



Altis ARET Sub Trust 26  
Wilton Rezoning Planning Proposal  
Preliminary Site Investigation

Wilton Park and Berwick Park Road  
Wilton NSW

27 April 2023

62917/151655 (Rev 2)

JBS&G Australia Pty Ltd

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## Abbreviations

Term	Definition
AEC	Area of Environmental Concern
AHD	Australian Height Datum
Altis	Altis Property Partners Pty Ltd
ASS	Acid Sulphate Soil
Bgl	Below Ground Level
bgs	Below Ground Surface
BoM	Bureau of Meteorology
BTEX	Benzene, Toluene, Ethylbenzene, Xylenes
COPC	Contaminant of Potential Concern
CLM Act	Contaminated Land Management Act 1997
CSM	Conceptual Site Model
DA	Development Application
DCPs	Development Control Plans
DP	Deposited Plan
EILs	Ecological Investigation Levels
EPA	Environment Protection Authority
GSW	General Solid Waste
ha	hectare
HGL	Hydrogeological Landscape
JBS&G	JBS&G Australia Pty Ltd
LEP	Local Environmental Plan
LOR	Limit of Reporting
OCP	Organochlorine Pesticides
OEH	Office of Environment and Heritage
PAHs	Polycyclic Aromatic Hydrocarbons
PCBs	Polychlorinated Biphenyls
PFAS	Per- and Polyfluoroalkyl Substances
POEO act	Protection of the Environment Operations Act
PSI	Preliminary Site Investigation
SWL	Standing Water Level
TRH	Total Recoverable Hydrocarbons
VOCs	Volatile Organic Compounds

## Executive Summary

JBS&G Australia Pty Ltd (JBS&G) was engaged by Altis Property Partners Pty Ltd (Altis, the Client) for the provision of environmental (contaminated land) services associated with a property known as the Wilton Park Road & Berwick Park Road, Wilton Development Site (the site). The site is located at 10-30 Berwick Park Road and 25, 45-95 Wilton Park Road, and is legally identified as Lot 16 DP 251051, Lots 1 and 2 DP 60922, Lots 5-7 DP 233845, Lots 40 and 41 DP 749823 and Lot 3 DP 233845. The site location and layout are shown on **Figure 1** and **Figure 2**, respectively.

The objectives of the preliminary site investigation (PSI) are to assess the potential for contamination from current and historical site activities and identify whether the site is either currently suitable or is capable of being made suitable for the proposed rezoning for commercial/industrial use.

To address the objectives of the PSI, the following scope of work was undertaken as part of this PSI: a detailed site inspection of a selection of representative properties; a review of available site history and background information, including previous investigations, historical aerial photographs, local topography, geology, soils and hydrogeological site setting, selected Section 10.7 planning certificates, selected historical titles, EPA searches and groundwater bores; to identify potential areas of environmental concern (AECs) and associated contaminants of potential concern (COPCs) and preparation of this PSI report documenting the assessment outcomes.

Based on the completed scope of works, outlined above, the following key findings were identified:

- The majority of the site area comprises land which has historically been undeveloped and/or utilised for rural residential/agricultural activities, with the exception of a limited area within 75 Wilton Park Road having recently been used as a transfer facility. Potentially contaminating activities associated with former and current uses have been identified, particularly associated with fill and stockpiled material onsite, as well as domestic chemical usage and storage.
- However, intrusive investigations of soil, surface water and sediment on selected properties have not identified the occurrence of gross and/or widespread contamination conditions at the site that would preclude rezoning of the site.
- Identified and potential soil and water impacts from previous investigations are considered representative of common contaminants and potentially contaminating land use activities which can be readily dealt with during the Development Application (DA) stage (i.e. including completion of detailed site investigations consistent with relevant Council Development Control Plans (DCPs) and SEPP (Resilience and Hazards) 2021 requirements) for redevelopment and assessment for site suitability.

# 1. Introduction

## 1.1 Background

JBS&G Australia Pty Ltd (JBS&G) was engaged by Altis Property Partners Pty Ltd (Altis, the Client) for the provision of environmental (contaminated land) services associated with a property known as the Wilton Park Road & Berwick Park Road, Wilton Development Site (the site). The property addresses, area and legal identifiers are shown in **Table 1.1**. The site location and layout are shown on **Figure 1** and **Figure 2**, respectively.

**Table 1.1: Address, Area and Legal Identifiers**

Lot/Deposited Plan (DP)	~ Area (ha)	Address
Lot 16 DP 251051	108	10 Berwick Park Road, Wilton
Lot 1 DP 609222		20 Berwick Park Road, Wilton
Lot 2 DP 609222		30 Berwick Park Road, Wilton
Lot 7 DP 233845		25 Wilton Park Road, Wilton
Lot 6 DP 233845		45 Wilton Park Road, Wilton
Lot 5 DP 233845		55 Wilton Park Road, Wilton
Lot 41 DP 749823		75 Wilton Park Road, Wilton
Lot 40 DP 749823		85 Wilton Park Road, Wilton
Lot 3 DP 233845		95 Wilton Park Road, Wilton

The site is currently zoned RU2 (rural landscape). It is understood a rezoning planning proposal is to be lodge for the site for “Certified – Urban Capable” and “Non-certified – Avoided for Biodiversity”, with the “Certified – Urban Capable” portion of the site developed to accommodate commercial/industrial land use.

In accordance with the requirements of the Section 117 Ministerial Direction issued under the *NSW Environmental Planning and Assessment Act* (EPA&A Act 1979), consideration of the potential for site contamination is required where the proposed new zoning allows for a change of use that may increase the risk to human health or the environment from contamination.

To this end the Client has requested a desktop preliminary site investigation (PSI) report to support the rezoning application for commercial/industrial use, as per the requirements of State Environmental Planning Policy (Resilience and Hazards) 2021 (SEPP R&H 2021), and in accordance with NEPC (2013<sup>1</sup>). JBS&G has previously undertaken a number of single property due diligence environmental investigations (see **Section 4**) at the site for Altis, the outcomes of which have been considered in the preparation of this report.

The investigation has been completed in accordance with guidelines made or approved by the NSW Environment Protection Authority (EPA) and relevant Australian Standards.

## 1.2 Objectives

The objectives of the investigation are to assess the potential for contamination from current and historical site activities and identify whether the site is either currently suitable, or is capable of being made suitable for the proposed rezoning for commercial/industrial use.

It is noted that the objective of the investigation was not to determine site suitability, rather to assess potential contamination issues that may preclude the rezoning of the site, specifically, contamination issues that cannot be readily addressed during the development application (DA) stages for redevelopment and assessment of site suitability.

<sup>1</sup> *National Environment Protection (Assessment of Site Contamination) Measure No. 1 2013*. National Environment Protection Council (NEPC 2013)

### **1.3 Scope of Work**

The scope of work completed as part of this assessment included:

- A review of available site history and background information to identify potential areas of environmental concern (AECs) and associated contaminants of potential concern (COPC) including:
  - Review of historical aerial photographs for the site;
  - The environmental setting including information relating to topography, geology, soils and hydrogeology of the site and surrounding areas;
  - Review of representative Section 10.7 Planning Certificates obtained from Wollondilly Shire Council;
  - Review of representative current and historical land title records for the site;
  - Records of environmental incidents, former environmental licences, or contaminated land notices or notifications, as held by the EPA including information with regards to per- and polyfluoroalkyl substances (PFAS) investigation programs;
  - Licensed groundwater bores present within a 1.5 km radius of the site;
  - Review of previous environmental investigation reports;
- Development and documentation of a conceptual site model (CSM) based on the available information; and
- Preparation of this PSI report in general accordance with relevant EPA guidelines presenting the outcomes of the assessment and associate conclusions.

## 2. Site Condition and Surrounding Environment

### 2.1 Site Identification

The location of the site is shown in **Figure 1** and the current site layout is shown in **Figure 2**. The site details are summarised in **Table 2.1**.

**Table 2.1: Summary Site Details**

Site Legal Identifier (as shown on Figure 2)	Lot 1 DP 609222 Lot 2 DP 609222 Lot 16 DP 251051 Lot 7 DP 233845 Lot 6 DP 233845 Lot 5 DP 233845 Lot 41 DP 749823 Lot 40 DP 749823 Lot 3 DP 233845
Site Address	10 Berwick Park Road, Wilton (Lot 2) 20 Berwick Park Road, Wilton (Lot 1) 30 Berwick Park Road, Wilton (Lot 16) 25 Wilton Park Road, Wilton (Lot 7) 45 Wilton Park Road, Wilton (Lot 6) 55 Wilton Park Road, Wilton (Lot 5) 75 Wilton Park Road, Wilton (Lot 41) 85 Wilton Park Road, Wilton (Lot 40) 95 Wilton Park Road, Wilton (Lot 3)
Site Area (ha)	~108
Local Government Authority	Wollondilly Shire Council
Site Geographic Coordinates (MGA 56)	Northeast corner – E: 285040 N: 6210019 Southeast corner – E: 284690 N: 6209124 Northwest corner – E: 283770 N: 6210388 Southwest corner – E: 283593 N: 6209365
Zoning	Zone RU2 – Rural Landscape as per Wollondilly Local Environmental Plan (LEP) 2011
Previous Land Uses	Rural/residential
Current Land Uses	Rural/residential, and some stockpiling and transfer operation
Proposed Land Uses	Commercial/industrial (warehouse logistics estate)
Proposed Zoning	Zone IN1 – General Industrial as per Wollondilly Local Environmental Plan (LEP) 2011

### 2.2 Site Description

A site inspection of selected properties was completed in stages between 19 November 2021 and 9 June 2022<sup>2</sup>. A photographic log of the observed site features can be found in **Appendix A**, with site location and site layout shown on **Figure 1** and **2** respectively.

The site comprised an irregular shaped parcel of land situated to the west of the Hume Motorway, being bound to the north by Wilton Park Road/Berwick Park Road and to the south by the Nepean River. The site comprised predominantly virgin cleared pastoral land, with the exception of an isolated area located at 75 Wilton Park Road which appeared to have been in used as a transfer facility. Areas of bushland were noted in the southern portion of site in proximity to the riparian zone associated with the Nepean River.

Entrances to individual properties was via unsealed earthen driveways from Berwick Park Road and Wilton Park Road. Across the site a number of predominantly residential structures were noted, the majority of which were observed to be of brick construction and in varied conditions. In addition to residences, across the site structures serving as sheds, offices, stables and “granny” flats were also noted. Internal unsealed roadways were present leading to onsite residences.

<sup>2</sup> Selected properties include 10 and 30 Berwick Park Road, and 25, 45 and 75 Wilton Park Road.

Five dams were located throughout the inspected properties of varying sizes and depths. The waters observed did not exhibit odours, staining or discolouration that indicated contamination was present.

Across the site infrastructure associated with domestic rural residential land use was noted in isolated locations, including a small number of concrete water tanks and aboveground storage tanks (understood to contain rainwater or to be empty). Additionally, a small number of shipping containers were present for the storage of small quantities of chemicals likely associated with domestic rural residential land use, including in support of activities such as lawn mowing and land maintenance.

Within the site there were isolated locations of material stockpiling, predominantly on 75 Wilton Park Road. Stockpiles ranged in size and material composition, with several noted to be covered with vegetation.

### 2.3 Surrounding Land Uses

Surrounding land uses at the time of site inspections are described following:

- North: The site was bound to the north by Wilton Park Road in the west and Berwick Park Road in the east. Further afield comprised rural/residential and agricultural land, with Wilton Airport situated approximately 700 m northeast of the site;
- East – The site was bound to the east by Picton Road and the Hume Motorway, with rural/residential and agricultural land further afield. Bingara Gorge Permanent Recycled Water Plant was situated approximately 650 m east of the site;
- South – The site was bound to the south by bushland/riparian zone associated with the Nepean River, with rural/residential land further afield; and
- West – The site was bound by bushland and rural/residential land, with the Nepean River further afield.

### 2.4 Topography

A review of the 1:25,000 *Botany Bay Topographic Map* (9130-3-S<sup>3</sup>) indicates that the site lies at an elevation of approximately between 150 - 206 m Australian Height Datum (AHD) and is composed of gently undulating land. The local topography slopes to the south towards the Nepean River which borders the southern portion of site.

### 2.5 Geology and Soils

Reference to the 1:100 000 scale Sydney Series Geological Survey of NSW Sheet 9130 (DMR 1983<sup>4</sup>) indicated that the site is underlain by Wianamatta Group Shales, namely the Ashfield and Bringelly Shale. Characteristics of this group includes laminate, dark grey siltstone with occasional calcareous claystone and coal.

As identified through the NSW Office of Environment and Heritage (OEH 2022<sup>5</sup>) eSPADE online database, the majority of the site is underlain with Blacktown Residual Soils. Details of the underlying geology and soil landscape are as follows:

- **Geology:** Wianamatta Group – Ashfield Shale consisting of laminite and dark grey siltstone and Bringelly Shale, with occasional calcareous claystone, laminite and coal. This dominant feature is occasionally underlain by claystone and laminite lenses.

<sup>3</sup> 1:25,000 NSW Topographic Map - Botany Bay, 2002. Land and Property Information as part of the Department of Information Technology and Management NSW.

<sup>4</sup> Sydney 1:100 000 Geological Sheet 9130, 1st edition. 1983, Geological Survey of New South Wales, Sydney.

<sup>5</sup> eSPADE, NSW Office of Environment and Heritage, <http://www.environment.nsw.gov.au/eSpade2Webapp>, accessed 10 June 2022 (OEH 2022).

- **Soils:** A review of the regional soil map (DLWC 2002<sup>6</sup>) indicated that the site is underlain by the Blacktown Soil Landscape Group. The soils on crests, upper slopes and well-drained areas at depths less than 100cm are noted to comprise Red and Brown Podzolic soils. In areas of poor drainage and on lower slopes are Yellow Podzolic soils and soloths and are at depths between 150-300cm.
  - **Landscape:** Gently undulating rises with local relief to 30 m. Slopes are generally <5% with broad rounded crests and ridges with gently inclined slopes, and cleared Eucalypt woodland and tall open-forest (wet sclerophyll forests).
  - **Limitations:** Moderately reactive, seasonal waterlogging, low wet strength, high organic matter with low fertility.

The southern portion of some areas of the site, as well as a portion of the western most lot comprises Lucas Heights Residual Soils. Details of the underlying geology and soil landscape are as follows:

- **Geology:** Mittagong Formation – inter-bedded shale, laminite and fine- to medium grained quartz sandstone.
- **Soils:** A review of the regional soil map (DLWC 2002) indicated that the site is underlain by the Lucas Heights Residual Soil Landscape Group. The soils on crests are noted to comprise Lateritic Podzolic Soils, with Yellow Earths on shoulders of plateaux and ridges. Earthy Sands are noted to occur in valley flats, and Yellow Podzolic soils and yellow Soloths at moderate depths (50 – 150 cm) on ridges and plateau surfaces.
  - **Landscape:** Gently undulating crests, ridges and plateau surfaces of the Mittagong Formation. Local relief to 10 – 50 m. Slopes are generally <10% with rock outcrops absent. Extensively to completely cleared dry sclerophyll low open-forest and low woodland.
  - **Limitations:** Stoniness, hard-setting surfaces, low soil fertility.

## 2.6 Hydrology

The nearest surface water receptor to the site is the Nepean River, situated on the southern boundary of the site.

There are five constructed dams present on the inspected properties and several dams varying in size scattered in neighbouring properties.

Given the site composition of primarily cleared paddocks and the presence of highly plastic subsoils, in the event of rain, some water is expected to percolate into unsealed areas of the site. In periods of heavier rainfall, water is likely to migrate across the site via overland flow to the site dams, and/or to the Nepean River. Based on local topography, groundwater flow is anticipated to be to the south/south-east (towards the Nepean River).

## 2.7 Hydrogeology

A review of eSpade 2.1 indicates that the majority of the site is within the Hawkesbury Hydrogeological Landscape (HGL). Groundwater flow is unconfined along rock structures. Flow occurs through connected pores in sandstone. Where bedrock is exposed, surface flows occur. Hydraulic conductivity is high and transmissivity is moderate to high.

Groundwater is anticipated to be fresh and to be deep (> 8 m below ground level (bgl)). Land salinity is reported to be low.

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<sup>6</sup> 1:100 000 Sydney Soil Landscape Series Sheet 9130 (2nd Edition). Department of Land and Water Conservation 2002 (DLWC 2002)

A search of licensed groundwater bores within 1.5 km of the site was undertaken through the National Groundwater Information System (BoM 2021<sup>7</sup>) and detailed two registered bores situated north/northwest of the site. Details of these bores can be found in **Appendix B** and are summarised in **Table 2.2**.

**Table 2.2: Groundwater Summary Details**

Bore Number (Year Installed)	Approximate distance from site	Intended Use	Drilled Depth (m bgs)	Standing Water Level (SWL) m AHD	Geological Material
GW057797	0.9 km north	Irrigation	106.7	N/A	Topsoil 0.0 – 0.3 m bgs Weathered Shale 0.3 – 1.8 m bgs Sandstone 1.8 – 71.3 m bgs Shale 71.3 – 75.3 m bgs Sandstone 75.3 – 99.4 m bgs Shale 99.4 – 100.3 m bgs Sandstone 100.3 – 106.7 m bgs
GW103320	0.06 km northwest	Stock, Domestic	183.0	N/A	Clay 0.0 – 1.8 m bgs Shale 1.8 – 6.0 m bgs Sandstone 6.0 – 123.0 m bgs Shale 123.0 – 124.0 m bgs Sandstone 124.0 – 148.0 m bgs Shale 148.0 – 150.0 m bgs Sandstone 150.0 – 173.0 m bgs Shale 173.0 – 183.0 m bgs

With reference to the regional geological formation and information provided for similar profiles above, it is anticipated localised perched groundwater is considered likely to be present (albeit limited in extent) underlying the site in intermittent zones at the soil/rock interface. Given the topography of the site, perched groundwater is anticipated to generally migrate in a south to south-easterly direction.

Regional groundwater is expected to be encountered at significant depth located within fractures of the deeper shale (and sandstone) bedrock. Regionally, groundwater is anticipated to follow the topographic gradient and flow south/south east towards the Nepean River.

## 2.8 Acid Sulfate Soils

Generally, acid sulfate soils (ASS) are associated with low-lying coastal areas, in addition to, estuarine flood plains, rivers and creeks. Review of the Acid Sulfate Soil (ASS) Risk Map on eSPADE indicated that the subject site is located within an area of 'no known occurrence of Acid Sulfate Soils'. Given the geology, location, and elevation of the site (>150 m AHD), ASS is not expected to occur in areas having this classification. Furthermore, no indicators of potential ASS were observed during previous intrusive soil investigations.

Based on a review of the underlying geology and local topography, further consideration of the potential risk of ASS is not required as part of this assessment and management of potential ASS is not considered necessary with regard to future use (and/or) development of the site.

<sup>7</sup> National Groundwater Information System, <http://www.bom.gov.au/water/groundwater/explorer/map.shtml>. Accessed 10 June 2022, BoM (2021)



## 2.9 Meteorology

A review of average climatic data for the nearest Bureau of Meteorology monitoring location (Picton Council Depot<sup>8</sup>) indicates the site is located within the following meteorological setting:

- Average minimum temperatures vary from 1.7 °C in July to 15.4 °C in February;
- Average maximum temperatures vary from 16.8 °C in July to 29.3 °C in January;
- The average annual rainfall is approximately 800.9 mm with rainfall greater than 1 mm occurring on an average of 70.6 days per year; and
- Monthly rainfall varies from 43.5 mm in September to 91.0 mm in February with the wettest periods occurring on average between April and June.

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<sup>8</sup> Commonwealth of Australia, 2013 Bureau of Meteorology, [http://www.bom.gov.au/climate/averages/tables/cw\\_068052.shtml](http://www.bom.gov.au/climate/averages/tables/cw_068052.shtml) accessed 10 June 2022.

### 3. Summary Site History

#### 3.1 Historical Aerial Photographs

Historical aerial photograph imagery was obtained from the Land and Property Information Division of the Department of Finances and Services. Aerial photography from 2010 and 2021 were obtained from Nearmap imagery as presented in **Appendix C**. The aerial photograph review identified the following features in relation to the history of the site (**Table 3.1**):

**Table 3.1: Summary of Historical Aerial Imagery Review**

Year	Aerial Photograph Observations
1961	<p><b>Site:</b> The aerial image for 1961 indicated the site was unoccupied, with the northern portion of site consisting of cleared land likely utilised for agricultural purposes and the southern portion of site being largely undisturbed bushland. An onsite dam was visible in the northern central portion of site.</p> <p><b>Surrounds:</b> The surrounding area consisted of rural cleared land and undisturbed vegetation. The site is bound to the north by an unsealed road (Wilton Park Road) and bound to the south by the Nepean River.</p>
1972	<p><b>Site:</b> Significant clearing of bushland within the southern portion of site had taken place since the 1961 image. Five new dams had been established on properties across the northern portion of the site. Several structures were also evident, being predominantly residential in appearance. A number of unsealed internal roads were also evident.</p> <p><b>Surrounds:</b> Vegetation in the surrounding area to the east and west had been cleared, with the establishment of further agricultural land. A number of new dams as well as a structure, have been constructed to the north, east and west of site.</p>
1978	<p><b>Site:</b> Further clearing of bushland in the southwest portion of site was evident. A number of larger structures, residential in appearance, were also visible across the site.</p> <p><b>Surrounds:</b> To the east and northeast of the site significant earthworks were visible for what appeared to be the development of the Hume Motorway interchange.</p>
1980	<p><b>Site:</b> The site appeared largely unchanged from the 1978 aerial image. An ephemeral drainage line is visible cutting across the northwest corner of the site.</p> <p><b>Surrounds:</b> The surrounding area remained largely unchanged from the 1978 image. Roadways that were part of the motorway interchange to the east were visible.</p>
1990	<p><b>Site:</b> The site appeared largely unchanged from the 1980 with a number of new residential style structures in the central west and north east portion of the site visible. A dam was established in the northwest corner of site.</p> <p><b>Surrounds:</b> The development of the Hume Motorway and Picton Road to the east and northeast appeared to have been completed. Several additional structures and dams were visible on surrounding properties.</p>
1998	<p><b>Site:</b> The site appeared largely unchanged from the 1990 aerial image. A new residential structure was visible in the central northern portion of site.</p> <p><b>Surrounds:</b> The surrounding area appeared largely unchanged from the previous 1990 image.</p>
2005	<p><b>Site:</b> The site remained relatively unchanged from the 1998 aerial. Internal roadways were more clearly visible. Several existing structures had been further developed.</p> <p><b>Surrounds:</b> The surrounding area remained relatively unchanged from the 1998 image.</p>
2010	<p><b>Site:</b> Disturbed terrain was visible in a number of locations across the site, in particular at 75 Wilton Park Road, where several shipping containers were also present. Internal roadways were more clearly visible.</p> <p><b>Surrounds:</b> The surrounding area remained relatively unchanged from the 2005 aerial image.</p>

Year	Aerial Photograph Observations
2021	<p><b>Site:</b> Additional structures, predominantly residential in appearance, were visible across the site. Stockpiled material was visible on 75 Wilton Park Road.</p> <p><b>Surrounds:</b> The surrounding area remained relatively unchanged from the 2010 aerial image.</p>

### 3.2 Section 10.7 Planning Certificate Search

Section 10.7 (2) and (5) Planning certificates were obtained for Lot 2 DP 609222, Lot 6 and 7 DP 223845, Lot 16 DP 251051, and Lot 41 DP 749823 as representative lots for the broader site. Planning certificates were obtained from the Wollondilly Shire Council and can be found in **Appendix D**. Details of the planning certificates are summarised below.

