



Aver Pty Ltd
Phase 1 Environmental Site Assessment

North West Rail Priority Precinct
Bella Vista Precinct

19 August 2015
50033/60133 (Rev 1)
JBS&G

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List of Abbreviations

ACM	Asbestos Containing Material
AEC	Areas of environmental concern
AHD	Australian Height Datum
BTEX	benzene, toluene, ethylbenzene, xylenes
COC	Chain of Custody
COPC	Contaminant of potential concern
CSM	Conceptual site model
BTEX	Benzene, toluene, ethylbenzene and xylenes
B(a)P	Benzo(a)pyrene
DP	Deposited Plan
DWE	NSW Department of Water and Energy
EPA	NSW Environment Protection Authority
ESA	Environmental Site Assessment
ha	Hectare
JBS&G	JBS&G Australia Pty Ltd
NWRL	North West Rail Link
OEH	Office of Environment and Heritage
OCP	Organochlorine Pesticides
PAH	Polycyclic Aromatic Hydrocarbons
PCB	Polychlorinated Biphenyls
SEPP	Statement Environmental Planning Policy
TPH	Total Petroleum Hydrocarbons

Additional Terms:

Full name	Abbreviated name and acronyms
Bella Vista Station Precinct	the Precinct
Bella Vista Station Precinct Structure Plan	the Structure Plan
The Department of Planning and Environment	the Department
The Hills Shire Council	the Council (only where there will be no confusion about which council referred to)
Blacktown City Council	the Council (only where there will be no confusion about which council referred to)
The Hills Local Government Area	The Hills LGA
North West Rail Link	NWRL
North West Rail Link Corridor Strategy	NWRL Corridor Strategy
The Hills Local Environmental Plan 2012	The Hills LEP 2012
The Hills Development Control Plan 2012	The Hills DCP 2012

Executive Summary

This report has been prepared by JBS&G Australia Pty Ltd (JBS&G) and provides an assessment of the potential environmental impacts relating to the proposed rezoning of the Bella Vista Station Precinct (the Precinct).

The Precinct was announced by the NSW Government in August 2014. The precinct is one of number of Priority Precincts which aim to provide for more homes, jobs and improved public spaces close to transport and services. One of the key goals for Priority Precincts is to increase housing choice and affordability by delivering increased housing supply in an environmentally, socially and economically sustainable manner.

The Bella Vista Precinct is located in The Hills Shire Local Government Area and covers approximately 460 hectares.

The vision for the Bella Vista Precinct is for a vibrant, mixed use centre comprising a mixture of offices, shops, community facilities, recreational, cultural and leisure activities, education, and a mix of housing types within walking distance of the new station.

The Bella Vista Precinct is a long term project that will be delivered over the next 25 years.

The scope of work comprised a review of the environmental setting and historical documentation to identify potential areas of environmental concern (AECs) and associated contaminants of potential concern (COPCs) and specifically within the opportunity sites and preparation of this ESA report.

The site has many minor roads extending through it servicing the various residential and commercial properties in the area, however, the main roads are Old Windsor Road, Balmoral Road, Norwest Boulevard, and Memorial Avenue.

The site contained various site users including, business parks, various open space parklands area, residential and agricultural. The site inspection identified specific properties such as the Norwest Private Hospital, Valentines Park and BP Service Station, as well as numerous new residential developments.

The site historical review suggested the site has historically been used for agricultural purposes and potentially a brick works.

The potential AECs and associated COPCs that were identified as part of the site inspection and historical review are shown in **Table 1** below.

Table 1 Areas of Environmental Concern and Associated Contaminants of Potential Concern

Area of Environmental Concern	Contaminants of Potential Concern
Fill material at the site to obtain existing levels	Heavy metals, total petroleum hydrocarbons (TPH), benzene, toluene, ethylbenzene and xylenes (BTEX), polycyclic aromatic hydrocarbons (PAHs), organochlorine pesticides (OCPs), polychlorinated biphenyls (PCBs) and asbestos
Former and current dams and creeks (illegal dumping/filling)	Heavy metals, TPH, BTEX, PAHs, OCPs, PCBs and asbestos
Former brick making	Heavy metals, PAHs
Former market gardens	OCPs, asbestos
Poultry farming	Biologicals
Agricultural areas not developed	OCPs, asbestos
Former Site Building Structures	Asbestos, lead paint, synthetic mineral fibres
Petroleum Storage (service station)	TPH, BTEX, PAH, heavy metals
Hospital	TPH, BTEX, PAHs, heavy metals, PCBs, biologicals
Church	Asbestos, lead paint, synthetic mineral fibres
Valentines Park	Asbestos

On the basis of the results of this investigation, and subject to the limitations outlined in **Section 7**, there is potential for contamination to be present resulting from previous site and offsite activities associated with the identified AECs. Potentially contaminated media present at the site may include fill material, natural soils and groundwater

Potential hazardous building materials such as asbestos containing materials (ACM) and lead paint may exist within the site buildings including those in areas where redevelopment may occur.

Whilst the preliminary investigation identified the potential for contamination to be present in some areas of the site, it did not identify the potential for gross or widespread contamination which may preclude rezoning of the site. Identified potential impacts are considered representative of common contaminants and potentially contaminating land use activities which can be readily dealt with during later development application (DA) stages (i.e. including completion of specific preliminary and detailed site investigations to assess land use suitability consistent with relevant planning instrument) for redevelopment of areas within the site, once detailed development proposals are made.

In the absence of gross or widespread contamination, the requirements of the DUAP/EPA (1998) *Managing Land Contamination: Planning Guidelines* for rezoning have been satisfied, namely that the rezoning can proceed provided measures are in place to ensure that the potential for contamination and the suitability of the land for any proposed use are assessed once detailed proposals are made.

1. Introduction

This report has been prepared by JBS&G Australia Pty Ltd (JBS&G) and provides an assessment of the potential environmental impacts relating to the proposed rezoning of the Bella Vista Station Precinct (the Precinct).

The Precinct was announced by the NSW Government in August 2014. The precinct is one of number of Priority Precincts which aim to provide for more homes, jobs and improved public spaces close to transport and services. One of the key goals for Priority Precincts is to increase housing choice and affordability by delivering increased housing supply in an environmentally, socially and economically sustainable manner.

The Bella Vista Precinct is located in The Hills Shire Local Government Area and covers approximately 460 hectares.

The vision for the Bella Vista Precinct is for a vibrant, mixed use centre comprising a mixture of offices, shops, community facilities, recreational, cultural and leisure activities, education, and a mix of housing types within walking distance of the new station.

The Bella Vista Precinct is a long term project that will be delivered over the next 25 years.

1.1 Background

This Environmental Site Assessment (ESA) has been prepared for Aver Pty Ltd (the client). The Precinct is situated in the North-West Growth Centre and is part of the overall North West Rail Link (NWRL) Corridor (NWRL Corridor Strategy) development, as shown in **Figure 2**. The site has been identified as a major new residential and commercial Precinct with large tracts of current semi-rural residential land becoming a mixture of low to high density residential, commercial/industrial and open space land as part of the development.

The site encompasses areas that are restricted in terms of growth and development of the area due to current building projects or recent residential and other development. However, key areas have been identified, as shown in **Appendix A**, and have been designated as 'Opportunity Sites'. These sites are discussed further in **Section 2.9**.

These include proposed residential developments in the east of the site, along with recreational development in the west. A commercial development, associated with the rail network is proposed in central portion of the site, along with another commercial area in the southern portion of the site, adjacent to the Norwest Private Hospital. Bella Vista train station is to be development in the central portion of the site, as shown on **Figure 3**.

It is understood that in the existing large rural and semi-rural parcels there is potential for environmental impacts associated with historical activities such pesticide use, demolition of hazardous building materials and fuel/chemical storage, along with potential for landfilling and illegal dumping of waste materials. Consequently, an ESA was required to understand potential areas of environmental concern (AECs).

This assessment assumed that existing developed areas have been through appropriate planning approvals and processes including investigation and management of potential contamination, and as such the main focus of review and assessment was on areas where a change in land use will occur (e.g. rezoning/development of former agricultural/rural land) and in the areas identified as opportunity sites.

The scope of the assessment has been developed in general accordance with relevant guidelines made or approved by the NSW Environment Protection Authority (EPA).

1.2 Objectives

The objective of the assessment was to identify and document the potential for contamination, based on site history review, review of any previous investigations and observations made during inspection of accessible areas within the Precinct.

1.3 Scope of Works

The scope of works completed for this assessment comprised:

- Review of the available documents provided by the client;
- Review and summary of relevant published geological and hydrogeological data including a review of licensed groundwater bore information;
- Review of available Council documentation, aerial photographs, legal title information, WorkCover NSW records, EPA records and Heritage records to identify potential AECs and associated contaminants of potential concern (COPCs);
- Inspection of accessible areas to identify potential AECs and COPCs identified in the historical review; and
- Preparation of this ESA report in general accordance with guidelines made or approved by the NSW EPA.

2. Site Condition & Surrounding Environment

2.1 Site Identification

The location of the site is shown in **Figure 1**. The site is currently owned by various landowners. The site details, as summarised in **Table 2.1** and shown in **Figure 2**, are described in detail in the following sections.

Table 2.1: Table Caption

Address (centre of Precinct)	Old Windsor Road, Bella Vista, NSW
Local Government Authority	Blacktown City Council and The Hills Shire Council
Site Zoning	R1 General Residential, R2 Low Density Residential, R3 Medium Density Residential, R4 High Density Residential, B1 Neighborhood Centre, B2 Local Centre, B5 Business Development, B7 Business Park, IN2 Light Industrial, SP2 Special Uses, RE1 Public Recreation, RE2 Private Recreation, W1 Natural Waterways
Current Use	Residential and Commercial/industrial and open space parkland
Proposed Use	Residential and Commercial/industrial and open space parkland
Site Area	Approximately 460 Ha
MGA Coordinates (Zone 56) of approximate centre of Precinct	6265890 (S) 309909 (E)

2.2 Site Description

An inspection of the future Precinct was undertaken by JBS&G on 16 November 2014.

The site comprised an approximate 470 ha area and the site layout is shown in **Figure 2**. A selection of Photographs of the site is provided in **Appendix B**.

The site has many minor roads extending through it servicing the various residential and commercial properties in the area, however, the main roads are Old Windsor Road, Balmoral Road, Norwest Boulevard, and Memorial Avenue. Throughout the future Precinct there are various public open spaces and parks.

The northern extent of the site boundary was Memorial Avenue, with Fairway Drive the eastern boundary extent. The southern boundary of the site was the Norwest business park, with Old Windsor Road for the south western boundary. The western site boundary extended along Meurants Lane and Yancannia Terrace.

To the east of Old Windsor Road, the majority of the site was identified as residential housing and appeared to be pre 2003 in construction. A man made drainage channel extended from the western boundary of the site to Old Windsor Road in an easterly direction and appeared to be in a moderate condition, with it being partially vegetated.

Observed vegetation in the drainage channel did not appear to be stressed and fauna, such as herons and ducks, were observed using the waterway. Full inspection of the drainage channel was not completed but evidence of minor fly tipping of household rubbish was observed.

Valentines Park was located in the south western portion of the site. JBS&G understands that the park is currently undergoing development for Football NSW, with three new synthetic pitches being installed.

A church and technical college was located in the central western portion of the site, along Old Windsor road and appeared in good condition. A BP service station was located opposite the church along Old Windsor road, and includes underground petroleum storage systems (UPSS) with potentially four to five underground storage tanks (USTs) based on the fuel points observed.

To the north of the BP service station the new Bella Vista train station and tunnel was under construction. A concrete batching plant and rock processing plant was observed to be present at

the property. Adjacent to the new tunnel property was a commercial/industrial area which consisted of various large business institutions such as Virgin, Westpac and Bella Vista Hotel.

In the northern portion of the site, along Memorial Avenue and Balmoral Road, agricultural plots were observed, however access to these was restricted. An area of scrubland was present to the east of this, with a small watercourse. This area of overgrown and access was prohibited.

A new residential development was present in the north eastern portion of the site, with single to three storey homes present. A new residential development was also present to the south, along the eastern boundary of the future Precinct.

New residential housing (post 2003) was present in the central and eastern portions of the site and consisted of single to three storey large acre blocks.

In the southern portion of the site, the Norwest Private Hospital was present, with some areas still under construction. The Bella Vista Farm was located to the east of the Hospital and consisted of open, vacant agricultural areas.

2.3 Surrounding Land use

The site consists of a mixture of residential, commercial/industrial, public open space, agricultural land and scrub bushland.

A Caltex service station was located at 1190 Old Windsor Road, to the north west of the site, near to Miami Street

To the east of the site there is a large golf course, along with residential housing and the Norwest Business Park.

To the south, south east, west and north west there is residential housing surrounding the site.

2.4 Topography

A review of the 1:100 000 topographic map for Penrith (9030) identified that the site is located within a hilly, moderate slopes with varied falls regional topography. The future Precinct varies from 60-90 AHD.

2.5 Hydrology

The closest surface water bodies to the site, are Elizabeth Macarthur Creek and Strangers Creek which both run south to north through within the site. Elizabeth Macarthur Creek is located approximately 400 m to the east of Old Windsor Road. Strangers Creek is located within an area of bushland along the eastern boundary of the site.

There are various onsite dams associated with the site's former use for agricultural purposes. Additionally, a man made drainage creek is present in the western portion of the site leading to Glenwood Lake.

It is anticipated that rainfall in the vacant, vegetated areas within the site will either infiltrate into the soil or be taken up by the vegetation present.

Stormwater drainage infrastructure is present throughout the Precinct and along all main roads. Where rainfall falls on these parts of the site, runoff is anticipated to flow into the constructed drains which flow to the main roads such as Windsor Road, Old Windsor Road and Norwest Boulevard.

2.6 Geology

A review of the 1:100 000 Geological Series for Penrith (Geological Survey of NSW Sheet 9030¹) indicates the site and surrounds are underlain by Quaternary fluvial sediments consisting of fine grained sand, silt and clay and by Triassic Ashfield Shales of the Wianamatta Group which consist of Dark grey to black claystone-siltstone and fine sandstone-siltstone laminite.

A review of the Soil landscape map Series (9030²) indicates that the soils at the site are hallow to moderately deep (<100 cm) hard setting mottled texture contrast soils, red and brown podzolic soils on crests grading to yellow podzolic soils on lower slopes and in drainage lines.

2.7 Hydrogeology

Registered groundwater bore information obtained from the National Resource Atlas database on the 20th November 2014. A review of the registered bore information indicated that a total of 11 monitoring bores were located within the boundary of the Precinct. Additionally, a further 18 monitoring bores were located within 1 km of the boundary of the site. The majority of the offsite bores were located within the Golf Course.

However, no information for any of the bores was available at the time of the preparation of this report.

On a regional level it is anticipated that groundwater movement is anticipated to occur in sympathy with the surface topography. Regional groundwater flows are expected towards the Creeks to the north-west of the site

A map of the locations of the known groundwater bores is provided in **Appendix C**.

2.8 Acid Sulfate Soils

Review of the NSW Natural Resource Atlas (NRA 2014³), indicated that for the site, there is none known occurrence of acid sulfate soils within the site.

¹ Department of Mineral Resources (1983). Sydney Geological Series Sheet 9030

² Department of Land and Water Conservation (1983). Sydney Soils Landscape Series Sheet 9030

³ New South Wales Natural Resource Atlas, <http://www.nratlas.nsw.gov.au/>. Accessed 20 November 2014. (NRA 2014).

2.9 Opportunity Sites

As discussed in **Section 1.1**, the development of the NWRL has identified key sites that have been designated as ‘opportunity sites’ that could be developed for residential, commercial and open space uses. The list of current potential opportunity sites are summarised in **Table 2.2** below, as reflected in **Appendix A**.

Table 2.2 Current Opportunity Sites

Opportunity Site	Current Zoning	Future Zoning
A	Business, Special Use (Railway), General & Low Density Residential, Open Space, Business	Business Park and Station, Local Centre, General Residential, High Density Residential, Open Space
B	Business Park	Business Park
C	Low Density Residential	Medium Density Residential

3. Site History

3.1 Aerial Photographs

Aerial photographs were obtained from the Department of Land and Property Information and are included as **Appendix D**. Site conditions in relation to historical use of the site are discussed below for each image.

1947: The site appeared to be predominantly used for agricultural purposes, with some market gardening in the northern extent of the site. Several creeks appeared to run north to south across the site, with a large dam present in the centre of the site.

Old Windsor Road appeared to be present and appeared to be single, sealed road.

1961: The site appeared to be similar to the previous photograph, with further residential properties present along Old Windsor Road. In the south western portion of the site, several buildings had been constructed.

1970: The site appeared similar to the previous photograph. Balmoral Road and Memorial Avenue had been built in the northern portion of the site, with some residential properties along these roads.

Market gardens appeared to be present in the northern portion of the site, with a dam present. Further defined agricultural parcels were present in the south western portion of the site, with some dams present.

Meurants Lane had been built in the southern portion of the site.

Excavation works appeared to be taking place within the southern portion of the site.

A raceway appeared to be present to the north west of the site.

1978: The central portion of the site appeared to be similar to the previous photograph.

The excavation works appeared to be more extensive in the southern portion of the site, with three large rectangular buildings present and smaller structures also evident.

In the south western portion of the site the previous agricultural lots appeared to have increased in size. Market gardens were now present in the northern portion of the site, between Memorial Avenue and Balmoral Road.

A golf course was present to the east of the site.

1986: The site appeared similar to the previous photograph.

Further development, including excavation appeared in the south western portion of the site, with two new buildings present. This appeared to be the development of Valentines Park.

1991: The site appeared similar to the previous photograph with the exception of clearance and excavation works associated with a business park in the southern portion of the site.

Large residential acre blocks were now evident in the northern portion of the site, along Balmoral Road.

Further excavation works were present to the east of the site, associated with construction of another business park.

1994: The central portion of the site appeared similar to the previous photograph.

Valentines Park was now present in the south western portion of the site, with market gardens to the west of this. The current drainage creek was under construction to the north of Valentines Park.

The Norwest Boulevard road was under construction in the southern portion of the site.

Further excavation for the business park appeared in the south eastern portion of the site.

To the west of the site, excavation works were present, along with a large dam. Residential properties were now present to the south east of the site.

1998: Large scale clearance and excavation works appeared in the southern and western portions of the site. Residential properties were under construction in the western portion of the site, north of drainage channel.

Northwest Boulevard had been completed in the southern portion, with further excavation to the north of this. A single large rectangular building was present.

The residential development to the south east appeared to extend up to the boundary of the future Precinct, with excavation for the current business park to the north of this. Residential development appeared to the west of the site.

2002: The southern portion of the site was being excavated for the current hospital and business park, with commercial properties having been constructed in the central portion of the site.

Along the eastern boundary, excavation works appeared to be underway for the residential properties.

The drainage creek in the western portion of the site appeared to have been further developed.

The western portion of the site appeared similar to the current layout of the site.

The Norwest business park appeared to be present to the east of the site.

Residential development had been fully completed to the west of the site.

2005: The site appeared similar to the current layout. The current business park was present in the central portion of the site. Residential development was present in the western and eastern portions of the site.

The Norwest Private Hospital was present in the southern portion of the site. The northern portion appeared unchanged.

It appeared the site had predominantly been used for agriculture until the 1998 where residential and commercial development begun.

2014: The site appeared similar to the current layout.

3.2 Title Deeds

A title search was completed for five properties from with the Precinct. The title search was completed by Mark Groll. The title deeds are provided in **Appendix E**.

For the historical titles obtained for the five properties, a summary is presented in **Table 3.1** following.

Table 3.1 Summary of Historical Tittle Deeds

Address	Lot	Year	Title	Opportunity Site
2 Celebration Drive	Lot 6 DP 270243	1915-1950	Edward William Archdall Pearce (Orchardist)	A
		1950- 1950	John Magney (Solicitor)	
		1950-2001	North Sydney Brick and Tile Company Pty Ltd, then North Sydney Brick and Tile Company Ltd and now Norwest Ltd	
		2001-Present	BP Australia	
44-46 Memorial Avenue	Lot 11 DP 844963	1921-1922	William Thomas Louis Archdall Pearce (Clerk in Holy Orders)	A
		1922-1955	Joseph David McKay (Provision Merchant)	
		1955-1971	Emile Marcel Nydegger (Dentist)	
		1971-1971	Bidges Pty Ltd	
		1971-1995	Joan Harper (Widow)	
		1995-1996 –	Roads and Traffic Authority NSW (RTA NSW)	
		1996-2004	Kelvin David Maidment	
		2004 – Present	RTA NSW	
235 Meurants Lane	Lot 11 DP 1084455	1903-1945	Robert Edwin Brien (Farmer)	Valentines Park (not a current Opportunity Site)
		1945-1947	Leslie Andrew Cole (Labourer)	
		1947-1949	Leonard Sebastian Culling (Electrical Fitter)	
		1949-1950	Sydney Herbert William Rendall (Outfitter)	
		1950 -1952	Albert Francis Perkins (Accountant)	
		1952 - 1959	Bonaventura Giovenco (Farmer) Benito Arjuro Giovenco (Farmer) Gaetano Giovenco (Farmer)	
		1959 - 1960	Richard Joseph Valentino (Poultry Farmer)	
		1960 - 1978	Valentines Farms Pty Limited	
		1978 - 1981	Donald Edward Malton Landers (Solicitor) Eric Daniel Ramsay (Member of Parliament) Thomas Alfred Waggett (Manufacturer) (?Trustees for New South Wales Soccer Federation)	
		1981 - 1988	Donald Edward Malton Landers (Solicitor) Eric Daniel Ramsay (Member of Parliament) Frank Leopold Gaston Hoffman (Company Director) (?Trustees for New South Wales Soccer Federation)	
32 Balmoral Road	Lot 12 DP 17213	1921 - 1923	William Thomas Louis Archdall Pearce (Clerk in Holy Orders)	N/A
		1923 - 1924	James Burns (Gentleman) George Dyson (Agent) Francis Gartrell (Master Baker)	
		1924 - 1925	James Burns (Gentleman)	
		1925 1933	Claude William Lillingstone Morchison (Gentleman)	
		1933 - 1939	William Richard Henry Lalor (Farmer)	
		1939 - 1953	Joseph David McKay (Farmer)	
		1953 – 1962	Robert Harold Martin (Farmer)	
		1962 – 1967	Theresa Messina (Married \V'oman)	
		1967 - 1980	Terence Patrick Bancroft (Machinist) Joyce Clare Bancroft (Married Woman)	
		1980 – 1981	Frederick Mulae (Company Director) Carolyn Dawn Mulae (Married Woman)	
		1981 - Present	Giorgio Vumbaca	
Balmoral Road	Lot 39 DP	10.05.1921	William Thomas Louis Archdall Pearce	A

Address	Lot	Year	Title	Opportunity Site
	10702	(1921 to 1922)	(Clerk in Holy Orders)	
		21.06.1922 (1922 to 1958)	Joseph David McKay (Provision Merchant)	
		29.09.1958 (1958 to 1959)	Harry Polis (Poulterer) Fotene Polis (Married Woman)	
		23.02.1959 (1959 to 1959)	Christos Athanasiades (Labourer) Vasilios Nazari.dis (Labourer)	
		27.08.1959 (1959 to 1966)	Christos Athanasiades (Labourer)	
		12.12.1966 (1966 to 1969)	Marshall Xerri (Farmer) William Xerri (Farmer)	
		05.03.1969 (1969 to 1980)	Anthony Vella (Market Gardener)	
		20.02.1980 (1980 to date)	Raymond Pang Hing Chu (Market Gardener) Kit Ying Chu (Married Woman)	

3.3 EPA Records

A search of the NSW EPA's public register maintained under the Protection of the Environment Operations Act 1997 was undertaken for the subject site and surrounding properties. The results of the search are presented in **Appendix F**. The search identified that there were no current or former prevention, clean-up or prohibition notices for the site and immediate surrounds.

A search of the EPA's public register for current and historical environmental protection licence (EPL) records issued under the POEO Act identified one licence and is summarised below:

- Licence holder: Salini Australia Pty;
- Premises: North West Rail Link;
- Activity: Railway systems activities.

A search was also undertaken through the EPA public contaminated land register and relevant records are included in **Appendix F**. The search identified that there have been no notices issued for the site under the Contaminated Land Management Act 1997 or any nearby surrounding properties.

A search of the NSW EPA register of notified sites identified the Caltex service station along Miami Street as being notified to the EPA. The property is currently undergoing assessment.

3.4 Heritage Records

A search of the Australian Heritage Trust database and the NSW Heritage Inventory was undertaken. The search indicated that the site has no heritage items present.

It is noted that part of Old Windsor Road is heritage listed but not within the current site boundaries.

It is understood that a heritage assessment is currently being prepared by others.

3.5 Council Records

A total of five s.149 certificates were ordered for five different properties, one from Blacktown City Council (BCC) and four from The Hills Shire Council with the s.149 planning certificates included in **Appendix G**. The following information is noted in the certificates for the relevant properties:

- The following zoning is noted on the 149 certificates;
- B5 Business Development;

- R2 Low Density Residential;
- SP2 Infrastructure – Drainage;
- RE1 Public Recreation;
- B7 Business Park;
- R1 General Residential;
- R4 High Density Residential;
- The land is not located in a heritage conservation area;
- The land is not affected by any road widening or road realignment under Roads Act 1993;
- The land is not affected by any of the matters contained in Clause 59(2) as amended in the Contaminated Land Management Act 1997 as listed:
- That the land to which the certificate relates is significantly contaminated land;
- That the land to which the certificate relates is subject to a management order;
- That the land to which the certificate relates is the subject of an approved voluntary management proposal;
- That the land to which the certificate relates is subject to an ongoing maintenance order;
- That the land to which the certificate relates is the subject of a site audit statement;
- The land is not subject to a Tree Preservation Order; and
- The land is not identified as being affected by implementation of the Coastal Protection Act 1979 or proclaimed to be within a mine subsidence district within the meaning of Section 15 of the Mine Subsidence Compensation Act 1961.
- The land is subject to flooding but further investigation is required.

3.6 WorkCover Dangerous Goods Database

Of the various properties that make up the site, five were selected, based on the site history review, to have a Dangerous Goods Licence search of the Stored Chemical Information Database maintained by WorkCover NSW completed.

The properties that were included in the search are below:

- The Agricultural site identified as Lot 39 DP 10702
- The BP Service Station identified as Lot 6 DP 270243
- Valentine Sports Park identified as Lot 11 DP 1084455
- The Agricultural site identified as Lot 12 DP 17213
- A car park identified as Lot 11 DP 8844963

At the time of writing this report, the Dangerous Goods Licences had not been received.

3.7 DA/BA Records

Development Application and Building Application records were not obtained from the council for this report.

3.8 Previous Investigations

No previous environmental investigations were provided to JBS&G for review during this preliminary assessment.

3.9 Integrity Assessment

The information obtained from formal published sources noted above has been found to be in general agreement regarding the history of the site.

Although the dangerous goods, titles and council searches were not completed for all properties within the site, the information gathered during the site inspection and the historical search were generally in agreement as to the location of former infrastructure and AECs.

Based on the range of sources and the general consistency of the historical information, it is considered that the historical assessment has an acceptable level of accuracy with respect to the potentially contaminating activities historically occurring at the site.

4. Conceptual Site Model

The information presented herein, together with the report figures, provides a conceptual site model (CSM) for the site based on the current understanding of the site and the specific project objectives.

4.1 Potential Areas of Environmental Concern

Based on the site history review, the site inspections, and in consideration of the specific project objectives, potential AECs and associated COPCs have been identified and are presented in **Table 4.1**.

Table 4.1 General Areas of Environmental Concern and Associated Contaminants of Potential Concern

Area of Environmental Concern	Contaminants of Potential Concern
Fill material at the site to obtain existing levels	Heavy metals, total petroleum hydrocarbons (TPH), benzene, toluene, ethylbenzene and xylenes (BTEX), polycyclic aromatic hydrocarbons (PAHs), organochlorine pesticides (OCPs), polychlorinated biphenyls (PCBs) and asbestos
Former and current dams and creeks (illegal dumping/filling)	Heavy metals, TPH, BTEX, PAHs, OCPs, PCBs and asbestos
Former brick making	Heavy metals, PAHs
Former market gardens	OCPs, asbestos
Poultry farming	Biologicals
Agricultural areas not developed	OCPs, asbestos
Former Site Building Structures	Asbestos, lead paint, synthetic mineral fibres
Petroleum Storage (service station)	TPH, BTEX, PAH, heavy metals
Hospital	TPH, BTEX, PAHs, heavy metals, PCBs, biologicals
Church	Asbestos, lead paint, synthetic mineral fibres
Valentines Park	Asbestos

Specific AECs and COPCs that are potentially present on the opportunity sites are identified in **Table 4.2** below

Table 4.2 Opportunity Sites

Opportunity Site	Future Zoning	Area of Environmental Concern	Contaminants of Potential Concern
A1/A2	Business Park and Station, Local Centre, General Residential, High Density Residential, Open Space	Agricultural, brick making, former dams, creeks – demolition waste	Heavy metals, TPH, BTEX, PAHs, OCPs, PCBs and asbestos
B	Business Park	Agricultural, petroleum storage, excavation and filling – demolition waste	Heavy metals, TPH, BTEX, PAHs, OCPs, PCBs and asbestos
C	Low Density Residential	Agricultural	Heavy metals, OCPs, PCBs

Sensitive receptors at the site are considered to include: site workers and visitors who may come into contact with potentially contaminated media within the site, especially during the site redevelopment, as per **Section 4.5**.

4.2 Potentially Contaminated Media

Potentially contaminated media targeted for this investigation:

- Fill material;

- Natural soils;
- Surface water; and
- Groundwater.

Some potential for filling has been reported at the site, including possible historical burial of waste material and potential demolition waste. Additionally, petroleum storage has occurred at the site. Based on this the fill material is considered a potentially contaminated medium.

Surface and near surface natural soils at the site are considered to comprise potentially contaminated media. Where fill is exposed at the ground surface there is the potential for impacted materials on the ground surface to have impacted natural soil through potential leaching or direct impacts from historical site activities.

The potential leachability of identified contaminants of concern and subsurface contamination sources (e.g. underground petroleum storage systems (UPSS), fill) contribute to groundwater being nominated as a potentially contaminated medium. As with the natural soils, the potential for contamination of groundwater will depend upon the actual nature, occurrence and characteristics of contamination within overlying fill material (where present) and/or potentially natural soils.

Given the close proximity of surface water bodies to the site and that rainfall would flow into these surface water bodies through overland flow, the surface water in some areas is also considered to be a potentially contaminated media.

4.3 Potential for Migration

Contaminants generally migrate from site via a combination of windblown dusts, rainwater infiltration, groundwater migration and surface water runoff. The potential for contaminants to migrate is a combination of:

- The nature of the contaminants (solid/liquid and mobility characteristics);
- The extent of the contaminants (isolated or widespread);
- The location of the contaminants (surface soils or at depth); and
- The site topography, geology, hydrology and hydrogeology.

The potential contaminants identified at the site are present in solid (e.g. impacted soil or fill, asbestos) and liquid (e.g. dissolved in water) forms.

Rainfall infiltration at the site is expected to occur in unsealed areas. There is therefore the potential for contaminants in fill to leach into underlying natural soils and into shallow/perched groundwater.

As the site is covered primarily with vegetation or hard stand (bitumen/concrete/buildings), the potential for windblown dust migration of contamination from the site is generally low other than in localised areas where unsealed surfaces exist.

The potential for generation of vapours or ground gases associated with volatile contaminants will be limited to localised areas where such contaminant sources occur (e.g. UPSS sites).

4.4 Potential Exposure Pathways

Based on the contaminants of potential concern identified in various media as discussed above, existing site uses and with consideration of future potential site development activities, the exposure pathways considered to be potentially complete for the site include:

- Potential dermal and oral contact to impacted soils (and associated dust) during future service/other excavations across areas of the Site;
- Potential oral and dermal contact to shallow groundwater, where present, during potential future service excavations and/or installed services pits or other excavations in areas of the site;
- Potential contaminant uptake by vegetation established in the various vegetated areas of the site, potentially including large street tree plantings and landscaped areas;
- Potential contaminant uptake by site occupants as a result of ingestion via eating edible plant (including fruit and vegetable) matter grown in areas of the site;
- Direct ingestion of soil, particularly by young children playing on the ground surface in non-paved areas of the site; and/or
- Inhalation of contaminant vapours migrating upward to the ground surface and/or accumulating within future service excavations and/or installed service pits or structures in areas where volatile contaminants maybe present.

4.5 Receptors

Potential receptors of environmental impact within the site include:

- Future site occupants whom may potentially be exposed to COPCs through direct contact with impacted soils and/or inhalation of dusts / fibres / vapours associated with impacted soils; and/or
- Excavation / construction / maintenance workers conducting activities at or in the vicinity of the site, whom may potentially be exposed to COPCs through direct contact with impacted soils and/or groundwater present within excavations and/or inhalation of dusts / fibres / vapours associated with impacted soils;
- Flora species established in the vegetated areas of the site inclusive of large trees and edible plants; and/or
- The aquatic ecosystem of various localised creek lines located hydro-geologically downgradient of the site.

4.6 Preferential Pathways

For the purpose of this preliminary investigation, preferential pathways have been identified as natural and/or man-made pathways that result in the preferential migration of COPCs as either liquids or gases.

Man-made preferential pathways are present in limited areas of the site, generally associated with historical and/or current underground services infrastructure and in areas of fill material at the site. Fill materials are anticipated to have a higher permeability than the underlying natural soil and/or bedrock.

Where sub-surface infrastructure easements occur at the site, preferential pathways can be formed by the generally higher permeability backfill used to re-instate these trenches.

Preferential pathways are also important in the assessment of potential off-site sources of COPCs. Preferential pathways are potentially present in the adjoining road network, as associated with service easements.

5. Discussion

Potential contamination risks are predominantly associated with former historical uses of the site for agricultural purposes including market gardens. Based on the historical review all the opportunity sites appeared to have at some stage had agriculture present. Additionally, a possible brick works may have been present in the area of the A opportunity site.

There also exists the potential for former creeks and dams to have been filled with uncontrolled waste, including asbestos. Creeks and dams were present in some areas including opportunity sites. The Valentines Park site (not a current opportunity site) appeared to have had filling on the property.

There are existing buildings that may contain hazardous materials based on their age, including residential properties, and the college and church in the western portion of the site.

Despite the potential for contamination from historical land uses as discussed, there is no indication of the potential for gross or widespread contamination that would preclude rezoning, and the associated potential impacts are common and readily able to be assessed and if required managed when future redevelopment is planned. Potential contamination from historical land use in areas of recent or current redevelopment are assumed to have been addressed through the planning process.

Identified potential impacts are considered representative of common contaminants and contaminating land use activities which can be readily addressed during later development approval (DA) stages. This would include completion of more specific preliminary and detailed site investigations consistent with relevant planning instruments including and SEPP 55 requirements, for redevelopment of areas within the site once detailed development proposals are made.

6. Conclusions and Recommendations

Based on the desktop review and discussion above and the limitations in **Section 7**, the following findings have been reached.

- There is the potential for contamination to be present in areas of the precinct where rezoning and redevelopment may occur, typically associated with historical agricultural use of land and filling;
- In areas where there has been relatively new development, or development is currently occurring, it is assumed that requirements for assessment and management of potential contamination have already been captured during the planning process;
- The historical removal of multiple residential and commercial buildings located at the site could pose a contamination risk to the site resulting from demolition of structures potentially including hazardous building materials (e.g. asbestos and lead-paint);
- There is the potential for hazardous building materials such as asbestos and lead paint to be present in current structures on the site in areas where demolition may be required to facilitate later redevelopment; and
- Offsite activities at some locations (e.g. where service station sites are present within or in proximity to the site boundaries) could have the potential to result in contamination migrating onto the site through soil or groundwater.

Whilst the preliminary investigation identified the potential for contamination to be present in some areas of the site, the investigation did not identify the potential for gross or widespread contamination which may preclude rezoning of the site. Identified potential impacts are considered representative of common contaminants and potentially contaminating land use activities which can be readily dealt with during the DA stage (i.e. including completion of specific preliminary and detailed site investigations to assess land use suitability consistent with relevant planning instrument, including SEPP 55, requirements) for redevelopment of areas within the site, once later detailed development proposals are made.

In the absence of gross or widespread contamination, the requirements of the DUAP/EPA (1998) *Managing Land Contamination: Planning Guidelines* for rezoning are considered to have been satisfied, namely that the rezoning can proceed, “provided that measures are in place to ensure that the potential for contamination and the suitability of the land for any proposed use are assessed once detailed proposals are made” (s.4.1.2 DUAP 1998).

It is recommended that properties to be developed as part of the NWRL development be suitably investigated in accordance with relevant NSW EPA endorsed guidelines to assess site-suitability, when detailed development proposals are made.

It is also recommended that Hazardous Building Material Surveys (HBMS) be undertaken prior to any demolition and redevelopment works on individual land parcels where redevelopment is proposed.

7. Limitations

This report has been prepared for use by the client who has commissioned the works in accordance with the project brief only, and has been based in part on information obtained from the client and other parties.

The advice herein relates only to this project and all results conclusions and recommendations made should be reviewed by a competent person with experience in environmental investigations, before being used for any other purpose.

JBS&G accepts no liability for use or interpretation by any person or body other than the client who commissioned the works. This report should not be reproduced without prior approval by the client, or amended in any way without prior approval by JBS&G, and should not be relied upon by other parties, who should make their own enquires.

Investigation of potential contamination is based on appropriate guidance documents made and approved by the relevant regulatory authorities. Conclusions arising from the review and assessment of environmental data are based on investigations considered appropriate based on the regulatory requirements.

No sampling or laboratory analyses were undertaken as part of the investigations undertaken, as described herein. Potential contaminants and areas of potential concern are based on the information detailed in the site history. Further contaminants and/or areas of potential concern may exist at the site, which were not identified in the site history and which may not be reasonably expected at the site.

Changes to site conditions may occur subsequent to the investigations described herein, through natural processes or through the intentional or accidental addition of contaminants. The conclusions and recommendations reached in this report are based on the information obtained at the time of the investigations.

This report does not provide a complete assessment of the environmental status of the site, and it is limited to the scope defined herein. Should information become available regarding conditions at the site including previously unknown sources of contamination, JBS&G reserves the right to review the report in the context of the additional information.

Figures



Legend:

Approximate Site Boundary



Job No: 50033

Client: AVER

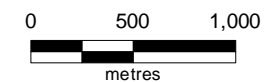
Version: R01 Rev A

Date: 04-Nov-2014

Drawn By: SE

Checked By: TH

Scale 1:37,000



Coor. Sys. GDA 1994 MGA Zone 56


**North West Rail Link
Bella Vista, NSW**

SITE LOCATION

FIGURE 1:



Legend:

 Approximate Site Boundary



Job No: 50033

Client: AVER

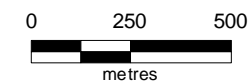
Version: L002

Date: 10-Nov-2014

Drawn By: SE

Checked By: TH

Scale 1:19,000



Coor. Sys. GDA 1994 MGA Zone 56

**North West Rail Link
Bella Vista, NSW**

SITE LAYOUT

FIGURE 2:



Legend:

- Approximate Site Boundary
- New Residential



Job No: 50033

Client: AVER

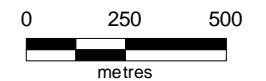
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Checked By: TH

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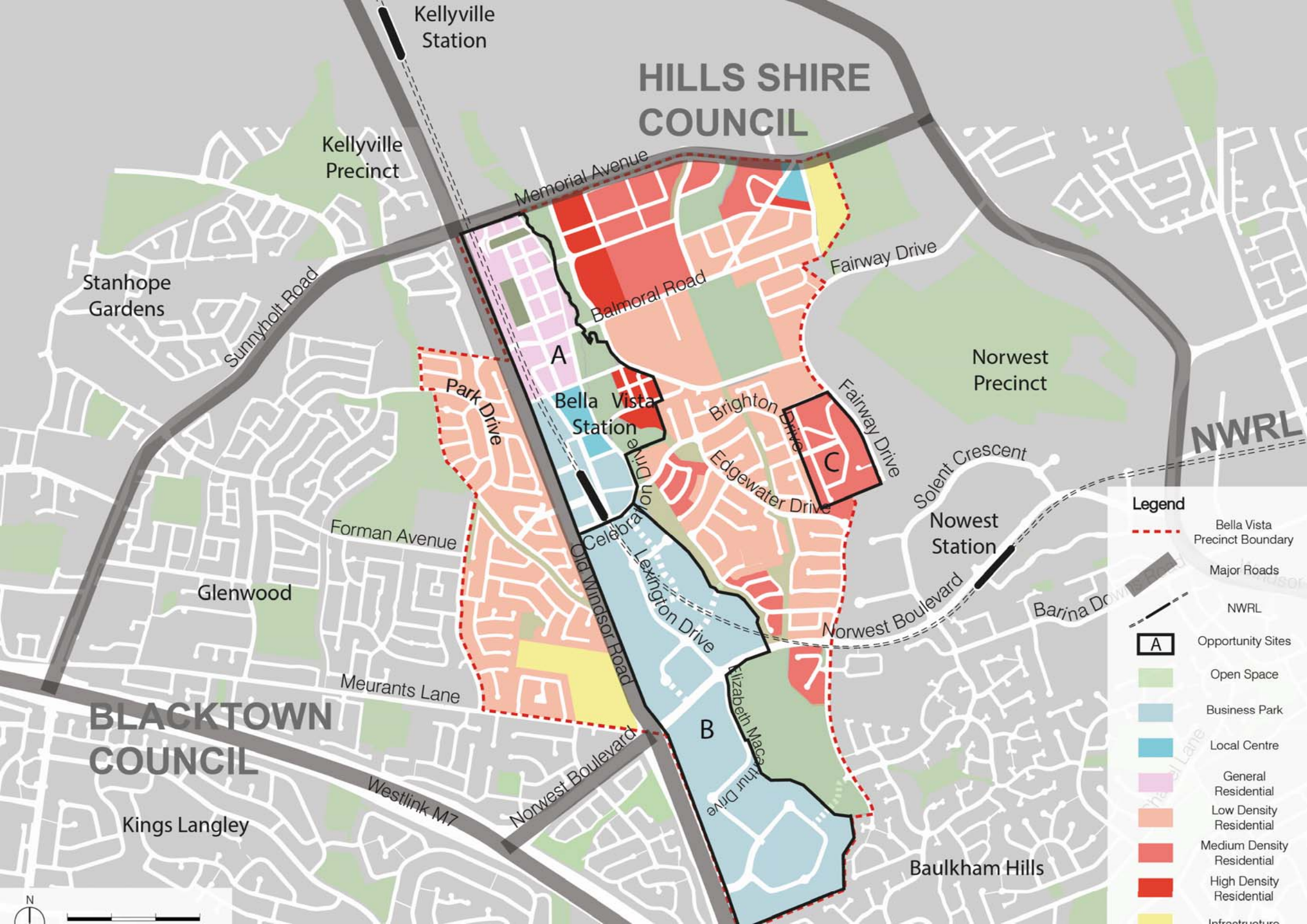
Coor. Sys. GDA 1994 MGA Zone 56

**North West Rail Link
Bella Vista, NSW**

SITE FEATURES

FIGURE 3:

Appendix A: Opportunity Sites



Appendix B: Photographic Log

DRAINAGE CHANNEL IN WEST



NEW RAIL TUNNEL LOCATION IN CENTRAL PORTION



DRAINAGE CHANNEL IN WEST



NEW DEVELOPMENT HOUSING IN NORTH EAST



Job No: 50033

Client: Aver

Version: A

Date: 12/11/2014

Drawn By: TH

Checked By: MB

Not to Scale

Coord. Sys n/a

**Bella Vista Precinct
North West Rail Link**

AGRICULTURAL LAND IN NORTHERN PORTION



PRE 2003 RESIDENTIAL HOUSE



RESIDENTIAL DEVELOPMENT IN NORTH PORTION



RESIDENTIAL DEVELOPMENT IN EASTERN PORTION



Job No: 50033

Client: Aver

Version: A

Date: 12/11/2014

Drawn By: TH

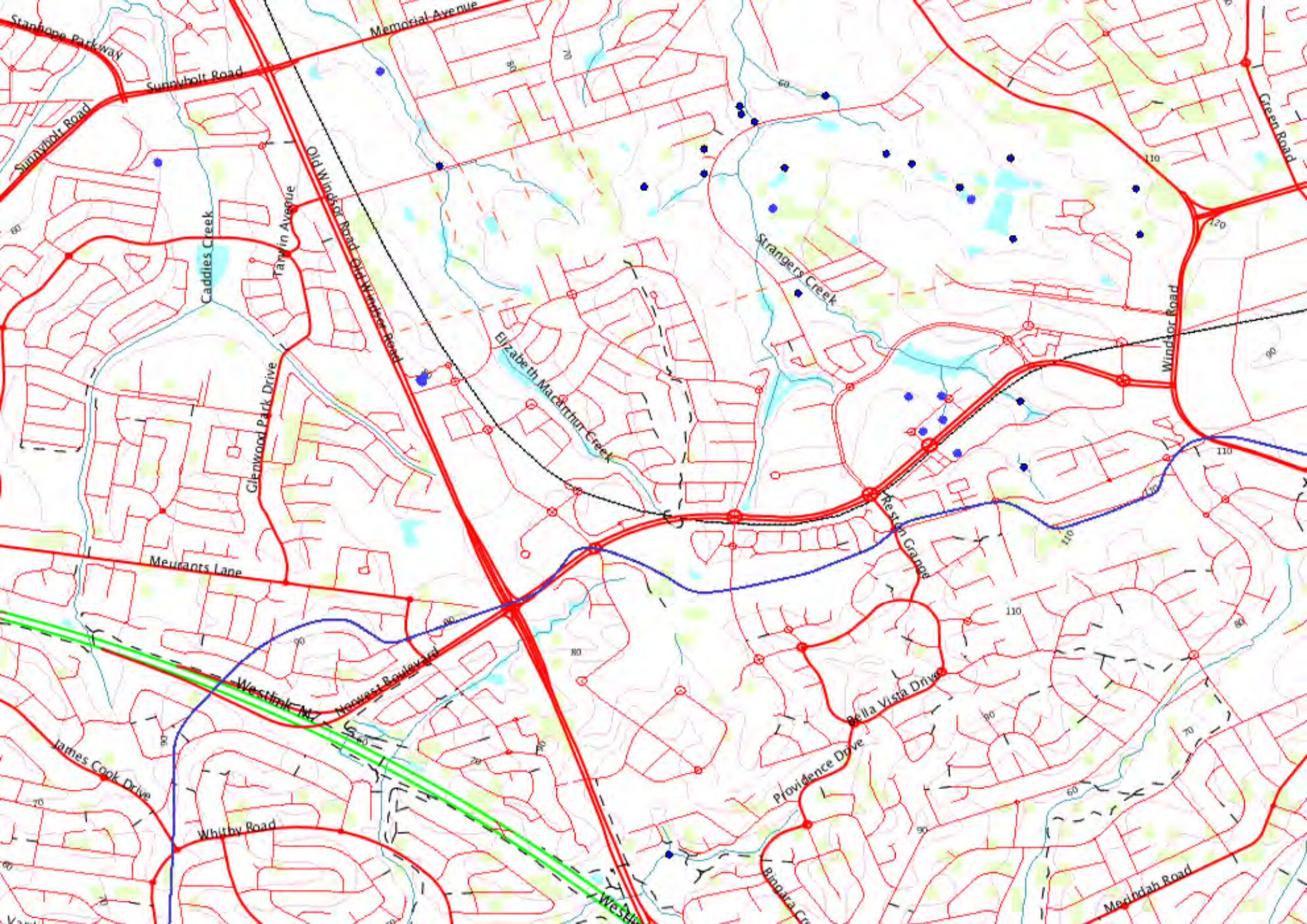
Checked By: MB

Not to Scale

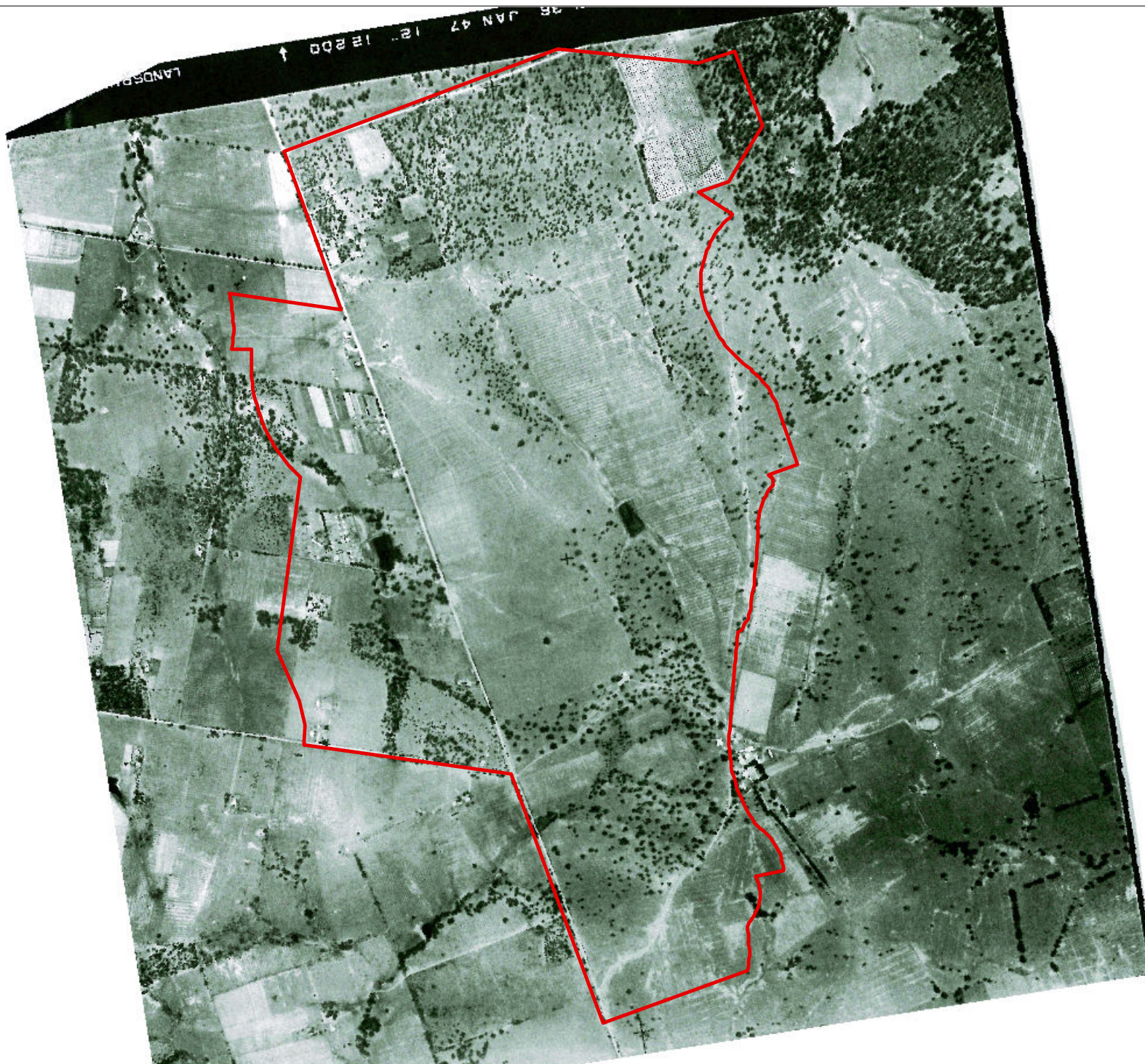
Coord. Sys n/a

**Bella Vista Precinct
North West Rail Link**


Appendix C: Hydrogeology



Appendix D: Historical Aerials



Legend:

 Approximate Site Boundary



Job No: 50033

Client: AVER

Version: Aerials


Date: 04-Nov-2014

Drawn By: SE

Checked By: TH

Scale 1:20,000



0 250 500

metres

Coor. Sys. GDA 1994 MGA Zone 56


**North West Rail Link
Bella Vista, NSW**

**AERIAL PHOTOGRAPH
January 1947, Run 25W**

FIGURE:



Legend:

 Approximate Site Boundary



Job No: 50033

Client: AVER

Version: Aerials

Date: 04-Nov-2014

Drawn By: SE

Checked By: TH

Scale 1:20,000



0 250 500
metres

Coor. Sys. GDA 1994 MGA Zone 56

**North West Rail Link
Bella Vista, NSW**

**AERIAL PHOTOGRAPH
1961, Run 25W**

FIGURE:



Legend:

Approximate Site Boundary



Job No: 50033

Client: AVER

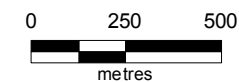
Version: Aerials

Date: 04-Nov-2014

Drawn By: SE

Checked By: TH

Scale 1:20,000




Coor. Sys. GDA 1994 MGA Zone 56

**North West Rail Link
Bella Vista, NSW**

**AERIAL PHOTOGRAPH
July 1970, Run 11**

FIGURE:

**Legend:**

 Approximate Site Boundary



Job No: 50033

Client: AVER

Version: Aerials

Date: 04-Nov-2014

Drawn By: SE

Checked By: TH

Scale 1:20,000



0 250 500
metres

Coor. Sys. GDA 1994 MGA Zone 56


**North West Rail Link
Bella Vista, NSW**

**AERIAL PHOTOGRAPH
March 1978, Run 10**

FIGURE:



Legend:

 Approximate Site Boundary



Job No: 50033

Client: AVER

Version: Aerials

Date: 04-Nov-2014

Drawn By: SE

Checked By: TH

Scale 1:20,000



0 250 500
metres


Coor. Sys. GDA 1994 MGA Zone 56

**North West Rail Link
Bella Vista, NSW**

**AERIAL PHOTOGRAPH
August 1986, Run 16**

FIGURE:

**Legend:**

 Approximate Site Boundary



Job No: 50033

Client: AVER

Version: Aerials

Date: 04-Nov-2014

Drawn By: SE

Checked By: TH

Scale 1:20,000



0 250 500
metres

Coor. Sys. GDA 1994 MGA Zone 56


**North West Rail Link
Bella Vista, NSW**

**AERIAL PHOTOGRAPH
September 1991, Run 7**

FIGURE:



Legend:

 Approximate Site Boundary



Job No: 50033

Client: AVER

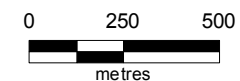
Version: Aerials

Date: 04-Nov-2014

Drawn By: SE

Checked By: TH

Scale 1:20,000




Coor. Sys. GDA 1994 MGA Zone 56

**North West Rail Link
Bella Vista, NSW**

**AERIAL PHOTOGRAPH
October 1994, Run 7**

FIGURE:

**Legend:**

 Approximate Site Boundary



Job No: 50033

Client: AVER

Version: Aerials


Date: 04-Nov-2014

Drawn By: SE

Checked By: TH

Scale 1:20,000



0 250 500

metres


Coor. Sys. GDA 1994 MGA Zone 56

**North West Rail Link
Bella Vista, NSW**

**AERIAL PHOTOGRAPH
September 1998, Run 7**

FIGURE:

**Legend:**

 Approximate Site Boundary



Job No: 50033

Client: AVER

Version: Aerials

Date: 04-Nov-2014

Drawn By: SE

Checked By: TH

Scale 1:20,000



0 250 500
metres


Coor. Sys. GDA 1994 MGA Zone 56

**North West Rail Link
Bella Vista, NSW**

**AERIAL PHOTOGRAPH
March 2002, Run 7**

FIGURE:

**Legend:**

 Approximate Site Boundary



Job No: 50033

Client: AVER

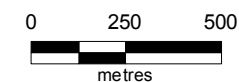
Version: Aerials

Date: 04-Nov-2014

Drawn By: SE

Checked By: TH

Scale 1:20,000



Coor. Sys. GDA 1994 MGA Zone 56

**North West Rail Link
Bella Vista, NSW**

**AERIAL PHOTOGRAPH
December 2005, Run 7**

FIGURE:

Appendix E: Title Search

Legal Liaison Searching Services

ABN: 52832569710
Ph: 02 9233 5800
Fax: 02 9221 2827

Level 4, 70 Castlereagh Street,
Sydney 2000
PO Box 2513 Sydney NSW 2000
DX 1019 Sydney

Summary of Owners Report

LPI

Sydney

Address: - Balmoral Road, Kellyville

Description: - Lot 6 D.P. 270243

<u>Date of Acquisition and term held</u>	<u>Registered Proprietor(s) & Occupations where available</u>	<u>Reference to Title at Acquisition and sale</u>
08.11.1915 (1915 to 1950)	Edward William Charles Archdall Pearce (Orchardist)	Book 1070 No. 566
24.08.1950 (1950 to 1950)	John Magney (Solicitor)	Book 2138 No. 596
29.09.1950 (1950 to 2001)	North Sydney Brick and Tile Company Pty Limited Then North Sydney Brick and Tile Company Limited Now Norwest Limited	Book 2141 No. 283 Now 6/270243
22.11.2001 (2001 to date)	# BP Australia Limited	6/270243

Denotes current registered proprietor

Note:

It is noted that there is seven intervening titles between Certificate of Title Volume 14787 Folio 221 and Folio Identifier 708/1008556

The intervening titles have not been investigated in view of the current transfer from Norwest Limited formerly known as North Sydney Brick and Tile Company Pty Limited then North Sydney Brick and Tile Company Limited

Please advise if required

Easements: - NIL

- 14.12.2000 (? 11.09.2001) Easement for Access and Parking, variable width (D.P. 270243)

Leases: -

- 27.10.1938 to Sarah Jane Hall, Married Woman – Term of 5 years
- 21.07.1964 to Ellen Jones Married Woman – Term of 5 years (unregistered lease)
- 25.02.1971 to Ellen Jones Married Woman – surrendered 23.07.1975

Yours Sincerely
Mark Groll
5 November 2014
(Ph: 0412 199 304)



Reverse Street Address Inquiry

Provides street address details for a title.

Street Address associated with title reference: **6/270243**

Address:

2 CELEBRATION DR BELLA VISTA 2153

Client Reference:

Date of Service: 05-Nov-2014 13:50:41

This information is provided as a searching aid only.
The Registrar General does not guarantee the information provided.

Please forward any feedback or data quality issues to feedback@lands.nsw.gov.au

COMMUNITY PROPERTY PLAN
COMMUNITY PROPERTY LOT ONLY

No.	BEARING	DISTANCE	ARC	WADUS
1	201°55'10"	175.25	191.975	131
2	259°21'50"	24.795	25.1	46.5
3	266°15'50"	20.175	20.25	68.285
4	248°45'20"	6.31	6.335	20
5	228°40'30"	19.085	19.205	50
6	233°32'20"	14.48	14.665	26.5
7	231°16'10"	6.345	6.345	96.5
8	266°06'10"	12.355	12.35	21.495
9	239°17'20"	5.385	5.42	14.29
10	228°25'30"	26.105	26.26	70
11	249°56'	15.80	17.175	14
12	207°13'40"	5.275	16.65	13.68
13	207°13'40"	5.275	16.65	13.68
14	070°52'00"	18.775	19.17	27.25
15	339°30'00"	27		

SCHEDULE OF SHORT & CURVED BOUNDARIES

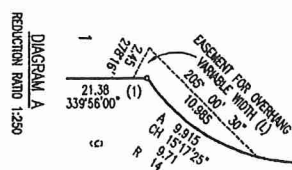


Diagram A
REDUCTION RATIO 1:250

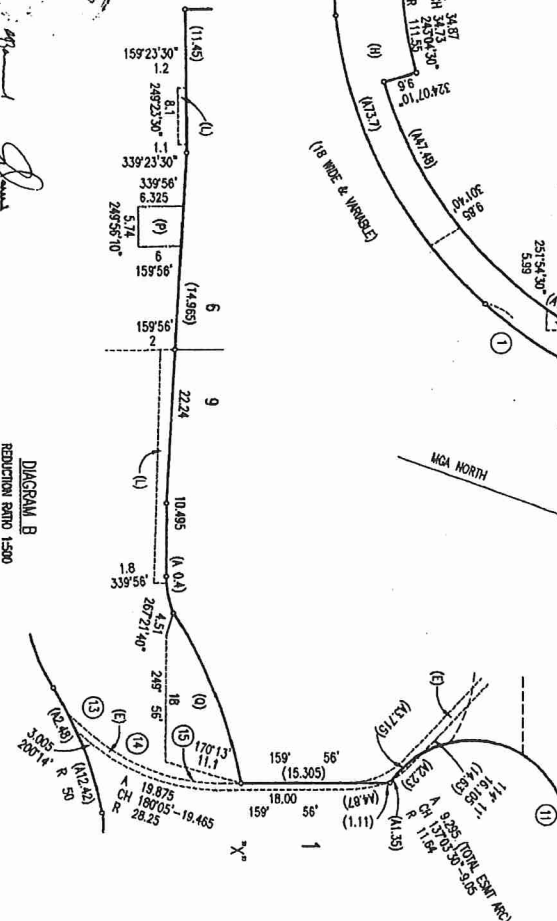


Diagram B
REDUCTION RATIO 1:500

- (K) EASEMENT FOR OPEN ACCESSWAY 3.09 WIDE WIDE DE 270243 (Doc 2)
- (L) EASEMENT FOR UNDERGROUND CABLES 1 WIDE WIDE DE 270243 (Doc 2)
- (M) RIGHT OF CARRIAGEWAY VARIABLE WIDTH WIDE DE 270243 (Doc 2)
- (N) RIGHT OF CARRIAGEWAY 3.09 WIDE WIDE DE 270243 (Doc 2)
- (O) EASEMENT FOR OPENING VARIABLE WIDTH WIDE DE 270243 (Doc 2)
- (P) EASEMENT FOR PLANT & EQUIPMENT 3.2 WIDE WIDE DE 270243 (Doc 2)
- (Q) EASEMENT FOR PARKING VARIABLE WIDTH WIDE DE 270243 (Doc 2)
- (R) EASEMENT FOR PARKING 20 WIDE WIDE DE 270243 (Doc 2)
- (S) RIGHT OF CARRIAGEWAY 3.09 WIDE WIDE DE 270243 (Doc 2)
- (T) EASEMENT FOR SPACE 5 WIDE WIDE DE 270243 (Doc 2)
- (U) EASEMENT FOR SPACE 5 WIDE WIDE DE 270243 (Doc 2)
- (V) REVERTED BY EASEMENT FOR OPEN ACCESSWAY 3.09 WIDE WIDE DE 270243 (Doc 2)

Plan Drawing only to appear in this space

DP270243

Registered 18/11/2002

This is sheet 1 of my plan in sheets

Survey registered under Surveyors Act 1979
This is sheet 1 of the plan of the sheets
of 17/4/2002

COMMUNITY ASSOCIATION D.P. 270243 CERTIFIES THAT IT HAS, BY UNANIMOUS RESOLUTION, CONSENTED TO THE CONVERSION OF LOT 10 DE 270243 TO THE COMMUNITY ASSOCIATION D.P. 270243 HAS HERETO AFFIRMED ON

Survey Registered under the Surveyors Act 1979

IN THE PRESENCE OF
A.C.N. 004 240 789
COMMUNITY ASSOCIATION

BEING PRESENT AUTHORIZED BY SECTION 8 OF THE COMMUNITY LAND MANAGEMENT ACT 1989 TO ATTEST TO THE SIGNING OF THE SEAL

THIS SHEET CONTAINS URBAN DETAILS OF LOT 10 RECALCULATED FROM THE PLAN REGISTERED ON 14-12-2000

THE COUNCIL OF THE SHIRE OF DAWKINS HILLS SHIRE COUNCIL HAS, BY UNANIMOUS RESOLUTION, CONSENTED TO THE CONVERSION OF LOT 10 DE 270243 TO THE COMMUNITY ASSOCIATION D.P. 270243 HAS HERETO AFFIRMED ON

APPROVED BY 3199-01
FERNAN
DAWKINS HILLS SHIRE COUNCIL

Reduction Ratio 1:1000
SURVEYOR'S REFERENCE: 98226-3 FILE 2002 07100(112)

NAME OF ROAD/PAVEMENT, IF ANY

HOMEMAKER CENTRE

ADDRESS FOR SERVICE OF NOTICE
NORWEST LIMITED
P.O. BOX 6007
BAULKHAM HILLS BUSINESS CENTRE

(SHEET 1 OF 5 SHEETS)

DP270243

③

FOR REFERENCE TO ADDITIONAL SHEETS SEE SCHEDULE BELOW

REGISTERED: 11/14/12. 2000

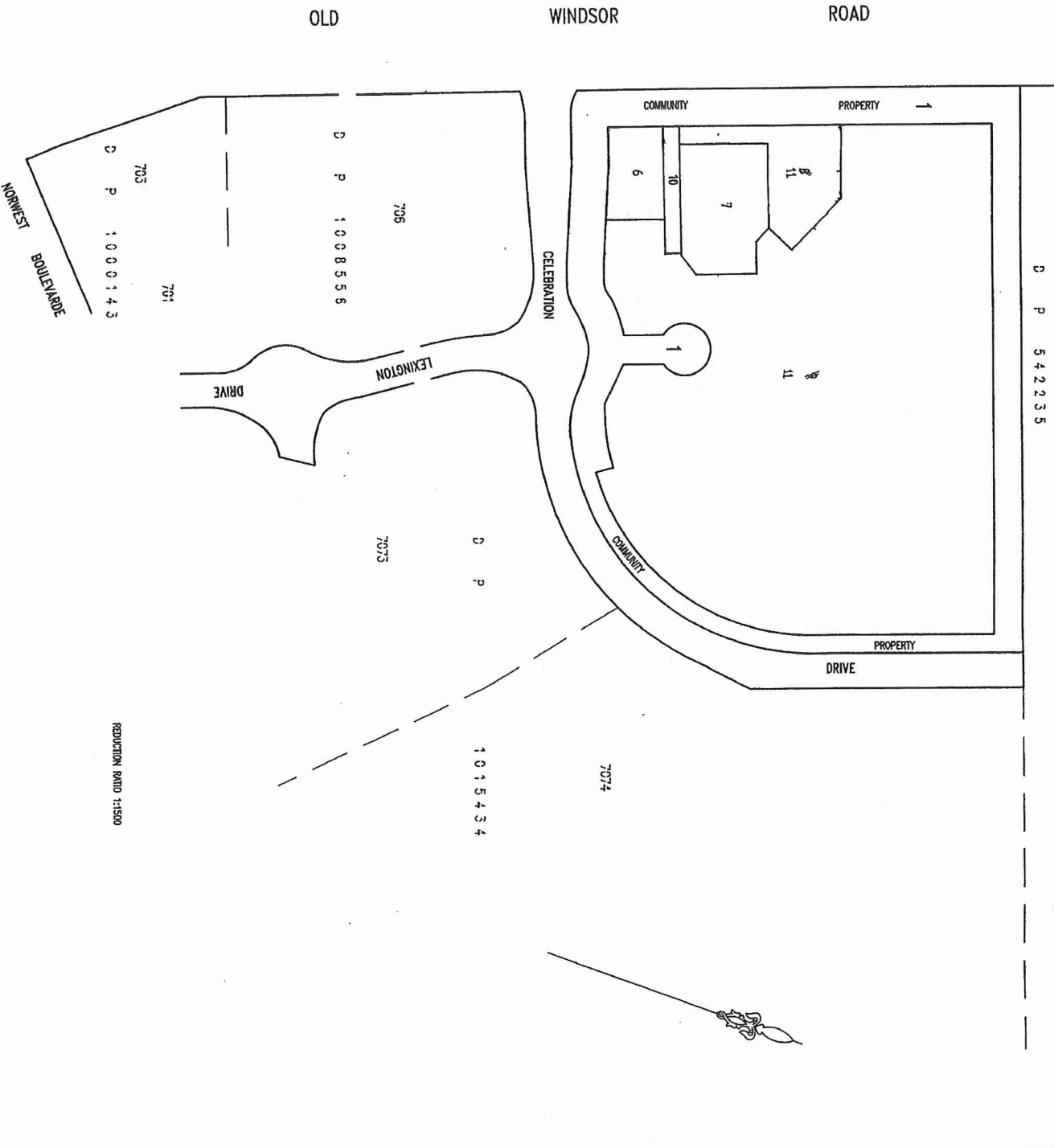
THIS SHEET IS BEING CONTINUALLY UP-DATED TO SHOW THE CURRENT SUBDIVISIONAL PATTERN OF THE SCHEME FOR DETAILS OF SUCH UP-DATES AND ADDITIONAL AND REPLACEMENT SHEETS ADDED SEE SCHEDULE BELOW.

COUNCIL'S APPROVAL No. 9356
DATE 12. 12. 2000
SIGNATURE: *Alvin*

SURVEYOR'S SIGNATURE: *Alvin*
DATE 20th NOVEMBER 2000

SCHEDULE OF CHANGES TO THE SCHEME

LOT No.	DETAILS	SHEET No.
2-5	SUBDIVIDED INTO	6-7
8-9	LOTS 6-10 CONSOLIDATED INTO	8
LOT 11		



PLAN FORM 2

SIGNATURE AND SEALS ONLY.



[Signature]
DIRECTOR
NORTHWEST LIMITED

[Signature]
Crown Lands Office Approval
Approved: _____
Admitted Officer: _____
Field Book: _____
Page: _____

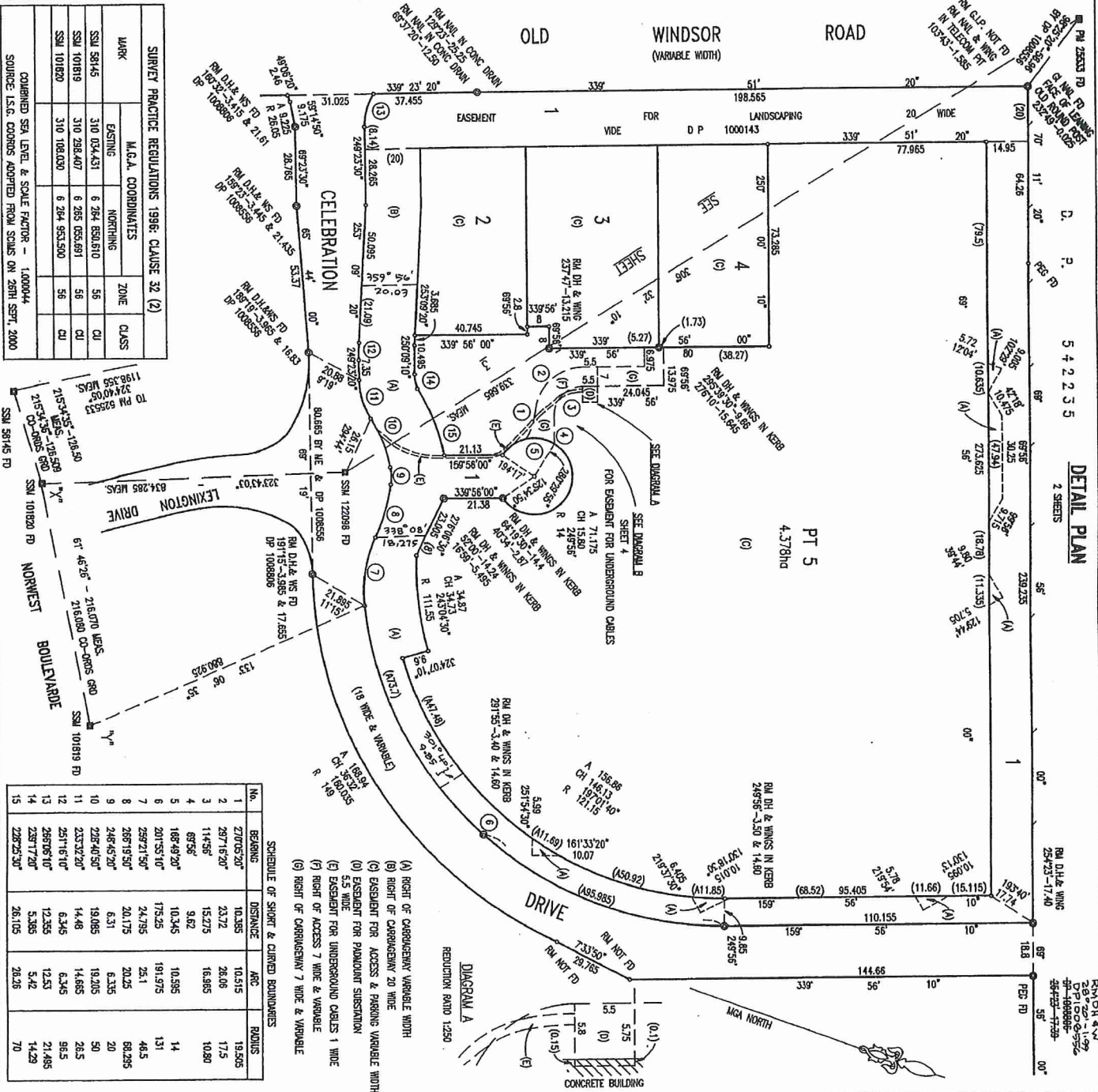
[Signature]
SUBDIVISION
SUBDIVISION CERTIFICATE
1. Land is to be divided into lots of 1000 sq. m. each and the lots are to be numbered 1 to 15 in the order shown on the plan.
2. The lots are to be used for residential purposes only.
3. The lots are to be used for residential purposes only.
4. The lots are to be used for residential purposes only.
5. The lots are to be used for residential purposes only.
6. The lots are to be used for residential purposes only.
7. The lots are to be used for residential purposes only.
8. The lots are to be used for residential purposes only.
9. The lots are to be used for residential purposes only.
10. The lots are to be used for residential purposes only.
11. The lots are to be used for residential purposes only.
12. The lots are to be used for residential purposes only.
13. The lots are to be used for residential purposes only.
14. The lots are to be used for residential purposes only.
15. The lots are to be used for residential purposes only.

Plan Drawing only to appear in this space

DETAIL PLAN

5 4 2 2 3 5

2 SHEETS



MARK	M.G.A. COORDINATES	ZONE	CLASS
SSM 58145	310 024.431	6 284 850.610	56
SSM 101819	310 284.407	6 285 055.691	56
SSM 101820	310 180.030	6 284 853.500	56
SSM 101820	310 180.030	6 284 853.500	56

No.	BEARING	DISTANCE	ARC	POINTS
1	27°05'20"	10.515	10.515	19.505
2	297°16'20"	23.22	26.06	17.5
3	114°56'	15.275	16.585	10.80
4	68°56'	9.62	10.345	14
5	168°49'20"	17.525	10.595	131
6	201°51'0"	17.525	191.975	46.5
7	289°21'30"	20.175	20.25	88.295
8	268°19'30"	24.795	6.335	50
9	248°45'20"	19.065	18.205	26.5
10	228°46'30"	14.48	14.685	96.5
11	233°32'20"	12.355	12.53	21.485
12	251°16'10"	5.385	5.42	14.29
13	287°17'20"	26.105	26.26	70
14	287°17'20"	26.105	26.26	70
15	287°17'20"	26.105	26.26	70

- (A) RIGHT OF CARPENTRY VARIABLE WIDTH
- (B) RIGHT OF CARPENTRY 20 WIDE
- (C) EASEMENT FOR ACCESS & PARKING VARIABLE WIDTH
- (D) EASEMENT FOR PAVEMENT SUBSTATION
- (E) EASEMENT FOR UNDERGROUND CABLES 1 WIDE
- (F) RIGHT OF ACCESS 7 WIDE & VARIABLE
- (G) RIGHT OF CARPENTRY 7 WIDE & VARIABLE

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

DP270243

Registered 14/12/2000

Title System: TORENS

Purpose: SUBDIVISION

Ref. Map: U9160-42

Last Plan: DP1008556

PLAN SUBDIVISION OF LOT 708

D.P. 1008556

L G A BARKHAM HILLS

Suburb/Locality: BELLA VISTA

Parish: CASTLE HILL

County: CUMBERLAND

This is sheet 424 of my plan in 5 sheets

(Delete if inapplicable)

Surveyors (Practice) Regulation 1996

of P.O. BOX 478, ROSSETT 2089

of P.O. BOX 478, ROSSETT 2089

of P.O. BOX 478, ROSSETT 2089

of P.O. BOX 478, ROSSETT 2089

of P.O. BOX 478, ROSSETT 2089

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of P.O. BOX 478, ROSSETT 2089

of P.O. BOX 478, ROSSETT 2089

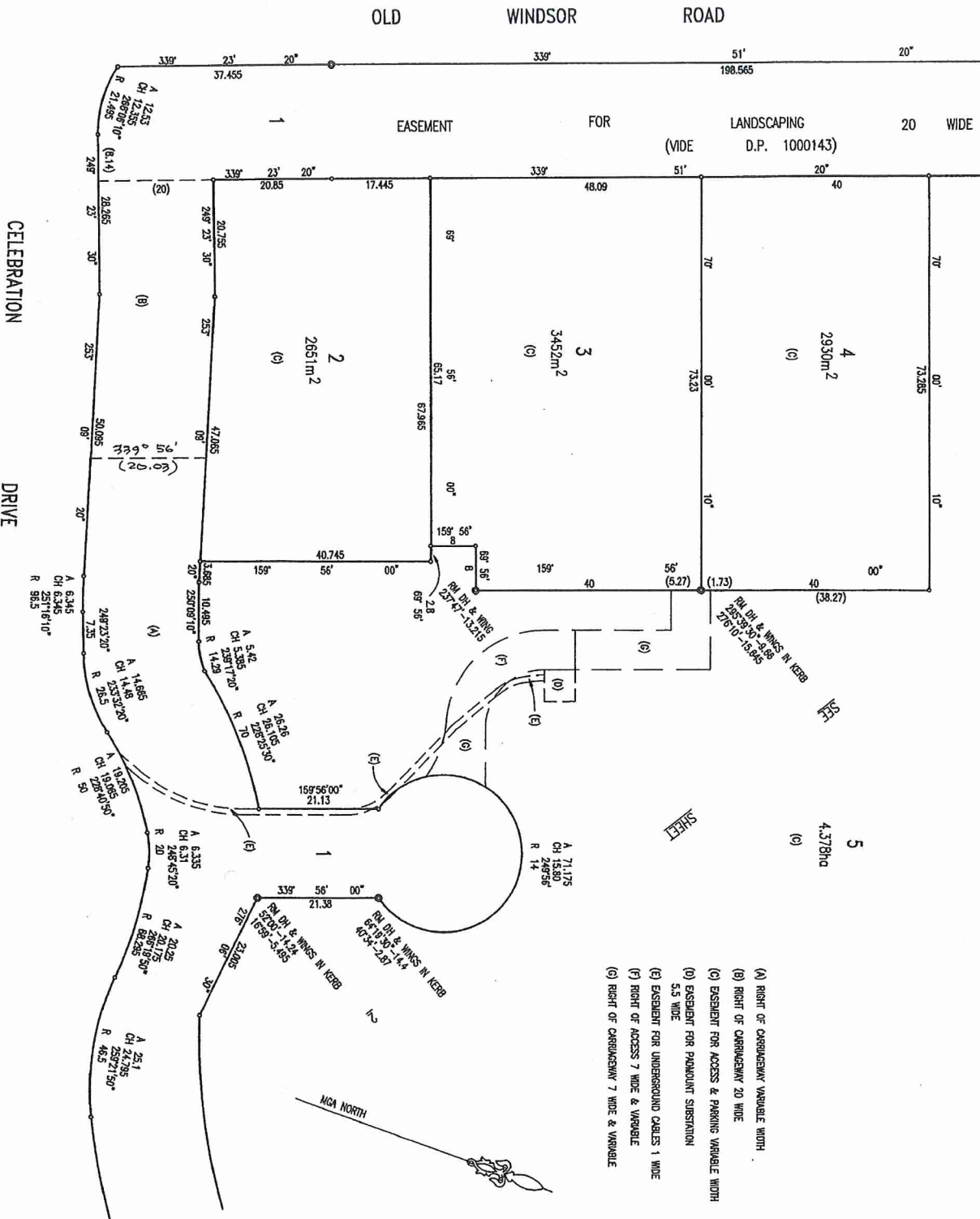
of P.O. BOX 478, ROSSETT 2089

of P.O. BOX 478, ROSSETT 2089

*OFFICE USE ONLY

REFERENCE MAP DETAIL ATTACHED IN L.P.N.W.M. 12.9.2001

DETAIL PLAN
2 SHEETS



- (A) RIGHT OF CARROUSEWAY VARIABLE WIDTH
- (B) RIGHT OF CARROUSEWAY 20 WIDE
- (C) EASEMENT FOR ACCESS & PARKING VARIABLE WIDTH
- (D) EASEMENT FOR PAVEMENT SUBSTITUTION
- (E) EASEMENT FOR UNDERGROUND CABLES 1 WIDE
- (F) RIGHT OF ACCESS 7 WIDE & VARIABLE
- (G) RIGHT OF CARROUSEWAY 7 WIDE & VARIABLE

DP270243

Registered IP 14.12.2000

This is sheet 3 of my plan in 5 sheets dated 20TH NOVEMBER, 2000

Survey conducted under Surveyors Act 1920
This is sheet 3 of the plan of 5 sheets covered by Subdivision Certificate No. 93556 of 12.1.2000

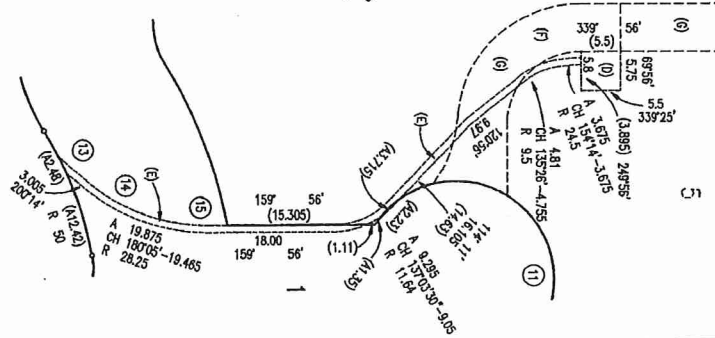
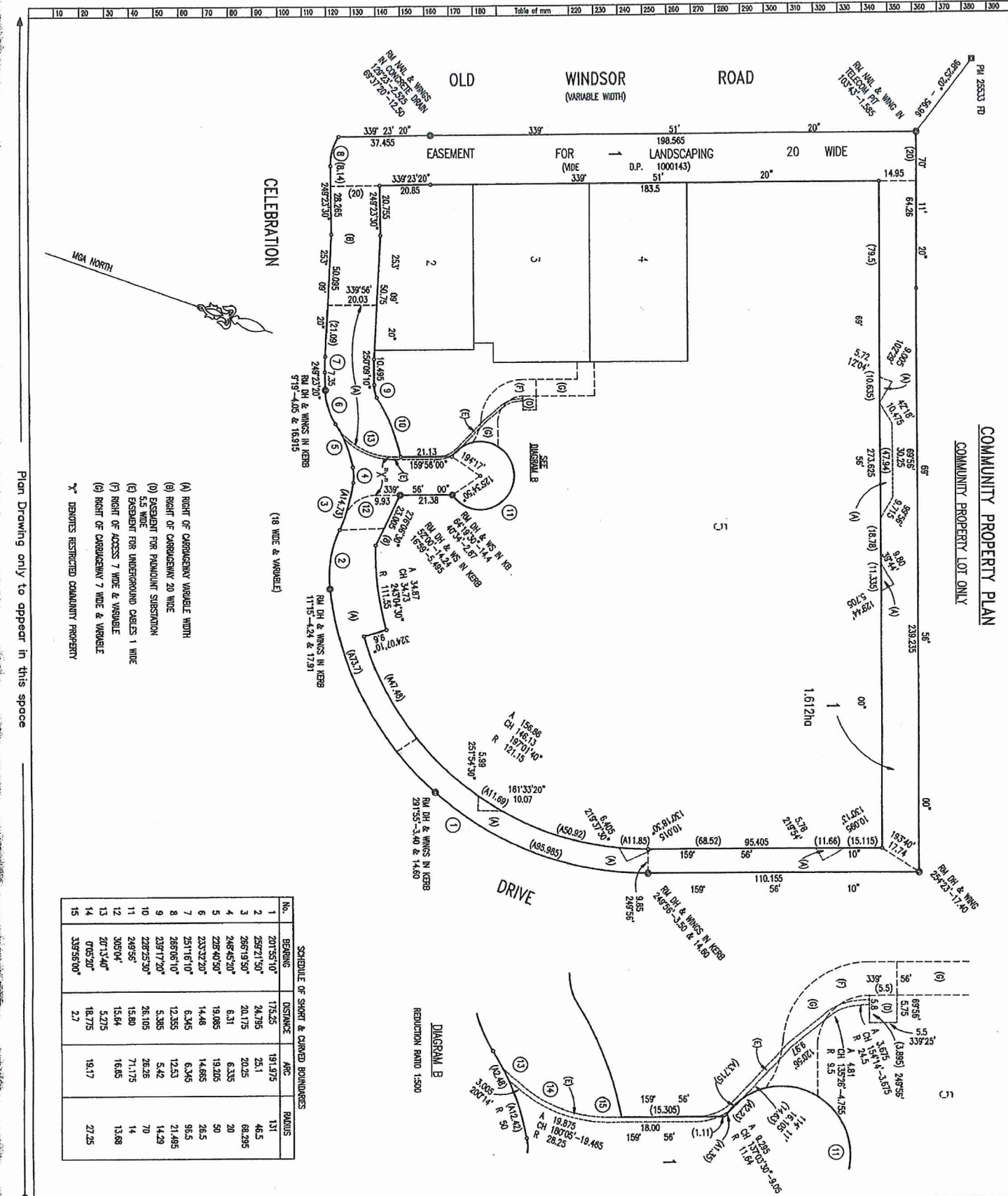
As set out in the accompanying instrument signed by the General Manager

14. RIGHT OF CARROUSEWAY 7 WIDE & VARIABLE

Reduction Ratio 1: 500

Surveyor's Reference: 99226 (55)

COMMUNITY PROPERTY PLAN
COMMUNITY PROPERTY LOT ONLY



No.	BEARING	DISTANCE	ARC	RADIUS
1	207°55'10"	775.25	19.1975	131
2	259°21'50"	24.795	25.1	46.5
3	286°19'50"	20.175	20.25	68.295
4	248°45'20"	6.31	6.335	20
5	228°40'50"	19.085	19.205	50
6	233°22'20"	14.48	14.665	28.5
7	251°16'10"	6.345	6.345	96.5
8	266°06'10"	12.355	12.355	21.485
9	239°17'20"	5.385	5.42	14.29
10	228°25'30"	26.105	26.26	70
11	249°56'	15.60	15.65	14
12	305°04'	15.64	16.85	13.68
13	207°13'40"	5.275	18.775	14
14	07°52'0"	18.775	19.17	27.25
15	339°56'00"	2.7		

DP270243

Registered 14-12-2000

This is sheet 4 of my plan in 5 sheets dated

[Signature]

Survey registered under Survey Act 1929
This is sheet 4 of the plan of 5 sheets covered by Subdivision Certificate No. 5556 of 12.12.2000

[Signature]

Authorised Person/Engineer/Architect/Developer
For use when space is insufficient in any panel on Plan Form 2

Reduction Ratio 1:1000
SURVEYOR'S REFERENCE 88226 (655)

HISTORICAL FILE
SEE REPLACEMENT
SHEET 5A

~~INITIAL SCHEDULE~~

LOT NO.	UNIT ENTITLEMENT/ COMMUNITY PROPERTY	SUBMISSION
1	83	
2	97	
3	84	
4	137	
5	1000	
AGGREGATE		

DP270243

Registered 14-12-2000

This is sheet 5 of my plan in 5 sheets
dated

Survey registered under Survey Act 1924

This is sheet 5 of the plan of 5 sheets
issued by Submission Certificate No. 9356
of 12-12-2000Authorised Person/Registered Survey/Professional
For use where space is insufficient in any part of Plan
Form 2

THIS SHEET SHOWS AN INITIAL SCHEDULE OF
UNIT ENTITLEMENT FOR THE COMMUNITY SCHEME
WHICH IS LIABLE TO BE ALTERED AS THE SCHEME
IS DEVELOPED OR ON THE COMPLETION OF THE
SCHEME IN ACCORDANCE WITH THE PROVISIONS
OR SECTION 30 OF THE COMMUNITY LAND
DEVELOPMENT ACT 1989. WILL BE RECORDED ON A
SEPARATE SHEET OF THIS PLAN (S4, S6)
ETC AS THE CIRCUMSTANCES REQUIRE.

I, ROBERT C. FINNEY
OF CHARLES R. FINNEY & CO. LTD.
BEING A VALUER REGISTERED UNDER THE
VALUERS REGISTRATION ACT 1973, CERTIFY THAT
THE UNIT ENTITLEMENTS SHOWN ON THIS SHEET
ARE BASED UPON VALUATIONS MADE BY ME ON

Robert C. Finney
By No. 150a

Reduction Ratio 1:

Plan Drawing only to appear in this space

SLAVEY'S REFERENCE: 89/26(65)

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

COMMUNITY PLAN

DP270243

REPLACEMENT SHEET 5A

Registered 11-9-2001

This is sheet 3 of my plan in 3 sheets dated 15th July 2001

Survey registered under Survey Act 1999
This is sheet 3 of the plan of 3 sheets covered by Subdivision Certificate No. 9506 of 7.8.2001

Handwritten signature

THIS SHEET CONTAINS AN UPDATED SCHEDULE OF UNIT ENTITLEMENTS AND REPLACES SHEET 5 OF THE PLAN REGISTERED ON 14-12-2000

THIS SHEET SHOWS AN UPD. SCHEDULE OF UNIT ENTITLEMENTS FOR THE COMMUNITY WHICH IS LIABLE TO BE ALTERED AS THE SCHEME IS DEVELOPED OR ON THE COMPLETION OF THE SCHEME IN ACCORDANCE WITH THE PROVISIONS OF SECTION 30 OF THE COMMUNITY LAND DEVELOPMENT ACT 1989. SUBSEQUENT CHANGES WILL BE RECORDED ON A REVISION SHEET (4 OF 50), 5(6) ETC. AS THE CIRCUMSTANCES REQUIRE.

I, ROBERT G. RANNEY
OF DOWNSIDE ESTATE PTY. LTD.
BENJAMIN WALKER, SCOTTED LANDS, THE
VALUERS REGISTRATION ACT 1975, CERTIFY THAT
THE UNIT ENTITLEMENTS SHOWN ON THIS SHEET
ARE BASED UPON VALUATIONS MADE BY ME ON

Robert G. Ranney
12th JULY 2001
4th April 2001

INITIAL SCHEDULE

LOT NO.	UNIT ENTITLEMENT	SUBDIVISION
1	COMMUNITY PROPERTY	
2	NEW LOTS 6-10	
3	NEW LOTS 6-10	COMMUNITY PLAN OF SUBDIVISION
4	NEW LOTS 6-10	SEE SHEET 6
5	NEW LOTS 6-10	
6	83	
7	97	
8	85	
9	737	
10	0	
AGGREGATE	1000	PROPOSED ASSOCIATION PROPERTY

SEE REPLACEMENT SHEET 5B

HISTORICAL FILE

Plan Drawing only to appear in this space

Reduction Ratio 1:
SURVEYOR'S REFERENCE: 99228-2 (27/07/01)

HISTORICAL FILE
SEE REPLACEMENT SHEET 5C
Sheets 1 & 2

INITIAL SCHEDULE

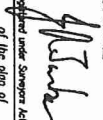
SCHEDULE OF UNIT ENTITLEMENTS	
LOT NO.	UNIT ENTITLEMENT
1	COMMUNITY PROPERTY
2	COMMUNITY PROPERTY
3	COMMUNITY PROPERTY
4	COMMUNITY PROPERTY
5	COMMUNITY PROPERTY
6	COMMUNITY PROPERTY
7	COMMUNITY PROPERTY
8	COMMUNITY PROPERTY
9	COMMUNITY PROPERTY
10	COMMUNITY PROPERTY
AGGREGATE	1000

COMMUNITY PLAN

D P 270243 REPLACEMENT SHEET 5B

Registered  M-1-8-2002 *

This is sheet of my plan in sheets dated 8/16/02


Surveyor registered under Surveyor Act 1978
This is sheet of the plan of sheets covered by Subdivision Certificate No. of

Subdivision Certificate No. 1978
For use where space is insufficient in any part of Plan Form 2.


THIS SHEET SHOWS AN INITIAL SCHEDULE OF UNIT ENTITLEMENTS FOR THE COMMUNITY PLAN. THE SCHEDULE IS DEVELOPED ON OR ON THE COMPLETION OF THE SCHEDULE IN ACCORDANCE WITH THE PROVISIONS OF SECTION 30 OF THE COMMUNITY LAND DEVELOPMENT ACT 1988. SUBSEQUENT CHANGES WILL BE RECORDED ON A REPLACEMENT SHEET OF THIS PLAN (e.g. 5C, 5D) ETC. AS THE CIRCUMSTANCES REQUIRE.

COMMUNITY ASSOCIATION DP 270243 CERTIFIES THAT IT HAS, BY UNANIMOUS RESOLUTION, AGREED TO EACH AND EVERY UNIT ENTITLEMENT SHOWN IN THE SCHEDULE ON WHICH THIS CERTIFICATE IS ENDORSED.

COMMUNITY ASSOCIATION DP 270243 CERTIFIES THAT IT HAS, BY UNANIMOUS RESOLUTION, AGREED TO THE CONVERSION OF LOT 40 TO LOT 41.

IN THE PRESENCE OF
G.M. May 2002

BEING WITNESSED BY SIGNATURE OF THE COMMUNITY LAND DEVELOPMENT ACT 1988 TO ATTEND TO THE FRANK OF THE SOIL.


SWEET
M. 1-8-2002

Reduction Ratio 1:

SURVEYOR'S REFERENCE: 98226-3 (07/02/02)

Arthur Apted
Arthur Apted Director

Pamela Mitchell
Pamela Mitchell
Company Secretary

INITIAL SCHEDULE

LOT NO.	UNIT ENTITLEMENT	SUBDIVISION
1	COMMUNITY PROPERTY	
2	NEW LOTS 6-10	
3	NEW LOTS 6-10	COMMUNITY PLAN OF SUBDIVISION
4	NEW LOTS 6-10	SEE SHEETS 6 & 7
5	NEW LOTS 6-10	
6	83	
7	97	
8	NEW LOT 11	
9	NEW LOT 11	COMMUNITY PLAN OF SUBDIVISION
10	CONVERTED TO LOT 1	PLAN OF CONVERSION SEE SHEET 4A
11	820	
AGGREGATE	1000	

DP 270243
REPLACEMENT SHEET 5C
SH1 OF 2 SH

Registered  17.6.2004

This is sheet 2 of my plan in 2 sheets
dated 31st July 2003

Arthur Apted
Surveyor registered under Surveyors Act 1929
This is sheet 2 of the plan of
covered by Subdivision Certificate No. of

Authorised Person/Agent/Manager/Accountant/Certifier
For use where space is insufficient to carry plan on Plan
Form 2

THIS SHEET CONTAINS AN UPDATED
SCHEDULE OF UNIT ENTITLEMENTS
AND REPLACES SHEET 5B OF THE
PLAN REGISTERED ON 2/8/2002

* THIS SHEET SHOWS AN AMENDMENT OF
THE UNIT ENTITLEMENTS FOR THE COMMUNITY SCHEME
WHICH IS LIABLE TO BE ALTERED AS THE SCHEME
IS DEVELOPED OR ON THE COMPLETION OF THE
SCHEME IN ACCORDANCE WITH THE PROVISIONS
OF SECTION 30 OF THE COMMUNITY LAND
DEVELOPMENT ACT 1989.

