

## **Attachment 4 – Preliminary Contaminated Site Assessment**

**ROKOBALUER**

PLANNING & ENVIRONMENT

**Phase 1**  
**Preliminary Contaminated Site**  
**Investigation**

File No: 16103-1

Date: 19 November 2015

**Site**

Lot 6 DP 1128635

11 Westminster Place Razorback

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## 1. Executive Summary

<b>Site</b>	Lot 6 DP 1128635 11 Westminster Place Razorback
<b>Background</b>	A development application has been lodged for subdivision of the land. The Council has requested a preliminary contaminated site assessment in accordance with Clause 7(2) of SEPP 55.
<b>Objectives of the investigation</b>	To prepare a report that specifies the findings of a preliminary investigation of the land as required by Clause 7(2) of SEPP 55 so that the Council can be satisfied of the matters prescribed by Clause 7 of this SEPP and grant development consent to the subdivision.
<b>Scope of works</b>	This is a desktop investigation of the site's history as required by the contaminated land planning guidelines.
<b>Summary of conclusions and recommendations</b>	<p>There is an isolated area of environmental concern (AEC) as the result of unlawful and unregulated earthworks on the site. This will either need to be validated under the POEO Act or subject to detailed investigation under the CLM Act and NEPM.</p> <p>I consider that the site is suitable in its present state for the proposed subdivision because the AEC is remote from the proposed building envelopes. The status quo for the AEC will not be changed by the proposed development in that it will remain part of a large rural parcel.</p>
<b>Report Author</b>	Grant Rokobauer Town Planner and Environmental Scientist P: 1300 45 55 45 E: grant@rokobauer.com Suite 9 Number 509-519 High St Penrith 2750



## 2. Site Identification

The land is legally known as Lot 6 in DP 1128635. It has been assigned the address of 11 Westminster Place Razorback. It has frontage to Remembrance Driveway and to the cul-de-sac head of Westminster Place. State Survey Marker SS163769 is located on the front boundary of the site to Westminster Place. Its coordinate is Easting 282425 and Northing 6218169 on GDA 94 / MGA Zone 56. A locality map is included as Appendix 1 and a site plan as Appendix 2.

## 3. Scope of works

This report is a phase 1 contaminated site assessment in accordance with the requirements of Clause 7(2) of SEPP 55.

## 4. Site History

### i. Land Use Zone

The land is currently zoned part E4 Environmental Living and part RU2 Rural Landscape under Wollondilly LEP 2011. The previous LEP was Wollondilly LEP 1991. Between 1991 and 1997 the land was zoned a rural "A" zone. Between 1997 and 2011 the land was partly zoned 7(c) Rural Living and 1(b) Agricultural Landscape. Prior to 1991 the land had a variety of rural zoning back to the first planning ordinances to apply to the site.

### ii. Land Use

The land is currently used as a rural living opportunity with a partially constructed truck parking area in the southern portion of the site. It is proposed to subdivide the northern portion of the site into 4 rural living lots. Historically the property appears to have been used for low intensity agriculture. The results of a search of Council's development register is provided below

Cancel Copy Paste Print Link Print Link Excel Help

1 of 1

Parcel 21250 Parcel Flag Registered

H/No. 11 Street Side R Address Sequence 0

Street Westminster PL RAZORBACK

Title 1 Lot 6 Sec DP 1128635 Entitlement 0

Application Details

Current Property ☒ Historic Properties ☒ Both Current & Historic ☒ Line 1 of 13

Indx	Formatted Account	Document Type	External Reference	Precis	Received Date	Determination	Determinat
	010.2015.00000775.001	Development Applications		Five (5) Lot Subdivision	16/10/2015		
	010.2015.00000542.001	Development Applications		Cont'd Use Transport Depot incl Admin Purposes & Cont'd Use Earthworks	23/07/2015		
	010.2013.00000124.001	Development Applications		Machinery Shed & S68 Connection to Existing Sewage Management System	19/03/2013	19/04/2013	Approved L
	010.2010.00000925.001	Development Applications		New Septic Tank - Aerated Surface	15/12/2010	17/02/2011	Approved L
	010.2010.00000634.001	Development Applications		Single Storey Dwelling & Inground Water Tank	08/09/2010	14/10/2010	Approved L
H1	010.2007.00052363.001	Development Applications	AD602-07	Boundary Adjustment	23/08/2007	25/10/2007	Approved L
H1	010.2005.00057532.001	Development Applications	AD648-05	S66 modification received to amend lot layouts. (Orig file D321-00)	19/07/2005	16/06/2006	Approved L
H1	006.1990.00000484.001	1986 to 1998 DAs	B484/90	ST 207/90	22/06/1990	19/07/1990	Approved L
H1	006.1989.00000603.001	1986 to 1998 DAs	B603/89	ADDITION	26/06/1989	03/08/1989	Unknown
H1	010.2007.00052646.001	Development Applications	C588-07	Demolition of Existing Dwelling	22/08/2007	27/09/2007	Approved L
H1	010.1990.00000243.001	Development Applications	D243/90	DWELLING	22/06/1990	16/07/1990	Approved L
H1	010.2000.00060907.001	Development Applications	D321-00	11 Lot Subdivision	07/03/2000	04/09/2000	Deferred C
H1	006.1990.00004331.001	1986 to 1998 DAs	S207/90	BA 464/90	22/06/1990		

iii. Review of Aerial Photography


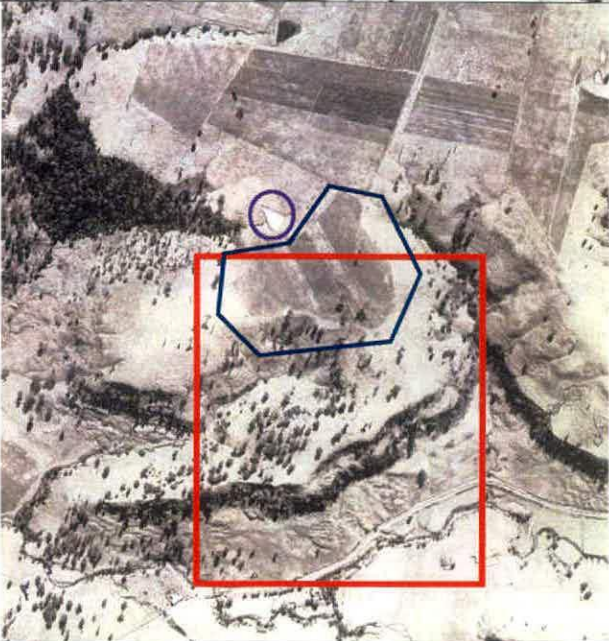
Image	Commentary
	<p>1955 Warragamba Catchment Run 9</p> <p>There are signs of horticulture to the north of the site.</p> <p>While the site is largely clear of native vegetation there are no dams present and there is no evidence of intensive agricultural activity.</p>
	<p>1961 Cumberland Run 54W</p> <p>There are signs of some intensive horticulture in the northern part of the site. There is also an earth dam north of the site. This dam is identified by a purple circle in all subsequent photos.</p>