- The properties are subject to the following plans:
  - *Wollondilly Local Environmental Plan 2011;*
  - *State Environmental Planning Policy (Resilience and Hazards) 2021;* and
  - *Wollondilly Development Control Plan 2016.*
- The site is zoned Zone RU2 Rural Landscape (Wollondilly LEP 2011). Therefore, this land may be developed and/or occupied for the following purposes under this zoning;
  - *Extensive agriculture; and*
  - *Home occupations and development (listed in schedule 2 of the 2011 LEP).*

Any other purposes require development consent.
- Reference must be made to Clause 4.2A of the 2011 LEP for further information on whether the land includes or comprises critical habitat.
- The land is not located within a heritage conservation area and does not contain an item of environmental heritage;
- The land is not biodiversity certified land under Part 8 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;
- Council has not been notified of the existence of any set aside areas by Local Land Services under section 60ZC of the Local Land Services Act 2013;
- The properties are not subject to any plans or policies in relation to: land slip, tidal inundation, subsidence, acid sulfate soils (ASS) or any other risk (other than flooding);
- The land is within a declared Mine Subsidence district of Wilton under section 20 of the Coal Mine Subsidence Compensation Act 2017. Certain development requires approval from Subsidence Advisory NSW;
- The land is not affected by road widening or road realignment;
- No flood study has been undertaken on the properties;
- The land is partially bush fire prone land;
- The site is not subject to vegetation plans under the Native Vegetation Act 2003;
- Council has not been notified of a residential dwelling erected on this land containing loose fill asbestos ceiling insulation;

- To the knowledge of Council, the site:
  - Is not significantly contaminated land (as per the meaning defined in the CLM Act);
  - Is not subject to a management order (as per the meaning defined in the CLM Act);
  - Is not the subject of an approved voluntary management proposal (as per the meaning defined in the CLM Act);
  - Is not the subject of an ongoing maintenance order (as per the meaning defined in the CLM Act); and
  - Is not the subject of site audit statement (as per the meaning defined in the CLM Act).

### 3.3 SafeWork NSW Dangerous Goods Records

A SafeWork Dangerous Goods search was not conducted.

### 3.4 EPA Searches

An initial search of the NSW EPA's database was undertaken on 1 April 2022 by JBS&G for the site and immediate surrounds. An additional search was conducted on 8 September 2022 for 95 Wilton Park Road and 20 Berwick Park Road. The search comprised review of the following (**Appendix E**):

- NSW EPA contaminated land public register of record of notices (under Section 58 of the *Contaminated Land Management Act 1997* (CLM Act));
- NSW contaminated sites notified to the EPA (under Section 60 of the *CLM Act*);
- NSW EPA *Protection of the Environment Operations Act 1997* (POEO Act) public register of licences, applications and notices (maintained under Section 308 of the *POEO Act*); and
- EPA's public per- and poly- fluoroalkyl substances (PFAS) register.
- The public register for Loose Fill Asbestos Insulation.

A search of the EPA's public contaminated land register identified that there have been no notices issued under the CLM Act for the site under section 58 and section 60. However, it is noted that Condell Park Homestead, situated 1 km east of the site, is listed under section 60 of the CLM Act with "regulation under CLM Act not required". No other notices were identified to have been issued in the immediate surrounds of the site.

A search of the EPA's public register of licenses, applications and notices under the POEO Act has identified there have been no records associated with the site. However, it is noted that a licence for sewage treatment processing has been issued for the Bingara Gorge Wastewater and Waste Recycling Scheme, located 650 m east of site. No other licenses, applications and notices under the POEO Act have been identified for properties within the immediate surrounds of site.

EPA's PFAS register has identified that neither the site, nor those in the immediate area, have been notified to the EPA with regards to PFAS contamination.

A search of the public register for Loose Fill Asbestos Insulation identified that there are no records associated with the site.

### 3.5 Historical Title Review

Historical land titles were obtained for 10 Berwick Park Road, 30 Berwick Park Road, 25 Wilton Park Road, 45 Wilton Park Road and 75 Wilton Park Road as representative properties of the broader site. Documentation obtained for the site is provided in **Appendix F** and summarised in **Table 3.2**.

**Table 1.2: Summary of Historical Site Titles**

Date of Acquisition and term held	Registered Proprietor(s) & Occupations where available	Reference to Title at Acquisition and sale
<b>25 Wilton Park Road</b>		
31.07.1894 (1894 to 1910)	Samuel Hordern (Merchant)	Vol 1134 Fol 249
17.08.1910 (1910 to 1927)	Samuel Hordern (Merchant) John Felix Booth (Real Estate Manager) Anthony Hordern (Esquire)	Vol 1134 Fol 249
15.06.1927 (1927 to 1964)	David Roy Asimus (Farmer)	Vol 1134 Fol 249 Now Vol 4059 Fol 88
23.12.1964 (1964 to 1967)	James Vernon Haig McCann (Dairyman)	Vol 4059 Fol 88
04.07.1967 (1967 to 1968)	Cambridge Credit Corporation Limited	Vol 4059 Fol 88 Now Vol 10622 Fol 190
26.01.1968 (1968 to 1980)	John Bruce Dugan (Chemist) Lila Merle Dugan (Married Woman)	Vol 10622 Fol 190 Now Vol 12014 Fol 126
05.09.1980 (1980 to 1999)	John Bruce Dugan (Pharmacist)	Vol 12014 Fol 126 Now 7/233845
19.05.1999 (1999 to Date)	# Michael Bruce Dugan	7/233845
<b>30 Berwick Park Road</b>		
15.06.1927 (1927 to 1964)	David Roy Asimus (Farmer)	Volume 1134 Folio 249 Now Volume 4059 Folio 88
23.12.1964 (1964 to 1967)	James Vernon Haig McCann (Dairyman)	Volume 4059 Folio 88
04.07.1967 (1967 to 1967)	Cambridge Credit Corporation Limited.	Volume 4059 Folio 88 Now Volume 10622 Folio 192
15.11.1967 (1967 to 1974)	William Godfrey Selwyn (Airline Pilot) Christina Fraser Selwyn (Married Woman)	Volume 10622 Folio 192 Now Volume 12014 Folio 122
30.01.1974 (1974 to 1980)	Michael John Greenwood (Journalist) Elva Jean Greenwood (Married Woman)	Volume 12014 Folio 122 Now Volume 13110 Folio 237
01.07.1980 (1980 to 1988)	Edgar Henry Piper (Driver) Catherine Edith Piper (Married Woman)	Volume 13110 Folio 237 Now 16/251051
16.02.1988 (1988 to Date)	# Leslie Colin Hayter # Robyn Edna Hayter	16/251051
<b>10 Berwick Park Road and 45 &amp; 75 Wilton Park Road</b>		
15.06.1927 (1927 to 1964)	David Roy Asimus (Farmer)	Volume 1134 Folio 249 Now Volume 4059 Folio 88
23.12.1964 (1964 to 1967)	James Vernon Haig McCann (Dairyman)	Volume 4059 Folio 88
<b>10 Berwick Park Road cont.</b>		
04.07.1967 (1967 to 1967)	Cambridge Credit Corporation Limited.	Volume 4059 Folio 88 Now Volume 10622 Folio 191
27.10.1967 (1967 to 1980)	William Godfrey Selwyn (Airline Pilot) Christina Fraser Selwyn (Married Woman)	Volume 10622 Folio 191 Then Volume 13118 Folio 102 Now Volume 14164 Folio 75
26.11.1980	Donald William Davis (School Teacher)	Volume 14164 Folio 75

Date of Acquisition and term held	Registered Proprietor(s) & Occupations where available	Reference to Title at Acquisition and sale
<b>25 Wilton Park Road</b>		
(1980 to 2009)	Thelma Davis (Married Woman)	Now 2/609222
30.06.2009 (2009 to 2017)	Mark Andrew Webster Natasha Anne Webster	2/609222
15.08.2017 (2017 to Date)	# Tony Mosca # Maria Giuseppina Mosca	2/609222
<b>45 Wilton Park Road cont.</b>		
04.07.1967 (1967 to 1967)	Cambridge Credit Corporation Limited.	Volume 4059 Folio 88 Now Volume 10622 Folio 187
31.10.1967 (1967 to 1970)	David Geoffrey Bowen (Naval Officer) Marjorie Anne Bowen (Married Woman)	Volume 10622 Folio 189
02.06.1970 (1970 to 1980)	John Bruce Dugan (Pharmacist) Lila Merle Dugan (Married Woman)	Volume 10622 Folio 189 Now Volume 12014 Folio 127
05.09.1980 (1980 to 2007)	John Bruce Dugan (Pharmacist) (Notice of Death not investigated)	Volume 12014 Folio 127 Now 6/233845
16.05.2007 (2007 to Date)	# Derek John Dugan # Penny Ruth Dugan	6/233845
<b>75 Wilton Park Road cont.</b>		
04.07.1967 (1967 to 1967)	Cambridge Credit Corporation Limited.	Volume 4059 Folio 88 Now Volume 10622 Folio 187
02.11.1967 (1967 to 1968)	Jordon Leith Layton (Airline Pilot) Leonie Jill Layton (Married Woman)	Volume 10622 Folio 187
13.11.1968 (1968 to 1983)	Alex Donald Smith (Motor Dealer) Rosina Hazel Smith (Married Woman now Widow)	Volume 10622 Folio 187 Now Volume 12014 Folio 120
16.03.1983 (1983 to 1987)	Rosina Hazel Smith (Married Woman now Widow) (Notice of Death not investigated)	Volume 12014 Folio 120 Now 41/749823
17.12.1987 (1987 to 1990)	Terry John Lockhart Barbara Ann Lockhart (Domestic Duties)	41/749823
19.11.1990 (1990 to 2007)	John Kenndey Susan Francis Kennedy	41/749823
15.08.2007 (2007 to Date)	# Robert John Handford	41/749823

# Denotes current registered proprietor

### 3.6 Australian and NSW Heritage Register

A search of the Australian National Heritage and NSW Heritage databases was undertaken. The search did not identify the presence of items of national or state heritage in the vicinity of the site.

### 3.7 Integrity Assessment

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

## 4. Previous Site Investigations

A number of properties within the site have been the subject of previous environmental investigations. The following presents a summary of previous reports prepared for the site. The investigation reports are as follows:

- *Review of Land Contamination – 10 Berwick Park Road, Wilton NSW JBS&G Pty Ltd, 62176-142179, 7 December 2021 (JBSG 2021)*
- *Review of Land Contamination – 25 Wilton Park Road, Wilton NSW JBS&G Pty Ltd, 62364-142984, 14 January 2022 (JBSG 2022a)*
- *Review of Land Contamination – 75 Wilton Park Road, Wilton NSW JBS&G Pty Ltd, 62511-143501, 1 March 2022 (JBSG 2022b)*
- *Review of Land Contamination – 30 Berwick Park Road, Wilton NSW JBS&G Pty Ltd, 62697-144040, 1 April 2022 (JBSG 2022c)*
- *Review of Land Contamination – 45 Wilton Park Road, Wilton NSW JBS&G Pty Ltd, 63196 - 145594, 22 June 2022 (JBSG 2022d)*
- *Review of Land Contamination – 55 Wilton Park Road, Wilton NSW JBS&G Pty Ltd, 64241 - 149065, 13 Dec 2022 (JBSG 2022e)*

The findings of these previous investigations were as follows:

- The site is predominantly comprised of cleared rural/residential land, with the exception of 75 Wilton Park Road which has also been used as a stockpiling and transfer facility for material.
- As part of previous investigations 37 boreholes were advanced within selected properties via a hand auger, as well as six surface water samples from onsite dams and six sediment samples from accessible dam sediments/saturated soils within onsite dams. Additionally, seven stockpiles located on 75 Wilton Park Road were sampled.
- Intrusive investigations within the selected properties identified fill at relatively shallow depths with isolated areas of fill at depths of up to 0.4 m below ground surface (bgs). Refusal at four borehole locations within 75 Wilton Park Road prevented the determination of fill depths in isolated areas. It is noted that fill was encountered until refusal at 0.65 m bgs, indicating that isolated areas of deeper fill may be present within 75 Wilton Park Road. Fill was generally described as a brown silty/clayey sand or brown silty clay with inclusions of gravels (sandstone, igneous), crushed brick, organic matter and minor ash. Fill was considered likely to be site won.
- Natural soils were encountered at relatively shallow depths at all locations (0.0 m bgs to 0.4 m bgs) and comprised clay material.
- Stockpiled materials on 75 Wilton Park Road comprised a gravelly sand/sandy clay material type, gravel (road base) material or building and demolition waste.
- Soil and sediment samples were analysed for heavy metals, polycyclic aromatic hydrocarbons (PAHs), total recoverable hydrocarbons (TRHs), benzene, toluene, ethylbenzene and xylene (BTEX), organochlorine pesticides (OCPs), polychlorinated biphenyls (PCBs) and asbestos.
- No reported concentrations of contaminants of concern for soil and sediment samples analysed were above laboratory limit of reporting (LOR) and/or adopted criteria with exception of an exceedance of chromium of the adopted soil criteria on 75 Wilton Park Road

at a depth of 0.0-0.1 m bgs, and exceedances of copper and zinc of the adopted generic ecological investigation levels (EILs) in 10 Berwick Park Road at depths of 0.0-0.1 m bgs.

- Reported concentrations of contaminants for soils were below CT1 criteria for general solid waste, with the exception of an exceedance for Chromium on 75 Wilton Park Road which following TCLP analysis had leachable concentrations shown to be below adopted criteria, as well as an exceedance for Arsenic at 10 Berwick Park Road. On this basis, the majority fill material was preliminarily characterised as general solid waste (GSW) – non putrescible. It was noted that the preliminary classification excluded a number of stockpiles on 75 Wilton Park Road in which material was pre-classified under ‘building and demolition waste’.
- Reported concentrations of contaminants for collected surface water samples were below laboratories LOR and/or adopted criteria, with the exception of elevated levels of ammonia within one dam at 75 Wilton Park Road, and at 10 and 30 Berwick Park Road. Additionally reported levels of zinc within a dam on 75 Wilton Park Road, as well as zinc and copper at 30 Berwick Park Road and copper at 55 Wilton Park Road were above the freshwater 95% toxicant default guideline values (DGVs) (ANZG 2018) criteria. Water within onsite dams was determined to have a bicarbonate alkalinity (and total alkalinity) of between 23 mg/L and 40 mg/L, an electrical conductivity of between 60  $\mu\text{S}/\text{cm}$  and 450  $\mu\text{S}/\text{cm}$ , a pH of between 6.9 and 8.1 units and total suspended solids of between <5 mg/L and 40 mg/L.
- Accumulated onsite dam water was generally found to be absent of COPCs or indicators of physicochemical stressors at levels which would impose onerous management requirements, as well as no contamination conditions being identified which would preclude beneficial onsite reuse via application as dust suppressant.
- Based on the assessments undertaken the potential for widespread contamination at the site was considered low, with desktop reviews indicating the individual properties have been primarily used for rural residential purposes with the exception of 75 Wilton Park Road being used as a transfer facility in conjunction with its rural residential use. No COPCs at levels which indicate gross and/or widespread contamination were identified.



## 5. Conceptual Site Model (CSM)

### 5.1 Potential Areas of Environmental Concern

Based on a combined review of the site history, observations made during the JBS&G inspection of selected properties, and laboratory analytical results, AECs have been identified and are presented in **Table 5.1**.

**Table 5.1: Areas of Environmental Concern and Associated Contaminants of Potential Concern**

Area of Environmental Concern (AEC)	Contaminant of Potential Concern (COPC)
<b>On Site</b>	
Fill materials of unknown origin used to create existing site levels (partially gravelled driveway/surfaces near site structures)	Heavy metals, TRH/BTEX, OCPs, PCBs, PAHs, asbestos
Site building structures including former demolished structures and present-day structures impacting soils	Asbestos, lead and PCBs
Stockpile materials	Common COPCs such as heavy metals, PAHs, OCPs, PCBs, TRH, BTEX, and asbestos.
Domestic storage/handling of chemicals (agricultural purposes/motor fuels and oils)	Heavy metals, PAHs & TRHs/BTEX, OCPs
Application of pesticides for maintenance of vegetated areas or former crops	TRHs, OCPs
Accumulated nutrients and/or contaminants within site surface water bodies	Heavy metals, PAHs (low levels), nitrate/nitrite & ammonia

### 5.2 Potentially Contaminated Media

Potentially contaminated media present at the site include:

- Surface soils;
- Fill materials;
- Natural soils/bedrock;
- Groundwater; and
- Sediments.

Stockpiled materials observed during the detailed site inspection have the potential to contain hazardous material. As such, stockpiled materials and surface soil beneath stockpiled material are considered to be a potentially contaminated medium.

Given the historical land use of the site, surface soils are considered a potentially contaminated media. Based on a review of historical aerial photographs and detailed site inspection, disturbed terrain has been identified in isolated areas across the site generally in proximity to site structures. Potential remains for the burial of agricultural waste and hazardous materials. Agricultural practices may have led to the application of pesticides and herbicides which in turn may have resulted in contamination of the site's soils. Additionally, where there was the storage of hazardous chemicals associated with domestic rural residential purposes there is the potential for spills and leaking to have occurred. As such, surface soils are considered a potentially contaminated media.

While there are no specific historical records identifying fill material importation at the site, it is assumed that fill material may have been imported onto the site associated with development of the site grade during the installation of site structures and for use as growing media. As such, fill material is considered to be a potentially contaminated media.

Based on the potential leachability of contaminants within surface soils/fill material and the historical use of the site, vertical migration of contamination from the fill material/surface soils into the underlying natural soils may have occurred. As such, the natural site soils are considered to be

potentially contaminated media. However, they are likely to be limited in extent given the historically land use.

The potential for groundwater to be potentially contaminated medium is considered low based on the absence of any widespread significant contamination at the site. As with the natural soils, the potential for contamination of groundwater will depend upon the actual nature, occurrence and characteristics of contamination within the overlying stratigraphy.

### **5.3 Potential for Migration**

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

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

The potential contaminants identified as part of the site history review were generally in either a solid form (e.g. heavy metals, asbestos, etc.) and liquid form (e.g. fuel, lubricants, pesticides, etc.).

As the majority of the site is predominately grass covered, the potential for windblown dust migration of contamination from the site is generally low, however may be moderate where exposed soils are present in areas of high traffic areas/eroding dam embankments. The potential for contamination migration via surface water movement, infiltration of water and subsequent migration through the soil/fill profile is considered moderate given the absence of impervious pavements and the reported geology/anticipated underlying fill conditions.

Given the nature of the underlying soils/fill, migration of contamination via groundwater movement is considered to be low in areas of natural impermeable residual clays and a moderate potential migration pathway may exist in areas of fill and/or less permeable alluvial silts/sands (near drainage channels). Though it is noted that shallow groundwater is likely to be perched, limited in extent and limited in mobility. A moderate potential for migration of contamination exists for soluble compounds and/or those which are readily transported by surface waters via a series of interconnected ephemeral drainage lines at the site.

### **5.4 Potential Exposure Pathways**

Based on the COPCs identified in various media as discussed above, the exposure pathways for the site include:

- Potential inhalation of airborne asbestos fibres and/or heavy metal impacted, or pesticide impacted dust particles migrating from exposed areas of soil on site (i.e. wind-blown); and/or
- Potential dermal and oral contact to impacted soils as present at shallow depths and/or accessible by future service excavations across the extent of the site; and/or
- Potential oral and dermal contact to surface waters and sediments within current/former retention ponds as accessible by current and future site users and/or during future excavation/redevelopment; and/or
- Potential contaminant uptake by site vegetation.

## 5.5 Receptors

Potential human populations who may be exposed to impacts in the future (if they are not remediated or appropriate management) include:

- Potential future occupants/workers/visitors to the site who may potentially be exposed to COPCs through direct contact with impacted soils/groundwater and/or inhalation of dusts/fibres/vapours associated with impacted soils; and/or
- Excavation/construction/maintenance workers conducting activities at the site, who may potentially be exposed to COPCs through direct contact with impacted soils/groundwater/vapours present within excavations and/or inhalation of dusts/fibres associated with impacted soils; and
- Existing and/or future users/occupants of adjoining properties should contamination be identified to be migrating from the current site.

Potential site ecological receptors include future flora species established within any proposed landscaped areas and downgradient ecological receptors that may be impacted by groundwater and surface water migrating from the site, in addition to the Nepean River surface water features.

## 5.6 Preferential Pathways

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

Man-made preferential pathways are likely to be generally restricted to areas within proximity to the site structures, generally associated with fill materials and/or established infrastructure. Fill materials are anticipated to have a high permeability. Sub-surface services are also likely to be present in this area. Preferential pathways can be created by the generally higher permeability backfill used to re-instate these trenches.

Preferential pathways also exist in the form of manmade and natural ephemeral drainage lines leading into and from onsite dams, which are considered to act as a vector for soluble constituents or readily suspended particulates. These ephemeral drainage lines are also important in the assessment of potential off-site sources of COPC, which are present adjoining neighbouring upgradient properties.

## 6. Conclusions

Based on the findings of this investigation, and subject to the limitations in **Section 7**, the following observations are made:

- The majority of the site area comprises land which has historically been undeveloped and/or utilised for rural residential/agricultural activities, with the exception of a limited area within 75 Wilton Park Road having recently been used as a transfer facility. A number of potentially contaminating activities associated with former and current uses have been identified, particularly associated with fill and stockpiled material onsite, as well as domestic chemical usage and storage.
- However, intrusive investigations of soil, surface water and sediment have not identified the occurrence of gross and/or widespread contamination conditions at the site that would preclude rezoning of the site.
- Identified and potential soil and water impacts from previous investigations are considered representative of common contaminants and potentially contaminating land use activities which can be readily dealt with during the Development Application (DA) stage (i.e. including completion of detailed site investigations consistent with relevant Council Development Control Plans (DCPs) and SEPP (Resilience and Hazards) 2021 requirements) for redevelopment and assessment for site suitability.

