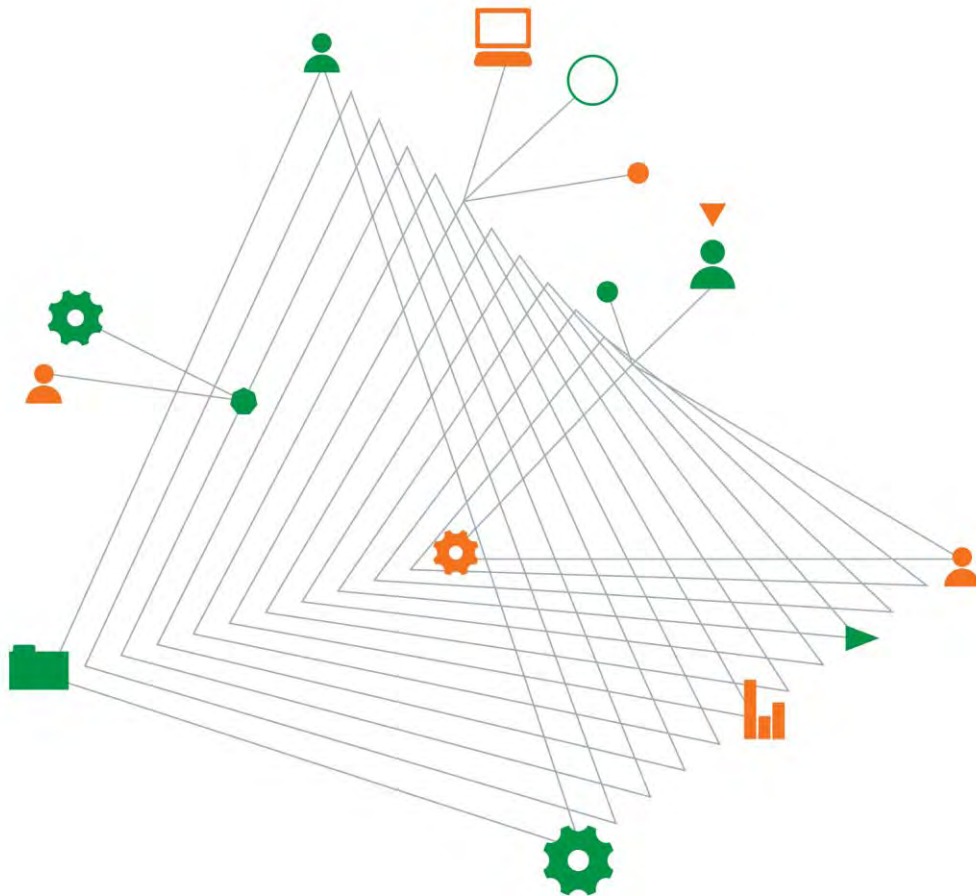


Hansen Yuncken Pty Ltd

Stage 1 Contamination Assessment

585-649 Mamre Road, Orchard Hills NSW

17 November 2014



Experience
comes to life
when it is
powered by
expertise

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Stage 1 Contamination Assessment

Prepared for
Hansen Yuncken Pty Ltd

Prepared by
Coffey Geotechnics Pty Ltd
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17 November 2014

GEOTLCOV25265AA-R01a

Quality information

Revision history

Revision	Description	Date	Author	Reviewer
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Final rev 1	GEOTLCOV25265AA	17 November 2014	Sally King	Matthew Locke

Distribution

Report Status	No. of copies	Format	Distributed to	Date
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Abbreviations

AHD	Australian Height Datum
DUAP	Department of Urban Affairs and Planning
NSW EPA	New South Wales Environment Protection Authority
NSW OEH	New South Wales Office of Environment and Heritage
SEPP	State Environmental Planning Policy

1. Introduction

1.1. General

Coffey Geotechnics Pty Ltd (Coffey) was engaged by Hansen Yuncken to undertake a Stage 1 Contamination Assessment of the site located at 585-649 Mamre Road, Orchard Hills NSW (the 'site').

The regional location of the site is presented in Figure 1.

The purpose of the assessment is to support the due diligence negotiations associated with the acquisition of the site and support initial planning activities for the development of the proposed Business/Industrial Park.

The project comprises the development and preparation of approximately ten industrial lots for subsequent release to the market. Development structures are expected to include warehouses, industrial sheds, and freight handling facilities.

This Phase 1 contamination assessment has been carried out in accordance with Coffey's proposal dated 3 November 2014 (ref: GEOTLCOV25265AA-AA).

1.2. Objective

The objective of the Stage 1 Contamination Assessment is to assess the potential for contamination of the site resulting from its current and historic land uses.

1.3. Scope of Works

The scope of works undertaken for this assessment included the following:

- Desktop review of available historical site use information, including current and historical aerial photographs, land title deeds, Section 149 planning certificates, and on-line databases maintained by the NSW EPA and the NSW Office of Water;
- Review of local geology, hydrogeology and topography maps;
- Site walkover to observe the current site condition, local environmental context and surrounding land uses, potential contamination sources and visible evidence of potential contamination; and
- Preparation of this Stage 1 Contamination Assessment report in general accordance with *Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites* (NSW OEH, 2011).

2. Site Identification

The site identification details are summarised in Table 2.1 below:

Table 2.1: Site Identification Details

Site Address	585-649 Mamre Road, Orchard Hills NSW 2748
Total Site Area	Approximately 48 hectares
Title Identification Details	Lot 2171 in Deposited Plan 1153854
Current Zoning	Zone RU2 Rural Landscape under the <i>Penrith Local Environment Plan 2010</i>
Current Land Use	Undeveloped agricultural / grazing land
Proposed Future Land Use	Business / Industrial Park
Surrounding Land Use	North: undeveloped agricultural land East: Mamre Road with Erskine Business Park beyond that includes a modern Woolworths Distribution Centre. South: above ground Sydney Water dual-pipeline with agricultural / grazing land beyond West: rural residential land, predominantly undeveloped agricultural land. South Creek is located approximately 300m to the west of the site.

Figure 2 shows the layout and boundaries of the site.

3. Site Description

A site walkover was conducted on 6 November 2014 by an experienced Coffey scientist. Relevant information obtained during the site walkover is summarised below. Key site features are annotated within Figure 2. A selection of photographs taken during the site walkover is presented in Appendix A.

3.1. Site Features

The site is a broadly square-shaped parcel of land located on the western side of Mamre Road. Access to the site is via a roadway that runs along the northern site boundary.

A barbed wire fence runs along each of the site boundaries.

An inspection of the site indicated that the land is currently vacant but has been used for livestock grazing.

Three small farm dams are located on-site; namely, one adjacent to the central eastern site boundary, one in the central southern portion of the site, and one adjacent to the central western site boundary (refer Figure 2). Each dam appears unlined and spoil displaced from the construction of the dam has been used to form an earth berm surrounding the perimeter of the dam.

A small stockpile of fill was observed in the southeast corner of the site comprising excavated residual soil. This fill may be excess spoil from the dams or from levelling works for the water pipelines to the south.

A concrete trough containing water for livestock is present in the northwestern corner of the site.

The surface of the site is covered entirely with grass. Site vegetation appears to be healthy and consists of various small shrubs occurring mostly along depressions which channel water flow towards South Creek, approximately 300m to the west of the site. Pockets of larger trees are also present within the southeastern and central portion of the site.

No visible evidence of contamination or potentially contaminating activities, including importation of fill or the storage of hazardous materials, was observed at the time of the site walkover.

3.2. Topography and Hydrology

Localised low points, channels and depressions were observed across the site where the ground was waterlogged.

Review of the elevation profile (Google Earth, 2014) indicates that the site exhibits a slight gradient from the south (35m Australian Height Datum (AHD)) down towards the north (33m AHD), and an overall gradient from the east (39m AHD) down towards the west (35m AHD).

A small unnamed channel meanders through the centre of the site on a north-south axis. Another small channel exists between the largest dam in the northeast of the site and the northwestern corner of the site. The creek was dry at the time of the site walkover, water within these channels would discharge to South Creek during times of flow.

South Creek is located approximately 300m to the west of the site and flows in a north/northeasterly direction, eventually discharging to the Hawkesbury River.

3.3. Regional Geology and Soils

The Penrith 1:100,000 Geological Series Sheet and Soil Landscape Series Sheet (9030 Edition, 1988) indicates that the western half of the site is underlain by Quaternary fluvial sediments. The alluvial sediments are described as fine-grained sand, silt and clay. The fluvial soils are described as

often very deep layered sediments over bedrock or relict soils. Potential issues for development in this fluvial landscape are noted as erosion and frequent flooding.

The geology of the eastern half of the site comprises Bringelly Shale of the Wianamatta Group. Soils associated with the Bringelly Shale comprise Blacktown residual soils. The Bringelly Shale is described as shale, claystone, laminite and lithic sandstone. The Blacktown residual soils are described as shallow to moderately deep (<1m) hard-setting soils. Issues for development are moderately reactive, highly plastic subsoil with poor drainage.

The NSW Natural Resources Atlas (<http://www.nratlas.nsw.gov.au>) indicates that there is no known occurrence of acid sulphate soils within the site.

3.4. Regional Hydrogeology

Based on the hydrology of the surrounding area, it is expected that regional groundwater would flow in a broadly west/northwesterly direction toward South Creek.

A search of groundwater bore licences was undertaken on 4 November 2014 using the NSW Natural Resources Atlas (<http://www.nratlas.nsw.gov.au>). The results of the search indicated that there are three registered groundwater bores within an approximately 500m radius of the site.

These bores are located between approximately 400m and 500m to the east of the site within the industrial estate beyond Mamre Road.

No details regarding the depth of the wells, standing water level or licensed purpose were available at the time of preparation of this report.

4. Site History

Site history information is summarised in the following sections.

4.1. Aerial Photographs

Current and historical aerial photographs of the site were obtained from the Land and Property Information Division of the NSW Department of Finance and Services, and online mapping tools for review and are summarised in Table 4.1.

Table 4.1: Summary of Aerial Photographs

Date	Comment
1947	The site comprises vacant grass covered land. Scattered trees are present throughout the southern half of the site, and are clustered in the southeastern corner. A farm dam is located adjacent to the western site boundary, and disturbed ground is visible adjacent to the central eastern site boundary. The surrounding land comprises vacant grazing land and bushland. Mamre Road and the northern access road have been constructed, and the water pipeline easement is visible along the southern site boundary.
1956	No significant change to the site or surrounding area is visible.
1965	The site has been cleared of most of the trees that were present, with the exception of those located in the southeast corner. A farm dam is visible in the location of the aforementioned ground disturbance, adjacent to the eastern site boundary. A smaller dam is also visible in the central southern portion of the site. A quarry is present to the east of the site beyond Mamre Road.
1978	Many of the trees in the southeastern corner of the site have been cleared. The pipeline easement along the southern site boundary has been widened. No further significant change to the site or surrounding area is visible.
1986	No significant change to the site or surrounding area is visible.
1994	No significant change to the site or surrounding area is visible.
2005	No significant change to the site or surrounding area is visible.
2009	No significant change to the site is visible. Construction of the Erskine Park industrial estate to the east of the site beyond Mamre Road commenced between March 2007 and June 2009. Construction was completed between November 2011 and November 2012.

