



TM & NH & BH VO
Preliminary Environmental Site
Investigation Report

2-6 Chalker Street, Thirlmere, NSW

14 August 2019



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Executive Summary

Background

Land & Groundwater Consulting Pty Ltd (LG) has been engaged by Algorry Zappia & Associates Pty Ltd on behalf of TM & NH & BH VO to undertake a Preliminary Environmental Site Investigation (PESI) at the site known as 2-6 Chalker Street, Thirlmere, NSW.

LG understands that the site is proposed for re-development comprising the construction of a new Child Care Centre.

Conclusions

Based on the findings of this PESI the following conclusions are provided:

- Prior to the current layout the site appeared to have comprised mainly bush vacant crown land between 1830's and 1950's. The site is likely to have been cleared of bush vegetation in the 1950's and remained vacant from then onwards. Therefore, it is estimated that the site has been in its current vacant configuration for over 180 years. No significant changes were observed on the site during this period;
- Given that no evident sources of mobile contamination could be visually identified on site, it is considered that potential contaminants associated with past and present land uses are minimal;
- The site condition and the past and current site activities described in this PESI indicate a low potential for significant or gross contamination; and
- Based on the above findings the site subject to this PESI is suitable for the proposed new Child Care Centre, consistent with an R2 Low Density Residential zoning.

1. Introduction

1.1 Background

Land & Groundwater Consulting Pty Ltd (LG) has been engaged by Algorry Zappia & Associates Pty Ltd on behalf of TM & NH & BH VO to undertake a Preliminary Environmental Site Investigation (PESI) at the property identified as Lots 1 and 2 in Development Plan (DP) 1230557, located at 2-6 Chalker Street, Thirlmere, NSW (the site). The site location plan is shown in **Figure 1** attached.

LG understands that a development application (DA) has been submitted to Wollondilly Shire Council (Council) to re-develop the site. It is understood that re-development of the site will comprise the construction of a new Child Care Centre. This PESI provides a summary of the historical land uses and a preliminary characterisation of potential soil contamination at the site.

The planning report for the site obtained from NSW Department of Planning & Environment indicates that the site is zoned R2 Low Density Residential. Copy of the planning report are presented in **Appendix A**.

The PESI was undertaken with respect to the staged investigation approach outlined in *State Environmental Planning Policy No. 55 - Remediation of Land* (SEPP 55 - Ref 1) and the National Environment Protection Council (NEPC) *National Environment Protection (Assessment of Site Contamination) Measure 1999* (amended 2013) (NEPC, 2013 - Ref 2).

This report was prepared in general accordance the NSW Office of Environment and Heritage (OEH) *"Guidelines for Consultants Reporting on Contaminated Sites"* (2011).

1.2 Objectives

The specific objectives of the PESI are to:

- Identify potentially contaminating activities;
- Identify potential areas and contaminants of concern; and
- Identify potential contamination resulting from any past and/or present land uses.

1.3 Scope of Works

In order to meet the objectives, the following scope of work was undertaken:

- Complete searches and review of historical information relating to the site from the following sources:
 - Current certificate of title;
 - Historical certificate of title;
 - Local Council records, including current planning and/or zoning certificates, previous land uses;
 - NSW OEH administered environment management and contaminated land registers;
 - Heritage Council of NSW online database of items of heritage significance;
 - Available historical aerial photographs;
 - Registered groundwater bore database for groundwater bores in the vicinity of the site; and
 - Available geological and hydrogeological information.
- Complete an inspection of the site and surrounding environment to assist in the identification of potential on and offsite sources of contamination:
 - Undertake a preliminary assessment of the nature, location and general conditions of buildings and remaining property at the site and in the adjoining areas;
 - Collect a photographic record of present conditions;
 - Based on the review of the historical and background information, determine the areas and chemicals of potential environmental concern; and
 - Assessment of the data and preparation of this report detailing the findings of the PESI.

2. Site Conditions and Local Environment

2.1 Site Identification

The site is located in Thirlmere, NSW, approximately 97 km southwest of the Sydney central business district (CBD). The site layout is presented in **Figure 2**. Details relating to the site are presented in **Table 1**.

Table 1 – Site Identification

Site Details	Description
Address	2-6 Chalker Street, Thirlmere, NSW 2572
Lot/DP	Lot 1 in DP 1230557 (2 Chalker Street) Lot 2 in DP 1230557 (6 Chalker Street)
Local Government Area	Wollondilly Shire Council
Parish and County	Parish of Couridjah, County of Camden
Site Area	Lot 1 in DP 1230557: 800.2 m ² Lot 2 in DP 1230557: 450.3 m ²
Registered Owner	Oakdale Building & Management Services Pty Ltd
Zoning	R2 Low Residential
Current Land Use	Residential vacant land

2.2 Site Description

A site inspection was completed by LG on 26 July 2019 and the observations are detailed in **Table 2**. **Figure 2** shows an approximate layout of the site.

Table 2 – Site Description

Category	Observation
Current Use	Lots 1 and 2 in DP 1230557 comprised of a semi-rectangular shaped residential block covering a total area of approximately 1,250.5 m ² and was bound by Rita Street to the north, Chalker Street to the east, vacant residential land to the south and a residential property to the west.

Site Features	<p>At the time of inspection, the following site features were observed and noted:</p> <ul style="list-style-type: none">▪ The surface topography was sloping down from southwest to northeast;▪ The site comprised of a vacant and un-occupied block of land;▪ No structures of note were present on the site;▪ No signs of oil spill or stains were noted on the floor surfaces across the site;▪ No rubbish or domestic waste was observed across the site;▪ There were no active pipelines;▪ There were no above ground tanks (ASTs) or visible evidence of underground storage tanks (USTs) or systems which should cause air emissions such as laboratories, incinerators, surface impoundment and land treatment areas; and▪ Asbestos containing materials were not observed on the surfaces across the site during the inspection.
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2.3 Surrounding Land Use

The surrounding land use is summarised as follows:

- The northern side of the site is bound by Rita Street carriage way;
- The site is bound to the east by Chalker Street;
- The site is bound to the south by vacant residential land; and
- The western side of the site is bound by a residential property occupied by a single storey dwelling.

2.4 Topography

The ground surface at the site slopes from southwest to northeast. The ground surface varies in elevations from approximately 288.0 m (Australian Height Datum) AHD in the vicinity of the north eastern boundary of the site to approximately 289.5 m AHD in the vicinity of the south western boundary of the site, respectively.

2.5 Geology and Hydrogeology

Geological information obtained from the Sydney 1:100,000 Geological Series Sheet 9130 Edition 1, dated 1983, by the Geological Survey of New South Wales, Department of Mineral Resources, indicates the site is located within an area underlain by Hawkesbury Sandstone, denoted as Rh. The Hawkesbury Sandstone is described as "Medium to coarse-grained quartz sandstone, very minor shale and laminate lenses".

Groundwater quality in the regional is known to be generally less than 700 $\mu\text{S}/\text{cm}$ and on this basis could be suitable for domestic, agricultural and irrigation uses.

Hydrogeological conditions at the site are likely to be defined by shallow and deeper aquifer systems. The shallow system is likely to be a transient perched aquifer that develops after heavy rainfall and lies on the soil-bedrock contact. The shallow aquifer is thought to exist at a depth of 2 to 2.5 m bgs and is possibly the consequence of the infiltration of rainfall through the subsurface. It is likely that the shallow aquifer is discontinuous and will be favourable in higher permeability areas, such as the area of fill and easements (such as the stormwater easement). The groundwater in this system is unlikely to pose an off-site migration risk due to its transient nature and the most likely contaminant source being from intermittent spills/leaks from near-surface infrastructure.

The deeper system is likely to be a semi-confined aquifer located within the rock fractures and defects within the Hawkesbury Sandstone bedrock. The deeper aquifer is inferred to be located at a depth of 5 to 6 m bgs and would correspond to the regional system present at the site and local area. This system would also correspond to the system that would present the highest off-site migration risk, if any, due to its permanent nature.

2.6 Acid Sulfate Soils

A review of the ASS risk maps prepared by Department of Land and Water Conservation (1997)¹ indicated that the site is not located in an area of prospective acid sulfate soils.

No indicators of acid sulfate soils were observed during the site inspection completed on 26 July 2019.

2.7 Registered Bore Search

A review of groundwater bore records available on the NSW Office of Water² (NOW) online database was undertaken on 26 July 2019. The search was limited to registered bores located within a radius of approximately 500 m of the site.

The search did not identify the presence of registered bores within a radius of approximately 500 m of the site. A map showing the search area is included in **Appendix B**.

¹ Department of Land and Water Conservation, (1997), 1:25,000 Acid Sulfate Soil Risk Map (Series 9130N3, Ed 2).

² <https://realtimedata.watarnsw.com.au/water.stm>

3. Review of Historical Records

3.1 Historical Information Sources

The sources from which historical site information has been obtained are summarised in **Table 3**.

Table 3 – Historical and Background Information Search

Source	Location of Source	Years / Date	Comments
Current and Historical Titles	NSW Land and Property Information Division	Titles searched 26 July 2019	Current and Historical Title Documents are included in Appendix C .
Aerial Photographs	NSW Land and Property Information Division	Register searched 19 July 2019 Years 1930, 1991, 2010, 2018 and 2019	Aerial photographs extracts included in Appendix D .
Heritage Significance	http://www.environment.nsw.gov.au/heritage	Register searched 26 July 2019	All relevant notices detailed in Section 3.4 of this report.
Contaminated Land Register	http://www.epa.nsw.gov.au/prclmapp/searchregister.aspx	Register searched 26 July 2019	All relevant notices detailed in Section 3.5 of this report.
Planning Certificate	NSW Department of Planning & Environment	Register searched 30 July 2019	All relevant notices detailed in Section 3.6 of this report.

3.2 Certificate of Title

A historical land titles search was conducted through NSW Land and Property Information Division. Copies of relevant documents resulting from this search are presented in **Appendix C**. The site historical titles are summarised in **Table 4**.

Table 4 – Summary of Owners for Lots 1 & 2 in DP 1230557

Date of Acquisition	Registered Proprietor	Reference to Title at Acquisition and Sale
01/06/1833	Granted to Thomas James by Crown Grant	Vol 6792 Fol 155
20/12/1952	Edward Beale Dobson (Hotel Manager)	Vol 6902 Fol 220
24/08/1956	Peter Lawrence	Vol 6902 Fol 220
20/07/1972	Kulja Pty Limited	Vol 6902 Fol 220
28/03/1956	Kulja Pty Limited	Vol 12151 Fol 10
05/12/1973	Multiple P. Projects Pty. Limited	Vol 12151 Fol 10
18/05/1976	Peter Henry Easen (Mining Surveyor)	Vol 12151 Fol 10
29/06/1984	Agnes May Chalker	Vol 12151 Fol 10
14/12/2018	Unspecified Proprietor	Fol 7/245153 Ed 12
22/02/2019	Oakdale Building & Management Services Pty Ltd	Fol 1/1230557 Ed 1 Fol 2/1230557 Ed 1

3.3 Historical Aerial Photographs

Aerial photographs of the site for the years 1930, 1991, 2010, 2018 and 2019 were sourced from NSW Land and Property Information Division. An interpretation of the photographs is provided in **Table 5** below. Aerial photograph extract images are presented in **Appendix D**.