## **7. Limitations**

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

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

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

Sampling and chemical analysis of environmental media is based on appropriate guidance documents made and approved by the relevant regulatory authorities. Conclusions arising from the review and assessment of environmental data are based on the sampling and analysis considered appropriate based on the regulatory requirements.

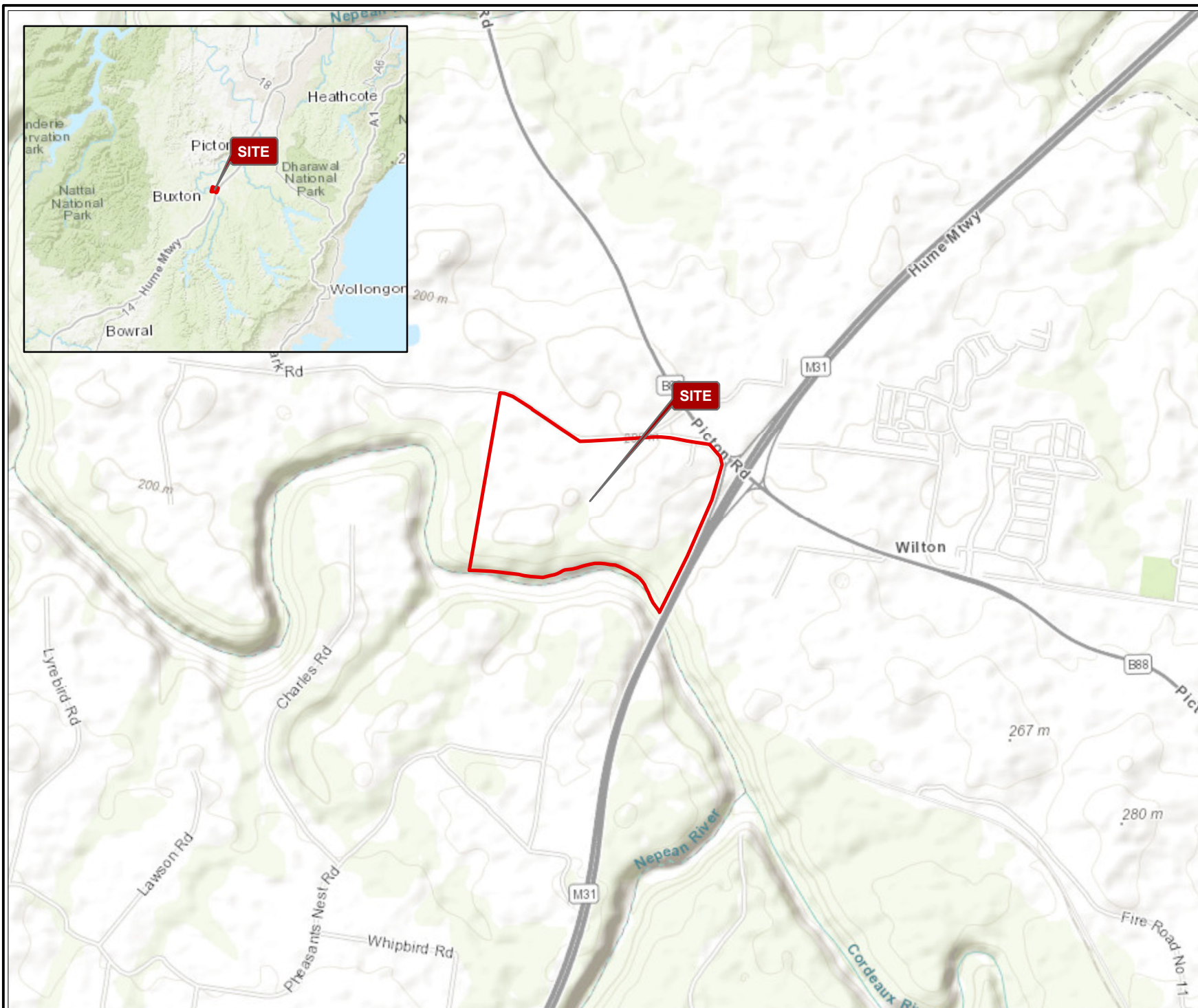
Limited sampling and laboratory analyses were undertaken as part of the investigations undertaken, as described herein. Ground conditions between sampling locations and media may vary, and this should be considered when extrapolating between sampling points. Chemical analytes are based on the information detailed in the site history. Further chemicals or categories of chemicals may exist at the site, which were not identified in the site history and which may not be expected at the site.

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

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

## Figures





**Legend**  
 Approximate Site Boundary



Job No: 62917	
Client: Altis Property Group	
Version: R01 Rev 0	Date 8/09/2022
Drawn By: AB	Checked By: IL

Scale 1:30,000

Coord. Sys. GDA 1994 MGA Zone 56

**Wilton Park Road and  
Berwick Park Road  
Wilton, NSW**

**SITE LOCATION**

**FIGURE 1**





- Legend**
- Approximate Site Boundary
  - Cadastre (DFSI, 2021)
  - Nepean River



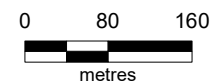
Job No: 62917

Client: Altis Property Group

Version: R01 Rev 0      Date 8/09/2022

Drawn By: AB      Checked By: IL

Scale 1:7,250



Coord. Sys. GDA 1994 MGA Zone 56

**Wilton Park Road and  
Berwick Park Road  
Wilton, NSW**

**SITE LAYOUT**

**FIGURE 2**



## **Appendix A PhotoLog**

**PHOTO 1: MAIN ENTRANCE TO 75 WILTON PARK ROAD**



**PHOTO 2: FRONT HOUSE CAR PARK OF 75 WILTON PARK ROAD**



**PHOTO 3: GENERAL HOUSE FEATURES OF DWELLING ON 75 WILTON PARK ROAD**



**PHOTO 4: SEPTIC TANKS LOCATED ON 75 WILTON PARK ROAD BEHIND THE DWELLING**



Job No: 62917

Client: Altis Property Partners

Version: R01 Rev 2

Date: 27/04/2023

Drawn By: IL

Checked By: NC

Not to Scale

Coord. Sys n/a

**Wilton Park Road & Berwick Park Road, Wilton**

**APPENDIX A**



**PHOTO 5: REMNANT CUMBERLAND PLAINS WOODLAND ON 75 WILTON PARK ROAD**



**PHOTO 6: SHIPPING CONTAINER AND SCRAP METAL LOCATED ON 75 WILTON PARK ROAD**



**PHOTO 7: STOCKPILES OF MATERIAL LOCATED ON 75 WILTON PARK ROAD**



**PHOTO 8: DAM LOCATED IN SOUTH WESTERN EXTENT OF 75 WILTON PARK ROAD – FACING SOUTH**



Job No: 62917

Client: Altis Property Partners

Version: R01 Rev 2

Date: 27/04/2023

Drawn By: IL

Checked By: NC

Not to Scale

Coord. Sys n/a

**Wilton Park Road & Berwick Park Road, Wilton**

**APPENDIX A**



**PHOTO 9: GENERAL PROPERTY FEATURES OF 30 BERWICK PARK ROAD – FACING SOUTH**



**PHOTO 10: MAIN RESIDENCE OF 30 BERWICK PARK ROAD – FACING SOUTHEAST**



**PHOTO 11: UNUSED VEHICLES LOCATED ON 30 BERWICK PARK ROAD – FACING SOUTHEAST**



**PHOTO 12: FENCLINE INFRASTRUCTURE & YARDS LOCATED ON 30 BERWICK PARK ROAD – FACING SOUTH**



Job No: 62917

Client: Altis Property Partners

Version: R01 Rev 2

Date: 27/04/2023

Drawn By: IL

Checked By: NC

Not to Scale

Coord. Sys n/a

**Wilton Park Road & Berwick Park Road, Wilton**

**APPENDIX A**



**PHOTO 13: CONCRETE TANK LOCATED ON 30 BERWICK PARK ROAD**



**PHOTO 14: MAIN DAM LOCATED ON 30 BERWICK PARK ROAD – FACING SOUTHWEST**



**PHOTO 15: ISOLATED HYDRAULIC OIL (MOTORBIKE) LOCATED ON 30 BERWICK PARK ROAD**



**PHOTO 4: BROWN SILTY CLAY TOPSOIL**



Job No: 62917

Client: Altis Property Partners

Version: R01 Rev 2

Date: 27/04/2023

Drawn By: IL

Checked By: NC

Not to Scale

Coord. Sys n/a

**Wilton Park Road & Berwick Park Road, Wilton**

**APPENDIX A**



**PHOTO 17: RESIDENCE LOCATED ON 10 BERWICK PARK ROAD**



**PHOTO 18: STABLES/SHED LOCATED ON 10 BERWICK PARK ROAD**



**PHOTO 19: GRAVEL DRIVEWAY LOCATED ON 10 BERWICK PARK ROAD**



**PHOTO 20: REPRESENTATIVE GRAVELS IN DRIVEWAY LOCATED ON 10 BERWICK PARK ROAD**



Job No: 62917

Client: Altis Property Partners

27/04/2023

Version: R01 Rev 2

Date:

Drawn By: IL

Checked By: NC

Not to Scale

Coord. Sys n/a

**Wilton Park Road & Berwick Park Road, Wilton**

**APPENDIX A**



**PHOTO 21: EMPTY OIL DRUM LOCATED ON 10 BERWICK PARK ROAD**



**PHOTO 22: STOCKPILE OF MATERIAL LOCATED ON 10 BERWICK PARK ROAD**



**PHOTO 23: INTERIOR OF SHED LOCATED ON 10 BERWICK PARK ROAD**



**PHOTO 24: CONCRETE DRAINAGE CULVERT IN SOUTH PORTION OF 10 BERWICK PARK ROAD**



Job No: 62917

Client: Altis Property Partners

Version: R01 Rev 2

Date: 27/04/2023

Drawn By: IL

Checked By: NC

Not to Scale

Coord. Sys n/a

**Wilton Park Road & Berwick Park Road, Wilton**

**APPENDIX A**



**PHOTO 25: TEST PIT EXCAVATION ADVANCED ON 10  
BERWICK PARK ROAD**



**PHOTO 26: UNSEALED DRIVEWAY ON 45 WILTON PARK ROAD  
- FACING EAST**



**PHOTO 27: MAIN Paddock WITH DAM LOCATED ON 45  
WILTON PARK ROAD – FACING SOUTHEAST**



**PHOTO 28: SHED LOCATED ON 45 WILTON PARK ROAD –  
FACING WEST**



Job No: 62917

Client: Altis Property Partners

Version: R01 Rev 2

Date: 27/04/2023

Drawn By: IL

Checked By: NC

Not to Scale

Coord. Sys n/a

**Wilton Park Road & Berwick Park  
Road, Wilton**

**APPENDIX A**



**PHOTO 29: EMPTY DRUMS LOCATED ON 45 WILTON PARK ROAD**



**PHOTO 30: VEHICLES AND SHED LOCATED ON 45 WILTON PARK ROAD**



**PHOTO 31: VEGETATED GULLY LOCATED IN SOUTHERN PORTION OF 45 WILTON PARK ROAD – FACING SOUTHEAST**



**PHOTO 32: PRIMARY RESIDENCE OF 45 WILTON PARK ROAD – FACING SOUTH**



Job No: 62917

Client: Altis Property Partners

Version: R01 Rev 2

Date: 27/04/2023

Drawn By: IL

Checked By: NC

Not to Scale

Coord. Sys n/a

**Wilton Park Road & Berwick Park Road, Wilton**

**APPENDIX A**



**PHOTO 33: BOREHOLE SPOIL ON 45 WILTON PARK ROAD**



**PHOTO 34: BOREHOLE SPOIL SHOWING NATURAL CLAY MATERIAL, LOCATED ON 45 WILTON PARK ROAD**



**PHOTO 35: DEMOUNTABLE STRUCTURE ON 45 WILTON PARK ROAD – FACING SOUTHEAST**



**PHOTO 36: SKIP BIN LOCATED ON 45 WILTON PARK ROAD- FACING SOUTH EAST**



Job No: 62917

Client: Altis Property Partners

Version: R01 Rev 2

Date: 27/04/2023

Drawn By: IL

Checked By: NC

Not to Scale

Coord. Sys n/a

**Wilton Park Road & Berwick Park Road, Wilton**

**APPENDIX A**



**PHOTO 37: AGRICULTURAL DAM IN NORTHERN PORTION OF 55 WILTON PARK ROAD**



**PHOTO 38: HARD-SET GRAVELLY SAND AT 55 WILTON PARK ROAD**



**PHOTO 39: SMALL SHED AND ADJACENT HOUSE ON 55 WILTON PARK ROAD**



**PHOTO 40: RESIDENCE ON 55 WILTON PARK ROAD**



Job No: 62917

Client: Altis Property Partners

Version: R01 Rev 2

Date: 27/04/2023

Drawn By: IL

Checked By: NC

Not to Scale

Coord. Sys n/a

**Wilton Park Road & Berwick Park Road, Wilton**

**APPENDIX A**



## **Appendix B Groundwater Boreholes**

# WaterNSW

## Work Summary

GW057797

Licence: 10WA110005      Licence Status: CURRENT

Authorised Purpose(s): STOCK,DOMESTIC  
Intended Purpose(s): IRRIGATION

Work Type: Bore open thru rock

Work Status:

Construct.Method: Rotary Air

Owner Type: Private

Commenced Date:      Final Depth: 106.70 m  
Completion Date: 01/08/1982      Drilled Depth: 106.70 m

Contractor Name: (None)

Driller:

Assistant Driller:

Property: GALEA 110 Wilton Park Rd  
WILTON 2571 NSW      Standing Water Level (m):  
GWMA: -      Salinity Description: Good  
GW Zone: -      Yield (L/s):

### Site Details

Site Chosen By:

County      Parish      Cadastre  
Form A: CAMDEN      WILTON      L330 DP589785 (12)  
Licensed: CAMDEN      WILTON      Whole Lot 6//635391

Region: 10 - Sydney South Coast      CMA Map: 9029-4S  
River Basin: 212 - HAWKESBURY RIVER      Grid Zone:      Scale:  
Area/District:

Elevation: 0.00 m (A.H.D.)      Northing: 6211047.000      Latitude: 34°13'09.3"S  
Elevation Source: (Unknown)      Easting: 284062.000      Longitude: 150°39'21.2"E

GS Map: -      MGA Zone: 56      Coordinate Source: GD.,ACC.MAP

### Construction

Negative depths indicate Above Ground Level; C-Cemented; SL-Slot Length; A-Aperture; GS-Grain Size; Q-Quantity; PL-Placement of Gravel Pack; PC-Pressure Cemented; S-Sump; CE-Centralisers

Hole	Pipe	Component	Type	From (m)	To (m)	Outside Diameter (mm)	Inside Diameter (mm)	Interval	Details
1	1	Casing	Welded Steel	-0.30	1.80	165			Driven into Hole

### Water Bearing Zones

From (m)	To (m)	Thickness (m)	WBZ Type	S.W.L. (m)	D.D.L. (m)	Yield (L/s)	Hole Depth (m)	Duration (hr)	Salinity (mg/L)
10.70	11.00	0.30	Consolidated			0.25			
102.40	102.70	0.30	Consolidated			0.45			

### Drillers Log

From (m)	To (m)	Thickness (m)	Drillers Description	Geological Material	Comments
0.00	0.30	0.30	Topsoil	Topsoil	
0.30	1.80	1.50	Shale Weathered	Shale	
1.80	71.30	69.50	Sandstone Water Supply	Sandstone	
71.30	75.30	4.00	Shale	Shale	
75.30	99.40	24.10	Sandstone	Sandstone	
99.40	100.30	0.90	Shale	Shale	

100.30	106.70	6.40	Sandstone Water Supply	Sandstone	
--------	--------	------	------------------------	-----------	--

\*\*\* End of GW057797 \*\*\*

Warning To Clients: This raw data has been supplied to the WaterNSW by drillers, licensees and other sources. WaterNSW does not verify the accuracy of this data. The data is presented for use by you at your own risk. You should consider verifying this data before relying on it. Professional hydrogeological advice should be sought in interpreting and using this data.

# WaterNSW

## Work Summary

GW103320

Licence: 10WA110648

Licence Status: CURRENT

Authorised Purpose(s): STOCK,DOMESTIC

Intended Purpose(s): STOCK, DOMESTIC

Work Type: Bore

Work Status:

Construct.Method: Rotary

Owner Type:

Commenced Date:

Completion Date: 28/08/2000

Final Depth: 183.00 m

Drilled Depth: 183.00 m

Contractor Name: SOUTHERN TABLELANDS DRILLING

Driller: Roger Charles Ritchie

Assistant Driller:

Property: OCCHIUTO 160 Wilton Park Rd WILTON 2571 NSW

Standing Water Level (m):

GWMA: -

Salinity Description:

GW Zone: -

Yield (L/s):

### Site Details

Site Chosen By:

County

Form A: CAMDEN

Licensed: CAMDEN

Parish

WILTON

WILTON

Cadastre

4//625904

Whole Lot

106//794081

Region: 10 - Sydney South Coast

CMA Map:

River Basin: - Unknown

Grid Zone:

Scale:

Area/District:

Elevation: 0.00 m (A.H.D.)

Northing: 6210457.000

Elevation Source: Unknown

Easting: 283769.000

Latitude: 34°13'28.3"S

Longitude: 150°39'09.2"E

GS Map: -

MGA Zone: 56

Coordinate Source: Unknown

### Construction

Negative depths indicate Above Ground Level; C-Cemented; SL-Slot Length; A-Aperture; GS-Grain Size; Q-Quantity; PL-Placement of Gravel Pack; PC-Pressure Cemented; S-Sump; CE-Centralisers

Hole	Pipe	Component	Type	From (m)	To (m)	Outside Diameter (mm)	Inside Diameter (mm)	Interval	Details
1		Hole	Hole	0.00	36.00	200			Down Hole Hammer
1		Hole	Hole	36.00	183.00	155			Down Hole Hammer
1	1	Casing	Pvc Class 9	-0.50	36.00	160	146		

### Water Bearing Zones

From (m)	To (m)	Thickness (m)	WBZ Type	S.W.L. (m)	D.D.L. (m)	Yield (L/s)	Hole Depth (m)	Duration (hr)	Salinity (mg/L)
115.00	116.00	1.00	Unknown	76.00		0.80	116.00		

### Drillers Log

From (m)	To (m)	Thickness (m)	Drillers Description	Geological Material	Comments
0.00	1.80	1.80	CLAY	Clay	
1.80	6.00	4.20	SHALE	Shale	
6.00	12.00	6.00	SANDSTONE WHITE	Sandstone	
12.00	19.00	7.00	SANDSTONE YELLOW	Sandstone	

19.00	26.00	7.00	SANDSTONE GREY	Sandstone	
26.00	31.00	5.00	SANDSTONE ORANGE	Sandstone	
31.00	111.00	80.00	SANDSTONE GREY	Sandstone	
111.00	123.00	12.00	SANDSTONE COURSE	Sandstone	
123.00	124.00	1.00	SHALE	Shale	
124.00	148.00	24.00	SANDSTONE WHITE	Sandstone	
148.00	150.00	2.00	SHALE	Shale	
150.00	173.00	23.00	SANDSTONE WHITE	Sandstone	
173.00	175.00	2.00	SHALE WHITE	Shale	
175.00	183.00	8.00	SHALE	Shale	

\*\*\* End of GW103320 \*\*\*

Warning To Clients: This raw data has been supplied to the WaterNSW by drillers, licensees and other sources. WaterNSW does not verify the accuracy of this data. The data is presented for use by you at your own risk. You should consider verifying this data before relying on it. Professional hydrogeological advice should be sought in interpreting and using this data.



