

# PRELIMINARY CONTAMINATION INVESTIGATION

## 1. INTRODUCTION

This Preliminary Contamination Investigation supports the planning proposal to rezone land at 94 Canadian Lead Road (Lot 129-DP755433 & Lot 264-DP755433), 2787 Henry Lawson Drive (Lot 56-DP755433), and 2794 Henry Lawson Drive, Gulgong, NSW 2852 (Lot 415-DP755433) from RU1 Primary Production to R5 Large Lot Residential. The investigation aims to identify potential environmental contamination, assess the current site conditions and suitability for rezoning, and provide recommendations for further actions if necessary.

### 1.2 OBJECTIVES OF THE INVESTIGATION

The investigation's primary objectives are to:

- Identify potential environmental contamination on the subject site.
- Assess the current site conditions and its suitability for the proposed rezoning.
- Provide recommendations for any further actions, if necessary.

### 1.3 SCOPE OF PRELIMINARY REVIEW

This preliminary review included:

- A review of historical ownership of the site.
- A review of historical land uses and past site activities.
- A review of any storage of potentially hazardous materials or contaminating activities.
- A review of aerial photography from the past 60 years (1963 to 2023). Refer to Appendix 1 for aerial imagery.
- A search of the NSW EPA's list of contaminated sites applying to the site and nearby properties. Refer to Appendix 3 for the EPA search results.
- A site walkover by an environmental planning consultant to help identify current and previous activities carried out on site, identify surrounding land uses and identify any areas of concern.

## 2. SITE IDENTIFICATION

### 2.1 STREET ADDRESSES AND LEGAL DESCRIPTION

<b>Address</b>	<b>2794 Henry Lawson Drive Gulgong NSW 2852</b> (Lot 415 DP755433) (northern site). <b>2787 Henry Lawson Drive Gulgong NSW 2852</b> (Lot 56 DP755433) (central site), and <b>94 Canadian Lead Road Gulgong NSW 2852</b> (Lot 129 DP755433 and Lot 264 DP755433) (southern site)
<b>Existing Structures</b>	<b>2794 Henry Lawson Drive, Gulgong NSW 2852 (northern site)</b> Lot 415 DP755433: Contains a dwelling house and farm buildings. Used for residential purposes and extensive agriculture (crops and livestock grazing). <b>2787 Henry Lawson Drive, Gulgong NSW 2852 (central site)</b> Lot 56 DP755433: Contains a dwelling house and farm buildings. Used for residential purposes and extensive agriculture (crops and livestock grazing). <b>94 Canadian Lead Road, Gulgong NSW 2852 (southern site)</b> <ul style="list-style-type: none"> <li>• Lot 129 DP755433: Contains a stand-alone shed.</li> <li>• Lot 264 DP755433: vacant.</li> </ul>
<b>Proponent / Landowner</b>	<b>Melinda Louise Westaway</b> (2794 Henry Lawson Drive, Lot 415 DP755433) <b>Nathan James Martyn and Stephanie Maree Martyn</b> (2787 Henry Lawson Drive, Lot 56 DP755433) <b>Sniper Mining Pty Limited</b> (94 Canadian Lead Road, Lot 129 DP755433 & Lot 264 DP755433)
<b>Land Zone</b>	RU1 Primary Production
<b>Land Area</b>	76 hectares

### 3. CONTAMINATION AND SITE HISTORY

#### 3.1 SITE WALKOVER

A visual site walkover was undertaken by an environmental planning consultant (de Witt Consulting) (in 2023 and again in July 2024). This site walkover confirmed no visible evidence of any potentially contaminating activities occurring or having occurred on site; no visible evidence of any storage of any hazardous chemicals or materials on site (including no fuels or fertilisers); and no evidence of any dumping or other materials on site.

#### 3.2 HISTORICAL USE OF THE SUBJECT SITE

The subject site, consisting of the three lots mentioned above, has been historically used for low-intensity farming and grazing, with some areas used for residential purposes and others remaining vacant / unused. These activities are considered low-risk for contamination.

#### 3.3 SITE HISTORY

**Zoning:** RU1 Primary Production

**Land Uses:**

- **Previous Use:** Grazing and cropping
- **Present Use:** Low-intensity agriculture and residential
- **Proposed Use:** Large lot residential

**Council Records**

- **DA0242/2021:** Approved secondary dwelling at 2787 Henry Lawson Drive.

