explaining the products and services, but where sales may also form a part of the event, and

(b) trade fairs—being events that bring together a range of products or services that relate to an industry group for the purpose of demonstrating the range of products and services available to traders within that industry group.

Lots 8 and 9, DP 244040, Miall Way, Albion Park Rail—motor showrooms.

Historical notes

The following abbreviations are used in the Historical notes:

Am	amended	LW	legislation website	Sch	Schedule
Cl	clause	No	number	Schs	Schedules
Cll	clauses	p	page	Sec	section
Div	Division	pp	pages	Secs	sections
Divs	Divisions	Reg	Regulation	Subdiv	Subdivision
GG	Government Gazette	Regs	Regulations	Subdivs	subdivisions
Ins	inserted	Rep	repealed	Subst	substituted

Table of amending instruments

Shellharbour Local Environmental Plan 2000 published in Gazette No 66 of 2.6.2000, p 4565 and amended as follows:
Shellharbour Local Environmental Plan 2000—Amendment No 1 (GG No 121 of 15.9.2000, p 10552)
Shellharbour Local Environmental Plan 2000—Amendment No 2 (GG No 152 of 24.11.2000, p 12013)

Shellharbour Local Environmental Plan 2000 (Amendment No 3) (GG No 127 of 17.8.2001, p 6074)
Shellharbour Local Environmental Plan 2000 (Amendment No 5) (GG No 34 of 1.2.2002, p 680)
Shellharbour Local Environmental Plan 2000 (Amendment No 7) (GG No 121 of 1.8.2003, p 7578)
Shellharbour Local Environmental Plan 2000 (Amendment No 9) (GG No 47 of 27.2.2004, p 891)
Shellharbour Rural Local Environmental Plan 2004 (GG No 198 of 10.12.2004, p 9016)
Shellharbour Local Environmental Plan 2000 (Amendment No 10) (GG No 200 of 17.12.2004, p 9477)
State Environmental Planning Policy (Repeal of Concurrence and Referral Provisions) 2004 (GG No 201 of 17.12.2004, p 9590)

2005	(560)	Shellharbour Local Environmental Plan 2000 (Amendment No 12). GG No 113 of 9.9.2005, p 7354. Date of commencement, on gazettal.
2006	(151)	Shellharbour Local Environmental Plan 2000 (Amendment No 11). GG No 40 of 31.3.2006, p 1715. Date of commencement, on gazettal.
	No 58	Statute Law (Miscellaneous Provisions) Act 2006. Assented to 20.6.2006. Date of commencement of Sch 2.51, assent, sec 2 (2).
	(434)	Shellharbour Local Environmental Plan 2000 (Amendment No 6). GG No 98 of 4.8.2006, p 6114. Date of commencement, on gazettal.
2007	(264)	Shellharbour Local Environmental Plan 2000 (Amendment No 8). GG No 80 of 15.6.2007, p 3783. Date of commencement, on gazettal.
2008	(78)	Shellharbour Local Environmental Plan 2000 (Amendment No 14). GG No 36 of 20.3.2008, p 2438. Date of commencement, on gazettal.
	(571)	State Environmental Planning Policy (Repeal of Concurrence and Referral Provisions) 2008. GG No 157 of 12.12.2008, p 11946. Date of commencement, 15.12.2008, cl 3.

Table of amendments

Cl 3	Am 10.12.2004.
Cll 11, 12	Am 17.8.2001; 2005 (560), Sch 1 [1].
Cl 13	Am 2005 (560), Sch 1 [1].
Cll 20–24, 27, 28, 30	Am 17.8.2001; 2005 (560), Sch 1 [1].
Cl 31	Am 17.8.2001; 2005 (560), Sch 1 [1]; 2006 (434), Sch 1 [1]–[4].
Cl 32	Am 2005 (560), Sch 1 [1].
Cl 33	Am 17.8.2001; 2005 (560), Sch 1 [1].
Cl 37	Am 17.12.2004; 2006 No 58, Sch 2.51; 2008 (571), Sch 3.158 [1].
Cll 38, 39, 43, 44, 49–53	Am 17.8.2001; 2005 (560), Sch 1 [1].
Cl 57	Am 2008 (571), Sch 3.158 [2].
Cl 58	Am 2008 (571), Sch 3.158 [3].
Cl 63	Rep 17.8.2001.
Cl 68	Am 2008 (571), Sch 3.158 [4]–[6].
Part 11	Subst 2006 (151), Sch 1 [1].
Cl 72	Subst 2006 (151), Sch 1 [1].
Cl 73	Subst 2006 (151), Sch 1 [1]. Am 2008 (571), Sch 3.158 [7].
Cl 74	Subst 2006 (151), Sch 1 [1].
Cl 75	Subst 2006 (151), Sch 1 [1]. Am 2008 (571), Sch 3.158 [8].
Cl 75A	Ins 2006 (151), Sch 1 [1]. Am 2008 (571), Sch 3.158 [9] [10].
Cll 75B, 75C	Ins 2006 (151), Sch 1 [1].
Cl 76	Subst 2006 (151), Sch 1 [1].
Cl 77	Am 17.8.2001.
Cl 81	Am 27.2.2004.

Cl 83	Rep 1.8.2003. Ins 2007 (264), Sch 1 [1].
Cl 87	Am 17.8.2001; 2005 (560), Sch 1 [2]–[4].
Cl 88	Ins 1.2.2002.
Cl 89	Ins 1.8.2003.
Sch 1	Am 24.11.2000; 17.8.2001; 1.8.2003; 17.12.2004; 2005 (560), Sch 1 [5]; 2006 (151), Sch 1 [2]–[4]; 2006 (434), Sch 1 [5]; 2007 (264), Sch 1 [2]; 2008 (78), cl 4.
Sch 3	Subst 2006 (151), Sch 1 [5].
Sch 5, heading	Subst 27.2.2004.
Sch 5	Am 24.11.2000; 27.2.2004; 2007 (264), Sch 1 [3].
Sch 6	Am 15.9.2000; 24.11.2000; 17.8.2001; 1.8.2003.

Appendix F

Site Photographs

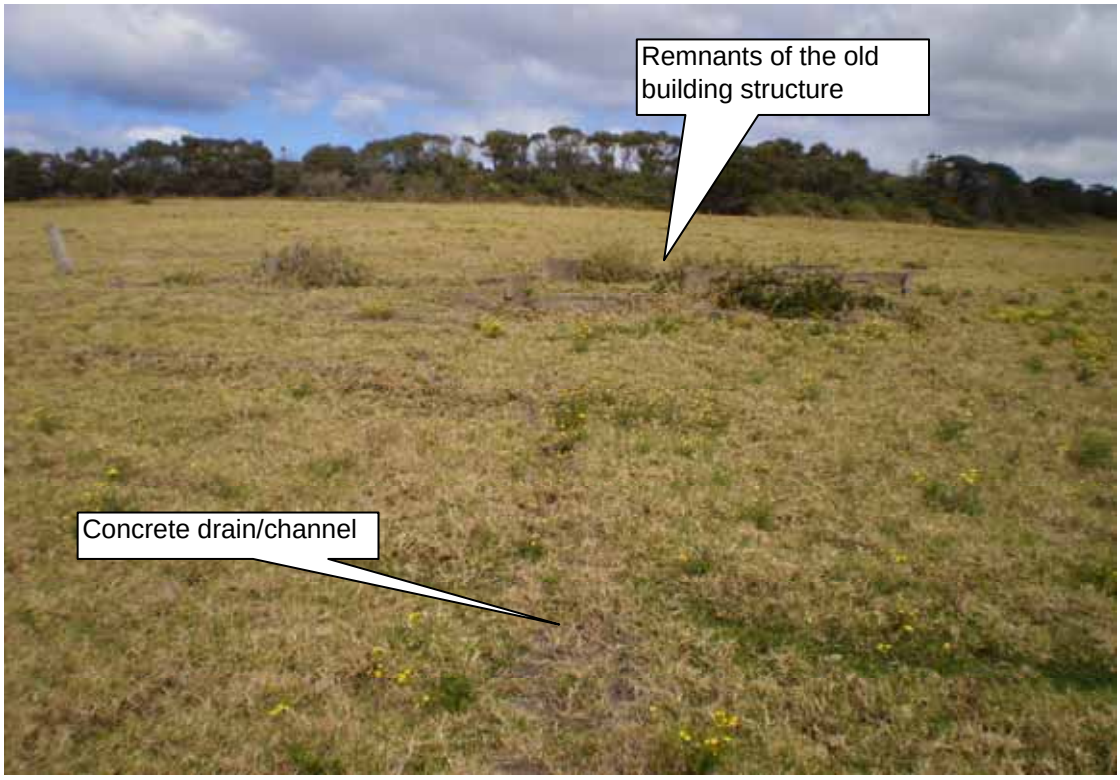


Photo 1 - South-eastern farm type building (1 of 4 building locations)



Photo 2 - Suspected ACM on ground

Douglas Partners Geotechnics / Environment / Groundwater	**Site Photographs** **Proposed Shell Cove Boat Harbour Precinct**	PROJECT: 40999.26 PLATE No: 1 REV: A
	CLIENT: Australand Corporation Pty Ltd	DATE: 12.10.10



Photo 3 - South-eastern farm type building (2 of 4 building locations)

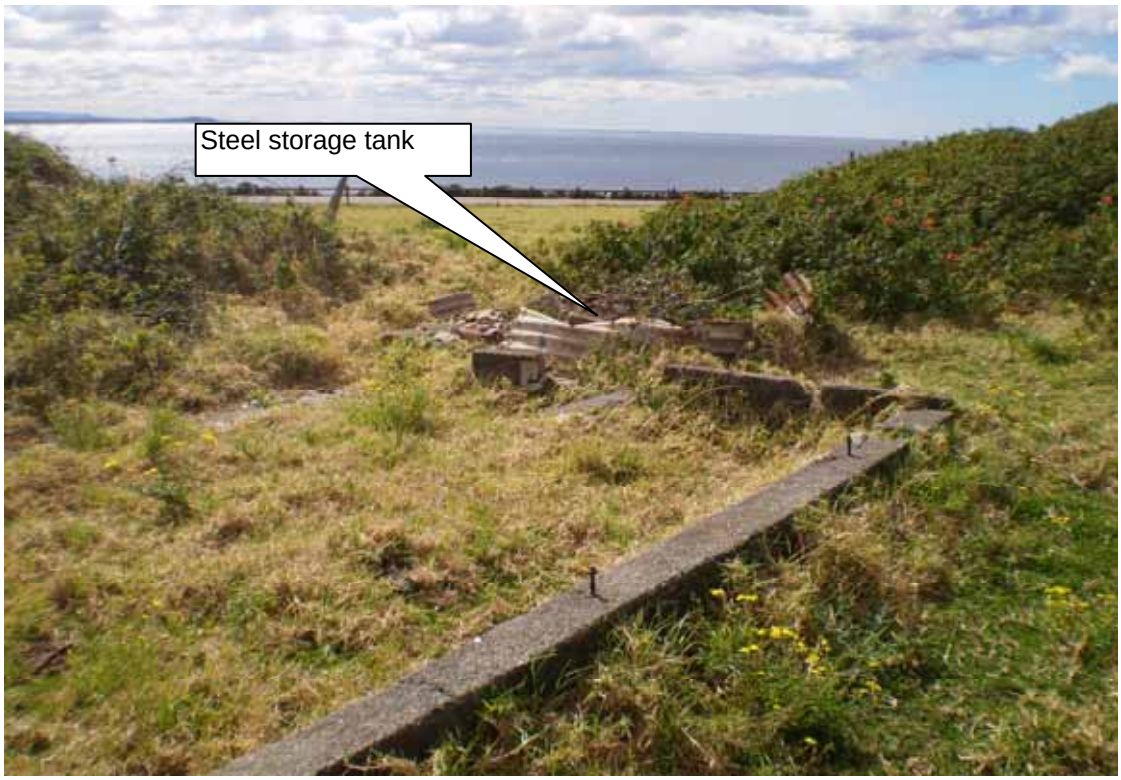


Photo 4 - Storage Tank

Douglas Partners Geotechnics / Environment / Groundwater	**Site Photographs** **Proposed Shell Cove Boat Harbour Precinct**	PROJECT: 40999.26 PLATE No: 2 REV: A
	CLIENT: Australand Corporation Pty Ltd	DATE: 12.10.10



Photo 5 - Concrete foundation

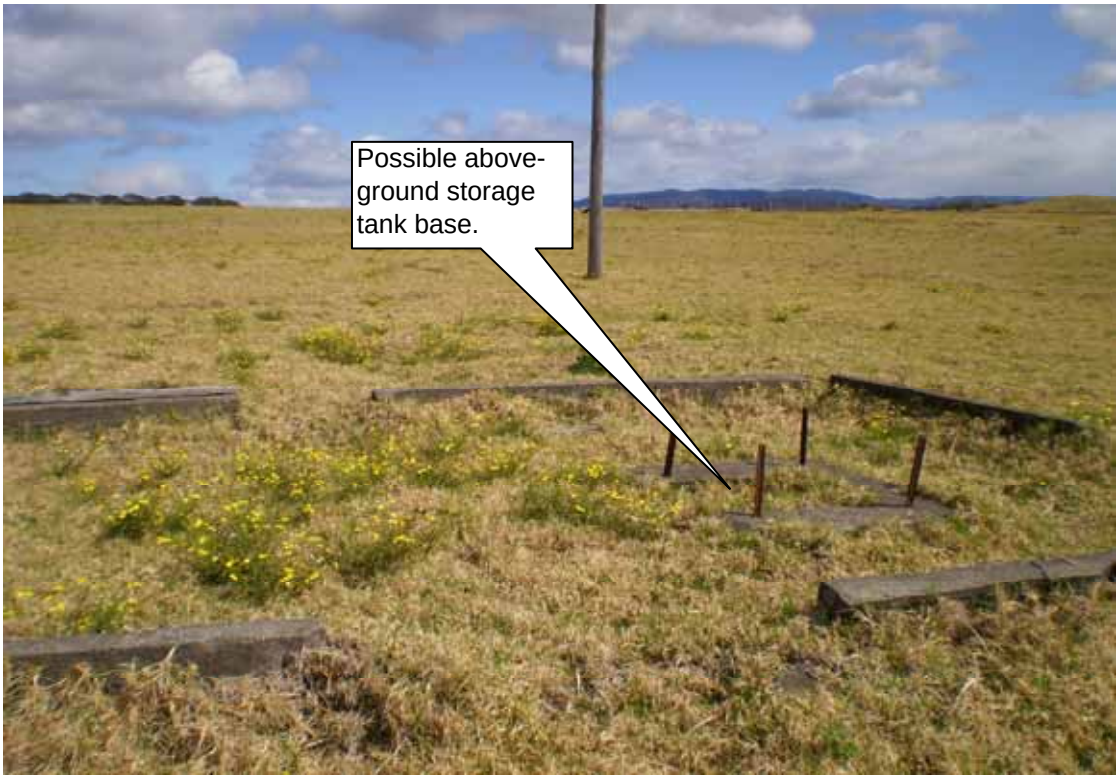


Photo 6 - Foundation (3 of 4 building locations to the south-eastern portion of the site)

Douglas Partners Geotechnics / Environment / Groundwater	**Site Photographs** **Proposed Shell Cove Boat Harbour Precinct**	PROJECT: 40999.26 PLATE No: 3 REV: A
	CLIENT: Australand Corporation Pty Ltd	DATE: 12.10.10

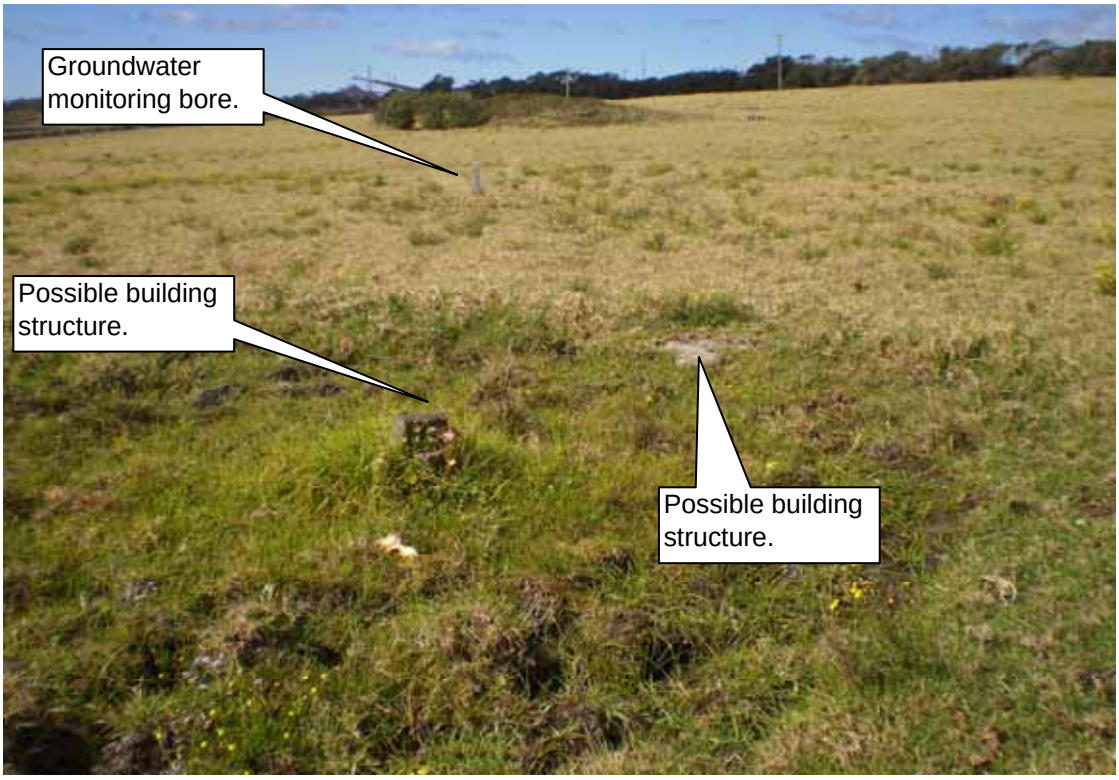


Photo 7 - Remnants of old building (4 of 4 building locations to the south-east of the site)



Photo 8 - Remnants of the building structure located off site, west of the study area

Douglas Partners Geotechnics / Environment / Groundwater	**Site Photographs** **Proposed Shell Cove Boat Harbour Precinct**	PROJECT: 40999.26 PLATE No: 4 REV: A
	CLIENT: Australand Corporation Pty Ltd	DATE: 12.10.10

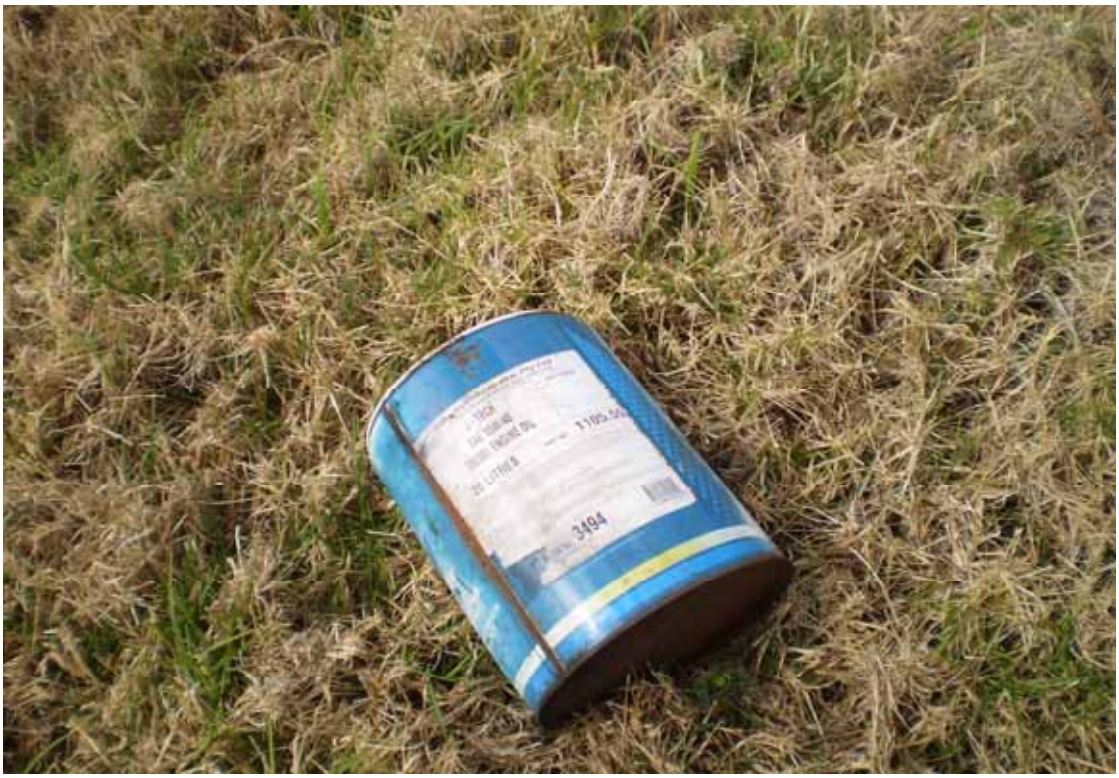


Photo 9 - Diesel drum located off site near the former farm building to the west of the study area



Photo 10 - Remnants of the building structure located off site; west of the Boat Harbour Precinct

Douglas Partners Geotechnics / Environment / Groundwater	**Site Photographs** **Proposed Shell Cove Boat Harbour Precinct**	PROJECT: 40999.26 PLATE No: 5 REV: A
	CLIENT: Australand Corporation Pty Ltd	DATE: 12.10.10



Photo 11 - Off site buried cable near the central-western boundary of the site



Photo 12 - Engine scrap metal located off site, near the central-western boundary of the study area

Douglas Partners Geotechnics / Environment / Groundwater	**Site Photographs** **Proposed Shell Cove Boat Harbour Precinct**	PROJECT: 40999.26 PLATE No: 6 REV: A
	CLIENT: Australand Corporation Pty Ltd	DATE: 12.10.10



Photo 13 - Stockpile located near the central-western boundary of the site (looking north-east)

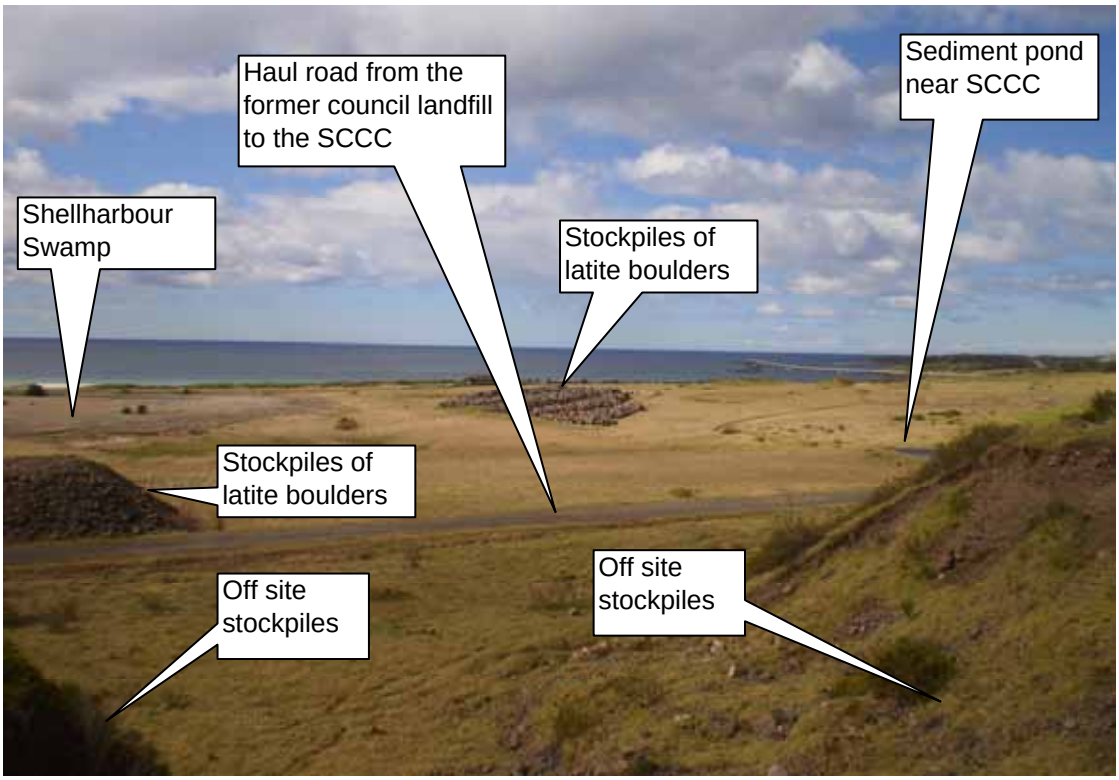


Photo 14 - Central portion of the site looking south-east.

Douglas Partners Geotechnics / Environment / Groundwater	**Site Photographs**	PROJECT: 40999.26
	Proposed Shell Cove Boat	PLATE No: 7
	Harbour Precinct	REV: A
	CLIENT: Australand Corporation Pty Ltd	DATE: 12.10.10



Photo 15 - Stockpiles near the central portion of the site adjacent to the haul road to the SCCC



Photo 16 - Off site stockpiles near the central-western boundary of the site

Douglas Partners Geotechnics / Environment / Groundwater	**Site Photographs** **Proposed Shell Cove Boat Harbour Precinct**	PROJECT: 40999.26 PLATE No: 8 REV: A
	CLIENT: Australand Corporation Pty Ltd	DATE: 12.10.10



Photo 17 - Off site stockpiles near the central-western boundary of the site



Photo 18 - Monitoring well along one of the fairways of the former golf course

Douglas Partners Geotechnics / Environment / Groundwater	**Site Photographs** **Proposed Shell Cove Boat Harbour Precinct**	PROJECT: 40999.26 PLATE No: 9 REV: A
	CLIENT: Australand Corporation Pty Ltd	DATE: 12.10.10



Photo 19 - Monitoring wells near the former landfill area



Photo 20 - Monitoring well along one of haul road near the former council landfill

Douglas Partners Geotechnics / Environment / Groundwater	**Site Photographs** **Proposed Shell Cove Boat Harbour Precinct**	PROJECT: 40999.26 PLATE No: 10 REV: A
	CLIENT: Australand Corporation Pty Ltd	DATE: 12.10.10

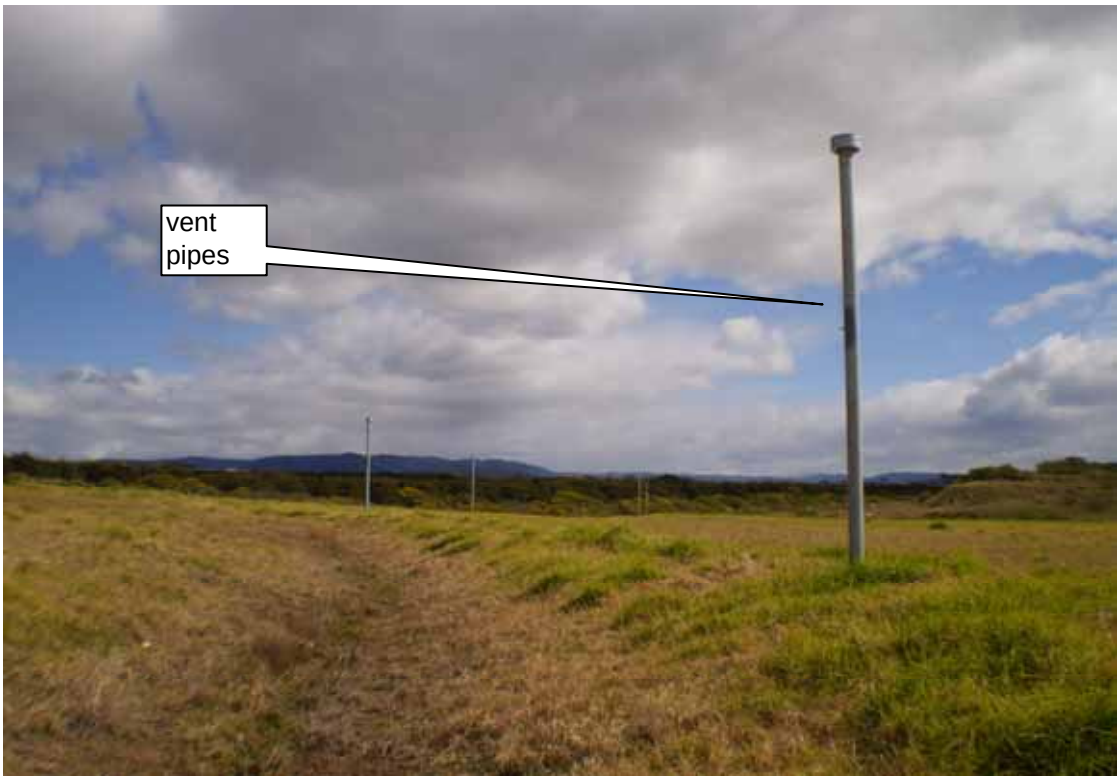


Photo 21 - Vent pipes along the SCCC



Photo 22 - Sediment pond along the SCCC

Douglas Partners Geotechnics / Environment / Groundwater	**Site Photographs** **Proposed Shell Cove Boat Harbour Precinct**	PROJECT: 40999.26 PLATE No: 11 REV: A
	CLIENT: Australand Corporation Pty Ltd	DATE: 12.10.10

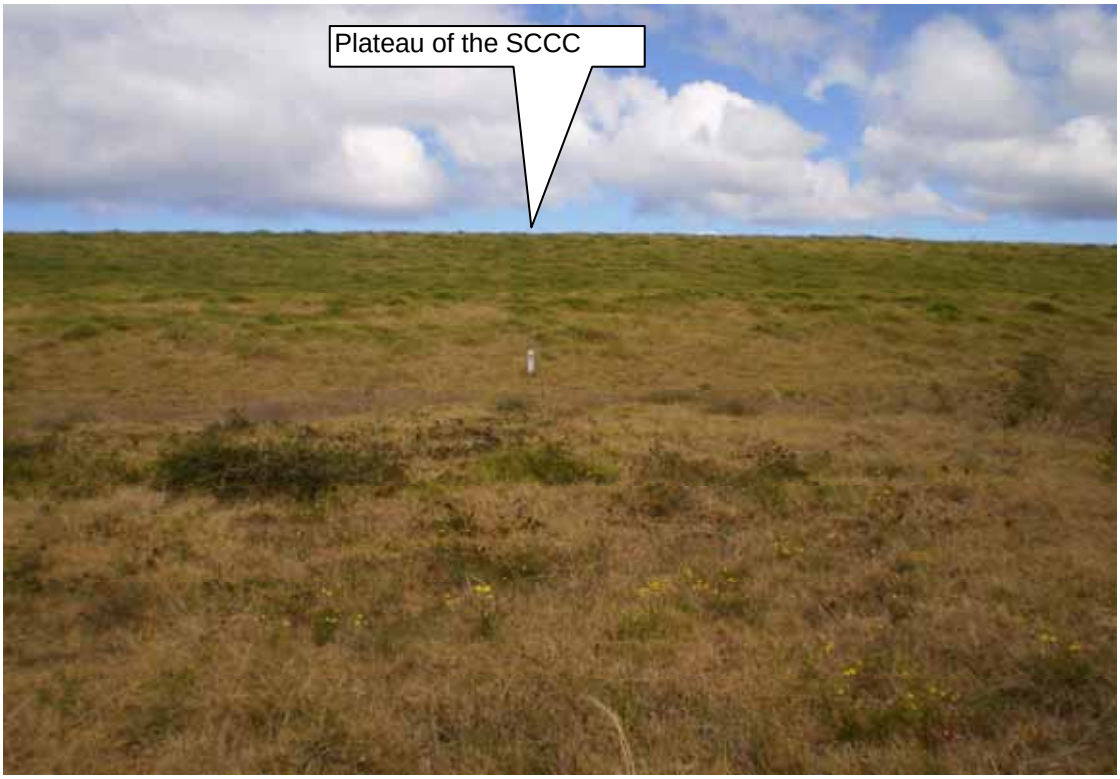


Photo 23 - SCCC (looking west)



Photo 24 - Electrical panel near SCCC

Douglas Partners Geotechnics / Environment / Groundwater	**Site Photographs** **Proposed Shell Cove Boat Harbour Precinct**	PROJECT: 40999.26 PLATE No: 12 REV: A
	CLIENT: Australand Corporation Pty Ltd	DATE: 12.10.10

Appendix G

Borehole Logs

Symbols & Abbreviations

Douglas Partners

Introduction

These notes summarise abbreviations commonly used on borehole logs and test pit reports.

Drilling or Excavation Methods

C	Core Drilling
R	Rotary drilling
SFA	Spiral flight augers
NMLC	Diamond core - 52 mm dia
NQ	Diamond core - 47 mm dia
HQ	Diamond core - 63 mm dia
PQ	Diamond core - 81 mm dia

Water

▷	Water seep
▽	Water level

Sampling and Testing

A	Auger sample
B	Bulk sample
D	Disturbed sample
E	Environmental sample
U_{50}	Undisturbed tube sample (50mm)
W	Water sample
pp	pocket penetrometer (kPa)
PID	Photo ionisation detector
PL	Point load strength Is(50) MPa
S	Standard Penetration Test
V	Shear vane (kPa)

Description of Defects in Rock

The abbreviated descriptions of the defects should be in the following order: Depth, Type, Orientation, Coating, Shape, Roughness and Other. Drilling and handling breaks are not usually included on the logs.

Defect Type

B	Bedding plane
Cs	Clay seam
Cv	Cleavage
Cz	Crushed zone
Ds	Decomposed seam
F	Fault
J	Joint
Lam	lamination
Pt	Parting
Sz	Sheared Zone
V	Vein

Orientation

The inclination of defects is always measured from the perpendicular to the core axis.

h	horizontal
v	vertical
sh	sub-horizontal
sv	sub-vertical

Coating or Infilling Term

cln	clean
co	coating
he	healed
inf	infilled
stn	stained
ti	tight
vn	veneer

Coating Descriptor

ca	calcite
cbs	carbonaceous
cly	clay
fe	iron oxide
mn	manganese
slt	silty

Shape

cu	curved
ir	irregular
pl	planar
st	stepped
un	undulating

Roughness

po	polished
ro	rough
sl	slickensided
sm	smooth
vr	very rough

Other

fg	fragmented
bnd	band
qtz	quartz

Symbols & Abbreviations

Graphic Symbols for Soil and Rock

General


Asphalt


Road base


Concrete


Filling

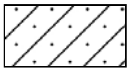
Soils


Topsoil

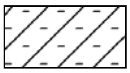

Peat


Clay

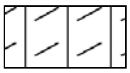

Silty clay

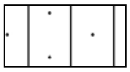

Sandy clay

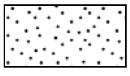

Gravelly clay

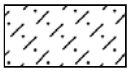

Shaly clay

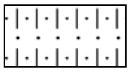

Silt


Clayey silt


Sandy silt

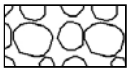

Sand

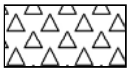

Clayey sand


Silty sand


Gravel


Sandy gravel


Cobbles, boulders

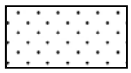

Talus

Sedimentary Rocks

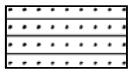

Boulder conglomerate

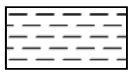

Conglomerate


Conglomeratic sandstone

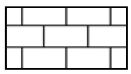

Sandstone


Siltstone


Laminite

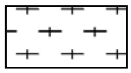

Mudstone, claystone, shale

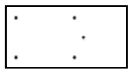

Coal


Limestone

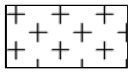
Metamorphic Rocks

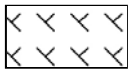

Slate, phyllite, schist

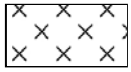

Gneiss

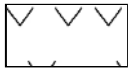

Quartzite

Igneous Rocks


Granite


Dolerite, basalt, andesite


Dacite, epidote


Tuff, breccia


Porphyry

BOREHOLE LOG

CLIENT: Australand Holdings Ltd
PROJECT: Contamination Assessment
LOCATION: Boat Harbour Precinct, Shell Cove

SURFACE LEVEL: 5.0 AHD
EASTING: 303986
NORTHING: 6171052
DIP/AZIMUTH: 90°/--

BORE No: 101
PROJECT No: 40999.26
DATE: 8/9/2010
SHEET 1 OF 1

RL	Depth (m)	Description of Strata	Graphic Log	Sampling & In Situ Testing: Type	Depth	Sample	Results & Comments	Water	Well Construction Details
5		TOPSOIL - brown clay with some silt, roots, rootlets and trace sand, damp		D	0.0				
					0.1				
	0.2	CLAY - very stiff, brown clay with trace rootlets, damp							
					0.4				
				D					
		- becoming stiff, grey mottled red brown below 0.5m			0.5				
4	1								1
	1.1	Bore discontinued at 1.1m (limit of investigation)							
3	2								2

RIG: KX41-3V Kubota with 300mm bucket **DRILLER:** J Boers **LOGGED:** RLG **SURVEY DATUM:** MGA94
TYPE OF BORING: **CASING:**
WATER OBSERVATIONS: No free groundwater observed
REMARKS:

SAMPLING & IN SITU TESTING LEGEND

A	Auger sample	G	Gas sample	PID	Photo ionisation detector (ppm)
B	Bulk sample	P	Piston sample	PL(A)	Point load axial test Is(50) (MPa)
BLK	Block sample	U_x	Tube sample (x mm dia.)	PL(D)	Point load diametral test Is(50) (MPa)
C	Core drilling	W	Water sample	pp	Pocket penetrometer (kPa)
D	Disturbed sample	▷	Water seep	S	Standard penetration test
E	Environmental sample	⧗	Water level	V	Shear vane (kPa)

Douglas Partners
Geotechnics / Environment / Groundwater

BOREHOLE LOG

CLIENT: Australand Holdings Ltd
PROJECT: Contamination Assessment
LOCATION: Boat Harbour Precinct, Shell Cove

SURFACE LEVEL: 5.0 AHD
EASTING: 304019
NORTHING: 6171060
DIP/AZIMUTH: 90°/--

BORE No: 102
PROJECT No: 40999.26
DATE: 8/9/2010
SHEET 1 OF 1

RL	Depth (m)	Description of Strata	Graphic Log	Sampling & In Situ Testing: Type	Depth	Sample	Results & Comments	Water	Well Construction Details
5		TOPSOIL - brown clay with some silt, roots, rootlets and trace sand, damp		D	0.0				
					0.1				
	0.15	CLAY - stiff, brown clay with trace roots, rootlets and sand							
					0.4				
				D				▽	
		- becoming very stiff, grey mottled red brown clay, damp below 0.5m			0.5				
	0.9	Bore discontinued at 0.9m (limit of investigation)							
4	1								1
3	2								2

RIG: KX41-3V Kubota with 300mm bucket **DRILLER:** J Boers **LOGGED:** RLG **SURVEY DATUM:** MGA94
TYPE OF BORING: **CASING:**
WATER OBSERVATIONS: Water seepage observed at 0.5m
REMARKS:

SAMPLING & IN SITU TESTING LEGEND

A	Auger sample	G	Gas sample	PID	Photo ionisation detector (ppm)
B	Bulk sample	P	Piston sample	PL(A)	Point load axial test Is(50) (MPa)
BLK	Block sample	U_x	Tube sample (x mm dia.)	PL(D)	Point load diametral test Is(50) (MPa)
C	Core drilling	W	Water sample	pp	Pocket penetrometer (kPa)
D	Disturbed sample	▷	Water seep	S	Standard penetration test
E	Environmental sample	⧗	Water level	V	Shear vane (kPa)

Douglas Partners
Geotechnics / Environment / Groundwater

BOREHOLE LOG

CLIENT: Australand Holdings Ltd
PROJECT: Contamination Assessment
LOCATION: Boat Harbour Precinct, Shell Cove

SURFACE LEVEL: 5.0 AHD
EASTING: 304033
NORTHING: 6170901
DIP/AZIMUTH: 90°/--

BORE No: 103
PROJECT No: 40999.26
DATE: 10/9/2010
SHEET 1 OF 1

RL	Depth (m)	Description of Strata	Graphic Log	Sampling & In Situ Testing: Type	Depth	Sample	Results & Comments	Water	Well Construction Details
5		FILLING - brown, fine to medium sand with some roots and rootlets, humid to damp		D	0.0				
					0.1				
		- becoming cobbles (latite, siltstone) and fine to medium sand with some clay below 0.3m							
				D	0.4				
					0.5				
	0.8	CLAY - firm, dark brown clay with some silt, damp to moist (topsoil)						▽	
4	1			D	0.9				1
					1.0				
	1.2	CLAY - brown clay with trace rootlets, damp to mosit		D	1.2				
					1.3				
	1.35	Bore discontinued at 1.35m (limit of investigation)							
3	2								2

RIG: KX41-3V Kubota with 300mm bucket **DRILLER:** J Boers **LOGGED:** RLG **SURVEY DATUM:** MGA94
TYPE OF BORING: **CASING:**
WATER OBSERVATIONS: Water seepage observed at 0.9m
REMARKS: Green - duplicates BD8A + BD8B taken at 0.0 - 0.1m

SAMPLING & IN SITU TESTING LEGEND

A	Auger sample	G	Gas sample	PID	Photo ionisation detector (ppm)
B	Bulk sample	P	Piston sample	PL(A)	Point load axial test Is(50) (MPa)
BLK	Block sample	U_x	Tube sample (x mm dia.)	PL(D)	Point load diametral test Is(50) (MPa)
C	Core drilling	W	Water sample	pp	Pocket penetrometer (kPa)
D	Disturbed sample	▷	Water seep	S	Standard penetration test
E	Environmental sample	⧗	Water level	V	Shear vane (kPa)

Douglas Partners
Geotechnics / Environment / Groundwater

BOREHOLE LOG

CLIENT: Australand Holdings Ltd
PROJECT: Contamination Assessment
LOCATION: Boat Harbour Precinct, Shell Cove

SURFACE LEVEL: 3.0 AHD
EASTING: 304217
NORTHING: 6170940
DIP/AZIMUTH: 90°/--

BORE No: 104
PROJECT No: 40999.26
DATE: 8/9/2010
SHEET 1 OF 1

RL	Depth (m)	Description of Strata	Graphic Log	Sampling & In Situ Testing: Type	Depth	Sample	Results & Comments	Water	Well Construction Details
3		FILLING - grey brown, fine to medium sand wtih some silt, roots and rootlets, humid to damp		D	0.0				
		- becoming yellow, fine to medium sand with trace silt and rootlets, damp at 0.1m		D	0.1				
					0.2				
		- becoming brown, cobbley sand with some pockets of clay, humid to damp below 0.25m							
					0.5				
				D	0.6				
2	1 1.0	CLAY - dark brown, friable clay with some silt and trace rootlets, damp		D	1.0			▽	1
					1.1				
		- becoming stiff, grey brown clay with trace rootlets below 1.5m			1.5				
				D	1.6				
	1.7	Bore discontinued at 1.7m (limit of investigation)							
1	2								2

RIG: KX41-3V Kubota with 300mm bucket **DRILLER:** J Boers **LOGGED:** RLG **SURVEY DATUM:** MGA94
TYPE OF BORING: **CASING:**
WATER OBSERVATIONS: Water seepage observed at 1.1m
REMARKS: Green

SAMPLING & IN SITU TESTING LEGEND

A	Auger sample	G	Gas sample	PID	Photo ionisation detector (ppm)
B	Bulk sample	P	Piston sample	PL(A)	Point load axial test Is(50) (MPa)
BLK	Block sample	U_x	Tube sample (x mm dia.)	PL(D)	Point load diametral test Is(50) (MPa)
C	Core drilling	W	Water sample	pp	Pocket penetrometer (kPa)
D	Disturbed sample	▷	Water seep	S	Standard penetration test
E	Environmental sample	⧗	Water level	V	Shear vane (kPa)

Douglas Partners
Geotechnics / Environment / Groundwater

BOREHOLE LOG

CLIENT: Australand Holdings Ltd
PROJECT: Contamination Assessment
LOCATION: Boat Harbour Precinct, Shell Cove

SURFACE LEVEL: 3.5 AHD
EASTING: 304236
NORTHING: 6170892
DIP/AZIMUTH: 90°/--

BORE No: 105
PROJECT No: 40999.26
DATE: 8/9/2010
SHEET 1 OF 1

RL	Depth (m)	Description of Strata	Graphic Log	Sampling & In Situ Testing: Type	Depth	Sample	Results & Comments	Water	Well Construction Details
3		FILLING - grey brown sand with some roots, rootlets, trace silt and fine to medium gravel, humid to damp		D	0.0				
					0.1				
		- with some medium sized gravel (ironstone) below 0.5m		D	0.5				
					0.6				
		CLAY - stiff, dark brown clay with trace rootlets, damp		D	0.7				
	0.8	- becoming very stiff, grey clay below 0.8m			0.8			▽	
	1								1
				D	1.1				
	1.2	Bore discontinued at 1.2m (limit of investigation)			1.2				
2									
	2								2
1									

RIG: KX41-3V Kubota with 300mm bucket **DRILLER:** J Boers **LOGGED:** RLG **SURVEY DATUM:** MGA94
TYPE OF BORING: **CASING:**
WATER OBSERVATIONS: Water seepage observed at 0.8m
REMARKS: Tee-off - duplicates BD1A + BD1B taken at 0.0 - 0.1m

SAMPLING & IN SITU TESTING LEGEND

A	Auger sample	G	Gas sample	PID	Photo ionisation detector (ppm)
B	Bulk sample	P	Piston sample	PL(A)	Point load axial test Is(50) (MPa)
BLK	Block sample	U_x	Tube sample (x mm dia.)	PL(D)	Point load diametral test Is(50) (MPa)
C	Core drilling	W	Water sample	pp	Pocket penetrometer (kPa)
D	Disturbed sample	▷	Water seep	S	Standard penetration test
E	Environmental sample	⧗	Water level	V	Shear vane (kPa)

Douglas Partners
Geotechnics / Environment / Groundwater

BOREHOLE LOG

CLIENT: Australand Holdings Ltd
PROJECT: Contamination Assessment
LOCATION: Boat Harbour Precinct, Shell Cove

SURFACE LEVEL: 4.5 AHD
EASTING: 304211
NORTHING: 6170837
DIP/AZIMUTH: 90°/--

BORE No: 106
PROJECT No: 40999.26
DATE: 8/9/2010
SHEET 1 OF 1

RL	Depth (m)	Description of Strata	Graphic Log	Sampling & In Situ Testing: Type	Depth	Sample	Results & Comments	Water	Well Construction Details
4	0.0	FILLING - grey brown, fine to medium sand with some roots and rootlets, humid to damp		D	0.0				
					0.1				
		- with some yellow sand, damp below 0.3m							
				D	0.5				
	0.6	CLAY - very stiff, grey brown clay with trace rootlets, damp		D	0.6				
					0.7				
				D	0.9				
3	1.0	Bore discontinued at 1.0m (limit of investigation)			1.0				1
2	2								2

RIG: KX41-3V Kubota with 300mm bucket **DRILLER:** J Boers **LOGGED:** RLG **SURVEY DATUM:** MGA94
TYPE OF BORING: **CASING:**
WATER OBSERVATIONS: No free groundwater observed
REMARKS: Possible green

SAMPLING & IN SITU TESTING LEGEND

A	Auger sample	G	Gas sample	PID	Photo ionisation detector (ppm)
B	Bulk sample	P	Piston sample	PL(A)	Point load axial test Is(50) (MPa)
BLK	Block sample	U_x	Tube sample (x mm dia.)	PL(D)	Point load diametral test Is(50) (MPa)
C	Core drilling	W	Water sample	pp	Pocket penetrometer (kPa)
D	Disturbed sample	▷	Water seep	S	Standard penetration test
E	Environmental sample	⧗	Water level	V	Shear vane (kPa)

Douglas Partners
Geotechnics / Environment / Groundwater

BOREHOLE LOG

CLIENT: Australand Holdings Ltd
PROJECT: Contamination Assessment
LOCATION: Boat Harbour Precinct, Shell Cove

SURFACE LEVEL: 7.0 AHD
EASTING: 304190
NORTHING: 6170610
DIP/AZIMUTH: 90°/--

BORE No: 107
PROJECT No: 40999.26
DATE: 9/9/2010
SHEET 1 OF 1

RL	Depth (m)	Description of Strata	Graphic Log	Sampling & In Situ Testing: Type	Depth	Sample	Results & Comments	Water	Well Construction Details
		FILLING - loose, brown fine to medium sand with some roots and rootlets, damp		D	0.0				
		- becoming yellow below 0.15m			0.1				
					0.4				
		- with orange staining on the boundary of clay and filling		D					
	0.5	CLAY - brown clay with trace silt and rootlets, humid to damp (topsoil)			0.5				
	0.7	CLAY - brown clay with trace coarse sand, humid to damp			0.8				
				D					
					0.9				
				D					
6	1 1.0	Bore discontinued at 1.0m (limit of investigation)			1.0				1
5	2								2