## **Appendix C   Historical Aerial Imagery**



# Legend

Approximate Site Boundary



Job No: 62917

Client: Altis Property Group

Version: Aerials

Date 8/09/2022

Drawn By: AB

Checked By: IL

Scale 1:7,250



0 80 160  
metres

Coord. Sys. GDA 1994 MGA Zone 56

**Wilton Park Road and  
Berwick Park Road,  
Wilton, NSW**

**HISTORIC AERIALS - 1961**

**FIGURE 1961**





**Legend**  
 Approximate Site Boundary

Job No: 62917  
 Client: Altis Property Group  

Version: Aerials	Date 8/09/2022
Drawn By: AB	Checked By: IL

Scale 1:7,250   


0      80      160  
  
 metres

Coord. Sys. GDA 1994 MGA Zone 56  
**Wilton Park Road and  
 Berwick Park Road,  
 Wilton, NSW**  
**HISTORIC AERIALS - 1972**

**FIGURE 1972**





**Legend**  
 Approximate Site Boundary



Job No: 62917

Client: Altis Property Group

Version: Aerials

Date 8/09/2022

Drawn By: AB

Checked By: IL

Scale 1:7,250



0 80 160  
metres

Coord. Sys. GDA 1994 MGA Zone 56

**Wilton Park Road and  
Berwick Park Road,  
Wilton, NSW**

**HISTORIC AERIALS - 1978**

**FIGURE 1978**





#### Legend

Approximate Site Boundary



Job No: 62917

Client: Altis Property Group

Version: Aerials

Date 8/09/2022

Drawn By: AB

Checked By: IL

Scale 1:7,250



0 80 160  
metres

Coord. Sys. GDA 1994 MGA Zone 56

**Wilton Park Road and  
Berwick Park Road,  
Wilton, NSW**

**HISTORIC AERIALS - 1980**

**FIGURE 1980**





# Legend

Approximate Site Boundary



Job No: 62917

Client: Altis Property Group

Version: Aerials

Date 8/09/2022

Drawn By: AB

Checked By: IL

Scale 1:7,250



0 80 160  
metres

Coord. Sys. GDA 1994 MGA Zone 56


**Wilton Park Road and  
Berwick Park Road,  
Wilton, NSW**

**HISTORIC AERIALS - 1990**

**FIGURE 1990**



**Legend**

 Approximate Site Boundary



Job No: 62917

Client: Altis Property Group

Version: Aerials

Date 8/09/2022

Drawn By: AB

Checked By: IL

Scale 1:7,250



0 80 160  
metres

Coord. Sys. GDA 1994 MGA Zone 56

**Wilton Park Road and  
Berwick Park Road,  
Wilton, NSW**

**HISTORIC AERIALS - 1998**

**FIGURE 1998**





**Legend**  
 Approximate Site Boundary



Job No: 62917

Client: Altis Property Group

Version: Aerials

Date 8/09/2022

Drawn By: AB

Checked By: IL

Scale 1:7,250



080160



metres

Coord. Sys. GDA 1994 MGA Zone 56

**Wilton Park Road and  
Berwick Park Road,  
Wilton, NSW**

**HISTORIC AERIALS - 2005**

**FIGURE 2005**





# Legend

Approximate Site Boundary



Job No: 62917

Client: Altis Property Group

Version: Aerials

Date 8/09/2022

Drawn By: AB

Checked By: IL

Scale 1:7,250



0 80 160  
metres

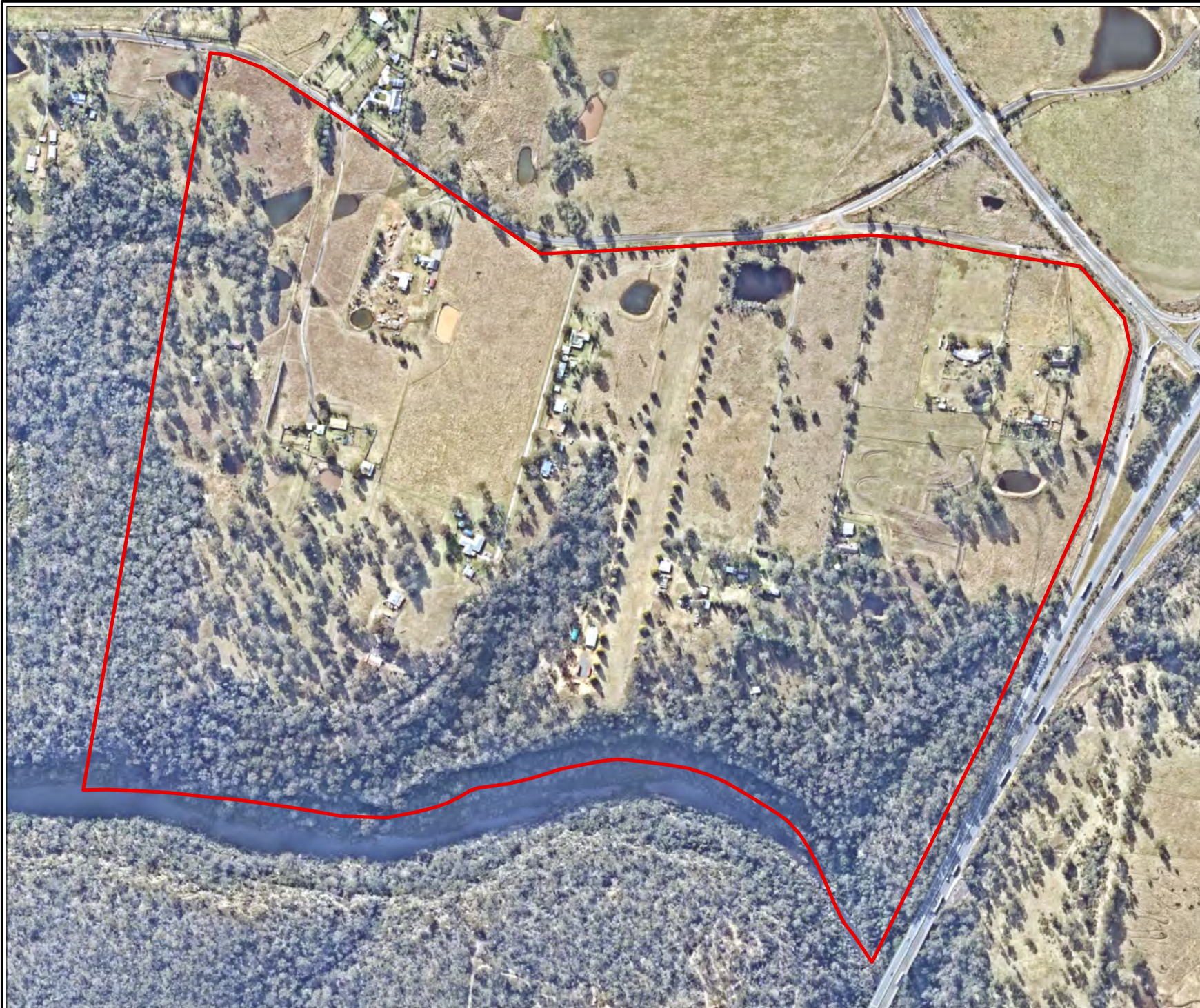
Coord. Sys. GDA 1994 MGA Zone 56

**Wilton Park Road and  
Berwick Park Road,  
Wilton, NSW**

**HISTORIC AERIALS - 2010**

**FIGURE 2010**





**Legend**  
 Approximate Site Boundary



Job No: 62917

Client: Altis Property Group

Version: Aerials

Date 8/09/2022

Drawn By: AB

Checked By: IL

Scale 1:7,250



080160



metres

Coord. Sys. GDA 1994 MGA Zone 56

**Wilton Park Road and  
Berwick Park Road,  
Wilton, NSW**

**HISTORIC AERIALS - 2021**

**FIGURE 2021**

File Name: N:\Projects\Altis Property Group\62917 Rezoning Wilton\GIS\Maps\Aerials\62917\_2021.mxd  
Reference: Nearmap (2021-07-06)



## **Appendix D 10.7 Certificate**

**PLANNING CERTIFICATE UNDER SECTION  
10.7(2) & (5)  
ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979**

**APPLICANT:** Ms P Gordon

**Planning Certificate No.:** 20212580  
**Receipt No.:** 8140  
**Issue Date:** 15 November 2021  
**Applicant's Reference:** 62176 Wilton  
**Property No.:** 13292

**DESCRIPTION OF PROPERTY**

**Address:** 10 Berwick Park Road WILTON 2571  
**Land Description:** Lot: 2 DP: 609222

**Notes:**

The following prescribed matters may apply to the land to which this certificate relates and is supplied in good faith.

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. Note that instruments applying to this land purporting to restrict or prohibit certain development may be inconsistent.

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 Planning Secretary 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 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 (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 (Sydney Region Growth Centres) 2006

State Environmental Planning Policy (State Significant Precincts) 2005

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

State Environmental Planning Policy (Concurrences and Consents) 2018

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

State Environmental Planning Policy (Koala Habitat Protection) 2021

## **PROPOSED ENVIRONMENTAL PLANNING INSTRUMENTS**

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)) applies to this land. The draft LEP proposes various matters.

Draft State Environmental Planning Policy (Competition) 2010

Draft State Environmental Planning Policy (Environment)

Draft State Environmental Planning Policy (Short-term Rental Accommodation) 2019

Draft State Environmental Planning Policy - Remediation of Land

State Environmental Planning Policy (State and Regional Development) 2011 – Water Treatment Facilities Proposed Amendment

Draft State Environmental Planning Policy (Strategic Conservation Planning) - to support the Cumberland Plain Conservation Plan

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

Explanation of Intended Effect (Building Business Back Better) – proposed amendments to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP) and other legislation

Explanation of Intended Effect (Varying Development Standards) – proposed amendments to Clause 4.6 of the Standard Instrument Local Environmental Plan

Draft State Environmental Planning Policy (Housing) 2021

## **DEVELOPMENT CONTROL PLANS**



## **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; Aquaculture; Bed and breakfast accommodation; Boat building and repair facilities; Boat sheds; Cellar door premises; Cemeteries; Community facilities; Crematoria; Depots; Dual occupancies (attached); 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)

- (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 16 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.

**Planning Proposal - Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)).**

- (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)"),

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)) 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:

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)) 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,

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)) proposes to include the following developments as development that may not be carried out within the zone except with development consent:

Artisan food and drink industry, Caravan park, Eco-tourist facility, Function centre, Market, Timber yard.

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

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)) 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,

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)) does not propose any new development standards.

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

None known

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

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)) does not identify a change to land in a conservation area.

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

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)) does not identify a change to any items of environmental heritage.

---

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

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

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

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 located within the Wilton Priority Growth Area.

The State Environmental Planning Policy (Sydney Region Growth Centres) 2006 applies to the land, however, Zoning and Land Use for the land are specified under Wollondilly Local Environmental Plan 2011 (refer to clause 2 of this planning certificate).

---

## **3. COMPLYING DEVELOPMENT**

- (1) The extent to which the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.
- (2) The extent to which complying development may not be carried out on that land because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of that Policy, 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 under the Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 MAY NOT be carried out on



part of the land. The land is excluded land being land identified by an environmental planning instrument as being partly within an area of environmentally sensitive land.

#### **THE RURAL HOUSING CODE**

Complying development under the Rural Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 MAY NOT be carried out on part of the land. The land is excluded land being land identified by an environmental planning instrument as being partly within an area of environmentally sensitive land.

Note: If the land is a lot to which the Rural Housing Code applies, complying development may be carried out on the part of the lot to which this clause does not apply.

#### **THE GREENFIELD HOUSING CODE**

Complying development under the Greenfield Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 MAY NOT be carried out on part of the land. The land is excluded land being land identified by an environmental planning instrument as being partly within an area of environmentally sensitive land.

#### **THE LOW RISE HOUSING DIVERSITY CODE**

Complying development under the Low Rise Housing Diversity Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 MAY NOT be carried out on part of the land. The land is excluded land being land identified by an environmental planning instrument as being partly within an area of environmentally sensitive land.

#### **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 under the Commercial and Industrial (New Buildings and Additions) Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 MAY NOT be carried out on part of the land. The land is excluded land being land identified by an environmental planning instrument as being partly within an area of environmentally sensitive land.

#### **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)**

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### **4A. (REPEALED)**

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### **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.

The land IS WITHIN a declared Mine Subsidence District of Wilton under section 20 of the Coal Mine Subsidence Compensation Act 2017. Certain development in a Mine Subsidence District requires approval from Subsidence Advisory NSW – further information can be obtained from Subsidence Advisory NSW. Subsidence Advisory



NSW provides compensation to property owners for mine subsidence damage. To be eligible for compensation, development must be constructed in accordance with Subsidence Advisory NSW approval. Subsidence Advisory NSW has set surface development guidelines for properties in Mine Subsidence Districts that specify building requirements to help prevent potential damage from coal mine subsidence.

---

## 6. ROAD WIDENING AND ROAD REALIGNMENT

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

- (a) Division 2 of Part 3 of the *Roads Act* 1993, or
- (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) If the land or part of the land is within the flood planning area and subject to flood related development controls.
- (2) If the land or part of the land is between the flood planning area and the probable maximum flood and subject to flood related development controls.
- (3) *In this clause—*

***flood planning area*** has the same meaning as in the *Floodplain Development Manual*.

***floodplain Development Manual*** means the *Floodplain Development Manual* (ISBN 0 7347 5476 0) published by the NSW Government in April 2005.

***probable maximum flood*** has the same meaning as in the *Floodplain Development Manual*.

No Flood Study has been undertaken in accordance with the requirements of the NSW Floodplain Development Manual for this land. It is therefore unknown whether any flood related development controls would apply to the land. Any person acting on this Certificate should make their own enquiries on this matter.

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## **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.

There are no Environmental Planning Instruments referred to in Clause 1 that make provision for the acquisition of the land by a public authority as referred to under section 3.15 of the Act.

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)) does not provide for the acquisition of the subject land by a public authority as referred to in section 3.15 of the Act.

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## **9. CONTRIBUTIONS PLANS**

The name of each contributions plan applying to the land.

Wollondilly Development Contributions Plan 2020 applies to the land.

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## **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*).

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## **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.

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#### **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*.

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#### **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.

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

If 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.

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#### **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

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#### **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

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#### **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, 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.

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

A statement of whether there is a valid site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments), 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:

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

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

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## **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.

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 38 (1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land.

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

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## **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.

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## **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 Planning Secretary'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.

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

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## 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.

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## 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*.

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## 22. STATE ENVIRONMENTAL PLANNING POLICY (WESTERN SYDNEY AEROTROPOLIS) 2020

For land to which State Environmental Planning Policy (Western Sydney Aerotropolis) 2020 applies, whether the land is—



- (a) in an ANEF or ANEC contour of 20 or greater as referred to in clause 19 of that Policy, or

The land is not identified as being within an ANEF or ANEC contour of 20 or greater.

- (b) shown on the Lightning Intensity and Wind Shear Map under that Policy, or

The land is not identified on the Lightning Intensity and Wind Shear Map.

- (c) shown on the Obstacle Limitation Surface Map under that Policy, or

The land is not identified on the Obstacle Limitation Surface Map.

- (d) in the “public safety area” on the Public Safety Area Map under that Policy, or

The land is not identified as being within the "public safety area" on the Public Safety Map.

- (e) in the “3 kilometre wildlife buffer zone” or the “13 kilometre wildlife buffer zone” on the Wildlife Buffer Zone Map under that Policy.

The land is not identified as being within a wildlife buffer zone on the Wildlife Buffer Zone Map.

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**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.

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## THE FOLLOWING ADDITIONAL INFORMATION IS PROVIDED UNDER:

### SECTION 10.7(5) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

For the purposes of Section 10.7(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. **WESTERN SYDNEY INTERNATIONAL (NANCY-BIRD WALTON) AIRPORT**

The State Environmental Planning Policy (Western Sydney Aerotropolis) 2020 (The SEPP) came into effect on 1 October 2020.

Part 3 of the SEPP outlines a number of controls to safeguard the operation of the Western Sydney International (Nancy-Bird Walton) Airport into the future. These controls apply to some parts of Wollondilly. Refer to clause 22 of this Planning Certificate for affected land and relevant SEPP maps (see link below).

Noise sensitive development, as defined by the SEPP, is prohibited on land in an **ANEF or ANEC Contour of 20 or greater**. Clause 19 (4) of the SEPP grants an exception to permit a dwelling house on land where there was no dwelling house constructed, but only where a dwelling house was permitted prior to the commencement of the SEPP, however, this exception does not extend to other forms of residential development (such as Secondary Dwellings, Dual Occupancies, Multi Dwelling Housing etc.).

Development for any of the following purposes must meet the indoor design sound levels as defined in the SEPP:

- A dwelling under Clause 19(4) of the SEPP on land within in an ANEF or ANEC contour of 20 or greater;

Additional considerations apply to land in Wollondilly identified by the Wildlife Buffer Zone Map and the Wind Turbines Map.

For full details please see the SEPP:  
<https://legislation.nsw.gov.au/view/html/inforce/current/epi-2020-0545>

4. Other Matters (if applicable)

#### PROTECTION OF TRANSPORT CORRIDORS IN WESTERN SYDNEY

In March 2018 the State Government announced the recommended corridor for the Outer Sydney Orbital (Stage One). The location of the corridor was updated in June 2018 following the outcome of community consultation.



The Outer Sydney Orbital (Stage One) will provide for a motorway and freight line to connect Illawarra and Central Coast via Western Sydney Airport.

The Outer Sydney Orbital (Stage One) corridor passes through the Wollondilly local government area (Brownlow Hill, Cawdor, Douglas Park, Menangle and Mount Hunter).

For more information contact Transport for NSW or visit their website at [www.transport.nsw.gov.au/corridors](http://www.transport.nsw.gov.au/corridors).

## WILTON 2040: A PLAN FOR THE WILTON GROWTH AREA

Parts of Wilton are within a State Government declared Growth Area. The Wilton Growth Area is guided by Wilton 2040: A Plan for the Wilton Growth Area.

For more information please contact the Department of Planning, Industry and Environment, or view their website: <https://www.planning.nsw.gov.au/Plans-for-your-area/Priority-Growth-Areas-and-Precincts/Wilton>  
SHIRE WIDE FLOOD STUDY

Council wants to be proactive about flooding in the Shire and in partnership with the NSW State Government we are looking for ways to mitigate flood risks for the community.

A flood study for areas not currently covered by a study has commenced with the aim of identifying the flood risk for every property in the Shire.

Refer to Council's website [www.wollondilly.nsw.gov.au](http://www.wollondilly.nsw.gov.au) or contact Council for more information on 4677 1100.

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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. Note that instruments applying to this land purporting to restrict or prohibit certain development may be inconsistent.

Digitally Signed: Mark Ruddiman Senior Strategic Planner Monday, 15, November 2021 3:41:38 PM Sustainable Growth
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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) & (5) ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979**

**APPLICANT:** JBS&G

**Planning Certificate No.:** 20212853  
**Receipt No.:** 9312  
**Issue Date:** 23 December 2021  
**Applicant's Reference:** Job No. 62364  
**Property No.:** 11017

### **DESCRIPTION OF PROPERTY**

**Address:** 25 Wilton Park Road WILTON 2571  
**Land Description:** Lot: 7 DP: 233845

### **Notes:**

The following prescribed matters may apply to the land to which this certificate relates and is supplied in good faith.

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. Note that instruments applying to this land purporting to restrict or prohibit certain development may be inconsistent.

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 Planning Secretary 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 No 33 - Hazardous and Offensive Development

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 (Infrastructure) 2007

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

State Environmental Planning Policy (State and Regional Development) 2011

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

State Environmental Planning Policy (Sydney Region Growth Centres) 2006

State Environmental Planning Policy (State Significant Precincts) 2005

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

State Environmental Planning Policy (Concurrences and Consents) 2018

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

State Environmental Planning Policy (Koala Habitat Protection) 2021

State Environmental Planning Policy (Housing) 2021

## **PROPOSED ENVIRONMENTAL PLANNING INSTRUMENTS**

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)) applies to this land. The draft LEP proposes various matters.

Proposed Employment Zones Reform - Includes draft Standard Instrument (Local Environmental Plans) Amendment (Land Use Zones) Order 2021

Planning Proposal - Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Developing the Visitor Economy + Employment Land Uses (LEP Review Program Stage 2)) applies to the land. The draft LEP proposes various matters.

Draft State Environmental Planning Policy (Competition) 2010

Draft State Environmental Planning Policy (Environment)

Draft State Environmental Planning Policy - Remediation of Land

Draft State Environmental Planning Policy (Strategic Conservation Planning) - to support the Cumberland Plain Conservation Plan

Explanation of Intended Effect (Building Business Back Better) – proposed amendments to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP) and other legislation

Explanation of Intended Effect (Varying Development Standards) – proposed amendments to Clause 4.6 of the Standard Instrument Local Environmental Plan

Explanation of Intended Effect (Outdoor dining & fun experiences) – proposed amendments to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP)

Explanation of Intended Effect for a Regional Infrastructure Contributions Proposed State Environmental Planning Policy

## **DEVELOPMENT CONTROL PLANS**

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



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## 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; Aquaculture; Bed and breakfast accommodation; Boat building and repair facilities; Boat sheds; Cellar door premises; Cemeteries; Community facilities; Crematoria; Depots; Dual occupancies (attached); 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)

- (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 16 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.

**Planning Proposal - Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)).**

- (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)"),

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)) 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:

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)) 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,

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)) proposes to include the following developments as development that may not be carried out within the zone except with development consent:

Artisan food and drink industry, Caravan park, Eco-tourist facility, Function centre, Market, Timber yard.

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

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)) 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,

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)) does not propose any new development standards.

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

None known

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

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)) does not identify a change to land in a conservation area.

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

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)) does not identify a change to any items of environmental heritage.

**Planning Proposal - Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Developing the Visitor Economy + Employment Land Uses (LEP Review Program Stage 2))**



- (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 LEP Amendment to Wollondilly Local Environmental Plan 2011 (Developing the Visitor Economy + Employment Land Uses (LEP Review Program Stage 2)) does not propose any change 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:

Nil, unless the development is development listed in Schedule 2 of Wollondilly Local Environmental Plan 2011 and 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,

Planning Proposal - Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Developing the Visitor Economy + Employment Land Uses (LEP Review Program Stage 2)) proposes to include the following developments as development that may not be carried out within the zone except with development consent:

Boat launching ramp, Charter and tourism boating facility, Helipad, Restaurant or café, Neighbourhood shop, Recreation facility (outdoor), Tourist and visitor accommodation, Camping ground, Hotel and motel accommodation.

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

Planning Proposal - Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Developing the Visitor Economy + Employment Land Uses (LEP Review Program Stage 2)) 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 LEP Amendment to Wollondilly Local Environmental Plan 2011 (Developing the Visitor Economy + Employment Land Uses (LEP Review Program Stage 2)) proposes no change to development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house.

- (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 LEP Amendment to Wollondilly Local Environmental Plan 2011 (Developing the Visitor Economy + Employment Land Uses (LEP Review Program Stage 2)) does not identify a change to land in a conservation area.

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

Planning Proposal - Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Developing the Visitor Economy + Employment Land Uses (LEP Review Program Stage 2)) does not identify a change to any items of environmental heritage.

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

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

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

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 located within the Wilton Priority Growth Area.

The State Environmental Planning Policy (Sydney Region Growth Centres) 2006 applies to the land, however, Zoning and Land Use for the land are specified under Wollondilly Local Environmental Plan 2011 (refer to clause 2 of this planning certificate).

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## **3. COMPLYING DEVELOPMENT**

- (1) The extent to which the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.
- (2) The extent to which complying development may not be carried out on that land because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of that Policy, 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 under the Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 MAY NOT be carried out on part of the land. The land is excluded land being land identified by an environmental planning instrument as being partly within an area of environmentally sensitive land.

#### **THE RURAL HOUSING CODE**

Complying development under the Rural Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 MAY NOT be carried out on part of the land. The land is excluded land being land identified by an environmental planning instrument as being partly within an area of environmentally sensitive land.

Note: If the land is a lot to which the Rural Housing Code applies, complying development may be carried out on the part of the lot to which this clause does not apply.

#### **THE GREENFIELD HOUSING CODE**

Complying development under the Greenfield Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 MAY NOT be carried out on part of the land. The land is excluded land being land identified by an environmental planning instrument as being partly within an area of environmentally sensitive land.

#### **THE LOW RISE HOUSING DIVERSITY CODE**

Complying development under the Low Rise Housing Diversity Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 MAY NOT be carried out on part of the land. The land is excluded land being land identified by an environmental planning instrument as being partly within an area of environmentally sensitive land.

#### **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 under the Commercial and Industrial (New Buildings and Additions) Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 MAY NOT be carried out on part of the land. The land is excluded land being land identified by an environmental planning instrument as being partly within an area of environmentally sensitive land.

#### **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.

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### **4. (REPEALED)**

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#### **4A. (REPEALED)**

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#### **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.

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## **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.

The land IS WITHIN a declared Mine Subsidence District of Wilton under section 20 of the Coal Mine Subsidence Compensation Act 2017. Certain development in a Mine Subsidence District requires approval from Subsidence Advisory NSW – further information can be obtained from Subsidence Advisory NSW. Subsidence Advisory NSW provides compensation to property owners for mine subsidence damage. To be eligible for compensation, development must be constructed in accordance with Subsidence Advisory NSW approval. Subsidence Advisory NSW has set surface development guidelines for properties in Mine Subsidence Districts that specify building requirements to help prevent potential damage from coal mine subsidence.