Table 5 – Summary of Historical Aerial Photographs

Aerial Photograph	Description of Site and Surrounding Area
1930 Black and white	The 1930 photograph indicates that the site appeared to be located in a undeveloped bushland area. No structures of note were present on the site. Surrounding Land Use: The lands immediately north and west of the site appeared to be rural residential land. Rita Street was observed to be unpaved to the northwest of the site.
1991 Colour	The site appeared to have been cleared of bushland vegetation and remained vacant since the 1930 photograph. Surrounding Land Use: The lands to the east appeared to have been cleared of bushland vegetation and new residential buildings were constructed further north and west of the site since the 1930 photograph.
2010 Colour	No significant changes were observed at the site since the 1991 photograph. Surrounding Land Use: No significant changes were observed surrounding the site since the 1991 photograph.
2018 Colour	The site appeared to have been stripped of vegetation during bulk earthworks for lot subdivision and remained vacant since the 2010 photograph. Surrounding Land Use: Residential structures appeared to have been demolished north, south, and south west of the site since the 2010 photograph. These lands also appeared to have been stripped of vegetation during bulk earthworks for lot subdivision.
2019 Colour	No significant changes were observed at the site since the 2018 photograph. Surrounding Land Use: No significant changes were observed surrounding the site since the 2018 photograph.

3.4 Heritage Significance

Information relating to the site was accessed online at the Heritage Council of NSW webpage on 26 July 2019. The site is not listed as being of significance.

3.5 NSW EPA Records

Search of the NSW EPA's public register under the Protection of the Environment Operations Act 1997 (POEO Act) was under taken (**Appendix E**). The search for the site identified there were:

- No prevention, clean-up or prohibition notices; and
- No transfer, variation, suspension, surrender or revocation of an environmental protection licence.

A search was also conducted through the EPA's public contaminated land register (**Appendix E**). The search did not identify any current or previous records of notices by the EPA, or notification to the EPA under Section 60 of the Contaminated Land Management Act 1997 (CLM Act.), in relation to the site or immediately surrounding land.

3.6 Planning Certificates

Two Section 10.7 (2) Planning Certificates for the site were obtained by LG on 30 July 2019. The Planning Certificates which are applicable to Lots 1 and 2 in DP 1230557 are presented in **Appendix A**. There are no matters arising under Section 59(2) of the *Contaminated Land Management Act 1997 (Act)*, as follows:

- The land **is NOT** significantly contaminated land (or part of the land) within the meaning of the Act at the date when the certificates were issued.
- The land **is NOT** the subject to a management order within the meaning of the Act at the date when the certificates were issued.
- The land **is NOT** the subject of an approval voluntary management proposal within the meaning of the Act at the date when the certificates were issued.
- The land **is NOT** the subject of an ongoing maintenance order within the meaning of the Act at the date when the certificates were issued.
- The land **is NOT** the subject of a site audit statement within the meaning of the Act at the date when the certificates were issued.

4. Potentially Sensitive Receptors

Identified sensitive receptors of contamination potentially sourced from the site are as follows:

- Shallow groundwater present in the fill materials (if any) and clay natural soils that may be present on the site and deeper groundwater present in the underlying sandstone bedrock;
- Surrounding industrial and/or commercial land uses and residential dwellings, which include access to soils for construction, gardening or potentially growing vegetables;
- Parks, recreational open space including the parks and playing fields within the vicinity of the site;
- Fauna and flora reserves in the area within the vicinity of the site;
- Onsite workers: Persons who frequently work at or visit the site who may potentially be exposed to contaminated soils and water, particularly in unsealed areas of the site;
- Sub-surface maintenance workers: Persons, such as workers or visitors to the site or surrounding properties who have access to soils or groundwater; and
- Surface water bodies: The nearest surface water body is Redbank Creek located approximately 340 m north of the site.

5. Conclusions

Based on the results of this PESI the following is concluded:

- Prior to the current layout the site appeared to have comprised mainly bush vacant crown land between 1830's and 1950's. The site is likely to have been cleared of bush vegetation in the 1950's and remained vacant from then onwards. Therefore, it is estimated that the site has been in its current vacant configuration for over 180 years. No significant changes were observed on the site during this period;
- Given that no evident sources of mobile contamination could be visually identified on site, it is considered that potential contaminants associated with past and present land uses are minimal;
- The site condition and the past and current site activities described in this PESI indicate a low potential for significant or gross contamination; and
- Based on the above findings the site subject to this PESI is suitable for the proposed new Child Care Centre, consistent with an R2 Low Density Residential zoning.

These conclusions are made within the limitations of the work, which has been undertaken. A statement of these limitations is included in **Section 7** of this report

6. References

Australian and New Zealand Environment Conservation Council and National Health and Medical Research Centre (ANZECC & NHMRC) 1992. *Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites* January 1992.

Australian and New Zealand Environment Conservation Council and Agriculture Resource Management Council of Australia and New Zealand (ANZECC/ARMCANZ) 2000. *Australian and New Zealand Guidelines for Fresh and Marine Water Quality*, October 2000.

Department of Mineral Resources (DMR). 1980. A Guide to the Sydney Basin. Ed Chris Herbert and Robin Helby.

Department of Mineral Resources (DMR). 1991. *Sydney 1:100,000 Geological Series Sheet 9130*. DMR, Geological Survey of NSW.

Heritage Council of NSW <http://www.environment.nsw.gov.au/heritage>. Accessed 20 December 2018.

Land and Property Information NSW (LPI) (2001) *Sydney 1:100 000 Topographic Sheet 9130*, 2001.

Land and Property Management Authority (LPMA) Spatial Information Exchange (SIX) <https://six.lands.nsw.gov.au>. Accessed 26 July 2019.

List of Contaminated Sites Notified by NSW EPA
<http://www.epa.nsw.gov.au/prclmapp/searchregister.aspx>. Accessed 26 July 2019.

NEPC, 2013. *National Environment Protection (Assessment of Site Contamination) Measure (NEPM) – Schedule B*. National Environment Protection Council.

NSW DEC, 2007. *Guidelines for the Assessment and Management of Groundwater Contamination*. NSW Department of Environment and Conservation.

NSW DECC, 2009. *Guidelines on the Duty to Report Contamination under the Contaminated Land Management Act*. NSW Department of Environment and Climate Change.

NSW EPA, 1995. *Contaminated Sites: Sampling Design Guidelines*. NSW Environment Protection Authority.

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

7. Limitation Statement

This PESI report has been prepared for the sole purpose of providing preliminary assessment of the potential contamination at the site in accordance with generally accepted consulting practice. No other warranty or guarantee, expressed or implied is made as to the advice indicated in this report.

This report should not be used for any other purpose without our prior written consent. Accordingly, neither LG nor any member or employee of LG accepts responsibility or liability in any way whatsoever for the use of this report for any purpose other than that for which it has been prepared.

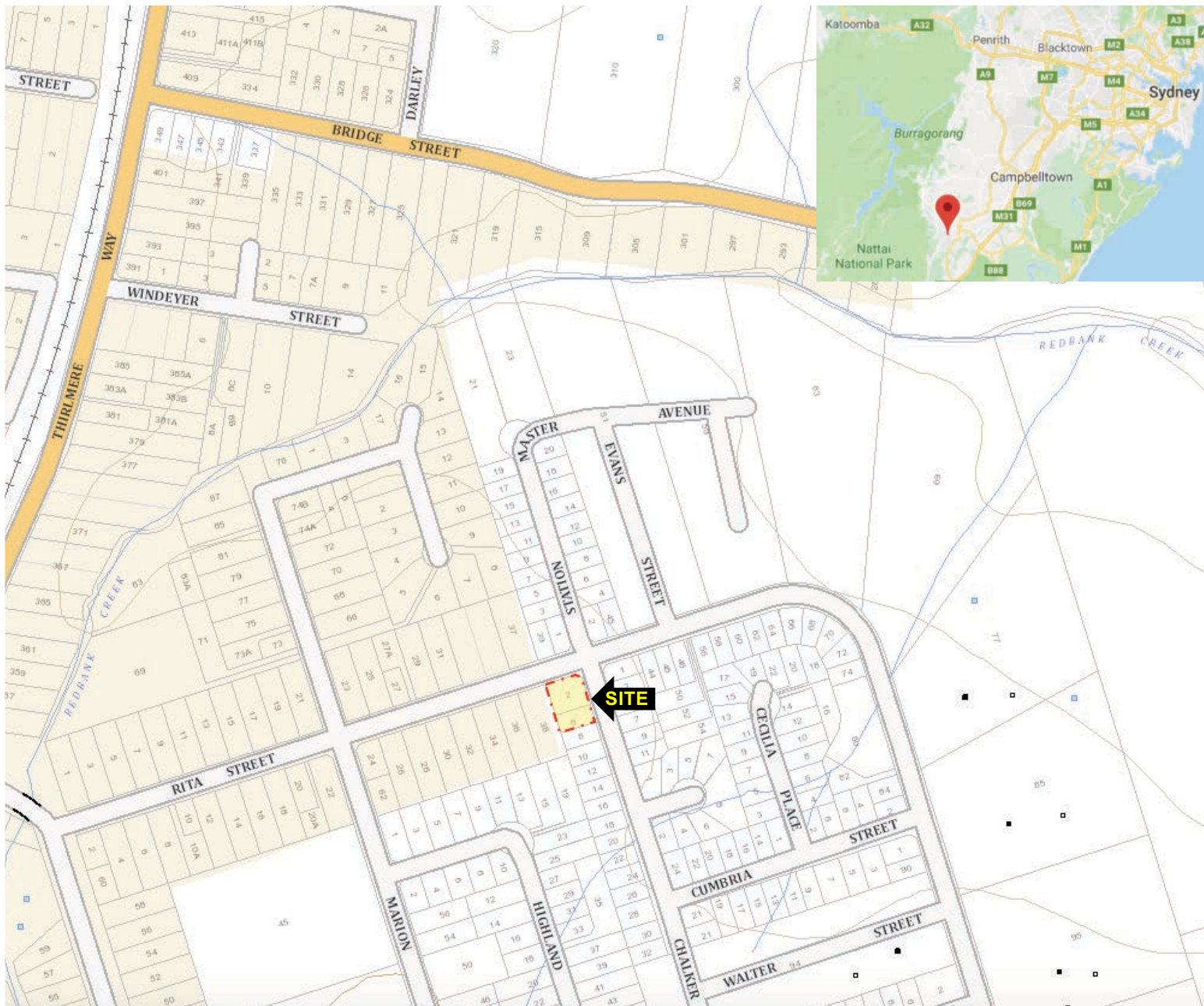
This report should not be released to any other party, in whole or in part, without the express written consent of LG. LG accepts no liability or responsibility whatsoever for or in respect of any use or reliance upon this report by any third party.