RIG: KX41-3V Kubota with 300mm bucket **DRILLER:** J Boers **LOGGED:** RLG **SURVEY DATUM:** MGA94
TYPE OF BORING: **CASING:**
WATER OBSERVATIONS: No free groundwater observed
REMARKS: Green

SAMPLING & IN SITU TESTING LEGEND

A	Auger sample	G	Gas sample	PID	Photo ionisation detector (ppm)
B	Bulk sample	P	Piston sample	PL(A)	Point load axial test Is(50) (MPa)
BLK	Block sample	U_x	Tube sample (x mm dia.)	PL(D)	Point load diametral test Is(50) (MPa)
C	Core drilling	W	Water sample	pp	Pocket penetrometer (kPa)
D	Disturbed sample	▷	Water seep	S	Standard penetration test
E	Environmental sample	⧗	Water level	V	Shear vane (kPa)

Douglas Partners
Geotechnics / Environment / Groundwater

BOREHOLE LOG

CLIENT: Australand Holdings Ltd
PROJECT: Contamination Assessment
LOCATION: Boat Harbour Precinct, Shell Cove

SURFACE LEVEL: 8.5 AHD
EASTING: 304279
NORTHING: 6170490
DIP/AZIMUTH: 90°/--

BORE No: 108
PROJECT No: 40999.26
DATE: 9/9/2010
SHEET 1 OF 1

RL	Depth (m)	Description of Strata	Graphic Log	Sampling & In Situ Testing: Type	Depth	Sample	Results & Comments	Water	Well Construction Details
8	0.0	FILLING - brown clay with some gravel (latite), roots, rootlets and trace waste material (bricks, plastic tape)		D	0.0				
					0.1				
	0.8	CLAY - firm, dark brown silty clay with trace rootlets, damp (topsoil)		D	0.8				
	1				0.9				1
	1.1	CLAY - very stiff, brown clay, humid to damp		D	1.1				
7	1.2	Bore discontinued at 1.2m (limit of investigation)			1.2				
	2								2
6									

RIG: KX41-3V Kubota with 300mm bucket **DRILLER:** J Boers **LOGGED:** RLG **SURVEY DATUM:** MGA94
TYPE OF BORING: **CASING:**
WATER OBSERVATIONS: No free groundwater observed
REMARKS: Stockpile

SAMPLING & IN SITU TESTING LEGEND

A	Auger sample	G	Gas sample	PID	Photo ionisation detector (ppm)
B	Bulk sample	P	Piston sample	PL(A)	Point load axial test Is(50) (MPa)
BLK	Block sample	U_x	Tube sample (x mm dia.)	PL(D)	Point load diametral test Is(50) (MPa)
C	Core drilling	W	Water sample	pp	Pocket penetrometer (kPa)
D	Disturbed sample	▷	Water seep	S	Standard penetration test
E	Environmental sample	⧗	Water level	V	Shear vane (kPa)

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Geotechnics / Environment / Groundwater

BOREHOLE LOG

CLIENT: Australand Holdings Ltd
PROJECT: Contamination Assessment
LOCATION: Boat Harbour Precinct, Shell Cove

SURFACE LEVEL: 17.0 AHD
EASTING: 304308
NORTHING: 6170226
DIP/AZIMUTH: 90°/--

BORE No: 109
PROJECT No: 40999.26
DATE: 10/9/2010
SHEET 1 OF 1

RL	Depth (m)	Description of Strata	Graphic Log	Sampling & In Situ Testing: Type	Depth	Sample	Results & Comments	Water	Well Construction Details
17		TOPSOIL - dark brown, silty clay with some roots and rootlets, damp (possible filling)		D	0.0 0.1				
	0.3	CLAYEY GRAVEL - brown, clayey gravel (latite) with some trace rootlets, moist		D	0.4 0.5				
	0.9	Bore discontinued at 0.9m (refusal on low to medium strength latite)							
16	1								1
15	2								2

RIG: KX41-3V Kubota with 300mm bucket **DRILLER:** J Boers **LOGGED:** RLG **SURVEY DATUM:** MGA94
TYPE OF BORING: **CASING:**
WATER OBSERVATIONS: No free groundwater observed
REMARKS:

SAMPLING & IN SITU TESTING LEGEND

A	Auger sample	G	Gas sample	PID	Photo ionisation detector (ppm)
B	Bulk sample	P	Piston sample	PL(A)	Point load axial test Is(50) (MPa)
BLK	Block sample	U_x	Tube sample (x mm dia.)	PL(D)	Point load diametral test Is(50) (MPa)
C	Core drilling	W	Water sample	pp	Pocket penetrometer (kPa)
D	Disturbed sample	▷	Water seep	S	Standard penetration test
E	Environmental sample	⧗	Water level	V	Shear vane (kPa)

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BOREHOLE LOG

CLIENT: Australand Holdings Ltd
PROJECT: Contamination Assessment
LOCATION: Boat Harbour Precinct, Shell Cove

SURFACE LEVEL: 15.5 AHD
EASTING: 304373
NORTHING: 6170214
DIP/AZIMUTH: 90°/--

BORE No: 110
PROJECT No: 40999.26
DATE: 10/9/2010
SHEET 1 OF 1

RL	Depth (m)	Description of Strata	Graphic Log	Sampling & In Situ Testing: Type	Depth	Sample	Results & Comments	Water	Well Construction Details
15	0.0	FILLING - brown, gravelly (blue metal) clay with trace rootlets, damp		D	0.0				
	0.1	CLAY - very stiff, brown clay with trace gravel, humid to damp			0.1				
				D	0.4				
	0.6	Bore discontinued at 0.6m (limit of investigation)			0.5				
	1								1
14									
	2								2
13									

RIG: KX41-3V Kubota with 300mm bucket **DRILLER:** J Boers **LOGGED:** RLG **SURVEY DATUM:** MGA94
TYPE OF BORING: **CASING:**
WATER OBSERVATIONS: No free groundwater observed
REMARKS: Duplicates BD7A + BD7B taken at 0.0 - 0.1m

SAMPLING & IN SITU TESTING LEGEND

A	Auger sample	G	Gas sample	PID	Photo ionisation detector (ppm)
B	Bulk sample	P	Piston sample	PL(A)	Point load axial test Is(50) (MPa)
BLK	Block sample	U_x	Tube sample (x mm dia.)	PL(D)	Point load diametral test Is(50) (MPa)
C	Core drilling	W	Water sample	pp	Pocket penetrometer (kPa)
D	Disturbed sample	▷	Water seep	S	Standard penetration test
E	Environmental sample	▼	Water level	V	Shear vane (kPa)

Douglas Partners
Geotechnics / Environment / Groundwater

BOREHOLE LOG

CLIENT: Australand Holdings Ltd
PROJECT: Contamination Assessment
LOCATION: Boat Harbour Precinct, Shell Cove

SURFACE LEVEL: 13.5 AHD
EASTING: 304450
NORTHING: 6170184
DIP/AZIMUTH: 90°/--

BORE No: 111
PROJECT No: 40999.26
DATE: 10/9/2010
SHEET 1 OF 1

RL	Depth (m)	Description of Strata	Graphic Log	Sampling & In Situ Testing: Type	Depth	Sample	Results & Comments	Water	Well Construction Details
13	0.0	FILLING - brown and grey gravel, cobbles and boulders (latite) with some sand and trace clay, humid to damp							
		- becoming slightly clayey gravel cobbles and boulders (latite) below 0.6m							
	0.8	CLAY - firm, grey clay with trace sand, moist to wet (possible filling)		D	0.9 1.0				
	1								1
	1.4	CLAY - stiff to very stiff, brown clay, humid to damp							
12	1.5	Bore discontinued at 1.5m (limit of investigation)							
	2								2
11									

RIG: KX41-3V Kubota with 300mm bucket **DRILLER:** J Boers **LOGGED:** RLG **SURVEY DATUM:** MGA94
TYPE OF BORING: **CASING:**
WATER OBSERVATIONS: Water seepage observed at 0.7m
REMARKS: Duplicates BD6A + BD6B taken at 0.0 - 0.1m

SAMPLING & IN SITU TESTING LEGEND

A	Auger sample	G	Gas sample	PID	Photo ionisation detector (ppm)
B	Bulk sample	P	Piston sample	PL(A)	Point load axial test Is(50) (MPa)
BLK	Block sample	U_x	Tube sample (x mm dia.)	PL(D)	Point load diametral test Is(50) (MPa)
C	Core drilling	W	Water sample	pp	Pocket penetrometer (kPa)
D	Disturbed sample	▷	Water seep	S	Standard penetration test
E	Environmental sample	⧗	Water level	V	Shear vane (kPa)

Douglas Partners
Geotechnics / Environment / Groundwater

BOREHOLE LOG

CLIENT: Australand Holdings Ltd
PROJECT: Contamination Assessment
LOCATION: Boat Harbour Precinct, Shell Cove

SURFACE LEVEL: 8.5 AHD
EASTING: 304494
NORTHING: 6170354
DIP/AZIMUTH: 90°/--

BORE No: 112
PROJECT No: 40999.26
DATE: 10/9/2010
SHEET 1 OF 1

RL	Depth (m)	Description of Strata	Graphic Log	Sampling & In Situ Testing: Type	Depth	Sample	Results & Comments	Water	Well Construction Details
8	0.0	TOPSOIL - dark brown clay with some silt, roots and rootlets, humid to damp		D	0.0				
	0.1				0.1				
	0.3	CLAY - very stiff, brown clay with trace rootlets, humid to damp							
	0.5			D	0.5				
	0.6				0.6				
	0.7	Bore discontinued at 0.7m (limit of investigation)							
7	1								1
	2								2
6									

RIG: KX41-3V Kubota with 300mm bucket **DRILLER:** J Boers **LOGGED:** RLG **SURVEY DATUM:** MGA94
TYPE OF BORING: **CASING:**
WATER OBSERVATIONS: No free groundwater observed
REMARKS:

SAMPLING & IN SITU TESTING LEGEND

A	Auger sample	G	Gas sample	PID	Photo ionisation detector (ppm)
B	Bulk sample	P	Piston sample	PL(A)	Point load axial test Is(50) (MPa)
BLK	Block sample	U_x	Tube sample (x mm dia.)	PL(D)	Point load diametral test Is(50) (MPa)
C	Core drilling	W	Water sample	pp	Pocket penetrometer (kPa)
D	Disturbed sample	▷	Water seep	S	Standard penetration test
E	Environmental sample	⧗	Water level	V	Shear vane (kPa)

Douglas Partners
Geotechnics / Environment / Groundwater

BOREHOLE LOG

CLIENT: Australand Holdings Ltd
PROJECT: Contamination Assessment
LOCATION: Boat Harbour Precinct, Shell Cove

SURFACE LEVEL: 2.5 AHD
EASTING: 304703
NORTHING: 6170245
DIP/AZIMUTH: 90°/--

BORE No: 113
PROJECT No: 40999.26
DATE: 8/9/2010
SHEET 1 OF 1

RL	Depth (m)	Description of Strata	Graphic Log	Sampling & In Situ Testing: Type	Depth	Sample	Results & Comments	Water	Well Construction Details
2	0.0	TOPSOIL - dark brown clay with some silt, roots and rootlets, damp		D	0.0				
	0.1				0.1				
	0.4			D	0.4				
	0.5	- with trace sand, wet below 0.5m			0.5			▽	
	0.7	CLAY - soft grey brown clay with some coarse gravel sized pockets of sand, saturated						▼	
1	1.0	Bore discontinued at 1.0m (limit of investigation)							1
1									
0	2								2

RIG: KX41-3V Kubota with 300mm bucket **DRILLER:** J Boers **LOGGED:** RLG **SURVEY DATUM:** MGA94
TYPE OF BORING: **CASING:**
WATER OBSERVATIONS: Water seepage observed at 0.5m, free groundwater below 0.7m
REMARKS:

SAMPLING & IN SITU TESTING LEGEND

A	Auger sample	G	Gas sample	PID	Photo ionisation detector (ppm)
B	Bulk sample	P	Piston sample	PL(A)	Point load axial test Is(50) (MPa)
BLK	Block sample	U_x	Tube sample (x mm dia.)	PL(D)	Point load diametral test Is(50) (MPa)
C	Core drilling	W	Water sample	pp	Pocket penetrometer (kPa)
D	Disturbed sample	▷	Water seep	S	Standard penetration test
E	Environmental sample	▼	Water level	V	Shear vane (kPa)

Douglas Partners
Geotechnics / Environment / Groundwater

BOREHOLE LOG

CLIENT: Australand Holdings Ltd
PROJECT: Contamination Assessment
LOCATION: Boat Harbour Precinct, Shell Cove

SURFACE LEVEL: 3.0 AHD
EASTING: 304634
NORTHING: 6170088
DIP/AZIMUTH: 90°/--

BORE No: 114
PROJECT No: 40999.26
DATE: 10/9/2010
SHEET 1 OF 1

RL	Depth (m)	Description of Strata	Graphic Log	Sampling & In Situ Testing: Type	Depth	Sample	Results & Comments	Water	Well Construction Details
3		TOPSOIL - dark brown, silty clay with some roots and rootlets, damp							
	0.3	CLAY - stiff to very stiff, brown clay with trace rootlets, humid to damp							
	0.7	Bore discontinued at 0.7m (limit of investigation)							
2	1								1
1	2								2

RIG: KX41-3V Kubota with 300mm bucket **DRILLER:** J Boers **LOGGED:** RLG **SURVEY DATUM:** MGA94
TYPE OF BORING: **CASING:**
WATER OBSERVATIONS: No free groundwater observed
REMARKS:

SAMPLING & IN SITU TESTING LEGEND

A	Auger sample	G	Gas sample	PID	Photo ionisation detector (ppm)
B	Bulk sample	P	Piston sample	PL(A)	Point load axial test Is(50) (MPa)
BLK	Block sample	U_x	Tube sample (x mm dia.)	PL(D)	Point load diametral test Is(50) (MPa)
C	Core drilling	W	Water sample	pp	Pocket penetrometer (kPa)
D	Disturbed sample	▷	Water seep	S	Standard penetration test
E	Environmental sample	⧗	Water level	V	Shear vane (kPa)

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Geotechnics / Environment / Groundwater

BOREHOLE LOG

CLIENT: Australand Holdings Ltd
PROJECT: Contamination Assessment
LOCATION: Boat Harbour Precinct, Shell Cove

SURFACE LEVEL: 15.0 AHD
EASTING: 304952
NORTHING: 6170000
DIP/AZIMUTH: 90°/--

BORE No: 115
PROJECT No: 40999.26
DATE: 9/9/2010
SHEET 1 OF 1

RL	Depth (m)	Description of Strata	Graphic Log	Sampling & In Situ Testing: Type	Depth	Sample	Results & Comments	Water	Well Construction Details
15	0.0	FILLING - brown gravelly (latite) clay with some silt, roots and rootlets, damp		D	0.0				
					0.1				
	0.3	CLAY - dark brown clay with some gravel, silt and trace rootlets, damp							
	0.4	CLAY - very stiff to hard, brown clay with trace sand							
				D	0.6				
					0.7				
14	1 1.0	GRAVEL - orange grey brown gravel (latite) with some cobbles, silt and clay, humid to damp		D	1.2				1
	1.3	Bore discontinued at 1.3m (limit of investigation)			1.3				
13	2								2

RIG: KX41-3V Kubota with 300mm bucket **DRILLER:** J Boers **LOGGED:** RLG **SURVEY DATUM:** MGA94
TYPE OF BORING: **CASING:**
WATER OBSERVATIONS: No free groundwater observed
REMARKS: Stockpile

SAMPLING & IN SITU TESTING LEGEND

A	Auger sample	G	Gas sample	PID	Photo ionisation detector (ppm)
B	Bulk sample	P	Piston sample	PL(A)	Point load axial test Is(50) (MPa)
BLK	Block sample	U_x	Tube sample (x mm dia.)	PL(D)	Point load diametral test Is(50) (MPa)
C	Core drilling	W	Water sample	pp	Pocket penetrometer (kPa)
D	Disturbed sample	▷	Water seep	S	Standard penetration test
E	Environmental sample	⧗	Water level	V	Shear vane (kPa)

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BOREHOLE LOG

CLIENT: Australand Holdings Ltd
PROJECT: Contamination Assessment
LOCATION: Boat Harbour Precinct, Shell Cove

SURFACE LEVEL: 14.0 AHD
EASTING: 305025
NORTHING: 6170114
DIP/AZIMUTH: 90°/--

BORE No: 116
PROJECT No: 40999.26
DATE: 9/9/2010
SHEET 1 OF 1

RL	Depth (m)	Description of Strata	Graphic Log	Sampling & In Situ Testing: Type	Depth	Sample	Results & Comments	Water	Well Construction Details
14		FILLING - dark brown clay with some silt, gravel (latite, ironstone), cobbles (latite), roots and rootlets, damp		D	0.0				
					0.1				
				D	0.4				
					0.5				
	0.6	CLAYEY COBBLES - orange grey brown, clayey cobbles (latite), humid to damp							
13	1								1
	1.1	Bore discontinued at 1.1m (refusal on medium to high strength latite)							
12	2								2

RIG: KX41-3V Kubota with 300mm bucket **DRILLER:** J Boers **LOGGED:** RLG **SURVEY DATUM:** MGA94
TYPE OF BORING: **CASING:**
WATER OBSERVATIONS: No free groundwater observed
REMARKS: Stockpile

SAMPLING & IN SITU TESTING LEGEND

A	Auger sample	G	Gas sample	PID	Photo ionisation detector (ppm)
B	Bulk sample	P	Piston sample	PL(A)	Point load axial test Is(50) (MPa)
BLK	Block sample	U_x	Tube sample (x mm dia.)	PL(D)	Point load diametral test Is(50) (MPa)
C	Core drilling	W	Water sample	pp	Pocket penetrometer (kPa)
D	Disturbed sample	▷	Water seep	S	Standard penetration test
E	Environmental sample	▼	Water level	V	Shear vane (kPa)

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BOREHOLE LOG

CLIENT: Australand Holdings Ltd
PROJECT: Contamination Assessment
LOCATION: Boat Harbour Precinct, Shell Cove

SURFACE LEVEL: 12.0 AHD
EASTING: 305275
NORTHING: 6170020
DIP/AZIMUTH: 90°/--

BORE No: 117
PROJECT No: 40999.26
DATE: 9/9/2010
SHEET 1 OF 1

RL	Depth (m)	Description of Strata	Graphic Log	Sampling & In Situ Testing: Type	Depth	Sample	Results & Comments	Water	Well Construction Details
12	0.0								
	0.08	CONCRETE - grey concrete		D	0.0				
		FILLING - dark brown, silty clay with some gravel, trace fibro, sand and rootlets, damp		D	0.08 0.1				
	0.25	CLAY - stiff, grey brown clay with some fine to medium gravel (latite) and trace rootlets, damp			0.25				
				D	0.4 0.5				
	0.6	GRAVELLY CLAY - grey brown, gravelly (fine to medium latite) clay with some sand, humid to damp							
	0.8	Bore discontinued at 0.8m (refusal on medium strength latite)							
11	1								1
10	2								2

RIG: KX41-3V Kubota with 300mm bucket **DRILLER:** J Boers **LOGGED:** RLG **SURVEY DATUM:** MGA94
TYPE OF BORING: **CASING:**
WATER OBSERVATIONS: No free groundwater observed
REMARKS: Fibro sample taken at 0.08 - 0.25m

SAMPLING & IN SITU TESTING LEGEND

A	Auger sample	G	Gas sample	PID	Photo ionisation detector (ppm)
B	Bulk sample	P	Piston sample	PL(A)	Point load axial test Is(50) (MPa)
BLK	Block sample	U_x	Tube sample (x mm dia.)	PL(D)	Point load diametral test Is(50) (MPa)
C	Core drilling	W	Water sample	pp	Pocket penetrometer (kPa)
D	Disturbed sample	▷	Water seep	S	Standard penetration test
E	Environmental sample	⧗	Water level	V	Shear vane (kPa)

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BOREHOLE LOG

CLIENT: Australand Holdings Ltd
PROJECT: Contamination Assessment
LOCATION: Boat Harbour Precinct, Shell Cove

SURFACE LEVEL: 11.5 AHD
EASTING: 305313
NORTHING: 6170031
DIP/AZIMUTH: 90°/--

BORE No: 118
PROJECT No: 40999.26
DATE: 9/9/2010
SHEET 1 OF 1

RL	Depth (m)	Description of Strata	Graphic Log	Sampling & In Situ Testing: Type	Depth	Sample	Results & Comments	Water	Well Construction Details
11	0.0	TOPSOIL - dark brown clay with some silt, roots, rootlets and trace cobbles (latite), damp		D	0.0				
					0.1				
	0.4	CLAY - stiff, grey brown clay with trace roots and rootlets, damp		D	0.4				
					0.5				
	0.8	GRAVELLY CLAY - stiff, cream mottled grey, slightly gravelly clay, damp							
10	0.9	Bore discontinued at 0.9m (limit investigation)							
	1								1
	2								2
9									

RIG: KX41-3V Kubota with 300mm bucket **DRILLER:** J Boers **LOGGED:** RLG **SURVEY DATUM:** MGA94
TYPE OF BORING: **CASING:**
WATER OBSERVATIONS: No free groundwater observed
REMARKS: Drainage line

SAMPLING & IN SITU TESTING LEGEND

A	Auger sample	G	Gas sample	PID	Photo ionisation detector (ppm)
B	Bulk sample	P	Piston sample	PL(A)	Point load axial test Is(50) (MPa)
BLK	Block sample	U_x	Tube sample (x mm dia.)	PL(D)	Point load diametral test Is(50) (MPa)
C	Core drilling	W	Water sample	pp	Pocket penetrometer (kPa)
D	Disturbed sample	▷	Water seep	S	Standard penetration test
E	Environmental sample	⧗	Water level	V	Shear vane (kPa)

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BOREHOLE LOG

CLIENT: Australand Holdings Ltd
PROJECT: Contamination Assessment
LOCATION: Boat Harbour Precinct, Shell Cove

SURFACE LEVEL: 13.0 AHD
EASTING: 305297
NORTHING: 6170005
DIP/AZIMUTH: 90°/--

BORE No: 119
PROJECT No: 40999.26
DATE: 9/9/2010
SHEET 1 OF 1

RL	Depth (m)	Description of Strata	Graphic Log	Sampling & In Situ Testing: Type	Depth	Sample	Results & Comments	Water	Well Construction Details
13		FILLING - brown, gravelly (sandstone, latite), silty clay with some cobbles (sandstone, latite), waste material (concrete, horse shoe), roots and rootlets, damp		D	0.0 0.1				
	0.3	CLAY - stiff, orange brown mottled grey clay with some sand in medium gravel sized pockets, humid to damp		D	0.4 0.5			▽	
	0.7	CLAYEY GRAVEL - grey brown, clayey gravel (latite) with trace cobbles, moist		D	0.9 1.0				
12	1								1
	1.1	Bore discontinued at 1.1m (limit of investigation)							
11	2								2

RIG: KX41-3V Kubota with 300mm bucket **DRILLER:** J Boers **LOGGED:** RLG **SURVEY DATUM:** MGA94
TYPE OF BORING: **CASING:**
WATER OBSERVATIONS: Water seepage observed at 0.3m
REMARKS: Duplicates BD2A + BD2B taken at 0.0 - 0.1m

SAMPLING & IN SITU TESTING LEGEND

A	Auger sample	G	Gas sample	PID	Photo ionisation detector (ppm)
B	Bulk sample	P	Piston sample	PL(A)	Point load axial test Is(50) (MPa)
BLK	Block sample	U_x	Tube sample (x mm dia.)	PL(D)	Point load diametral test Is(50) (MPa)
C	Core drilling	W	Water sample	pp	Pocket penetrometer (kPa)
D	Disturbed sample	▷	Water seep	S	Standard penetration test
E	Environmental sample	⧗	Water level	V	Shear vane (kPa)

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BOREHOLE LOG

CLIENT: Australand Holdings Ltd
PROJECT: Contamination Assessment
LOCATION: Boat Harbour Precinct, Shell Cove

SURFACE LEVEL: 13.5 AHD
EASTING: 305246
NORTHING: 6169998
DIP/AZIMUTH: 90°/--

BORE No: 120
PROJECT No: 40999.26
DATE: 9/9/2010
SHEET 1 OF 1

RL	Depth (m)	Description of Strata	Graphic Log	Sampling & In Situ Testing: Type	Depth	Sample	Results & Comments	Water	Well Construction Details
	0.04	CONCRETE - grey concrete		D	0.0				
		CLAY - soft to firm, dark grey clay with some silt and trace rootlets, moist (topsoil)			0.1				
	0.3	CLAY - very stiff, brown clay with trace fine to medium gravel and sand, humid to damp						▽	
13				D	0.4				
					0.5				
		- with trace coarse gravel at 0.7m							
	0.9	Bore discontinued at 0.9m (limit of investigation)							
	1								1
12									
	2								2
11									

RIG: KX41-3V Kubota with 300mm bucket **DRILLER:** J Boers **LOGGED:** RLG **SURVEY DATUM:** MGA94
TYPE OF BORING: **CASING:**
WATER OBSERVATIONS: Water seepage observed at 0.3m
REMARKS: Duplicates BD3A + BD3B taken at 0.0 - 0.1m

SAMPLING & IN SITU TESTING LEGEND

A	Auger sample	G	Gas sample	PID	Photo ionisation detector (ppm)
B	Bulk sample	P	Piston sample	PL(A)	Point load axial test Is(50) (MPa)
BLK	Block sample	U_x	Tube sample (x mm dia.)	PL(D)	Point load diametral test Is(50) (MPa)
C	Core drilling	W	Water sample	pp	Pocket penetrometer (kPa)
D	Disturbed sample	▷	Water seep	S	Standard penetration test
E	Environmental sample	⧗	Water level	V	Shear vane (kPa)

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BOREHOLE LOG

CLIENT: Australand Holdings Ltd
PROJECT: Contamination Assessment
LOCATION: Boat Harbour Precinct, Shell Cove

SURFACE LEVEL: 6.0 AHD
EASTING: 304403
NORTHING: 6170533
DIP/AZIMUTH: 90°/--

BORE No: 121
PROJECT No: 40999.26
DATE: 10/9/2010
SHEET 1 OF 1

RL	Depth (m)	Description of Strata	Graphic Log	Sampling & In Situ Testing: Type	Depth	Sample	Results & Comments	Water	Well Construction Details
6		TOPSOIL - dark brown clay with some silt, roots and rootlets, moist		D	0.0				
					0.1				
				D	0.4				
	0.5	CLAY - stiff, brown clay with trace gravel, damp			0.5				
	0.7	Bore discontinued at 0.7m (limit of investigation)							
5	1								1
4	2								2

RIG: KX41-3V Kubota with 300mm bucket **DRILLER:** J Boers **LOGGED:** RLG **SURVEY DATUM:** MGA94
TYPE OF BORING: **CASING:**
WATER OBSERVATIONS: No free groundwater observed
REMARKS:

SAMPLING & IN SITU TESTING LEGEND

A	Auger sample	G	Gas sample	PID	Photo ionisation detector (ppm)
B	Bulk sample	P	Piston sample	PL(A)	Point load axial test Is(50) (MPa)
BLK	Block sample	U_x	Tube sample (x mm dia.)	PL(D)	Point load diametral test Is(50) (MPa)
C	Core drilling	W	Water sample	pp	Pocket penetrometer (kPa)
D	Disturbed sample	▷	Water seep	S	Standard penetration test
E	Environmental sample	⧗	Water level	V	Shear vane (kPa)

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Geotechnics / Environment / Groundwater

BOREHOLE LOG

CLIENT: Australand Holdings Ltd
PROJECT: Contamination Assessment
LOCATION: Boat Harbour Precinct, Shell Cove

SURFACE LEVEL: 6.0 AHD
EASTING: 304271
NORTHING: 6170736
DIP/AZIMUTH: 90°/--

BORE No: 122
PROJECT No: 40999.26
DATE: 9/9/2010
SHEET 1 OF 1

RL	Depth (m)	Description of Strata	Graphic Log	Sampling & In Situ Testing: Type	Depth	Sample	Results & Comments	Water	Well Construction Details
6		FILLING - dark brown, silty, fine to medium sand with some clay, roots and rootlets, damp		D	0.0				
					0.1				
		- becoming dark brown clay with trace sand, damp below 0.4m		D	0.4				
					0.5				
		- with some gravel (latite) and waste material (brick, steel, concrete, plastic wrapper) below 0.9m		D	0.9				
5	1				1.0				1
	1.1	CLAY - very stiff, brown clay with trace rootlets, damp		D	1.1			▽	
					1.2				
				D	1.4				
	1.5	Bore discontinued at 1.5m (limit of investigation)			1.5				
4	2								2

RIG: KX41-3V Kubota with 300mm bucket **DRILLER:** J Boers **LOGGED:** RLG **SURVEY DATUM:** MGA94
TYPE OF BORING: **CASING:**
WATER OBSERVATIONS: Water seepage observed at 1.1m
REMARKS: Tee-off - dulpicates BD4A + BD4B taken at 0.0 - 0.1m

SAMPLING & IN SITU TESTING LEGEND

A	Auger sample	G	Gas sample	PID	Photo ionisation detector (ppm)
B	Bulk sample	P	Piston sample	PL(A)	Point load axial test Is(50) (MPa)
BLK	Block sample	U_x	Tube sample (x mm dia.)	PL(D)	Point load diametral test Is(50) (MPa)
C	Core drilling	W	Water sample	pp	Pocket penetrometer (kPa)
D	Disturbed sample	▷	Water seep	S	Standard penetration test
E	Environmental sample	⧗	Water level	V	Shear vane (kPa)

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Geotechnics / Environment / Groundwater

BOREHOLE LOG

CLIENT: Australand Holdings Ltd
PROJECT: Contamination Assessment
LOCATION: Boat Harbour Precinct, Shell Cove

SURFACE LEVEL: 3.0 AHD
EASTING: 304449
NORTHING: 6170713
DIP/AZIMUTH: 90°/--

BORE No: 123
PROJECT No: 40999.26
DATE: 9/9/2010
SHEET 1 OF 1

RL	Depth (m)	Description of Strata	Graphic Log	Sampling & In Situ Testing: Type	Depth	Sample	Results & Comments	Water	Well Construction Details
3									
		FILLING - brown, clayey gravel and cobbles (latite) with some roots and rootlets		D	0.0				
					0.1				
		- green plastic mesh at 0.4m		D	0.4				
					0.5				
2	1								1
	1.2	CLAY - soft, dark grey, silty clay, damp (topsoil)							
	1.5	CLAY - stiff, brown clay with some rootlets, damp			1.5				
				D	1.6				
					1.7				
				D					
	1.8	Bore discontinued at 1.8m (limit of investigation)			1.8				
1	2								2

RIG: KX41-3V Kubota with 300mm bucket **DRILLER:** J Boers **LOGGED:** RLG **SURVEY DATUM:** MGA94
TYPE OF BORING: **CASING:**
WATER OBSERVATIONS: No free groundwater observed
REMARKS: Stockpile

SAMPLING & IN SITU TESTING LEGEND

A	Auger sample	G	Gas sample	PID	Photo ionisation detector (ppm)
B	Bulk sample	P	Piston sample	PL(A)	Point load axial test Is(50) (MPa)
BLK	Block sample	U_x	Tube sample (x mm dia.)	PL(D)	Point load diametral test Is(50) (MPa)
C	Core drilling	W	Water sample	pp	Pocket penetrometer (kPa)
D	Disturbed sample	▷	Water seep	S	Standard penetration test
E	Environmental sample	⧗	Water level	V	Shear vane (kPa)

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Geotechnics / Environment / Groundwater

BOREHOLE LOG

CLIENT: Australand Holdings Ltd
PROJECT: Contamination Assessment
LOCATION: Boat Harbour Precinct, Shell Cove

SURFACE LEVEL: 4.5 AHD
EASTING: 304515
NORTHING: 6170495
DIP/AZIMUTH: 90°/--

BORE No: 124
PROJECT No: 40999.26
DATE: 10/9/2010
SHEET 1 OF 1

RL	Depth (m)	Description of Strata	Graphic Log	Sampling & In Situ Testing: Type	Depth	Sample	Results & Comments	Water	Well Construction Details
4	0.0	FILLING - dark brown, silty clay with some sand, roots and rootlets, humid to damp		D	0.0				
					0.1				
				D	0.4				
		- becoming dark brown, silty clay below 0.5m			0.5				
	0.9	CLAY - stiff, brown clay, humid to damp		D	0.9				
	1				1.0				1
				D	1.3				
	1.4	Bore discontinued at 1.4m (limit of investigation)			1.4				
3									
	2								2
2									

RIG: KX41-3V Kubota with 300mm bucket **DRILLER:** J Boers **LOGGED:** RLG **SURVEY DATUM:** MGA94
TYPE OF BORING: **CASING:**
WATER OBSERVATIONS: No free groundwater observed
REMARKS: Tee-off

SAMPLING & IN SITU TESTING LEGEND

A	Auger sample	G	Gas sample	PID	Photo ionisation detector (ppm)
B	Bulk sample	P	Piston sample	PL(A)	Point load axial test Is(50) (MPa)
BLK	Block sample	U_x	Tube sample (x mm dia.)	PL(D)	Point load diametral test Is(50) (MPa)
C	Core drilling	W	Water sample	pp	Pocket penetrometer (kPa)
D	Disturbed sample	▷	Water seep	S	Standard penetration test
E	Environmental sample	⧗	Water level	V	Shear vane (kPa)

Douglas Partners
Geotechnics / Environment / Groundwater

BOREHOLE LOG

CLIENT: Australand Holdings Ltd
PROJECT: Contamination Assessment
LOCATION: Boat Harbour Precinct, Shell Cove

SURFACE LEVEL: 4.0 AHD
EASTING: 304616
NORTHING: 6170429
DIP/AZIMUTH: 90°/--

BORE No: 125
PROJECT No: 40999.26
DATE: 10/9/2010
SHEET 1 OF 1

RL	Depth (m)	Description of Strata	Graphic Log	Sampling & In Situ Testing: Type	Depth	Sample	Results & Comments	Water	Well Construction Details
		TOPSOIL - dark brown clay with some silt, roots and rootlets, damp		D	0.0 0.1				
	0.5	CLAY - stiff, brown clay with trace rootlets, damp		D	0.5 0.6				
	0.8	Bore discontinued at 0.8m (limit of investigation)							
3	1								1
2	2								2

RIG: KX41-3V Kubota with 300mm bucket **DRILLER:** J Boers **LOGGED:** RLG **SURVEY DATUM:** MGA94
TYPE OF BORING: **CASING:**
WATER OBSERVATIONS: No free groundwater observed
REMARKS:

SAMPLING & IN SITU TESTING LEGEND

A	Auger sample	G	Gas sample	PID	Photo ionisation detector (ppm)
B	Bulk sample	P	Piston sample	PL(A)	Point load axial test Is(50) (MPa)
BLK	Block sample	U_x	Tube sample (x mm dia.)	PL(D)	Point load diametral test Is(50) (MPa)
C	Core drilling	W	Water sample	pp	Pocket penetrometer (kPa)
D	Disturbed sample	▷	Water seep	S	Standard penetration test
E	Environmental sample	⧗	Water level	V	Shear vane (kPa)

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Geotechnics / Environment / Groundwater

BOREHOLE LOG

CLIENT: Australand Holdings Ltd
PROJECT: Contamination Assessment
LOCATION: Boat Harbour Precinct, Shell Cove

SURFACE LEVEL: 3.0 AHD
EASTING: 304704
NORTHING: 6170214
DIP/AZIMUTH: 90°/--

BORE No: 126
PROJECT No: 40999.26
DATE: 10/9/2010
SHEET 1 OF 1

RL	Depth (m)	Description of Strata	Graphic Log	Sampling & In Situ Testing: Type	Depth	Sample	Results & Comments	Water	Well Construction Details
		TOPSOIL - dark brown clay with some silt, roots and rootlets, damp		D	0.0				
					0.1				
	0.3	CLAY - soft, dark grey clay with trace rootlets, damp							
				D	0.4				
					0.5				
		- becoming stiff below 0.7m							
	0.8	Bore discontinued at 0.8m (limit of investigation)							
-1	1								1
-2	2								2

RIG: KX41-3V Kubota with 300mm bucket **DRILLER:** J Boers **LOGGED:** RLG **SURVEY DATUM:** MGA94
TYPE OF BORING: **CASING:**
WATER OBSERVATIONS: No free groundwater observed
REMARKS:

SAMPLING & IN SITU TESTING LEGEND

A	Auger sample	G	Gas sample	PID	Photo ionisation detector (ppm)
B	Bulk sample	P	Piston sample	PL(A)	Point load axial test Is(50) (MPa)
BLK	Block sample	U_x	Tube sample (x mm dia.)	PL(D)	Point load diametral test Is(50) (MPa)
C	Core drilling	W	Water sample	pp	Pocket penetrometer (kPa)
D	Disturbed sample	▷	Water seep	S	Standard penetration test
E	Environmental sample	⧗	Water level	V	Shear vane (kPa)

Douglas Partners
Geotechnics / Environment / Groundwater

BOREHOLE LOG

CLIENT: Australand Holdings Ltd
PROJECT: Contamination Assessment
LOCATION: Boat Harbour Precinct, Shell Cove

SURFACE LEVEL: 2.0 AHD
EASTING: 304779
NORTHING: 6170264
DIP/AZIMUTH: 90°/--

BORE No: 127
PROJECT No: 40999.26
DATE: 10/9/2010
SHEET 1 OF 1

RL	Depth (m)	Description of Strata	Graphic Log	Sampling & In Situ Testing: Type	Depth	Sample	Results & Comments	Water	Well Construction Details
2		TOPSOIL - dark brown silty clay with some roots and rootlets, damp		D	0.0 0.1				
	0.5	CLAYEY SAND - grey, clayey fine to medium sand, saturated		D	0.5 0.6			▼	
1	1.0	CLAY - orange brown mottled grey clay with some silt, damp							1
	1.1	Bore discontinued at 1.1m (limit of investigation)							
0	2								2

RIG: KX41-3V Kubota with 300mm bucket **DRILLER:** J Boers **LOGGED:** RLG **SURVEY DATUM:** MGA94
TYPE OF BORING: **CASING:**
WATER OBSERVATIONS: Free groundwater observed below 0.55m
REMARKS:

SAMPLING & IN SITU TESTING LEGEND

A	Auger sample	G	Gas sample	PID	Photo ionisation detector (ppm)
B	Bulk sample	P	Piston sample	PL(A)	Point load axial test Is(50) (MPa)
BLK	Block sample	U_x	Tube sample (x mm dia.)	PL(D)	Point load diametral test Is(50) (MPa)
C	Core drilling	W	Water sample	pp	Pocket penetrometer (kPa)
D	Disturbed sample	▷	Water seep	S	Standard penetration test
E	Environmental sample	▼	Water level	V	Shear vane (kPa)

Douglas Partners
Geotechnics / Environment / Groundwater

BOREHOLE LOG

CLIENT: Australand Holdings Ltd
PROJECT: Contamination Assessment
LOCATION: Boat Harbour Precinct, Shell Cove

SURFACE LEVEL: 2.0 AHD
EASTING: 304508
NORTHING: 6170937
DIP/AZIMUTH: 90°/--

BORE No: 128
PROJECT No: 40999.26
DATE: 9/9/2010
SHEET 1 OF 1

RL	Depth (m)	Description of Strata	Graphic Log	Sampling & In Situ Testing: Type	Depth	Sample	Results & Comments	Water	Well Construction Details
2		FILLING - dark brown clay with some gravel and some silt, moist		D	0.0				
					0.1				
		- becoming firm, grey brown slightly gravelly (sandstone) clay, damp below 0.2m							
					0.4				
				D	0.5				
		- becoming low to medium strength, slightly weathered to fresh stained, red brown fine to medium grained sandstone below 0.5m							
	0.9								
1		CLAY - soft, dark grey clay with trace sand, wet							1
					1.1				
				D	1.2				
								▼	
	1.5								
		Bore discontinued at 1.5m (limit of investigation)							
0	2								2

RIG: KX41-3V Kubota with 300mm bucket **DRILLER:** J Boers **LOGGED:** RLG **SURVEY DATUM:** MGA94
TYPE OF BORING: **CASING:**
WATER OBSERVATIONS: Free groundwater observed below 1.45m
REMARKS: Swamp - duplicates BD4A + BD4B taken at 0.0 - 0.1m

SAMPLING & IN SITU TESTING LEGEND

A	Auger sample	G	Gas sample	PID	Photo ionisation detector (ppm)
B	Bulk sample	P	Piston sample	PL(A)	Point load axial test Is(50) (MPa)
BLK	Block sample	U_x	Tube sample (x mm dia.)	PL(D)	Point load diametral test Is(50) (MPa)
C	Core drilling	W	Water sample	pp	Pocket penetrometer (kPa)
D	Disturbed sample	▷	Water seep	S	Standard penetration test
E	Environmental sample	▼	Water level	V	Shear vane (kPa)

Douglas Partners
Geotechnics / Environment / Groundwater

BOREHOLE LOG

CLIENT: Australand Holdings Ltd
PROJECT: Contamination Assessment
LOCATION: Boat Harbour Precinct, Shell Cove

SURFACE LEVEL: 2.5 AHD
EASTING: 304557
NORTHING: 6170940
DIP/AZIMUTH: 90°/--

BORE No: 129
PROJECT No: 40999.26
DATE: 9/9/2010
SHEET 1 OF 1

RL	Depth (m)	Description of Strata	Graphic Log	Sampling & In Situ Testing: Type	Depth	Sample	Results & Comments	Water	Well Construction Details
		FILLING - red brown, sandy gravel (sandstone), humid		D	0.0				
					0.1				
		- with some cobbles (latite, sandstone) below 0.3m							
				D	0.4				
		-becoming grey and dark grey, coarse gravel and cobbles (slag, latite) with trace boulders (slag) below 0.5m			0.5				
				D	0.6				
					0.7				
2									
	1								1
	1.5	CLAY - soft, dark grey clay with some organics, wet		D	1.5				
1	1.6	Bore discontinued at 1.6m (hole caving in)			1.6				
	2								2
0									

RIG: KX41-3V Kubota with 300mm bucket **DRILLER:** J Boers **LOGGED:** RLG **SURVEY DATUM:** MGA94
TYPE OF BORING: **CASING:**
WATER OBSERVATIONS: No free groundwater observed
REMARKS: Slight odour coming from pit

SAMPLING & IN SITU TESTING LEGEND

A	Auger sample	G	Gas sample	PID	Photo ionisation detector (ppm)
B	Bulk sample	P	Piston sample	PL(A)	Point load axial test Is(50) (MPa)
BLK	Block sample	U_x	Tube sample (x mm dia.)	PL(D)	Point load diametral test Is(50) (MPa)
C	Core drilling	W	Water sample	pp	Pocket penetrometer (kPa)
D	Disturbed sample	▷	Water seep	S	Standard penetration test
E	Environmental sample	⧗	Water level	V	Shear vane (kPa)

Douglas Partners
Geotechnics / Environment / Groundwater

BOREHOLE LOG

CLIENT: Australand Holdings Ltd
PROJECT: Contamination Assessment
LOCATION: Boat Harbour Precinct, Shell Cove

SURFACE LEVEL: 2.0 AHD
EASTING: 304453
NORTHING: 6171007
DIP/AZIMUTH: 90°/--

BORE No: 130
PROJECT No: 40999.26
DATE: 10/9/2010
SHEET 1 OF 1

RL	Depth (m)	Description of Strata	Graphic Log	Sampling & In Situ Testing: Type	Depth	Sample	Results & Comments	Water	Well Construction Details
2		FILLING - brown, slightly gravelly clay and boulders (sandstone) with some sand, trace roots and rootlets, damp		D	0.0				
					0.1				
		- becoming medium to coarse sandy, fine to medium gravel and boulders with some sand, cobbles below 0.4m		D	0.4			▼	
					0.5				
1	1.0	SILTY CLAY - dark grey, silty clay with some organics, saturated		D	1.0				1
	1.1	Bore discontinued at 1.1m (hole caving in)			1.1				
0	2								2

RIG: KX41-3V Kubota with 300mm bucket **DRILLER:** J Boers **LOGGED:** RLG **SURVEY DATUM:** MGA94
TYPE OF BORING: **CASING:**
WATER OBSERVATIONS: Free groundwater observed below 0.6m
REMARKS:

SAMPLING & IN SITU TESTING LEGEND

A	Auger sample	G	Gas sample	PID	Photo ionisation detector (ppm)
B	Bulk sample	P	Piston sample	PL(A)	Point load axial test Is(50) (MPa)
BLK	Block sample	U_x	Tube sample (x mm dia.)	PL(D)	Point load diametral test Is(50) (MPa)
C	Core drilling	W	Water sample	pp	Pocket penetrometer (kPa)
D	Disturbed sample	▷	Water seep	S	Standard penetration test
E	Environmental sample	▼	Water level	V	Shear vane (kPa)

Douglas Partners
Geotechnics / Environment / Groundwater

BOREHOLE LOG

CLIENT: Australand Holdings Ltd
PROJECT: Contamination Assessment
LOCATION: Boat Harbour Precinct, Shell Cove

SURFACE LEVEL: 2.0 AHD
EASTING: 304350
NORTHING: 6171015
DIP/AZIMUTH: 90°/--

BORE No: 131
PROJECT No: 40999.26
DATE: 10/9/2010
SHEET 1 OF 1

RL	Depth (m)	Description of Strata	Graphic Log	Sampling & In Situ Testing: Type	Depth	Sample	Results & Comments	Water	Well Construction Details
2		FILLING - orange brown mottled brown, slightly gravelly (fine to medium latite) clay with some sand, roots and rootlets, damp		D	0.0				
					0.1				
				D	0.4				
	0.5	SANDY CLAY - soft, dark grey, silty clay, moist			0.5			▼	
1	1			D	0.9				1
					1.0				
	1.4	CLAYEY SAND - grey, clayey fine to medium sand, saturated		D	1.4				
	1.5	Bore discontinued at 1.5m (limit of investigation)			1.5				
0	2								2

RIG: KX41-3V Kubota with 300mm bucket **DRILLER:** J Boers **LOGGED:** RLG **SURVEY DATUM:** MGA94
TYPE OF BORING: **CASING:**
WATER OBSERVATIONS: Free groundwater observed below 0.5m
REMARKS: Duplicates BD5A + BD5B taken at 0.0 - 0.1m

SAMPLING & IN SITU TESTING LEGEND

A	Auger sample	G	Gas sample	PID	Photo ionisation detector (ppm)
B	Bulk sample	P	Piston sample	PL(A)	Point load axial test Is(50) (MPa)
BLK	Block sample	U_x	Tube sample (x mm dia.)	PL(D)	Point load diametral test Is(50) (MPa)
C	Core drilling	W	Water sample	pp	Pocket penetrometer (kPa)
D	Disturbed sample	▷	Water seep	S	Standard penetration test
E	Environmental sample	▼	Water level	V	Shear vane (kPa)

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Geotechnics / Environment / Groundwater

BOREHOLE LOG

CLIENT: Australand Holdings Ltd
PROJECT: Contamination Assessment
LOCATION: Boat Harbour Precinct, Shell Cove

SURFACE LEVEL: 3.0 AHD
EASTING: 304239
NORTHING: 6171021
DIP/AZIMUTH: 90°/--

BORE No: 132
PROJECT No: 40999.26
DATE: 10/9/2010
SHEET 1 OF 1

RL	Depth (m)	Description of Strata	Graphic Log	Sampling & In Situ Testing: Type	Depth	Sample	Results & Comments	Water	Well Construction Details
3		TOPSOIL - dark brown clay with some sand, roots and rootlets, moist (possible filling)		D	0.0				
					0.1				
	0.2	CLAY - stiff, grey clay with trace rootlets, damp (possible filling)							
				D	0.4				
					0.5				
	0.7	SILTY CLAY - dark grey, silty clay with trace rootlets, humid to damp							
2	1			D	0.9				1
					1.0				
		- pit caving in at 1.2m			1.2			▼	
				D	1.3				
	1.6	SAND - grey, fine to medium sand, wet							
	1.7	Bore discontinued at 1.7m (pit caving in)							
1	2								2

RIG: KX41-3V Kubota with 300mm bucket **DRILLER:** J Boers **LOGGED:** RLG **SURVEY DATUM:** MGA94
TYPE OF BORING: **CASING:**
WATER OBSERVATIONS: Free groundwater observed at 1.2m
REMARKS:

SAMPLING & IN SITU TESTING LEGEND

A	Auger sample	G	Gas sample	PID	Photo ionisation detector (ppm)
B	Bulk sample	P	Piston sample	PL(A)	Point load axial test Is(50) (MPa)
BLK	Block sample	U_x	Tube sample (x mm dia.)	PL(D)	Point load diametral test Is(50) (MPa)
C	Core drilling	W	Water sample	pp	Pocket penetrometer (kPa)
D	Disturbed sample	▷	Water seep	S	Standard penetration test
E	Environmental sample	▼	Water level	V	Shear vane (kPa)

