

Prospect Logistics Estate Clunies Ross Street, Prospect and Pemulwuy

Request for Secretary's
Environmental Assessment Requirements



Prepared for ISPT Pty Ltd C/- Aliro Management Pty Ltd
Submitted to the NSW Department of Planning, Industry and
Environment

November 2019

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Cover image: Aerial image of the site (blue outline) viewed from the North (Source: Aliro Management Pty Ltd)

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Revision	Prepared by	Reviewed by	Date	Revision Type
1	KW	MW	14/11/2019	Draft
2	KW	MW	15/11/2019	Final
3	KW	MW	19/11/2019	Address DPIE review comments

Contents

1	Introduction	1
2	The Site and Locality.....	2
3	The Proposal	4
3.1	Need for the development	5
3.2	Consultation	5
4	Statutory Planning Considerations.....	6
4.1	Environmental Planning and Assessment Act 1979	6
4.2	Environmental Planning and Assessment Regulation 2000	6
4.3	Biodiversity Conservation Act 2016	6
4.4	State Environmental Planning Policies.....	7
5	Strategic Planning Considerations	11
5.1	State Infrastructure Strategy	11
5.2	Greater Sydney Region Plan	11
5.3	Central City District Plan.....	12
6	Potential Environmental Issues	13
6.1	Built form, visual character and landscaping	13
6.2	Biodiversity	13
6.3	Soil and Water	14
6.4	Traffic and parking.....	14
6.5	Noise and Vibration	15
6.6	Heritage.....	15
6.7	Hazards and Risk.....	16
6.8	Air Quality	16
7	Conclusion	17

Figures

Figure 1: Site location (Source: maps.six.nsw.gov.au)	2
Figure 2: Locality of the subject site (Source: maps.six.nsw.gov.au).....	3
Figure 3: WSEA SEPP Boundary (Source: legislation.nsw.gov.au)	7

Tables

Table 1: Site address, Lot and DP and land area (Source: Aliro Management Pty Ltd)	2
Table 2: Proposed Prospect Logistics Estate Development.....	4
Table 3: Provisions of the WSEA SEPP	9
Table 4: Greater Sydney Region Plan	11

Appendices

Appendix A	Concept Masterplan
Appendix B	Cost Estimate Summary
Appendix C	Section 88B Instruments

1 Introduction

The purpose of this report is to request the Department of Planning, Industry and Environment (DPIE) to issue Secretary's Environmental Assessment Requirements (SEARs) for the development of the Prospect Logistics Estate at Clunies Ross Street, in the suburbs of Pemulwuy and Prospect.

The site is situated within the 90 ha Greystanes North Employment Lands (NEL) in the Western Sydney Employment Area (WSEA) and is legally described as Lot 10 in DP 1022044, Lot 107 in DP 1028208, Lot 63 in DP 752051, Lot 216 in DP 1030744 and Lot 601 in DP 1047403. The site is owned by ISPT Pty Ltd and Aliro Management Pty Ltd.

The Applicant is Aliro Management Pty Ltd on behalf of ISPT Pty Ltd.

The proposed development comprises the construction of seven warehousing buildings, associated offices and hardstand/car parking areas on a terraced landform. While the final intended use of all warehouses is yet to be confirmed, the Applicant intends to develop two warehouses for cold storage of food, beverage and therapeutic goods. Other warehouses on the site will be consistent with the relevant strategic land use objectives.

An indicative concept masterplan has been prepared to provide a general understanding of the proposal (refer to **Appendix A**). The concept masterplan will be refined during the preparation of the Environmental Impact Statement (EIS) for the project, including further detailed investigations and assessment of the key issues identified within the SEARs.

The capital investment value (CIV) for the entire project is estimated at \$183,123,484, including a combined CIV of approximately \$117,243,385 for the planned Demolition and Site Preparation (\$11,640,935), Warehouse 1 (\$61,574,990) and Warehouse 2 (\$44,027,460). A quantity surveyor's summary report is included at **Appendix B**.

The development meets the criteria of State significant development (SSD) in accordance with *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP). Under Schedule 1, clause 12(1) of the SRD SEPP, development with a CIV of more than \$50 million for the purpose of warehouses or distribution centres at one location and related to the same operation, is considered to be SSD.

It is proposed to lodge a development application under section 4.38 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) to be assessed as SSD. It is therefore requested that DPIE issue SEARs under section 4.12 of the EP&A Act and Clause 3 of Schedule 2 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation) that will enable the preparation of an EIS for the project.

This report provides a preliminary environmental assessment of the development, considers the applicable statutory planning controls and addresses the relevant State and local strategic planning documents.

2 The Site and Locality

The site is located on multiple parcels of land at Clunies Ross Street, over two suburbs, Prospect in the Blacktown Local Government Area (LGA) and Pemulwuy in the Cumberland LGA. The site is approximately 7 km west of the Parramatta CBD and approximately 26 km west of the Sydney CBD. The site location is shown in Figure 1 and details of each lot within the site are provided in Table 1.



Figure 1: Site location (Source: maps.six.nsw.gov.au)

Property Address	Legal Description	Area
44 Clunies Ross Street, Prospect NSW 2145	Lot 10 in DP 1022044	123,700m ²
	Lot 216 in DP 1030744	2,751m ²
	Lot 601 in DP 1047403	310.5m ²
	<i>Total</i>	<i>126,761.5 m²</i>
615A Great Western Highway, Pemulwuy NSW 2145	Lot 63 in DP 752051	8,094m ²
Boral House, Clunies Ross Street, Pemulwuy NSW 2145	Lot 107 in DP 1028208	50,800m ²
Total		185,655.5m²

Table 1: Site address, Lot and DP and land area (Source: Aliro Management Pty Ltd)

The site is bounded by existing warehouse and distribution facilities and light industrial development to the west, south and northeast, with the residential development of Pemulwuy to the east. An acoustic wall separates the western boundary of the residential area from Clunies Ross Street and the site. To the north of the site is vacant land which is subject to a Gateway Determination (PP_2018_BLACK_008_00 issued 22 November 2018) to rezone the land under the Blacktown LEP 2015, to establish industrial land in the western portion and maintain the current operation of the eastern portion as a stormwater detention basin. The site in context to the surrounding locality is shown in Figure 2.

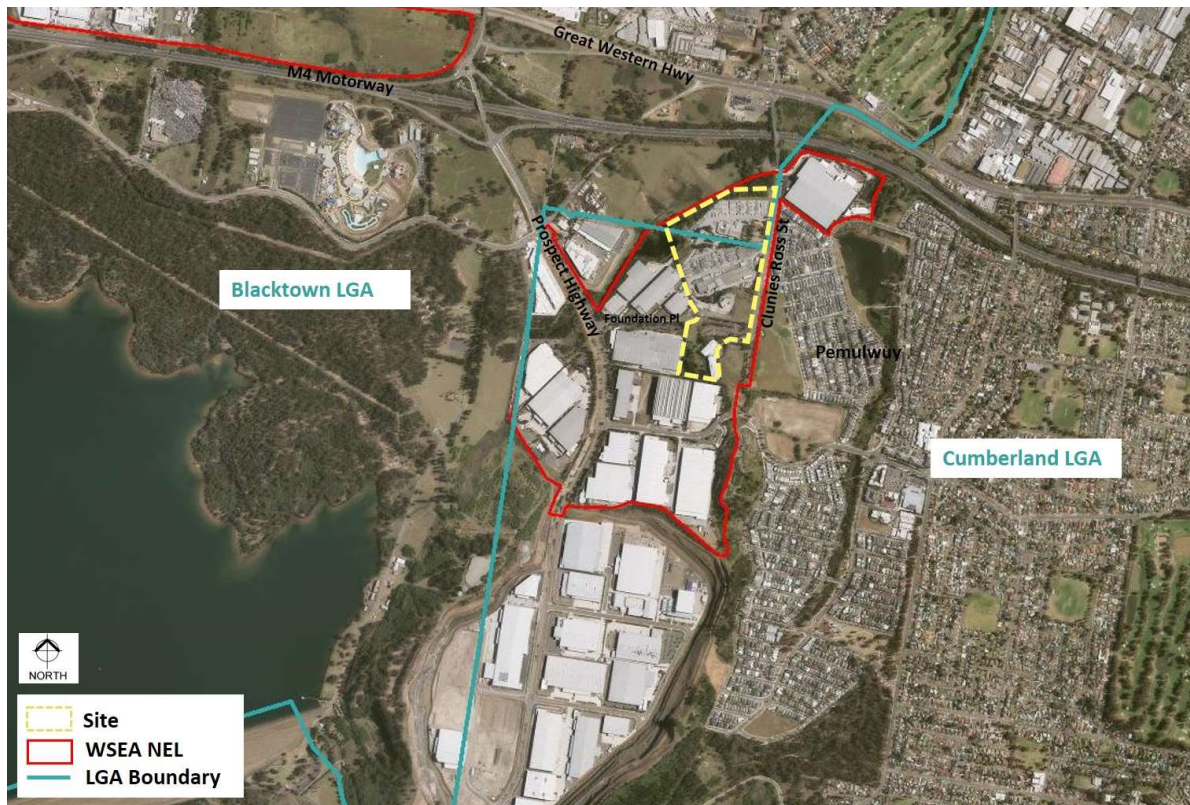


Figure 2: Locality of the subject site (Source: maps.six.nsw.gov.au)

The site slopes moderately from the south near Prospect Hill to the north towards Girraween Creek, with an approximate 45 metre fall over 600 metres (5% slope on average). Parts of the site have been levelled with retaining walls to provide level surfaces for the existing uses. Historical land use included agricultural land uses and material storage and processing associated with nearby quarrying and manufacturing operations. More recently, the Boral site has been redeveloped to facilitate commercial office spaces for commercial/industrial land use.

The northern portion of the site (Lot 10 in DP 1022044) currently operates as the Austral masonry and building products facility. The southern portion of the site (Lot 107 in DP 1028208) is comprised of the former corporate headquarters of Boral Brickworks which includes a large multi-storey office building and carparking areas which have been terraced into the existing landscape.

The site includes an easement for a water supply pipeline managed by Sydney Water, remnant vegetation along the northern boundary, between buildings and hardstand areas and flood retention basin in the north west corner of the site. The site is subject to Positive Covenants under section 88B of the *Conveyancing Act 1919* which requires the landowner to establish and maintain the flood detention basin at the north west of the site (**Appendix C**).

The site is accessed via Clunies Ross Street or from the Prospect Highway via Foundation Place. The Prospect Highway, M4 Motorway and Great Western Highway are State roads and Clunies Ross Street and Foundation Place are within the control of Blacktown City Council or Cumberland Council.

3 The Proposal

The proposed development comprises the construction of seven industrial warehousing buildings, associated offices and hardstand/car parking areas on a terraced landform. The construction of the development is to be staged as follows:

- Stage 1 – site preparation including bulk earthworks, infrastructure and servicing
- Stage 2 – the progressive construction and operation of all warehouse/industrial buildings and associated activities

The development is described in Table 2. A conceptual plan of the proposed development and the warehouse building elevations is provided in **Appendix A**.

