



Douglas Partners

Geotechnics • Environment • Groundwater

Integrated Practical Solutions

**REPORT
ON
PHASE 1 CONTAMINATION ASSESSMENT**

**SAH DAY SURGERY HORNSBY REDEVELOPMENT
LOTS 391 & 392 DP816295 & LOT 38 DP7033**

**Prepared for
SYDNEY ADVENTIST HOSPITAL (HORNSBY)**

**Project 71814
July 2010**



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SA:jlb
Project 71814
6 July 2010

REPORT ON
PHASE 1 CONTAMINATION ASSESSMENT
SAH DAY SURGERY HORNSBY REDEVELOPMENT
LOTS 391 & 392 DP816295 & LOT 38 DP7033

1. INTRODUCTION

This report details the methodology and results of a Phase 1 Contamination Assessment undertaken by Douglas Partners Pty Ltd (DP) at Lots 391 & 392 in DP 816295 and Lot 38 in DP 7033. The assessment was requested by Morris Bray Architects on behalf of the Sydney Adventist Hospital (Hornsby). It is understood that the assessment is required for development application purposes.

The site is currently occupied by The San Day Surgery (1a Northcote Rd), Psychologist, Paediatrician, and Obstetrician's Professional Rooms (57a Palmerston Rd), On-Balance Physiotherapy (57 Palmerston Rd), AMX Health – Health and Fitness Studio (55 Palmerston Rd) and Air Liquide Healthcare (106 Balmoral St). The San Day Surgery comprises a one-storey brick building with basement, and the surrounding tenancies within the subject site each occupy one-storey brick buildings. The subject site incorporates Lots 391 and 392 in 816195 and Lot 38 in DP 7033 and is a rectangular-shaped site with a combined plan area of approximately 3,187 m². The site location is shown in Drawing 1, Appendix A.

The current Phase 1 Contamination Assessment was conducted to:

- (a) provide a preliminary assessment of the potential for contamination of the site based on past and present site usage and the likely nature of this potential contamination.

- (b) make a preliminary evaluation on the likely suitability of the site from a contamination perspective for development application purposes for its continued zoned land use as a medical facility.

This report documents the findings.

2. SCOPE OF WORK

The scope of work, as outlined in DP's proposal dated 14 April 2010 and accepted by Sydney Adventist Hospital (Hornsby), comprised:

- Search the Historical Land Titles with respect to each Deposited Plan to identify previous site owners. The names and occupations of site owners may assist in the identification of potentially contaminating activities;
- Search historical aerial photographs to identify land uses and changes in the land that may indicate potential for contamination;
- Search the Contaminated Land Register for Notices issued under the Contaminated Land Management Act 1997;
- Search WorkCover records for any Dangerous Good License that may indicate contamination sources and/or contaminating activities;
- Carry out a search on NSW Office of Water's registered groundwater bore database;
- Review of Council's Section 149 Certificates and records held by Council;
- Conduct a walk-over reconnaissance at the site. The reconnaissance targeted signs/structures/activities that may have elevated contamination potential, including:
 - The location of any visually identifiable/discernable fill on the site;
 - Disturbed or discoloured soil;
 - Disturbed or affected vegetation;
 - Proximity to surface waters and groundwater;
 - The presence of visible, possible asbestos-based products;

- Presence of signs of concern e.g. chemical containers, holding tanks, chemical odours; and
 - Identification of any apparent above-ground or underground fuel storage tanks (UST's) or similar storages (to be also verified by WorkCover records).
 - A search of readily available Council records related to the subject site was also requested, however results were currently pending at the time of writing this report. The results of the search will be reported separately at a later date once information has been made available by Hornsby Council.
- Preparation of a Phase 1 (Preliminary) Contamination Assessment Report providing an assessment of the potential contamination at the site and general recommendations for further work (if required). The report summarises the findings of the site history search and site observations, as well as commenting on the suitability of the site for its continued land use as a medical facility.

Soil and groundwater sampling and laboratory analyses were not undertaken as part of the investigation.

3. SITE IDENTIFICATION AND HISTORY

3.1 Site Identification

The subject property is identified as 55-57 Palmerston Road and 106 Balmoral Street, Hornsby. It comprises Lots 391 and 392 in Deposited Plan 816195 and Lot 38 in Deposited Plan 7033 in the Parish of South Colah, County of Cumberland and the local government area of Hornsby Shire Council. The site is currently operating as The San Day Surgery (1a Northcote Rd), Psychologist, Paediatrician, and Obstetrician's Professional Rooms (57a Palmerston Rd), On-Balance Physiotherapy (57 Palmerston Rd), AMX Health – Health and Fitness Studio (55 Palmerston Rd) and Air Liquide Healthcare (106 Balmoral St). The San Day Surgery comprises a one-storey brick building with basement, and the surrounding tenancies within the subject site each occupy one-storey brick buildings. A site plan and locality map is presented in Drawing 1, Appendix A.

The site has a rectangular shape with frontages to and accesses from Northcote Road, Palmerstone Road and Balmoral Street. The total site area is approximately 3,187 m².

The site is bound to the north by Northcote Road (up-gradient), to the north-east by Palmerston Road (up-gradient) and to the west by Balmoral Street (down-gradient). The south side of the site is bound by the Hornsby Sleep Disorders Centre (104 Balmoral Street), and Northside Medical Imaging (53 Palmerston Road), both premises being located up-gradient to the subject site.

3.2 Site History

A site historical information review was conducted, comprising an historical title deeds search, a review of historical aerial photographs, Contaminated Land Register for Notices issued under the *Contaminated Land Management Act 1997*, WorkCover Dangerous Goods records and Council records (including Section 149 (2) Certificates) as well as a groundwater bore search of the NSW Office of Water database. The full site history search information referenced in the following sub-sections is presented in Appendices B to G.

3.2.1 Title Deeds

A historical title deeds search is used to obtain ownership or occupancy information on the property, including company names and the occupations of individuals. The title information can assist in the identification of previous land uses and can therefore assist in establishing whether there were potentially contaminating activities occurring at the site. The title deed search results are summarised in Tables 1 – 3 below. In establishing the possible use of the site, information has also been drawn from other sources such as aerial photographs.

**Table 1 - Historical Title Deed Record for Lots 391 & 392, DP 816295 also Lot 38, DP 7033
As regards the whole of the subject lands (see Appendix B)**

Date	Owner/Occupier	Possible site use
1911 - 1914	William James Black (<i>Gentleman</i>)	Rural/Residential
1914 - 1928	Emily Jane Black (<i>Spinster</i>)	Rural/Residential

**Table 2 - Historical Title Deed Record Continued for Lot 38, DP 7033
(see Appendix B)**

Date	Owner/Occupier	Possible site use
1928 - 1974	Hector Stevens (<i>Laborer</i>)	Residential
1974 - 1980	Ivy Doris Stevens (<i>Widow</i>)	Residential
1980 - 1986	Harvey George Washington (<i>Medical Practitioner</i>)	Medical Facility / Residential
1986 - 1990	Laura Roberta Jeannine Washington	Residential
1990 - 2003	Harvey George Washington (<i>Medical Practitioner</i>)	Medical Facility
2003 - 2009	Roger Parry Pearce Alexandra Pearce	Medical Facility
2009 – to date # Current Registered Proprietor	# Australasian Conference Association Ltd	Medical Facility

**Table 3 - Historical Title Deed Record Continued for Lots 391 & 392, DP 816195
As regards the part marked (A) on the cadastre (see Appendix B)**

Date	Owner/Occupier	Possible site use
1914 - 1927	Stanley Charles Drewe (<i>Railway Station Manager</i>)	Rural/Residential
1927 - 1952	Sarah Jane Fisting (<i>Married Woman</i>)	Rural Residential
1952 - 1954	Daisy Isabel Aiken (<i>Widow</i>) Imogene Isabel Nieass (<i>Married Woman</i>)	Residential
1954 – 1963	Raymond Watson Susans (<i>Painter & Decorator</i>)	Residential
1963 - 1979	Eric William Flowerdew (<i>Clerk</i>) Unity Pearl Flowerdew (<i>Married Woman</i>)	Residential
1979 - 2002	Banir Pty Limited	Medical Facility/Commercial
2002 – to date # Current Registered Proprietor	# Australasian Conference Association Ltd	Medical Facility

**Table 4 - Historical Title Deed Record Continued for Lots 391 & 392, DP 816195
As regards the part marked (B) on the cadastre (see Appendix B)**

Date	Owner/Occupier	Possible site use
1915 - 1958	Edgar Ernest Festing (<i>Gardener</i>)	Residential
1958 - 1958	Imogen Isabel Nieass (<i>Married Woman</i>)	Residential
1958 - 1971	Kenneth Wilson Reid (<i>Farmer</i>) Leila Mildred Reid (<i>Married Woman</i>)	Residential
1971 – 1985	Graham Sydney Fletcher (<i>Technician</i>)	Residential/Commercial
1985 - 2002	Banir Pty Limited	Medical Facility/Commercial
2002 – to date	# Australasian Conference Association Ltd	Medical Facility

Current Registered Proprietor

**Table 5 - Historical Title Deed Record Continued for Lots 391 & 392, DP 816195
As regards the part marked (C) on the cadastre (see Appendix B)**

Date	Owner/Occupier	Possible site use
1922 - 1975	Charles Hoggard (<i>Carpenter</i>)	Residential/Commercial: Carpentry
1975 - 1976	Eric Walter Hoggard (<i>Retired Plumber</i>) Bruce Hoggard (<i>Carpenter</i>)	Residential/Commercial: Carpentry
1976 - 1985	Bruce Hoggard (<i>Carpenter</i>) Paul McGregor Hoggard (<i>Letter Press Printer</i>)	Residential/Commercial: Letter Press Printing
1985 - 1985	Paul McGregor Hoggard (<i>Letter Press Printer</i>) Jean Hoggard	Residential/Commercial: Letter Press Printing
1985 - 2002	Banir Pty Limited	Medical Facility
2002 – to date	# Australasian Conference Association Ltd	Medical Facility

Current Registered Proprietor

Based on the title deeds, it appears that the majority of site may have been used mainly for residential purposes until at least 1979. Possible dual residential/commercial uses may have been the case for the southern half of the site until at least 1985. As the site was owned by the current registered proprietor since 2002, it is likely that the subject site has been used as medical facilities since at least this time, with the south eastern property within the site owned by medical practitioners from 1980. The title deed search results for the site are included in Appendix B.

3.2.2 Aerial Photographs

Aerial photographs from 1930, 1951, 1970, 1986 and 1998 were obtained from the NSW Department of Lands Office, the 1943 and Current images were obtained from the NSW Department of Lands website (www.lands.nsw.gov.au). The aerial photographs are presented in Appendix C. These aerial photos were reviewed to assess the possible past uses of the site. The findings are summarised below.

1930 – The site itself appears to be occupied by at least three dwellings, and scattered trees. The two larger buildings within the southern half of the site resemble the buildings currently present on site. The north eastern corner appears undeveloped. The site is located in an area of mixed land use, with residential dwellings to the south, what appear to be agricultural fields to the north, vacant land to the east and some residential and vacant lands to the west.

1943 – The site appears similar to the image from 1930, with the addition of one small building structure in the southern half of the site. Changes in the surrounding areas include landscaped grounds and buildings which resemble parts of the current Hornsby Ku-ring-gai Hospital to the east, an increase in agricultural fields observed to the north of the site as well as bushland to the north-east. The area located to the south and west has seen an increase in the density of residential dwellings, as well as what appear to resemble orchards/market gardens in the west. The two larger buildings within the southern half of the site resemble the buildings currently present on site.

1951 – The site appears similar to that observed in the 1943 image with the addition of a small rectangular building in the north-east corner that seems similar to the building currently present on site. The agricultural fields that were observed in the 1943 image have been cleared and appear predominantly vacant with a few small dwellings now present in part of the area. The bushland area to the north-east has been cleared and developed with the addition of a large building that also appears within the Hornsby Hospital premises. The residential dwellings to the south of the site appear similar to the previous image.

1970 – Within the subject site, there appears to be the addition of a rectangular building in the south-east portion of the site that was not present in the 1951 image. This addition resembles the building located in the same location on site currently. A number of trees that were present in the previous image have been removed, and areas of the site appear to be paved, although

the remainder of the site appears similar to the image taken in 1951. Further development has taken place within the Hornsby Hospital premises to the east, with the area to the north and west now appearing to be more densely residential. The land to the south of the site appears to resemble that observed in the 1951 image.

1986 – The layout of the buildings present at the site reflects the layout of the current buildings on site. Further development and construction has been carried out to the east within the Hornsby Hospital premises, with a few smaller developments to the south of the site, and larger density housing to the north-west. The surrounding areas appear to be generally similar to that observed in the 1970 image.

1998 – The subject site appears fairly unchanged from the image of 1986, with additional landscaped areas observed. The surrounding residential areas have increased in density, with a larger rectangular building present to the south east of the site. This building resembles the building currently onsite occupied by Northside Medical Imaging. Further development has been carried out within the Hornsby Hospital premises.

2009 (current) – The subject site and the surrounding lands do not appear significantly different to observations made in the 1998 image.

3.2.3 Council Records

The subject site is located within the Hornsby Shire Council area. The site is zoned 'Residential AM (Low Density – Medical Support)' under Hornsby Shire LEP.