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## **6. ROAD WIDENING AND ROAD REALIGNMENT**

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

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

No

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## **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

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## **7A. FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION**

- (1) If the land or part of the land is within the flood planning area and subject to flood related development controls.
- (2) If the land or part of the land is between the flood planning area and the probable maximum flood and subject to flood related development controls.
- (3) *In this clause—*

***flood planning area*** has the same meaning as in the *Floodplain Development Manual*.

***floodplain Development Manual*** means the *Floodplain Development Manual* (ISBN 0 7347 5476 0) published by the NSW Government in April 2005.

***probable maximum flood*** has the same meaning as in the *Floodplain Development Manual*.

No Flood Study has been undertaken in accordance with the requirements of the NSW Floodplain Development Manual for this land. It is therefore unknown whether any flood related development controls would apply to the land. Any person acting on this Certificate should make their own enquiries on this matter.

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## 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.

There are no Environmental Planning Instruments referred to in Clause 1 that make provision for the acquisition of the land by a public authority as referred to under section 3.15 of the Act.

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)) 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 LEP Amendment to Wollondilly Local Environmental Plan 2011 (Developing the Visitor Economy + Employment Land Uses (LEP Review Program Stage 2)) does not provide for the acquisition of the subject land by a public authority as referred to in section 3.15 of the Act.

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## 9. CONTRIBUTIONS PLANS

The name of each contributions plan applying to the land.

Wollondilly Development Contributions Plan 2020 applies to the land.

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## 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*).

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## 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.

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## 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*.

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## 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.

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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.

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## **12. PROPERTY VEGETATION PLANS**

If 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.

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## **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

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## **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

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## **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, and

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

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- (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.

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

A statement of whether there is a valid site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments), 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:

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

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

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## **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.

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 38 (1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land.

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

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## **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.

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## 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 Planning Secretary'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.

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

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## 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.

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## 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*.

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## **22. STATE ENVIRONMENTAL PLANNING POLICY (WESTERN SYDNEY AEROTROPOLIS) 2020**

For land to which State Environmental Planning Policy (Western Sydney Aerotropolis) 2020 applies, whether the land is—

(a) in an ANEF or ANEC contour of 20 or greater as referred to in clause 19 of that Policy, or

The land is not identified as being within an ANEF or ANEC contour of 20 or greater.

(b) shown on the Lighting Intensity and Wind Shear Map under that Policy, or

The land is not identified on the Lighting Intensity and Wind Shear Map.

(c) shown on the Obstacle Limitation Surface Map under that Policy, or

The land is not identified on the Obstacle Limitation Surface Map.

(d) in the “public safety area” on the Public Safety Area Map under that Policy, or

The land is not identified as being within the “public safety area” on the Public Safety Map.

(e) in the “3 kilometre wildlife buffer zone” or the “13 kilometre wildlife buffer zone” on the Wildlife Buffer Zone Map under that Policy.

The land is not identified as being within a wildlife buffer zone on the Wildlife Buffer Zone Map.

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**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.

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## THE FOLLOWING ADDITIONAL INFORMATION IS PROVIDED UNDER:

### SECTION 10.7(5) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

For the purposes of Section 10.7(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. **WESTERN SYDNEY INTERNATIONAL (NANCY-BIRD WALTON) AIRPORT**

The State Environmental Planning Policy (Western Sydney Aerotropolis) 2020 (The SEPP) came into effect on 1 October 2020.

Part 3 of the SEPP outlines a number of controls to safeguard the operation of the Western Sydney International (Nancy-Bird Walton) Airport into the future. These controls apply to some parts of Wollondilly. Refer to clause 22 of this Planning Certificate for affected land and relevant SEPP maps (see link below).

Noise sensitive development, as defined by the SEPP, is prohibited on land in an **ANEF or ANEC Contour of 20 or greater**. Clause 19 (4) of the SEPP grants an exception to permit a dwelling house on land where there was no dwelling house constructed, but only where a dwelling house was permitted prior to the commencement of the SEPP, however, this exception does not extend to other forms of residential development (such as Secondary Dwellings, Dual Occupancies, Multi Dwelling Housing etc.).

Development for any of the following purposes must meet the indoor design sound levels as defined in the SEPP:

- A dwelling under Clause 19(4) of the SEPP on land within in an ANEF or ANEC contour of 20 or greater;

Additional considerations apply to land in Wollondilly identified by the Wildlife Buffer Zone Map and the Wind Turbines Map.

For full details please see the SEPP:  
<https://legislation.nsw.gov.au/view/html/inforce/current/epi-2020-0545>

4. Other Matters (if applicable)

#### PROTECTION OF TRANSPORT CORRIDORS IN WESTERN SYDNEY

In March 2018 the State Government announced the recommended corridor for the Outer Sydney Orbital (Stage One). The location of the corridor was updated in June 2018 following the outcome of community consultation.

The Outer Sydney Orbital (Stage One) will provide for a motorway and freight line to connect Illawarra and Central Coast via Western Sydney Airport.

The Outer Sydney Orbital (Stage One) corridor passes through the Wollondilly local government area (Brownlow Hill, Cawdor, Douglas Park, Menangle and Mount Hunter).

For more information contact Transport for NSW or visit their website at [www.transport.nsw.gov.au/corridors](http://www.transport.nsw.gov.au/corridors).

#### WILTON 2040: A PLAN FOR THE WILTON GROWTH AREA

Parts of Wilton are within a State Government declared Growth Area. The Wilton Growth Area is guided by Wilton 2040: A Plan for the Wilton Growth Area.

For more information please contact the Department of Planning, Industry and Environment, or view their website: <https://www.planning.nsw.gov.au/Plans-for-your-area/Priority-Growth-Areas-and-Precincts/Wilton>  
SHIRE WIDE FLOOD STUDY

Council wants to be proactive about flooding in the Shire and in partnership with the NSW State Government we are looking for ways to mitigate flood risks for the community.

A flood study for areas not currently covered by a study has commenced with the aim of identifying the flood risk for every property in the Shire.

Refer to Council's website [www.wollondilly.nsw.gov.au](http://www.wollondilly.nsw.gov.au) or contact Council for more information on 4677 1100.

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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. Note that instruments applying to this land purporting to restrict or prohibit certain development may be inconsistent.

Digitally Signed: Chandran Kizhakke Veetil Senior Strategic Planner - Growth Thursday, 23, December 2021 10:53:08 AM Sustainable Growth
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*Signed on behalf of the  
Chief Executive Officer of*  
**WOLLONDILLY SHIRE COUNCIL**

The information contained in this certificate can be discussed with Council's Duty Planner by appointment, Monday to Friday between the hours of 8:30am and 3:00pm, by telephoning (02) 4677 1100 or by making a booking via the online Duty Planner booking system - <https://dutyroster.wollondilly.nsw.gov.au/>. Please note that appointments are limited to 15 minutes.



## 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) & (5) ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979**

**APPLICANT:** Prue Gordon (JBS&G Australia Pty Ltd)

**Planning Certificate No.:** 20220465  
**Receipt No.:** 10632  
**Issue Date:** 2 March 2022  
**Applicant's Reference:** 30 Berwick Park Road, Wilton  
**Property No.:** 2347

### **DESCRIPTION OF PROPERTY**

**Address:** 30 Berwick Park Road WILTON 2571  
**Land Description:** Lot: 16 DP: 251051

### **Notes:**

The following prescribed matters may apply to the land to which this certificate relates and is supplied in good faith.

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. Note that instruments applying to this land purporting to restrict or prohibit certain development may be inconsistent.

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 Planning Secretary 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.

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

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

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

State Environmental Planning Policy (Housing) 2021

State Environmental Planning Policy (Planning Systems) 2021

State Environmental Planning Policy (Biodiversity & Conservation) 2021

State Environmental Planning Policy (Resilience & Hazards) 2021

State Environmental Planning Policy (Transport & Infrastructure) 2021

State Environmental Planning Policy (Industry & Employment) 2021

State Environmental Planning Policy (Resources & Energy) 2021

State Environmental Planning Policy (Primary Production) 2021

State Environmental Planning Policy (Precincts Western Parkland City) 2021

State Environmental Planning Policy (Precincts Regional) 2021

### **PROPOSED ENVIRONMENTAL PLANNING INSTRUMENTS**



Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)) applies to this land. The draft LEP proposes various matters.

Proposed Employment Zones Reform - Includes draft Standard Instrument (Local Environmental Plans) Amendment (Land Use Zones) Order 2021

Planning Proposal - Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Developing the Visitor Economy + Employment Land Uses (LEP Review Program Stage 2)) applies to the land. The draft LEP proposes various matters.

Draft State Environmental Planning Policy (Competition) 2010

Draft State Environmental Planning Policy (Environment)

Draft State Environmental Planning Policy - Remediation of Land

Draft State Environmental Planning Policy (Strategic Conservation Planning) - to support the Cumberland Plain Conservation Plan

Explanation of Intended Effect (Building Business Back Better) – proposed amendments to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP) and other legislation

Explanation of Intended Effect (Varying Development Standards) – proposed amendments to Clause 4.6 of the Standard Instrument Local Environmental Plan

Explanation of Intended Effect (Outdoor dining & fun experiences) – proposed amendments to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP)

Explanation of Intended Effect for a Regional Infrastructure Contributions Proposed State Environmental Planning Policy

Draft State Environmental Planning Policy (Exempt and Complying Development Codes Amendment) 2021

## **DEVELOPMENT CONTROL PLANS**

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

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## **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; Aquaculture; Bed and breakfast accommodation; Boat building and repair facilities; Boat sheds; Cellar door premises; Cemeteries; Community facilities; Crematoria; Depots; Dual occupancies (attached); 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)

- (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 16 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.

**Planning Proposal - Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)).**

- (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)"),

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)) 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:

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)) 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,

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)) proposes to include the



following developments as development that may not be carried out within the zone except with development consent:

Artisan food and drink industry, Caravan park, Eco-tourist facility, Function centre, Market, Timber yard.

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

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)) 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,

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)) does not propose any new development standards.

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

None known

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

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)) does not identify a change to land in a conservation area.

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

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)) does not identify a change to any items of environmental heritage.

**Planning Proposal - Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Developing the Visitor Economy + Employment Land Uses (LEP Review Program Stage 2))**

- (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 LEP Amendment to Wollondilly Local Environmental Plan 2011 (Developing the Visitor Economy + Employment Land Uses (LEP Review Program Stage 2)) does not propose any change 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:

Nil, unless the development is development listed in Schedule 2 of Wollondilly Local Environmental Plan 2011 and 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,

Planning Proposal - Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Developing the Visitor Economy + Employment Land Uses (LEP Review Program Stage 2)) proposes to include the following developments as development that may not be carried out within the zone except with development consent:

Boat launching ramp, Charter and tourism boating facility, Helipad, Restaurant or café, Neighbourhood shop, Recreation facility (outdoor), Tourist and visitor accommodation, Camping ground, Hotel and motel accommodation.

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

Planning Proposal - Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Developing the Visitor Economy + Employment Land Uses (LEP Review Program Stage 2)) 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 LEP Amendment to Wollondilly Local Environmental Plan 2011 (Developing the Visitor Economy + Employment Land Uses (LEP Review Program Stage 2)) proposes no change to development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house.

- (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 LEP Amendment to Wollondilly Local Environmental Plan 2011 (Developing the Visitor Economy + Employment Land Uses (LEP Review Program Stage 2)) does not identify a change to land in a conservation area.

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

Planning Proposal - Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Developing the Visitor Economy + Employment Land Uses (LEP Review Program Stage 2)) does not identify a change to any items of environmental heritage.

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

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

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

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 located within the Wilton Priority Growth Area.

The State Environmental Planning Policy (Sydney Region Growth Centres) 2006 applies to the land, however, Zoning and Land Use for the land are specified under Wollondilly Local Environmental Plan 2011 (refer to clause 2 of this planning certificate).

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## **3. COMPLYING DEVELOPMENT**

- (1) The extent to which the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.
- (2) The extent to which complying development may not be carried out on that land because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of that Policy, 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 under the Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 MAY NOT be carried out on part of the land. The land is excluded land being land identified by an environmental planning instrument as being partly within an area of environmentally sensitive land.



#### **THE RURAL HOUSING CODE**

Complying development under the Rural Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 MAY NOT be carried out on part of the land. The land is excluded land being land identified by an environmental planning instrument as being partly within an area of environmentally sensitive land.

Note: If the land is a lot to which the Rural Housing Code applies, complying development may be carried out on the part of the lot to which this clause does not apply.

#### **THE GREENFIELD HOUSING CODE**

Complying development under the Greenfield Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 MAY NOT be carried out on part of the land. The land is excluded land being land identified by an environmental planning instrument as being partly within an area of environmentally sensitive land.

#### **THE LOW RISE HOUSING DIVERSITY CODE**

Complying development under the Low Rise Housing Diversity Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 MAY NOT be carried out on part of the land. The land is excluded land being land identified by an environmental planning instrument as being partly within an area of environmentally sensitive land.

#### **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 under the Commercial and Industrial (New Buildings and Additions) Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 MAY NOT be carried out on part of the land. The land is

excluded land being land identified by an environmental planning instrument as being partly within an area of environmentally sensitive land.

#### **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.

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### **4. (REPEALED)**

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#### **4A. (REPEALED)**

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#### **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.

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### **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.

The land IS WITHIN a declared Mine Subsidence District of Wilton under section 20 of the Coal Mine Subsidence Compensation Act 2017. Certain development in a Mine Subsidence District requires approval from Subsidence Advisory NSW – further information can be obtained from Subsidence Advisory NSW. Subsidence Advisory NSW provides compensation to property owners for mine subsidence damage. To be eligible for compensation, development must be constructed in accordance with

Subsidence Advisory NSW approval. Subsidence Advisory NSW has set surface development guidelines for properties in Mine Subsidence Districts that specify building requirements to help prevent potential damage from coal mine subsidence.

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## 6. ROAD WIDENING AND ROAD REALIGNMENT

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

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

No

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## 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

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### 7A. FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION

- (1) If the land or part of the land is within the flood planning area and subject to flood related development controls.
- (2) If the land or part of the land is between the flood planning area and the probable maximum flood and subject to flood related development controls.
- (3) *In this clause—*

***flood planning area*** has the same meaning as in the *Floodplain Development Manual*.

***floodplain Development Manual*** means the *Floodplain Development Manual (ISBN 0 7347 5476 0)* published by the NSW Government in April 2005.



***probable maximum flood*** has the same meaning as in the *Floodplain Development Manual*.

No Flood Study has been undertaken in accordance with the requirements of the NSW Floodplain Development Manual for this land. It is therefore unknown whether any flood related development controls would apply to the land. Any person acting on this Certificate should make their own enquiries on this matter.

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## **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.

There are no Environmental Planning Instruments referred to in Clause 1 that make provision for the acquisition of the land by a public authority as referred to under section 3.15 of the Act.

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)) 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 LEP Amendment to Wollondilly Local Environmental Plan 2011 (Developing the Visitor Economy + Employment Land Uses (LEP Review Program Stage 2)) does not provide for the acquisition of the subject land by a public authority as referred to in section 3.15 of the Act.

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## **9. CONTRIBUTIONS PLANS**

The name of each contributions plan applying to the land.

Wollondilly Development Contributions Plan 2020 applies to the land.

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## **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*).

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## **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.

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#### **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*.

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#### **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.

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

If 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.

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#### **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

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#### **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

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#### **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, 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.

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

A statement of whether there is a valid site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments), 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:

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

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

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## **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.

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 38 (1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land.

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

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## **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.
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## **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 Planning Secretary'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*.

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- (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.

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

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## 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.

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## 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*.

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## 22. STATE ENVIRONMENTAL PLANNING POLICY (WESTERN SYDNEY AEROTROPOLIS) 2020

For land to which State Environmental Planning Policy (Western Sydney Aerotropolis) 2020 applies, whether the land is—

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- (a) in an ANEF or ANEC contour of 20 or greater as referred to in clause 19 of that Policy, or

The land is not identified as being within an ANEF or ANEC contour of 20 or greater.

- (b) shown on the Lighting Intensity and Wind Shear Map under that Policy, or

The land is not identified on the Lighting Intensity and Wind Shear Map.

- (c) shown on the Obstacle Limitation Surface Map under that Policy, or

The land is not identified on the Obstacle Limitation Surface Map.

- (d) in the “public safety area” on the Public Safety Area Map under that Policy, or

The land is not identified as being within the "public safety area" on the Public Safety Map.

- (e) in the “3 kilometre wildlife buffer zone” or the “13 kilometre wildlife buffer zone” on the Wildlife Buffer Zone Map under that Policy.

The land is not identified as being within a wildlife buffer zone on the Wildlife Buffer Zone Map.

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**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.

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## THE FOLLOWING ADDITIONAL INFORMATION IS PROVIDED UNDER:

### SECTION 10.7(5) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

For the purposes of Section 10.7(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. **WESTERN SYDNEY INTERNATIONAL (NANCY-BIRD WALTON) AIRPORT**

The State Environmental Planning Policy (Western Sydney Aerotropolis) 2020 (The SEPP) came into effect on 1 October 2020.

Part 3 of the SEPP outlines a number of controls to safeguard the operation of the Western Sydney International (Nancy-Bird Walton) Airport into the future. These controls apply to some parts of Wollondilly. Refer to clause 22 of this Planning Certificate for affected land and relevant SEPP maps (see link below).

Noise sensitive development, as defined by the SEPP, is prohibited on land in an **ANEF or ANEC Contour of 20 or greater**. Clause 19 (4) of the SEPP grants an exception to permit a dwelling house on land where there was no dwelling house constructed, but only where a dwelling house was permitted prior to the commencement of the SEPP, however, this exception does not extend to other forms of residential development (such as Secondary Dwellings, Dual Occupancies, Multi Dwelling Housing etc.).

Development for any of the following purposes must meet the indoor design sound levels as defined in the SEPP:

- A dwelling under Clause 19(4) of the SEPP on land within in an ANEF or ANEC contour of 20 or greater;

Additional considerations apply to land in Wollondilly identified by the Wildlife Buffer Zone Map and the Wind Turbines Map.

For full details please see the SEPP:  
<https://legislation.nsw.gov.au/view/html/inforce/current/epi-2020-0545>

4. Other Matters (if applicable)

#### PROTECTION OF TRANSPORT CORRIDORS IN WESTERN SYDNEY

In March 2018 the State Government announced the recommended corridor for the Outer Sydney Orbital (Stage One). The location of the corridor was updated in June 2018 following the outcome of community consultation.



The Outer Sydney Orbital (Stage One) will provide for a motorway and freight line to connect Illawarra and Central Coast via Western Sydney Airport.

The Outer Sydney Orbital (Stage One) corridor passes through the Wollondilly local government area (Brownlow Hill, Cawdor, Douglas Park, Menangle and Mount Hunter).

For more information contact Transport for NSW or visit their website at [www.transport.nsw.gov.au/corridors](http://www.transport.nsw.gov.au/corridors).

## WILTON 2040: A PLAN FOR THE WILTON GROWTH AREA

Parts of Wilton are within a State Government declared Growth Area. The Wilton Growth Area is guided by Wilton 2040: A Plan for the Wilton Growth Area.

For more information please contact the Department of Planning, Industry and Environment, or view their website: <https://www.planning.nsw.gov.au/Plans-for-your-area/Priority-Growth-Areas-and-Precincts/Wilton>  
SHIRE WIDE FLOOD STUDY

Council wants to be proactive about flooding in the Shire and in partnership with the NSW State Government we are looking for ways to mitigate flood risks for the community.

A flood study for areas not currently covered by a study has commenced with the aim of identifying the flood risk for every property in the Shire.

Refer to Council's website [www.wollondilly.nsw.gov.au](http://www.wollondilly.nsw.gov.au) or contact Council for more information on 4677 1100.

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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. Note that instruments applying to this land purporting to restrict or prohibit certain development may be inconsistent.

Digitally Signed: Chandran Kizhakke Veetil Senior Strategic Planner - Growth Thursday, 3, March 2022 8:58:41 AM Sustainable Growth
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*Signed on behalf of the  
Chief Executive Officer of*  
**WOLLONDILLY SHIRE COUNCIL**

The information contained in this certificate can be discussed with Council's Duty Planner by appointment, Monday to Friday between the hours of 8:30am and 3:00pm, by telephoning (02) 4677 1100 or by making a booking via the online Duty Planner booking system - <https://dutyroster.wollondilly.nsw.gov.au/>. Please note that appointments are limited to 15 minutes.

## 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) & (5) ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979**

**APPLICANT:** Jordanne Sproate - JBS&G

**Planning Certificate No.:** 20221309  
**Receipt No.:** 13398  
**Issue Date:** 2 June 2022  
**Applicant's Reference:** 63186  
**Property No.:** 11016

### **DESCRIPTION OF PROPERTY**

**Address:** 45 Wilton Park Road WILTON 2571  
**Land Description:** Lot: 6 DP: 233845

### **Notes:**

The following prescribed matters may apply to the land to which this certificate relates and is supplied in good faith.

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. Note that instruments applying to this land purporting to restrict or prohibit certain development may be inconsistent.

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 Planning Secretary 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.

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

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

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

State Environmental Planning Policy (Housing) 2021

State Environmental Planning Policy (Planning Systems) 2021

State Environmental Planning Policy (Biodiversity & Conservation) 2021

State Environmental Planning Policy (Resilience & Hazards) 2021

State Environmental Planning Policy (Transport & Infrastructure) 2021

State Environmental Planning Policy (Industry & Employment) 2021

State Environmental Planning Policy (Resources & Energy) 2021

State Environmental Planning Policy (Primary Production) 2021

State Environmental Planning Policy (Precincts Western Parkland City) 2021

State Environmental Planning Policy (Precincts Regional) 2021

### **PROPOSED ENVIRONMENTAL PLANNING INSTRUMENTS**

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)) applies to this land. The draft LEP proposes various matters.

Planning Proposal - Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Developing the Visitor Economy + Employment Land Uses (LEP Review Program Stage 2)) applies to the land. The draft LEP proposes various matters.

Draft State Environmental Planning Policy (Competition) 2010

Draft State Environmental Planning Policy (Environment)

Draft State Environmental Planning Policy - Remediation of Land

Draft State Environmental Planning Policy (Strategic Conservation Planning) - to support the Cumberland Plain Conservation Plan

Explanation of Intended Effect (Building Business Back Better) – proposed amendments to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP) and other legislation

Explanation of Intended Effect (Varying Development Standards) – proposed amendments to Clause 4.6 of the Standard Instrument Local Environmental Plan

Explanation of Intended Effect (Outdoor dining & fun experiences) – proposed amendments to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP)

Explanation of Intended Effect for a Regional Infrastructure Contributions Proposed State Environmental Planning Policy

Draft State Environmental Planning Policy (Exempt and Complying Development Codes Amendment) 2021

## **DEVELOPMENT CONTROL PLANS**

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

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## **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; Aquaculture; Bed and breakfast accommodation; Boat building and repair facilities; Boat sheds; Cellar door premises; Cemeteries; Community facilities; Crematoria; Depots; Dual occupancies (attached); 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)

- (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 16 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.