Proposed works	
Site preparation	<ul style="list-style-type: none"> • Demolition of buildings and removal of hardstand and ancillary infrastructure • Vegetation clearing • Bulk earthworks and supporting structures, including partial reclamation of the flood retention basin, with the need to import approximately 22,000 m³ of clean fill • Installation of services and drainage infrastructure • Land stabilisation and rehabilitation
Warehouse and office	<ul style="list-style-type: none"> • The warehouses will comprise a combined gross floor area (GFA) of approximately 105,000 m². Warehouse buildings will range in size from 1,500 - 27,000 m² GFA • Offices to support the operation of the warehouses will be between 400 - 1,600 m² GFA • Approximate site coverage 52%
Access and car parking	<ul style="list-style-type: none"> • Site access from Clunies Ross Street and Foundation Place • Vehicles accessing the site will include B-doubles (up to 26 m) and medium rigid trucks • To provide access to the warehouses, multiple site access points will be constructed with sufficient space within the site to avoid queuing of delivery/dispatch vehicles • Parking provisions to address the requirements of the relevant Development Control Plan/s (DCP) and RMS Guidelines to support each of the warehouse buildings
Landscaping	<ul style="list-style-type: none"> • Detailed landscaping along street frontages and throughout the estate
Employment	<ul style="list-style-type: none"> • Approximately 550 construction jobs • Approximately 780 operational jobs
Operating hours	<ul style="list-style-type: none"> • The warehouses and transport operations will operate on a 24-hours a day, 7 days per week basis
CIV	<ul style="list-style-type: none"> • Approximately \$183 million

Table 2: Proposed Prospect Logistics Estate Development

The proposed development will facilitate a range of potential industrial uses consistent with the applicable land use zone under the WSEA SEPP, including, but not limited to, warehouse or distribution centres, depots, food and drink premises, freight transport facilities, hardware and building supplies, industrial retail outlets, industrial training facilities, industries, transport depots, truck depots.

Warehouse 1 has an estimated CIV of \$61.6 million and will comprise a high bay cold storage receipt, storage, depalletizing, palletising and dispatch facility with freezer and temperature-controlled areas and associated office and car parking. Warehouse 2 has an estimated CIV of \$44 million and will be a temperature-controlled food and beverage and therapeutic goods storage and dispatch warehouse with associated office and car parking.

Other warehouses will lend themselves to a range of other users such as food and beverage, third party logistics, general warehousing and distribution centres, pharmaceutical groups, automotive industries, e-commerce groups, corporate occupiers with integrated supply chain operations and hardware/trade counter distribution occupiers. The warehouses will be progressively developed, with the timing of the works based on the uptake of warehouse tenants and identification of the preferred uses of each warehouse.

3.1 Need for the development

The Applicant's vision for the site is to create a high quality logistics estate with diversity of warehouse sizes and excellent access. The estate will attract a wide variety of users such as:

- Coolroom/fridge/freezers
- High-bay/dark storage (both temperature controlled and ambient)
- E-commerce groups
- Storage and distribution
- Freight and logistics
- Data centres
- Pharmaceutical groups
- Automotive industries
- Ancillary trade uses

The central western Sydney industrial market has strong tenant demand, low supply and limited developable land remaining. The proposal represents an opportunity to provide purpose built, state of the art facilities which can utilise emerging technological advancements, such as automation, and significantly increase the jobs that the estate currently supports.

3.2 Consultation

On 17 September 2019, the Applicant met with Blacktown Council to discuss the proposed development including environmental impacts that would need to be addressed as part of the EIS and the implications of the development on Council's flood storage works to the north of the site.

Discussions with Cumberland Council about the proposal have been ongoing since late-2018, including discussions about the Applicant's acquisition of Council land at 615A Great Western Highway (Lot 10, DP 752051).

On 6 November 2019, the Applicant met with senior staff from DPIE to discuss the proposed development and procedures relating to the assessment of SSD applications.

In addition, the Applicant is currently in the process of consulting with Sydney Water to discuss the proposal and the maintenance of access to its pipeline easement.

During the preparation of the EIS, the Applicant will continue the above consultation and consult with other relevant stakeholder agencies and the community as required.

4 Statutory Planning Considerations

4.1 Environmental Planning and Assessment Act 1979

The EP&A Act provides the statutory framework for planning in NSW. The Act aims to promote the orderly and economic use and development of land, facilitate ecologically sustainable development and integrate economic, environmental and social considerations as part of the decision-making processes for environmental planning and assessment matters. The EIS will demonstrate how the development addresses the objects of the EP&A Act.

Section 4.36 of the EP&A Act enables certain developments to be declared SSD by means of a State Environmental Planning Policy (SEPP) or by order of the Minister for Planning. The project meets the criteria of SSD under Schedule 1 of the SRD SEPP (discussed further at Section 4.4.1).

This report requests the issue of the SEARs for the project under section 4.12 of the EP&A Act.

The Minister (or the Minister's delegate) will be required to take into consideration the matters listed under section 4.15 of the EP&A Act when determining the development application. These matters will be addressed in the EIS for the development.

4.2 Environmental Planning and Assessment Regulation 2000

The EP&A Regulation contains key operational provisions for the NSW planning system. This includes procedures relating to development applications, requirements for environmental assessments, environmental impact assessments, building regulations and other miscellaneous matters.

Once SEARs for the project have been issued, an EIS will be prepared in accordance with Part 3, Schedule 2 of the EP&A Regulation. This section of the Regulation sets out the form and content required of an EIS.

4.3 Biodiversity Conservation Act 2016

The *Biodiversity Conservation Act 2016* (BC Act) commenced on 25 August 2017 and establishes a framework to avoid, minimise and offset impacts on biodiversity.

In accordance with section 7.9(2) of the BC Act, SSD applications are required to be accompanied by a biodiversity development assessment report (BDAR). However, a BDAR waiver may be granted should it be determined by the Planning Agency Head (DPIE) and the Environment Agency Head (DPIE Biodiversity Conservation Division) that the proposed development is not likely to have any significant impact on biodiversity values.

While the site has previously been subject to extensive vegetation clearing, bulk earthworks and revegetation, studies have indicated the presence of native vegetation species and communities that will require the preparation of a BDAR. Therefore, a BDAR will be prepared and submitted with the EIS. Biodiversity is discussed further at Section 6.2 of this report.

4.4 State Environmental Planning Policies

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

The SRD SEPP aims to identify development that is SSD, State significant infrastructure (SSI), critical SSI and regionally significant development.

The development meets the criteria of Schedule 1, clause 12(1) of the SRD SEPP as it is development that has a capital investment value (CIV) of more than \$50 million for the purpose of warehouses or distribution centres (including container storage facilities) at one location and related to the same operation.

As the development meets the criteria of the SRD SEPP, DPIE will assess the application as an SSD project, to be determined by the Minister for Planning (or nominated delegate).

4.4.2 State Environmental Planning Policy (Western Sydney Employment Area) 2009

The WSEA SEPP establishes the WSEA and identifies eleven precincts within its boundary, as shown in Figure 3. The site is located within Precinct 10 - Greystanes Northern Employment Lands. Consideration of the proposed development against the detailed provisions of the WSEA SEPP is provided in Table 3.

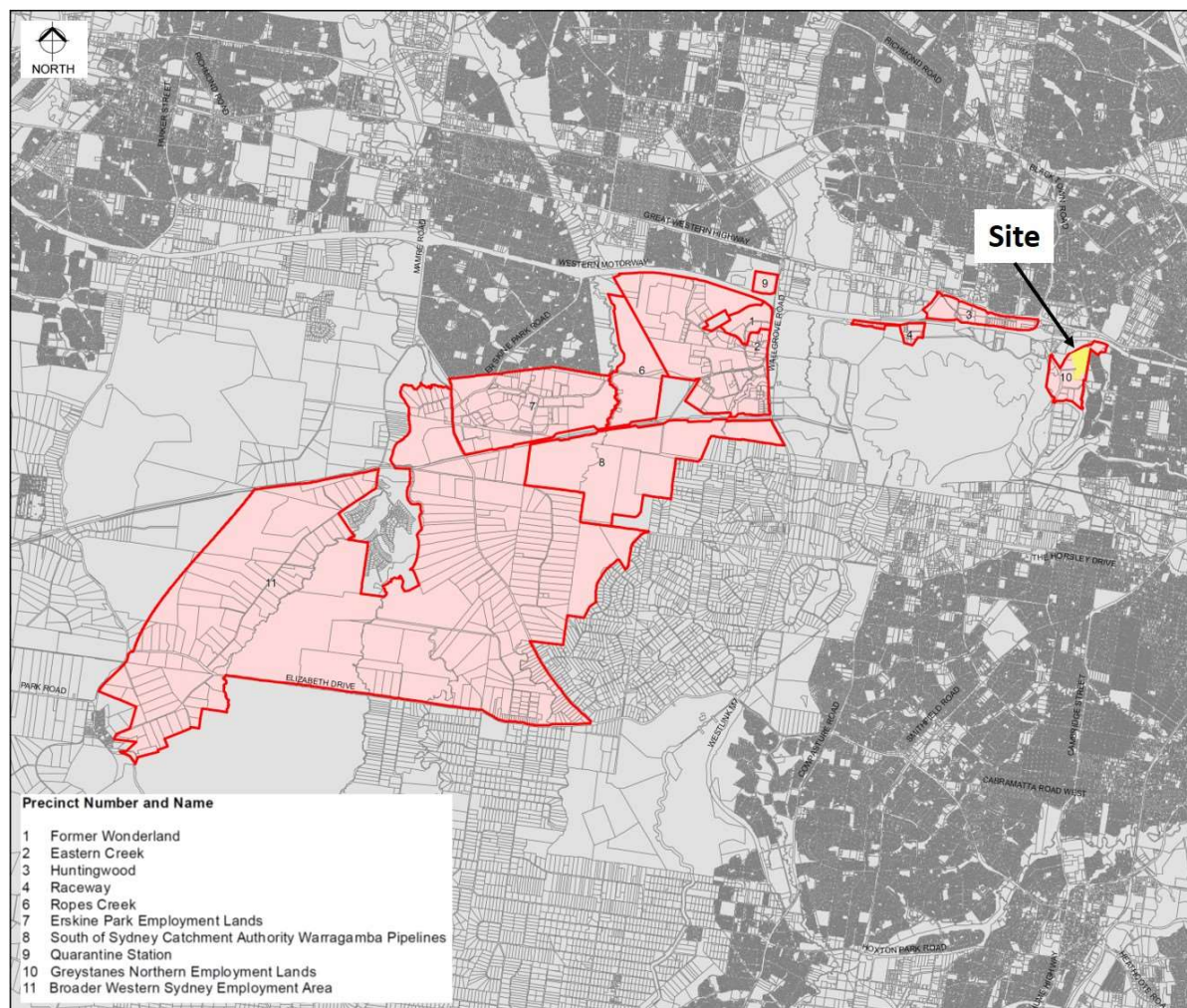


Figure 3: WSEA SEPP Boundary (Source: legislation.nsw.gov.au)

Clause	Provision	Response
3. Aims	To protect and enhance employment lands within the WSEA boundary	The proposed development satisfies the aims of the WSEA SEPP as it will provide for employment of up to 550 jobs during construction and 780 jobs during operation
10. Land use zone	The site is zoned IN1 General Industrial	The proposed development will be designed to ensure land uses are permissible with consent in the IN1 General Industrial zone
18. Development control plans	Holroyd City Council (now Cumberland) has prepared a DCP for the Pemulwuy Industrial Area. Blacktown City Council has not prepared a DCP for the area of the site within its local government area	The requirements of Schedule 4 of the WSEA SEPP will be addressed for the site and will be described in the EIS
20. Ecologically Sustainable Development (ESD)	Development must include measures to minimise the consumption of potable water and greenhouse gas emissions	The EIS will address the principles of ESD and the proposed development will be designed to achieve a 5-star Green Star rating.
21. Height of buildings	Building heights for proposed development to adequately respond to site topography and preserve the amenity of adjacent residential areas	Details of proposed buildings heights will be included in the EIS and take into consideration the provisions of clause 21
22. Rainwater harvesting	Adequate arrangements must be made to connect the roof areas of buildings to any rainwater harvesting scheme	Details of proposed rainwater harvesting for the development will be provided in the EIS
23 – Development adjoining residential land	To address potential amenity and parking impacts of development within 250 metres of land zoned primarily for residential purposes	Detailed consideration of the potential impacts of the development as required by clause 23 will be provided in the EIS.
24. Development Involving Subdivision	The consent authority must consider the potential land use impacts of proposed subdivision	No subdivision of existing land is proposed
25. Public utility infrastructure	Requirement to demonstrate that adequate public utility infrastructure for the development is available or suitable arrangements are in place	The EIS will detail all necessary public utility infrastructure and services to be provided, equivalent agreements or contributions plans for the development
26. Development on or in the vicinity of proposed transport infrastructure routes	consider any comments of the Director-General as to the compatibility of the development with proposed transport infrastructure routes	The development site is not located in the vicinity of proposed transport routes in the WSEA