According to the Section 149(2)&(5) Planning Certificates, the site has not been declared to be a significantly contaminated site under Section 59(2) of the *Contaminated Land Management Act 1997* or subject to any Site Audit Statements. The Section 149(2)&(5) Planning Certificates are included in Appendix B.

Information was requested from Hornsby Shire Council for access under the Freedom of Information Act (NSW) Section 17 and 35 relating to land use, development activities, construction or related to potentially polluting activities, such as underground storage tanks. At the time of writing this report, the search results were still pending. The findings of the search shall be reported separately at a later date once information has been made available.

3.2.4 WorkCover NSW Dangerous Goods Database

A search of the NSW WorkCover dangerous goods database on 18 June 2010 indicated that no records were located for any of the premises located within the subject site.

The letter received from WorkCover is attached in Appendix B.

3.2.5 Regulatory Notices Search

The NSW DECCW publishes records of contaminated sites under Section 58 of the *Contaminated Land Management (CLM) Act 1997* on a public database accessed via the Internet. The Notices relate to investigation and/or remediation of contaminated site considered to pose a significant risk of harm under the definition in the CLM Act. A search of the public database revealed that the subject site is not listed. There are also no listed sites within close proximity to the site.

The NSW DECCW also issues environmental protection licences to the owners or operators of various industrial premises under the *Protection of the Environment Operations Act 1997 (POEO Act)*. Licence conditions relate to pollution prevention and monitoring, and cleaner production through recycling and reuse and the implementation of best practice. A search of the public register did not locate any listing for the subject site.

3.2.6 Groundwater Bore Search

A groundwater bore search of the Department of Water and Energy (Note: water related issues now the responsibility of the NSW Office of Water) website database was conducted. Three groundwater bores in a 1.5 km radius were located north-west and south-east of the site. Bores GW107088 and GW107089 were located south-west of the site and were used for recreation groundwater (within Abbotsleigh Junior and Senior Schools), with standing water levels of 78.50 m and 65 m respectively. The water bearing zones started from a depth of 47.50 m in GW107088 and from 57 m in GW107089, both encountered within sandstone. Bore GW108651 was located to the north-west of the site and was used for domestic purposes. Standing water level was recorded at 2m within sands. No groundwater zones were listed for the three bores. The groundwater bore search map and Groundwater Works Summary for the three bores are attached in Appendix B.

4. GEOLOGY, HYDROGEOLOGY AND TOPOGRAPHY

Reference to the Geological Survey of New South Wales, Statewide Geodatabase, 1:250,000 scale for Sydney, 2003 indicates that the site is underlain by sandstone from the Wianamatta Group from the Triassic to Anisian Period. The lithological description is that of sandstone, siltstone and shale.

Reference to the 1:100,000 Soils Landscape Map of Sydney indicates that the site is situated within the Erosional Glenorie Landscape, which is typified by undulating to rolling low hills on Wianamatta Group Shales with narrow ridges, hillcrests and valleys within extensively cleared tall open-forest. Shallow to moderately deep Red Podzolic Soils are expected on crests, with moderately deep Red and Brown Podzolic expected on upper slopes. Deep Yellow Podzolic Soils are expected on lower sloped, with Humic Gleys, Yellow Podzolic Soils and Gleyed Podzolic Soils along drainage lines. High soil erosion hazard, localised impermeable highly plastic subsoil, and moderately reactive are limitations of the soil type.

The nearest waterways to the site are Hornsby and Cockle Creeks. Hornsby Creek is located broadly north of the site, with Cockle Creek broadly to the east. Hornsby Creek is located within approximately 600 m to the north and Cockle Creek within approximately 600 m to the east. The Creek is expected to flow in a north-easterly direction into Cowan Creek, which is located approximately 7 km north-east of the subject site.

The site has a gradual general fall in elevation towards the north-west.

The site is located in an area of no known occurrence of acid sulphate soils on the Department of Land & Water Acid Sulphate Soil Risk Map Series 1:25 000, Edition II.

5. SITE DESCRIPTION

Site Observations

An inspection of the site was carried out by an Environmental Scientist on 17 June 2010. As the site was operational, limited access was granted only inside the San Day Surgery building. As the other premises were occupied by tenants, access could not be granted, therefore observations were made from the outside of these buildings only.

Features of the site noted at that time include the following:

- The site shares its boundaries with public streets and the adjoining properties, Northside Medical Imaging and the Hornsby Sleep Disorder Centre which are located up-gradient and adjacent to the subject site. The surrounding land uses are of residential and medical service facilities in nature, comprising residential dwellings to the north and west, and medical facilities to the east and south. Refer to the following section for further details on adjacent site uses. Refer to Photo Plates 1, 2, 6, 10, 12 and 13 in Appendix C for images of the site boundaries and surrounding lands.
- The site generally slopes down from east to west, as well as gently to the north. Minor cut and fill activities appear to have been carried out during the development of the San Day Surgery in the areas of the basement and between the bitumen car park and the rear garden area of Air Liquide Healthcare. The side garden area of AMX Health also appeared to be formed by minor cut/fill activities. Refer to Photos 2, 11 and 12 in Appendix C.
- The surface of the concrete pavements and asphalt covered car parks appeared in good condition with no major cracks across the subject site. No discernible signs of gross contamination were observed on the ground surface within parking bays, and the surfaces was generally in good condition. There was no evidence indicating the presence of any underground storage tanks, and no chemical odours were noted;
- Vegetation within the subject site did not appear disturbed or affected by activities, with healthy looking mature trees, shrubs and grassed lawn areas present across the site. In addition, there were no areas where disturbed or discoloured soils were observed. The

subject site is not located within close proximity of surface waters or registered groundwater bores.

- The San Day Surgery comprised of reception and office/consulting areas, patient rooms and operating theatres on the main level, with staff kitchen and change room facilities located downstairs. DP was advised by the Surgery's manager that air conditioning, a cooling tower and hot water services were located upstairs within the roof space, with a plant room, waste disposal room and non-flammable liquid store room observed within the basement level. The non-flammable liquid store was for the storage of nitrous oxygen and air as well as housing a compressor. Refer to Photo Plates 8, 9 and 10 in Appendix C.
- Along the southern side of the San Day Surgery building were two Temperzone heating and cooling units, and a Kohler Power System, KM9M. All units were placed on top of concrete slabs. Refer to Photo Plate 7 in Appendix C.
- The Air Liquide Healthcare premises had a caged and covered store of oxidizing gas 2 at the rear of the building in the form of compressed medical EP grade oxygen. (Refer to Photo 20, Plate 11). Fujitsu and Panasonic air conditioning units were located on the ground along the northern side of the building. (Refer to Photo 19, Plate 10).
- No fragments or debris of potential asbestos-containing materials (such as fibre-cement) were noted on the ground surface during the brief walk-over.

The locations described above may be obtained with reference to Drawing 1 (Appendix B).

Adjacent Site Use

The surrounding land usage is as follows:-

- North – Northcote Road, residential. (Slight up-gradient);
- South – Northside Medical Imaging on Palmerston Road (up-gradient), Hornsby Sleep Disorder Centre, Hornsby Respiratory Laboratory and Specialist Centre, Balmoral Street Medical Centre and an early childcare centre on Balmoral Street (all located up-gradient);
- East – Palmerston Road, Hornsby Ku-ring-gai Hospital (up-gradient); and
- West – Balmoral Street, residential (slightly up-gradient).

Due to the nature of the activities and based on the local topography and geology, it is considered that the potential for contamination and migration of contamination onto the subject site would be low.

6. POTENTIAL FOR CONTAMINATION

Based on the available information and DP's site observations, the potential areas/issues of environmental concern are not extensive, with the anticipated contaminants of concern from general anthropogenic sources from past and present site activities, include heavy metals, asbestos, TPH, BTEX, PAH, PCBs, OCPs and Phenols. These contaminants may arise from the presence of filling material from unknown sources.

7. DISCUSSION, RECOMMENDATIONS AND CONCLUSION

The current Phase 1 Desktop Contamination Assessment was conducted to assess the potential for contamination of the site based on past and present site usage, and, if contamination exists, the likely nature of this contamination.

From review of historical title deeds and aerial photographs the site appears to have been used for residential purposes prior to at least 1980, after which it became mixed residential/ possibly commercial in nature. The current proprietor has owned the majority of the subject site since at least 2002, therefore it is expected that the site may have been used for medical services since at least 2002, and at least since 1980 in part of the site that was owned by medical practitioners at the time.

The early residential land use of the site poses low concern with regards to contamination. The potential areas of contamination from past and present land uses include:

- Placement of fill to develop the site with material from an unknown source; and

- Asbestos containing material, which may be present from past building structures and within filling material.

As the scope of the current assessment does not include intrusive sampling and investigation, no comments can be made on the subsurface conditions, or the likely waste classification of any fill and soils at the subject site. Based on the results obtained for the Phase 1 contamination assessment, however, the subject site appears suitable for its continued use as a medical facility.

It is recommended that, should any future development of the site require disturbance of the existing soils, an assessment of the filling materials and surface soils at the site be carried out. The removal of any filling or soils from the site would require a waste classification assessment, in accordance with the current waste classification guidelines, for disposal purposes.

It is also recommended that as a precursor to demolition of any structures a Hazardous Materials Survey be carried out to identify potentially hazardous building materials (such as asbestos) requiring specific handling and disposal protocols.

8. LIMITATIONS

The scope of the assessment and consulting services undertaken by DP were limited to those detailed in the proposal dated 14 April 2010 and accepted by Morris Bray Architects on behalf of Sydney Adventist Hospital (Hornsby).

DP's assessment is necessarily based on the results of a review of site historical records and other information pertaining to the site, and a walk-over reconnaissance only, and did not include surface or subsurface sample screening and/or chemical analysis. As such, the current assessment has been conducted in accordance with the SEPP 55 regulation, but does not comply with the NSW EPA *Sampling Design Guidelines (1995)*. DP does not assume any liability for site conditions not observed or not accessible during the time of the inspection. In addition, site characteristics may change over time due to activities such as spillages of

contaminating substances. These changes may occur subsequent to DP's investigations and assessment.

This report and associated documentation and the information herein have been prepared solely for the use of DP World and any reliance assumed by third parties on this report shall be at such parties' own risk.

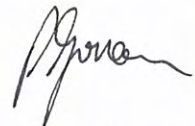
Should the information requested from Hornsby Shire Council, once made available, indicate significant contamination sources not identified in this report we reserve the right to re-assess the site contamination status and subsequent suitability for continued use as a medical facility.

Kind regards
DOUGLAS PARTNERS PTY LTD



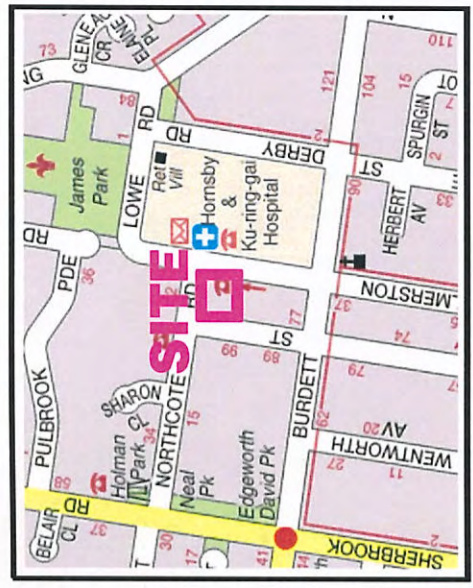
Sylvie Anbardjian
Environmental Scientist

Reviewed by:

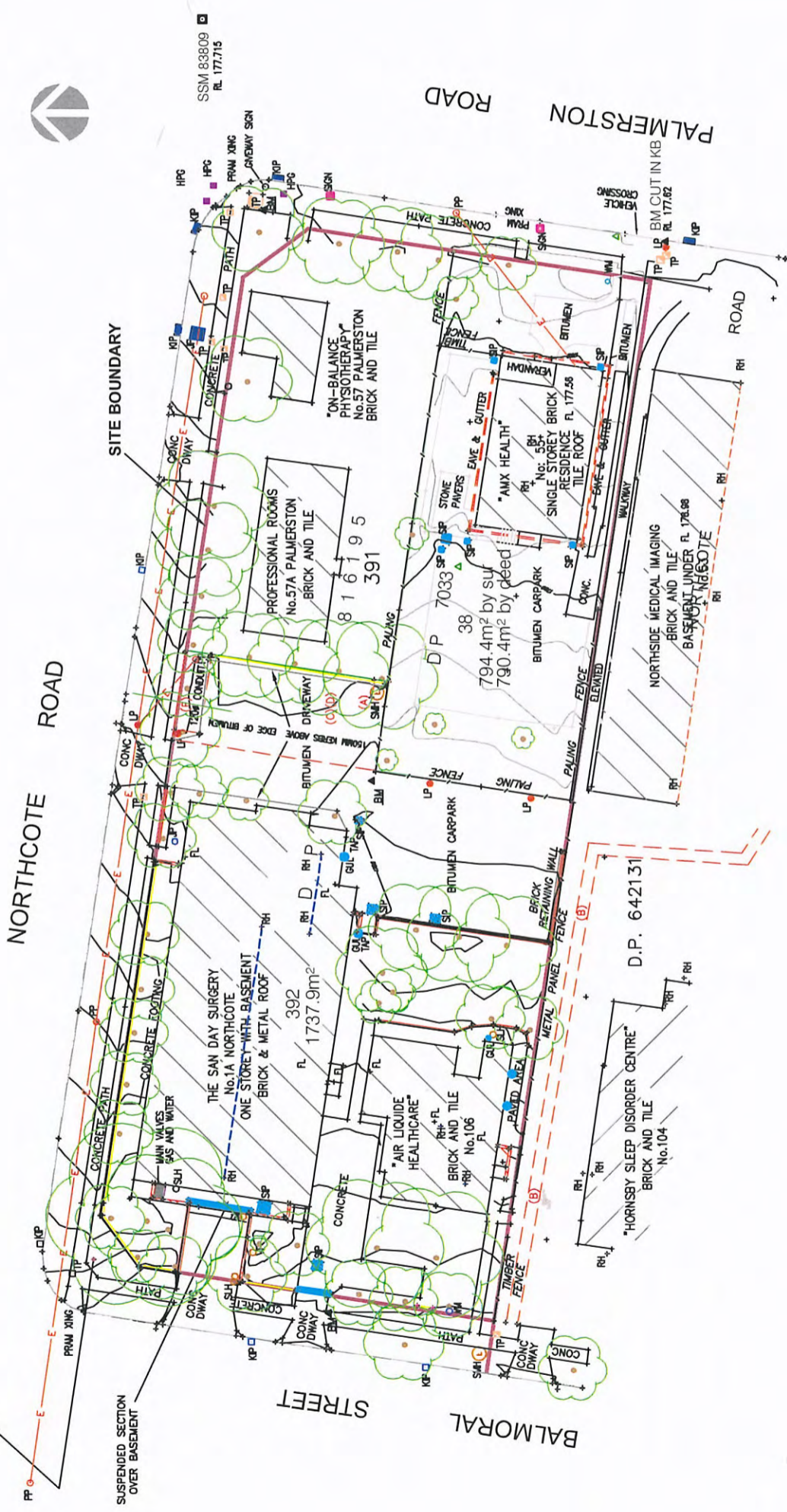



Paul Gorman
Environmental Manager

APPENDIX A
Site Drawing



LOCALITY PLAN



 Douglas Partners Geotechnics • Environment • Groundwater	CLIENT: Sydney Adventist Hospital (Hornsby)		TITLE: Site Plan		PROJECT No: 71814
	DRAWN BY: PSCH	SCALE: 1:500@A3	OFFICE: Sydney	Phase 1 Contamination Assessment Lots 391 & 392 DP 816295 & Lot 38 DP 7033, HORNSBY	
APPROVED BY:			DATE: 28.6.2010	DRAWING No: 1	REVISION: A

APPENDIX B
Historical Title Deeds

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

Deeds Branch

Re: River 55 to 57 Palmerston Road, & 106 Balmoral Road, Hornsby

Description: - Lots 391 & 392 D.P. 816295 also Lot 38 D.P. 7033

As regards the whole of the subject lands

<u>Date of Acquisition and term held</u>	<u>Registered Proprietor(s) & Occupations where available</u>	<u>Reference to Title at Acquisition and sale</u>
03.07.1911 (1911 to 1914)	William James Black (Gentleman)	Vol 1045 Fol 156
05.05.1914 (1914 to 1928)	Emily Jane Black (Spinster) (Transmission Application not investigated)	Vol 1045 Fol 156

Search continued as regards Lot 38 D.P. 7033

<u>Date of Acquisition and term held</u>	<u>Registered Proprietor(s) & Occupations where available</u>	<u>Reference to Title at Acquisition and sale</u>
31.08.1928 (1928 to 1974)	Hector Stevens (Laborer)	Vol 1045 Fol 156 now Vol 4224 Fol 209
28.03.1974 (1974 to 1980)	Ivy Doris Stevens (Widow) (Section 93 Application not investigated)	Vol 4224 Fol 209
14.08.1980 (1980 to 1986)	Harvey George Washington (Medical Practitioner)	Vol 4224 Fol 209
14.05.1986 (1986 to 1990)	Laura Roberta Jeannine Washington	Vol 4224 Fol 209 now 38/7033
05.02.1990 (1990 to 2003)	Harvey George Washington (Medical Practitioner)	38/7033
02.10.2003 (2003 to 2009)	Roger Parry Pearce Alexandra Pearce	38/7033
19.05.2009 (2009 to date)	# Australasian Conference Association Ltd	38/7033

Denotes Current Registered Proprietor

Search continued as regards Lots 391 and 392 D.P. 816195

As regards the parts marked (A) on the attached cadastre

<u>Date of Acquisition and term held</u>	<u>Registered Proprietor(s) & Occupations where available</u>	<u>Reference to Title at Acquisition and sale</u>
04.08.1914 (1914 to 1927)	Stanley Charles Drewe (Railway Station Master)	Vol 1045 Fol 156 now Vol 2525 Fol 173
07.03.1927 (1927 to 1952)	Sarah Jane Fisting (Married Woman)	Vol 2525 Fol 173
08.04.1952 (1952 to 1954)	Daisy Isabel Aiken (Widow) Imogene Isabel Nieass (Married Woman)	Vol 2525 Fol 173 now Vol 6510 Fol's 158 & 159

As regards the parts marked (A) on the attached cadastre - continued

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

<u>Date of Acquisition and term held</u>	<u>Registered Proprietor(s) & Occupations where available</u>	<u>Reference to Title at Acquisition and sale</u>
22.09.1954 (1954 to 1963)	Raymond Watson Susans (Painter & Decorator)	Vol 6510 Fol's 158 & 159 now Vol 6907 Fol 144
14.11.1963 (1963 to 1979)	Eric William Flowerdew (Clerk) Unity Pearl Flowerdew (Married Woman)	Vol 6907 Fol 144
23.02.1979 (1979 to 2002)	Banir Pty Limited	Vol 6907 Fol 144 now 391/816195 & 392/816195
31.01.2002 (2002 to date)	# Australasian Conference Association Ltd	391/816195 & 392/816195

Denotes Current Registered Proprietor

As regards the part marked (B) on the attached cadastre

<u>Date of Acquisition and term held</u>	<u>Registered Proprietor(s) & Occupations where available</u>	<u>Reference to Title at Acquisition and sale</u>
18.10.1915 (1915 to 1958)	Edgar Ernest Festing (Gardener)	Vol 1045 Fol 156 now Vol 2623 Fol 27
02.01.1958 (1958 to 1958)	Imogene Isabel Nieass (Married Woman) (Section 94 Application not investigated)	Vol 2623 Fol 27
02.01.1958 (1958 to 1971)	Kenneth Wilson Reid (Farmer) Leila Mildred Reid (Married Woman)	Vol 2623 Fol 27
18.06.1971 (1971 to 1985)	Graham Sydney Fletcher (Technician)	Vol 2623 Fol 27
09.07.1985 (1985 to 2002)	Banir Pty Limited	Vol 2623 Fol 27 now 392/816195
31.01.2002 (2002 to date)	# Australasian Conference Association Ltd	392/816195

Denotes Current Registered Proprietors

As regards the part marked (C) on the attached cadastre

<u>Date of Acquisition and term held</u>	<u>Registered Proprietor(s) & Occupations where available</u>	<u>Reference to Title at Acquisition and sale</u>
14.11.1922 (1922 to 1975)	Charles Hoggard (Carpenter)	Vol 1045 Fol 156 now Vol 3421 Fol 130
23.01.1975 (1975 to 1976)	Eric Walter Hoggard (Retired Plumber) Bruce Hoggard (Carpenter) (Section 93 Application not investigated)	Vol 3421 Fol 130
13.12.1976 (1976 to 1985)	Bruce Hoggard (Carpenter) Paul McGregor Hoggard (Letter Press Printer)	Vol 3421 Fol 130
20.03.1985 (1985 to 1985)	Paul McGregor Hoggard (Letter Press Printer) Jean Hoggard (Transmission Application not investigated)	Vol 3421 Fol 130
09.07.1985 (1985 to 2002)	Banir Pty Limited	Vol 3421 Fol 130 now 392/816195
31.01.2002 (2002 to date)	# Australasian Conference Association Ltd	392/816195

Denotes Current Registered Proprietors

Yours Sincerely
Drew Fallon
8 June 2010
(Ph: 0400 044 732)



Email: grolly1@bigpond.net.au

Requested Parcel : Lot 391 DP 816195






Identified Parcel : Lot 391 DP 816195

Locality : HORNSBY

LGA : HORNSBY

Parish : SOUTH COLAH

County : CUMBERLAND

	Status	Surv/Comp	Purpose
DP6345 Lot(s): 17  DP1001258	REGISTERED	COMPILATION	EASEMENT
DP134994 Lot(s): 1  DP1037671	REGISTERED	SURVEY	EASEMENT
DP1000434 Lot(s): 31, 32, 33  DP10020	HISTORICAL	SURVEY	UNRESEARCHED
DP1010607 Lot(s): 1, 2, 3  DP10020	HISTORICAL	SURVEY	UNRESEARCHED
DP1053575 Lot(s): 1, 2, 3, 4, 5, 6  DP10020	HISTORICAL	SURVEY	UNRESEARCHED

Requested Parcel : Lot 391 DP 816195

Identified Parcel : Lot 391 DP 816195

Locality : HORNSBY

LGA : HORNSBY

Parish : SOUTH COLAH

County : CUMBERLAND

Plan	Surv/Comp	Purpose
DP6345	SURVEY	UNRESEARCHED
DP7033	SURVEY	UNRESEARCHED
DP16346	SURVEY	UNRESEARCHED
DP17188	SURVEY	UNRESEARCHED
DP35240	SURVEY	SUBDIVISION
DP101099	SURVEY	UNRESEARCHED
DP134994	COMPILATION	DEPARTMENTAL
DP244163	SURVEY	SUBDIVISION
DP253990	SURVEY	SUBDIVISION
DP329121	COMPILATION	UNRESEARCHED
DP368559	COMPILATION	UNRESEARCHED
DP376991	COMPILATION	UNRESEARCHED
DP379371	COMPILATION	UNRESEARCHED
DP379372	SURVEY	UNRESEARCHED
DP399538	COMPILATION	UNRESEARCHED
DP407639	SURVEY	UNRESEARCHED
DP576274	SURVEY	SUBDIVISION
DP580023	COMPILATION	SUBDIVISION
DP752053	COMPILATION	CROWN ADMIN NO.
DP807656	COMPILATION	SUBDIVISION
DP816195	COMPILATION	SUBDIVISION
DP846460	SURVEY	SUBDIVISION
DP871223	SURVEY	SUBDIVISION
DP879370	SURVEY	SUBDIVISION
DP1000434	SURVEY	SUBDIVISION
DP1010607	SURVEY	SUBDIVISION
DP1053575	SURVEY	SUBDIVISION
SP36732	COMPILATION	STRATA PLAN
SP36816	COMPILATION	STRATA PLAN
SP45444	COMPILATION	STRATA PLAN
SP58614	COMPILATION	STRATA PLAN

Street Address Inquiry

Provides title details for a street address.

Inquiry for address: **55 PALMERSTON HORNSBY**

Address:	Title:
38-76 PALMERSTON ROAD, HORNSBY2/14774	
38-76 PALMERSTON ROAD, HORNSBY12/14774	
38-76 PALMERSTON ROAD, HORNSBY13/14774	
38-76 PALMERSTON ROAD, HORNSBY1/134994	
38-76 PALMERSTON ROAD, HORNSBY2/217174	
38-76 PALMERSTON ROAD, HORNSBY1/232290	
38-76 PALMERSTON ROAD, HORNSBYA/329121	
38-76 PALMERSTON ROAD, HORNSBYB/329121	
38-76 PALMERSTON ROAD, HORNSBYB/363790	
38-76 PALMERSTON ROAD, HORNSBY1/512432	
38-76 PALMERSTON ROAD, HORNSBY2/512432	
38-76 PALMERSTON ROAD, HORNSBY1/580023	
38-76 PALMERSTON ROAD, HORNSBY2/580023	
38-76 PALMERSTON ROAD, HORNSBY3/580023	
38-76 PALMERSTON ROAD, HORNSBY23/814181	
55 PALMERSTON ROAD, HORNSBY	38/7033

This information is provided as a searching aid only.

The Registrar General does not guarantee the information provided.

Client Reference:

Date of Service: 31-May-2010 11:41:56

Street Address Inquiry

Provides title details for a street address.

Inquiry for address: **57 PALMERSTON HORNSBY**

Address:	Title:
38-76 PALMERSTON ROAD, HORNSBY	2/14774
38-76 PALMERSTON ROAD, HORNSBY	12/14774
38-76 PALMERSTON ROAD, HORNSBY	13/14774
38-76 PALMERSTON ROAD, HORNSBY	1/134994
38-76 PALMERSTON ROAD, HORNSBY	2/217174
38-76 PALMERSTON ROAD, HORNSBY	1/232290
38-76 PALMERSTON ROAD, HORNSBY	A/329121
38-76 PALMERSTON ROAD, HORNSBY	B/329121
38-76 PALMERSTON ROAD, HORNSBY	B/363790
38-76 PALMERSTON ROAD, HORNSBY	1/512432
38-76 PALMERSTON ROAD, HORNSBY	2/512432
38-76 PALMERSTON ROAD, HORNSBY	1/580023
38-76 PALMERSTON ROAD, HORNSBY	2/580023
38-76 PALMERSTON ROAD, HORNSBY	3/580023
38-76 PALMERSTON ROAD, HORNSBY	23/814181
57 PALMERSTON ROAD, HORNSBY	391/816195

This information is provided as a searching aid only.