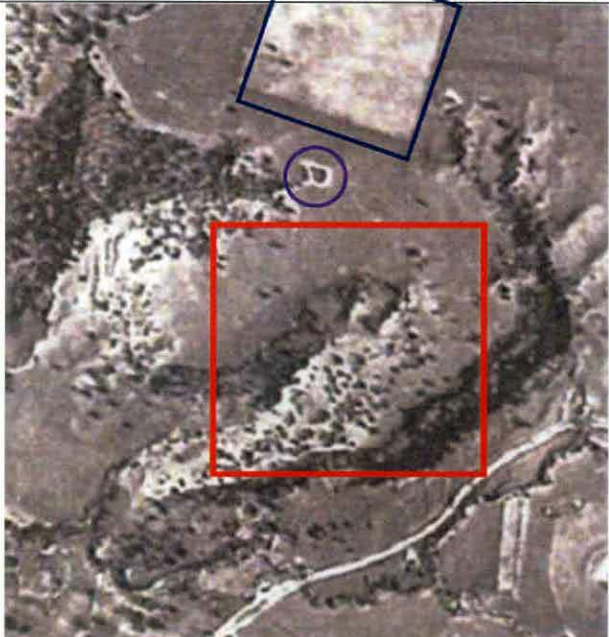
Image	Commentary
	<p>1969 Wollongong Run 3C</p> <p>This photo is not very clear. The dam can be seen but the intensity of the surrounding agriculture is impossible to determine.</p>
	<p>1975 Wollongong Run 3</p> <p>This photo is not very clear. The dam can be seen but the intensity of the surrounding agriculture is impossible to determine. There appears to be some intensive agriculture north of the site.</p>



Image	Commentary
	<p><b>1984</b> <b>Wollongong Run 8</b></p> <p>A set of buildings have been constructed north of the site and a series of tracks crisscross the northern part of the site. No intensive agriculture is apparent. An earth dam has been installed on the site.</p>
	<p><b>1988</b> <b>Wollongong Run 8</b></p> <p>There is no significant change from 4 years prior.</p>





Image	Commentary
	<p>1994 Wollongong Run 5</p> <p>An additional earth dam has been installed.</p>
	<p>1998 Wollongong Run 3</p> <p>This photo is not very clear. However, there does not appear to be any significant change from 6 years prior.</p>



Image	Commentary
	<p>2002 Wollongong Run 5</p> <p>There is no significant change from 4 years prior.</p>
	<p>2005 Wollongong Run 5</p> <p>There is no significant change from 3 years prior.</p>



Image	Commentary
	<p>2012 SIX Maps</p> <p>There is no significant change from 7 years prior.</p>

#### iv. Record Searches

Agency	Result	Appendix
Safe Work NSW	No records	3
Wollondilly Shire Council	One complaint regarding unlawful earthworks.	4 & 5
NSW Environmental Protection Authority	No Records	6

#### v. Chemicals and Industry

There is no evidence to suggest that the land has been used for chemical storage or industrial processes.

#### vi. Groundwater bores

There are no operating groundwater bores in the vicinity.



## vii. Local Knowledge

I have reviewed evidence from the current owner and note that he acknowledges unauthorised works on the land. I assume these to be the works that are the subject of the complaint on Council's records. The completed owner's questionnaire is attached as Appendix 7.

## viii. Ownership changes and consolidated history

Period	Ownership/Use Information
Prior to 1833	Local Aboriginal People
1833 - 1852	Original Crown Land Grant to Henry Colden Antill - A soldier and senior member of the civil service
1852-1980	Incomplete information exists because the records were among the last in Picton to be converted to the new system by the NSW Land Titles Office. While it is possible to investigate this period in more detail there is no evidence that this particular part of the estate was used for agriculture, which was focused to the north. If there were any contaminating activity on the site it is likely that it would have been focussed in the northern part of the site which has already been developed for rural residential development.
1980-1981	Owned by John Dieter Kahlbetzer agribusiness company director
1981-2011	Owned by Westminster Freehold Pty Ltd, a property development company
2011 - Current	Owned by Cavanagh, a civil contractor.

## 5. Site Condition

### i. Topography

The site generally slopes to the east and north and is transected by an escarpment. It contains a number of dams.

### ii. Site Boundaries

The property is fenced with rural style fencing.

### iii. Site Inspection Results

Three areas of environmental concern were identified during site inspection undertaken on 30 November 2015.

AEC 1 - Earthworks for the "Depot"



The first is the "depot" that relies on Remembrance Driveway for access. The source of the material in this location is unknown and requires validation.

#### **AEC 2 - Stockpiles of old telegraph poles**

A number of telegraph poles have been stockpiled on the site. These appear to be old and extensively weathered. There was a patch of relatively bare soil near the poles but this appears to be the result of compaction and corresponds to the likely location of very shallow soils on the site. The extent of the bare soil does not surround or extend beneath the timber and appears to be unrelated.

I am advised that the timber imported to the site as part of the owners activities as a civil contractor and are used for maintenance of fencing on the property. I consider that the risk of leachate from this timber is lower than, for example, a typical treated pine retaining wall or deck because the timber is not stored in this location for great lengths of time. Consequently, I am of the opinion that further investigation is not required.

#### **AEC 3 - Stockpiles of Chicken Manure**

The owner was pasture improving for horses on the property during the around the time of the site inspection and was applying what appeared to be spent shavings from a poultry farm on the land. This is a common and low risk rural activity and I do not consider that further investigation is required in this regard.

#### **iv. Sensitive Environments**

I noted the presence of stands of native vegetation as identified on the subdivision plan. None of the AEC's showed signs of impact on those stands.

### **6. Geology and Hydrogeology**

The site is located within the Wollongong (9029) Geological Series Sheet of the NSW Geological Survey. The site is identified on that map as having sandstone (Razorback and Mt Hercules members) lithology which is a fine to medium grained quartz-lithic sandstone.

How groundwater investigation has been undertaken at this stage. Any groundwater impacts that may have occurred as a result of AEC 1 are likely to be contained within the part of the site that is below the escarpment. It is very unlikely that there is an up escarpment groundwater flow. Such impacts would not affect the proposed new rural residential lots.

### **7. Chemical Analysis**

There are no readily available results. No investigation has been undertaken at this preliminary stage.

### **8. Assessment Criteria**

The criteria for this investigation are in accordance with the contaminated land planning guidelines. In particular, the investigation is seeking to identify any past uses of the land that are listed within table 1 of those guidelines.

## 9. Results

No chemical testing has been undertaken at this stage.

## 10. Site Characterisation

The site above the escarpment is rural land that is not subject to any particular land contamination. The site below the escarpment is potentially contaminated land and further investigation is needed to determine the extent of contamination (if any).

## 11. Conclusions

### Findings

1. The part of the site that is above the escarpment is suitable for rural residential uses.
2. The part of the site that is below the escarpment needs further investigation to determine if any contaminated soil was imported to the land as part of the earthworks for the "depot".

### Assumptions

1. The material that appeared to be spent poultry shed shaving are exactly that.
2. The groundwater does not flow up the escarpment.
3. The telegraph poles were suitably cured and weathered before entering the site that they do not pose a significant risk for leachate contamination.
4. The site was not used for any contaminating purpose between 1852 and 1955.