4.2. Land Title Certificates

Land title certificates were reviewed to assess the current and historical ownership of the site.

The site previously comprised several individual lots that were consolidated to create Lot 2171 of in Deposited Plan 1153854 in 2012.

Ownership of the site is summarised as follows:

- Prior to 1962, the site was owned by several private individuals whose occupations included farmers and graziers.
- In 1962, ownership of the site was transferred to Mandalong Investments Pty Ltd.
- Between 1978 and 2000, the site was owned by financial institutions including The Commercial Banking Company of Sydney Limited, and National Australia Bank Limited.
- In 2000, ownership of the site was transferred back to Mandalong Investments Pty Ltd, which remains the registered proprietor of the site.

Land title records are presented in Appendix B.

4.3. Section 149 Planning Certificates

Planning certificates for the site were obtained from Penrith City Council for review.

The Section 149(2) certificates for the site indicate that there are currently no matters arising under the Contaminated Land Management Act 1997 pertaining to the site.

A copy of the planning certificate is presented in Appendix D.

4.4. Search of Public Registers held by NSW EPA

The NSW Environment Protection Authority (EPA) Contaminated Land Record (www.epa.nsw.gov.au/prclmapp/searchregister) was accessed on 4 November 2014. The register indicated that there are currently no notices issued for the site, or properties immediately surrounding the site, under the NSW *Contaminated Land Management Act 1997*.

The List of NSW Contaminated Sites Notified to EPA (www.epa.nsw.gov.au/clm/publiclist) was accessed on 4 November 2014. The list indicated that the site and premises immediately surrounding the site, have not been notified to the NSW EPA.

4.5. Summary of Site History Review

A review of available documentation indicates that the site has historically been used for grazing purposes and is not known to have been subject to development or other potentially contaminating land uses to date.

4.6. Integrity Assessment of Historical Data

The following sources of historical data were relied upon for this assessment:

- NSW Natural Resources Atlas;
- Aerial photographs provided by NSW Land & Property Information and Google Earth;
- Historic land title records;
- Penrith City Council;
- New South Wales Environment Protection Authority (NSW EPA); and
- Observations made in the field during the site walkover.

The observations made during the site walkover were generally consistent with the documented records provided by third parties. The aerial photographs support the information presented in the title certificates that suggest the site has been historically used for agricultural and grazing purposes.

Coffey considers the historical data assessed was generally adequate, reliable and suitable for the objective of this assessment.

5. Potential Areas of Environmental Concern and Chemicals of Potential Concern

Based on the site history information and observations recorded during the site walkover, Coffey has not identified any evidence of contamination or areas of potential environmental concern at the site.

Although the available data indicates that the land has been used for agricultural and grazing purposes, the use of pesticides and herbicides is considered unlikely given that no crops or market gardens were historically established on-site.

Visual assessment of the soil stockpile located in the southeast corner of the site suggests that the material comprises excavated residual soil generated from site earthworks. Based on this, it is considered that there is a low potential of this material to present a contamination risk to the site.

No visible evidence of potentially imported fill was observed during the site walkover. The absence of fill on-site was confirmed during the intrusive geotechnical investigations carried out on-site concurrently with this Stage 1 Contamination Assessment (Coffey, 2014).

6. Conclusions and Recommendations

The results of the Phase 1 Contamination Assessment did not identify sources of contamination at the site. Based on a review of the site history and observations made during the site walkover, Coffey considers that there is a low potential for contamination of the subsurface of the site given that the site has not been subject to previous development and has been historically used for grazing purposes.

Assessment of the suitability of the site for the proposed redevelopment was carried out with reference to the decision making process presented as Figure 1 in Section 3 of *Managing Land Contamination, Planning Guidelines: SEPP 55 – Remediation of Land* (DUAP, 1998), which has been reproduced herein as Figure 5.1.

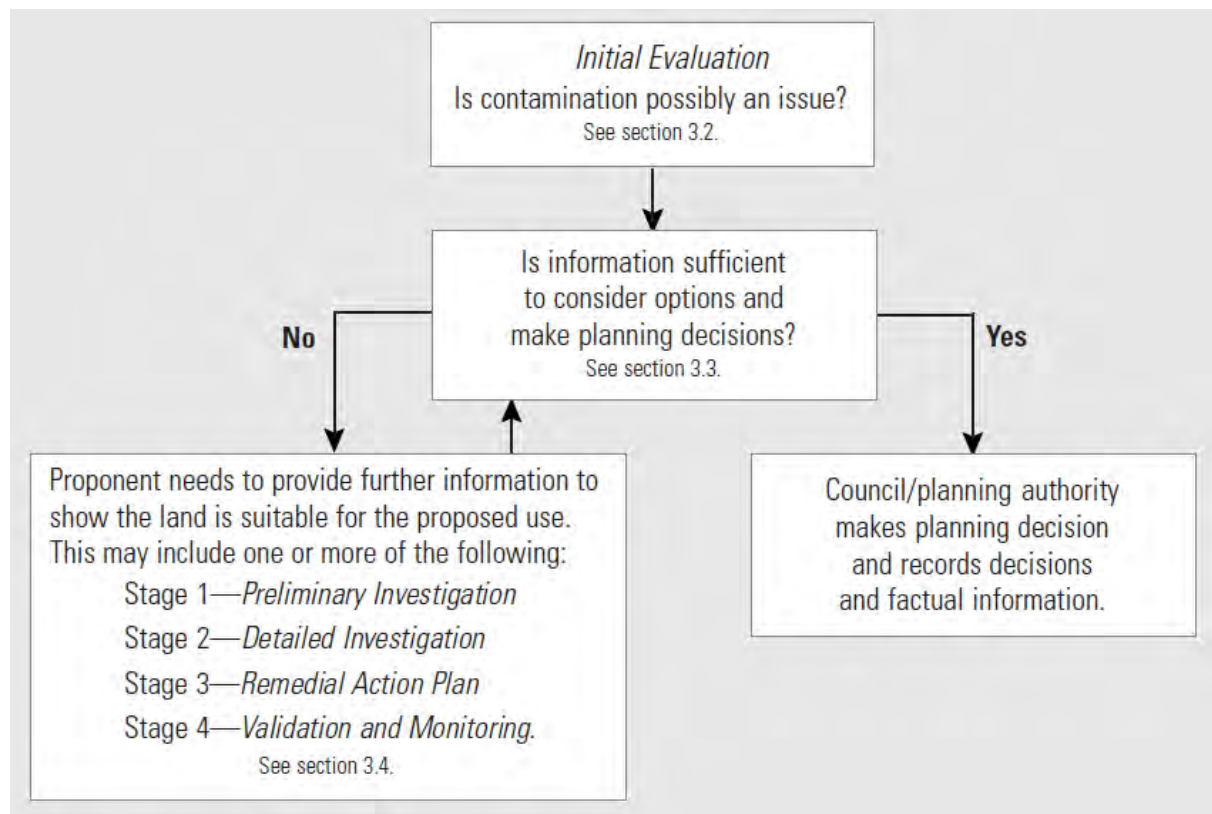


Figure 6.1: Decision Process for Assessment of Site Suitability (source: DUAP, 1998)

In consideration of the process presented in Figure 5.1, and based on the results of this Phase 1 Contamination Assessment, Coffey considers that the site is suitable for the proposed industrial estate development from a contamination perspective, and the land uses permitted under the current rural landscape zoning ('RU2').

7. Limitations

Limited information is available on the early history of the site and therefore, some site activities may not have been identified. Allowances for uncertainties and potential unexpected finds should be made during planning and development phases.

In preparing this report, Coffey has relied on information in reports made available to Coffey by the client and prepared by other consultants. Coffey has assumed that these consultants performed the scope of works in general accordance with standard industry procedures and guidance materials at the time and that the information is suitable.

We draw your attention to the attached sheet titled "Important Information about your Coffey Environmental Report" which must be read in conjunction with this report.

8. References

Coffey (2014). *Proposed Commercial / Industrial Development, 585-649 Mamre Road, Orchard Hills*. Coffey Geotechnics Pty Ltd.

DUAP (1998). *Managing Land Contamination, Planning Guidelines: SEPP 55 – Remediation of Land*. Department of Urban Affairs and Planning / Environment Protection Authority.

NSW OEH. (2011). *Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites*. NSW Office of Environment and Heritage.

Important information about your Coffey Environmental Report

Introduction

This report has been prepared by Coffey for you, as Coffey's client, in accordance with our agreed purpose, scope, schedule and budget.

The report has been prepared using accepted procedures and practices of the consulting profession at the time it was prepared, and the opinions, recommendations and conclusions set out in the report are made in accordance with generally accepted principles and practices of that profession.

The report is based on information gained from environmental conditions (including assessment of some or all of soil, groundwater, vapour and surface water) and supplemented by reported data of the local area and professional experience. Assessment has been scoped with consideration to industry standards, regulations, guidelines and your specific requirements, including budget and timing. The characterisation of site conditions is an interpretation of information collected during assessment, in accordance with industry practice,

This interpretation is not a complete description of all material on or in the vicinity of the site, due to the inherent variation in spatial and temporal patterns of contaminant presence and impact in the natural environment. Coffey may have also relied on data and other information provided by you and other qualified individuals in preparing this report. Coffey has not verified the accuracy or completeness of such data or information except as otherwise stated in the report. For these reasons the report must be regarded as interpretative, in accordance with industry standards and practice, rather than being a definitive record.

Your report has been written for a specific purpose

Your report has been developed for a specific purpose as agreed by us and applies only to the site or area investigated. Unless otherwise stated in the report, this report cannot be applied to an adjacent site or area, nor can it be used when the nature of the specific purpose changes from that which we agreed.

For each purpose, a tailored approach to the assessment of potential soil and groundwater contamination is required. In most cases, a key objective is to identify, and if possible quantify, risks that both recognised and potential contamination pose in the context of the agreed purpose. Such risks may be financial (for example, clean up costs or constraints on site use) and/or physical (for example, potential health risks to users of the site or the general public).

Limitations of the Report

The work was conducted, and the report has been prepared, in response to an agreed purpose and scope, within time and budgetary constraints, and in reliance on certain data and information made available to Coffey.

The analyses, evaluations, opinions and conclusions presented in this report are based on that purpose and scope, requirements, data or information, and they could change if such requirements or data are inaccurate or incomplete.

This report is valid as of the date of preparation. The condition of the site (including subsurface conditions) and extent or nature of contamination or other environmental hazards can change over time, as a result of either natural processes or human influence. Coffey should be kept apprised of any such events and should be consulted for further investigations if any changes are noted, particularly during construction activities where excavations often reveal subsurface conditions.

In addition, advancements in professional practice regarding contaminated land and changes in applicable statutes and/or guidelines may affect the validity of this report. Consequently, the currency of conclusions and recommendations in this report should be verified if you propose to use this report more than 6 months after its date of issue.

The report does not include the evaluation or assessment of potential geotechnical engineering constraints of the site.

Interpretation of factual data

Environmental site assessments identify actual conditions only at those points where samples are taken and on the date collected. Data derived from indirect field measurements, and sometimes other reports on the site, are interpreted by geologists, engineers or scientists to provide an opinion about overall site conditions, their likely impact with respect to the report purpose and recommended actions.