* THIS SHEET SHOWS AN
INITIAL SCHEDULE OF
UNIT ENTITLEMENTS

I, ROBERT G. FURNEY
OF COURTS RELEVANT PTY. LTD.
BEING A VALUER REGISTERED UNDER THE
VALUERS REGISTRATION ACT 1973, CERTIFY THAT
THE UNIT ENTITLEMENTS SHOWN ON THIS SHEET
ARE CORRECT AND ACCURATE AND HAVE BEEN
PREPARED BY ME OR BY ME OR BY AN

Robert G. Furney
Dated: 1.6.2004

FOR THE NEW LOTS
CREATED THE CONSOLIDATION
ARE BASED UPON MARKET
VALUES OF SUCH LOTS
AT
BEING THE DATE OF THE
VALUERS CERTIFICATE
LOADED WITH THE
ORIGINAL INITIAL SCHEDULE

Reduction Ratio 1:

DP 270243
REPLACEMENT SHEET 5C
SH2 OF 2 SH

Approved Form 13
COMMUNITY LAND DEVELOPMENT ACT 1989

**VALUER'S CERTIFICATE REGARDING NEW LOT
CREATED BY SUBDIVISION OF A DEVELOPMENT LOT
IN A COMMUNITY OR PRECINCT PLAN**

I, ROBERT GEORGE FURNEY
of, UNIT 18/1 MAITLAND PLACE, BAULKHAM HILLS
2153

being a Valuer registered under the Valuers Registration Act 1975, certify that the
Unit Entitlements for the new lots created by the subdivision are based upon market
values of such lots at 3rd AUGUST 2000 being the date of the Valuer's

Certificate lodged with the original initial Schedule.

(Signature)

(Date)

Robert George Furney
1st June 2004

Explanatory Note

This form is required to appear on the replacement sheet for an initial schedule of unit entitlements prepared in respect of the subdivision of a development lot by a community or precinct plan of subdivision [see ss. 8, 12; sch. 11 cl.4].



2000
1000
500
0

[Signature]



Crown Lands Office Approval

PLAN APPROVED

Authorized Officer

Paper IIIa
Field Book

Subdivision Certificate

and Assessment Act 1979 have been utilised in addition to proposed

(*Insert reproduction of any record*)

1. *Author's name/organization/department*

Date of endorsement: 7.8.2001

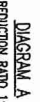
Submission Certificate no: 9508

File no. 202-1

It should include a signature in an electronic or digital form approved by the Registrar-General.

SURVEYOR'S REFERENCE: 99226-2 (2/7/07/

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION



SIREY PRACTICE REGULATIONS 1966: CLAUSE 32 (2)				
RESTRICTION ON THE USE OF LAND - (P2702)				
(1) EXEMPTION FOR SIREY'S RULE				
(2) EXEMPTION FOR SIREY'S RULE				
MARK	M.G.A. COORDINATES		ZONE	CLASS
	EASTING	NORTHING		
SSM 58145	310 024.431	6 264 850.010	56	CU
SSM 101819	310 298.407	6 265 025.971	56	CU
SSM 101820	310 109.030	6 264 953.500	56	CU
COMBINED SEA LEVEL & SCALE FACTOR = 1.000044				
SOURCE: 1:56. COPIES ADAPTED FROM SCANS ON 26TH SEPT. 2000				

Lengths are in metres. Reduction Ratio 1: 1000

L C A BAULHAM HILLS

Suburb/Locality: BELLA VISTA

Parish: CASTLE HILL

County: CUMBERLAND

This is sheet 1 of my plan in 3 sheets.

(Date if applicable)

Surveyors (Practice) Registration 1995
J. A. THOMER OF MICHAEL, BELL & PARTNERS P/ty
of P.O. BOX 478, ROSSVILLE 2069

A surveyor registered under the Surveyors Act 1973 (land)
has been made in accordance with the Surveyors (Practice)
Regulation 1995 and met compliance on 15/01/2007
The survey relates to Lots 1,2,3,4, & 5 DT 2/2024
(Area specify the land exactly surveyed, specify any land
shown in the plan that is not the subject of the survey)

State Surveyor/County
Surveyor
(Signature) *[Signature]*

Survey registered 1995
on 15/01/2007

Plans used in preparation of survey/compilation.
1000143 1000806 1000556 270243

PANEL FOR USE ONLY for statements of intent to dedicate public roads, to create public recreational reserves, easements, restrictions on the use of land or positive covenants.

LOTS 6, 7, 8 & 9 ARE DEVELOPMENT LOTS

THIS IS SHEET 6 OF DP 270243 AND REPLACES SHEET 2 AS REMAINS LOTS 2, 3, 4 & 5

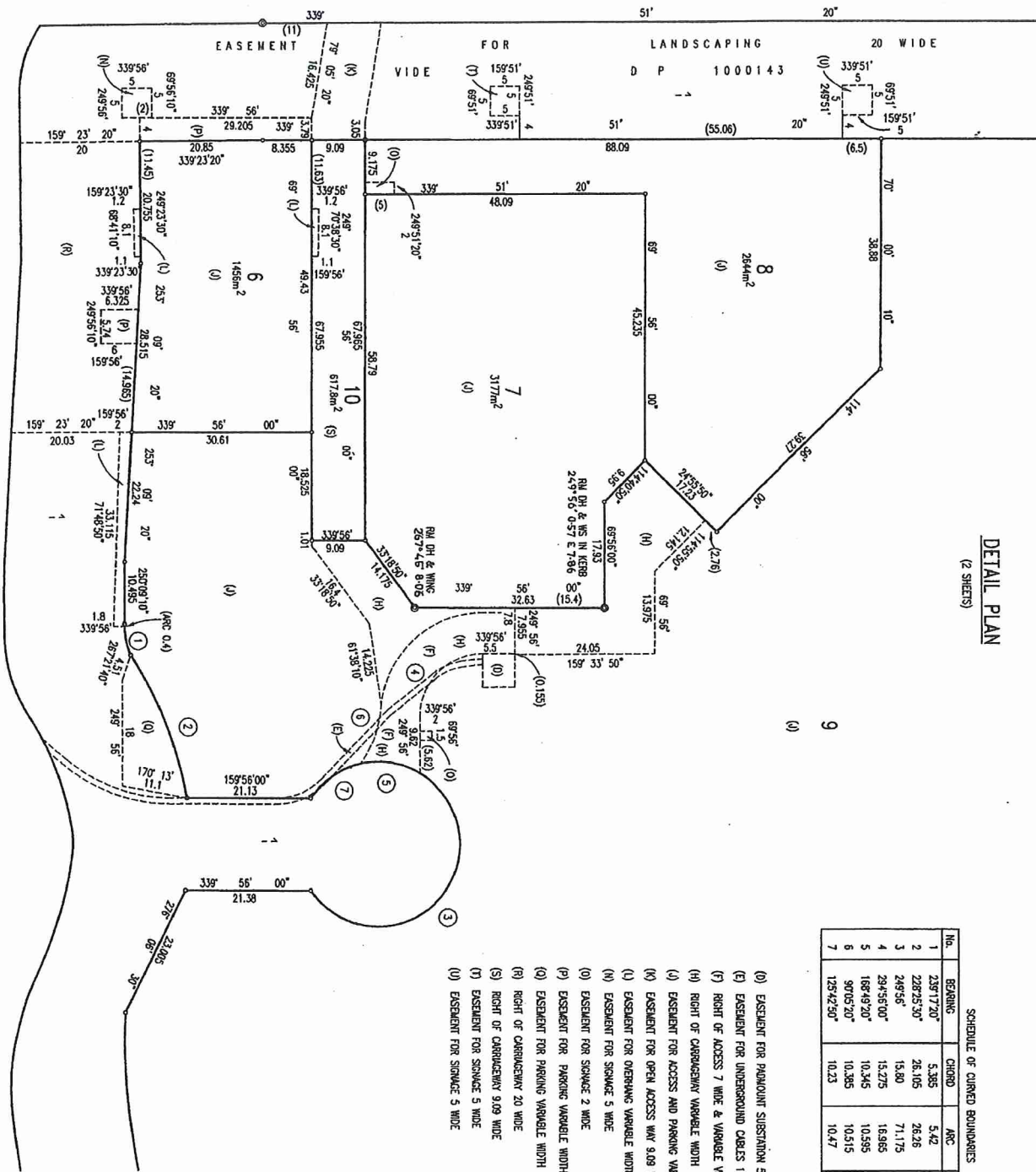
PURSUANT TO SECTION 888 OF THE CONVEYANCE ACT 1940 IT IS ORDERED TO CREATE:

1. RIGHT OF CARPENTRY VARIABLE WIDTH
2. EASEMENT FOR ACCESS & PARKING VARIABLE WIDTH
3. EASEMENT FOR OVERHANG VARIABLE WIDTH
4. EASEMENT FOR PLANT & EQUIPMENT 3.2' WIDE
5. RESTRICTION ON THE USE OF LAND
6. RESTRICTION ON THE USE OF LAND

7. RESTRICTION ON THE USE OF LAND
8. EASEMENT FOR STORAGE 5 WIDE (N)
9. EASEMENT FOR STORAGE 5 WIDE (T)
10. EASEMENT FOR STORAGE 5 WIDE (U)
11. EASEMENT FOR STORAGE 2 WIDE
12. EASEMENT FOR STORAGE 2 WIDE

DETAIL PLAN
(2 SHEETS)

CELEBRATION DRIVE



SCHEDULE OF CURVED BOUNDARIES

No.	BEARING	CHORD	ARC	POINTS
1	239°17'20"	5.385	5.42	14.29
2	228°23'30"	26.105	26.26	70
3	249°56'	15.80	71.175	14
4	294°56'00"	15.275	16.965	10.80
5	168°49'20"	10.345	10.585	14
6	90°05'20"	10.385	10.515	19.505
7	125°42'20"	10.23	10.47	14

- (D) EASEMENT FOR POND/OUT SUBSTATION 5.5 WIDE WIDE DP 270243
- (E) EASEMENT FOR UNDERGROUND CABLES 1 WIDE WIDE DP 270243
- (F) RIGHT OF ACCESS 7 WIDE & VARIABLE WIDE DP 270243
- (H) RIGHT OF CARBONARY VARIABLE WIDTH
- (I) EASEMENT FOR ACCESS AND PARKING VARIABLE WIDTH
- (N) EASEMENT FOR OPEN ACCESS WAY 9.09 WIDE
- (O) EASEMENT FOR OVERHANG VARIABLE WIDTH
- (P) EASEMENT FOR STORAGE 5 WIDE
- (Q) EASEMENT FOR STORAGE 2 WIDE
- (R) EASEMENT FOR PARKING VARIABLE WIDTH
- (S) EASEMENT FOR PARKING VARIABLE WIDTH
- (T) RIGHT OF CARBONARY 20 WIDE
- (U) RIGHT OF CARBONARY 9.09 WIDE
- (V) EASEMENT FOR STORAGE 5 WIDE
- (W) EASEMENT FOR STORAGE 5 WIDE

COMMUNITY PLAN

DP270243

SHEET 7

Registered 11.9.2001

This is sheet 2 of my plan in 3 sheets dated 19th July 2001

Stamp: Registered under Section 144 1929
This is sheet 2 of the plan of 3 sheets covered by Submission Certificate No. 9508 of 7.8.2001

Signature

Authorised Person/Person/Manager/Manager/Manager
For use where space is insufficient to print on Plan Form 2.

- 13. POSITIVE COVENANT
- 14. EASEMENT FOR OPEN ACCESS WAY 9.09 WIDE
- 15. EASEMENT FOR PARKING VARIABLE WIDTH (P)
- 16. POSITIVE COVENANT
- 17. RIGHT OF CARBONARY 20 WIDE
- 18. POSITIVE COVENANT
- 19. EASEMENT FOR PARKING VARIABLE WIDTH (Q)
- 20. POSITIVE COVENANT
- 21. RIGHT OF CARBONARY 9.09 WIDE
- 22. POSITIVE COVENANT

IT IS INTENDED TO RELEASE:

- 1. RIGHT OF CARBONARY VARIABLE WIDTH
- 2. RIGHT OF CARBONARY 20 WIDE
- 3. POSITIVE COVENANT
- 4. POSITIVE COVENANT
- 5. EASEMENT FOR ACCESS & PARKING VARIABLE WIDTH
- 6. RESERVATION ON THE USE OF LAND
- 7. RESERVATION ON THE USE OF LAND
- 8. RESERVATION ON THE USE OF LAND
- 9. RESERVATION ON THE USE OF LAND
- 10. RIGHT OF CARBONARY 7 WIDE & VARIABLE

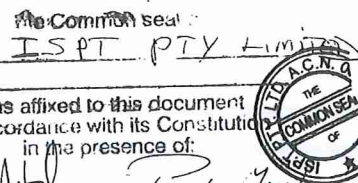
AS SET OUT IN THE ACCOMPANYING INSTRUMENT SIGNED BY THE GENERAL MANAGER

THIS IS SHEET 7 OF DP 270243 AND REPLACES SHEET 3 AS RECORDS LOTS 2, 3 & 4

Reduction Ratio 1: 500

Plan Drawing only to appear in this space

SURVEYOR'S REFERENCE: 99226-2 (27/07/01)



Was affixed to this document
in accordance with its Constitution
in the presence of:

Director
Arthur Apple Director
Print Name

Director/Secretary
Pamela Mitchell
Company Secretary
Print Name

C. P. 5 4 2 2 3 5
DETAIL PLAN
(2 SHEETS)

Plan Drawing only to appear in this space

DP 270243
ADDITIONAL SHEET 8

Registered 17.6.2004
Title System: TORRENS

Purpose: CONSOLIDATION

Ref. Map: U9160-2nd

Last Plan: DP270243

PLAN OF CONSOLIDATION OF
LOTS 8 AND 9
D.P. 270243

Lengths are in metres. Reduction Ratio 1: 1000

L G A BAUKHAM HILLS

Suburb/Locality: BELLA VISTA

Parish: CASTLE HILL

County: CUBBERLAND

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

Surveyor (Printed) Richard 1986
L.V. TUNGER OF MICHAEL, LILL & PARTNERS P/L
of P.O. BOX 418, ROSSVILLE 2069

A sample registered under the Survey Act 1982, hereby
certifies that the survey represented in this plan is accurate
has been made in accordance with the provisions of the Survey
Act 1982 and the Survey Regulations 1983.
The survey was made by L.V. TUNGER on 22.12.2003.
(Where the land actually surveyed, or any part
shown in the plan, that is not the subject of this survey)
Zone: Suburban/Residential
Signature: [Signature]
(Signatures)

Plans used in preparation of survey/compilation.
270243

PANEL FOR USE ONLY for statements of intention
to dedicate public roads, to create public reserves,
drainage reserves, easements, restrictions on the
use of land or positive covenants.
LOT 11 IS A DEVELOPMENT LOT

THIS IS SHEET 8 OF DP 270243 AND REPLACES
SHEET 8 AS REGARDS LOTS 8 AND 9 AND IS AN
ADDITIONAL SHEET

CELEBRATION

No.	BEARING	DISTANCE	ARC	RADIUS
1	238°17'20"	5.385	5.42	14.29
2	228°25'30"	26.105	26.26	70
3	248°56'	15.80	71.175	14

NOTE 1 THIS PART LOT 11 NOT BENEFITED BY (V)

(3) - BENEFITED BY EASEMENT FOR SIGNAGE 5 WIDE - DP270243 (Doc-2)
(3) - POSITIVE COVENANT N° 13 - DP270243 (Doc-2)

Crown Lands Office Approval

Plan approved: _____

Land District: _____

Page No.: _____

File No.: _____

Subdivision Certificate

I hereby certify that the details of a D.P. of the Government's plan
of subdivision of land 1773 have been submitted in relation to the
proposed:

Subdivision of land (or part of land)

Consent Authority: _____

Date of endorsement: _____

Assessment no.: _____

Subdivision Certificate no.: _____

File no.: _____

Note: When the plan is to be lodged electronically in the Land Title Office
it should include a signature in an electronic or digital format
approved by the Registrar-General.

1. Delete number 1 is impossible

SURVEYOR'S REFERENCE: 03158

707
98.87ha

FAIRWAY DRIVE

BOULEVARDE

VIDE DIAGRAM A

VIDE DIAGRAM B (SHEET 2)

(W) RESTRICTION ON THE USE OF LAND - DP 854830

SHEET 2

707

304

334°02'
-18.82
-32

	[D]	
	[D]	
	[D]	

DP 867425
401



(W) RESTRICTION ON THE USE OF LAND

701

SSM W1820 FD

1-DP054836

[illegible]

MARK	BEARING	REFERENCE
PM 25535 -	PM 25533	34.1°09'34" 1237.501 SURVEY
		34.1°09'34" 1237.517 15G GND

[illegible]

	SURVEY	SURVEY
SSM 107820 - SSM 122096	311°38'50"	380.595
SSM 122096 - SSM 122097	339°18'23"	245.924

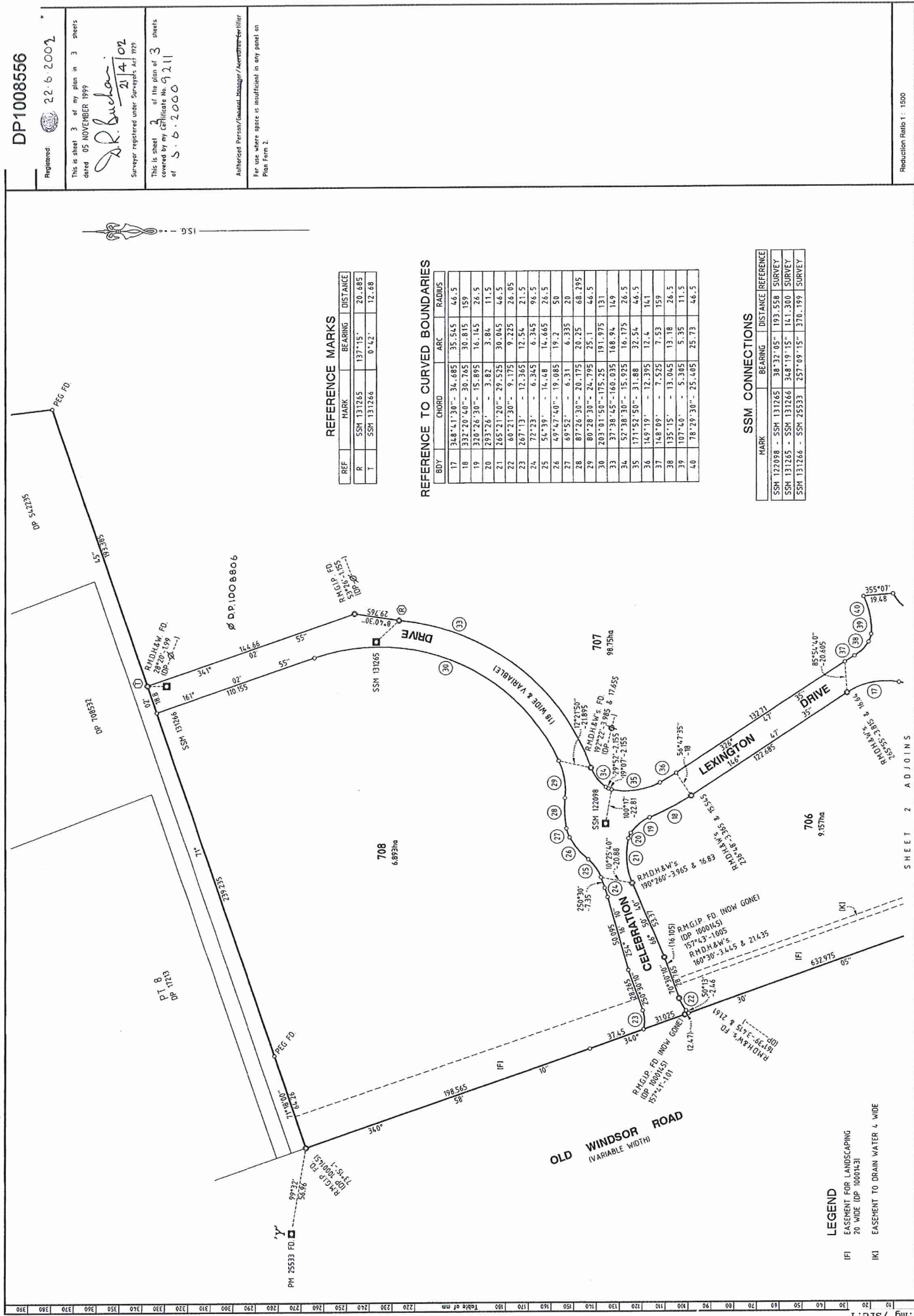
TABLE	COMBINED SEA LEVEL & SCALE FACTOR 0.999926	SSM 122097 - SSM 122098	331°13'57"	227.011	SURVEY
TABLE	SOURCE: I.S.G.CO-ORDINATES ADOPTED FROM L.I.C. ON 20 MAY 1998	SSM 122098 - PM 25533	307°38'51"	339.677	SURVEY

HOW RELEASED BY
REQUEST - 68-4216

Table of mm		170	160	150	140	130	120	110
390	390	370	360	350	340	330	320	310
300	300	290	280	270	260	250	240	230
200	200	190	180	170	160	150	140	130
100	100	90	80	70	60	50	40	30

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

1



REFERENCE MARKS

REF	MARK	BEARING	DISTANCE
R	SSM 131265	137°15'	20.685
T	SSM 131266	0°42'	12.68

REFERENCE TO CURVED BOUNDARIES

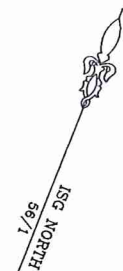
BOY	CHORD	ARC	RADIUS
17	348°41'30"-	34.685	35.545
18	332°20'40"-	30.765	30.815
19	320°26'30"-	15.895	16.145
20	293°26'-	3.42	3.84
21	265°21'20"-	29.525	30.045
22	60°21'30"-	9.175	9.225
23	267°13'-	12.365	12.54
24	72°23'-	6.345	6.345
25	56°39'-	14.48	14.665
26	49°47'40"-	19.085	19.2
27	69°52'-	6.31	6.335
28	87°26'30"-	20.175	20.25
29	80°28'30"-	24.795	25.1
30	203°01'50"-	175.25	191.975
31	37°38'45"-	160.035	168.94
32	52°38'30"-	15.925	16.175
33	171°52'50"-	31.88	32.54
34	149°19'-	12.395	12.4
35	171°52'50"-	31.88	32.54
36	149°19'-	12.395	12.4
37	148°09'-	7.525	7.53
38	135°15'-	13.045	13.18
39	107°40'-	5.305	5.35
40	78°29'30"-	25.405	25.73

SSM CONNECTIONS

MARK	BEARING	DISTANCE	REFERENCE
SSM 122098 - SSM 131265	38°32'05"	193.558	SURVEY
SSM 131265 - SSM 131266	348°19'15"	141.300	SURVEY
SSM 131266 - SSM 25533	257°09'15"	370.199	SURVEY

LEGEND

- (F) EASEMENT FOR LANDSCAPING 20 WIDE (DP 1000143)
- (K) EASEMENT TO DRAIN WATER 4 WIDE

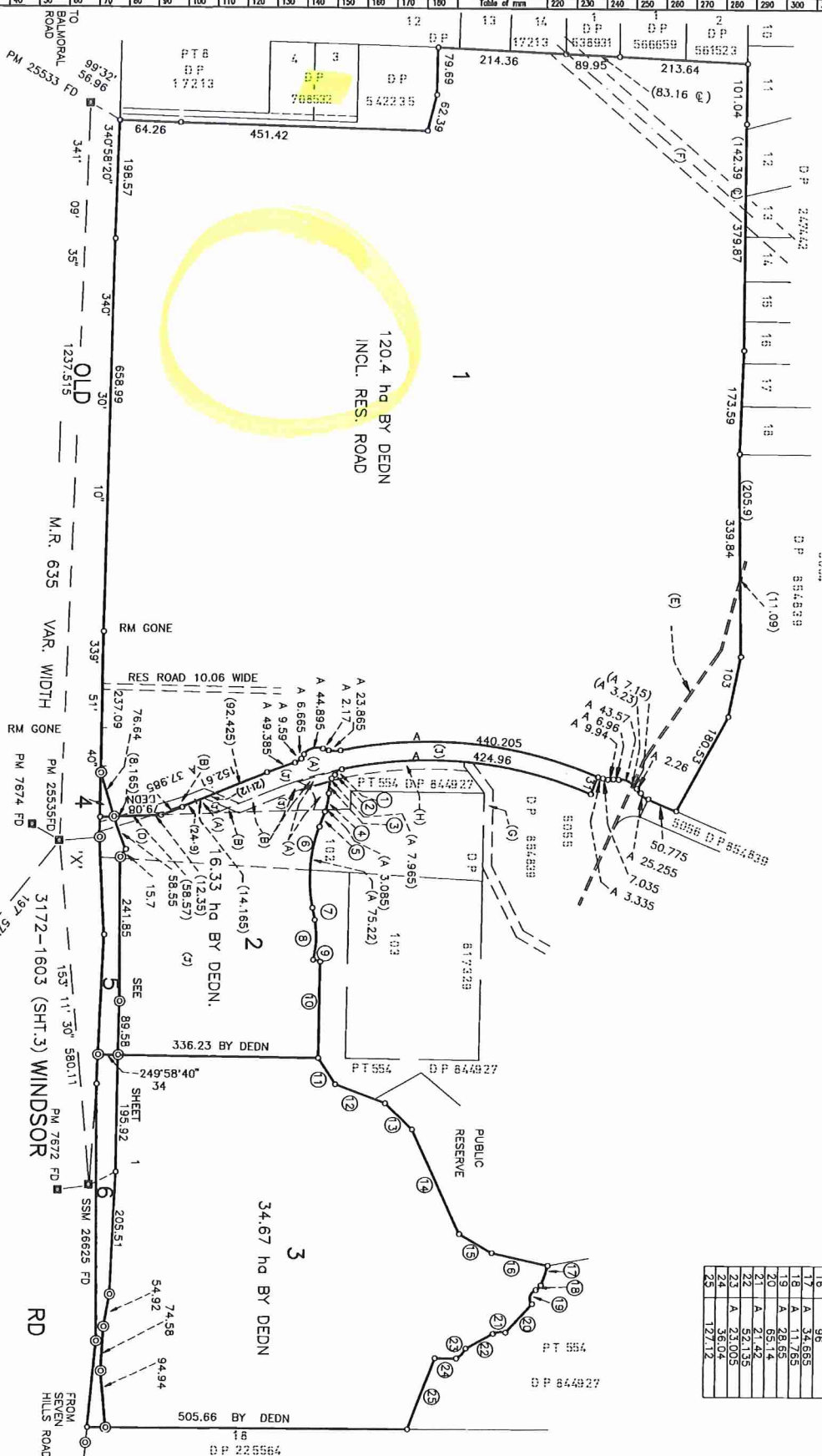


MARKS	CO-ORDINATES	ZONE 56/1
PM 25533	294525.182	1286271.372
PM 7672	295131.984	1284553.221
PM 7674	294872.470	1285109.049
SSM 26625	294967.716	1285164.063
TS 7230 PROS. RES.	292030.328	1286169.753

SOURCE: ISG CO-ORDINATES ADAPTED FROM SCMS
 AT 2ND MAY 1996.
 COMBINED MEAN SEA LEVEL SCALE FACTOR 0.99993

- (A) EASEMENTS FOR SERVICES, LANDSCAPING, SIGNAGE FLAGPOLES AND STREET FURNITURE 31 WIDE, 18 WIDE & VAR. (DP 835983)
 (B) U 583258 EASEMENT FOR WATER SUPPLY 15 WIDE (DP 648521),
 (C) U 583258 EASEMENT FOR RIGHT OF CARRIAGEWAY AND EASEMENT FOR SERVICES VAR WIDTH (DP 817929),
 (D) EASEMENT FOR RISING MAIN 3 WIDE & VAR (DP 819129)
 (E) PROPOSED EASEMENT FOR TRANSMISSION LINES 30.48 WIDE
 (F) U 583258 EASEMENT FOR WATER SUPPLY 15 WIDE (DP 648521)
 (G) U 583255 EASEMENT FOR WATER SUPPLY 15 WIDE (DP 648521)
 (H) RESTRICTIONS ON THE USE OF LAND - DP835983, DP844927, DP846340, 1900774,
 (I) BENEFITED BY EASEMENT TO DRAIN WATER - DP819131
 (J) POSITIVE COVENANT - 1900774

LINE	DESCRIPTION
1	A 12.805
2	A 8.28
3	A 28.685
4	A 31.65
5	A 26.785
6	A 13.96
7	A 6.338
8	A 17.185
9	A 161.32
10	A 52.62
11	A 89
12	A 63.16
13	A 192.34
14	A 63.28
15	A 96
16	A 34.685
17	A 41.785
18	A 21.42
19	A 52.135
20	A 23.005
21	A 36.04
22	A 127.12



Plan Drawing only to appear in this space

RTA FILE: 40.1206 RTA PLAN: 0635 031 56 0016

SURVEYOR'S REFERENCE: 960532C(SPT1855)

DP 860175

Registered 2.1.1996

This is a plan of a portion in 2 sheets

A. H. Fowler

Surveyor registered under Surveyors Act 1928

This is a plan of a portion in 2 sheets covered by my Certificate No. of

General Manager/Authorised Person

For use where space is insufficient in any point on Plan Form 2.

LGA. BAULKHAM HILLS SHIRE
 Locality: PARKIEA
 Parish: CASTLE HILL
 County: CUMBERLAND

Reduction Ratio 1:5000



11275241

NEW SOUTH WALES

CERTIFICATE OF TITLE
PROPERTY ACT, 1900, as amended.

Applications Nos. ~~22826~~ & 463

For Crown Grants see Schedule

~~Prior Title Volume 3182 Folio 32~~

Vol. **11275** Fol. **241**

EH Edition issued 19-3-1970



CANCELLED

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.

Witness

Barnes

Jawatson
Registrar General.



ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 1 in Deposited Plan 530718 at Parklea in the Shire of Baulkham Hills Parish of Castle Hill and County of Cumberland being the lands granted by the Crown Grants set out in the Schedule hereunder.

SCHEDULE OF GRANTS.

Number of Portion	Name of Grantee	Date of Grant
Pt. 53	Charles Beazley	1 - 1 - 1810
54	Elizabeth Graham	1 - 1 - 1810
Pt. 56	Susanna Matilda Ward	19 - 10 - 1831
38	James Bean & Esther Bean	31 - 8 - 1835
59	James Robertson	14 - 9 - 1837
39	Thomas Pye	5 - 4 - 1839
Pt. 104	Andrew McDougall & John Frederick Doyle (Trustees of the will of John Kerr McDougall)	30 - 5 - 1840
57	Joseph Hendle	30 - 5 - 1840

FIRST SCHEDULE

NORTH SYDNEY BRICK AND TILE COMPANY PTY. LIMITED.

Jawatson
Registrar General.

SECOND SCHEDULE

1. Reservations and conditions, if any, contained in the Crown Grants above referred to.
2. Easement for Transmission Line created by notification in Government Gazette dated 25-5-1956 Folio 1454 and Notice of Resumption No. G592643 affecting the part of the land above described shown as "Easement for Transmission Line 100 ft. wide" in the plan hereon.

Jawatson
Registrar General.

3. Restriction on User created by notification in Government Gazette dated 6th June 1969 Folio 2092 and Request No. L573125 affecting the part of the land above described shown as "Restriction on User Var. Width" in the plan hereon - See Section 27E(6) Main Roads Act, 1924.

Jawatson
Registrar General.

1371M.4393

Reg. Gen.
18-10-1971

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

WARNING: THIS DOCUMENT MUST NOT BE REMOVED FROM THE LAND TITLES OFFICE.

CERTIFICATE OF TITLE



NEW SOUTH WALES

Appln. Nos.22826 & 46379

For Crown Grants see Schedule.

Prior Title Vol.11275 Fol.241

PROPERTY ACT, 1900

Vol. 12748 Fol. 104

Edition issued 3-4-1975



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.

Jawataon
Registrar General.



ESTATE AND LAND REFERRED TO

CANCELLED

Estate in Fee Simple in Lot 2 in Deposited Plan 571123 at Parklea in the Shire of Baulkham Hills Parish of Castle Hill and County of Cumberland being the lands granted by the Crown Grants set out in the Schedule hereunder.

SCHEDULE OF GRANTS

Number of Portion	Name of Grantee	Date of Grant
Pt 53	Charles Beazley	1- 1-1810
Pt 54	Elizabeth Graham	1- 1-1810
Pt 56	Susanna Matilda Ward	19-10-1831
Pt 38.	James Bean & Esther Bean	31- 8-1835
Pt 59	James Robertson	14- 9-1837
Pt 39	Thomas Pye	5- 4-1839
Pt 104	Andrew McDougall & John Frederick Doyle (Trustees of the will of John Kerr McDougall)	30- 5-1840
57	Joseph Hendle	

FIRST SCHEDULE

NORTH SYDNEY BRICK AND TILE COMPANY PTY. LIMITED.

SECOND SCHEDULE

1. Reservations and conditions, if any, contained in the Crown Grants above referred to.
2. Easement for Transmission Line created by notification in Government Gazette dated 25-5-1956 Folio 1454 and Notice of Resumption No.G592643 affecting the part of the land above described 30.48 metres wide shown in plan "G" annexed to Resumption No.G592643.
3. Mortgage No.M202320 to Defence Forces Retirement Benefits Board. Entered 29-3-1971.
4. ~~Lease No.M305994 of part to Ellen Jones, wife of Albert Jones of Penrith, Dairy Farmer and Charles Albert Jones of Wallacia, Dairy Farmer. Entered 25-10-1971. Surrendered P54170~~
5. Mortgage No.M476590 to The Commercial Banking Company of Sydney Limited. Entered 23-11-1971.
6. Postponement of Mortgage No.M804609 whereby Mortgage No.M476590 is entitled in priority as if it had been registered before Mortgage No.M202320. Entered 22-8-1972.

[illegible]

11-21-11
P24115
P202240

5215121-7
C5515175
C52217
D76248224

REGISTERED PROPRIETOR

LOW CONCENTRATED CRYSTALLINE ON... DP 624844...
NO DEALING TO BE ASSIGNED WITHOUT REFERENCE TO
DEALINGS BRANCH.


PARTICULARS

17-00000

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

REGISTERED PROPRIETOR

This deed is cancelled as to WFOLE
 New Certificates of Title have issued on 287052
 for lots in DEPOSED Plan No. 624844 as follows:-
 Lots 101102 Vol. 14280 Fol. 200221 respectively.


be
 REGISTRAR GENERAL

PARTICULARS

[illegible]

(Page 4 of 4 pages)

NEW SOUTH WALES

FIFICATE OF TITLE

EAL PROPERTY ACT, 1900



14787 221

Vol. Fol.

Appln. Nos.22826 & 46379

Prior Title Vol.12748 Fol.104



EDITION 1.1.1982

29 6 1982

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 102 in Deposited Plan 624844 at Parklea in the Shire of Baulkham Hills Parish of Castle Hill and County of Cumberland being the lands granted by the Crown Grants set out in the Schedule of grants hereunder.

SCHEDULE OF GRANTS

Portion	Name of Grantee	Date of Grant
Pt 53	Charles Beazley	1- 1-1810
Pt 54	Elizabeth Graham	1- 1-1810
Pt 56	Susanna Matilda Ward	19-10-1831
Pt 38	James Bean and Esther Bean	31- 8-1835
Pt 59	James Robertson	14- 9-1837
Pt 39	Thomas Pye	5- 4-1839
Pt 104	Andrew McDougall & John Frederick Doyle (Trustees of the Will of John Kerr McDougall)	30- 5-1840
Pt 57	Joseph Hendle	30- 5-1840

FIRST SCHEDULE

NORTH SYDNEY BRICK AND TILE COMPANY LIMITED.

SECOND SCHEDULE

1. Reservations and conditions, if any, contained in the Crown Grants above referred to.
2. Notification in Government Gazette dated 25-5-1956 Folio 1454 and G592643; Easement for Transmission Line affecting the land shown so burdened in Deposited Plan 624844.
3. ~~M202320 Mortgage to Defence Forces Retirement Benefits Board. V936 122.~~
4. M476590 P Mortgage to The Commercial Banking Company of Sydney Limited.
5. ~~M476590 M202320 by postponement M804624 V936 122.~~
6. P541128 Easement for support affecting the land shown so burdened in Deposited Plan 624844.

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

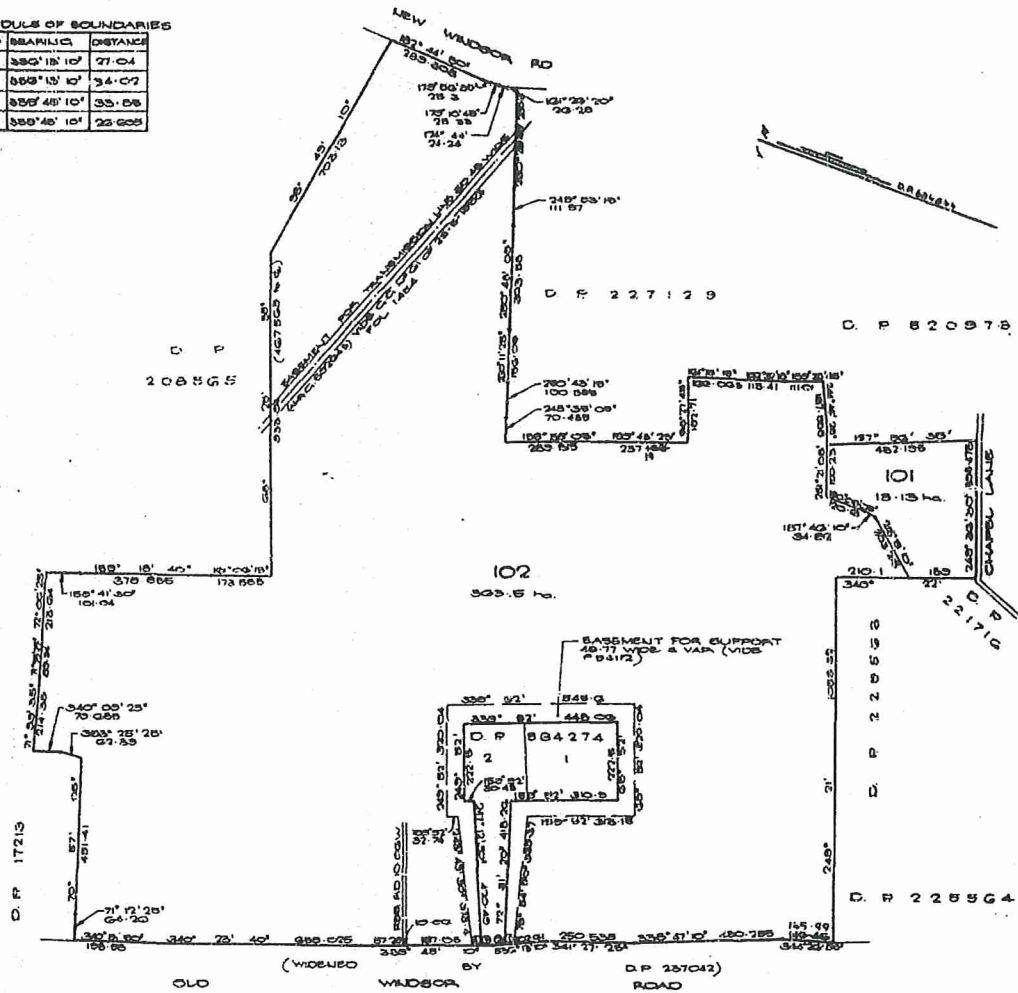


PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES

SCHEDULE OF BOUNDARIES

NO	BEARING	DISTANCE
1	330° 18' 10"	27.04
2	330° 18' 10"	34.07
3	330° 48' 10"	33.58
4	330° 48' 10"	23.65



FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR

Registrar General

SECOND SCHEDULE (continued)

PARTICULARS

Registrar General

CANCELLATION

NOTATIONS AND UNREGISTERED DEALINGS

Mfg. M202320
 M476580
 23682
 V936122 DMR
 DP 6A0411 R

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

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR

Registrar General

14787-221

SECOND SCHEDULE (continued)

PARTICULARS

Registrar General

CANCELLATION

NOTATIONS AND UNREGISTERED DEALINGS

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



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Information provided through Tri-Search an approved LPINSW Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

5/11/2014 8:53AM

FOLIO: 708/1008556

First Title(s): OLD SYSTEM

Prior Title(s): 704/1000143

Recorded	Number	Type of Instrument	C.T. Issue
22/6/2000	DP1008556	DEPOSITED PLAN	FOLIO CREATED EDITION 1
14/12/2000	DP270243	DEPOSITED PLAN	FOLIO CANCELLED

*** END OF SEARCH ***

mg

PRINTED ON 5/11/2014

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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

5/11/2014 8:54AM

FOLIO: 2/270243

First Title(s): OLD SYSTEM

Prior Title(s): 708/1008556

Recorded	Number	Type of Instrument	C.T. Issue
14/12/2000	DP270243	DEPOSITED PLAN	FOLIO CREATED EDITION 1
23/1/2001	7362918	DISCHARGE OF MORTGAGE	EDITION 2
10/9/2001	7923301	REQUEST	
11/9/2001	7894758	REQUEST	
11/9/2001	DP270243	DEPOSITED PLAN	FOLIO CANCELLED

*** END OF SEARCH ***

mg

PRINTED ON 5/11/2014

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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

5/11/2014 8:54AM

FOLIO: 6/270243

First Title(s): OLD SYSTEM

Prior Title(s): 2/270243

Recorded	Number	Type of Instrument	C.T. Issue
11/9/2001	DP270243	DEPOSITED PLAN	FOLIO CREATED CT NOT ISSUED
13/11/2001	8107936	DEPARTMENTAL DEALING	EDITION 1
22/11/2001	8140721	TRANSFER	EDITION 2

*** END OF SEARCH ***

mg

PRINTED ON 5/11/2014

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Ref:mg /Src:T

Form: 01TCV
 Licence: 01-08-068
 Licensee: Middleware Systems
 Clayton Utz

TRANSFER INCLUDING COVENANTS

New South Wales
Real Property Act 1900



8140721B

PRIVACY NOTE: this information is legally required and will become part of the public record

STAMP DUTY

Office of State Revenue use only

NEW SOUTH WALES DUTY

21-11-2001

0000814666-001

SECTION 18(2)

DUTY

*****2.00

(A) TORRENS TITLE

If appropriate, specify the part or share transferred

Folio Identifier 6/270243

(B) LODGED BY

Delivery
Box

Name, Address or DX and Telephone

Clayton Utz, Solicitors
 No. 1 O'Connell Street, SYDNEY
 DX 370 SYDNEY Tel: (02) 9353 4000

Reference (optional): 700/1542787 Kate Thomas.

CODE

T

(C) TRANSFEROR

NORWEST LIMITED

000 - 004 - 633

(D)

The transferor acknowledges receipt of the consideration of \$ 1,045,000.00

and

as regards the land specified above transfers to the transferee an estate in fee simple

(E)

and the transferor covenants with the transferee as fully set out in schedule I hereto.

(F)

Encumbrances (if applicable):

(G) TRANSFEE

BP AUSTRALIA LIMITED

004 085 616.

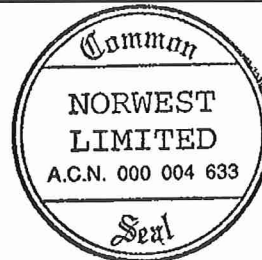
(H)

TENANCY:

DATE

19 / 11 / 2001

- (I) Certified correct for the purposes of the Real Property Act 1900 by the corporation named below the common seal of which was affixed pursuant to the authority specified and in the presence of the authorised person(s) whose signature(s) appear(s) below.
 Corporation: NORWEST LIMITED
 Authority: Section 127 of the Corporations Law



G. Gibson
 Director

Signature of authorised person:

Signature of authorised person:

Name of authorised person:

Name of authorised person:

Office held:

Office held:

Signature of transferee's solicitor

If signed on the transferee's behalf by a solicitor or licensed conveyancer, show the signatory's full name and capacity below:

Peter Andrew Russell
 Solicitor

SIGNED in my presence by DENNIS VASIMON
 and Joseph Michael Nehme as Attorneys of
 BP AUSTRALIA LIMITED A.C.N. 004 085 616 by virtue of
 Power of Attorney No. 483
 Book 4310

Andrew Henderson
 ANDREW HENDERSON

BP AUSTRALIA LIMITED
 by its Attorneys

Joseph Nehme

Form: 01TCV

(J) SCHEDULE 1 TO TRANSFER: TRANSFEROR'S COVENANT

(K) Dated: 19 / 11 / 2001

From: NORWEST LIMITED

To: BP AUSTRALIA LIMITED

(L) Land benefited by covenant: Folio Identifier 6/270243

Land burdened by covenant: Folio Identifiers 703/1000143 and 706/1008556

(M) Terms of the covenant:

The transferor for itself and its assigns covenants with the Transferee and its assigns that it shall not permit the land burdened by this covenant to be used as a motor vehicle service station and/or convenience store.

For the purposes of Section 88 of the Conveyancing Act:

(a) The land burdened by this covenant is Lot 703 in DP 1000143 and Lot 706 in DP 1008556.

(b) The land having the benefit of this covenant is the land hereby transferred.

(c) The person having the right to release vary or modify this covenant is the registered proprietor for the time being of the land having the benefit of this covenant.

Nothing in this covenant shall prohibit the registered proprietor for the time being of the land burdened by this covenant from using such land as a motor vehicle service station and/or convenience store if any such service station or convenience store is not available for custom by the general public and is limited for use by such registered proprietor, its employees and contractors.