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BOREHOLE LOG

CLIENT: Australand Holdings Ltd
PROJECT: Contamination Assessment
LOCATION: Boat Harbour Precinct, Shell Cove

SURFACE LEVEL: 3.5 AHD
EASTING: 304132
NORTHING: 6170948
DIP/AZIMUTH: 90°/--

BORE No: 133
PROJECT No: 40999.26
DATE: 10/9/2010
SHEET 1 OF 1

RL	Depth (m)	Description of Strata	Graphic Log	Sampling & In Situ Testing: Type	Depth	Sample	Results & Comments	Water	Well Construction Details
		TOPSOIL - dark brown, silty clay with some roots and rootlets, damp		D	0.0 0.1				
3	0.4	CLAY - stiff, brown clay with trace rootlets, humid to damp		D	0.5 0.6				
	0.8	Bore discontinued at 0.8m (limit of investigation)							
2	1								1
	2								2
1									

RIG: KX41-3V Kubota with 300mm bucket **DRILLER:** J Boers **LOGGED:** RLG **SURVEY DATUM:** MGA94
TYPE OF BORING: **CASING:**
WATER OBSERVATIONS: No free groundwater observed
REMARKS: Duplicates BD9A + BD9B taken at 0.0 - 0.1m

SAMPLING & IN SITU TESTING LEGEND

A	Auger sample	G	Gas sample	PID	Photo ionisation detector (ppm)
B	Bulk sample	P	Piston sample	PL(A)	Point load axial test Is(50) (MPa)
BLK	Block sample	U_x	Tube sample (x mm dia.)	PL(D)	Point load diametral test Is(50) (MPa)
C	Core drilling	W	Water sample	pp	Pocket penetrometer (kPa)
D	Disturbed sample	▷	Water seep	S	Standard penetration test
E	Environmental sample	⧗	Water level	V	Shear vane (kPa)

Douglas Partners
Geotechnics / Environment / Groundwater

BOREHOLE LOG

CLIENT: Australand Holdings Ltd
PROJECT: Contamination Assessment
LOCATION: Boat Harbour Precinct, Shell Cove

SURFACE LEVEL: 2.0 AHD
EASTING: 304838
NORTHING: 6170268
DIP/AZIMUTH: 90°/--

BORE No: MW1
PROJECT No: 40999.26
DATE: 8/9/2010
SHEET 1 OF 1

RL	Depth (m)	Description of Strata	Graphic Log	Sampling & In Situ Testing: Type	Depth	Sample	Results & Comments	Water	Well Construction Details
2		TOPSOIL - dark brown clay with some silt, roots and rootlets, damp		D	0.0				Bentonite
					0.1			▼	
	0.3	SANDY CLAY - grey, fine to medium sandy clay, wet							
				D	0.4				
	0.5	CLAY - grey clay, saturated			0.5				
1	1								1 Enviromental sand
	1.1	GRAVELLY CLAY - firm, grey, fine gravelly clay with some sand, saturated							Slotted pipe
0	2	- recovered as slightly sandy clay, saturated below 2.0m							2
	2.6	Bore discontinued at 2.6m (refusal)							

RIG: KX41-3V Kubota with 300mm bucket **DRILLER:** J Boers **LOGGED:** RLG **SURVEY DATUM:** MGA94
TYPE OF BORING: **CASING:**
WATER OBSERVATIONS: Free groundwater observed below 0.25m
REMARKS:

SAMPLING & IN SITU TESTING LEGEND

A	Auger sample	G	Gas sample	PID	Photo ionisation detector (ppm)
B	Bulk sample	P	Piston sample	PL(A)	Point load axial test Is(50) (MPa)
BLK	Block sample	U_x	Tube sample (x mm dia.)	PL(D)	Point load diametral test Is(50) (MPa)
C	Core drilling	W	Water sample	pp	Pocket penetrometer (kPa)
D	Disturbed sample	▷	Water seep	S	Standard penetration test
E	Environmental sample	▼	Water level	V	Shear vane (kPa)

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Geotechnics / Environment / Groundwater

BOREHOLE LOG

CLIENT: Australand Holdings Ltd
PROJECT: Contamination Assessment
LOCATION: Boat Harbour Precinct, Shell Cove

SURFACE LEVEL: 7.5 AHD
EASTING: 304710
NORTHING: 6170065
DIP/AZIMUTH: 90°/--

BORE No: MW2
PROJECT No: 40999.26
DATE: 10/9/2010
SHEET 1 OF 1

RL	Depth (m)	Description of Strata	Graphic Log	Sampling & In Situ Testing: Type	Depth	Sample	Results & Comments	Water	Well Construction Details
7	0.0	TOPSOIL - dark brown clay with some silt, roots and rootlets, humid to damp		D	0.0				
	0.1				0.1				
	0.15	CLAY - stiff, brown clay with trace gravel, humid to damp							
	0.4			D	0.4				
	0.5	- becoming damp below 0.5m			0.5				
	1								1
6	1.3	CLAYEY GRAVEL - brown, clayey gravel (latite recovered as fine to medium gravel), damp							
	1.6	Bore discontinued at 1.6m (refusal)							
	2								2
5									

RIG: Power Auger 150mm (v-bit) **DRILLER:** J Boers **LOGGED:** RLG **SURVEY DATUM:** MGA94
TYPE OF BORING: **CASING:**
WATER OBSERVATIONS: No free groundwater observed
REMARKS:

SAMPLING & IN SITU TESTING LEGEND

A	Auger sample	G	Gas sample	PID	Photo ionisation detector (ppm)
B	Bulk sample	P	Piston sample	PL(A)	Point load axial test Is(50) (MPa)
BLK	Block sample	U_x	Tube sample (x mm dia.)	PL(D)	Point load diametral test Is(50) (MPa)
C	Core drilling	W	Water sample	pp	Pocket penetrometer (kPa)
D	Disturbed sample	▷	Water seep	S	Standard penetration test
E	Environmental sample	⧗	Water level	V	Shear vane (kPa)

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Geotechnics / Environment / Groundwater

BOREHOLE LOG

CLIENT: Australand Holdings Ltd
PROJECT: Contamination Assessment
LOCATION: Boat Harbour Precinct, Shell Cove

SURFACE LEVEL: 6.0 AHD
EASTING: 304745
NORTHING: 6170076
DIP/AZIMUTH: 90°/--

BORE No: MW2A
PROJECT No: 40999.26
DATE: 10/9/2010
SHEET 1 OF 1

RL	Depth (m)	Description of Strata	Graphic Log	Sampling & In Situ Testing: Type	Depth	Sample	Results & Comments	Water	Well Construction Details
6		TOPSOIL - dark brown clay with some silt, roots and rootlets, damp		D	0.0				
					0.1				
				D	0.4				
	0.5	CLAY - brown clay, damp			0.5				
5	1	- with some medium gravel (latite) below 1.0m							1
	1.5	GRAVELLY CLAY - brown, gravelly (fine to medium pieces of latite) clay, damp							
4	2								2
	2.1	Bore discontinued at 2.1m (refusal)							

RIG: Power Auger 150mm (v-bit) **DRILLER:** J Boers **LOGGED:** RLG **SURVEY DATUM:** MGA94
TYPE OF BORING: **CASING:**
WATER OBSERVATIONS: No free groundwater observed
REMARKS:

SAMPLING & IN SITU TESTING LEGEND

A	Auger sample	G	Gas sample	PID	Photo ionisation detector (ppm)
B	Bulk sample	P	Piston sample	PL(A)	Point load axial test Is(50) (MPa)
BLK	Block sample	U_x	Tube sample (x mm dia.)	PL(D)	Point load diametral test Is(50) (MPa)
C	Core drilling	W	Water sample	pp	Pocket penetrometer (kPa)
D	Disturbed sample	▷	Water seep	S	Standard penetration test
E	Environmental sample	⧗	Water level	V	Shear vane (kPa)

Douglas Partners
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BOREHOLE LOG

CLIENT: Australand Holdings Ltd
PROJECT: Contamination Assessment
LOCATION: Boat Harbour Precinct, Shell Cove

SURFACE LEVEL: 5.5 AHD
EASTING: 304745
NORTHING: 6170076
DIP/AZIMUTH: 90°/--

BORE No: MW2B
PROJECT No: 40999.26
DATE: 10/9/2010
SHEET 1 OF 1

RL	Depth (m)	Description of Strata	Graphic Log	Sampling & In Situ Testing: Type	Depth	Sample	Results & Comments	Water	Well Construction Details
5		CLAY - brown clay with some roots and rootlets, wet							Natural clay backfill Bentonite
	1 1.0	GRAVELLY CLAY - brown, gravelly (fine to medium latite pieces) clay, humid to damp							Enviromental sand 1 Slotted pipe
4	1.5	Bore discontinued at 1.5m (refusal)							
	2								2
3									

RIG: Power Auger 150mm (v-bit) **DRILLER:** J Boers **LOGGED:** RLG **SURVEY DATUM:** MGA94
TYPE OF BORING: **CASING:**
WATER OBSERVATIONS: No free groundwater observed
REMARKS: In centre of drainage line 1m away from MW2A

SAMPLING & IN SITU TESTING LEGEND

A	Auger sample	G	Gas sample	PID	Photo ionisation detector (ppm)
B	Bulk sample	P	Piston sample	PL(A)	Point load axial test Is(50) (MPa)
BLK	Block sample	U_x	Tube sample (x mm dia.)	PL(D)	Point load diametral test Is(50) (MPa)
C	Core drilling	W	Water sample	pp	Pocket penetrometer (kPa)
D	Disturbed sample	▷	Water seep	S	Standard penetration test
E	Environmental sample	⧗	Water level	V	Shear vane (kPa)

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BOREHOLE LOG

CLIENT: Australand Holdings Ltd
PROJECT: Contamination Assessment
LOCATION: Boat Harbour Precinct, Shell Cove

SURFACE LEVEL: 10.5 AHD
EASTING: 305207
NORTHING: 6170076
DIP/AZIMUTH: 90°/--

BORE No: MW3
PROJECT No: 40999.26
DATE: 8/9/2010
SHEET 1 OF 1

RL	Depth (m)	Description of Strata	Graphic Log	Sampling & In Situ Testing: Type	Depth	Sample	Results & Comments	Water	Well Construction Details
10	0.0	CLAY - firm, dark grey clay with trace rootlets, moist to wet		D	0.0				Bentonite
					0.1				
				D	0.4				
					0.5				
	1	- becoming lighter grey clay with some fine gravel below 0.6m							1
9		- becoming grey brown clay with some fine to medium gravel below 1.1m						▼	Enviromental sand Slotted pipe
	1.8	GRAVELLY CLAY - grey brown, slightly fine gravelly clay, damp							
	2	- becoming gravelly (latite) clay below 2.0m							2
8		- becoming moist to wet below 2.2m							
	2.6	Bore discontinued at 2.6m (refusal)							

RIG: Power Auger 150mm (v-bit) **DRILLER:** J Boers **LOGGED:** RLG **SURVEY DATUM:** MGA94
TYPE OF BORING: **CASING:**
WATER OBSERVATIONS: Free groundwater observed below 1.35m
REMARKS:

SAMPLING & IN SITU TESTING LEGEND

A	Auger sample	G	Gas sample	PID	Photo ionisation detector (ppm)
B	Bulk sample	P	Piston sample	PL(A)	Point load axial test Is(50) (MPa)
BLK	Block sample	U_x	Tube sample (x mm dia.)	PL(D)	Point load diametral test Is(50) (MPa)
C	Core drilling	W	Water sample	pp	Pocket penetrometer (kPa)
D	Disturbed sample	▷	Water seep	S	Standard penetration test
E	Environmental sample	▼	Water level	V	Shear vane (kPa)

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BOREHOLE LOG

CLIENT: Australand Holdings Ltd
PROJECT: Contamination Assessment
LOCATION: Boat Harbour Precinct, Shell Cove

SURFACE LEVEL: 2.0 AHD
EASTING: 304838
NORTHING: 6170268
DIP/AZIMUTH: 90°/--

BORE No: MW1
PROJECT No: 40999.26
DATE: 08 Sep 10
SHEET 1 OF 1

RL	Depth (m)	Description of Strata	Graphic Log	Sampling & In Situ Testing: Type	Depth	Sample	Results & Comments	Water	Well Construction Details
2		TOPSOIL - dark brown clay with some silt, roots and rootlets, damp		D	0.0				Bentonite
					0.1			▼	
	0.3	SANDY CLAY - grey, fine to medium sandy clay, wet							
				D	0.4				
	0.5	CLAY - grey clay, saturated			0.5				
1	1								1 Enviromental sand
	1.1	GRAVELLY CLAY - firm, grey, fine gravelly clay with some sand, saturated							Slotted pipe
0	2	- recovered as slightly sandy clay, saturated below 2.0m							2
	2.6	Bore discontinued at 2.6m (refusal)							

RIG: Power Auger 150mm (v-bit) **DRILLER:** J Boers **LOGGED:** RLG **CASING:**

TYPE OF BORING:

WATER OBSERVATIONS: Free groundwater observed below 0.25m

REMARKS:

SAMPLING & IN SITU TESTING LEGEND

A	Auger sample	pp	Pocket penetrometer (kPa)
D	Disturbed sample	PID	Photo ionisation detector
B	Bulk sample	S	Standard penetration test
U_x	Tube sample (x mm dia.)	PL	Point load strength Is(50) MPa
W	Water sample	V	Shear Vane (kPa)
C	Core drilling	▷	Water seep ▼ Water level

CHECKED	
Initials:	
Date:	

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BOREHOLE LOG

CLIENT: Australand Holdings Ltd
PROJECT: Contamination Assessment
LOCATION: Boat Harbour Precinct, Shell Cove

SURFACE LEVEL: 7.5 AHD
EASTING: 304710
NORTHING: 6170065
DIP/AZIMUTH: 90°/--

BORE No: MW2
PROJECT No: 40999.26
DATE: 10 Sep 10
SHEET 1 OF 1

RL	Depth (m)	Description of Strata	Graphic Log	Sampling & In Situ Testing: Type	Depth	Sample	Results & Comments	Water	Well Construction Details
7	0.0	TOPSOIL - dark brown clay with some silt, roots and rootlets, humid to damp		D	0.0				
	0.15	CLAY - stiff, brown clay with trace gravel, humid to damp			0.1				
				D	0.4				
		- becoming damp below 0.5m			0.5				
	1								1
6	1.3	CLAYEY GRAVEL - brown, clayey gravel (latite recovered as fine to medium gravel), damp							
	1.6	Bore discontinued at 1.6m (refusal)							
	2								2
5									

RIG: Power Auger 150mm (v-bit) **DRILLER:** J Boers **LOGGED:** RLG **CASING:**

TYPE OF BORING:

WATER OBSERVATIONS: No free groundwater observed

REMARKS:

SAMPLING & IN SITU TESTING LEGEND

A	Auger sample	pp	Pocket penetrometer (kPa)
D	Disturbed sample	PID	Photo ionisation detector
B	Bulk sample	S	Standard penetration test
U_x	Tube sample (x mm dia.)	PL	Point load strength Is(50) MPa
W	Water sample	V	Shear Vane (kPa)
C	Core drilling	▷	Water seep ⧭ Water level

CHECKED
Initials:
Date:

Douglas Partners
Geotechnics · Environment · Groundwater

BOREHOLE LOG

CLIENT: Australand Holdings Ltd
PROJECT: Contamination Assessment
LOCATION: Boat Harbour Precinct, Shell Cove

SURFACE LEVEL: 6.0 AHD
EASTING: 304745
NORTHING: 6170076
DIP/AZIMUTH: 90°/--

BORE No: MW2A
PROJECT No: 40999.26
DATE: 10 Sep 10
SHEET 1 OF 1

RL	Depth (m)	Description of Strata	Graphic Log	Sampling & In Situ Testing: Type	Depth	Sample	Results & Comments	Water	Well Construction Details
6		TOPSOIL - dark brown clay with some silt, roots and rootlets, damp		D	0.0				
					0.1				
				D	0.4				
	0.5	CLAY - brown clay, damp			0.5				
5	1	- with some medium gravel (latite) below 1.0m							1
	1.5	GRAVELLY CLAY - brown, gravelly (fine to medium pieces of latite) clay, damp							
4	2								2
	2.1	Bore discontinued at 2.1m (refusal)							

RIG: Power Auger 150mm (v-bit) **DRILLER:** J Boers **LOGGED:** RLG **CASING:**

TYPE OF BORING:

WATER OBSERVATIONS: No free groundwater observed

REMARKS:

SAMPLING & IN SITU TESTING LEGEND

A	Auger sample	pp	Pocket penetrometer (kPa)
D	Disturbed sample	PID	Photo ionisation detector
B	Bulk sample	S	Standard penetration test
U_x	Tube sample (x mm dia.)	PL	Point load strength Is(50) MPa
W	Water sample	V	Shear Vane (kPa)
C	Core drilling	▷	Water seep ⧭ Water level

CHECKED
Initials:
Date:

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BOREHOLE LOG

CLIENT: Australand Holdings Ltd
PROJECT: Contamination Assessment
LOCATION: Boat Harbour Precinct, Shell Cove

SURFACE LEVEL: 5.5 AHD
EASTING: 304745
NORTHING: 6170076
DIP/AZIMUTH: 90°/--

BORE No: MW2B
PROJECT No: 40999.26
DATE: 10 Sep 10
SHEET 1 OF 1

RL	Depth (m)	Description of Strata	Graphic Log	Sampling & In Situ Testing: Type	Depth	Sample	Results & Comments	Water	Well Construction Details
5		CLAY - brown clay with some roots and rootlets, wet							Natural clay backfill Bentonite Enviromental sand
	1 1.0	GRAVELLY CLAY - brown, gravelly (fine to medium latite pieces) clay, humid to damp							1 Slotted pipe
4	1.5	Bore discontinued at 1.5m (refusal)							
	2								2
3									

RIG: Power Auger 150mm (v-bit) **DRILLER:** J Boers **LOGGED:** RLG **CASING:**

TYPE OF BORING:

WATER OBSERVATIONS: No free groundwater observed

REMARKS: In centre of drainage line 1m away from MW2A

SAMPLING & IN SITU TESTING LEGEND

A	Auger sample	pp	Pocket penetrometer (kPa)
D	Disturbed sample	PID	Photo ionisation detector
B	Bulk sample	S	Standard penetration test
U_x	Tube sample (x mm dia.)	PL	Point load strength Is(50) MPa
W	Water sample	V	Shear Vane (kPa)
C	Core drilling	▷	Water seep ⧭ Water level

CHECKED
Initials:
Date:

Douglas Partners
Geotechnics · Environment · Groundwater

BOREHOLE LOG

CLIENT: Australand Holdings Ltd
PROJECT: Contamination Assessment
LOCATION: Boat Harbour Precinct, Shell Cove

SURFACE LEVEL: 10.5 AHD
EASTING: 305207
NORTHING: 6170076
DIP/AZIMUTH: 90°/--

BORE No: MW3
PROJECT No: 40999.26
DATE: 08 Sep 10
SHEET 1 OF 1

RL	Depth (m)	Description of Strata	Graphic Log	Sampling & In Situ Testing: Type	Depth	Sample	Results & Comments	Water	Well Construction Details
10	0.0	CLAY - firm, dark grey clay with trace rootlets, moist to wet		D	0.0				Bentonite
	0.1				0.1				
	0.4			D	0.4				
	0.5	- becoming lighter grey clay with some fine gravel below 0.6m			0.5				
	1	- becoming grey brown clay with some fine to medium gravel below 1.1m						▼	1
9	1.8	GRAVELLY CLAY - grey brown, slightly fine gravelly clay, damp							Enviromental sand Slotted pipe
	2	- becoming gravelly (latite) clay below 2.0m							2
8		- becoming moist to wet below 2.2m							
	2.6	Bore discontinued at 2.6m (refusal)							

RIG: Power Auger 150mm (v-bit) **DRILLER:** J Boers **LOGGED:** RLG **CASING:**

TYPE OF BORING:

WATER OBSERVATIONS: Free groundwater observed below 1.35m

REMARKS:

SAMPLING & IN SITU TESTING LEGEND

A	Auger sample	pp	Pocket penetrometer (kPa)
D	Disturbed sample	PID	Photo ionisation detector
B	Bulk sample	S	Standard penetration test
U_x	Tube sample (x mm dia.)	PL	Point load strength Is(50) MPa
W	Water sample	V	Shear Vane (kPa)
C	Core drilling	▷	Water seep ▼ Water level

CHECKED	
Initials:	
Date:	

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Appendix H

Laboratory Reports and Chain of Custody Documentation

Envirolab Services Pty Ltd
ABN 37 112 535 645
12 Ashley St Chatswood NSW 2067
ph 02 9910 6200 fax 02 9910 6201
enquiries@envirolabservices.com.au
www.envirolabservices.com.au

CERTIFICATE OF ANALYSIS 45969

Client:
Douglas Partners
96 Hermitage Rd
West Ryde
NSW 2114

Attention: Rene Alviar/ Reilly Goodspeed

Sample log in details:

Your Reference:	**40999.26, Contamination Assessment**
No. of samples:	111 Soils, 1 Material
Date samples received:	16/09/2010
Date completed instructions received:	16/09/2010

Analysis Details:
Please refer to the following pages for results, methodology summary and quality control data.
Samples were analysed as received from the client. Results relate specifically to the samples as received.
Results are reported on a dry weight basis for solids and on an as received basis for other matrices.
Please refer to the last page of this report for any comments relating to the results.

Report Details:

Date results requested by:	28/09/10
Date of Preliminary Report:	Not Issued
Issue Date:	1/10/10

NATA accreditation number 2901. This document shall not be reproduced except in full.
This document is issued in accordance with NATA's accreditation requirements.
Accredited for compliance with ISO/IEC 17025.
Tests not covered by NATA are denoted with *.

Results Approved By:

Sandra Taylor
Assistant Lab Manager

Rhian Morgan
Reporting Supervisor

Nick Sarlamis
Inorganics Supervisor

Nancy Zhang
Chemist

Matt Mansfield
Approved Signatory

Envirolab Reference: 45969
Revision No: R 01

NATA
ACCREDITED FOR TECHNICAL COMPETENCE

VOCs in soil Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ---------- 	45969-17 113/0-0.1 8/09/2010 Soil	45969-18 113/0.4-0.5 8/09/2010 Soil	45969-19 114/0-0.1 8/09/2010 Soil	45969-20 115/0-0.1 8/09/2010 Soil	45969-28 120/0-0.1 8/09/2010 Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Dichlorodifluoromethane	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Chloromethane	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Vinyl Chloride	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Bromomethane	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Chloroethane	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Trichlorofluoromethane	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
1,1-Dichloroethene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
trans-1,2-dichloroethene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
1,1-dichloroethane	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
cis-1,2-dichloroethene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
bromochloromethane	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
chloroform	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
2,2-dichloropropane	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
1,2-dichloroethane	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
1,1,1-trichloroethane	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
1,1-dichloropropene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Cyclohexane	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
carbon tetrachloride	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Benzene	mg/kg	<0.5	<0.5	<0.5	<0.5	<0.5
dibromomethane	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
1,2-dichloropropane	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
trichloroethene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
bromodichloromethane	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
trans-1,3-dichloropropene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
cis-1,3-dichloropropene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
1,1,2-trichloroethane	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Toluene	mg/kg	<0.5	<0.5	<0.5	<0.5	<0.5
1,3-dichloropropane	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
dibromochloromethane	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
1,2-dibromoethane	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
tetrachloroethene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
1,1,1,2-tetrachloroethane	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
chlorobenzene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Ethylbenzene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
bromoform	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
m+p-xylene	mg/kg	<2.0	<2.0	<2.0	<2.0	<2.0
styrene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
1,1,2,2-tetrachloroethane	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0

VOCs in soil Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	45969-17 113/0-0.1 8/09/2010 Soil	45969-18 113/0.4-0.5 8/09/2010 Soil	45969-19 114/0-0.1 8/09/2010 Soil	45969-20 115/0-0.1 8/09/2010 Soil	45969-28 120/0-0.1 8/09/2010 Soil
o-Xylene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
1,2,3-trichloropropane	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
isopropylbenzene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
bromobenzene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
n-propyl benzene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
2-chlorotoluene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
4-chlorotoluene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
1,3,5-trimethyl benzene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
tert-butyl benzene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
1,2,4-trimethyl benzene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
1,3-dichlorobenzene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
sec-butyl benzene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
1,4-dichlorobenzene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
4-isopropyl toluene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
1,2-dichlorobenzene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
n-butyl benzene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
1,2-dibromo-3-chloropropane	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
1,2,4-trichlorobenzene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
hexachlorobutadiene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
1,2,3-trichlorobenzene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Surrogate Dibromofluorometha	%	106	109	103	103	103
Surrogate aaa-Trifluorotoluene	%	82	79	90	96	101
Surrogate Toluene-d8	%	98	98	98	99	99
Surrogate 4-Bromofluorobenzene	%	98	99	99	99	98

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VOCs in soil		
Our Reference:	UNITS	45969-29
Your Reference	----------	120/0.4-0.5
Date Sampled	----------	8/09/2010
Type of sample		Soil
Date extracted	-	21/09/2010
Date analysed	-	21/09/2010
Dichlorodifluoromethane	mg/kg	<1.0
Chloromethane	mg/kg	<1.0
Vinyl Chloride	mg/kg	<1.0
Bromomethane	mg/kg	<1.0
Chloroethane	mg/kg	<1.0
Trichlorofluoromethane	mg/kg	<1.0
1,1-Dichloroethene	mg/kg	<1.0
trans-1,2-dichloroethene	mg/kg	<1.0
1,1-dichloroethane	mg/kg	<1.0
cis-1,2-dichloroethene	mg/kg	<1.0
bromochloromethane	mg/kg	<1.0
chloroform	mg/kg	<1.0
2,2-dichloropropane	mg/kg	<1.0
1,2-dichloroethane	mg/kg	<1.0
1,1,1-trichloroethane	mg/kg	<1.0
1,1-dichloropropene	mg/kg	<1.0
Cyclohexane	mg/kg	<1.0
carbon tetrachloride	mg/kg	<1.0
Benzene	mg/kg	<0.5
dibromomethane	mg/kg	<1.0
1,2-dichloropropane	mg/kg	<1.0
trichloroethene	mg/kg	<1.0
bromodichloromethane	mg/kg	<1.0
trans-1,3-dichloropropene	mg/kg	<1.0
cis-1,3-dichloropropene	mg/kg	<1.0
1,1,2-trichloroethane	mg/kg	<1.0
Toluene	mg/kg	<0.5
1,3-dichloropropane	mg/kg	<1.0
dibromochloromethane	mg/kg	<1.0
1,2-dibromoethane	mg/kg	<1.0
tetrachloroethene	mg/kg	<1.0
1,1,1,2-tetrachloroethane	mg/kg	<1.0
chlorobenzene	mg/kg	<1.0
Ethylbenzene	mg/kg	<1.0
bromoform	mg/kg	<1.0
m+p-xylene	mg/kg	<2.0
styrene	mg/kg	<1.0
1,1,2,2-tetrachloroethane	mg/kg	<1.0
o-Xylene	mg/kg	<1.0

NATA
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VOCs in soil Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	45969-29 120/0.4-0.5 8/09/2010 Soil
1,2,3-trichloropropane	mg/kg	<1.0
isopropylbenzene	mg/kg	<1.0
bromobenzene	mg/kg	<1.0
n-propyl benzene	mg/kg	<1.0
2-chlorotoluene	mg/kg	<1.0
4-chlorotoluene	mg/kg	<1.0
1,3,5-trimethyl benzene	mg/kg	<1.0
tert-butyl benzene	mg/kg	<1.0
1,2,4-trimethyl benzene	mg/kg	<1.0
1,3-dichlorobenzene	mg/kg	<1.0
sec-butyl benzene	mg/kg	<1.0
1,4-dichlorobenzene	mg/kg	<1.0
4-isopropyl toluene	mg/kg	<1.0
1,2-dichlorobenzene	mg/kg	<1.0
n-butyl benzene	mg/kg	<1.0
1,2-dibromo-3-chloropropane	mg/kg	<1.0
1,2,4-trichlorobenzene	mg/kg	<1.0
hexachlorobutadiene	mg/kg	<1.0
1,2,3-trichlorobenzene	mg/kg	<1.0
Surrogate Dibromofluorometha	%	101
Surrogate aaa-Trifluorotoluene	%	95
Surrogate Toluene-d8	%	99
Surrogate 4-Bromofluorobenzene	%	99

vTPH & BTEX in Soil Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	45969-1 101/0-0.1 8/09/2010 Soil	45969-2 101/0.4-0.5 8/09/2010 Soil	45969-3 102/0-0.1 8/09/2010 Soil	45969-4 102/0.4-0.5 8/09/2010 Soil	45969-5 103/0-0.1 8/09/2010 Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
vTPH C_6 - C_9	mg/kg	<25	<25	<25	<25	<25
Benzene	mg/kg	<0.5	<0.5	<0.5	<0.5	<0.5
Toluene	mg/kg	<0.5	<0.5	<0.5	<0.5	<0.5
Ethylbenzene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
m+p-xylene	mg/kg	<2.0	<2.0	<2.0	<2.0	<2.0
o-Xylene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Surrogate aaa-Trifluorotoluene	%	102	103	97	103	110

vTPH & BTEX in Soil Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	45969-6 104/0-0.1 8/09/2010 Soil	45969-7 105/0-0.1 8/09/2010 Soil	45969-8 106/0-0.1 8/09/2010 Soil	45969-9 107/0-0.1 8/09/2010 Soil	45969-10 108/0-0.1 8/09/2010 Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	21/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
vTPH C_6 - C_9	mg/kg	<25	<25	<25	<25	<25
Benzene	mg/kg	<0.5	<0.5	<0.5	<0.5	<0.5
Toluene	mg/kg	<0.5	<0.5	<0.5	<0.5	<0.5
Ethylbenzene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
m+p-xylene	mg/kg	<2.0	<2.0	<2.0	<2.0	<2.0
o-Xylene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Surrogate aaa-Trifluorotoluene	%	103	108	105	106	101

vTPH & BTEX in Soil Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	45969-11 109/0-0.1 8/09/2010 Soil	45969-12 109/0.4-0.5 8/09/2010 Soil	45969-13 110/0-0.1 8/09/2010 Soil	45969-14 110/0.4-0.5 8/09/2010 Soil	45969-15 111/0-0.1 8/09/2010 Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
vTPH C_6 - C_9	mg/kg	<25	<25	<25	<25	<25
Benzene	mg/kg	<0.5	<0.5	<0.5	<0.5	<0.5
Toluene	mg/kg	<0.5	<0.5	<0.5	<0.5	<0.5
Ethylbenzene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
m+p-xylene	mg/kg	<2.0	<2.0	<2.0	<2.0	<2.0
o-Xylene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Surrogate aaa-Trifluorotoluene	%	98	101	103	107	99

vTPH & BTEX in Soil						
Our Reference:	UNITS	45969-16	45969-17	45969-18	45969-19	45969-20
Your Reference	----------	112/0-0.1	113/0-0.1	113/0.4-0.5	114/0-0.1	115/0-0.1
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
vTPH C_6 - C_9	mg/kg	<25	<25	<25	<25	<25
Benzene	mg/kg	<0.5	<0.5	<0.5	<0.5	<0.5
Toluene	mg/kg	<0.5	<0.5	<0.5	<0.5	<0.5
Ethylbenzene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
m+p-xylene	mg/kg	<2.0	<2.0	<2.0	<2.0	<2.0
o-Xylene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Surrogate aaa-Trifluorotoluene	%	101	82	79	90	96

vTPH & BTEX in Soil						
Our Reference:	UNITS	45969-21	45969-22	45969-23	45969-24	45969-25
Your Reference	----------	116/0-0.1	117/0-0.1	117/0.4-0.5	118/0-0.1	118/0.4-0.5
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
vTPH C_6 - C_9	mg/kg	<25	<25	<25	<25	<25
Benzene	mg/kg	<0.5	<0.5	<0.5	<0.5	<0.5
Toluene	mg/kg	<0.5	<0.5	<0.5	<0.5	<0.5
Ethylbenzene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
m+p-xylene	mg/kg	<2.0	<2.0	<2.0	<2.0	<2.0
o-Xylene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Surrogate aaa-Trifluorotoluene	%	104	104	60	98	108

vTPH & BTEX in Soil						
Our Reference:	UNITS	45969-26	45969-27	45969-28	45969-29	45969-30
Your Reference	----------	119/0-0.1	119/0.4-0.5	120/0-0.1	120/0.4-0.5	121/0-0.1
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
vTPH C_6 - C_9	mg/kg	<25	<25	<25	<25	<25
Benzene	mg/kg	<0.5	<0.5	<0.5	<0.5	<0.5
Toluene	mg/kg	<0.5	<0.5	<0.5	<0.5	<0.5
Ethylbenzene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
m+p-xylene	mg/kg	<2.0	<2.0	<2.0	<2.0	<2.0
o-Xylene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Surrogate aaa-Trifluorotoluene	%	101	107	101	95	99

vTPH & BTEX in Soil						
Our Reference:	UNITS	45969-31	45969-32	45969-33	45969-34	45969-35
Your Reference	----------	122/0-0.1	122/0.9-1.0	122/1.1-1.2	123/0-0.1	123/0.4-0.5
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
vTPH C_6 - C_9	mg/kg	<25	<25	<25	<25	<25
Benzene	mg/kg	<0.5	<0.5	<0.5	<0.5	<0.5
Toluene	mg/kg	<0.5	<0.5	<0.5	<0.5	<0.5
Ethylbenzene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
m+p-xylene	mg/kg	<2.0	<2.0	<2.0	<2.0	<2.0
o-Xylene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Surrogate aaa-Trifluorotoluene	%	105	106	107	112	109

vTPH & BTEX in Soil						
Our Reference:	UNITS	45969-36	45969-37	45969-38	45969-39	45969-40
Your Reference	----------	124/0-0.1	125/0-0.1	126/0-0.1	127/0-0.1	128/0-0.1
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
vTPH C_6 - C_9	mg/kg	<25	<25	<25	<25	<25
Benzene	mg/kg	<0.5	<0.5	<0.5	<0.5	<0.5
Toluene	mg/kg	<0.5	<0.5	<0.5	<0.5	<0.5
Ethylbenzene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
m+p-xylene	mg/kg	<2.0	<2.0	<2.0	<2.0	<2.0
o-Xylene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Surrogate aaa-Trifluorotoluene	%	107	111	104	97	110

vTPH & BTEX in Soil						
Our Reference:	UNITS	45969-41	45969-42	45969-43	45969-44	45969-45
Your Reference	----------	128/0.4-0.5	129/0-0.1	129/0.4-0.5	130/0-0.1	131/0-0.1
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
vTPH C_6 - C_9	mg/kg	<25	<25	<25	<25	<25
Benzene	mg/kg	<0.5	<0.5	<0.5	<0.5	<0.5
Toluene	mg/kg	<0.5	<0.5	<0.5	<0.5	<0.5
Ethylbenzene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
m+p-xylene	mg/kg	<2.0	<2.0	<2.0	<2.0	<2.0
o-Xylene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Surrogate aaa-Trifluorotoluene	%	115	112	116	114	109

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vTPH & BTEX in Soil Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	45969-46 132/0-0.1 8/09/2010 Soil	45969-47 133/0-0.1 8/09/2010 Soil	45969-48 MW1/0-0.1 8/09/2010 Soil	45969-49 MW2(A)0-0.1 8/09/2010 Soil	45969-50 MW3/0-0.1 8/09/2010 Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
vTPH C_6 - C_9	mg/kg	<25	<25	<25	<25	<25
Benzene	mg/kg	<0.5	<0.5	<0.5	<0.5	<0.5
Toluene	mg/kg	<0.5	<0.5	<0.5	<0.5	<0.5
Ethylbenzene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
m+p-xylene	mg/kg	<2.0	<2.0	<2.0	<2.0	<2.0
o-Xylene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Surrogate aaa-Trifluorotoluene	%	100	106	96	90	91

vTPH & BTEX in Soil Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	45969-52 BD2A 8/09/2010 Soil	45969-55 BD5A 8/09/2010 Soil	45969-56 BD6A 8/09/2010 Soil	45969-57 BD7A 8/09/2010 Soil	45969-58 BD8A 8/09/2010 Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
vTPH C_6 - C_9	mg/kg	<25	<25	<25	<25	<25
Benzene	mg/kg	<0.5	<0.5	<0.5	<0.5	<0.5
Toluene	mg/kg	<0.5	<0.5	<0.5	<0.5	<0.5
Ethylbenzene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
m+p-xylene	mg/kg	<2.0	<2.0	<2.0	<2.0	<2.0
o-Xylene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Surrogate aaa-Trifluorotoluene	%	85	92	86	92	86

sTPH in Soil (C10-C36)						
Our Reference:	UNITS	45969-1	45969-2	45969-3	45969-4	45969-5
Your Reference	----------	101/0-0.1	101/0.4-0.5	102/0-0.1	102/0.4-0.5	103/0-0.1
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date extracted	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
Date analysed	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
TPH C_{10} - C_{14}	mg/kg	<50	<50	<50	<50	<50
TPH C_{15} - C_{28}	mg/kg	<100	<100	<100	<100	<100
TPH C_{29} - C_{36}	mg/kg	<100	<100	<100	<100	<100
Surrogate o-Terphenyl	%	107	105	105	103	105

sTPH in Soil (C10-C36)						
Our Reference:	UNITS	45969-6	45969-7	45969-8	45969-9	45969-10
Your Reference	----------	104/0-0.1	105/0-0.1	106/0-0.1	107/0-0.1	108/0-0.1
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date extracted	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
Date analysed	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
TPH C_{10} - C_{14}	mg/kg	<50	<50	<50	<50	<50
TPH C_{15} - C_{28}	mg/kg	<100	<100	<100	<100	<100
TPH C_{29} - C_{36}	mg/kg	<100	<100	<100	<100	<100
Surrogate o-Terphenyl	%	102	103	100	104	104

sTPH in Soil (C10-C36)						
Our Reference:	UNITS	45969-11	45969-12	45969-13	45969-14	45969-15
Your Reference	----------	109/0-0.1	109/0.4-0.5	110/0-0.1	110/0.4-0.5	111/0-0.1
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date extracted	-	22/09/2010	22/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	22/09/2010	22/09/2010	21/09/2010	21/09/2010	21/09/2010
TPH C_{10} - C_{14}	mg/kg	<50	<50	<50	<50	<50
TPH C_{15} - C_{28}	mg/kg	<100	<100	<100	<100	<100
TPH C_{29} - C_{36}	mg/kg	<100	<100	<100	<100	<100
Surrogate o-Terphenyl	%	104	104	103	95	101

sTPH in Soil (C10-C36)						
Our Reference:	UNITS	45969-16	45969-17	45969-18	45969-19	45969-20
Your Reference	----------	112/0-0.1	113/0-0.1	113/0.4-0.5	114/0-0.1	115/0-0.1
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
TPH C_{10} - C_{14}	mg/kg	<50	<50	<50	<50	<50
TPH C_{15} - C_{28}	mg/kg	<100	<100	<100	<100	<100
TPH C_{29} - C_{36}	mg/kg	<100	<100	<100	<100	<100
Surrogate o-Terphenyl	%	103	111	119	115	131

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sTPH in Soil (C10-C36)						
Our Reference:	UNITS	45969-21	45969-22	45969-23	45969-24	45969-25
Your Reference	----------	116/0-0.1	117/0-0.1	117/0.4-0.5	118/0-0.1	118/0.4-0.5
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
TPH C_{10} - C_{14}	mg/kg	<50	<50	<50	<50	<50
TPH C_{15} - C_{28}	mg/kg	<100	<100	<100	<100	<100
TPH C_{29} - C_{36}	mg/kg	<100	<100	<100	<100	<100
Surrogate o-Terphenyl	%	124	112	125	132	120

sTPH in Soil (C10-C36)						
Our Reference:	UNITS	45969-26	45969-27	45969-28	45969-29	45969-30
Your Reference	----------	119/0-0.1	119/0.4-0.5	120/0-0.1	120/0.4-0.5	121/0-0.1
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
TPH C_{10} - C_{14}	mg/kg	<50	<50	<50	<50	<50
TPH C_{15} - C_{28}	mg/kg	<100	<100	<100	<100	<100
TPH C_{29} - C_{36}	mg/kg	<100	<100	<100	<100	<100
Surrogate o-Terphenyl	%	105	115	106	100	110

sTPH in Soil (C10-C36)						
Our Reference:	UNITS	45969-31	45969-32	45969-33	45969-34	45969-35
Your Reference	----------	122/0-0.1	122/0.9-1.0	122/1.1-1.2	123/0-0.1	123/0.4-0.5
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
TPH C_{10} - C_{14}	mg/kg	<50	<50	<50	<50	<50
TPH C_{15} - C_{28}	mg/kg	<100	<100	<100	<100	<100
TPH C_{29} - C_{36}	mg/kg	<100	<100	<100	<100	<100
Surrogate o-Terphenyl	%	118	102	107	99	120

sTPH in Soil (C10-C36)						
Our Reference:	UNITS	45969-36	45969-37	45969-38	45969-39	45969-40
Your Reference	----------	124/0-0.1	125/0-0.1	126/0-0.1	127/0-0.1	128/0-0.1
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	21/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
TPH C_{10} - C_{14}	mg/kg	<50	<50	<50	<50	<50
TPH C_{15} - C_{28}	mg/kg	<100	<100	<100	<100	<100
TPH C_{29} - C_{36}	mg/kg	<100	<100	<100	<100	<100
Surrogate o-Terphenyl	%	121	105	121	122	82

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sTPH in Soil (C10-C36)						
Our Reference:	UNITS	45969-41	45969-42	45969-43	45969-44	45969-45
Your Reference	----------	128/0.4-0.5	129/0-0.1	129/0.4-0.5	130/0-0.1	131/0-0.1
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
TPH C_{10} - C_{14}	mg/kg	<50	<50	<50	<50	<50
TPH C_{15} - C_{28}	mg/kg	<100	<100	<100	<100	<100
TPH C_{29} - C_{36}	mg/kg	<100	<100	<100	<100	<100
Surrogate o-Terphenyl	%	84	85	85	85	88

sTPH in Soil (C10-C36)						
Our Reference:	UNITS	45969-46	45969-47	45969-48	45969-49	45969-50
Your Reference	----------	132/0-0.1	133/0-0.1	MW1/0-0.1	MW2(A)0-0.1	MW3/0-0.1
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
TPH C_{10} - C_{14}	mg/kg	<50	<50	<50	<50	<50
TPH C_{15} - C_{28}	mg/kg	<100	<100	<100	<100	<100
TPH C_{29} - C_{36}	mg/kg	<100	<100	<100	<100	<100
Surrogate o-Terphenyl	%	87	89	89	90	89

sTPH in Soil (C10-C36)						
Our Reference:	UNITS	45969-52	45969-55	45969-56	45969-57	45969-58
Your Reference	----------	BD2A	BD5A	BD6A	BD7A	BD8A
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
TPH C_{10} - C_{14}	mg/kg	<50	<50	<50	<50	<50
TPH C_{15} - C_{28}	mg/kg	<100	<100	<100	<100	<100
TPH C_{29} - C_{36}	mg/kg	<100	<100	<100	<100	<100
Surrogate o-Terphenyl	%	103	92	93	85	89

PAHs in Soil Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	45969-1 101/0-0.1 8/09/2010 Soil	45969-2 101/0.4-0.5 8/09/2010 Soil	45969-3 102/0-0.1 8/09/2010 Soil	45969-4 102/0.4-0.5 8/09/2010 Soil	45969-5 103/0-0.1 8/09/2010 Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
Naphthalene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Acenaphthylene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Acenaphthene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Fluorene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Phenanthrene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Anthracene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Fluoranthene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Pyrene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Benzo(a)anthracene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Chrysene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Benzo(b+k)fluoranthene	mg/kg	<0.2	<0.2	<0.2	<0.2	<0.2
Benzo(a)pyrene	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05
Indeno(1,2,3-c,d)pyrene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Dibenzo(a,h)anthracene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Benzo(g,h,i)perylene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Surrogate p-Terphenyl-d_{14}	%	108	112	115	111	106

PAHs in Soil Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	45969-6 104/0-0.1 8/09/2010 Soil	45969-7 105/0-0.1 8/09/2010 Soil	45969-8 106/0-0.1 8/09/2010 Soil	45969-9 107/0-0.1 8/09/2010 Soil	45969-10 108/0-0.1 8/09/2010 Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
Naphthalene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Acenaphthylene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Acenaphthene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Fluorene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Phenanthrene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Anthracene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Fluoranthene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Pyrene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Benzo(a)anthracene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Chrysene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Benzo(b+k)fluoranthene	mg/kg	<0.2	<0.2	<0.2	<0.2	<0.2
Benzo(a)pyrene	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05
Indeno(1,2,3-c,d)pyrene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Dibenzo(a,h)anthracene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Benzo(g,h,i)perylene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Surrogate p-Terphenyl-d_{14}	%	112	107	108	115	107

PAHs in Soil Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	45969-11 109/0-0.1 8/09/2010 Soil	45969-12 109/0.4-0.5 8/09/2010 Soil	45969-13 110/0-0.1 8/09/2010 Soil	45969-14 110/0.4-0.5 8/09/2010 Soil	45969-15 111/0-0.1 8/09/2010 Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
Naphthalene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Acenaphthylene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Acenaphthene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Fluorene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Phenanthrene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Anthracene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Fluoranthene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Pyrene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Benzo(a)anthracene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Chrysene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Benzo(b+k)fluoranthene	mg/kg	<0.2	<0.2	<0.2	<0.2	<0.2
Benzo(a)pyrene	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05
Indeno(1,2,3-c,d)pyrene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Dibenzo(a,h)anthracene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Benzo(g,h,i)perylene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Surrogate p-Terphenyl-d14	%	107	110	114	109	108

PAHs in Soil Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	45969-16 112/0-0.1 8/09/2010 Soil	45969-21 116/0-0.1 8/09/2010 Soil	45969-22 117/0-0.1 8/09/2010 Soil	45969-23 117/0.4-0.5 8/09/2010 Soil	45969-24 118/0-0.1 8/09/2010 Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
Naphthalene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Acenaphthylene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Acenaphthene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Fluorene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Phenanthrene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Anthracene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Fluoranthene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Pyrene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Benzo(a)anthracene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Chrysene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Benzo(b+k)fluoranthene	mg/kg	<0.2	<0.2	<0.2	<0.2	<0.2
Benzo(a)pyrene	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05
Indeno(1,2,3-c,d)pyrene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Dibenzo(a,h)anthracene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Benzo(g,h,i)perylene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Surrogate p-Terphenyl-d14	%	104	112	111	103	106

PAHs in Soil Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	45969-25 118/0.4-0.5 8/09/2010 Soil	45969-26 119/0-0.1 8/09/2010 Soil	45969-27 119/0.4-0.5 8/09/2010 Soil	45969-30 121/0-0.1 8/09/2010 Soil	45969-31 122/0-0.1 8/09/2010 Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
Naphthalene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Acenaphthylene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Acenaphthene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Fluorene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Phenanthrene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Anthracene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Fluoranthene	mg/kg	<0.1	0.1	<0.1	<0.1	<0.1
Pyrene	mg/kg	<0.1	0.1	<0.1	<0.1	<0.1
Benzo(a)anthracene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Chrysene	mg/kg	<0.1	0.1	<0.1	<0.1	<0.1
Benzo(b+k)fluoranthene	mg/kg	<0.2	<0.2	<0.2	<0.2	<0.2
Benzo(a)pyrene	mg/kg	<0.05	0.06	<0.05	<0.05	<0.05
Indeno(1,2,3-c,d)pyrene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Dibenzo(a,h)anthracene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Benzo(g,h,i)perylene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Surrogate p-Terphenyl-d14	%	111	109	115	111	107

PAHs in Soil Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	45969-32 122/0.9-1.0 8/09/2010 Soil	45969-33 122/1.1-1.2 8/09/2010 Soil	45969-34 123/0-0.1 8/09/2010 Soil	45969-35 123/0.4-0.5 8/09/2010 Soil	45969-36 124/0-0.1 8/09/2010 Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
Naphthalene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Acenaphthylene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Acenaphthene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Fluorene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Phenanthrene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Anthracene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Fluoranthene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Pyrene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Benzo(a)anthracene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Chrysene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Benzo(b+k)fluoranthene	mg/kg	<0.2	<0.2	<0.2	<0.2	<0.2
Benzo(a)pyrene	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05
Indeno(1,2,3-c,d)pyrene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Dibenzo(a,h)anthracene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Benzo(g,h,i)perylene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Surrogate p-Terphenyl-d14	%	105	101	100	111	103

PAHs in Soil Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	45969-37 125/0-0.1 8/09/2010 Soil	45969-38 126/0-0.1 8/09/2010 Soil	45969-39 127/0-0.1 8/09/2010 Soil	45969-40 128/0-0.1 8/09/2010 Soil	45969-41 128/0.4-0.5 8/09/2010 Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
Naphthalene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Acenaphthylene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Acenaphthene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Fluorene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Phenanthrene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Anthracene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Fluoranthene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Pyrene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Benzo(a)anthracene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Chrysene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Benzo(b+k)fluoranthene	mg/kg	<0.2	<0.2	<0.2	<0.2	<0.2
Benzo(a)pyrene	mg/kg	<0.05	<0.05	<0.05	<0.05	<0.05
Indeno(1,2,3-c,d)pyrene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Dibenzo(a,h)anthracene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Benzo(g,h,i)perylene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Surrogate p-Terphenyl-d_{14}	%	102	102	99	105	104