The Registrar General does not guarantee the information provided.

Client Reference:

Date of Service: 31-May-2010 11:42:23

Street Address Inquiry

Provides title details for a street address.

Inquiry for address: **106 BALMORAL HORNSBY**

Address: 106 BALMORAL STREET, HORNSBY392/816195
Title:

This information is provided as a searching aid only.

The Registrar General does not guarantee the information provided.

Client Reference:

Date of Service: 31-May-2010 11:41:26



Historical Title

LEAP Searching
An Approved LPI NSW
Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

31/5/2010 8:08AM

FOLIO: 38/7033

First Title(s): SEE PRIOR TITLE(S)
Prior Title(s): VOL 4224 FOL 209

Recorded	Number	Type of Instrument	C.T. Issue
-----	-----	-----	-----
14/2/1989		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
4/7/1989		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
5/2/1990	Y802363	DISCHARGE OF MORTGAGE	
5/2/1990	Y802364	TRANSFER	
5/2/1990	Y802365	MORTGAGE	EDITION 1
2/10/2003	AA32970	DISCHARGE OF MORTGAGE	
2/10/2003	AA32971	TRANSFER	
2/10/2003	AA32972	MORTGAGE	EDITION 2
19/5/2009	AE685358	DISCHARGE OF MORTGAGE	
19/5/2009	AE685359	TRANSFER	
19/5/2009	AE685360	LEASE	EDITION 3

*** END OF SEARCH ***

df

PRINTED ON 31/5/2010

Form: OIT
Release: 2.1
www.lpi.nsw.gov.au

①

TRANSFER
New South Wales
Real Property Act 1900



AA32971E

PRIVACY NOTE: this information is legally required and will

STAMP DUTY

Office of State Revenue (N.S.W. TREASURY)	
CLIENT No. 3323740	STAMP No. 1192
STAMP DUTY \$0-	SIGNATURE <i>CS</i>
TRANSACTION No. 1601623	DATE 12-9-03
ASSESSMENT DETAILS:	

(A) TORRENS TITLE

Folio Identifier 38/7033

(B) LODGED BY

Delivery Box	Name, Address or DX and Telephone	CODES
48T	BP Isey Pearce Reference:	T TW (Sheriff)

(C) TRANSFEROR

HARVEY GEORGE WASHINGTON

(D) CONSIDERATION The transferor acknowledges receipt of the consideration of \$ 825,000.00 and as regards

(E) ESTATE the land specified above transfers to the transferee an estate in fee simple

(F) SHARE TRANSFERRED

(G) Encumbrances (if applicable):

(H) TRANSFEREE

ROGER PARRY PEARCE AND ALEXANDRA PEARCE
TENANCY: Joint Tenants

(I)

(J) DATE 1. 10. 2003

I certify that the person(s) signing opposite, with whom I am personally acquainted or as to whose identity I am otherwise satisfied, signed this instrument in my presence.

Certified correct for the purposes of the Real Property Act 1900 by the transferor.

Signature of witness: *X Sally Williams*

Signature of transferor: *[Handwritten Signature]*

Name of witness: *X Sally Williams*
Address of witness: *45 Clarke Rd
Hornsby 2077*

Certified for the purposes of the Real Property Act 1900 by the person whose signature appears below.

Signature:

[Handwritten Signature]
Signatory's name: ALBERT JOHN HOUSTON
Signatory's capacity: transferees' solicitor

All handwriting must be in block capitals.



Title Search

LEAP Searching
An Approved LPI NSW
Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 38/7033

SEARCH DATE	TIME	EDITION NO	DATE
-----	----	-----	----
31/5/2010	8:08 AM	3	19/5/2009

LAND

LOT 38 IN DEPOSITED PLAN 7033
LOCAL GOVERNMENT AREA HORNSBY
PARISH OF SOUTH COLAH COUNTY OF CUMBERLAND
TITLE DIAGRAM DP7033

FIRST SCHEDULE

AUSTRALASIAN CONFERENCE ASSOCIATION LTD (T AE685359)

SECOND SCHEDULE (2 NOTIFICATIONS)

- 1 LAND EXCLUDES MINERALS AND IS SUBJECT TO RESERVATIONS AND CONDITIONS IN FAVOUR OF THE CROWN - SEE CROWN GRANT(S)
- 2 AE685360 LEASE TO ROGER PARRY PEARCE & ALEXANDRA PEARCE
EXPIRES: 6/5/2011. OPTION OF RENEWAL: 1 YEAR.

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

df

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Historical Title

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

SEARCH DATE

31/5/2010 8:12AM

FOLIO: 39/7033

First Title(s): SEE PRIOR TITLE(S)
Prior Title(s): VOL 6907 FOL 144

Recorded -----	Number -----	Type of Instrument -----	C.T. Issue -----
23/11/1988		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
20/4/1989		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
23/4/1992	E308452	REQUEST	
23/4/1992	DP816195	DEPOSITED PLAN	FOLIO CANCELLED RESIDUE REMAINS

*** END OF SEARCH ***

df

PRINTED ON 31/5/2010



Historical Title

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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

3/6/2010 8:03AM

FOLIO: 332/734674

First Title(s): VOL 1045 FOL 156
Prior Title(s): VOL 2623 FOL 27 VOL 3421 FOL 130

Recorded	Number	Type of Instrument	C.T. Issue
10/7/1986	DP734674	DEPOSITED PLAN	FOLIO CREATED EDITION 1
19/8/1986	W448222	DEPARTMENTAL DEALING	
10/9/1986	W509012	DISCHARGE OF MORTGAGE	
10/9/1986	W509013	MORTGAGE	EDITION 2
15/1/1988	X318090	DISCHARGE OF MORTGAGE	
15/1/1988	X318092	MORTGAGE	EDITION 3
23/4/1992	E308452	REQUEST	
23/4/1992	DP816195	DEPOSITED PLAN	FOLIO CANCELLED

*** END OF SEARCH ***

df

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Historical Title

LEAP Searching
An Approved LPI NSW
Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

31/5/2010 8:09AM

FOLIO: 391/816195

First Title(s): VOL 1045 FOL 156
Prior Title(s): 39/7033

Recorded -----	Number -----	Type of Instrument -----	C.T. Issue -----
23/4/1992	DP816195	DEPOSITED PLAN	FOLIO CREATED EDITION 1
31/1/2002	8270292	DISCHARGE OF MORTGAGE	
31/1/2002	8270293	REQUEST	
31/1/2002	8270294	TRANSFER	EDITION 2

*** END OF SEARCH ***

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Historical Title

LEAP Searching
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Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

31/5/2010 8:09AM

FOLIO: 392/816195

First Title(s): VOL 1045 FOL 156
Prior Title(s): 39/7033 332/734674

Recorded -----	Number -----	Type of Instrument -----	C.T. Issue -----
23/4/1992	DP816195	DEPOSITED PLAN	FOLIO CREATED EDITION 1
31/1/2002	8270292	DISCHARGE OF MORTGAGE	
31/1/2002	8270293	REQUEST	
31/1/2002	8270294	TRANSFER	EDITION 2

*** END OF SEARCH ***

df

PRINTED ON 31/5/2010



Title Search

LEAP Searching
An Approved LPI NSW
Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 391/816195

SEARCH DATE	TIME	EDITION NO	DATE
-----	----	-----	----
31/5/2010	8:07 AM	2	31/1/2002

LAND

LOT 391 IN DEPOSITED PLAN 816195
AT HORNSBY
LOCAL GOVERNMENT AREA HORNSBY
PARISH OF SOUTH COLAH COUNTY OF CUMBERLAND
TITLE DIAGRAM DP816195

FIRST SCHEDULE

AUSTRALASIAN CONFERENCE ASSOCIATION LTD (T 8270294)

SECOND SCHEDULE (2 NOTIFICATIONS)

- 1 LAND EXCLUDES MINERALS AND IS SUBJECT TO RESERVATIONS AND CONDITIONS IN FAVOUR OF THE CROWN - SEE CROWN GRANT(S)
- 2 EASEMENT(S) APPURTENANT TO THE LAND ABOVE DESCRIBED CREATED BY:
DP816195 EASEMENT FOR SEWAGE PURPOSES OVER EXISTING LINE OF PIPES

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 ***

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Title Search

LEAP Searching
An Approved LPI NSW
Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 392/816195

SEARCH DATE	TIME	EDITION NO	DATE
-----	----	-----	----
31/5/2010	8:07 AM	2	31/1/2002

LAND

LOT 392 IN DEPOSITED PLAN 816195
AT HORNSBY
LOCAL GOVERNMENT AREA HORNSBY
PARISH OF SOUTH COLAH COUNTY OF CUMBERLAND
TITLE DIAGRAM DP816195

FIRST SCHEDULE

AUSTRALASIAN CONFERENCE ASSOCIATION LTD (T 8270294)

SECOND SCHEDULE (3 NOTIFICATIONS)

- 1 LAND EXCLUDES MINERALS AND IS SUBJECT TO RESERVATIONS AND CONDITIONS IN FAVOUR OF THE CROWN - SEE CROWN GRANT(S)
- 2 EASEMENT(S) APPURTENANT TO THE PART(S) SHOWN SO BENEFITED IN THE TITLE DIAGRAM CREATED BY:
 - DP638858 RIGHT OF CARRIAGEWAY
 - DP638858 EASEMENT FOR SERVICES 7.78 WIDE & VARIABLE WIDTH
 - DP638858 EASEMENT FOR SERVICES 2.209 WIDE
- 3 EASEMENT(S) AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM CREATED BY:
 - DP816195 EASEMENT FOR SEWAGE PURPOSES OVER EXISTING LINE OF PIPES

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 ***

df

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APPENDIX C
Aerial Photographs



Project Title:

Phase 1 Contamination Assessment

Project Address:

Lots 391 & 392 DP 816295 & Lot 38 DP7033

Project Suburb/Location:

Hornsby

Project

71814

July 2010

Plate 1: 1930 Image



Douglas Partners
Geotechnics • Environment • Groundwater



Project Title:

Phase 1 Contamination Assessment

Project Address:

Lots 391 & 392 DP 816295 & Lot 38 DP7033

Project Suburb/Location:

Hornsby

Project

71814

July 2010

Plate 2: 1943 Image



Douglas Partners
Geotechnics • Environment • Groundwater



subject site

Project Title:

Phase 1 Contamination Assessment

Project Address:

Lots 391 & 392 DP 816295 & Lot 38 DP7033

Project Suburb/Location:

Hornsby

Project

71814

July 2010

Plate 3: 11951 Image



Douglas Partners
Geotechnics • Environment • Groundwater



Project Title:

Phase 1 Contamination Assessment

Project Address:

Lots 391 & 392 DP 816295 & Lot 38 DP7033

Project Suburb/Location:

Hornsby

Project

71814

July 2010

Plate 4: 1970 Image



Douglas Partners
Geotechnics • Environment • Groundwater



Project Title:

Phase 1 Contamination Assessment

Project Address:

Lots 391 & 392 DP 816295 & Lot 38 DP7033

Project Suburb/Location:

Hornsby

Project

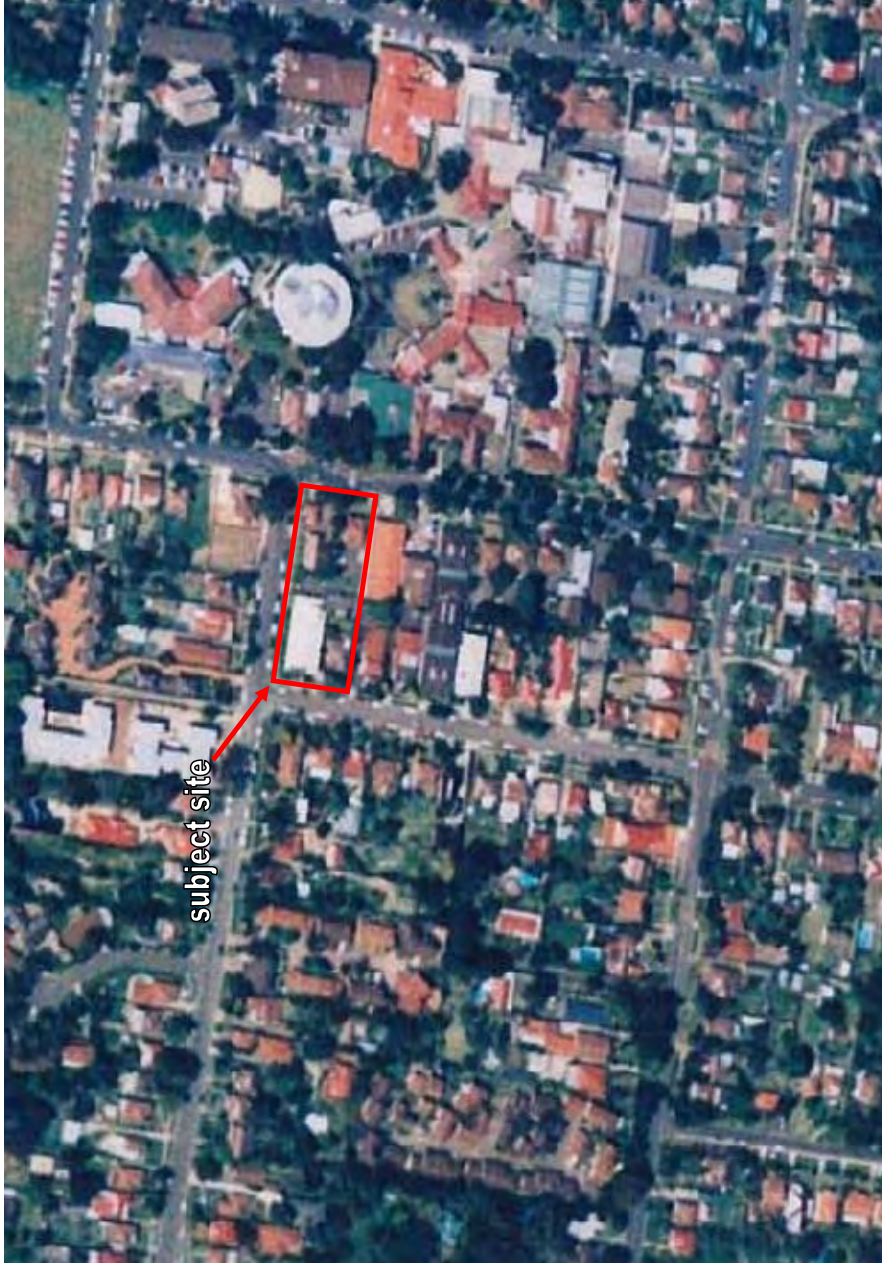
71814

July 2010

Plate 5: 1986 Image



Douglas Partners
Geotechnics • Environment • Groundwater



subject site

Project Title:

Phase 1 Contamination Assessment

Project Address:

Lots 391 & 392 DP 816295 & Lot 38 DP7033

Project Suburb/Location:

Hornsby

Project

71814

July 2010

Plate 6: 1998 Image



Douglas Partners
Geotechnics • Environment • Groundwater



Project Title:

Phase 1 Contamination Assessment

Project Address:

Lots 391 & 392 DP 816295 & Lot 38 DP7033

Project Suburb/Location:

Hornsby

Project

71814

July 2010

Plate 7: 2009 Current Image



Douglas Partners
Geotechnics • Environment • Groundwater

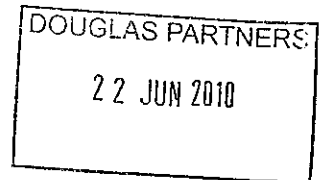
APPENDIX D
Council 149 Certificates



PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979
Supplied in accordance with Subsections 2 and 5

ISSUED TO:

Reference:
Fee: \$100.00
Receipt No.: 4359052
Receipt Date: 18-Jun-2010



Douglas Partners Pty Ltd
96 Hermitage Road
WEST RYDE NSW 2114

Property: 55 Palmerston Road, HORNSBY NSW 2077
Lot Description: Lot 38 DP 7033

1. Names of relevant planning instruments and DCPs

- (1) The following environmental planning instruments apply to the carrying out of development on the land:

Hornsby Shire Local Environmental Plan 1994 (HSLEP) applies to all land in the Shire. Copies may be inspected or purchased at Council's Administration Centre or viewed on Council's website at www.hornsby.nsw.gov.au/lep

SEPP No. 1 - Development Standards
SEPP No. 4 - Development Without Consent and Miscellaneous Complying Development
SEPP No. 6 - Number of Storeys in a Building
SEPP No. 14 - Coastal Wetlands
SEPP No. 19 - Bushland in Urban Areas
SEPP No. 21 - Caravan Parks
SEPP No. 22 - Shops and Commercial Premises
SEPP No. 30 - Intensive Agriculture
SEPP No. 32 - Urban Consolidation (Redevelopment of Urban Land)
SEPP No. 33 - Hazardous and Offensive Development
SEPP No. 44 - Koala Habitat Protection
SEPP No. 50 - Canal Estate Development
SEPP No. 55 - Remediation of Land
SEPP No. 62 - Sustainable Aquaculture
SEPP No. 64 - Advertising and Signage
SEPP No. 65 - Design Quality of Residential Flat Buildings
SEPP No. 71 - Coastal protection
SEPP (Housing for Seniors or People with a Disability) 2004
SEPP (Building Sustainability Index: BASIX) 2004
SEPP (Major Projects) 2005
SEPP (Mining, Petroleum Production and Extractive Industries) 2007
SEPP (Temporary Structures and places of Public Entertainment) 2007
SEPP (Infrastructure) 2007
SEPP (Repeal of Concurrence and Referral Provisions) 2008
SEPP (Exempt and Complying Development Codes) 2008
SEPP (Affordable Rental Housing) 2009

CERTIFICATE NO. : C108476
Date : 18-Jun-2010
Page No.1

THE BUSHLAND SHIRE

PO Box 37, Hornsby, NSW 1630
296 Pacific Hwy, Hornsby, NSW 2077
Tel: (02) 9847 6666 Fax: (02) 9847 6999 TTY: (02) 9847 6577

DX: 9655 Hornsby
www.hornsby.nsw.gov.au
Email: hsc@hornsby.nsw.gov.au
ABN 20 706 996 972



PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979
Supplied in accordance with Subsections 2 and 5

Note: Any enquiries on the SEPPs should be directed to the Department of Planning (02 9228-6111).

Sydney Regional Environmental Plan No 20 - Hawkesbury-Nepean River (No. 2 - 1997).

Note: Any enquiries on the SREPs should be directed to the Department of Planning (02 9228-6111)

- (2) The following proposed environmental planning instruments apply to the carrying out of development on the land:

Draft SEPP No. 66 – Integration of Land Use and Transport
Draft SEPP (Application of Development Standards) 2004

Note: Any enquiries on the Draft SEPPs should be directed to the Department of Planning (02 9228-6111)

- (3) The following Development Control Plans (DCPs) apply to the carrying out of development on the land:

Heritage Development Control Plan.
Car Parking Development Control Plan.
Outdoor Advertising Development Control Plan.
Community Uses Development Control Plan.
Access and Mobility Development Control Plan.
Sustainable Water Development Control Plan.
Exempt and Complying Development Control Plan.
Notification and Exhibition Development Control Plan.
Waste Minimisation and Management Development Control Plan
Medical Support Development Control Plan.
Low Density Multi-Unit Housing Development Control Plan.
Residential Subdivision Development Control Plan.

Council's Development Control Plans may be inspected or purchased at Council's Administration Centre or viewed on Council's website at www.hornsby.nsw.gov.au/dcp

2. Zoning of land and land uses under relevant LEPs

- (a) Under the HSLEP the land is zoned:

Residential AM (Low Density - Medical Support)

- (b) The purposes for which the HSLEP provides that development may be carried out within the zone without development consent is shown in the attached Zoning Control Table(s), extracted from the HSLEP
- (c) The purposes for which the HSLEP provides that development may not be carried out within the zone except with development consent is shown in the attached Zoning Control Table(s), extracted from the HSLEP.

CERTIFICATE NO. : C108476

Date : 18-Jun-2010

Page No.2

THE BUSHLAND SHIRE

PO Box 37, Hornsby, NSW 1630

296 Pacific Hwy, Hornsby, NSW 2077

Tel: (02) 9847 6666 Fax: (02) 9847 6999 TTY: (02) 9847 6577

DX: 9655 Hornsby
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Email: hsc@hornsby.nsw.gov.au

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- (d) The purposes for which the HSLEP provides that development is prohibited within the zone, except with development consent, is shown in the attached Zoning Control Table(s), extracted from the HSLEP.
- (e) There are no development standards applying to the land which fix minimum land dimensions for the erection of a dwelling-house on the land.
- (f) The land does not include or comprise critical habitat within the meaning of the *Threatened Species Conservation Act 1995*.
- (g) Is the land within a Conservation Area?

The land is not within a Heritage Conservation Area under Schedule E of the HSLEP 1994.
- (h) Does the land contain an item of environmental heritage?

The land does not contain an item of environmental heritage under Schedule D of the Hornsby Shire Local Environmental Plan.

3. Complying Development

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

The Department of Commerce has not notified Council that the land is affected by the operation of Section 38 or 39 of the *Coastal Protection Act 1979*.

5. Mine subsidence

The land has not been proclaimed to be a mine subsidence district within the meaning of Section 15 of the *Mine Subsidence Compensation Act 1961*.

CERTIFICATE NO. : C108476

Date : 18-Jun-2010

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THE BUSHLAND SHIRE

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6. Road widening and road realignment

The land is not subject to road widening or road re alignment under Division 2 of Part 3 of the Roads Act 1993, an Environmental Planning Instrument or a resolution of Council.

7. Council and other public authority policies on hazard risk restrictions

- (a) Council has not, by resolution, adopted a policy to restrict the development of the land by reason of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulfate soils, or any other risk (other than flooding).
- (b) Council has not been advised by any other public authority of a policy which restricts development on the land.

7A. Flood related development controls information

- (1) 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) is not subject to flood related development controls.
- (2) Development on the land, or part of the land, for any other purpose is not subject to flood related development controls.
- (3) Words and expressions in this clause have the same meaning as in the instrument set out in the Schedule to the Standard Instrument (Local Environmental Plans) Order 2006.

8. Land reserved for acquisition

The land is not identified for acquisition under the provisions of clause 17 of the Hornsby Shire Local Environment Plan.

9. Contributions plans

A Section 94 Contribution Plan, pursuant to Part 4 of the Environmental Planning and Assessment Regulation 2000 applies to the land. The plan is called the "Hornsby Development Contributions Plan" and may require that a development contribution be paid as a result of development of the land.

10. Biobanking agreements

Council has not been notified by the Director General of the Department of Environment, Climate Change and Water that the land is the subject of a biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995.

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11. Bush fire prone land

None of the land is bush fire prone land.

12. Property Vegetation Plans

The Native Vegetation Act 2003 does not apply to the Hornsby local government area, therefore the land is not land to which a property vegetation plan applies.

13. Orders under Trees (Disputes Between Neighbours) Act 2006

Council has not been notified of an order made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land.

14. Directions under Part 3A

There is no direction by the Minister in force under section 75P (2) (c1) of the Act in relation to the land.

15. Site compatibility certificates and conditions for seniors housing

- (a) No site compatibility certificate (of which council is aware) has been issued under clause 25 of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 in respect of proposed development on the land.
- (b) No development consent has been granted with respect to the land under State Environmental Planning Policy (SEPP) (Housing for Seniors or People with a Disability) 2004 since 11 October 2007.

16. Site compatibility certificates for infrastructure

No site compatibility certificate (of which council is aware) has been issued under clause 19 of State Environmental Planning Policy (SEPP) (Infrastructure) 2007 in respect of proposed development on the land.

17. Site compatibility certificate for affordable housing

- (1) There is no current site compatibility certificate (Affordable Rental Housing), of which the Council is aware, in respect of proposed development on the land.

Note:

Matters arising under the Contaminated Land Management Act 1997

Section 59(2) of the *Contaminated Land Management Act 1997* (CLM Act) prescribes that the following matters are to be specified in a Section 149 Planning Certificate:

- (a) *that the land to which the certificate relates is significantly contaminated land-if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,*

CERTIFICATE NO. : C108476

Date : 18-Jun-2010

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PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979
Supplied in accordance with Subsections 2 and 5

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

Council has not been advised by the Environment Protection Authority that the land is:

- * *significantly contaminated land;*
- * *subject to a management order;*
- * *subject to an approved voluntary management proposal;*
- * *subject to an ongoing maintenance order.*

Council has not been furnished with a *site audit statement* by a site auditor in relation to this site

It should be noted that there are sites within Hornsby Shire that are/may be contaminated. Council is preparing a register of contaminated sites. Contaminated land is defined under the CLM Act as:

"the presence in, on or under the land of a substance at a concentration above the concentration at which the substance is normally present in, on or under (respectively) land in the same locality, being a presence that presents a risk of harm to human health or any other aspect of the environment".

If you believe the property may be contaminated or require any further information on the legislation it is suggested you obtain legal advice from your solicitor.

18. Resolution to prepare Draft Local Environmental Plan/Planning Proposal

Council at its meeting on 7 February 2007, resolved to prepare a draft comprehensive Local Environmental Plan (LEP) for Hornsby Shire. The draft LEP will be prepared principally to translate Council's current environmental planning instrument, the Hornsby Shire Local Environmental Plan 1994, into a new comprehensive LEP consistent with the NSW Government's Standard Instrument. The draft LEP will also be prepared to respond to the recent regional and subregional planning undertaken by the Department of Planning. The draft Comprehensive LEP will be prepared by 30 June 2011.

CERTIFICATE NO. : C108476

Date : 18-Jun-2010

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19. Development Control Plans

The following draft amendments to Development Control Plans applying to the land are on exhibition, have been exhibited or have been adopted by Council for exhibition.

Council has exhibited draft amendments to the *Heritage, Dwelling-House, Residential Subdivision, Low Density Multi-Unit Housing, Medium Density Multi-Unit Housing, Medium/High Density Multi-Unit Housing, Dural Village Centre, River Settlements, Rural Lands and Extractive Industries Development Control Plans* in respect of proposed amendments to heritage listings within Schedule D of the *HSLEP* and amendments to the *West Side Heritage Conservation Area* map.