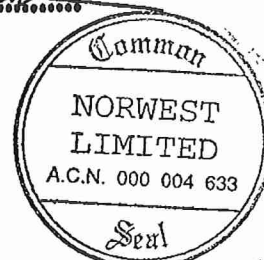
SIGNED in my presence by DENNIS VASILIOU
and Joseph Michael Nohme as Attorneys of
BP AUSTRALIA LIMITED A.C.N. 004 085 616 by virtue of
Power of Attorney No. 483
Book 4310

ANDREW HENDERSON

BP AUSTRALIA LIMITED

by its Attorneys

Joseph Nohme



(N) Signature of witness:

Signature of transferor:

Signature of witness:

Signature of transferee:



Legal Liaison Services

LPI On-Line

Legal Liaison Services 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 LPI/NSW Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 6/270243

SEARCH DATE	TIME	EDITION NO	DATE
5/11/2014	8:54 AM	2	22/11/2001

LAND

LOT 6 IN COMMUNITY PLAN DP270243
AT BELLA VISTA
LOCAL GOVERNMENT AREA THE HILLS SHIRE
PARISH OF CASTLE HILL COUNTY OF CUMBERLAND
TITLE DIAGRAM DP270243

FIRST SCHEDULE

BP AUSTRALIA LIMITED

(T 8140721)

SECOND SCHEDULE (27 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 INTERESTS RECORDED ON REGISTER FOLIO 1/270243
- 3 ATTENTION IS DIRECTED TO THE MANAGEMENT STATEMENT AND DEVELOPMENT CONTRACT OF THE COMMUNITY SCHEME FILED WITH THE COMMUNITY PLAN
- 4 DP816340 RESTRICTION(S) ON THE USE OF LAND
- 5 I900774 RESTRICTION(S) ON THE USE OF LAND
- 6 I900775 POSITIVE COVENANT
- 7 DP835983 RESTRICTION(S) ON THE USE OF LAND
- 8 DP819131 EASEMENT TO DRAIN WATER APPURTENANT TO THE LAND ABOVE DESCRIBED
- 9 DP873564 RESTRICTION(S) ON THE USE OF LAND
- 10 DP873564 RIGHT OF CARRIAGEWAY & EASEMENT FOR SERVICES APPURTENANT TO THE LAND ABOVE DESCRIBED
- 11 DP270243 RIGHT OF CARRIAGEWAY VARIABLE WIDTH (DOC 2) APPURTENANT TO THE LAND ABOVE DESCRIBED
- 12 DP270243 EASEMENT FOR ACCESS AND PARKING VARIABLE WIDTH (DOC 2) AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
- 13 DP270243 EASEMENT FOR ACCESS AND PARKING VARIABLE WIDTH (DOC 2) APPURTENANT TO THE LAND ABOVE DESCRIBED
- 14 DP270243 EASEMENT FOR OVERHANG VARIABLE WIDTH (DOC 2) APPURTENANT TO THE LAND ABOVE DESCRIBED
- 15 DP270243 RESTRICTION(S) ON THE USE OF LAND REFERRED TO AND NUMBERED (6) IN THE S.88B INSTRUMENT (DOC 2)
- 16 DP270243 RESTRICTION(S) ON THE USE OF LAND REFERRED TO AND NUMBERED (7) IN THE S.88B INSTRUMENT (DOC 2)
- 17 DP270243 EASEMENT FOR SIGNAGE 5 WIDE (DOC 2) APPURTENANT TO THE LAND ABOVE DESCRIBED
- 18 DP270243 EASEMENT FOR SIGNAGE 2 WIDE (DOC 2) APPURTENANT TO

END OF PAGE 1 - CONTINUED OVER

mg

PRINTED ON 5/11/2014



LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 6/270243

PAGE 2

SECOND SCHEDULE (27 NOTIFICATIONS) (CONTINUED)

- THE LAND ABOVE DESCRIBED
- 19 DP270243 POSITIVE COVENANT REFERRED TO AND NUMBERED (13) IN
THE S.88B INSTRUMENT (DOC 2)
- 20 DP270243 EASEMENT FOR OPEN ACCESS WAY 9.09 WIDE (DOC 2)
APPURTENANT TO THE LAND ABOVE DESCRIBED
- 21 DP270243 EASEMENT FOR PARKING VARIABLE WIDTH (DOC 2)
APPURTENANT TO THE LAND ABOVE DESCRIBED
- 22 DP270243 POSITIVE COVENANT REFERRED TO AND NUMBERED (16) IN
THE S.88B INSTRUMENT (DOC 2)
- 23 DP270243 RIGHT OF CARRIAGEWAY 20 METRE(S) WIDE (DOC 2)
APPURTENANT TO THE LAND ABOVE DESCRIBED
- 24 DP270243 EASEMENT FOR PARKING VARIABLE WIDTH (DOC 2)
APPURTENANT TO THE LAND ABOVE DESCRIBED
- 25 DP270243 RIGHT OF CARRIAGEWAY 9.09 METRE(S) WIDE (DOC 2)
APPURTENANT TO THE LAND ABOVE DESCRIBED
- 26 DP270243 POSITIVE COVENANT REFERRED TO AND NUMBERED (22) IN
THE S.88B INSTRUMENT (DOC 2)
- 27 8140721 COVENANT

NOTATIONS

NOTE: THE CERTIFICATE OF TITLE FOR THIS FOLIO OF THE REGISTER DOES
NOT INCLUDE SECURITY FEATURES INCLUDED ON COMPUTERISED
CERTIFICATES OF TITLE ISSUED FROM 4TH JANUARY, 2004. IT IS
RECOMMENDED THAT STRINGENT PROCESSES ARE ADOPTED IN VERIFYING THE
IDENTITY OF THE PERSON(S) CLAIMING A RIGHT TO DEAL WITH THE LAND
COMPRISED IN THIS FOLIO.

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

mg

PRINTED ON 5/11/2014

*ANY ENTRIES PRECEDED BY AN ASTERISK DO NOT APPEAR ON THE CURRENT EDITION OF THE CERTIFICATE OF TITLE. WARNING: THE
INFORMATION APPEARING UNDER NOTATIONS HAS NOT BEEN FORMALLY RECORDED IN THE REGISTER.

Legal Liaison Searching Services

ABN: 52832569710
Ph: 02 9233 5800
Fax: 02 9221 2827

Level 4, 70 Castlereagh Street,
Sydney 2000
PO Box 2513 Sydney NSW 2000
DX 1019 Sydney

Summary of Owners Report

LPI

Sydney

Address: - 44 to 46 Memorial Avenue, Kellyville

Description: - Lot 11 D.P. 844963

<u>Date of Acquisition and term held</u>	<u>Registered Proprietor(s) & Occupations where available</u>	<u>Reference to Title at Acquisition and sale</u>
10.05.1921 (1921 to 1922)	William Thomas Louis Archdall Pearce (Clerk in Holy Orders)	Vol 3182 Fol 30
21.06.1922 (1922 to 1955)	Joseph David McKay (Provision Merchant)	Vol 3182 Fol 30 Now Vol 5118 Fol 192
05.07.1955 (1955 to 1971)	Emile Marcel Nydegger (Dentist)	Vol 5118 Fol 192 Now Vol 7029 Fol 17
25.05.1971 (1971 to 1971)	Bidges Pty Limited	Vol 7029 Fol 17 Now Vol 11675 Fol 69
14.10.1971 (1971 to 1995)	Joan Harpur (Widow)	Vol 11675 Fol 69 Now 5/241547
11.10.1995 (1995 to 1996)	Roads and Traffic Authority of New South Wales	5/241547 Now 11/844963
30.08.1996 (1996 to 2004)	Kelvin David Maidment	11/844963
05.07.2004 (2004 to date)	# Roads and Traffic Authority of New South Wales	11/844963

Denotes current registered proprietor

Easements: - NIL

Leases: -

- 30.03.1938 to Richard William Field, Dairy Farmer – expired 21.08.1953

Yours Sincerely
Mark Groll
5 November 2014
(Ph: 0412 199 304)



Cadastral Records Enquiry Report

Ref : surv:scim-grollm

Requested Parcel : Lot 11 DP 844963

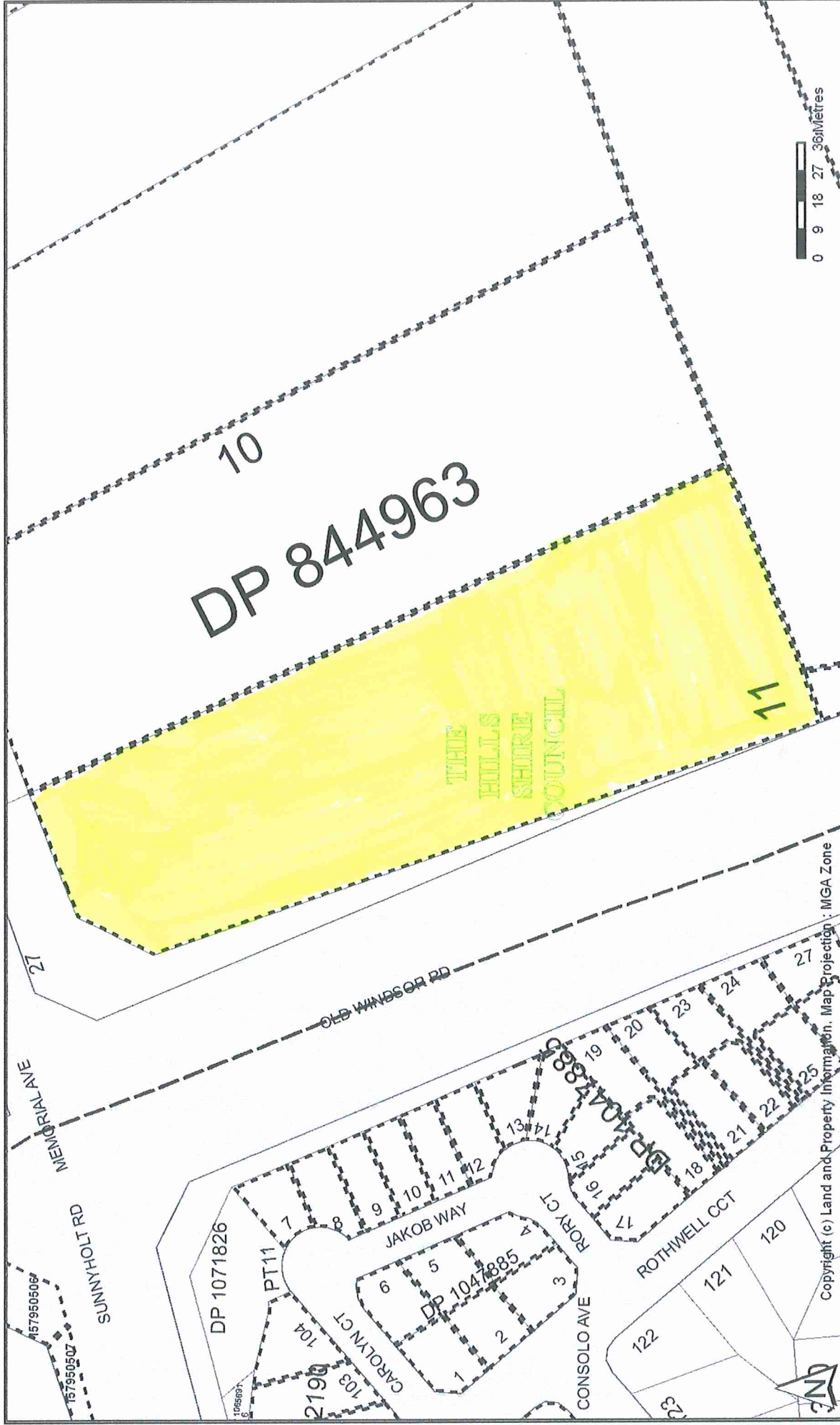
Identified Parcel : Lot 11 DP 844963

Locality : KELLYVILLE

LGA : THE HILLS

Parish : CASTLE HILL

County : CUMBERLAND



Reverse Street Address Inquiry

Provides street address details for a title.

Street Address associated with title reference: **11/844963**

Address:

NORTHWEST TRANSIT WAY (PART) KELLYVILLE NSW 2155 44-46 MEMORIAL AVE,

Client Reference:

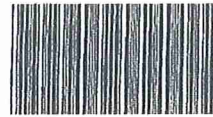
Date of Service: 04-Nov-2014 17:35:33

This information is provided as a searching aid only.
The Registrar General does not guarantee the information provided.

Please forward any feedback or data quality issues to feedback@lands.nsw.gov.au

NEW SOUTH WALES

CERTIFICATE OF TITLE
PROPERTY ACT, 1900, as amended.



11675069

Appln. No. 5971

Prior Title Vol. 7029 Fol. 17

Vol. **11675** Fol. **69**

Edition issued 6-10-1971



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.

Witness

Barnes

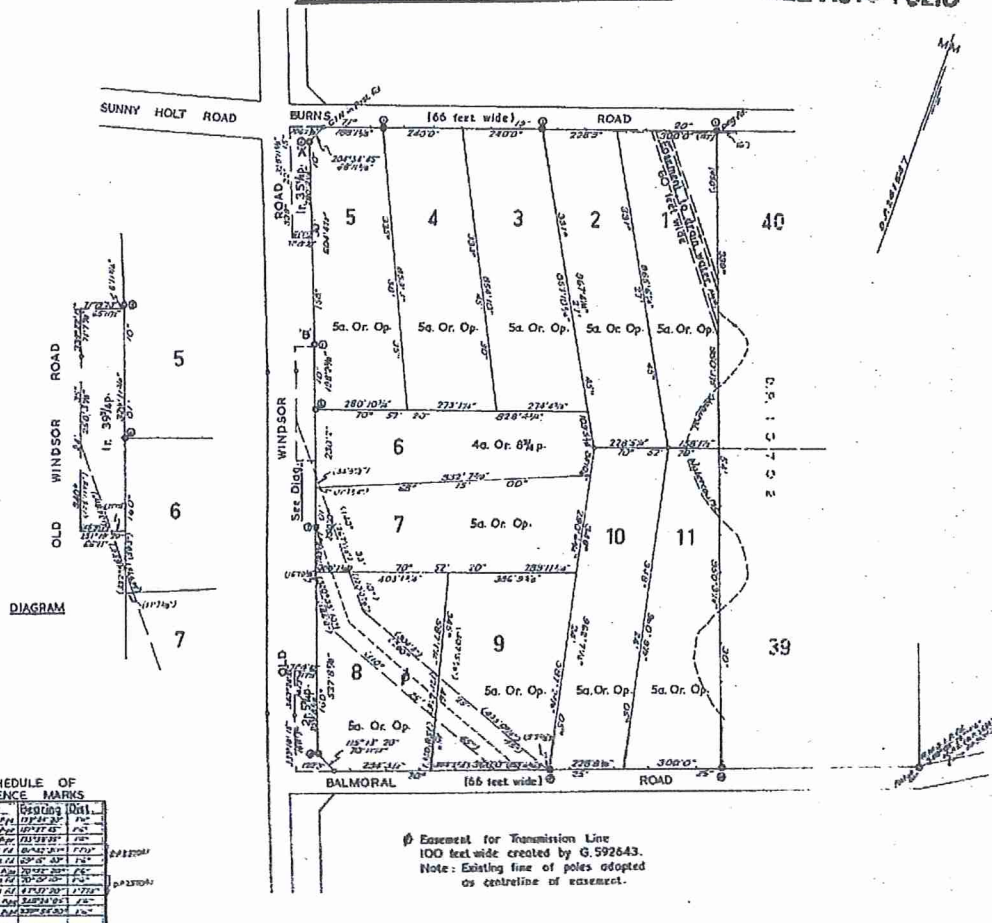
CANCELLED

Registrar General.



PLAN SHOWING LOCATION OF LAND

SEE AUTO FOLIO



SCHEDULE OF REFERENCE MARKS		
No.	Type	Description
1	Iron	Iron
2	Iron	Iron
3	Iron	Iron
4	Iron	Iron
5	Iron	Iron
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8	Iron	Iron
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100	Iron	Iron

ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 5 in Deposited Plan 241547 at Kellyville in the Shire of Baulkham Hills Parish of Castle Hill and County of Cumberland being part of Portion 50 granted to Thomas Boulton Senior on 1-1-1810.

BIDGES PTY. LIMITED.

FIRST SCHEDULE

SECOND SCHEDULE

1. Reservations and conditions, if any, contained in the Crown Grant above referred to.
2. Covenant created by Transfer No. G348380.
3. Mortgage No. M307400 to Emile Marcel Nydegger of Parramatta, Dentist. Entered 27-7-1971. Discharged 17-4-1972.
4. Restriction as to user created by the registration of Deposited Plan 241547. See M424897.

Jaworski
Registrar General

WARNING: THIS DOCUMENT MUST NOT BE REMOVED FROM THE LAND TITLES OFFICE.

M46282 DM

[illegible][illegible]

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



Legal Liaison Services

LPI On-Line

Legal Liaison Services hereby certifies that the information contained in this document has been provided electronically by the Registrar General.

Information provided through Tri-Search an approved LPINSW Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

4/11/2014 5:36PM

FOLIO: 5/241547

First Title(s): SEE PRIOR TITLE(S)

Prior Title(s): VOL 11675 FOL 69

Recorded	Number	Type of Instrument	C.T. Issue
5/6/1987		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
29/1/1988		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
8/6/1993	DP647839	DEPOSITED PLAN	
1/10/1993	DP648297	DEPOSITED PLAN	
13/12/1994	DP844963	DEPOSITED PLAN	
10/1/1995	U929773	DEPARTMENTAL DEALING	
8/9/1995	O476608	CAVEAT	
11/10/1995	O578088	WITHDRAWAL OF CAVEAT	
11/10/1995	O578089	TRANSFER	EDITION 1
13/3/1996	O965165	REQUEST	FOLIO CANCELLED
3/2/2000	6534561	DEPARTMENTAL DEALING	

*** END OF SEARCH ***

mg

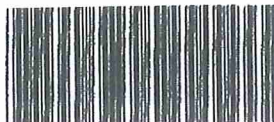
PRINTED ON 4/11/2014

*ANY ENTRIES PRECEDED BY AN ASTERISK DO NOT APPEAR ON THE CURRENT EDITION OF THE CERTIFICATE OF TITLE. WARNING: THE INFORMATION APPEARING UNDER NOTATIONS HAS NOT BEEN FORMALLY RECORDED IN THE REGISTER.

97-01T

TRANSFER

Real Property Act, 1900

0
578089 B

Off:



D

(A) LAND TRANSFERREDShow no more than 20 References to Title.
If appropriate, specify the share transferred.FOLIO IDENTIFIER 5/241547
at Kellyville**(B) LODGED BY**

L.T.O. Box

Name, Address or DX and Telephone

COLEMAN & GMEIG
SOLICITORS
189 Y

REFERENCE (max. 15 characters):

RTA-HARPER

(C) TRANSFEROR

JOAN HARPER

(D) acknowledges receipt of the consideration of

\$500,000.00

and as regards the land specified above transfers to the Transferee an estate in fee simple

(E) subject to the following ENCUMBRANCES

1. Nil

2.

3.

(F) TRANSFEET
TS
(s713 LGA)
TW
(Sheriff)

ROADS AND TRAFFIC AUTHORITY OF NEW SOUTH WALES

(G)

TENANCY:

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

DATED 27th September 1995

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

[Signature]

Signature of Witness

H.D.O. D'ARICE

Name of Witness (BLOCK LETTERS)

SOLICITOR 66 PITT ST SYDNEY

Address of Witness

[Signature]

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

C.O. Einberg

Solicitor for the

Signature of Transferee

INSTRUCTIONS FOR FILLING OUT THIS FORM ARE AVAILABLE FROM THE LAND TITLES OFFICE

CHECKED BY (office use only)

[Signature]



Legal Liaison Services

LPI On-Line

Legal Liaison Services 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 5:40PM

FOLIO: 11/844963

First Title(s): OLD SYSTEM

Prior Title(s): 5/241547

Recorded	Number	Type of Instrument	C.T. Issue
13/12/1994	DP844963	DEPOSITED PLAN	LOT RECORDED FOLIO NOT CREATED
13/3/1996	0965165	RESTRICTION S88E(3) CONV ACT	FOLIO CREATED EDITION 1
30/8/1996	2420939	TRANSFER	
30/8/1996	2420940	MORTGAGE	EDITION 2
16/3/2004	AA444011	REQUEST	
23/6/2004	AA742196	DEPARTMENTAL DEALING	
5/7/2004	AA766877	REQUEST	

*** END OF SEARCH ***

mg

PRINTED ON 4/11/2014

*ANY ENTRIES PRECEDED BY AN ASTERISK DO NOT APPEAR ON THE CURRENT EDITION OF THE CERTIFICATE OF TITLE. WARNING:
THE INFORMATION APPEARING UNDER NOTATIONS HAS NOT BEEN FORMALLY RECORDED IN THE REGISTER.

RP11A



TRANSFER
including easement
Real Property Act 1900



2420939 M



Office of State Revenue use only

INCLUDING COVENANT

- (A) **LAND TRANSFERRED**
Show no more than 20 References to Title.
If appropriate, specify the share transferred.

Folio Identifier 11/844963

- (B) **TENEMENTS**

Servient (land burdened)

Dominant (land benefited)

- (C) **LODGED BY**

L.T.O. Box
ACS

Name, Address or DX and Telephone

AKZ

Maidment-NW

REFERENCE (max. 15 characters):

- (D) **TRANSFEROR** ... **ROADS AND TRAFFIC AUTHORITY OF NEW SOUTH WALES**
- (E) acknowledges receipt of the consideration of ...\$408,000.00..... and subject to the following
- (F) **ENCUMBRANCES** 1. 2. 3. as regards the above land
- (G) transfers to the transferee an estate in fee simple and the transferor — **grants an easement as set out in Schedule One hereto**
- (H) — reserves an easement as set out in Schedule Two hereto —

- (I) **TRANSFEEE**

T

KELVIN DAVID MAIDMENT, 58 Acres Road, Kellyville

- (J)

TENANCY:

- (K) We certify this dealing correct for the purposes of the Real Property Act 1900. **DATE** 2/8/96

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

Andrew Grant Smith
Signature of Witness

ANDREW GRANT SMITH
Name of Witness (BLOCK LETTERS)

51-260 EZZAMERI ST, SCARLE HILLS
Address of Witness

[Signature]
Signature of Transferor

EXECUTED BY THE MANAGOR PROPERTY ASSETS
PURSUANT TO DELEGATIONS BOOK 4008 No 809
AND BOOK 4117 No. 182.

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]
Signature of Transferee's Solicitor
ALLAN BERNARD BOLSTER
CHECKED BY (office use only)

INSTRUCTIONS FOR FILLING OUT THIS FORM ARE GIVEN ON PAGE 4

SCHEDULE ONE
~~UNDEVELOPED~~ COVENANT

Complete the Tenements panel on the front

~~THE TRANSFEROR~~

The transferee covenants with the transferor and the transferee does hereby for the benefit of lot 27 in Deposited Plan 844953 (herein called "the dominant tenement") covenant with the transferor (in this covenant called "the authority") so as to bind and burden lot 11 in Deposited Plan 844963 being the whole of the land contained in Certificate of Title Folio Identifier 11/844963 (herein called "the servient tenement") that the transferee will not, without the written consent of the authority (which consent may be revoked at any time by the authority at its discretion and without compensation) construct or allow to be constructed on the servient tenement any means of access to or from the dominant tenement or to use or allow to be used the servient tenement as a means of access to or from the dominant tenement AND the party having the right to release, vary or modify this restriction is the authority, its successors or assigns.

Lindsay G Smith
Signature of witness

LINDSAY G SMITH
Name of witness

cf-266 ELIZABETH ST, SLEIGHROUSEM.
Address of witness

[Signature]
Signature of Transferor

EXECUTED BY THE MANAGED SOCIETY ASSETS
FORBIDDEN TO BE LOANED OR USED FOR ANY
AND LOOK 4117 No 12.

[Signature]
[Signature]
[Signature]
[Signature]

Ref:mg /Src:T
form 11R
Release: 1.1
www.lpi.nsw.gov.au

REQUEST

New South Wales
Real Property Act 1900



AA444011Q

PRIVACY NOTE: this information is legally required and will become part of the public record

(A) STAMP DUTY

If applicable. Office of State Revenue use only

(B) LAND

Torrens Title

see Annexures 'A', 'B', 'C' and 'D'

(C) REGISTERED DEALING

Number

Torrens Title

(D) LODGED BY

Delivery Box

Name, Address or DX and Telephone

CODE

556X

Roads and Traffic Authority of NSW

DX 13 SYDNEY

Telephone 9218 6763 (Ms Durie)

Reference (optional): FPP 4M263

R

(E) APPLICANT

ROADS AND TRAFFIC AUTHORITY OF NSW

(F) NATURE OF REQUEST

Application to Record

GIVING OF A PROPOSED ACQUISITION NOTICE

Land Acquisition (Just Terms Compensation) Act, 1991

(G) TEXT OF REQUEST

THE APPLICANT, requests the Registrar General to note on the Register for the land listed in Annexures 'A', 'B', 'C' and 'D', pursuant to Section 11 of the Land Acquisition (Just Terms Compensation) Act 1991, that proposed acquisition notices have been given affecting the land.

DATE

17

February 2004

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

Signature of witness:

Karen Durie

Karen Durie

Name of witness:

Address of witness:

RTA Sydney

Dx 13 Sydney

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

Signature of applicant:

T D Craig

T D CRAIG

MANAGER, COMPULSORY ACQUISITION
& ROAD DEDICATION

EXECUTED PURSUANT TO DELEGATION
BOOK 4238 NO 360

ANNEXURE "A"

THIS IS THE ANNEXURE "A" TO THE REQUEST MADE UNDER THE REAL PROPERTY ACT 1900 BY
THE ROADS AND TRAFFIC AUTHORITY OF NEW SOUTH WALES

Lots 20 to 23 inclusive and 28 to 31 inclusive Deposited Plan 1031575 being part of the land in Certificate
of Title Auto Consol 4551-32;

Whole of the land in Certificate of Title 32/13822;

Lots 25 and 33 Deposited Plan 1031575 being part of the land in Certificate of Title 31/13822;

Lot 34 Deposited Plan 1031575, being part of the land in Certificate of Title 30/13822;

Whole of the land in Certificate of Title 11/844963;

Whole of the land in Certificate of Title 10/844963;

Lot 182 Deposited Plan 1063447 being part of the land in Certificate of Title 18/852817;

Whole of the land in Certificate of Title 4/242385;

Whole of the land in Certificate of Title 193/201519;

Whole of the land in Certificate of Title 2/574675;

Whole of the land in Certificate of Title 1/510835;

Whole of the land in Certificate of Title 9/547051;

Whole of the land in Certificate of Title 3/242385;

Whole of the land in Certificate of Title 8/216306;

Lot 14 Deposited Plan 1064483 being part of the land in Certificate of Title 33/203373;

Lot 13 Deposited Plan 1064483 being part of the land in Certificate of Title 34/203373;

Lot 12 Deposited Plan 1064483 being part of the land in Certificate of Title 1/221362;

Lot 11 Deposited Plan 1064483 being part of the land in Certificate of Title 3/221362;

Whole of the land in Certificate of Title 10/657139;

Whole of the land in Certificate of Title 11/R/2161



T. Craig

ANNEXURE "B"

THIS IS THE ANNEXURE "B" TO THE REQUEST MADE UNDER THE REAL PROPERTY ACT 1900 BY
THE ROADS AND TRAFFIC AUTHORITY OF NEW SOUTH WALES

Whole of the land in Certificate of Title 6/R/2161
Whole of the land in Certificate of Title B/366304
Whole of the land in Certificate of Title 1/1000929
Whole of the land in Certificate of Title 28/1003961
Whole of the land in Certificate of Title 5/233847
Whole of the land in Certificate of Title 4/233847
Whole of the land in Certificate of Title 26/137506
Whole of the land in Certificate of Title 25/1001261
Whole of the land in Certificate of Title 24/1001261
Whole of the land in Certificate of Title 13/836203
Whole of the land in Certificate of title 7/836203
Whole of the land in Certificate of Title 6/836203
Whole of the land in Certificate of Title 9/836203
Whole of the land in Certificate of Tile 5/836203
Whole of the land in Certificate of Title Auto Consol 6739-237
Whole of the land in Certificate of Title 27/A/2161
Whole of the land in Certificate of Title Auto Consol 6689-5
Whole of the land in Certificate of Title 21/A/2161
Whole of the land in Certificate of title B/375095
Whole of the land in Certificate of Title 6/A/2161

A handwritten signature in black ink, appearing to read 'T. Craig', with a stylized flourish underneath.

ANNEXURE "C"

THIS IS THE ANNEXURE "C" TO THE REQUEST MADE UNDER THE REAL PROPERTY ACT 1900 BY
THE ROADS AND TRAFFIC AUTHORITY OF NEW SOUTH WALES

Whole of the land in Certificate of Title 5/A/2161

Whole of the land in Certificate of Title 2/137505

Whole of the land in Certificate of Title 15/224992

Whole of the land in Certificate of Title 16/224992

Whole of the land in Certificate of Title 1/137505

Whole of the land in Certificate of Title 5/659600

Whole of the land in Certificate of Title 4/854464

Whole of the land in Certificate of Title 6/23312

Lot 15 Deposited Plan 1063308 being part of the land in Certificate of Title 8/23312

Whole of the land in Certificate of Title 14/137528

Whole of the land in Certificate of Title 44/31687

Whole of the land in Certificate of Title 47/31687

Whole of the land in Certificate of Title 49/31687

Lot 2 Deposited Plan 1063301 being part of the land in Certificate of Title 41/31687

Lot 30 Deposited Plan 1063300 being part of the land in Certificate of Title 232/627941

Whole of the land in Certificate of Title 22/660269

Whole of the land in Certificate of Title 1/120552

Whole of the land in Certificate of Title 20/661074

Whole of the land in Certificate of Title 19/662754

Whole of the land in Certificate of Title 1/124046



ANNEXURE "D"

THIS IS THE ANNEXURE "D" TO THE REQUEST MADE UNDER THE REAL PROPERTY ACT 1900 BY
THE ROADS AND TRAFFIC AUTHORITY OF NEW SOUTH WALES

Whole of the land in Certificate of Title 1/30676

Whole of the land in Certificate of Title 1/1004065

Whole of the land in Certificate of Title 1/119701

Whole of the land in Certificate of Title 10/658121

Whole of the land in Certificate of Title 9/658120

Whole of the land in Certificate of Title 2/1001040

Whole of the land in Certificate of Title 3/1001040

Whole of the land in Certificate of Title 8/658119

Whole of the land in Certificate of Title 6/651346

Lot 16 Deposited Plan 1062629 being part of the land in Certificate of Title 3/227620

Lots 36, 37 and 38 Deposited Plan 1061455 being parts of the land Certificate of Title 1/733636

Lot 39 Deposited Plan 1061455 being part of the land in Certificate of Title 55/261346.

*T. Craig
Kluie*



Legal Liaison Services

LPI On-Line

Legal Liaison Services 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 LPI NSW Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 11/844963

SEARCH DATE	TIME	EDITION NO	DATE
4/11/2014	6:57 AM	2	30/8/1996

LAND

LOT 11 IN DEPOSITED PLAN 844963
AT KELLYVILLE
LOCAL GOVERNMENT AREA THE HILLS SHIRE
PARISH OF CASTLE HILL COUNTY OF CUMBERLAND
TITLE DIAGRAM DP844963

FIRST SCHEDULE

ROADS AND TRAFFIC AUTHORITY OF NEW SOUTH WALES (R AA766877)

SECOND SCHEDULE (1 NOTIFICATION)

* 1 AA766877 LAND IS REQUIRED FOR ROAD PURPOSES

NOTATIONS

NOTE: THE CERTIFICATE OF TITLE FOR THIS FOLIO OF THE REGISTER DOES NOT INCLUDE SECURITY FEATURES INCLUDED ON COMPUTERISED CERTIFICATES OF TITLE ISSUED FROM 4TH JANUARY, 2004. IT IS RECOMMENDED THAT STRINGENT PROCESSES ARE ADOPTED IN VERIFYING THE IDENTITY OF THE PERSON(S) CLAIMING A RIGHT TO DEAL WITH THE LAND COMPRISED IN THIS FOLIO.

DP647839 NOTE: PROPOSED EASEMENT PLAN

DP648297 NOTE: PROPOSED EASEMENT

DP648015 NOTE: PROPOSED EASEMENT FOR WATER SUPPLY

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

mg

PRINTED ON 4/11/2014

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Legal Liaison Searching Services

ABN: 52832569710
Ph: 02 9233 5800
Fax: 02 9221 2827

Level 4, 70 Castlereagh Street,
Sydney 2000
PO Box 2513 Sydney NSW 2000
DX 1019 Sydney

Summary of Owners Report

LPI

Sydney

Address: - 235 Meurants Lane, Glenwood

Description: - Lot 11 D.P. 1084455

<u>Date of Acquisition and term held</u>	<u>Registered Proprietor(s) & Occupations where available</u>	<u>Reference to Title at Acquisition and sale</u>
15.01.1903 (1903 to 1945)	Robert Edwin Brien (Farmer)	Vol 1440 Fol 236
21.05.1945 (1945 to 1947)	Leslie Andrew Cole (Laborer)	Vol 1440 Fol 236
15.08.1947 (1947 to 1949)	Leonard Sebastian Culling (Electrical Fitter)	Vol 1440 Fol 236
02.08.1949 (1949 to 1950)	Sydney Herbert William Rendall (Outfitter)	Vol 1440 Fol 236
11.08.1950 (1950 to 1952)	Albert Francis Perkins (Accountant)	Vol 1440 Fol 236
01.10.1952 (1952 to 1959)	Bonaventuro Giovenco (Farmer) Benito Arjuro Giovenco (Farmer) Gaetano Giovenco (Farmer)	Vol 1440 Fol 236
20.08.1959 (1959 to 1960)	Richard Joseph Valentino (Poultry Farmer)	Vol 1440 Fol 236
04.07.1960 (1960 to 1978)	Valentines Farms Pty Limited	Vol 1440 Fol 236 Now Vol 11005 Fol 238
15.02.1978 (1978 to 1981)	Donald Edward Malton Landers (Solicitor) Eric Daniel Ramsay (Member of Parliament) Thomas Alfred Waggett (Manufacturer) (? Trustees for New South Wales Soccer Federation)	Vol 11005 Fol 238
16.06.1981 (1981 to 1988)	Donald Edward Malton Landers (Solicitor) Eric Daniel Ramsay (Member of Parliament) Frank Leopold Gaston Hoffman (Company Director) (? Trustees for New South Wales Soccer Federation)	Vol 11005 Fol 238
14.03.1988 (1988 to date)	# New South Wales Soccer Federation Limited Then # Soccer NSW Limited Now # Football NSW Limited	Vol 11005 Fol 238 Now 11/1084455

Denotes current registered proprietor

Easements: -

- 30.03.1987 Easement for Electricity Purposes (W 797806 & D.P. 117662)
- 29.06.2000 Easement to Drain Water 3 metres wide (D.P. 1015512)

Legal Liaison Searching Services

ABN: 52832569710
Ph: 02 9233 5800
Fax: 02 9221 2827

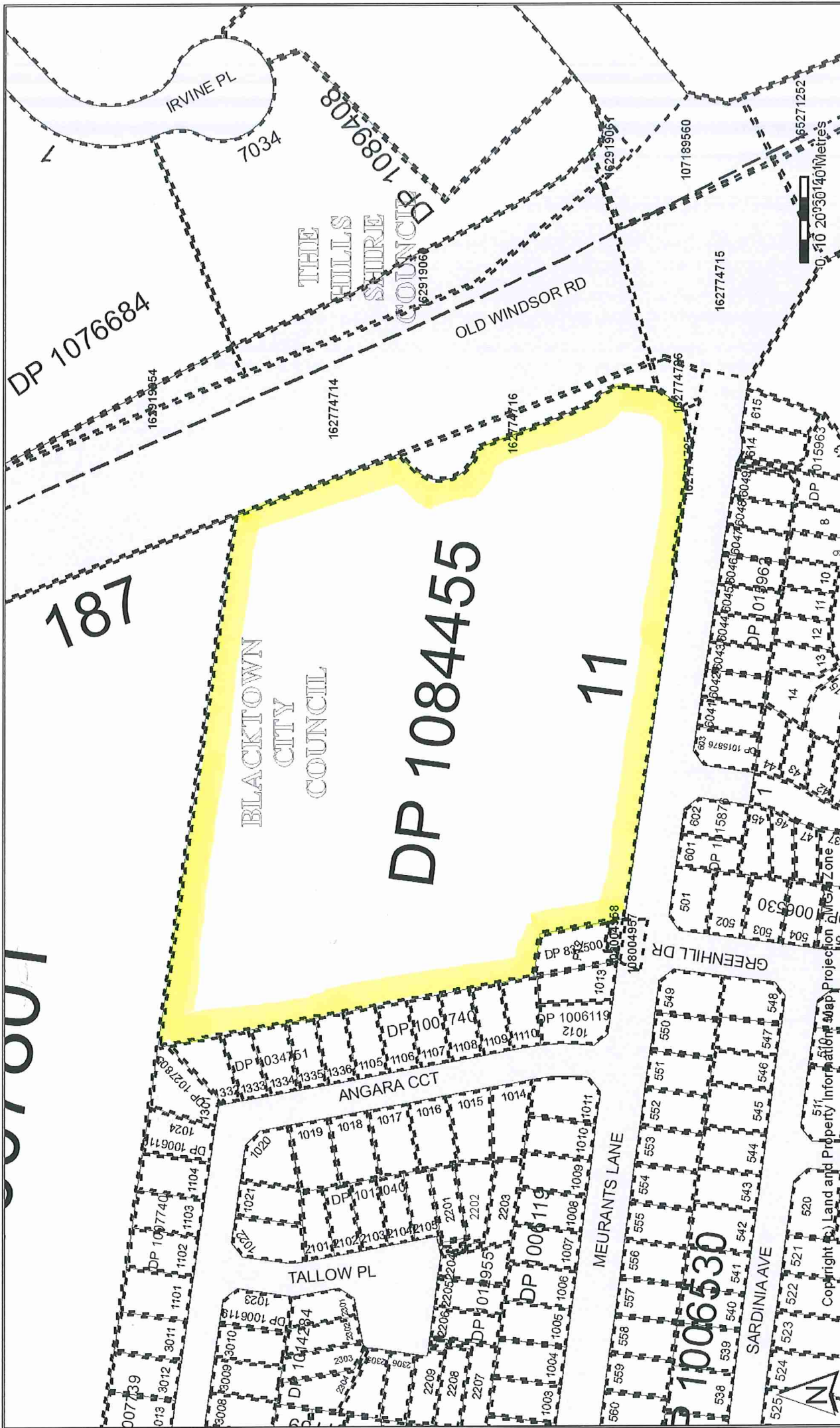
Level 4, 70 Castlereagh Street,
Sydney 2000
PO Box 2513 Sydney NSW 2000
DX 1019 Sydney

Leases: -

- Numerous leases were found from 16.08.1991 to 18.02.2003 that have expired due to effluxion of time or have been surrendered, these have not investigated
- 18.02.2003 to Hutchison Telecommunications (Australia) Limited – various renewals expiring 30.06.2021
 - 28.11.2003 transferred to Hutchison 3G Australia Pty Limited
 - 15.03.2006 Sub Lease to H3GA Properties (No. 1) Pty Limited - ? various renewals expiring 29.06.2021
- Various leases were found from 18.02.2003 to 18.01.2011 that have expired due to effluxion of time or have been surrendered, these have not investigated
- 18.01.2011 to Telstra Corporation Limited – various renewals expiring 30.06.2030
- 21.4.2011 to M C Aquatic Pty Ltd of the Swimming Pool Enclosure known as “Glenwood Aquatic Centre” – expires 06.09.2013

Yours Sincerely
Mark Groll
5 November 2014
(Ph: 0412 199 304)





Reverse Street Address Inquiry

Provides street address details for a title.

Street Address associated with title reference: **11/1084455**

Address:

235 MEURANTS LANE GLENWOOD 2768

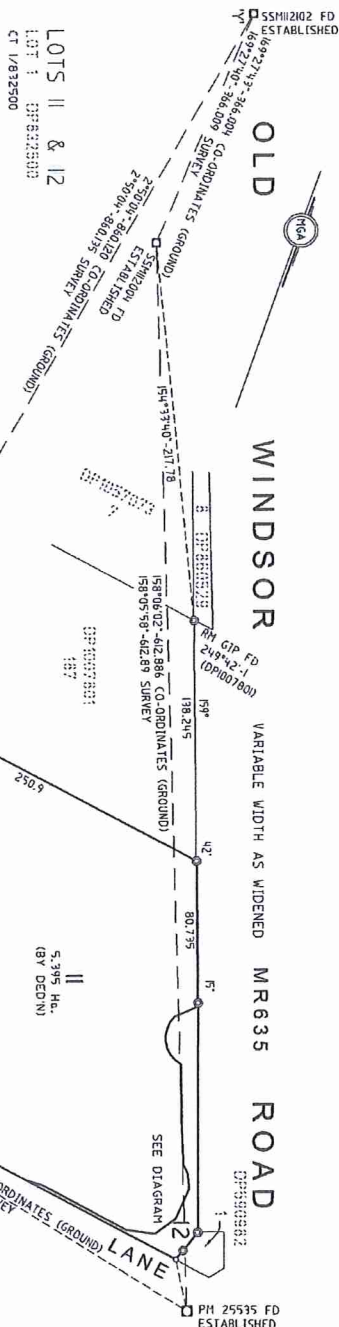
Client Reference:

Date of Service: 05-Nov-2014 08:36:07

This information is provided as a searching aid only.
The Registrar General does not guarantee the information provided.

Please forward any feedback or data quality issues to feedback@lands.nsw.gov.au

FOR SIGNATURES AND
SEALS SEE SIGNATURES
FORM



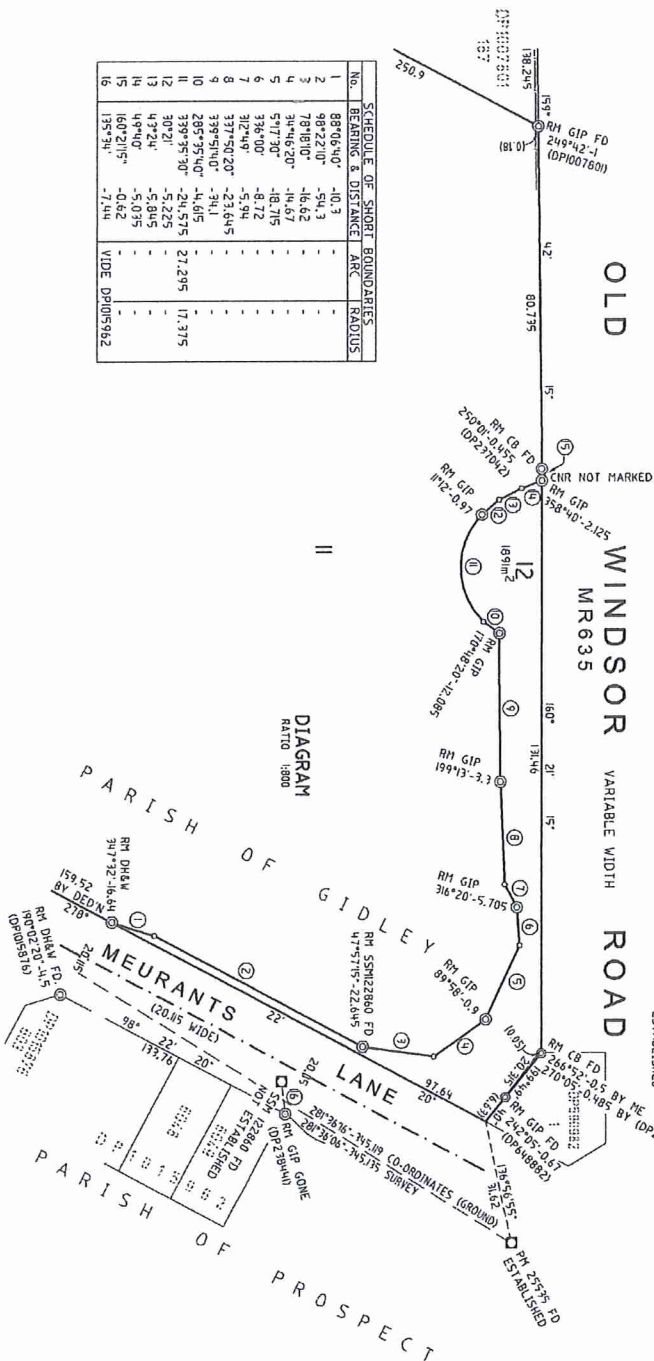
SURREY/REG. REGULATION 2001, CLAUSE 3(2)(2)		CLASS ORDER	
MARK	EA CO-ORDINATES	EASTING	NORTHING
PH25535	309 763.669	6 264 466.06	56 5
55M12004	309 448.126	6 265 937.26	56 5
55M12020	309 448.016	6 265 939.570	56 5
55M12176	309 445.593	6 264 730.36	56 5

COMBINED SEA LEVEL DATA FACTOR 1.000376

SOURCE: MEA CO-ORDINATES ADAPTED FROM N.S.M. DEPARTMENT OF LANDS DATED 27/4/2004, 20/5/2004 & 2/6/2004

LANDS DAIED 21/4/2004, 21/5/2004 & 2/6/2004.

No.	SCHEDULE OF SHORT BOUNDARIES	BEARING & DISTANCE	ARC	RADIUS
1	89°26'40"	-10.3		
2	98°22'10"	-54.3		
3	78°18'10"	-16.62		
4	34°46'20"	-14.67		
5	51°17'30"	-18.715		
6	3°45'00"	-8.72		
7	312°49'	-5.94		
8	337°50'20"	-23.645		
9	339°34'40"	-34.1		
10	285°35'40"	-4.615		
11	339°35'40"	-24.575		
12	30°21'	-5.5225		
13	4°32'44"	-5.045		
14	4°40'40"	-5.035		
15	160°21'55"	-0.62		
16	35°34'	-7.44		
	VIDE DPO153662			



RTA PLAN: 0635 040 55 0036

DP1084455

Registered:  2017/2005

Tile System: TORRENS

Purpose: ROADS ACT 1993

Ref. Map: U9160-2

Last Plan: DP832500

PLAN OF LAND TO BE
ACQUIRED FOR THE PURPOSES
OF THE ROADS ACT, 1993

Lengths are in metres	Production Rate 1:2000
-----------------------	------------------------

LGA: BLACKTOWN CITY

Locality: GLENWOOD

County: CUMBERLAND

This is sheet 1 of my plan in _____ sheets
(Delete if inapplicable)

CAROL JOY WEEKES

ABN 88 003 000 708
PO BOX 6807 BAULKHAM HILLS

Completed as 07/01/2005

Does specify the land actually surveyed or specify any land that is not the subject of the survey.

SEE SIGNATURES FORM

Dated _____

(Signature) _____

Contract executed under the Construction

Type	Urban	Rural
Male	100	100
Female	100	100
Total	100	100

DP231042, DP832300, DP1007801,
DP1015962.

PANEL FOR USE ONLY for statements of income

positive covariants.

AFTER CONSTRUCTION WILL BE

SECTION 10 OF THE ROADS ACT, 1933

APPROVED:

MANAGER, SURVEY SERVICES
OPERATIONS AND SERVICES

ROADS AND TRAFFIC AUTHORITY

PLAN OF LAND TO BE ACQUIRED FOR THE
PURPOSES OF THE ROADS ACT, 1993.

DP1084455

Registered:



20/7/2005

Surveying Regulation 2001

I, CAROL JOY WEEKES
of WILLIAM L. BACKHOUSE PTY LTD
P.O.BOX 6807 BAULKHAM HILLS BC 2153
a surveyor registered under the Surveying Act 2002, certify that the
survey represented in this plan is accurate, has been made in
accordance with the Surveying Regulation 2001 and was completed
on: 7TH APRIL 2005

The survey relates to LOT 12 AND CONNECTIONS

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

Signature *C Joy Weekes* Dated: 10/6/05
Surveyor registered under the Surveying Act 2002

Datum Line: 'X' - 'Y'
Type: Urban

**SIGNATURES, SEALS and STATEMENTS of intention
to dedicate public roads or to create public reserves
and drainage reserves.**

Department of Lands Approval

I in approving this plan certify
(Authorised Officer)
that all necessary approvals in regard to the allocation of the land
shown hereon 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 set out herein
(Insert 'subdivision' or 'new road')

* Authorised Person/General Manager/Accredited Certifier

Consent Authority:
Date of Endorsement:
Accreditation no:
Subdivision Certificate no:
File no:

Note:
When the plan is to be lodged electronically in Land and Property
Information, it should include a signature in an electronic or digital
format approved by the Registrar-General.
* Delete whichever is inapplicable.

