#### LOTSEARCH REFERENCE LS011569 ER

## **DATE OF REPORT** 25 Mar 2020 09:47:22

#### CLIENT ID TEST

#### ADDRESS

73 Cooyar Street, Noosa Heads, QLD 4567

## LAND AREA 632m<sup>2</sup>

**COUNCIL** Noosa Shire



**LOT/PLAN** Lot 254, RP176150

#### Disclaimer:

This report does not include a search of the Queensland Government's Environmental Management Register (EMR) or Contaminated Land Register (CLR). For further information regarding the EMR and CLR, refer to

https://www.qld.gov.au/environment/pollution/management/contaminated-land/registers

This report does not assess whether contaminated land or notifiable activities which have occurred or are occurring on the land, meet the 'duty to notify' under the QLD Environmental Protection Act 1994. For further information regarding notifiable activities under the Act, refer to https://www.qld.gov.au/environment/pollution/management/contaminated-land/registers/notifiable-activities

The purpose of this report is to provide an overview of some of the site history and environmental risk information available, affecting the site as defined by the boundary shown on the site aerial plan (page 3) and maps within this report.

You understand that Lotsearch has defined the site by reference to lot and plan information supplied in the order form rather than any address supplied in the order form.

You accept that Lotsearch may omit some of the lot and plan information supplied in the order form to identify the relevant site for the report

The report is not a substitute for an on-site inspection or review of other available reports and records.

The report is not intended to be, and should not be taken to be, a rating or assessment of the desirability or market value of the property or its features.

You should obtain independent advice before you make any decision based on the information within the report.

The detailed terms applicable to the use of this report are set out at the end of this report.

Whilst Lotsearch believes Third Party Content to be reliable and has made every effort to map data from the Third Party Content in this report as accurately as possible, some feature boundaries have been inferred from Third Party Content.



### **Environmental Risk Search**

# **Data Summary**

This report provides environmental risk information, collated from both government and non-government datasets, that relate to your site or the surrounding area.



#### **Current Environmental Authorities**

Off-site Yes: Current prescribed environmentally relevant activities or resouce activities have been identified within the surrounding area (100m)





#### **Former Environmental Authorities**

Off-site Yes: Former prescribed environmentally relevant activities or resouce activities have been identified within the surrounding area (100m)





#### **PFAS Investigation & Management**

Off-site Yes: Records on a PFAS investigation or management program have been identified within the surrounding area (100m)





#### **Waste Management Facilities**

No: No records from the national waste management facilities dataset have been identified within the surrounding area (100m)





#### **Liquid Fuel Facilities**

No: No records from the national liquid fuel facilities dataset have been identified within the surrounding area (100m)