20. Tree Preservation Order

Council has adopted a Tree Preservation Order which applies to all land within Hornsby Shire.

21. Foreshore Scenic Protection Area

The land is not within a foreshore scenic protection area.

22. Foreshore building line

The land is not affected by a foreshore building line.

23. Building Certificate

A Building certificate issued under Section 149 A-G of the Environmental Planning and Assessment Act, 1979 is required should it be necessary to ascertain whether or not a development complies with Council's requirements. A separate application and fee is required.

24. Other Certificates

The following certificates are also available from Council:

- a) Section 603 - Local Government Act 1993 – “**Rates Certificate**” which details any monies payable to Council (e.g. outstanding rates, charges for works undertaken by Council). Cost \$60
- b) Combined Certificate for Section 735A and 121ZP - \$125
Section 735A - Local Government Act 1993 – “**Outstanding Notices Certificate (LGA)**” which details any outstanding notices issued under the Local Government Act.
Section 121ZP - Environmental Planning and Assessment Act, 1979 – “**Outstanding Notices Certificate (EPAA)**” which details any outstanding notices of proposed orders or outstanding orders issued under the Environmental Planning and Assessment Act, 1979.
- c) Section 149B - Environmental Planning and Assessment Act, 1979 – “**Building Certificate**” which details whether a building complies with Council approvals and the Building Code of Australia. Cost \$210.

Separate applications and fees are required.

CERTIFICATE NO. : C108476

Date : 18-Jun-2010

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PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979
Supplied in accordance with Subsections 2 and 5

General Remarks

R.J.BALL

General Manager per 

CERTIFICATE NO. : C108476

Date : 18-Jun-2010

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Hornsby Shire Local Environmental Plan - Zoning Control Table

Residential AM (Low Density - Medical Support) Zone

Objectives of Zone

- (a) *to provide for the housing and medical service needs of the population of the Hornsby area.*
- (b) *to promote a variety of housing types and other land uses, including medical support services, compatible with a low density residential environment.*
- (c) *to provide for development that is within the environmental capacity of a low density residential environment.*

Without Development Consent

Development for the purpose of:

Home occupations; special care homes.

Exempt development.

Only With Development Consent

Development for the purpose of:

Child care centres; commercial home catering; community facilities; demolition; dwelling-houses; educational establishments; group homes; home offices; hospitals; housing for aged or differently abled persons; medical centres; multi-unit housing; places of worship; public buildings; recreation areas; recreation facilities; utility installations; veterinary hospitals.

Subdivision.

Prohibited

Development that is not permitted without development consent or permitted only with development consent.

Description on Map

Coloured pink with red edging and lettered "AM".



PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979
Supplied in accordance with Subsections 2 and 5

ISSUED TO:

Reference:
Fee: \$100.00
Receipt No.: 4359052
Receipt Date: 18-Jun-2010

Douglas Partners Pty Ltd
96 Hermitage Road
WEST RYDE NSW 2114

Property: 57 Palmerston Road, HORNSBY NSW 2077
Lot Description: Lot 391 DP 816195

1. Names of relevant planning instruments and DCPs

- (1) The following environmental planning instruments apply to the carrying out of development on the land:

Hornsby Shire Local Environmental Plan 1994 (HSLEP) applies to all land in the Shire. Copies may be inspected or purchased at Council's Administration Centre or viewed on Council's website at www.hornsby.nsw.gov.au/lep

SEPP No. 1 - Development Standards
SEPP No. 4 - Development Without Consent and Miscellaneous Complying Development
SEPP No. 6 - Number of Storeys in a Building
SEPP No. 14 - Coastal Wetlands
SEPP No. 19 - Bushland in Urban Areas
SEPP No. 21 - Caravan Parks
SEPP No. 22 - Shops and Commercial Premises
SEPP No. 30 - Intensive Agriculture
SEPP No. 32 - Urban Consolidation (Redevelopment of Urban Land)
SEPP No. 33 - Hazardous and Offensive Development
SEPP No. 44 - Koala Habitat Protection
SEPP No. 50 - Canal Estate Development
SEPP No. 55 - Remediation of Land
SEPP No. 62 - Sustainable Aquaculture
SEPP No. 64 - Advertising and Signage
SEPP No. 65 - Design Quality of Residential Flat Buildings
SEPP No. 71 - Coastal protection
SEPP (Housing for Seniors or People with a Disability) 2004
SEPP (Building Sustainability Index: BASIX) 2004
SEPP (Major Projects) 2005
SEPP (Mining, Petroleum Production and Extractive Industries) 2007
SEPP (Temporary Structures and places of Public Entertainment) 2007
SEPP (Infrastructure) 2007
SEPP (Repeal of Concurrence and Referral Provisions) 2008
SEPP (Exempt and Complying Development Codes) 2008
SEPP (Affordable Rental Housing) 2009

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Note: Any enquiries on the SEPPs should be directed to the Department of Planning (02 9228-6111).

Sydney Regional Environmental Plan No 20 - Hawkesbury-Nepean River (No. 2 - 1997).

Note: Any enquiries on the SREPs should be directed to the Department of Planning (02 9228-6111)

- (2) The following proposed environmental planning instruments apply to the carrying out of development on the land:

Draft SEPP No. 66 – Integration of Land Use and Transport
Draft SEPP (Application of Development Standards) 2004

Note: Any enquiries on the Draft SEPPs should be directed to the Department of Planning (02 9228-6111)

- (3) The following Development Control Plans (DCPs) apply to the carrying out of development on the land:

Heritage Development Control Plan.
Car Parking Development Control Plan.
Outdoor Advertising Development Control Plan.
Community Uses Development Control Plan.
Access and Mobility Development Control Plan.
Sustainable Water Development Control Plan.
Exempt and Complying Development Control Plan.
Notification and Exhibition Development Control Plan.
Waste Minimisation and Management Development Control Plan
Medical Support Development Control Plan.
Low Density Multi-Unit Housing Development Control Plan.
Residential Subdivision Development Control Plan.

Council's Development Control Plans may be inspected or purchased at Council's Administration Centre or viewed on Council's website at www.hornsby.nsw.gov.au/dcp

2. Zoning of land and land uses under relevant LEPs

- (a) Under the HSLEP the land is zoned:
Residential AM (Low Density - Medical Support)
- (b) The purposes for which the HSLEP provides that development may be carried out within the zone without development consent is shown in the attached Zoning Control Table(s), extracted from the HSLEP
- (c) The purposes for which the HSLEP provides that development may not be carried out within the zone except with development consent is shown in the attached Zoning Control Table(s), extracted from the HSLEP.

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Date : 18-Jun-2010

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- (d) The purposes for which the HSLEP provides that development is prohibited within the zone, except with development consent, is shown in the attached Zoning Control Table(s), extracted from the HSLEP.
- (e) There are no development standards applying to the land which fix minimum land dimensions for the erection of a dwelling-house on the land.
- (f) The land does not include or comprise critical habitat within the meaning of the *Threatened Species Conservation Act 1995*.
- (g) Is the land within a Conservation Area?
The land is not within a Heritage Conservation Area under Schedule E of the HSLEP 1994.
- (h) Does the land contain an item of environmental heritage?
The land does not contain an item of environmental heritage under Schedule D of the Hornsby Shire Local Environmental Plan.

3. Complying Development

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

The Department of Commerce has not notified Council that the land is affected by the operation of Section 38 or 39 of the *Coastal Protection Act 1979*.

5. Mine subsidence

The land has not been proclaimed to be a mine subsidence district within the meaning of Section 15 of the *Mine Subsidence Compensation Act 1961*.

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6. Road widening and road realignment

The land is not subject to road widening or road re alignment under Division 2 of Part 3 of the Roads Act 1993, an Environmental Planning Instrument or a resolution of Council.

7. Council and other public authority policies on hazard risk restrictions

- (a) Council has not, by resolution, adopted a policy to restrict the development of the land by reason of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulfate soils, or any other risk (other than flooding).
- (b) Council has not been advised by any other public authority of a policy which restricts development on the land.

7A. Flood related development controls information

- (1) 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) is not subject to flood related development controls.
- (2) Development on the land, or part of the land, for any other purpose is not subject to flood related development controls.
- (3) Words and expressions in this clause have the same meaning as in the instrument set out in the Schedule to the Standard Instrument (Local Environmental Plans) Order 2006.

8. Land reserved for acquisition

The land is not identified for acquisition under the provisions of clause 17 of the Hornsby Shire Local Environment Plan.

9. Contributions plans

A Section 94 Contribution Plan, pursuant to Part 4 of the Environmental Planning and Assessment Regulation 2000 applies to the land. The plan is called the "Hornsby Development Contributions Plan" and may require that a development contribution be paid as a result of development of the land.

10. Biobanking agreements

Council has not been notified by the Director General of the Department of Environment, Climate Change and Water that the land is the subject of a biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995.

11. Bush fire prone land

None of the land is bush fire prone land.

CERTIFICATE NO. : C108474

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12. Property Vegetation Plans

The Native Vegetation Act 2003 does not apply to the Hornsby local government area, therefore the land is not land to which a property vegetation plan applies.

13. Orders under Trees (Disputes Between Neighbours) Act 2006

Council has not been notified of an order made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land.

14. Directions under Part 3A

There is no direction by the Minister in force under section 75P (2) (c1) of the Act in relation to the land.

15. Site compatibility certificates and conditions for seniors housing

- (a) No site compatibility certificate (of which council is aware) has been issued under clause 25 of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 in respect of proposed development on the land.
- (b) No development consent has been granted with respect to the land under State Environmental Planning Policy (SEPP) (Housing for Seniors or People with a Disability) 2004 since 11 October 2007.

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- (1) There is no current site compatibility certificate (Affordable Rental Housing), of which the Council is aware, in respect of proposed development on the land.

Note:

Matters arising under the Contaminated Land Management Act 1997

Section 59(2) of the *Contaminated Land Management Act 1997* (CLM Act) prescribes that the following matters are to be specified in a Section 149 Planning Certificate:

- (a) *that the land to which the certificate relates is significantly contaminated land-if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,*
- (b) *that the land to which the certificate relates is subject to a management order-if it is subject to such an order at the date when the certificate is issued,*

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Date : 18-Jun-2010
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- (c) *that the land to which the certificate relates is the subject of an approved voluntary management proposal-if it is the subject of such an approved proposal at the date when the certificate is issued,*
- (d) *that the land to which the certificate relates is the subject to an ongoing maintenance order-if it is subject to such an order at the date when the certificate is issued,*
- (e) *that the land to which the certificate relates is the subject of a site audit statement-if a copy of such a statement has been provided at any time to the local authority issuing the certificate.*

Council has not been advised by the Environment Protection Authority that the land is:

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- * *subject to a management order;*
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Council has not been furnished with a *site audit statement* by a site auditor in relation to this site

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If you believe the property may be contaminated or require any further information on the legislation it is suggested you obtain legal advice from your solicitor.

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20. Tree Preservation Order

Council has adopted a Tree Preservation Order which applies to all land within Hornsby Shire.

21. Foreshore Scenic Protection Area

The land is not within a foreshore scenic protection area.

22. Foreshore building line

The land is not affected by a foreshore building line.

23. Building Certificate

A Building certificate issued under Section 149 A-G of the Environmental Planning and Assessment Act, 1979 is required should it be necessary to ascertain whether or not a development complies with Council's requirements. A separate application and fee is required.

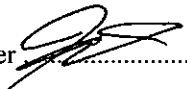
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- c) Section 149B - Environmental Planning and Assessment Act, 1979 – “**Building Certificate**” which details whether a building complies with Council approvals and the Building Code of Australia. Cost \$210.

Separate applications and fees are required.

General Remarks

R.J.BALL
General Manager per 

CERTIFICATE NO. : C108474
Date : 18-Jun-2010
Page No.7

Hornsby Shire Local Environmental Plan - Zoning Control Table

Residential AM (Low Density - Medical Support) Zone

Objectives of Zone

- (a) *to provide for the housing and medical service needs of the population of the Hornsby area.*
- (b) *to promote a variety of housing types and other land uses, including medical support services, compatible with a low density residential environment.*
- (c) *to provide for development that is within the environmental capacity of a low density residential environment.*

Without Development Consent

Development for the purpose of:

Home occupations; special care homes.

Exempt development.

Only With Development Consent

Development for the purpose of:

Child care centres; commercial home catering; community facilities; demolition; dwelling-houses; educational establishments; group homes; home offices; hospitals; housing for aged or differently abled persons; medical centres; multi-unit housing; places of worship; public buildings; recreation areas; recreation facilities; utility installations; veterinary hospitals.

Subdivision.

Prohibited

Development that is not permitted without development consent or permitted only with development consent.

Description on Map

Coloured pink with red edging and lettered "AM".



PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979
Supplied in accordance with Subsections 2 and 5

ISSUED TO:

Reference:
Fee: \$100.00
Receipt No.: 4359052
Receipt Date: 18-Jun-2010

Douglas Partners Pty Ltd
96 Hermitage Road
WEST RYDE NSW 2114

Property: 106 Balmoral Street, HORNSBY NSW 2077
Lot Description: Lot 392 DP 816195

1. Names of relevant planning instruments and DCPs

- (1) The following environmental planning instruments apply to the carrying out of development on the land:

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SEPP No. 21 - Caravan Parks
SEPP No. 22 - Shops and Commercial Premises
SEPP No. 30 - Intensive Agriculture
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SEPP No. 33 - Hazardous and Offensive Development
SEPP No. 44 - Koala Habitat Protection
SEPP No. 50 - Canal Estate Development
SEPP No. 55 - Remediation of Land
SEPP No. 62 - Sustainable Aquaculture
SEPP No. 64 - Advertising and Signage
SEPP No. 65 - Design Quality of Residential Flat Buildings
SEPP No. 71 - Coastal protection
SEPP (Housing for Seniors or People with a Disability) 2004
SEPP (Building Sustainability Index: BASIX) 2004
SEPP (Major Projects) 2005
SEPP (Mining, Petroleum Production and Extractive Industries) 2007
SEPP (Temporary Structures and places of Public Entertainment) 2007
SEPP (Infrastructure) 2007
SEPP (Repeal of Concurrence and Referral Provisions) 2008
SEPP (Exempt and Complying Development Codes) 2008
SEPP (Affordable Rental Housing) 2009

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Date : 18-Jun-2010
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THE BUSHLAND SHIRE
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ABN 20 706 996 972



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Note: Any enquiries on the SEPPs should be directed to the Department of Planning (02 9228-6111).

Sydney Regional Environmental Plan No 20 - Hawkesbury-Nepean River (No. 2 - 1997).

Note: Any enquiries on the SREPs should be directed to the Department of Planning (02 9228-6111)

- (2) The following proposed environmental planning instruments apply to the carrying out of development on the land:

Draft SEPP No. 66 – Integration of Land Use and Transport
Draft SEPP (Application of Development Standards) 2004

Note: Any enquiries on the Draft SEPPs should be directed to the Department of Planning (02 9228-6111)

- (3) The following Development Control Plans (DCPs) apply to the carrying out of development on the land:

Heritage Development Control Plan.
Car Parking Development Control Plan.
Outdoor Advertising Development Control Plan.
Community Uses Development Control Plan.
Access and Mobility Development Control Plan.
Sustainable Water Development Control Plan.
Exempt and Complying Development Control Plan.
Notification and Exhibition Development Control Plan.
Waste Minimisation and Management Development Control Plan
Medical Support Development Control Plan.
Low Density Multi-Unit Housing Development Control Plan.
Residential Subdivision Development Control Plan.

Council's Development Control Plans may be inspected or purchased at Council's Administration Centre or viewed on Council's website at www.hornsby.nsw.gov.au/dcp

2. Zoning of land and land uses under relevant LEPs

- (a) Under the HSLEP the land is zoned:
Residential AM (Low Density - Medical Support)
- (b) The purposes for which the HSLEP provides that development may be carried out within the zone without development consent is shown in the attached Zoning Control Table(s), extracted from the HSLEP
- (c) The purposes for which the HSLEP provides that development may not be carried out within the zone except with development consent is shown in the attached Zoning Control Table(s), extracted from the HSLEP.

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- (d) The purposes for which the HSLEP provides that development is prohibited within the zone, except with development consent, is shown in the attached Zoning Control Table(s), extracted from the HSLEP.
- (e) There are no development standards applying to the land which fix minimum land dimensions for the erection of a dwelling-house on the land.
- (f) The land does not include or comprise critical habitat within the meaning of the *Threatened Species Conservation Act 1995*.
- (g) Is the land within a Conservation Area?

The land is not within a Heritage Conservation Area under Schedule E of the HSLEP 1994.

- (h) Does the land contain an item of environmental heritage?

The land does not contain an item of environmental heritage under Schedule D of the Hornsby Shire Local Environmental Plan.

3. Complying Development

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

The Department of Commerce has not notified Council that the land is affected by the operation of Section 38 or 39 of the *Coastal Protection Act 1979*.

5. Mine subsidence

The land has not been proclaimed to be a mine subsidence district within the meaning of Section 15 of the *Mine Subsidence Compensation Act 1961*.

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6. Road widening and road realignment

The land is not subject to road widening or road re alignment under Division 2 of Part 3 of the Roads Act 1993, an Environmental Planning Instrument or a resolution of Council.

7. Council and other public authority policies on hazard risk restrictions

- (a) Council has not, by resolution, adopted a policy to restrict the development of the land by reason of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulfate soils, or any other risk (other than flooding).
- (b) Council has not been advised by any other public authority of a policy which restricts development on the land.

7A. Flood related development controls information

- (1) 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) is not subject to flood related development controls.
- (2) Development on the land, or part of the land, for any other purpose is not subject to flood related development controls.
- (3) Words and expressions in this clause have the same meaning as in the instrument set out in the Schedule to the Standard Instrument (Local Environmental Plans) Order 2006.

8. Land reserved for acquisition

The land is not identified for acquisition under the provisions of clause 17 of the Hornsby Shire Local Environment Plan.

9. Contributions plans

A Section 94 Contribution Plan, pursuant to Part 4 of the Environmental Planning and Assessment Regulation 2000 applies to the land. The plan is called the "Hornsby Development Contributions Plan" and may require that a development contribution be paid as a result of development of the land.

10. Biobanking agreements

Council has not been notified by the Director General of the Department of Environment, Climate Change and Water that the land is the subject of a biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995.

11. Bush fire prone land

None of the land is bush fire prone land.

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12. Property Vegetation Plans

The Native Vegetation Act 2003 does not apply to the Hornsby local government area, therefore the land is not land to which a property vegetation plan applies.

13. Orders under Trees (Disputes Between Neighbours) Act 2006

Council has not been notified of an order made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land.

14. Directions under Part 3A

There is no direction by the Minister in force under section 75P (2) (c1) of the Act in relation to the land.

15. Site compatibility certificates and conditions for seniors housing

- (a) No site compatibility certificate (of which council is aware) has been issued under clause 25 of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 in respect of proposed development on the land.
- (b) No development consent has been granted with respect to the land under State Environmental Planning Policy (SEPP) (Housing for Seniors or People with a Disability) 2004 since 11 October 2007.

16. Site compatibility certificates for infrastructure

No site compatibility certificate (of which council is aware) has been issued under clause 19 of State Environmental Planning Policy (SEPP) (Infrastructure) 2007 in respect of proposed development on the land.

17. Site compatibility certificate for affordable housing

- (1) There is no current site compatibility certificate (Affordable Rental Housing), of which the Council is aware, in respect of proposed development on the land.

Note:

Matters arising under the Contaminated Land Management Act 1997

Section 59(2) of the *Contaminated Land Management Act 1997* (CLM Act) prescribes that the following matters are to be specified in a Section 149 Planning Certificate:

- (a) *that the land to which the certificate relates is significantly contaminated land-if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,*
- (b) *that the land to which the certificate relates is subject to a management order-if it is subject to such an order at the date when the certificate is issued,*

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

Council has not been advised by the Environment Protection Authority that the land is:

- * *significantly contaminated land;*
- * *subject to a management order;*
- * *subject to an approved voluntary management proposal;*
- * *subject to an ongoing maintenance order.*

Council has not been furnished with a *site audit statement* by a site auditor in relation to this site

It should be noted that there are sites within Hornsby Shire that are/may be contaminated. Council is preparing a register of contaminated sites. Contaminated land is defined under the CLM Act as:

"the presence in, on or under the land of a substance at a concentration above the concentration at which the substance is normally present in, on or under (respectively) land in the same locality, being a presence that presents a risk of harm to human health or any other aspect of the environment".

If you believe the property may be contaminated or require any further information on the legislation it is suggested you obtain legal advice from your solicitor.

18. Resolution to prepare Draft Local Environmental Plan/Planning Proposal

Council at its meeting on 7 February 2007, resolved to prepare a draft comprehensive Local Environmental Plan (LEP) for Hornsby Shire. The draft LEP will be prepared principally to translate Council's current environmental planning instrument, the Hornsby Shire Local Environmental Plan 1994, into a new comprehensive LEP consistent with the NSW Government's Standard Instrument. The draft LEP will also be prepared to respond to the recent regional and subregional planning undertaken by the Department of Planning. The draft Comprehensive LEP will be prepared by 30 June 2011.

19. Development Control Plans

The following draft amendments to Development Control Plans applying to the land are on exhibition, have been exhibited or have been adopted by Council for exhibition.

Council has exhibited draft amendments to the *Heritage, Dwelling-House, Residential Subdivision, Low Density Multi-Unit Housing, Medium Density Multi-Unit Housing, Medium/High Density Multi-Unit Housing, Dural Village Centre, River Settlements, Rural Lands and Extractive Industries*

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Development Control Plans in respect of proposed amendments to heritage listings within Schedule D of the *HSLEP* and amendments to the *West Side Heritage Conservation Area* map.

20. Tree Preservation Order

Council has adopted a Tree Preservation Order which applies to all land within Hornsby Shire.

21. Foreshore Scenic Protection Area

The land is not within a foreshore scenic protection area.

22. Foreshore building line

The land is not affected by a foreshore building line.

23. Building Certificate

A Building certificate issued under Section 149 A-G of the Environmental Planning and Assessment Act, 1979 is required should it be necessary to ascertain whether or not a development complies with Council's requirements. A separate application and fee is required.

24. Other Certificates

The following certificates are also available from Council:

- a) Section 603 - Local Government Act 1993 – “**Rates Certificate**” which details any monies payable to Council (e.g. outstanding rates, charges for works undertaken by Council). Cost \$60
- b) Combined Certificate for Section 735A and 121ZP - \$125
Section 735A - Local Government Act 1993 – “**Outstanding Notices Certificate (LGA)**” which details any outstanding notices issued under the Local Government Act.
Section 121ZP - Environmental Planning and Assessment Act, 1979 – “**Outstanding Notices Certificate (EPAA)**” which details any outstanding notices of proposed orders or outstanding orders issued under the Environmental Planning and Assessment Act, 1979.
- c) Section 149B - Environmental Planning and Assessment Act, 1979 – “**Building Certificate**” which details whether a building complies with Council approvals and the Building Code of Australia. Cost \$210.

Separate applications and fees are required.

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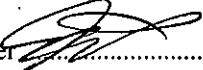
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General Remarks

R.J.BALL
General Manager per .....

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Hornsby Shire Local Environmental Plan - Zoning Control Table

Residential AM (Low Density - Medical Support) Zone

Objectives of Zone

- (a) *to provide for the housing and medical service needs of the population of the Hornsby area.*
- (b) *to promote a variety of housing types and other land uses, including medical support services, compatible with a low density residential environment.*
- (c) *to provide for development that is within the environmental capacity of a low density residential environment.*

Without Development Consent

Development for the purpose of:

Home occupations; special care homes.

Exempt development.

Only With Development Consent

Development for the purpose of:

Child care centres; commercial home catering; community facilities; demolition; dwelling-houses; educational establishments; group homes; home offices; hospitals; housing for aged or differently abled persons; medical centres; multi-unit housing; places of worship; public buildings; recreation areas; recreation facilities; utility installations; veterinary hospitals.

Subdivision.

Prohibited

Development that is not permitted without development consent or permitted only with development consent.

Description on Map

Coloured pink with red edging and lettered "AM".

APPENDIX E
WorkCover Dangerous Goods Search



Our Ref: D10/075050
Your Ref: Sylvie Anbardjian

DOUGLAS PARTNERS
21 JUN 2010

18 June 2010

Attention: Sylvie Anbardjian
Douglas Partners Pty Ltd
PO Box 472
WEST RYDE NSW 1685

Dear Ms Anbardjian,

RE SITE: 55-57 Palmerston Road, 106 Balmoral Street Hornsby

I refer to your site search request received by WorkCover NSW on 10 June 2010 requesting information on licences to keep dangerous goods for the above site.

A search of the Stored Chemical Information Database (SCID) and the microfiche records held by WorkCover NSW has not located any records pertaining to the above-mentioned premises.

If you have any further queries please contact the Dangerous Goods Licensing Team on (02) 4321 5500.

Yours Sincerely

A handwritten signature in black ink, appearing to be 'Diana Hayes'.