#### 3.4 LOCALITY MAP



### 3.5 NSW EPA SEARCH

A search of the NSW EPA database of notices issued under the Contaminated Land Management Act, 1997 (CLM Act) was conducted on 27 August 2024. This search revealed no listings of current and/or former notices for the site or the Gulgong locality generally. Detailed results are provided in **Appendix 3**.

### 3.6 PAST ACTIVITIES AND LAND USES

The site has been used continuously for agricultural purposes since at least the 1960s, primarily involving grazing and cropping. The consistent historical use of the site has been for farming and grazing, with no records of industrial or commercial activities. The current and previous owners provided the following information:

- **94 Canadian Lead Road (Lot 129-DP755433 & Lot 264-DP755433):** No chemicals have been used on-site since the property was purchased by Mick Barber in 2020. The site continues to be used for farming and grazing.
- **2787 Henry Lawson Drive (Lot 56-DP755433):** The property has been used primarily for grazing, with minimal use of agricultural chemicals. Glyphosate (Roundup) has occasionally been used on fence lines, with up to 20 litres stored at a time.
- **2794 Henry Lawson Drive (Lot 415-DP755433):** The property has been used for farming and grazing only. Melinda Westaway reported the use of Grazon (20 litres) and Glyphosate (Roundup) (20 litres) but noted no record of industrial use.

There have been no known incidents involving spills or leaks of hazardous materials across any of these lots. Refer to **Appendix 2** for detailed responses from the owners.

### 3.7 AERIAL PHOTOGRAPHS REVIEW

Aerial imagery from the past 60 years (1963 to 2023) indicates consistent use for agriculture and residential purposes. The vegetation across the sites has generally been maintained, with remnant tree stands and isolated trees remaining on-site. See **Appendix 1** for the aerial imagery.

### 3.8 KEY FINDINGS

Based on the review, the following key findings were identified:

1. **Agricultural Chemicals:** The site has a history of low intensity agricultural use; however, property owners reported no evidence of intensive pesticide or herbicide use that could lead to significant soil contamination. Chemicals used are understood to be limited to standard agricultural fertilisers and treatments, applied in quantities typical for grazing and cropping.
2. **Residential Areas:** The residential areas, including dwellings and outbuildings, have not been used for activities typically associated with contamination, such as the storage or use of hazardous materials. The property owners confirmed that no hazardous materials have been stored or used in these areas.
3. **Structures and Outbuildings:** The stand-alone shed and farm buildings are used for storage and agricultural purposes. There are no records or indications of hazardous substances being stored on-site, as confirmed by the property owners.
4. **Spills or Leaks:** There have been no known incidents involving spills or leaks of hazardous materials on the property.
5. **Industrial or Commercial Use:** The properties have always been used for farming and grazing, with no history of industrial or commercial activities.
6. **Storage of Hazardous Materials:** There are no records or knowledge of underground storage tanks or above-ground storage of hazardous materials on the property.



7. **Waste Disposal:** The property owners reported no burial, burning, or disposal of waste materials on the site.
8. **Previous Testing:** The property has not undergone any previous soil or water contamination testing, and there were no visible signs of contamination, such as stained soil, unusual odours, or dead vegetation during either of the site visits in 2023 and 2024.
9. **Agricultural Practices:** The property owners provided information on the types of fertilizers, soil treatments, or other agricultural chemicals used historically on the property, which are consistent with standard agricultural practices.
10. **Excavations or Modifications:** There are no areas on the property that have been excavated, disturbed, or modified for unknown reasons.

### 3.9 SITE CONDITION AND SURROUNDING ENVIRONMENT

- **Topography:** The topography is generally flat with minor elevations in northern and central lots.
- **Boundary Conditions:** Adequate fencing with stable soil and no erosion.
- **Visible Signs of Contamination:** No visible signs of contamination or soil discoloration were observed during site visits in 2023 and 2024.
- **Plant Stress:** Not evident.
- **Waste Materials:** No drums or waste materials were observed.
- **Odours:** No odours were detected on-site during site visits in 2023 and 2024.
- **Condition of Buildings and Roads:** Buildings and roads are in good condition.