#### LOTSEARCH REFERENCE

LS011569 ER

#### REPORT DATE

25 Mar 2020 09:47:22

#### **CLIENT ID**

TEST

#### **ADDRESS**

73 Cooyar Street, Noosa Heads, QLD 4567

#### **AREA**

632m<sup>2</sup>

#### **COUNCIL**

Noosa Shire

#### LOT/PLAN

Lot 254, RP176150

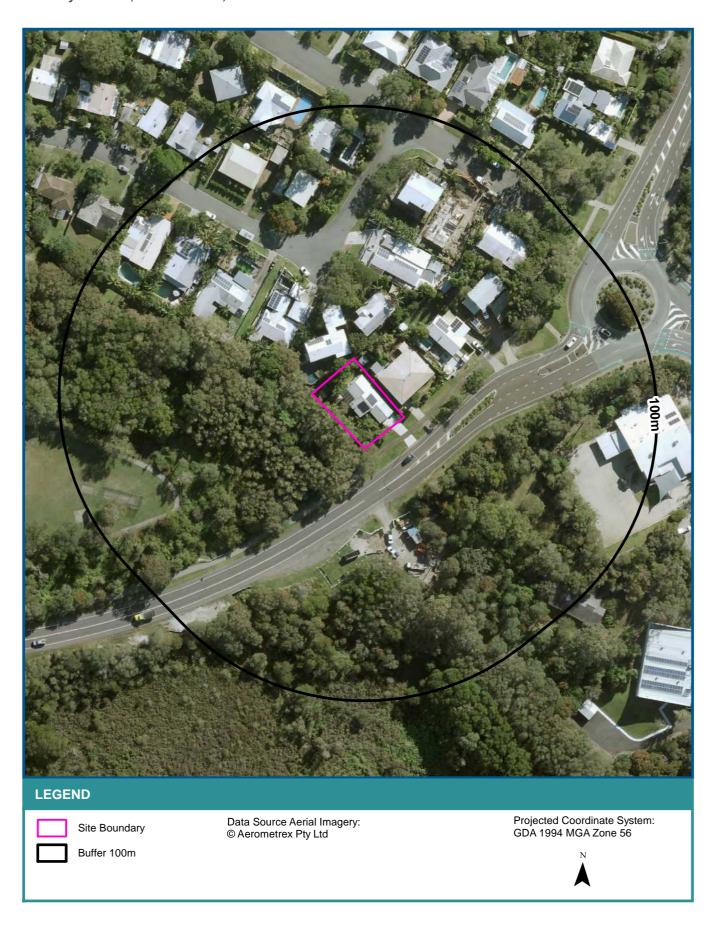
#### **CUSTOMER SUPPORT**

support@lotsearch.com.au

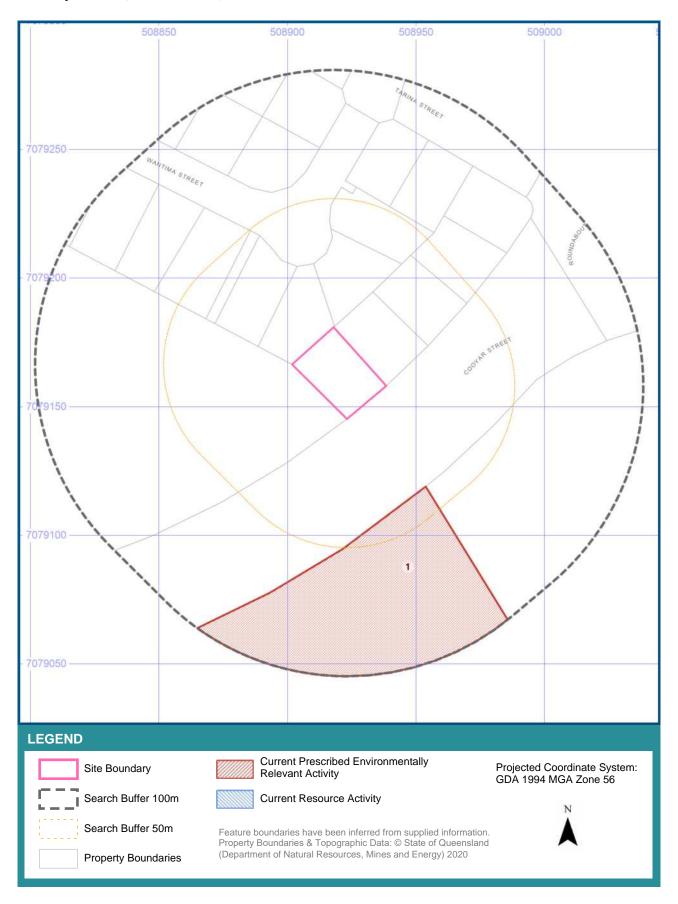
+61 (02) 8287 0680

lotsearch.com.au

### **Site Aerial Image 2019**



### Section 1: Current Sites on the QLD Environmental Authorities Register



### Section 1: Current Sites on the QLD Environmental Authorities Register

73 Cooyar Street, Noosa Heads, QLD 4567

https://environment.ehp.qld.gov.au/env-authorities

### **Current Prescribed Environmentally Relevant Activities**

Current prescribed environmentally relevant activities within the dataset buffer.

Note: Due to the fact that not all records on the EAR have specific or current location details, some premises associated with a permit reference number may not have been mapped, and therefore will not appear in this report. The reported activities relate to all activities associated with an environmental permit, however environmental permits can cover more than one site. It should therefore be noted that all activities within an environmental permit may not relate to all individual sites within the permit. More information regarding specific activities that occur at a particular premises can be found in the permit documentation:

| Map<br>Id | Permit No    | Permit<br>Status | Effective<br>Date | Primary Holder                                      | Premise        | Activity                                                                                                 | Loc<br>Conf      | Dist<br>(m) | Dir   |
|-----------|--------------|------------------|-------------------|-----------------------------------------------------|----------------|----------------------------------------------------------------------------------------------------------|------------------|-------------|-------|
| 1         | EPVX02131914 | Granted          | 2019-03-04        | Northern SEQ<br>Distributor -<br>Retailer Authority | Lot 1/SP177650 | ERA 63 - Sewage Treatment,<br>2: Operating a sewage<br>pumping station mentioned in<br>subsection (1)(b) | Premise<br>Match | 39m         | South |