### Uncertainties

This report is prepared in good faith based on:

- Information provided by the current owners
- Information provided by the council and NSW Government Agencies
- The results of a site inspection

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**Grant Rokobauer**

Town Planner and Environmental Scientist

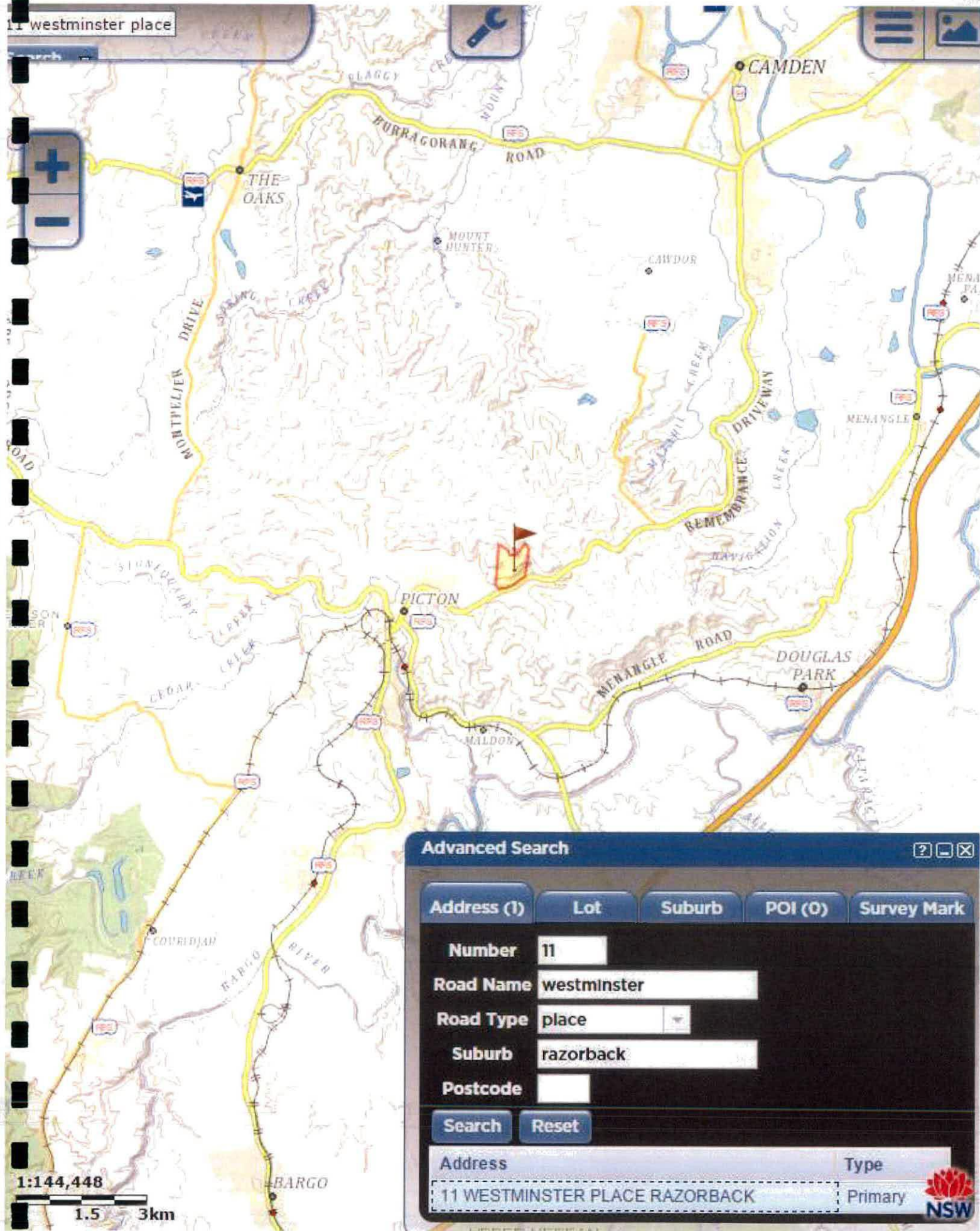
P: 1300 45 55 45 E: [grant@rokobauer.com](mailto:grant@rokobauer.com)

Suite 9 Number 509-519 High St Penrith 2750

[www.rokobauer.com](http://www.rokobauer.com)

## Appendix 1: Locality Map





Advanced Search



Address (1)	Lot	Suburb	POI (0)	Survey Mark
-------------	-----	--------	---------	-------------

Number 11

Road Name westminster

Road Type place

Suburb razorback

Postcode

Search

Reset

Address

Type

11 WESTMINSTER PLACE RAZORBACK

Primary





## Appendix 2: Site Plan



DP 260390

ZONING BOUNDARY  
27° 24' 30"  
964.16

RU2 ZONING - RURAL LANDSCAPE

HEAVILY VEGETATED  
BUSHLAND

Lot 1  
4.09 Ha

SCATTERED  
TREES

Lot 2  
4.28 Ha

E4 ZONING - ENVIRONMENTAL LIVING

WESTMINSTER PLACE

Bench Mark  
SSM 163769  
RL: 310 (AHD)

66° 08' 10" Ch. 21  
A. 22.635 R. 17

HEAVILY VEGETATED &  
STEEP BUSHLAND

Lot 3  
4.02 Ha

Lot 4  
4.01 Ha

HEAVILY VEGETATED &  
STEEP BUSHLAND

Lot 5  
38.92 Ha

- CAUTION**
1. This detail survey is not a "Survey" as defined by the Surveying Act, 2002. If any construction and/or building location area computations are planned, it would be advisable to carry out further survey work to determine the boundary dimensions.
  2. Celestial boundaries have been surveyed for the purposes of a detail survey only. Their location is approximate only and should be verified by a subsequent survey prior to the commencement of, or any construction.
  3. Relationship of improvements to boundaries is diagrammatic only.
  4. Where offsets are critical, they should be confirmed by further survey.
  5. Contours are interpolated from accurate spot levels as shown and should be used as a guide only. Do not interpolate contours. Contour interval is 1m.
  6. The location or existence of underground services has not been surveyed and where shown is sourced only from "Dial before you dig". This information is approximate only. Full details of these services should be obtained from the relevant authorities prior to any construction.
  7. This plan is an MGA Ground-to-ordinates, centred on SSM 163769.
  8. Origin of Levels SSM 163769 RL 310 AHD.
- These notes form an integral part of this plan.