PAHs in Soil Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	45969-42 129/0-0.1 8/09/2010 Soil	45969-43 129/0.4-0.5 8/09/2010 Soil	45969-44 130/0-0.1 8/09/2010 Soil	45969-45 131/0-0.1 8/09/2010 Soil	45969-46 132/0-0.1 8/09/2010 Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
Naphthalene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Acenaphthylene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Acenaphthene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Fluorene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Phenanthrene	mg/kg	<0.1	<0.1	0.2	<0.1	<0.1
Anthracene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Fluoranthene	mg/kg	<0.1	<0.1	0.5	<0.1	<0.1
Pyrene	mg/kg	<0.1	<0.1	0.6	<0.1	<0.1
Benzo(a)anthracene	mg/kg	<0.1	<0.1	0.2	<0.1	<0.1
Chrysene	mg/kg	<0.1	<0.1	0.3	<0.1	<0.1
Benzo(b+k)fluoranthene	mg/kg	<0.2	<0.2	0.4	<0.2	<0.2
Benzo(a)pyrene	mg/kg	<0.05	<0.05	0.3	<0.05	<0.05
Indeno(1,2,3-c,d)pyrene	mg/kg	<0.1	<0.1	0.2	<0.1	<0.1
Dibenzo(a,h)anthracene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Benzo(g,h,i)perylene	mg/kg	<0.1	<0.1	0.3	<0.1	<0.1
Surrogate p-Terphenyl-d_{14}	%	98	100	108	102	101

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PAHs in Soil Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	45969-47 133/0-0.1 8/09/2010 Soil	45969-48 MW1/0-0.1 8/09/2010 Soil	45969-49 MW2(A)0-0.1 8/09/2010 Soil	45969-50 MW3/0-0.1 8/09/2010 Soil	45969-52 BD2A 8/09/2010 Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
Naphthalene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Acenaphthylene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Acenaphthene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Fluorene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Phenanthrene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Anthracene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Fluoranthene	mg/kg	<0.1	<0.1	<0.1	<0.1	0.1
Pyrene	mg/kg	<0.1	<0.1	<0.1	<0.1	0.1
Benzo(a)anthracene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Chrysene	mg/kg	<0.1	<0.1	<0.1	<0.1	0.1
Benzo(b+k)fluoranthene	mg/kg	<0.2	<0.2	<0.2	<0.2	<0.2
Benzo(a)pyrene	mg/kg	<0.05	<0.05	<0.05	<0.05	0.06
Indeno(1,2,3-c,d)pyrene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Dibenzo(a,h)anthracene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Benzo(g,h,i)perylene	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Surrogate p-Terphenyl-d_{14}	%	87	89	88	89	89

PAHs in Soil Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	45969-55 BD5A 8/09/2010 Soil	45969-56 BD6A 8/09/2010 Soil	45969-57 BD7A 8/09/2010 Soil	45969-58 BD8A 8/09/2010 Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010
Naphthalene	mg/kg	<0.1	<0.1	<0.1	<0.1
Acenaphthylene	mg/kg	<0.1	<0.1	<0.1	<0.1
Acenaphthene	mg/kg	<0.1	<0.1	<0.1	<0.1
Fluorene	mg/kg	<0.1	<0.1	<0.1	<0.1
Phenanthrene	mg/kg	<0.1	<0.1	<0.1	<0.1
Anthracene	mg/kg	<0.1	<0.1	<0.1	<0.1
Fluoranthene	mg/kg	<0.1	<0.1	<0.1	<0.1
Pyrene	mg/kg	<0.1	<0.1	<0.1	<0.1
Benzo(a)anthracene	mg/kg	<0.1	<0.1	<0.1	<0.1
Chrysene	mg/kg	<0.1	<0.1	<0.1	<0.1
Benzo(b+k)fluoranthene	mg/kg	<0.2	<0.2	<0.2	<0.2
Benzo(a)pyrene	mg/kg	<0.05	<0.05	<0.05	<0.05
Indeno(1,2,3-c,d)pyrene	mg/kg	<0.1	<0.1	<0.1	<0.1
Dibenzo(a,h)anthracene	mg/kg	<0.1	<0.1	<0.1	<0.1
Benzo(g,h,i)perylene	mg/kg	<0.1	<0.1	<0.1	<0.1
Surrogate p-Terphenyl-d_{14}	%	88	89	87	87

Organochlorine Pesticides in soil Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	45969-1 101/0-0.1 8/09/2010 Soil	45969-2 101/0.4-0.5 8/09/2010 Soil	45969-3 102/0-0.1 8/09/2010 Soil	45969-4 102/0.4-0.5 8/09/2010 Soil	45969-5 103/0-0.1 8/09/2010 Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
HCB	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
alpha-BHC	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
gamma-BHC	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
beta-BHC	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Heptachlor	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
delta-BHC	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Aldrin	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Heptachlor Epoxide	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
gamma-Chlordane	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
alpha-chlordane	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Endosulfan I	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
pp-DDE	mg/kg	<0.1	<0.1	<0.1	<0.1	0.4
Dieldrin	mg/kg	<0.1	<0.1	<0.1	<0.1	3.6
Endrin	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
pp-DDD	mg/kg	<0.1	<0.1	<0.1	<0.1	0.1
Endosulfan II	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
pp-DDT	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Endrin Aldehyde	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Endosulfan Sulphate	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Methoxychlor	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Surrogate TCLMX	%	80	74	69	82	87

Organochlorine Pesticides in soil						
Our Reference:	UNITS	45969-6	45969-7	45969-8	45969-9	45969-10
Your Reference	----------	104/0-0.1	105/0-0.1	106/0-0.1	107/0-0.1	108/0-0.1
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
HCB	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
alpha-BHC	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
gamma-BHC	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
beta-BHC	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Heptachlor	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
delta-BHC	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Aldrin	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Heptachlor Epoxide	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
gamma-Chlordane	mg/kg	<0.1	<0.1	0.2	<0.1	<0.1
alpha-chlordane	mg/kg	0.1	<0.1	0.3	<0.1	<0.1
Endosulfan I	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
pp-DDE	mg/kg	1.1	<0.1	0.2	0.5	<0.1
Dieldrin	mg/kg	1.0	<0.1	<0.1	<0.1	<0.1
Endrin	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
pp-DDD	mg/kg	<0.1	<0.1	<0.1	0.2	<0.1
Endosulfan II	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
pp-DDT	mg/kg	1.0	<0.1	<0.1	<0.1	<0.1
Endrin Aldehyde	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Endosulfan Sulphate	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Methoxychlor	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Surrogate TCLMX	%	67	84	103	71	77

Organochlorine Pesticides in soil						
Our Reference:	UNITS	45969-11	45969-12	45969-13	45969-14	45969-15
Your Reference	----------	109/0-0.1	109/0.4-0.5	110/0-0.1	110/0.4-0.5	111/0-0.1
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
HCB	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
alpha-BHC	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
gamma-BHC	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
beta-BHC	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Heptachlor	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
delta-BHC	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Aldrin	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Heptachlor Epoxide	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
gamma-Chlordane	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
alpha-chlordane	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Endosulfan I	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
pp-DDE	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Dieldrin	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Endrin	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
pp-DDD	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Endosulfan II	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
pp-DDT	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Endrin Aldehyde	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Endosulfan Sulphate	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Methoxychlor	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Surrogate TCLMX	%	80	72	83	70	77

Organochlorine Pesticides in soil						
Our Reference:	UNITS	45969-16	45969-21	45969-22	45969-23	45969-24
Your Reference	----------	112/0-0.1	116/0-0.1	117/0-0.1	117/0.4-0.5	118/0-0.1
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
HCB	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
alpha-BHC	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
gamma-BHC	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
beta-BHC	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Heptachlor	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
delta-BHC	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Aldrin	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Heptachlor Epoxide	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
gamma-Chlordane	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
alpha-chlordane	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Endosulfan I	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
pp-DDE	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Dieldrin	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Endrin	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
pp-DDD	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Endosulfan II	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
pp-DDT	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Endrin Aldehyde	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Endosulfan Sulphate	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Methoxychlor	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Surrogate TCLMX	%	64	86	100	93	100

Organochlorine Pesticides in soil						
Our Reference:	UNITS	45969-25	45969-26	45969-27	45969-30	45969-31
Your Reference	----------	118/0.4-0.5	119/0-0.1	119/0.4-0.5	121/0-0.1	122/0-0.1
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
HCB	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
alpha-BHC	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
gamma-BHC	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
beta-BHC	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Heptachlor	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
delta-BHC	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Aldrin	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Heptachlor Epoxide	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
gamma-Chlordane	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
alpha-chlordane	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Endosulfan I	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
pp-DDE	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Dieldrin	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Endrin	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
pp-DDD	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Endosulfan II	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
pp-DDT	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Endrin Aldehyde	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Endosulfan Sulphate	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Methoxychlor	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Surrogate TCLMX	%	107	99	108	112	102

Organochlorine Pesticides in soil						
Our Reference:	UNITS	45969-32	45969-33	45969-34	45969-35	45969-36
Your Reference	----------	122/0.9-1.0	122/1.1-1.2	123/0-0.1	123/0.4-0.5	124/0-0.1
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
HCB	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
alpha-BHC	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
gamma-BHC	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
beta-BHC	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Heptachlor	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
delta-BHC	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Aldrin	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Heptachlor Epoxide	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
gamma-Chlordane	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
alpha-chlordane	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Endosulfan I	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
pp-DDE	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Dieldrin	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Endrin	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
pp-DDD	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Endosulfan II	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
pp-DDT	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Endrin Aldehyde	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Endosulfan Sulphate	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Methoxychlor	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Surrogate TCLMX	%	96	101	108	97	98

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Organochlorine Pesticides in soil						
Our Reference:	UNITS	45969-37	45969-38	45969-39	45969-40	45969-41
Your Reference	----------	125/0-0.1	126/0-0.1	127/0-0.1	128/0-0.1	128/0.4-0.5
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
HCB	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
alpha-BHC	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
gamma-BHC	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
beta-BHC	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Heptachlor	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
delta-BHC	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Aldrin	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Heptachlor Epoxide	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
gamma-Chlordane	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
alpha-chlordane	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Endosulfan I	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
pp-DDE	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Dieldrin	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Endrin	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
pp-DDD	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Endosulfan II	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
pp-DDT	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Endrin Aldehyde	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Endosulfan Sulphate	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Methoxychlor	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Surrogate TCLMX	%	102	98	100	92	98

Organochlorine Pesticides in soil						
Our Reference:	UNITS	45969-42	45969-43	45969-44	45969-45	45969-46
Your Reference	----------	129/0-0.1	129/0.4-0.5	130/0-0.1	131/0-0.1	132/0-0.1
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
HCB	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
alpha-BHC	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
gamma-BHC	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
beta-BHC	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Heptachlor	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
delta-BHC	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Aldrin	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Heptachlor Epoxide	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
gamma-Chlordane	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
alpha-chlordane	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Endosulfan I	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
pp-DDE	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Dieldrin	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Endrin	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
pp-DDD	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Endosulfan II	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
pp-DDT	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Endrin Aldehyde	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Endosulfan Sulphate	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Methoxychlor	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Surrogate TCLMX	%	87	109	101	98	96

Organochlorine Pesticides in soil						
Our Reference:	UNITS	45969-47	45969-48	45969-49	45969-50	45969-52
Your Reference	----------	133/0-0.1	MW1/0-0.1	MW2(A)0-0.1	MW3/0-0.1	BD2A
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
HCB	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
alpha-BHC	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
gamma-BHC	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
beta-BHC	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Heptachlor	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
delta-BHC	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Aldrin	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Heptachlor Epoxide	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
gamma-Chlordane	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
alpha-chlordane	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Endosulfan I	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
pp-DDE	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Dieldrin	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Endrin	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
pp-DDD	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Endosulfan II	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
pp-DDT	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Endrin Aldehyde	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Endosulfan Sulphate	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Methoxychlor	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Surrogate TCLMX	%	96	105	109	93	102

Organochlorine Pesticides in soil Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	45969-55 BD5A 8/09/2010 Soil	45969-56 BD6A 8/09/2010 Soil	45969-57 BD7A 8/09/2010 Soil	45969-58 BD8A 8/09/2010 Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010
HCB	mg/kg	<0.1	<0.1	<0.1	<0.1
alpha-BHC	mg/kg	<0.1	<0.1	<0.1	<0.1
gamma-BHC	mg/kg	<0.1	<0.1	<0.1	<0.1
beta-BHC	mg/kg	<0.1	<0.1	<0.1	<0.1
Heptachlor	mg/kg	<0.1	<0.1	<0.1	<0.1
delta-BHC	mg/kg	<0.1	<0.1	<0.1	<0.1
Aldrin	mg/kg	<0.1	<0.1	<0.1	<0.1
Heptachlor Epoxide	mg/kg	<0.1	<0.1	<0.1	<0.1
gamma-Chlordane	mg/kg	<0.1	<0.1	<0.1	<0.1
alpha-chlordane	mg/kg	<0.1	<0.1	<0.1	<0.1
Endosulfan I	mg/kg	<0.1	<0.1	<0.1	<0.1
pp-DDE	mg/kg	<0.1	<0.1	<0.1	<0.1
Dieldrin	mg/kg	<0.1	<0.1	<0.1	<0.1
Endrin	mg/kg	<0.1	<0.1	<0.1	<0.1
pp-DDD	mg/kg	<0.1	<0.1	<0.1	<0.1
Endosulfan II	mg/kg	<0.1	<0.1	<0.1	<0.1
pp-DDT	mg/kg	<0.1	<0.1	<0.1	<0.1
Endrin Aldehyde	mg/kg	<0.1	<0.1	<0.1	<0.1
Endosulfan Sulphate	mg/kg	<0.1	<0.1	<0.1	<0.1
Methoxychlor	mg/kg	<0.1	<0.1	<0.1	<0.1
Surrogate TCLMX	%	97	105	109	113

Organophosphorus Pesticides Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	45969-1 101/0-0.1 8/09/2010 Soil	45969-2 101/0.4-0.5 8/09/2010 Soil	45969-3 102/0-0.1 8/09/2010 Soil	45969-4 102/0.4-0.5 8/09/2010 Soil	45969-5 103/0-0.1 8/09/2010 Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Diazinon	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Dimethoate	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Chlorpyriphos-methyl	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Ronnel	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Chlorpyriphos	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Fenitrothion	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Bromophos-ethyl	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Ethion	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Surrogate TCLMX	%	80	74	69	82	87

Organophosphorus Pesticides Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	45969-6 104/0-0.1 8/09/2010 Soil	45969-7 105/0-0.1 8/09/2010 Soil	45969-8 106/0-0.1 8/09/2010 Soil	45969-9 107/0-0.1 8/09/2010 Soil	45969-10 108/0-0.1 8/09/2010 Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Diazinon	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Dimethoate	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Chlorpyriphos-methyl	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Ronnel	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Chlorpyriphos	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Fenitrothion	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Bromophos-ethyl	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Ethion	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Surrogate TCLMX	%	67	84	103	71	77

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Organophosphorus Pesticides						
Our Reference:	UNITS	45969-11	45969-12	45969-13	45969-14	45969-15
Your Reference	----------	109/0-0.1	109/0.4-0.5	110/0-0.1	110/0.4-0.5	111/0-0.1
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Diazinon	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Dimethoate	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Chlorpyriphos-methyl	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Ronnel	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Chlorpyriphos	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Fenitrothion	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Bromophos-ethyl	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Ethion	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Surrogate TCLMX	%	80	72	83	70	77

Organophosphorus Pesticides						
Our Reference:	UNITS	45969-16	45969-21	45969-22	45969-23	45969-24
Your Reference	----------	112/0-0.1	116/0-0.1	117/0-0.1	117/0.4-0.5	118/0-0.1
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Diazinon	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Dimethoate	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Chlorpyriphos-methyl	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Ronnel	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Chlorpyriphos	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Fenitrothion	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Bromophos-ethyl	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Ethion	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Surrogate TCLMX	%	64	86	100	93	100

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Organophosphorus Pesticides Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	45969-25 118/0.4-0.5 8/09/2010 Soil	45969-26 119/0-0.1 8/09/2010 Soil	45969-27 119/0.4-0.5 8/09/2010 Soil	45969-30 121/0-0.1 8/09/2010 Soil	45969-31 122/0-0.1 8/09/2010 Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Diazinon	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Dimethoate	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Chlorpyriphos-methyl	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Ronnel	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Chlorpyriphos	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Fenitrothion	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Bromophos-ethyl	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Ethion	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Surrogate TCLMX	%	107	99	108	112	102

Organophosphorus Pesticides Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	45969-32 122/0.9-1.0 8/09/2010 Soil	45969-33 122/1.1-1.2 8/09/2010 Soil	45969-34 123/0-0.1 8/09/2010 Soil	45969-35 123/0.4-0.5 8/09/2010 Soil	45969-36 124/0-0.1 8/09/2010 Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Diazinon	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Dimethoate	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Chlorpyriphos-methyl	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Ronnel	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Chlorpyriphos	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Fenitrothion	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Bromophos-ethyl	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Ethion	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Surrogate TCLMX	%	96	101	108	97	98

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Organophosphorus Pesticides						
Our Reference:	UNITS	45969-37	45969-38	45969-39	45969-40	45969-41
Your Reference	----------	125/0-0.1	126/0-0.1	127/0-0.1	128/0-0.1	128/0.4-0.5
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Diazinon	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Dimethoate	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Chlorpyriphos-methyl	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Ronnel	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Chlorpyriphos	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Fenitrothion	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Bromophos-ethyl	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Ethion	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Surrogate TCLMX	%	102	98	100	92	98

Organophosphorus Pesticides						
Our Reference:	UNITS	45969-42	45969-43	45969-44	45969-45	45969-46
Your Reference	----------	129/0-0.1	129/0.4-0.5	130/0-0.1	131/0-0.1	132/0-0.1
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Diazinon	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Dimethoate	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Chlorpyriphos-methyl	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Ronnel	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Chlorpyriphos	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Fenitrothion	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Bromophos-ethyl	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Ethion	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Surrogate TCLMX	%	87	109	101	98	96

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Organophosphorus Pesticides Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	45969-47 133/0-0.1 8/09/2010 Soil	45969-48 MW1/0-0.1 8/09/2010 Soil	45969-49 MW2(A)0-0.1 8/09/2010 Soil	45969-50 MW3/0-0.1 8/09/2010 Soil	45969-52 BD2A 8/09/2010 Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Diazinon	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Dimethoate	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Chlorpyriphos-methyl	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Ronnel	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Chlorpyriphos	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Fenitrothion	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Bromophos-ethyl	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Ethion	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Surrogate TCLMX	%	96	105	109	93	102

Organophosphorus Pesticides Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	45969-55 BD5A 8/09/2010 Soil	45969-56 BD6A 8/09/2010 Soil	45969-57 BD7A 8/09/2010 Soil	45969-58 BD8A 8/09/2010 Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Diazinon	mg/kg	<0.1	<0.1	<0.1	<0.1
Dimethoate	mg/kg	<0.1	<0.1	<0.1	<0.1
Chlorpyriphos-methyl	mg/kg	<0.1	<0.1	<0.1	<0.1
Ronnel	mg/kg	<0.1	<0.1	<0.1	<0.1
Chlorpyriphos	mg/kg	<0.1	<0.1	<0.1	<0.1
Fenitrothion	mg/kg	<0.1	<0.1	<0.1	<0.1
Bromophos-ethyl	mg/kg	<0.1	<0.1	<0.1	<0.1
Ethion	mg/kg	<0.1	<0.1	<0.1	<0.1
Surrogate TCLMX	%	97	105	109	113

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PCBs in Soil Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	45969-1 101/0-0.1 8/09/2010 Soil	45969-2 101/0.4-0.5 8/09/2010 Soil	45969-3 102/0-0.1 8/09/2010 Soil	45969-4 102/0.4-0.5 8/09/2010 Soil	45969-5 103/0-0.1 8/09/2010 Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Arochlor 1016	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1221*	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1232	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1242	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1248	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1254	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1260	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Surrogate TCLMX	%	80	74	69	82	87

PCBs in Soil Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	45969-6 104/0-0.1 8/09/2010 Soil	45969-7 105/0-0.1 8/09/2010 Soil	45969-8 106/0-0.1 8/09/2010 Soil	45969-9 107/0-0.1 8/09/2010 Soil	45969-10 108/0-0.1 8/09/2010 Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Arochlor 1016	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1221*	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1232	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1242	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1248	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1254	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1260	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Surrogate TCLMX	%	67	84	103	71	77

PCBs in Soil Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	45969-11 109/0-0.1 8/09/2010 Soil	45969-12 109/0.4-0.5 8/09/2010 Soil	45969-13 110/0-0.1 8/09/2010 Soil	45969-14 110/0.4-0.5 8/09/2010 Soil	45969-15 111/0-0.1 8/09/2010 Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Arochlor 1016	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1221*	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1232	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1242	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1248	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1254	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1260	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Surrogate TCLMX	%	80	72	83	70	77

PCBs in Soil Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	45969-16 112/0-0.1 8/09/2010 Soil	45969-21 116/0-0.1 8/09/2010 Soil	45969-22 117/0-0.1 8/09/2010 Soil	45969-23 117/0.4-0.5 8/09/2010 Soil	45969-24 118/0-0.1 8/09/2010 Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Arochlor 1016	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1221*	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1232	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1242	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1248	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1254	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1260	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Surrogate TCLMX	%	64	86	100	93	100

PCBs in Soil Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	45969-25 118/0.4-0.5 8/09/2010 Soil	45969-26 119/0-0.1 8/09/2010 Soil	45969-27 119/0.4-0.5 8/09/2010 Soil	45969-30 121/0-0.1 8/09/2010 Soil	45969-31 122/0-0.1 8/09/2010 Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Arochlor 1016	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1221*	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1232	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1242	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1248	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1254	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1260	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Surrogate TCLMX	%	107	99	108	112	102

PCBs in Soil Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	45969-32 122/0.9-1.0 8/09/2010 Soil	45969-33 122/1.1-1.2 8/09/2010 Soil	45969-34 123/0-0.1 8/09/2010 Soil	45969-35 123/0.4-0.5 8/09/2010 Soil	45969-36 124/0-0.1 8/09/2010 Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Arochlor 1016	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1221*	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1232	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1242	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1248	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1254	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1260	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Surrogate TCLMX	%	96	101	108	97	98

PCBs in Soil Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	45969-37 125/0-0.1 8/09/2010 Soil	45969-38 126/0-0.1 8/09/2010 Soil	45969-39 127/0-0.1 8/09/2010 Soil	45969-40 128/0-0.1 8/09/2010 Soil	45969-41 128/0.4-0.5 8/09/2010 Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Arochlor 1016	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1221*	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1232	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1242	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1248	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1254	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1260	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Surrogate TCLMX	%	102	98	100	92	98

PCBs in Soil Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	45969-42 129/0-0.1 8/09/2010 Soil	45969-43 129/0.4-0.5 8/09/2010 Soil	45969-44 130/0-0.1 8/09/2010 Soil	45969-45 131/0-0.1 8/09/2010 Soil	45969-46 132/0-0.1 8/09/2010 Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Arochlor 1016	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1221*	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1232	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1242	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1248	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1254	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1260	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Surrogate TCLMX	%	87	109	101	98	96

PCBs in Soil Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	45969-47 133/0-0.1 8/09/2010 Soil	45969-48 MW1/0-0.1 8/09/2010 Soil	45969-49 MW2(A)0-0.1 8/09/2010 Soil	45969-50 MW3/0-0.1 8/09/2010 Soil	45969-52 BD2A 8/09/2010 Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Arochlor 1016	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1221*	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1232	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1242	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1248	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1254	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Arochlor 1260	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Surrogate TCLMX	%	96	105	109	93	102

PCBs in Soil Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	45969-55 BD5A 8/09/2010 Soil	45969-56 BD6A 8/09/2010 Soil	45969-57 BD7A 8/09/2010 Soil	45969-58 BD8A 8/09/2010 Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Arochlor 1016	mg/kg	<0.1	<0.1	<0.1	<0.1
Arochlor 1221*	mg/kg	<0.1	<0.1	<0.1	<0.1
Arochlor 1232	mg/kg	<0.1	<0.1	<0.1	<0.1
Arochlor 1242	mg/kg	<0.1	<0.1	<0.1	<0.1
Arochlor 1248	mg/kg	<0.1	<0.1	<0.1	<0.1
Arochlor 1254	mg/kg	<0.1	<0.1	<0.1	<0.1
Arochlor 1260	mg/kg	<0.1	<0.1	<0.1	<0.1
Surrogate TCLMX	%	97	105	109	113

SVOCs in Soil Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	45969-17 113/0-0.1 8/09/2010 Soil	45969-18 113/0.4-0.5 8/09/2010 Soil	45969-19 114/0-0.1 8/09/2010 Soil	45969-20 115/0-0.1 8/09/2010 Soil	45969-28 120/0-0.1 8/09/2010 Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
Phenol	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Bis-(2-chloroethyl) ether	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
2-Chlorophenol	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
1,3-Dichlorobenzene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
1,4-Dichlorobenzene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
2-Methylphenol	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
1,2-Dichlorobenzene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Bis (2-chloroisopropyl) ether	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
3/4-Methylphenol	mg/kg	<2.0	<2.0	<2.0	<2.0	<2.0
N-nitrosodi-n-propylamine	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Hexachloroethane	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Nitrobenzene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Isophorone	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
2,4-Dimethylphenol	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
2-Nitrophenol	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Bis(2-chloroethoxy)methane	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
2,4-Dichlorophenol	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
1,2,4-Trichlorobenzene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Naphthalene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
4-Chloroaniline	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Hexachlorobutadiene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
2-Methylnaphthalene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Hexachlorocyclopentadiene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
2,4,6-trichlorophenol	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
2,4,5-trichlorophenol	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
2-Chloronaphthalene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
2-nitroaniline	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Dimethylphthalate	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
2,6-Dinitrotoluene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Acenaphthylene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
3-Nitroaniline	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Acenaphthene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
2,4-dinitrophenol	mg/kg	<10	<10	<10	<10	<10
4-nitrophenol	mg/kg	<10	<10	<10	<10	<10
Dibenzofuran	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
diethylphthalate	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
4-chlorophenylphenylether	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
4-nitroaniline	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Fluorene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0

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SVOCs in Soil Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	45969-17 113/0-0.1 8/09/2010 Soil	45969-18 113/0.4-0.5 8/09/2010 Soil	45969-19 114/0-0.1 8/09/2010 Soil	45969-20 115/0-0.1 8/09/2010 Soil	45969-28 120/0-0.1 8/09/2010 Soil
2-methyl-4,6-dinitrophenol	mg/kg	<10	<10	<10	<10	<10
azobenzene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
4-bromophenylphenylether	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
hexachlorobenzene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
pentachlorophenol	mg/kg	<10	<10	<10	<10	<10
Phenanthrene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Anthracene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
carbazole	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
di-n-butylphthalate	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Fluoranthene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Pyrene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
butylbenzylphthalate	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
bis(2-ethylhexyl)phthalate	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Benzo(a)anthracene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Chrysene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
di-n-octylphthalate	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Benzo(b)fluoranthene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Benzo(k)fluoranthene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Benzo(a)pyrene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Indeno(1,2,3-c,d)pyrene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Dibenzo(a,h)anthracene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Benzo(g,h,i)perylene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
ethylmethanesulfonate	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
aniline	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
pentachloroethane	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
benzyl alcohol	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
acetophenone	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
N-nitrosomorpholine	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
N-nitrosopiperidine	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
2,6-dichlorophenol	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
hexachloropropene-1	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
N-nitroso-n-butylamine	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
safrole	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
1,2,4,5-tetrachlorobenzene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
cis and trans iso-safrole	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
1,3-dinitrobenzene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
pentachlorobenzene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
1-naphthylamine	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
2,3,4,6-tetrachlorophenol	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
2-naphthylamine	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
5-nitro-o-toluidine	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0

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SVOCs in Soil Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	45969-17 113/0-0.1 8/09/2010 Soil	45969-18 113/0.4-0.5 8/09/2010 Soil	45969-19 114/0-0.1 8/09/2010 Soil	45969-20 115/0-0.1 8/09/2010 Soil	45969-28 120/0-0.1 8/09/2010 Soil
diphenylamine	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
phenacetin	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
pentachloronitrobenzene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
dinoseb	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
methapyrilene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
p-dimethylaminoazobenzene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
2-acetylaminofluorene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
7,12-dimethylbenz(a)anthracene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
3-methylcholanthrene	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
a-BHC	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
b-BHC	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
g-BHC	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
d-BHC	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Heptachlor	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Aldrin	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Heptachlor Epoxide	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
g-Chlordane	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
a-Chlordane	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Endosulfan I	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
p,p'-DDE	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Dieldrin	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Endrin	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
p,p'-DDD	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Endosulfan II	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
p,p'-DDT	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Endosulfan Sulphate	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Methoxychlor	mg/kg	<1.0	<1.0	<1.0	<1.0	<1.0
Surrogate 2-fluorophenol	%	93	72	95	93	85
Surrogate Phenol-d_6	%	95	74	96	97	89
Surrogate Nitrobenzene-d_5	%	90	64	99	79	73
Surrogate 2-fluorobiphenyl	%	83	81	91	79	74
Surrogate 2,4,6-Tribromophenol	%	72	80	76	75	65
Surrogate p-Terphenyl-d_{14}	%	90	93	90	91	90

SVOCs in Soil Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	45969-29 120/0.4-0.5 8/09/2010 Soil
Date extracted	-	21/09/2010
Date analysed	-	22/09/2010
Phenol	mg/kg	<1.0
Bis-(2-chloroethyl) ether	mg/kg	<1.0
2-Chlorophenol	mg/kg	<1.0
1,3-Dichlorobenzene	mg/kg	<1.0
1,4-Dichlorobenzene	mg/kg	<1.0
2-Methylphenol	mg/kg	<1.0
1,2-Dichlorobenzene	mg/kg	<1.0
Bis (2-chloroisopropyl) ether	mg/kg	<1.0
3/4-Methylphenol	mg/kg	<2.0
N-nitrosodi-n-propylamine	mg/kg	<1.0
Hexachloroethane	mg/kg	<1.0
Nitrobenzene	mg/kg	<1.0
Isophorone	mg/kg	<1.0
2,4-Dimethylphenol	mg/kg	<1.0
2-Nitrophenol	mg/kg	<1.0
Bis(2-chloroethoxy)methane	mg/kg	<1.0
2,4-Dichlorophenol	mg/kg	<1.0
1,2,4-Trichlorobenzene	mg/kg	<1.0
Naphthalene	mg/kg	<1.0
4-Chloroaniline	mg/kg	<1.0
Hexachlorobutadiene	mg/kg	<1.0
2-Methylnaphthalene	mg/kg	<1.0
Hexachlorocyclopentadiene	mg/kg	<1.0
2,4,6-trichlorophenol	mg/kg	<1.0
2,4,5-trichlorophenol	mg/kg	<1.0
2-Chloronaphthalene	mg/kg	<1.0
2-nitroaniline	mg/kg	<1.0
Dimethylphthalate	mg/kg	<1.0
2,6-Dinitrotoluene	mg/kg	<1.0
Acenaphthylene	mg/kg	<1.0
3-Nitroaniline	mg/kg	<1.0
Acenaphthene	mg/kg	<1.0
2,4-dinitrophenol	mg/kg	<10
4-nitrophenol	mg/kg	<10
Dibenzofuran	mg/kg	<1.0
diethylphthalate	mg/kg	<1.0
4-chlorophenylphenylether	mg/kg	<1.0
4-nitroaniline	mg/kg	<1.0
Fluorene	mg/kg	<1.0

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SVOCs in Soil Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	45969-29 120/0.4-0.5 8/09/2010 Soil
2-methyl-4,6-dinitrophenol	mg/kg	<10
azobenzene	mg/kg	<1.0
4-bromophenylphenylether	mg/kg	<1.0
hexachlorobenzene	mg/kg	<1.0
pentachlorophenol	mg/kg	<10
Phenanthrene	mg/kg	<1.0
Anthracene	mg/kg	<1.0
carbazole	mg/kg	<1.0
di-n-butylphthalate	mg/kg	<1.0
Fluoranthene	mg/kg	<1.0
Pyrene	mg/kg	<1.0
butylbenzylphthalate	mg/kg	<1.0
bis(2-ethylhexyl)phthalate	mg/kg	<1.0
Benzo(a)anthracene	mg/kg	<1.0
Chrysene	mg/kg	<1.0
di-n-octylphthalate	mg/kg	<1.0
Benzo(b)fluoranthene	mg/kg	<1.0
Benzo(k)fluoranthene	mg/kg	<1.0
Benzo(a)pyrene	mg/kg	<1.0
Indeno(1,2,3-c,d)pyrene	mg/kg	<1.0
Dibenzo(a,h)anthracene	mg/kg	<1.0
Benzo(g,h,i)perylene	mg/kg	<1.0
ethylmethanesulfonate	mg/kg	<1.0
aniline	mg/kg	<1.0
pentachloroethane	mg/kg	<1.0
benzyl alcohol	mg/kg	<1.0
acetophenone	mg/kg	<1.0
N-nitrosomorpholine	mg/kg	<1.0
N-nitrosopiperidine	mg/kg	<1.0
2,6-dichlorophenol	mg/kg	<1.0
hexachloropropene-1	mg/kg	<1.0
N-nitroso-n-butylamine	mg/kg	<1.0
safrole	mg/kg	<1.0
1,2,4,5-tetrachlorobenzene	mg/kg	<1.0
cis and trans iso-safrole	mg/kg	<1.0
1,3-dinitrobenzene	mg/kg	<1.0
pentachlorobenzene	mg/kg	<1.0
1-naphthylamine	mg/kg	<1.0
2,3,4,6-tetrachlorophenol	mg/kg	<1.0
2-naphthylamine	mg/kg	<1.0
5-nitro-o-toluidine	mg/kg	<1.0

SVOCs in Soil Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	45969-29 120/0.4-0.5 8/09/2010 Soil
diphenylamine	mg/kg	<1.0
phenacetin	mg/kg	<1.0
pentachloronitrobenzene	mg/kg	<1.0
dinoseb	mg/kg	<1.0
methapyrilene	mg/kg	<1.0
p-dimethylaminoazobenzene	mg/kg	<1.0
2-acetylaminofluorene	mg/kg	<1.0
7,12-dimethylbenz(a)anthracene	mg/kg	<1.0
3-methylcholanthrene	mg/kg	<1.0
a-BHC	mg/kg	<1.0
b-BHC	mg/kg	<1.0
g-BHC	mg/kg	<1.0
d-BHC	mg/kg	<1.0
Heptachlor	mg/kg	<1.0
Aldrin	mg/kg	<1.0
Heptachlor Epoxide	mg/kg	<1.0
g-Chlordane	mg/kg	<1.0
a-Chlordane	mg/kg	<1.0
Endosulfan I	mg/kg	<1.0
p,p'-DDE	mg/kg	<1.0
Dieldrin	mg/kg	<1.0
Endrin	mg/kg	<1.0
p,p'-DDD	mg/kg	<1.0
Endosulfan II	mg/kg	<1.0
p,p'-DDT	mg/kg	<1.0
Endosulfan Sulphate	mg/kg	<1.0
Methoxychlor	mg/kg	<1.0
Surrogate 2-fluorophenol	%	93
Surrogate Phenol-d_6	%	94
Surrogate Nitrobenzene-d_5	%	70
Surrogate 2-fluorobiphenyl	%	85
Surrogate 2,4,6-Tribromophenol	%	65
Surrogate p-Terphenyl-d_{14}	%	93

Total Phenolics in Soil						
Our Reference:	UNITS	45969-1	45969-2	45969-3	45969-4	45969-5
Your Reference	----------	101/0-0.1	101/0.4-0.5	102/0-0.1	102/0.4-0.5	103/0-0.1
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Total Phenolics (as Phenol)	mg/kg	<5.0	<5.0	<5.0	<5.0	<5.0

Total Phenolics in Soil						
Our Reference:	UNITS	45969-6	45969-7	45969-8	45969-9	45969-10
Your Reference	----------	104/0-0.1	105/0-0.1	106/0-0.1	107/0-0.1	108/0-0.1
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Total Phenolics (as Phenol)	mg/kg	<5.0	<5.0	<5.0	<5.0	<5.0

Total Phenolics in Soil						
Our Reference:	UNITS	45969-11	45969-12	45969-13	45969-14	45969-15
Your Reference	----------	109/0-0.1	109/0.4-0.5	110/0-0.1	110/0.4-0.5	111/0-0.1
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Total Phenolics (as Phenol)	mg/kg	<5.0	<5.0	<5.0	<5.0	<5.0

Total Phenolics in Soil						
Our Reference:	UNITS	45969-16	45969-21	45969-22	45969-23	45969-24
Your Reference	----------	112/0-0.1	116/0-0.1	117/0-0.1	117/0.4-0.5	118/0-0.1
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date extracted	-	21/09/2010	21/09/2010	21/09/2010	22/09/2010	22/09/2010
Date analysed	-	21/09/2010	21/09/2010	21/09/2010	22/09/2010	22/09/2010
Total Phenolics (as Phenol)	mg/kg	<5.0	<5.0	<5.0	<5.0	<5.0

Total Phenolics in Soil						
Our Reference:	UNITS	45969-25	45969-26	45969-27	45969-30	45969-31
Your Reference	----------	118/0.4-0.5	119/0-0.1	119/0.4-0.5	121/0-0.1	122/0-0.1
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date extracted	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
Date analysed	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
Total Phenolics (as Phenol)	mg/kg	<5.0	<5.0	<5.0	<5.0	<5.0

Total Phenolics in Soil						
Our Reference:	UNITS	45969-32	45969-33	45969-34	45969-35	45969-36
Your Reference	----------	122/0.9-1.0	122/1.1-1.2	123/0-0.1	123/0.4-0.5	124/0-0.1
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date extracted	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
Date analysed	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
Total Phenolics (as Phenol)	mg/kg	<5.0	<5.0	<5.0	<5.0	<5.0

Total Phenolics in Soil						
Our Reference:	UNITS	45969-37	45969-38	45969-39	45969-40	45969-41
Your Reference	----------	125/0-0.1	126/0-0.1	127/0-0.1	128/0-0.1	128/0.4-0.5
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date extracted	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
Date analysed	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
Total Phenolics (as Phenol)	mg/kg	<5.0	<5.0	<5.0	<5.0	<5.0

Total Phenolics in Soil						
Our Reference:	UNITS	45969-42	45969-43	45969-44	45969-45	45969-46
Your Reference	----------	129/0-0.1	129/0.4-0.5	130/0-0.1	131/0-0.1	132/0-0.1
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date extracted	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
Date analysed	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
Total Phenolics (as Phenol)	mg/kg	<5.0	<5.0	<5.0	<5.0	<5.0

Total Phenolics in Soil						
Our Reference:	UNITS	45969-47	45969-48	45969-49	45969-50	45969-52
Your Reference	----------	133/0-0.1	MW1/0-0.1	MW2(A)0-0.1	MW3/0-0.1	BD2A
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date extracted	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
Date analysed	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
Total Phenolics (as Phenol)	mg/kg	<5.0	<5.0	<5.0	<5.0	<5.0

Total Phenolics in Soil					
Our Reference:	UNITS	45969-55	45969-56	45969-57	45969-58
Your Reference	----------	BD5A	BD6A	BD7A	BD8A
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil
Date extracted	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010
Date analysed	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010
Total Phenolics (as Phenol)	mg/kg	<5.0	<5.0	<5.0	<5.0

Acid Extractable metals in soil						
Our Reference:	UNITS	45969-1	45969-2	45969-3	45969-4	45969-5
Your Reference	----------	101/0-0.1	101/0.4-0.5	102/0-0.1	102/0.4-0.5	103/0-0.1
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date digested	-	21/9/2010	21/9/2010	21/9/2010	21/9/2010	21/9/2010
Date analysed	-	22/9/2010	22/9/2010	22/9/2010	22/9/2010	22/9/2010
Arsenic	mg/kg	<4	<4	<4	<4	<4
Cadmium	mg/kg	<0.5	<0.5	<0.5	<0.5	0.6
Chromium	mg/kg	16	23	21	23	2
Copper	mg/kg	23	31	33	20	4
Lead	mg/kg	31	16	22	14	3
Mercury	mg/kg	<0.1	<0.1	<0.1	<0.1	1.0
Nickel	mg/kg	4	3	4	3	1
Zinc	mg/kg	27	6	16	5	7

Acid Extractable metals in soil						
Our Reference:	UNITS	45969-6	45969-7	45969-8	45969-9	45969-10
Your Reference	----------	104/0-0.1	105/0-0.1	106/0-0.1	107/0-0.1	108/0-0.1
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date digested	-	21/9/2010	21/9/2010	21/9/2010	21/9/2010	21/9/2010
Date analysed	-	22/9/2010	22/9/2010	22/9/2010	22/9/2010	22/9/2010
Arsenic	mg/kg	<4	4	<4	<4	<4
Cadmium	mg/kg	<0.5	<0.5	0.7	<0.5	<0.5
Chromium	mg/kg	2	7	3	2	16
Copper	mg/kg	5	5	6	7	48
Lead	mg/kg	4	6	3	5	19
Mercury	mg/kg	2.3	0.1	1.1	1.1	<0.1
Nickel	mg/kg	1	7	2	1	7
Zinc	mg/kg	9	27	14	16	52

Acid Extractable metals in soil						
Our Reference:	UNITS	45969-11	45969-12	45969-13	45969-14	45969-15
Your Reference	----------	109/0-0.1	109/0.4-0.5	110/0-0.1	110/0.4-0.5	111/0-0.1
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date digested	-	21/9/2010	21/9/2010	21/9/2010	21/9/2010	21/9/2010
Date analysed	-	22/9/2010	22/9/2010	22/9/2010	22/9/2010	22/9/2010
Arsenic	mg/kg	<4	<4	<4	<4	<4
Cadmium	mg/kg	<0.5	<0.5	<0.5	<0.5	<0.5
Chromium	mg/kg	4	5	6	3	7
Copper	mg/kg	100	160	200	62	190
Lead	mg/kg	58	18	19	8	24
Mercury	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Nickel	mg/kg	4	5	5	<1	5
Zinc	mg/kg	66	42	51	5	86

Acid Extractable metals in soil						
Our Reference:	UNITS	45969-16	45969-17	45969-18	45969-19	45969-20
Your Reference	----------	112/0-0.1	113/0-0.1	113/0.4-0.5	114/0-0.1	115/0-0.1
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date digested	-	21/9/2010	21/9/2010	21/9/2010	21/9/2010	21/9/2010
Date analysed	-	22/9/2010	22/9/2010	22/9/2010	22/9/2010	22/9/2010
Arsenic	mg/kg	<4	<4	<4	<4	<4
Cadmium	mg/kg	<0.5	<0.5	<0.5	<0.5	<0.5
Chromium	mg/kg	6	6	9	5	4
Copper	mg/kg	62	110	190	66	95
Lead	mg/kg	22	20	16	19	13
Mercury	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Nickel	mg/kg	2	6	4	3	2
Zinc	mg/kg	10	20	7	22	15

Acid Extractable metals in soil						
Our Reference:	UNITS	45969-21	45969-22	45969-23	45969-24	45969-25
Your Reference	----------	116/0-0.1	117/0-0.1	117/0.4-0.5	118/0-0.1	118/0.4-0.5
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date digested	-	21/9/2010	21/9/2010	21/9/2010	21/9/2010	21/9/2010
Date analysed	-	22/9/2010	22/9/2010	22/9/2010	22/9/2010	22/9/2010
Arsenic	mg/kg	<4	6	<4	4	<4
Cadmium	mg/kg	<0.5	<0.5	<0.5	<0.5	<0.5
Chromium	mg/kg	5	7	5	6	6
Copper	mg/kg	110	100	120	110	130
Lead	mg/kg	24	280	33	120	15
Mercury	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Nickel	mg/kg	4	4	2	4	3
Zinc	mg/kg	25	630	53	270	16

Acid Extractable metals in soil						
Our Reference:	UNITS	45969-26	45969-27	45969-28	45969-29	45969-30
Your Reference	----------	119/0-0.1	119/0.4-0.5	120/0-0.1	120/0.4-0.5	121/0-0.1
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date digested	-	21/9/2010	21/9/2010	21/9/2010	21/9/2010	21/9/2010
Date analysed	-	22/9/2010	22/9/2010	22/9/2010	22/9/2010	22/9/2010
Arsenic	mg/kg	5	<4	<4	<4	<4
Cadmium	mg/kg	3.1	<0.5	<0.5	<0.5	<0.5
Chromium	mg/kg	7	5	6	8	11
Copper	mg/kg	100	150	85	110	59
Lead	mg/kg	230	18	72	24	23
Mercury	mg/kg	0.1	<0.1	<0.1	<0.1	<0.1
Nickel	mg/kg	6	3	4	3	7
Zinc	mg/kg	2,300	39	510	15	35

Acid Extractable metals in soil						
Our Reference:	UNITS	45969-31	45969-32	45969-33	45969-34	45969-35
Your Reference	----------	122/0-0.1	122/0.9-1.0	122/1.1-1.2	123/0-0.1	123/0.4-0.5
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date digested	-	21/9/2010	21/9/2010	21/9/2010	21/9/2010	21/9/2010
Date analysed	-	22/9/2010	22/9/2010	22/9/2010	22/9/2010	22/9/2010
Arsenic	mg/kg	<4	<4	<4	<4	<4
Cadmium	mg/kg	<0.5	<0.5	<0.5	<0.5	<0.5
Chromium	mg/kg	13	18	17	3	3
Copper	mg/kg	51	41	55	170	170
Lead	mg/kg	20	26	17	11	13
Mercury	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Nickel	mg/kg	5	5	5	5	6
Zinc	mg/kg	23	32	11	43	43

Acid Extractable metals in soil						
Our Reference:	UNITS	45969-36	45969-37	45969-38	45969-39	45969-40
Your Reference	----------	124/0-0.1	125/0-0.1	126/0-0.1	127/0-0.1	128/0-0.1
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date digested	-	21/9/2010	21/9/2010	21/9/2010	21/9/2010	21/9/2010
Date analysed	-	22/9/2010	22/9/2010	22/9/2010	22/9/2010	22/9/2010
Arsenic	mg/kg	<4	<4	<4	4	<4
Cadmium	mg/kg	<0.5	<0.5	<0.5	<0.5	<0.5
Chromium	mg/kg	9	8	6	8	10
Copper	mg/kg	44	84	94	130	100
Lead	mg/kg	17	21	21	21	15
Mercury	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Nickel	mg/kg	5	6	5	9	6
Zinc	mg/kg	22	9	29	15	57

Acid Extractable metals in soil						
Our Reference:	UNITS	45969-41	45969-42	45969-43	45969-44	45969-45
Your Reference	----------	128/0.4-0.5	129/0-0.1	129/0.4-0.5	130/0-0.1	131/0-0.1
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date digested	-	21/9/2010	21/9/2010	21/9/2010	21/9/2010	21/9/2010
Date analysed	-	22/9/2010	22/9/2010	22/9/2010	22/9/2010	22/9/2010
Arsenic	mg/kg	<4	<4	<4	<4	13
Cadmium	mg/kg	<0.5	<0.5	<0.5	<0.5	<0.5
Chromium	mg/kg	6	16	16	9	9
Copper	mg/kg	11	31	27	110	61
Lead	mg/kg	5	10	11	16	47
Mercury	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Nickel	mg/kg	1	10	7	7	4
Zinc	mg/kg	7	72	37	49	73

Acid Extractable metals in soil						
Our Reference:	UNITS	45969-46	45969-47	45969-48	45969-49	45969-50
Your Reference	----------	132/0-0.1	133/0-0.1	MW1/0-0.1	MW2(A)0-0.1	MW3/0-0.1
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date digested	-	21/9/2010	21/9/2010	21/9/2010	21/9/2010	21/9/2010
Date analysed	-	22/9/2010	22/9/2010	22/9/2010	22/9/2010	22/9/2010
Arsenic	mg/kg	<4	<4	7	<4	<4
Cadmium	mg/kg	<0.5	<0.5	<0.5	<0.5	<0.5
Chromium	mg/kg	8	12	12	6	6
Copper	mg/kg	100	66	250	73	99
Lead	mg/kg	27	25	19	16	25
Mercury	mg/kg	<0.1	<0.1	<0.1	<0.1	<0.1
Nickel	mg/kg	4	7	9	5	4
Zinc	mg/kg	100	30	7	9	92