Current Prescribed ER Activities Data Source: QLD Department of Environment and Science Creative Commons Attribution 4.0 https://creativecommons.org/licenses/by/4.0/

### Section 1: Current Sites on the QLD Environmental Authorities Register

73 Cooyar Street, Noosa Heads, QLD 4567

#### **Current Resource Activities**

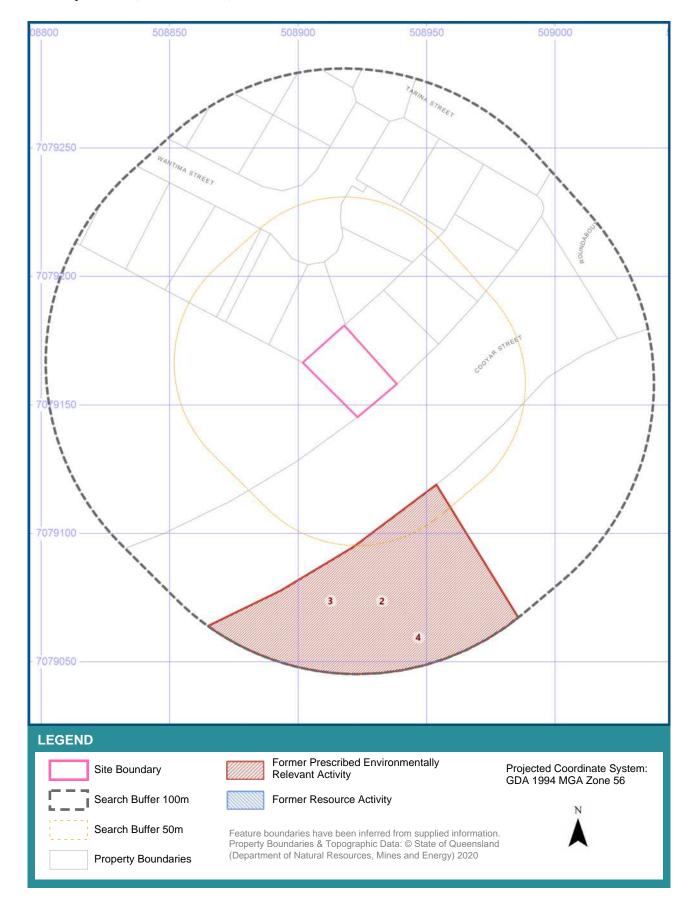
Current resource activities within the dataset buffer.

Note: Due to the fact that not all records on the EAR have specific or current location details, some premises associated with a permit reference number may not have been mapped, and therefore will not appear in this report. The reported activities relate to all activities associated with an environmental permit, however environmental permits can cover more than one site. It should therefore be noted that all activities within an environmental permit may not relate to all individual sites within the permit. More information regarding specific activities that occur at a particular premises can be found in the permit documentation: <a href="https://environment.ehp.gld.gov.au/env-authorities">https://environment.ehp.gld.gov.au/env-authorities</a>

| Map<br>Id | Permit No            | Permit<br>Status | Effective<br>Date | Primary Holder | Premise | Activity | Loc<br>Conf | Dist<br>(m) | Dir |
|-----------|----------------------|------------------|-------------------|----------------|---------|----------|-------------|-------------|-----|
| N/A       | No records in buffer |                  |                   |                |         |          |             |             |     |

Current Resource Activities Data Source: QLD Department of Environment and Science Creative Commons Attribution 4.0 https://creativecommons.org/licenses/by/4.0/

### Section 2: Former Sites on the QLD Environmental Authorities Register



### Section 2: Former Sites on the QLD Environmental Authorities Register

73 Cooyar Street, Noosa Heads, QLD 4567

### Former Prescribed Environmentally Relevant Activities

Former prescribed environmentally relevant activities within the dataset buffer.