### 3.10 GEOLOGY AND HYDROGEOLOGY

- **Fill Material:** No significant fill material was identified.
- **Bores and Springs:** No existing registered bores are used for water supply, and no springs were identified.
- **Water Quality:** No concerns regarding water quality were identified.
- **Water Courses:** No water courses were identified.

## 4. CONCLUSIONS AND RECOMMENDATIONS

This desktop investigation (including visual site inspection) found that the site poses minimal risk of contamination due to historical low-intensity agricultural use. There is no immediate need for remediation, but ongoing monitoring and proper management of agricultural chemicals are recommended. The site is considered suitable for rezoning to R5 Large Lot Residential.

At this stage of the planning proposal, nothing further is warranted that could not be appropriately addressed as part of any normal future Development Application (DA). Should any future developments or changes in land use be proposed, additional environmental assessments may be warranted to ensure continued compliance and to protect public health and safety.

Yours sincerely,

**de Witt Consulting**

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## APPENDIX 1

### Historical Aerial Imagery



Date: 31/12/1963



Sheet Number: 8833, Sheet Name: GULGONG, Film: 1218, Run: R7, Frame: 5015, Key Diagram: 88331964, Scale: 1:49500, AHDZ: 6248, Camera: RC5A, Time: 2:00 PM, Image Name: 1218\_07\_015

Date: 31/12/1963



**Sheet Number: 8833, Sheet Name: GULGONG, Film: 1218, Run: R7, Frame: 5016, Key Diagram: 88331964, Scale: 1:49500, AHDZ: 6248, Camera: RC5A, Time: 2:00 PM, Image Name: 1218\_07\_016**



Date: 31/12/1963



**Sheet Number: 8833, Sheet Name: GULGONG, Film: 1218, Run: R7, Frame: 5017, Key Diagram:**  
**88331964, Scale: 1:49500, AHDZ: 6248, Camera: RC5A, Time: 2:00 PM, Image Name: 1218\_07\_017**

Date: 31/12/1979



Sheet Number: 8833, Sheet Name: GULGONG, Film: 2883, Run: R5, Frame: 188, Key Diagram: 88331980, Scale: 1:50000, AHDZ: 5029, Camera: RC10, Time: 3:00 PM, Image Name: 2883\_05\_188