**THIS PLAN IS EXEMPT FROM SUBDIVISION
CERTIFICATION PURSUANT TO A DECISION
BETWEEN DUAP, RTA & LPI NSW - SEE 1997
M6 (Item 2). LAND IN THIS PLAN COMPRISES
ONLY ROAD OR ROAD AND RESIDUE.**

[Signature] 14/6/05
**AUTHORISED OFFICER
ROADS AND TRAFFIC AUTHORITY, NSW**

APPROVED:

[Signature] 14/6/05
**MANAGER, SURVEY SERVICES
OPERATIONS AND SERVICES
ROADS AND TRAFFIC AUTHORITY, NSW**

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

NEW SOUTH WALES

BSTATE OF TITLE
PROPERTY ACT, 1900, as amended.

11005237

Application No. 10362

Prior Title Volume 1440 Folio 236

Vol. 11005 Fol. 237



EH

Edition issued 13-3-1969

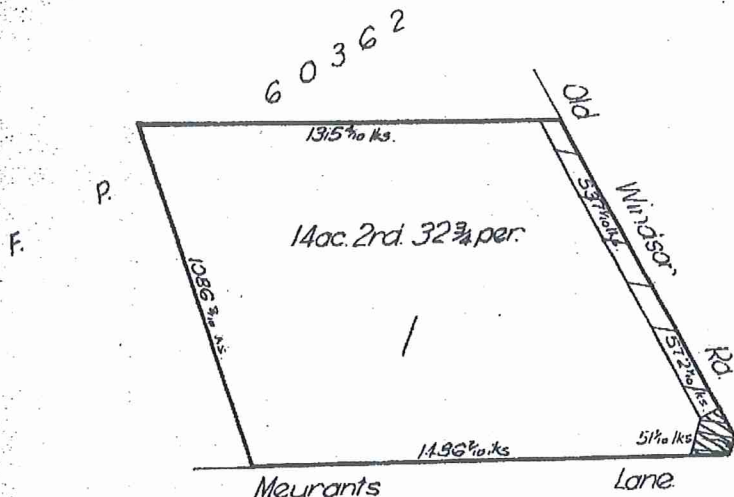
L302636

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

Witness

*L. Ballin**Jawatson*

Registrar General

CANCELLED**SEE AUTO FOLIO**PLAN SHOWING LOCATION OF LANDESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 1 in Deposited Plan 534159 in the Municipality of Blacktown Parish of Gidley and County of Cumberland being part of Portion 71 granted to Samuel Beckett on 13-1-1818.

FIRST SCHEDULE**VALENTINES FARMS PTY. (LIMITED).**SECOND SCHEDULE

1. Reservations and conditions, if any, contained in the Crown Grant above referred to.

Jawatson

Registrar General.

WARNING: THIS DOCUMENT MUST NOT BE REMOVED FROM THE LAND TITLES OFFICE.

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

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

20526:773 (4)

② Eric Daniel Kamling, David Glavin, Walter Gaudet + Frank Legeusv Gaudet Partners Company, P.C. (TIN: 0000000000)

REGISTERED PROPRIETOR

FIRST SCHEDULE (continued)

NATURE	INSTRUMENT		ENTERED	Signature of Register General
		DATE		
1. 100% OF THE EQUITY OF THE COMPANY				
2. 100% OF THE EQUITY OF THE COMPANY				
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82. 100% OF THE EQUITY OF THE COMPANY				
8				

CANCELLED

SEE AUTO FOLIO

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

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

S576202

81 JUN 24 1981

REQUEST

OFFICE USE ONLY

A	(1
\$	63	

REAL PROPERTY ACT, 1900
(See Instructions for Completion on back of form)

DESCRIPTION
OF LAND
Note (a)

Torrens Title Reference	If part only, delete WHOLE and give details	Location
VOLUME 1442 FOLIO 7 VOLUME 11005 FOLIO 237 VOLUME 12491 FOLIO 72 VOLUME 12491 FOLIO 73	WHOLE	PARKLEA

REGISTERED
DEALING
Note (b)

Type of Dealing	Registered Number	Torrens Title Reference

REGISTERED
PROPRIETOR
Note (c)

ERIC DANIEL RAMSAY of 21 Market Street, Wollongong, Member of the Legislative Assembly and DONALD EDWARD MALTON LANDERS of 9 Wollombi Road, Northbridge, Solicitor.

(The abovesigned applicant) being the registered proprietor of the land above described hereby requests the Registrar General to

1. Delete the joint owner Thomas Haggett of Auburn, Manufacturer from the abovementioned Certificates of Title - the said Thomas Haggett having died on 20th May, 1980.
2. Add to the Certificates of Title the name of the new Trustee, Frank Leopold Gaston Hoffmann of 4 Byora Crescent, Northbridge, Company Director appointed by Deed bearing date 29th January, 1981.
3. Correct the Register to record Eric Daniel Ramsay as one of the registered proprietors of Certificates of Title Volume 1442 Folio 7, Volume 12491 Folios 72 and 73.

OFFICE USE ONLY

Note (d)

EXECUTION
Note (e)

DATE OF REQUEST Sixteenth day June 1981
I hereby certify this dealing to be correct for the purposes of the Real Property Act, 1900.
Signed in my presence by the applicant who is personally known to me.

Allen John Henry Hands
Signature of Witness

ALLEN JOHN HENRY HANDS
Name of Witness (BLOCK LETTERS)

28 Queens Rd. Westmead Attendant
Address and occupation of Witness Parliament House.

E. D. Ramsay
Signature of Applicant

BE COMPLETED
LODGING PARTY
Notes (f) and (g)

LODGED BY <i>Marshall, Landers & Co</i>		LOCATION OF DOCUMENTS CT OTHER Herewith. In R.G.O. with Produced by	
Delivery Box Number <i>573X</i>		<i>19/10/81</i>	
Extra Fee	Checked by <i>PA/13</i>	REGISTERED 8 - 10 - 1981	DIS <i>N. 7254.1</i> <i>Q 8182.07</i>
<i>mw</i> Registrar General		<i>11005-237</i> <i>10183M</i> <i>12491-72</i> <i>1442-7</i> <i>21</i>	

INDEX 1972

163 S

INSTRUCTIONS FOR COMPLETION

This form is to be used only if no other approved form is appropriate for the purpose.

Typewriting and handwriting should be clear, legible and in permanent black non-copying ink.

Alterations are not to be made by erasure; the words rejected are to be ruled through and initialled by the applicant.

If the space provided is insufficient, additional sheets of the same size and quality of paper and having the same margins as this form should be used. Each additional sheet must be identified as an annexure and signed by the applicant and the attesting witness.

Rule up all blanks.

The following instructions relate to the side notes on the form.

- (a) Description of land. (If the request is only in respect of a registered dealing, rule through this panel.)
 - (i) **TORRENS TITLE REFERENCE**—Insert the current Folio Identifier or Volume and Folio of the Certificate of Title/Crown Grant for the land subject of the request, e.g., 135/SP12345 or Vol. 8514 Fol. 126.
 - (ii) **PART/WHOLE**—If part only of the land in the folio of the Register is the subject of the request, delete the word "WHOLE" and insert the lot and plan number, portion, &c.
 - (iii) **LOCATION**—Insert the locality shown on the Certificate of Title/Crown Grant, e.g., at Chullora. If the locality is not shown, insert the Parish and County, e.g., Ph Lhemore Co. Reus.
- (b) Registered dealing. (If the request is only in respect of a folio of the Register, rule through this panel.) Show the registered number of the dealing and the title reference affected thereby, e.g., Lease—Q123456—Vol. 3456 Fol. 124.
- (c) Show the full name, address and occupation or description of the applicant.
- (d) Set out the terms of the request.
- (e) Execution.
 - GENERALLY** (i) Should there be insufficient space for the execution of this request use an annexure sheet.
 - (ii) The certificate of correctness under the Real Property Act, 1900, must be signed by the applicant who should execute the request in the presence of an adult witness, not being a party to the request, to whom he is personally known. The solicitor for the applicant may sign the certificate on behalf of the applicant, the solicitor's name (not that of his firm) to be typewritten or printed adjacent to his signature. Any person falsely or negligently certifying is liable to the penalties provided by section 117 of the Real Property Act, 1900.
 - ATTORNEY** (iii) If the request is executed by an attorney for the applicant pursuant to a registered power of attorney, the form of attestation must set out the full name of the attorney, and the form of execution must indicate the source of his authority, e.g., "AB by his attorney (or receiver or delegate, as the case may be) XY pursuant to power of attorney registered Book No. , and I declare that I have no notice of the revocation of the said power of attorney".
 - AUTHORITY** (iv) If the request is executed pursuant to an authority (other than specified in (iii)) the form of execution must indicate the statutory, judicial or other authority pursuant to which the application has been executed.
 - CORPORATION** (v) If the request is executed by a corporation under seal, the form of execution should include a statement that the seal has been properly affixed, e.g., in accordance with the Articles of Association of the corporation. Each person attesting the affixing of the seal must state his position (e.g., director, secretary) in the corporation.
- (f) Insert the name, postal address, Document Exchange reference, telephone number and delivery box number of the lodging party.
- (g) The lodging party is to complete the LOCATION OF DOCUMENTS panel. Place a tick in the appropriate box to indicate the whereabouts of the Certificate of Title or duplicate registered dealing. List, in an abbreviated form, other documents lodged, e.g., stat. dec. for statutory declaration.

OFFICE USE ONLY

DIRECTION: PROP
No. OF NAMES:

FIRST SCHEDULE DIRECTIONS

(A)	FOLIO IDENTIFIER	(B) No.	(C) SHARE	(D) J	(E)	NAME AND DESCRIPTION
						Eric David Ramsay, Donald Edward Malton Sanders and Frank Leopold Garton Hoffmann as JT.

SECOND SCHEDULE & OTHER DIRECTIONS

(F)	FOLIO IDENTIFIER (OR REGD. DEALING & FOLIO IDENTIFIER)	(G) DIRECTION	(H) NOTEN TYPE	(I)	DEALING NUMBER	(K)	DETAILS

MAR
1985



Legal Liaison Services

LPI On-Line

Legal Liaison Services hereby certifies that the information contained in this document has been provided electronically by the Registrar General.

Information provided through Tri-Search an approved LPINSW Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

4/11/2014 7:03AM

FOLIO: 1/534159

First Title(s): SEE PRIOR TITLE(S)

Prior Title(s): VOL 11005 FOL 237

Recorded	Number	Type of Instrument	C.T. Issue
28/3/1988		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
1/8/1988		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
16/8/1991	Z794315	LEASE	EDITION 1
23/2/1993	I138330	DEPARTMENTAL DEALING	
26/3/1993	I52935	REQUEST	FOLIO CANCELLED
11/11/1993		AMENDMENT: LOCAL GOVT AREA	
4/8/2000	7001848	DEPARTMENTAL DEALING	
7/11/2013	AI146844	DEPARTMENTAL DEALING	

*** END OF SEARCH ***

mg

PRINTED ON 4/11/2014

*ANY ENTRIES PRECEDED BY AN ASTERISK DO NOT APPEAR ON THE CURRENT EDITION OF THE CERTIFICATE OF TITLE. WARNING:
THE INFORMATION APPEARING UNDER NOTATIONS HAS NOT BEEN FORMALLY RECORDED IN THE REGISTER.



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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

4/11/2014 7:02AM

FOLIO: 1/126467

First Title(s): OLD SYSTEM

Prior Title(s): 1/534159

Recorded	Number	Type of Instrument	C.T. Issue
26/3/1993	I52935	REQUEST	FOLIO CREATED CT NOT ISSUED
15/10/1993	DP832500	DEPOSITED PLAN	
28/10/1993	I753423	DEPARTMENTAL DEALING	EDITION 1
26/11/1993	I788673	DISCHARGE OF MORTGAGE	
26/11/1993	I788674	TRANSFER	FOLIO CANCELLED
1/10/1999	6239132	DEPARTMENTAL DEALING	
7/11/2013	AI146844	DEPARTMENTAL DEALING	

*** END OF SEARCH ***

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PRINTED ON 4/11/2014

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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

4/11/2014 7:02AM

FOLIO: 1/832500

First Title(s): OLD SYSTEM

Prior Title(s): 1/126467

Recorded	Number	Type of Instrument	C.T. Issue
15/10/1993	DP832500	DEPOSITED PLAN	LOT RECORDED FOLIO NOT CREATED
26/11/1993	I788674	TRANSFER	FOLIO CREATED EDITION 1
3/5/1994	DP648882	DEPOSITED PLAN	
24/3/1998	3864169	LEASE	EDITION 2
4/6/1999	5881176	DEPARTMENTAL DEALING	EDITION 3
6/9/1999	6102385	LEASE	
6/9/1999	6102386	LEASE	EDITION 4
6/4/2000	6674491	LEASE	EDITION 5
29/6/2000	DP1015512	DEPOSITED PLAN	EDITION 6
25/7/2001	7730186	LEASE	EDITION 7
17/2/2003	DP1049483	DEPOSITED PLAN	
18/2/2003	8939794	LEASE	
18/2/2003	8939795	LEASE	
18/2/2003	8939796	LEASE	
18/2/2003	8939797	LEASE	
18/2/2003	9214114	LEASE	EDITION 8
28/11/2003	AA203388	TRANSFER OF LEASE	
27/1/2004	AA281514	CHANGE OF NAME	EDITION 9
3/4/2004	AA494821	LEASE	EDITION 10
20/7/2005	DP1084455	DEPOSITED PLAN	
17/8/2005	AB699761	LEASE	EDITION 11
13/1/2006	AC48962	LEASE	EDITION 12

END OF PAGE 1 - CONTINUED OVER

mg

PRINTED ON 4/11/2014



LPI On-Line

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

4/11/2014 7:02AM

FOLIO: 1/832500

PAGE 2

Recorded	Number	Type of Instrument	C.T. Issue
15/3/2006	AC116730	SUB-LEASE	
15/3/2006	AC116201	SUB-LEASE	
15/3/2006	AC116202	SUB-LEASE	
15/3/2006	AC116203	SUB-LEASE	
9/2/2007	AC843565	TRANSFER	
9/2/2007	AC928015	DEPARTMENTAL DEALING	FOLIO CANCELLED
7/11/2013	AI146844	DEPARTMENTAL DEALING	

*** END OF SEARCH ***

mg

PRINTED ON 4/11/2014

*ANY ENTRIES PRECEDED BY AN ASTERISK DO NOT APPEAR ON THE CURRENT EDITION OF THE CERTIFICATE OF TITLE. WARNING:
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Ref:mg /Src:T
Form: 01T
Licence: 05-11-638
Licensee: Softdocs
Coleman & Greig



TRANSFER
New South Wales
Real Property Act 1900



1a1

AC843565T

ed

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises 'by this form for the establishment and maintenance of the Real Property Act Register made available to any person for search upon payment of a fee, if any.'

22-12-2006

0003872528-001

STAMP DUTY

Office of State Revenue use only

SECTION 18(2)

DUTY

\$ *****2.00

(A) **TORRENS TITLE**

Part 1/832500 (now being 12/1084455)

(B) **LODGED BY**

Document
Collection
Box

189Y

Name, Address or DX and Telephone

LLPN: 123114V

Reference (optional):

COLEMAN & GREIG

DX 8226 PARRAMATTA NSW

Tel: (02) 9635 6422

APB 61206

CODE

T

TW

(Sheriff)

(C) **TRANSFEROR**

SOCCER NSW LIMITED A.C.N. 003 215 923

(D) **CONSIDERATION** The transferor acknowledges receipt of the consideration of \$ 472,230.00

and as regards

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

(F) **SHARE
TRANSFERRED**

(G) Encumbrances (if applicable):

(H) **TRANSFeree**

ROADS & TRAFFIC AUTHORITY OF NEW SOUTH WALES A.C.N. 480 155 255

(I) **TENANCY:**

DATE

21/12/2006

(J) Certified correct for the purposes of the Real Property Act 1900 and executed on behalf of the corporation named below by the authorised person(s) whose signature(s) appear(s) below pursuant to the authority specified.

Corporation: **SOCCER NSW LIMITED A.C.N. 003 215 923**

Authority: Section 127 of the Corporations Act 2001

Signature of authorised person:

Name of authorised person:

MICHAEL QUARMBY

Office held:

**CHIEF EXECUTIVE OFFICER
SECRETARY**

Signature of authorised person:

Name of authorised person:

FRANK L WILSON

Office held:

Director

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

Signature:

Signatory's name: **ANITA PAULINE BRADLEY**

Signatory's capacity: Licensed Conveyancer for the transferee

ANITA PAULINE BRADLEY

Licensed Conveyancer

Registration No. 1160022



Solicitors and Notaries

18 January 2007

Department of Lands
DELIVERY BY HAND

AC 843564
Your Ref DEBORAH (Folio Management)
Our Ref APB 61206
Direct Line: 9895 9239
Direct Fax: 9633 5792
Email: abradley@colgreig.com.au

Dear Deborah

RTA Purchase of part from Soccer NSW Limited
Property: Lot 12 Old Windsor Road, Glenwood

I refer to your Notice of 11 January 2007 and advise that the Leases referred to in your Notice (AC699761 & AC48962) do not affect the parcel of land purchased by the Roads & Traffic Authority.

The RTA purchased a vacant strip of land (for road widening purposes) now being the land contained in Folio Identifier 12/1084455. The Leases relate to improvements on the land not acquired by my client which is now the land contained in Folio Identifier 11/1084455.

The Leases should therefore be shown on the Title to Lot 11 and not Lot 12.

Yours faithfully
COLEMAN & GREIG

Anita Bradley
Licensed Conveyancer LN:1160622

Encl



{00375415}

The McNamara Centre
Level 9, 100 George Street
Parramatta NSW 2150

PO Box 260
Parramatta NSW 2124 Australia

2 of 2
Phone: +61 2 9635 6422
Facsimile: +61 2 9689 3983
DX 8226 Parramatta

Email: info@colgreig.com.au
Website: www.colemanandgreig.com.au



BUSINESS LAW
FAMILY LAW
PROPERTY LAW

Liability limited by a scheme approved
under Professional Standards Legislation





Legal Liaison Services

LPI On-Line

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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

4/11/2014 7:01AM

FOLIO: 11/1084455

First Title(s): OLD SYSTEM

Prior Title(s): 1/832500

Recorded	Number	Type of Instrument	C.T. Issue
20/7/2005	DP1084455	DEPOSITED PLAN	LOT RECORDED FOLIO NOT CREATED
9/2/2007	AC843565	TRANSFER <i>ROAD</i>	FOLIO CREATED EDITION 1
18/1/2011	AF930788	DISCHARGE OF MORTGAGE	
18/1/2011	AF930789	CHANGE OF NAME	
18/1/2011	AF930790	LEASE	
18/1/2011	AF930791	LEASE	
18/1/2011	AF930792	LEASE	
18/1/2011	AF930793	LEASE	EDITION 2
21/4/2011	AG120058	LEASE	EDITION 3
13/12/2012	AH430313	DETERMINATION OF LEASE	
13/12/2012	AH430316	DETERMINATION OF LEASE	
20/8/2013	DP1188263	DEPOSITED PLAN	

*** END OF SEARCH ***

mg

PRINTED ON 4/11/2014

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LPI On-Line

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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 11/1084455

SEARCH DATE	TIME	EDITION NO	DATE
4/11/2014	6:57 AM	3	21/4/2011

LAND

LOT 11 IN DEPOSITED PLAN 1084455
AT GLENWOOD
LOCAL GOVERNMENT AREA BLACKTOWN
PARISH OF GIDLEY COUNTY OF CUMBERLAND
TITLE DIAGRAM DP1084455

FIRST SCHEDULE

FOOTBALL NSW LIMITED

(CN AF930789)

SECOND SCHEDULE (12 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 W797806 EASEMENT FOR ELECTRICITY PURPOSES AFFECTING THE PART OF THE LAND WITHIN DESCRIBED SHOWN SO BURDENED IN DP117662
- 3 DP1015512 EASEMENT TO DRAIN WATER 3 METRE(S) WIDE AFFECTING THE PART(S) SHOWN SO BURDENED IN DP1015512
- 4 8939795 LEASE TO HUTCHISON TELECOMMUNICATIONS (AUSTRALIA) LIMITED OF THE PART SHOWN HATCHED IN PLAN (PAGE 19) WITH 8939794. COMMENCING 1/7/2006. EXPIRES: 30/6/2011.
AA203388 TRANSFER OF LEASE 8939795 LESSEE NOW HUTCHISON 3G AUSTRALIA PTY LIMITED
AC116201 LEASE OF LEASE 8939795 TO H3GA PROPERTIES (NO.1) PTY LIMITED COMMENCES 1/7/2006. EXPIRES: 29/6/2011.
- 5 8939796 LEASE TO HUTCHISON TELECOMMUNICATIONS (AUSTRALIA) LIMITED OF THE PART SHOWN HATCHED IN PLAN (PAGE 19) WITH 8939794. COMMENCING 1/7/2011. EXPIRES: 30/6/2016.
AA203388 TRANSFER OF LEASE 8939796 LESSEE NOW HUTCHISON 3G AUSTRALIA PTY LIMITED
- 6 8939797 LEASE TO HUTCHISON TELECOMMUNICATIONS (AUSTRALIA) LIMITED OF THE PART SHOWN HATCHED IN PLAN (PAGE 19) WITH 8939794. COMMENCING 1/7/2016. EXPIRES: 30/6/2021.
AA203388 TRANSFER OF LEASE 8939797 LESSEE NOW HUTCHISON 3G AUSTRALIA PTY LIMITED
- 7 AF930790 LEASE TO TELSTRA CORPORATION LIMITED OF THE PART SHOWN HATCHED IN PLAN WITH AF930790. EXPIRES: 30/6/2015.
- 8 AF930791 LEASE TO TELSTRA CORPORATION LIMITED OF THE PART SHOWN HATCHED IN PLAN WITH AF930791. COMMENCES:

END OF PAGE 1 - CONTINUED OVER

mg

PRINTED ON 4/11/2014

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Legal Liaison Services

LPI On-Line

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH
-----FOLIO: 11/1084455

PAGE 2

SECOND SCHEDULE (12 NOTIFICATIONS) (CONTINUED)

- 1/7/2015. EXPIRES: 30/6/2020.
- 9 AF930792 LEASE TO TELSTRA CORPORATION LIMITED OF THE PART
SHOWN HATCHED IN PLAN WITH AF930792. COMMENCES:
1/7/2020. EXPIRES: 30/6/2025.
- 10 AF930793 LEASE TO TELSTRA CORPORATION LIMITED OF THE PART
SHOWN HATCHED IN PLAN WITH AF930793. COMMENCES:
1/7/2025. EXPIRES: 30/6/2030.
- 11 AG120058 LEASE TO M C AQUATIC PTY LTD OF THE SWIMMING POOL
ENCLOSURE KNOWN AS "GLENWOOD AQUATIC CENTRE", MEURANTS
LANE, GLENWOOD. EXPIRES: 6/9/2013.
- * 12 DP1188263 RIGHT OF CARRIAGEWAY VARIABLE WIDTH APPURTENANT TO
THE LAND ABOVE DESCRIBED

NOTATIONS

DP648882 NOTE: PLAN OF PROPOSED EASEMENT
UNREGISTERED DEALINGS: PP DP1199791.

*** END OF SEARCH ***

mg

PRINTED ON 4/11/2014

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Legal Liaison Searching Services

ABN: 52832569710
Ph: 02 9233 5800
Fax: 02 9221 2827

Level 4, 70 Castlereagh Street,
Sydney 2000
PO Box 2513 Sydney NSW 2000
DX 1019 Sydney

Summary of Owners Report

LPI

Sydney

Address: - Balmoral Road, Kellyville

Description: - Lot 12 D.P. 17213

<u>Date of Acquisition and term held</u>	<u>Registered Proprietor(s) & Occupations where available</u>	<u>Reference to Title at Acquisition and sale</u>
10.05.1921 (1921 to 1923)	William Thomas Louis Archdall Pearce (Clerk in Holy Orders)	Vol 3182 Fol 33
13.11.1923 (1923 to 1924)	James Burns (Gentleman) George Dyson (Agent) Francis Gartrell (Master Baker)	Vol 3182 Fol 33 Now Vol 3552 Fol 239
04.11.1924 (1924 to 1925)	James Burns (Gentleman)	Vol 3552 Fol 239 Now Vol 3673 Fol 212
29.06.1925 (1925 to 1933)	Claude William Lillingstone Murchison (Gentleman)	Vol 3673 Fol 212
11.07.1933 (1933 to 1939)	William Richard Henry Lalor (Farmer)	Vol 3673 Fol 212 Now Vol 4587 Fol 221
15.11.1939 (1939 to 1953)	Joseph David McKay (Farmer)	Vol 4587 Fol 221
28.05.1953 (1953 to 1962)	Robert Harold Martin (Farmer)	Vol 4587 Fol 221 Now Vol 6684 Fol 207
20.03.1962 (1962 to 1967)	Theresa Messina (Married Woman)	Vol 6684 Fol 207
14.04.1967 (1967 to 1980)	Terence Patrick Bancroft (Machinist) Joyce Clare Bancroft (Married Woman)	Vol 6684 Fol 207
10.06.1980 (1980 to 1981)	Frederick Mulae (Company Director) Carolyn Dawn Mulae (Married Woman)	Vol 6684 Fol 207 Now Vol 14184 Fol 8
17.08.1981 (1981 to date)	# Giorgio Vumbaca	Vol 14184 Fol 8 Now 12/17213

Denotes current registered proprietor

Easements: -

- 21.03.1958 Easement for Transmission Line (G 592643)

Leases: -

- 03.10.1933 to Norman Arthur Jarvis (Farmer) – expired 20.12.1939
- 16.02.1994 (U 35416) – Expired to effluxion of time or surrender, not investigated

Yours Sincerely
Mark Groll
5 November 2014
(Ph: 0412 199 304)



Email: grolly1@bigpond.net.au

Requested Parcel : Lot 12 DP 17213

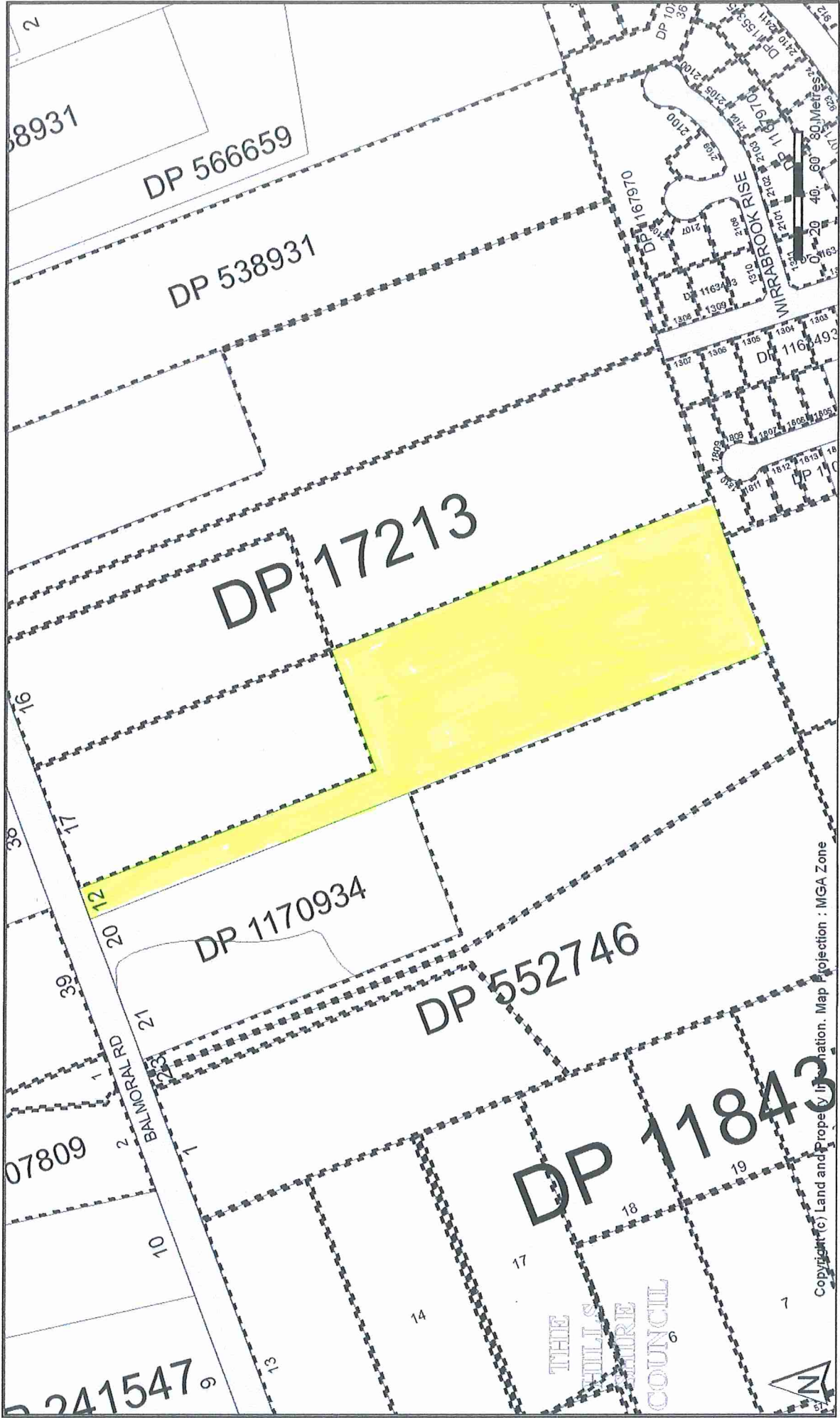
Identified Parcel : Lot 12 DP 17213

Locality : KELLYVILLE

LGA : THE HILLS

Parish : CASTLE HILL

County : CUMBERLAND



Copyright (c) Land and Property Information. Map Projection : MGA Zone

Report Generated 5:27:49 PM, 4 November, 2014

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This information is provided as a searching aid only. While every endeavour is made to ensure the current cadastral pattern is accurately reflected, the Registrar General cannot guarantee the information provided. For all ACTIVITY PRIOR to SEPT 2002 you must refer to the RGs Charting and Reference Maps.

Reverse Street Address Inquiry

Provides street address details for a title.

Street Address associated with title reference: **12/17213**

Address:

32 BALMORAL RD KELLYVILLE 2155

Client Reference:

Date of Service: 04-Nov-2014 17:29:56

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Please forward any feedback or data quality issues to feedback@lands.nsw.gov.au

17213

Municipality of
Shire of Baulkham Hills
G122847 (27-5-32)

PLAN
Parklea Farms Estate

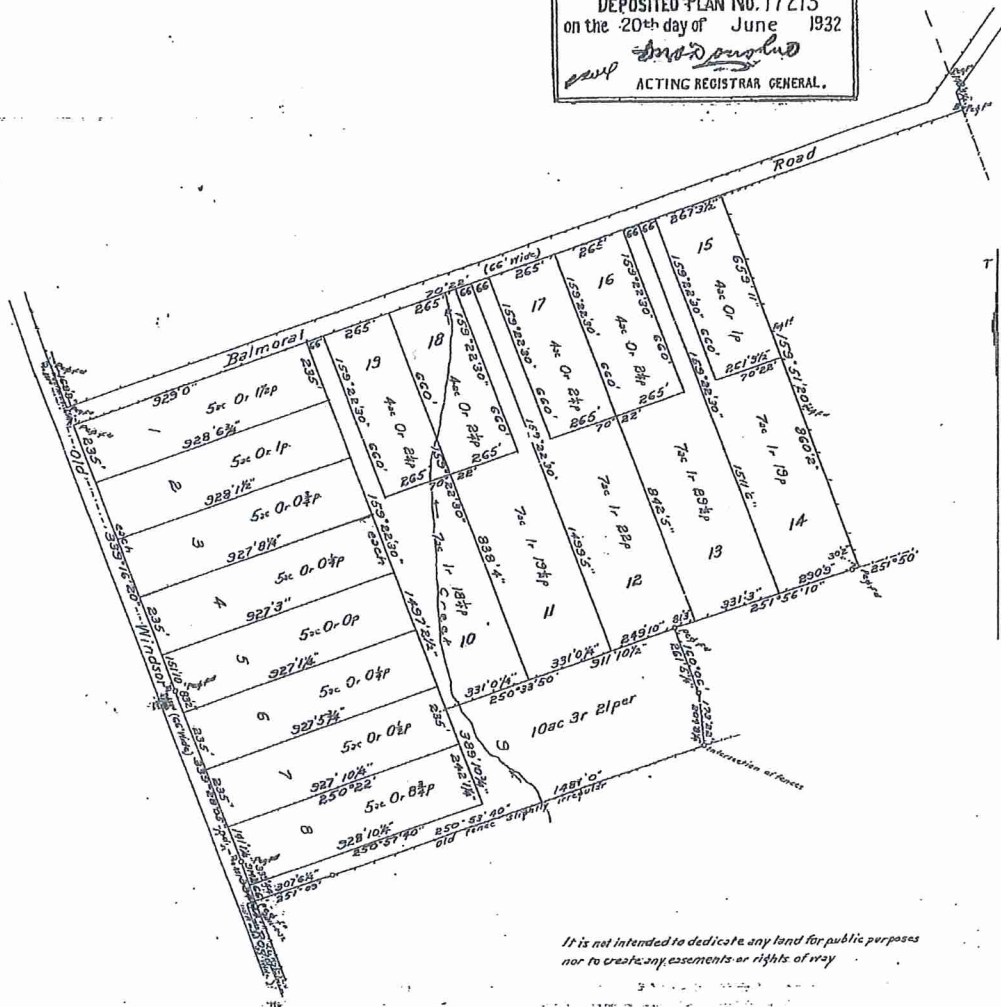
Subdivision of land in Cert^o of Title Vol. 3573, Fol. 212 & 213

PARISH OF CASTLE HILL COUNTY OF CUMBERLAND

Scale 300 feet to an inch

This is the plan numbered and recorded as
DEPOSITED PLAN No. 17213
on the 20th day of June 1932

[Signature]
ACTING REGISTRAR GENERAL.



It is not intended to dedicate any land for public purposes
nor to create any easements or rights of way

Approved & Covered by Council Clerk's Certificate

No. 239 of 23/5/32
[Signature]
Council Clerk.

Subscribed and declared before me at Sydney
this 17th day of May A.D. 1932

I, Samuel Chatfield, of Sydney, do hereby solemnly and sincerely declare (a) that all boundaries and measurements shown on this plan are correct, (b) that all survey marks found and referred physical objects on or adjacent to the boundaries are correctly represented, (c) that all physical objects indicated actually exist in the position shown, (d) that the whole of the material facts in relation to the land are correctly represented, (e) that the survey has been made by me, and I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Oaths Act, 1900.

[Signature] Licensed Surveyor
Surveyor registered under the Surveyors Act 1929

Datum line of Azimuth A-B.

Date of Survey May 1932

*Add here by me or under my immediate supervision as the case may be.

CONVERSION TABLE ADDED IN
REGISTRAR GENERAL'S DEPARTMENT
OP 17213

FEET	INCHES	METRES
23	6	7.165
30	2	9.145
33	-	10.06
66	11	20.05
81	5	24.769
83	2	24.45
91	4 3/4	27.029
121	1 1/4	42.01
124	10	46.20
126	6	52.5
204	6 1/4	73.5
225	-	73.5
242	1 1/4	73.75
249	10	76.13
251	1 1/4	77.95
251	9 1/2	80.77
265	-	81.67
267	3 1/2	88.62
270	9	93.73
307	6 1/4	100.8
321	3 1/4	100.86
339	10 3/8	120.14
659	-	201.17
660	-	203
666	-	230.54
682	2	230.16
686	2	237.94
924	10 1/2	281.71
927	1 1/4	282.58
927	3	282.63
927	8 1/4	282.76
927	10 1/4	282.85
928	1 1/2	283.03
928	6 3/4	283.11
928	10 1/4	283.16
1161	1 1/4	337.41
1161	-	351.41
1497	2 1/2	456.45
1499	5	460.71
1511	5	460.72
1511	5	461.2
5927	5 3/4	3053.5

I, Bruce Richard Davies, Registrar General for New South Wales, certify that this negative is a photograph made as a permanent record of a document in my custody this 7th day of November, 1979.

NEW SOUTH WALES

CERTIFICATE OF TITLE

PROPERTY ACT, 1900



Vol. 14184 Fol. 8

Appln No 22826

Prior Title Vol. 6684 Fol. 207



CANCELLED EDITION ISSUED
31 7 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.

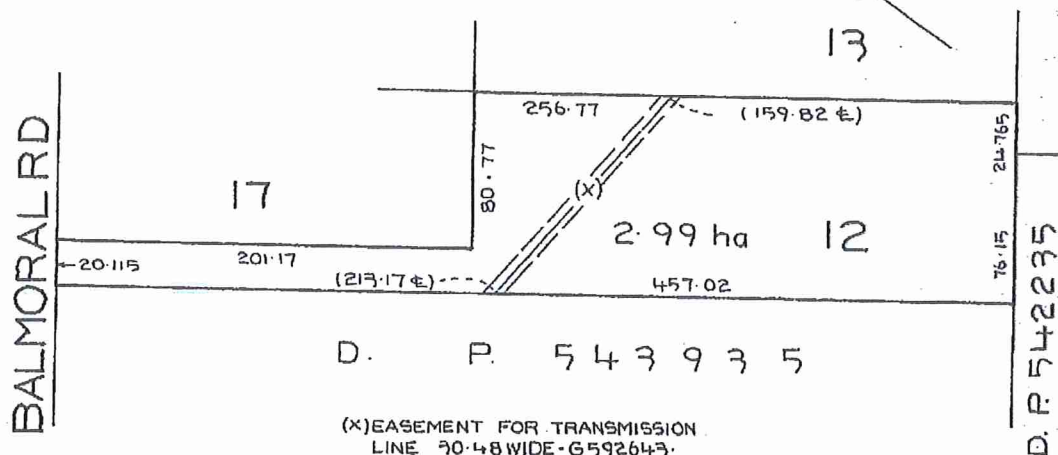
SEE AUTO FOLIO

Registrar General.



PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES



D. P. 543935

(X) EASEMENT FOR TRANSMISSION
LINE 90.48 WIDE - G592643.

R 805243 Jmt.

REDUCTION RATIO 1:2500

ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 12 in Deposited Plan 17213 in the Shire of Baulkham Hills Parish of Castle Hill and County of Cumberland being part of Portion 52 granted to Lewis Jones on 1-1-1810 and part of Portion 53 granted to Charles Beazley on 1-1-1810.

FIRST SCHEDULE

~~FREDERICK MULAE of Eastwood, Company Director and CAROLYN-DANN MULAE his wife, as Joint Tenants.~~

SECOND SCHEDULE

1. Reservations and conditions, if any, contained in the Crown grants above referred to.
2. G592643 Easement for transmission line affecting the land shown so burdened in the plan hereon.
3. J23995p Covenant.

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

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



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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

3/11/2014 8:54AM

FOLIO: 12/17213

First Title(s): SEE PRIOR TITLE(S)

Prior Title(s): VOL 14184 FOL 8

Recorded	Number	Type of Instrument	C.T. Issue
21/8/1988		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
20/2/1989		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
24/10/1995	0631628	REQUEST	

*** END OF SEARCH ***

mg

PRINTED ON 3/11/2014

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LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 12/17213

SEARCH DATE	TIME	EDITION NO	DATE
4/11/2014	5:28 PM	-	-

VOL 14184 FOL 8 IS THE CURRENT CERTIFICATE OF TITLE

LAND

LOT 12 IN DEPOSITED PLAN 17213
 LOCAL GOVERNMENT AREA THE HILLS SHIRE
 PARISH OF CASTLE HILL COUNTY OF CUMBERLAND
 TITLE DIAGRAM DP17213

FIRST SCHEDULE

GIORGIO VUMBACA

(T S638795)

SECOND SCHEDULE (3 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 G592643 EASEMENT FOR TRANSMISSION LINE AFFECTING THE LAND
 SHOWN SO BURDENED IN THE PLAN WITH G592643
- * 0631628 EASEMENT VESTED IN PROSPECT ELECTRICITY
- 3 J23995 COVENANT

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

mg

PRINTED ON 4/11/2014

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Legal Liaison Searching Services

ABN: 52832569710
Ph: 02 9233 5800
Fax: 02 9221 2827

Level 4, 70 Castlereagh Street,
Sydney 2000
PO Box 2513 Sydney NSW 2000
DX 1019 Sydney

Summary of Owners Report

LPI

Sydney

Address: - Balmoral Road, Kellyville

Description: - Lot 39 D.P. 10702

<u>Date of Acquisition and term held</u>	<u>Registered Proprietor(s) & Occupations where available</u>	<u>Reference to Title at Acquisition and sale</u>
10.05.1921 (1921 to 1922)	William Thomas Louis Archdall Pearce (Clerk in Holy Orders)	Vol 3182 Fol 30
21.06.1922 (1922 to 1958)	Joseph David McKay (Provision Merchant)	Vol 3182 Fol 30 Now Vol 5118 Fol 192
29.09.1958 (1958 to 1959)	Harry Polis (Poulterer) Fotene Polis (Married Woman)	Vol 5118 Fol 192 Now Vol 7635 Fol 115
23.02.1959 (1959 to 1959)	Christos Athanasiades (Labourer) Vasilios Nazaridis (Labourer)	Vol 7635 Fol 115 Now Vol 7723 Fol's 193 & 194
27.08.1959 (1959 to 1966)	Christos Athanasiades (Labourer)	Vol 7723 Fol's 193 & 194
12.12.1966 (1966 to 1969)	Marshall Xerri (Farmer) William Xerri (Farmer)	Vol 7723 Fol's 193 & 194 Now Vol 10485 Fol 58
05.03.1969 (1969 to 1980)	Anthony Vella (Market Gardener)	Vol 10485 Fol 58
20.02.1980 (1980 to date)	Raymond Pang Hing Chu (Market Gardener) Kit Ying Chu (Married Woman)	Vol 10485 Fol 58 Now 39/10702

Denotes current registered proprietors

Easements: - NIL

Leases: -

- 30.03.1938 to Richard William Field, Dairy Farmer – expired 21.08.1953
- 16.02.1994 (U 35416) – Expired to effluxion of time or surrender, not investigated

Yours Sincerely
Mark Groll
5 November 2014
(Ph: 0412 199 304)



Ref : surv:scim-grollm

Identified Parcel : Lot 39 DP 10702

County : CUMBERLAND



Reverse Street Address Inquiry

Provides street address details for a title.

Street Address associated with title reference: **39/10702**

Address:

BALMORAL RD KELLYVILLE 2155

Client Reference:

Date of Service: 04-Nov-2014 17:29:40

This information is provided as a searching aid only.
The Registrar General does not guarantee the information provided.

Please forward any feedback or data quality issues to feedback@lands.nsw.gov.au

Baukham Hills Shire
A654.987
24-12-20

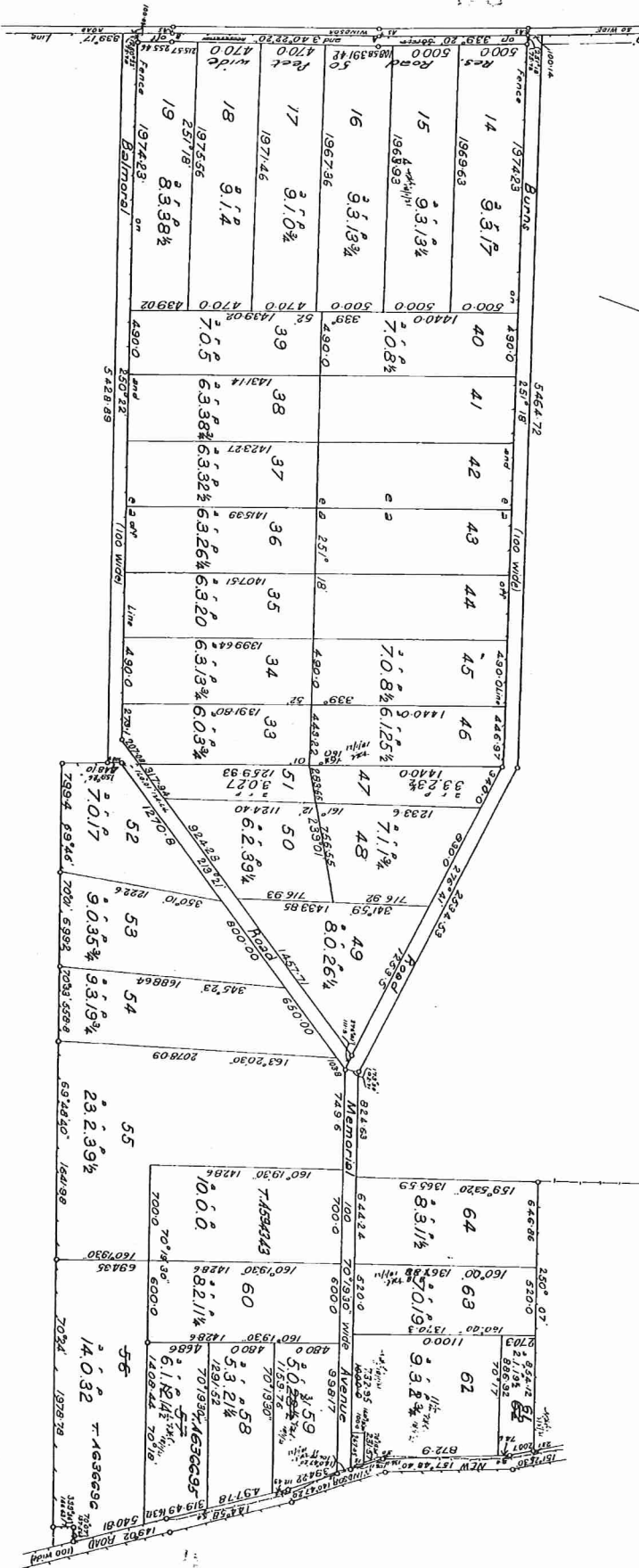
of subdivision of the land Comprised in C.T. Vol: 1054 Fol: 137 & part of the land in C.T. Vol: 1128 Fol: 177
Parish of Castle Hill County of Cumberland

PLAN

DP 10702

Scale: 6 Chains to an Inch.