Variations in soil and groundwater conditions may occur between test or sample locations and actual conditions may differ from those inferred to exist. No environmental assessment program, no matter how comprehensive, can reveal all subsurface details and anomalies. Similarly, no professional, no matter how well qualified, can reveal what is hidden by earth, rock or changed through time.

The actual interface between different materials may be far more gradual or abrupt than assumed based on the facts obtained. Nothing can be done to change the actual site conditions which exist, but

steps can be taken to reduce the impact of unexpected conditions.

For this reason, parties involved with land acquisition, management and/or redevelopment should retain the services of a suitably qualified and experienced environmental consultant through the development and use of the site to identify variances, conduct additional tests if required, and recommend solutions to unexpected conditions or other unrecognised features encountered on site. Coffey would be pleased to assist with any investigation or advice in such circumstances.

Recommendations in this report

This report assumes, in accordance with industry practice, that the site conditions recognised through discrete sampling are representative of actual conditions throughout the investigation area. Recommendations are based on the resulting interpretation.

Should further data be obtained that differs from the data on which the report recommendations are based (such as through excavation or other additional assessment), then the recommendations would need to be reviewed and may need to be revised.

Report for benefit of client

Unless otherwise agreed between us, the report has been prepared for your benefit and no other party. Other parties should not rely upon the report or the accuracy or completeness of any recommendation and should make their own enquiries and obtain independent advice in relation to such matters.

Coffey assumes no responsibility and will not be liable to any other person or organisation for, or in relation to, any matter dealt with or conclusions expressed in the report, or for any loss or damage suffered by any other person or organisation arising from matters dealt with or conclusions expressed in the report.

To avoid misuse of the information presented in your report, we recommend that Coffey be consulted before the report is provided to another party who may not be familiar with the background and the purpose of the report. In particular, an environmental disclosure report for a property vendor may not be suitable for satisfying the needs of that property's purchaser. This report should not be applied for any purpose other than that stated in the report.

Interpretation by other professionals

Costly problems can occur when other professionals develop their plans based on misinterpretations of a report. To help avoid misinterpretations, a suitably qualified and experienced environmental consultant should be retained to explain the implications of the report to other professionals referring to the report and then review plans and specifications produced to see how other professionals have incorporated the report findings.

Given Coffey prepared the report and has familiarity with the site, Coffey is well placed to provide such

assistance. If another party is engaged to interpret the recommendations of the report, there is a risk that the contents of the report may be misinterpreted and Coffey disowns any responsibility for such misinterpretation.

Data should not be separated from the report

The report as a whole presents the findings of the site assessment and the report should not be copied in part or altered in any way. Logs, figures, laboratory data, drawings, etc. are customarily included in our reports and are developed by scientists or engineers based on their interpretation of field logs, field testing and laboratory evaluation of samples. This information should not under any circumstances be redrawn for inclusion in other documents or separated from the report in any way.

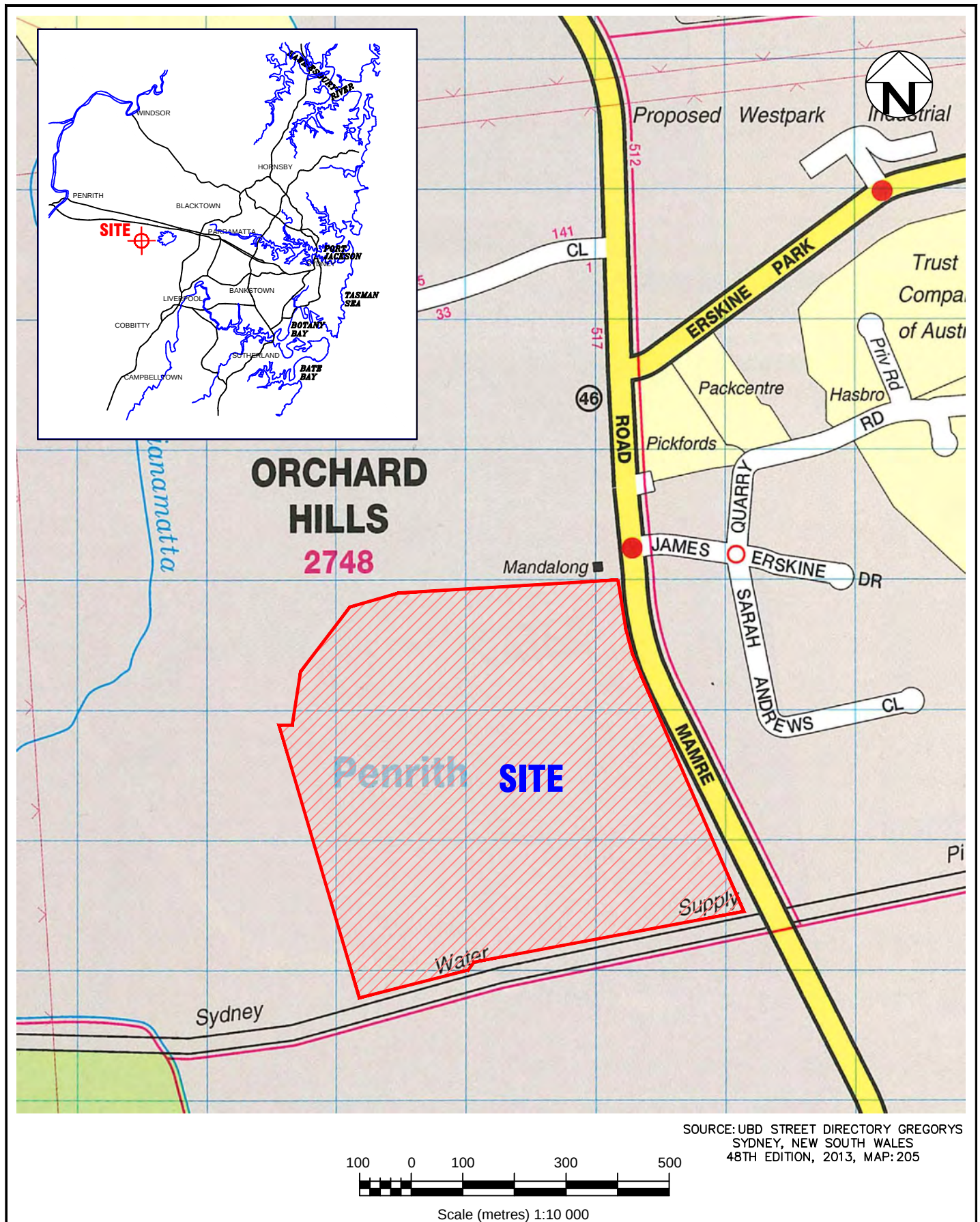
This report should be reproduced in full. No responsibility is accepted for use of any part of this report in any other context or for any other purpose or by third parties.

Responsibility

Environmental reporting relies on interpretation of factual information using professional judgement and opinion and has a level of uncertainty attached to it, which is much less exact than other design disciplines. This has often resulted in claims being lodged against consultants, which are unfounded. As noted earlier, the recommendations and findings set out in this report should only be regarded as interpretive and should not be taken as accurate and complete information about all environmental media at all depths and locations across the site.

Figures

PLOT DATE: 13/11/2014 7:19:01 PM DWG FILE: F:\GEOTECHNICS\1.PROJECTS\GEOTLCOV252\GEOTLCOV25265AA MAMRE ROAD ORCHARD HILLS\12. FIGURES\CAD\GEOTLCOV25265AA-R01.DWG



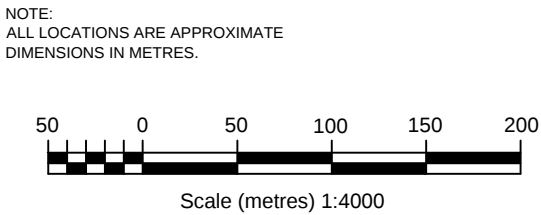
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approved	SK		project:	CONTAMINATION ASSESSMENT 585-649 , MAMRE ROAD, ORCHARD HILLS, NSW		
date	13/11/14		title:	SITE LOCATION PLAN		
scale	AS SHOWN		project no:	GEOTLCOV25265AA-R01	figure no:	FIGURE 1
original size	A4				rev:	A

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PLOT DATE: 18/11/2014 10:06:11 AM



LEGEND
— APPROXIMATE SITE BOUNDARY

revision	no.	description			drawn	approved	date
	A	ORIGINAL ISSUE					



drawn	MV
approved	SK
date	13/11/14
scale	AS SHOWN
original size	A3



client: HANSEN YUNCKEN PTY LTD		
project: CONTAMINATION ASSESSMENT 585-649 , MAMRE ROAD, ORCHARD HILLS, NSW		
title: SITE LAYOUT PLAN		
project no: GEOTLCOV25265AA-R01	figure no: FIGURE 2	rev: A

Appendix A - Selected Site Photographs



Site Photograph 1: The site, facing east towards Mamre Road. Erskine Business Park is visible in the background.



Site Photograph 2: Farm dam in the eastern side of the site, facing south/southeast.



Site Photograph 3: The site, facing south towards the Sydney Water Pipeline.



Site Photograph 4: The site, facing west, with grazing land beyond.



Site Photograph 5: The site, facing north towards adjacent grazing land. The western farm dam is also visible.



Site Photograph 6: Concrete trough located in the northwestern corner of the site.

Appendix B - Land Title Records

ADVANCE LEGAL SEARCHERS PTY LIMITED

(ACN 147 943 842)
ABN 82 147 943 842

PO Box 149
Yagoona NSW 2199

Telephone: +612 9644 1679
Mobile: 0412 169 809
Facsimile: +612 8076 3026
Email: alsearch@optusnet.com.au

06th November, 2014

COFFEY ENVIRONMENTS PTY LTD

Level 19, Tower B,
799 Pacific Highway,
CHATSWOOD NSW 2067

Attention: Sally King,

RE:

**Mamre Road,
Orchard Hill
PO S24894SK
Reference GEOTLCOV25265AA**

Current Search

Folio Identifier 2171/1153854 (title attached)
DP 1153854 (plan attached)
Dated 04th November, 2014
Registered Proprietor:
MANDALONG INVESTMENTS PTY LIMITED