**AEC 1 Off Sheet**

SINGLE STAND ALONE THIS NOT A SUBDIVISION ON THIS SURVEY

REV.	DATE	DESCRIPTION	BY
A	14 Oct 2018	Initial Release	BW



**SYDNEY LAND SURVEYORS**  
Consulting Surveyors

Ph (02) 9967 0511  
152 Sullern Bay Road Northcote VIC 3083

CLIENT / PROJECT  
Mr Sam Cavanagh

THIS PLAN MUST NOT BE USED FOR CONSTRUCTION UNLESS SIGNED AS APPROVED BY PRINCIPAL CERTIFYING AUTHORITY

DRAWN BY  
APPROVED BY  
DATE: 11 October 2018

DATUM: AHD  
ORIGIN: SSM 163769  
SHEET SIZE: A1  
SCALE: 1:1250

DRAWING TITLE  
LOCAL GOVT AREA: WOLLONDELY

PLAN OF PROPOSED SUBDIVISION  
LOT 6 DP 1128635  
11 WESTMINSTER PLACE, RAZORBACK

DRAWING STATUS

DRAWING NUMBER  
150715-sub  
Sheet: 1 OF 1  
Revision: B



## Appendix 3: Photographs





Photo 1: AEC 3 - Spent Poultry Shavings

Photo 2: AEC 3 - Spent Poultry Shavings Detail







Photo 3: Wide Angle

Photo 4: Wide Angle







Photo 5: Wide Angle - Owner's Horses are in view

Photo 6: Wide Angle





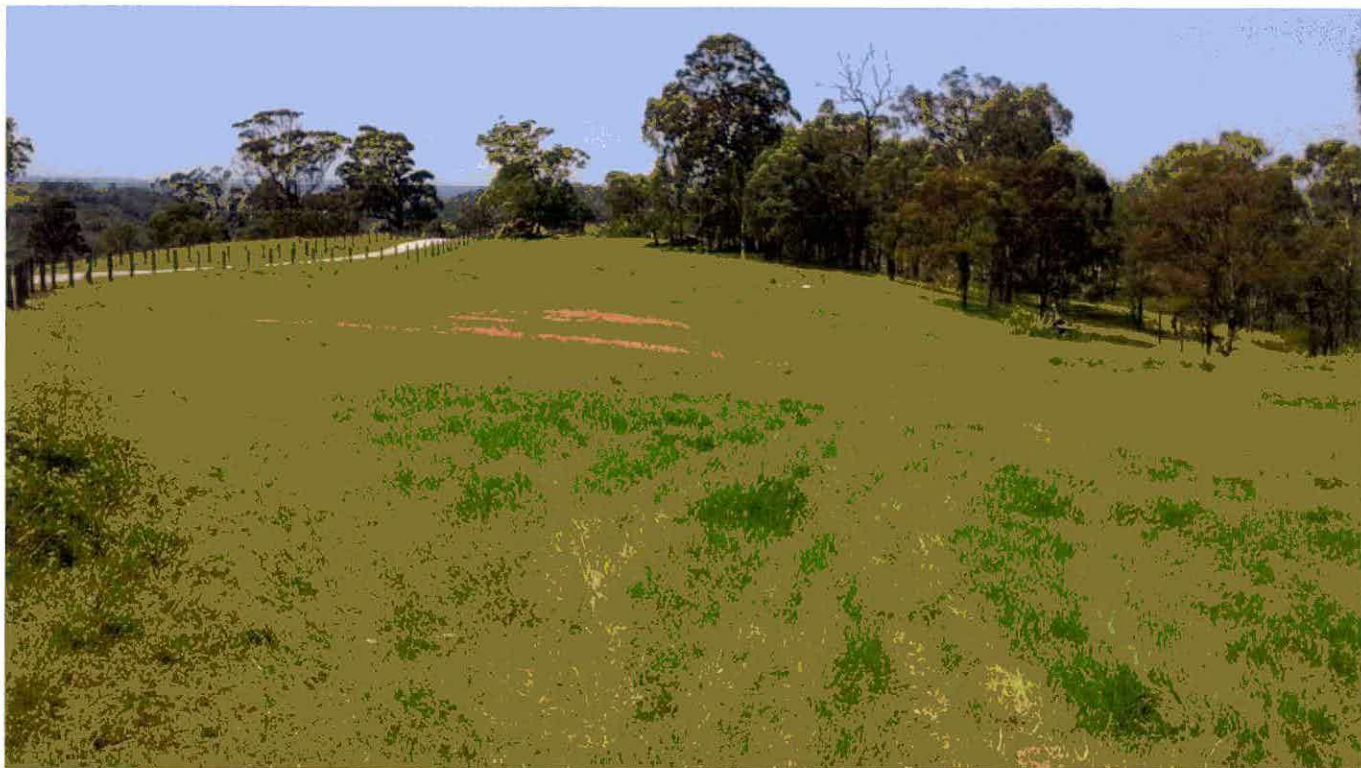


Photo 7: Wide Angle - AEC 2 is in view

Photo 8: Wide Angle







Photo 9: AEC 2 - Detail

Photo 10: AEC 2 - Detail





## Appendix 4: NSW Government and Local Government Searches and Certificates



Healthy Environment, Healthy Community, Healthy Business

[Home](#) > [Contaminated land](#) > [Record of notices](#)

## Search results

Your search for:LGA: Wollondilly Shire Council

Matched 1 notice relating to 1 site.

[Search Again](#)[Refine Search](#)

Suburb	Address	Site Name	Notices related to this site
MALDON	Lot 2 Wilton Park ROAD	<a href="#">Maldon Works</a>	1 current

Page 1 of 1

29 October 2015

### Connect

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[Offices](#)  
[Report pollution](#)

### Government

[NSW Government](#)  
[jobs.nsw](#)

### About

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[Privacy](#)  
[Copyright](#)





**WorkCover**

Our Ref: D15/179994  
Your Ref 137483

WorkCover NSW  
92-100 Dannison Street, Gosford, NSW 2250  
Locked Bag 2906, Lisarow, NSW 2252  
T 02 4321 5000 F 02 4325 4145  
Customer Service Centre 13 10 50  
DX 731 Sydney [workcover.nsw.gov.au](http://workcover.nsw.gov.au)

5 November 2015

Attention: Grant Rokobauer  
Rokobauer Pty Ltd  
PO Box 4550  
Penrith Plaza NSW 2750

Dear Grant,

**RE SITE: Lot 6 DP1128635, 11 Westminster Pl, Razorback NSW 2571**

I refer to your site search request received by WorkCover NSW on 30<sup>th</sup> October 2015 requesting information on licences to keep dangerous goods for the above site.

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

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

Yours Sincerely

*BSturgiss*

Bernadette Sturgiss  
Customer Service Officer  
Dangerous Goods Team



DP1128635 B

**Instrument setting out terms of Easements or Profits à Prendre intended to be created or released and of Restrictions on the Use of Land or Positive Covenants intended to be created pursuant to Section 88B Conveyancing Act 1919, as amended**

Lengths are in metres

(Sheet 1 of 2 Sheets)

Plan:

Subdivision of Lots 6 & 7 in D.P.260390

Full name and address of the owner of the land:

Westminster Freeholds Pty Limited  
Suite 31, 5 Inglewood Place  
BAULKHAM HILLS NSW 2153

**PART 1 (Creation)**

Number of item shown in the intention panel on the plan	Identity of easement, profit à prendre, restriction or positive covenant to be created and referred to in the plan.	Burdened lot(s) or parcel(s):	Benefited lot(s), road(s), bodies or Prescribed Authorities:
1	Easement to drain water 3 wide	1	Wollondilly Shire Council
2	Easement to drain water 4 wide	8	Wollondilly Shire Council
3	Restriction on the use of land	1, 10	Wollondilly Shire Council
4	Restriction on the use of land	6	Wollondilly Shire Council
5	Restriction on the use of land	Each lot	Every Other Lot

**PART 2 (Terms)**

**Terms of easement numbered 1 in the plan.**

**Name of authority whose consent is required to release, vary or modify the terms of the easement numbered 1 in the plan.**

WOLLONDILLY SHIRE COUNCIL

**Terms of easement numbered 2 in the plan.**

**Name of authority whose consent is required to release, vary or modify the terms of the easement numbered 2 in the plan.**

WOLLONDILLY SHIRE COUNCIL

**Terms of restriction numbered 3 in the plan.**

No vehicular access to or from the lots hereby burdened shall be permitted across the boundary between the lots hereby burdened and Mount View Close.

**Name of authority whose consent is required to release, vary or modify the terms of the restriction numbered 3 in the plan.**

WOLLONDILLY SHIRE COUNCIL



DP1128635

**Instrument setting out terms of Easements or Profits à Prendre intended to be created or released and of Restrictions on the Use of Land or Positive Covenants intended to be created pursuant to Section 88B Conveyancing Act 1919, as amended**

Lengths are in metres (Sheet 2 of 2 Sheets)

Plan: Subdivision of Lots 6 & 7 in D.P.260390

**PART 2 (Terms)(Continued)**

**Terms of restriction numbered 4 in the plan.**

No vehicular access to or from the lot hereby burdened shall be gained across the boundary between the lot hereby burdened and Remembrance Drive.