Acid Extractable metals in soil						
Our Reference:	UNITS	45969-52	45969-55	45969-56	45969-57	45969-58
Your Reference	----------	BD2A	BD5A	BD6A	BD7A	BD8A
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date digested	-	21/9/2010	21/9/2010	21/9/2010	21/9/2010	21/9/2010
Date analysed	-	22/9/2010	22/9/2010	22/9/2010	22/9/2010	22/9/2010
Arsenic	mg/kg	5	11	<4	<4	<4
Cadmium	mg/kg	3.2	<0.5	<0.5	<0.5	<0.5
Chromium	mg/kg	9	8	4	7	10
Copper	mg/kg	130	64	210	150	45
Lead	mg/kg	300	59	15	20	18
Mercury	mg/kg	0.2	<0.1	<0.1	<0.1	<0.1
Nickel	mg/kg	6	3	5	5	5
Zinc	mg/kg	2,700	110	49	69	25

Explosives in Soil Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ---------- 	45969-11 109/0-0.1 8/09/2010 Soil	45969-13 110/0-0.1 8/09/2010 Soil	45969-57 BD7A 8/09/2010 Soil
Date Extracted	-	20/09/2010	20/09/2010	20/09/2010
Date analysed	-	29/09/2010	29/09/2010	29/09/2010
HMX	mg/kg	<0.1	<0.1	<0.1
RDX	mg/kg	<0.1	<0.1	<0.1
1,3,5-Trinitrobenzene	mg/kg	<0.1	<0.1	<0.1
1,3-Dinitrobenzene	mg/kg	<0.1	<0.1	<0.1
Tetryl	mg/kg	<0.1	<0.1	<0.1
2,4,6-Trinitrotoluene	mg/kg	<0.1	<0.1	<0.1
4-Amino-2,6-dinitrotoluene	mg/kg	<0.1	<0.1	<0.1
2-Amino-4,6-dinitrotoluene	mg/kg	<0.1	<0.1	<0.1
4-&2-AM-DNT(Isomeric Mixture)	mg/kg	<0.1	<0.1	<0.1
2,4-Dinitrotoluene	mg/kg	<0.1	<0.1	<0.1
2,6-Dinitrotoluene	mg/kg	<0.1	<0.1	<0.1
2,4&2,6-DNT(Isomeric Mixture)	mg/kg	<0.1	<0.1	<0.1
Nitrobenzene	mg/kg	<0.1	<0.1	<0.1
2-Nitrotoluene	mg/kg	<0.1	<0.1	<0.1
3-Nitrotoluene	mg/kg	<0.1	<0.1	<0.1
4-Nitrotoluene	mg/kg	<0.1	<0.1	<0.1
Nitroglycerine	mg/kg	<1	<1	<1
PETN	mg/kg	<1	<1	<1
Surrogate (o-Dinitrobenzene)	%	103	122	109

Moisture						
Our Reference:	UNITS	45969-1	45969-2	45969-3	45969-4	45969-5
Your Reference	----------	101/0-0.1	101/0.4-0.5	102/0-0.1	102/0.4-0.5	103/0-0.1
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date prepared	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
Moisture	%	30	31	34	28	7.6

Moisture						
Our Reference:	UNITS	45969-6	45969-7	45969-8	45969-9	45969-10
Your Reference	----------	104/0-0.1	105/0-0.1	106/0-0.1	107/0-0.1	108/0-0.1
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date prepared	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
Moisture	%	7.3	4.8	13	11	25

Moisture						
Our Reference:	UNITS	45969-11	45969-12	45969-13	45969-14	45969-15
Your Reference	----------	109/0-0.1	109/0.4-0.5	110/0-0.1	110/0.4-0.5	111/0-0.1
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date prepared	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
Moisture	%	31	24	14	28	8.4

Moisture						
Our Reference:	UNITS	45969-16	45969-17	45969-18	45969-19	45969-20
Your Reference	----------	112/0-0.1	113/0-0.1	113/0.4-0.5	114/0-0.1	115/0-0.1
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date prepared	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
Moisture	%	31	44	44	35	22

Moisture						
Our Reference:	UNITS	45969-21	45969-22	45969-23	45969-24	45969-25
Your Reference	----------	116/0-0.1	117/0-0.1	117/0.4-0.5	118/0-0.1	118/0.4-0.5
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date prepared	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
Moisture	%	26	18	29	37	29

Moisture						
Our Reference:	UNITS	45969-26	45969-27	45969-28	45969-29	45969-30
Your Reference	----------	119/0-0.1	119/0.4-0.5	120/0-0.1	120/0.4-0.5	121/0-0.1
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date prepared	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
Moisture	%	29	33	28	23	39

Moisture						
Our Reference:	UNITS	45969-31	45969-32	45969-33	45969-34	45969-35
Your Reference	----------	122/0-0.1	122/0.9-1.0	122/1.1-1.2	123/0-0.1	123/0.4-0.5
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date prepared	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
Moisture	%	24	31	28	13	21

Moisture						
Our Reference:	UNITS	45969-36	45969-37	45969-38	45969-39	45969-40
Your Reference	----------	124/0-0.1	125/0-0.1	126/0-0.1	127/0-0.1	128/0-0.1
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date prepared	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
Moisture	%	29	36	41	60	26

Moisture						
Our Reference:	UNITS	45969-41	45969-42	45969-43	45969-44	45969-45
Your Reference	----------	128/0.4-0.5	129/0-0.1	129/0.4-0.5	130/0-0.1	131/0-0.1
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date prepared	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
Moisture	%	29	19	24	22	31

Moisture						
Our Reference:	UNITS	45969-46	45969-47	45969-48	45969-49	45969-50
Your Reference	----------	132/0-0.1	133/0-0.1	MW1/0-0.1	MW2(A)0-0.1	MW3/0-0.1
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date prepared	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
Moisture	%	50	49	59	30	36

Moisture Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ---------- 	45969-52 BD2A 8/09/2010 Soil	45969-55 BD5A 8/09/2010 Soil	45969-56 BD6A 8/09/2010 Soil	45969-57 BD7A 8/09/2010 Soil	45969-58 BD8A 8/09/2010 Soil
Date prepared	-	21/09/2010	21/09/2010	21/09/2010	21/09/2010	21/09/2010
Date analysed	-	22/09/2010	22/09/2010	22/09/2010	22/09/2010	22/09/2010
Moisture	%	42	32	8.7	12	28

Asbestos ID - soils						
Our Reference:	UNITS	45969-11	45969-12	45969-13	45969-22	45969-24
Your Reference	----------	109/0-0.1	109/0.4-0.5	110/0-0.1	117/0-0.1	118/0-0.1
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date analysed	-	22/9/2010	22/9/2010	22/9/2010	22/9/2010	22/9/2010
Sample Description	-	Approx 40g Soil & Rocks	Approx 40g Soil & Rocks	Approx 40g Soil & Rocks	Approx 40g Soil & Rocks	Approx 40g Soil & Rocks
Asbestos ID in soil	-	No asbestos found at reporting limit of 0.1g/kg	No asbestos found at reporting limit of 0.1g/kg	No asbestos found at reporting limit of 0.1g/kg	No asbestos found at reporting limit of 0.1g/kg	No asbestos found at reporting limit of 0.1g/kg
Trace Analysis	-	Respirable fibres not detected	Respirable fibres not detected	Respirable fibres not detected	Respirable fibres not detected	Respirable fibres not detected

Asbestos ID - soils						
Our Reference:	UNITS	45969-26	45969-28	45969-31	45969-32	45969-34
Your Reference	----------	119/0-0.1	120/0-0.1	122/0-0.1	122/0.9-1.0	123/0-0.1
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil	Soil	Soil
Date analysed	-	22/9/2010	22/9/2010	22/9/2010	22/9/2010	22/9/2010
Sample Description	-	Approx 40g Soil & Rocks	Approx 40g Soil & Rocks	Approx 40g Soil & Rocks	Approx 40g Soil & Rocks	Approx 40g Soil & Rocks
Asbestos ID in soil	-	No asbestos found at reporting limit of 0.1g/kg	No asbestos found at reporting limit of 0.1g/kg	No asbestos found at reporting limit of 0.1g/kg	No asbestos found at reporting limit of 0.1g/kg	No asbestos found at reporting limit of 0.1g/kg
Trace Analysis	-	Respirable fibres not detected	Respirable fibres not detected	Respirable fibres not detected	Respirable fibres not detected	Respirable fibres not detected

Asbestos ID - soils				
Our Reference:	UNITS	45969-35	45969-52	45969-57
Your Reference	----------	123/0.4-0.5	BD2A	BD7A
Date Sampled	----------	8/09/2010	8/09/2010	8/09/2010
Type of sample		Soil	Soil	Soil
Date analysed	-	22/9/2010	22/9/2010	22/9/2010
Sample Description	-	Approx 40g Soil & Rocks	Approx 40g Soil & Rocks	Approx 40g Soil & Rocks
Asbestos ID in soil	-	No asbestos found at reporting limit of 0.1g/kg	No asbestos found at reporting limit of 0.1g/kg	No asbestos found at reporting limit of 0.1g/kg
Trace Analysis	-	Respirable fibres not detected	Respirable fibres not detected	Respirable fibres not detected

Asbestos ID - materials		
Our Reference:	UNITS	45969-85
Your Reference	----------	117/0.08-0.25
Date Sampled	----------	8/09/2010
Type of sample		Material
Date analysed	-	21/09/2010
Sample Description	-	197x143x4mm Fibre cement sheet
Asbestos ID in materials	-	Chrysotile asbestos detected Amosite asbestos detected

Method ID	Methodology Summary
GC.14	Soil samples are extracted with methanol and spiked into water prior to analysing by purge and trap GC-MS.
GC.16	Soil samples are extracted with methanol and spiked into water prior to analysing by purge and trap GC-MS. Water samples are analysed directly by purge and trap GC-MS.
GC.3	Soil samples are extracted with Dichloromethane/Acetone and waters with Dichloromethane and analysed by GC-FID.
GC.12 subset	Soil samples are extracted with Dichloromethane/Acetone and waters with Dichloromethane and analysed by GC-MS.
GC-5	Soil samples are extracted with dichloromethane/acetone and waters with dichloromethane and analysed by GC with dual ECD's.
GC.8	Soil samples are extracted with dichloromethane/acetone and waters with dichloromethane and analysed by GC with dual ECD's.
GC-6	Soil samples are extracted with dichloromethane/acetone and waters with dichloromethane and analysed by GC-ECD.
GC.12	Soil samples are extracted with Dichloromethane/Acetone and waters with Dichloromethane and analysed by GC-MS.
LAB.30	Total Phenolics - determined colorimetrically following disitillation.
Metals.20 ICP-AES	Determination of various metals by ICP-AES.
Metals.21 CV-AAS	Determination of Mercury by Cold Vapour AAS.
Ext-011	Subcontracted to ALS.
LAB.8	Moisture content determined by heating at 105 deg C for a minimum of 4 hours.
ASB.1	Asbestos ID - Qualitative identification of asbestos type fibres in bulk samples using Polarised Light Microscopy and Dispersion Staining Techniques.
AS4964-2004	Asbestos ID - Qualitative identification of asbestos type fibres in bulk samples using Polarised Light Microscopy and Dispersion Staining Techniques.

QUALITY CONTROL VOCs in soil	UNITS	PQL	METHOD	Blank	Duplicate Sm#	Duplicate results Base II Duplicate II %RPD	Spike Sm#	Spike % Recovery
Date extracted	-			21/09/2010	45969-17	21/09/2010 || 21/09/2010	LCS-3	21/09/2010
Date analysed	-			21/09/2010	45969-17	21/09/2010 || 21/09/2010	LCS-3	21/09/2010
Dichlorodifluoromethane	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
Chloromethane	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
Vinyl Chloride	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
Bromomethane	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
Chloroethane	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
Trichlorofluoromethane	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
1,1-Dichloroethene	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
trans-1,2-dichloroethene	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
1,1-dichloroethane	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	LCS-3	94%
cis-1,2-dichloroethene	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
bromochloromethane	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
chloroform	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	LCS-3	98%
2,2-dichloropropane	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
1,2-dichloroethane	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	LCS-3	89%
1,1,1-trichloroethane	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	LCS-3	91%
1,1-dichloropropene	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
Cyclohexane	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
carbon tetrachloride	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
Benzene	mg/kg	0.5	GC.14	<0.5	45969-17	<0.5 || <0.5	[NR]	[NR]
dibromomethane	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
1,2-dichloropropane	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
trichloroethene	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	LCS-3	81%
bromodichloromethane	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	LCS-3	81%
trans-1,3-dichloropropene	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
cis-1,3-dichloropropene	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
1,1,2-trichloroethane	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
Toluene	mg/kg	0.5	GC.14	<0.5	45969-17	<0.5 || <0.5	[NR]	[NR]
1,3-dichloropropane	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
dibromochloromethane	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	LCS-3	80%
1,2-dibromoethane	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
tetrachloroethene	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	LCS-3	84%
1,1,1,2-tetrachloroethane	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
chlorobenzene	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
Ethylbenzene	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
bromoform	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
m+p-xylene	mg/kg	2	GC.14	<2.0	45969-17	<2.0 || <2.0	[NR]	[NR]
styrene	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
1,1,2,2-tetrachloroethane	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]

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QUALITY CONTROL VOCs in soil	UNITS	PQL	METHOD	Blank	Duplicate Sm#	Duplicate results Base II Duplicate II %RPD	Spike Sm#	Spike % Recovery
o-Xylene	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
1,2,3-trichloropropane	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
isopropylbenzene	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
bromobenzene	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
n-propyl benzene	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
2-chlorotoluene	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
4-chlorotoluene	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
1,3,5-trimethyl benzene	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
tert-butyl benzene	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
1,2,4-trimethyl benzene	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
1,3-dichlorobenzene	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
sec-butyl benzene	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
1,4-dichlorobenzene	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
4-isopropyl toluene	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
1,2-dichlorobenzene	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
n-butyl benzene	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
1,2-dibromo-3-chloropropane	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
1,2,4-trichlorobenzene	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
hexachlorobutadiene	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
1,2,3-trichlorobenzene	mg/kg	1	GC.14	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
Surrogate Dibromofluorometha	%		GC.14	106	45969-17	106 || 106 || RPD: 0	LCS-3	104%
Surrogate aaa-Trifluorotoluene	%		GC.14	100	45969-17	82 || 87 || RPD: 6	LCS-3	99%
Surrogate Toluene-d8	%		GC.14	98	45969-17	98 || 98 || RPD: 0	LCS-3	100%
Surrogate 4-Bromofluorobenzene	%		GC.14	100	45969-17	98 || 98 || RPD: 0	LCS-3	100%

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QUALITY CONTROL vTPH & BTEX in Soil	UNITS	PQL	METHOD	Blank	Duplicate Sm#	Duplicate results Base II Duplicate II %RPD	Spike Sm#	Spike % Recovery
Date extracted	-			21/09/2010	45969-1	21/09/2010 || 21/09/2010	LCS-4	21/09/2010
Date analysed	-			21/09/2010	45969-1	21/09/2010 || 21/09/2010	LCS-4	21/09/2010
vTPH C_6 - C_9	mg/kg	25	GC.16	<25	45969-1	<25 || <25	LCS-4	84%
Benzene	mg/kg	0.5	GC.16	<0.5	45969-1	<0.5 || <0.5	LCS-4	67%
Toluene	mg/kg	0.5	GC.16	<0.5	45969-1	<0.5 || <0.5	LCS-4	81%
Ethylbenzene	mg/kg	1	GC.16	<1.0	45969-1	<1.0 || <1.0	LCS-4	88%
m+p-xylene	mg/kg	2	GC.16	<2.0	45969-1	<2.0 || <2.0	LCS-4	92%
o-Xylene	mg/kg	1	GC.16	<1.0	45969-1	<1.0 || <1.0	LCS-4	95%
Surrogate aaa-Trifluorotoluene	%		GC.16	111	45969-1	102 || 101 || RPD: 1	LCS-4	109%

QUALITY CONTROL sTPH in Soil (C10-C36)	UNITS	PQL	METHOD	Blank	Duplicate Sm#	Duplicate results Base II Duplicate II %RPD	Spike Sm#	Spike % Recovery
Date extracted	-			21/09/2010	45969-1	22/09/2010 || 22/09/2010	LCS-5	21/09/2010
Date analysed	-			22/09/2010	45969-1	22/09/2010 || 22/09/2010	LCS-5	22/09/2010
TPH C_{10} - C_{14}	mg/kg	50	GC.3	<50	45969-1	<50 || <50	LCS-5	64%
TPH C_{15} - C_{28}	mg/kg	100	GC.3	<100	45969-1	<100 || <100	LCS-5	74%
TPH C_{29} - C_{36}	mg/kg	100	GC.3	<100	45969-1	<100 || <100	LCS-5	83%
Surrogate o-Terphenyl	%		GC.3	104	45969-1	107 || 104 || RPD: 3	LCS-5	75%

QUALITY CONTROL PAHs in Soil	UNITS	PQL	METHOD	Blank	Duplicate Sm#	Duplicate results Base II Duplicate II %RPD	Spike Sm#	Spike % Recovery
Date extracted	-			21/09/2010	45969-1	21/09/2010 || 21/09/2010	LCS-3	21/09/2010
Date analysed	-			22/09/2010	45969-1	22/09/2010 || 22/09/2010	LCS-3	22/09/2010
Naphthalene	mg/kg	0.1	GC.12 subset	<0.1	45969-1	<0.1 || <0.1	LCS-3	92%
Acenaphthylene	mg/kg	0.1	GC.12 subset	<0.1	45969-1	<0.1 || <0.1	[NR]	[NR]
Acenaphthene	mg/kg	0.1	GC.12 subset	<0.1	45969-1	<0.1 || <0.1	[NR]	[NR]
Fluorene	mg/kg	0.1	GC.12 subset	<0.1	45969-1	<0.1 || <0.1	LCS-3	106%
Phenanthrene	mg/kg	0.1	GC.12 subset	<0.1	45969-1	<0.1 || <0.1	LCS-3	92%
Anthracene	mg/kg	0.1	GC.12 subset	<0.1	45969-1	<0.1 || <0.1	[NR]	[NR]
Fluoranthene	mg/kg	0.1	GC.12 subset	<0.1	45969-1	<0.1 || <0.1	LCS-3	84%
Pyrene	mg/kg	0.1	GC.12 subset	<0.1	45969-1	<0.1 || <0.1	LCS-3	95%

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QUALITY CONTROL PAHs in Soil	UNITS	PQL	METHOD	Blank	Duplicate Sm#	Duplicate results Base II Duplicate II %RPD	Spike Sm#	Spike % Recovery
Benzo(a)anthracene	mg/kg	0.1	GC.12 subset	<0.1	45969-1	<0.1 || <0.1	[NR]	[NR]
Chrysene	mg/kg	0.1	GC.12 subset	<0.1	45969-1	<0.1 || <0.1	LCS-3	14%
Benzo(b+k)fluoranthene	mg/kg	0.2	GC.12 subset	<0.2	45969-1	<0.2 || <0.2	[NR]	[NR]
Benzo(a)pyrene	mg/kg	0.05	GC.12 subset	<0.05	45969-1	<0.05 || <0.05	LCS-3	96%
Indeno(1,2,3-c,d)pyrene	mg/kg	0.1	GC.12 subset	<0.1	45969-1	<0.1 || <0.1	[NR]	[NR]
Dibenzo(a,h)anthracene	mg/kg	0.1	GC.12 subset	<0.1	45969-1	<0.1 || <0.1	[NR]	[NR]
Benzo(g,h,i)perylene	mg/kg	0.1	GC.12 subset	<0.1	45969-1	<0.1 || <0.1	[NR]	[NR]
Surrogate p-Terphenyl-d_{14}	%		GC.12 subset	102	45969-1	108 || 107 || RPD: 1	LCS-3	107%

QUALITY CONTROL Organochlorine Pesticides in soil	UNITS	PQL	METHOD	Blank	Duplicate Sm#	Duplicate results Base II Duplicate II %RPD	Spike Sm#	Spike % Recovery
Date extracted	-			21/09/2010	45969-1	21/09/2010 || 21/09/2010	LCS-3	21/09/2010
Date analysed	-			21/09/2010	45969-1	21/09/2010 || 21/09/2010	LCS-3	21/09/2010
HCB	mg/kg	0.1	GC-5	<0.1	45969-1	<0.1 || <0.1	[NR]	[NR]
alpha-BHC	mg/kg	0.1	GC-5	<0.1	45969-1	<0.1 || <0.1	LCS-3	85%
gamma-BHC	mg/kg	0.1	GC-5	<0.1	45969-1	<0.1 || <0.1	[NR]	[NR]
beta-BHC	mg/kg	0.1	GC-5	<0.1	45969-1	<0.1 || <0.1	LCS-3	95%
Heptachlor	mg/kg	0.1	GC-5	<0.1	45969-1	<0.1 || <0.1	LCS-3	82%
delta-BHC	mg/kg	0.1	GC-5	<0.1	45969-1	<0.1 || <0.1	[NR]	[NR]
Aldrin	mg/kg	0.1	GC-5	<0.1	45969-1	<0.1 || <0.1	LCS-3	74%
Heptachlor Epoxide	mg/kg	0.1	GC-5	<0.1	45969-1	<0.1 || <0.1	LCS-3	83%
gamma-Chlordane	mg/kg	0.1	GC-5	<0.1	45969-1	<0.1 || <0.1	[NR]	[NR]
alpha-chlordane	mg/kg	0.1	GC-5	<0.1	45969-1	<0.1 || <0.1	[NR]	[NR]
Endosulfan I	mg/kg	0.1	GC-5	<0.1	45969-1	<0.1 || <0.1	[NR]	[NR]
pp-DDE	mg/kg	0.1	GC-5	<0.1	45969-1	<0.1 || <0.1	LCS-3	92%
Dieldrin	mg/kg	0.1	GC-5	<0.1	45969-1	<0.1 || <0.1	LCS-3	85%
Endrin	mg/kg	0.1	GC-5	<0.1	45969-1	<0.1 || <0.1	LCS-3	85%
pp-DDD	mg/kg	0.1	GC-5	<0.1	45969-1	<0.1 || <0.1	LCS-3	95%
Endosulfan II	mg/kg	0.1	GC-5	<0.1	45969-1	<0.1 || <0.1	[NR]	[NR]
pp-DDT	mg/kg	0.1	GC-5	<0.1	45969-1	<0.1 || <0.1	[NR]	[NR]
Endrin Aldehyde	mg/kg	0.1	GC-5	<0.1	45969-1	<0.1 || <0.1	[NR]	[NR]
Endosulfan Sulphate	mg/kg	0.1	GC-5	<0.1	45969-1	<0.1 || <0.1	LCS-3	82%
Methoxychlor	mg/kg	0.1	GC-5	<0.1	45969-1	<0.1 || <0.1	[NR]	[NR]
Surrogate TCLMX	%		GC-5	67	45969-1	80 || 77 || RPD: 4	LCS-3	64%

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QUALITY CONTROL Organophosphorus Pesticides	UNITS	PQL	METHOD	Blank	Duplicate Sm#	Duplicate results Base II Duplicate II %RPD	Spike Sm#	Spike % Recovery
Date extracted	-			21/09/2010	45969-1	21/09/2010 || 21/09/2010	LCS-3	21/09/2010
Date analysed	-			21/09/2010	45969-1	21/09/2010 || 21/09/2010	LCS-3	21/09/2010
Diazinon	mg/kg	0.1	GC.8	<0.1	45969-1	<0.1 || <0.1	[NR]	[NR]
Dimethoate	mg/kg	0.1	GC.8	<0.1	45969-1	<0.1 || <0.1	[NR]	[NR]
Chlorpyriphos-methyl	mg/kg	0.1	GC.8	<0.1	45969-1	<0.1 || <0.1	[NR]	[NR]
Ronnel	mg/kg	0.1	GC.8	<0.1	45969-1	<0.1 || <0.1	[NR]	[NR]
Chlorpyriphos	mg/kg	0.1	GC.8	<0.1	45969-1	<0.1 || <0.1	LCS-3	129%
Fenitrothion	mg/kg	0.1	GC.8	<0.1	45969-1	<0.1 || <0.1	LCS-3	116%
Bromophos-ethyl	mg/kg	0.1	GC.8	<0.1	45969-1	<0.1 || <0.1	[NR]	[NR]
Ethion	mg/kg	0.1	GC.8	<0.1	45969-1	<0.1 || <0.1	LCS-3	125%
Surrogate TCLMX	%		GC.8	67	45969-1	80 || 77 || RPD: 4	LCS-3	104%

QUALITY CONTROL PCBs in Soil	UNITS	PQL	METHOD	Blank	Duplicate Sm#	Duplicate results Base II Duplicate II %RPD	Spike Sm#	Spike % Recovery
Date extracted	-			21/09/2010	45969-1	21/09/2010 || 21/09/2010	LCS-3	21/09/2010
Date analysed	-			21/09/2010	45969-1	21/09/2010 || 21/09/2010	LCS-3	21/09/2010
Arochlor 1016	mg/kg	0.1	GC-6	<0.1	45969-1	<0.1 || <0.1	[NR]	[NR]
Arochlor 1221*	mg/kg	0.1	GC-6	<0.1	45969-1	<0.1 || <0.1	[NR]	[NR]
Arochlor 1232	mg/kg	0.1	GC-6	<0.1	45969-1	<0.1 || <0.1	[NR]	[NR]
Arochlor 1242	mg/kg	0.1	GC-6	<0.1	45969-1	<0.1 || <0.1	[NR]	[NR]
Arochlor 1248	mg/kg	0.1	GC-6	<0.1	45969-1	<0.1 || <0.1	[NR]	[NR]
Arochlor 1254	mg/kg	0.1	GC-6	<0.1	45969-1	<0.1 || <0.1	LCS-3	99%
Arochlor 1260	mg/kg	0.1	GC-6	<0.1	45969-1	<0.1 || <0.1	[NR]	[NR]
Surrogate TCLMX	%		GC-6	67	45969-1	80 || 77 || RPD: 4	LCS-3	93%

QUALITY CONTROL SVOCs in Soil	UNITS	PQL	METHOD	Blank	Duplicate Sm#	Duplicate results Base II Duplicate II %RPD	Spike Sm#	Spike % Recovery
Date extracted	-			21/09/2010	45969-17	21/09/2010 || 21/09/2010	LCS-3	21/09/2010
Date analysed	-			22/09/2010	45969-17	22/09/2010 || 22/09/2010	LCS-3	22/09/2010
Phenol	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	LCS-3	97%
Bis-(2-chloroethyl) ether	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
2-Chlorophenol	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	LCS-3	96%
1,3-Dichlorobenzene	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
1,4-Dichlorobenzene	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	LCS-3	92%
2-Methylphenol	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
1,2-Dichlorobenzene	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
Bis (2-chloroisopropyl) ether	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]

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QUALITY CONTROL SVOCs in Soil	UNITS	PQL	METHOD	Blank	Duplicate Sm#	Duplicate results Base II Duplicate II %RPD	Spike Sm#	Spike % Recovery
3/4-Methylphenol	mg/kg	2	GC.12	<2.0	45969-17	<2.0 || <2.0	[NR]	[NR]
N-nitrosodi-n-propylamine	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
Hexachloroethane	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
Nitrobenzene	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
Isophorone	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
2,4-Dimethylphenol	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
2-Nitrophenol	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
Bis(2-chloroethoxy)methane	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
2,4-Dichlorophenol	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
1,2,4-Trichlorobenzene	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
Naphthalene	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
4-Chloroaniline	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
Hexachlorobutadiene	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
2-Methylnaphthalene	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
Hexachlorocyclopentadiene	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
2,4,6-trichlorophenol	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
2,4,5-trichlorophenol	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
2-Chloronaphthalene	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
2-nitroaniline	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
Dimethylphthalate	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	LCS-3	87%
2,6-Dinitrotoluene	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
Acenaphthylene	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
3-Nitroaniline	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
Acenaphthene	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	LCS-3	86%
2,4-dinitrophenol	mg/kg	10	GC.12	<10	45969-17	<10 || <10	[NR]	[NR]
4-nitrophenol	mg/kg	10	GC.12	<10	45969-17	<10 || <10	LCS-3	97%
Dibenzofuran	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
diethylphthalate	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	LCS-3	91%
4-chlorophenylphenylether	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
4-nitroaniline	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
Fluorene	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
2-methyl-4,6-dinitrophenol	mg/kg	10	GC.12	<10	45969-17	<10 || <10	[NR]	[NR]
azobenzene	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
4-bromophenylphenylether	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
hexachlorobenzene	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
pentachlorophenol	mg/kg	10	GC.12	<10	45969-17	<10 || <10	[NR]	[NR]
Phenanthrene	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
Anthracene	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
carbazole	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]

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QUALITY CONTROL SVOCs in Soil	UNITS	PQL	METHOD	Blank	Duplicate Sm#	Duplicate results Base II Duplicate II %RPD	Spike Sm#	Spike % Recovery
di-n-butylphthalate	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
Fluoranthene	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
Pyrene	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	LCS-3	91%
butylbenzylphthalate	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
bis(2-ethylhexyl)phthalate	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
Benzo(a)anthracene	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
Chrysene	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
di-n-octylphthalate	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
Benzo(b)fluoranthene	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
Benzo(k)fluoranthene	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
Benzo(a)pyrene	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
Indeno(1,2,3-c,d)pyrene	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
Dibenzo(a,h)anthracene	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
Benzo(g,h,i)perylene	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
ethylmethanesulfonate	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
aniline	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
pentachloroethane	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
benzyl alcohol	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
acetophenone	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
N-nitrosomorpholine	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
N-nitrosopiperidine	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
2,6-dichlorophenol	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
hexachloropropene-1	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
N-nitroso-n-butylamine	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
safrole	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
1,2,4,5-tetrachlorobenzene	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
cis and trans iso-safrole	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
1,3-dinitrobenzene	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
pentachlorobenzene	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
1-naphthylamine	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
2,3,4,6-tetrachlorophenol	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
2-naphthylamine	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
5-nitro-o-toluidine	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
diphenylamine	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
phenacetin	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
pentachloronitrobenzene	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
dinoseb	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
methapyrilene	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
p-dimethylaminoazobenzene	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
2-acetylaminofluorene	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
7,12-dimethylbenz(a)anthracene	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]

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QUALITY CONTROL SVOCs in Soil	UNITS	PQL	METHOD	Blank	Duplicate Sm#	Duplicate results Base II Duplicate II %RPD	Spike Sm#	Spike % Recovery
3-methylcholanthrene	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
a-BHC	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
b-BHC	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
g-BHC	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
d-BHC	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
Heptachlor	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
Aldrin	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	LCS-3	109%
Heptachlor Epoxide	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
g-Chlordane	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
a-Chlordane	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
Endosulfan I	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
p,p'-DDE	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
Dieldrin	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	LCS-3	110%
Endrin	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
p,p'-DDD	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
Endosulfan II	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
p,p'-DDT	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
Endosulfan Sulphate	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
Methoxychlor	mg/kg	1	GC.12	<1.0	45969-17	<1.0 || <1.0	[NR]	[NR]
Surrogate 2-fluorophenol	%		GC.12	49	45969-17	93 || 98 || RPD: 5	LCS-3	73%
Surrogate Phenol-d_6	%		GC.12	81	45969-17	95 || 97 || RPD: 2	LCS-3	93%
Surrogate Nitrobenzene-d_5	%		GC.12	51	45969-17	90 || 91 || RPD: 1	LCS-3	74%
Surrogate 2-fluorobiphenyl	%		GC.12	75	45969-17	83 || 83 || RPD: 0	LCS-3	84%
Surrogate 2,4,6-Tribromophenol	%		GC.12	99	45969-17	72 || 85 || RPD: 17	LCS-3	97%
Surrogate p-Terphenyl-d_{14}	%		GC.12	107	45969-17	90 || 92 || RPD: 2	LCS-3	105%

QUALITY CONTROL Total Phenolics in Soil	UNITS	PQL	METHOD	Blank	Duplicate Sm#	Duplicate results Base II Duplicate II %RPD	Spike Sm#	Spike % Recovery
Date extracted	-			21/09/2010	45969-1	21/09/2010 || 21/09/2010	LCS-1	21/09/2010
Date analysed	-			21/09/2010	45969-1	21/09/2010 || 21/09/2010	LCS-1	21/09/2010
Total Phenolics (as Phenol)	mg/kg	5	LAB.30	<5.0	45969-1	<5.0 || <5.0	LCS-1	101%

QUALITY CONTROL Acid Extractable metals in soil	UNITS	PQL	METHOD	Blank	Duplicate Sm#	Duplicate results Base II Duplicate II %RPD	Spike Sm#	Spike % Recovery
Date digested	-			21/9/2010	45969-1	21/9/2010 || 21/9/2010	LCS-1	21/9/2010
Date analysed	-			22/9/2010	45969-1	22/9/2010 || 22/9/2010	LCS-1	22/9/2010
Arsenic	mg/kg	4	Metals.20 ICP-AES	<4	45969-1	<4 || <4	LCS-1	109%
Cadmium	mg/kg	0.5	Metals.20 ICP-AES	<0.5	45969-1	<0.5 || <0.5	LCS-1	110%
Chromium	mg/kg	1	Metals.20 ICP-AES	<1	45969-1	16 || 15 || RPD: 6	LCS-1	111%
Copper	mg/kg	1	Metals.20 ICP-AES	<1	45969-1	23 || 22 || RPD: 4	LCS-1	111%
Lead	mg/kg	1	Metals.20 ICP-AES	<1	45969-1	31 || 32 || RPD: 3	LCS-1	109%
Mercury	mg/kg	0.1	Metals.21 CV-AAS	<0.1	45969-1	<0.1 || <0.1	LCS-1	109%
Nickel	mg/kg	1	Metals.20 ICP-AES	<1	45969-1	4 || 4 || RPD: 0	LCS-1	110%
Zinc	mg/kg	1	Metals.20 ICP-AES	<1	45969-1	27 || 27 || RPD: 0	LCS-1	109%

QUALITY CONTROL Explosives in Soil	UNITS	PQL	METHOD	Blank	Duplicate Sm#	Duplicate results Base II Duplicate II %RPD	Spike Sm#	Spike % Recovery
HMX	mg/kg	0.1	Ext-011	<0.1	[NT]	[NT]	LCS-1	123%
RDX	mg/kg	0.1	Ext-011	<0.1	[NT]	[NT]	[NR]	[NR]
1,3,5-Trinitrobenzene	mg/kg	0.1	Ext-011	<0.1	[NT]	[NT]	[NR]	[NR]
1,3-Dinitrobenzene	mg/kg	0.1	Ext-011	<0.1	[NT]	[NT]	[NR]	[NR]
Tetryl	mg/kg	0.1	Ext-011	<0.1	[NT]	[NT]	[NR]	[NR]
2,4,6-Trinitrotoluene	mg/kg	0.1	Ext-011	<0.1	[NT]	[NT]	LCS-1	97.1%
4-Amino-2,6-dinitrotoluene	mg/kg	0.1	Ext-011	<0.1	[NT]	[NT]	LCS-1	86.1%
2-Amino-4,6-dinitrotoluene	mg/kg	0.1	Ext-011	<0.1	[NT]	[NT]	[NR]	[NR]
4-&2-AM-DNT(Isomeric Mixture)	mg/kg	0.1	Ext-011	<0.1	[NT]	[NT]	[NR]	[NR]
2,4-Dinitrotoluene	mg/kg	0.1	Ext-011	<0.1	[NT]	[NT]	LCS-1	112%
2,6-Dinitrotoluene	mg/kg	0.1	Ext-011	<0.1	[NT]	[NT]	[NR]	[NR]
2,4&2,6-DNT(Isomeric Mixture)	mg/kg	0.1	Ext-011	<0.1	[NT]	[NT]	[NR]	[NR]
Nitrobenzene	mg/kg	0.1	Ext-011	<0.1	[NT]	[NT]	LCS-1	86.8%
2-Nitrotoluene	mg/kg	0.1	Ext-011	<0.1	[NT]	[NT]	[NR]	[NR]
3-Nitrotoluene	mg/kg	0.1	Ext-011	<0.1	[NT]	[NT]	[NR]	[NR]
4-Nitrotoluene	mg/kg	0.1	Ext-011	<0.1	[NT]	[NT]	[NR]	[NR]
Nitroglycerine	mg/kg	1	Ext-011	<1	[NT]	[NT]	[NR]	[NR]
PETN	mg/kg	1	Ext-011	<1	[NT]	[NT]	LCS-1	87.7%

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QUALITY CONTROL Explosives in Soil	UNITS	PQL	METHOD	Blank	Duplicate Sm#	Duplicate results Base II Duplicate II %RPD	Spike Sm#	Spike % Recovery
Surrogate (o-Dinitrobenzene)	%		Ext-011	[NT]	[NT]	[NT]	[NR]	[NR]

QUALITY CONTROL Moisture	UNITS	PQL	METHOD	Blank
Date prepared	-			[NT]
Date analysed	-			[NT]
Moisture	%	0.1	LAB.8	<0.10

QUALITY CONTROL Asbestos ID - soils	UNITS	PQL	METHOD	Blank
Date analysed	-			[NT]

QUALITY CONTROL Asbestos ID - materials	UNITS	PQL	METHOD	Blank
Date analysed	-			[NT]

QUALITY CONTROL VOCs in soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Date extracted	-	[NT]	[NT]	45969-18	21/09/2010
Date analysed	-	[NT]	[NT]	45969-18	21/09/2010
Dichlorodifluoromethane	mg/kg	[NT]	[NT]	[NR]	[NR]
Chloromethane	mg/kg	[NT]	[NT]	[NR]	[NR]
Vinyl Chloride	mg/kg	[NT]	[NT]	[NR]	[NR]
Bromomethane	mg/kg	[NT]	[NT]	[NR]	[NR]
Chloroethane	mg/kg	[NT]	[NT]	[NR]	[NR]
Trichlorofluoromethane	mg/kg	[NT]	[NT]	[NR]	[NR]
1,1-Dichloroethene	mg/kg	[NT]	[NT]	[NR]	[NR]
trans-1,2-dichloroethene	mg/kg	[NT]	[NT]	[NR]	[NR]
1,1-dichloroethane	mg/kg	[NT]	[NT]	45969-18	93%
cis-1,2-dichloroethene	mg/kg	[NT]	[NT]	[NR]	[NR]
bromochloromethane	mg/kg	[NT]	[NT]	[NR]	[NR]
chloroform	mg/kg	[NT]	[NT]	45969-18	93%
2,2-dichloropropane	mg/kg	[NT]	[NT]	[NR]	[NR]
1,2-dichloroethane	mg/kg	[NT]	[NT]	45969-18	83%
1,1,1-trichloroethane	mg/kg	[NT]	[NT]	45969-18	84%
1,1-dichloropropene	mg/kg	[NT]	[NT]	[NR]	[NR]
Cyclohexane	mg/kg	[NT]	[NT]	[NR]	[NR]
carbon tetrachloride	mg/kg	[NT]	[NT]	[NR]	[NR]
Benzene	mg/kg	[NT]	[NT]	[NR]	[NR]
dibromomethane	mg/kg	[NT]	[NT]	[NR]	[NR]
1,2-dichloropropane	mg/kg	[NT]	[NT]	[NR]	[NR]
trichloroethene	mg/kg	[NT]	[NT]	45969-18	78%

QUALITY CONTROL VOCs in soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
bromodichloromethane	mg/kg	[NT]	[NT]	45969-18	77%
trans-1,3-dichloropropene	mg/kg	[NT]	[NT]	[NR]	[NR]
cis-1,3-dichloropropene	mg/kg	[NT]	[NT]	[NR]	[NR]
1,1,2-trichloroethane	mg/kg	[NT]	[NT]	[NR]	[NR]
Toluene	mg/kg	[NT]	[NT]	[NR]	[NR]
1,3-dichloropropane	mg/kg	[NT]	[NT]	[NR]	[NR]
dibromochloromethane	mg/kg	[NT]	[NT]	45969-18	74%
1,2-dibromoethane	mg/kg	[NT]	[NT]	[NR]	[NR]
tetrachloroethene	mg/kg	[NT]	[NT]	45969-18	80%
1,1,1,2-tetrachloroethane	mg/kg	[NT]	[NT]	[NR]	[NR]
chlorobenzene	mg/kg	[NT]	[NT]	[NR]	[NR]
Ethylbenzene	mg/kg	[NT]	[NT]	[NR]	[NR]
bromoform	mg/kg	[NT]	[NT]	[NR]	[NR]
m+p-xylene	mg/kg	[NT]	[NT]	[NR]	[NR]
styrene	mg/kg	[NT]	[NT]	[NR]	[NR]
1,1,2,2-tetrachloroethane	mg/kg	[NT]	[NT]	[NR]	[NR]
o-Xylene	mg/kg	[NT]	[NT]	[NR]	[NR]
1,2,3-trichloropropane	mg/kg	[NT]	[NT]	[NR]	[NR]
isopropylbenzene	mg/kg	[NT]	[NT]	[NR]	[NR]
bromobenzene	mg/kg	[NT]	[NT]	[NR]	[NR]
n-propyl benzene	mg/kg	[NT]	[NT]	[NR]	[NR]
2-chlorotoluene	mg/kg	[NT]	[NT]	[NR]	[NR]
4-chlorotoluene	mg/kg	[NT]	[NT]	[NR]	[NR]
1,3,5-trimethyl benzene	mg/kg	[NT]	[NT]	[NR]	[NR]
tert-butyl benzene	mg/kg	[NT]	[NT]	[NR]	[NR]
1,2,4-trimethyl benzene	mg/kg	[NT]	[NT]	[NR]	[NR]
1,3-dichlorobenzene	mg/kg	[NT]	[NT]	[NR]	[NR]
sec-butyl benzene	mg/kg	[NT]	[NT]	[NR]	[NR]
1,4-dichlorobenzene	mg/kg	[NT]	[NT]	[NR]	[NR]
4-isopropyl toluene	mg/kg	[NT]	[NT]	[NR]	[NR]
1,2-dichlorobenzene	mg/kg	[NT]	[NT]	[NR]	[NR]
n-butyl benzene	mg/kg	[NT]	[NT]	[NR]	[NR]
1,2-dibromo-3-chloropropane	mg/kg	[NT]	[NT]	[NR]	[NR]
1,2,4-trichlorobenzene	mg/kg	[NT]	[NT]	[NR]	[NR]
hexachlorobutadiene	mg/kg	[NT]	[NT]	[NR]	[NR]
1,2,3-trichlorobenzene	mg/kg	[NT]	[NT]	[NR]	[NR]
Surrogate Dibromofluorometha	%	[NT]	[NT]	45969-18	102%
Surrogate aaa-Trifluorotoluene	%	[NT]	[NT]	45969-18	91%

QUALITY CONTROL VOCs in soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Surrogate Toluene-d_8	%	[NT]	[NT]	45969-18	100%
Surrogate 4-Bromofluorobenzene	%	[NT]	[NT]	45969-18	99%
QUALITY CONTROL vTPH & BTEX in Soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Date extracted	-	45969-11	21/09/2010 || 21/09/2010	LCS-5	21/09/2010
Date analysed	-	45969-11	22/09/2010 || 22/09/2010	LCS-5	22/09/2010
vTPH C_6 - C_9	mg/kg	45969-11	<25 || <25	LCS-5	85%
Benzene	mg/kg	45969-11	<0.5 || <0.5	LCS-5	68%
Toluene	mg/kg	45969-11	<0.5 || <0.5	LCS-5	83%
Ethylbenzene	mg/kg	45969-11	<1.0 || <1.0	LCS-5	90%
m+p-xylene	mg/kg	45969-11	<2.0 || <2.0	LCS-5	93%
o-Xylene	mg/kg	45969-11	<1.0 || <1.0	LCS-5	96%
Surrogate aaa-Trifluorotoluene	%	45969-11	98 || 99 || RPD: 1	LCS-5	112%
QUALITY CONTROL sTPH in Soil (C10-C36)	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Date extracted	-	45969-11	22/09/2010 || 22/09/2010	LCS-4	21/09/2010
Date analysed	-	45969-11	22/09/2010 || 22/09/2010	LCS-4	22/09/2010
TPH C_{10} - C_{14}	mg/kg	45969-11	<50 || <50	LCS-4	70%
TPH C_{15} - C_{28}	mg/kg	45969-11	<100 || <100	LCS-4	83%
TPH C_{29} - C_{36}	mg/kg	45969-11	<100 || <100	LCS-4	97%
Surrogate o-Terphenyl	%	45969-11	104 || 105 || RPD: 1	LCS-4	82%
QUALITY CONTROL PAHs in Soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Date extracted	-	45969-11	21/09/2010 || 21/09/2010	LCS-4	21/09/2010
Date analysed	-	45969-11	22/09/2010 || 22/09/2010	LCS-4	22/09/2010
Naphthalene	mg/kg	45969-11	<0.1 || <0.1	LCS-4	96%
Acenaphthylene	mg/kg	45969-11	<0.1 || <0.1	[NR]	[NR]
Acenaphthene	mg/kg	45969-11	<0.1 || <0.1	[NR]	[NR]
Fluorene	mg/kg	45969-11	<0.1 || <0.1	LCS-4	108%
Phenanthrene	mg/kg	45969-11	<0.1 || <0.1	LCS-4	95%
Anthracene	mg/kg	45969-11	<0.1 || <0.1	[NR]	[NR]
Fluoranthene	mg/kg	45969-11	<0.1 || <0.1	LCS-4	83%
Pyrene	mg/kg	45969-11	<0.1 || <0.1	LCS-4	94%
Benzo(a)anthracene	mg/kg	45969-11	<0.1 || <0.1	[NR]	[NR]
Chrysene	mg/kg	45969-11	<0.1 || <0.1	LCS-4	110%
Benzo(b+k)fluoranthene	mg/kg	45969-11	<0.2 || <0.2	[NR]	[NR]
Benzo(a)pyrene	mg/kg	45969-11	<0.05 || <0.05	LCS-4	96%
Indeno(1,2,3-c,d)pyrene	mg/kg	45969-11	<0.1 || <0.1	[NR]	[NR]

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QUALITY CONTROL PAHs in Soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Dibenzo(a,h)anthracene	mg/kg	45969-11	<0.1 || <0.1	[NR]	[NR]
Benzo(g,h,i)perylene	mg/kg	45969-11	<0.1 || <0.1	[NR]	[NR]
Surrogate p-Terphenyl-d_{14}	%	45969-11	107 || 112 || RPD: 5	LCS-4	102%
QUALITY CONTROL Organochlorine Pesticides in soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Date extracted	-	45969-11	21/09/2010 || 21/09/2010	LCS-4	21/09/2010
Date analysed	-	45969-11	21/09/2010 || 21/09/2010	LCS-4	21/09/2010
HCB	mg/kg	45969-11	<0.1 || <0.1	[NR]	[NR]
alpha-BHC	mg/kg	45969-11	<0.1 || <0.1	LCS-4	116%
gamma-BHC	mg/kg	45969-11	<0.1 || <0.1	[NR]	[NR]
beta-BHC	mg/kg	45969-11	<0.1 || <0.1	LCS-4	132%
Heptachlor	mg/kg	45969-11	<0.1 || <0.1	LCS-4	105%
delta-BHC	mg/kg	45969-11	<0.1 || <0.1	[NR]	[NR]
Aldrin	mg/kg	45969-11	<0.1 || <0.1	LCS-4	100%
Heptachlor Epoxide	mg/kg	45969-11	<0.1 || <0.1	LCS-4	112%
gamma-Chlordane	mg/kg	45969-11	<0.1 || <0.1	[NR]	[NR]
alpha-chlordane	mg/kg	45969-11	<0.1 || <0.1	[NR]	[NR]
Endosulfan I	mg/kg	45969-11	<0.1 || <0.1	[NR]	[NR]
pp-DDE	mg/kg	45969-11	<0.1 || <0.1	LCS-4	126%
Dieldrin	mg/kg	45969-11	<0.1 || <0.1	LCS-4	116%
Endrin	mg/kg	45969-11	<0.1 || <0.1	LCS-4	116%
pp-DDD	mg/kg	45969-11	<0.1 || <0.1	LCS-4	132%
Endosulfan II	mg/kg	45969-11	<0.1 || <0.1	[NR]	[NR]
pp-DDT	mg/kg	45969-11	<0.1 || <0.1	[NR]	[NR]
Endrin Aldehyde	mg/kg	45969-11	<0.1 || <0.1	[NR]	[NR]
Endosulfan Sulphate	mg/kg	45969-11	<0.1 || <0.1	LCS-4	114%
Methoxychlor	mg/kg	45969-11	<0.1 || <0.1	[NR]	[NR]
Surrogate TCLMX	%	45969-11	80 || 75 || RPD: 6	LCS-4	84%