Title Tree
Lot 2171 DP 1153854

Folio Identifier 2171/1153854

Folio Identifier 217/1013539

Folio Identifier's 1 to 5 & 13/259146

Certificate of Title Volume 14043 Folio's 1 to 5 & 13

Certificate of Title Volume 13523 Folio 236

IVA 21794

Conveyance Book 2612 No 345

Conveyance Book 2338 No 269

Conveyance Book 2081 No 304

Conveyance Book 2035 No 316

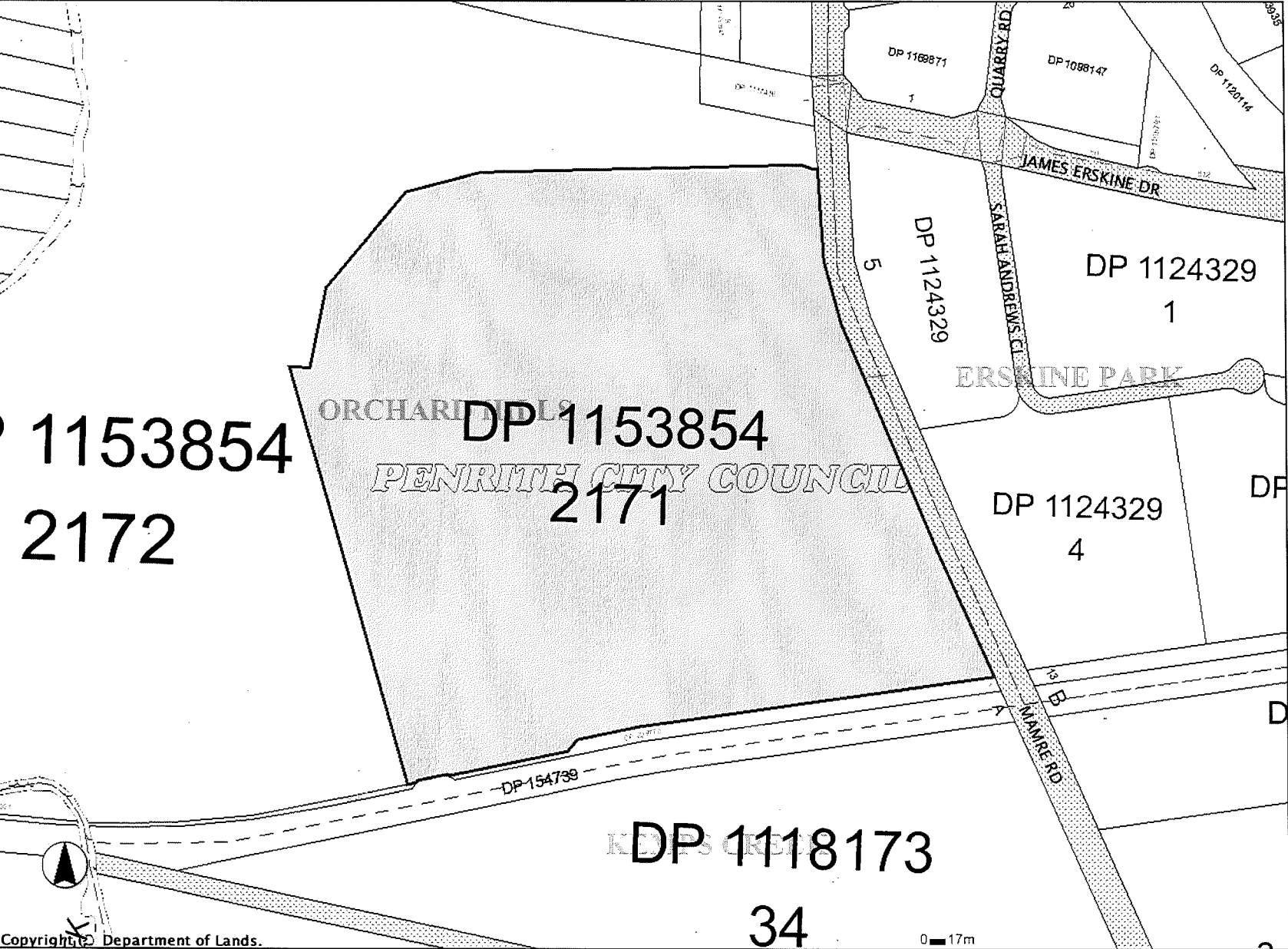
Conveyance Book 2021 No 488

Conveyance Book 2021 No 487

Summary of Proprietor(s) Lot 2171 DP 1153854

Year	Proprietor
	(Lot 2171 DP 1153854)
2012 – todate	Mandalong Investments Pty Limited
	(Lot 217 DP 1013539)
2000 – 2012	Mandalong Investments Pty Limited
2000 – 2000	National Australia Bank Limited <i>(Mandalong Investments Pty Limited)</i>
	(Lots 1 to 5 & 13 DP 259146)
1987 – 2000	National Australia Bank Limited <i>(Mandalong Investments Pty Limited)</i>
	(Lots 1 to 5 & 13 DP 259146 – CTVol 14043 Fol's 1 to 5 & 13)
1980 – 1987	The Commercial Banking Company of Sydney Limited <i>(Mandalong Investments Pty Limited)</i>
	(Lot 3 DP 229770 – CTVol 13523 Fol 236)
1978 – 1980	The Commercial Banking Company of Sydney Limited <i>(Mandalong Investments Pty Limited)</i>
	(Part Portions 50 & 51 Parish Melville – Area 294 Acres 1 Rood 20 Perches – Conv Bk 2612 No 345)
1962 – 1978	Mandalong Investments Pty Limited
	(Part Portions 50 & 51 Parish Melville – Area 294 Acres 1 Rood 20 Perches – Conv Bk 2338 No 269)
1955 – 1962	Malcolm John Walker, farmer Alma Marion Walker
	(Part Portions 50 & 51 Parish Melville – Area 294 Acres 1 Rood 20 Perches – Conv Bk 2081 No 304)
1949 – 1955	Cecil Auckland Adams, manufacturer representative
	(Part Portions 50 & 51 Parish Melville – Area 294 Acres 1 Rood 20 Perches – Conv Bk 2035 No 316)
1947 – 1949	Franklin Richard Rooke, grazier
	(Part Portions 50 & 51 Parish Melville – Area 294 Acres 1 Rood 20 Perches – Conv Bk 2021 No 488)
1947 – 1947	William Wentworth Victor Hamilton, grazier
	(Part Portions 50 & 51 Parish Melville and other lands – Conv Bk 2021 No 487)
1947 – 1947	Joseph Alexander Mackay, company manager
	Part Portions 50 & 51 Parish Melville and other lands)
1917 – 1947	William Wentworth Victor Hamilton, farmer Robert Stewart Hamilton, farmer
1900 – 1917	Robert Stewart Hamilton, farmer / executor John Hamilton, estate

Cadastral Records Viewer Print



Current Feature
Lot 2171 DP1153854
Locality: ORCHARD HILLS
LGA: PENRITH
Parish: MELVILLE
County: CUMBERLAND

LEGEND
Current
Parcels [Selected Features]

- Current Feature
- Other Selected Features
- Localities
- LGAs
- Rail Corridor
- Waterway Corridor
- Waterways
- Unidentified Parcels
- Parcels**
- Standard Lot
- Standard Part Lot
- Strata
- Stratum
- Road Corridor
- Roads

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Department of Lands



Advance Legal Searchers
Pty Ltd Phone: 02 9644 1679

LPI On-Line

Advance Legal Searchers Pty Ltd hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with Section 96B(2) of the Real Property Act.

Information provided through Tri-Search an approved LPINSW Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 2171/1153854

SEARCH DATE	TIME	EDITION NO	DATE
4/11/2014	11:01 AM	1	2/11/2012

LAND

LOT 2171 IN DEPOSITED PLAN 1153854
 AT ERSKINE PARK
 LOCAL GOVERNMENT AREA PENRITH
 PARISH OF MELVILLE COUNTY OF CUMBERLAND
 TITLE DIAGRAM DP1153854

FIRST SCHEDULE

MANDALONG INVESTMENTS PTY LIMITED

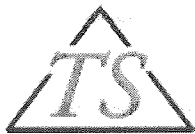
SECOND SCHEDULE (7 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 DP638871 EASEMENT FOR TRANSMISSION LINE APPURTENANT TO THE PART(S) OF THE LAND SHOWN SO BENEFITED IN THE TITLE DIAGRAM
- 3 DP1013539 RESTRICTION(S) ON THE USE OF LAND REFERRED TO AND NUMBERED (1) IN THE S.88B INSTRUMENT
- 4 DP1013539 RESTRICTION(S) ON THE USE OF LAND REFERRED TO AND NUMBERED (2) IN THE S.88B INSTRUMENT
- 5 DP1013539 RESTRICTION(S) ON THE USE OF LAND REFERRED TO AND NUMBERED (10) IN THE S.88B INSTRUMENT
- 6 DP1013539 RESTRICTION(S) ON THE USE OF LAND REFERRED TO AND NUMBERED (11) IN THE S.88B INSTRUMENT
- 7 DP1153854 RIGHT OF CARRIAGEWAY VARIABLE WIDTH APPURTENANT TO THE LAND ABOVE DESCRIBED

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***



Advance Legal Searchers
Pty Ltd Phone: 02 9644 1679



Advance Legal Searchers Pty Ltd hereby certifies that the information contained in this document has been provided electronically by the Registrar General.

Information provided through Tri-Search an approved LPI/NSW Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

4/11/2014 11:10AM

FOLIO: 217/1013539

First Title(s): OLD SYSTEM VOL 10712 FOL 105
Prior Title(s): 1-7/259146 13-14/259146

Recorded	Number	Type of Instrument	C.T. Issue
17/7/2000	DP1013539	DEPOSITED PLAN	FOLIO CREATED EDITION 1
7/9/2000	7075769	DEPARTMENTAL DEALING	EDITION 2
7/11/2000	7204107	TRANSFER	EDITION 3
2/11/2012	DP1153854	DEPOSITED PLAN	FOLIO CANCELLED

*** END OF SEARCH ***



Advance Legal Searchers
Pty Ltd Phone: 02 9644 1679



Advance Legal Searchers Pty Ltd hereby certifies that the information contained in this document has been provided electronically by the Registrar General.

Information provided through Tri-Search an approved LPI/NSW Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

4/11/2014 11:11AM

FOLIO: 1/259146

First Title(s): SEE PRIOR TITLE(S)
Prior Title(s): VOL 14043 FOL 1

Recorded -----	Number -----	Type of Instrument -----	C.T. Issue -----
5/6/1987		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
24/9/1987		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
18/11/1993		AMENDMENT: LOCAL GOVT AREA	
17/7/2000	6948587	DEPARTMENTAL DEALING	
17/7/2000	DP1013539	DEPOSITED PLAN	FOLIO CANCELLED

*** END OF SEARCH ***



Advance Legal Searchers
Pty Ltd Phone: 02 9644 1679



Advance Legal Searchers Pty Ltd hereby certifies that the information contained in this document has been provided electronically by the Registrar General.

Information provided through Tri-Search an approved LPI/NSW Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

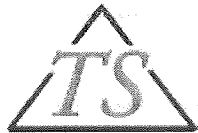
4/11/2014 11:12AM

FOLIO: 7/259146

First Title(s): SEE PRIOR TITLE(S)
Prior Title(s): VOL 14043 FOL 7

Recorded -----	Number -----	Type of Instrument -----	C.T. Issue -----
5/6/1987		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
24/9/1987		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
18/11/1993		AMENDMENT: LOCAL GOVT AREA	
17/7/2000	DP1013539	DEPOSITED PLAN	FOLIO CANCELLED

*** END OF SEARCH ***



Advance Legal Searchers
Pty Ltd Phone: 02 9644 1679



Advance Legal Searchers Pty Ltd hereby certifies that the information contained in this document has been provided electronically by the Registrar General.

Information provided through Tri-Search an approved LPI/NSW Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

4/11/2014 11:12AM

FOLIO: 14/259146

First Title(s): SEE PRIOR TITLE(S)
Prior Title(s): VOL 14043 FOL 14

Recorded -----	Number -----	Type of Instrument -----	C.T. Issue -----
5/6/1987		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
24/9/1987		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
18/11/1993		AMENDMENT: LOCAL GOVT AREA	
17/7/2000	DP1013539	DEPOSITED PLAN	FOLIO CANCELLED

*** END OF SEARCH ***

Form: 97-01T
Licence: 10V/0096/95
Printed: 0897LTO

TRANSFER

New South Wales
Real Property Act 1900

1204107S



Instructions for filling out
this form are available
from the Land Titles Office

Office of State Revenue use only

(A) **LAND TRANSFERRED**
If appropriate, specify the
share or part transferred.