**Name of authority whose consent is required to release, vary or modify the terms of the restriction numbered 4 in the plan.**  
WOLLONDILLY SHIRE COUNCIL

**Terms of restriction numbered 5 in the plan.**

No fence shall be erected on each lot burdened to divide it from any adjoining land owned by Westminster Freeholds Pty Ltd without the written consent of Westminster Freeholds Pty Ltd or its successors other than purchasers on sale but such consent shall not be withheld if such fencing is erected without expense to Westminster Freeholds Pty Ltd or its successors and in favour of any person dealing with the purchaser or his assigns such consent shall be deemed to have been given in respect of every such fence for the time being erected PROVIDED HOWEVER that this covenant in regard to fencing shall be binding on a purchaser his executors and administrators and assigns only during the ownership of the said adjoining lands by Westminster Freeholds Pty Limited other than purchases on sale.

**Name of person whose consent is required to release, vary or modify the terms of the restriction numbered 5 in the plan.**  
WESTMINSTER FREEHOLDS PTY LIMITED



*39 Martin*  
DIRECTOR  
or  
SECRETARY

Executed by St George Bank Limited ABN 92 055 513 070 by its attorneys pursuant to Power of Attorney registered number BK4182 No. 125 of which they hold no notice of revocation.

Signature: *[Signature]*  
Attorney: *Gerard Martin*  
Position: Senior Manager

Signature: *[Signature]*  
Attorney: *Anthony Jones*  
Position: Senior Manager

Witness: *K Gillard*

Kathleen Gillard  
Bank Officer with 5 or more  
years continuous service

Approved by Wollondilly Shire Council

*[Signature]*  
General Manager/Authorised Person

REGISTERED 21.7.2008







Paul M. Davis

Surveyor registered under Surveying Act 2002

This is sheet 2 of the plan of 3 sheets  
covered by subdivision certificate No. 28  
of 2008

Authorized Person/Individual Manager/Investment Officer

For use where space is insufficient in any panel on Page  
Form 2

Executed by St George Bank Limited  
 A/N 12.05.51/30.10 by its attorney  
 pursuant to power of Attorney BRU82  
 registered number No. 125  
 of which they hold no notice of revocation

**James Martin**  
Senior Manager

Anthony Jones  
Sgt 1st Class

Witness: K. P. ...

(b)	8.0	10.0	12.0	14.0	16.0	18.0	20.0	22.0	24.0	26.0	28.0	30.0	32.0	34.0	36.0	38.0	40.0	42.0	44.0	46.0	48.0	50.0	52.0	54.0	56.0	58.0	60.0	62.0	64.0	66.0	68.0	70.0	72.0	74.0	76.0	78.0	80.0	82.0	84.0	86.0	88.0	90.0	92.0	94.0	96.0	98.0	100.0
-----	-----	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	------	-------

1000

- (A) EASEMENT TO DRAIN WATER 3 WIDE  
(SEE SHEET 3 FOR DETAIL)
- (B) EASEMENT TO DRAIN WATER 4 WIDE  
(SEE SHEET 3 FOR DETAIL)

Registered: 21. 7. 2008

This is sheet 3 of my plan in 3 sheets  
dated 25. 7. 2007

Paul M. Vary

Surveyor registered under Surveying Act 2002

This is sheet 3 of the plan of 3 sheets  
covered by subdivision certificate No. 28  
of 2008

Authorized Person/General Manager/Deputy Manager

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

Witness: K. O'Brien

SCHEDULE OF CURVED &amp; SHORT BOUNDARIES

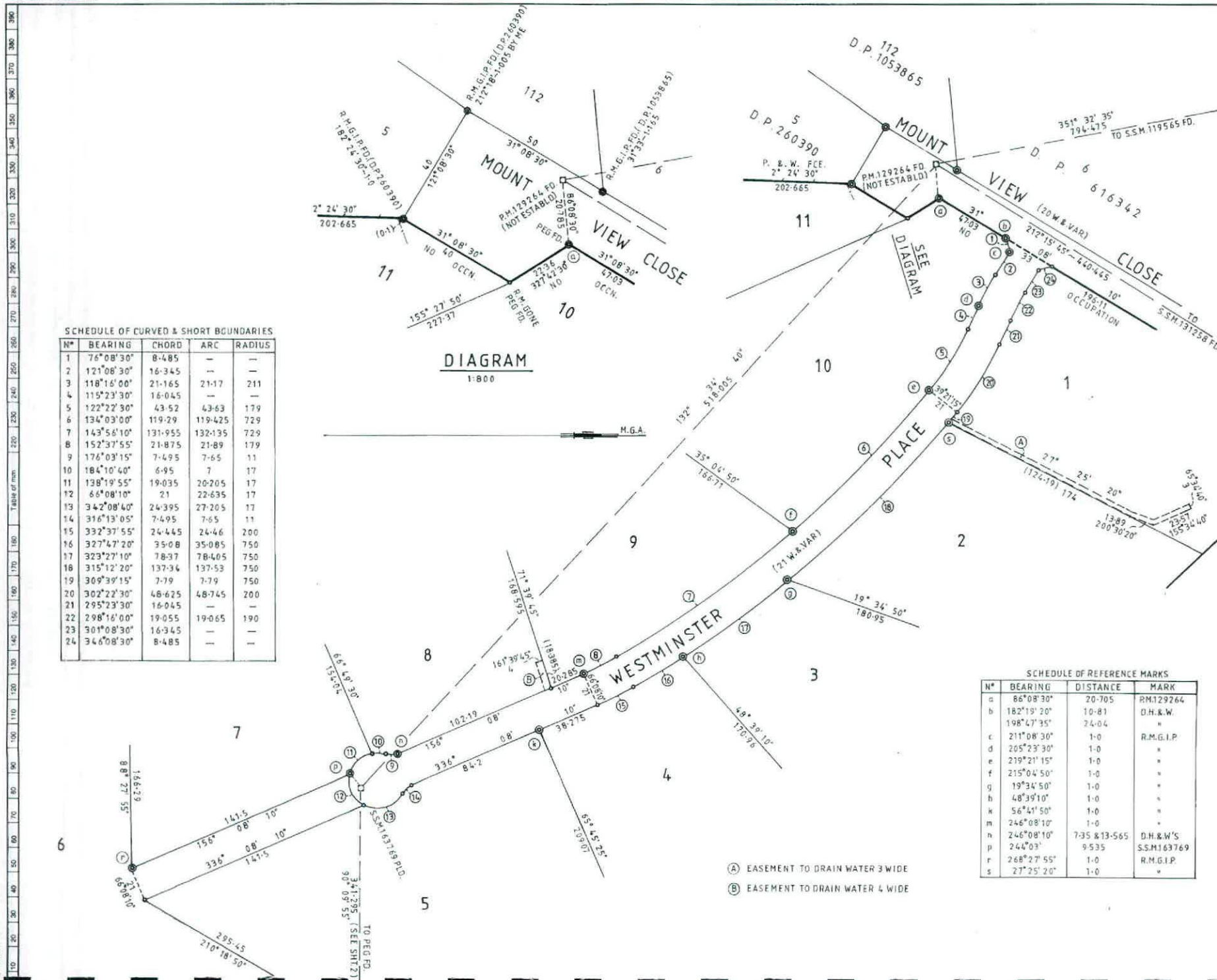
N°	BEARING	CHORD	ARC	RADIUS
1	76°08'30"	8.485	—	—
2	121°08'30"	16.345	—	—
3	118°16'00"	21.165	21.17	211
4	115°23'30"	16.045	—	—
5	122°22'30"	43.52	43.63	179
6	134°03'00"	119.29	119.425	729
7	143°56'10"	131.955	132.135	729
8	152°37'55"	21.875	21.89	179
9	176°03'15"	7.495	7.65	11
10	184°10'40"	6.95	7	17
11	138°19'55"	19.035	20.205	17
12	66°08'10"	21	22.635	17
13	342°08'40"	24.395	27.205	17
14	316°13'05"	7.495	7.65	11
15	332°37'55"	24.445	24.46	200
16	327°47'20"	35.08	35.085	750
17	323°27'10"	78.37	78.405	750
18	315°12'20"	137.34	137.53	750
19	309°39'15"	7.79	7.79	750
20	302°22'30"	48.625	48.745	200
21	295°23'30"	16.045	—	—
22	298°16'00"	19.055	19.065	190
23	301°08'30"	16.345	—	—
24	346°08'30"	8.485	—	—