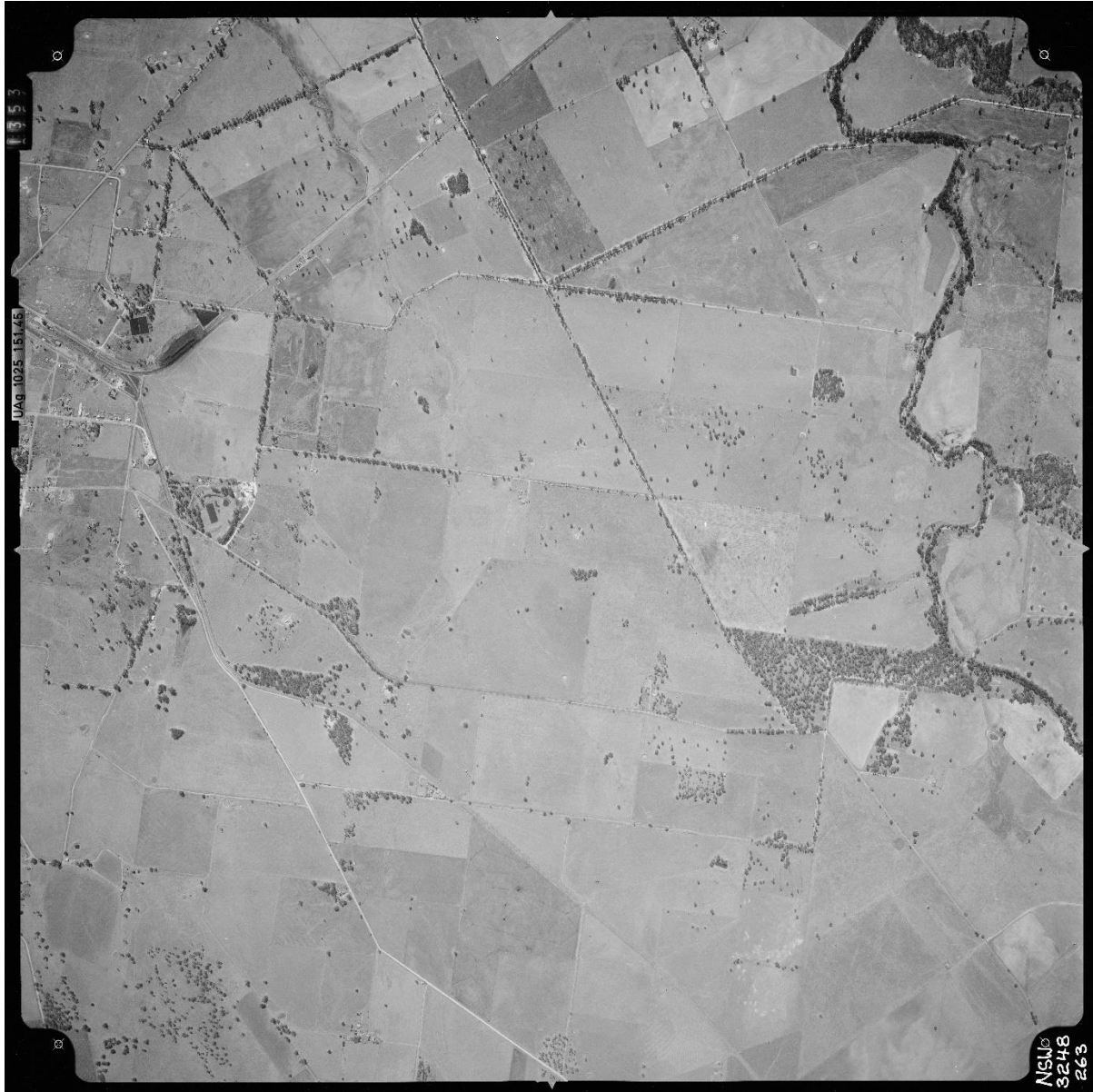


Date: 31/12/1979



**Sheet Number: 8833, Sheet Name: GULGONG, Film: 2883, Run: R5, Frame: 189, Key Diagram:**  
**88331980, Scale: 1:50000, AHDZ: 5029, Camera: RC10, Time: 3:00 PM, Image Name: 2883\_05\_189**

Date: 31/12/1981



Sheet Number: 8833, Sheet Name: GULGONG, Film: 3248, Run: R6S, Frame: 263, Key Diagram: 88331982, Scale: 1:25000, AHDZ: 4267, Camera: RC10, Time: 3:00 PM, Image Name: 3248\_6S\_263



Date: 31/12/1981



**Sheet Number: 8833, Sheet Name: GULGONG, Film: 3248, Run: R6S, Frame: 264, Key Diagram: 88331982, Scale: 1:25000, AHDZ: 4267, Camera: RC10, Time: 3:00 PM, Image Name: 3248\_6S\_264**

Date: 31/12/1987



Sheet Number: 8833, Sheet Name: GULGONG, Film: 3600, Run: R6, Frame: 108, Key Diagram: 88331988, Scale: 1:40000, AHDZ: 7056, Camera: RC10, Time: 3:00 PM, Image Name: 3600\_06\_108



Date: 31/12/1987



Sheet Number: 8833, Sheet Name: GULGONG, Film: 3600, Run: R6, Frame: 109, Key Diagram: 88331988, Scale: 1:40000, AHDZ: 7056, Camera: RC10, Time: 3:00 PM, Image Name: 3600\_06\_109

Date: 31/12/1987



Sheet Number: 8833, Sheet Name: GULGONG, Film: 3601, Run: R7, Frame: 27, Key Diagram: 88331988, Scale: 1:40000, AHDZ: 7056, Camera: RC10, Time: 3:00 PM, Image Name: 3601\_07\_027



Date: 31/12/1987



Sheet Number: 8833, Sheet Name: GULGONG, Film: 3601, Run: R7, Frame: 28, Key Diagram: 88331988, Scale: 1:40000, AHDZ: 7056, Camera: RC10, Time: 3:00 PM, Image Name: 3601\_07\_028

Date: 31/12/1987



Sheet Number: 8833, Sheet Name: GULGONG, Film: 3601, Run: R7, Frame: 29, Key Diagram:  
88331988, Scale: 1:40000, AHDZ: 7056, Camera: RC10, Time: 3:00 PM, Image Name: 3601\_07\_029