LG has relied upon and presumed accurate information provided by TM & NH & BH VO and/or any third party (or absence thereof) in making the assumptions made in this report. Nothing in this report should be taken to imply that LG has verified or audited any of the information supplied to us other than as expressly stated in this report. We have assumed this information to be both adequate and accurate for the purposes of this report.

Where findings, observations and conclusions are based solely upon information provided by TM & NH & BH VO and/or a third party and LG do not accept, to the maximum extent permitted by law, any liability for any losses, claims, costs, expenses, damages (whether in statute, in contract or tort for negligence or otherwise) suffered or incurred by TM & NH & BH VO or any third party as a result of or in connection with LG's reliance on any such the information to the extent that such information is false, misleading or incomplete and LG gives no warranty or guarantee, express or implied as to such findings, observations and conclusions.

If further information becomes available, or additional assumptions need to be made, LG reserves its right to amend any statements or opinions made in this report.

Figures



SCALE: DRAWN TO SCALE AS SHOWN		NORTH
Not To Scale		
LEGEND:		
	Site Boundary	
Images courtesy of Google Maps & SIX Maps		
	REV:	A
	DATE:	26/07/2019
	DRAWN:	GP
	APPROVED:	GP
	STATUS:	Final
DWG NO:		
CLIENT: TM & NH & BH VO		
PROJECT: 2-6 Chalker Street, Thirlmere, NSW		
PROJECT NUMBER: LG2501.01		
TITLE:		FIGURE:
Site Location Plan		1
		A4



SCALE: DRAWN TO SCALE AS SHOWN

Not To Scale

NORTH

LEGEND:

Site Boundary

Photograph courtesy of
NSW Land and Property Information



REV: A
DATE: 26/07/2019
DRAWN: GP
APPROVED: GP
STATUS: Final
DWG NO:

CLIENT: **TM & NH & BH VO**

PROJECT: **2-6 Chalker Street, Thirlmere, NSW**

PROJECT NUMBER: LG2501.01

TITLE:
Site Layout

FIGURE:
2
A4



Appendix A – Section 10.7 Certificates

PLANNING CERTIFICATE UNDER SECTION 10.7(2) ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979

APPLICANT: Land & Groundwater Consulting Pty Ltd
gparra@lgconsult.com.au

Planning Certificate No.: 20191121
Receipt No.: 1185124
Issue Date: 30 July 2019
Applicant's Reference: Thirlmere
Property No.: 27301

DESCRIPTION OF PROPERTY

Address: 2 Chalker Street THIRLMERE 2572
Land Description: Lot: 1 DP: 1230557

Notes:

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

Where this certificate refers to a specific allotment (or allotments) within a strata plan, the certificate is issued for the whole of the land within the strata plan, not just the specific allotment(s) referred to, and any information contained in the certificate may relate to the whole, or any part, of the strata plan.

The following information is provided pursuant to Section 10.7(2) of the Environmental Planning and Assessment Act 1979 as prescribed by Schedule 4 of the Environmental Planning and Assessment Regulation 2000 and is applicable as at the date of this certificate.

Information provided in this certificate should be interpreted in conjunction with the relevant plans, policies and documents held at Council. In order to obtain copies of these documents you may purchase them from Council's Administration Centre at 62-64 Menangle Street, Picton or view free of charge on Council's Website www.wollondilly.nsw.gov.au.

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.
- (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).
- (3) The name of each development control plan that applies to the carrying out of development on the land.
- (4) In this clause, proposed environmental planning instrument includes a planning proposal for a LEP or a draft environmental planning instrument.

ENVIRONMENTAL PLANNING INSTRUMENTS

Wollondilly Local Environmental Plan 2011.

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

Sydney Regional Environmental Plan No 9 Extractive Industries (No 2 - 1995)

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

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

State Environmental Planning Policy No 21 - Caravan Parks

State Environmental Planning Policy No 33 - Hazardous and Offensive Development

State Environmental Planning Policy No 44 - Koala Habitat Protection
(Note: Excludes land dedicated or reserved as National Park)

State Environmental Planning Policy No 50 - Canal Estate Development

State Environmental Planning Policy No 55 - Remediation of Land

State Environmental Planning Policy No 64 - Advertising and Signage

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

State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007

State Environmental Planning Policy (Infrastructure) 2007

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

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

State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (State and Regional Development) 2011

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

State Environmental Planning Policy (State Significant Precincts) 2005

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

State Environmental Planning Policy (Concurrences) 2018

State Environmental Planning Policy (Primary Production and Rural Development) 2019

PROPOSED ENVIRONMENTAL PLANNING INSTRUMENTS

Planning Proposal - Draft Wollondilly Local Environmental Plan 2011 (Minimum Lot Size for Dual Occupancies in R2, R3 and B4 Zones)

Draft State Environmental Planning Policy (Competition) 2010

Draft Amendment to State Environmental Planning Policy No 44 - Koala Habitat Protection

Draft State Environmental Planning Policy (Environment)

DEVELOPMENT CONTROL PLANS

Wollondilly Development Control Plan 2016 applies to all land covered by Wollondilly Local Environmental Plan 2011.

2. ZONING AND LAND USE UNDER RELEVANT LEPS

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

WOLLONDILLY LOCAL ENVIRONMENTAL PLAN 2011

- (a) the identity of the zone, whether by reference to a name (such as “Residential Zone” or “Heritage Area”) or by reference to a number (such as “Zone No 2 (a)”);

Zone R2 Low Density Residential

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

Home occupations and development listed in Schedule 2 of Wollondilly Local Environmental Plan 2011 provided it meets the criteria in that schedule

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

Bed and breakfast accommodation; Boarding houses; Cemeteries; Centre-based child care facilities; Community facilities; Dwelling houses; Educational establishments; 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; Home industries; Home occupations (sex services); Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Residential accommodation; Respite day care centres; Roads; Sewerage systems; Signage; Tank-based aquaculture; Veterinary hospitals; Water supply systems

- (d) the purposes for which the instrument provides that development is prohibited within the zone,

Attached dwellings; Multi dwelling housing; Residential flat buildings; Rural workers' dwellings; Shop top housing; Water treatment facilities; Any other development not specified in item (b) or (c)

- (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,

Wollondilly Local Environmental Plan 2011 does not contain any development standards that fix minimum land dimensions for the erection of a dwelling house on the land.

- (f) whether the land includes or comprises critical habitat,

None known

- (g) whether the land is in a conservation area (however described),

The land is not located within a Heritage Conservation Area as provided by clause 5.10 and Schedule 5 of Wollondilly Local Environmental Plan 2011.

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

The land does not contain an item of environmental heritage as provided by clause 5.10 and Schedule 5 of Wollondilly Local Environmental Plan 2011.

Planning Proposal - Draft Wollondilly Local Environmental Plan 2011 (Minimum Lot Size for Dual Occupancies in R2, R3 and B4 Zones)

- (a) the identity of the zone, whether by reference to a name (such as “Residential Zone” or “Heritage Area”) or by reference to a number (such as “Zone No 2 (a)”);

Planning Proposal - Draft Wollondilly Local Environmental Plan 2011 (Minimum Lot Size for Dual Occupancies in R2, R3 and B4 Zones) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

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

Planning Proposal - Draft Wollondilly Local Environmental Plan 2011 (Minimum Lot Size for Dual Occupancies in R2, R3 and B4 Zones) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

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

Planning Proposal - Draft Wollondilly Local Environmental Plan 2011 (Minimum Lot Size for Dual Occupancies in R2, R3 and B4 Zones) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

- (d) the purposes for which the instrument provides that development is prohibited within the zone,

Planning Proposal - Draft Wollondilly Local Environmental Plan 2011 (Minimum Lot Size for Dual Occupancies in R2, R3 and B4 Zones) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

- (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,

Planning Proposal - Draft Wollondilly Local Environmental Plan 2011 (Minimum Lot Size for Dual Occupancies in R2, R3 and B4 Zones) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

- (f) whether the land includes or comprises critical habitat,

None known

- (g) whether the land is in a conservation area (however described),

Planning Proposal - Draft Wollondilly Local Environmental Plan 2011 (Minimum Lot Size for Dual Occupancies in R2, R3 and B4 Zones) does not propose any changes to the existing Heritage Conservation Areas under Wollondilly Local Environmental Plan 2011.

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

Planning Proposal - Draft Wollondilly Local Environmental Plan 2011 (Minimum Lot Size for Dual Occupancies in R2, R3 and B4 Zones) does not propose any changes to

any items of environmental heritage (however described) under Wollondilly Local Environmental Plan 2011.

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

Whether 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, the particulars referred to in clause 2 (a)–(h) in relation to that land (with a reference to “the instrument” in any of those paragraphs being read as a reference to Part 3 of the 2006 SEPP, or the Precinct Plan or proposed Precinct Plan, as the case requires).

The land is not within a Growth Centre.

3. COMPLYING DEVELOPMENT

- (1) Whether or not 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) If 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, the reasons why it may not be carried out under that clause.
- (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.

THE HOUSING CODE

Complying development MAY be carried out on the land under the Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE RURAL HOUSING CODE

Complying development MAY be carried out on the land under the Rural Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE GREENFIELD HOUSING CODE

Complying development MAY be carried out on the land under the Greenfield Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE LOW RISE MEDIUM DENSITY HOUSING CODE

The Low Rise Medium Density Code does not commence in the Wollondilly Local Government Area until 1 November, 2019.

THE HOUSING ALTERATIONS CODE

Complying development MAY be carried out on the land under the Housing Alterations Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE GENERAL DEVELOPMENT CODE

Complying development MAY be carried out on the land under the General Development Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE COMMERCIAL AND INDUSTRIAL ALTERATIONS CODE

Complying development MAY be carried out on the land under the Commercial and Industrial Alterations Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE COMMERCIAL AND INDUSTRIAL (NEW BUILDINGS AND ADDITIONS) CODE

Complying development MAY be carried out on the land under the Commercial and Industrial (New Buildings and Additions) Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE CONTAINER RECYCLING FACILITIES CODE

Complying development MAY be carried out on the land under the Container Recycling Facilities Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE SUBDIVISIONS CODE

Complying development MAY be carried out on the land under the Subdivisions Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE DEMOLITION CODE

Complying development MAY be carried out on the land under the Demolition Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE FIRE SAFETY CODE

Complying development MAY be carried out on the land under the Fire Safety Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

4. (REPEALED)

4A. (REPEALED)

4B. ANNUAL CHARGES UNDER LOCAL GOVERNMENT ACT 1993 FOR COASTAL PROTECTION SERVICES THAT RELATE TO EXISTING COASTAL PROTECTION WORKS

This clause is not applicable to the Wollondilly Local Government Area.