**Planning Proposal - Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)).**

- (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)"),

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)) 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:

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)) 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,

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)) proposes to include the following developments as development that may not be carried out within the zone except with development consent:



Artisan food and drink industry, Caravan park, Eco-tourist facility, Function centre, Market, Timber yard.

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

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)) 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,

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)) does not propose any new development standards.

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

None known

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

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)) does not identify a change to land in a conservation area.

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

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)) does not identify a change to any items of environmental heritage.

**Planning Proposal - Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Developing the Visitor Economy + Employment Land Uses (LEP Review Program Stage 2))**

- (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 LEP Amendment to Wollondilly Local Environmental Plan 2011 (Developing the Visitor Economy + Employment Land Uses (LEP Review Program Stage 2)) does not propose any change 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:

Nil, unless the development is development listed in Schedule 2 of Wollondilly Local Environmental Plan 2011 and 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,

Planning Proposal - Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Developing the Visitor Economy + Employment Land Uses (LEP Review Program Stage 2)) proposes to include the following developments as development that may not be carried out within the zone except with development consent:

Boat launching ramp, Charter and tourism boating facility, Helipad, Restaurant or café, Neighbourhood shop, Recreation facility (outdoor), Tourist and visitor accommodation, Camping ground, Hotel and motel accommodation.

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

Planning Proposal - Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Developing the Visitor Economy + Employment Land Uses (LEP Review Program Stage 2)) 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 LEP Amendment to Wollondilly Local Environmental Plan 2011 (Developing the Visitor Economy + Employment Land Uses (LEP Review Program Stage 2)) proposes no change to development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house.

- (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 LEP Amendment to Wollondilly Local Environmental Plan 2011 (Developing the Visitor Economy + Employment Land Uses (LEP Review Program Stage 2)) does not identify a change to land in a conservation area.

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

Planning Proposal - Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Developing the Visitor Economy + Employment Land Uses (LEP Review Program Stage 2)) does not identify a change to any items of environmental heritage.

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

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

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

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 located within the Wilton Priority Growth Area.

The State Environmental Planning Policy (Sydney Region Growth Centres) 2006 applies to the land, however, Zoning and Land Use for the land are specified under Wollondilly Local Environmental Plan 2011 (refer to clause 2 of this planning certificate).

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### **3. COMPLYING DEVELOPMENT**

- (1) The extent to which the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.
- (2) The extent to which complying development may not be carried out on that land because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of that Policy, 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 under the Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 MAY NOT be carried out on part of the land. The land is excluded land being land identified by an environmental planning instrument as being partly within an area of environmentally sensitive land.

#### **THE RURAL HOUSING CODE**

Complying development under the Rural Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 MAY NOT be carried out on part of the land. The land is excluded land being land identified by an environmental planning instrument as being partly within an area of environmentally sensitive land.

Note: If the land is a lot to which the Rural Housing Code applies, complying development may be carried out on the part of the lot to which this clause does not apply.

#### **THE GREENFIELD HOUSING CODE**

Complying development under the Greenfield Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 MAY NOT be carried out on part of the land. The land is excluded land being land identified by an environmental planning instrument as being partly within an area of environmentally sensitive land.

#### **THE LOW RISE HOUSING DIVERSITY CODE**

Complying development under the Low Rise Housing Diversity Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 MAY NOT be carried out on part of the land. The land is excluded land being land identified by an environmental planning instrument as being partly within an area of environmentally sensitive land.

#### **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 under the Commercial and Industrial (New Buildings and Additions) Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 MAY NOT be carried out on part of the land. The land is excluded land being land identified by an environmental planning instrument as being partly within an area of environmentally sensitive land.



#### **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.

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### **4. (REPEALED)**

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#### **4A. (REPEALED)**

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#### **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.

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### **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.

The land IS WITHIN a declared Mine Subsidence District of Wilton under section 20 of the Coal Mine Subsidence Compensation Act 2017. Certain development in a Mine Subsidence District requires approval from Subsidence Advisory NSW – further information can be obtained from Subsidence Advisory NSW. Subsidence Advisory NSW provides compensation to property owners for mine subsidence damage. To be eligible for compensation, development must be constructed in accordance with Subsidence Advisory NSW approval. Subsidence Advisory NSW has set surface

development guidelines for properties in Mine Subsidence Districts that specify building requirements to help prevent potential damage from coal mine subsidence.

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## 6. ROAD WIDENING AND ROAD REALIGNMENT

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

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

No

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## 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

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### 7A. FLOOD RELATED DEVELOPMENT CONTROLS

- (1) If the land or part of the land is within the flood planning area and subject to flood related development controls.
- (2) If the land or part of the land is between the flood planning area and the probable maximum flood and subject to flood related development controls.
- (3) *In this clause—*

***flood planning area*** has the same meaning as in the *Floodplain Development Manual*.

***floodplain Development Manual*** means the *Floodplain Development Manual* (ISBN 0 7347 5476 0) published by the NSW Government in April 2005.

***probable maximum flood*** has the same meaning as in the *Floodplain Development Manual*.

No Flood Study has been undertaken in accordance with the requirements of the NSW Floodplain Development Manual for this land. It is therefore unknown whether any flood related development controls would apply to the land. Any person acting on this Certificate should make their own enquiries on this matter.

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## **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.

There are no Environmental Planning Instruments referred to in Clause 1 that make provision for the acquisition of the land by a public authority as referred to under section 3.15 of the Act.

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)) 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 LEP Amendment to Wollondilly Local Environmental Plan 2011 (Developing the Visitor Economy + Employment Land Uses (LEP Review Program Stage 2)) does not provide for the acquisition of the subject land by a public authority as referred to in section 3.15 of the Act.

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## **9. CONTRIBUTIONS PLANS**

The name of each contributions plan applying to the land.

Wollondilly Development Contributions Plan 2020 applies to the land.

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## **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*).

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## **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.

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## **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*.

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## **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.

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## **12. PROPERTY VEGETATION PLANS**

If 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.

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## **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

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#### **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

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#### **15. CONDITIONS FOR SENIORS HOUSING**

If *State Environmental Planning Policy (Housing) 2021*, Chapter 3, Part 5 applies to the land, a statement setting out terms of a kind referred to in the Policy, clause 88(2) that have been imposed as a condition of development consent granted after 11 October 2007 in relation to the land.

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

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

A statement of whether there is a valid site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments), 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:

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

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

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#### **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.

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

- (2) If *State Environmental Planning Policy (Housing) 2021*, Chapter 2, Part 2, Division 1 or 5 applies to the land, a statement setting out terms of a kind referred to in the Policy, clause 21(1) or 40(1) that have been imposed as a condition of development consent in relation to the land.

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

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## 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.

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## 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 Planning Secretary'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.

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

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## 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.

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## 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*.

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## 22. STATE ENVIRONMENTAL PLANNING POLICY (WESTERN SYDNEY AEROTROPOLIS) 2020

For land to which State Environmental Planning Policy (Western Sydney Aerotropolis) 2020 applies, whether the land is—

- (a) in an ANEF or ANEC contour of 20 or greater as referred to in clause 19 of that Policy, or

The land is not identified as being within an ANEF or ANEC contour of 20 or greater.

- (b) shown on the Lighting Intensity and Wind Shear Map under that Policy, or

The land is not identified on the Lighting Intensity and Wind Shear Map.

- (c) shown on the Obstacle Limitation Surface Map under that Policy, or

The land is not identified on the Obstacle Limitation Surface Map.

- (d) in the “public safety area” on the Public Safety Area Map under that Policy, or

The land is not identified as being within the "public safety area" on the Public Safety Map.

- (e) in the "3 kilometre wildlife buffer zone" or the "13 kilometre wildlife buffer zone" on the Wildlife Buffer Zone Map under that Policy.

The land is not identified as being within a wildlife buffer zone on the Wildlife Buffer Zone Map.

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**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.

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

### **SECTION 10.7(5) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

For the purposes of Section 10.7(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. **WESTERN SYDNEY INTERNATIONAL (NANCY-BIRD WALTON) AIRPORT**

The State Environmental Planning Policy (Precincts – Western Parkland City) 2021 (the SEPP) came into effect on 1 March 2022. It replaces State Environmental Planning Policy (Western Sydney Aerotropolis) 2020, which was in effect from 1 October 2020 until 28 February, 2022.

Chapter 4 of the SEPP outlines a number of controls to safeguard the operation of the Western Sydney International (Nancy-Bird Walton) Airport into the future. These controls apply to some parts of Wollondilly. Refer to clause 22 of this Planning Certificate for affected land and relevant SEPP maps (see link below).

Noise sensitive development, as defined by the SEPP, is prohibited on land in an ANEF or ANEC Contour of 20 or greater. Clause 4.17(4) of the SEPP grants an exception to permit a dwelling house on land where there was no dwelling house constructed, but only where a dwelling house was permitted prior to the commencement of the SEPP, however, this exception does not extend to other forms of residential development (such as Secondary Dwellings, Dual Occupancies, Multi Dwelling Housing etc.).

Development for any of the following purposes must meet the indoor design sound levels as defined in the SEPP:

- A dwelling under Clause 4.17(4) of the SEPP on land within in an ANEF or ANEC contour of 20 or greater;

Additional considerations apply to land in Wollondilly identified by the Obstacle Limitation Surface Map, Wildlife Buffer Zone Map and the Wind Turbines Map.

For full details please see the SEPP:  
<https://legislation.nsw.gov.au/view/html/inforce/current/epi-2021-0728>

4. Other Matters (if applicable)

**PROTECTION OF TRANSPORT CORRIDORS IN WESTERN SYDNEY**

In March 2018 the State Government announced the recommended corridor for the Outer Sydney Orbital (Stage One). The location of the corridor was updated in June 2018 following the outcome of community consultation.

The Outer Sydney Orbital (Stage One) will provide for a motorway and freight line to connect Illawarra and Central Coast via Western Sydney Airport.

The Outer Sydney Orbital (Stage One) corridor passes through the Wollondilly local government area (Brownlow Hill, Cawdor, Douglas Park, Menangle and Mount Hunter).

For more information contact Transport for NSW or visit their website at [www.transport.nsw.gov.au/corridors](http://www.transport.nsw.gov.au/corridors).

#### WILTON 2040: A PLAN FOR THE WILTON GROWTH AREA

Parts of Wilton are within a State Government declared Growth Area. The Wilton Growth Area is guided by Wilton 2040: A Plan for the Wilton Growth Area.

For more information please contact the Department of Planning, Industry and Environment, or view their website: <https://www.planning.nsw.gov.au/Plans-for-your-area/Priority-Growth-Areas-and-Precincts/Wilton>  
SHIRE WIDE FLOOD STUDY

Council wants to be proactive about flooding in the Shire and in partnership with the NSW State Government we are looking for ways to mitigate flood risks for the community.

A flood study for areas not currently covered by a study has commenced with the aim of identifying the flood risk for every property in the Shire.

Refer to Council's website [www.wollondilly.nsw.gov.au](http://www.wollondilly.nsw.gov.au) or contact Council for more information on 4677 1100.

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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. Note that instruments applying to this land purporting to restrict or prohibit certain development may be inconsistent.

Digitally Signed: Max Strassmeir  
Senior Strategic Planner - Growth  
Thursday, 2 June 2022 2:31:42 PM  
Development Services

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

The information contained in this certificate can be discussed with Council's Duty Planner by appointment, Monday to Friday between the hours of 8:30am and 3:00pm, by telephoning (02) 4677 1100 or by making a booking via the online Duty Planner booking system - <https://dutyroster.wollondilly.nsw.gov.au/>. Please note that appointments are limited to 15 minutes.

## 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) & (5) ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979**

**APPLICANT:** Mr R Hammond

**Planning Certificate No.:** 20212684  
**Receipt No.:** 1536497  
**Issue Date:** 29 November 2021  
**Applicant's Reference:** 62176  
**Property No.:** 10389

### **DESCRIPTION OF PROPERTY**

**Address:** 75 Wilton Park Road WILTON 2571  
**Land Description:** Lot: 41 DP: 749823

### **Notes:**

The following prescribed matters may apply to the land to which this certificate relates and is supplied in good faith.

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. Note that instruments applying to this land purporting to restrict or prohibit certain development may be inconsistent.

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 Planning Secretary 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 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 (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 (Sydney Region Growth Centres) 2006

State Environmental Planning Policy (State Significant Precincts) 2005

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

State Environmental Planning Policy (Concurrences and Consents) 2018

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

State Environmental Planning Policy (Koala Habitat Protection) 2021

## **PROPOSED ENVIRONMENTAL PLANNING INSTRUMENTS**

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)) applies to this land. The draft LEP proposes various matters.

Proposed Employment Zones Reform - Includes draft Standard Instrument (Local Environmental Plans) Amendment (Land Use Zones) Order 2021

Planning Proposal - Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Developing the Visitor Economy + Employment Land Uses (LEP Review Program Stage 2)) applies to the land. The draft LEP proposes various matters.

Draft State Environmental Planning Policy (Competition) 2010

Draft State Environmental Planning Policy (Environment)

Draft State Environmental Planning Policy (Short-term Rental Accommodation) 2019

Draft State Environmental Planning Policy - Remediation of Land

State Environmental Planning Policy (State and Regional Development) 2011 – Water Treatment Facilities Proposed Amendment

Draft State Environmental Planning Policy (Strategic Conservation Planning) - to support the Cumberland Plain Conservation Plan

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

Explanation of Intended Effect (Building Business Back Better) – proposed amendments to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP) and other legislation

Explanation of Intended Effect (Varying Development Standards) – proposed amendments to Clause 4.6 of the Standard Instrument Local Environmental Plan

Draft State Environmental Planning Policy (Housing) 2021

Explanation of Intended Effect (Outdoor dining & fun experiences) – proposed amendments to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP)

Explanation of Intended Effect for a Regional Infrastructure Contributions Proposed State Environmental Planning Policy

## **DEVELOPMENT CONTROL PLANS**

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

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## **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; Aquaculture; Bed and breakfast accommodation; Boat building and repair facilities; Boat sheds; Cellar door premises; Cemeteries; Community facilities; Crematoria; Depots; Dual occupancies (attached); 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)

- (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 16 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.

**Planning Proposal - Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)).**

- (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)” ),

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)) 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:

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)) 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,

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)) proposes to include the following developments as development that may not be carried out within the zone except with development consent:

Artisan food and drink industry, Caravan park, Eco-tourist facility, Function centre, Market, Timber yard.

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

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)) 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,

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)) does not propose any new development standards.

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

None known

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

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)) does not identify a change to land in a conservation area.

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

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)) does not identify a change to any items of environmental heritage.

**Planning Proposal - Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Developing the Visitor Economy + Employment Land Uses (LEP Review Program Stage 2))**

- (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 LEP Amendment to Wollondilly Local Environmental Plan 2011 (Developing the Visitor Economy + Employment Land Uses (LEP Review Program Stage 2)) does not propose any change 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:

Nil, unless the development is development listed in Schedule 2 of Wollondilly Local Environmental Plan 2011 and 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,

Planning Proposal - Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Developing the Visitor Economy + Employment Land Uses (LEP Review Program Stage 2)) proposes to include the following developments as development that may not be carried out within the zone except with development consent:

Boat launching ramp, Charter and tourism boating facility, Helipad, Restaurant or café, Neighbourhood shop, Recreation facility (outdoor), Tourist and visitor accommodation, Camping ground, Hotel and motel accommodation.

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

Planning Proposal - Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Developing the Visitor Economy + Employment Land Uses (LEP Review Program Stage 2)) 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 LEP Amendment to Wollondilly Local Environmental Plan 2011 (Developing the Visitor Economy + Employment Land Uses (LEP Review Program Stage 2)) proposes no change to development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house.

- (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 LEP Amendment to Wollondilly Local Environmental Plan 2011 (Developing the Visitor Economy + Employment Land Uses (LEP Review Program Stage 2)) does not identify a change to land in a conservation area.

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

Planning Proposal - Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Developing the Visitor Economy + Employment Land Uses (LEP Review Program Stage 2)) does not identify a change to any items of environmental heritage.

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

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

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

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 located within the Wilton Priority Growth Area.

The State Environmental Planning Policy (Sydney Region Growth Centres) 2006 applies to the land, however, Zoning and Land Use for the land are specified under

### **3. COMPLYING DEVELOPMENT**

- (1) The extent to which the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.
- (2) The extent to which complying development may not be carried out on that land because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of that Policy, 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 under the Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 MAY NOT be carried out on part of the land. The land is excluded land being land identified by an environmental planning instrument as being partly within an area of environmentally sensitive land.

#### **THE RURAL HOUSING CODE**

Complying development under the Rural Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 MAY NOT be carried out on part of the land. The land is excluded land being land identified by an environmental planning instrument as being partly within an area of environmentally sensitive land.

Note: If the land is a lot to which the Rural Housing Code applies, complying development may be carried out on the part of the lot to which this clause does not apply.

#### **THE GREENFIELD HOUSING CODE**

Complying development under the Greenfield Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 MAY NOT be carried out on part of the land. The land is excluded land being land identified by an environmental planning instrument as being partly within an area of environmentally sensitive land.

#### **THE LOW RISE HOUSING DIVERSITY CODE**

Complying development under the Low Rise Housing Diversity Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 MAY NOT be carried out on part of the land. The land is excluded land being land identified by an environmental planning instrument as being partly within an area of environmentally sensitive land.

#### **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 under the Commercial and Industrial (New Buildings and Additions) Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 MAY NOT be carried out on part of the land. The land is excluded land being land identified by an environmental planning instrument as being partly within an area of environmentally sensitive land.

#### **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.

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#### **4. (REPEALED)**

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#### **4A. (REPEALED)**

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#### **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.

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#### **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.

The land IS WITHIN a declared Mine Subsidence District of Wilton under section 20 of the Coal Mine Subsidence Compensation Act 2017. Certain development in a Mine Subsidence District requires approval from Subsidence Advisory NSW – further information can be obtained from Subsidence Advisory NSW. Subsidence Advisory NSW provides compensation to property owners for mine subsidence damage. To be eligible for compensation, development must be constructed in accordance with Subsidence Advisory NSW approval. Subsidence Advisory NSW has set surface development guidelines for properties in Mine Subsidence Districts that specify building requirements to help prevent potential damage from coal mine subsidence.

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#### **6. ROAD WIDENING AND ROAD REALIGNMENT**

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

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

No

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#### **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

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## 7A. FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION

- (1) If the land or part of the land is within the flood planning area and subject to flood related development controls.
- (2) If the land or part of the land is between the flood planning area and the probable maximum flood and subject to flood related development controls.
- (3) *In this clause—*

***flood planning area*** has the same meaning as in the *Floodplain Development Manual*.

***floodplain Development Manual*** means the *Floodplain Development Manual* (ISBN 0 7347 5476 0) published by the NSW Government in April 2005.

***probable maximum flood*** has the same meaning as in the *Floodplain Development Manual*.

No Flood Study has been undertaken in accordance with the requirements of the NSW Floodplain Development Manual for this land. It is therefore unknown whether any flood related development controls would apply to the land. Any person acting on this Certificate should make their own enquiries on this matter.

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## 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.

There are no Environmental Planning Instruments referred to in Clause 1 that make provision for the acquisition of the land by a public authority as referred to under section 3.15 of the Act.

Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Events & Visitor Economy Planning Proposal (LEP Review Program Stage 1A)) 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 LEP Amendment to Wollondilly Local Environmental Plan 2011 (Developing the Visitor Economy + Employment Land Uses (LEP Review Program Stage 2)) does not provide for the acquisition of the subject land by a public authority as referred to in section 3.15 of the Act.

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## **9. CONTRIBUTIONS PLANS**

The name of each contributions plan applying to the land.

Wollondilly Development Contributions Plan 2020 applies to the land.

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## **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*).

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## **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.

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## **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).

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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.

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## **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.

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## **12. PROPERTY VEGETATION PLANS**

If 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.

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## **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

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## **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

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## **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, 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.

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

A statement of whether there is a valid site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments), 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:

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

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

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## **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.

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 38 (1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land.



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

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## **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 Planning Secretary'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.

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

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## **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.

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## **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.
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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*.

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## 22. STATE ENVIRONMENTAL PLANNING POLICY (WESTERN SYDNEY AEROTROPOLIS) 2020

For land to which State Environmental Planning Policy (Western Sydney Aerotropolis) 2020 applies, whether the land is—

- (a) in an ANEF or ANEC contour of 20 or greater as referred to in clause 19 of that Policy, or

The land is not identified as being within an ANEF or ANEC contour of 20 or greater.

- (b) shown on the Lighting Intensity and Wind Shear Map under that Policy, or

The land is not identified on the Lighting Intensity and Wind Shear Map.

- (c) shown on the Obstacle Limitation Surface Map under that Policy, or

The land is not identified on the Obstacle Limitation Surface Map.

- (d) in the “public safety area” on the Public Safety Area Map under that Policy, or

The land is not identified as being within the “public safety area” on the Public Safety Map.

- (e) in the “3 kilometre wildlife buffer zone” or the “13 kilometre wildlife buffer zone” on the Wildlife Buffer Zone Map under that Policy.

The land is not identified as being within a wildlife buffer zone on the Wildlife Buffer Zone Map.

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**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.

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## THE FOLLOWING ADDITIONAL INFORMATION IS PROVIDED UNDER:

### SECTION 10.7(5) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

For the purposes of Section 10.7(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. **WESTERN SYDNEY INTERNATIONAL (NANCY-BIRD WALTON) AIRPORT**

The State Environmental Planning Policy (Western Sydney Aerotropolis) 2020 (The SEPP) came into effect on 1 October 2020.

Part 3 of the SEPP outlines a number of controls to safeguard the operation of the Western Sydney International (Nancy-Bird Walton) Airport into the future. These controls apply to some parts of Wollondilly. Refer to clause 22 of this Planning Certificate for affected land and relevant SEPP maps (see link below).

Noise sensitive development, as defined by the SEPP, is prohibited on land in an **ANEF or ANEC Contour of 20 or greater**. Clause 19 (4) of the SEPP grants an exception to permit a dwelling house on land where there was no dwelling house constructed, but only where a dwelling house was permitted prior to the commencement of the SEPP, however, this exception does not extend to other forms of residential development (such as Secondary Dwellings, Dual Occupancies, Multi Dwelling Housing etc.).

Development for any of the following purposes must meet the indoor design sound levels as defined in the SEPP:

- A dwelling under Clause 19(4) of the SEPP on land within in an ANEF or ANEC contour of 20 or greater;

Additional considerations apply to land in Wollondilly identified by the Wildlife Buffer Zone Map and the Wind Turbines Map.

For full details please see the SEPP:  
<https://legislation.nsw.gov.au/view/html/inforce/current/epi-2020-0545>

4. Other Matters (if applicable)

#### PROTECTION OF TRANSPORT CORRIDORS IN WESTERN SYDNEY

In March 2018 the State Government announced the recommended corridor for the Outer Sydney Orbital (Stage One). The location of the corridor was updated in June 2018 following the outcome of community consultation.