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QUALITY CONTROL Organophosphorus Pesticides	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Date extracted	-	45969-11	21/09/2010 || 21/09/2010	LCS-4	21/09/2010
Date analysed	-	45969-11	21/09/2010 || 21/09/2010	LCS-4	21/09/2010
Diazinon	mg/kg	45969-11	<0.1 || <0.1	[NR]	[NR]
Dimethoate	mg/kg	45969-11	<0.1 || <0.1	[NR]	[NR]
Chlorpyriphos-methyl	mg/kg	45969-11	<0.1 || <0.1	[NR]	[NR]
Ronnel	mg/kg	45969-11	<0.1 || <0.1	[NR]	[NR]
Chlorpyriphos	mg/kg	45969-11	<0.1 || <0.1	LCS-4	137%
Fenitrothion	mg/kg	45969-11	<0.1 || <0.1	LCS-4	125%
Bromophos-ethyl	mg/kg	45969-11	<0.1 || <0.1	[NR]	[NR]
Ethion	mg/kg	45969-11	<0.1 || <0.1	LCS-4	140%
Surrogate TCLMX	%	45969-11	80 || 75 || RPD: 6	LCS-4	74%
QUALITY CONTROL PCBs in Soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Date extracted	-	45969-11	21/09/2010 || 21/09/2010	LCS-4	21/09/2010
Date analysed	-	45969-11	21/09/2010 || 21/09/2010	LCS-4	21/09/2010
Arochlor 1016	mg/kg	45969-11	<0.1 || <0.1	[NR]	[NR]
Arochlor 1221*	mg/kg	45969-11	<0.1 || <0.1	[NR]	[NR]
Arochlor 1232	mg/kg	45969-11	<0.1 || <0.1	[NR]	[NR]
Arochlor 1242	mg/kg	45969-11	<0.1 || <0.1	[NR]	[NR]
Arochlor 1248	mg/kg	45969-11	<0.1 || <0.1	[NR]	[NR]
Arochlor 1254	mg/kg	45969-11	<0.1 || <0.1	LCS-4	108%
Arochlor 1260	mg/kg	45969-11	<0.1 || <0.1	[NR]	[NR]
Surrogate TCLMX	%	45969-11	80 || 75 || RPD: 6	LCS-4	81%
QUALITY CONTROL SVOCs in Soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Date extracted	-	[NT]	[NT]	45969-18	21/09/2010
Date analysed	-	[NT]	[NT]	45969-18	22/09/2010
Phenol	mg/kg	[NT]	[NT]	45969-18	102%
Bis-(2-chloroethyl) ether	mg/kg	[NT]	[NT]	[NR]	[NR]
2-Chlorophenol	mg/kg	[NT]	[NT]	45969-18	99%
1,3-Dichlorobenzene	mg/kg	[NT]	[NT]	[NR]	[NR]
1,4-Dichlorobenzene	mg/kg	[NT]	[NT]	45969-18	70%
2-Methylphenol	mg/kg	[NT]	[NT]	[NR]	[NR]
1,2-Dichlorobenzene	mg/kg	[NT]	[NT]	[NR]	[NR]
Bis (2-chloroisopropyl) ether	mg/kg	[NT]	[NT]	[NR]	[NR]
3/4-Methylphenol	mg/kg	[NT]	[NT]	[NR]	[NR]
N-nitrosodi-n-propylamine	mg/kg	[NT]	[NT]	[NR]	[NR]
Hexachloroethane	mg/kg	[NT]	[NT]	[NR]	[NR]
Nitrobenzene	mg/kg	[NT]	[NT]	[NR]	[NR]

QUALITY CONTROL SVOCs in Soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Isophorone	mg/kg	[NT]	[NT]	[NR]	[NR]
2,4-Dimethylphenol	mg/kg	[NT]	[NT]	[NR]	[NR]
2-Nitrophenol	mg/kg	[NT]	[NT]	[NR]	[NR]
Bis(2-chloroethoxy)methane	mg/kg	[NT]	[NT]	[NR]	[NR]
2,4-Dichlorophenol	mg/kg	[NT]	[NT]	[NR]	[NR]
1,2,4-Trichlorobenzene	mg/kg	[NT]	[NT]	[NR]	[NR]
Naphthalene	mg/kg	[NT]	[NT]	[NR]	[NR]
4-Chloroaniline	mg/kg	[NT]	[NT]	[NR]	[NR]
Hexachlorobutadiene	mg/kg	[NT]	[NT]	[NR]	[NR]
2-Methylnaphthalene	mg/kg	[NT]	[NT]	[NR]	[NR]
Hexachlorocyclopentadiene	mg/kg	[NT]	[NT]	[NR]	[NR]
2,4,6-trichlorophenol	mg/kg	[NT]	[NT]	[NR]	[NR]
2,4,5-trichlorophenol	mg/kg	[NT]	[NT]	[NR]	[NR]
2-Chloronaphthalene	mg/kg	[NT]	[NT]	[NR]	[NR]
2-nitroaniline	mg/kg	[NT]	[NT]	[NR]	[NR]
Dimethylphthalate	mg/kg	[NT]	[NT]	45969-18	86%
2,6-Dinitrotoluene	mg/kg	[NT]	[NT]	[NR]	[NR]
Acenaphthylene	mg/kg	[NT]	[NT]	[NR]	[NR]
3-Nitroaniline	mg/kg	[NT]	[NT]	[NR]	[NR]
Acenaphthene	mg/kg	[NT]	[NT]	45969-18	86%
2,4-dinitrophenol	mg/kg	[NT]	[NT]	[NR]	[NR]
4-nitrophenol	mg/kg	[NT]	[NT]	45969-18	90%
Dibenzofuran	mg/kg	[NT]	[NT]	[NR]	[NR]
diethylphthalate	mg/kg	[NT]	[NT]	45969-18	90%
4-chlorophenylphenylether	mg/kg	[NT]	[NT]	[NR]	[NR]
4-nitroaniline	mg/kg	[NT]	[NT]	[NR]	[NR]
Fluorene	mg/kg	[NT]	[NT]	[NR]	[NR]
2-methyl-4,6-dinitrophenol	mg/kg	[NT]	[NT]	[NR]	[NR]
azobenzene	mg/kg	[NT]	[NT]	[NR]	[NR]
4-bromophenylphenylether	mg/kg	[NT]	[NT]	[NR]	[NR]
hexachlorobenzene	mg/kg	[NT]	[NT]	[NR]	[NR]
pentachlorophenol	mg/kg	[NT]	[NT]	[NR]	[NR]
Phenanthrene	mg/kg	[NT]	[NT]	[NR]	[NR]
Anthracene	mg/kg	[NT]	[NT]	[NR]	[NR]
carbazole	mg/kg	[NT]	[NT]	[NR]	[NR]
di-n-butylphthalate	mg/kg	[NT]	[NT]	[NR]	[NR]
Fluoranthene	mg/kg	[NT]	[NT]	[NR]	[NR]
Pyrene	mg/kg	[NT]	[NT]	45969-18	92%
butylbenzylphthalate	mg/kg	[NT]	[NT]	[NR]	[NR]
bis(2-ethylhexyl)phthalate	mg/kg	[NT]	[NT]	[NR]	[NR]

QUALITY CONTROL SVOCs in Soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Benzo(a)anthracene	mg/kg	[NT]	[NT]	[NR]	[NR]
Chrysene	mg/kg	[NT]	[NT]	[NR]	[NR]
di-n-octylphthalate	mg/kg	[NT]	[NT]	[NR]	[NR]
Benzo(b)fluoranthene	mg/kg	[NT]	[NT]	[NR]	[NR]
Benzo(k)fluoranthene	mg/kg	[NT]	[NT]	[NR]	[NR]
Benzo(a)pyrene	mg/kg	[NT]	[NT]	[NR]	[NR]
Indeno(1,2,3-c,d)pyrene	mg/kg	[NT]	[NT]	[NR]	[NR]
Dibenzo(a,h)anthracene	mg/kg	[NT]	[NT]	[NR]	[NR]
Benzo(g,h,i)perylene	mg/kg	[NT]	[NT]	[NR]	[NR]
ethylmethanesulfonate	mg/kg	[NT]	[NT]	[NR]	[NR]
aniline	mg/kg	[NT]	[NT]	[NR]	[NR]
pentachloroethane	mg/kg	[NT]	[NT]	[NR]	[NR]
benzyl alcohol	mg/kg	[NT]	[NT]	[NR]	[NR]
acetophenone	mg/kg	[NT]	[NT]	[NR]	[NR]
N-nitrosomorpholine	mg/kg	[NT]	[NT]	[NR]	[NR]
N-nitrosopiperidine	mg/kg	[NT]	[NT]	[NR]	[NR]
2,6-dichlorophenol	mg/kg	[NT]	[NT]	[NR]	[NR]
hexachloropropene-1	mg/kg	[NT]	[NT]	[NR]	[NR]
N-nitroso-n-butylamine	mg/kg	[NT]	[NT]	[NR]	[NR]
safrole	mg/kg	[NT]	[NT]	[NR]	[NR]
1,2,4,5-tetrachlorobenzene	mg/kg	[NT]	[NT]	[NR]	[NR]
cis and trans iso-safrole	mg/kg	[NT]	[NT]	[NR]	[NR]
1,3-dinitrobenzene	mg/kg	[NT]	[NT]	[NR]	[NR]
pentachlorobenzene	mg/kg	[NT]	[NT]	[NR]	[NR]
1-naphthylamine	mg/kg	[NT]	[NT]	[NR]	[NR]
2,3,4,6-tetrachlorophenol	mg/kg	[NT]	[NT]	[NR]	[NR]
2-naphthylamine	mg/kg	[NT]	[NT]	[NR]	[NR]
5-nitro-o-toluidine	mg/kg	[NT]	[NT]	[NR]	[NR]
diphenylamine	mg/kg	[NT]	[NT]	[NR]	[NR]
phenacetin	mg/kg	[NT]	[NT]	[NR]	[NR]
pentachloronitrobenzene	mg/kg	[NT]	[NT]	[NR]	[NR]
dinoseb	mg/kg	[NT]	[NT]	[NR]	[NR]
methapyrilene	mg/kg	[NT]	[NT]	[NR]	[NR]
p-dimethylaminoazobenzene	mg/kg	[NT]	[NT]	[NR]	[NR]
2-acetylaminofluorene	mg/kg	[NT]	[NT]	[NR]	[NR]
7,12-dimethylbenz(a)anthracene	mg/kg	[NT]	[NT]	[NR]	[NR]
3-methylcholanthrene	mg/kg	[NT]	[NT]	[NR]	[NR]
a-BHC	mg/kg	[NT]	[NT]	[NR]	[NR]
b-BHC	mg/kg	[NT]	[NT]	[NR]	[NR]

QUALITY CONTROL SVOCs in Soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
g-BHC	mg/kg	[NT]	[NT]	[NR]	[NR]
d-BHC	mg/kg	[NT]	[NT]	[NR]	[NR]
Heptachlor	mg/kg	[NT]	[NT]	[NR]	[NR]
Aldrin	mg/kg	[NT]	[NT]	45969-18	117%
Heptachlor Epoxide	mg/kg	[NT]	[NT]	[NR]	[NR]
g-Chlordane	mg/kg	[NT]	[NT]	[NR]	[NR]
a-Chlordane	mg/kg	[NT]	[NT]	[NR]	[NR]
Endosulfan I	mg/kg	[NT]	[NT]	[NR]	[NR]
p,p'-DDE	mg/kg	[NT]	[NT]	[NR]	[NR]
Dieldrin	mg/kg	[NT]	[NT]	45969-18	115%
Endrin	mg/kg	[NT]	[NT]	[NR]	[NR]
p,p'-DDD	mg/kg	[NT]	[NT]	[NR]	[NR]
Endosulfan II	mg/kg	[NT]	[NT]	[NR]	[NR]
p,p'-DDT	mg/kg	[NT]	[NT]	[NR]	[NR]
Endosulfan Sulphate	mg/kg	[NT]	[NT]	[NR]	[NR]
Methoxychlor	mg/kg	[NT]	[NT]	[NR]	[NR]
Surrogate 2-fluorophenol	%	[NT]	[NT]	45969-18	88%
Surrogate Phenol-d_6	%	[NT]	[NT]	45969-18	101%
Surrogate Nitrobenzene-d_5	%	[NT]	[NT]	45969-18	79%
Surrogate 2-fluorobiphenyl	%	[NT]	[NT]	45969-18	89%
Surrogate 2,4,6-Tribromophenol	%	[NT]	[NT]	45969-18	91%
Surrogate p-Terphenyl-d_{14}	%	[NT]	[NT]	45969-18	91%
QUALITY CONTROL Total Phenolics in Soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Date extracted	-	45969-11	21/09/2010 || 21/09/2010	LCS-2	21/09/2010
Date analysed	-	45969-11	21/09/2010 || 21/09/2010	LCS-2	21/09/2010
Total Phenolics (as Phenol)	mg/kg	45969-11	<5.0 || <5.0	LCS-2	105%
QUALITY CONTROL Acid Extractable metals in soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Date digested	-	45969-11	21/9/2010 || 21/9/2010	LCS-2	21/9/2010
Date analysed	-	45969-11	22/9/2010 || 22/9/2010	LCS-2	22/9/2010
Arsenic	mg/kg	45969-11	<4 || <4	LCS-2	103%
Cadmium	mg/kg	45969-11	<0.5 || <0.5	LCS-2	103%
Chromium	mg/kg	45969-11	4 || 5 || RPD: 22	LCS-2	104%
Copper	mg/kg	45969-11	100 || 100 || RPD: 0	LCS-2	105%
Lead	mg/kg	45969-11	58 || 67 || RPD: 14	LCS-2	103%

QUALITY CONTROL Acid Extractable metals in soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Mercury	mg/kg	45969-11	<0.1 || <0.1	LCS-2	108%
Nickel	mg/kg	45969-11	4 || 4 || RPD: 0	LCS-2	104%
Zinc	mg/kg	45969-11	66 || 65 || RPD: 2	LCS-2	102%
QUALITY CONTROL Explosives in Soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
HMX	mg/kg	[NT]	[NT]	45969-1	104%
RDX	mg/kg	[NT]	[NT]	[NR]	[NR]
1,3,5-Trinitrobenzene	mg/kg	[NT]	[NT]	[NR]	[NR]
1,3-Dinitrobenzene	mg/kg	[NT]	[NT]	[NR]	[NR]
Tetryl	mg/kg	[NT]	[NT]	[NR]	[NR]
2,4,6-Trinitrotoluene	mg/kg	[NT]	[NT]	45969-1	98.9%
4-Amino-2,6-dinitrotoluene	mg/kg	[NT]	[NT]	45969-1	86.8%
2-Amino-4,6-dinitrotoluene	mg/kg	[NT]	[NT]	[NR]	[NR]
4-&2-AM-DNT(Isomeric Mixture)	mg/kg	[NT]	[NT]	[NR]	[NR]
2,4-Dinitrotoluene	mg/kg	[NT]	[NT]	45969-1	109%
2,6-Dinitrotoluene	mg/kg	[NT]	[NT]	[NR]	[NR]
2,4&2,6-DNT(Isomeric Mixture)	mg/kg	[NT]	[NT]	[NR]	[NR]
Nitrobenzene	mg/kg	[NT]	[NT]	45969-1	95.6%
2-Nitrotoluene	mg/kg	[NT]	[NT]	[NR]	[NR]
3-Nitrotoluene	mg/kg	[NT]	[NT]	[NR]	[NR]
4-Nitrotoluene	mg/kg	[NT]	[NT]	[NR]	[NR]
Nitroglycerine	mg/kg	[NT]	[NT]	[NR]	[NR]
PETN	mg/kg	[NT]	[NT]	45969-1	86.9%
Surrogate (o-Dinitrobenzene)	%	[NT]	[NT]	[NR]	[NR]

QUALITY CONTROL vTPH & BTEX in Soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Date extracted	-	45969-17	21/09/2010 || 21/09/2010	LCS-3	21/09/2010
Date analysed	-	45969-17	22/09/2010 || 22/09/2010	LCS-3	22/09/2010
vTPH C_6 - C_9	mg/kg	45969-17	<25 || <25	LCS-3	79%
Benzene	mg/kg	45969-17	<0.5 || <0.5	LCS-3	75%
Toluene	mg/kg	45969-17	<0.5 || <0.5	LCS-3	72%
Ethylbenzene	mg/kg	45969-17	<1.0 || <1.0	LCS-3	83%
m+p-xylene	mg/kg	45969-17	<2.0 || <2.0	LCS-3	82%
o-Xylene	mg/kg	45969-17	<1.0 || <1.0	LCS-3	86%
Surrogate aaa-Trifluorotoluene	%	45969-17	82 || 87 || RPD: 6	LCS-3	102%
QUALITY CONTROL sTPH in Soil (C10-C36)	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Date extracted	-	45969-20	21/09/2010 || 21/09/2010	LCS-3	21/09/2010
Date analysed	-	45969-20	21/09/2010 || 21/09/2010	LCS-3	22/09/2010
TPH C_{10} - C_{14}	mg/kg	45969-20	<50 || <50	LCS-3	79%
TPH C_{15} - C_{28}	mg/kg	45969-20	<100 || <100	LCS-3	90%
TPH C_{29} - C_{36}	mg/kg	45969-20	<100 || <100	LCS-3	106%
Surrogate o-Terphenyl	%	45969-20	131 || 109 || RPD: 18	LCS-3	97%
QUALITY CONTROL PAHs in Soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Date extracted	-	45969-31	21/09/2010 || 21/09/2010	LCS-5	21/09/2010
Date analysed	-	45969-31	22/09/2010 || 22/09/2010	LCS-5	22/09/2010
Naphthalene	mg/kg	45969-31	<0.1 || <0.1	LCS-5	96%
Acenaphthylene	mg/kg	45969-31	<0.1 || <0.1	[NR]	[NR]
Acenaphthene	mg/kg	45969-31	<0.1 || <0.1	[NR]	[NR]
Fluorene	mg/kg	45969-31	<0.1 || <0.1	LCS-5	95%
Phenanthrene	mg/kg	45969-31	<0.1 || <0.1	LCS-5	100%
Anthracene	mg/kg	45969-31	<0.1 || <0.1	[NR]	[NR]
Fluoranthene	mg/kg	45969-31	<0.1 || <0.1	LCS-5	92%
Pyrene	mg/kg	45969-31	<0.1 || <0.1	LCS-5	95%
Benzo(a)anthracene	mg/kg	45969-31	<0.1 || <0.1	[NR]	[NR]
Chrysene	mg/kg	45969-31	<0.1 || <0.1	LCS-5	105%
Benzo(b+k)fluoranthene	mg/kg	45969-31	<0.2 || <0.2	[NR]	[NR]
Benzo(a)pyrene	mg/kg	45969-31	<0.05 || <0.05	LCS-5	114%
Indeno(1,2,3-c,d)pyrene	mg/kg	45969-31	<0.1 || <0.1	[NR]	[NR]
Dibenzo(a,h)anthracene	mg/kg	45969-31	<0.1 || <0.1	[NR]	[NR]
Benzo(g,h,i)perylene	mg/kg	45969-31	<0.1 || <0.1	[NR]	[NR]
Surrogate p-Terphenyl-d_{14}	%	45969-31	107 || 113 || RPD: 5	LCS-5	85%

QUALITY CONTROL Organochlorine Pesticides in soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Date extracted	-	45969-31	21/09/2010 || 21/09/2010	LCS-5	21/09/2010
Date analysed	-	45969-31	21/09/2010 || 21/09/2010	LCS-5	21/09/2010
HCB	mg/kg	45969-31	<0.1 || <0.1	[NR]	[NR]
alpha-BHC	mg/kg	45969-31	<0.1 || <0.1	LCS-5	138%
gamma-BHC	mg/kg	45969-31	<0.1 || <0.1	[NR]	[NR]
beta-BHC	mg/kg	45969-31	<0.1 || <0.1	LCS-5	108%
Heptachlor	mg/kg	45969-31	<0.1 || <0.1	LCS-5	128%
delta-BHC	mg/kg	45969-31	<0.1 || <0.1	[NR]	[NR]
Aldrin	mg/kg	45969-31	<0.1 || <0.1	LCS-5	120%
Heptachlor Epoxide	mg/kg	45969-31	<0.1 || <0.1	LCS-5	127%
gamma-Chlordane	mg/kg	45969-31	<0.1 || <0.1	[NR]	[NR]
alpha-chlordane	mg/kg	45969-31	<0.1 || <0.1	[NR]	[NR]
Endosulfan I	mg/kg	45969-31	<0.1 || <0.1	[NR]	[NR]
pp-DDE	mg/kg	45969-31	<0.1 || <0.1	LCS-5	104%
Dieldrin	mg/kg	45969-31	<0.1 || <0.1	LCS-5	129%
Endrin	mg/kg	45969-31	<0.1 || <0.1	LCS-5	123%
pp-DDD	mg/kg	45969-31	<0.1 || <0.1	LCS-5	107%
Endosulfan II	mg/kg	45969-31	<0.1 || <0.1	[NR]	[NR]
pp-DDT	mg/kg	45969-31	<0.1 || <0.1	[NR]	[NR]
Endrin Aldehyde	mg/kg	45969-31	<0.1 || <0.1	[NR]	[NR]
Endosulfan Sulphate	mg/kg	45969-31	<0.1 || <0.1	LCS-5	117%
Methoxychlor	mg/kg	45969-31	<0.1 || <0.1	[NR]	[NR]
Surrogate TCLMX	%	45969-31	102 || 104 || RPD: 2	LCS-5	105%

QUALITY CONTROL Organophosphorus Pesticides	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Date extracted	-	45969-31	21/09/2010 || 21/09/2010	LCS-5	21/09/2010
Date analysed	-	45969-31	21/09/2010 || 21/09/2010	LCS-5	21/09/2010
Diazinon	mg/kg	45969-31	<0.1 || <0.1	[NR]	[NR]
Dimethoate	mg/kg	45969-31	<0.1 || <0.1	[NR]	[NR]
Chlorpyriphos-methyl	mg/kg	45969-31	<0.1 || <0.1	[NR]	[NR]
Ronnel	mg/kg	45969-31	<0.1 || <0.1	[NR]	[NR]
Chlorpyriphos	mg/kg	45969-31	<0.1 || <0.1	LCS-5	130%
Fenitrothion	mg/kg	45969-31	<0.1 || <0.1	LCS-5	117%
Bromophos-ethyl	mg/kg	45969-31	<0.1 || <0.1	[NR]	[NR]
Ethion	mg/kg	45969-31	<0.1 || <0.1	LCS-5	129%
Surrogate TCLMX	%	45969-31	102 || 104 || RPD: 2	LCS-5	118%
QUALITY CONTROL PCBs in Soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Date extracted	-	45969-31	21/09/2010 || 21/09/2010	LCS-5	21/09/2010
Date analysed	-	45969-31	21/09/2010 || 21/09/2010	LCS-5	21/09/2010
Arochlor 1016	mg/kg	45969-31	<0.1 || <0.1	[NR]	[NR]
Arochlor 1221*	mg/kg	45969-31	<0.1 || <0.1	[NR]	[NR]
Arochlor 1232	mg/kg	45969-31	<0.1 || <0.1	[NR]	[NR]
Arochlor 1242	mg/kg	45969-31	<0.1 || <0.1	[NR]	[NR]
Arochlor 1248	mg/kg	45969-31	<0.1 || <0.1	[NR]	[NR]
Arochlor 1254	mg/kg	45969-31	<0.1 || <0.1	LCS-5	138%
Arochlor 1260	mg/kg	45969-31	<0.1 || <0.1	[NR]	[NR]
Surrogate TCLMX	%	45969-31	102 || 104 || RPD: 2	LCS-5	105%
QUALITY CONTROL Total Phenolics in Soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Date extracted	-	45969-26	22/09/2010 || 22/09/2010	LCS-3	22/09/2010
Date analysed	-	45969-26	22/09/2010 || 22/09/2010	LCS-3	22/09/2010
Total Phenolics (as Phenol)	mg/kg	45969-26	<5.0 || <5.0	LCS-3	106%
QUALITY CONTROL Acid Extractable metals in soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Date digested	-	45969-20	21/9/2010 || 21/9/2010	LCS-3	21/9/2010
Date analysed	-	45969-20	22/9/2010 || 22/9/2010	LCS-3	22/9/2010
Arsenic	mg/kg	45969-20	<4 || <4	LCS-3	104%
Cadmium	mg/kg	45969-20	<0.5 || <0.5	LCS-3	105%
Chromium	mg/kg	45969-20	4 || 4 || RPD: 0	LCS-3	106%
Copper	mg/kg	45969-20	95 || 120 || RPD: 23	LCS-3	106%
Lead	mg/kg	45969-20	13 || 12 || RPD: 8	LCS-3	105%
Mercury	mg/kg	45969-20	<0.1 || <0.1	LCS-3	112%
Nickel	mg/kg	45969-20	2 || 3 || RPD: 40	LCS-3	106%

QUALITY CONTROL Acid Extractable metals in soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Zinc	mg/kg	45969-20	15 || 18 || RPD: 18	LCS-3	104%

QUALITY CONTROL Explosives in Soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD
HMX	mg/kg	[NT]	[NT]
RDX	mg/kg	[NT]	[NT]
1,3,5-Trinitrobenzene	mg/kg	[NT]	[NT]
1,3-Dinitrobenzene	mg/kg	[NT]	[NT]
Tetryl	mg/kg	[NT]	[NT]
2,4,6-Trinitrotoluene	mg/kg	[NT]	[NT]
4-Amino-2,6-dinitrotoluene	mg/kg	[NT]	[NT]
2-Amino-4,6-dinitrotoluene	mg/kg	[NT]	[NT]
4-&2-AM-DNT(Isomeric Mixture)	mg/kg	[NT]	[NT]
2,4-Dinitrotoluene	mg/kg	[NT]	[NT]
2,6-Dinitrotoluene	mg/kg	[NT]	[NT]
2,4&2,6-DNT(Isomeric Mixture)	mg/kg	[NT]	[NT]
Nitrobenzene	mg/kg	[NT]	[NT]
2-Nitrotoluene	mg/kg	[NT]	[NT]
3-Nitrotoluene	mg/kg	[NT]	[NT]
4-Nitrotoluene	mg/kg	[NT]	[NT]
Nitroglycerine	mg/kg	[NT]	[NT]
PETN	mg/kg	[NT]	[NT]
Surrogate (o-Dinitrobenzene)	%	[NT]	[NT]

QUALITY CONTROL vTPH & BTEX in Soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Date extracted	-	45969-20	21/09/2010 || 21/09/2010	45969-2	21/09/2010
Date analysed	-	45969-20	22/09/2010 || 22/09/2010	45969-2	21/09/2010
vTPH C_6 - C_9	mg/kg	45969-20	<25 || <25	45969-2	73%
Benzene	mg/kg	45969-20	<0.5 || <0.5	45969-2	60%
Toluene	mg/kg	45969-20	<0.5 || <0.5	45969-2	70%
Ethylbenzene	mg/kg	45969-20	<1.0 || <1.0	45969-2	76%
m+p-xylene	mg/kg	45969-20	<2.0 || <2.0	45969-2	79%
o-Xylene	mg/kg	45969-20	<1.0 || <1.0	45969-2	82%
Surrogate aaa-Trifluorotoluene	%	45969-20	96 || 101 || RPD: 5	45969-2	101%
QUALITY CONTROL sTPH in Soil (C10-C36)	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Date extracted	-	45969-31	21/09/2010 || 21/09/2010	45969-2	22/09/2010
Date analysed	-	45969-31	21/09/2010 || 21/09/2010	45969-2	22/09/2010
TPH C_{10} - C_{14}	mg/kg	45969-31	<50 || <50	45969-2	82%
TPH C_{15} - C_{28}	mg/kg	45969-31	<100 || <100	45969-2	97%
TPH C_{29} - C_{36}	mg/kg	45969-31	<100 || <100	45969-2	113%
Surrogate o-Terphenyl	%	45969-31	118 || 112 || RPD: 5	45969-2	103%
QUALITY CONTROL PAHs in Soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Date extracted	-	45969-40	21/09/2010 || 21/09/2010	45969-2	21/09/2010
Date analysed	-	45969-40	22/09/2010 || 22/09/2010	45969-2	22/09/2010
Naphthalene	mg/kg	45969-40	<0.1 || <0.1	45969-2	97%
Acenaphthylene	mg/kg	45969-40	<0.1 || <0.1	[NR]	[NR]
Acenaphthene	mg/kg	45969-40	<0.1 || <0.1	[NR]	[NR]
Fluorene	mg/kg	45969-40	<0.1 || <0.1	45969-2	110%
Phenanthrene	mg/kg	45969-40	<0.1 || <0.1	45969-2	97%
Anthracene	mg/kg	45969-40	<0.1 || <0.1	[NR]	[NR]
Fluoranthene	mg/kg	45969-40	<0.1 || <0.1	45969-2	89%
Pyrene	mg/kg	45969-40	<0.1 || <0.1	45969-2	101%
Benzo(a)anthracene	mg/kg	45969-40	<0.1 || <0.1	[NR]	[NR]
Chrysene	mg/kg	45969-40	<0.1 || <0.1	45969-2	110%
Benzo(b+k)fluoranthene	mg/kg	45969-40	<0.2 || <0.2	[NR]	[NR]
Benzo(a)pyrene	mg/kg	45969-40	<0.05 || <0.05	45969-2	103%
Indeno(1,2,3-c,d)pyrene	mg/kg	45969-40	<0.1 || <0.1	[NR]	[NR]
Dibenzo(a,h)anthracene	mg/kg	45969-40	<0.1 || <0.1	[NR]	[NR]
Benzo(g,h,i)perylene	mg/kg	45969-40	<0.1 || <0.1	[NR]	[NR]
Surrogate p-Terphenyl-d_{14}	%	45969-40	105 || 103 || RPD: 2	45969-2	111%

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QUALITY CONTROL Organochlorine Pesticides in soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Date extracted	-	45969-40	21/09/2010 || 21/09/2010	45969-2	21/09/2010
Date analysed	-	45969-40	21/09/2010 || 21/09/2010	45969-2	21/09/2010
HCB	mg/kg	45969-40	<0.1 || <0.1	[NR]	[NR]
alpha-BHC	mg/kg	45969-40	<0.1 || <0.1	45969-2	86%
gamma-BHC	mg/kg	45969-40	<0.1 || <0.1	[NR]	[NR]
beta-BHC	mg/kg	45969-40	<0.1 || <0.1	45969-2	98%
Heptachlor	mg/kg	45969-40	<0.1 || <0.1	45969-2	82%
delta-BHC	mg/kg	45969-40	<0.1 || <0.1	[NR]	[NR]
Aldrin	mg/kg	45969-40	<0.1 || <0.1	45969-2	75%
Heptachlor Epoxide	mg/kg	45969-40	<0.1 || <0.1	45969-2	85%
gamma-Chlordane	mg/kg	45969-40	<0.1 || <0.1	[NR]	[NR]
alpha-chlordane	mg/kg	45969-40	<0.1 || <0.1	[NR]	[NR]
Endosulfan I	mg/kg	45969-40	<0.1 || <0.1	[NR]	[NR]
pp-DDE	mg/kg	45969-40	<0.1 || <0.1	45969-2	96%
Dieldrin	mg/kg	45969-40	<0.1 || <0.1	45969-2	88%
Endrin	mg/kg	45969-40	<0.1 || <0.1	45969-2	81%
pp-DDD	mg/kg	45969-40	<0.1 || <0.1	45969-2	101%
Endosulfan II	mg/kg	45969-40	<0.1 || <0.1	[NR]	[NR]
pp-DDT	mg/kg	45969-40	<0.1 || <0.1	[NR]	[NR]
Endrin Aldehyde	mg/kg	45969-40	<0.1 || <0.1	[NR]	[NR]
Endosulfan Sulphate	mg/kg	45969-40	<0.1 || <0.1	45969-2	88%
Methoxychlor	mg/kg	45969-40	<0.1 || <0.1	[NR]	[NR]
Surrogate TCLMX	%	45969-40	92 || 106 || RPD: 14	45969-2	61%

QUALITY CONTROL Organophosphorus Pesticides	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Date extracted	-	45969-40	21/09/2010 || 21/09/2010	45969-2	21/09/2010
Date analysed	-	45969-40	21/09/2010 || 21/09/2010	45969-2	21/09/2010
Diazinon	mg/kg	45969-40	<0.1 || <0.1	[NR]	[NR]
Dimethoate	mg/kg	45969-40	<0.1 || <0.1	[NR]	[NR]
Chlorpyriphos-methyl	mg/kg	45969-40	<0.1 || <0.1	[NR]	[NR]
Ronnel	mg/kg	45969-40	<0.1 || <0.1	[NR]	[NR]
Chlorpyriphos	mg/kg	45969-40	<0.1 || <0.1	45969-2	120%
Fenitrothion	mg/kg	45969-40	<0.1 || <0.1	45969-2	110%
Bromophos-ethyl	mg/kg	45969-40	<0.1 || <0.1	[NR]	[NR]
Ethion	mg/kg	45969-40	<0.1 || <0.1	45969-2	123%
Surrogate TCLMX	%	45969-40	92 || 106 || RPD: 14	45969-2	76%
QUALITY CONTROL PCBs in Soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Date extracted	-	45969-40	21/09/2010 || 21/09/2010	45969-2	21/09/2010
Date analysed	-	45969-40	21/09/2010 || 21/09/2010	45969-2	21/09/2010
Arochlor 1016	mg/kg	45969-40	<0.1 || <0.1	[NR]	[NR]
Arochlor 1221*	mg/kg	45969-40	<0.1 || <0.1	[NR]	[NR]
Arochlor 1232	mg/kg	45969-40	<0.1 || <0.1	[NR]	[NR]
Arochlor 1242	mg/kg	45969-40	<0.1 || <0.1	[NR]	[NR]
Arochlor 1248	mg/kg	45969-40	<0.1 || <0.1	[NR]	[NR]
Arochlor 1254	mg/kg	45969-40	<0.1 || <0.1	45969-2	100%
Arochlor 1260	mg/kg	45969-40	<0.1 || <0.1	[NR]	[NR]
Surrogate TCLMX	%	45969-40	92 || 106 || RPD: 14	45969-2	84%
QUALITY CONTROL Total Phenolics in Soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Date extracted	-	45969-38	22/09/2010 || 22/09/2010	45969-2	21/09/2010
Date analysed	-	45969-38	22/09/2010 || 22/09/2010	45969-2	21/09/2010
Total Phenolics (as Phenol)	mg/kg	45969-38	<5.0 || <5.0	45969-2	96%
QUALITY CONTROL Acid Extractable metals in soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Date digested	-	45969-31	21/9/2010 || 21/9/2010	LCS-4	21/9/2010
Date analysed	-	45969-31	22/9/2010 || 22/9/2010	LCS-4	22/9/2010
Arsenic	mg/kg	45969-31	<4 || <4	LCS-4	110%
Cadmium	mg/kg	45969-31	<0.5 || <0.5	LCS-4	111%
Chromium	mg/kg	45969-31	13 || 15 || RPD: 14	LCS-4	115%
Copper	mg/kg	45969-31	51 || 42 || RPD: 19	LCS-4	115%
Lead	mg/kg	45969-31	20 || 16 || RPD: 22	LCS-4	110%
Mercury	mg/kg	45969-31	<0.1 || <0.1	LCS-4	107%
Nickel	mg/kg	45969-31	5 || 5 || RPD: 0	LCS-4	115%

QUALITY CONTROL Acid Extractable metals in soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Zinc	mg/kg	45969-31	23 || 27 || RPD: 16	LCS-4	111%

QUALITY CONTROL Explosives in Soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD
HMX	mg/kg	[NT]	[NT]
RDX	mg/kg	[NT]	[NT]
1,3,5-Trinitrobenzene	mg/kg	[NT]	[NT]
1,3-Dinitrobenzene	mg/kg	[NT]	[NT]
Tetryl	mg/kg	[NT]	[NT]
2,4,6-Trinitrotoluene	mg/kg	[NT]	[NT]
4-Amino-2,6-dinitrotoluene	mg/kg	[NT]	[NT]
2-Amino-4,6-dinitrotoluene	mg/kg	[NT]	[NT]
4-&2-AM-DNT(Isomeric Mixture)	mg/kg	[NT]	[NT]
2,4-Dinitrotoluene	mg/kg	[NT]	[NT]
2,6-Dinitrotoluene	mg/kg	[NT]	[NT]
2,4&2,6-DNT(Isomeric Mixture)	mg/kg	[NT]	[NT]
Nitrobenzene	mg/kg	[NT]	[NT]
2-Nitrotoluene	mg/kg	[NT]	[NT]
3-Nitrotoluene	mg/kg	[NT]	[NT]
4-Nitrotoluene	mg/kg	[NT]	[NT]
Nitroglycerine	mg/kg	[NT]	[NT]
PETN	mg/kg	[NT]	[NT]
Surrogate (o-Dinitrobenzene)	%	[NT]	[NT]

QUALITY CONTROL vTPH & BTEX in Soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Date extracted	-	45969-31	21/09/2010 || 21/09/2010	45969-21	21/09/2010
Date analysed	-	45969-31	22/09/2010 || 22/09/2010	45969-21	22/09/2010
vTPH C_6 - C_9	mg/kg	45969-31	<25 || <25	45969-21	78%
Benzene	mg/kg	45969-31	<0.5 || <0.5	45969-21	75%
Toluene	mg/kg	45969-31	<0.5 || <0.5	45969-21	75%
Ethylbenzene	mg/kg	45969-31	<1.0 || <1.0	45969-21	80%
m+p-xylene	mg/kg	45969-31	<2.0 || <2.0	45969-21	80%
o-Xylene	mg/kg	45969-31	<1.0 || <1.0	45969-21	80%
Surrogate aaa-Trifluorotoluene	%	45969-31	105 || 110 || RPD: 5	45969-21	109%
QUALITY CONTROL sTPH in Soil (C10-C36)	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Date extracted	-	45969-40	21/09/2010 || 21/09/2010	45969-21	21/09/2010
Date analysed	-	45969-40	22/09/2010 || 22/09/2010	45969-21	22/09/2010
TPH C_{10} - C_{14}	mg/kg	45969-40	<50 || <50	45969-21	93%
TPH C_{15} - C_{28}	mg/kg	45969-40	<100 || <100	45969-21	119%
TPH C_{29} - C_{36}	mg/kg	45969-40	<100 || <100	45969-21	140%
Surrogate o-Terphenyl	%	45969-40	82 || 85 || RPD: 4	45969-21	113%
QUALITY CONTROL PAHs in Soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Date extracted	-	[NT]	[NT]	45969-21	21/09/2010
Date analysed	-	[NT]	[NT]	45969-21	22/09/2010
Naphthalene	mg/kg	[NT]	[NT]	45969-21	96%
Acenaphthylene	mg/kg	[NT]	[NT]	[NR]	[NR]
Acenaphthene	mg/kg	[NT]	[NT]	[NR]	[NR]
Fluorene	mg/kg	[NT]	[NT]	45969-21	108%
Phenanthrene	mg/kg	[NT]	[NT]	45969-21	96%
Anthracene	mg/kg	[NT]	[NT]	[NR]	[NR]
Fluoranthene	mg/kg	[NT]	[NT]	45969-21	87%
Pyrene	mg/kg	[NT]	[NT]	45969-21	99%
Benzo(a)anthracene	mg/kg	[NT]	[NT]	[NR]	[NR]
Chrysene	mg/kg	[NT]	[NT]	45969-21	108%
Benzo(b+k)fluoranthene	mg/kg	[NT]	[NT]	[NR]	[NR]
Benzo(a)pyrene	mg/kg	[NT]	[NT]	45969-21	103%
Indeno(1,2,3-c,d)pyrene	mg/kg	[NT]	[NT]	[NR]	[NR]
Dibenzo(a,h)anthracene	mg/kg	[NT]	[NT]	[NR]	[NR]
Benzo(g,h,i)perylene	mg/kg	[NT]	[NT]	[NR]	[NR]
Surrogate p-Terphenyl-d_{14}	%	[NT]	[NT]	45969-21	102%

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QUALITY CONTROL Organochlorine Pesticides in soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Date extracted	-	45969-50	21/09/2010 || 21/09/2010	45969-21	21/09/2010
Date analysed	-	45969-50	21/09/2010 || 21/09/2010	45969-21	21/09/2010
HCB	mg/kg	45969-50	<0.1 || <0.1	[NR]	[NR]
alpha-BHC	mg/kg	45969-50	<0.1 || <0.1	45969-21	100%
gamma-BHC	mg/kg	45969-50	<0.1 || <0.1	[NR]	[NR]
beta-BHC	mg/kg	45969-50	<0.1 || <0.1	45969-21	81%
Heptachlor	mg/kg	45969-50	<0.1 || <0.1	45969-21	94%
delta-BHC	mg/kg	45969-50	<0.1 || <0.1	[NR]	[NR]
Aldrin	mg/kg	45969-50	<0.1 || <0.1	45969-21	86%
Heptachlor Epoxide	mg/kg	45969-50	<0.1 || <0.1	45969-21	95%
gamma-Chlordane	mg/kg	45969-50	<0.1 || <0.1	[NR]	[NR]
alpha-chlordane	mg/kg	45969-50	<0.1 || <0.1	[NR]	[NR]
Endosulfan I	mg/kg	45969-50	<0.1 || <0.1	[NR]	[NR]
pp-DDE	mg/kg	45969-50	<0.1 || <0.1	45969-21	80%
Dieldrin	mg/kg	45969-50	<0.1 || <0.1	45969-21	98%
Endrin	mg/kg	45969-50	<0.1 || <0.1	45969-21	96%
pp-DDD	mg/kg	45969-50	<0.1 || <0.1	45969-21	85%
Endosulfan II	mg/kg	45969-50	<0.1 || <0.1	[NR]	[NR]
pp-DDT	mg/kg	45969-50	<0.1 || <0.1	[NR]	[NR]
Endrin Aldehyde	mg/kg	45969-50	<0.1 || <0.1	[NR]	[NR]
Endosulfan Sulphate	mg/kg	45969-50	<0.1 || <0.1	45969-21	94%
Methoxychlor	mg/kg	45969-50	<0.1 || <0.1	[NR]	[NR]
Surrogate TCLMX	%	45969-50	93 || 107 || RPD: 14	45969-21	83%

QUALITY CONTROL Organophosphorus Pesticides	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Date extracted	-	45969-50	21/09/2010 || 21/09/2010	45969-21	21/09/2010
Date analysed	-	45969-50	21/09/2010 || 21/09/2010	45969-21	21/09/2010
Diazinon	mg/kg	45969-50	<0.1 || <0.1	[NR]	[NR]
Dimethoate	mg/kg	45969-50	<0.1 || <0.1	[NR]	[NR]
Chlorpyriphos-methyl	mg/kg	45969-50	<0.1 || <0.1	[NR]	[NR]
Ronnel	mg/kg	45969-50	<0.1 || <0.1	[NR]	[NR]
Chlorpyriphos	mg/kg	45969-50	<0.1 || <0.1	45969-21	125%
Fenitrothion	mg/kg	45969-50	<0.1 || <0.1	45969-21	112%
Bromophos-ethyl	mg/kg	45969-50	<0.1 || <0.1	[NR]	[NR]
Ethion	mg/kg	45969-50	<0.1 || <0.1	45969-21	124%
Surrogate TCLMX	%	45969-50	93 || 107 || RPD: 14	45969-21	102%
QUALITY CONTROL PCBs in Soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Date extracted	-	45969-50	21/09/2010 || 21/09/2010	45969-21	21/09/2010
Date analysed	-	45969-50	21/09/2010 || 21/09/2010	45969-21	21/09/2010
Arochlor 1016	mg/kg	45969-50	<0.1 || <0.1	[NR]	[NR]
Arochlor 1221*	mg/kg	45969-50	<0.1 || <0.1	[NR]	[NR]
Arochlor 1232	mg/kg	45969-50	<0.1 || <0.1	[NR]	[NR]
Arochlor 1242	mg/kg	45969-50	<0.1 || <0.1	[NR]	[NR]
Arochlor 1248	mg/kg	45969-50	<0.1 || <0.1	[NR]	[NR]
Arochlor 1254	mg/kg	45969-50	<0.1 || <0.1	45969-21	124%
Arochlor 1260	mg/kg	45969-50	<0.1 || <0.1	[NR]	[NR]
Surrogate TCLMX	%	45969-50	93 || 107 || RPD: 14	45969-21	104%
QUALITY CONTROL Total Phenolics in Soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Date extracted	-	45969-48	22/09/2010 || 22/09/2010	45969-27	22/09/2010
Date analysed	-	45969-48	22/09/2010 || 22/09/2010	45969-27	22/09/2010
Total Phenolics (as Phenol)	mg/kg	45969-48	<5.0 || <5.0	45969-27	94%
QUALITY CONTROL Acid Extractable metals in soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Date digested	-	45969-40	21/9/2010 || 21/9/2010	45969-2	21/9/2010
Date analysed	-	45969-40	22/9/2010 || 22/9/2010	45969-2	22/9/2010
Arsenic	mg/kg	45969-40	<4 || <4	45969-2	79%
Cadmium	mg/kg	45969-40	<0.5 || <0.5	45969-2	97%
Chromium	mg/kg	45969-40	10 || 10 || RPD: 0	45969-2	106%
Copper	mg/kg	45969-40	100 || 110 || RPD: 10	45969-2	100%
Lead	mg/kg	45969-40	15 || 16 || RPD: 6	45969-2	95%
Mercury	mg/kg	45969-40	<0.1 || <0.1	45969-2	108%
Nickel	mg/kg	45969-40	6 || 6 || RPD: 0	45969-2	98%

QUALITY CONTROL Acid Extractable metals in soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Zinc	mg/kg	45969-40	57 || 61 || RPD: 7	45969-2	97%
QUALITY CONTROL Explosives in Soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
HMX	mg/kg	[NT]	[NT]	[NR]	[NR]
RDX	mg/kg	[NT]	[NT]	[NR]	[NR]
1,3,5-Trinitrobenzene	mg/kg	[NT]	[NT]	[NR]	[NR]
1,3-Dinitrobenzene	mg/kg	[NT]	[NT]	[NR]	[NR]
Tetryl	mg/kg	[NT]	[NT]	[NR]	[NR]
2,4,6-Trinitrotoluene	mg/kg	[NT]	[NT]	[NR]	[NR]
4-Amino-2,6-dinitrotoluene	mg/kg	[NT]	[NT]	[NR]	[NR]
2-Amino-4,6-dinitrotoluene	mg/kg	[NT]	[NT]	[NR]	[NR]
4-&2-AM-DNT(Isomeric Mixture)	mg/kg	[NT]	[NT]	[NR]	[NR]
2,4-Dinitrotoluene	mg/kg	[NT]	[NT]	[NR]	[NR]
2,6-Dinitrotoluene	mg/kg	[NT]	[NT]	[NR]	[NR]
2,4&2,6-DNT(Isomeric Mixture)	mg/kg	[NT]	[NT]	[NR]	[NR]
Nitrobenzene	mg/kg	[NT]	[NT]	[NR]	[NR]
2-Nitrotoluene	mg/kg	[NT]	[NT]	[NR]	[NR]
3-Nitrotoluene	mg/kg	[NT]	[NT]	[NR]	[NR]
4-Nitrotoluene	mg/kg	[NT]	[NT]	[NR]	[NR]
Nitroglycerine	mg/kg	[NT]	[NT]	[NR]	[NR]
PETN	mg/kg	[NT]	[NT]	[NR]	[NR]
Surrogate (o-Dinitrobenzene)	%	[NT]	[NT]	[NR]	[NR]

QUALITY CONTROL vTPH & BTEX in Soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Date extracted	-	45969-40	21/09/2010 || 21/09/2010	45969-41	21/09/2010
Date analysed	-	45969-40	22/09/2010 || 22/09/2010	45969-41	22/09/2010
vTPH C_6 - C_9	mg/kg	45969-40	<25 || <25	45969-41	82%
Benzene	mg/kg	45969-40	<0.5 || <0.5	45969-41	75%
Toluene	mg/kg	45969-40	<0.5 || <0.5	45969-41	79%
Ethylbenzene	mg/kg	45969-40	<1.0 || <1.0	45969-41	85%
m+p-xylene	mg/kg	45969-40	<2.0 || <2.0	45969-41	85%
o-Xylene	mg/kg	45969-40	<1.0 || <1.0	45969-41	88%
Surrogate aaa-Trifluorotoluene	%	45969-40	110 || 113 || RPD: 3	45969-41	118%
QUALITY CONTROL sTPH in Soil (C10-C36)	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Date extracted	-	45969-50	21/09/2010 || 21/09/2010	45969-41	21/09/2010
Date analysed	-	45969-50	22/09/2010 || 22/09/2010	45969-41	22/09/2010
TPH C_{10} - C_{14}	mg/kg	45969-50	<50 || <50	45969-41	62%
TPH C_{15} - C_{28}	mg/kg	45969-50	<100 || <100	45969-41	77%
TPH C_{29} - C_{36}	mg/kg	45969-50	<100 || <100	45969-41	91%
Surrogate o-Terphenyl	%	45969-50	89 || 95 || RPD: 7	45969-41	76%
QUALITY CONTROL PAHs in Soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Date extracted	-	45969-50	21/09/2010 || 21/09/2010	45969-41	21/09/2010
Date analysed	-	45969-50	22/09/2010 || 22/09/2010	45969-41	22/09/2010
Naphthalene	mg/kg	45969-50	<0.1 || <0.1	45969-41	94%
Acenaphthylene	mg/kg	45969-50	<0.1 || <0.1	[NR]	[NR]
Acenaphthene	mg/kg	45969-50	<0.1 || <0.1	[NR]	[NR]
Fluorene	mg/kg	45969-50	<0.1 || <0.1	45969-41	101%
Phenanthrene	mg/kg	45969-50	<0.1 || <0.1	45969-41	91%
Anthracene	mg/kg	45969-50	<0.1 || <0.1	[NR]	[NR]
Fluoranthene	mg/kg	45969-50	<0.1 || <0.1	45969-41	83%
Pyrene	mg/kg	45969-50	<0.1 || <0.1	45969-41	95%
Benzo(a)anthracene	mg/kg	45969-50	<0.1 || <0.1	[NR]	[NR]
Chrysene	mg/kg	45969-50	<0.1 || <0.1	45969-41	1005%
Benzo(b+k)fluoranthene	mg/kg	45969-50	<0.2 || <0.2	[NR]	[NR]
Benzo(a)pyrene	mg/kg	45969-50	<0.05 || <0.05	45969-41	76%
Indeno(1,2,3-c,d)pyrene	mg/kg	45969-50	<0.1 || <0.1	[NR]	[NR]
Dibenzo(a,h)anthracene	mg/kg	45969-50	<0.1 || <0.1	[NR]	[NR]
Benzo(g,h,i)perylene	mg/kg	45969-50	<0.1 || <0.1	[NR]	[NR]
Surrogate p-Terphenyl-d_{14}	%	45969-50	89 || 89 || RPD: 0	45969-41	96%