Date: 31/12/1989



**Sheet Number: 8833, Sheet Name: GULGONG, Film: 3771, Run: R10, Frame: 195, Key Diagram:**  
**88331990, Scale: 1:25000, AHDZ: 4542, Camera: RC10, Time: 3:00 PM, Image Name: 3771\_10\_195.**

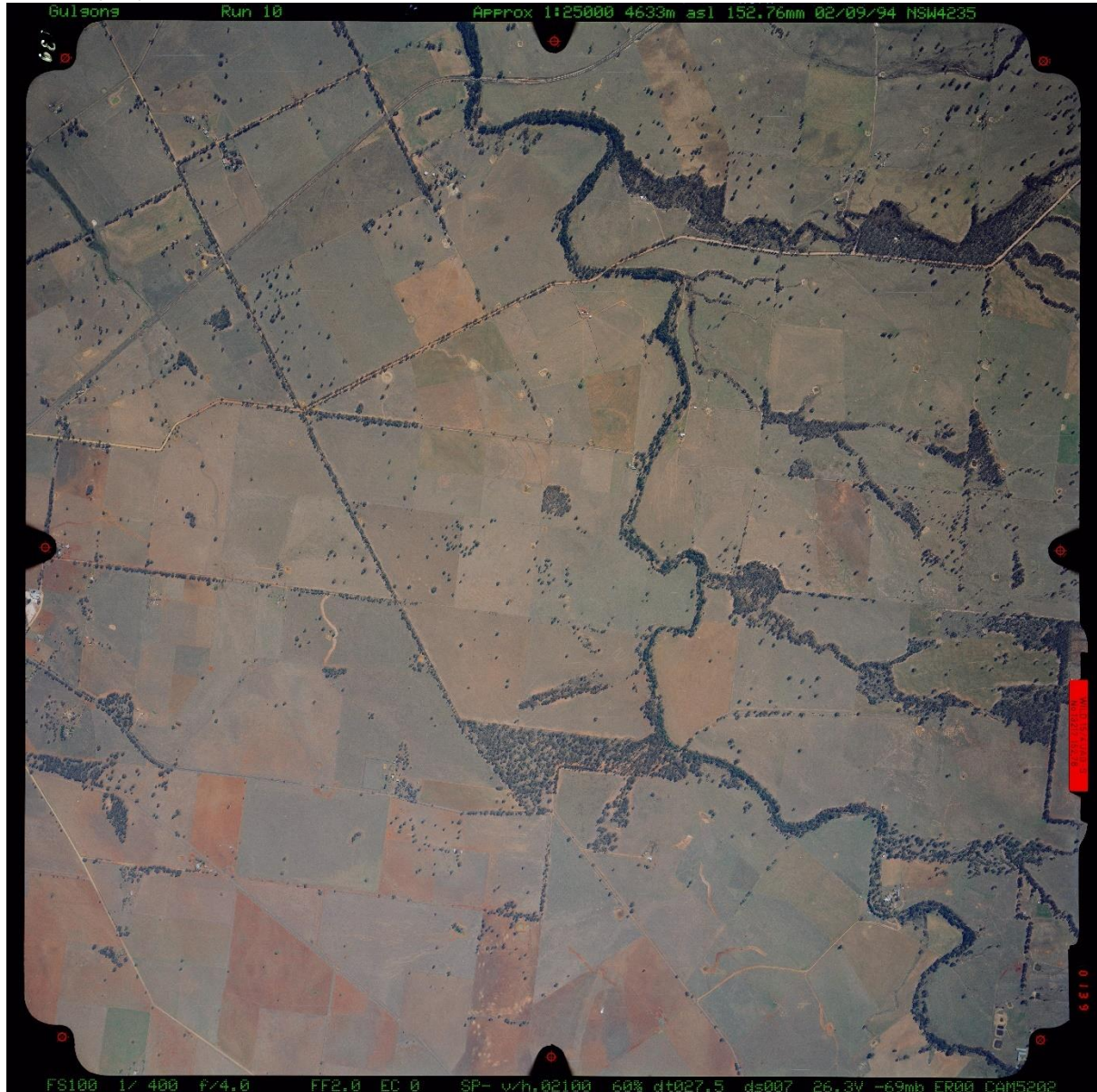
Date: 31/12/1989



**Sheet Number: 8833, Sheet Name: GULGONG, Film: 3771, Run: R10, Frame: 196, Key Diagram:**  
**88331990, Scale: 1:25000, AHDZ: 4542, Camera: RC10, Time: 3:00 PM, Image Name: 3771\_10\_196**