Diana Hayes

Senior Licensing Officer
Dangerous Goods Team

WorkCover. **Watching out for you.**

WorkCover NSW ABN 77 682 742 966 92-100 Donnison Street Gosford NSW 2250 Locked Bag 2906 Lisarow NSW 2252
Telephone 02 4321 5000 Facsimile 02 4325 4145 WorkCover Assistance Service 13 10 50
DX 731 Sydney Website www.workcover.nsw.gov.au

APPENDIX F
Site Photographs



Photo 1: The front of 55 Palmerston Rd (AMX Health) facing south



Photo 2: The rear of 55 Palmerston Rd facing east

<p>Lots 391 & 392 DP816295 & Lot 38 DP7033 Phase 1 Contamination Assessment Sydney Adventist Hospital (Hornsby)</p>	<p>Project 71814</p>	<p>July 2010</p>	<p>Plate 1</p>
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Photo 3: Palmerston Rd side of 57 Palmerston Rd (On-Balance Physiotherapy) facing north-west



Photo 4: Front of 57 Palmerston Rd from Northcote Rd facing south

<p>Lots 391 & 392 DP816295 & Lot 38 DP7033 Phase 1 Contamination Assessment Sydney Adventist Hospital (Hornsby)</p>	<p>Project 71814</p>	<p>July 2010</p>	<p>Plate 2</p>
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Photo 5: The front of 57a Palmerston Rd facing south-west



Photo 6: The rear of 57a Palmerston Rd facing the San Day Surgery to the west

<p>Lots 391 & 392 DP816295 & Lot 38 DP7033 Phase 1 Contamination Assessment Sydney Adventist Hospital (Hornsby)</p>	<p>Project 71814</p>	<p>July 2010</p>	<p>Plate 3</p>
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Photo 7: Rear of 57a Palmerston Rd from car park of the San Day Surgery



Photo 8: Entrance to San Day Surgery from Northcote Road facing south

Lots 391 & 392 DP816295 & Lot 38 DP7033 Phase 1 Contamination Assessment Sydney Adventist Hospital (Hornsby)	Project 71814	July 2010	Plate 4
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Photo 9: Car park of San Day Surgery facing Air Liquide Healthcare to the west

Lots 391 & 392 DP816295 & Lot 38 DP7033 Phase 1 Contamination Assessment Sydney Adventist Hospital (Hornsby)	Project 71814	July 2010	Plate 5
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Douglas Partners
Geotechnics • Environment • Groundwater



Photo 10: Front of San Day Surgery from Northcote Road



Photo 11: Rear of San Day Surgery from Balmoral Street facing east

<p>Lots 391 & 392 DP816295 & Lot 38 DP7033 Phase 1 Contamination Assessment Sydney Adventist Hospital (Hornsby)</p>	<p>Project 71814</p>	<p>July 2010</p>	<p>Plate 6</p>
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Photo 12: Southern side of San Day Surgery building facing car park to the east



Photo 13: Power system connecting to southern side of San Day Surgery building

<p>Lots 391 & 392 DP816295 & Lot 38 DP7033 Phase 1 Contamination Assessment Sydney Adventist Hospital (Hornsby)</p>	<p>Project 71814</p>	<p>July 2010</p>	<p>Plate 7</p>
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Photo 14: Surgery basement level comprising of waste collection, power room, store room and gas store

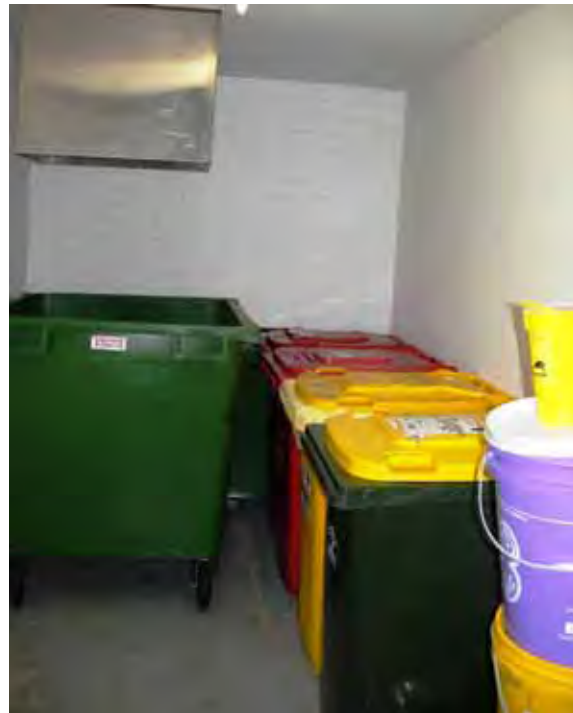


Photo 15: Surgery waste collection area

Lots 391 & 392 DP816295 & Lot 38 DP7033 Phase 1 Contamination Assessment Sydney Adventist Hospital (Hornsby)	Project 71814	July 2010	Plate 8
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Photo 16: Surgery Storeroom 2 within basement



Photo 17: Non-flammable gas store room within basement of Surgery

<p>Lots 391 & 392 DP816295 & Lot 38 DP7033 Phase 1 Contamination Assessment Sydney Adventist Hospital (Hornsby)</p>	<p>Project 71814</p>	<p>July 2010</p>	<p>Plate 9</p>
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Photo 18: Compressor inside non-flammable gas store room within Surgery basement



Photo 19: 106 Balmoral Street - Western side of Day Surgery and front of Air Liquide Healthcare

<p>Lots 391 & 392 DP816295 & Lot 38 DP7033 Phase 1 Contamination Assessment Sydney Adventist Hospital (Hornsby)</p>	<p>Project 71814</p>	<p>July 2010</p>	<p>Plate 10</p>
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Photo 20: Rear of Air Liquide Healthcare taken from San Day Surgery car park



Photo 21: Rear garden of Air Liquide Healthcare and San Day Surgery car park facing south

Lots 391 & 392 DP816295 & Lot 38 DP7033 Phase 1 Contamination Assessment Sydney Adventist Hospital (Hornsby)	Project 71814	July 2010	Plate 11
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Photo 23: Palmerston Road facing south-east towards Hornsby Ku-ring-gai Hospital



Photo 22: Northcote Road facing east

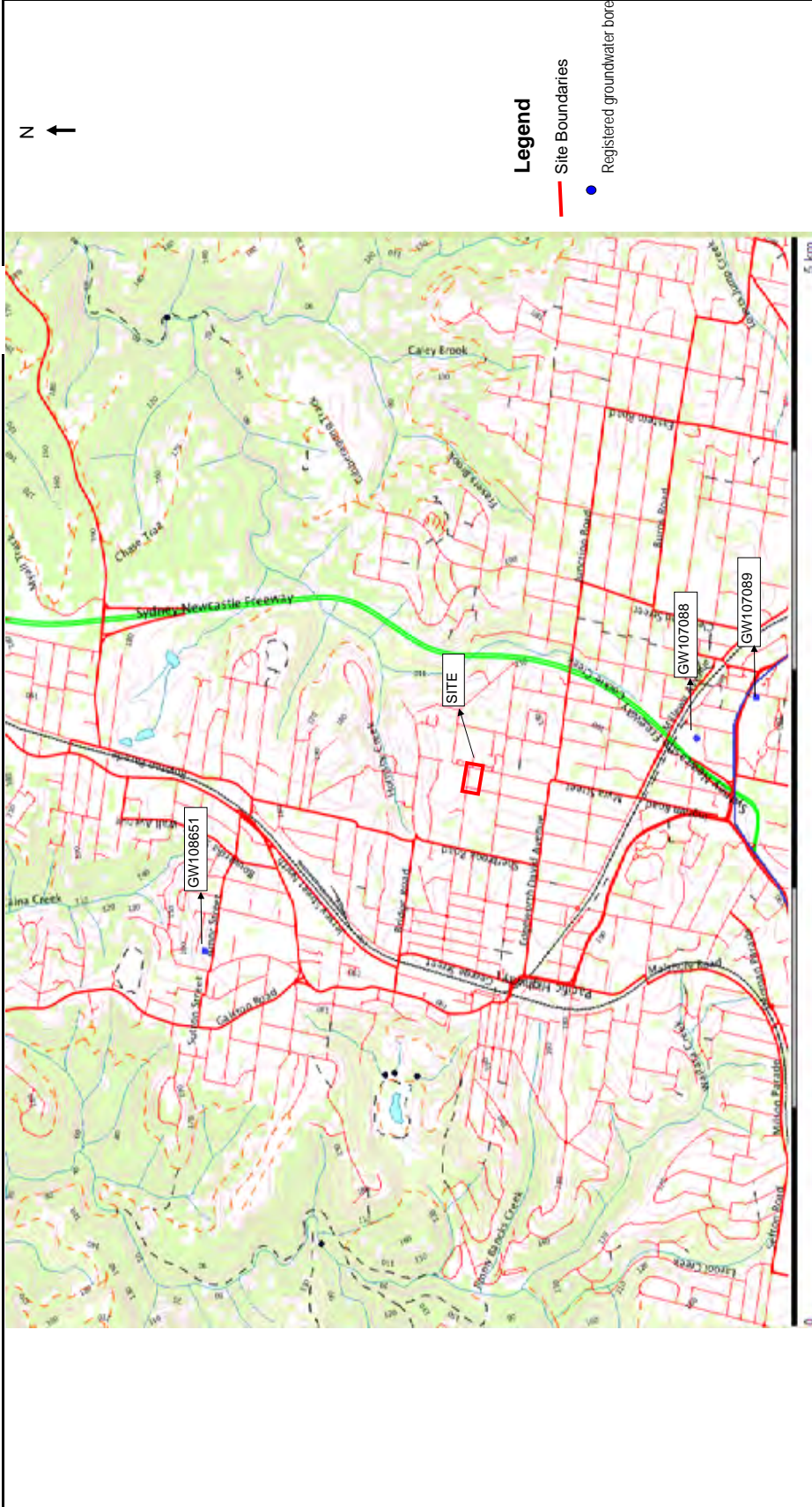
<p>Lots 391 & 392 DP816295 & Lot 38 DP7033 Phase 1 Contamination Assessment Sydney Adventist Hospital (Hornsby)</p>	<p>Project 71814</p>	<p>July 2010</p>	<p>Plate 12</p>
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Photo 24: Balmoral Street facing south

Lots 391 & 392 DP816295 & Lot 38 DP7033 Phase 1 Contamination Assessment Sydney Adventist Hospital (Hornsby)	Project 71814	July 2010	Plate 13
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APPENDIX G
Groundwater Bore Search



Client: City Plan Services	Project No. 71814		 Douglas Partners <i>Geotechnics • Environment • Groundwater</i>	Brisbane • Cairns • Canberra • Darwin • Gold Coast Gold Coast • Melbourne • Minto • Newcastle Perth • Sunshine Coast • Sydney • Townsville • Wollongong • Wyong
	Drawn by: CF	Scale: NTS		
Approved by:	Date: July 2010	Office: Sydney	Drawing No.1	

Groundwater Works Summary

For information on the meaning of fields please see [Glossary](#)
Document Generated on Thursday, May 27, 2010

[Print Report](#)

[Works Details](#) [Site Details](#) [Form A](#) [Licensed](#) [Construction](#) [Water Bearing Zones](#) [Drillers Log](#)

Work Requested -- GW108651

Works Details [\(top\)](#)

GROUNDWATER NUMBER GW108651
 LIC-NUM 10BL600877
 AUTHORISED-PURPOSES DOMESTIC
 INTENDED-PURPOSES DOMESTIC
 WORK-TYPE Spear
 WORK-STATUS Supply Obtained
 CONSTRUCTION-METHOD Jetted
 OWNER-TYPE Private
 COMMENCE-DATE
 COMPLETION-DATE 2007-03-09
 FINAL-DEPTH (metres) 6.00
 DRILLED-DEPTH (metres) 6.00
 CONTRACTOR-NAME
 DRILLER-NAME
 PROPERTY DAVY
 GWMA -
 GW-ZONE -
 STANDING-WATER-LEVEL 2.00
 SALINITY
 YIELD 0.50

Site Details [\(top\)](#)

REGION 10 - SYDNEY SOUTH COAST
 RIVER-BASIN
 AREA-DISTRICT
 CMA-MAP
 GRID-ZONE
 SCALE
 ELEVATION
 ELEVATION-SOURCE
 NORTHING 6271132.00
 EASTING 323934.00
 LATITUDE 33 41' 7"
 LONGITUDE 151 6' 2"
 GS-MAP

AMG-ZONE 56
 COORD-SOURCE GIS - Geographic Information System
 REMARK

Form-A (top)

COUNTY CUMBERLAND
 PARISH SOUTH COLAH
 PORTION-LOT-DP 12//6933

Licensed (top)

COUNTY CUMBERLAND
 PARISH ST GEORGE
 PORTION-LOT-DP 12 6933

Construction (top)

Negative depths indicate Above Ground Level;H-Hole;P-Pipe;OD-Outside Diameter;
 ID-Inside Diameter;C-Cemented;SL-Slot Length;A-Aperture;GS-Grain Size;Q-Quantity

HOLE- NO	PIPE- NO	COMPONENT- CODE	COMPONENT- TYPE	DEPTH- FROM (metres)	DEPTH- TO (metres)	OD (mm)	ID (mm)	INTERVAL	DETAIL
1		Hole	Hole	0.00	6.00	90			Jetted
1	1	Casing	P.V.C.	0.00	5.40	32	26		Glued; Seated on Bottom; Cap
1	1	Opening	Screen - Wire Wound	5.40	6.00	50			Stainless Steel; A: .15mm; Screwed

Water Bearing Zones (top)

FROM- DEPTH (metres)	TO-DEPTH (metres)	THICKNESS (metres)	ROCK- CAT- DESC	S- W-L	D- D- L	YIELD	TEST-HOLE- DEPTH (metres)	DURATION	SALINITY
2.00	6.00	4.00		2.00	0.50				Good

Drillers Log (top)

FROM	TO	THICKNESS	DESC	GEO-MATERIAL	COMMENT
0.00	0.30	0.30	topsoil		
0.30	3.00	2.70	sand, brown		
3.00	5.00	2.00	sand, dakr, silty brown		
5.00	6.00	1.00	sand, light brown		

Warning To Clients: This raw data has been supplied to the Department of Infrastructure, Planning and Natural Resources (DIPNR) by drillers, licensees and other sources. The DIPNR does not verify the accuracy of this data. The data is presented for

use by you at your own risk. You should consider verifying this data before relying on it. Professional hydrogeological advice should be sought in interpreting and using this data.