Clause	Provision	Response
29. Industrial release areas	Development obtain formal certification that satisfactory arrangements have been made to contribute to the provision of regional transport infrastructure and services prior to consent being granted	Regional transport infrastructure contributions will be addressed during the design of the proposal, with details provided in the EIS
31 – Design Principles	A requirement for the consent authority to consider building design and finishes, landscaping and the scale and character of the development	Design details and landscaping will be addressed during the design of the proposal, with details provided in the EIS

Table 3: Provisions of the WSEA SEPP

4.4.3 State Environmental Planning Policy No. 33 – Hazardous and Offensive Development

State Environmental Planning Policy No. 33 – Hazardous and Offensive Development (SEPP 33) aims to ensure that in considering any application to carry out potentially hazardous or offensive development, the consent authority has sufficient information to assess whether the development is hazardous or offensive and to impose conditions to reduce or minimise any adverse impact.

The proposed cold storage facilities in Warehouses 1 and 2 may involve the use of refrigerants such as anhydrous ammonia. The quantities of refrigerants of other potentially hazardous materials will be assessed against the relevant screening thresholds in SEPP 33. A preliminary hazard analysis will be considered as part of the EIS (if required), consistent with the requirements of SEPP 33, including the consideration of relevant DPIE guidelines relating to hazardous or offensive development.

4.4.4 State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) applies to the State and aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment by specifying when consent is required, and when it is not required, for a remediation work.

In accordance with SEPP 55, a consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated and, if the land is contaminated, it is satisfied that the land is suitable in its contaminated state for the purpose for which the development is proposed to be carried out. A contamination assessment will form part of the EIS to inform DPIE of the site's contamination status.

4.4.5 State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP) identifies the environmental assessment category into which different types of infrastructure and services development fall. The Infrastructure SEPP requires certain traffic generating developments to be referred to Roads and Maritime Services (RMS). In accordance with the Infrastructure SEPP, commercial premises and industry of 15,000 m² or greater in size require referral to RMS. The Applicant will consult with the RMS during preparation of the EIS for the project, which will be referred to RMS for review and comment during the public exhibition period.

4.4.6 Blacktown Local Environmental Plan 2015 and Holroyd Local Environmental Plan 2013

The site is within the Blacktown LGA and Cumberland LGA. The *Blacktown Local Environmental Plan 2015* (Blacktown LEP 2015) regulates development throughout the Blacktown LGA and the *Holroyd Local Environmental Plan 2013* (Holroyd LEP 2013) regulates development throughout the Cumberland LGA.

However, the provisions of the Blacktown LEP 2015 and Holroyd LEP 2013 do not apply given the site is within the WSEA SEPP. Notwithstanding, the Applicant will consult with both Councils during the preparation of the EIS.

5 Strategic Planning Considerations

5.1 State Infrastructure Strategy

The *State Infrastructure Strategy* sets out the NSW Government's Rebuilding NSW Plan, which involves the investment of \$20 billion in new infrastructure across the state. The Strategy identifies policies and strategies needed to provide infrastructure that meets the needs of a growing population and a growing economy.

Although the Strategy relates to investment in Government infrastructure, the proposal will contribute to the integration of land use and infrastructure planning as the site is strategically located near the M4 Western Motorway.

5.2 Greater Sydney Region Plan

The *Greater Sydney Region Plan* outlines how Greater Sydney will manage growth and change in the context of social, economic and environmental matters. It sets the vision and strategy for Greater Sydney, to be implemented at a local level through District Plans.

The overriding vision for Greater Sydney in the Region Plan is to rebalance Sydney into a metropolis of three unique but connected cities; an Eastern Harbour City, the Western Parkland City and the Central River City with Greater Parramatta at its heart.

The Region Plan provides broad *Priorities and Actions* which focus on four key themes. A high level analysis of the proposal against these themes is provided in Table 4.

Theme	Response
<i>Infrastructure and collaboration</i>	The site is located close to the M4 Motorway and is consistent with the objective of aligning growth with infrastructure connections
<i>Liveability</i>	The site is within walking and cycling distance to the suburbs of Pemulwuy and Greystanes, with bus services that connect Fairfield and Blacktown operating along Clunies Ross Street and Prospect Highway and a combination of off-road shared cycle paths and on-road separated cycle lanes on Prospect Highway
<i>Productivity</i>	The site is within an area identified as industrial and urban services land and the Region Plan sets the objective for planning authorities to adopt an approach of "review and manage" industrial land (Objective 23 – Industrial and urban services land is planned, retained and managed)
<i>Sustainability</i>	The site is within an Urban Area and close to a Metropolitan Rural Area and Prospect Nature Reserve. The Development will be planned and designed with initiatives to achieve a 5 Star Green Star 'as-built' rating, and include consideration of water sensitive urban design principles, energy efficiency, and biodiversity conservation.

Table 4: Greater Sydney Region Plan

5.3 Central City District Plan

The Central City District Plan manages growth in the context of economic, social and environmental matters in the Central City. It provides the district level framework to implement the goals and directions outlined in the *Greater Sydney Region Plan* for the Central City District.

The District Plan recognises the ideal location of the site within industrial and urban services land to support the growth of the Central City District, given the proximity to Greater Parramatta and access to the M4 Motorway.

In particular, the development will address Planning Priority C11 - Maximising opportunities to attract advanced manufacturing and innovation in industrial and urban services land.

The proposed development is consistent with the Central City District Plan as it will:

- Protect employment land through the provision of employment uses;
- Continue the operation of industrial uses in the WSEA; and
- Attract investment from innovative industries.

6 Potential Environmental Issues

Potential environmental issues associated with the development will be comprehensively addressed as part of an EIS. This report has identified the likely key issues, including:

- Built form, visual character and landscaping
- Biodiversity
- Soil and water
- Traffic and car parking
- Noise and vibration
- Heritage
- Hazards and risk
- Air quality

Assessments for the EIS will consider applicable policies, guidelines and plans included in the SEARs for the development. The EIS will consider the potential impacts of all stages of the development on the key issues and detail proposed measures to avoid, mitigate and, where necessary, offset these potential impacts.

6.1 Built form, visual character and landscaping

The surrounding area is characterised by large warehousing and industrial use buildings and associated structures, with residential development to the east. The proposed warehouse buildings will have a maximum height ranging between 13.7 metres and 42 metres. The EIS will include consideration of the proposed layout and design of the development and key site constraints which influence the design of the development.

A visual assessment will assess the visual impacts of the building envelopes from the nearest residential catchment of Pemulwuy approximately 50 metres to the east, including consideration of the existing acoustic barrier along Clunies Ross Street. The EIS will also address visual impacts from surrounding viewpoints including Prospect Hill and other public vantage points.

The development will be designed to be compatible with the existing visual character of the surrounding industrial area, consistent with the provisions of the WSEA SEPP (see Section 4.4.2), including architectural appearance and landscaping.

In addition, a landscape plan will be prepared and submitted with the application which will detail landscaped setbacks and open space and will nominate plant species and distribution.

6.2 Biodiversity

The majority of the site has been disturbed due to historical activities and development of the current land uses. Design of the development will avoid impacts on native vegetation on the site as much as possible and practicable. However, it is likely that the proposal may result in unavoidable impacts to some native vegetation on the site.

Previous biodiversity surveys of the site have identified the following native vegetation communities:

- *River Flat Eucalypt Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*, which is listed as Endangered under the

BC Act. This has been mapped as occurring broadly within the vegetation on the northern boundary of the study area

- *Swamp Oak Floodplain Forest of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*, which is listed as Endangered under the NSW BC Act and Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act)
- *Freshwater Wetlands on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions*, listed as Endangered under the BC Act. This was mapped as occurring at the pond in the north-western part of the study area
- *Forest Red Gum - Grey Box shrubby woodland on shale of the southern Cumberland Plain, Sydney Basin Bioregion* – Coastal Valley Grassy Woodlands (PCT 830)
- *Phragmites australis and Typha orientalis coastal freshwater wetlands of the Sydney Basin Bioregion* (PCT 1071)

No threatened fauna species have been identified during preliminary surveys, however potential habitat has been identified. The EIS will include additional surveys where required and an assessment of the impacts of the development on biodiversity values in accordance with the BC Act, including the preparation of a BDAR.

6.3 Soil and Water

A geotechnical assessment will be submitted with the application which will outline the existing ground and groundwater conditions on the site and recommended construction and structural methods for the proposed development.

Preliminary investigations of the southern portion of the site indicate that the site is within an area of moderate to high salinity potential which will be addressed in the design of the development. The southern portion of the site is located within an area of “no known occurrence” of Acid Sulfate Soils and no groundwater was encountered in wells established to a depth of 8 metres below ground surface.

Previous investigations undertaken for the southern lot have identified areas of fill containing isolated fragments of bonded asbestos. A Phase 1 site investigation will be conducted for the site and any potential contamination and its management will be considered and documented in the EIS.

Potential changes to the hydrology of the site will be addressed in the EIS, including potential erosion and sedimentation impacts during construction of the development and impacts on flood detention. The site is not identified within a flood risk zone, although the western portion of the site was subject to flood investigations by Cumberland Council.

6.4 Traffic and parking

A detailed traffic assessment will be undertaken as part of the EIS that will consider impacts on the road network due to traffic generation from the development, parking requirements within the site and internal road and docking design to ensure safe and efficient access within the site and minimise queuing on external roads.

The traffic assessment will include modelling to assess the following intersections that may be impacted by the development:

- Clunies Ross Street and Wombat Street
- Clunies Ross Street and the Great Western Highway
- Foundation Place and Prospect Highway
- Prospect Highway and Reservoir Road
- Prospect Highway and M4 Motorway

The assessment will determine the need for any road network improvements that may be required to support the development and provide traffic and transport specific recommendations.

6.5 Noise and Vibration

Noise impacts associated with the development are most likely to occur during construction and due to 24 hour 7 days per week operations. A comprehensive Noise and Vibration Impact Assessment (NVIA) will be provided as part of the EIS for the project. The nearest residential receivers are approximately 50 metres to the east in Pemulwuy separated by an existing acoustic barrier.

The NVIA will outline the proposed hours of construction, construction noise management levels and include a Construction Noise and Vibration Management Plan. Further, the NVIA will identify all adjoining and nearby sensitive noise receptors. Noise management levels will be established to ensure impacts on sensitive receptors are appropriately managed.

Construction noise and vibration impacts will be considered in accordance with the *Interim Construction Noise Guideline* (Department of Environment, Climate Change and Water, 2009) and *Assessing Vibration: a technical guideline* (Department of Environment and Conservation, 2006).