Note: Bearings are to the True Meridian



Datum Line of Azimuth A-B

Subscribed and declared before me at Sydney
this fifteenth day of December A.D. 1920

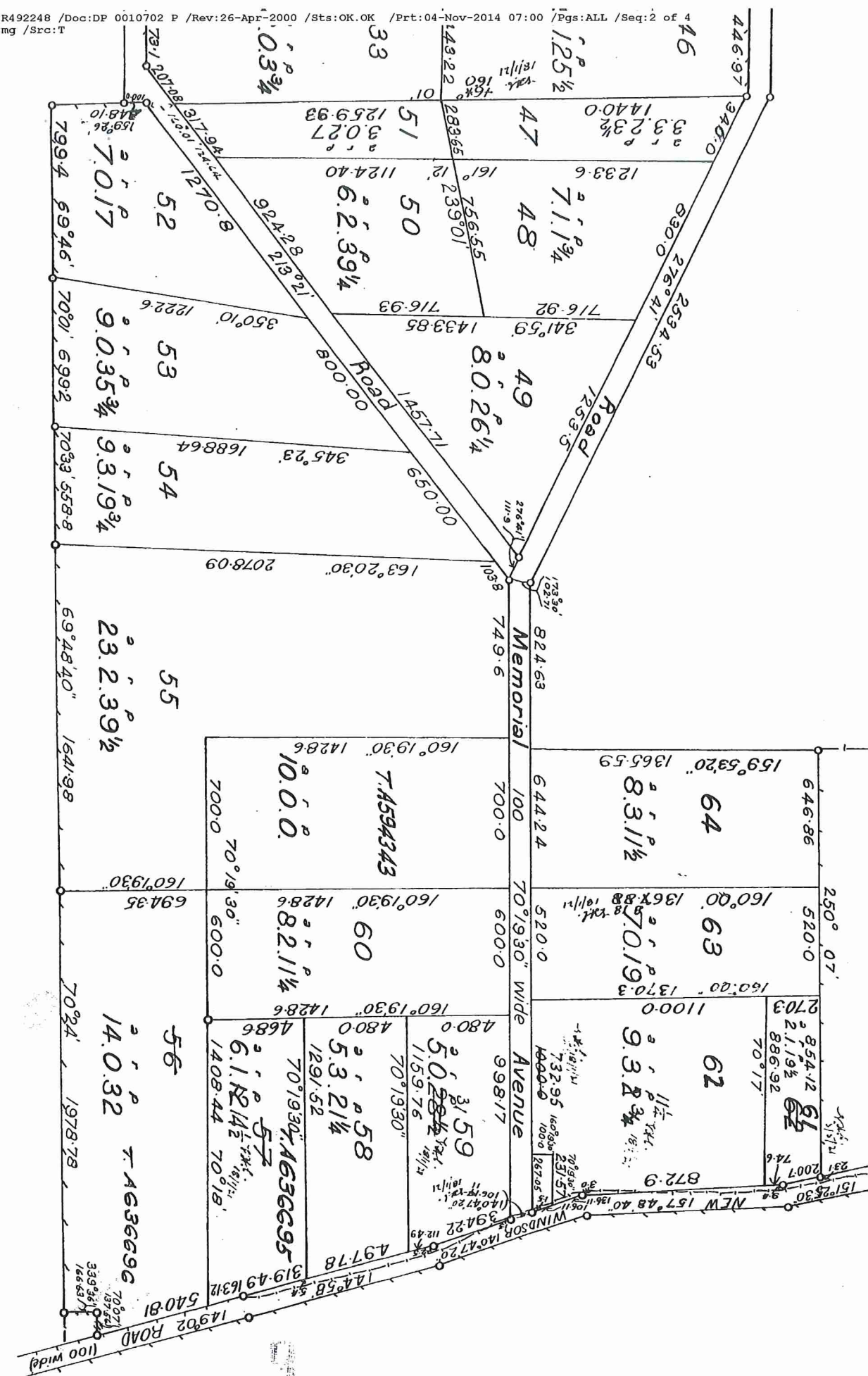
John P. [Signature]

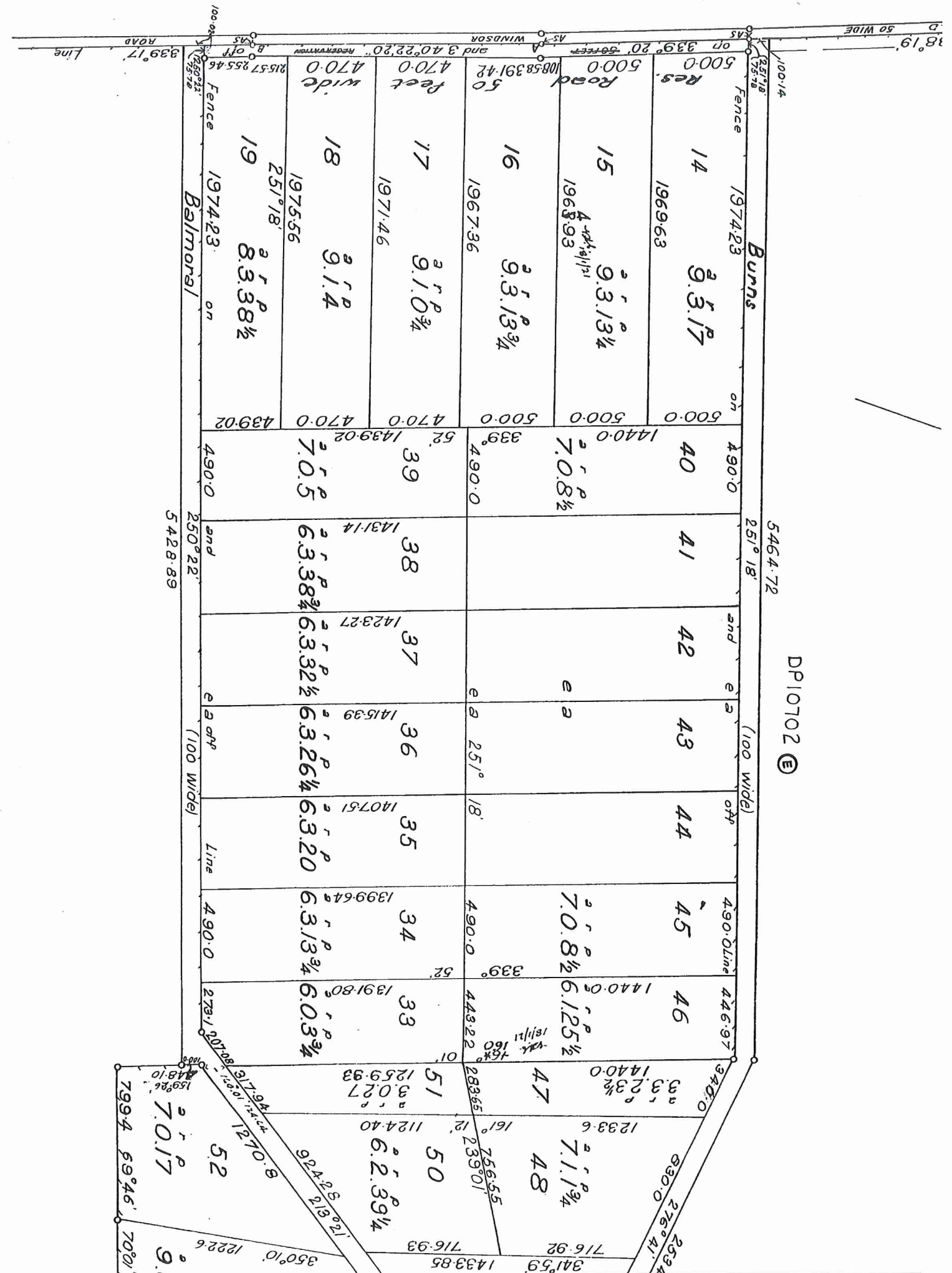
J.P.

Date of Survey May 1920

I, Edward Henry Cawdery of Sydney
Licenced Surveyor, specially licensed under the Real Property Act do hereby certify and
swear that the boundaries and measurements shown in this plan are correct for
the purposes of the said Act, and that the survey of the land to which the plan relates
has been made under my immediate supervision
and I make this solemn
declaration conscientiously believing the same to be true, and by virtue of the provisions of
the said Act, 1920.

Edward Henry Cawdery
Licenced Surveyor





DP 10702

LINKS	METRES
1.5	0.3
2.71	0.345
3	0.605
3.4	1.89
23.1	4.645
50	10.06
74.6	15.005
75.7	15.23
75.78	15.245
100	20.115
100.02	20.12
100.14	20.145
102.71	20.66
105.6	20.68
106.11	21.345
108.58	21.845
111.9	22.51
112.49	22.65
112.79	22.69
136.11	27.48
137.06	27.675
141.53	28.47
162.12	32.815
166.63	33.52
200.7	40.375
207.08	41.66
215.57	43.365
231.57	46.585
235.46	51.39
267.05	55.72
270.5	54.38
275.1	54.94
283.68	57.06
317.94	68.96
319.49	64.27
340	68.4
391.42	78.74
394.22	79.3
439.02	88.32
443.22	89.16
446.97	89.92
448.1	90.14
468.6	94.27
470	94.58
480	96.56
490	98.57
497.78	100.14
500	100.58
520	104.61
590.81	108.79
595.8	112.41
600	120.7
630	126.74
644.24	129.6
646.83	130.12
646.86	130.13
650	130.76
694.85	139.68
699.2	140.66
700	140.82
716.92	144.22
716.98	144.22
732.95	147.45
747.6	150.8
755.55	152.19
799.4	160.81
800	160.98
824.68	165.89
830	166.97
834.12	171.82
872.9	175.6
886.92	178.42
924.28	185.94
998.17	200.8
1100	221.28
1124.4	226.19
1159.76	238.31

DP 10702 CONTINUED

LINKS	METRES
1222.6	243.95
1233.6	248.16
1233.3	252.16
1259.93	253.46
1270.8	255.64
1291.52	259.81
1363.39	274.71
1368.18	275.23
1370.3	275.66
1391.8	279.99
1399.64	281.56
1407.51	283.15
1408.44	283.33
1415.39	284.73
1423.27	286.32
1428.6	287.39
1431.14	287.9
1433.82	288.44
1439.02	289.48
1440	289.68
1457.71	293.24
1641.68	330.25
1641.98	330.51
1688.44	339.7
1764.93	353.28
1767.36	353.77
1769.63	356.23
1771.46	356.59
1774.23	357.18
1775.56	357.42
1778.78	358.07
2078.09	418.05
2534.33	505.9
5464.72	1099.3

AC RD P 50 H

2 1 19 1/2 9599

AC RD P HA

3 - 27	1.282
3 3 23 1/2	1.577
3 - 31	2.1
3 3 21 1/4	2.381
6 - 3 3/4	2.438
6 1 14 1/2	2.566
6 1 25 1/2	2.594
6 2 39 1/4	2.73
6 3 13 3/4	2.766
6 3 20	2.782
6 3 26 1/4	2.798
6 3 32 1/2	2.814
6 3 38 3/4	2.83
7 - 5	2.855
7 - 8 1/2	2.855
7 - 17	2.876
7 - 19	2.881
7 1 1 3/4	2.938
8 - 26 1/4	3.3
8 2 11 1/4	3.468
8 3 11 1/2	3.57
8 3 30 1/2	3.638
9 - 3/4	3.644
9 - 85 3/4	3.782
9 1 3/4	3.745
9 1 4	3.753
9 3 11 1/4	3.974
9 3 13 1/4	3.979
9 3 13 3/4	3.98
9 3 17	3.989
9 3 19 3/4	3.996
10 -	4.047
14 - 82	5.746
23 2 39 1/2	9.61

NEW SOUTH WALES

CERTIFICATE OF TITLE
PROPERTY ACT, 1900, as amended.



10485-058

Application No. 5971
 Prior Titles Vol. 7723 Fols. 193 and 194

Vol. **10485** Fol. **58**



EH

Edition issued 27-1-1967

K536441 **CANCELLED**

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.

Witness

S. Vandine

Jawatson
 Registrar General.



PLAN SHOWING LOCATION OF LAND

16	40	
	490lks.	
17		
	1439lks.	
18	Tac. Ord. 5 per	
	1431lks.	
19	39	38
	490lks.	
	BALMORAL	RD.

Scale: 6 chains to one inch

ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 39 in Deposited Plan 10702 in the Shire of Baulkham Hills Parish of Castle Hill and County of Cumberland being part of Portion 51 granted to Thomas Boulton Junior on 12-9-1809 and part of Portion 50 granted to Thomas Boulton on 1-1-1810.

FIRST SCHEDULE (continued overleaf)

~~MARSHALL YERRI and WILLIAM YERRI, both of Merrylands, Farmers, as Tenants in Common in equal shares.~~

SECOND SCHEDULE (continued overleaf)

1. Reservations and conditions, if any, contained in the Crown Grants above referred to.

Jawatson


Registrar General.

WARNING THIS DOCUMENT MUST NOT BE REMOVED FROM THE LAND TITLES OFFICE




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

PT 1.17 V.C.N. Bright, Government Printer

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR		INSTRUMENT		ENTERED		Signature of Registrar-General
NATURE	DATE	NATURE	NUMBER	DATE	ENTERED	
Transfer	5-3-1969	Transfer	1361938	5-3-1969	20-3-1969	
Transfer		Transfer	R667419		20-2-1980	
FOLIO CANCELLED - NEW FOLIO IS 39 T 10702						

SECOND SCHEDULE (continued)

INSTRUMENT		PARTICULARS		ENTERED		Signature of Registrar-General	CANCELLATION	
NATURE	DATE	NATURE	NUMBER	NATURE	DATE		NATURE	DATE
Mortgage	8-11-1966	to the Commercial Bank of New Zealand Limited	R5364422	21-2-1967	21-2-1967		Discharged	1361937
Mortgage	5-3-1969	to the National Bank of Australasia Limited	1361939	20-3-1969	20-3-1969		Discharged	R667418
Mortgage		to Australia and New Zealand Banking Group Limited	R667420	20-2-1980	20-2-1980		Discharged	X494850

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



Legal Liaison Services

LPI On-Line

Legal Liaison Services 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

3/11/2014 8:49AM

FOLIO: 39/10702

First Title(s): OLD SYSTEM

Prior Title(s): VOL 10485 FOL 58

Recorded	Number	Type of Instrument	C.T. Issue
10/5/1988	X494850	DISCHARGE OF MORTGAGE	FOLIO CREATED EDITION 1
7/2/1991		AMENDMENT: VOL FOL INDEX	
16/2/1994	U35416	LEASE	EDITION 2
20/12/2001	8225902	REQUEST (lease lapse)	EDITION 3
13/8/2003	9875140	MORTGAGE	EDITION 4
27/3/2007	DP1107804	DEPOSITED PLAN	
27/11/2012	AH396208	CAVEAT	

*** END OF SEARCH ***

mg

PRINTED ON 3/11/2014

*ANY ENTRIES PRECEDED BY AN ASTERISK DO NOT APPEAR ON THE CURRENT EDITION OF THE CERTIFICATE OF TITLE. WARNING: THE INFORMATION APPEARING UNDER NOTATIONS HAS NOT BEEN FORMALLY RECORDED IN THE REGISTER.

Ref:mg /Src:T

Form: 11R

Licence: 98M111

Edition: 0008

REQUESTNew South Wales
Real Property Act 1900**8225902A****PRIVACY NOTE: this information is legally required and will become part of the public record****(A) STAMP DUTY**

If applicable. Office of State Revenue use only

(B) LAND

Torrens Title

39/DP 10702

(C) REGISTERED DEALING

Number

Torrens Title

(D) LODGED BYDelivery
Box

Name, Address or DX and Telephone

CODE

40

Luk & Associates Solicitors

GPO Box 2884 Sydney 1043

Tel: (02) 9553 4971

Reference (optional): RL: 20153

(E) APPLICANT

Raymond Pang Hing Chu

Kit Ying Chu

(F) NATURE OF REQUEST

To remove the "U 35416 Lease to Kok So. Expires 6.2.1997. Option of renewal 2 years." Because both the lease and option to renew have been expired.

(G) TEXT OF REQUEST

DATE

____/____/____
dd mm yyyy

- (H)**
- I certify that the applicant, with whom I am personally acquainted or as to whose identity I am otherwise satisfied, signed this application in my presence.

Signature of witness:

Name of witness: Mei-Mi Chu

Address of witness: 9 Wilson St, Kogarah 2217

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

Signature of applicant:



Legal Liaison Services

LPI On-Line

Legal Liaison Services 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 LPINSTM Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 39/10702

SEARCH DATE	TIME	EDITION NO	DATE
4/11/2014	1:42 PM	4	13/8/2003

LAND

LOT 39 IN DEPOSITED PLAN 10702
AT CASTLE HILL
LOCAL GOVERNMENT AREA THE HILLS SHIRE
PARISH OF CASTLE HILL COUNTY OF CUMBERLAND
TITLE DIAGRAM DP10702

FIRST SCHEDULE

RAYMOND PANG HING CHU
KIT YING CHU
AS JOINT TENANTS

SECOND SCHEDULE (3 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 9875140 MORTGAGE TO PERPETUAL TRUSTEES VICTORIA LIMITED
- * 3 AH396208 CAVEAT BY MERFAD GROUP HOLDINGS PTY LTD

NOTATIONS

NOTE: THE CERTIFICATE OF TITLE FOR THIS FOLIO OF THE REGISTER DOES NOT INCLUDE SECURITY FEATURES INCLUDED ON COMPUTERISED CERTIFICATES OF TITLE ISSUED FROM 4TH JANUARY, 2004. IT IS RECOMMENDED THAT STRINGENT PROCESSES ARE ADOPTED IN VERIFYING THE IDENTITY OF THE PERSON(S) CLAIMING A RIGHT TO DEAL WITH THE LAND COMPRISED IN THIS FOLIO.

DP1107804 NOTE: PLAN OF ACQUISITION
UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

mg1

PRINTED ON 4/11/2014

*ANY ENTRIES PRECEDED BY AN ASTERISK DO NOT APPEAR ON THE CURRENT EDITION OF THE CERTIFICATE OF TITLE. WARNING: THE INFORMATION APPEARING UNDER NOTATIONS HAS NOT BEEN FORMALLY RECORDED IN THE REGISTER.

Appendix F: EPA Notices



[Home](#) > [Environment protection licences](#) > [POEO Public Register](#) >
[Search for licences, applications and notices](#)

Search results

Your search for: **General Search** with the following criteria

Suburb - BELLA VISTA

returned 2 results

[Export to excel](#)

1 of 1 Pages

[Search Again](#)

Number	Name	Location	Type	Status	Issued date
20454	Salini Australia Pty Ltd	North West Rail Corridor from Balmoral Road Bella Vista to Cudgegong Road Rouse Hill , BELLA VISTA, NSW 2153	POEO licence	Issued	03 Jun 2014
1524209	Salini Australia Pty Ltd	North West Rail Corridor from Balmoral Road Bella Vista to Cudgegong Road Rouse Hill , BELLA VISTA, NSW 2153	s.58 Licence Variation	Issued	13 Aug 2014

05 November 2014

Connect

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Appendix G: Council Records

THE HILLS SHIRE COUNCIL

3 Columbia Court, Baulkham Hills NSW 2153
PO Box 7064, Baulkham Hills BC NSW 2153

Telephone +61 2 9843 0555
Facsimile +61 2 9843 0409

DX 9966 Norwest

Email council@thehills.nsw.gov.au
www.thehills.nsw.gov.au

ABN No. 25 034 494 656

PLANNING CERTIFICATE UNDER SECTION 149 (2) & (5)
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 AS AMENDED.

Certificate Number: **53890**
Reference: CASUAL:46404
Issue Date: 5 November 2014
Receipt No: 4725812
Fee Paid: \$ 133.00

ADDRESS: Lot 39 DP 10702 Balmoral Road, KELLYVILLE NSW 2155
DESCRIPTION: Lot 39 DP 10702

The land is zoned:

Zone R4 High Density Residential
Zone RE1 Public Recreation
Zone SP2 Infrastructure

The following prescribed matters apply to the land to which this certificate relates:

The Environmental Planning and Assessment Amendment Act 1997 commenced operation on 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 Regulation 2000.

THIS CERTIFICATE IS DIRECTED TO THE FOLLOWING MATTERS
PRESCRIBED UNDER SECTION 149 (2) OF THE ABOVE ACT.

1. Names of relevant planning instruments and DCPs

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

(A) **Local Environmental Plans**

The Hills Local Environmental Plan 2012, as amended, applies to all land in the Shire unless otherwise stated in this certificate.

State Environmental Planning Policies

SEPP No.19 - Bushland In Urban Areas
 SEPP No.21 - Caravan Parks
 SEPP No.30 - Intensive Agriculture
 SEPP No.33 - Hazardous And Offensive Development
 SEPP No.50 - Canal Estate Development
 SEPP No.55 - Remediation Of Land
 SEPP No.62 - Sustainable Aquaculture
 SEPP No.64 - Advertising And Signage
 SEPP No.65 - Design Quality Of Residential Flat Development
 SEPP No.70 - Affordable Housing (Revised Schemes)
 SEPP (Building Sustainability Index: Basix) 2004
 SEPP (Major Development) 2005
 SEPP (Mining, Petroleum Production And Extractive Industries) 2007
 SEPP (Miscellaneous Consent Provisions) 2007
 SEPP (Infrastructure) 2007
 SEPP (Exempt and Complying Development Codes) 2008
 SEPP (Affordable Rental Housing) 2009
 SEPP (State and Regional Development) 2011

Sydney Regional Environmental Plan No. 9 Extractive Industries (No.2) - Amendment No.1

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

The following SEPP's may apply to the land. Please refer to '**Land to which Policy applies**' for each individual SEPP.

SEPP (Housing For Seniors Or People With A Disability) 2004
 SEPP No.32 – Urban Consolidation (Redevelopment of Urban Land)

- (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 (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

(A) **Proposed Local Environmental Plans**

Proposed The Hills Local Environmental Plan 2012 (Amendment No.) applies to this land.

Refer Attachment 1(2)(A)

(B) **Proposed State Environmental Planning Policies**

Draft State Environmental Planning Policy (Competition).
State Environmental Planning Policy No 65 – Design Quality of Residential
Flat Development (Amendment No 3).

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

The Hills Development Control Plan 2012

Note: the land is within The Hills Development Control Plan 2012 Part D map sheet. Refer Council's website www.thehills.nsw.gov.au to view the map sheet.

- (4) In this clause, proposed environmental planning instrument includes a planning proposal for a LEP or a draft environmental planning instrument.

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).

- (A) The Hills Local Environmental Plan 2012 applies to the land unless otherwise stated in this certificate and identifies the land to be:

Zone R4 High Density Residential
Zone RE1 Public Recreation
Zone SP2 Infrastructure

- (B) The purposes for which the instrument provides that development may be carried out within the zone without development consent:

Refer Attachment 2(B)

Also refer to the applicable instrument for provisions
regarding Exempt Development

- (C) The purposes for which the instrument provides that development may not be carried out within the zone except with development consent:

Refer Attachment 2(B)

Also refer to the applicable instrument for provisions
regarding Complying Development

- (D) The purposes for which the instrument provides that development is prohibited in the zone:

Refer Attachment 2(B)

- (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?

The Hills Local Environmental Plan 2012?

YES

Clause 4.1B of The Hills Local Environmental Plan 2012 provides, in part, minimum land dimensions for the erection of a dwelling house on land zoned R3 Medium Density Residential or R4 High Density Residential where it is undertaken as a single development application in conjunction with the subdivision of land.

Any other Planning Proposal?

NO

- (F) Whether the land includes or comprises critical habitat?

The Hills Local Environmental Plan 2012?

NO

Any other Planning Proposal?

NO

- (G) Whether the land is in a conservation area (however described)?

The Hills Local Environmental Plan 2012?

NO

Any Other Planning Proposal?

NO

- (H) Whether an item of environmental heritage (however described) is situated on the land?

The Hills Local Environmental Plan 2012?

NO

Any other Planning Proposal?

NO

2A. Zoning and land use under State Environmental Planning Policy (Sydney Region Growth Centres) 2006

To the extent that the land is within any zone (however described) under:

- (a) Part 3 of the *State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the 2006 SEPP)*, or
- (b) a Precinct Plan (within the meaning of the 2006 SEPP), or

- (c) a proposed Precinct Plan that is or has been the subject of community consultation or on public exhibition under the ACT.
- (A) State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 2 North Kellyville Precinct Plan) applies to the land unless otherwise stated in this certificate and identifies the land to be:

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 2 North Kellyville Precinct Plan) does not apply.

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 11 The Hills Growth Centre Precincts Plan) applies to the land unless otherwise stated in this certificate and identifies the land to be:

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 11 The Hills Growth Centre Precincts Plan) does not apply.

Note: This precinct plan applies to land within the Box Hill Precinct or Box Hill Industrial Precinct.

- (B) The purposes for which the instrument provides that development may be carried out within the zone without development consent:

Refer Attachment 2(B)

Also refer to the applicable instrument for provisions regarding Exempt Development.

- (C) The purposes for which the instrument provides that development may not be carried out within the zone except with development consent:

Refer Attachment 2(B)

Also refer to the applicable instrument for provisions regarding Complying Development

- (D) The purposes for which the instrument provides that development is prohibited in the zone:

Refer Attachment 2(B)

- (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?

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 2 North Kellyville Precinct Plan)?

NO

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 11 The Hills Growth Centre Precincts Plan)?

NO

- (F) Whether the land includes or comprises critical habitat?

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 2 North Kellyville Precinct Plan)?

NO

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 11 The Hills Growth Centre Precincts Plan)?

NO

- (G) Whether the land is in a conservation area (however described)?

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 2 North Kellyville Precinct Plan)?

NO

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 11 The Hills Growth Centre Precincts Plan)?

NO

- (H) Whether an item of environmental heritage (however described) is situated on the land?

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 2 North Kellyville Precinct Plan)?

NO

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 11 The Hills Growth Centre Precincts Plan)?

NO

3. Complying Development

- (1) The extent to which the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.
- (2) The extent to which complying development may not be carried out on that land because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of that Policy and the reasons why it may not be carried out under those clauses.
- (3) If the council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land, a statement that a restriction applies to the land, but it may not apply to all of

the land, and that council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.

General Housing Code and Rural Housing Code

Complying development under the General Housing Code and Rural Housing Code **may not** be carried out on the land **unless** the development is carried out on any part of the lot that is not affected by the following specific land exemption/s:

The land is reserved for a public purpose in the environmental planning instrument. Refer to the Land Zoning Map of the applicable instrument.

Housing Alterations Code and General Development Code

Complying Development under the Housing Alterations Code and General Development Code **may be** carried out on the land.

Commercial and Industrial (New Buildings and Additions) Code

Complying development under the Commercial and Industrial (New Buildings and Additions) Code **may not** be carried out on the land **unless** the development is carried out on any part of the lot that is not affected by the following specific land exemption/s:

The land is reserved for a public purpose in the environmental planning instrument. Refer to the Land Zoning Map of the applicable instrument.

Commercial and Industrial Alterations, Subdivision, Demolition and Fire Safety Codes

Complying Development under the Commercial and Industrial Alterations, Subdivision, Demolition and Fire Safety Codes **may be** carried out on the land.

Note: Where reference is made to an applicable map, this information can be sourced from the following websites:

The Hills Local Environmental Plan 2012 - www.thehills.nsw.gov.au
State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 2 North Kellyville Precinct) or (Appendix 11 The Hills Growth Centre Precincts Plan) – www.planning.nsw.gov.au

4. Coastal protection

Whether or not the land is affected by the operation of Section 38 or 39 of the *Coastal Protection Act 1979*, but only to the extent that the council has been so notified by the Department of Services, Technology and Administration?

NO

4A. Certain information relating to beaches and coasts

- (1) In relation to a coastal council - whether an order has been made under Part 4D of the Coastal Protection Act 1979 in relation to temporary coastal protection works (within the meaning of that Act) on the land (or on public land adjacent to that land), except where the council is satisfied that such an order has been fully complied with.

NO

- (2) In relation to a coastal council:

(a) whether the council has been notified under section 55X of the Coastal Protection Act 1979 that temporary coastal protection works (within the meaning of that Act) have been placed on the land (or on public land adjacent to that land), and

(b) if works have been so placed – whether the council is satisfied that the works have been removed and the land restored in accordance with that Act.

NO

- (3) (Repealed)

4B. Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

Whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

NO

Note. "Existing coastal protection works" are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

5. Mine subsidence

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

NO

6. Road widening and road realignment

Whether or not the land is affected by any road widening or road realignment under -

- (A) Division 2 of Part 3 of the Roads Act 1993; or

NO

- (B) any environmental planning instrument; or

NO

- (C) any resolution of council?

- a) The Hills Development Control Plan 2012?

YES

The Hills Development Control Plan 2012 identifies the land as being affected by a proposed road or road widening. Refer Part 1(3) of this certificate for the applicable map sheet.

- b) Any other resolution of council?

NO

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

Whether or not the land is affected by a policy:

- (a) adopted by council, or
- (b) 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, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding)?

Council's policies on hazard risk restrictions are as follows:

(i) Landslip

- a) By The Hills Local Environmental Plan 2012 zoning?

NO

No resolution has been adopted but attention is directed to the fact that there are areas within the Shire liable to landslip.

- b) By The Hills Local Environmental Plan 2012 local provision?

NO

No resolution has been adopted but attention is directed to the fact that there are areas within the Shire liable to landslip.

- c) By The Hills Development Control Plan 2012 provision?

NO

No resolution has been adopted but attention is directed to the fact that there are areas within the Shire liable to landslip.

(ii) Bushfire

YES

Please note this is a statement of Council policy only and NOT a statement on whether or not the property is affected by bushfire. That question is answered in Section 11 of this certificate.

Council has adopted the NSW Rural Fire Service Guidelines entitled 'Planning for Bushfire Protection 2006'. Development subject to bushfire risk will be required to address the requirements in these guidelines and can be downloaded off the RFS web site www.rfs.nsw.gov.au

The Development Control Plan may also contain provisions for development on Bushfire Prone Land and Bushfire Hazard Management. Refer Part 1(3) of this certificate for the applicable Development Control Plan.

(iii) Tidal inundation

NO

Please note this is a statement of Council policy only and NOT a statement on whether or not the property is affected by tidal inundation.

(iv) Subsidence

NO

Please note this is a statement of Council policy only and NOT a statement on whether or not the property is affected by subsidence.

(v) Acid sulphate soils

NO

(vi) Land contamination

NO

Please note this is a statement of Council policy only and NOT a statement on whether or not the property is affected by contamination or potential contamination.

(vii) Any other risk

NO

7A. Flood related development controls information

- (1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls?

YES

Please note this is a statement that flood related development controls apply to the land and is NOT a statement on whether or not the property is subject to flooding.

- (2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls?

YES

Please note this is a statement that flood related development controls apply to the land and is NOT a statement on whether or not the property is subject to flooding.

- (3) Words and expressions in this clause have the same meanings as in the standard instrument set out in the Standard Instrument (Local Environmental Plans) Order 2006.

8. Land reserved for acquisition

Whether or not any 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.

The Hills Local Environmental Plan 2012?

YES

Clause 5.1 of The Hills Local Environmental Plan 2012 variously provides for the acquisition of land within the SP2 Infrastructure, RE1 Public Recreation zones and E1 National Parks and Nature Reserves.

Any other Planning Proposal?

NO

State Environmental Planning Policy?

NO

9. Contributions plans

The name of each contributions plan applying to the land:

12 - BALMORAL RD

9A. Biodiversity Certified Land

Whether the land is biodiversity certified land within the meaning of Part 7AA of the *Threatened Species Conservation Act 1995*?

NO

10. Biobanking Agreements

Whether the land is land to which a biobanking agreement under part 7A of the *Threatened Species Conservation Act 1995* relates, (but only if the council has been notified of the existence of the agreement by the Director-General of the Department of Environment, Climate Change and Water)?

NO

11. Bush fire prone land

Has the land been identified as bush fire prone land?

NO

12. Property vegetation plans

Has the council been notified that a property vegetation plan under the *Native Vegetation Act 2003* applies to this land?

NO

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

Whether an order has been made under the *Trees (Disputes Between Neighbours) Act 2006* to carry out work in relation to a tree on this land (but only if the council has been notified of the order)?

NO

14. Directions under Part 3A

Whether 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?

NO

15. Site compatibility certificates and conditions for seniors housing

(a) Whether there is a current site compatibility certificate (seniors housing) of which 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?

NO

(b) Whether there are 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* that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land?

NO

16. Site compatibility certificates for infrastructure

Whether there is a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land?

NO

17. Site compatibility certificates and conditions for affordable rental housing

(1) Whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land?

NO

(2) Whether there are any terms of a kind referred to in clause 17(1) or 38(1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land?

NO

18. Paper subdivision information

(1) The name of any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot.

NO DEVELOPMENT PLAN APPLIES

(2) The date of any subdivision order that applies to the land.

NO SUBDIVISION ORDER APPLIES

(3) Words and expressions used in this clause have the same meaning as they have in Part 16C of this Regulation.

19. Site verification certificates

Whether there is a current site verification certificate, of which the council is aware, in respect of the land?

NO

Note. A site verification certificate sets out the Director-General's opinion as to whether the land concerned is or is not biophysical strategic agricultural land or critical industry cluster land - see Division 3 of Part 4AA of *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*.

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) that the land to which the certificate relates is significantly contaminated land within the meaning of that Act – if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,

NO

(b) that the land to which the certificate relates is subject to a management order within the meaning of that Act – if it is subject to such an order at the date when the certificate is issued,

NO

(c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act – if it is the subject of such an approved proposal at the date when the certificate is issued,

NO

(d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of the Act – if it is subject to such an order at the date when the certificate is issued,

NO

(e) that the land to which the certificate relates is the subject of a site audit statement within the meaning of the Act – if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

NO

Note: Whether Council has been provided with a copy of any exemption under section 23 or authorisation by the Co-ordinator General under section 24 of the Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009?

NO

**THIS PART IS DIRECTED TO THE FOLLOWING MATTERS
PRESCRIBED UNDER SECTION 149 (5) OF THE ABOVE ACT**

NOTE: "When information pursuant to Section 149 (5) is requested the council is under no obligation to furnish any of the information supplied herein pursuant to that Section. Council draws your attention to Section 149 (6), which states that a council shall not incur any liability in respect of any advice provided in good faith pursuant to sub-section (5). The absence of any reference to any matter affecting the land shall not imply that the land is not affected by any matter not referred to in this certificate."

- A.** Whether there are any provisions applying to the land that control the management of trees and bushland?

YES

Clause 5.9 and 5.9AA of The Hills Local Environmental Plan 2012 and Part C Section 3 of The Hills Development Control Plan 2011 contain provisions for the control and management of actions in respect of trees and bushland.

- B.** Does the land contain a foreshore area as identified on The Hills Local Environmental Plan 2012 Foreshore Building Line map?

NO

- C.** Under the Protection of the Environment Operations Act 1997, is the property subject to a listing on the public register maintained by council with respect to an environmental notice or civil proceedings in the Land and Environment Court, or a prosecution under this Act?

NO

- D.** Is the land affected by any special provisions of Sydney Regional Environmental Plan No 9 – Extractive Industry (No 2 – 1995)?

NO

- E.** Is the land affected by a restricted development area as identified under The Hills Development Control Plan 2012?

NO

- F.** Is the land within an area where a Special Infrastructure Contribution, as determined by the Minister for Planning and Infrastructure, applies?

YES

The land is within the Special Infrastructure Contribution – Western Sydney Growth Areas under the *Environmental Planning and Assessment Act 1979*.

Refer to the Department of Planning and Infrastructure for further information

www.planning.nsw.gov.au

- G.** Is the land in the vicinity of a heritage item or heritage conservation area as described in The Hills Local Environmental Plan 2012 **OR** State Environmental Planning Policy (Sydney Region Growth Centres) 2006?

NO

- H.** Whether Council has adopted a Voluntary Planning Agreement within the meaning of S93F of the Environmental Planning and Assessment Act, 1979, as amended, in relation to the land?

NO

- I.** Is the land within or adjacent to the North West Rail Link as identified on the maps prepared by Transport NSW?

NO

- J.** Is the land within or adjacent to the Parramatta to Epping Rail Link as identified on the maps prepared by Transport NSW?

NO

- K.** Does the land contain a proposed road as identified within a Development Control Plan under State Environmental Planning Policy (Sydney Region Growth Centres) 2006?

NO

- L.** Has Council been notified by NSW Land and Property Information that the land is affected by a stratum plan of proposed acquisition for railway purposes (North West Rail Link)?

NO

THE HILLS SHIRE COUNCIL

DAVE WALKER
GENERAL MANAGER


Per:

PLEASE NOTE: COUNCIL RETAINS THE ELECTRONIC ORIGINAL OF THIS CERTIFICATE. WHERE THIS CERTIFICATE REFERS TO INFORMATION DISPLAYED ON COUNCIL'S WEBSITE OR TO ANY EXTERNAL WEBSITE, IT REFERS TO INFORMATION DISPLAYED ON THE WEBSITE ON THE DATE THIS CERTIFICATE IS ISSUED.

ATTACHMENT 1(2)(A)**Planning Proposal 13/2013/PLP - The Hills Local Environmental Plan 2012 – Housekeeping 1.**

The Planning Proposal encompasses a number of amendments to Local Environmental Plan (LEP 2012) to ensure the plan is accurate and consistent with the strategic policy position of Council. The amendments include correction of land use table inconsistencies and discrepancies to the written instrument as well as a series of mapping changes. In order to limit the number of amendments to LEP 2012, the changes have been consolidated within a single Planning Proposal commonly referred to as a 'Housekeeping' Amendment.

Key amendments include:

- Deletion of *airstrips* and *helipads* as permissible in residential and some business zones, insertion of *extractive industries* as permissible in the RU2 Rural Landscape zone and removal of *registered clubs* as permissible within the B1 Neighbourhood Centre zone.
- Correction of zoning for certain land at Glenhaven and Kellyville, correction of building heights for certain land at Norwest, North Rocks and Castle Hill and correction of minimum lot sizes for certain land at Castle Hill as these were incorrectly translated from Council's LEP 2005.
- Zoning of various public reserves to RE1 Public Recreation to correctly reflect the reserve status.
- Amendments to zoning and development controls for land at Homeworld V to reflect the built form outcomes in this locality.
- Zoning of land at Resolution Place, Rouse Hill to B6 Enterprise Corridor given the site has been developed for commercial uses.
- Amend the building height for land at Commercial Road, Rouse Hill to 16m to ensure consistency with the adjoining land zoned B5 Business Development.
- Amend land zoned SP2 Infrastructure to R2 Low Density Residential at Greenwich Place, Kellyville and to B6 Enterprise Corridor at Windsor Road, Beaumont Hills to reflect revised Sydney Water acquisition requirements.
- The Minister for the Department of Planning and Infrastructure has chosen to delegate the making of the plan to Council.

For further information please contact Council's Duty Planner on 9843 0469.

The above details are in keeping with the exhibited planning proposal. Please note that changes to the planning proposal may be made post exhibition. The current status and details of the planning proposal can be viewed on Council's website www.thehills.nsw.gov.au under 'Application Tracking' on the home page or under the 'Planning & Development' menu bar.

ATTACHMENT 2(B)**Zone R4 High Density Residential****1 Objectives of zone**

- To provide for the housing needs of the community within a high density residential environment.
- To provide a variety of housing types within a high density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To encourage high density residential development in locations that are close to population centres and public transport routes.

2 Permitted without consent

Home businesses; Home occupations

3 Permitted with consent

Attached dwellings; Boarding houses; Building identification signs; Business identification signs; Child care centres; Community facilities; Dual occupancies; Dwelling houses; Home-based child care; Multi dwelling housing; Neighbourhood shops; Places of public worship; Residential flat buildings; Respite day care centres; Roads; Shop top housing; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Environmental facilities; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Information and education facilities; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Public administration buildings; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Residential accommodation; Restricted premises; Rural industries; Service stations; Sewerage systems; Sex services premises; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies.

NOTE: This land use table should be read in conjunction with the Dictionary at the end of The Hills LEP 2012 which defines words and expressions for the purpose of the plan.

ATTACHMENT 2(B)**Zone RE1 Public Recreation****1 Objectives of zone**

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.

2 Permitted without consent

Environmental protection works.

3 Permitted with consent

Building identification signs; Business identification signs; Car parks; Child care centres; Community facilities; Emergency service facilities; Environmental facilities; Information and education facilities; Kiosks; Markets; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; Restaurants or cafés; Roads; Take away food and drink premises; Water recreation structures.

4 Prohibited

Any development not specified in item 2 or 3.

NOTE: This land use table should be read in conjunction with the Dictionary at the end of The Hills LEP 2012 which defines words and expressions for the purpose of the plan.

ATTACHMENT 2(B)

Zone SP2 Infrastructure

1 Objectives of zone

- To provide for infrastructure and related uses.
- To prevent development that is not compatible with or that may detract from the provision of infrastructure.

2 Permitted without consent

Roads

3 Permitted with consent

The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose.

4 Prohibited

Any development not specified in item 2 or 3.

NOTE: This land use table should be read in conjunction with the Dictionary at the end of The Hills LEP 2012 which defines words and expressions for the purpose of the plan.

THE HILLS SHIRE COUNCIL

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PLANNING CERTIFICATE UNDER SECTION 149 (2) & (5)
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 AS AMENDED.

Certificate Number: **53893**
Reference: CASUAL:46404
Issue Date: 5 November 2014
Receipt No: 4725812
Fee Paid: \$ 133.00

ADDRESS: 44-46 Memorial Avenue, KELLYVILLE NSW 2155
DESCRIPTION: Lot 10 DP 844963, Lot 11 DP 844963

The land is zoned:

Zone B7 Business Park
Zone R1 General Residential
Zone SP2 Infrastructure

The following prescribed matters apply to the land to which this certificate relates:

The Environmental Planning and Assessment Amendment Act 1997 commenced operation on 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 Regulation 2000.

THIS CERTIFICATE IS DIRECTED TO THE FOLLOWING MATTERS
PRESCRIBED UNDER SECTION 149 (2) OF THE ABOVE ACT.

1. Names of relevant planning instruments and DCPs

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

(A) **Local Environmental Plans**

The Hills Local Environmental Plan 2012, as amended, applies to all land in the Shire unless otherwise stated in this certificate.

State Environmental Planning Policies

SEPP No.19 - Bushland In Urban Areas
 SEPP No.21 - Caravan Parks
 SEPP No.30 - Intensive Agriculture
 SEPP No.33 - Hazardous And Offensive Development
 SEPP No.50 - Canal Estate Development
 SEPP No.55 - Remediation Of Land
 SEPP No.62 - Sustainable Aquaculture
 SEPP No.64 - Advertising And Signage
 SEPP No.65 - Design Quality Of Residential Flat Development
 SEPP No.70 - Affordable Housing (Revised Schemes)
 SEPP (Building Sustainability Index: Basix) 2004
 SEPP (Major Development) 2005
 SEPP (Mining, Petroleum Production And Extractive Industries) 2007
 SEPP (Miscellaneous Consent Provisions) 2007
 SEPP (Infrastructure) 2007
 SEPP (Exempt and Complying Development Codes) 2008
 SEPP (Affordable Rental Housing) 2009
 SEPP (State and Regional Development) 2011

Sydney Regional Environmental Plan No. 9 Extractive Industries (No.2) - Amendment No.1

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

The following SEPP's may apply to the land. Please refer to '**Land to which Policy applies**' for each individual SEPP.

SEPP (Housing For Seniors Or People With A Disability) 2004
 SEPP No.32 – Urban Consolidation (Redevelopment of Urban Land)

- (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 (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

(A) **Proposed Local Environmental Plans**

Proposed The Hills Local Environmental Plan 2012 (Amendment No.) applies to this land.

Refer Attachment 1(2)(A)

(B) **Proposed State Environmental Planning Policies**

Draft State Environmental Planning Policy (Competition).
State Environmental Planning Policy No 65 – Design Quality of Residential
Flat Development (Amendment No 3).

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

The Hills Development Control Plan 2012

Note: the land is within The Hills Development Control Plan 2012 Part D map sheet. Refer Council's website www.thehills.nsw.gov.au to view the map sheet.

- (4) In this clause, proposed environmental planning instrument includes a planning proposal for a LEP or a draft environmental planning instrument.

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).

- (A) The Hills Local Environmental Plan 2012 applies to the land unless otherwise stated in this certificate and identifies the land to be:

Zone B7 Business Park
Zone R1 General Residential
Zone SP2 Infrastructure

- (B) The purposes for which the instrument provides that development may be carried out within the zone without development consent:

Refer Attachment 2(B)

Also refer to the applicable instrument for provisions
regarding Exempt Development

- (C) The purposes for which the instrument provides that development may not be carried out within the zone except with development consent:

Refer Attachment 2(B)

Also refer to the applicable instrument for provisions
regarding Complying Development

- (D) The purposes for which the instrument provides that development is prohibited in the zone:

Refer Attachment 2(B)

- (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?

The Hills Local Environmental Plan 2012?

NO

Any other Planning Proposal?

NO

- (F) Whether the land includes or comprises critical habitat?

The Hills Local Environmental Plan 2012?

NO

Any other Planning Proposal?

NO

- (G) Whether the land is in a conservation area (however described)?

The Hills Local Environmental Plan 2012?

NO

Any Other Planning Proposal?

NO

- (H) Whether an item of environmental heritage (however described) is situated on the land?

The Hills Local Environmental Plan 2012?

NO

Any other Planning Proposal?

NO

2A. Zoning and land use under State Environmental Planning Policy (Sydney Region Growth Centres) 2006

To the extent that the land is within any zone (however described) under:

- (a) Part 3 of the *State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the 2006 SEPP)*, or
- (b) a Precinct Plan (within the meaning of the 2006 SEPP), or
- (c) a proposed Precinct Plan that is or has been the subject of community consultation or on public exhibition under the ACT.

- (A) State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 2 North Kellyville Precinct Plan) applies to the land unless otherwise stated in this certificate and identifies the land to be:

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 2 North Kellyville Precinct Plan) does not apply.

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 11 The Hills Growth Centre Precincts Plan) applies to the land unless otherwise stated in this certificate and identifies the land to be:

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 11 The Hills Growth Centre Precincts Plan) does not apply.

Note: This precinct plan applies to land within the Box Hill Precinct or Box Hill Industrial Precinct.

- (B) The purposes for which the instrument provides that development may be carried out within the zone without development consent:

Refer Attachment 2(B)

Also refer to the applicable instrument for provisions regarding Exempt Development.

- (C) The purposes for which the instrument provides that development may not be carried out within the zone except with development consent:

Refer Attachment 2(B)

Also refer to the applicable instrument for provisions regarding Complying Development

- (D) The purposes for which the instrument provides that development is prohibited in the zone:

Refer Attachment 2(B)

- (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?

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 2 North Kellyville Precinct Plan)?

NO

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 11 The Hills Growth Centre Precincts Plan)?

NO

- (F) Whether the land includes or comprises critical habitat?

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 2 North Kellyville Precinct Plan)?

NO

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 11 The Hills Growth Centre Precincts Plan)?

NO

- (G) Whether the land is in a conservation area (however described)?

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 2 North Kellyville Precinct Plan)?

NO

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 11 The Hills Growth Centre Precincts Plan)?

NO

- (H) Whether an item of environmental heritage (however described) is situated on the land?

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 2 North Kellyville Precinct Plan)?

NO

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 11 The Hills Growth Centre Precincts Plan)?

NO

3. Complying Development

- (1) The extent to which the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.
- (2) The extent to which complying development may not be carried out on that land because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of that Policy and the reasons why it may not be carried out under those clauses.
- (3) If the council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land, a statement that a restriction applies to the land, but it may not apply to all of the land, and that council does not have sufficient information to ascertain

the extent to which complying development may or may not be carried out on the land.

General Housing Code and Rural Housing Code

Complying development under the General Housing Code and Rural Housing Code **may not** be carried out on the land **unless** the development is carried out on any part of the lot that is not affected by the following specific land exemption/s:

The land is reserved for a public purpose in the environmental planning instrument. Refer to the Land Zoning Map of the applicable instrument.

Housing Alterations Code and General Development Code

Complying Development under the Housing Alterations Code and General Development Code **may be** carried out on the land.