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QUALITY CONTROL Organochlorine Pesticides in soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Date extracted	-	[NT]	[NT]	45969-41	21/09/2010
Date analysed	-	[NT]	[NT]	45969-41	21/09/2010
HCB	mg/kg	[NT]	[NT]	[NR]	[NR]
alpha-BHC	mg/kg	[NT]	[NT]	45969-41	124%
gamma-BHC	mg/kg	[NT]	[NT]	[NR]	[NR]
beta-BHC	mg/kg	[NT]	[NT]	45969-41	97%
Heptachlor	mg/kg	[NT]	[NT]	45969-41	109%
delta-BHC	mg/kg	[NT]	[NT]	[NR]	[NR]
Aldrin	mg/kg	[NT]	[NT]	45969-41	104%
Heptachlor Epoxide	mg/kg	[NT]	[NT]	45969-41	114%
gamma-Chlordane	mg/kg	[NT]	[NT]	[NR]	[NR]
alpha-chlordane	mg/kg	[NT]	[NT]	[NR]	[NR]
Endosulfan I	mg/kg	[NT]	[NT]	[NR]	[NR]
pp-DDE	mg/kg	[NT]	[NT]	45969-41	94%
Dieldrin	mg/kg	[NT]	[NT]	45969-41	116%
Endrin	mg/kg	[NT]	[NT]	45969-41	111%
pp-DDD	mg/kg	[NT]	[NT]	45969-41	93%
Endosulfan II	mg/kg	[NT]	[NT]	[NR]	[NR]
pp-DDT	mg/kg	[NT]	[NT]	[NR]	[NR]
Endrin Aldehyde	mg/kg	[NT]	[NT]	[NR]	[NR]
Endosulfan Sulphate	mg/kg	[NT]	[NT]	45969-41	105%
Methoxychlor	mg/kg	[NT]	[NT]	[NR]	[NR]
Surrogate TCLMX	%	[NT]	[NT]	45969-41	102%

QUALITY CONTROL Organophosphorus Pesticides	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Date extracted	-	[NT]	[NT]	45969-41	21/09/2010
Date analysed	-	[NT]	[NT]	45969-41	21/09/2010
Diazinon	mg/kg	[NT]	[NT]	[NR]	[NR]
Dimethoate	mg/kg	[NT]	[NT]	[NR]	[NR]
Chlorpyriphos-methyl	mg/kg	[NT]	[NT]	[NR]	[NR]
Ronnel	mg/kg	[NT]	[NT]	[NR]	[NR]
Chlorpyriphos	mg/kg	[NT]	[NT]	45969-41	127%
Fenitrothion	mg/kg	[NT]	[NT]	45969-41	112%
Bromophos-ethyl	mg/kg	[NT]	[NT]	[NR]	[NR]
Ethion	mg/kg	[NT]	[NT]	45969-41	116%
Surrogate TCLMX	%	[NT]	[NT]	45969-41	109%
QUALITY CONTROL PCBs in Soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Date extracted	-	[NT]	[NT]	45969-41	21/09/2010
Date analysed	-	[NT]	[NT]	45969-41	21/09/2010
Arochlor 1016	mg/kg	[NT]	[NT]	[NR]	[NR]
Arochlor 1221*	mg/kg	[NT]	[NT]	[NR]	[NR]
Arochlor 1232	mg/kg	[NT]	[NT]	[NR]	[NR]
Arochlor 1242	mg/kg	[NT]	[NT]	[NR]	[NR]
Arochlor 1248	mg/kg	[NT]	[NT]	[NR]	[NR]
Arochlor 1254	mg/kg	[NT]	[NT]	45969-41	102%
Arochlor 1260	mg/kg	[NT]	[NT]	[NR]	[NR]
Surrogate TCLMX	%	[NT]	[NT]	45969-41	99%
QUALITY CONTROL Total Phenolics in Soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Date extracted	-	[NT]	[NT]	45969-49	22/09/2010
Date analysed	-	[NT]	[NT]	45969-49	22/09/2010
Total Phenolics (as Phenol)	mg/kg	[NT]	[NT]	45969-49	95%
QUALITY CONTROL Acid Extractable metals in soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Date digested	-	45969-50	21/9/2010 || 21/9/2010	45969-21	21/9/2010
Date analysed	-	45969-50	22/9/2010 || 22/9/2010	45969-21	22/9/2010
Arsenic	mg/kg	45969-50	<4 || <4	45969-21	92%
Cadmium	mg/kg	45969-50	<0.5 || <0.5	45969-21	99%
Chromium	mg/kg	45969-50	6 || 7 || RPD: 15	45969-21	103%
Copper	mg/kg	45969-50	99 || 110 || RPD: 11	45969-21	123%
Lead	mg/kg	45969-50	25 || 28 || RPD: 11	45969-21	95%
Mercury	mg/kg	45969-50	<0.1 || <0.1	45969-21	109%
Nickel	mg/kg	45969-50	4 || 4 || RPD: 0	45969-21	99%

QUALITY CONTROL Acid Extractable metals in soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Zinc	mg/kg	45969-50	92 || 93 || RPD: 1	45969-21	104%
QUALITY CONTROL Explosives in Soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
HMX	mg/kg	[NT]	[NT]	[NR]	[NR]
RDX	mg/kg	[NT]	[NT]	[NR]	[NR]
1,3,5-Trinitrobenzene	mg/kg	[NT]	[NT]	[NR]	[NR]
1,3-Dinitrobenzene	mg/kg	[NT]	[NT]	[NR]	[NR]
Tetryl	mg/kg	[NT]	[NT]	[NR]	[NR]
2,4,6-Trinitrotoluene	mg/kg	[NT]	[NT]	[NR]	[NR]
4-Amino-2,6-dinitrotoluene	mg/kg	[NT]	[NT]	[NR]	[NR]
2-Amino-4,6-dinitrotoluene	mg/kg	[NT]	[NT]	[NR]	[NR]
4-&2-AM-DNT(Isomeric Mixture)	mg/kg	[NT]	[NT]	[NR]	[NR]
2,4-Dinitrotoluene	mg/kg	[NT]	[NT]	[NR]	[NR]
2,6-Dinitrotoluene	mg/kg	[NT]	[NT]	[NR]	[NR]
2,4&2,6-DNT(Isomeric Mixture)	mg/kg	[NT]	[NT]	[NR]	[NR]
Nitrobenzene	mg/kg	[NT]	[NT]	[NR]	[NR]
2-Nitrotoluene	mg/kg	[NT]	[NT]	[NR]	[NR]
3-Nitrotoluene	mg/kg	[NT]	[NT]	[NR]	[NR]
4-Nitrotoluene	mg/kg	[NT]	[NT]	[NR]	[NR]
Nitroglycerine	mg/kg	[NT]	[NT]	[NR]	[NR]
PETN	mg/kg	[NT]	[NT]	[NR]	[NR]
Surrogate (o-Dinitrobenzene)	%	[NT]	[NT]	[NR]	[NR]

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QUALITY CONTROL vTPH & BTEX in Soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD
Date extracted	-	45969-50	21/09/2010 || 21/09/2010
Date analysed	-	45969-50	22/09/2010 || 22/09/2010
vTPH C_6 - C_9	mg/kg	45969-50	<25 || <25
Benzene	mg/kg	45969-50	<0.5 || <0.5
Toluene	mg/kg	45969-50	<0.5 || <0.5
Ethylbenzene	mg/kg	45969-50	<1.0 || <1.0
m+p-xylene	mg/kg	45969-50	<2.0 || <2.0
o-Xylene	mg/kg	45969-50	<1.0 || <1.0
Surrogate aaa-Trifluorotoluene	%	45969-50	91 || 88 || RPD: 3

QUALITY CONTROL Acid Extractable metals in soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Date digested	-	[NT]	[NT]	45969-41	21/9/2010
Date analysed	-	[NT]	[NT]	45969-41	22/9/2010
Arsenic	mg/kg	[NT]	[NT]	45969-41	94%
Cadmium	mg/kg	[NT]	[NT]	45969-41	96%
Chromium	mg/kg	[NT]	[NT]	45969-41	105%
Copper	mg/kg	[NT]	[NT]	45969-41	108%
Lead	mg/kg	[NT]	[NT]	45969-41	98%
Mercury	mg/kg	[NT]	[NT]	45969-41	110%
Nickel	mg/kg	[NT]	[NT]	45969-41	99%
Zinc	mg/kg	[NT]	[NT]	45969-41	98%

QUALITY CONTROL Explosives in Soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
HMX	mg/kg	[NT]	[NT]	[NR]	[NR]
RDX	mg/kg	[NT]	[NT]	[NR]	[NR]
1,3,5-Trinitrobenzene	mg/kg	[NT]	[NT]	[NR]	[NR]
1,3-Dinitrobenzene	mg/kg	[NT]	[NT]	[NR]	[NR]
Tetryl	mg/kg	[NT]	[NT]	[NR]	[NR]
2,4,6-Trinitrotoluene	mg/kg	[NT]	[NT]	[NR]	[NR]
4-Amino-2,6-dinitrotoluene	mg/kg	[NT]	[NT]	[NR]	[NR]
2-Amino-4,6-dinitrotoluene	mg/kg	[NT]	[NT]	[NR]	[NR]
4-&2-AM-DNT(Isomeric Mixture)	mg/kg	[NT]	[NT]	[NR]	[NR]
2,4-Dinitrotoluene	mg/kg	[NT]	[NT]	[NR]	[NR]
2,6-Dinitrotoluene	mg/kg	[NT]	[NT]	[NR]	[NR]
2,4&2,6-DNT(Isomeric Mixture)	mg/kg	[NT]	[NT]	[NR]	[NR]
Nitrobenzene	mg/kg	[NT]	[NT]	[NR]	[NR]
2-Nitrotoluene	mg/kg	[NT]	[NT]	[NR]	[NR]
3-Nitrotoluene	mg/kg	[NT]	[NT]	[NR]	[NR]

QUALITY CONTROL Explosives in Soil	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
4-Nitrotoluene	mg/kg	[NT]	[NT]	[NR]	[NR]
Nitroglycerine	mg/kg	[NT]	[NT]	[NR]	[NR]
PETN	mg/kg	[NT]	[NT]	[NR]	[NR]
Surrogate (o-Dinitrobenzene)	%	[NT]	[NT]	[NR]	[NR]

Report Comments:
Explosives analysed by ALS Report Number ES1018855

Asbestos ID was analysed by Approved Identifier:	Paul Ching
Asbestos ID was authorised by Approved Signatory:	Matt Mansfield
Asbestos counting was analysed by Approved Counter:	@ERROR
Asbestos counting was authorised by Approved Signatory:	@ERROR

INS: Insufficient sample for this test	PQL: Practical Quantitation Limit	NT: Not tested
NA: Test not required	RPD: Relative Percent Difference	NA: Test not required
<: Less than	>: Greater than	LCS: Laboratory Control Sample

Quality Control Definitions
Blank: This is the component of the analytical signal which is not derived from the sample but from reagents, glassware etc, can be determined by processing solvents and reagents in exactly the same manner as for samples.
Duplicate: This is the complete duplicate analysis of a sample from the process batch. If possible, the sample selected should be one where the analyte concentration is easily measurable.
Matrix Spike: A portion of the sample is spiked with a known concentration of target analyte. The purpose of the matrix spike is to monitor the performance of the analytical method used and to determine whether matrix interferences exist.
LCS (Laboratory Control Sample): This comprises either a standard reference material or a control matrix (such as a blank sand or water) fortified with analytes representative of the analyte class. It is simply a check sample.
Surrogate Spike: Surrogates are known additions to each sample, blank, matrix spike and LCS in a batch, of compounds which are similar to the analyte of interest, however are not expected to be found in real samples.

Laboratory Acceptance Criteria
Duplicate sample and matrix spike recoveries may not be reported on smaller jobs, however, were analysed at a frequency to meet or exceed NEPM requirements. All samples are tested in batched of 20. The duplicate sample RPD and matrix spike recoveries for the batch were within the laboratory acceptance criteria.

Duplicates: <5xPQL - any RPD is acceptable; >5xPQL - 0-50% RPD is acceptable.
Matrix Spikes and LCS: Generally 70-130% for inorganics/metals; 60-140% for organics and 10-140% for SVOC and speciated phenols is acceptable.

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CHAIN OF CUSTODY

Project Name: Contamination Assesment		**To:**	Envirolab Services
Project No: 40999.26	**Sampler:** Reilly Goodspeed		12 Ashley St Chatswood 2067
Project Mgr: Rene Alviar	**Mob. Phone:** 0437396499	**Attn:**	Tania Notaras
Email: Reilly.Goodspeed@douglaspartners.com.au		**Phone:** (02) 9910 6200	**Fax:** (02) 9910 6201
Date Required: normal		**Email:**	tnotaras@envirolabservices.com.au

Sample ID	Lab ID	Sampling Date	Sample Type (S - soil W – water)	Container type (G – glass P - plastic)	Analytes: 8 Heavy Metals	Total Phenolics	TPH/ BTEX	PAH	OCP/OPP PCB	SVOC	VOC	Asbestos	Explosives	Notes/preservation
101/0-0.1	1	8-10/9/10	S	P	•	•	•	•	•					
101/0.4-0.5	2	8-10/9/10	S	P	•	•	•	•	•					
102/0-0.1	3	8-10/9/10	S	P	•	•	•	•	•					
102/0.4-0.5	4	8-10/9/10	S	P	•	•	•	•	•					
103/0-0.1	5	8-10/9/10	S	P	•	•	•	•	•					
104/0-0.1	6	8-10/9/10	S	P	•	•	•	•	•					
105/0-0.1	7	8-10/9/10	S	P	•	•	•	•	•					
106/0-0.1	8	8-10/9/10	S	P	•	•	•	•	•					
107/0-0.1	9	8-10/9/10	S	P	•	•	•	•	•					
108/0-0.1	10	8-10/9/10	S	P	•	•	•	•	•					
109/0-0.1	11	8-10/9/10	S	P	•	•	•	•	•			•	•	
109/0.4-0.5	12	8-10/9/10	S	P	•	•	•	•	•			•		
110/0-0.1	13	8-10/9/10	S	P	•	•	•	•	•			•	•	

Envirolab Services
12 Ashley St
Chatswood NSW 2067
Ph: 9910 6200

Job No: 45969
Date received: 16/9/10
Time received: 4pm
Received by: Z.L.
Temp: Cool/Ambient
Cooling: Ice/Ice-pack
Security: Intact/Broken/None

Lab Report No:		
Send Results to: Douglas Partners Pty Ltd	**Address:** PO Box 486, Unanderra NSW 2526	**Phone:** (02) 4271 1836 **Fax:** (02) 4271 1897
Relinquished by: Reilly Goodspeed	**Transported to laboratory by:**	
Signed:	**Date & Time:**	**Received By:** Z.L. 16/9/10

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CHAIN OF CUSTODY

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Project Mgr: Rene Alviar	**Mob. Phone:** 0437396499	**Attn:**	Tania Notaras
Email: Reilly.Goodspeed@douglaspartners.com.au		**Phone:**	(02) 9910 6200 **Fax:** (02) 9910 6201
Date Required: normal		**Email:**	tnotaras@envirolabservices.com.au

Sample ID	Lab ID	Sampling Date	Sample Type (S - soil W – water)	Container type (G – glass P - plastic)	Analytes: 8 Heavy Metals	Total Phenolics	TPH/ BTEX	PAH	OCP/OPP PCB	SVOC	VOC	Asbestos	Explosives	Notes/preservation
110/0.4-0.5	14	8-10/9/10	S	P	•	•	•	•	•					
111/0-0.1	15	8-10/9/10	S	P	•	•	•	•	•					
112/0-0.1	16	8-10/9/10	S	P	•	•	•	•	•					
113/0-0.1	17	8-10/9/10	S	P	•		•			•	•			
113/0.4-0.5	18	8-10/9/10	S	P	•		•			•	•			
114/0-0.1	19	8-10/9/10	S	P	•		•			•	•			
115/0-0.1	20	8-10/9/10	S	P	•		•			•	•			
116/0-0.1	21	8-10/9/10	S	P	•	•	•	•	•					
117/0-0.1	22	8-10/9/10	S	P	•	•	•	•	•			•		
117/0.4-0.5	23	8-10/9/10	S	P	•	•	•	•	•					
118/0-0.1	24	8-10/9/10	S	P	•	•	•	•	•			•		
118/0.4-0.5	25	8-10/9/10	S	P	•	•	•	•	•					
119/0-0.1	26	8-10/9/10	S	P	•	•	•	•	•			•		

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Relinquished by: Reilly Goodspeed	**Transported to laboratory by:**	
Signed:	**Date & Time:**	**Received By:** 16/9/10

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Date Required: normal		**Email:**	tnotaras@envirolabservices.com.au

Sample ID	Lab ID	Sampling Date	Sample Type (S - soil W – water)	Container type (G – glass P - plastic)	Analytes: 8 Heavy Metals	Total Phenolics	TPH/ BTEX	PAH	OCP/OPP PCB	SVOC	VOC	Asbestos	Explosives	Notes/preservation
119/0.4-0.5	27	8-10/9/10	S	P	•	•	•	•	•					
120/0-0.1	28	8-10/9/10	S	P	•		•			•	•	•		
120/0.4-0.5	29	8-10/9/10	S	P	•		•			•	•			
121/0-0.1	30	8-10/9/10	S	P	•	•	•	•	•					
122/0-0.1	31	8-10/9/10	S	P	•	•	•	•	•			•		
122/0.9-1.0	32	8-10/9/10	S	P	•	•	•	•	•			•		
122/1.1-1.2	33	8-10/9/10	S	P	•	•	•	•	•					
123/0-0.1	34	8-10/9/10	S	P	•	•	•	•	•			•		
123/0.4-0.5	35	8-10/9/10	S	P	•	•	•	•	•			•		
124/0-0.1	36	8-10/9/10	S	P	•	•	•	•	•					
125/0-0.1	37	8-10/9/10	S	P	•	•	•	•	•					
126/0-0.1	38	8-10/9/10	S	P	•	•	•	•	•					
127/0-0.1	39	8-10/9/10	S	P	•	•	•	•	•					

Lab Report No:		
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Relinquished by: Reilly Goodspeed		**Transported to laboratory by:**
Signed:	**Date & Time:**	**Received By:** 7.L. 16/9/10

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CHAIN OF CUSTODY

Project Name: Contamination Assesment		**To:** Envirolab Services
Project No: 40999.26	**Sampler:** Reilly Goodspeed	12 Ashley St Chatswood 2067
Project Mgr: Rene Alviar	**Mob. Phone:** 0402057133	**Attn:** Tania Notaras
Email: Rene.Alviar@douglaspartners.com.au		**Phone:** (02) 9910 6200 **Fax:** (02) 9910 6201
Date Required: normal		**Email:** tnotaras@envirolabservices.com.au

Sample ID	Lab ID	Sampling Date	Sample Type	Container type	Analytes									Notes/preservation
			S - soil W – water	G – glass P - plastic	8 Heavy Metals	Total Phenolics	TPH/ BTEX	PAH	OCP/OPP PCB	SVOC	VOC	Asbestos	Explosives	
128/0-0.1	40	8-10/9/10	S	P	•	•	•	•	•					
128/0.4-0.5	41	8-10/9/10	S	P	•	•	•	•	•					
129/0-0.1	42	8-10/9/10	S	P	•	•	•	•	•					
129/0.4-0.5	43	8-10/9/10	S	P	•	•	•	•	•					
130/0-0.1	44	8-10/9/10	S	P	•	•	•	•	•					
131/0-0.1	45	8-10/9/10	S	P	•	•	•	•	•					
132/0-0.1	46	8-10/9/10	S	P	•	•	•	•	•					
133/0-0.1	47	8-10/9/10	S	P	•	•	•	•	•					
MW1/0-0.1	48	8-10/9/10	S	P	•	•	•	•	•					
MW2(A)0-0.1	49	8-10/9/10	S	P	•	•	•	•	•					
MW3/0-0.1	50	8-10/9/10	S	P	•	•	•	•	•					

Lab Report No:		
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Relinquished by: Reilly Goodspeed		**Transported to laboratory by:**
Signed:	**Date & Time:**	**Received By:** Z.L. 16/9/10

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Project No: 40999.26	**Sampler:** Reilly Goodspeed		12 Ashley St Chatswood 2067
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Email: Reilly.Goodspeed@douglaspartners.com.au		**Phone:** (02) 9910 6200	**Fax:** (02) 9910 6201
Date Required: normal		**Email:**	tnotaras@envirolabservices.com.au

Sample ID	Lab ID	Sampling Date	Sample Type (S - soil W – water)	Container type (G – glass P - plastic)	Analytes									Notes/preservation
					8 Heavy Metals	Total Phenolics	TPH/ BTEX	PAH	OCP/OPP PCB	SVOC	VOC	Asbestos	Explosives	
BD1A	51	8-10/9/10	S	P										
BD2A	52	8-10/9/10	S	P	•	•	•	•	•			•		
BD3A	53	8-10/9/10	S	P										
BD4A	54	8-10/9/10	S	P										
DB5A	55	8-10/9/10	S	P	•	•	•	•	•					
BD6A	56	8-10/9/10	S	P	•	•	•	•	•					
BD7A	57	8-10/9/10	S	P	•	•	•	•	•			•	•	
BD8A	58	8-10/9/10	S	P	•	•	•	•	•					
BD9A	59	8-10/9/10	S	P										
103/0.4-0.5	60	8-10/9/10	S	P										
103/0.9-1.0	61	8-10/9/10	S	P										
103/1.2-1.3	62	8-10/9/10	S	P										
104/0.1-0.2	63	8-10/9/10	S	P										

Lab Report No:		
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Relinquished by: Reilly Goodspeed	**Transported to laboratory by:**	
Signed:	**Date & Time:**	**Received By:** Z.L. 16/9/10

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Date Required: normal		**Email:** tnotaras@envirolabservices.com.au

Sample ID	Lab ID	Sampling Date	Sample Type (S - soil W – water)	Container type (G – glass P - plastic)	Analytes: 8 Heavy Metals	Total Phenolics	TPH/ BTEX	PAH	OCP/OPP PCB	SVOC	VOC	Asbestos	Explosives	Notes/preservation
104/0.5-0.6	64	8-10/9/10	S	P										
104/1.0-1.1	65	8-10/9/10	S	P										
104/1.5-1.6	66	8-10/9/10	S	P										
105/0.5-0.6	67	8-10/9/10	S	P										
105/0.7-0.8	68	8-10/9/10	S	P										
105/1.1-1.2	69	8-10/9/10	S	P										
106/0.5-0.6	70	8-10/9/10	S	P										
106/0.6-0.7	71	8-10/9/10	S	P										
106/0.9-1.0	72	8-10/9/10	S	P										
107/0.4-0.5	73	8-10/9/10	S	P										
107/0.8-0.9	74	8-10/9/10	S	P										
107/0.9-1.0	75	8-10/9/10	S	P										
108/0.8-0.9	76	8-10/9/10	S	P										

Lab Report No:		
Send Results to: Douglas Partners Pty Ltd	**Address:** PO Box 486, Unanderra NSW 2526	**Phone:** (02) 4271 1836 **Fax:** (02) 4271 1897
Relinquished by: Reilly Goodspeed	**Transported to laboratory by:**	
Signed:	**Date & Time:**	**Received By:** 16/9/10

Douglas Partners
Geotechnics · Environment · Groundwater

CHAIN OF CUSTODY

Project Name: Contamination Assesment		**To:**	Envirolab Services
Project No: 40999.26	**Sampler:** Reilly Goodspeed		12 Ashley St Chatswood 2067
Project Mgr: Rene Alviar	**Mob. Phone:** 0437396499	**Attn:**	Tania Notaras
Email: Reilly.Goodspeed@douglaspartners.com.au		**Phone:** (02) 9910 6200	**Fax:** (02) 9910 6201
Date Required: normal		**Email:**	tnotaras@envirolabservices.com.au

Sample ID	Lab ID	Sampling Date	Sample Type (S - soil W – water)	Container type (G – glass P - plastic)	Analytes: 8 Heavy Metals	Total Phenolics	TPH/ BTEX	PAH	OCP/OPP PCB	SVOC	VOC	Asbestos	Explosives	Notes/preservation
108/1.1-1.2	77	8-10/9/10	S	P										
111/0.9-1.0	78	8-10/9/10	S	P										
112/0.5-0.6	79	8-10/9/10	S	P										
~~113/0.4-0.5~~	80	8-10/9/10	S	P										
114/0.4-0.5	81	8-10/9/10	S	P										
115/0.6-0.7	82	8-10/9/10	S	P										
115/1.2-1.3	83	8-10/9/10	S	P										
116/0.4-0.5	84	8-10/9/10	S	P										
117/0.08-0.25	85	8-10/9/10	S	P								•		
119/0.9-1.0	86	8-10/9/10	S	P										
121/0.4-0.5	87	8-10/9/10	S	P										
122/1.4-1.5	88	8-10/9/10	S	P										
123/1.5-1.6	89	8-10/9/10	S	P										

Lab Report No:		
Send Results to: Douglas Partners Pty Ltd	**Address:** PO Box 486, Unanderra NSW 2526	**Phone:** (02) 4271 1836 **Fax:** (02) 4271 1897
Relinquished by: Reilly Goodspeed		**Transported to laboratory by:**
Signed:	**Date & Time:**	**Received By:** 7 L. 16/9/10

Douglas Partners
Geotechnics · Environment · Groundwater

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Date Required: normal		**Email:**	tnotaras@envirolabservices.com.au

Sample ID	Lab ID	Sampling Date	Sample Type (S - soil W – water)	Container type (G – glass P - plastic)	Analytes									Notes/preservation
					8 Heavy Metals	Total Phenolics	TPH/ BTEX	PAH	OCP/OPP PCB	SVOC	VOC	Asbestos	Explosives	
123/1.7-1.8	90	8-10/9/10	S	P										
124/0.4-0.5	91	8-10/9/10	S	P										
124/0.9-1.0	92	8-10/9/10	S	P										
124/1.3-1.4	93	8-10/9/10	S	P										
125/0.5-0.6	94	8-10/9/10	S	P										
126/0.4-0.5	95	8-10/9/10	S	P										
127/0.5-0.6	96	8-10/9/10	S	P										
128/1.1-1.2	97	8-10/9/10	S	P										
129/1.5-1.6	98	8-10/9/10	S	P										
129/0.6-0.7	99	8-10/9/10	S	P										
130/0.5-0.6	100	8-10/9/10	S	P										
130/1.0-1.1	101	8-10/9/10	S	P										
131/0.4-0.5	102	8-10/9/10	S	P										

Lab Report No:		
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Relinquished by: Reilly Goodspeed	**Transported to laboratory by:**	
Signed: **Date & Time:**	**Received By:** ZL 6/9/10	

Douglas Partners
Geotechnics - Environment - Groundwater

CHAIN OF CUSTODY

Project Name: Contamination Assesment		**To:**	Envirolab Services
Project No: 40999.26	**Sampler:** Reilly Goodspeed		12 Ashley St Chatswood 2067
Project Mgr: Rene Alviar	**Mob. Phone:** 0437396499	**Attn:**	Tania Notaras
Email: Reilly.Goodspeed@douglaspartners.com.au		**Phone:** (02) 9910 6200	**Fax:** (02) 9910 6201
Date Required: normal		**Email:**	tnotaras@envirolabservices.com.au

Sample ID	Lab ID	Sampling Date	Sample Type (S - soil W – water)	Container type (G – glass P - plastic)	Analytes: 8 Heavy Metals	Total Phenolics	TPH/ BTEX	PAH	OCP/OPP PCB	SVOC	VOC	Asbestos	Explosives	Notes/preservation
131/0.9-1.0	103	8-10/9/10	S	P										
131/1.4-1.5	104	8-10/9/10	S	P										
132/0.4-0.5	105	8-10/9/10	S	P										
132/0.9-1.0	106	8-10/9/10	S	P										
132/1.2-1.3	107	8-10/9/10	S	P										
133/0.5-0.6	108	8-10/9/10	S	P										
MW1/0.4-0.5	109	8-10/9/10	S	P										
MW2/0.0-0.1	110	8-10/9/10	S	P										
MW2A/0.4-0.5	111	8-10/9/10	S	P										
MW3/0.4-0.5	112	8-10/9/10	S	P										
		8-10/9/10	S	P										
		8-10/9/10	S	P										
		8-10/9/10	S	P										

Lab Report No:		
Send Results to: Douglas Partners Pty Ltd	**Address:** PO Box 486, Unanderra NSW 2526	**Phone:** (02) 4271 1836 **Fax:** (02) 4271 1897
Relinquished by: Reilly Goodspeed	**Transported to laboratory by:**	
Signed:	**Date & Time:**	**Received By:** Z.L. 16/9/10

Envirolab Services Pty Ltd
ABN 37 112 535 645
12 Ashley St Chatswood NSW 2067
ph 02 9910 6200 fax 02 9910 6201
enquiries@envirolabservices.com.au
www.envirolabservices.com.au

CERTIFICATE OF ANALYSIS 46273

Client:
Douglas Partners Unanderra
Unit 1, 1 Luso Drive
Unanderra
NSW 2526

Attention: Aidan Wright

Sample log in details:

Your Reference:	**40999.26, ShellCove**
No. of samples:	6 Waters
Date samples received:	24/09/10
Date completed instructions received:	24/09/10

Analysis Details:
Please refer to the following pages for results, methodology summary and quality control data.
Samples were analysed as received from the client. Results relate specifically to the samples as received.
Results are reported on a dry weight basis for solids and on an as received basis for other matrices.
Please refer to the last page of this report for any comments relating to the results.

Report Details:

Date results requested by:	6/10/10
Date of Preliminary Report:	6/10/10
Issue Date:	7/10/10

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Results Approved By:

Giovanni Agosti
Technical Manager

Sandra Taylor
Assistant Lab Manager

Nancy Zhang
Chemist

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TECHNICAL
COMPETENCE

VOCs in water Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	46273-2 MW2B 23/09/2010 Water
Date extracted	-	29/9/2010
Date analysed	-	29/9/2010
Dichlorodifluoromethane	µg/L	<10
Chloromethane	µg/L	<10
Vinyl Chloride	µg/L	<10
Bromomethane	µg/L	<10
Chloroethane	µg/L	<10
Trichlorofluoromethane	µg/L	<10
1,1-Dichloroethene	µg/L	<1.0
Trans-1,2-dichloroethene	µg/L	<1.0
1,1-dichloroethane	µg/L	<1.0
Cis-1,2-dichloroethene	µg/L	<1.0
Bromochloromethane	µg/L	<1.0
Chloroform	µg/L	<1.0
2,2-dichloropropane	µg/L	<1.0
1,2-dichloroethane	µg/L	<1.0
1,1,1-trichloroethane	µg/L	<1.0
1,1-dichloropropene	µg/L	<1.0
Cyclohexane	µg/L	<1.0
Carbon tetrachloride	µg/L	<1.0
Benzene	µg/L	<1.0
Dibromomethane	µg/L	<1.0
1,2-dichloropropane	µg/L	<1.0
Trichloroethene	µg/L	<1.0
Bromodichloromethane	µg/L	<1.0
trans-1,3-dichloropropene	µg/L	<1.0
cis-1,3-dichloropropene	µg/L	<1.0
1,1,2-trichloroethane	µg/L	<1.0
Toluene	µg/L	<1.0
1,3-dichloropropane	µg/L	<1.0
Dibromochloromethane	µg/L	<1.0
1,2-dibromoethane	µg/L	<1.0
Tetrachloroethene	µg/L	<1.0
1,1,1,2-tetrachloroethane	µg/L	<1.0
Chlorobenzene	µg/L	<1.0
Ethylbenzene	µg/L	<1.0
Bromoform	µg/L	<1.0
m+p-xylene	µg/L	<2.0
Styrene	µg/L	<1.0
1,1,2,2-tetrachloroethane	µg/L	<1.0

VOCs in water Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	46273-2 MW2B 23/09/2010 Water
o-xylene	µg/L	<1.0
1,2,3-trichloropropane	µg/L	<1.0
Isopropylbenzene	µg/L	<1.0
Bromobenzene	µg/L	<1.0
n-propyl benzene	µg/L	<1.0
2-chlorotoluene	µg/L	<1.0
4-chlorotoluene	µg/L	<1.0
1,3,5-trimethyl benzene	µg/L	<1.0
Tert-butyl benzene	µg/L	<1.0
1,2,4-trimethyl benzene	µg/L	<1.0
1,3-dichlorobenzene	µg/L	<1.0
Sec-butyl benzene	µg/L	<1.0
1,4-dichlorobenzene	µg/L	<1.0
4-isopropyl toluene	µg/L	<1.0
1,2-dichlorobenzene	µg/L	<1.0
n-butyl benzene	µg/L	<1.0
1,2-dibromo-3-chloropropane	µg/L	<1.0
1,2,4-trichlorobenzene	µg/L	<1.0
Hexachlorobutadiene	µg/L	<1.0
1,2,3-trichlorobenzene	µg/L	<1.0
Surrogate Dibromofluoromethane	%	99
Surrogate toluene-d8	%	100
Surrogate 4-BFB	%	102

vTPH & BTEX in Water Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	46273-1 MW1 23/09/2010 Water	46273-3 MW3 23/09/2010 Water	46273-6 Trip Blank 23/09/2010 Water
Date extracted	-	29/9/2010	29/9/2010	29/9/2010
Date analysed	-	29/9/2010	29/9/2010	29/9/2010
TPH C_6 - C_9	µg/L	<10	<10	[NA]
Benzene	µg/L	<1.0	<1.0	<1.0
Toluene	µg/L	<1.0	<1.0	<1.0
Ethylbenzene	µg/L	<1.0	<1.0	<1.0
m+p-xylene	µg/L	<2.0	<2.0	<2.0
o-xylene	µg/L	<1.0	<1.0	<1.0
Surrogate Dibromofluoromethane	%	101	98	101
Surrogate toluene-d8	%	99	98	97
Surrogate 4-BFB	%	96	94	93

sTPH in Water (C10-C36) Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ---------- 	46273-1 MW1 23/09/2010 Water	46273-3 MW3 23/09/2010 Water
Date extracted	-	28/9/2010	28/9/2010
Date analysed	-	28/9/2010	28/9/2010
TPH C_{10} - C_{14}	µg/L	<50	<50
TPH C_{15} - C_{28}	µg/L	<100	<100
TPH C_{29} - C_{36}	µg/L	<100	<100
Surrogate o-Terphenyl	%	98	95

PAHs in Water Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	46273-1 MW1 23/09/2010 Water	46273-3 MW3 23/09/2010 Water	46273-4 BD1 23/09/2010 Water
Date extracted	-	28/9/2010	28/9/2010	28/9/2010
Date analysed	-	29/9/2010	29/9/2010	29/9/2010
Naphthalene	µg/L	<1	<1	<1
Acenaphthylene	µg/L	<1	<1	<1
Acenaphthene	µg/L	<1	<1	<1
Fluorene	µg/L	<1	<1	<1
Phenanthrene	µg/L	<1	<1	<1
Anthracene	µg/L	<1	<1	<1
Fluoranthene	µg/L	<1	<1	<1
Pyrene	µg/L	<1	<1	<1
Benzo(a)anthracene	µg/L	<1	<1	<1
Chrysene	µg/L	<1	<1	<1
Benzo(b+k)fluoranthene	µg/L	<2	<2	<2
Benzo(a)pyrene	µg/L	<1	<1	<1
Indeno(1,2,3-c,d)pyrene	µg/L	<1	<1	<1
Dibenzo(a,h)anthracene	µg/L	<1	<1	<1
Benzo(g,h,i)perylene	µg/L	<1	<1	<1
Surrogate p-Terphenyl-d_{14}	%	97	101	133

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Speciated Phenols in water Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	46273-1 MW1 23/09/2010 Water	46273-3 MW3 23/09/2010 Water
Date extracted	-	28/9/2010	28/9/2010
Date analysed	-	28/9/2010	28/9/2010
Phenol	µg/L	<10	<10
2-Chlorophenol	µg/L	<10	<10
2-Methylphenol	µg/L	<10	<10
3/4-Methylphenol	µg/L	<20	<20
2-Nitrophenol	µg/L	<10	<10
2,4-Dimethylphenol	µg/L	<10	<10
2,4-Dichlorophenol	µg/L	<10	<10
2,6-Dichlorophenol	µg/L	<10	<10
2,4,5-Trichlorophenol	µg/L	<10	<10
2,4,6-Trichlorophenol	µg/L	<10	<10
2,4-Dinitrophenol	µg/L	<100	<100
4-Nitrophenol	µg/L	<100	<100
2,3,4,6-Tetrachlorophenol	µg/L	<10	<10
2-methyl-4,6-dinitrophenol	µg/L	<100	<100
Pentachlorophenol	µg/L	<100	<100
Surrogate 2-fluorophenol	%	62	53
Surrogate Phenol-d_6	%	34	34
Surrogate 2,4,6-Tribromophenol	%	116	125
Surrogate *p*-Terphenyl-d_{14}	%	89	101

SVOC's in water Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	46273-2 MW2B 23/09/2010 Water
Date extracted	-	28/9/2010
Date analysed	-	28/9/2010
Phenol	µg/L	<10
Bis (2-chloroethyl) ether	µg/L	<10
2-Chlorophenol	µg/L	<10
1,3-Dichlorobenzene	µg/L	<10
1,4-Dichlorobenzene	µg/L	<10
2-Methylphenol	µg/L	<10
1,2-Dichlorobenzene	µg/L	<10
bis-(2-Chloroisopropyl) ether	µg/L	<10
3/4-Methylphenol	µg/L	<20
N-nitrosodi-n-propylamine	µg/L	<10
Hexachloroethane	µg/L	<10
Nitrobenzene	µg/L	<10
Isophorone	µg/L	<10
2,4-Dimethylphenol	µg/L	<10
2-Nitrophenol	µg/L	<10
bis (2-Chloroethoxy) methane	µg/L	<10
2,4-Dichlorophenol	µg/L	<10
1,2,4-Trichlorobenzene	µg/L	<10
Naphthalene	µg/L	<10
4-Chloroaniline	µg/L	<10
Hexachlorobutadiene	µg/L	<10
2-Methylnaphthalene	µg/L	<10
Hexachlorocyclopentadiene	µg/L	<10
2,4,6-Trichlorophenol	µg/L	<10
2,4,5-Trichlorophenol	µg/L	<10
2-Chloronaphthalene	µg/L	<10
2-Nitroaniline	µg/L	<10
Dimethyl phthalate	µg/L	<10
2,6-Dinitrotoluene	µg/L	<10
Acenaphthylene	µg/L	<10
3-Nitroaniline	µg/L	<10
Acenaphthene	µg/L	<10
2,4-Dinitrophenol	µg/L	<100
4-Nitrophenol	µg/L	<100
Dibenzofuran	µg/L	<10
Diethylphthalate	µg/L	<10
4-Chlorophenylphenylether	µg/L	<10
4-Nitroaniline	µg/L	<10
Fluorene	µg/L	<10

SVOC's in water Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	46273-2 MW2B 23/09/2010 Water
2-methyl-4,6-dinitrophenol	µg/L	<100
Azobenzene	µg/L	<10
4-Bromophenylphenylether	µg/L	<10
Hexachlorobenzene	µg/L	<10
Pentachlorophenol	µg/L	<100
Phenanthrene	µg/L	<10
Anthracene	µg/L	<10
Carbazole	µg/L	<10
Di-n-butylphthalate	µg/L	<10
Fluoranthene	µg/L	<10
Pyrene	µg/L	<10
Butylbenzylphthalate	µg/L	<10
Bis(2-ethylhexyl) phthalate	µg/L	<10
Benzo(a)anthracene	µg/L	<10
Chrysene	µg/L	<10
Di-n-octylphthalate	µg/L	<10
Benzo(b)fluoranthene	µg/L	<10
Benzo(k)fluoranthene	µg/L	<10
Benzo(a)pyrene	µg/L	<10
Indeno(1,2,3-c,d)pyrene	µg/L	<10
Dibenzo(a,h)anthracene	µg/L	<10
Benzo(g,h,i)perylene	µg/L	<10
Ethylmethanesulfonate	µg/L	<10
Aniline	µg/L	<10
Pentachloroethane	µg/L	<10
Benzyl alcohol	µg/L	<10
Acetophenone	µg/L	<10
N-nitrosomorpholine	µg/L	<10
N-nitrosopiperidine	µg/L	<10
2,6-Dichlorophenol	µg/L	<10
Hexachloropropene-1	µg/L	<10
N-nitroso-n-butylamine	µg/L	<10
Safrole	µg/L	<10
1,2,4,5-Tetrachlorobenzene	µg/L	<10
Trans-iso-safrole	µg/L	<10
1,3-Dinitrobenzene	µg/L	<10
Pentachlorobenzene	µg/L	<10
1-Naphthylamine	µg/L	<10
2,3,4,6-Tetrachlorophenol	µg/L	<10
2-Naphthylamine	µg/L	<10
5-Nitro-o-toluidine	µg/L	<10

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SVOC's in water Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	46273-2 MW2B 23/09/2010 Water
Diphenylamine	µg/L	<10
Phenacetin	µg/L	<10
Pentachloronitrobenzene	µg/L	<10
Dinoseb	µg/L	<10
Methapyrilene	µg/L	<10
p-Dimethylaminoazobenzene	µg/L	<10
2-Acetylaminofluorene	µg/L	<10
7,12-Dimethylbenz(a)anthracene	µg/L	<10
3-Methylcholanthrene	µg/L	<10
a-BHC	µg/L	<10
b-BHC	µg/L	<10
g-BHC	µg/L	<10
d-BHC	µg/L	<10
Heptachlor	µg/L	<10
Aldrin	µg/L	<10
Heptachlor Epoxide	µg/L	<10
g-Chlordane	µg/L	<10
a-Chlordane	µg/L	<10
Endosulfan I	µg/L	<10
p,p'-DDE	µg/L	<10
Dieldrin	µg/L	<10
Endrin	µg/L	<10
p,p'-DDD	µg/L	<10
Endosulfan II	µg/L	<10
Endrin Aldehyde	µg/L	<10
p,p'-DDT	µg/L	<10
Endosulfan Sulphate	µg/L	<10
Surrogate 2-fluorophenol	%	56
Surrogate Phenol-d_6	%	30
Surrogate Nitrobenzene-d_5	%	103
Surrogate 2-fluorobiphenyl	%	88
Surrogate 2,4,6-Tribromophenol	%	91
Surrogate *p*-Terphenyl-d_{14}	%	89

OCP in water - trace level Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	46273-1 MW1 23/09/2010 Water	46273-2 MW2B 23/09/2010 Water	46273-3 MW3 23/09/2010 Water
Date extracted	-	28/9/2010	28/9/2010	28/9/2010
Date analysed	-	01/10/2010	01/10/2010	01/10/2010
HCB	µg/L	<0.0010	<0.0010	<0.0010
Heptachlor	µg/L	<0.0010	<0.0010	<0.0010
Heptachlor Epoxide	µg/L	<0.0010	<0.0010	<0.0010
Aldrin	µg/L	<0.0010	<0.0010	<0.0010
gamma-BHC (Lindane)	µg/L	<0.0010	<0.0010	<0.0010
alpha-BHC	µg/L	<0.0010	<0.0010	<0.0010
beta-BHC	µg/L	<0.0010	<0.0010	<0.0010
delta-BHC	µg/L	<0.0010	<0.0010	<0.0010
trans-Chlordane	µg/L	<0.0010	<0.0010	<0.0010
cis-Chlordane	µg/L	<0.0010	<0.0010	<0.0010
Oxychlordane	µg/L	<0.0010	<0.0010	<0.0010
Dieldrin	µg/L	<0.0010	<0.0010	<0.0010
p,p-DDE	µg/L	<0.0010	<0.0010	<0.0010
p,p-DDD	µg/L	<0.0010	<0.0010	<0.0010
p,p-DDT	µg/L	<0.0010	<0.0010	<0.0010
Endrin	µg/L	<0.0010	<0.0010	<0.0010
Endrin Aldehyde	µg/L	<0.0010	<0.0010	<0.0010
Endrin Ketone	µg/L	<0.0010	<0.0010	<0.0010
alpha-Endosulfan	µg/L	<0.0010	<0.0010	<0.0010
beta-Endosulfan	µg/L	<0.0010	<0.0010	<0.0010
Endosulfan Sulfate	µg/L	<0.0010	<0.0010	<0.0010
Methoxychlor	µg/L	<0.0010	<0.0010	<0.0010
Surrogate OC Recovery	%	77	94	66

OP Pesticides -Trace Level Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	46273-1 MW1 23/09/2010 Water	46273-2 MW2B 23/09/2010 Water	46273-3 MW3 23/09/2010 Water
Date extracted	-	28/9/2010	28/9/2010	28/9/2010
Date analysed	-	01/10/2010	01/10/2010	01/10/2010
Demeton-S-methyl	µg/L	<0.010	<0.010	<0.010
Dichlorvos	µg/L	<0.010	<0.010	<0.010
Diazinon	µg/L	<0.010	<0.010	<0.010
Dimethoate	µg/L	<0.010	<0.010	<0.010
Chlorpyrifos	µg/L	<0.010	<0.010	<0.010
Chlorpyrifos methyl	µg/L	<0.010	<0.010	<0.010
Malathion	µg/L	<0.010	<0.010	<0.010
Fenthion	µg/L	<0.010	<0.010	<0.010
Azinphos Ethyl	µg/L	<0.010	<0.010	<0.010
Azinphos Methyl	µg/L	<0.010	<0.010	<0.010
Chlorfenvinphos (E)	µg/L	<0.010	<0.010	<0.010
Chlorfenvinphos (Z)	µg/L	<0.010	<0.010	<0.010
Ethion	µg/L	<0.010	<0.010	<0.010
Fenitrothion	µg/L	<0.010	<0.010	<0.010
Parathion (Ethyl)	µg/L	<0.010	<0.010	<0.010
Parathion (Methyl)	µg/L	<0.010	<0.010	<0.010
Primiphos Ethyl	µg/L	<0.010	<0.010	<0.010
Primiphos Methyl	µg/L	<0.010	<0.010	<0.010
Surrogate OP Recovery - TPP	%	92	110	92

PCB in water - trace level Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ---------- 	46273-1 MW1 23/09/2010 Water	46273-2 MW2B 23/09/2010 Water	46273-3 MW3 23/09/2010 Water
Date extracted	-	28/9/2010	28/9/2010	28/9/2010
Date analysed	-	01/10/2010	01/10/2010	01/10/2010
Aroclor 1016	µg/L	<0.010	<0.010	<0.010
Aroclor 1221	µg/L	<0.010	<0.010	<0.010
Aroclor 1232	µg/L	<0.010	<0.010	<0.010
Aroclor 1242	µg/L	<0.010	<0.010	<0.010
Aroclor 1248	µg/L	<0.010	<0.010	<0.010
Aroclor 1254	µg/L	<0.010	<0.010	<0.010
Aroclor 1260	µg/L	<0.010	<0.010	<0.010
Total PCB's (as above)	µg/L	<0.01	<0.01	<0.01

HM in water - dissolved Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	46273-1 MW1 23/09/2010 Water	46273-2 MW2B 23/09/2010 Water	46273-3 MW3 23/09/2010 Water	46273-4 BD1 23/09/2010 Water	46273-5 Rinsate 23/09/2010 Water
Date prepared	-	01/10/2010	01/10/2010	01/10/2010	01/10/2010	01/10/2010
Date analysed	-	01/10/2010	01/10/2010	01/10/2010	01/10/2010	01/10/2010
Arsenic-Dissolved	µg/L	<1	<1	<1	<1	<1
Cadmium-Dissolved	µg/L	0.1	0.1	<0.1	<0.1	<0.1
Chromium-Dissolved	µg/L	<1	<1	<1	<1	<1
Copper-Dissolved	µg/L	17	7	13	16	<1
Lead-Dissolved	µg/L	2	<1	<1	1	<1
Mercury-Dissolved	µg/L	<0.5	<0.5	<0.5	<0.5	<0.5
Nickel-Dissolved	µg/L	26	17	12	26	<1
Zinc-Dissolved	µg/L	76	65	17	88	<1

Miscellaneous Inorganics					
Our Reference:	UNITS	46273-1	46273-2	46273-3	46273-4
Your Reference	----------	MW1	MW2B	MW3	BD1
Date Sampled	----------	23/09/2010	23/09/2010	23/09/2010	23/09/2010
Type of sample		Water	Water	Water	Water
Date prepared	-	28/09/2010	28/09/2010	28/09/2010	28/09/2010
Date analysed	-	28/09/2010	28/09/2010	28/09/2010	28/09/2010
Salinity as NACL *	mg/L	2,600	2,600	[NA]	[NA]
Hardness	mgCaCO3 /L	350	500	46	350
BOD5	mg/L	[NA]	<4	[NA]	[NA]
Ammonia as N in water	mg/L	[NA]	<0.1	[NA]	[NA]
Total Cyanide	mg/L	[NA]	<0.005	[NA]	[NA]

Ion Balance Our Reference: Your Reference Date Sampled Type of sample	UNITS ---------- ----------	46273-1 MW1 23/09/2010 Water	46273-2 MW2B 23/09/2010 Water	46273-3 MW3 23/09/2010 Water	46273-4 BD1 23/09/2010 Water
Date prepared	-	27/9/2010	27/9/2010	27/9/2010	27/9/2010
Date analysed	-	1/10/2010	1/10/2010	1/10/2010	1/10/2010
Calcium - Dissolved	mg/L	28	44	3.6	28
Potassium - Dissolved	mg/L	[NA]	1.5	[NA]	[NA]
Sodium - Dissolved	mg/L	[NA]	780	[NA]	[NA]
Magnesium - Dissolved	mg/L	67	95	9.0	68
Hydroxide Alkalinity (OH^-) as $CaCO_3$	mg/L	[NA]	<0.1	[NA]	[NA]
Bicarbonate Alkalinity as $CaCO_3$	mg/L	[NA]	38	[NA]	[NA]
Carbonate Alkalinity as $CaCO_3$	mg/L	[NA]	<0.1	[NA]	[NA]
Total Alkalinity as $CaCO_3$	mg/L	[NA]	38	[NA]	[NA]
Sulphate, SO4	mg/L	[NA]	450	[NA]	[NA]
Chloride, Cl	mg/L	[NA]	1,300	[NA]	[NA]
Ionic Balance	%	[NA]	-3.2	[NA]	[NA]

Method ID	Methodology Summary
GC.13	Water samples are analysed directly by purge and trap GC-MS.
GC.16	Soil samples are extracted with methanol and spiked into water prior to analysing by purge and trap GC-MS. Water samples are analysed directly by purge and trap GC-MS.
GC.3	Soil samples are extracted with Dichloromethane/Acetone and waters with Dichloromethane and analysed by GC-FID.
GC.12 subset	Soil samples are extracted with Dichloromethane/Acetone and waters with Dichloromethane and analysed by GC-MS.
GC.12	Soil samples are extracted with Dichloromethane/Acetone and waters with Dichloromethane and analysed by GC-MS.
Ext-020	Analysis subcontracted to Australian Government - National Measurement Institute. NATA Accreditation No: 198
Metals.22 ICP-MS	Determination of various metals by ICP-MS.
Metals.21 CV-AAS	Determination of Mercury by Cold Vapour AAS.
LAB.2	Conductivity and Salinity - measured using a conductivity cell and dedicated meter, in accordance with APHA2510 20th ED and Rayment & Higginson.
Metals.20 ICP-AES	Determination of various metals by ICP-AES.
LAB.57	Ammonia water extractable - determined colourimetrically based on EPA350.1
LAB.13	Cyanide - total determined colourimetrically after distillation. Free cyanide determined colourimetrically after filtration. Based on APHA 20th ED, 4500-CN_C,E.
LAB.6	Alkalinity - determined titrimetrically in accordance with APHA 20th ED, 2320-B.
LAB.81	Anions - a range of Anions are determined by Ion Chromatography, in accordance with APHA 21st ED, 4110-B.
LAB.41	Gravimetric determination of the total solids content of water.