Identifier 217/1013539 part formerly in
1-6/259146 (incl.) & 13/259146

(B) **LODGED BY**

LTO Box

162P

Name, Address or DX and Telephone

CHURCH & GRACE
LEVEL 9, 1 CHIFLEY SQUARE
SYDNEY NSW 2000
TELEPHONE: 9233 1155 FAX: 9221 6771
DX 114 SYDNEY

Reference (15 character maximum):

2276

Mandalong

NATIONAL AUSTRALIA BANK LIMITED ABN 12 004 044 937

(C) **TRANSFEROR**

\$1.00 (One dollar)

(D) acknowledges receipt of the consideration of by release of mortgage
and as regards the land specified above transfers to the transferee an estate in fee simple.

(E) Encumbrances (if applicable): 1. 2. 3.

\$ OFF AG.
RX 216000 Q

(F) **TRANSFEEE**

T
TS
(\$713 LGA)
TW
(Sheriff)

MANDALONG INVESTMENTS PTY. LIMITED A.C.N. 000 223 754

TENANCY:

(G)

24th October, 2000

(H) We certify this dealing correct for the purposes of the Real Property Act 1900. DATE

Signed in my presence by the transferor who is personally known to me.

Signed in my presence

by **Fiona Mary FERGUSON**

the Attorney of National Australia

Signature of Witness to Power of

Attorney Registered No. 540

Book 3834 who is personally

Name of Witness (BLOCK LETTERS) **JOHN J. FIFTH**

Signature of Witness

Bank Officer

255 George Street, Sydney NSW

Signed for and on behalf of
National Australia Bank Limited
by its said Attorney.

Manager

Signature of Transferor

Signed in my presence by the transferee who is personally known to me.

Signature of Witness

Name of Witness (BLOCK LETTERS)

Address of Witness

Signature of Transferee's Solicitor

If signed on the transferee's behalf by a solicitor or licensed
conveyancer, show the signatory's full name in block letters.
Neville Holmes Grace, 1 Chifley Square,
Sydney

Checked by (LTO use)

Q 160000



CERTIFICATE OF TITLE



14043

NEW SOUTH WALES

REAL PROPERTY ACT, 1900

IVA No. 21794

Vol. 14043 Fol. 1

Prior Title Vol.13523 Fol.236



EDITION ISSUED

CANCELLED 25 1 1980

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

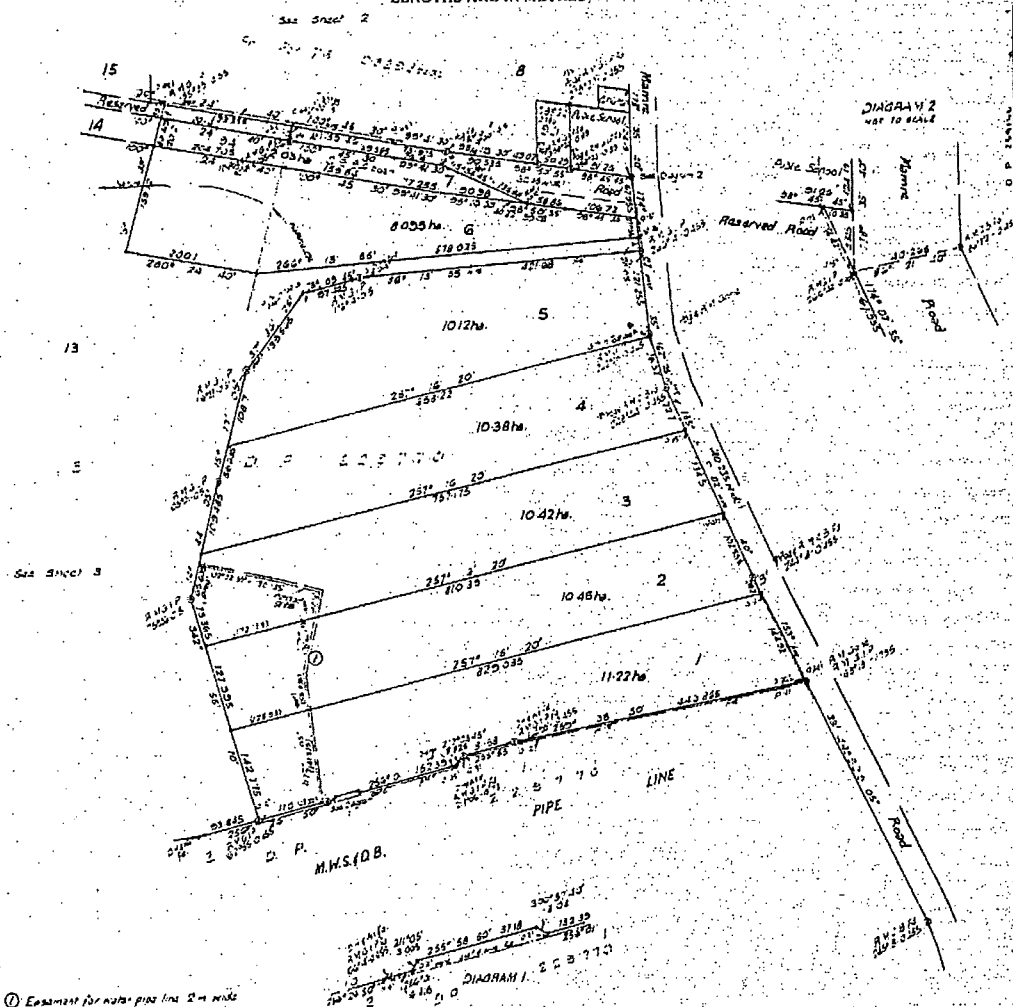
SEE AUTO FOLIO

Registrar General.



PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES



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

ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 1 in Deposited Plan 259146 at Erskine Park in the City of Penrith Parish of Melville and County of Cumberland being part of Portion 51 granted to James Scott on 9-1-1821.

FIRST SCHEDULE

THE COMMERCIAL BANKING COMPANY OF SYDNEY LIMITED.

SECOND SCHEDULE

1. Reservations and conditions, if any, contained in the Crown Grant above referred to.
2. CAUTION. The land within described is held subject to any subsisting interest (as defined in Section 28A of the Real Property Act, 1900). Registered 16-1-1978.
3. Q160000 Caveat by the Registrar General; mortgagor Mandalong Investments Pty. Limited. Book 3249 No. 450. Registered 16-1-1978.
4. DP259146 Easement for water pipeline affecting the part of the land above described shown so burdened in Deposited Plan 259146.

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

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

(Page 1) Vol. 14043 Fol. 1

[illegible][illegible]

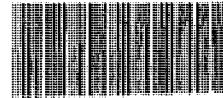
NOTE: ENTRIES RULED THROUGH AND AUTHENTICATED BY THE SEAL OF THE REGISTRAR GENERAL ARE CANCELLED

NEW SOUTH WALES



CERTIFICATE OF TITLE

REAL PROPERTY ACT, 1900



IVA No. 21794

Vol. 13523 Fol. 236



EDITION ISSUED

16 1 1978

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


 Registrar General.
ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 3 in Deposited Plan 229770 in the City of Penrith Parish of Claremont and County of Cumberland being part of Portion 51 granted to James Scott on 9-1-1821 and part of Portion 50 granted to Henry Bayly on 9-7-1822. EXCEPTING THEREABOUT the reserved road shown in the plan hereon.

FIRST SCHEDULE

THE COMMERCIAL BANKING COMPANY OF SYDNEY LIMITED.

SECOND SCHEDULE

1. Reservations and conditions, if any, contained in the Crown Grants above referred to.
2. CAUTION. The land within described is held subject to any subsisting interest (as defined in section 28A Real Property Act, 1900).
3. Caveat No. Q160000 by the Registrar General pursuant to section 28F (2) of Real Property Act, 1900; Mortgagor Mandalong Investments Pty. Limited. Book 3249 No.450.