Commercial and Industrial (New Buildings and Additions) Code

Complying development under the Commercial and Industrial (New Buildings and Additions) Code **may not** be carried out on the land **unless** the development is carried out on any part of the lot that is not affected by the following specific land exemption/s:

The land is reserved for a public purpose in the environmental planning instrument. Refer to the Land Zoning Map of the applicable instrument.

Commercial and Industrial Alterations, Subdivision, Demolition and Fire Safety Codes

Complying Development under the Commercial and Industrial Alterations, Subdivision, Demolition and Fire Safety Codes **may be** carried out on the land.

Note: Where reference is made to an applicable map, this information can be sourced from the following websites:

The Hills Local Environmental Plan 2012 - www.thehills.nsw.gov.au
State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 2 North Kellyville Precinct) or (Appendix 11 The Hills Growth Centre Precincts Plan) - www.planning.nsw.gov.au

4. Coastal protection

Whether or not the land is affected by the operation of Section 38 or 39 of the *Coastal Protection Act 1979*, but only to the extent that the council has been so notified by the Department of Services, Technology and Administration?

NO

4A. Certain information relating to beaches and coasts

- (1) In relation to a coastal council - whether an order has been made under Part 4D of the *Coastal Protection Act 1979* in relation to temporary coastal protection works (within the meaning of that Act) on the land (or on public land adjacent to that land), except where the council is satisfied that such an order has been fully complied with.

NO

(2) In relation to a coastal council:

(a) whether the council has been notified under section 55X of the Coastal Protection Act 1979 that temporary coastal protection works (within the meaning of that Act) have been placed on the land (or on public land adjacent to that land), and

(b) if works have been so placed – whether the council is satisfied that the works have been removed and the land restored in accordance with that Act.

NO

(3) (Repealed)

4B. Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

Whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

NO

Note. "Existing coastal protection works" are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

5. Mine subsidence

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

NO

6. Road widening and road realignment

Whether or not the land is affected by any road widening or road realignment under -

(A) Division 2 of Part 3 of the Roads Act 1993; or

NO

(B) any environmental planning instrument; or

NO

(C) any resolution of council?

a) The Hills Development Control Plan 2012?

NO

b) Any other resolution of council?

NO

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

Whether or not the land is affected by a policy:

- (a) adopted by council, or
- (b) 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, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding)?

Council's policies on hazard risk restrictions are as follows:

(i) Landslip

a) By The Hills Local Environmental Plan 2012 zoning?

NO

No resolution has been adopted but attention is directed to the fact that there are areas within the Shire liable to landslip.

b) By The Hills Local Environmental Plan 2012 local provision?

NO

No resolution has been adopted but attention is directed to the fact that there are areas within the Shire liable to landslip.

c) By The Hills Development Control Plan 2012 provision?

NO

No resolution has been adopted but attention is directed to the fact that there are areas within the Shire liable to landslip.

(ii) Bushfire

YES

Please note this is a statement of Council policy only and NOT a statement on whether or not the property is affected by bushfire. That question is answered in Section 11 of this certificate.

Council has adopted the NSW Rural Fire Service Guidelines entitled 'Planning for Bushfire Protection 2006'. Development subject to bushfire risk will be

required to address the requirements in these guidelines and can be downloaded off the RFS web site www.rfs.nsw.gov.au

The Development Control Plan may also contain provisions for development on Bushfire Prone Land and Bushfire Hazard Management. Refer Part 1(3) of this certificate for the applicable Development Control Plan.

(iii) Tidal inundation

NO

Please note this is a statement of Council policy only and NOT a statement on whether or not the property is affected by tidal inundation.

(iv) Subsidence

NO

Please note this is a statement of Council policy only and NOT a statement on whether or not the property is affected by subsidence.

(v) Acid sulphate soils

NO

(vi) Land contamination

NO

Please note this is a statement of Council policy only and NOT a statement on whether or not the property is affected by contamination or potential contamination.

(vii) Any other risk

NO

7A. Flood related development controls information

- (1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls?

NO

Please note this is a statement of flood related development controls and is NOT a statement on whether or not the property is subject to flooding.

- (2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls?

NO

Please note this is a statement of flood related development controls and is NOT a statement on whether or not the property is subject to flooding.

- (3) Words and expressions in this clause have the same meanings as in the standard instrument set out in the Standard Instrument (Local Environmental Plans) Order 2006.

8. Land reserved for acquisition

Whether or not any 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.

The Hills Local Environmental Plan 2012?

NO

Any other Planning Proposal?

NO

State Environmental Planning Policy?

NO

9. Contributions plans

The name of each contributions plan applying to the land:

12 - BALMORAL RD

9A. Biodiversity Certified Land

Whether the land is biodiversity certified land within the meaning of Part 7AA of the Threatened Species Conservation Act 1995?

NO

10. Biobanking Agreements

Whether the land is land to which a biobanking agreement under part 7A of the Threatened Species Conservation Act 1995 relates, (but only if the council has been notified of the existence of the agreement by the Director-General of the Department of Environment, Climate Change and Water)?

NO

11. Bush fire prone land

Has the land been identified as bush fire prone land?

NO

12. Property vegetation plans

Has the council been notified that a property vegetation plan under the Native Vegetation Act 2003 applies to this land?

NO

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

Whether an order has been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on this land (but only if the council has been notified of the order)?

NO

14. Directions under Part 3A

Whether 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?

NO

15. Site compatibility certificates and conditions for seniors housing

(a) Whether there is a current site compatibility certificate (seniors housing) of which 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?

NO

(b) Whether there are 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 that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land?

NO

16. Site compatibility certificates for infrastructure

Whether there is a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land?

NO

17. Site compatibility certificates and conditions for affordable rental housing

(1) Whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land?

NO

(2) Whether there are any terms of a kind referred to in clause 17(1) or 38(1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land?

NO

18. Paper subdivision information

(1) The name of any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot.

NO DEVELOPMENT PLAN APPLIES

(2) The date of any subdivision order that applies to the land.

NO SUBDIVISION ORDER APPLIES

(3) Words and expressions used in this clause have the same meaning as they have in Part 16C of this Regulation.

19. Site verification certificates

Whether there is a current site verification certificate, of which the council is aware, in respect of the land?

NO

Note. A site verification certificate sets out the Director-General's opinion as to whether the land concerned is or is not biophysical strategic agricultural land or critical industry cluster land - see Division 3 of Part 4AA of *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*.

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

NO

(b) that the land to which the certificate relates is subject to a management order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,

NO

(c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act – if it is the subject of such an approved proposal at the date when the certificate is issued,

NO

(d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of the Act – if it is subject to such an order at the date when the certificate is issued,

NO

(e) that the land to which the certificate relates is the subject of a site audit statement within the meaning of the Act – if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

NO

Note: Whether Council has been provided with a copy of any exemption under section 23 or authorisation by the Co-ordinator General under section 24 of the *Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009*?

NO

**THIS PART IS DIRECTED TO THE FOLLOWING MATTERS
PRESCRIBED UNDER SECTION 149 (5) OF THE ABOVE ACT**

NOTE: "When information pursuant to Section 149 (5) is requested the council is under no obligation to furnish any of the information supplied herein pursuant to that Section. Council draws your attention to Section 149 (6), which states that a council shall not incur any liability in respect of any advice provided in good faith pursuant to sub-section (5). The absence of any reference to any matter affecting the land shall not imply that the land is not affected by any matter not referred to in this certificate."

- A.** Whether there are any provisions applying to the land that control the management of trees and bushland?

YES

Clause 5.9 and 5.9AA of The Hills Local Environmental Plan 2012 and Part C Section 3 of The Hills Development Control Plan 2011 contain provisions for the control and management of actions in respect of trees and bushland.

- B.** Does the land contain a foreshore area as identified on The Hills Local Environmental Plan 2012 Foreshore Building Line map?

NO

- C.** Under the Protection of the Environment Operations Act 1997, is the property subject to a listing on the public register maintained by council with respect to an environmental notice or civil proceedings in the Land and Environment Court, or a prosecution under this Act?

NO

- D.** Is the land affected by any special provisions of Sydney Regional Environmental Plan No 9 – Extractive Industry (No 2 – 1995)?

NO

- E.** Is the land affected by a restricted development area as identified under The Hills Development Control Plan 2012?

NO

- F.** Is the land within an area where a Special Infrastructure Contribution, as determined by the Minister for Planning and Infrastructure, applies?

YES

The land is within the Special Infrastructure Contribution – Western Sydney Growth Areas under the *Environmental Planning and Assessment Act 1979*.

Refer to the Department of Planning and Infrastructure for further information

www.planning.nsw.gov.au

- G.** Is the land in the vicinity of a heritage item or heritage conservation area as described in The Hills Local Environmental Plan 2012 **OR** State Environmental Planning Policy (Sydney Region Growth Centres) 2006?

YES

Clause 5.10 (5) of The Hills Local Environmental Plan 2012 provides specific considerations for development in the vicinity of a heritage item or heritage conservation area.

- H.** Whether Council has adopted a Voluntary Planning Agreement within the meaning of S93F of the Environmental Planning and Assessment Act, 1979, as amended, in relation to the land?

NO

- I.** Is the land within or adjacent to the North West Rail Link as identified on the maps prepared by Transport NSW?

YES

Refer to www.northwestrail.com.au. For any further enquiries please contact Transport NSW on 1800 019 989.

- J.** Is the land within or adjacent to the Parramatta to Epping Rail Link as identified on the maps prepared by Transport NSW?

NO

- K.** Does the land contain a proposed road as identified within a Development Control Plan under State Environmental Planning Policy (Sydney Region Growth Centres) 2006?

NO

- L.** Has Council been notified by NSW Land and Property Information that the land is affected by a stratum plan of proposed acquisition for railway purposes (North West Rail Link)?

NO

THE HILLS SHIRE COUNCIL

This land has frontage to a "Classified Road". Roads and Maritime Services, 27-31 Argyle St, Parramatta, is the responsible authority for classified roads and should be consulted for any road widening proposals.

DAVE WALKER
GENERAL MANAGER


Per:

PLEASE NOTE: COUNCIL RETAINS THE ELECTRONIC ORIGINAL OF THIS CERTIFICATE. WHERE THIS CERTIFICATE REFERS TO INFORMATION DISPLAYED ON COUNCIL'S WEBSITE OR TO ANY EXTERNAL WEBSITE, IT REFERS TO INFORMATION DISPLAYED ON THE WEBSITE ON THE DATE THIS CERTIFICATE IS ISSUED.

ATTACHMENT 1(2)(A)**Planning Proposal 13/2013/PLP - The Hills Local Environmental Plan 2012 – Housekeeping 1.**

The Planning Proposal encompasses a number of amendments to Local Environmental Plan (LEP 2012) to ensure the plan is accurate and consistent with the strategic policy position of Council. The amendments include correction of land use table inconsistencies and discrepancies to the written instrument as well as a series of mapping changes. In order to limit the number of amendments to LEP 2012, the changes have been consolidated within a single Planning Proposal commonly referred to as a 'Housekeeping' Amendment.

Key amendments include:

- Deletion of *airstrips* and *helipads* as permissible in residential and some business zones, insertion of *extractive industries* as permissible in the RU2 Rural Landscape zone and removal of *registered clubs* as permissible within the B1 Neighbourhood Centre zone.
- Correction of zoning for certain land at Glenhaven and Kellyville, correction of building heights for certain land at Norwest, North Rocks and Castle Hill and correction of minimum lot sizes for certain land at Castle Hill as these were incorrectly translated from Council's LEP 2005.
- Zoning of various public reserves to RE1 Public Recreation to correctly reflect the reserve status.
- Amendments to zoning and development controls for land at Homeworld V to reflect the built form outcomes in this locality.
- Zoning of land at Resolution Place, Rouse Hill to B6 Enterprise Corridor given the site has been developed for commercial uses.
- Amend the building height for land at Commercial Road, Rouse Hill to 16m to ensure consistency with the adjoining land zoned B5 Business Development.
- Amend land zoned SP2 Infrastructure to R2 Low Density Residential at Greenwich Place, Kellyville and to B6 Enterprise Corridor at Windsor Road, Beaumont Hills to reflect revised Sydney Water acquisition requirements.
- The Minister for the Department of Planning and Infrastructure has chosen to delegate the making of the plan to Council.

For further information please contact Council's Duty Planner on 9843 0469.

The above details are in keeping with the exhibited planning proposal. Please note that changes to the planning proposal may be made post exhibition. The current status and details of the planning proposal can be viewed on Council's website www.thehills.nsw.gov.au under 'Application Tracking' on the home page or under the 'Planning & Development' menu bar.

ATTACHMENT 2(B)**Zone B7 Business Park****1 Objectives of zone**

- To provide a range of office and light industrial uses.
- To encourage employment opportunities.
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.
- To make provision for high technology industries that use and develop advanced technologies, products and processes.

2 Permitted without consent

Nil

3 Permitted with consent

Building identification signs; Business identification signs; Business premises; Child care centres; Food and drink premises; Garden centres; Hardware and building supplies; Heliports; Hotel or motel accommodation; Landscaping material supplies; Light industries; Neighbourhood shops; Office premises; Passenger transport facilities; Plant nurseries; Roads; Respite day care centres; Self storage units; Serviced apartments; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Industrial training facilities; Industries; Marinas; Mooring pens; Moorings; Open cut mining; Recreation facilities (major); Research stations; Residential accommodation; Resource recovery facilities; Restricted premises; Rural industries; Sewerage systems; Sex services premises; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Waste disposal facilities; Water recreation structures; Water supply systems; Wharf or boating facilities

NOTE: This land use table should be read in conjunction with the Dictionary at the end of The Hills LEP 2012 which defines words and expressions for the purpose of the plan.

ATTACHMENT 2(B)**Zone R1 General Residential****1 Objectives of zone**

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To enable other land uses that support the adjoining or nearby commercial centres and protect the amenity of the adjoining or nearby residential areas.

2 Permitted without consent

Home business; Home occupations.

3 Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Business premises; Child care centres; Community facilities; Dual occupancies; Dwelling houses; Group homes; Home-based child care; Hostels; Hotel or motel accommodation; Multi dwelling housing; Neighbourhood shops; Office premises; Places of public worship; Residential flat buildings; Respite day care centres; Restaurants or cafés; Roads; Semi-detached dwellings; Seniors housing; Shop top housing, Any other development not specified in item 2 or 4.

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Environmental facilities; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Information and education facilities; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Public administration buildings; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Residential accommodation; Resource recovery facilities; Restricted premises; Rural industries; Service stations; Sewerage systems; Sex services premises; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste disposal facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies.

NOTE: This land use table should be read in conjunction with the Dictionary at the end of The Hills LEP 2012 which defines words and expressions for the purpose of the plan.

ATTACHMENT 2(B)

Zone SP2 Infrastructure

1 Objectives of zone

- To provide for infrastructure and related uses.
- To prevent development that is not compatible with or that may detract from the provision of infrastructure.

2 Permitted without consent

Roads

3 Permitted with consent

The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose.

4 Prohibited

Any development not specified in item 2 or 3.

NOTE: This land use table should be read in conjunction with the Dictionary at the end of The Hills LEP 2012 which defines words and expressions for the purpose of the plan.

THE HILLS SHIRE COUNCIL

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PLANNING CERTIFICATE UNDER SECTION 149 (2) & (5)
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 AS AMENDED.

Certificate Number: **53892**
Reference: CASUAL:46404
Issue Date: 5 November 2014
Receipt No: 4725812
Fee Paid: \$ 133.00

ADDRESS: 32 Balmoral Road, KELLYVILLE NSW 2155
DESCRIPTION: Lot 12 DP 17213

The land is zoned:
Zone R2 Low Density Residential
Zone RE1 Public Recreation

The following prescribed matters apply to the land to which this certificate relates:

The Environmental Planning and Assessment Amendment Act 1997 commenced operation on 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 Regulation 2000.

THIS CERTIFICATE IS DIRECTED TO THE FOLLOWING MATTERS
PRESCRIBED UNDER SECTION 149 (2) OF THE ABOVE ACT.

1. Names of relevant planning instruments and DCPs

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

(A) **Local Environmental Plans**

The Hills Local Environmental Plan 2012, as amended, applies to all land in the Shire unless otherwise stated in this certificate.

State Environmental Planning Policies

SEPP No.19 - Bushland In Urban Areas
 SEPP No.21 - Caravan Parks
 SEPP No.30 - Intensive Agriculture
 SEPP No.33 - Hazardous And Offensive Development
 SEPP No.50 - Canal Estate Development
 SEPP No.55 - Remediation Of Land
 SEPP No.62 - Sustainable Aquaculture
 SEPP No.64 - Advertising And Signage
 SEPP No.65 - Design Quality Of Residential Flat Development
 SEPP No.70 - Affordable Housing (Revised Schemes)
 SEPP (Building Sustainability Index: Basix) 2004
 SEPP (Major Development) 2005
 SEPP (Mining, Petroleum Production And Extractive Industries) 2007
 SEPP (Miscellaneous Consent Provisions) 2007
 SEPP (Infrastructure) 2007
 SEPP (Exempt and Complying Development Codes) 2008
 SEPP (Affordable Rental Housing) 2009
 SEPP (State and Regional Development) 2011

Sydney Regional Environmental Plan No. 9 Extractive Industries (No.2) - Amendment No.1

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

The following SEPP's may apply to the land. Please refer to '**Land to which Policy applies**' for each individual SEPP.

SEPP (Housing For Seniors Or People With A Disability) 2004
 SEPP No.32 – Urban Consolidation (Redevelopment of Urban Land)

- (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 (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

(A) **Proposed Local Environmental Plans**

Proposed The Hills Local Environmental Plan 2012 (Amendment No.) applies to this land.

Refer Attachment 1(2)(A)

(B) **Proposed State Environmental Planning Policies**

Draft State Environmental Planning Policy (Competition).
State Environmental Planning Policy No 65 – Design Quality of Residential
Flat Development (Amendment No 3).

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

The Hills Development Control Plan 2012

Note: the land is within The Hills Development Control Plan 2012 Part D map sheet. Refer Council's website www.thehills.nsw.gov.au to view the map sheet.

- (4) In this clause, proposed environmental planning instrument includes a planning proposal for a LEP or a draft environmental planning instrument.

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).

- (A) The Hills Local Environmental Plan 2012 applies to the land unless otherwise stated in this certificate and identifies the land to be:

Zone R2 Low Density Residential
Zone RE1 Public Recreation

- (B) The purposes for which the instrument provides that development may be carried out within the zone without development consent:

Refer Attachment 2(B)

Also refer to the applicable instrument for provisions
regarding Exempt Development

- (C) The purposes for which the instrument provides that development may not be carried out within the zone except with development consent:

Refer Attachment 2(B)

Also refer to the applicable instrument for provisions
regarding Complying Development

- (D) The purposes for which the instrument provides that development is prohibited in the zone:

Refer Attachment 2(B)

- (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?

The Hills Local Environmental Plan 2012?

NO

Any other Planning Proposal?

NO

- (F) Whether the land includes or comprises critical habitat?

The Hills Local Environmental Plan 2012?

NO

Any other Planning Proposal?

NO

- (G) Whether the land is in a conservation area (however described)?

The Hills Local Environmental Plan 2012?

NO

Any Other Planning Proposal?

NO

- (H) Whether an item of environmental heritage (however described) is situated on the land?

The Hills Local Environmental Plan 2012?

NO

Any other Planning Proposal?

NO

2A. Zoning and land use under State Environmental Planning Policy (Sydney Region Growth Centres) 2006

To the extent that the land is within any zone (however described) under:

- (a) Part 3 of the *State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the 2006 SEPP)*, or
 - (b) a Precinct Plan (within the meaning of the 2006 SEPP), or
 - (c) a proposed Precinct Plan that is or has been the subject of community consultation or on public exhibition under the ACT.
- (A) State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 2 North Kellyville Precinct Plan) applies to the land unless otherwise stated in this certificate and identifies the land to be:

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 2 North Kellyville Precinct Plan) does not apply.

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 11 The Hills Growth Centre Precincts Plan) applies to the land unless otherwise stated in this certificate and identifies the land to be:

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 11 The Hills Growth Centre Precincts Plan) does not apply.

Note: This precinct plan applies to land within the Box Hill Precinct or Box Hill Industrial Precinct.

- (B) The purposes for which the instrument provides that development may be carried out within the zone without development consent:

Refer Attachment 2(B)

Also refer to the applicable instrument for provisions regarding Exempt Development.

- (C) The purposes for which the instrument provides that development may not be carried out within the zone except with development consent:

Refer Attachment 2(B)

Also refer to the applicable instrument for provisions regarding Complying Development

- (D) The purposes for which the instrument provides that development is prohibited in the zone:

Refer Attachment 2(B)

- (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?

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 2 North Kellyville Precinct Plan)?

NO

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 11 The Hills Growth Centre Precincts Plan)?

NO

- (F) Whether the land includes or comprises critical habitat?

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 2 North Kellyville Precinct Plan)?

NO

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 11 The Hills Growth Centre Precincts Plan)?

NO

- (G) Whether the land is in a conservation area (however described)?

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 2 North Kellyville Precinct Plan)?

NO

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 11 The Hills Growth Centre Precincts Plan)?

NO

- (H) Whether an item of environmental heritage (however described) is situated on the land?

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 2 North Kellyville Precinct Plan)?

NO

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 11 The Hills Growth Centre Precincts Plan)?

NO

3. Complying Development

- (1) The extent to which the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.
- (2) The extent to which complying development may not be carried out on that land because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of that Policy and the reasons why it may not be carried out under those clauses.
- (3) If the council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land, a statement that a restriction applies to the land, but it may not apply to all of the land, and that council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.

General Housing Code and Rural Housing Code

Complying development under the General Housing Code and Rural Housing Code **may not** be carried out on the land **unless** the development is carried out on any part of the lot that is not affected by the following specific land exemption/s:

The land is reserved for a public purpose in the environmental planning instrument. Refer to the Land Zoning Map of the applicable instrument.

Housing Alterations Code and General Development Code

Complying Development under the Housing Alterations Code and General Development Code **may be** carried out on the land.

Commercial and Industrial (New Buildings and Additions) Code

Complying development under the Commercial and Industrial (New Buildings and Additions) Code **may not** be carried out on the land **unless** the development is carried out on any part of the lot that is not affected by the following specific land exemption/s:

The land is reserved for a public purpose in the environmental planning instrument. Refer to the Land Zoning Map of the applicable instrument.

Commercial and Industrial Alterations, Subdivision, Demolition and Fire Safety Codes

Complying Development under the Commercial and Industrial Alterations, Subdivision, Demolition and Fire Safety Codes **may be** carried out on the land.

Note: Where reference is made to an applicable map, this information can be sourced from the following websites:

The Hills Local Environmental Plan 2012 - www.thehills.nsw.gov.au
 State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 2 North Kellyville Precinct) or (Appendix 11 The Hills Growth Centre Precincts Plan) - www.planning.nsw.gov.au

4. Coastal protection

Whether or not the land is affected by the operation of Section 38 or 39 of the *Coastal Protection Act 1979*, but only to the extent that the council has been so notified by the Department of Services, Technology and Administration?

NO

4A. Certain information relating to beaches and coasts

- (1) In relation to a coastal council - whether an order has been made under Part 4D of the *Coastal Protection Act 1979* in relation to temporary coastal protection works (within the meaning of that Act) on the land (or on public land adjacent to that land), except where the council is satisfied that such an order has been fully complied with.

NO

- (2) In relation to a coastal council:

(a) whether the council has been notified under section 55X of the Coastal Protection Act 1979 that temporary coastal protection works (within the meaning of that Act) have been placed on the land (or on public land adjacent to that land), and

(b) if works have been so placed – whether the council is satisfied that the works have been removed and the land restored in accordance with that Act.

NO

(3) (Repealed)

4B. Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

Whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

NO

Note. "Existing coastal protection works" are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

5. Mine subsidence

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

NO

6. Road widening and road realignment

Whether or not the land is affected by any road widening or road realignment under -

(A) Division 2 of Part 3 of the Roads Act 1993; or

NO

(B) any environmental planning instrument; or

NO

(C) any resolution of council?

a) The Hills Development Control Plan 2012?

YES

The Hills Development Control Plan 2012 identifies the land as being affected by a proposed road or road widening. Refer Part 1(3) of this certificate for the applicable map sheet.

b) Any other resolution of council?

NO

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

Whether or not the land is affected by a policy:

- (a) adopted by council, or
- (b) 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, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding)?

Council's policies on hazard risk restrictions are as follows:

(i) Landslip

a) By The Hills Local Environmental Plan 2012 zoning?

NO

No resolution has been adopted but attention is directed to the fact that there are areas within the Shire liable to landslip.

b) By The Hills Local Environmental Plan 2012 local provision?

NO

No resolution has been adopted but attention is directed to the fact that there are areas within the Shire liable to landslip.

c) By The Hills Development Control Plan 2012 provision?

NO

No resolution has been adopted but attention is directed to the fact that there are areas within the Shire liable to landslip.

(ii) Bushfire

YES

Please note this is a statement of Council policy only and NOT a statement on whether or not the property is affected by bushfire. That question is answered in Section 11 of this certificate.

Council has adopted the NSW Rural Fire Service Guidelines entitled 'Planning for Bushfire Protection 2006'. Development subject to bushfire risk will be

required to address the requirements in these guidelines and can be downloaded off the RFS web site www.rfs.nsw.gov.au

The Development Control Plan may also contain provisions for development on Bushfire Prone Land and Bushfire Hazard Management. Refer Part 1(3) of this certificate for the applicable Development Control Plan.

(iii) Tidal inundation

NO

Please note this is a statement of Council policy only and NOT a statement on whether or not the property is affected by tidal inundation.

(iv) Subsidence

NO

Please note this is a statement of Council policy only and NOT a statement on whether or not the property is affected by subsidence.

(v) Acid sulphate soils

NO

(vi) Land contamination

NO

Please note this is a statement of Council policy only and NOT a statement on whether or not the property is affected by contamination or potential contamination.

(vii) Any other risk

NO

7A. Flood related development controls information

- (1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls?

NO

Please note this is a statement of flood related development controls and is NOT a statement on whether or not the property is subject to flooding.

- (2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls?

NO

Please note this is a statement of flood related development controls and is NOT a statement on whether or not the property is subject to flooding.

- (3) Words and expressions in this clause have the same meanings as in the standard instrument set out in the Standard Instrument (Local Environmental Plans) Order 2006.

8. Land reserved for acquisition

Whether or not any 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.

The Hills Local Environmental Plan 2012?

YES

Clause 5.1 of The Hills Local Environmental Plan 2012 variously provides for the acquisition of land within the SP2 Infrastructure, RE1 Public Recreation zones and E1 National Parks and Nature Reserves.

Any other Planning Proposal?

NO

State Environmental Planning Policy?

NO

9. Contributions plans

The name of each contributions plan applying to the land:

12 - BALMORAL RD

9A. Biodiversity Certified Land

Whether the land is biodiversity certified land within the meaning of Part 7AA of the Threatened Species Conservation Act 1995?

NO

10. Biobanking Agreements

Whether the land is land to which a biobanking agreement under part 7A of the Threatened Species Conservation Act 1995 relates, (but only if the council has been notified of the existence of the agreement by the Director-General of the Department of Environment, Climate Change and Water)?

NO

11. Bush fire prone land

Has the land been identified as bush fire prone land?

NO

12. Property vegetation plans

Has the council been notified that a property vegetation plan under the Native Vegetation Act 2003 applies to this land?

NO

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

Whether an order has been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on this land (but only if the council has been notified of the order)?

NO

14. Directions under Part 3A

Whether 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?

NO

15. Site compatibility certificates and conditions for seniors housing

(a) Whether there is a current site compatibility certificate (seniors housing) of which 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?

NO

(b) Whether there are 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 that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land?

NO

16. Site compatibility certificates for infrastructure

Whether there is a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land?

NO

17. Site compatibility certificates and conditions for affordable rental housing

(1) Whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land?

NO

(2) Whether there are any terms of a kind referred to in clause 17(1) or 38(1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land?

NO

18. Paper subdivision information

(1) The name of any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot.

NO DEVELOPMENT PLAN APPLIES

(2) The date of any subdivision order that applies to the land.

NO SUBDIVISION ORDER APPLIES

(3) Words and expressions used in this clause have the same meaning as they have in Part 16C of this Regulation.

19. Site verification certificates

Whether there is a current site verification certificate, of which the council is aware, in respect of the land?

NO

Note. A site verification certificate sets out the Director-General's opinion as to whether the land concerned is or is not biophysical strategic agricultural land or critical industry cluster land - see Division 3 of Part 4AA of *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*.

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

NO

(b) that the land to which the certificate relates is subject to a management order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued,

NO

(c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act – if it is the subject of such an approved proposal at the date when the certificate is issued,

NO

(d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of the Act – if it is subject to such an order at the date when the certificate is issued,

NO

(e) that the land to which the certificate relates is the subject of a site audit statement within the meaning of the Act – if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

NO

Note: Whether Council has been provided with a copy of any exemption under section 23 or authorisation by the Co-ordinator General under section 24 of the *Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009*?

NO

**THIS PART IS DIRECTED TO THE FOLLOWING MATTERS
PRESCRIBED UNDER SECTION 149 (5) OF THE ABOVE ACT**

NOTE: "When information pursuant to Section 149 (5) is requested the council is under no obligation to furnish any of the information supplied herein pursuant to that Section. Council draws your attention to Section 149 (6), which states that a council shall not incur any liability in respect of any advice provided in good faith pursuant to sub-section (5). The absence of any reference to any matter affecting the land shall not imply that the land is not affected by any matter not referred to in this certificate."

- A.** Whether there are any provisions applying to the land that control the management of trees and bushland?

YES

Clause 5.9 and 5.9AA of The Hills Local Environmental Plan 2012 and Part C Section 3 of The Hills Development Control Plan 2011 contain provisions for the control and management of actions in respect of trees and bushland.

- B.** Does the land contain a foreshore area as identified on The Hills Local Environmental Plan 2012 Foreshore Building Line map?

NO

- C.** Under the Protection of the Environment Operations Act 1997, is the property subject to a listing on the public register maintained by council with respect to an environmental notice or civil proceedings in the Land and Environment Court, or a prosecution under this Act?

NO

- D.** Is the land affected by any special provisions of Sydney Regional Environmental Plan No 9 – Extractive Industry (No 2 – 1995)?

NO

- E.** Is the land affected by a restricted development area as identified under The Hills Development Control Plan 2012?

NO

- F.** Is the land within an area where a Special Infrastructure Contribution, as determined by the Minister for Planning and Infrastructure, applies?

YES

The land is within the Special Infrastructure Contribution – Western Sydney Growth Areas under the *Environmental Planning and Assessment Act 1979*.

Refer to the Department of Planning and Infrastructure for further information

www.planning.nsw.gov.au

- G.** Is the land in the vicinity of a heritage item or heritage conservation area as described in The Hills Local Environmental Plan 2012 **OR** State Environmental Planning Policy (Sydney Region Growth Centres) 2006?

NO

- H.** Whether Council has adopted a Voluntary Planning Agreement within the meaning of S93F of the Environmental Planning and Assessment Act, 1979, as amended, in relation to the land?

NO

- I.** Is the land within or adjacent to the North West Rail Link as identified on the maps prepared by Transport NSW?

NO

- J.** Is the land within or adjacent to the Parramatta to Epping Rail Link as identified on the maps prepared by Transport NSW?

NO

- K.** Does the land contain a proposed road as identified within a Development Control Plan under State Environmental Planning Policy (Sydney Region Growth Centres) 2006?

NO

- L.** Has Council been notified by NSW Land and Property Information that the land is affected by a stratum plan of proposed acquisition for railway purposes (North West Rail Link)?

NO

THE HILLS SHIRE COUNCIL

DAVE WALKER
GENERAL MANAGER


Per:

<p>PLEASE NOTE: COUNCIL RETAINS THE ELECTRONIC ORIGINAL OF THIS CERTIFICATE. WHERE THIS CERTIFICATE REFERS TO INFORMATION DISPLAYED ON COUNCIL'S WEBSITE OR TO ANY EXTERNAL WEBSITE, IT REFERS TO INFORMATION DISPLAYED ON THE WEBSITE ON THE DATE THIS CERTIFICATE IS ISSUED.</p>

ATTACHMENT 1(2)(A)**Planning Proposal 13/2013/PLP - The Hills Local Environmental Plan 2012 – Housekeeping 1.**

The Planning Proposal encompasses a number of amendments to Local Environmental Plan (LEP 2012) to ensure the plan is accurate and consistent with the strategic policy position of Council. The amendments include correction of land use table inconsistencies and discrepancies to the written instrument as well as a series of mapping changes. In order to limit the number of amendments to LEP 2012, the changes have been consolidated within a single Planning Proposal commonly referred to as a 'Housekeeping' Amendment.

Key amendments include:

- Deletion of *airstrips* and *helipads* as permissible in residential and some business zones, insertion of *extractive industries* as permissible in the RU2 Rural Landscape zone and removal of *registered clubs* as permissible within the B1 Neighbourhood Centre zone.
- Correction of zoning for certain land at Glenhaven and Kellyville, correction of building heights for certain land at Norwest, North Rocks and Castle Hill and correction of minimum lot sizes for certain land at Castle Hill as these were incorrectly translated from Council's LEP 2005.
- Zoning of various public reserves to RE1 Public Recreation to correctly reflect the reserve status.
- Amendments to zoning and development controls for land at Homeworld V to reflect the built form outcomes in this locality.
- Zoning of land at Resolution Place, Rouse Hill to B6 Enterprise Corridor given the site has been developed for commercial uses.
- Amend the building height for land at Commercial Road, Rouse Hill to 16m to ensure consistency with the adjoining land zoned B5 Business Development.
- Amend land zoned SP2 Infrastructure to R2 Low Density Residential at Greenwich Place, Kellyville and to B6 Enterprise Corridor at Windsor Road, Beaumont Hills to reflect revised Sydney Water acquisition requirements.
- The Minister for the Department of Planning and Infrastructure has chosen to delegate the making of the plan to Council.

For further information please contact Council's Duty Planner on 9843 0469.

The above details are in keeping with the exhibited planning proposal. Please note that changes to the planning proposal may be made post exhibition. The current status and details of the planning proposal can be viewed on Council's website www.thehills.nsw.gov.au under 'Application Tracking' on the home page or under the 'Planning & Development' menu bar.

ATTACHMENT 2(B)**Zone R2 Low Density Residential****1 Objectives of zone**

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To maintain the existing low density residential character of the area.

2 Permitted without consent

Home business; Home occupations

3 Permitted with consent

Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Dual occupancies; Dwelling houses; Group homes; Health consulting rooms; Home-based child care; Roads; Any other development not specified in item 2 and 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Child care centres; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Environmental facilities; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Health services facilities; Heavy industrial storage establishments; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Information and education facilities; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Public administration buildings; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Residential accommodation; Respite day care centres; Restricted premises; Rural industries; Service stations; Sewerage systems; Sex services premises; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies.

NOTE: This land use table should be read in conjunction with the Dictionary at the end of The Hills LEP 2012 which defines words and expressions for the purpose of the plan.

ATTACHMENT 2(B)**Zone RE1 Public Recreation****1 Objectives of zone**

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.

2 Permitted without consent

Environmental protection works.

3 Permitted with consent

Building identification signs; Business identification signs; Car parks; Child care centres; Community facilities; Emergency service facilities; Environmental facilities; Information and education facilities; Kiosks; Markets; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; Restaurants or cafés; Roads; Take away food and drink premises; Water recreation structures.

4 Prohibited

Any development not specified in item 2 or 3.

NOTE: This land use table should be read in conjunction with the Dictionary at the end of The Hills LEP 2012 which defines words and expressions for the purpose of the plan.

Applicant ROHAN HAMMOND
LEVEL 1, 50 MARGARET STREET
SYDNEY NSW 2000

Property LOT 11 DP 1084455
235 MEURANTS LANE,

Suburb GLENWOOD Parish of Gidley

NOTE: The land the subject of this Certificate is known to be located in the suburb of Glenwood.
For all correspondence and property transactions this suburb name is to be used.

PART A
PRESCRIBED INFORMATION PROVIDED PURSUANT TO
SECTION 149(2) OF THE ENVIRONMENTAL PLANNING
AND ASSESSMENT ACT 1979 (EP&A Act 1979)

NOTE: The following information is provided pursuant to Section 149(2) of the EP&A Act 1979, as prescribed by Schedule 4 of the *Environmental Planning and Assessment Regulation 2000*, and is applicable as of the date of this certificate.

1. NAMES OF RELEVANT PLANNING INSTRUMENTS AND DEVELOPMENT CONTROL PLANS

1.1 Environmental Planning Instruments

The abovementioned land is affected by the following environmental planning instrument and proposed environmental planning instrument/s (where applicable) which have been the subject of community consultation or on public exhibition under the Act.

Blacktown Local Environmental Plan 1988 (Refer to Attachment A)

Blacktown Local Environmental Plan 1988 specifies the purposes for which development may be carried out or are prohibited.

Draft Blacktown Local Environmental Plan 2013 (Refer to Attachment B)

Blacktown City Council has a draft City-wide Local Environmental Plan, known as Draft Blacktown Local Environmental Plan (BLEP) 2013, which will eventually replace the existing BLEP 1988. Draft BLEP 2013 has been prepared in accordance with the NSW State Government's Standard Instrument (Local Environmental Plans) Order 2006.

Draft BLEP 2013 specifies the purposes for which development may be carried out (either with or without the need for development consent) or which are prohibited in the zone proposed to apply to the land.

Under the exhibited version of Draft BLEP 2013 it was proposed to zone the land:

R2 - LOW DENSITY RESIDENTIAL
SP2 - INFRASTRUCTURE - DRAINAGE

At its Extraordinary Meeting of 9 December 2013, Council resolved to adopt Draft BLEP 2013 subject to amendments, and to forward the amended plan to the NSW Government to be made law. Under the adopted version of Draft BLEP 2013, it is proposed to zone the land:

R2 - LOW DENSITY RESIDENTIAL
SP2 - INFRASTRUCTURE - DRAINAGE

1.2 Development Control Plans

The land is affected by Blacktown Development Control Plan (DCP) 2006.

This DCP provides general guidance for the development of land within the City of Blacktown.

1.3 Relevant State Environmental Planning Policies (SEPPs), including draft policies, or Regional Environmental Plans deemed to be SEPPs

State Environmental Planning Policy No. 1 - Development standards

The policy requires that variations to development standards must meet the objectives of local plans and controls. It makes development standards more flexible. It allows councils to approve a development proposal that does not comply with a set standard where this can be shown to be unreasonable or unnecessary.

State Environmental Planning Policy No. 4 - Development Without Consent and Miscellaneous Complying Development

This policy permits minor development and activities on land without a development application or through alternative assessment. This policy should be read in conjunction with Councils controls for Exempt and Complying Development.

State Environmental Planning Policy - Housing For Seniors Or People With a Disability 2004

State Environmental Planning Policy No. 5 - Housing for Older People and People with a Disability has been repealed by a new State Environmental Planning Policy (SEPP) - Seniors Living 2004, which was renamed to SEPP (Housing for Seniors or People with a Disability) 2004 effective from 12 October 2007. The new SEPP sets out standards and design requirements for self-care housing, "serviced" self-care housing, vertical villages, residential care facilities and hostels. The Policy recognises that demand for these forms of housing will grow over the next 10 - 15 years. It encourages the development of high quality accommodation for our ageing population and for people who have disabilities - housing that is in keeping with the local neighbourhood.

State Environmental Planning Policy No. 6 - Number of Storeys in a Building

This policy sets out a method for determining the number of storeys in a building, to prevent possible confusion arising from the interpretation of various environmental planning instruments.

State Environmental Planning Policy No. 19 - Bushland in Urban Areas

This policy protects and preserves bushland within certain urban areas, as part of the natural heritage or for recreational, educational and scientific purposes. The policy is designed to protect bushland in public open space zones and reservations, and to ensure that bush preservation is given a high priority when local environmental plans for urban development are prepared.

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

This policy states the Government's intention to ensure that urban consolidation objectives are met in all urban areas throughout the State. The policy focuses on the redevelopment of urban land that is no longer required for the purpose it is currently zoned or used and encourages local councils to pursue their own urban consolidation strategies to help implement the aims and objectives of the policy. Councils will continue to be responsible for the majority of rezonings. The policy sets out guidelines for the Minister to follow when considering whether to initiate a regional environmental plan (REP) to make particular sites available for consolidated urban redevelopment. Where a site is rezoned by an REP, the Minister will be the consent authority.

State Environmental Planning Policy No. 55 - Remediation of Land

This policy provides state-wide planning controls for the remediation of contaminated land. The policy states that land must not be developed if it is unsuitable for a proposed use because it is contaminated. If the land is unsuitable, remediation must take place before the land is developed. The policy makes remediation permissible across the State, defines when consent is required, requires all remediation to comply with standards, ensures land is investigated if contamination is suspected, and requires councils to be notified of all remediation proposals.

State Environmental Planning Policy No. 62 - Sustainable Aquaculture

This policy encourages the sustainable expansion of the industry in NSW. The policy implements the regional strategies already developed by creating a simple approach to identify and categorise aquaculture development on the basis of its potential environmental impact. The SEPP also identifies aquaculture development as a designated development only where there are potential environmental risks.

State Environmental Planning Policy No. 64 - Advertising and Signage

This policy aims to ensure that outdoor advertising is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations and is of high quality design and finish. The SEPP was amended in August 2007 to permit and regulate outdoor advertising in transport corridors (e.g. freeways, tollways and rail corridors). The amended SEPP also aims to ensure that public benefits may be derived from advertising along and adjacent to transport corridors.

State Environmental Planning Policy - Affordable Rental Housing 2009

This policy establishes a consistent planning regime for the provision of affordable rental housing. The policy provides incentives for new affordable rental housing, facilitates the retention of existing affordable rentals, and expands the role of not-for-profit providers. It also aims to support local centres by providing housing for workers close to places of work, and facilitate development of housing for the homeless and other disadvantaged people.

State Environmental Planning Policy - Exempt and Complying Development Codes

This policy streamlines assessment processes for development that complies with specified development standards. The policy provides exempt and complying development codes that have State-wide application, identifying, in the General Exempt Development Code, types of development that are of minimal environmental impact that may be carried out without the need for development consent; and, in the General Housing Code, types of complying development that may be carried out in accordance with a complying development certificate as defined in the Environmental Planning and Assessment Act 1979.

State Environmental Planning Policy - Major Development 2005

The SEPP facilitates the development, redevelopment or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State so as to facilitate the orderly use, development or conservation of those State significant sites for the benefit of the State. Schedule 3 of the SEPP identifies State significant sites and provides planning provisions for those sites. Note: This SEPP was formerly known as State Environmental Planning Policy (Major Projects) 2005.

State Environmental Planning Policy - Basix

This SEPP operates in conjunction with Environmental Planning and Assessment Amendment (Building Sustainability Index: BASIX) Regulation 2004 to ensure the effective introduction of BASIX in NSW. The SEPP ensures consistency in the implementation of BASIX throughout the State by overriding competing provisions in other environmental planning instruments and development control plans, and specifying that SEPP 1 does not apply in relation to any development standard arising under BASIX. The draft SEPP was exhibited together with draft Environmental Planning and Assessment Amendment (Building Sustainability Index: BASIX) Regulation 2004.

State Environmental Planning Policy - Infrastructure 2007

This policy provides a consistent planning regime for infrastructure and the provision of services across NSW, along with providing for consultation with relevant public authorities during the assessment process. The SEPP supports greater flexibility in the location of infrastructure and service facilities along with improved regulatory certainty and efficiency.

State Environmental Planning Policy - Mining, Petroleum Production and Extractive Industries 2007

This policy aims to provide for the proper management and development of mineral, petroleum and extractive material resources for the social and economic welfare of the State. The policy establishes appropriate planning controls to encourage ecologically sustainable development.

State Environmental Planning Policy - Temporary Structures 2007

This policy provides for the erection of temporary structures and the use of places of public entertainment, while protecting public safety and local amenity. The SEPP supports the transfer of the regulation of places of public entertainment and temporary structures (such as tents, marquees and booths) from the Local Government Act 1993 to the Environmental Planning and Assessment Act 1979.

Sydney Regional Environmental Plan No. 19 - Rouse Hill Development Area

Regional Environmental Plan No. 19 - Rouse Hill Development Area covers about 9,400 hectares in the north-west sector, north of Blacktown. The plan co-ordinates planning and decision-making for long term growth, identifying land that is suitable for urban purposes and providing for the orderly and economic development of an area within the North West Sector.

2. ZONING AND LAND USE UNDER RELEVANT ENVIRONMENTAL PLANNING INSTRUMENTS

- (a) Pursuant to Blacktown Local Environmental Plan (LEP) 1988 the land is zoned:

2(a) - RESIDENTIAL 'A' CLAUSE 48

5(a) - SPECIAL USES - DRAINAGE

- (b) Extracts from Blacktown Local Environmental Plan 1988 which specify the purposes for which development may be carried out within the zone/s applying to the land the subject of this Certificate are at Attachment A.

Should you require further information about the permissibility of development and related development standards it is recommended that you consult a full copy of Blacktown Local Environmental Plan 1988. It should be noted that the Environmental Planning & Assessment Act 1979, as amended, changes the way in which Blacktown Local Environmental Plan 1988 and other State Government issued environmental planning instruments should be interpreted. Pursuant to the amended Environmental Planning & Assessment Act 1979 Council's development consent is now required for all development regardless of its zoning/s, other than "exempt development" and "complying development", as defined in Blacktown Local Environmental Plan 1988.

- (c) Extracts from Blacktown Local Environmental Plan 1988 which specify the purpose for which development may not be carried out within the zone/s applying to the land the subject of this Certificate are at Attachment A.
- (d) An extract of the planning instrument at Attachment A provides details of the purposes for which development is prohibited within the zone applying to the land.
- (e) Blacktown Local Environmental Plan 1988 does not nominate minimum land dimensions for the erection of a dwelling-house. It is noted however that Blacktown Development Control Plan 2006 stipulates minimum areas for subdivision, integrated housing, dual occupancies and the like.
- (f) The land does not include or comprise a critical habitat. Critical habitat refers to habitat that is critical to the survival of endangered species, populations or ecological communities. Areas of critical habitat are declared under Part 3 of the Threatened Species Conservation Act 1995 and Part 7A of the Fisheries Management Act 1994.
- (g) The land is not within a conservation area.
- (h) This land does not contain an item of environmental heritage under the protection of Blacktown Local Environmental Plan 1988.

3. COMPLYING DEVELOPMENT

Complying Development under the *General Housing Code* of the Codes SEPP may not be carried out on the land. The land is affected by specific land exemptions:

the land is reserved for a public purpose in an environmental planning instrument.

Complying Development under the *Rural Housing Code* of the Codes SEPP may not be carried out on the land unless complying development is carried out on the part of the lot to which clause 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 does not apply. The land is affected by specific land exemptions:

the land is reserved for a public purpose in an environmental planning instrument.

Complying Development under the *Housing Alterations Code* of the Codes SEPP may be carried out on the land.

Complying Development under the *General Development Code* of the Codes SEPP may be carried out on the land.

Complying Development under the *Commercial and Industrial Alterations Code* of the Codes SEPP may be carried out on the land.

Complying Development under the *Commercial and Industrial (New Buildings and Additions) Code* of the Codes SEPP may be carried out on the land.

Complying Development under the *Subdivisions Code* of the Codes SEPP may be carried out on the land.

Complying Development under the *Demolition Code* of the Codes SEPP may be carried out on the land.

Complying Development under the *Fire Safety Code* of the Codes SEPP may be carried out on the land.