SCHEDULE OF REFERENCE MARKS

N°	BEARING	DISTANCE	MARK
a	86°08'30"	20.705	RM129264
b	182°19'20"	10.81	D.H.&W.
c	198°47'35"	24.04	"
d	211°08'30"	1.0	R.M.G.I.P.
e	205°23'30"	1.0	"
f	219°21'15"	1.0	"
g	215°04'50"	1.0	"
h	19°34'50"	1.0	"
i	48°39'10"	1.0	"
j	56°41'50"	1.0	"
k	246°08'10"	1.0	"
l	246°08'10"	7.35 & 13.565	D.H.&W.'S
m	244°03'	9.535	S.S.M163769
n	268°27'55"	1.0	R.M.G.I.P.
o	27°25'20"	1.0	"

(A) EASEMENT TO DRAIN WATER 3 WIDE

(B) EASEMENT TO DRAIN WATER 4 WIDE



Reduction: 1500



NEW SOUTH WALES

Appln No. 54594

# CERTIFICATE OF TITLE

REAL PROPERTY ACT, 1900



14209

Vol. 14209 Fol. 7



EDITION ISSUED

14 8 1900

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.

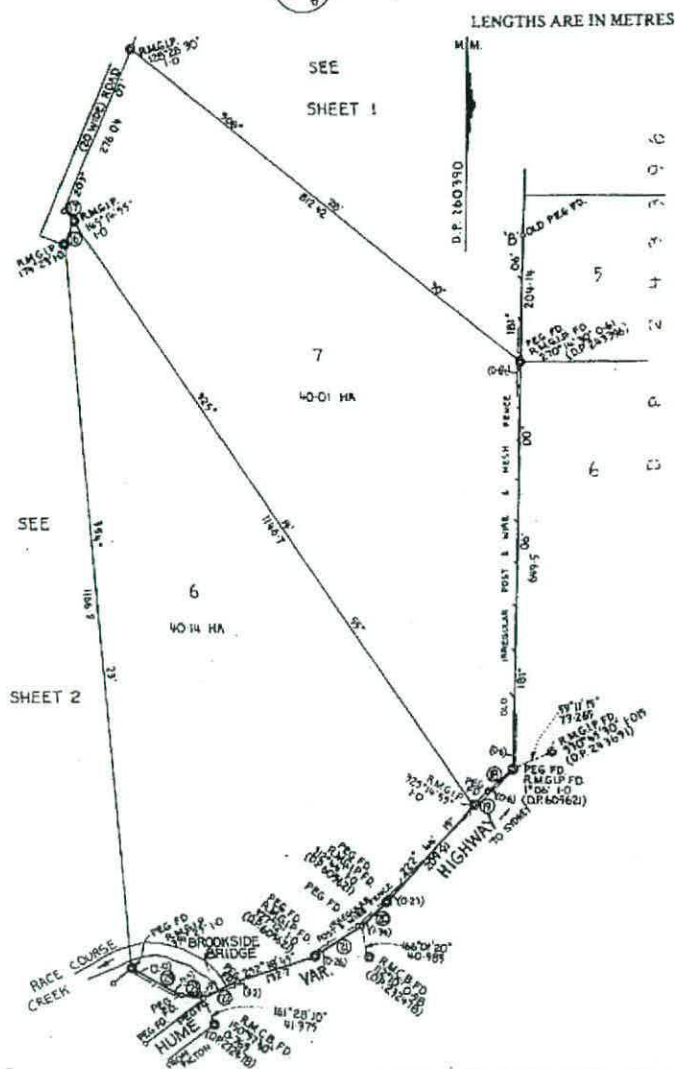
**CANCELLED**

Registrar General.



## PLAN SHOWING LOCATION OF LAND

SEE AUTO FOLIO



SCHEDULE		
No	BEARING	DISTANCE
16	21° 07'	40
17	31° 41'	22.36
18	230° 20' 40"	55.185
19	222° 44' 15"	31
20	227° 51' 10"	53.925
21	237° 12'	70.875
22	244° 28' 55"	60.56
23	278° 46' 57"	37.695
24	299° 37'	89.68

## ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 7 in Deposited Plan 260390 at Picton in the Shire of Wollondilly Parish of Picton and County of Camden being part of Portions 135 and 137 separately granted to Henry Colden Antill on 6-7-1833. EXCEPTING THEREOUT all mines, veins, seams and beds of coal excepted by Conveyance Book 3009 No. 71.

## FIRST SCHEDULE

JOHN DIETER KANLBETZER of Sydney, Company Director.

## SECOND SCHEDULE

1. Reservations and conditions, if any, contained in the Crown Grant above referred to.
2. Book 3009 No. 71 Rights to Mine.
3. Deposited Plan 233681 Right of Carraigeway appurtenant to the land above described affecting the land shown so burdened in Deposited Plan 233681. See Book 2857 No. 303.