Operational noise and vibration impacts will be considered in accordance with the *Noise Policy for Industry* (EPA, 2017), including the principles in Section 6 *Applying the policy to existing industrial premises*. Operational road noise impacts will be considered in accordance with the Road Noise Policy (Environment Protection Authority, 2011).

6.6 Heritage

The south-eastern portion of the site contains a portion of Prospect Hill, also known as Mar-Rong Reserve, a place of significance to the Cannemegal-Warmuli Clan of the Darug Nation who were the traditional custodians of the area prior to the arrival of Europeans. Prospect Hill is listed on the State Heritage Register and has been identified as significant for a number of values including its landscape features, archaeological potential and its association with important historical phases in NSW colonial history.

A preliminary analysis of the site indicates no registered sites, with detailed investigation of the southern portion of the site (Boral lands) finding that the majority of the study area has nil-low archaeological sensitivity based on extensive levels of historic disturbance within the northern and western portion of the study area. Historical aerials indicate that this portion of the site has been subject to extensive earthworks multiple times throughout its history.

The EIS will include an assessment of the significance and impacts on items of Aboriginal and non-Aboriginal heritage and Aboriginal cultural values in accordance with NSW guidelines.

6.7 Hazards and Risk

As noted in section 4.4.3, the proposed cold storage facilities in warehouses 1 and 2 may involve the use of refrigerants such as anhydrous ammonia. The quantities of refrigerants of other potentially hazardous materials will be assessed against the relevant screening thresholds in SEPP 33 and if required by a preliminary risk screening, a preliminary hazard analysis will be considered as part of the EIS, consistent with the requirements of SEPP 33, including the consideration of relevant DPIE guidelines relating to hazardous or offensive development.

6.8 Air Quality

The EIS for the project will include an assessment of potential impacts on local and regional air quality, including details of any proposed mitigation measures that will prevent (or reduce) the generation and emission of dust particles during construction.

The air quality assessment will identify potential sources of air pollution (such as PM₁₀, PM_{2.5}, CO, NO₂ and other nitrogen oxides and volatile organic compounds) and consider the impacts of the dispersal of these air pollutants on the ambient air quality in the area surrounding the development.

Further, the air quality assessment will demonstrate compliance with the applicable regulatory framework including *Protection of the Environment Operations Act 1997* and *Protection of the Environment Operations (Clean Air) Regulation 2010*.

7 Conclusion

This report is a formal request to the Department of Planning, Industry and Environment (DPIE) to issue Secretary's Environmental Assessment Requirements (SEARs) for the staged construction of seven industrial warehouse and logistics buildings and associated offices at Clunies Ross Street, in the suburbs of Prospect and Pemulwuy.

The Applicant intends to develop two warehouses for cold storage of food, beverage and therapeutic goods. While the final intended use of all warehouses is yet to be confirmed, other warehouses to be developed on the site will be consistent with the relevant strategic land use objectives and statutory planning controls. The other warehouses will lend themselves to a range of other users such as food and beverage, third party logistics, general warehousing and distribution centres, pharmaceutical groups, automotive industries, e-commerce groups, corporate occupiers with integrated supply chain operations and hardware/trade counter distribution occupiers.

The CIV for the entire project is estimated at \$183,123,484, including a combined CIV of approximately \$117,243,385 for the planned Demolition and Site Preparation works and construction of Warehouses 1 and 2.

This report has identified the relevant legislative requirements and the key strategic plans and documents that relate to the development.

The development meets the criteria of State significant development (SSD) in accordance with Schedule 1, clause 12(1) of the *State Environmental Planning Policy (State and Regional Development) 2011*.

The key environmental issues associated with the development relate to visual character and landscaping, biodiversity, soil and water, traffic and parking, noise and vibration, heritage, hazards and risk, and air quality. These issues will be comprehensively addressed as part of an EIS for the project.

The EIS will be prepared in accordance with the SEARs and the legislative requirements defined under the EP&A Regulation. The EIS will outline recommendations to address any environmental impacts of the project to inform DPIE in its assessment and recommendation on the project.

APPENDIX A – Concept Masterplan



APPENDIX B – Cost Estimate Summary

SYDNEY

Level 7, 68 Pitt Street
Sydney NSW 2000
P 02 9270 1000



SYDNEY | MELBOURNE | BRISBANE | PERTH | CANBERRA | ADELAIDE | GOLD COAST

13th November 2019

Aliro Group
Level 53
Governor Phillip Tower
1 Farrer Place
Sydney NSW 2000

Dear David Lousick,

RE: Lots 107, 63 & 10 Clunies Ross Street, Greystanes

We hereby certify that the estimated Capital Investment Value is approximately:

One Hundred and Eighty-Three Million One Hundred and Twenty-Three, Four Hundred and Eighty Four Dollars (\$183,123,484) Excluding GST.

This estimate is based on the Concept Design as formulated by the Project Architect; Bespoke Projects which is inclusive of:

- Building and Construction Works
- Preliminaries & Builder's Overhead & Margin
- Authority Fees
- Professional Fees
- Escalation and Contingencies have been excluded from these costs

We have been advised by that the following breakdown is in accordance with the Concept Proposal as required by the Client.

Description	Value Excl. GST
DEMOLITION AND SITE PREPARATION	\$11,640,935
WAREHOUSE 1	\$61,574,990
WAREHOUSE 2	\$44,027,460
WAREHOUSE 3, 4 & 5	\$32,547,559
WAREHOUSE 6a & 6b	\$11,672,949
WAREHOUSE 7a & 7b	\$12,431,792
EXTERNAL WORKS & SERVICES	\$9,227,797
Subtotal Excl. GST	\$183,123,484
GST	\$18,312,348
Subtotal Incl. GST	\$201,435,832

The definition of Capital Investment Value is as per the NSW Environmental Planning and Assessment regulation 2000 and amended by Planning Circular PS10-008 issued 10th May 2010.

Estimate of Job Creation during construction:

MBM estimate 552 jobs will be created by the future development during construction as per the following calculation:

$\$1,000,000 \times 50\% = \$500,000$ (labour cost)

$\$500,000 / \$70 \text{ per hr} = 7,142 \text{ hrs}$

$7,142 \text{ hours} / 1,680 \text{ hrs (1 person = 40hrs x 42 weeks)} = 4.25 \text{ jobs per million dollars}$

$4.25 \text{ jobs} \times \$183\text{m} = 778 \text{ jobs}$

Should you have any queries or require further information please do not hesitate to contact me.

Yours faithfully,



David Shlom
Associate

APPENDIX C – S88B Instruments

**INSTRUMENT SETTING OUT TERMS OF EASEMENTS AND RESTRICTIONS ON THE USE
OF LAND INTENDED TO BE CREATED PURSUANT TO SECTION 88B
CONVEYANCING ACT, 1919**

(Sheet 1 of 2 Sheets)

DP1047403

Plan of Subdivision of Lots 203 and
210 DP 1030744.

**Full name and address of the owner of
the land**

Boral Resources (N.S.W.) Pty Ltd

Part 1

1. **Identity of Easement or Restriction** Restriction on the use of Land(A)
firstly referred to in
abovementioned plan.

Schedule of Lots etc Affected

Lot Burdened

603

Authority Benefited

Holroyd City Council

2. **Identity of Easement or Restriction** Easement for Drainage of Water 3.0
secondly referred to in Wide(H)
abovementioned plan.

Schedule of Lots etc. Affected

Lots Burdened

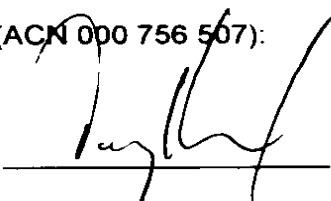
603
211 DP 1030744

Lot Benefited

504 DP 1042806

Signed in accordance with the
Corporations Act 2001 by Boral Resources (N.S.W.) Pty Ltd (ACN 000 756 507):


Secretary/Director


Director

**INSTRUMENT SETTING OUT TERMS OF EASEMENTS AND RESTRICTIONS ON THE USE
OF LAND INTENDED TO BE CREATED PURSUANT TO SECTION 88B
CONVEYANCING ACT, 1919**

(Sheet 2 of 2 Sheets)

DP1047403

Plan of Subdivision of Lots 203 and
210 DP 1030744.

**Full name and address of the owner of
the land**

Boral Resources (N.S.W.) Pty Ltd

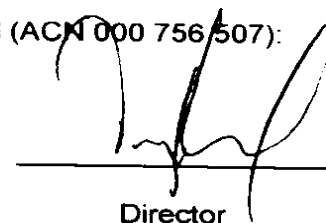
PART 2

Terms of Restriction firstly referred to in abovementioned plan:

No buildings or structures may be erected on the land or the landform changed without the
consent of the authority benefited.


Signed in accordance with the
Corporations Act 2001 by Boral Resources (N.S.W.) Pty Ltd (ACN 000 756 507):


Secretary/Director


Director

REGISTERED



 30.12.2002

Plan Drawing only to appear in this space

A) RESTRICTION ON THE USE OF LAND WIDE
 B) RESTRICTION ON THE USE OF TRANSMISSION LINE 4572 WIDE CREATED BY TRANSFER 46398232 WIDE
 C) POSITIVE COVENANT WIDE DP 9024808
 D) EASEMENT FOR WATER SUPPLY WORKS 1006 WIDE CREATED BY TRANSFER 990028 WIDE DP 2027575
 E) RESTRICTION ON THE USE OF LAND WIDE DP 1030742
 F) RIGHT OF WAY 5125 WIDE DP 2032314600002
 G) EASEMENT FOR WATER SUPPLY WORKS 30 WIDE CREATED BY TRANSFER 46398232 WIDE DP 5046491
 H) EASEMENT FOR DRAINAGE 30 WIDE
 I) EASEMENT FOR WATER

DP1047403

Registered 30.12.2002

C.A. : SEE CERTIFICATE

Purpose : SUBDIVISION

Ref Map : U9152-42#

Last Plan : DP103074

PLAN OF SUBDIVISION OF
LOTS 203 & 210 DP 1030744

Lengths are in metres, Reduction Ratio 1:2000

HOLROYD/BLACKTOWN
LGA

Locality: PROSPECT

County: CUMBERLAND

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

Surveyors (Practice) Regulation 1996

PEIER W. LÜRNISH
HARD & FORESTER PLY

hereby certify that the survey represented in this report is accurate has been made in accordance with the provisions of the Act.

Survivors Practice Lessons 2001 and was
on 24.04.2002

1000

There specify the land actually surveyed, or any land shown in the plan that is not the

the survey
Datum Line?

Survivor log
the Survivor

Plans used in preparation of survey/evaluation

DP 1028208

PANEL FOR USE ONLY for statement
intention to dedicate public roads, to

restrictions on the use of land or p
covenants

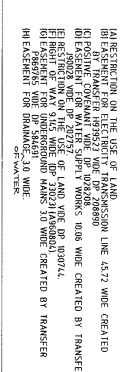
PURSUANT TO SEC 88B OF THE CONVEYANCE ACT 1919-1964 IT IS INTENDED TO CREATE

(1) RESTRICTION ON THE USE OF LAND (A)
(2) EASEMENT FOR DRAINAGE 3.0 WIDE (H)

100

10

PLAN AMENDED IN PLAT SURVEYOR'S REQUEST 11.12.2002



Registered: 30.12.2002

This is sheet 2 of my plan in 2 sheets dated

Surveyor registered under Surveyors Act 1929

This is sheet 2 of the plan of 2 sheets covered by subdivision certificate No. 23.02.01C of 13.11.2002

John + Jack

For use where space is insufficient in any position Place Form 2.