The Outer Sydney Orbital (Stage One) will provide for a motorway and freight line to connect Illawarra and Central Coast via Western Sydney Airport.

The Outer Sydney Orbital (Stage One) corridor passes through the Wollondilly local government area (Brownlow Hill, Cawdor, Douglas Park, Menangle and Mount Hunter).

For more information contact Transport for NSW or visit their website at [www.transport.nsw.gov.au/corridors](http://www.transport.nsw.gov.au/corridors).

#### WILTON 2040: A PLAN FOR THE WILTON GROWTH AREA

Parts of Wilton are within a State Government declared Growth Area. The Wilton Growth Area is guided by Wilton 2040: A Plan for the Wilton Growth Area.

For more information please contact the Department of Planning, Industry and Environment, or view their website: <https://www.planning.nsw.gov.au/Plans-for-your-area/Priority-Growth-Areas-and-Precincts/Wilton>  
SHIRE WIDE FLOOD STUDY

Council wants to be proactive about flooding in the Shire and in partnership with the NSW State Government we are looking for ways to mitigate flood risks for the community.

A flood study for areas not currently covered by a study has commenced with the aim of identifying the flood risk for every property in the Shire.

Refer to Council's website [www.wollondilly.nsw.gov.au](http://www.wollondilly.nsw.gov.au) or contact Council for more information on 4677 1100.

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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. Note that instruments applying to this land purporting to restrict or prohibit certain development may be inconsistent.

Digitally Signed: Mark Ruddiman Senior Strategic Planner Monday, 29, November 2021 3:52:09 PM Sustainable Growth
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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) & (5) ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979**

**APPLICANT:** Mr S Knott

**Planning Certificate No.:** 20223021  
**Receipt No.:** 1695937  
**Issue Date:** 30 November 2022  
**Applicant's Reference:** 64241  
**Property No.:** 11012

### **DESCRIPTION OF PROPERTY**

**Address:** 55 Wilton Park Road WILTON 2571  
**Land Description:** Lot: 5 DP: 233845

#### **Notes:**

The following prescribed matters may apply to the land to which this certificate relates and is supplied in good faith.

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(5) 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. Note that instruments applying to this land purporting to restrict or prohibit certain development may be inconsistent.

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 DEVELOPMENT CONTROL PLANS

- (1) The name of each environmental planning instrument and development control plan that applies to the carrying out of development on the land.
- (2) The name of each proposed environmental planning instrument and draft development control plan, which is or has been subject to community consultation or public exhibition under the Act, that will apply to the carrying out of development on the land.
- (3) Subsection (2) does not apply in relation to a proposed environmental planning instrument or draft development control plan if-
  - (a) it has been more than 3 years since the end of the public exhibition period for the proposed instrument or draft plan, or
  - (b) for a proposed environmental planning instrument – the Planning Secretary has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved.
- (4) In this section-

***proposed environmental planning instrument*** means a draft environmental planning instrument and includes a planning proposal for a local environmental plan.

### ENVIRONMENTAL PLANNING INSTRUMENTS

Wollondilly Local Environmental Plan 2011.

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

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

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

State Environmental Planning Policy (Housing) 2021

State Environmental Planning Policy (Planning Systems) 2021

State Environmental Planning Policy (Biodiversity & Conservation) 2021

State Environmental Planning Policy (Resilience & Hazards) 2021

State Environmental Planning Policy (Transport & Infrastructure) 2021

State Environmental Planning Policy (Industry & Employment) 2021

State Environmental Planning Policy (Resources & Energy) 2021

State Environmental Planning Policy (Primary Production) 2021

State Environmental Planning Policy (Precincts Western Parkland City) 2021

State Environmental Planning Policy (Precincts Regional) 2021

## **DEVELOPMENT CONTROL PLANS**

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

## **PROPOSED ENVIRONMENTAL PLANNING INSTRUMENTS**

Planning Proposal - Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Developing the Visitor Economy + Employment Land Uses (LEP Review Program Stage 2)) applies to the land. The draft LEP proposes various matters.

Explanation of Intended Effect (Building Business Back Better) – proposed amendments to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP) and other legislation

Explanation of Intended Effect (Varying Development Standards) – proposed amendments to Clause 4.6 of the Standard Instrument Local Environmental Plan

Explanation of Intended Effect (Outdoor dining & fun experiences) – proposed amendments to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP)

Explanation of Intended Effect for a Regional Infrastructure Contributions Proposed State Environmental Planning Policy

## **DRAFT DEVELOPMENT CONTROL PLANS**

There are no Draft Development Control Plans that apply to the land.

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## **2. ZONING AND LAND USE UNDER RELEVANT PLANNING INSTRUMENTS**

The following matters for each environmental planning instrument or draft environmental planning instrument that includes the land in a zone, however described-

The State Environmental Planning Policy (Precincts - Western Parkland City) 2021 applies to the land, however, Zoning and Land Use for the land are specified under Wollondilly Local Environmental Plan 2011.

### **WOLLONDILLY LOCAL ENVIRONMENTAL PLAN 2011**

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



## Zone RU2 Rural Landscape

- (b) the purpose for which development in the zone-  
(i) may be carried out without 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.

- (ii) may not be carried out except with development consent:

Agriculture; Airports; Animal boarding or training establishments; Artisan food and drink industries; Aquaculture; Bed and breakfast accommodation; Boat building and repair facilities; Boat sheds; Caravan parks; Cellar door premises; Cemeteries; Community facilities; Crematoria; Depots; Dual occupancies (attached); Dwelling houses; Eco-tourism facilities; Educational establishments; Environmental facilities; Environmental protection works; Extractive industries; Farm buildings; Farm stay accommodation; Flood mitigation works; Forestry; Freight transport facilities; Function centres; Funeral homes; Group homes; Home-based child care; Home businesses; Home industries; Home occupations (sex services); Hospitals; Information and education facilities; Landscaping material supplies; Markets; 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; Timber yards; Transport depots; Veterinary hospitals; Water recreation structures; Water supply systems.

- (iii) is prohibited:

Stock and sale yards; Turf farming; Any development not specified in item (i) or (ii).

- (c) whether additional permitted uses apply to the land,

There are no additional permitted uses which apply to the land.

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

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 16 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.

- (e) whether the land is in an area of outstanding biodiversity value under the *Biodiversity Conservation Act 2016*,

The land is not in an area of outstanding biodiversity value under the Biodiversity Conservation Act 2016.

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

The land is not located in a conservation area.

- (g) whether an item of environmental heritage, however described, is located on the land

The land does not contain an item of environmental heritage.

**Planning Proposal - Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Developing the Visitor Economy + Employment Land Uses (LEP Review Program Stage 2))**

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

Planning Proposal - Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Developing the Visitor Economy + Employment Land Uses (LEP Review Program Stage 2)) does not propose any change to the existing zone under Wollondilly Local Environmental Plan 2011.

- (b) the purpose for which development in the zone-
  - (i) may be carried out without development consent:

Nil, unless the development is listed in Schedule 2 of Wollondilly Local Environmental Plan 2011 and it meets the criteria in that schedule.

- (ii) may not be carried out except with development consent:

Planning Proposal - Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Developing the Visitor Economy + Employment Land Uses (LEP Review Program Stage 2)) proposes to include the following development as development that may not be carried out within the zone except with development consent:

Boat launching ramp, Charter and tourism boating facility, Helipad, Restaurant or café, Neighbourhood shop, Recreation facility (outdoor), Tourist and visitor accommodation, Camping ground, Hotel and motel accommodation

- iii) is prohibited:

Planning Proposal - Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Developing the Visitor Economy + Employment Land Uses (LEP Review Program Stage 2)) does not propose any change to the existing zone under Wollondilly Local Environmental Plan 2011.

- (c) whether additional permitted uses apply to the land,

Planning Proposal - Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Developing the Visitor Economy + Employment Land Uses (LEP Review Program Stage 2)) does not propose to include any additional permitted uses in Schedule 1 of Wollondilly Local Environmental Plan 2011.

- (d) 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 LEP Amendment to Wollondilly Local Environmental Plan 2011 (Developing the Visitor Economy + Employment Land Uses (LEP Review Program Stage 2)) proposes no change to development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house.

- (e) whether the land is in an area of outstanding biodiversity value under the Biodiversity Conservation Act 2016

No change

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

Planning Proposal - Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Developing the Visitor Economy + Employment Land Uses (LEP Review Program Stage 2)) does not identify a change to land in a conservation area.

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

Planning Proposal - Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Developing the Visitor Economy + Employment Land Uses (LEP Review Program Stage 2)) does not identify a change to any items of environmental heritage.

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### 3. CONTRIBUTIONS PLANS

- (1) The name of each contributions plan under the Act, Division 7.1 applying to the land, including draft contributions plans,

#### CONTRIBUTIONS PLANS

Wollondilly Development Contributions Plan 2020 applies to the land.

#### DRAFT CONTRIBUTIONS PLANS

There are currently no Draft Contributions Plans that apply to the land.

- (2) If the land is in a special contributions area under the Act, Division 7.1, the name of the area.

The land is not located in a Special Contributions Area.

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### 4. COMPLYING DEVELOPMENT

- (1) If the land is land on which complying development may be carried out under each of the complying development codes under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, because of that Policy, clause 1.17A(1)(c)-(e), (2), (3) or (4), 1.18(1)(c3) or 1.19.
- (2) If complying development may not be carried out on the land because of 1 of those clauses, the reasons why it may not be carried out under the 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) a restriction applies to the land, but it may not apply to all of the land, and
  - (b) 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.
- (4) If the complying development codes are varied, under that Policy, clause 1.12, in relation to the land.

#### THE HOUSING CODE

Complying development under the Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 MAY NOT be carried out on part of the land. The land is excluded land being land identified by an environmental planning instrument as being partly within an area of environmentally sensitive land.

#### **THE RURAL HOUSING CODE**

Complying development under the Rural Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 MAY NOT be carried out on part of the land. The land is excluded land being land identified by an environmental planning instrument as being partly within an area of environmentally sensitive land.

Note: If the land is a lot to which the Rural Housing Code applies, complying development may be carried out on the part of the lot to which this clause does not apply.

#### **THE GREENFIELD HOUSING CODE**

Complying development under the Greenfield Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 MAY NOT be carried out on part of the land. The land is excluded land being land identified by an environmental planning instrument as being partly within an area of environmentally sensitive land.

#### **THE LOW RISE HOUSING DIVERSITY CODE**

Complying development under the Low Rise Housing Diversity Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 MAY NOT be carried out on part of the land. The land is excluded land being land identified by an environmental planning instrument as being partly within an area of environmentally sensitive land.

#### **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 INDUSTRIAL AND BUSINESS ALTERATIONS CODE**

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

#### **THE INDUSTRIAL AND BUSINESS BUILDINGS CODE**

Complying development under the Industrial and Business Buildings Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 MAY NOT be carried out on part of the land. The land is excluded land being land identified by an environmental planning instrument as being partly within an area of environmentally sensitive land.



#### **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.

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### **5. EXEMPT DEVELOPMENT**

- (1) If the land is land on which exempt development may be carried out under each of the exempt development codes under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, because of that Policy, clause 1.16(1)(b1)-(d) or 1.16A.
- (2) If exempt development may not be carried out on the land because of 1 of those clauses, the reasons why it may not be carried out under the clause.
- (3) If the council does not have sufficient information to ascertain the extent to which exempt development may or may not be carried out on the land, a statement that-
  - (a) a restriction applies to the land, but it may not apply to all of the land, and
  - (b) the council does not have sufficient information to ascertain the extent to which exempt development may or may not be carried out on the land.
- (4) If the exempt development codes are varied, under that Policy, clause 1.12, in relation to the land.

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

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## 6. AFFECTED BUILDING NOTICES AND BUILDING PRODUCT RECTIFICATION ORDERS

(1) Whether the council is aware that-

(a) An affected building notice is in force in relation to the land, or

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

(b) A building product rectification order is in force in relation to the land that has not been fully complied with, or

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

(c) A notice of intention to make a building product rectification order given in relation to the land is outstanding.

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

(2) In this section-

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

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

---

## 7. LAND RESERVED FOR ACQUISITION

Whether an environmental planning instrument or proposed environmental planning instrument referred to in section 1 makes provision in relation to the acquisition of the land by an authority of the State, as referred to in the Act, section 3.15.

There are no Environmental Planning Instruments referred to in Clause 1 that make provision for the acquisition of the land by a public authority as referred to under section 3.15 of the Act.

Planning Proposal - Draft LEP Amendment to Wollondilly Local Environmental Plan 2011 (Developing the Visitor Economy + Employment Land Uses (LEP Review Program Stage 2)) does not provide for the acquisition of the subject land by a public authority as referred to in section 3.15 of the Act.

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## 8. ROAD WIDENING AND ROAD REALIGNMENT

Whether the land is affected by road widening or road realignment under-

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

No

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## 9. FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION

- (1) If the land or part of the land is within the flood planning area and subject to flood related development controls.
- (2) If the land or part of the land is between the flood planning area and the probable maximum flood and subject to flood related development controls.
- (3) In this section-

***flood planning area*** has the same meaning as in the Floodplain Development Manual.

***Floodplain Development Manual*** means the *Floodplain Development Manual* (ISBN 0 7347 5476 0) published by the NSW Government in April 2005.

***probable maximum flood*** has the same meaning as in the Floodplain Development Manual.

No Flood Study has been undertaken in accordance with the requirements of the NSW Floodplain Development Manual for this land. It is therefore unknown whether any flood related development controls would apply to the land. Any person acting on this Certificate should make their own enquiries on this matter.

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## 10. COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS

- (1) Whether any of the land is affected by an adopted policy that restricts the development of the land because of the likelihood of land slip, bush fire, tidal inundations, subsidence, acid sulfate soils, contamination, aircraft noise, salinity, coastal hazards, sea level rise or another risk, other than flooding.

(2) In this section-

***adopted policy*** means a policy adopted-

(a) by the council, or

(b) by another public authority, if the public authority has notified the council that the policy will be included in a planning certificate issued by the council.

No

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## 11. BUSH FIRE PRONE LAND

(1) If any of the land is bush fire prone land, designated by the Commissioner of the NSW Rural Fire Service under the Act, section 10.3, a statement that all or some of the land is bush fire prone land.

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

The land is partially bush fire prone land, designated by the Commissioner of the NSW Rural Fire Service under Section 10.3 of the Act.

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## 12. LOOSE-FILL ASBESTOS INSULATION

If the land includes residential premises, within the meaning of the *Home Building Act 1989*, Part 8, Division 1A, that are listed on the Register kept 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.

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## 13. MINE SUBSIDENCE

Whether the land is declared to be a mine subsidence district, within the meaning of the *Coal Mine Subsidence Compensation Act 2017*.

The land IS WITHIN a declared Mine Subsidence District of Wilton under section 20 of the Coal Mine Subsidence Compensation Act 2017. Certain development in a Mine Subsidence District requires approval from Subsidence Advisory NSW – further information can be obtained from Subsidence Advisory NSW. Subsidence Advisory NSW provides compensation to property owners for mine subsidence damage. To be eligible for compensation, development must be constructed in accordance with Subsidence Advisory NSW approval. Subsidence Advisory NSW has set surface

development guidelines for properties in Mine Subsidence Districts that specify building requirements to help prevent potential damage from coal mine subsidence.

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#### **14. PAPER SUBDIVISION INFORMATION**

- (1) The name of a development plan adopted by a relevant authority that-
  - (a) applies to the land, or
  - (b) is proposed to be subject to a ballot.
- (2) The date of a subdivision order that applies to the land.
- (3) Words and expressions used in this section have the same meaning as in this Regulation, Part 10 and the Act, Schedule 7.

None.

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#### **15. PROPERTY VEGETATION PLANS**

If the land is land in relation to which a property vegetation plan is approved and in force under the *Native Vegetation Act 2003*, Part 4, 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 that Act.

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

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#### **16. BIODIVERSITY STEWARDSHIP SITES**

If the land is a biodiversity stewardship site under a biodiversity stewardship agreement under the *Biodiversity Conservation Act 2016*, Part 5, a statement to that effect, but only if the council has been notified of the existence of the agreement by the Biodiversity Conservation Trust.

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

Council has not been notified by the Biodiversity Conservation Trust that the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the Biodiversity Conservation Act 2016.

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#### **17. BIODIVERSITY CERTIFIED LAND**

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

**Note-** Biodiversity certified land includes land under the *Threatened Species Conservation Act 1995*, Part 7AA that is taken to be certified under the *Biodiversity Conservation Act 2016*, Part 8.

Yes, the land is partly or wholly biodiversity certified land under Part 8 of the *Biodiversity Conservation Act 2016*.

The land is located within the area covered by the Cumberland Plain Conservation Plan mapping.

For more information contact the NSW Government Department of Planning and Environment at [CPCP@planning.nsw.gov.au](mailto:CPCP@planning.nsw.gov.au), call 02 9585 6060 or visit their website at [www.planning.nsw.gov.au/CPCP](http://www.planning.nsw.gov.au/CPCP).

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## 18. ORDERS UNDER TREES (DISPUTES BETWEEN NEIGHBOURS) ACT 2006

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

No

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

(1) If the *Coastal Management Act 2016* applies to the council, whether the owner, or a previous owner, of the land has given written consent to the land being subject to annual charges under the *Local Government Act 1993*, section 496B, for coastal protection services that relate to existing coastal protection works.

(2) In this section-

***Existing coastal protection works*** has the same meaning as in the *Local Government Act 1993*, section 553B.

**Note-** Existing coastal protection works are works to reduce the impact of coastal hazards on land, such as seawalls, revetments, groynes and beach nourishment, that existed before 1 January 2011.

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

## **20. STATE ENVIRONMENTAL PLANNING POLICY (WESTERN SYDNEY AEROTROPOLIS) 2020**

Whether under *State Environmental Planning Policy (Western Sydney Aerotropolis) 2020* the land is-

- (a) In an ANEF or ANEC contour of 20 or greater, as referred to in that Policy, clause 19, or

The land is not identified as being within an ANEF or ANEC contour of 20 or greater.

- (b) Shown on the Lighting Intensity and Wind Shear Map, or

The land is not identified on the Lighting Intensity and Wind Shear Map.

- (c) Shown on the Obstacle Limitation Surface Map, or

The land is not identified on the Obstacle Limitation Surface Map.

- (d) In the “public safety area” on the Public Safety Area Map, or

The land is not identified as being within the "public safety area" on the Public Safety Map.

- (e) In the “3 kilometre wildlife buffer zone” or the “13 kilometre wildlife buffer zone” on the Wildlife Buffer Zone Map.

The land is not identified as being within a wildlife buffer zone on the Wildlife Buffer Zone Map.

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## **21. DEVELOPMENT CONSENT CONDITIONS FOR SENIORS HOUSING**

If *State Planning Policy (Housing) 2021*, Chapter 3, Part 5 applies to the land, any conditions of a development consent granted after 11 October 2007 in relation to the land that are of the kind set out in that Policy, clause 88(2).

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

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## **22. SITE COMPATIBILITY CERTIFICATES AND DEVELOPMENT CONSENT CONDITIONS FOR AFFORDABLE RENTAL HOUSING**

- (1) Whether there is a current site compatibility certificate under *State Environmental Planning Policy (Housing) 2021*, or a former site compatibility certificate, of which the council is aware, in relation to proposed development on the land and, if there is a certificate-
  - (a) The period for which the certificate is current, and
  - (b) That a copy may be obtained from the Department.
- (2) If *State Environmental Planning Policy (Housing) 2021*, Chapter 2, Part 2, Division 1 or 5 applies to the land, any conditions of a development consent in relation to the land that are of a kind referred to in that Policy, clause 21(1) or 40(1).
- (3) Any conditions of development consent in relation to land that are of a kind referred to in *State Environmental Planning Policy (Affordable Rental Housing) 2009*, clause 17(1) or 38(1).
- (4) In this section-

**former site compatibility certificate** means a site compatibility certificate issued under *State Environmental Planning Policy (Affordable Rental Housing) 2009*.

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

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

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**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.

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## THE FOLLOWING ADDITIONAL INFORMATION IS PROVIDED UNDER:

### SECTION 10.7(5) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

For the purposes of Section 10.7(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. **WESTERN SYDNEY INTERNATIONAL (NANCY-BIRD WALTON) AIRPORT**

The State Environmental Planning Policy (Precincts – Western Parkland City) 2021 (the SEPP) came into effect on 1 March 2022. It replaces State Environmental Planning Policy (Western Sydney Aerotropolis) 2020, which was in effect from 1 October 2020 until 28 February, 2022.

Chapter 4 of the SEPP outlines a number of controls to safeguard the operation of the Western Sydney International (Nancy-Bird Walton) Airport into the future. These controls apply to some parts of Wollondilly. Refer to clause 22 of this Planning Certificate for affected land and relevant SEPP maps (see link below).

Noise sensitive development, as defined by the SEPP, is prohibited on land in an ANEF or ANEC Contour of 20 or greater. Clause 4.17(4) of the SEPP grants an exception to permit a dwelling house on land where there was no dwelling house constructed, but only where a dwelling house was permitted prior to the commencement of the SEPP, however, this exception does not extend to other forms of residential development (such as Secondary Dwellings, Dual Occupancies, Multi Dwelling Housing etc.).

Development for any of the following purposes must meet the indoor design sound levels as defined in the SEPP:

- A dwelling under Clause 4.17(4) of the SEPP on land within in an ANEF or ANEC contour of 20 or greater;

Additional considerations apply to land in Wollondilly identified by the Obstacle Limitation Surface Map, Wildlife Buffer Zone Map and the Wind Turbines Map.

For full details please see the SEPP:  
<https://legislation.nsw.gov.au/view/html/inforce/current/epi-2021-0728>

4. Other Matters (if applicable)

PROTECTION OF TRANSPORT CORRIDORS IN WESTERN SYDNEY



In March 2018 the State Government announced the recommended corridor for the Outer Sydney Orbital (Stage One). The location of the corridor was updated in June 2018 following the outcome of community consultation.

The Outer Sydney Orbital (Stage One) will provide for a motorway and freight line to connect Illawarra and Central Coast via Western Sydney Airport.

The Outer Sydney Orbital (Stage One) corridor passes through the Wollondilly local government area (Brownlow Hill, Cawdor, Douglas Park, Menangle and Mount Hunter).

For more information contact Transport for NSW or visit their website at [www.transport.nsw.gov.au/corridors](http://www.transport.nsw.gov.au/corridors).

#### WILTON 2040: A PLAN FOR THE WILTON GROWTH AREA

Parts of Wilton are within a State Government declared Growth Area. The Wilton Growth Area is guided by Wilton 2040: A Plan for the Wilton Growth Area.