REGISTERED PROPRIETOR

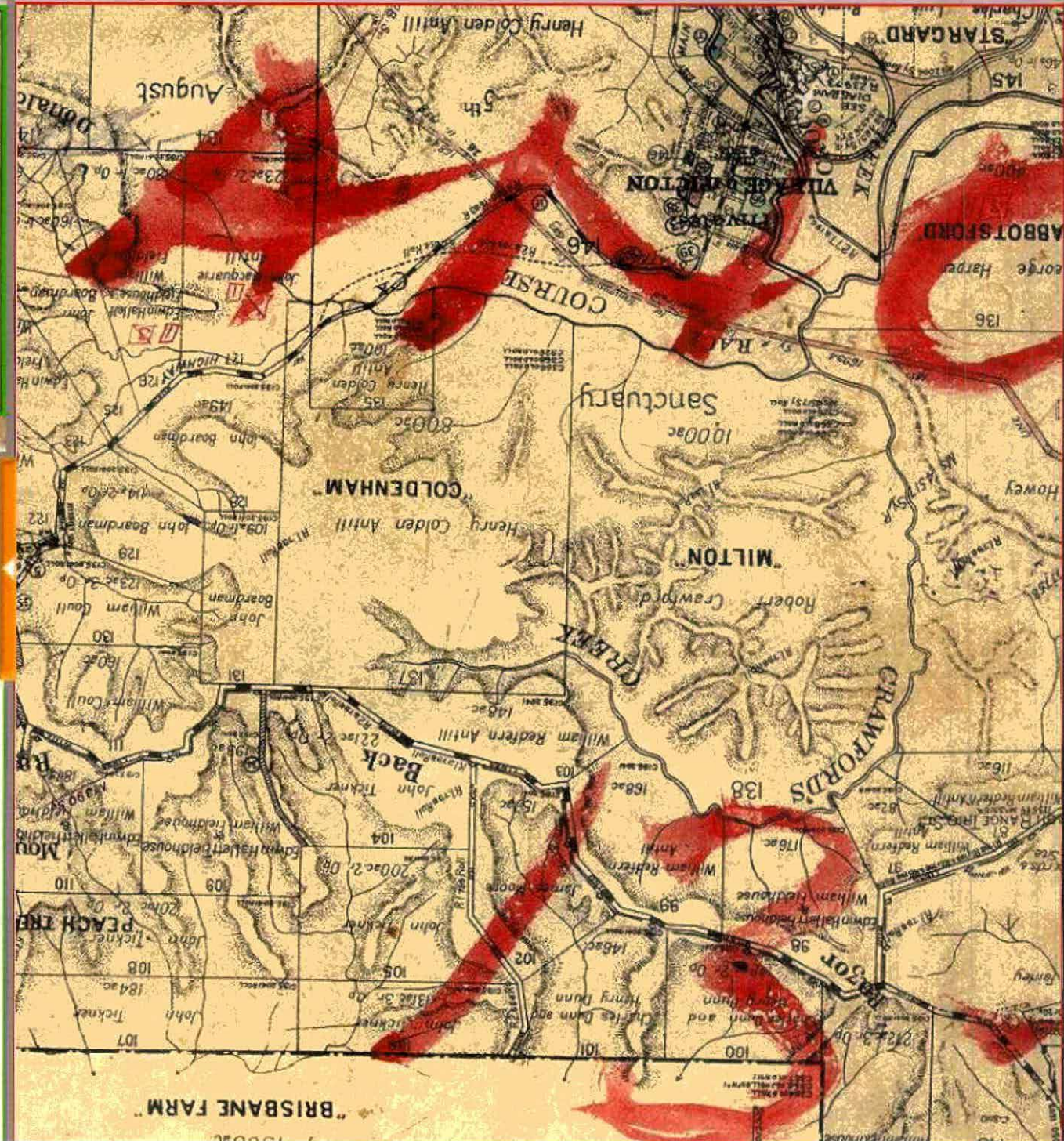
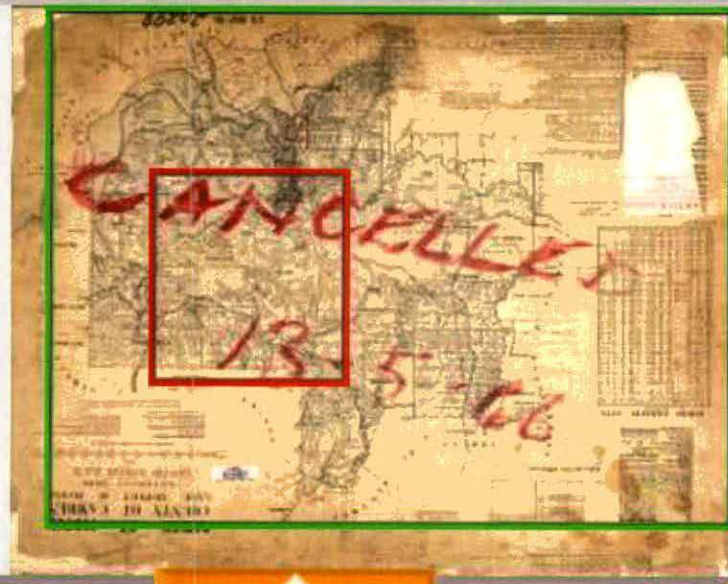
[illegible]

## INSTRUMENT

[illegible]

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









Frank McKay Building 62-64 Menangle Street Picton NSW 2571 DX: 26052 Picton

All Correspondence to PO Box 21 Picton NSW 2571

Telephone: 02 4677 1100 Fax: 02 4677 2339

Email: [council@wollondilly.nsw.gov.au](mailto:council@wollondilly.nsw.gov.au) Web: [www.wollondilly.nsw.gov.au](http://www.wollondilly.nsw.gov.au)

ABN: 93 723 245 808

**Wollondilly**  
Shire Council

RURAL LIVING

**PLANNING CERTIFICATE UNDER SECTION  
149(2) & (5)  
ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979**

**APPLICANT:** Rokobauer Planning and Environment  
Se 9 513-519 High St  
PENRITH NSW 2750

**Planning Certificate No.:** 20151744  
**Receipt No.:** 699635  
**Issue Date:** 2 November 2015  
**Applicant's Reference:** 16103  
**Property No.:** 21250

**DESCRIPTION OF PROPERTY**

**Address:** 11 Westminster Place RAZORBACK 2571  
**Land Description:** Lot: 6 DP: 1128635

**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 149(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](http://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 30 - Intensive Agriculture

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 Flat Development

State Environmental Planning Policy (Major Development) 2005

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 62 - Sustainable Aquaculture

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

#### **PROPOSED ENVIRONMENTAL PLANNING INSTRUMENTS**

Draft State Environmental Planning Policy (Competition) 2010

#### **DEVELOPMENT CONTROL PLANS**

Wollondilly Development Control 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 RU2 Rural Landscape

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

Extensive agriculture; 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,



Agriculture; Airports; Animal boarding or training establishments; Bed and breakfast accommodation; Boat building and repair facilities; Boat sheds; Cellar door premises; Cemeteries; Community facilities; Crematoria; Depots; Dwelling houses; Educational establishments; Environmental facilities; Environmental protection works; Extractive industries; Farm buildings; Farm stay accommodation; Flood mitigation works; Forestry; Freight transport facilities; Funeral homes; Group homes; Home-based child care; Home businesses; Home industries; Home occupations (sex services); Hospitals; Information and education facilities; Landscaping material supplies; Mortuaries; Places of public worship; Plant nurseries; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Research stations; Roads; Roadside stalls; Rural industries; Rural supplies; Rural workers' dwellings; Secondary dwellings; Signage; Transport depots; Veterinary hospitals; Water recreation structures; Water supply systems

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

Stock and sale yards; Turf farming; Any other development not specified in item (b) or (c)

- (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 E4 Environmental Living

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

Extensive agriculture; 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,

Cellar door premises; Dual occupancies (attached); Dwelling houses; Educational establishments; Emergency services facilities; Environmental facilities; Environmental protection works; Farm buildings; Flood mitigation works; Helipads; Home-based child care; Home businesses; Home industries; Home occupations (sex services); Information and education facilities; Recreation areas; Recreation facilities (outdoor); Roads; Roadside stalls; Rural supplies; Secondary dwellings; Sewerage systems; Signage; Tourist and visitor accommodation; Viticulture; Water recreation structures; Water supply systems

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

Biosolids treatment facilities; Hotel or motel accommodation; Industries; Service stations; Serviced apartments; Sewage treatment plants; Warehouse or distribution centres; 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,

A dwelling house cannot be erected on any lot created under clause 4.2 of Wollondilly Local Environmental Plan 2011. That is, a dwelling house cannot be erected on lots less than the minimum allotment size for subdivision which have only been created for the purpose of primary production.

Reference must be made to clause 4.2 of Wollondilly Local Environmental Plan 2011 and the Lot Size Map for further information.