Note: Due to the fact that not all records on the EAR have specific or current location details, some premises associated with a permit reference number may not have been mapped, and therefore will not appear in this report. The reported activities relate to all activities associated with an environmental permit, however environmental permits can cover more than one site. It should therefore be noted that all activities within an environmental permit may not relate to all individual sites within the permit. More information regarding specific activities that occur at a particular premises can be found in the permit documentation: <a href="https://environment.ehp.gld.gov.au/env-authorities">https://environment.ehp.gld.gov.au/env-authorities</a>

| Map<br>Id | Permit No    | Permit<br>Status | Effective<br>Date | Primary Holder                                      | Premise                                      | Activity                                            | Loc<br>Conf      | Dist<br>(m) | Dir   |
|-----------|--------------|------------------|-------------------|-----------------------------------------------------|----------------------------------------------|-----------------------------------------------------|------------------|-------------|-------|
| 2         | EPSX01092313 | Superseded       | 2014-05-20        | Northern SEQ<br>Distributor -<br>Retailer Authority | SPS NHD001<br>Noosa Dr,NOOSA<br>HEADS 4567   | 63-(2) Sewage treatment -<br>pumping station (1)(b) | Premise<br>Match | 39m         | South |
| 3         | EPSX01092313 | Superseded       | 2014-05-20        | Northern SEQ<br>Distributor -<br>Retailer Authority | SPS NHD013<br>Cooyar St,NOOSA<br>HEADS 4567  | 63-(2) Sewage treatment -<br>pumping station (1)(b) | Premise<br>Match | 39m         | South |
| 4         | EPSX01092313 | Superseded       | 2014-05-20        | Northern SEQ<br>Distributor -<br>Retailer Authority | SPS NHD014<br>Langura St,NOOSA<br>HEADS 4567 | 63-(2) Sewage treatment -<br>pumping station (1)(b) | Premise<br>Match | 39m         | South |

Former Prescribed ER Activities Data Source: QLD Department of Environment and Science Creative Commons Attribution 4.0 https://creativecommons.org/licenses/by/4.0/

### Section 2: Former Sites on the QLD Environmental Authorities Register

73 Cooyar Street, Noosa Heads, QLD 4567

#### **Former Resource Activities**

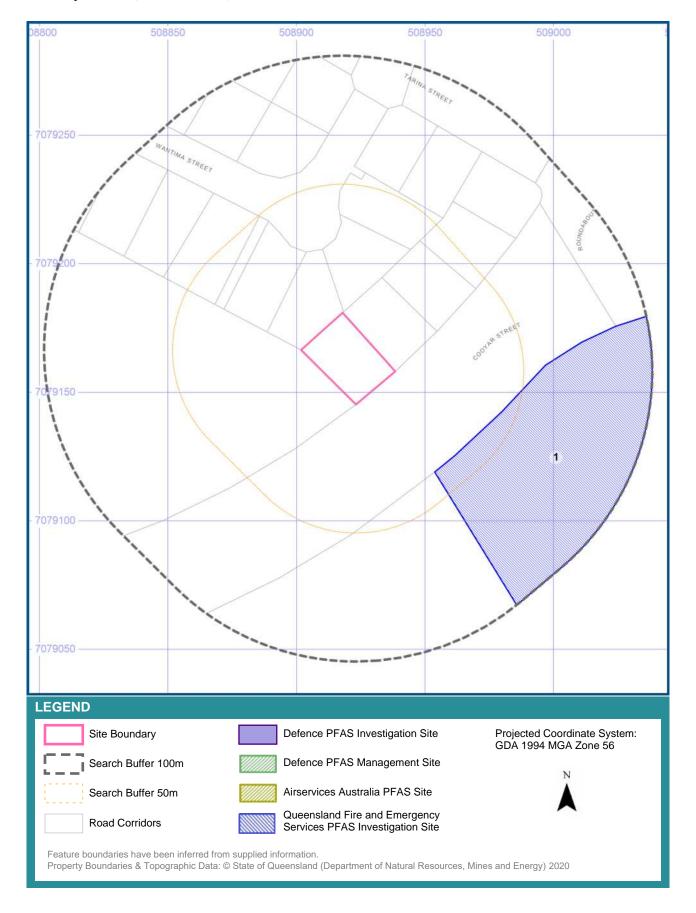
Former resource activities within the dataset buffer.