Reduction Ratio: 250

**INSTRUMENT SETTING OUT TERMS OF RESTRICTION(S) ON THE USE OF LAND
& POSITIVE COVENANT INTENDED TO BE CREATED PURSUANT TO SECTION
88B CONVEYANCING ACT 1919-1964**

Lengths are in metres

(sheet 1 of ~~2~~ sheets)

PART 1

DP1022044

Plan of Subdivision of Lot 1 in
D.P.860392

Full name and address of
the proprietors of the land.

Boral Resources (NSW) Pty Limited
PO Box 42, Wentworthville 2145

1. Identity of Restriction firstly
referred to in the abovementioned plan.

Restriction on Use of Land

Schedule of lots etc. affected

Lots Burdened
10, 11

Name of Authority Benefited
Blacktown Council and Holroyd
Council

2. Identity of Positive Covenant secondly
referred to in the abovementioned plan.

Positive Covenant

Schedule of lots etc. affected

Lots Burdened
10, 11

Name of Authority Benefited
Blacktown Council and Holroyd
Council

3. Identity of Restriction thirdly
referred to in the abovementioned plan.

Restriction on Use of Land

Lots Burdened
10, 11

Name of Authority Benefited
Blacktown Council and Holroyd
Council

PART 2

1. Terms of Restriction on Use of Land firstly referred to in the abovementioned plan

- a) No structure shall be erected on the lot burdened unless the proprietor has first constructed or has made provision for construction of an on-site stormwater detention system (which expression shall include all ancillary gutters, pipes, drains, walls, kerbs, pits, grates, tanks, chambers, basins and surfaces designed to temporarily detain stormwater) (hereinafter called "the system").

**INSTRUMENT SETTING OUT TERMS OF RESTRICTION(S) ON THE USE OF LAND
& POSITIVE COVENANT INTENDED TO BE CREATED PURSUANT TO SECTION
88B CONVEYANCING ACT 1919-1964**

(sheet 2 of ~~2~~ sheets)

DP1022044

Plan of Subdivision of Lot 1 in
D.P.860392

PART 2 (cont.)

The design, construction and/or provision of the system shall be to the requirements and satisfaction of the Upper Parramatta River Catchment Trust.

- b) The registered proprietor shall not make or permit or suffer the making of any alterations to "the system" which is constructed on the lot(s) burdened without prior consent in writing of Upper Parramatta River Catchment Trust.

2. Terms of Positive Covenant secondly referred to in the abovementioned plan.

1. The registered proprietor of the lot(s) hereby burdened will in respect of the on site stormwater detention system, "the system"
 - (a) keep the system clean and free silt, rubbish and debris
 - (b) maintain and repair at the sole expense of the registered proprietors the whole of the system so that it functions in a safe and efficient manner.
 - (c) permit the Council or its authorised agents from time to time and upon giving reasonable notice (but at any time and without notice in the case of an emergency) to enter and inspect the land for the compliance with the requirements of this covenant.
 - (d) comply with the terms of any written notice issued by the Council in respect of the requirements of this covenant within the time stated in the notice.
2. Pursuant to Section 88F (3) of the Conveyancing Act 1919 the Council shall have the following additional powers :-
 - (i) in the event that the registered proprietor fails to comply with the terms of any written notice issued by Council as set out above the Council or its authorised agents may enter the land with all necessary materials and equipment and carry out any work which the Council in its discretion considers reasonable to comply with the said notice referred to in Part 1 (d) above.
 - (ii) The Council may recover from the registered proprietor in a Court of competent jurisdiction:-
 - (a) any expense reasonably incurred by it in exercising its powers under sub-paragraph (i) hereof. Such expense shall include reasonable wages for the Council's employees engaged in effecting the work referred to in (i) above, supervising and administering the said work together with costs, reasonably estimated by the Council, for the use of materials, machinery, tools and equipment in conjunction with the said work.

**INSTRUMENT SETTING OUT TERMS OF RESTRICTION(S) ON THE USE OF LAND
& POSITIVE COVENANT INTENDED TO BE CREATED PURSUANT TO SECTION
88B CONVEYANCING ACT 1919-1964**

Lengths are in metres

(sheet 3 of 4 sheets)

DP1022044

Plan of Subdivision of Lot 1 in
D.P.860392

PART 2 (cont.)

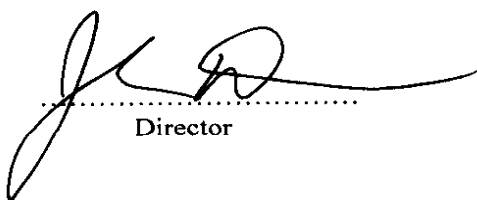
- (b) legal costs on an indemnity basis for issue of the said notices and recovery of the said costs and expenses together with the costs and expenses of registration of a covenant charge pursuant to Section 88F of the Act or providing any certificate required pursuant to Section 88G of the Act or obtaining any junction pursuant to Section 88H of the Act.

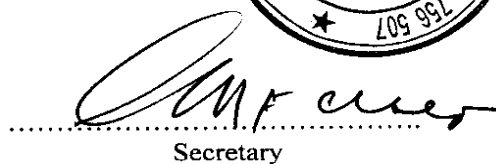
3. Terms of Restriction on Use of Land thirdly referred to in the abovementioned plan

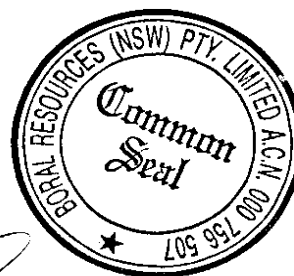
No further development of the lots burdened is to take place unless it is approved by development consent. Such approval is likely to require, but not be restricted to, construction of road and drainage works, the provision of fill and payment of Section 94 contributions.

Name of the Authority having the power to release vary or modify the Restrictions and Positive Covenant firstly, secondly and thirdly referred to is Blacktown City Council.

The Common Seal of)
Boral Resources (NSW) Pty Limited)
was hereto affixed by the authority)
of the Directors in the presence of)


.....
Director


.....
Secretary



SHEET 4 of 4

DP1022044

Department of
Urban Affairs and Planning

Ms Patricia Michell
Project Director
Boral Greystanes Estate Development
PO Box 42
WENTWORTHVILLE NSW 2145

Contact: Peter Newton
Our reference: P00/00282/001

Dear Ms Michell,

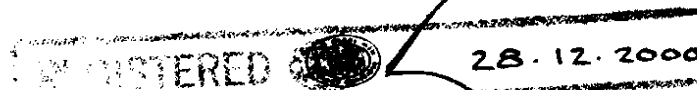
**RE: Subdivision Certificate for Lot 1 DP 860392, Clunies Ross St (Boral
Besser Brick Plant) Greystanes**

I refer to your application for subdivision of the above land and advise that the application has been approved under s.109J of the Environmental Planning and Assessment Act, 1979. The signed plan is attached.

Please contact Peter Newton on 9895 7633, should you have any enquires about this approval.

Yours sincerely,


28/12/00
John Collins
**Executive Director
Metropolitan Planning**



book	pages
------------	-------

Subdivision

Registered Person: James H. Thompson
 Content Authority: James H. Thompson
 Date of endorsement: 38/12/2000
 Accreditation No.: _____
 Subdivision Certificate No.: _____
 File No.: _____
 Note: _____
 When the plan is to be lodged electronically in the Land Titles Office it should include a signature in an electronic or digital format approved by the Registrar-General.
 (Delete whichever is inapplicable)

REFERENCE: 13407 Checklist

Plan Drawing only to appear in this space

Registered: 28.12.2000

Title System: I OKRENS

Ref Map: U 9152-4, U 9152-14 & 1450

Last Plan: DP860392

PLAN OF SUBDIVISION OF
LOT 1 IN DP 860392

LGA BLACKTOWN & HOLROYD

Parish: PROSPECT

JAMES PATRICK THORPE

completed on 12-1-00
The survey relates to LOT 10

Zone: Suburban
(Signature of owner) J. H. Clarke

DP's.	33023	DP34072
960303		

to dedicate public lands, to create public drainage reserves, easements, restrict

INTENDED TO CREATE:

1

13407

**INSTRUMENT SETTING OUT TERMS OF EASEMENTS AND RESTRICTIONS ON THE USE
OF LAND INTENDED TO BE CREATED PURSUANT TO SECTIONS 88B AND 88E
CONVEYANCING ACT, 1919**

Sheet 1 of 4 Sheets

DP1030744

Plan of Subdivision of Lots 108 and 109
DP 1028208, Lot 3 DP 860392 and Lot
6 DP 19302

Full name and address of the owner of the Land

Boral Resources (NSW) Pty Ltd

Part 1

1. Identity of Easement or Restriction
firstly referred to in abovementioned plan

Easement to Drain Water (K)

(AFFECTING THE WHOLE)

Schedule of Lots etc Affected

Lots Burdened

Lot Benefited

204
205

209

2. Identity of Easement or Restriction
secondly referred to in abovementioned plan

Easement for Overhead Power Lines 4
wide (L)

Schedule of Lots etc Affected

Lots Burdened

Lot Benefited

205
208
209
213

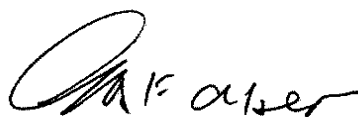
215

3. Identity of Easement or Restriction
thirdly referred to in abovementioned
plan

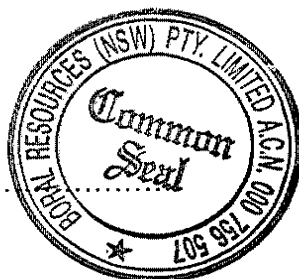
Easement for Water Supply Pipeline

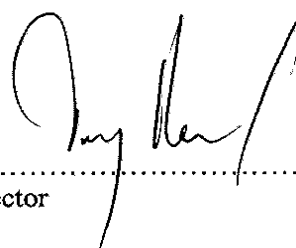
(M)
(AFFECTING THE WHOLE)

The Common Seal of Boral Resources (NSW) Pty
Ltd is hereunto affixed:



Secretary





Director

**INSTRUMENT SETTING OUT TERMS OF EASEMENTS AND RESTRICTIONS ON THE USE
OF LAND INTENDED TO BE CREATED PURSUANT TO SECTIONS 88B AND 88E
CONVEYANCING ACT, 1919**

Sheet 2 of 4 Sheets

DP1030744

Plan of Subdivision of Lots 108 and 109
DP 1028208, Lot 3 DP 860392 and Lot
6 DP 19302

Full name and address of the owner of the Land

Boral Resources (NSW) Pty Ltd

Schedule of Lots etc Affected

Lots Burdened	Authority Benefited
205	Sydney Water
208	
209	
213	

4. Identity of Easement or Restriction
fourthly referred to in
abovementioned plan
- Positive Covenant (N)

Schedule of Lots etc. Affected

Lots Burdened	Authorities Benefited
205	Upper Parramatta River Catchment
206	Trust and Holroyd Council
208	
209	
213	

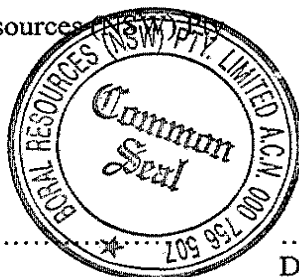
5. Identity of Easement or Restriction
fifthly referred to in abovementioned
plan
- Restriction on the use of land (U)

Lots Burdened	Authority Benefited
203	Holroyd Council
210	
211	

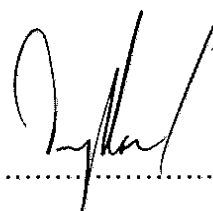
The Common Seal of Boral Resources
Ltd is hereunto affixed:



Secretary



Director



**INSTRUMENT SETTING OUT TERMS OF EASEMENTS AND RESTRICTIONS ON THE USE
OF LAND INTENDED TO BE CREATED PURSUANT TO SECTIONS 88B AND 88E
CONVEYANCING ACT, 1919**

Sheet 3 of 4 Sheets

DP1030744

Plan of Subdivision of Lots 108 and 109
DP 1028208, Lot 3 DP 860392 and Lot
6 DP 19302

Full name and address of the owner of the Land

Boral Resources (NSW) Pty Ltd

6. Identity of Easement or Restriction
sixthly referred to in abovementioned
plan

Restriction on the use of land (V)

Lot Burdened

Authority Benefited

209

Heritage Council of New South Wales

PART 2

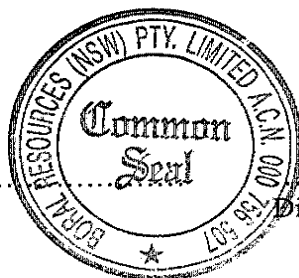
Terms of Restriction firstly referred to in abovementioned plan:

Full and free right for every person who is at any time entitled to an estate or interest in possession in the land herein indicated as the Dominant Tenement or any part thereof with which the right shall be capable of enjoyment, and every person authorised by him, from time to time and at all times to drain water (whether rain, storm, spring, soakage, or seepage water) in any quantities across and through the land herein indicated as the Servient Tenement, together with the right to use, for the purposes of the easement, any line of pipes and detention tank already laid within the Servient Tenement for the purpose of draining water or any pipe or pipes in replacement or in substitution therefore and where no such line beneath the surface of the Servient Tenement, and together with the right for the grantee and every person authorised by him, with any tools, implements or machinery necessary for the purpose, to enter upon the Servient Tenement and to remain there for any reasonable time for the purpose of laying, inspecting, cleansing, repairing, maintaining or renewing such pipe line and detention tank or any part thereof and for any of the aforesaid purposes to open the soil of the Servient Tenement to such extent as may be necessary provided that the grantee and the persons authorised by him will take all reasonable precautions to ensure as little disturbance as possible to the surface of the Servient Tenement and will restore that surface as nearly as practicable to the original condition.

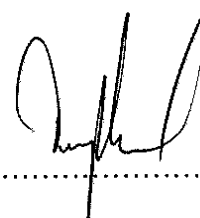
The Common Seal of Boral Resources (NSW) Pty
Ltd is hereunto affixed:



Secretary



Director



**INSTRUMENT SETTING OUT TERMS OF EASEMENTS AND RESTRICTIONS ON THE USE
OF LAND INTENDED TO BE CREATED PURSUANT TO SECTIONS 88B AND 88E
CONVEYANCING ACT, 1919**

Sheet 4 of 4 Sheets

DP1030744

Plan of Subdivision of Lots 108 and 109
DP 1028208, Lot 3 DP 860392 and Lot
6 DP 19302

Full name and address of the owner of the Land

Boral Resources (NSW) Pty Ltd

Terms of Easement or Restriction secondly referred to in abovementioned plan

Full and free right for every person who is at any time entitled to an estate or interest in possession in the land herein indicated as the Dominant Tenement or any part thereof with which the right shall be capable of enjoyment and every person authorised by him, from time to time and at all times, to use, support, maintain, repair and/or replace any supporting structure or power line that exists within the area of the land indicated as Easement for Overhead Power Lines 4 Wide in the abovementioned plan, provided however that in the event that the Power Lines and supporting structures or attachments is demolished, the grantee shall automatically forfeit all of the beforementioned rights and shall immediately release this easement at no cost or expense to the Registered Proprietor of the Servient Tenement.

Terms of Easement or Restriction thirdly referred to in the abovementioned plan.

As set out in Registered Memorandum 7158329B.

Terms of Positive Covenant fourthly referred to in the abovementioned plan.

On site detention in accordance with the requirement of the Upper Parramatta River Catchment Trust and Holroyd Council to be constructed on the lot designated until such time as the site may be connected to the Northern Employment Lands Community Basin.

Terms of Easement or Restriction fifthly referred to in the abovementioned plan.

No buildings or structures may be erected on the land or the land form changed without the consent of the Authority benefited.

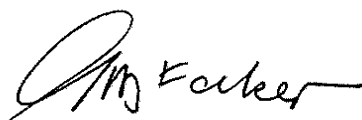
Terms of Easement or Restriction sixthly referred to in the abovementioned plan.

No clearing or construction allowed within the area designated without the consent of the Authority benefited.

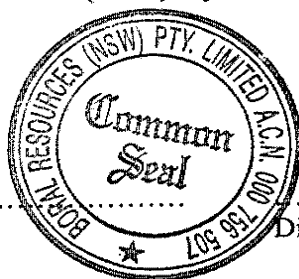
Notification

Services are not currently available to the proposed allotments.

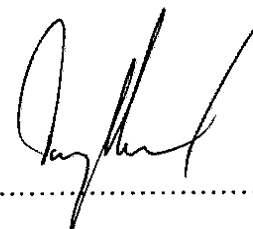
The Common Seal of Boral Resources (NSW) Pty
Ltd is hereunto affixed:

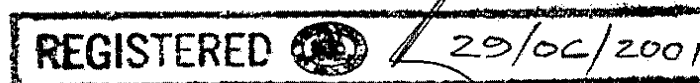


Secretary



Director

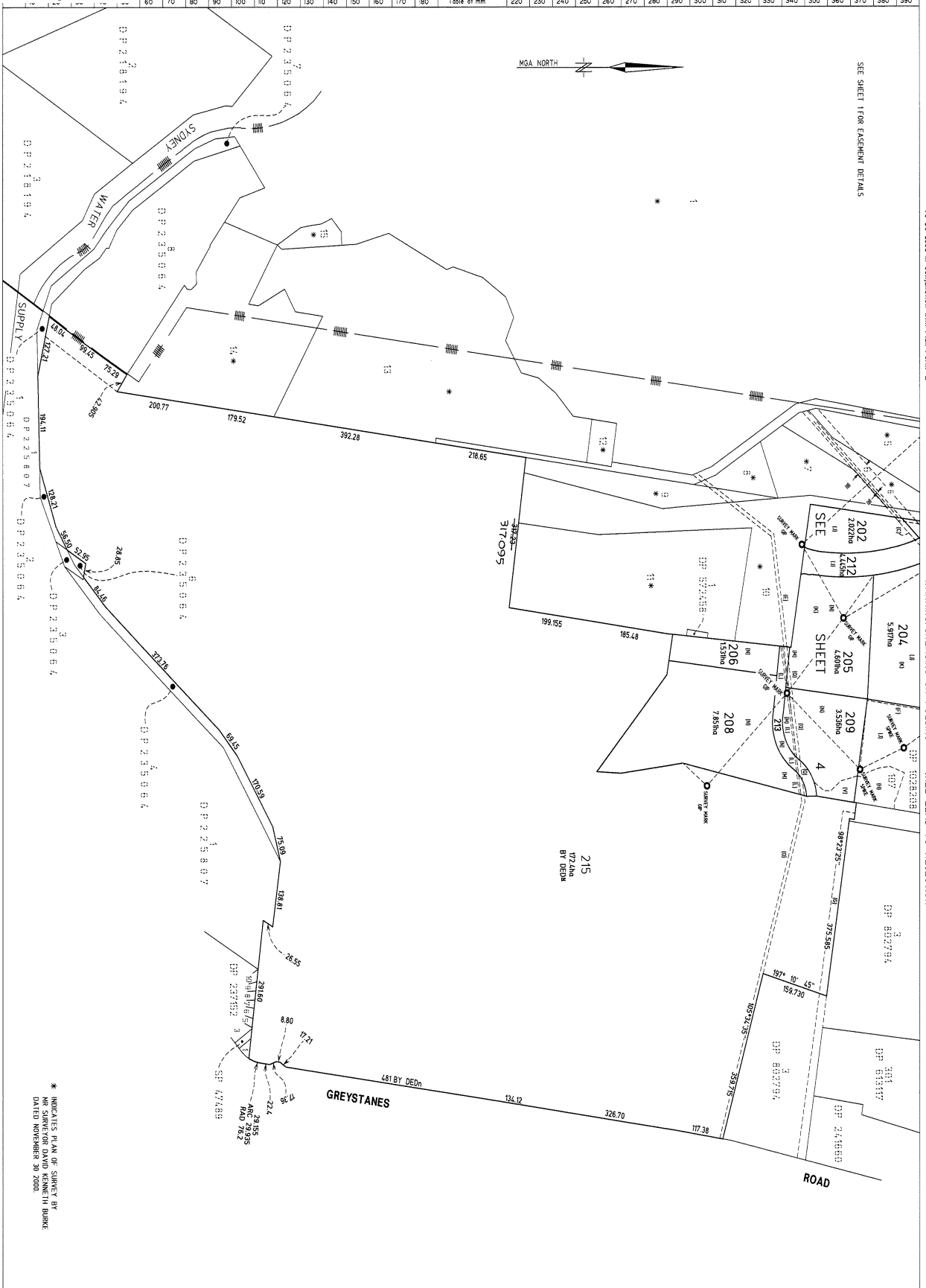




PLAN FORM 3

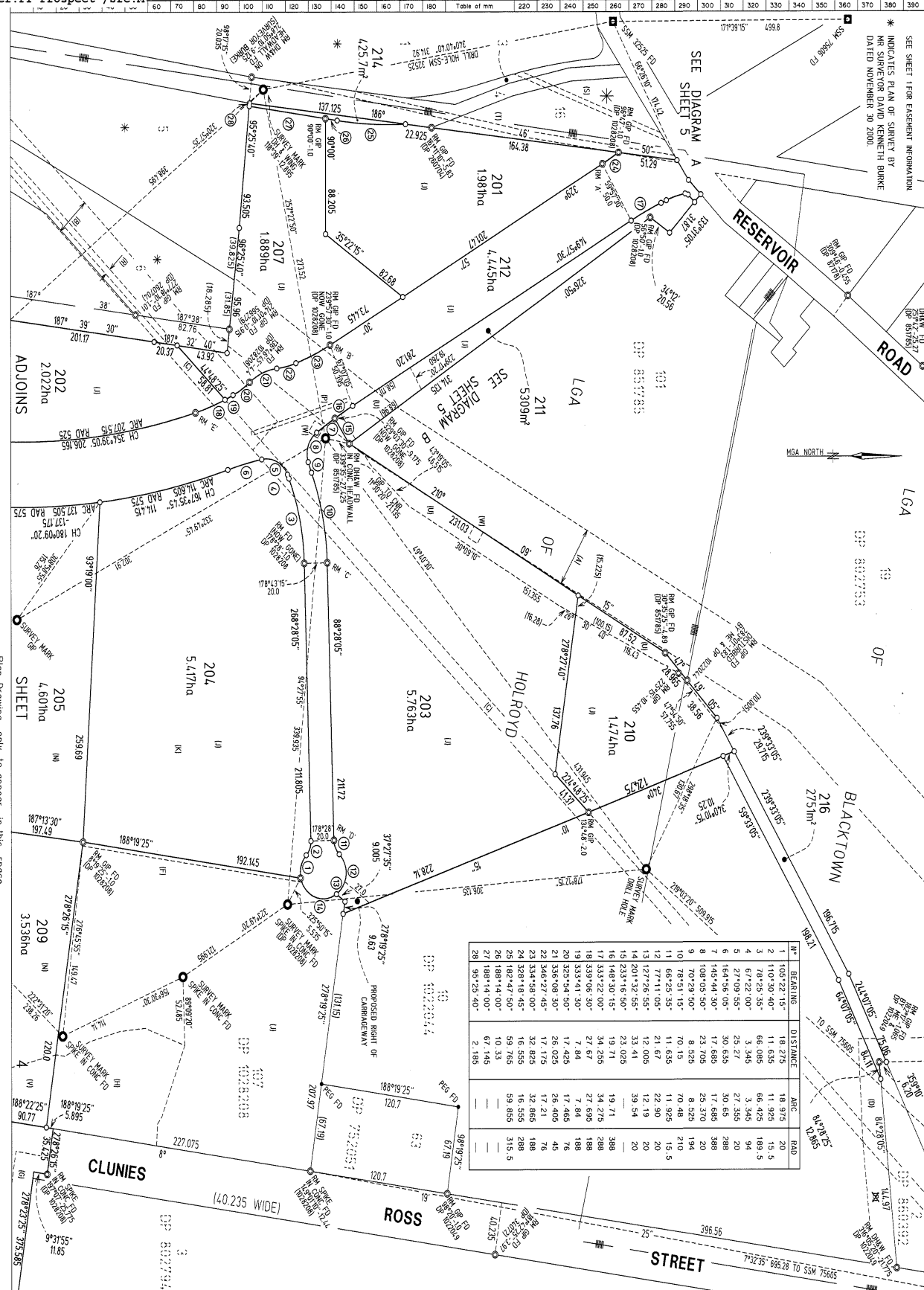
To be used in conjunction with Plan Form 2