5. MINE SUBSIDENCE

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of the Coal Mine Subsidence Compensation Act 2017 No. 37 (formerly the *Mine Subsidence Compensation Act 1961*).

The land is within a proclaimed Mine Subsidence District of Bargo. The approval from the Subsidence Advisory NSW is required for all subdivision and building, except for certain minor structures. Surface development controls are in place to prevent damage from old, current or future mining.

It is strongly recommended prospective purchasers consult with the Subsidence Advisory NSW regarding mine subsidence and any surface development guidelines. The Advisory can assist with information about mine subsidence and advise whether existing structures comply with the requirements of the Act.

6. ROAD WIDENING AND ROAD REALIGNMENT

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

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

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

- (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

- (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 3.15 of the Act.

Wollondilly Local Environmental Plan 2011 does not provide for the acquisition of the subject land by a public authority as referred to in section 3.15 of the Act.

Planning Proposal - Draft Wollondilly Local Environmental Plan 2011 (Minimum Lot Size for Dual Occupancies in R2, R3, and B4 Zones) does not provide for the acquisition of the subject land by a public authority as referred to in section 27 of the Act.

9. CONTRIBUTIONS PLANS

The name of each contributions plan applying to the land.

Wollondilly Development Contribution Plan 2011 applies to the land.

9A. BIODIVERSITY CERTIFIED LAND

If the land is biodiversity certified land under Part 8 of the *Biodiversity Conservation Act 2016*, a statement to that effect.

NOTE: Biodiversity certified land includes land certified under Part 7AA of the *Threatened Species Conservation Act 1995* that is taken to be certified under Part 8 of the *Biodiversity Conservation Act 2016*.

The land is not biodiversity certified land (under Part 7AA of the *Threatened Species Conservation Act 1995* that is taken to be certified under Part 8 of the *Biodiversity Conservation Act 2016*).

10. BIODIVERSITY STEWARDSHIP SITES

If the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the *Biodiversity Conservation Act 2016*, a statement to that effect (but only if the council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage).

NOTE: Biodiversity stewardship agreements include biobanking agreements under Part 7A of the *Threatened Species Conservation Act 1995* that are taken to be biodiversity stewardship agreements under Part 5 of the *Biodiversity Conservation Act 2016*.

Council has not been notified of the existence of any biodiversity stewardship agreements or biobanking agreements by the Chief Executive of the Office of Environment and Heritage under the *Threatened Species Conservation Act 1995* for this land.

10A. NATIVE VEGETATION CLEARING SET ASIDES

If the land contains a set aside area under section 60ZC of the *Local Land Services Act 2013*, a statement to that effect (but only if the council has been notified of the existence of the set aside area by Local Land Services or it is registered in the public register under that section).

Council has not been notified of the existence of any set aside areas by Local Land Services. Council has not been notified of the existence of a set aside area under section 60ZC of the *Local Land Services Act 2013* by the Local Land Services. The land is not registered in the public register as a set aside area under section 60ZC of the *Local Land Services Act 2013*.

11. BUSH FIRE PRONE LAND

If any of the land is bush fire prone land (as defined in the Act), a statement that all or as the case may be, some of the land is bush fire prone land.

If none of the land is bush fire prone land, a statement to that effect.

The land is not shown as bushfire prone land in Council's records.

12. PROPERTY VEGETATION PLANS

Whether or not the land is land to which a property vegetation plan “approved under Part 4 of the *Native Vegetation Act 2003* (and that continues in force)” applies, a statement to that effect (but only if the council has been notified of the existence of the plan by the person or body that approved the plan under the Act).

Council has not been notified of any such plan that affects this land.

13. ORDER 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 the land (but only if the council has been notified of the order).

No

14. DIRECTIONS UNDER PART 3A

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

No

15. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR SENIORS HOUSING

If the land is land to which *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* applies:

- (a) a statement of whether there is a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:
 - (i) the period for which the certificate is current, and
 - (ii) that a copy may be obtained from the head office of the Department of Planning, and

There is not a current site compatibility certificate (seniors housing) as described that applies to this land.

- (b) a statement setting out any terms of a kind referred to in clause 18 (2) of that Policy that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

There are currently no conditions of consent relating to a development application for seniors housing that apply to the land.

16. SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE, SCHOOLS OR TAFE ESTABLISHMENTS

A statement of whether there is a valid site compatibility certificate (infrastructure), of which the Council is aware, in respect of proposed development on the land and, if there is a certificate, that statement is to include:

- (a) the period for which the certificate is valid, and
- (b) that a copy may be obtained from the head office of the Department of Planning.

There is not a valid site compatibility certificate (infrastructure, schools or TAFE establishments) as described that applies to this land.

17. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING

- (1) A statement of 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 and, if there is a certificate, that statement is to include:

- (a) the period for which the certificate is current, and
- (b) that a copy may be obtained from the head office of the Department of Planning

There is not a current site compatibility certificate (affordable rental housing) as described that applies to this land.

- (2) A statement setting out any terms of a kind referred to in clause 17 (1) or 37 (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.

There are currently no conditions of consent relating to a development application for affordable rental housing that apply to the land.

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.

None

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

None

- (3) Words and expressions used in this clause have the same meaning as they have in Part 16C of Environmental Planning and Assessment Regulation 2000.

19. SITE VERIFICATION CERTIFICATES

A statement of whether there is a current site verification certificate, of which the council is aware, in respect of the land and, if there is a certificate, the statement is to include:

- (a) the matter certified by the certificate, and

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*.

- (b) the date on which the certificate ceases to be current (if any), and
- (c) that a copy may be obtained from the head office of the Department of Planning and Infrastructure.

There is no current Site Verification Certificate as described that applies to this land.

20. LOOSE-FILL ASBESTOS INSULATION

If the land includes any residential premises (within the meaning of Division 1A of Part 8 of the *Home Building Act 1989*) that are listed on the register that is required to be maintained under that Division, a statement to that effect.

Council has not been notified by NSW Fair Trading of any residential premises on this land being identified in the Loose-Fill Asbestos Insulation Register.

21. AFFECTED BUILDING NOTICES AND BUILDING PRODUCT RECTIFICATION ORDERS

- (1) A statement of whether there is any affected building notice of which the council is aware that is in force in respect of the land.

Council is NOT aware of any affected building notice in respect of the land.

- (2) A statement of:
- (a) whether there is any building product rectification order of which the council is aware that is in force in respect of the land and has not been fully complied with, and

- (b) whether any notice of intention to make a building product rectification order of which the council is aware has been given in respect of the land and is outstanding

Council is NOT aware of any building product rectification order as detailed above.

Council is NOT aware of any notice of intention as detailed above.

- (3) In this clause:

affected building notice has the same meaning as in Part 4 of the *Building Products (Safety) Act 2017*.

building product rectification order has the same meaning as in the *Building Products (Safety) Act 2017*.

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 that 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 that Act – if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

No.

In respect of matters beyond the control and/or responsibility of Council, information provided is provided only to the extent that Council has been so notified by the relevant Authorities or Departments, which have responsibility for the administration of the particular status referred to.

Digitally Signed: Nicole Aiken Development Assessment Planner Tuesday, 30 July 2019 5:12:22 PM Development Services
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*Signed on behalf of the
Chief Executive Officer of*
WOLLONDILLY SHIRE COUNCIL

Any request for further information in connection with the above should be directed to Council's Duty Planner, Monday to Friday between the hours of 8:30am and 12:30pm, by telephoning (02) 4677 1100.

NOTICE TO PURCHASERS OF RURAL LAND

Wollondilly Shire Council supports the rights of persons in rural areas of the Shire to undertake and pursue agricultural production activities that are consistent with land capability and use reasonable and practical measures to avoid environmental harm and minimise impact to adjoining land users. Intending purchasers are advised that agricultural production **can** include the following activities that may have implications for occupiers and prospective purchasers of rural land:

Use of agricultural machinery (tractors, chainsaws, motorbikes)

Use of bird-scare devices

Intensive livestock production (cattle feedlots, poultry farms, piggeries, restricted dairies)

Operation of rural industries (packing sheds, abattoirs, stock and sale yards, sawmills)

Vegetation clearing

Grazing of livestock

Crop and fodder production

Soil cultivation

Crop harvesting

Use of firearms

Bushfire hazard reduction burning

Construction of firebreaks

Earthworks (construction of dams, drains, contour banks, access roads and tracks)

Fencing

Pumping and irrigation

Use of pesticides and herbicides

Spreading of manure, compost and treated effluent

Fertiliser usage

Slashing and mowing of grass

Production of silage

Re-vegetation activities (planting trees and shrubs)

Agroforestry

Livestock droving on roads

This is not an exhaustive list and intending purchasers of rural land should assess surrounding agricultural land uses and the impact these activities may have when being pursued in close proximity their proposed purchase. If you think these types of activities will affect your ability to live in a rural locality then intending purchasers are advised to reconsider their purchase and seek independent advice.

This notice is not intended to affect the rights of individuals to take action under the common law or legislation and is provided for information purposes only.

PLANNING CERTIFICATE UNDER SECTION 10.7(2) ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979

APPLICANT: Land & Groundwater Consulting Pty Ltd
gparra@lgconsult.com.au

Planning Certificate No.: 20191122
Receipt No.: 1185130
Issue Date: 30 July 2019
Applicant's Reference: Thirlmere
Property No.: 27302

DESCRIPTION OF PROPERTY

Address: 6 Chalker Street THIRLMERE 2572
Land Description: Lot: 2 DP: 1230557

Notes:

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

Where this certificate refers to a specific allotment (or allotments) within a strata plan, the certificate is issued for the whole of the land within the strata plan, not just the specific allotment(s) referred to, and any information contained in the certificate may relate to the whole, or any part, of the strata plan.

The following information is provided pursuant to Section 10.7(2) of the Environmental Planning and Assessment Act 1979 as prescribed by Schedule 4 of the Environmental Planning and Assessment Regulation 2000 and is applicable as at the date of this certificate.

Information provided in this certificate should be interpreted in conjunction with the relevant plans, policies and documents held at Council. In order to obtain copies of these documents you may purchase them from Council's Administration Centre at 62-64 Menangle Street, Picton or view free of charge on Council's Website www.wollondilly.nsw.gov.au.