Note: Due to the fact that not all records on the EAR have specific or current location details, some premises associated with a permit reference number may not have been mapped, and therefore will not appear in this report. The reported activities relate to all activities associated with an environmental permit, however environmental permits can cover more than one site. It should therefore be noted that all activities within an environmental permit may not relate to all individual sites within the permit. More information regarding specific activities that occur at a particular premises can be found in the permit documentation: <a href="https://environment.ehp.gld.gov.au/env-authorities">https://environment.ehp.gld.gov.au/env-authorities</a>

| Map<br>Id | Permit No            | Permit<br>Status | Effective<br>Date | Primary Holder | Premise | Activity | Loc<br>Conf | Dist<br>(m) | Dir |
|-----------|----------------------|------------------|-------------------|----------------|---------|----------|-------------|-------------|-----|
| N/A       | No records in buffer |                  |                   |                |         |          |             |             |     |

Former Resource Activities Data Source: QLD Department of Environment and Science Creative Commons Attribution 4.0 https://creativecommons.org/licenses/by/4.0/

### **Section 3: PFAS Investigation and Management Programs**



### **Section 3: PFAS Investigation and Management Programs**

73 Cooyar Street, Noosa Heads, QLD 4567

### **Defence PFAS Investigation and Management Program - Investigation Sites**

Sites being investigated by the Department of Defence for PFAS contamination within the dataset buffer:

| Map<br>Id | Base Name            | Address | Location<br>Confidence | Distance (m) | Direction |
|-----------|----------------------|---------|------------------------|--------------|-----------|
| N/A       | No records in buffer |         |                        |              |           |

Defence PFAS Investigation and Management Program Data Source: Department of Defence, Australian Government

### **Defence PFAS Investigation and Management Program - Management Sites**

Sites being managed by the Department of Defence for PFAS contamination within the dataset buffer:

| Map<br>Id | Base Name            | Address | Location<br>Confidence | Distance (m) | Direction |
|-----------|----------------------|---------|------------------------|--------------|-----------|
| N/A       | No records in buffer |         |                        |              |           |

Defence PFAS Investigation and Management Program Data Source: Department of Defence, Australian Government

### **Airservices Australia National PFAS Management Program**

Sites being investigated or managed by Airservices Australia for PFAS contamination within the dataset buffer:

| Map<br>Id | Site Name            | Impacts | Location<br>Confidence | Distance (m) | Direction |
|-----------|----------------------|---------|------------------------|--------------|-----------|
| N/A       | No records in buffer |         |                        |              |           |

Airservices Australia National PFAS Management Program Data Custodian: Airservices Australia. Data collated via the EPA website.

### **Queensland Fire and Emergency Services PFAS Investigation Sites**

Sites being investigated by Queensland Fire and Emergency Services for PFAS contamination within the dataset buffer:

| Map Id | Fire Station Name | PFOA (μg/L) | PFOS (∑(PFOS + PFHxS) (μg/L) | LS Ref | Location<br>Confidence | Distance (m) | Direction  |
|--------|-------------------|-------------|------------------------------|--------|------------------------|--------------|------------|
| 1      | Noosa Heads       | 0.011       | 0.264                        | 52     | Premise<br>Match       | 40m          | South East |

Queensland Fire and Emgency Services PFAS investigation Sites Data Source: Queensland Fire and Emgency Services, Queensland Government

### **Section 4: Waste Management and Liquid Fuel Facilities**

73 Cooyar Street, Noosa Heads, QLD 4567

### **National Waste Management Facilities Database**

Sites on the National Waste Management Facilities Database within the dataset buffer: Note. This dataset is by no means an exhaustive list of all waste sites or landfills.

| Map<br>Id | Owner                | Name | Address | Suburb | Class | Landfill | Reprocess | Transfer | Comments | Loc<br>Conf | Dist<br>(m) | Dir |
|-----------|----------------------|------|---------|--------|-------|----------|-----------|----------|----------|-------------|-------------|-----|
| N/A       | No records in buffer |      |         |        |       |          |           |          |          |             |             |     |

Waste Management Facilities Data Source: Australian Government Geoscience Australia Creative Commons 3.0 © Commonwealth of Australia http://creativecommons.org/licenses/by/3.0/au/deed.en