Wollondilly Local Environmental Plan 2011 Clause 4.2A and the Minimum Lot Size Map sets the minimum land dimensions for the erection of a dwelling house on this land as follows:

Development consent for the purposes of the erection of a dwelling house may only be granted if no dwelling house has been erected on the land (unless the application is to replace the existing dwelling-house) and;

- (a) the lot is at least the minimum lot size specified for that land by the Lot Size Map being 4 hectares; or
- (b) the lot was created before this Plan commenced and on which a dwelling house was permissible immediately before that commencement; or
- (c) the lot resulted from a subdivision for which development consent (or equivalent) was granted before this Plan commenced and on which the erection of a dwelling house would have been permissible if the plan of subdivision has been registered before that commencement.

Reference must be made to Clause 4.2A of Wollondilly Local Environmental Plan 2011 and the Lot Size Map for further information.

Wollondilly Local Environmental Plan 2011 Clause 4.2A and the Minimum Lot Size Map sets the minimum land dimensions for the erection of a dwelling house on this land as follows:

Development consent for the purposes of the erection of a dwelling house may only be granted if no dwelling house has been erected on the land (unless the application is to replace the existing dwelling-house) and;

- (a) the lot is at least the minimum lot size specified for that land by the Lot Size Map being 35 hectares; or
- (b) the lot was created before this Plan commenced and on which a dwelling house was permissible immediately before that commencement; or
- (c) the lot resulted from a subdivision for which development consent (or equivalent) was granted before this Plan commenced and on which the erection of a dwelling house would have been permissible if the plan of subdivision has been registered before that commencement.

Reference must be made to Clause 4.2A of Wollondilly Local Environmental Plan 2011 and the Lot Size Map for further information.



- (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.

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

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

## **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 GENERAL HOUSING CODE**

Complying development MAY be carried out on the land under the General 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 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 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. COASTAL PROTECTION**

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

No

#### **4A. CERTAIN INFORMATION RELATING TO BEACHES AND COASTS**

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

#### **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 section 15 of the *Mine Subsidence Compensation Act 1961*.

The land is within a proclaimed Mine Subsidence District under the Mine Subsidence Compensation Act 1961. The approval of the Mine Subsidence Board 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 Mine Subsidence Board regarding mine subsidence and any surface development guidelines. The Board 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 Schedule to the Standard Instrument (Local Environmental Plans) Order 2006.

## **8. LAND RESERVED FOR ACQUISITION**

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

Wollondilly Local Environmental Plan 2011 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 (within the meaning of Part 7AA of the *Threatened Species Conservation Act 1995*), a statement to that effect.

The land is not biodiversity certified land (within the meaning of Part 7AA of the *Threatened Species Conservation Act 1995*).

#### **10. BIOBANKING AGREEMENTS**

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

Council has not been notified by the Director-General of the Department of Environment, Climate Change and Water of any biobanking agreement approved under the *Threatened Species Conservation Act 1995* for this land.

#### **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 partially bush fire prone land as shown in Council's records. Further details of any applicable restrictions on development of the land may be obtained on application to Council.

#### **12. PROPERTY VEGETATION PLANS**

Whether or not the land is land to which a property vegetation plan under the *Native Vegetation Act 2003* 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

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) 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 this Regulation.

## 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.

**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.

**NOTE.** Section 26 of the *Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009* provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of that Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

Council has not been provided any advice about any exemption under section 23 or authorisation under section 24 of the *Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009* which affects this land.



**THE FOLLOWING ADDITIONAL INFORMATION IS PROVIDED UNDER:**

**SECTION 149(5) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

For the purposes of Section 149(5), the following information is provided in relation to the subject property:

1. The subject land is not affected by a Foreshore Building Line.
2. Any enquiries relating to whether or not the land has frontage to a classified road or a controlled access road should be referred directly to Roads and Maritime Services (RMS) on 02 4221 2495.

3. **SECOND SYDNEY AIRPORT PROPOSAL**

In November 1996 the Commonwealth Government released details of five airport options being considered for the development of a second major airport for Sydney at either Badgerys Creek or the Holsworthy Military Area. In September 1997, the Government abandoned the Holsworthy option and announced that the Draft Environmental Impact Statement would concentrate on Badgerys Creek. The Government also released the Draft Environmental Impact Statement Summary, which gives an indication of the impact of the proposal on the local environment. Information on the proposal and the Summary of the Draft Environmental Impact Statement can be obtained from the Federal Department of Transport.

4. Other Matters (if applicable)

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.

A handwritten signature in blue ink, appearing to read 'L. Johnson', with a stylized flourish at the end.

L Johnson  
**GENERAL MANAGER**

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 8am and 12pm, 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 5: Information from Current Land Owner



## Phase 1 Contaminated Site Assessment Questionnaire Land Owner

This questionnaire is an important part of the site assessment process. Please answer all questions honestly and completely.

<b>Site</b>	11 Westminster Place Razorback
<b>Assessment Report Number</b>	16103
<b>Interviewee</b>	Sam Cavanagh

Question	Answer
How long have you owned the land?	5yrs
Please describe all of the activities that have occurred on the land during that time?	Construction of 550m driveway (Sandstone) Construction of shed/septic/watertank Fencing
Have you ever used the land for any industry or chemical storage? If so, please describe.	No
Have you ever discharged a chemical into the environment from the site? If so, please describe.	No
Have you ever brought any soil, waste or similar material onto the site? If so, please describe.	No


<b>Site</b>	11 Westminster Place Razorback
<b>Assessment Report Number</b>	16103
<b>Interviewee</b>	Sam Cavanagh

Do you operate a groundwater bore on the site? If so, what do you use the water for?	No
Are you aware of any above ground or underground storage tanks on the site? If so, please describe.	No
In the process of purchasing the land did you come across any information that suggested it had been used for any industry, chemical storage or waste disposal in the past? If so, please describe.	No

I make the declare, by virtue of the provisions of the Oaths Act 1900, that I have fully and honestly answered the questions on this form to the best of my knowledge and ability. I understand that NSW law provides penalties for making false declarations.

Full Name: Sam Cavanagh

Address: 11 Westminster Place Razorback

Signature: 

Date: \_\_\_\_\_



**grant@rokobauer.com**

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**From:** Sam Cavanagh <sam@cavanaghcranesandtransport.com.au>  
**Sent:** Monday, 30 November 2015 8:40 PM  
**To:** grant@rokobauer.com  
**Subject:** Re: phase 1 site assessment interview sheet

Grant,

The poles that are green I use for fencing strainers. The poles that are not treated are used for firewood.

Time onsite: The poles have been in my used over the last couple of years.

The pile is always bigger in the seasons where they are not being used for firewood.

Cavanagh Cranes and Transport has contracts to remove them for certain sites within Sydney.

Regards

Sam Cavanagh  
Cavanagh Cranes and Transport Pty Ltd

Office: [02 46 026 100](tel:0246026100)  
Mobile: [0404 215 293](tel:0404215293)  
Website: [www.cavanaghcranesandtransport.com.au](http://www.cavanaghcranesandtransport.com.au)

On 30 Nov 2015, at 7:53 PM, "[grant@rokobauer.com](mailto:grant@rokobauer.com)" <[grant@rokobauer.com](mailto:grant@rokobauer.com)> wrote:

Hi Sam,

I have a couple of questions about 3 piles of old telegraph poles on site.

How long have they been there?

Are you keeping them for any particular purpose?

Where did they come from?

Cheers,

Grant

**Grant Rokobauer**  
Town Planner & Environmental Scientist

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