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

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



PLAN SHOWING LO

LENGTHS ARE L

AREA: 113 ha
THIS AREA DOES NOT INCLUDE
THE AREA OF THE RESERVED ROAD

SOUTH

CREEK

137-75

503-1

RESERVED

60-35 W

31bb

173-72

2

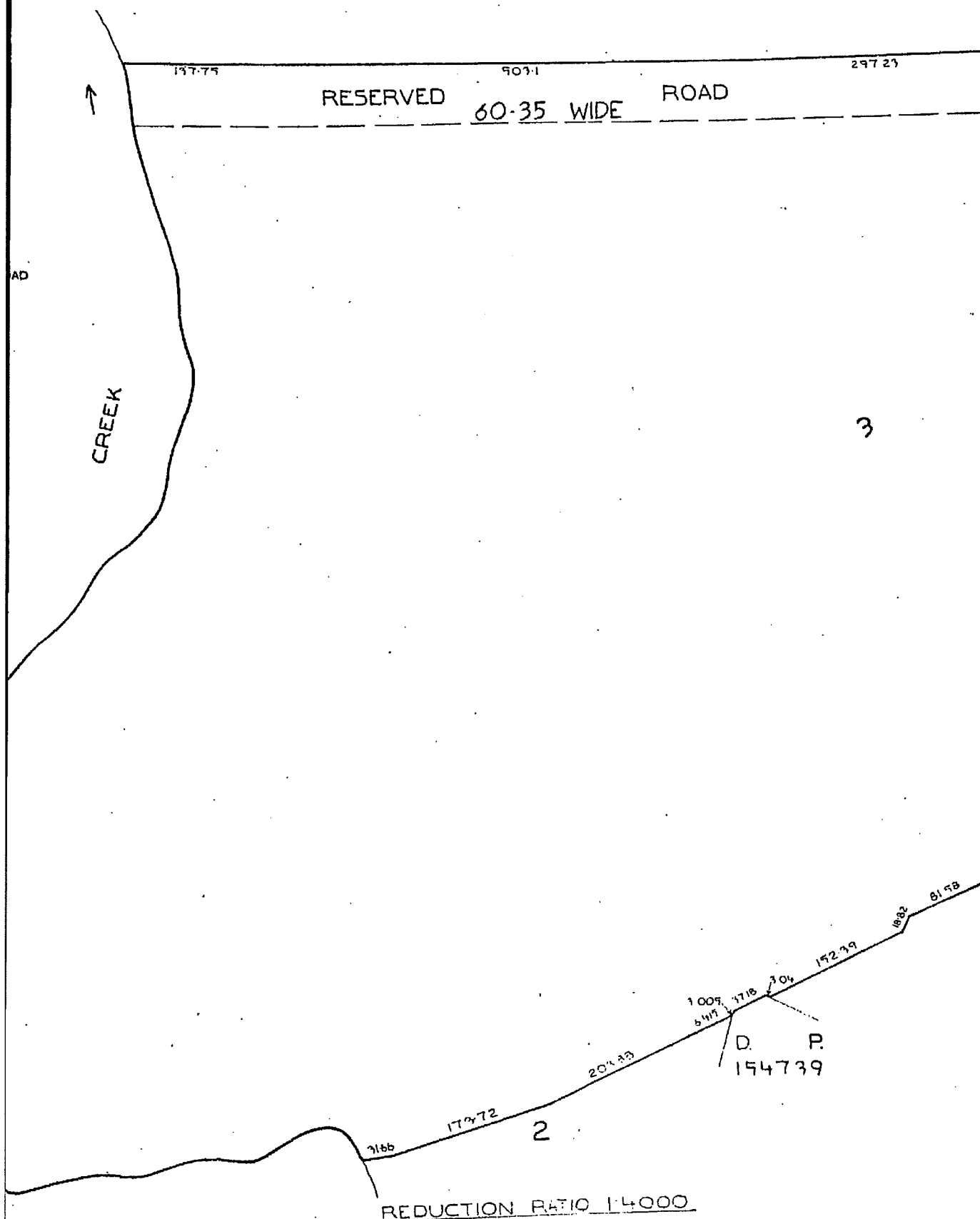
REDUCTION RATIO

IVA 21794 4wE



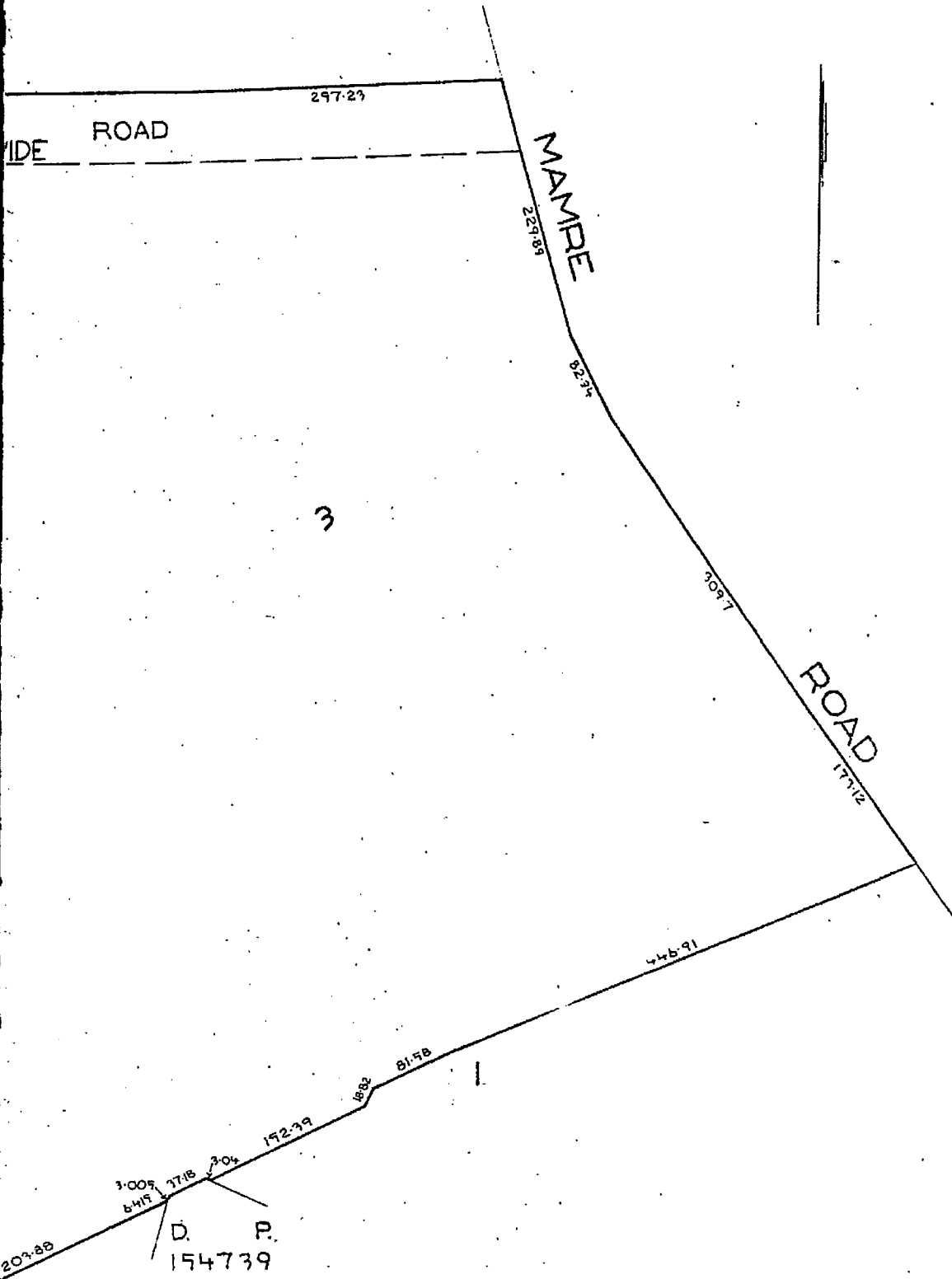
PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES



CATION OF LAND

N METRES

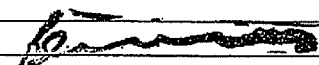


1:4000

REGISTERED PROPRIETOR

[illegible]

INSTRUMENT	
NATURE	NUMBER

INSTRUMENT		PARTICULARS	REGISTERED	Signature of Registrar General	CANCELLATION	
NATURE	NUMBER					
		Interests created pursuant to Section 888 Conveyancing Act, 1919				
		by the registration of Deposited Plan 259146	10.12.1979			
		This deed is cancelled as to <u>the whole</u> New certificates of Title have issued on <u>24-1-1980</u> for lots in <u>Deposited</u> Plan No <u>259146</u> as follows: Lots <u>1-16</u> Vol <u>14043</u> Fol <u>1-16</u> respectively.   REGISTRAR GENERAL				

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

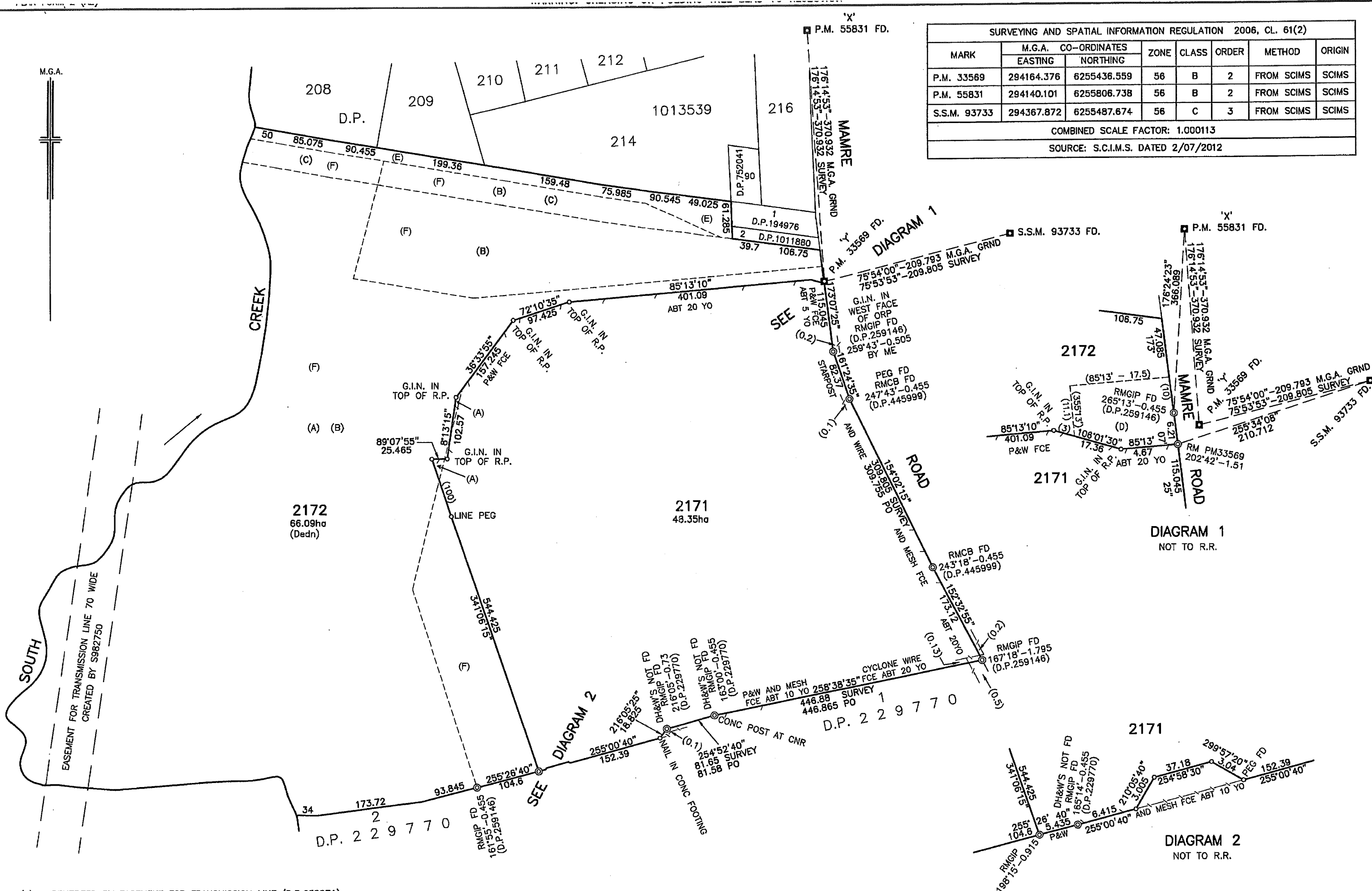
M.G.A.

SURVEYING AND SPATIAL INFORMATION REGULATION 2006, CL. 61(2)

MARK	M.G.A. CO-ORDINATES		ZONE	CLASS	ORDER	METHOD	ORIGIN
	EASTING	NORTHING					
P.M. 33569	294164.376	6255436.559	56	B	2	FROM SCIMS	SCIMS
P.M. 55831	294140.101	6255806.738	56	B	2	FROM SCIMS	SCIMS
S.S.M. 93733	294367.872	6255487.674	56	C	3	FROM SCIMS	SCIMS

COMBINED SCALE FACTOR: 1.000113

SOURCE: S.C.I.M.S. DATED 2/07/2012



- (A) - BENEFITED BY EASEMENT FOR TRANSMISSION LINE (D.P.638871)
 (B) - RESTRICTION AS TO USER (D.P.259146)
 (C) - LAND EXCLUDES MINERALS - SEE CROWN GRANT
 (D) - RIGHT OF CARRIAGE WAY VARIABLE WIDTH
 (E) - LAND EXCLUDES MINERALS (S.171 CROWN LANDS ACT 1989)
 (F) - RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
 - RESTRICTION(S) ON THE USE OF LAND NO. 1, 2, 10 & 11 (DP1013539)

Surveyor : COLIN JOHN FOULDS
 Date of Survey : 3/7/12
 Surveyor's Ref : 37825DP
 2012M7100 (556) Partial Survey

PLAN OF
 SUBDIVISION OF LOT 1 IN D.P.1011880
 AND LOT 217 IN D.P.1013539

LGA: PENRITH
 Locality : ERSKINE PARK
 Subdivision No:066/12
 Lengths are in metres, Reduction Ratio 1:4000

Registered



2.11.2012



DP1153854 P

DEPOSITED PLAN ADMINISTRATION SHEET

Sheet 1 of 1 sheet(s)

SIGNATURES, SEALS and STATEMENTS of intention to dedicate public roads, to create public reserves, drainage reserves, easements, restrictions on the use of land or positive covenants.