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.
- (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).
- (3) The name of each development control plan that applies to the carrying out of development on the land.
- (4) In this clause, proposed environmental planning instrument includes a planning proposal for a LEP or a draft environmental planning instrument.

ENVIRONMENTAL PLANNING INSTRUMENTS

Wollondilly Local Environmental Plan 2011.

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

Sydney Regional Environmental Plan No 9 Extractive Industries (No 2 - 1995)

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

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

State Environmental Planning Policy No 21 - Caravan Parks

State Environmental Planning Policy No 33 - Hazardous and Offensive Development

State Environmental Planning Policy No 44 - Koala Habitat Protection
(Note: Excludes land dedicated or reserved as National Park)

State Environmental Planning Policy No 50 - Canal Estate Development

State Environmental Planning Policy No 55 - Remediation of Land

State Environmental Planning Policy No 64 - Advertising and Signage

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

State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007

State Environmental Planning Policy (Infrastructure) 2007

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

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

State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (State and Regional Development) 2011

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

State Environmental Planning Policy (State Significant Precincts) 2005

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

State Environmental Planning Policy (Concurrences) 2018

State Environmental Planning Policy (Primary Production and Rural Development) 2019

PROPOSED ENVIRONMENTAL PLANNING INSTRUMENTS

Planning Proposal - Draft Wollondilly Local Environmental Plan 2011 (Minimum Lot Size for Dual Occupancies in R2, R3 and B4 Zones)

Draft State Environmental Planning Policy (Competition) 2010

Draft Amendment to State Environmental Planning Policy No 44 - Koala Habitat Protection

Draft State Environmental Planning Policy (Environment)

DEVELOPMENT CONTROL PLANS

Wollondilly Development Control Plan 2016 applies to all land covered by Wollondilly Local Environmental Plan 2011.

2. ZONING AND LAND USE UNDER RELEVANT LEPS

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

WOLLONDILLY LOCAL ENVIRONMENTAL PLAN 2011

- (a) the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No 2 (a)"),

Zone R2 Low Density Residential

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

Home occupations and development listed in Schedule 2 of Wollondilly Local Environmental Plan 2011 provided it meets the criteria in that schedule

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

Bed and breakfast accommodation; Boarding houses; Cemeteries; Centre-based child care facilities; Community facilities; Dwelling houses; Educational establishments; 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; Home industries; Home occupations (sex services); Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Residential accommodation; Respite day care centres; Roads; Sewerage systems; Signage; Tank-based aquaculture; Veterinary hospitals; Water supply systems

- (d) the purposes for which the instrument provides that development is prohibited within the zone,

Attached dwellings; Multi dwelling housing; Residential flat buildings; Rural workers' dwellings; Shop top housing; Water treatment facilities; Any other development not specified in item (b) or (c)

- (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,

Wollondilly Local Environmental Plan 2011 does not contain any development standards that fix minimum land dimensions for the erection of a dwelling house on the land.

- (f) whether the land includes or comprises critical habitat,

None known

- (g) whether the land is in a conservation area (however described),

The land is not located within a Heritage Conservation Area as provided by clause 5.10 and Schedule 5 of Wollondilly Local Environmental Plan 2011.

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

The land does not contain an item of environmental heritage as provided by clause 5.10 and Schedule 5 of Wollondilly Local Environmental Plan 2011.

Planning Proposal - Draft Wollondilly Local Environmental Plan 2011 (Minimum Lot Size for Dual Occupancies in R2, R3 and B4 Zones)

- (a) the identity of the zone, whether by reference to a name (such as “Residential Zone” or “Heritage Area”) or by reference to a number (such as “Zone No 2 (a)”);

Planning Proposal - Draft Wollondilly Local Environmental Plan 2011 (Minimum Lot Size for Dual Occupancies in R2, R3 and B4 Zones) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

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

Planning Proposal - Draft Wollondilly Local Environmental Plan 2011 (Minimum Lot Size for Dual Occupancies in R2, R3 and B4 Zones) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

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

Planning Proposal - Draft Wollondilly Local Environmental Plan 2011 (Minimum Lot Size for Dual Occupancies in R2, R3 and B4 Zones) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

- (d) the purposes for which the instrument provides that development is prohibited within the zone,

Planning Proposal - Draft Wollondilly Local Environmental Plan 2011 (Minimum Lot Size for Dual Occupancies in R2, R3 and B4 Zones) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

- (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,

Planning Proposal - Draft Wollondilly Local Environmental Plan 2011 (Minimum Lot Size for Dual Occupancies in R2, R3 and B4 Zones) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

- (f) whether the land includes or comprises critical habitat,

None known

- (g) whether the land is in a conservation area (however described),

Planning Proposal - Draft Wollondilly Local Environmental Plan 2011 (Minimum Lot Size for Dual Occupancies in R2, R3 and B4 Zones) does not propose any changes to the existing Heritage Conservation Areas under Wollondilly Local Environmental Plan 2011.

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

Planning Proposal - Draft Wollondilly Local Environmental Plan 2011 (Minimum Lot Size for Dual Occupancies in R2, R3 and B4 Zones) does not propose any changes to

any items of environmental heritage (however described) under Wollondilly Local Environmental Plan 2011.

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

Whether 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, the particulars referred to in clause 2 (a)–(h) in relation to that land (with a reference to “the instrument” in any of those paragraphs being read as a reference to Part 3 of the 2006 SEPP, or the Precinct Plan or proposed Precinct Plan, as the case requires).

The land is not within a Growth Centre.

3. COMPLYING DEVELOPMENT

- (1) Whether or not 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) If 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, the reasons why it may not be carried out under that clause.
- (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.

THE HOUSING CODE

Complying development MAY be carried out on the land under the Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE RURAL HOUSING CODE

Complying development MAY be carried out on the land under the Rural Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE GREENFIELD HOUSING CODE

Complying development MAY be carried out on the land under the Greenfield Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE LOW RISE MEDIUM DENSITY HOUSING CODE

The Low Rise Medium Density Code does not commence in the Wollondilly Local Government Area until 1 November, 2019.

THE HOUSING ALTERATIONS CODE

Complying development MAY be carried out on the land under the Housing Alterations Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE GENERAL DEVELOPMENT CODE

Complying development MAY be carried out on the land under the General Development Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE COMMERCIAL AND INDUSTRIAL ALTERATIONS CODE

Complying development MAY be carried out on the land under the Commercial and Industrial Alterations Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE COMMERCIAL AND INDUSTRIAL (NEW BUILDINGS AND ADDITIONS) CODE

Complying development MAY be carried out on the land under the Commercial and Industrial (New Buildings and Additions) Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE CONTAINER RECYCLING FACILITIES CODE

Complying development MAY be carried out on the land under the Container Recycling Facilities Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE SUBDIVISIONS CODE

Complying development MAY be carried out on the land under the Subdivisions Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE DEMOLITION CODE

Complying development MAY be carried out on the land under the Demolition Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE FIRE SAFETY CODE

Complying development MAY be carried out on the land under the Fire Safety Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

4. (REPEALED)

4A. (REPEALED)

4B. ANNUAL CHARGES UNDER LOCAL GOVERNMENT ACT 1993 FOR COASTAL PROTECTION SERVICES THAT RELATE TO EXISTING COASTAL PROTECTION WORKS

This clause is not applicable to the Wollondilly Local Government Area.

5. MINE SUBSIDENCE

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of the Coal Mine Subsidence Compensation Act 2017 No. 37 (formerly the *Mine Subsidence Compensation Act 1961*).

The land is within a proclaimed Mine Subsidence District of Bargo. The approval from the Subsidence Advisory NSW is required for all subdivision and building, except for certain minor structures. Surface development controls are in place to prevent damage from old, current or future mining.

It is strongly recommended prospective purchasers consult with the Subsidence Advisory NSW regarding mine subsidence and any surface development guidelines. The Advisory can assist with information about mine subsidence and advise whether existing structures comply with the requirements of the Act.

6. ROAD WIDENING AND ROAD REALIGNMENT

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

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

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

- (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

- (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 3.15 of the Act.

Wollondilly Local Environmental Plan 2011 does not provide for the acquisition of the subject land by a public authority as referred to in section 3.15 of the Act.

Planning Proposal - Draft Wollondilly Local Environmental Plan 2011 (Minimum Lot Size for Dual Occupancies in R2, R3, and B4 Zones) does not provide for the acquisition of the subject land by a public authority as referred to in section 27 of the Act.

9. CONTRIBUTIONS PLANS

The name of each contributions plan applying to the land.

Wollondilly Development Contribution Plan 2011 applies to the land.

9A. BIODIVERSITY CERTIFIED LAND

If the land is biodiversity certified land under Part 8 of the *Biodiversity Conservation Act 2016*, a statement to that effect.

NOTE: Biodiversity certified land includes land certified under Part 7AA of the *Threatened Species Conservation Act 1995* that is taken to be certified under Part 8 of the *Biodiversity Conservation Act 2016*.

The land is not biodiversity certified land (under Part 7AA of the *Threatened Species Conservation Act 1995* that is taken to be certified under Part 8 of the *Biodiversity Conservation Act 2016*).

10. BIODIVERSITY STEWARDSHIP SITES

If the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the *Biodiversity Conservation Act 2016*, a statement to that effect (but only if the council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage).

NOTE: Biodiversity stewardship agreements include biobanking agreements under Part 7A of the *Threatened Species Conservation Act 1995* that are taken to be biodiversity stewardship agreements under Part 5 of the *Biodiversity Conservation Act 2016*.

Council has not been notified of the existence of any biodiversity stewardship agreements or biobanking agreements by the Chief Executive of the Office of Environment and Heritage under the *Threatened Species Conservation Act 1995* for this land.

10A. NATIVE VEGETATION CLEARING SET ASIDES

If the land contains a set aside area under section 60ZC of the *Local Land Services Act 2013*, a statement to that effect (but only if the council has been notified of the existence of the set aside area by Local Land Services or it is registered in the public register under that section).

Council has not been notified of the existence of any set aside areas by Local Land Services. Council has not been notified of the existence of a set aside area under section 60ZC of the *Local Land Services Act 2013* by the Local Land Services. The land is not registered in the public register as a set aside area under section 60ZC of the *Local Land Services Act 2013*.

11. BUSH FIRE PRONE LAND

If any of the land is bush fire prone land (as defined in the Act), a statement that all or as the case may be, some of the land is bush fire prone land.

If none of the land is bush fire prone land, a statement to that effect.

The land is not shown as bushfire prone land in Council's records.