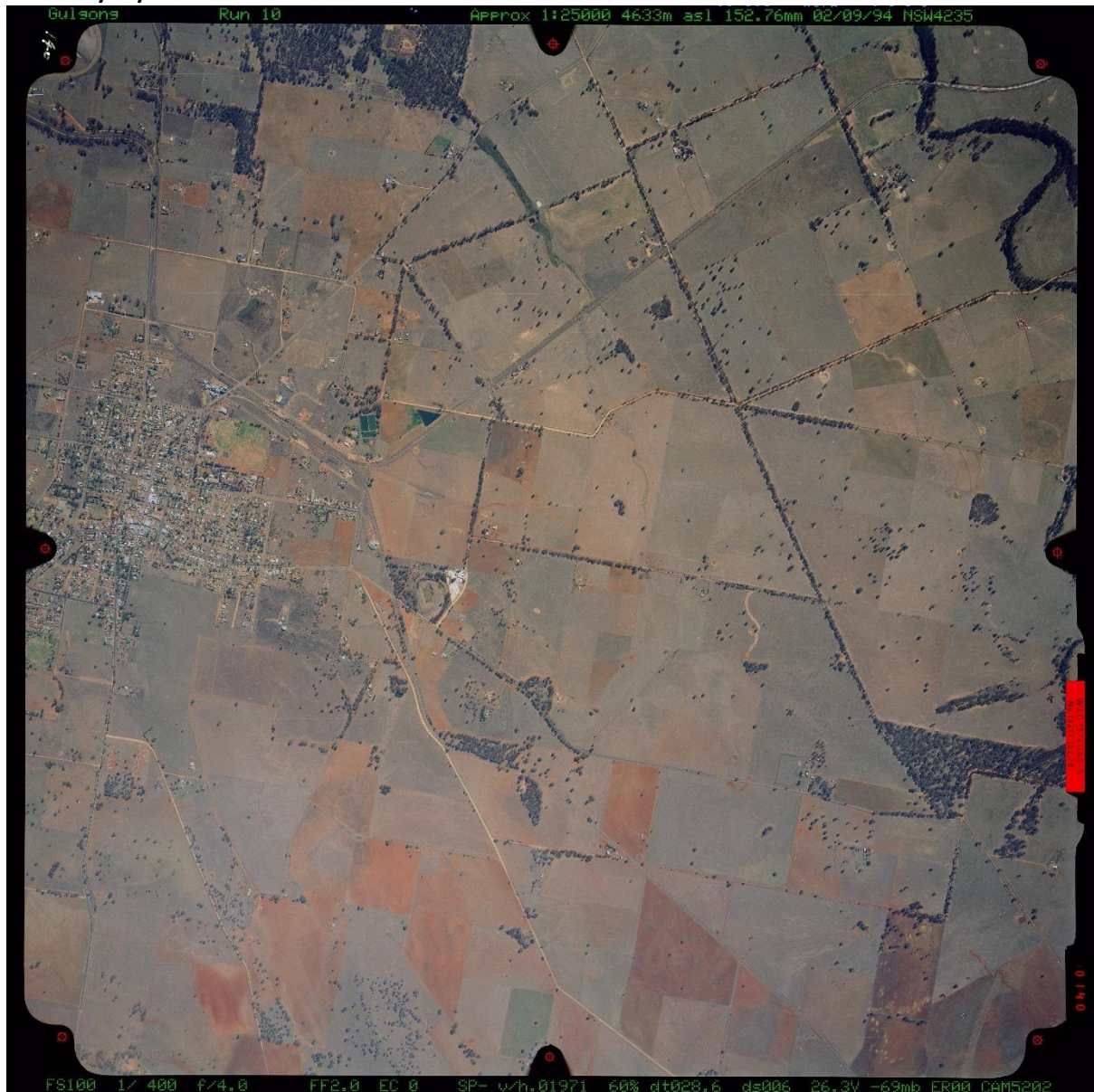
Date: 31/12/1993



Sheet Number: 8833, Sheet Name: GULGONG, Film: 4235, Run: R10, Frame: 139, Key Diagram: 88331994, Scale: 1:25000, AHDZ: 4633, Camera: RC30, Time: 3:00 PM, Image Name: 4235\_10\_139