PURSUANT TO SECTION 88(B) OF
THE CONVEYANCING ACT 1919
IT IS INTENDED TO CREATE:-

1. RIGHT OF CARRIAGE WAY VARIABLE WIDTH


ACN 000 223 754
MANDALONG INVESTMENTS PTY LTD
BY ITS ATTORNEY RICCARDO PISATURO
PURSUANT TO POWER OF ATTORNEY
NO. 119 BOOK 4238 IN THE PRESENCE
OF:


WITNESS
JAMES AUBUSSON
3/65 MARTIN PLACE, SYDNEY NSW 2001
SOLICITOR

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

Crown Lands NSW/Western Lands Office Approval

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

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

Subdivision Certificate

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

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


* Authorised Person/General Manager/Accredited Certifier

Consent Authority: **PENRITH CITY COUNCIL**
Date of Endorsement: **3/9/12**
Accreditation no:
Subdivision Certificate no: **066/12**
File no: **DA 09/1296**

* Delete whichever is inapplicable.



DP1153854 S

Registered:  2.11.2012

Title System: TORRENS

Purpose: SUBDIVISION

PLAN

OF SUBDIVISION OF LOT 1 IN D.P.1011880
AND LOT 217 IN D.P.1013539

LGA: PENRITH

Locality: ERSKINE PARK

Parish: MELVILLE

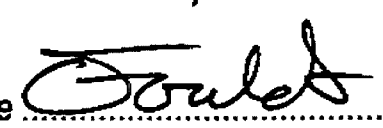
County: CUMBERLAND

Surveying and Spatial Information Regulation, 2006

I, COLIN JOHN FOULDS.....
of PO BOX 259 PENRITH 2751.....
a surveyor registered under the *Surveying and Spatial Information
Act, 2002*, certify that the survey represented in this plan is accurate,
has been made in accordance with the *Surveying and Spatial
Information Regulation, 2006* and was completed
on:.....03/07/12.....

The survey relates to
.....LOTS.2171.AND.2172.....

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

Signature  Dated: **2/8/12**
Surveyor registered under the *Surveying and Spatial Information Act, 2002*

Datum Line:.....'X' - 'Y'.....
Type: **Urban/Rural**

Plans used in the preparation of survey/compilation

D.P.229770 D.P.1002712
D.P.259146 D.P.1011880
D.P.445999 D.P.1013539

(if insufficient space use Plan Form 6A annexure sheet)

SURVEYOR'S REFERENCE: 37825DP (2012M7100(556)PARTIALSURVEY)

* OFFICE USE ONLY

Appendix C - Planning Certificates

PLANNING CERTIFICATE UNDER SECTION 149

Environmental Planning and Assessment Act, 1979

Property No: 788526
Your Reference: mamre collect URGENT
Contact No. 0437 945 499

Issue Date: 29/10/2014
Certificate No: 14/05645
Receipt Date: 29/10/2014
Receipt No: 2533913

Issued to: Tim Ireson
L6, 15 Bourke Road
MASCOT NSW 2030

PRECINCT 2010

DESCRIPTION OF LAND

County: CUMBERLAND

Parish: MELVILLE

Location: 585-649 Mamre Road ORCHARD HILLS NSW 2748

Land Description: Lot 2171 DP 1153854

- PART 1 PRESCRIBED MATTERS -

In accordance with the provisions of Section 149(2) of the Act the following information is furnished in respect of the abovementioned land:

1 NAMES OF RELEVANT PLANNING INSTRUMENTS AND DCPs

1(1) The name each environmental planning instrument that applies to the carrying out of development on the land:

Penrith Local Environmental Plan 2010, published 22nd September 2010, as amended, applies to the land.

Sydney Regional Environmental Plan No.9 - Extractive Industry (No.2), gazetted 15 September 1995, as amended, applies to the local government area of Penrith.

Sydney Regional Environmental Plan No. 20 - Hawkesbury-Nepean River (No. 2 - 1997), gazetted 7 November 1997, as amended, applies to the local government area of Penrith (except land to which Sydney Regional Environmental Plan No. 11 - Penrith Lakes Scheme applies).

The following State environmental planning policies apply to the land (subject to the exclusions noted below):

State Environmental Planning Policy No.1 - Development Standards. (Note: This policy does not apply to the land to which Penrith City Centre Local Environmental Plan 2008, Penrith Local Environmental Plan (Caddens) 2009, Penrith Local Environmental Plan (Glenmore Park Stage 2) 2009, Penrith Local Environmental Plan (South Werrington Urban Village) 2009, Penrith Local Environmental Plan 2010 or State Environmental Planning Policy (Western Sydney Employment Area) 2009 apply.)

State Environmental Planning Policy No.19 - Bushland in Urban Areas. (Note: This policy does not apply to certain land referred to in the National Parks and Wildlife Act 1974 and the Forestry Act 1916.)

State Environmental Planning Policy No.21 - Caravan Parks.

State Environmental Planning Policy No.30 - Intensive Agriculture.

PLANNING CERTIFICATE UNDER SECTION 149

Environmental Planning and Assessment Act, 1979

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

(Note: This policy does not apply to land identified as coastal protection, environmental protection, escarpment, floodway, natural hazard, non-urban, rural, rural residential, water catchment or wetland.)

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

State Environmental Planning Policy No.50 - Canal Estate Development. (Note: This policy does not apply to the land to which Penrith Local Environmental Plan 1998 (Lakes Environs) or State Environmental Planning Policy (Penrith Lakes Scheme) 1989 apply.

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

State Environmental Planning Policy No.62 - Sustainable Aquaculture.

State Environmental Planning Policy No.64 - Advertising and Signage.

State Environmental Planning Policy No.65 - Design Quality of Residential Flat Development.

State Environmental Planning Policy No.70 - Affordable Housing (Revised Schemes).

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (Note: This policy applies to land within New South Wales that is land zoned primarily for urban purposes or land that adjoins land zoned primarily for urban purposes, but only as detailed in clause 4 of the policy.)

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004.

State Environmental Planning Policy (Major Development) 2005.

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007.

State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007.

State Environmental Planning Policy (Infrastructure) 2007.

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

State Environmental Planning Policy (Affordable Rental Housing) 2009.

State Environmental Planning Policy (State and Regional Development) 2011.

1(2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act:

The Planning Proposal for the Penrith City-wide Local Environmental Plan applies to the subject land.
(See www.penrithcity.nsw.gov.au/ for details.)

Draft State Environmental Planning Policy (Competition) 2010 applies to the land.

Draft State Environmental Planning Policy (Infrastructure) Amendment (Shooting Ranges) 2013 applies to the land.

Draft State Environmental Planning Policy (Exempt and Complying Development Codes) Amendment (Commercial and Industrial) 2014 applies to the land.

Draft State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Development (Amendment No. 3) applies to the land.

Planning and Infrastructure is proposing amendments to the State Environmental Planning Policy (Western Sydney Employment Area) 2009 by:

- Introducing a new precinct by title, known as the Broader Western Sydney Employment Area precinct.
- Inserting a new "Land Application Map" which identifies the new Broader Western Sydney Employment Area precinct boundary.

PLANNING CERTIFICATE UNDER SECTION 149

Environmental Planning and Assessment Act, 1979

1(3) The name of each development control plan that applies to the carrying out of development on the land:

Penrith Development Control Plan 2010 applies to all land subject to Penrith Local Environmental Plan 2010. Penrith Development Control Plan 2006 applies to all land not subject to Penrith Local Environmental Plan 2010.

2 ZONING AND LAND USE UNDER RELEVANT LEPs

For each environmental planning instrument or proposed instrument referred to in clause 1 (other than a SEPP or proposed SEPP) that includes the land in any zone (however described):

2(a)-(d) the identity of the zone; the purposes that may be carried out without development consent; the purposes that may not be carried out except with development consent; and the purposes that are prohibited within the zone. Any zone(s) applying to the land is/are listed below and/or in annexures.

(Note: If no zoning appears in this section see section 1(1) for zoning and land use details (under the Sydney Regional Environmental Plan or State Environmental Planning Policy that zones this property).)

Zone RU2 Rural Landscape (Penrith Local Environmental Plan 2010)

1 Objectives of zone

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To maintain the rural landscape character of the land.
- To provide for a range of compatible land uses, including extensive agriculture.
- To minimise conflict between land uses within the zone and land uses within adjoining zones.
- To preserve and improve natural resources through appropriate land management practices.
- To ensure development is compatible with the environmental capabilities of the land and does not unreasonably increase the demand for public services or public facilities.

2 Permitted without consent

Extensive agriculture; Home occupations

3 Permitted with consent

Agricultural produce industries; Agriculture; Animal boarding or training establishments; Building identification signs; Business identification signs; Cellar door premises; Cemeteries; Community facilities; Crematoria; Dual occupancies; Dwelling houses; Environmental facilities; Environmental protection works; Farm buildings; Flood mitigation works; Forestry; Funeral homes; Helipads; Home-based child care; Home

PLANNING CERTIFICATE UNDER SECTION 149

Environmental Planning and Assessment Act, 1979

businesses; Home industries; Information and education facilities; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (outdoor); Roads; Roadside stalls; Rural supplies; Schools; Secondary dwellings; Stock and sale yards; Tourist and visitor accommodation; Veterinary hospitals

4 Prohibited

Hotel or motel accommodation; Serviced apartments; Any other development not specified in item 2 or 3

Flood planning

All or part of the subject land is identified in Penrith Local Environmental Plan 2010 (PLEP 2010) Clause 6.3 Flood Planning. Development consent is required for any development on land to which Clause 6.3 of PLEP 2010 applies.

Rural subdivision

Under the terms of Clause 4.2 of Penrith Local Environmental Plan 2010 land in Zone RU1 Primary production, Zone RU2 Rural Landscape, Zone RU4 Primary Production Small Lots or Zone RU6 Transition may, with consent, be subdivided for the purpose of primary production to create a lot of a size that is less than the minimum size shown on the Penrith Local Environmental Plan 2010 Lot Size Map in relation to that land. Such a lot cannot be created if an existing dwelling would, as a result of the subdivision, be situated on the lot; and a dwelling cannot be erected on such a lot.

Additional information relating to Penrith Local Environmental Plan 2010

Note 1: Under the terms of Clause 2.4 of Penrith Local Environmental Plan 2010 development may be carried out on unzoned land only with development consent.

Note 2: Land to which Penrith Local Environmental Plan 2010 applies may be subdivided but only with development consent. Development consent must not be granted for the subdivision of land on which a secondary dwelling is situated if the subdivision would result in the principal dwelling and the secondary dwelling being situated on separate lots, unless the resulting lots are not less than the minimum size shown on the Lot Size Map in relation to the land.

Note 3: Under the terms of Clause 2.7 of Penrith Local Environmental Plan 2010 the demolition of a building or work may be carried out only with development consent.

Note 4: A temporary use may be permitted with development consent subject to the requirements of Clause 2.8 of Penrith Local Environmental Plan 2010.