12. PROPERTY VEGETATION PLANS

Whether or not the land is land to which a property vegetation plan “approved under Part 4 of the *Native Vegetation Act 2003* (and that continues in force)” applies, a statement to that effect (but only if the council has been notified of the existence of the plan by the person or body that approved the plan under the Act).

Council has not been notified of any such plan that affects this land.

13. ORDER 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 the land (but only if the council has been notified of the order).

No

14. DIRECTIONS UNDER PART 3A

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

No

15. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR SENIORS HOUSING

If the land is land to which *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* applies:

- (a) a statement of whether there is a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:
 - (i) the period for which the certificate is current, and
 - (ii) that a copy may be obtained from the head office of the Department of Planning, and

There is not a current site compatibility certificate (seniors housing) as described that applies to this land.

- (b) a statement setting out any terms of a kind referred to in clause 18 (2) of that Policy that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

There are currently no conditions of consent relating to a development application for seniors housing that apply to the land.

16. SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE, SCHOOLS OR TAFE ESTABLISHMENTS

A statement of whether there is a valid site compatibility certificate (infrastructure), of which the Council is aware, in respect of proposed development on the land and, if there is a certificate, that statement is to include:

- (a) the period for which the certificate is valid, and
- (b) that a copy may be obtained from the head office of the Department of Planning.

There is not a valid site compatibility certificate (infrastructure, schools or TAFE establishments) as described that applies to this land.

17. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING

- (1) A statement of 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 and, if there is a certificate, that statement is to include:

- (a) the period for which the certificate is current, and
- (b) that a copy may be obtained from the head office of the Department of Planning

There is not a current site compatibility certificate (affordable rental housing) as described that applies to this land.

- (2) A statement setting out any terms of a kind referred to in clause 17 (1) or 37 (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.

There are currently no conditions of consent relating to a development application for affordable rental housing that apply to the land.

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.

None

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

None

- (3) Words and expressions used in this clause have the same meaning as they have in Part 16C of Environmental Planning and Assessment Regulation 2000.

19. SITE VERIFICATION CERTIFICATES

A statement of whether there is a current site verification certificate, of which the council is aware, in respect of the land and, if there is a certificate, the statement is to include:

- (a) the matter certified by the certificate, and

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*.

- (b) the date on which the certificate ceases to be current (if any), and
- (c) that a copy may be obtained from the head office of the Department of Planning and Infrastructure.

There is no current Site Verification Certificate as described that applies to this land.

20. LOOSE-FILL ASBESTOS INSULATION

If the land includes any residential premises (within the meaning of Division 1A of Part 8 of the *Home Building Act 1989*) that are listed on the register that is required to be maintained under that Division, a statement to that effect.

Council has not been notified by NSW Fair Trading of any residential premises on this land being identified in the Loose-Fill Asbestos Insulation Register.

21. AFFECTED BUILDING NOTICES AND BUILDING PRODUCT RECTIFICATION ORDERS

- (1) A statement of whether there is any affected building notice of which the council is aware that is in force in respect of the land.

Council is NOT aware of any affected building notice in respect of the land.

- (2) A statement of:
- (a) whether there is any building product rectification order of which the council is aware that is in force in respect of the land and has not been fully complied with, and

- (b) whether any notice of intention to make a building product rectification order of which the council is aware has been given in respect of the land and is outstanding

Council is NOT aware of any building product rectification order as detailed above.

Council is NOT aware of any notice of intention as detailed above.

- (3) In this clause:

affected building notice has the same meaning as in Part 4 of the *Building Products (Safety) Act 2017*.

building product rectification order has the same meaning as in the *Building Products (Safety) Act 2017*.

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 that 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 that Act – if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

No.

In respect of matters beyond the control and/or responsibility of Council, information provided is provided only to the extent that Council has been so notified by the relevant Authorities or Departments, which have responsibility for the administration of the particular status referred to.

Digitally Signed: Nicole Aiken Development Assessment Planner Tuesday, 30 July 2019 5:11:44 PM Development Services
--

*Signed on behalf of the
Chief Executive Officer of*
WOLLONDILLY SHIRE COUNCIL

Any request for further information in connection with the above should be directed to Council's Duty Planner, Monday to Friday between the hours of 8:30am and 12:30pm, by telephoning (02) 4677 1100.

NOTICE TO PURCHASERS OF RURAL LAND

Wollondilly Shire Council supports the rights of persons in rural areas of the Shire to undertake and pursue agricultural production activities that are consistent with land capability and use reasonable and practical measures to avoid environmental harm and minimise impact to adjoining land users. Intending purchasers are advised that agricultural production **can** include the following activities that may have implications for occupiers and prospective purchasers of rural land:

Use of agricultural machinery (tractors, chainsaws, motorbikes)

Use of bird-scare devices

Intensive livestock production (cattle feedlots, poultry farms, piggeries, restricted dairies)

Operation of rural industries (packing sheds, abattoirs, stock and sale yards, sawmills)

Vegetation clearing

Grazing of livestock

Crop and fodder production

Soil cultivation

Crop harvesting

Use of firearms

Bushfire hazard reduction burning

Construction of firebreaks

Earthworks (construction of dams, drains, contour banks, access roads and tracks)

Fencing

Pumping and irrigation

Use of pesticides and herbicides

Spreading of manure, compost and treated effluent

Fertiliser usage

Slashing and mowing of grass

Production of silage

Re-vegetation activities (planting trees and shrubs)

Agroforestry

Livestock droving on roads

This is not an exhaustive list and intending purchasers of rural land should assess surrounding agricultural land uses and the impact these activities may have when being pursued in close proximity their proposed purchase. If you think these types of activities will affect your ability to live in a rural locality then intending purchasers are advised to reconsider their purchase and seek independent advice.

This notice is not intended to affect the rights of individuals to take action under the common law or legislation and is provided for information purposes only.



Appendix B – Registered Groundwater Bore Search

Groundwater (Telemetered data)

[favourites](#) ·
[search](#) ·
[download sites](#) ·
[find a site](#)
☐ [Real Time Da...](#)

All Groundwater Site details

[search](#) ·
[download sites](#) ·
[find a site](#)
☐ All Groundwa...
☐ North Coa...
☐ Hunter Re...
☐ Greater Sy...
 Hawkes...
 George...
 Wollong...
☐ South Coa...
☐ Northwest ...
☐ Central W...
☐ Southwest...
☐ Far West R...
☐ Great Arte...
☐ Coal Basins

Meteorology

[favourites](#) ·
[search](#) ·
[download sites](#) ·
[find a site](#)
☐ [Real Time Da...](#)

Hunter Integrated Telemetry System

[Hunter Integ...](#)

bandwidth ☒
 high ☐ low

[glossary and](#)

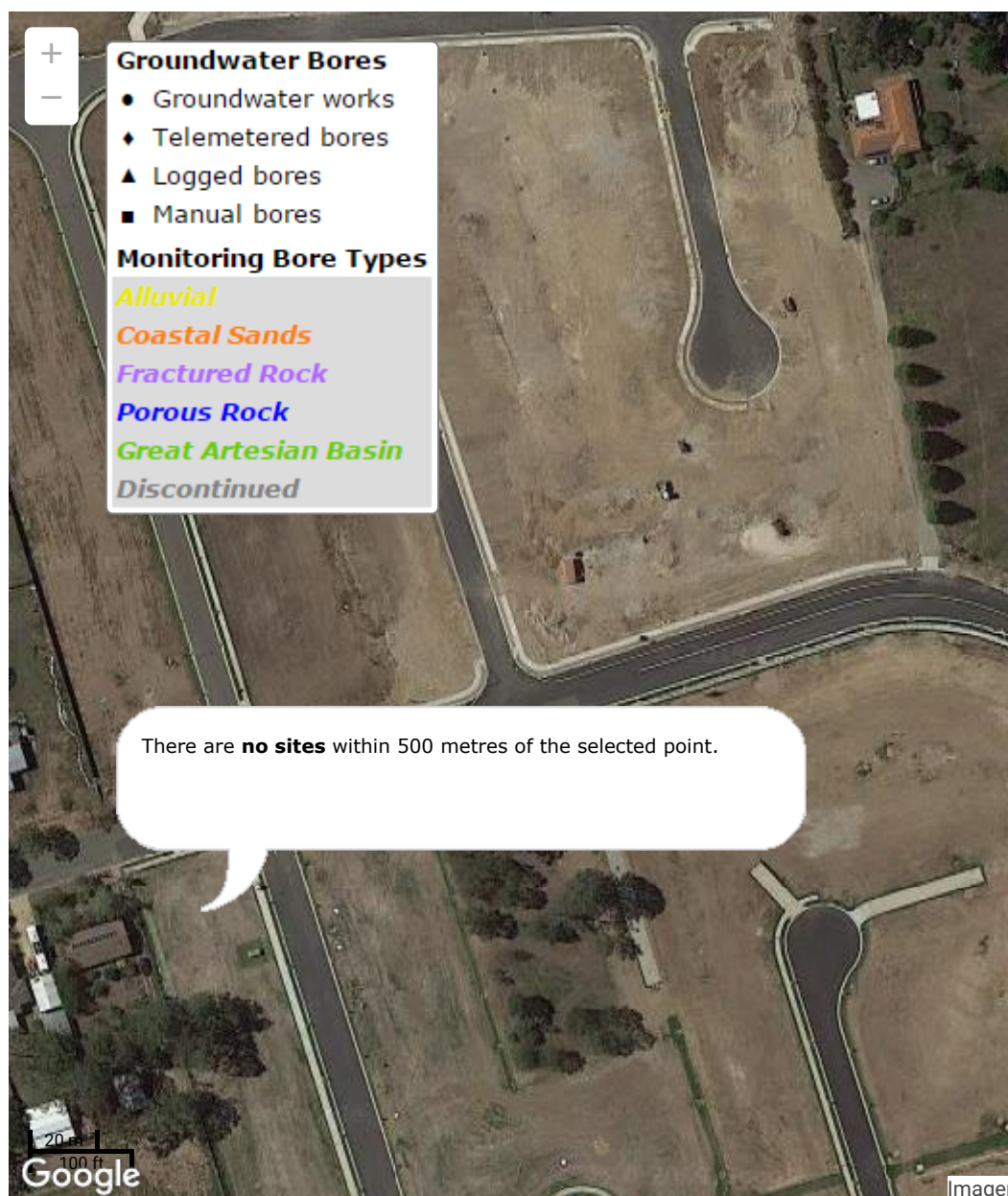
[All Groundwater Site Details](#) » [All Groundwater Map](#) » [Greater Sydney Region](#)

Georges River Basin

[bookmark this page](#)