QUALITY CONTROL VOCs in water	UNITS	PQL	METHOD	Blank	Duplicate Sm#	Duplicate results Base II Duplicate II %RPD	Spike Sm#	Spike % Recovery
Date extracted	-			29/9/2010	[NT]	[NT]	LCS-W1	29/9/2010
Date analysed	-			29/9/2010	[NT]	[NT]	LCS-W1	29/9/2010
Dichlorodifluoromethane	µg/L	10	GC.13	<10	[NT]	[NT]	[NR]	[NR]
Chloromethane	µg/L	10	GC.13	<10	[NT]	[NT]	[NR]	[NR]
Vinyl Chloride	µg/L	10	GC.13	<10	[NT]	[NT]	[NR]	[NR]
Bromomethane	µg/L	10	GC.13	<10	[NT]	[NT]	[NR]	[NR]
Chloroethane	µg/L	10	GC.13	<10	[NT]	[NT]	[NR]	[NR]
Trichlorofluoromethane	µg/L	10	GC.13	<10	[NT]	[NT]	[NR]	[NR]
1,1-Dichloroethene	µg/L	1	GC.13	<1.0	[NT]	[NT]	[NR]	[NR]
Trans-1,2-dichloroethene	µg/L	1	GC.13	<1.0	[NT]	[NT]	[NR]	[NR]
1,1-dichloroethane	µg/L	1	GC.13	<1.0	[NT]	[NT]	LCS-W1	90%
Cis-1,2-dichloroethene	µg/L	1	GC.13	<1.0	[NT]	[NT]	[NR]	[NR]
Bromochloromethane	µg/L	1	GC.13	<1.0	[NT]	[NT]	[NR]	[NR]
Chloroform	µg/L	1	GC.13	<1.0	[NT]	[NT]	LCS-W1	112%
2,2-dichloropropane	µg/L	1	GC.13	<1.0	[NT]	[NT]	[NR]	[NR]
1,2-dichloroethane	µg/L	1	GC.13	<1.0	[NT]	[NT]	LCS-W1	98%
1,1,1-trichloroethane	µg/L	1	GC.13	<1.0	[NT]	[NT]	LCS-W1	99%
1,1-dichloropropene	µg/L	1	GC.13	<1.0	[NT]	[NT]	[NR]	[NR]
Cyclohexane	µg/L	1	GC.13	<1.0	[NT]	[NT]	[NR]	[NR]
Carbon tetrachloride	µg/L	1	GC.13	<1.0	[NT]	[NT]	[NR]	[NR]
Benzene	µg/L	1	GC.13	<1.0	[NT]	[NT]	[NR]	[NR]
Dibromomethane	µg/L	1	GC.13	<1.0	[NT]	[NT]	[NR]	[NR]
1,2-dichloropropane	µg/L	1	GC.13	<1.0	[NT]	[NT]	[NR]	[NR]
Trichloroethene	µg/L	1	GC.13	<1.0	[NT]	[NT]	[NR]	[NR]
Bromodichloromethane	µg/L	1	GC.13	<1.0	[NT]	[NT]	LCS-W1	106%
trans-1,3-dichloropropene	µg/L	1	GC.13	<1.0	[NT]	[NT]	[NR]	[NR]
cis-1,3-dichloropropene	µg/L	1	GC.13	<1.0	[NT]	[NT]	[NR]	[NR]
1,1,2-trichloroethane	µg/L	1	GC.13	<1.0	[NT]	[NT]	[NR]	[NR]
Toluene	µg/L	1	GC.13	<1.0	[NT]	[NT]	[NR]	[NR]
1,3-dichloropropane	µg/L	1	GC.13	<1.0	[NT]	[NT]	[NR]	[NR]
Dibromochloromethane	µg/L	1	GC.13	<1.0	[NT]	[NT]	LCS-W1	107%
1,2-dibromoethane	µg/L	1	GC.13	<1.0	[NT]	[NT]	[NR]	[NR]
Tetrachloroethene	µg/L	1	GC.13	<1.0	[NT]	[NT]	LCS-W1	106%
1,1,1,2-tetrachloroethane	µg/L	1	GC.13	<1.0	[NT]	[NT]	[NR]	[NR]
Chlorobenzene	µg/L	1	GC.13	<1.0	[NT]	[NT]	[NR]	[NR]
Ethylbenzene	µg/L	1	GC.13	<1.0	[NT]	[NT]	[NR]	[NR]
Bromoform	µg/L	1	GC.13	<1.0	[NT]	[NT]	[NR]	[NR]
m+p-xylene	µg/L	2	GC.13	<2.0	[NT]	[NT]	[NR]	[NR]
Styrene	µg/L	1	GC.13	<1.0	[NT]	[NT]	[NR]	[NR]

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QUALITY CONTROL VOCs in water	UNITS	PQL	METHOD	Blank	Duplicate Sm#	Duplicate results Base II Duplicate II %RPD	Spike Sm#	Spike % Recovery
1,1,2,2-tetrachloroethane	µg/L	1	GC.13	<1.0	[NT]	[NT]	[NR]	[NR]
o-xylene	µg/L	1	GC.13	<1.0	[NT]	[NT]	[NR]	[NR]
1,2,3-trichloropropane	µg/L	1	GC.13	<1.0	[NT]	[NT]	[NR]	[NR]
Isopropylbenzene	µg/L	1	GC.13	<1.0	[NT]	[NT]	[NR]	[NR]
Bromobenzene	µg/L	1	GC.13	<1.0	[NT]	[NT]	[NR]	[NR]
n-propyl benzene	µg/L	1	GC.13	<1.0	[NT]	[NT]	[NR]	[NR]
2-chlorotoluene	µg/L	1	GC.13	<1.0	[NT]	[NT]	[NR]	[NR]
4-chlorotoluene	µg/L	1	GC.13	<1.0	[NT]	[NT]	[NR]	[NR]
1,3,5-trimethyl benzene	µg/L	1	GC.13	<1.0	[NT]	[NT]	[NR]	[NR]
Tert-butyl benzene	µg/L	1	GC.13	<1.0	[NT]	[NT]	[NR]	[NR]
1,2,4-trimethyl benzene	µg/L	1	GC.13	<1.0	[NT]	[NT]	[NR]	[NR]
1,3-dichlorobenzene	µg/L	1	GC.13	<1.0	[NT]	[NT]	[NR]	[NR]
Sec-butyl benzene	µg/L	1	GC.13	<1.0	[NT]	[NT]	[NR]	[NR]
1,4-dichlorobenzene	µg/L	1	GC.13	<1.0	[NT]	[NT]	[NR]	[NR]
4-isopropyl toluene	µg/L	1	GC.13	<1.0	[NT]	[NT]	[NR]	[NR]
1,2-dichlorobenzene	µg/L	1	GC.13	<1.0	[NT]	[NT]	[NR]	[NR]
n-butyl benzene	µg/L	1	GC.13	<1.0	[NT]	[NT]	[NR]	[NR]
1,2-dibromo-3-chloropropane	µg/L	1	GC.13	<1.0	[NT]	[NT]	[NR]	[NR]
1,2,4-trichlorobenzene	µg/L	1	GC.13	<1.0	[NT]	[NT]	[NR]	[NR]
Hexachlorobutadiene	µg/L	1	GC.13	<1.0	[NT]	[NT]	[NR]	[NR]
1,2,3-trichlorobenzene	µg/L	1	GC.13	<1.0	[NT]	[NT]	[NR]	[NR]
Surrogate Dibromofluoromethane	%		GC.13	84	[NT]	[NT]	LCS-W1	108%
Surrogate toluene-d8	%		GC.13	99	[NT]	[NT]	LCS-W1	101%
Surrogate 4-BFB	%		GC.13	98	[NT]	[NT]	LCS-W1	100%

QUALITY CONTROL vTPH & BTEX in Water	UNITS	PQL	METHOD	Blank	Duplicate Sm#	Duplicate results Base II Duplicate II %RPD	Spike Sm#	Spike % Recovery
Date extracted	-			29/9/2010	[NT]	[NT]	LCS-W1	29/9/2010
Date analysed	-			29/9/2010	[NT]	[NT]	LCS-W1	29/9/2010
TPH C_6 - C_9	µg/L	10	GC.16	<10	[NT]	[NT]	LCS-W1	100%
Benzene	µg/L	1	GC.16	<1.0	[NT]	[NT]	LCS-W1	100%
Toluene	µg/L	1	GC.16	<1.0	[NT]	[NT]	LCS-W1	99%
Ethylbenzene	µg/L	1	GC.16	<1.0	[NT]	[NT]	LCS-W1	100%
m+p-xylene	µg/L	2	GC.16	<2.0	[NT]	[NT]	LCS-W1	100%
o-xylene	µg/L	1	GC.16	<1.0	[NT]	[NT]	LCS-W1	100%
Surrogate Dibromofluoromethane	%		GC.16	102	[NT]	[NT]	LCS-W1	97%
Surrogate toluene-d8	%		GC.16	99	[NT]	[NT]	LCS-W1	100%
Surrogate 4-BFB	%		GC.16	85	[NT]	[NT]	LCS-W1	99%

QUALITY CONTROL sTPH in Water (C10-C36)	UNITS	PQL	METHOD	Blank	Duplicate Sm#	Duplicate results Base II Duplicate II %RPD	Spike Sm#	Spike % Recovery
Date extracted	-			28/9/2010	[NT]	[NT]	LCS-W1	28/9/2010
Date analysed	-			28/9/2010	[NT]	[NT]	LCS-W1	28/9/2010
TPH C_{10} - C_{14}	µg/L	50	GC.3	<50	[NT]	[NT]	LCS-W1	64%
TPH C_{15} - C_{28}	µg/L	100	GC.3	<100	[NT]	[NT]	LCS-W1	117%
TPH C_{29} - C_{36}	µg/L	100	GC.3	<100	[NT]	[NT]	LCS-W1	127%
Surrogate o-Terphenyl	%		GC.3	104	[NT]	[NT]	LCS-W1	103%

QUALITY CONTROL PAHs in Water	UNITS	PQL	METHOD	Blank	Duplicate Sm#	Duplicate results Base II Duplicate II %RPD	Spike Sm#	Spike % Recovery
Date extracted	-			28/9/2010	[NT]	[NT]	LCS-W1	28/9/2010
Date analysed	-			29/9/2010	[NT]	[NT]	LCS-W1	29/9/2010
Naphthalene	µg/L	1	GC.12 subset	<1	[NT]	[NT]	LCS-W1	88%
Acenaphthylene	µg/L	1	GC.12 subset	<1	[NT]	[NT]	[NR]	[NR]
Acenaphthene	µg/L	1	GC.12 subset	<1	[NT]	[NT]	[NR]	[NR]
Fluorene	µg/L	1	GC.12 subset	<1	[NT]	[NT]	LCS-W1	98%
Phenanthrene	µg/L	1	GC.12 subset	<1	[NT]	[NT]	LCS-W1	98%
Anthracene	µg/L	1	GC.12 subset	<1	[NT]	[NT]	[NR]	[NR]

QUALITY CONTROL PAHs in Water	UNITS	PQL	METHOD	Blank	Duplicate Sm#	Duplicate results Base II Duplicate II %RPD	Spike Sm#	Spike % Recovery
Fluoranthene	µg/L	1	GC.12 subset	<1	[NT]	[NT]	LCS-W1	89%
Pyrene	µg/L	1	GC.12 subset	<1	[NT]	[NT]	LCS-W1	96%
Benzo(a)anthracene	µg/L	1	GC.12 subset	<1	[NT]	[NT]	[NR]	[NR]
Chrysene	µg/L	1	GC.12 subset	<1	[NT]	[NT]	LCS-W1	100%
Benzo(b+k)fluoranthene	µg/L	2	GC.12 subset	<2	[NT]	[NT]	[NR]	[NR]
Benzo(a)pyrene	µg/L	1	GC.12 subset	<1	[NT]	[NT]	LCS-W1	103%
Indeno(1,2,3-c,d)pyrene	µg/L	1	GC.12 subset	<1	[NT]	[NT]	[NR]	[NR]
Dibenzo(a,h)anthracene	µg/L	1	GC.12 subset	<1	[NT]	[NT]	[NR]	[NR]
Benzo(g,h,i)perylene	µg/L	1	GC.12 subset	<1	[NT]	[NT]	[NR]	[NR]
Surrogate p-Terphenyl-d_{14}	%		GC.12 subset	119	[NT]	[NT]	LCS-W1	131%

QUALITY CONTROL Speciated Phenols in water	UNITS	PQL	METHOD	Blank	Duplicate Sm#	Duplicate results Base II Duplicate II %RPD	Spike Sm#	Spike % Recovery
Date extracted	-			28/9/2010	[NT]	[NT]	LCS-W1	28/9/2010
Date analysed	-			28/9/2010	[NT]	[NT]	LCS-W1	28/9/2010
Phenol	µg/L	10	GC.12	<10	[NT]	[NT]	LCS-W1	31%
2-Chlorophenol	µg/L	10	GC.12	<10	[NT]	[NT]	LCS-W1	93%
2-Methylphenol	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
3/4-Methylphenol	µg/L	20	GC.12	<20	[NT]	[NT]	[NR]	[NR]
2-Nitrophenol	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
2,4-Dimethylphenol	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
2,4-Dichlorophenol	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
2,6-Dichlorophenol	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
2,4,5-Trichlorophenol	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
2,4,6-Trichlorophenol	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
2,4-Dinitrophenol	µg/L	100	GC.12	<100	[NT]	[NT]	[NR]	[NR]
4-Nitrophenol	µg/L	100	GC.12	<100	[NT]	[NT]	LCS-W1	34%
2,3,4,6-Tetrachlorophenol	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
2-methyl-4,6-dinitrophenol	µg/L	100	GC.12	<100	[NT]	[NT]	[NR]	[NR]
Pentachlorophenol	µg/L	100	GC.12	<100	[NT]	[NT]	[NR]	[NR]
Surrogate 2-fluorophenol	%		GC.12	50	[NT]	[NT]	LCS-W1	54%

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QUALITY CONTROL Speciated Phenols in water	UNITS	PQL	METHOD	Blank	Duplicate Sm#	Duplicate results Base II Duplicate II %RPD	Spike Sm#	Spike % Recovery
Surrogate Phenol-d_6	%		GC.12	32	[NT]	[NT]	LCS-W1	35%
Surrogate 2,4,6-Tribromophenol	%		GC.12	112	[NT]	[NT]	LCS-W1	115%
Surrogate p-Terphenyl-d_{14}	%		GC.12	97	[NT]	[NT]	LCS-W1	102%

QUALITY CONTROL SVOC's in water	UNITS	PQL	METHOD	Blank	Duplicate Sm#	Duplicate results Base II Duplicate II %RPD	Spike Sm#	Spike % Recovery
Date extracted	-			28/9/2010	[NT]	[NT]	LCS-W1	28/9/2010
Date analysed	-			28/9/2010	[NT]	[NT]	LCS-W1	28/9/2010
Phenol	µg/L	10	GC.12	<10	[NT]	[NT]	LCS-W1	27%
Bis (2-chloroethyl) ether	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
2-Chlorophenol	µg/L	10	GC.12	<10	[NT]	[NT]	LCS-W1	77%
1,3-Dichlorobenzene	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
1,4-Dichlorobenzene	µg/L	10	GC.12	<10	[NT]	[NT]	LCS-W1	68%
2-Methylphenol	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
1,2-Dichlorobenzene	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
bis-(2-Chloroisopropyl) ether	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
3/4-Methylphenol	µg/L	20	GC.12	<20	[NT]	[NT]	[NR]	[NR]
N-nitrosodi-n-propylamine	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Hexachloroethane	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Nitrobenzene	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Isophorone	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
2,4-Dimethylphenol	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
2-Nitrophenol	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
bis (2-Chloroethoxy) methane	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
2,4-Dichlorophenol	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
1,2,4-Trichlorobenzene	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Naphthalene	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
4-Chloroaniline	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Hexachlorobutadiene	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
2-Methylnaphthalene	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Hexachlorocyclopentadiene	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
2,4,6-Trichlorophenol	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
2,4,5-Trichlorophenol	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
2-Chloronaphthalene	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
2-Nitroaniline	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Dimethyl phthalate	µg/L	10	GC.12	<10	[NT]	[NT]	LCS-W1	76%

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QUALITY CONTROL SVOC's in water	UNITS	PQL	METHOD	Blank	Duplicate Sm#	Duplicate results Base II Duplicate II %RPD	Spike Sm#	Spike % Recovery
2,6-Dinitrotoluene	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Acenaphthylene	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
3-Nitroaniline	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Acenaphthene	µg/L	10	GC.12	<10	[NT]	[NT]	LCS-W1	81%
2,4-Dinitrophenol	µg/L	100	GC.12	<100	[NT]	[NT]	[NR]	[NR]
4-Nitrophenol	µg/L	100	GC.12	<100	[NT]	[NT]	LCS-W1	30%
Dibenzofuran	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Diethylphthalate	µg/L	10	GC.12	<10	[NT]	[NT]	LCS-W1	85%
4-Chlorophenylphenylether	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
4-Nitroaniline	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Fluorene	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
2-methyl-4,6-dinitrophenol	µg/L	100	GC.12	<100	[NT]	[NT]	[NR]	[NR]
Azobenzene	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
4-Bromophenylphenylether	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Hexachlorobenzene	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Pentachlorophenol	µg/L	100	GC.12	<100	[NT]	[NT]	[NR]	[NR]
Phenanthrene	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Anthracene	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Carbazole	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Di-n-butylphthalate	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Fluoranthene	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Pyrene	µg/L	10	GC.12	<10	[NT]	[NT]	LCS-W1	81%
Butylbenzylphthalate	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Bis(2-ethylhexyl) phthalate	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Benzo(a)anthracene	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Chrysene	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Di-n-octylphthalate	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Benzo(b)fluoranthene	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Benzo(k)fluoranthene	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Benzo(a)pyrene	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Indeno(1,2,3-c,d)pyrene	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Dibenzo(a,h)anthracene	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Benzo(g,h,i)perylene	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Ethylmethanesulfonate	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Aniline	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Pentachloroethane	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Benzyl alcohol	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Acetophenone	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
N-nitrosomorpholine	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
N-nitrosopiperidine	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
2,6-Dichlorophenol	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]

QUALITY CONTROL SVOC's in water	UNITS	PQL	METHOD	Blank	Duplicate Sm#	Duplicate results Base II Duplicate II %RPD	Spike Sm#	Spike % Recovery
Hexachloropropene-1	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
N-nitroso-n-butylamine	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Safrole	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
1,2,4,5-Tetrachlorobenzene	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Trans-iso-safrole	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
1,3-Dinitrobenzene	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Pentachlorobenzene	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
1-Naphthylamine	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
2,3,4,6-Tetrachlorophenol	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
2-Naphthylamine	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
5-Nitro-o-toluidine	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Diphenylamine	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Phenacetin	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Pentachloronitrobenzene	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Dinoseb	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Methapyrilene	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
p-Dimethylaminoazobenzene	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
2-Acetylaminofluorene	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
7,12-Dimethylbenz(a)anthracene	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
3-Methylcholanthrene	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
a-BHC	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
b-BHC	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
g-BHC	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
d-BHC	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Heptachlor	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Aldrin	µg/L	10	GC.12	<10	[NT]	[NT]	LCS-W1	96%
Heptachlor Epoxide	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
g-Chlordane	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
a-Chlordane	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Endosulfan I	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
p,p'-DDE	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Dieldrin	µg/L	10	GC.12	<10	[NT]	[NT]	LCS-W1	86%
Endrin	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
p,p'-DDD	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Endosulfan II	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Endrin Aldehyde	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
p,p'-DDT	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Endosulfan Sulphate	µg/L	10	GC.12	<10	[NT]	[NT]	[NR]	[NR]
Surrogate 2-fluorophenol	%		GC.12	47	[NT]	[NT]	LCS-W1	79%
Surrogate Phenol-d6	%		GC.12	27	[NT]	[NT]	LCS-W1	30%

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QUALITY CONTROL SVOC's in water	UNITS	PQL	METHOD	Blank	Duplicate Sm#	Duplicate results Base II Duplicate II %RPD	Spike Sm#	Spike % Recovery
Surrogate Nitrobenzene-d5	%		GC.12	95	[NT]	[NT]	LCS-W1	99%
Surrogate 2-fluorobiphenyl	%		GC.12	104	[NT]	[NT]	LCS-W1	87%
Surrogate 2,4,6-Tribromophenol	%		GC.12	123	[NT]	[NT]	LCS-W1	102%
Surrogate p-Terphenyl-d14	%		GC.12	115	[NT]	[NT]	LCS-W1	96%

QUALITY CONTROL OCP in water - trace level	UNITS	PQL	METHOD	Blank	Duplicate Sm#	Duplicate results Base II Duplicate II %RPD	Spike Sm#	Spike % Recovery
Date extracted	-			28/9/2010	[NT]	[NT]	LCS-W1	28/9/2010
Date analysed	-			01/1082010	[NT]	[NT]	LCS-W1	01/10/2010
HCB	µg/L	0.001	Ext-020	<0.0010	[NT]	[NT]	[NR]	[NR]
Heptachlor	µg/L	0.001	Ext-020	<0.0010	[NT]	[NT]	LCS-W1	93%
Heptachlor Epoxide	µg/L	0.001	Ext-020	<0.0010	[NT]	[NT]	[NR]	[NR]
Aldrin	µg/L	0.001	Ext-020	<0.0010	[NT]	[NT]	LCS-W1	93%
gamma-BHC (Lindane)	µg/L	0.001	Ext-020	<0.0010	[NT]	[NT]	LCS-W1	93%
alpha-BHC	µg/L	0.001	Ext-020	<0.0010	[NT]	[NT]	[NR]	[NR]
beta-BHC	µg/L	0.001	Ext-020	<0.0010	[NT]	[NT]	[NR]	[NR]
delta-BHC	µg/L	0.001	Ext-020	<0.0010	[NT]	[NT]	[NR]	[NR]
trans-Chlordane	µg/L	0.001	Ext-020	<0.0010	[NT]	[NT]	[NR]	[NR]
cis-Chlordane	µg/L	0.001	Ext-020	<0.0010	[NT]	[NT]	[NR]	[NR]
Oxychlordane	µg/L	0.001	Ext-020	<0.0010	[NT]	[NT]	[NR]	[NR]
Dieldrin	µg/L	0.001	Ext-020	<0.0010	[NT]	[NT]	LCS-W1	102%
p,p-DDE	µg/L	0.001	Ext-020	<0.0010	[NT]	[NT]	[NR]	[NR]
p,p-DDD	µg/L	0.001	Ext-020	<0.0010	[NT]	[NT]	[NR]	[NR]
p,p-DDT	µg/L	0.001	Ext-020	<0.0010	[NT]	[NT]	LCS-W1	86%
Endrin	µg/L	0.001	Ext-020	<0.0010	[NT]	[NT]	LCS-W1	100%
Endrin Aldehyde	µg/L	0.001	Ext-020	<0.0010	[NT]	[NT]	[NR]	[NR]

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QUALITY CONTROL OCP in water - trace level	UNITS	PQL	METHOD	Blank	Duplicate Sm#	Duplicate results Base II Duplicate II %RPD	Spike Sm#	Spike % Recovery
Endrin Ketone	µg/L	0.001	Ext-020	<0.0010	[NT]	[NT]	[NR]	[NR]
alpha-Endosulfan	µg/L	0.001	Ext-020	<0.0010	[NT]	[NT]	[NR]	[NR]
beta-Endosulfan	µg/L	0.001	Ext-020	<0.0010	[NT]	[NT]	[NR]	[NR]
Endosulfan Sulfate	µg/L	0.001	Ext-020	<0.0010	[NT]	[NT]	[NR]	[NR]
Methoxychlor	µg/L	0.001	Ext-020	<0.0010	[NT]	[NT]	[NR]	[NR]
Surrogate OC Recovery	%		Ext-020	[NT]	[NT]	[NT]	LCS-W1	85%

QUALITY CONTROL OP Pesticides -Trace Level	UNITS	PQL	METHOD	Blank	Duplicate Sm#	Duplicate results Base II Duplicate II %RPD	Spike Sm#	Spike % Recovery
Date extracted	-			28/9/2010	[NT]	[NT]	LCS-W1	28/9/2010
Date analysed	-			01/10/2010	[NT]	[NT]	LCS-W1	01/10/2010
Demeton-S-methyl	µg/L	0.010	Ext-020	<0.010	[NT]	[NT]	[NR]	[NR]
Dichlorvos	µg/L	0.010	Ext-020	<0.010	[NT]	[NT]	[NR]	[NR]
Diazinon	µg/L	0.010	Ext-020	<0.010	[NT]	[NT]	LCS-W1	59%
Dimethoate	µg/L	0.010	Ext-020	<0.010	[NT]	[NT]	[NR]	[NR]
Chlorpyrifos	µg/L	0.010	Ext-020	<0.010	[NT]	[NT]	LCS-W1	59%
Chlorpyrifos methyl	µg/L	0.010	Ext-020	<0.010	[NT]	[NT]	[NR]	[NR]
Malathion	µg/L	0.010	Ext-020	<0.010	[NT]	[NT]	[NR]	[NR]
Fenthion	µg/L	0.010	Ext-020	<0.010	[NT]	[NT]	[NR]	[NR]
Azinphos Ethyl	µg/L	0.010	Ext-020	<0.010	[NT]	[NT]	[NR]	[NR]
Azinphos Methyl	µg/L	0.010	Ext-020	<0.010	[NT]	[NT]	[NR]	[NR]
Chlorfenvinphos (E)	µg/L	0.010	Ext-020	<0.010	[NT]	[NT]	[NR]	[NR]
Chlorfenvinphos (Z)	µg/L	0.010	Ext-020	<0.010	[NT]	[NT]	[NR]	[NR]
Ethion	µg/L	0.010	Ext-020	<0.010	[NT]	[NT]	LCS-W1	58%
Fenitrothion	µg/L	0.010	Ext-020	<0.010	[NT]	[NT]	[NR]	[NR]
Parathion (Ethyl)	µg/L	0.010	Ext-020	<0.010	[NT]	[NT]	LCS-W1	61%
Parathion (Methyl)	µg/L	0.010	Ext-020	<0.010	[NT]	[NT]	[NR]	[NR]
Primiphos Ethyl	µg/L	0.010	Ext-020	<0.010	[NT]	[NT]	[NR]	[NR]
Primiphos Methyl	µg/L	0.010	Ext-020	<0.010	[NT]	[NT]	[NR]	[NR]
Surrogate OP Recovery - TPP	%		Ext-020	[NT]	[NT]	[NT]	LCS-W1	80%

QUALITY CONTROL PCB in water - trace level	UNITS	PQL	METHOD	Blank	Duplicate Sm#	Duplicate results Base II Duplicate II %RPD	Spike Sm#	Spike % Recovery
Date extracted	-			28/9/2010	[NT]	[NT]	LCS-W1	28/9/2010
Date analysed	-			01/10/2010	[NT]	[NT]	LCS-W1	01/10/2010
Aroclor 1016	µg/L	0.010	Ext-020	<0.010	[NT]	[NT]	[NR]	[NR]
Aroclor 1221	µg/L	0.010	Ext-020	<0.010	[NT]	[NT]	[NR]	[NR]
Aroclor 1232	µg/L	0.010	Ext-020	<0.010	[NT]	[NT]	[NR]	[NR]
Aroclor 1242	µg/L	0.010	Ext-020	<0.010	[NT]	[NT]	[NR]	[NR]
Aroclor 1248	µg/L	0.010	Ext-020	<0.010	[NT]	[NT]	[NR]	[NR]
Aroclor 1254	µg/L	0.010	Ext-020	<0.010	[NT]	[NT]	[NR]	[NR]
Aroclor 1260	µg/L	0.010	Ext-020	<0.010	[NT]	[NT]	[NR]	[NR]
Total PCB's (as above)	µg/L	0.010	Ext-020	<0.01	[NT]	[NT]	LCS-W1	105%

QUALITY CONTROL HM in water - dissolved	UNITS	PQL	METHOD	Blank	Duplicate Sm#	Duplicate results Base II Duplicate II %RPD	Spike Sm#	Spike % Recovery
Date prepared	-			01/10/2010	46273-5	01/10/2010 || 01/10/2010	LCS-W1	01/10/2010
Date analysed	-			01/10/1010	46273-5	01/10/2010 || 01/10/2010	LCS-W1	01/10/2010
Arsenic-Dissolved	µg/L	1	Metals.22 ICP-MS	<1	46273-5	<1 || <1	LCS-W1	100%
Cadmium-Dissolved	µg/L	0.1	Metals.22 ICP-MS	<0.1	46273-5	<0.1 || <0.1	LCS-W1	105%
Chromium-Dissolved	µg/L	1	Metals.22 ICP-MS	<1	46273-5	<1 || <1	LCS-W1	96%
Copper-Dissolved	µg/L	1	Metals.22 ICP-MS	<1	46273-5	<1 || <1	LCS-W1	92%
Lead-Dissolved	µg/L	1	Metals.22 ICP-MS	<1	46273-5	<1 || <1	LCS-W1	105%
Mercury-Dissolved	µg/L	0.5	Metals.21 CV-AAS	<0.5	46273-5	<0.5 || <0.5	LCS-W1	119%
Nickel-Dissolved	µg/L	1	Metals.22 ICP-MS	<1	46273-5	<1 || <1	LCS-W1	93%
Zinc-Dissolved	µg/L	1	Metals.22 ICP-MS	<1	46273-5	<1 || <1	LCS-W1	96%

QUALITY CONTROL Miscellaneous Inorganics	UNITS	PQL	METHOD	Blank	Duplicate Sm#	Duplicate results Base II Duplicate II %RPD	Spike Sm#	Spike % Recovery
Date prepared	-			28/09/2010	[NT]	[NT]	LCS-W1	28/09/2010
Date analysed	-			28/09/2010	[NT]	[NT]	LCS-W1	28/09/2010
Salinity as NACL *	mg/L	1	LAB.2	<1.0	[NT]	[NT]	LCS-W1	101%
Hardness	mgCaCO3/L	1	Metals.20 ICP-AES	<1	[NT]	[NT]	[NR]	[NR]
BOD5	mg/L	2	Ext-020	<2.0	[NT]	[NT]	[NR]	[NR]
Ammonia as N in water	mg/L	0.1	LAB.57	<0.1	[NT]	[NT]	LCS-W1	103%
Total Cyanide	mg/L	0.005	LAB.13	<0.005	[NT]	[NT]	LCS-W1	102%

QUALITY CONTROL Ion Balance	UNITS	PQL	METHOD	Blank	Duplicate Sm#	Duplicate results Base II Duplicate II %RPD	Spike Sm#	Spike % Recovery
Date prepared	-			27/9/2010	[NT]	[NT]	LCS-W1	27/9/2010
Date analysed	-			1/10/2010	[NT]	[NT]	LCS-W1	1/10/2010
Calcium - Dissolved	mg/L	0.03	Metals.20 ICP-AES	<0.03	[NT]	[NT]	LCS-W1	97%
Potassium - Dissolved	mg/L	0.03	Metals.20 ICP-AES	<0.03	[NT]	[NT]	LCS-W1	111%
Sodium - Dissolved	mg/L	0.03	Metals.20 ICP-AES	<0.03	[NT]	[NT]	LCS-W1	108%
Magnesium - Dissolved	mg/L	0.03	Metals.20 ICP-AES	<0.03	[NT]	[NT]	LCS-W1	95%
Bicarbonate Alkalinity as CaCO3	mg/L	0.1	LAB.6	<0.1	[NT]	[NT]	LCS-W1	100%
Carbonate Alkalinity as CaCO3	mg/L	0.1	LAB.6	<0.1	[NT]	[NT]	[NR]	[NR]
Total Alkalinity as CaCO3	mg/L	0.1	LAB.6	<0.1	[NT]	[NT]	LCS-W1	100%
Sulphate, SO4	mg/L	0.5	LAB.81	<0.50	[NT]	[NT]	LCS-W1	86%
Chloride, Cl	mg/L	0.5	LAB.81	<0.50	[NT]	[NT]	LCS-W1	100%
Ionic Balance	%		LAB.41	[NT]	[NT]	[NT]	[NR]	[NR]

QUALITY CONTROL HM in water - dissolved	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Date prepared	-	[NT]	[NT]	46273-2	01/10/2010
Date analysed	-	[NT]	[NT]	46273-2	01/10/2010
Arsenic-Dissolved	µg/L	[NT]	[NT]	46273-2	112%
Cadmium-Dissolved	µg/L	[NT]	[NT]	46273-2	114%
Chromium-Dissolved	µg/L	[NT]	[NT]	46273-2	100%
Copper-Dissolved	µg/L	[NT]	[NT]	46273-2	88%
Lead-Dissolved	µg/L	[NT]	[NT]	46273-2	104%
Mercury-Dissolved	µg/L	[NT]	[NT]	46273-2	111%

QUALITY CONTROL HM in water - dissolved	UNITS	Dup. Sm#	Duplicate Base + Duplicate + %RPD	Spike Sm#	Spike % Recovery
Nickel-Dissolved	µg/L	[NT]	[NT]	46273-2	90%
Zinc-Dissolved	µg/L	[NT]	[NT]	46273-2	110%

Report Comments:

Trace level OC/OP/PCB and BOD analysed by NMI, report number RN818995 and RN818996.

Asbestos ID was analysed by Approved Identifier:	Not applicable for this job
Asbestos ID was authorised by Approved Signatory:	Not applicable for this job
Asbestos counting was analysed by Approved Counter:	@ERROR
Asbestos counting was authorised by Approved Signatory:	@ERROR

INS: Insufficient sample for this test	PQL: Practical Quantitation Limit	NT: Not tested
NA: Test not required	RPD: Relative Percent Difference	NA: Test not required
<: Less than	>: Greater than	LCS: Laboratory Control Sample

Quality Control Definitions

Blank: This is the component of the analytical signal which is not derived from the sample but from reagents, glassware etc, can be determined by processing solvents and reagents in exactly the same manner as for samples.
Duplicate: This is the complete duplicate analysis of a sample from the process batch. If possible, the sample selected should be one where the analyte concentration is easily measurable.
Matrix Spike: A portion of the sample is spiked with a known concentration of target analyte. The purpose of the matrix spike is to monitor the performance of the analytical method used and to determine whether matrix interferences exist.
LCS (Laboratory Control Sample): This comprises either a standard reference material or a control matrix (such as a blank sand or water) fortified with analytes representative of the analyte class. It is simply a check sample.
Surrogate Spike: Surrogates are known additions to each sample, blank, matrix spike and LCS in a batch, of compounds which are similar to the analyte of interest, however are not expected to be found in real samples.

Laboratory Acceptance Criteria

Duplicate sample and matrix spike recoveries may not be reported on smaller jobs, however, were analysed at a frequency to meet or exceed NEPM requirements. All samples are tested in batched of 20. The duplicate sample RPD and matrix spike recoveries for the batch were within the laboratory acceptance criteria.

Duplicates: <5xPQL - any RPD is acceptable; >5xPQL - 0-50% RPD is acceptable.
Matrix Spikes and LCS: Generally 70-130% for inorganics/metals; 60-140% for organics and 10-140% for SVOC and speciated phenols is acceptable.

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CHAIN OF CUSTODY

Project Name: ShellCove – Water Sampling		**To:**	Envirolab Services
Project No: 40999.26	**Sampler: BAH**		12 Ashley St Chatswood 2067
Project Mgr: LR	**Mob. Phone: 0412754162**	**Attn:**	Tania Notaras
Email: Aidan.Wright@douglaspartners.com.au		**Phone:** (02) 9910 6200	**Fax:** (02) 9910 6201
Date Required: standard		**Email:**	tnotaras@envirolabservices.com.au

Sample ID	Lab ID	Sampling Date	Sample Type (S - soil, W – water)	Container type (G – glass, P - plastic)	Analytes: 8 Heavy Metals	Salinity	TRH BTEX	PAH	Phenol-speciated	OCP/OPP/PCB (low levels) ~trace	VOC sVOC	cations anions	hardness	BOD ammonia cyanide	Notes /preservation
MW1	1	23.9.10	W	G,P	X	X	X	X	X	X			X		ice
MW2B	2	23.9.10	W	G,P	X	X				X	X	X	X	X	
MW3	3	23.9.10	W	G,P	X		X	X	X	X			X		
BD1	4	23.9.10	W	G,P	X			X					X		
Rinsate	5	23.9.10	W	P	X										
Trip Blank	6	23.9.10	W	G			BTEX								

Lab Report No:

Send Results to: Douglas Partners Pty Ltd **Address:** PO Box 486, Unanderra NSW 2526 **Phone:** (02) 4271 1836 **Fax:** (02) 4271 1897

Relinquished by: AAW **Transported to laboratory by: TNT**

Signed: **Date & Time: 23.9.10 4pm** **Received By:**

Envirolab Services
12 Ashley St
Chatswood NSW 2067
Ph: 9910 6200

Job No: 46273
Date received: 24/9/10
Time received: 11am
Received by: TNT
Temp: Cool/Ambient
Cooling: Ice/icepack
Security: Intact/Broken/None

Form COC

Appendix I

Quality Assurance / Quality Control Results

QA/QC PROCEDURES AND RESULTS

Quality assurance and control formed an integral part of this assessment. The results of the QA/QC assessments are detailed below.

FIELD QUALITY ASSURANCE AND QUALITY CONTROL

Sample Documentation: Field QC included sample transportation under strict Chain-of-Custody procedures. Completed Chain-of-Custody documentation forms describing the condition of the samples upon arrival at the contract laboratory are attached with the Laboratory Reports in Appendix H.

Replicate Analysis: Field QC also comprised the collection of replicate samples during the course of sampling. In accordance with AS 4882, 10% replicate analysis was undertaken. In total, 50 soil samples were selected for analytical testing, five of which were replicated for QC purposes.

Relative Percentage Difference: A measure of the consistency of results is derived by the calculation of relative percentage differences (RPDs) for duplicate samples, calculated as the difference in analyte concentrations between primary and duplicate samples, divided by the average of the two results and expressed as a percentage. An RPD of 30% is considered acceptable in AS 4882. The calculated RPDs for the soil replicates and the respective primary samples are provided in the tables below.

Table I1: RPD Analysis (Inorganic Analytes)

	Arsenic	Cadmium	Chromium	Copper	Lead	Mercury	Nickel	Zinc
119/0-0.1	5	3.1	7	100	230	0.1	6	2300
BD2	5	3.2	9	130	300	0.2	6	2700
Difference	0	0.1	2	30	70	0.1	0	400
RPD (%)	0	3.17	25	26	0	**67**	0	16
122/0-0.1	<4	<0.5	10	100	15	<0.1	6	57
BD5	11	<0.5	8	64	59	<0.1	3	110
Difference	7	0	2	36	44	0	3	53
RPD (%)	**93**	0	22	**44**	**119**	0	**67**	**64**
111/0-0.1	<4	<0.5	7	190	24	<0.1	5	86
6A	<4	<0.5	4	210	15	<0.1	5	49
Difference	0	0	3	20	9	0	0	36
RPD (%)	0	0	**55**	10	**46**	0	0	**53**
110/0-0.1	<4	<0.5	6	200	19	<0.1	5	51
7A	<4	<0.5	7	150	20	<0.1	5	69
Difference	0	0	1	50	1	0	0	18
RPD (%)	0	0	15	29	5	0	0	30
103/0-0.1	<4	0.6	2	4	3	1.0	1	7
8A	<4	<0.5	10	45	18	<0.1	5	25
Difference	0	0.1	8	41	15	0.7	4	18
RPD (%)	0	18	**133**	**167**	**143**	**32**	**133**	25

	Arsenic	Cadmium	Chromium	Copper	Lead	Mercury	Nickel	Zinc
MW1	<1	0.1	<1	17	2	<0.5	26	76
BD1	<1	<0.1	<1	16	1	<0.5	26	88
Difference	0	0	0	1	1	0	0	12
RPD (%)	0	0	0	6	67	0	0	15

Table I2: RPD Analysis (Organic Analytes)

	TPH	Benzene	Toluene	Ethyl-benzene	Total xylenes	B(a)P	Total PAH
119/0-0.1	<275	<0.5	<0.5	<1	<3	<0.05	<PQL
BD2	<275	<0.5	<0.5	<1	<3	0.06	0.36
Difference	0	0	0	0	0	0.01	-
RPD (%)	0	0	0	0	0	18	
122/0-0.1	<275	<0.5	<0.5	<1	<3	<0.05	<PQL
BD5	<275	<0.5	<0.5	<1	<3	<0.05	<PQL
Difference	0	0	0	0	0	0	0
RPD (%)	0	0	0	0	0	0	0
111/0-0.1	<275	<0.5	<0.5	<1	<3	<0.05	<PQL
6A	<275	<0.5	<0.5	<1	<3	<0.05	<PQL
Difference	0	0	0	0	0	0	0
RPD (%)	0	0	0	0	0	0	0
110/0-0.1	<275	<0.5	<0.5	<1	<3	<0.05	<PQL
7A	<275	<0.5	<0.5	<1	<3	<0.05	<PQL
Difference	0	0	0	0	0	0	0
RPD (%)	0	0	0	0	0	0	0
103/0-0.1	<275	<0.5	<0.5	<1	<3	<0.05	<PQL
8A	<275	<0.5	<0.5	<1	<3	<0.05	<PQL
Difference	0	0	0	0	0	0	0
RPD (%)	0	0	0	0	0	0	0
MW1	<260	<1	<1	<1	<3	<PQL	<1
BD1	-	-	-	-	-	<PQL	<1
Difference	-	-	-	-	-	0	0
RPD (%)	-	-	-*	-	-	0	0

Table I1 & I2 indicates that a total of 14 of the 90 RPDs were outside of the described range, however, it is considered that the elevated RPDs do not materially compromise the analytical results obtained, due to:

- The heterogeneous nature of the filling (for soil samples);
- The actual concentration differences in the majority of the replicate pairs are relatively small; and
- The majority of the detected levels of contaminants were well within the site assessment criteria.

It is therefore considered that the results indicate an acceptable consistency between the sample and its replicate and indicate suitable field sampling methodology was adopted and laboratory precision was achieved. Also, the highest results between the primary and replicate samples were considered in the assessment.

Trip Blanks

Laboratory prepared trip blanks were taken out to the field unopened, subjected to the same preservation methods as the field samples, and then analysed for volatile contaminants (BTEX) for the purposes of determining the transfer of contaminants into the blank sample incurred prior to reaching the laboratory. The results of the laboratory analysis for the trip blank are shown in Table I3.

Table I3 - Results of Laboratory Analysis for Trip Blank Analysis

Sample ID	Benzene	Toluene	Ethylbenzene	Total xylene
Soil Trip Blank				
NONE COLLECTED				
Water Trip Blank				
TRIP BLANK	<PQL	<PQL	<PQL	<PQL

Levels of analytes for water trip blanks were all below detection limits, indicating that cross contamination of volatile contaminants (BTEX) had not occurred during the course of the round trips from the site to the laboratory for soil and water sampling. With respect to soil, whilst no trip blank was collected, BTEX were not detected in any soil samples analysed. Hence, cross contamination of VOC in soil may be ruled out.

Trip Spikes

According to the NSW EPA Guidelines for Consultants Reporting on Contaminated Sites (1997), laboratory prepared trip spikes are to be taken into the field, subjected to the same preservation methods as the field samples, then analysed, for the purposes of determining the losses in volatile organics incurred prior to reaching the laboratory.

The practicalities of trip spikes are currently being debated and a standardized procedure is yet to be defined. The laboratory prepared soil trip spikes and aqueous water trip spikes which were preserved in the standard manner and taken into the field unopened. At this stage, the laboratory has no standard acceptance limits in recovery rates. However, ±40% may be accepted.

No trip spike was collected for this assessment.

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LABORATORY QA/QC PROCEDURES

The analytical laboratory is accredited by the National Association of Testing Authorities (NATA) and is required to conduct in-house QA/QC procedures. These are normally incorporated into every analytical run and include the following:

Reagent Blank: A reagent blank sample is prepared and analysed at the beginning of every analytical run, following calibration of the analytical apparatus. The laboratory results for reagent blanks for soil analyses indicated concentrations of all analytes to be below respective laboratory practical quantitation (detection) limits, indicating acceptable QA/QC standards. These results are included in the laboratory report in Appendix H.

Spike Recovery: This is a sample replicate prepared by adding a known amount of analyte prior to analysis, and then treated exactly the same as all other samples. The recovery result indicates the proportion of the known concentration of the analyte that is detected during analysis. These results are included in the laboratory report in Appendix H. The spike recovery rates were compared with the limits as specified by the laboratory. All recorded spike recovery results fell within the acceptable limits. It is therefore considered that the results indicate that the analytical results are not significantly affected by matrix interference.

Surrogate Recovery: This sample is prepared by adding a known amount of surrogate, which behaves similarly to the analyte, prior to analysis to each sample. The recovery result indicates the proportion of the known concentration of the surrogate that is detected during analysis. These results are included in the laboratory report in Appendix H. All surrogate recoveries were found to be within laboratory's acceptance limits, indicating that the extraction was effectively and appropriately executed.

Duplicates: These are additional portions of a sample that are analysed in exactly the same manner as all other samples. The duplicate sample results are included in the laboratory results in Appendix H and were found to be within the laboratory's acceptable levels.