### **National Liquid Fuel Facilities**

National Liquid Fuel Facilities Data Source: Australian Government Geoscience Australia

| Map<br>Id | Owner                | Name | Address | Suburb | Class | Status | Operator | Revision<br>Date | Loc<br>Conf | Dist<br>(m) | Dir |
|-----------|----------------------|------|---------|--------|-------|--------|----------|------------------|-------------|-------------|-----|
| N/A       | No records in buffer |      |         |        |       |        |          |                  |             |             |     |

National Liquid Fuel Facilities Data Source: Australian Government Geoscience Australia Creative Commons 4.0 © Commonwealth of Australia http://creativecommons.org/licenses/by/3.0/au/deed.en

## **Environmental Data Summary Table**

The table below highlights how many features from the following datasets appear on-site, within 50m of the site or beyond 50m in the surrounding area.

| Datasets                                                                                  | On-site  | Adjacent<br>(< 50m<br>from site<br>boundary) | Surrounding<br>Area (>50m<br>to Dataset<br>Buffer) | Dataset<br>Buffer<br>(m) |
|-------------------------------------------------------------------------------------------|----------|----------------------------------------------|----------------------------------------------------|--------------------------|
| Section 1: Current Sites on the QLD Environmental Authorities F                           | Register |                                              |                                                    |                          |
| Environmental Authorities Register Current Prescribed Environmentally Relevant Activities | 0        | 1                                            | 0                                                  | 100                      |
| Environmental Authorities Register Current Resource Activities                            | 0        | 0                                            | 0                                                  | 100                      |
| Section 2: Former Sites on the QLD Environmental Authorities R                            | egister  |                                              |                                                    |                          |
| Environmental Authorities Register Former Prescribed Environmentally Relevant Activities  | 0        | 3                                            | 0                                                  | 100                      |
| Environmental Authorities Register Former Resource Activities                             | 0        | 0                                            | 0                                                  | 100                      |
| Section 3: PFAS Investigation and Management Programs                                     |          |                                              |                                                    |                          |
| Defence PFAS Investigation & Management Program - Investigations Sites                    | 0        | 0                                            | 0                                                  | 100                      |
| Defence PFAS Investigation & Management Program - Management Sites                        | 0        | 0                                            | 0                                                  | 100                      |
| Airservices Australia National PFAS Management Program                                    | 0        | 0                                            | 0                                                  | 100                      |
| Queensland Fire and Emergency Services PFAS Investigation Sites                           | 0        | 1                                            | 0                                                  | 100                      |
| Section 4: Waste Management and Liquid Fuel Facilities                                    |          |                                              |                                                    |                          |
| National Waste Management Facilities Database                                             | 0        | 0                                            | 0                                                  | 100                      |
| National Liquid Fuel Facilities                                                           | 0        | 0                                            | 0                                                  | 100                      |

### **Location Confidences**

Where Lotsearch has mapped data records based on a supplied address or location, a location confidence has been assigned to the data record. This provides an indication of the positional accuracy of the record. The following confidences are used under the heading 'Location Confidence' or 'Loc Conf':

| Location Confidence        | Description                                                                                                                                                                                                                                                                        |
|----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Premise Match              | This indicates the record has been mapped to a specific address or premise.                                                                                                                                                                                                        |
| Road Intersection          | This indicates the record has been mapped to the intersection of two or more roads. The supplied data may specify an address such as 'corner of x and y roads'. Alternatively, Lotsearch may not be able to determine which side of an intersection an address should be assigned. |
| Road Match                 | This indicates the record has been mapped to a specific road. The supplied data may not provide an address number, or Lotsearch may not be able to determine a specific building or premise from the supplied address.                                                             |
| Genral Area / Suburb Match | Lotsearch has not been able to determine a specific building or road from the supplied address, but they have been able to map it to a general area or suburb.                                                                                                                     |
| Network of Features        | This indicates the record has been mapped to a network of features, for example a rail network.                                                                                                                                                                                    |
| Buffered Point             | This indicates that the record was supplied with specific point coordinates, and Lotsearch has buffered this point to create a polygon area.                                                                                                                                       |