All data times are Eastern Standard Time

Map



Appendix C – Certificates of Title

Provided by CITEC Confirm

NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 1/1230557

SEARCH DATE	TIME	EDITION NO	DATE
26/7/2019	2:01 PM	1	22/2/2019

LAND

LOT 1 IN DEPOSITED PLAN 1230557
AT THIRLMERE
LOCAL GOVERNMENT AREA WOLLONDILLY
PARISH OF COURIDJAH COUNTY OF CAMDEN
TITLE DIAGRAM DP1230557

FIRST SCHEDULE

OAKDALE BUILDING & MANAGEMENT SERVICES PTY LTD

SECOND SCHEDULE (7 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 DP1248773 EASEMENT TO DRAIN WATER 6 METRE(S) WIDE AND VARIABLE APPURTENANT TO THE LAND ABOVE DESCRIBED
- 3 DP1230557 RESTRICTION(S) ON THE USE OF LAND REFERRED TO AND NUMBERED (12) IN THE S.88B INSTRUMENT AFFECTING THE PART SHOWN SO BURDENED IN THE TITLE DIAGRAM
- 4 DP1230557 RESTRICTION(S) ON THE USE OF LAND REFERRED TO AND NUMBERED (13) IN THE S.88B INSTRUMENT AFFECTING THE PART SHOWN SO BURDENED IN THE TITLE DIAGRAM
- 5 DP1230557 RESTRICTION(S) ON THE USE OF LAND REFERRED TO AND NUMBERED (14) IN THE S.88B INSTRUMENT
- 6 DP1230557 RESTRICTION(S) ON THE USE OF LAND REFERRED TO AND NUMBERED (17) IN THE S.88B INSTRUMENT
- 7 DP1230557 RESTRICTION(S) ON THE USE OF LAND REFERRED TO AND NUMBERED (20) IN THE S.88B INSTRUMENT

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

Thirlmiere

PRINTED ON 26/7/2019

Provided on 26/07/2019 02:01 PM by CITEC Confirm

* 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.

CITEC Confirm 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, 1900.

Information contained in this document is provided by CITEC Confirm, ABN 52 566 829 700, confirm.com.au, an approved NSW Information Broker.

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Provided by CITEC Confirm

NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 2/1230557

SEARCH DATE	TIME	EDITION NO	DATE
26/7/2019	2:01 PM	1	22/2/2019

LAND

LOT 2 IN DEPOSITED PLAN 1230557
AT THIRLMERE
LOCAL GOVERNMENT AREA WOLLONDILLY
PARISH OF COURIDJAH COUNTY OF CAMDEN
TITLE DIAGRAM DP1230557

FIRST SCHEDULE

OAKDALE BUILDING & MANAGEMENT SERVICES PTY LTD

SECOND SCHEDULE (7 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 DP1248773 EASEMENT TO DRAIN WATER 6 METRE(S) WIDE AND VARIABLE APPURTENANT TO THE LAND ABOVE DESCRIBED
- 3 DP1230557 EASEMENT FOR PADMOUNT SUBSTATION 2.75 METRE(S) WIDE AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
- 4 DP1230557 RESTRICTION(S) ON THE USE OF LAND REFERRED TO AND NUMBERED (12) IN THE S.88B INSTRUMENT AFFECTING THE PART SHOWN SO BURDENED IN THE TITLE DIAGRAM
- 5 DP1230557 RESTRICTION(S) ON THE USE OF LAND REFERRED TO AND NUMBERED (13) IN THE S.88B INSTRUMENT AFFECTING THE PART SHOWN SO BURDENED IN THE TITLE DIAGRAM
- 6 DP1230557 RESTRICTION(S) ON THE USE OF LAND REFERRED TO AND NUMBERED (17) IN THE S.88B INSTRUMENT
- 7 DP1230557 RESTRICTION(S) ON THE USE OF LAND REFERRED TO AND NUMBERED (20) IN THE S.88B INSTRUMENT

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

Thirlmiere

PRINTED ON 26/7/2019

Provided on 26/07/2019 02:01 PM by CITEC Confirm

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NEW SOUTH WALES LAND REGISTRY SERVICES - CT INQUIRY
-----FOLIO: 7/245153

Status: PARTLY CANCELLED

Edition No: 12 Date Issued: 14/12/2018 Status Date: 22/2/2019

Last Delivered To: 719V ACE AGENTS .

Date Delivered: 14/12/2018 Issued By: R AN924020

*** END OF SEARCH ***

PRINTED ON 26/7/2019

12151 10
(Page 1) Vol. Fol.

12151010

NEW SOUTH WALES

CERTIFICATE OF TITLE

PROPERTY ACT, 1900



Appln. No.38565

Vol. 12151 Fol. 10

Prior Title Vol.6902 Fol.220

Edition issued 27-6-1973



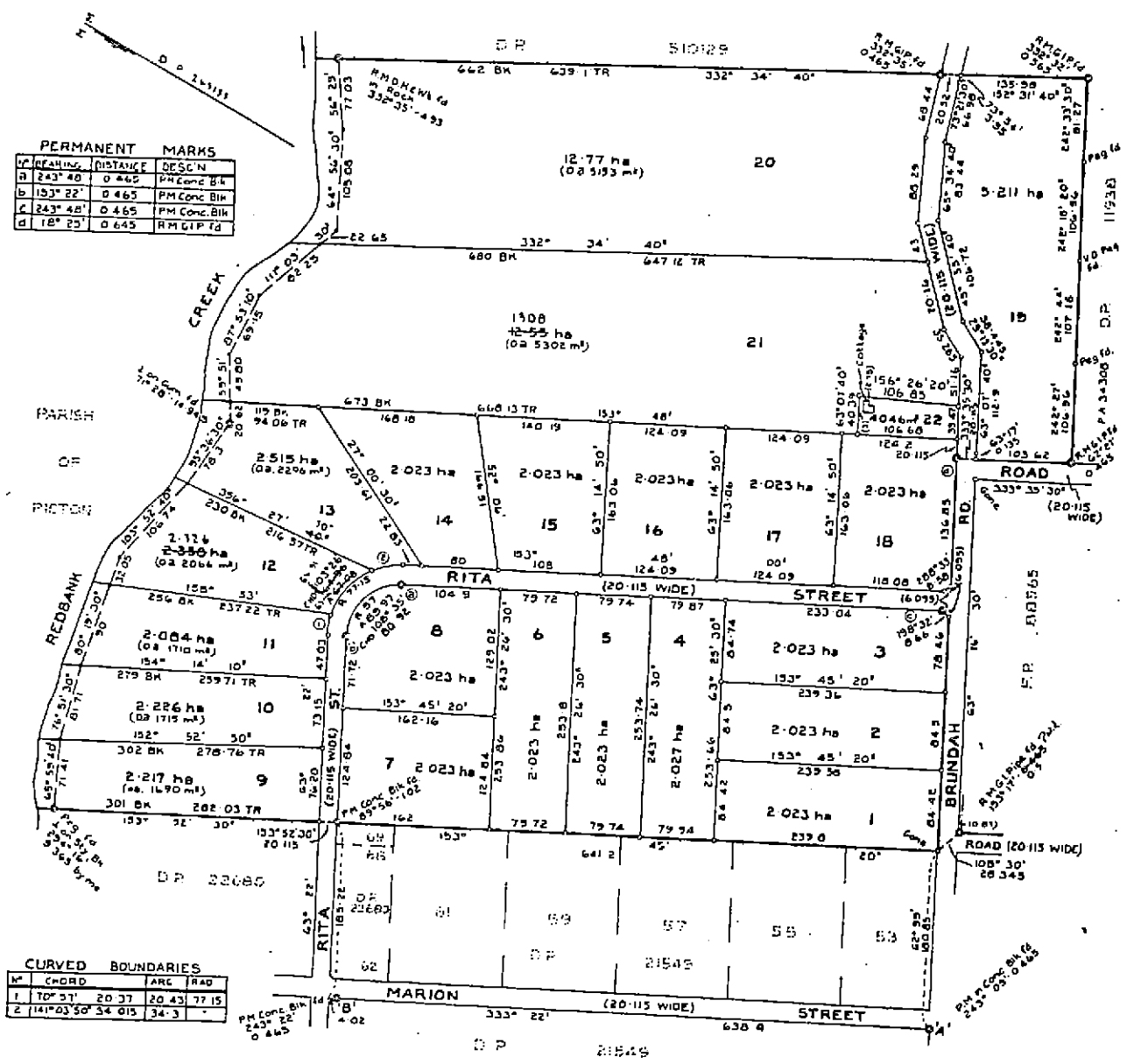
I certify that the person described in the First Schedule is the registered proprietor of the undermentioned estate in the land within described subject nevertheless to such exceptions encumbrances and interests as are shown in the Second Schedule.

CANCELLED
Jawatson
Registrar General.
SEE AUTO FILE



PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES



PERMANENT MARKS
1. 243° 40' 0 465 PM Conc Bk
2. 153° 22' 0 465 PM Conc Bk
3. 243° 48' 0 465 PM Conc Bk
4. 18° 25' 0 465 RM GIP Rd

CURVED BOUNDARIES
1. 10° 31' 20.37 20.43 77.15
2. 141° 03' 50 34.015 34.3

ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 7 in Deposited Plan 245153 at Thirlmere in the Shire of Wollondilly Parish of Couridjah and County of Camden being part of Portion 253 granted to Thomas James on 1-6-1833.

FIRST SCHEDULE

KULJA PTY LIMITED.

SECOND SCHEDULE

1. Reservations and conditions, if any, contained in the Crown Grant above referred to.
2. Mortgage No. M235362 to Lombard Australia Limited. Entered 14-3-1972 Discharged NS32089

Jawatson
Registrar General

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.

202

Primary Appn. No. 38565

Reference to Last Title

Vol. 6792 Fol. 155

New South Wales.

[CERTIFICATE OF TITLE.]



CANCELLED R

REGISTER BOOK.

VOL. 6902 Fol. 220

Issued on Order No. G134296

EDWARD BEALE DOBSON, of Thirlmere, Hotel Manager, is now the proprietor of an Estate in Fee Simple,
subject nevertheless to the reservations and conditions, if any, contained in the Grant hereinafter referred to, and also subject to such encumbrances,
liens, and interests as are notified hereon, in that piece of land situated
in the Shire of Wollondilly Parish of Couridjah, and County of Camden
shown in the plan hereon and therein edged red and also shown in plan No.2 lodged with Application No.38565 being
Portion 253 granted to Thomas James on 1st June 1833.