Note 5: Under the terms of Clause 4.1A of Penrith Local Environmental Plan 2010, despite any other provision of this plan, development consent must not be granted for dual occupancy on an internal lot in Zone R2 Low Density Residential.

Note 6: Under the terms of Clause 5.1 of Penrith Local Environmental Plan 2010 development on land acquired by an authority of the State under the owner-initiated acquisition provisions may, before it is used for the purpose for which it is reserved, be carried out, with development consent, for any purpose.

PLANNING CERTIFICATE UNDER SECTION 149

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Note 7: Under the terms of Clause 5.3 of Penrith Local Environmental Plan 2010 development consent may be granted to development of certain land for any purpose that may be carried out in an adjoining zone.

Note 8: Under the terms of Clause 5.9 of Penrith Local Environmental Plan 2010 (PLEP 2010) trees or other vegetation subject to relevant sections of Penrith Development Control Plan 2010 (PDCP 2010) must not be ringbarked, cut down, topped, lopped, removed, injured or wilfully destroyed without the authority conferred by a development consent or a Council permit. Under the terms of Clause 5.9AA of PLEP 2010 any tree or other vegetation that is not of a species or kind prescribed for the purposes of Clause 5.9 by PDCP 2010 may be ringbarked, cut down, topped, lopped, removed, injured or destroyed without development consent.

Note 9: Clause 5.10 of Penrith Local Environmental Plan 2010 details when development consent is required/not required in relation to heritage conservation.

Note 10: Under the terms of Clause 5.11 of Penrith Local Environmental Plan 2010 bush fire hazard reduction work authorised by the *Rural Fires Act 1997* may be carried out on any land without development consent.

Note 11: Sex services premises and restricted premises may only be permitted subject to the requirements of Clause 6.15 of Penrith Local Environmental Plan 2010.

2(e) whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed:

(Information is provided in this section only if any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.)

2(f) whether the land includes or comprises critical habitat:

(Information is provided in this section only if the land includes or comprises critical habitat.)

2(g) whether the land is in a conservation area (however described):

(Information is provided in this section only if the land is in a conservation area (however described).)

2(h) whether an item of environmental heritage (however described) is situated on the land:

(Information is provided in this section only if an item of environmental heritage (however described) is situated on the land.)

2A ZONING AND LAND USE UNDER STATE ENVIRONMENTAL PLANNING POLICY (SYDNEY REGION GROWTH CENTRES) 2006

(Information is provided in this section only if the land is within any zone under State Environmental Planning Policy (Sydney Region Growth Centres) 2006.)

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3 *COMPLYING DEVELOPMENT*

GENERAL HOUSING CODE

(The General Housing Code only applies if the land is within Zones R1, R2, R3, R4 or RU5 under Penrith Local Environmental Plan 2010 or the Planning Proposal for the Penrith City-wide Local Environmental Plan, or an equivalent zone in a non standard template planning instrument.)

Complying development under the General Housing Code **may** be carried out on the land if the land is within one of the abovementioned zones.

RURAL HOUSING CODE

(The Rural Housing Code only applies if the land is within Zones RU1, RU2, RU3, RU4, RU6 or R5 under Penrith Local Environmental Plan 2010 or the Planning Proposal for the Penrith City-wide Local Environmental Plan, or an equivalent zone in a non standard template planning instrument.)

Complying development under the Rural Housing Code **may** be carried out on the land if the land is within one of the abovementioned zones.

HOUSING ALTERATIONS CODE

Complying development under the Housing Alterations Code **may** be carried out on the land.

GENERAL DEVELOPMENT CODE

Complying development under the General Development Code **may** be carried out on the land.

COMMERCIAL AND INDUSTRIAL ALTERATIONS CODE

Complying development under the Commercial and Industrial Alterations Code **may** be carried out on the land.

SUBDIVISIONS CODE

Complying development under the Subdivisions Code **may** be carried out on the land.

DEMOLITION CODE

Complying development under the Demolition Code **may** be carried out on the land.

COMMERCIAL AND INDUSTRIAL (NEW BUILDINGS AND ADDITIONS) CODE

(The Commercial and Industrial (New Buildings and Additions) Code only applies if the land is within Zones B1, B2, B3, B4, B5, B6, B7, B8, IN1, IN2, IN3, IN4 or SP3 under Penrith Local Environmental Plan 2010 or the Planning Proposal for the Penrith City-wide Local Environmental Plan, or an equivalent zone in a non standard template planning instrument.)

Complying development under the Commercial and Industrial (New Buildings and Alterations) Code **may** be carried out on the land if the land is within one of the abovementioned zones.

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Environmental Planning and Assessment Act, 1979

FIRE SAFETY CODE

Complying development under the Fire Safety Code **may** be carried out on the land.

(NOTE: (1) Council has relied on Planning and Infrastructure Circulars and Fact Sheets in the preparation of this information. Applicants should seek their own legal advice in relation to this matter with particular reference to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

(2) Penrith Local Environmental Plan 2010 (if it applies to the land) contains additional complying development not specified in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.)

4 *COASTAL PROTECTION*

The land is not affected by the operation of sections 38 or 39 of the Coastal Protection Act 1979, to the extent that council has been so notified by the Department of Public Works.

5 *MINE SUBSIDENCE*

The land is not proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

6 *ROAD WIDENING AND ROAD REALIGNMENT*

The land is not affected by any road widening or road realignment under:

- (a) Division 2 of Part 3 of the Roads Act 1993, or
- (b) an environmental planning instrument, or
- (c) a resolution of council.

7 *COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS*

(a) Council Policies

The land is affected by the Asbestos Policy adopted by Council.

The land is not affected by any other policy adopted by the council that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

(b) Other Public Authority Policies

The Bush Fire Co-ordinating Committee has adopted a Bush Fire Risk Management Plan that covers the local government area of Penrith City Council, and includes public, private and Commonwealth lands.

The land is not affected by a policy adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the council, that restricts the development of the land because of the likelihood of land slip, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

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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) (if such uses are permissible on the land) is subject to flood related development controls.

(2) Development on the land or part of the land for industrial or commercial purposes (if such uses are permissible on the land) is subject to flood related development controls.

Development on the land or part of the land for purposes other than industrial or commercial, or for purposes other than those referred to in (1) above, will be considered on a merits based approach and flood related development controls may apply.

Note: The land is subject to Penrith Development Control Plan 2010 Section C3.5 Flood Liable Lands and/or Penrith Development Control Plan 2006 Section 2.10 Flood Liable Land. On application and payment of the prescribed fee Council may be able to provide in writing a range of advice in regard to the extent of flooding affecting the property.

8 LAND RESERVED FOR ACQUISITION

No environmental planning instrument or proposed environmental planning instrument referred to in clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

9 CONTRIBUTIONS PLANS

The Cultural Facilities Development Contributions Plan applies anywhere residential development is permitted within the City of Penrith.

The Penrith City Local Open Space Development Contributions Plan 2007 applies to the land if residential development is permissible on the land.

The Penrith City District Open Space Facilities Development Contributions Plan applies anywhere residential development is permitted within the City of Penrith, with the exclusion of industrial lands and the Penrith Lakes development site.

9A BIODIVERSITY CERTIFIED LAND

(Information is provided in this section only if the land is biodiversity certified land (within the meaning of Part 7AA of the *Threatened Species Conservation Act 1995*).)

10 BIOBANKING AGREEMENTS

(Information is provided in this section only if Council has been notified by the Director-General of the Department of Environment, Climate Change and Water that the land is land to which a biobanking agreement under Part 7A of the *Threatened Species Conservation Act 1995* relates.)

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11 BUSH FIRE PRONE LAND

Some of the land is identified as bush fire prone land according to Council records. Guidance as to restrictions that may be placed on the land as a result of the land being bush fire prone can be obtained by contacting Council. Such advice would be subject to further requirements of the NSW Rural Fire Services.

12 PROPERTY VEGETATION PLANS

(Information is provided in this section only if Council has been notified that the land is land to which a property vegetation plan under the Native Vegetation Act 2003 applies.)

13 ORDERS UNDER TREES (DISPUTES BETWEEN NEIGHBOURS) ACT 2006

(Information is provided in this section only if Council has been notified that an order has been 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

(Information is provided in this section only if there is a direction by the Minister in force under section 75P(2)(c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect.)

15 SITE COMPATIBILITY CERTIFICATES AND CONDITIONS AFFECTING SENIORS HOUSING

(Information is provided in this section only if:

- (a) there is a current site compatibility certificate (seniors housing), of which the council is aware, issued under State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 in respect of proposed development on the land; and/or
- (b) any terms of a kind referred to in clause 18(2) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.)

16 SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE

(Information is provided in this section only if there is a valid site compatibility certificate (infrastructure), of which council is aware, in respect of proposed development on the land.)

17 SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING

(Information is provided in this section only if:

- (a) there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land; and/or

PLANNING CERTIFICATE UNDER SECTION 149

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- (b) any terms of a kind referred to in clause 17(1) or 37(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 have been imposed as a condition of consent to a development application in respect of the land.)

18 PAPER SUBDIVISION INFORMATION

(Information is provided in this section only if a development plan adopted by a relevant authority applies to the land or is proposed to be subject to a consent ballot, or a subdivision order applies to the land.)

19 SITE VERIFICATION CERTIFICATES

(Information is provided in this section only if there is a current site verification certificate, of which council is aware, in respect of the land.)

NOTE: The following matters are prescribed by section 59(2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate

- (a) (Information is provided in this section only if, as at the date of this certificate, the land (or part of the land) is significantly contaminated land within the meaning of the Contaminated Land Management Act 1997.)
- (b) (Information is provided in this section only if, as at the date of this certificate, the land is subject to a management order within the meaning of the Contaminated Land Management Act 1997.)
- (c) (Information is provided in this section only if, as at the date of this certificate, the land is the subject of an approved voluntary management proposal within the meaning of the Contaminated Land Management Act 1997.)
- (d) (Information is provided in this section only if, at the date of this certificate, the land subject to an ongoing maintenance order within the meaning of the Contaminated Land Management Act 1997.)
- (e) (Information is provided in this section only if the land is the subject of a site audit statement within the meaning of the Contaminated Land Management Act 1997 - a copy of which has been provided to Council.)

Note: Section 149(5) information for this property may contain additional information regarding contamination issues.

Note: The Environmental Planning and Assessment Amendment Act 1997 commenced operation on the 1 July 1998. As a consequence of this Act the information contained in this certificate needs to be read in conjunction with the provisions of the Environmental Planning and Assessment (Amendment) Regulation 1998, Environmental Planning and Assessment (Further Amendment) Regulation 1998 and Environmental Planning and Assessment (Savings and Transitional) Regulation 1998 and Environmental Planning and Assessment Regulation 2000.

Information is provided only to the extent that Council has been notified by the relevant government departments.

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Note: This is a certificate under section 149(2) of the Environmental Planning and Assessment Act, 1979 and is only provided in accordance with that section of the Act.

Further information relating to the subject property can be provided under section 149(5) of the Act. If such further information is required Council indicates that a full certificate under sections 149(2) and 149(5) should be applied for.

Contact Council for details as to obtaining the additional information.

Alan Stoneham
General Manager

Per

A handwritten signature in black ink, appearing to read 'Alan Stoneham', is written over a horizontal line. The signature is stylized with a large loop at the end.

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