Note: Despite the above provisions, if only part of a lot is subject to an exclusion or exemption under Clause 1.17A or Clause 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 then complying development may be carried out on that part of the lot that is not affected by the exclusion or exemption.

Disclaimer: This information only addresses matters raised in Clauses 1.17A and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. It is your responsibility to ensure that you comply with the general requirements of the State Environmental Planning Policy (Exempt and Complying Codes) 2008. Failure to comply with these provisions may mean that a Complying Development Certificate issued under the provisions of State Environmental Planning Policy (Exempt and Complying Codes) 2008 is invalid.

4. COASTAL PROTECTION

The land is not affected by the operation of Sections 38 or 39 of the *Coastal Protection Act, 1979*.

5. MINE SUBSIDENCE

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

6. ROAD WIDENING AND ROAD REALIGNMENT

Blacktown Local Environmental Plan 1988 and Blacktown Development Control Plan 2006 nominate preferred road patterns throughout the City.

The land is not affected by road widening/road realignment under Division 2 of Part 3 of the Roads Act 1993 and/or environmental planning instrument.

The land is affected by a road pattern.

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

Council has not adopted any policies to restrict the development of the land by reason of the likelihood of landslip, bushfire, tidal inundation, subsidence or the occurrence of acid sulphate soils. Although the Council has not adopted a specific policy to restrict development on bush fire prone land, it is bound by statewide bush fire legislation that may restrict development. In this regard, refer to point 11 below.

Council has adopted a policy on contaminated land which may restrict the development of this land. The land contamination policy applies when zoning or land use changes are proposed on land which has previously been used for certain purposes or has the potential to be affected by such purposes undertaken on nearby lands. Council's records may not be sufficient to determine all previous uses on the land, or determine activities that may have taken place on this land. Consideration of Council's policy and the application of provisions under the relevant State legislation and guidelines is necessary.

7A. FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION

There are currently no mainstream or backwater flood-related development controls adopted by Council that apply to the land subject to this Certificate.

8. LAND RESERVED FOR ACQUISITION

Clauses 17, 17A and 18 of Blacktown Local Environmental Plan 1988 provide for the acquisition of certain land zoned 5(a), 5(b), 5(c), 6(a) or 6(c) by a public authority.

Draft Blacktown Local Environmental Plan 2013 makes provision for land included on the Land Reservation Acquisition Map to be acquired by a public authority.

9. CONTRIBUTIONS PLANS

Council currently levies contributions under Section 94 of the EP&A Act 1979 for facilities and services. The further development of the subject land may incur such contribution.

This property is affected by Section 94 Contributions Plan No 5 - Parklea Release Area.

This property is also affected by Draft Section 94 Contributions Plan No 5 - Parklea Release Area.

9A. BIODIVERSITY CERTIFIED LAND

The land has not been granted biodiversity certification within the meaning of the Threatened Species Conservation Act 1995.

10. BIOBANKING AGREEMENTS

Council has not been notified of the existence of a biodiversity agreement under the Threatened Species Conservation Act 1995.

11. BUSH FIRE PRONE LAND

The *Rural Fires and Environmental Assessment Legislation Amendment Act 2002*, which came into force on 1 August 2002, introduced development provisions for bush fire prone land as shown on a Bush Fire Prone Land Map. "Bush fire prone land" is land that has been designated by the Commissioner of the NSW Rural Fire Service as being bush fire prone due to characteristics of vegetation and topography. The land the subject of this certificate has been identified on Council's Bush Fire Prone Land Map as being:

clear of any bush fire prone land

On land that is bush fire prone, certain development may require further consideration under Section 79BA or Section 91 of the EP&A Act 1979 and under Section 100B of the *Rural Fires Act 1997*.

12. PROPERTY VEGETATION PLANS

Land to which this Certificate applies is not subject to a Property Vegetation Plan under the provisions of the *Native Vegetation Act 2003*.

13. ORDERS UNDER TREES (DISPUTES BETWEEN NEIGHBOURS) ACT 2006

Land to which this Certificate applies is not the subject of an order made under the *Trees (Disputes Between Neighbours) Act 2006*.

14. DIRECTIONS UNDER PART 3A

Land to which this Certificate applies is not subject to the above.

15. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR SENIORS HOUSING

Land to which this Certificate applies is not subject to the above.

16. SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE

Land to which this Certificate applies is not subject to the above.

17. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING

Land to which this Certificate applies is not subject to the above.

18. MATTERS ARISING UNDER THE CONTAMINATED LAND MANAGEMENT ACT 1997 AND CONTAMINATED LAND MANAGEMENT AMENDMENT ACT 2008

- (a) The land to which this certificate relates has not been declared to be significantly contaminated land at the date when the certificate was issued.

- (b) The land to which the certificate relates is not subject to a management order at the date when the certificate was issued.
- (c) The land to which this certificate relates is not the subject of an approved voluntary management proposal at the date when the certificate was issued.
- (d) The land to which this certificate relates is not subject to an ongoing maintenance order as at the date when the certificate was issued.
- (e) The land to which this certificate relates is not the subject of a site audit statement provided to the Council.

PART B
ADDITIONAL INFORMATION PROVIDED PURSUANT TO
SECTION 149(5) OF THE *ENVIRONMENTAL PLANNING*
AND ASSESSMENT ACT 1979 (EP&A Act 1979)

NOTE: When information pursuant to section 149(5) is requested the Council is under no obligation to furnish any of the information supplied herein pursuant to that section. Council draws your attention to section 149(6) which states that a Council shall not incur any liability in respect of any advice provided in good faith pursuant to sub-section (5). The absence of any reference to any matter affecting the land shall not imply that the land is not affected by any matter not referred to in this Certificate.

This advice is provided in accordance with Section 149(5) and 149(6) of the EP&A Act 1979:

The land is affected by a tree preservation control under Blacktown Local Environmental Plan 1988. A person shall not ringbark, cut down, lop, top, remove, injure or wilfully destroy any tree, or cause any tree to be ringbarked, cut down, topped, lopped, injured or wilfully destroyed, except with the consent of the Council.

The provisions of any covenant, agreement or instrument applying to this land purporting to restrict or prohibit certain development may be inconsistent with the provisions of a Regional Environmental Plan, State Environmental Planning Policy or Blacktown Local Environmental Plan 1988, in which case the provisions of any such covenant, agreement or instrument may be overridden.

The *Threatened Species Conservation Act 1995* provides for the conservation of threatened species, populations and ecological communities of animals and plants. The *Threatened Species Conservation Act* amended the *Environmental Planning and Assessment Act 1979* to require, amongst other things, that:-

- (a) a critical habitat (as defined in the *Threatened Species Conservation Act 1995*) be identified in environmental planning instruments;
- (b) consent authorities and determining authorities must, when considering proposed development or an activity, assess whether it is likely to significantly affect threatened species, populations and ecological communities, or their habitats, and, if a significant effect is likely, to require the preparation of a species impact statement in accordance with the requirements of the *Threatened Species Conservation Act 1995*;

- (c) consent authorities and determining authorities must, when considering proposed development or an activity, have regard to the relevant recovery plans and threat abatement plans; and
- (d) a regime for concurrence and consultation between consent authorities and determining authorities and the Minister administering the *Threatened Species Conservation Act 1995* or the Director-General of the National Parks and Wildlife be instructed to aid the assessment process under the *Environmental Planning & Assessment Act 1979*.

The *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* provides protection for items of national significance. The Act requires a separate Commonwealth approval to be obtained where an action is likely to have significant impacts on items of national environmental significance. Items of national environmental significance include, amongst other things, nationally threatened animal and plant species and ecological communities. The Commonwealth Department of the Environment and Water Resources should be contacted for further advice.

General Manager

Per: _____

End of Certificate

ATTACHMENT A

EXTRACT FROM BLACKTOWN LOCAL ENVIRONMENTAL PLAN 1988

ZONE No. 2 (a) (RESIDENTIAL "A" ZONE)

1. Objectives of zone

The objectives are -

- (a) to make general provision to set aside land to be used for the purpose of housing and associated facilities;
- (b) to identify existing residential areas of a predominantly single dwelling character, and to maintain that character by prohibiting residential flat buildings;
- (c) to enable sensitive infill development of other housing types if the infill development is of a bulk, scale and appearance that does not adversely impact on adjoining development or the amenity of the locality;
- (d) to enable development for a variety of housing forms, including townhouses, villas, integrated housing, dual occupancies and the like, if such development does not interfere with the amenity of surrounding residential areas by way of overshadowing, overlooking, or loss of privacy;
- (e) to allow people to carry out a reasonable range of activities from their homes, where such activities are not likely to adversely affect the living environment of neighbours; and
- (f) to allow within the zone a range of non-residential uses which -
 - (i) are capable of visual integration with the surrounding environment;
 - (ii) either serve the needs of the surrounding population or the needs of the City of Blacktown without conflicting with the basic intent of the zone; and
 - (iii) do not place demands on public services beyond the level reasonably required for residential use.

2. Development that does not require consent

Nil.

3. Development which requires consent

Any purpose other than a purpose included in Item 2 or 4 of the matter relating to this zone.

4. Prohibited

Residential flat buildings; purposes listed in Schedule 1.

PART 3 - SPECIAL PROVISIONS

DIVISION 1 - Subdivision of Land

Subdivision generally

10. (1) A person shall not subdivide land to which this plan applies without the consent of the council.
- (2) Land shall not be subdivided unless the boundaries of allotments so created correspond generally with the boundaries, if any, between zones as shown on the map.
- (3) Notwithstanding the provisions of subclause (2), the council may consent to a plan of subdivision whereby the boundaries of allotments so created will not correspond with the boundaries between different zones as shown on the map but which, in the opinion of the council, depart from those boundaries only to a minor extent.
- (4) Where, upon a registration of a plan of subdivision referred to in subclause (3), the boundary between land is determined in a different position from the boundary between different zones indicated on the map, land shall be deemed to be within the appropriate zone as determined by the council.
- (5) The council shall not grant consent to the subdivision of any part of the land to which this plan applies unless the plan of subdivision makes provision for any proposed road on that part of the land shown by parallel broken lines on the map to be opened generally in the locations shown on the map.

Subdivision of dual occupancies

- 10A. (1) The council must not consent to a subdivision that creates separate land titles for the two dwellings comprising a dual occupancy.

Note: Amendment No. 95 to Blacktown Local Environmental Plan 1988 provides a savings provision that enables an application to subdivide a dual occupancy which has been lawfully erected, or which may be lawfully erected, in accordance with a consent that was applied for after 1 January 1992 and prior to 13 March 1998 to be determined as if the clause 10A does not apply.

- (2) Despite subclause (1), the council may consent to the subdivision of a corner allotment of land on which a detached dual occupancy is situated within any of the residential zones so as to create separate land titles for each dwelling, if:
- (a) the two dwellings comprising the detached dual occupancy each face different streets, and
- (b) it can be demonstrated that:
- (i) the detached dual occupancy complies with the council's development requirements under *Blacktown Development Control Plan 1992* for detached dual occupancies on corner allotments in the residential zone concerned, and
- (ii) the objectives of the residential zone concerned will not be compromised by the subdivision, and
- (c) the area of each allotment to be created by the subdivision is not less than 300 square metres.

Home activity

23. (1) The council shall not consent to the carrying out of development for the purposes of a home activity on land within Zone No. 1 (a), 1 (b), 2 (a), 2 (b) or 2 (c) except in accordance with subclause (2).
- (2) The council may -
- (a) in relation to land within Zone No. 1 (a) or 1 (b), consent to -
 - (i) the use of a building for the purpose of a home activity occupying a gross floor area of up to but not exceeding 100 square metres; and
 - (ii) the sale from the building of artefacts or produce manufactured or grown on the premises or on the land on which the building is erected; or
 - (b) in relation to land within Zone No. 2 (a), 2 (b) or 2 (c), consent to the use of a building for the purpose of a home activity occupying a gross floor area of up to but not exceeding 50 square metres where -
 - (i) public comment has been sought from persons who, in the opinion of the council, could reasonably be considered to be affected by that use; and
 - (ii) the council is satisfied that the granting of consent would not be contrary to the public interest.

Tree preservation

25. (1) A person shall not ringbark, cut down, lop, top, remove, injure or wilfully destroy any tree, or cause any tree to be ringbarked, cut down, topped, lopped, removed, injured or wilfully destroyed; except with the consent of the council.
- (2) In any proceedings for an offence arising under this clause, it shall be sufficient defence to prove that the tree ringbarked, cut down, topped, lopped, removed, injured or wilfully destroyed was dying or dead or had become dangerous.
- (3) This clause does not apply to trees in a State forest or on land reserved as a timber reserve within the meaning of the Forestry Act 1916, or to trees required to be lopped in accordance with Regulation 38 or 39 of the Overhead Line Construction and Maintenance Regulations 1962, or to any trees which are under the control or management of the Water Board.
- (4) This clause does not operate so as to require a consent to be given pursuant to this clause for the carrying out of development at a plant nursery if the development could lawfully be carried out at the plant nursery in the absence of this clause.

Covenants, agreements etc.

26. (1) For the purpose of enabling development to be carried out in accordance with this plan (as in force at the time the development is carried out) or in accordance with a consent granted under the Act, the operation of any covenant, agreement or instrument imposing restrictions on development, to the extent necessary to serve that purpose, shall not apply to the development.
- (2) Nothing in the subclause (1) shall affect the rights or interests of the council under any registered instrument.
- (3) Pursuant to section 28 of the Act, before the making of this plan, the Governor approved of subclauses (1) and (2).

Nuclear activities

30. Notwithstanding any other provision of this plan, a person shall not carry out development on land to which this plan applies for the purposes of -
- (a) mining prohibited by the Uranium Mining and Nuclear Facilities (Prohibition) Act 1986;
 - (b) a nuclear facility, the construction or operation of which is prohibited under that Act;
or
 - (c) a facility for the storage or disposal of radioactive waste material referred to in section 8(3)(b) of that Act, except pursuant to a licence under the Radioactive Substances Act 1957.

Development of land in Zones Nos 2 (a), 2 (b) and 2 (c)

48. (1) This clause applies to land within the City of Blacktown within Zone No. 2 (a), 2 (b) or 2 (c).
- (2) On land shown edged heavy black and marked "Clause 48":
- (a) on Sheets 1-6 of the map marked "Blacktown Local Environmental Plan 1988 (Amendment No 142)," and
 - (b) on the map marked "Blacktown Local Environmental Plan 1988 (Amendment No 179)",
- development for the purpose of dual occupancies, integrated housing and medium density housing may be carried out, with the consent of the Council, but only if the development is limited to two storeys in height.
- (3) On land subject to this clause but not subject to subclause (2), development for the purpose of dual occupancies, integrated housing and medium density housing may be carried out, with the consent of the Council, but only if the development is limited to one storey in height.
- (4) Notwithstanding subclause (3), development for the purpose of dual occupancies, integrated housing and medium density housing may be carried out, with the consent of the Council, to a height of two storeys, on land subject to subclause (3), but only where the proposed dwelling immediately adjoins an existing public road.
- (5) Notwithstanding subclauses (3) and (4), development for the purpose of dual occupancies, integrated housing and medium density housing may be carried out, with the consent of the Council, to a height of two storeys on land subject to subclause (3), where the subject land comprises an area of 1 hectare or more of residentially zoned land.
- (6) Notwithstanding any of the above provisions, land to which Clause 43B applies is excluded from the provisions of this clause.
- (7) Notwithstanding any of the above provisions, land to which clause 50 applies is excluded from the provisions of this clause.

ATTACHMENT A

EXTRACT FROM BLACKTOWN LOCAL ENVIRONMENTAL PLAN 1988

ZONE No. 5 (a) (SPECIAL USES - GENERAL ZONE)

1. Objectives of zone

The objectives are -

- (a) to identify land which is currently used by public authorities, organisations and the council to provide certain community facilities and services;
- (b) to identify land reserved for future acquisition by the council for a range of community facilities and services;
- (c) to identify land which has been reserved at the request of certain public authorities for its future acquisition to provide a range of community facilities and services; and
- (d) in relation to land marked "Corridor" on the map -
 - (i) to set aside land for the development of certain major long-term services and facilities, and special uses carried out by public authorities in an economic, safe and environmentally sensitive manner, and
 - (ii) to allow the identified land to be used for recreational or other purposes where that use does not conflict with the existing or likely future use of the land by public authorities.

2. Development that does not require consent

Nil

3. Development which requires consent

The particular purpose indicated by black lettering on the map and purposes normally associated with and ancillary to the particular purpose indicated on the map; drains; public utility undertakings; recreation areas; roads; telecommunications facilities; utility installations (other than gas holders or generating works).

4. Prohibited

Any purpose other than a purpose included in Item 3 of the matter relating to this zone.

PART 3 - SPECIAL PROVISIONS

DIVISION 1 - Subdivision of Land

Subdivision generally

10. (1) A person shall not subdivide land to which this plan applies without the consent of the council.
- (2) Land shall not be subdivided unless the boundaries of allotments so created correspond generally with the boundaries, if any, between zones as shown on the map.
- (3) Notwithstanding the provisions of subclause (2), the council may consent to a plan of subdivision whereby the boundaries of allotments so created will not correspond with the boundaries between different zones as shown on the map but which, in the opinion of the council, depart from those boundaries only to a minor extent.
- (4) Where, upon a registration of a plan of subdivision referred to in subclause (3), the boundary between land is determined in a different position from the boundary between different zones indicated on the map, land shall be deemed to be within the appropriate zone as determined by the council.
- (5) The council shall not grant consent to the subdivision of any part of the land to which this plan applies unless the plan of subdivision makes provision for any proposed road on that part of the land shown by parallel broken lines on the map to be opened generally in the locations shown on the map.

DIVISION 4 - Miscellaneous

Acquisition of land in Zone No. 5 (a), 5 (b), 5 (c), 6 (a) or 6 (c)

17. (1) The owner of land within Zone No. 5 (a), 5 (c), 6 (a) or 6 (c) may, by notice in writing, require
- (a) in the case of land -
 - (i) within Zone No. 5 (a) and marked on the map "Community Uses", "Council Purposes", "Drainage" or "Parking"; or
 - (ii) within Zone No. 5 (c) or 6 (a),
- the council;
- (b) in the case of land within Zone No. 5 (a) and marked on the map "School" or "Technical College", the Minister for Education and Training;
 - (c) in the case of land within Zone No. 5 (a) and marked on the map "Corridor" (excluding that land described in Schedule 3 and land within Zone No. 6 (c), the Minister for Planning;
 - (d) in the case of land within Zone No. 5 (a) and marked on the map "Water, Sewerage and Drainage" or "W S & D", the Sydney Water Corporation;
 - (e) in the case of land within Zone No. 5 (a) and marked on the map "Ambulance", the Department of Health;
 - (f) in the case of land within Zone No. 5 (a) and marked on the map "P.C.C.", Integral Energy;
 - (g) in the case of land within Zone No. 5 (a) and marked on the map "Railways", the Rail Corporation New South Wales;
 - (h) in the case of land within Zone No. 5 (a) and marked on the map "Telecom", Telstra Corporation Limited; and
 - (i) in the case of land within Zone No. 5 (a) marked on the map "Drainage (Water Board)" or "Drainage (W.B.)", the Sydney Water Corporation;
 - (k) in the case of land within Zone No. 5 (a) and marked on the map "Public Transport Corridor", the Minister for Planning,
- to acquire the land.
- (2) Subject to subclauses (3) and (5), on receipt of a notice referred to in subclause (1), the Minister or public authority concerned shall acquire the land.
- (3) Nothing in this plan other than subclause (4) shall require the council to acquire any land within Zone No. 6 (a) or land within Zone No. 5 (a) and marked on the map "Community Uses":
- (a) where the land may be required to be provided as a condition of approval to the carrying out of development on land in the vicinity and in the same ownership; or
 - (b) if, in the opinion of the council, the need for the open space or community use has not yet been created by residential development within the vicinity.
- (4) Subclause (3) does not apply to land within Zone No. 6 (a) and shown lettered "District Open Space" on the map.
- (4A) Nothing in this plan requires the council to acquire any land within Zone No. 5 (a) situated within the land shown edged heavy black on the map marked "Blacktown Local Environmental Plan 1988 (Amendment No. 5)", if the land may be required to be provided as a condition of consent to the carrying out of development on land in the vicinity and in the same ownership as that land.

Development of land in Zone No. 5 (a), 5 (c), 6 (a) or 6 (c)

- 18.
- (1) A person may, with the consent of council, carry out development for any purpose on land within Zone No. 5(a) (where that land is to be used by a public authority), 5(c), 6(a) or 6(c) until the land is used or developed for the public purpose for which it is zoned.
 - (2) A person shall not carry out development on land referred to in subclause (1) so as to render the land unfit for the purpose for which it is zoned.
 - (3) The council shall not grant consent as referred to in subclause (1) to the development of land to be acquired by a public authority, unless it has taken the following into consideration:
 - (a) the effect of the proposed development on the costs of acquisition, and
 - (b) the imminence of acquisition, and
 - (c) the costs of reinstatement of the land for the purposes for which the land is to be acquired.
 - (4) (Repealed)
 - (5) The council shall not grant consent as referred to subclause (1) for the development of land within Zone No.6(a) or 6(c) unless consideration has been given to-
 - (a) the need for the proposed development on the land;
 - (b) the impact of the proposed development on the existing or likely future use of the land;
 - (c) the need to retain the land for its existing or likely future use;
 - (d) the effect of the proposed development on the costs of acquisition;
 - (e) the imminence of acquisition; and
 - (f) the costs of reinstatement of the land for the purposes for which the land is to be acquired.
 - (6) Notwithstanding any other provision of this plan, a person may, with the consent of the council, carry out development on land within Zone No.5(a) and marked "Corridor" on the map for the purpose of agriculture, community centres; dwelling-houses; dual occupancy, educational establishments, extractive industries, forestry, mines, public utility undertakings, recreation areas or rural industries.
 - (7) A dwelling-house shall not be erected on a parcel of land within Zone No.5(a) and marked "Corridor" on the map unless the parcel has an area of not less than 20 hectares.
 - (8) The council, when deciding whether to grant consent under subclause (6), shall take into consideration the following matters:
 - (a) the effect of the proposed development on the function of the land as a physical and visual break between adjoining areas;
 - (b) the effect of the proposed development on the existing or likely future use of the land by public authorities; and
 - (c) in the case of development carried out by a public authority whether the proposed development needs to be carried out in that location or could be carried out on another more appropriate site elsewhere on land within another more appropriate site elsewhere on land within Zone No.5(a) and marked "Corridor" on the map.

Drainage

19. (1) Notwithstanding any other provision of this plan, a person shall not carry out development on land to which this plan applies unless the land is filled to a level satisfactory to the council.
- (2) Where, in relation to the carrying out of development on land to which this plan applies, the council makes any requirements with respect to the drainage of land or the drainage of other land, a person shall not carry out that development except in accordance with those requirements.

Services

24. (1) The council may refuse consent to the carrying out of any development on any land within Zone No. 2 (a), 2 (b) or 2 (c) unless arrangements satisfactory to it are made (whether by the imposition of conditions under section 91 of the Act or otherwise) for the underground provision of an electrical system to that land and for the installation of such lamp standards as are approved by the council in relation to reticulation.
- (2) The council may refuse consent to the carrying out of any development on any land within Zone No. 2 (a), 2 (b) or 2 (c) unless arrangements satisfactory to Telecom Australia are made by the owner of the land to which the development consent relates for the provision of underground telephone plant to that land.
- (3) A person shall not carry out development on any land to which this plan applies unless arrangements satisfactory to the Water Board have been made with the Board for the provision of water services to the land.
- (4) A person shall not carry out development on any land to which this plan applies unless arrangements satisfactory to -
- (a) in the case of land within Zone No. 1 (a) or 1 (b), the council; or
 - (b) in the case of all other land, the Water Board,
- have been made for the provision of sewerage services to that land.
- (5) A person shall not carry out development on land shown edged heavy black on the map marked "Blacktown Local Environmental Plan 1988 (Amendment No. 10)" unless arrangements satisfactory to:
- (a) the Water Board and the Council; or
 - (b) in the case of land within the Toongabbie Creek catchment as shown on the map marked "Drainage Catchments - Parklea Release Area", the Council,
- have been made in relation to the drainage of that land.
- (6) A person shall not carry out development on land shown edged heavy black on the map marked "Blacktown Local Environmental Plan 1988 (Amendment No. 10)" unless arrangements satisfactory to the Roads and Traffic Authority have been made by the developer with that Authority to make appropriate payment towards the cost of the arterial road network.

Tree preservation

25. (1) A person shall not ringbark, cut down, lop, top, remove, injure or wilfully destroy any tree, or cause any tree to be ringbarked, cut down, topped, lopped, removed, injured or wilfully destroyed; except with the consent of the council.
- (2) In any proceedings for an offence arising under this clause, it shall be sufficient defence to prove that the tree ringbarked, cut down, topped, lopped, removed, injured or wilfully destroyed was dying or dead or had become dangerous.
- (3) This clause does not apply to trees in a State forest or on land reserved as a timber reserve within the meaning of the Forestry Act 1916, or to trees required to be lopped in accordance with Regulation 38 or 39 of the Overhead Line Construction and Maintenance Regulations 1962, or to any trees which are under the control or management of the Water Board.
- (4) This clause does not operate so as to require a consent to be given pursuant to this clause for the carrying out of development at a plant nursery if the development could lawfully be carried out at the plant nursery in the absence of this clause.

Covenants, agreements etc.

26. (1) For the purpose of enabling development to be carried out in accordance with this plan (as in force at the time the development is carried out) or in accordance with a consent granted under the Act, the operation of any covenant, agreement or instrument imposing restrictions on development, to the extent necessary to serve that purpose, shall not apply to the development.
- (2) Nothing in the subclause (1) shall affect the rights or interests of the council under any registered instrument.
- (3) Pursuant to section 28 of the Act, before the making of this plan, the Governor approved of subclauses (1) and (2).

Nuclear activities

30. Notwithstanding any other provision of this plan, a person shall not carry out development on land to which this plan applies for the purposes of -
- (a) mining prohibited by the Uranium Mining and Nuclear Facilities (Prohibition) Act 1986;
 - (b) a nuclear facility, the construction or operation of which is prohibited under that Act;
or
 - (c) a facility for the storage or disposal of radioactive waste material referred to in section 8(3)(b) of that Act, except pursuant to a licence under the Radioactive Substances Act 1957.

Zone R2 Low Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To enable certain activities to be carried out within the zone that do not adversely affect the amenity of the neighbourhood.

2 Permitted without consent

Home occupations

3 Permitted with consent

Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Child care centres; Community facilities; Dual occupancies; Dwelling houses; Emergency services facilities; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Health consulting rooms; Home-based child care; Home businesses; Neighbourhood shops; Places of public worship; Public administration buildings; Recreation areas; Respite day care centres; Roads; Seniors housing; Shop top housing; Veterinary hospitals; Water reticulation systems.

4 Prohibited

Any other development not specified in item 2 or 3.

Zone SP2 Infrastructure

1 Objectives of zone

- To provide for infrastructure and related uses.
- To prevent development that is not compatible with or that may detract from the provision of infrastructure.
- To ensure that development does not have an adverse impact on the form and scale of the surrounding neighbourhood.

2 Permitted without consent

Nil.

3 Permitted with consent

The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose; Flood mitigation works; Roads.

4 Prohibited

Any development not specified in Item 2 or 3.

THE HILLS SHIRE COUNCIL

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ABN No. 25 034 494 656

PLANNING CERTIFICATE UNDER SECTION 149 (2) & (5)
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 AS AMENDED.

Certificate Number: **53891**
Reference: CASUAL:46404
Issue Date: 5 November 2014
Receipt No: 4725812
Fee Paid: \$ 133.00

ADDRESS: 2 Celebration Drive, BELLA VISTA NSW 2153
DESCRIPTION: Lot 6 DP 270243

The land is zoned:
Zone B5 Business Development

The following prescribed matters apply to the land to which this certificate relates:

The Environmental Planning and Assessment Amendment Act 1997 commenced operation on 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 Regulation 2000.

THIS CERTIFICATE IS DIRECTED TO THE FOLLOWING MATTERS
PRESCRIBED UNDER SECTION 149 (2) OF THE ABOVE ACT.

1. Names of relevant planning instruments and DCPs

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

(A) **Local Environmental Plans**

The Hills Local Environmental Plan 2012, as amended, applies to all land in the Shire unless otherwise stated in this certificate.

State Environmental Planning Policies

SEPP No.19 - Bushland In Urban Areas
 SEPP No.21 - Caravan Parks
 SEPP No.30 - Intensive Agriculture
 SEPP No.33 - Hazardous And Offensive Development
 SEPP No.50 - Canal Estate Development
 SEPP No.55 - Remediation Of Land
 SEPP No.62 - Sustainable Aquaculture
 SEPP No.64 - Advertising And Signage
 SEPP No.65 - Design Quality Of Residential Flat Development
 SEPP No.70 - Affordable Housing (Revised Schemes)
 SEPP (Building Sustainability Index: Basix) 2004
 SEPP (Major Development) 2005
 SEPP (Mining, Petroleum Production And Extractive Industries) 2007
 SEPP (Miscellaneous Consent Provisions) 2007
 SEPP (Infrastructure) 2007
 SEPP (Exempt and Complying Development Codes) 2008
 SEPP (Affordable Rental Housing) 2009
 SEPP (State and Regional Development) 2011

Sydney Regional Environmental Plan No. 9 Extractive Industries (No.2) - Amendment No.1

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

The following SEPP's may apply to the land. Please refer to '**Land to which Policy applies**' for each individual SEPP.

SEPP (Housing For Seniors Or People With A Disability) 2004
 SEPP No.32 – Urban Consolidation (Redevelopment of Urban Land)

- (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 (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

(A) **Proposed Local Environmental Plans**

Proposed The Hills Local Environmental Plan 2012 (Amendment No.) applies to this land.

Refer Attachment 1(2)(A)

(B) **Proposed State Environmental Planning Policies**

Draft State Environmental Planning Policy (Competition).
State Environmental Planning Policy No 65 – Design Quality of Residential
Flat Development (Amendment No 3).

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

The Hills Development Control Plan 2012

Note: the land is within The Hills Development Control Plan 2012 Part B map sheet. Refer Council's website www.thehills.nsw.gov.au to view the map sheet.

- (4) In this clause, proposed environmental planning instrument includes a planning proposal for a LEP or a draft environmental planning instrument.

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).

- (A) The Hills Local Environmental Plan 2012 applies to the land unless otherwise stated in this certificate and identifies the land to be:

Zone B5 Business Development

- (B) The purposes for which the instrument provides that development may be carried out within the zone without development consent:

Refer Attachment 2(B)

Also refer to the applicable instrument for provisions
regarding Exempt Development

- (C) The purposes for which the instrument provides that development may not be carried out within the zone except with development consent:

Refer Attachment 2(B)

Also refer to the applicable instrument for provisions
regarding Complying Development

- (D) The purposes for which the instrument provides that development is prohibited in the zone:

Refer Attachment 2(B)

- (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?

The Hills Local Environmental Plan 2012?

NO

Any other Planning Proposal?

NO

- (F) Whether the land includes or comprises critical habitat?

The Hills Local Environmental Plan 2012?

NO

Any other Planning Proposal?

NO

- (G) Whether the land is in a conservation area (however described)?

The Hills Local Environmental Plan 2012?

NO

Any Other Planning Proposal?

NO

- (H) Whether an item of environmental heritage (however described) is situated on the land?

The Hills Local Environmental Plan 2012?

NO

Any other Planning Proposal?

NO

2A. Zoning and land use under State Environmental Planning Policy (Sydney Region Growth Centres) 2006

To the extent that the land is within any zone (however described) under:

- (a) Part 3 of the *State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the 2006 SEPP)*, or
 - (b) a Precinct Plan (within the meaning of the 2006 SEPP), or
 - (c) a proposed Precinct Plan that is or has been the subject of community consultation or on public exhibition under the ACT.
- (A) State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 2 North Kellyville Precinct Plan) applies to the land unless otherwise stated in this certificate and identifies the land to be:

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 2 North Kellyville Precinct Plan) does not apply.

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 11 The Hills Growth Centre Precincts Plan) applies to the land unless otherwise stated in this certificate and identifies the land to be:

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 11 The Hills Growth Centre Precincts Plan) does not apply.

Note: This precinct plan applies to land within the Box Hill Precinct or Box Hill Industrial Precinct.

- (B) The purposes for which the instrument provides that development may be carried out within the zone without development consent:

Refer Attachment 2(B)

Also refer to the applicable instrument for provisions regarding Exempt Development.

- (C) The purposes for which the instrument provides that development may not be carried out within the zone except with development consent:

Refer Attachment 2(B)

Also refer to the applicable instrument for provisions regarding Complying Development

- (D) The purposes for which the instrument provides that development is prohibited in the zone:

Refer Attachment 2(B)

- (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?

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 2 North Kellyville Precinct Plan)?

NO

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 11 The Hills Growth Centre Precincts Plan)?

NO

- (F) Whether the land includes or comprises critical habitat?

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 2 North Kellyville Precinct Plan)?

NO

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 11 The Hills Growth Centre Precincts Plan)?

NO

- (G) Whether the land is in a conservation area (however described)?

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 2 North Kellyville Precinct Plan)?

NO

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 11 The Hills Growth Centre Precincts Plan)?

NO

- (H) Whether an item of environmental heritage (however described) is situated on the land?

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 2 North Kellyville Precinct Plan)?

NO

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Appendix 11 The Hills Growth Centre Precincts Plan)?

NO

3. Complying Development

- (1) The extent to which the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.
- (2) The extent to which complying development may not be carried out on that land because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of that Policy and the reasons why it may not be carried out under those clauses.
- (3) If the council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land, a statement that a restriction applies to the land, but it may not apply to all of the land, and that council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.

General Housing Code and Rural Housing Code

Complying Development under the General Housing Code and Rural Housing Code **may be** carried out on the land.

Housing Alterations Code and General Development Code

Complying Development under the Housing Alterations Code and General Development Code **may be** carried out on the land.

Commercial and Industrial (New Buildings and Additions) Code

Complying Development under the Commercial and Industrial (New Buildings and Additions) Code **may be** carried out on the land.

Commercial and Industrial Alterations, Subdivision, Demolition and Fire Safety Codes

Complying Development under the Commercial and Industrial Alterations, Subdivision, Demolition and Fire Safety Codes **may be** carried out on the land.

Note: Where reference is made to an applicable map, this information can be sourced from the following websites:

The Hills Local Environmental Plan 2012 - www.thehills.nsw.gov.au
 State Environmental Planning Policy (Sydney Region Growth Centres) 2006
 (Appendix 2 North Kellyville Precinct) or (Appendix 11 The Hills Growth Centre Precincts Plan) - www.planning.nsw.gov.au

4. Coastal protection

Whether or not the land is affected by the operation of Section 38 or 39 of the *Coastal Protection Act 1979*, but only to the extent that the council has been so notified by the Department of Services, Technology and Administration?

NO

4A. Certain information relating to beaches and coasts

- (1) In relation to a coastal council - whether an order has been made under Part 4D of the *Coastal Protection Act 1979* in relation to temporary coastal protection works (within the meaning of that Act) on the land (or on public land adjacent to that land), except where the council is satisfied that such an order has been fully complied with.

NO

- (2) In relation to a coastal council:

(a) whether the council has been notified under section 55X of the *Coastal Protection Act 1979* that temporary coastal protection works (within the meaning of that Act) have been placed on the land (or on public land adjacent to that land), and

(b) if works have been so placed – whether the council is satisfied that the works have been removed and the land restored in accordance with that Act.

NO

- (3) (Repealed)

4B. Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

Whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

NO

Note. "Existing coastal protection works" are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the Local Government Act 1993.

5. Mine subsidence

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

NO

6. Road widening and road realignment

Whether or not the land is affected by any road widening or road realignment under -

- (A) Division 2 of Part 3 of the Roads Act 1993; or

NO

- (B) any environmental planning instrument; or

NO

- (C) any resolution of council?

- a) The Hills Development Control Plan 2012?

NO

- b) Any other resolution of council?

NO

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

Whether or not the land is affected by a policy:

- (a) adopted by council, or

- (b) 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, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding)?

Council's policies on hazard risk restrictions are as follows:

(i) Landslip

a) By The Hills Local Environmental Plan 2012 zoning?

NO

No resolution has been adopted but attention is directed to the fact that there are areas within the Shire liable to landslip.

b) By The Hills Local Environmental Plan 2012 local provision?

NO

No resolution has been adopted but attention is directed to the fact that there are areas within the Shire liable to landslip.

c) By The Hills Development Control Plan 2012 provision?

NO

No resolution has been adopted but attention is directed to the fact that there are areas within the Shire liable to landslip.

(ii) Bushfire

YES

Please note this is a statement of Council policy only and NOT a statement on whether or not the property is affected by bushfire. That question is answered in Section 11 of this certificate.

Council has adopted the NSW Rural Fire Service Guidelines entitled 'Planning for Bushfire Protection 2006'. Development subject to bushfire risk will be required to address the requirements in these guidelines and can be downloaded off the RFS web site www.rfs.nsw.gov.au

The Development Control Plan may also contain provisions for development on Bushfire Prone Land and Bushfire Hazard Management. Refer Part 1(3) of this certificate for the applicable Development Control Plan.

(iii) Tidal inundation

NO

Please note this is a statement of Council policy only and NOT a statement on whether or not the property is affected by tidal inundation.

(iv) **Subsidence**

NO

Please note this is a statement of Council policy only and NOT a statement on whether or not the property is affected by subsidence.

(v) **Acid sulphate soils**

NO

(vi) **Land contamination**

NO

Please note this is a statement of Council policy only and NOT a statement on whether or not the property is affected by contamination or potential contamination.

(vii) **Any other risk**

NO

7A. Flood related development controls information

- (1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls?

NO

Please note this is a statement of flood related development controls and is NOT a statement on whether or not the property is subject to flooding.

- (2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls?

NO

Please note this is a statement of flood related development controls and is NOT a statement on whether or not the property is subject to flooding.

- (3) Words and expressions in this clause have the same meanings as in the standard instrument set out in the Standard Instrument (Local Environmental Plans) Order 2006.

8. Land reserved for acquisition

Whether or not any 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.

The Hills Local Environmental Plan 2012?

NO

Any other Planning Proposal?

NO

State Environmental Planning Policy?

NO

9. Contributions plans

The name of each contributions plan applying to the land:

THE HILLS SECTION 94A**9A. Biodiversity Certified Land**

Whether the land is biodiversity certified land within the meaning of Part 7AA of the *Threatened Species Conservation Act 1995*?

NO

10. Biobanking Agreements

Whether the land is land to which a biobanking agreement under part 7A of the *Threatened Species Conservation Act 1995* relates, (but only if the council has been notified of the existence of the agreement by the Director-General of the Department of Environment, Climate Change and Water)?

NO

11. Bush fire prone land

Has the land been identified as bush fire prone land?

NO

12. Property vegetation plans

Has the council been notified that a property vegetation plan under the *Native Vegetation Act 2003* applies to this land?

NO

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

Whether an order has been made under the *Trees (Disputes Between Neighbours) Act 2006* to carry out work in relation to a tree on this land (but only if the council has been notified of the order)?

NO

14. Directions under Part 3A

Whether 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?

NO

15. Site compatibility certificates and conditions for seniors housing

(a) Whether there is a current site compatibility certificate (seniors housing) of which 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?

NO

(b) Whether there are 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* that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land?

NO

16. Site compatibility certificates for infrastructure

Whether there is a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land?

NO

17. Site compatibility certificates and conditions for affordable rental housing

(1) Whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land?

NO

(2) Whether there are any terms of a kind referred to in clause 17(1) or 38(1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land?

NO

18. Paper subdivision information

- (1) The name of any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot.

NO DEVELOPMENT PLAN APPLIES

- (2) The date of any subdivision order that applies to the land.

NO SUBDIVISION ORDER APPLIES

- (3) Words and expressions used in this clause have the same meaning as they have in Part 16C of this Regulation.

19. Site verification certificates

Whether there is a current site verification certificate, of which the council is aware, in respect of the land?

NO

Note. A site verification certificate sets out the Director-General's opinion as to whether the land concerned is or is not biophysical strategic agricultural land or critical industry cluster land - see Division 3 of Part 4AA of *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*.

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) that the land to which the certificate relates is significantly contaminated land within the meaning of that Act – if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,

NO

- (b) that the land to which the certificate relates is subject to a management order within the meaning of that Act – if it is subject to such an order at the date when the certificate is issued,

NO

- (c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act – if it is the subject of such an approved proposal at the date when the certificate is issued,

NO

- (d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of the Act – if it is subject to such an order at the date when the certificate is issued,

NO

(e) that the land to which the certificate relates is the subject of a site audit statement within the meaning of the Act – if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

NO

Note: Whether Council has been provided with a copy of any exemption under section 23 or authorisation by the Co-ordinator General under section 24 of the *Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009*?

NO

**THIS PART IS DIRECTED TO THE FOLLOWING MATTERS
PRESCRIBED UNDER SECTION 149 (5) OF THE ABOVE ACT**

NOTE: "When information pursuant to Section 149 (5) is requested the council is under no obligation to furnish any of the information supplied herein pursuant to that Section. Council draws your attention to Section 149 (6), which states that a council shall not incur any liability in respect of any advice provided in good faith pursuant to sub-section (5). The absence of any reference to any matter affecting the land shall not imply that the land is not affected by any matter not referred to in this certificate."

- A.** Whether there are any provisions applying to the land that control the management of trees and bushland?

YES

Clause 5.9 and 5.9AA of The Hills Local Environmental Plan 2012 and Part C Section 3 of The Hills Development Control Plan 2011 contain provisions for the control and management of actions in respect of trees and bushland.

- B.** Does the land contain a foreshore area as identified on The Hills Local Environmental Plan 2012 Foreshore Building Line map?

NO

- C.** Under the Protection of the Environment Operations Act 1997, is the property subject to a listing on the public register maintained by council with respect to an environmental notice or civil proceedings in the Land and Environment Court, or a prosecution under this Act?

NO

- D.** Is the land affected by any special provisions of Sydney Regional Environmental Plan No 9 – Extractive Industry (No 2 – 1995)?

NO

- E.** Is the land affected by a restricted development area as identified under The Hills Development Control Plan 2012?

NO

- F.** Is the land within an area where a Special Infrastructure Contribution, as determined by the Minister for Planning and Infrastructure, applies?

NO

- G.** Is the land in the vicinity of a heritage item or heritage conservation area as described in The Hills Local Environmental Plan 2012 **OR** State Environmental Planning Policy (Sydney Region Growth Centres) 2006?

YES

Clause 5.10 (5) of The Hills Local Environmental Plan 2012 provides specific considerations for development in the vicinity of a heritage item or heritage conservation area.

- H.** Whether Council has adopted a Voluntary Planning Agreement within the meaning of S93F of the Environmental Planning and Assessment Act, 1979, as amended, in relation to the land?

NO

- I.** Is the land within or adjacent to the North West Rail Link as identified on the maps prepared by Transport NSW?

YES

Refer to www.northwestrail.com.au. For any further enquiries please contact Transport NSW on 1800 019 989.

- J.** Is the land within or adjacent to the Parramatta to Epping Rail Link as identified on the maps prepared by Transport NSW?

NO

- K.** Does the land contain a proposed road as identified within a Development Control Plan under State Environmental Planning Policy (Sydney Region Growth Centres) 2006?

NO

- L.** Has Council been notified by NSW Land and Property Information that the land is affected by a stratum plan of proposed acquisition for railway purposes (North West Rail Link)?

NO

THE HILLS SHIRE COUNCIL

DAVE WALKER
GENERAL MANAGER


Per:

<p>PLEASE NOTE: COUNCIL RETAINS THE ELECTRONIC ORIGINAL OF THIS CERTIFICATE. WHERE THIS CERTIFICATE REFERS TO INFORMATION DISPLAYED ON COUNCIL'S WEBSITE OR TO ANY EXTERNAL WEBSITE, IT REFERS TO INFORMATION DISPLAYED ON THE WEBSITE ON THE DATE THIS CERTIFICATE IS ISSUED.</p>

ATTACHMENT 1(2)(A)**Planning Proposal 13/2013/PLP - The Hills Local Environmental Plan 2012 – Housekeeping 1.**

The Planning Proposal encompasses a number of amendments to Local Environmental Plan (LEP 2012) to ensure the plan is accurate and consistent with the strategic policy position of Council. The amendments include correction of land use table inconsistencies and discrepancies to the written instrument as well as a series of mapping changes. In order to limit the number of amendments to LEP 2012, the changes have been consolidated within a single Planning Proposal commonly referred to as a 'Housekeeping' Amendment.

Key amendments include:

- Deletion of *airstrips* and *helipads* as permissible in residential and some business zones, insertion of *extractive industries* as permissible in the RU2 Rural Landscape zone and removal of *registered clubs* as permissible within the B1 Neighbourhood Centre zone.
- Correction of zoning for certain land at Glenhaven and Kellyville, correction of building heights for certain land at Norwest, North Rocks and Castle Hill and correction of minimum lot sizes for certain land at Castle Hill as these were incorrectly translated from Council's LEP 2005.
- Zoning of various public reserves to RE1 Public Recreation to correctly reflect the reserve status.
- Amendments to zoning and development controls for land at Homeworld V to reflect the built form outcomes in this locality.
- Zoning of land at Resolution Place, Rouse Hill to B6 Enterprise Corridor given the site has been developed for commercial uses.
- Amend the building height for land at Commercial Road, Rouse Hill to 16m to ensure consistency with the adjoining land zoned B5 Business Development.
- Amend land zoned SP2 Infrastructure to R2 Low Density Residential at Greenwich Place, Kellyville and to B6 Enterprise Corridor at Windsor Road, Beaumont Hills to reflect revised Sydney Water acquisition requirements.
- The Minister for the Department of Planning and Infrastructure has chosen to delegate the making of the plan to Council.

For further information please contact Council's Duty Planner on 9843 0469.

The above details are in keeping with the exhibited planning proposal. Please note that changes to the planning proposal may be made post exhibition. The current status and details of the planning proposal can be viewed on Council's website www.thehills.nsw.gov.au under 'Application Tracking' on the home page or under the 'Planning & Development' menu bar.

ATTACHMENT 2(B)**Zone B5 Business Development****1 Objectives of zone**

- To enable a mix of business and warehouse uses, and bulky goods premises that require a large floor area, in locations that are close to, and that support the viability of, centres.
- To provide for bulky goods premises that meet community demand.
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.

2 Permitted without consent

Nil

3 Permitted with consent

Building identification signs; Bulky goods premises; Business identification signs; Child care centres; Food and drink premises; Garden centres; Hardware and building supplies; Hotel or motel accommodation; Landscaping material supplies; Light industries; Neighbourhood shops; Passenger transport facilities; Plant nurseries; Respite day care centres; Roads; Self storage units; Serviced apartments; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4.

4 Prohibited

Agriculture; Air transport facilities; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Industrial training facilities; Industries; Marinas; Medical centres; Mooring pens; Moorings; Mortuaries; Open cut mining; Recreation facilities (major); Research stations; Residential accommodation; Resource recovery facilities; Restricted premises; Rural industries; Sewerage systems; Sex services premises; Signage; Storage premises; Tourist and visitor accommodation; Waste disposal facilities; Water recreation structures; Water supply systems; Wharf or boating facilities.

NOTE: This land use table should be read in conjunction with the Dictionary at the end of The Hills LEP 2012 which defines words and expressions for the purpose of the plan.

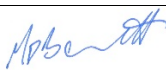
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