## **Dataset Listing Table**

### 73 Cooyar Street, Noosa Heads, QLD 4567

Datasets contained within this report, detailing their source and data currency:

| Dataset Name                                                                                 | Custodian                                        | Supply Date | Currency Date | Update<br>Frequency |
|----------------------------------------------------------------------------------------------|--------------------------------------------------|-------------|---------------|---------------------|
| Environmental Authorities Register Current Prescribed<br>Environmentally Relevant Activities | Queensland Department of Environment and Science | 02/03/2020  | 02/03/2020    | Monthly             |
| Environmental Authorities Register Current Resource Activities                               | Queensland Department of Environment and Science | 02/03/2020  | 02/03/2020    | Monthly             |
| Environmental Authorities Register Former Prescribed<br>Environmentally Relevant Activities  | Queensland Department of Environment and Science | 02/03/2020  | 02/03/2020    | Monthly             |
| Environmental Authorities Register Former Resource Activities                                | Queensland Department of Environment and Science | 02/03/2020  | 02/03/2020    | Monthly             |
| Defence PFAS Investigation & Management Program - Investigations Sites                       | Department of Defence                            | 12/02/2020  | 12/02/2020    | Monthly             |
| Defence PFAS Investigation & Management Program - Management Sites                           | Department of Defence                            | 12/02/2020  | 12/02/2020    | Monthly             |
| Airservices Australia National PFAS Management<br>Program                                    | Airservices Australia                            | 20/03/2020  | 20/03/2020    | Monthly             |
| Queensland Fire and Emergency Services PFAS Investigation Sites                              | Queensland Fire and Emergency Services           | 14/02/2020  | 14/02/2020    | Monthly             |
| National Waste Management Facilities Database                                                | Geoscience Australia                             | 12/02/2020  | 07/03/2017    | Quarterly           |
| National Liquid Fuel Facilities                                                              | Geoscience Australia                             | 05/02/2020  | 13/07/2012    | Quarterly           |

| Useful Contacts                                                    |                                                                               |                                                                         |  |  |
|--------------------------------------------------------------------|-------------------------------------------------------------------------------|-------------------------------------------------------------------------|--|--|
| Lotsearch Pty Ltd                                                  | Queensland Government                                                         | Noosa Shire                                                             |  |  |
| www.lotsearch.com.au<br>support@lotsearch.com.au<br>(02) 8287 0680 | www.qld.gov.au/environment/pollution<br>www.qld.gov.au/contact-us<br>13 74 68 | http://www.noosa.qld.gov.au/<br>mail@noosa.qld.gov.au<br>(07) 5329 6500 |  |  |

#### **USE OF REPORT - APPLICABLE TERMS**

For Purchasers of Environmental Risk Search reports, please refer to Lotsearch's Terms and Conditions provided at the point of sale. For End Users of the Environmental Risk Search reports, please refer to the Applicable Terms below.

The following terms apply to any person (End User) who is given the Report by the person who purchased the Report from Lotsearch Pty Ltd (ABN: 89 600 168 018) (Lotsearch) or who otherwise has access to the Report (Terms). The contract terms that apply between Lotsearch and the purchaser of the Report are specified in the order form pursuant to which the Report was ordered and the terms set out below are of no effect as between Lotsearch and the purchaser of the Report.