WARNING: GREASING OR FOLDING WILL LEAD TO REJECTION



Plan Drawing only to appear in this space

<p>D DP1030744</p> <p>Registered: 29.06.2001</p> <p>This is sheet 2 of the plan of 87 sheets</p> <p>13.06.2001</p> <p>Survey registered with Surveyors Act 1992</p> <p>This is sheet 2 of the plan of 87 sheets</p> <p>Surveyed by: [Signature]</p> <p>For use where space is insufficient to complete this form 2</p>		<p>Reduction Ratio: 5500</p> <p>SURVEYOR'S REFERENCE: 52207004 rev F (2007/22)</p>
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	#	BEARING	DISTANCE	ARC	HAZ
1	105-22-15°	18-7/25	18-9/5	18-5/5	15-5
2	10-30-40°	11-6/35	11-5/25	11-5/25	15-5
3	70-25-35°	66-005	66-4/25	189-5	
4	67-42-00°	3-3/45	3-3/45	94	
5	27-09-50°	23-2/7	27-35/5	20	
6	164-36-05°	30-6/35	30-6/35	288	
7	105-44-00°	23-6/35	27-5/55	305	
8	104-54-00°	23-6/35	27-5/55	305	
9	70-29-50°	3-15/5	8-15/5	154	
10	78-51-15°	70-15	70-48	210	
11	66-28-35°	11-6/35	11-9/25	15-5	
12	77-11-00°	21-6/7	22-9/5	20	
13	127-26-55°	11-0/55	12-1/9	20	
14	20-13-56°	33-4/1	39-5/4	20	
15	14-37-10°	23-0/25	—	—	
16	148-30-15°	19-1/1	19-1/1	388	
17	33-02-00°	34-2/55	34-2/75	288	
18	33-06-20°	27-6/7	27-6/95	188	
19	32-54-30°	17-8/4	17-8/4	465	
20	32-54-50°	17-4/25	17-4/65	76	
21	32-54-50°	26-2/55	26-4/5	45	
22	34-08-30°	17-1/75	17-1/21	76	
23	34-58-00°	32-8/25	32-8/65	188	
24	32-58-18-45°	16-5/55	16-5/55	288	
25	182-41-00°	50-3/35	50-3/35	315-5	
26	188-14-00°	10-1/6	—	—	
27	188-14-00°	67-1/45	—	—	
28	95-25-40°	2-1/85	—	—	

DP1030744

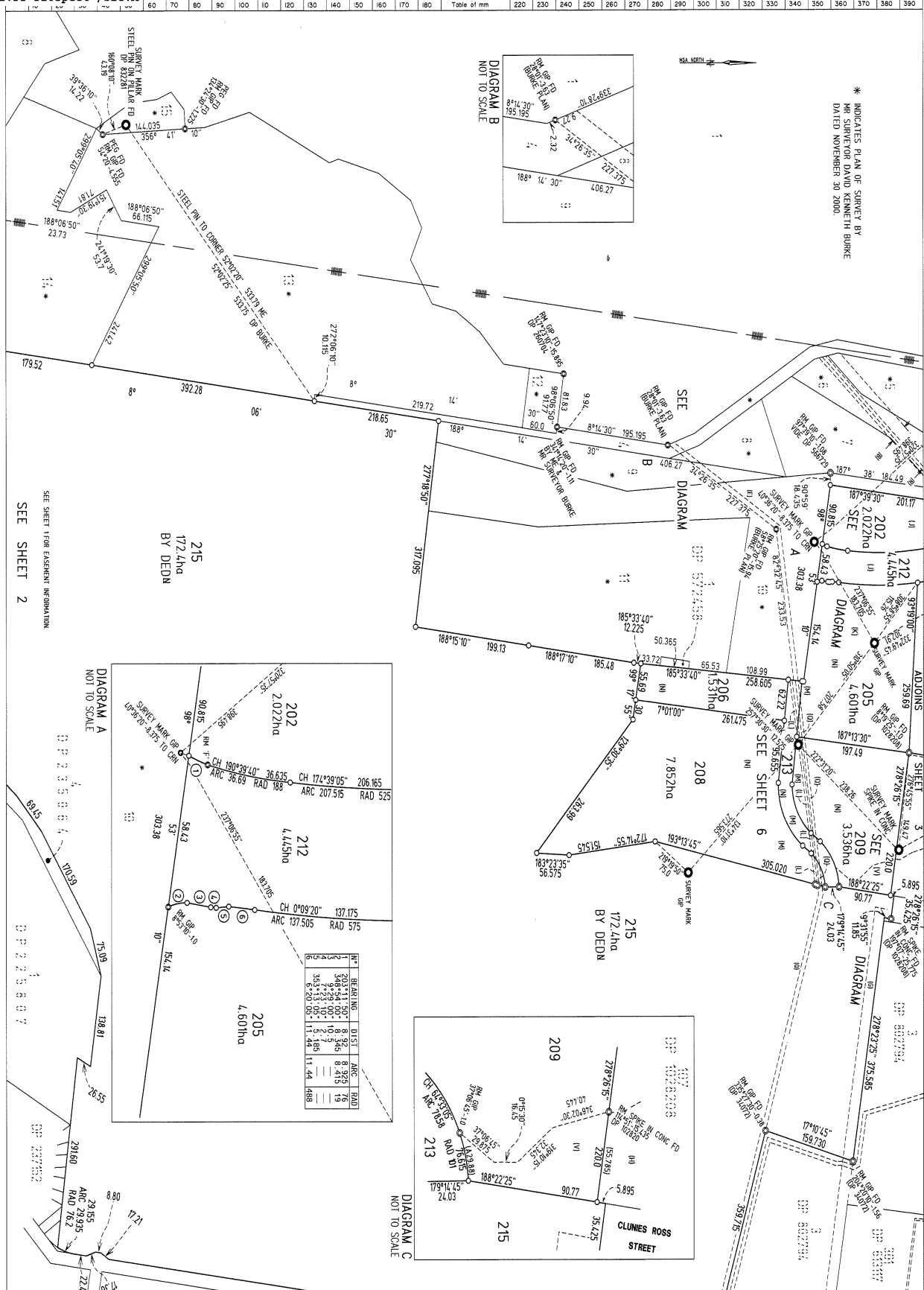
Registered:  29.06.2001

This is sheet 3 of my paper in D / sheet dated 13.06.2001

Surveyor registered under Surveyors Act 1929

For use where space is insufficient in any position Form 2

Reduction Ratio: 2000



DP1030744

Registered: 29.06.2001

This is sheet 4 of my plan in B7 sheet dated 13.06.2001

This is sheet of the palm of covered by subdivision certificate No. of

For use where space is insufficient in any position Form 2

— SURVEYOR'S REFERENCE: S421071004, rev F (2/10/17/22)