Date: 31/12/1993



Sheet Number: 8833, Sheet Name: GULGONG, Film: 4235, Run: R10, Frame: 140, Key Diagram: 88331994, Scale: 1:25000, AHDZ: 4633, Camera: RC30, Time: 3:00 PM, Image Name: 4235\_10\_140



## Appendix 2

### Owner Questionnaire and Responses

Question	Melinda Westaway	Mick Barber	Nathan Martyn
<b>1. Have there been any known incidents involving spills or leaks of hazardous materials on the property?</b>	No	No	None
<b>2. Have pesticides, herbicides, or other chemicals been stored or used on the site? If so, what types and quantities?</b>	20 litres Gazon, approx 20 litres Glyphosate	No	Glyphosate (Roundup) has been used, and only up to 20L stored at a time
<b>3. Has the property ever been used for industrial or commercial activities, or has it always been used for farming and grazing?</b>	Farming and grazing only	Always farming and grazing as far as I am aware	Only used for farming/grazing
<b>4. Are there any records or knowledge of underground storage tanks or above-ground storage of hazardous materials on the property?</b>	No	None	No hazardous materials have been stored
<b>5. Have any waste materials been buried, burned, or disposed of on the site?</b>	No	No	No waste materials have been buried, burned, or stored
<b>6. Has the property undergone any previous soil or water contamination testing? If so, can you provide the results?</b>	No	No	No
<b>7. Are there any visible signs of contamination, such as stained soil, unusual odours, or dead vegetation?</b>	No	No	No sign of contamination anywhere
<b>8. Can you provide information on the types of fertilizers, soil treatments, or other agricultural chemicals used historically on the property?</b>	Single Super was spread on the property about 8 years ago. Gazon and Glyphosate for spot spraying weeds.	We have not used any since purchasing in 2020	Glyphosate (Roundup) has been used occasionally on fence lines
<b>9. Are there any areas of the property that have been excavated, disturbed, or modified for unknown reasons?</b>	No	No	No





### APPENDIX 3

#### NSW EPA Contaminated Land Record of Notices



[Home](#) [Public registers](#) [Contaminated land record of notices](#)

### **Search results**

Your search for: Suburb: GULGONG

did not find any records in our database.

If a site does not appear on the record it may still be affected by contamination. For example:

- Contamination may be present but the site has not been regulated by the EPA under the Contaminated Land Management Act 1997 or the Environmentally Hazardous Chemicals Act 1985.
- The EPA may be regulating contamination at the site through a licence or notice under the Protection of the Environment Operations Act 1997 (POEO Act).
- Contamination at the site may be being managed under the [planning process](#).

More information about particular sites may be available from:

- The [POEO public register](#)
- The appropriate planning authority: for example, on a planning certificate issued by the local council under [section 149 of the Environmental Planning and Assessment Act](#).

See [What's in the record and What's not in the record](#).

If you want to know whether a specific site has been the subject of notices issued by the EPA under the CLM Act, we suggest that you search by Local Government Area only and carefully review the sites that are listed.

This public record provides information about sites regulated by the EPA under the Contaminated Land Management Act 1997, including sites currently and previously regulated under the Environmentally Hazardous Chemicals Act 1985. Your inquiry using the above search criteria has not matched any record of current or former regulation. You should consider searching again using different criteria. The fact that a site does not appear on the record does not necessarily mean that it is not affected by contamination. The site may have been notified to the EPA but not yet assessed, or contamination may be present but the site is not yet being regulated by the EPA. Further information about particular sites may be available from the appropriate planning authority, for example, on a planning certificate issued by the local council under section 149 of the Environmental Planning and Assessment Act. In addition the EPA may be regulating contamination at the site through a licence under the Protection of the Environment Operations Act 1997. You may wish to search the POEO public register. [POEO public register](#)

27 August 2024