- 1. End User acknowledges and agrees that:
  - (a) The Report is to provide an overview of some of the site history and environmental risk information available, affecting the site as defined by the boundary shown on the site aerial plan (page 3) and maps within the Report (**Property**);
  - (b) Lotsearch has defined the Property by reference to lot and plan information supplied in the order form rather than any address supplied in the order form and Lotsearch may omit some of the lot and plan information supplied in the order form to identify the relevant Property for the Report;
  - (c) the Report is compiled from or using content (Third Party Content) which is comprised of:
    - content provided to Lotsearch by third party content suppliers with whom Lotsearch has contractual arrangements or content which is freely available or methodologies licensed to Lotsearch by third parties with whom Lotsearch has contractual arrangements (Third Party Content Suppliers); and
    - (ii) content which is derived from content described in paragraph (i);
  - (d) neither Lotsearch nor Third Party Content Suppliers takes any responsibility for or give any warranty in relation to the accuracy or completeness of any Third Party Content included in the Report including any contaminated land assessment or other assessment included as part of a Report;
  - (e) the Third Party Content Suppliers do not constitute an exhaustive set of all repositories or sources of information available in relation to the property which is the subject of the Report and accordingly neither Lotsearch nor Third Party Content Suppliers gives any warranty in relation to the accuracy or completeness of the Third Party Content incorporated into the report including any contaminated land assessment or other assessment included as part of a Report;
  - (f) Reports are generated at a point in time (as specified by the date/time stamp appearing on the Report) and accordingly the Report is based on the information available at that point in time and Lotsearch is not obliged to undertake any additional reporting to take into consideration any information that may become available between the point in time specified by the date/time stamp and the date on which the Report was provided by Lotsearch to the purchaser of the Report;
  - (g) Reports must be used or reproduced in their entirety and End User must not reproduce or make available to other persons only parts of the Report;
  - (h) Lotsearch has not undertaken any physical inspection of the property;
  - (i) neither Lotsearch nor Third Party Content Suppliers warrants that all land uses or features whether past or current are identified in the Report;
  - (j) the Report does not include any information relating to the actual state or condition of the Property;
  - (k) the Report should not be used or taken to indicate or exclude actual fitness or unfitness of Land or Property for any particular purpose;
  - (I) the Report should not be relied upon for determining saleability or value or making any other decisions in relation to the Property and in particular should not be taken to be a rating or assessment of the desirability or market value of the property or its features; and
  - (m) the End User should undertake its own inspections of the Land or Property to satisfy itself that there are no defects or failures.
- The End User may not make the Report or any copies or extracts of the report or any part of it
  available to any other person. If End User wishes to provide the Report to any other person or
  make extracts or copies of the Report, it must contact the purchaser of the Report before doing so
  to ensure the proposed use is consistent with the contract terms between Lotsearch and the
  purchaser.

- 3. Neither Lotsearch (nor any of its officers, employees or agents) nor any of its Third Party Content Suppliers will have any liability to End User or any person to whom End User provides the Report and End User must not represent that Lotsearch or any of its Third Party Content Suppliers accepts liability to any such person or make any other representation to any such person on behalf of Lotsearch or any Third Party Content Supplier.
- 4. The End User hereby to the maximum extent permitted by law:
  - (a) acknowledges that the Lotsearch (nor any of its officers, employees or agents), nor any of its Third Party Content Supplier have any liability to it under or in connection with the Report or these Terms;
  - (b) waives any right it may have to claim against Third Party Content Supplier in connection with the Report, or the negotiation of, entry into, performance of, or termination of these Terms; and
  - (c) releases each Third Party Content Supplier from any claim it may have otherwise had in connection with the Report, or the negotiation of, entry into, performance of, or termination of these Terms.
- 5. The End User acknowledges that any Third Party Supplier shall be entitled to plead the benefits conferred on it under clause 4, despite not being a party to these terms.
- 6. End User must not remove any copyright notices, trade marks, digital rights management information, other embedded information, disclaimers or limitations from the Report or authorise any person to do so.
- 7. End User acknowledges and agrees that Lotsearch and Third Party Content Suppliers retain ownership of all copyright, patent, design right (registered or unregistered), trade marks (registered or unregistered), database right or other data right, moral right or know how or any other intellectual property right in any Report or any other item, information or data included in or provided as part of a Report.
- 8. To the extent permitted by law and subject to paragraph 9 and 10, all implied terms, representations and warranties whether statutory or otherwise relating to the subject matter of these Terms other than as expressly set out in these Terms are excluded.
- 9. Subject to paragraph 10, Lotsearch excludes liability to End User for loss or damage of any kind, however caused, due to Lotsearch's negligence, breach of contract, breach of any law, in equity, under indemnities or otherwise, arising out of all acts, omissions and events whenever occurring.
- 10. Lotsearch acknowledges that if, under applicable State, Territory or Commonwealth law, End User is a consumer certain rights may be conferred on End User which cannot be excluded, restricted or modified. If that law applies to the supply of this Report, then, Customer is entitled to exercise its rights under that law but Lotsearch's liability is limited to the maximum extent permitted under applicable laws.
- 11. Subject to paragraph 10, neither Lotsearch nor the End User is liable to the other for:
  - (a) any indirect, incidental, consequential, special or exemplary damages arising out of or in relation to the Report or these Terms; or
  - (b) any loss of profit, loss of revenue, loss of interest, loss of data, loss of goodwill or loss of business opportunities, business interruption arising directly or indirectly out of or in relation to the Report or these Terms,

irrespective of how that liability arises including in contract or tort, liability under indemnity or for any other common law, equitable or statutory cause of action or otherwise.

12. These Terms are subject to New South Wales law.