Reduction Ratio: 4,000

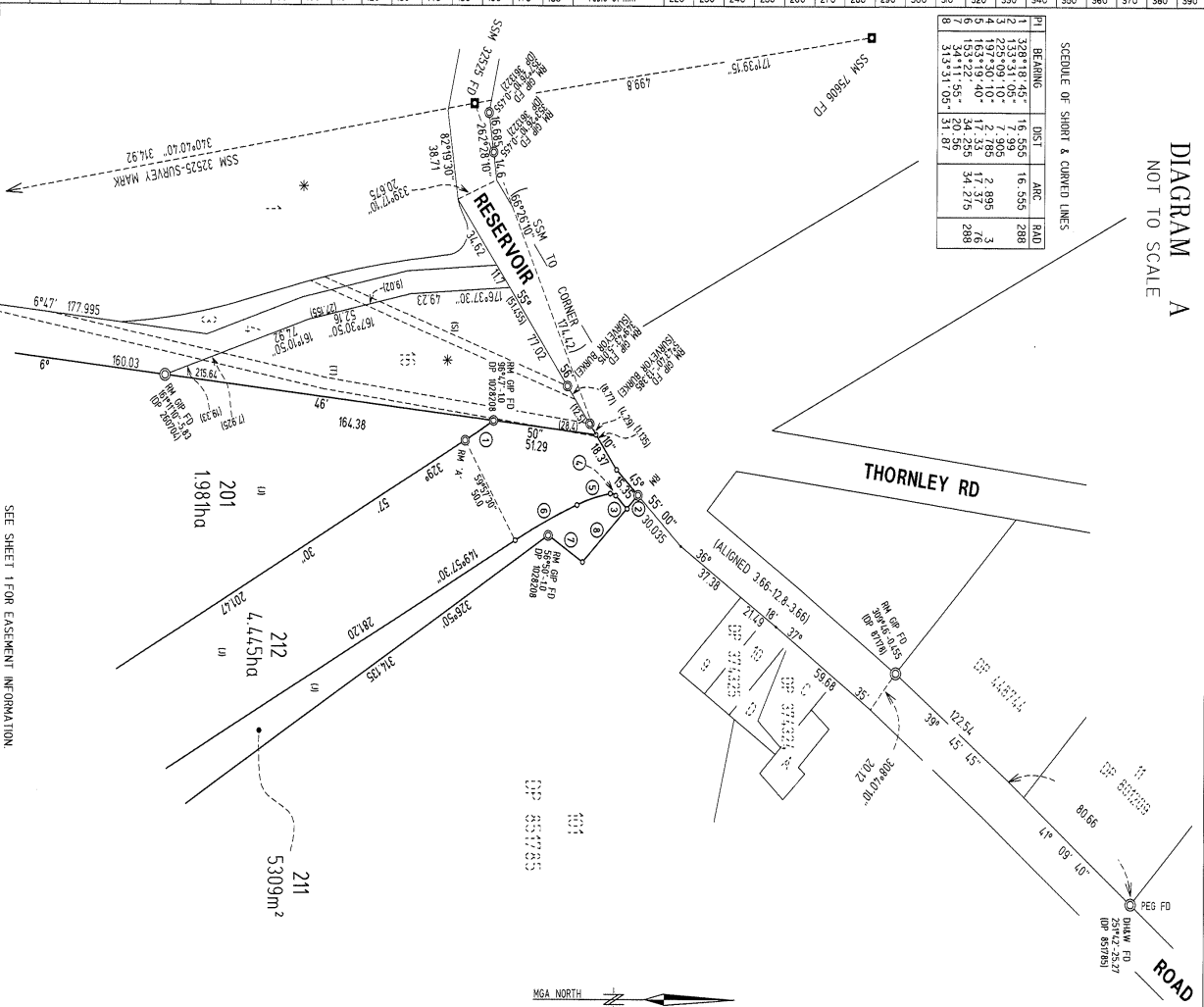
PLAN FORM 3

To be used in conjunction with Plan Form 2

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

DIAGRAM A NOT TO SCALE

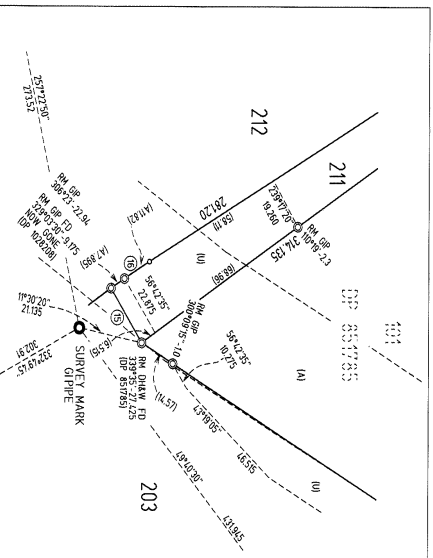
SCHEDULE OF SHORT & CURVED LINES				
ST	BEARING	DIST	ARC	RADIUS
1	329°18'45"	16.555	16.555	288
2	133°31'05"	7.99		
3	127°40'10"	2.995		
4	163°19'40"	17.33	2.995	76
5	152°42'55"	36.25	34.275	288
6	313°31'05"	31.87		



SEE SHEET 1 FOR EASEMENT INFORMATION.

Plan Drawing only to appear in this space

DIAGRAM B NOT TO SCALE



* INDICATES PLAN OF SURVEY BY
MR SURVEYOR DAVID KENNETH BUNKE
DATED NOVEMBER 30 2001.

DP1030744

Registered: 29.06.2001

M.A. 5 of 10 pages 13.06.2001

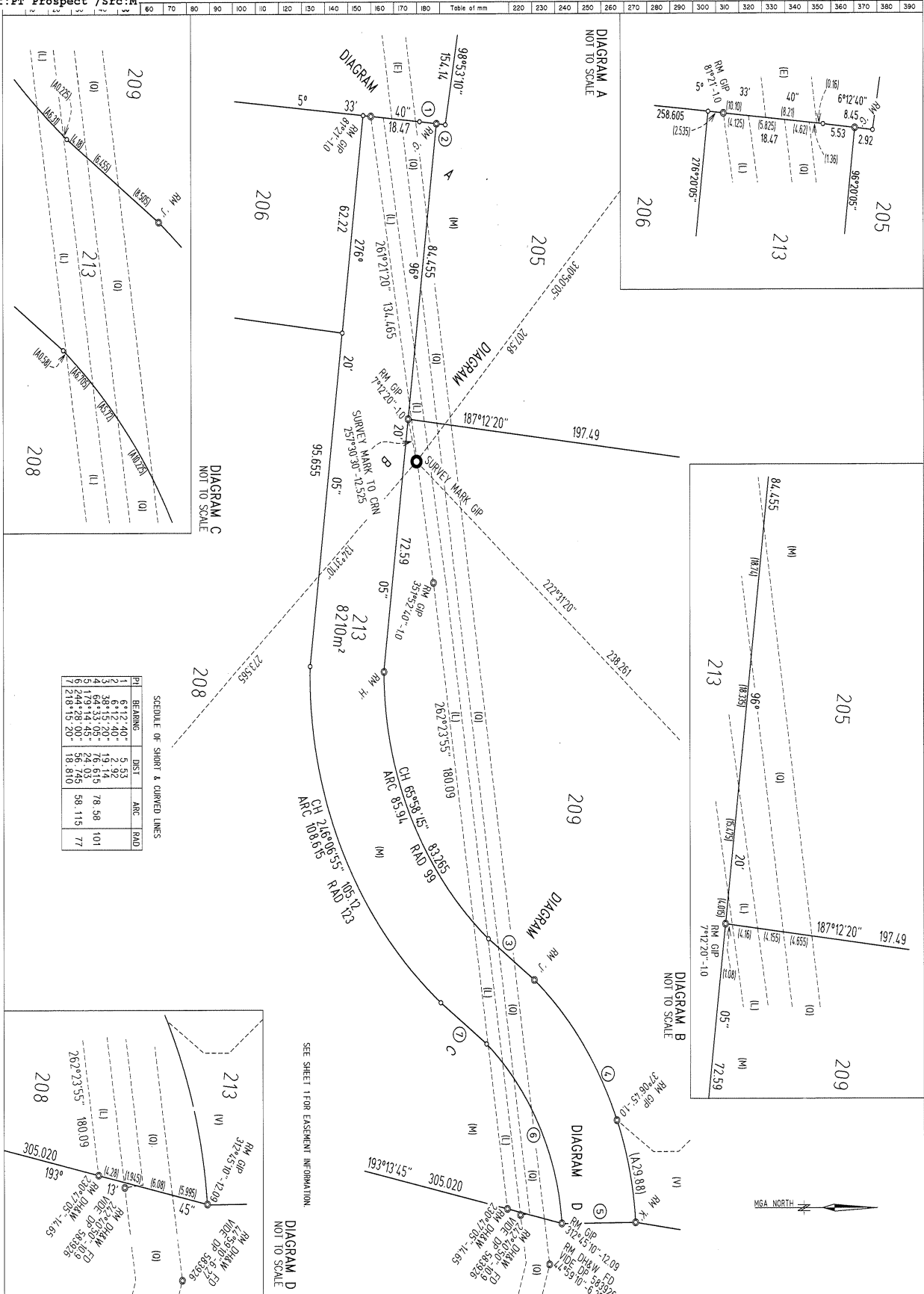
Surveyor registered under Surveyors Act 1999

This is a true and correct copy of the original as covered by a statutory declaration.

Authorised for Release by the Surveyor General
From 2

Reduction Ratio: 1: NTS

SURVEYOR'S REFERENCE: S52007004 rev F (2007/12)



DP1030744

Registered: 29.06.2001

This is sheet 1 of my plan in 1 sheets dated

Surveyor registered under Surveyors Act 1922

This is sheet of the plan of covered by subdivision certificate No. of

For use where space is insufficient in any previous Part Form 2.

SCHEDULE OF REFERENCE MARKS		
BEARING	DIST	REMARK
A	24°32' 12" 30"	28.215 DRYM IN KERB
B	24°42' 33" 25"	46.405 DRYM IN KERB
B	24°34' 39" 35"	28.225 DRYM IN KERB
C	24°46' 06" 45"	46.444 DRYM IN KERB
C	35°58' 32" 30"	3.865 DRYM IN KERB
D	35°59' 59" 30"	16.054 DRYM IN KERB
D	35°58' 14" 00"	16.096 DRYM IN KERB
E	22°29' 27" 10"	30.986 DRYM IN KERB
F	23°16' 36" 30"	48.345 DRYM IN KERB
F	30°37' 36" 20"	49.875 SSM 10.241 7' IN KERB.
G	58°26' 56" 50"	6.285 DRYM IN KERB
H	7°02' 00" 30"	18.06 DRYM IN KERB
H	85°21' 35" 50"	20.442 DRYM IN KERB
J	5°44' 37" 50"	26.985 DRYM IN KERB
J	26°53' 52" 30"	4.21 DRYM IN KERB
K	18°08' 10" 45"	20.97 DRYM IN KERB
K	35°20' 08" 45"	43.944 SSM 131898 IN KERB

Reduction Ratio 1: 3000

SHEET 7 ADDED TO ORIGINAL PLAN 12-11-2002

BEARING AMENDED IN LPI/NSW AT SURVEYORS REQUEST VIDE 2002/2629 10-12-2002

— Plan Drawing only to appear in this space

— SURVEYOR'S REFERENCE: S121071004 rev A

**INSTRUMENT SETTING OUT TERMS OF EASEMENTS AND RESTRICTIONS ON THE USE
OF LAND INTENDED TO BE CREATED PURSUANT TO SECTIONS 88B AND 88E
CONVEYANCING ACT, 1919**

Sheet 1 of 2 Sheets

Plan:

DP1028208

Plan of Subdivision of Lot 5 DP 235064
and Lot 11 DP 1022044 and Easement
for Services and Carriageway 20.0
Wide and Variable

Full name and address of the owner of the Land

Boral Resources (NSW) Pty Ltd

Part 1

1. Identity of Easement or Restriction
firstly referred to in abovementioned plan Restriction on the Use of Land (H)

Schedule of Lots etc Affected

Lots Burdened

Authority Benefited

107

NSW Heritage Council

2. Identity of Easement or Restriction
secondly referred to in abovementioned plan Positive Covenant (J)

Schedule of Lots etc Affected

Lots Burdened

Authority Benefited

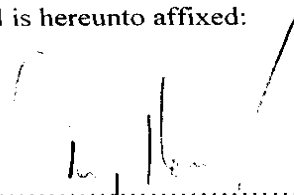
107

Upper Parramatta River Catchment

108

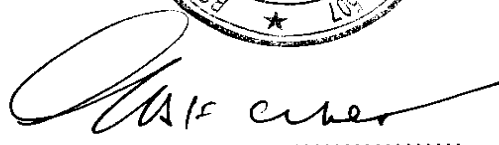
Trust and Holroyd Council

The Common Seal of Boral Resources (NSW) Pty
Ltd is hereunto affixed:



SYD6\116\1050493.1




Secretary

**INSTRUMENT SETTING OUT TERMS OF EASEMENTS AND RESTRICTIONS ON THE USE
OF LAND INTENDED TO BE CREATED PURSUANT TO SECTIONS 88B AND 88E
CONVEYANCING ACT, 1919**

Sheet 2 of 2 Sheets

Plan:

DP1028208

Plan of Subdivision of Lot 5 DP 235064
and Lot 11 DP 1022044 and Easement
for Services and Carriageway 20.0
Wide and Variable

Full name and address of the owner of the Land

Boral Resources (NSW) Pty Ltd

Part 2

Terms of Restriction firstly referred to in the abovementioned plan:

No clearing or construction allowed within the area designated without the approval of the NSW Heritage Council.

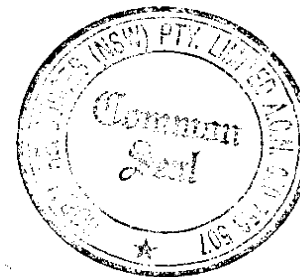
Terms of Positive Covenant secondly referred to in the abovementioned plan:

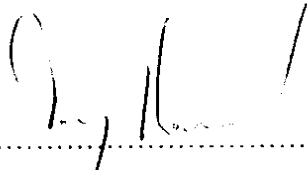
On site detention in accordance with the requirement of the Upper Parramatta River Catchment Trust and Holroyd Council to be constructed on the lot designated until such time as the site may be connected with the Northern Employment Lands and Community Basin.

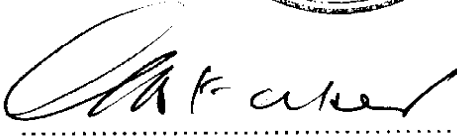
Notification

Services are not currently available to the proposed allotments.

The Common Seal of Boral Resources (NSW) Pty
Ltd is hereunto affixed:




.....
DIRECTOR


.....
Secretary



27.06.2001