In witness whereof I have hereunto signed my name and affixed my Seal, this

Twentieth day of December, 1954

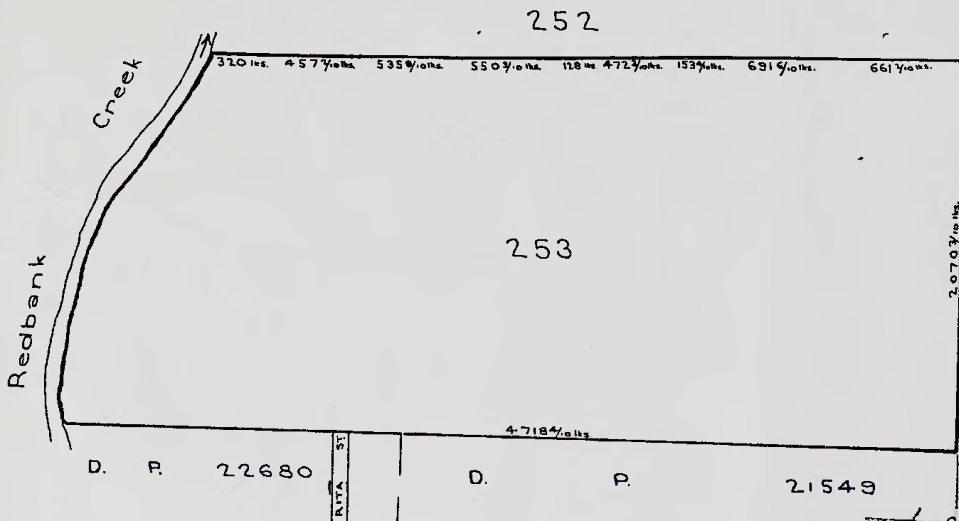
Signed in the presence of

J. W. Moss

J. H. Pells



Registrar-General



Area: 91ac. Ind. Open.
Scale: 8 Chains to one inch.

NOTIFICATION REFERRED TO

No. G33991 Caveat by the Registrar General dated 12th March 1954
Produced 12th March 1954 and entered 26th March 1954 at 12 o'clock noon.

J. H. Pells



Registrar General

No. G67868 Caveat dated 10th May 1954. Produced 11th May 1954 and entered 31st May 1954 at 12 o'clock noon.

J. H. Pells



Registrar General

CAVEAT No. G67868 has been withdrawn.

See G560144 Entered 17th August 1956

REGISTRAR GENERAL

No. G541985 TRANSFER dated 13th June 1956
from the said Edward Beale Dobson to Peter
Lawrence of Moorbank Haulage Contractor

of the land within described
Produced 20th July 1956 and entered 24th August 1956
at 12 o'clock noon.

J. H. Pells

REGISTRAR GENERAL

No. G541986 MORTGAGE dated 13th June 1956
from the said Peter Lawrence to Edward Beale
Dobson of Thirlmere Hotel Manager

Produced 20th July 1956 and entered 24th August 1956
at 12 o'clock noon.

J. H. Pells

REGISTRAR GENERAL

No. G560145 Caveat produced 21st August 1956
and entered 24th August 1956

J. H. Pells

Registrar General

MORTGAGE No. G541986 has been discharged.
See G949895 Entered 9th May 1958
J. P. Pello
REGISTRAR GENERAL.

CAVEAT No. G560145 has been withdrawn.
See J66491 Entered 15th June 1962
Jawatson
REGISTRAR GENERAL.

MORTGAGE No. H990910 dated 26th January 1962
to The Commercial Bank of Australia Limited
Entered 15th June 1962
Jawatson
REGISTRAR GENERAL.

MORTGAGE No. H990910 has been discharged.
See M339730 Entered 13th July 1971
Jawatson
REGISTRAR GENERAL.

No M415945 Caveat dated 1st September 1971
Registered 10th September 1971
Jawatson
Registrar General.

No M506875 Caveat 16th November, 1971.
(Registered 1st December, 1971.)
Jawatson
Registrar General.

CAVEAT No. M506875 has been withdrawn
See M703940 Entered 8th May 1972
Jawatson
REGISTRAR GENERAL.

CAVEAT No. M415945 has been withdrawn
See M703941 Entered 8th May 1972
Jawatson
REGISTRAR GENERAL.

Kulja Pty Limited is
now the registered proprietor of the land within described.
See TRANSFER No. m835361 dated 30th July 1972
Entered 14th August 1972
Jawatson
REGISTRAR GENERAL.

No m835362 MORTGAGE dated 30th July 1972
to Lombard Australia Limited
Entered 14th August 1972
Jawatson
REGISTRAR GENERAL.

The interest of the Council of the Shire of
WOLLONDILL in the new road shown on
D. P. 245153
Entered 12/6/1973
Jawatson
Registrar General.

This deed is cancelled as to the whole (ex road)
New Certificates of Title have issued on 27.6.1973
for lots in Deposited Plan No. 245153 as follows:-
Lots 1 to 22 Vol. 12151 Fols 4 to 25 respectively.
Jawatson
REGISTRAR GENERAL.

The residue of land in this certificate of title
comprises new road in DP 245153
Entered 9th July 1973
Jawatson
REGISTRAR GENERAL.

H990910 M.R.
M415945 Pello
07/11/506875 Huf

DP245153
12/6/73
Plans lodged on
1/12/72 245153
Whole ex road



Appendix D – Historical Aerial Photographs



SCALE: DRAWN TO SCALE AS SHOWN

Not To Scale

NORTH

LEGEND:

Photograph courtesy of
NSW Land and Property Information



REV: A
DATE: 26/07/2019
DRAWN: GP
APPROVED: GP
STATUS: Final
DWG NO:

CLIENT: TM & NH & BH VO

PROJECT: 2-6 Chalker Street, Thirlmere, NSW


PROJECT NUMBER: LG1925.01

TITLE: **Aerial Photograph
1930**


FIGURE:

A4




SCALE: DRAWN TO SCALE AS SHOWN		NORTH
Not To Scale		
LEGEND:		
Photograph courtesy of NSW Land and Property Information		
	REV:	A
	DATE:	26/07/2019
	DRAWN:	GP
	APPROVED:	GP
	STATUS:	Final
	DWG NO:	
CLIENT: TM & NH & BH VO		
PROJECT: 2-6 Chalker Street, Thirlmere, NSW		
PROJECT NUMBER: LG1925.01		
TITLE:	Aerial Photograph 1991	FIGURE:
		A4



SCALE: DRAWN TO SCALE AS SHOWN		<div>NORTH</div>
Not To Scale		
LEGEND:		
<div>Photograph courtesy of NSW Land and Property Information</div>		
<div></div>	REV: A	
	DATE: 26/07/2019	
	DRAWN: GP	
	APPROVED: GP	
	STATUS: Final	
	DWG NO:	
CLIENT: TM & NH & BH VO		
PROJECT: 2-6 Chalker Street, Thirlmere, NSW		
PROJECT NUMBER: LG1925.01		
TITLE:	Aerial Photograph 2010	FIGURE:
		A4



SCALE: DRAWN TO SCALE AS SHOWN		NORTH
Not To Scale		
LEGEND:		
Photograph courtesy of NSW Land and Property Information		
	REV:	A
	DATE:	26/07/2019
	DRAWN:	GP
	APPROVED:	GP
	STATUS:	Final
	DWG NO:	
CLIENT: TM & NH & BH VO		
PROJECT: 2-6 Chalker Street, Thirlmere, NSW		
PROJECT NUMBER: LG1925.01		
TITLE:	Aerial Photograph 2018	FIGURE:
		A4



SCALE: DRAWN TO SCALE AS SHOWN

Not To Scale

NORTH

LEGEND:

Photograph courtesy of
NSW Land and Property Information



REV: A
DATE: 26/07/2019
DRAWN: GP
APPROVED: GP
STATUS: Final
DWG NO:

CLIENT: TM & NH & BH VO

PROJECT: 2-6 Chalker Street, Thirlmere, NSW

PROJECT NUMBER: LG1925.01

TITLE: **Aerial Photograph
2019**

FIGURE:

A4



Appendix E – NSW EPA Search Results

Search results

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

Suburb - Thirlmere

returned 6 results

[Export to excel](#)

1 of 1 Pages

[Search Again](#)

Number	Name	Location	Type	Status	Issued date
1533822	LUAI TOMA	110 West Parade , THIRLMERE, NSW 2572	s.91 Clean Up Notice	Issued	15 Sep 2015
3085781573	M&T Haulage Tipper Pty Ltd	239 Bridge Street, THIRLMERE, NSW 2572	Penalty Notice	Issued	24 Feb 2017
3085781564	NADER TALEB	239 Bridge Street, THIRLMERE, NSW 2572	Penalty Notice	Issued	24 Feb 2017
1540016	NATHAN KERSHAW	230 Bonds Road, THIRLMERE, NSW 2572	s.91 Clean Up Notice	Issued	26 Apr 2016
1566469	NATHAN KERSHAW	230 Bonds Road, THIRLMERE, NSW 2572	s.91 Clean Up Notice	Issued	28 Sep 2018
1550015	PASQUALE TEDESCO	125 Bonds Road, THIRLMERE, NSW 2572	s.91 Clean Up Notice	Issued	09 Mar 2017

26 July 2019

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For local government ☐

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- ☐ info@epa.nsw.gov.au (mailto:info@epa.nsw.gov.au)
- ☐ EPA Office Locations (<https://www.epa.nsw.gov.au/about-us/contact-us/locations>)

[Accessibility \(https://www.epa.nsw.gov.au/about-us/contact-us/website-service-standards/help-index\)](https://www.epa.nsw.gov.au/about-us/contact-us/website-service-standards/help-index)

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did not find any records in our database.

- Contamination may be present but the site has not been regulated by the EPA under the Contaminated Land Management Act 1997 or the Environmentally Hazardous Chemicals Act 1985.
- The EPA may be regulating contamination at the site through a licence or notice under the Protection of the Environment Operations Act 1997 (PEEO Act).
- Contamination at the site may be being managed under the [planning process](#).

- The [POEO public register](#)
- The appropriate planning authority: for example, on a planning certificate issued by the local council under [section 149 of the Environmental Planning and Assessment Act](#).

If you want to know whether a specific site has been the subject of notices issued by the EPA under the CLM Act, we suggest that you search by Local Government Area only and carefully review the sites that are listed.

This public record provides information about sites regulated by the EPA under the Contaminated Land Management Act 1997, including sites currently and previously regulated under the Environmentally Hazardous Chemicals Act 1985. Your inquiry using the above search criteria has not matched any record of current or former regulation. You should consider searching again using different criteria. The fact that a site does not appear on the record does not necessarily mean that it is not affected by contamination. The site may have been notified to the EPA but not yet assessed, or contamination may be present but the site is not yet being regulated by the EPA. Further information about particular sites may be available from the appropriate planning authority, for example, on a planning certificate issued by the local council under section 149 of the Environmental Planning and Assessment Act. In addition the EPA may be regulating contamination at the site through a licence under the Protection of the Environment Operations Act 1997. You may wish to search the POEO public register.[POEO public register](#)

26 July 2019

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