For more information please contact the Department of Planning, Industry and Environment, or view their website: <https://www.planning.nsw.gov.au/Plans-for-your-area/Priority-Growth-Areas-and-Precincts/Wilton>

#### SHIRE WIDE FLOOD STUDY

Council wants to be proactive about flooding in the Shire and in partnership with the NSW State Government we are looking for ways to mitigate flood risks for the community.

A flood study for areas not currently covered by a study has commenced with the aim of identifying the flood risk for every property in the Shire.

Refer to Council's website [www.wollondilly.nsw.gov.au](http://www.wollondilly.nsw.gov.au) or contact Council for more information on 4677 1100.

#### CUMBERLAND PLAIN CONSERVATION PLAN

The Cumberland Plain Conservation Plan (CPCP) applies to the land.

The CPCP was released in August 2022 and facilitates growth in Western Sydney to 2056 and beyond, and delivers important development and biodiversity outcomes.

The CPCP identifies several categories of land, with different planning arrangements for each.

If the land is identified as having avoided land, certified-urban capable land or strategic conservation area, the Biodiversity and Conservation SEPP will need to be considered when preparing a development application.

For more information contact the NSW Government Department of Planning and Environment at [CPCP@planning.nsw.gov.au](mailto:CPCP@planning.nsw.gov.au), call 02 9585 6060 or visit their website at [www.planning.nsw.gov.au/CPCP](http://www.planning.nsw.gov.au/CPCP).

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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. Note that instruments applying to this land purporting to restrict or prohibit certain development may be inconsistent.

Digitally Signed: Mark Ruddiman Senior Strategic Planner Thursday, 1, December 2022 1:05:29 PM Sustainable Growth
--

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

The information contained in this certificate can be discussed with Council's Duty Planner by appointment, Monday to Friday between the hours of 8:30am and 3:00pm, by telephoning (02) 4677 1100 or by making a booking via the online Duty Planner booking system - <https://dutyroster.wollondilly.nsw.gov.au/>. Please note that appointments are limited to 15 minutes.

## 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 E EPA Searches**

# Look up the premises address

Please enter exact address information (including street type) of the address you wish to search (Note, the search fields are not case sensitive).

If a match is found, the premises has been identified as containing loose-fill asbestos insulation.

Results will only appear if an exact match of an address is found.

(The fields marked with \* are required.)

**No Match Found** - A search match was not found in the  
Loose-fill Asbestos Insulation Register

Address searched: 10 Berwick Park Road Wllton

**This information is correct at the time of the search**



# Look up the premises address

Please enter exact address information (including street type) of the address you wish to search (Note, the search fields are not case sensitive).

If a match is found, the premises has been identified as containing loose-fill asbestos insulation.

Results will only appear if an exact match of an address is found.

(The fields marked with \* are required.)

**No Match Found** - A search match was not found in the  
Loose-fill Asbestos Insulation Register

Address searched: 25 Wilton Park Road Wilton

**This information is correct at the time of the search**

# Look up the premises address

Please enter exact address information (including street type) of the address you wish to search (Note, the search fields are not case sensitive).

If a match is found, the premises has been identified as containing loose-fill asbestos insulation.

Results will only appear if an exact match of an address is found.

(The fields marked with \* are required.)

**No Match Found** - A search match was not found in the  
Loose-fill Asbestos Insulation Register

Address searched: 30 Berwick Park Road Wilton

**This information is correct at the time of the search**

# Look up the premises address

Please enter exact address information (including street type) of the address you wish to search (Note, the search fields are not case sensitive).

If a match is found, the premises has been identified as containing loose-fill asbestos insulation.

Results will only appear if an exact match of an address is found.

(The fields marked with \* are required.)

**No Match Found** - A search match was not found in the  
Loose-fill Asbestos Insulation Register

Address searched: 45 Wilton Park Road Wilton

**This information is correct at the time of the search**

# Look up the premises address

Please enter exact address information (including street type) of the address you wish to search (Note, the search fields are not case sensitive).

If a match is found, the premises has been identified as containing loose-fill asbestos insulation.

Results will only appear if an exact match of an address is found.

(The fields marked with \* are required.)

**No Match Found** - A search match was not found in the  
Loose-fill Asbestos Insulation Register

Address searched: 55 Wilton Park Road Wilton

**This information is correct at the time of the search**

# Look up the premises address

Please enter exact address information (including street type) of the address you wish to search (Note, the search fields are not case sensitive).

If a match is found, the premises has been identified as containing loose-fill asbestos insulation.

Results will only appear if an exact match of an address is found.

(The fields marked with \* are required.)

**No Match Found** - A search match was not found in the  
Loose-fill Asbestos Insulation Register

Address searched: 75 Wilton Park Road Wilton

**This information is correct at the time of the search**



# Look up the premises address

Please enter exact address information (including street type) of the address you wish to search (Note, the search fields are not case sensitive).

If a match is found, the premises has been identified as containing loose-fill asbestos insulation.

Results will only appear if an exact match of an address is found.

(The fields marked with \* are required.)

**No Match Found** - A search match was not found in the  
Loose-fill Asbestos Insulation Register

Address searched: 85 Wilton Park Road Wilton

**This information is correct at the time of the search**

Non-statutory guidance documents

Underground petroleum storage systems

PFAS investigation program

PFAS investigation process

PFAS investigation program FAQs

Regulation of PFAS firefighting foams

Other contamination issues

Stay up to date

Current investigations are focused on sites where it is likely that large quantities of PFAS have been used. The EPA is currently investigating PFAS at these sites:

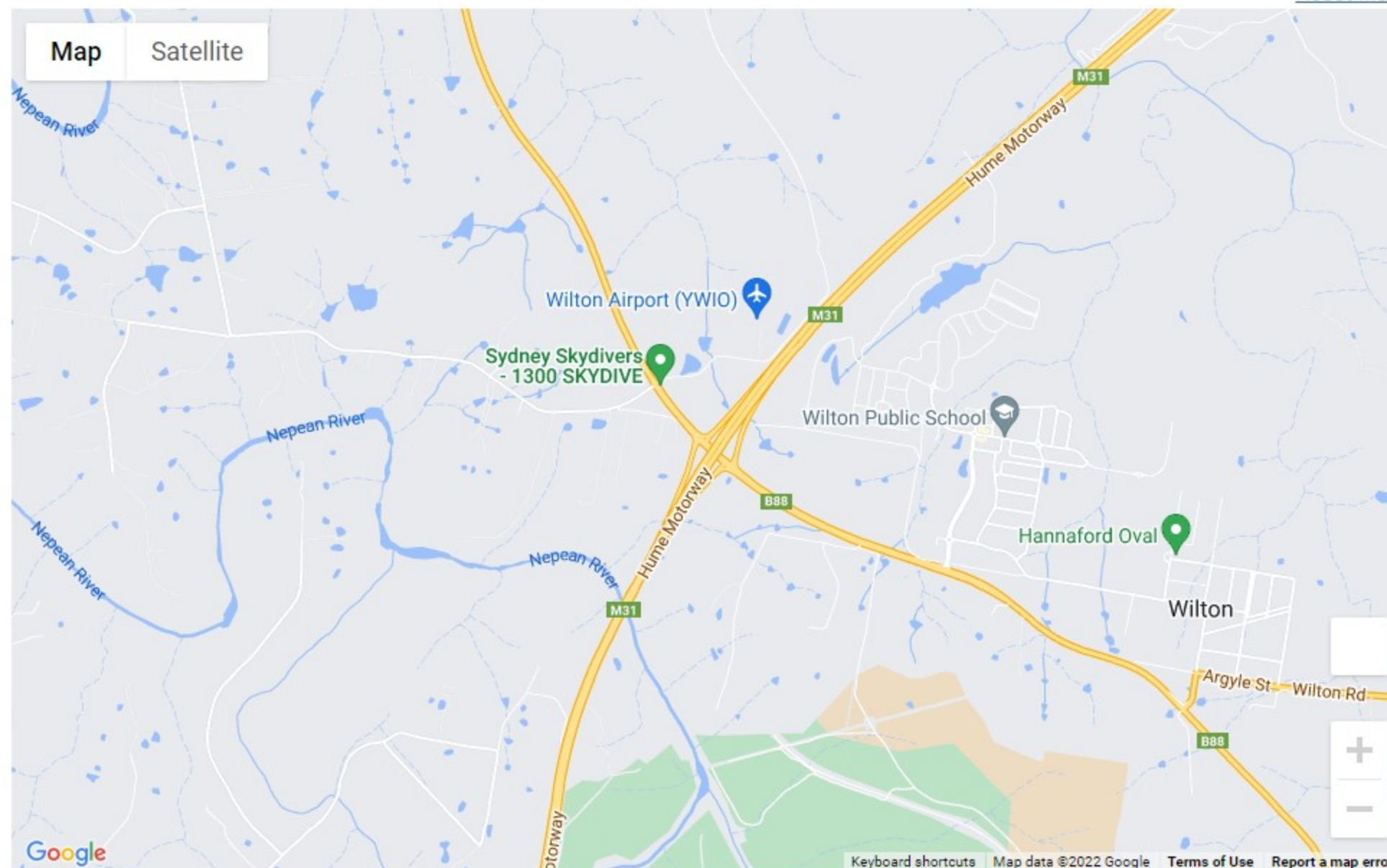
Map view

List view

filter by No filter set

Showing 0 of 49 sites

[Reset map](#)



PFAS investigation site ☒

Multiple sites ☐



returned 15 results

[Export to excel](#)

1 of 1 Pages

[Search Again](#)

Number	Name	Location	Type	Status	Issued date
<a href="#">3085781133</a>	ASSEM FATTAH	Picton Road (westbound), WILTON, NSW 2571	Penalty Notice	Issued	09 Jan 2017
<a href="#">3085781142</a>	ASSEM FATTAH	Picton Road (westbound), WILTON, NSW 2571	Penalty Notice	Issued	09 Jan 2017
<a href="#">1529487</a>	JIM BAKIRTZIDIS	80 Ashwood Road, WILTON, NSW 2571	s.91 Clean Up Notice	Issued	03 Mar 2016
<a href="#">3085779209</a>	Multipower Tipper Hire Pty Ltd	80 Ashwood Road, WILTON, NSW 2571	Penalty Notice	Issued	02 May 2016
<a href="#">3085779218</a>	Multipower Tipper Hire Pty Ltd	80 Ashwood Road, WILTON, NSW 2571	Penalty Notice	Issued	02 May 2016
<a href="#">1538718</a>	Scafell Property Pty Ltd	105 Marcus Street, WILTON, NSW 2571	s.91 Clean Up Notice	Issued	09 Mar 2016
<a href="#">3085776293</a>	TERJON SERVICES PTY LTD	Picton Road (westbound), WILTON, NSW 2571	Penalty Notice	Issued	17 Mar 2015
<a href="#">3085776302</a>	TERJON SERVICES PTY LTD	Picton Road (westbound), WILTON, NSW 2571	Penalty Notice	Issued	17 Mar 2015
<a href="#">3085777238</a>	TERJON SERVICES PTY LTD	Picton Road (westbound), WILTON, NSW 2571	Penalty Notice	Issued	01 Sep 2015
<a href="#">3085777229</a>	TERJON SERVICES PTY LTD	Picton Road (westbound), WILTON, NSW 2571	Penalty Notice	Issued	01 Sep 2015
<a href="#">20335</a>	VEOLIA WATER SOLUTIONS & TECHNOLOGIES (AUSTRALIA) PTY LTD	Condell Park Road, WILTON, NSW 2571	POEO licence	Issued	30 Sep 2013
<a href="#">1534283</a>	VEOLIA WATER SOLUTIONS & TECHNOLOGIES (AUSTRALIA) PTY LTD	Condell Park Road, WILTON, NSW 2571	s.58 Licence Variation	Issued	25 Sep 2015
<a href="#">1586529</a>	VEOLIA WATER SOLUTIONS & TECHNOLOGIES (AUSTRALIA) PTY LTD	Condell Park Road, WILTON, NSW 2571	s.58 Licence Variation	Issued	05 Dec 2019
<a href="#">1589294</a>	VEOLIA WATER SOLUTIONS & TECHNOLOGIES (AUSTRALIA) PTY LTD	Condell Park Road, WILTON, NSW 2571	s.58 Licence Variation	Issued	05 Dec 2019
<a href="#">1525499</a>	Wilton Water Pty Ltd	Condell Park Road, WILTON, NSW 2571	s.58 Licence Variation	Issued	28 Oct 2014

14 June 2022

Enforceable undertakings  
media releasesExemptions and approvals  
searchProsecutions or civil  
proceedings searchTerms of use: POEO public  
register

Licensing FAQs

List of licences

Unlicensed premises regulated  
by the EPA+ Contaminated land record of  
notices

Dangerous goods licences

Pesticide licences

Radiation licences

## Public registers

+ POEO Public Register

– Contaminated land record of notices

[About the record of notices](#)

[List of notified sites](#)

[Tips for searching](#)

[Disclaimer](#)

[Dangerous goods licences](#)

[Pesticide licences](#)

[Radiation licences](#)

[Home](#) [Public registers](#) [Contaminated land record of notices](#)

## Search results

Your search for: Suburb: WILTON

did not find any records in our database.

If a site does not appear on the record it may still be affected by contamination. For example:

- 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 (POEO Act).
- Contamination at the site may be being managed under the [planning process](#).

More information about particular sites may be available from:

- 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](#).

See [What's in the record and What's not in the record](#).

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](#)

[Search Again](#)

[Refine Search](#)

### Search TIP

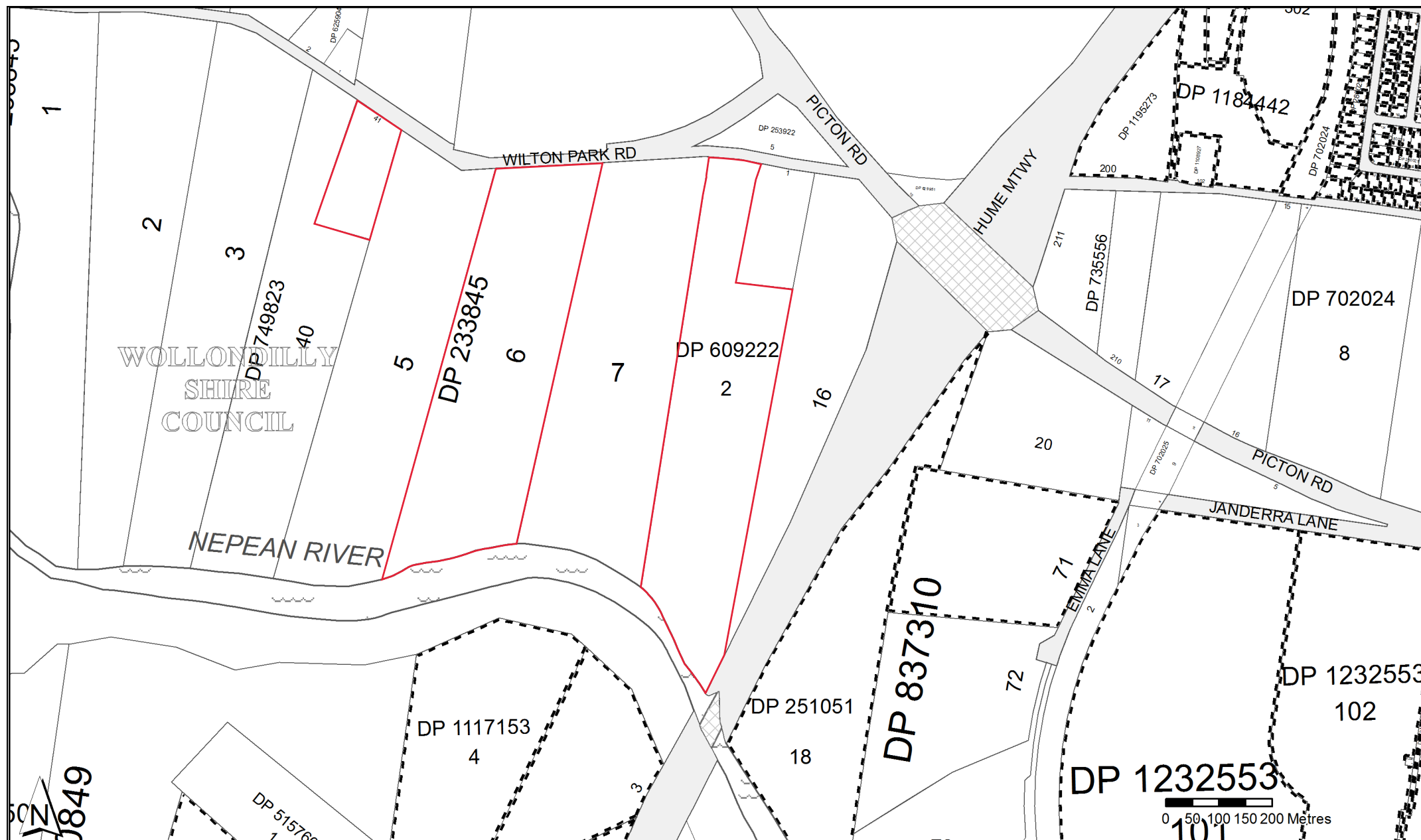
To search for a specific site, search by LGA (local government area) and carefully review all sites listed.

... [more search tips](#)

Suburb	SiteName	Address	Contamination Activity Type	ManagementClass	Latitude	Longitude
WICKHAM	Former Factory	57 Annie STREET	Other Industry	Regulation under CLM Act not required	-32.91524827	151.759893
WICKHAM	Railcorp Wickham	50 Railway STREET	Other Industry	Regulation under CLM Act not required	-32.9210433	151.7544687
WICKHAM	Fuchs lubricants Wickham	2 Holland STREET	Other Industry	Contamination currently regulated under CLM Act	-32.9214709	151.7556928
WILBERFORCE	Former Drum Reconditioners	12-14 Box AVENUE	Other Industry	Contamination formerly regulated under the CLM Act	-33.5453884	150.8587934
WILBERFORCE	Former Solvent Recycling Site	13 Box AVENUE	Chemical Industry	Regulation under CLM Act not required	-33.54557427	150.8577006
WILEY PARK	Sydney Water Property	1B Hillcrest STREET	Other Industry	Regulation under CLM Act not required	-33.92991634	151.0676256
WILLIAMTOWN	Hunter Land Effluent Pond	38 Cabbage Tree ROAD	Other Industry	Regulation under CLM Act not required	-32.80750069	151.8310107
WILLOUGHBY	Shell Coles Express Service Station	616-626 Willoughby ROAD	Service Station	Regulation under CLM Act not required	-33.80593769	151.1988559
WILLOUGHBY	Caltex Service Station	157 Penhur STREET	Service Station	Regulation under CLM Act not required	-33.797993513	151.1981926
WILLOUGHBY	BP Willoughby Express Tower	498 Willoughby STREET	Service Station	Contamination currently regulated under POEO Act	-33.81022918	151.199315
WILLOUGHBY	Bicentennial Reserve, Flat Rock Gully, Willoughby Leisure Centre	Small STREET	Other Industry	Under assessment	-33.81232124	151.2030744
WILLOUGHBY EAST	Willoughby Bus Depot	Corner Ann Street and Stan STREET	Other Industry	Regulation under CLM Act not required	-33.7982569	151.2038993
WILTON	Condell Park Homestead	(Part Lot 17 DP 270536) Condell Park ROAD	Unclassified	Regulation under CLM Act not required	-34.21910141	150.6837962
WINDANG	Caltex Service Station	244-248 Windang ROAD	Service Station	Regulation under CLM Act not required	-34.5274434	150.8691161
WINDSOR	Former Caltex Service Station	46-52 Macquarie STREET	Service Station	Regulation under CLM Act not required	-33.60783315	150.8213428



## **Appendix F   Historical Titles**





10622191

NEW SOUTH WALES

**CERTIFICATE OF TITLE**  
PROPERTY ACT, 1900, as amended.



Vol. **10622** Fol. **191**

EH

Edition issued 18-8-1967



Application No. 8724

Prior Title Vol. 4059 Fol. 88

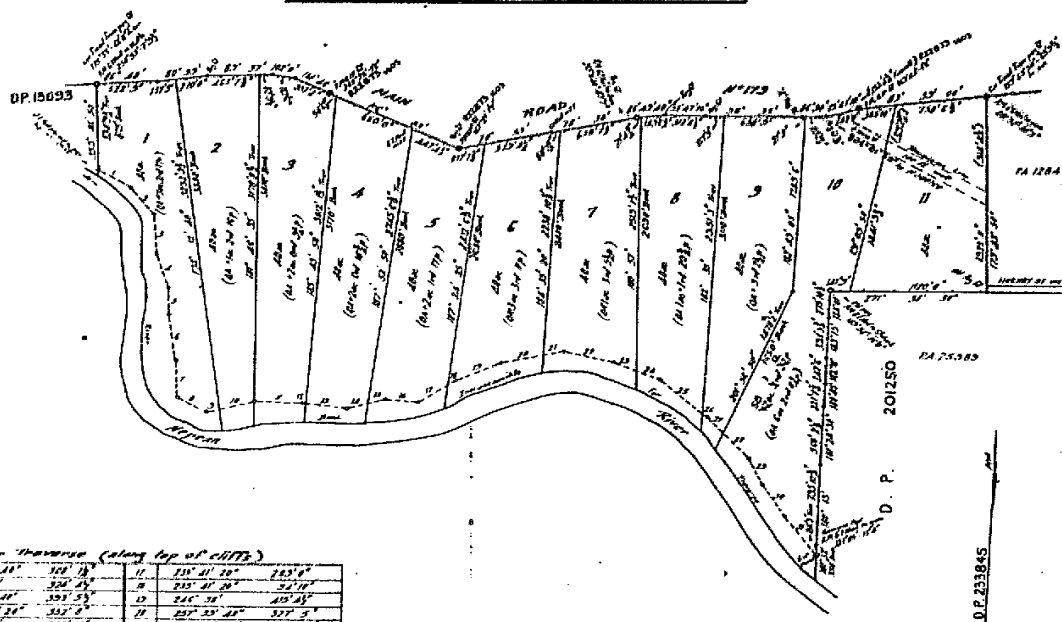
I certify that the person described in the First Schedule is the registered proprietor of the undermentioned estate in the land within described subject nevertheless to such exceptions encumbrances and interests as are shown in the Second Schedule.

Witness

*J. Offlick*

Registrar General.

PLAN SHOWING LOCATION OF LAND



River traverse (along top of cliffs)					
1	101° 31' 28"	108.18	11	110° 41' 20"	143.6"
2	111° 23'	320.45	12	110° 41' 20"	143.6"
3	105° 41' 41"	351.55	13	110° 41' 20"	143.6"
4	104° 55' 24"	332.8	14	110° 41' 20"	143.6"
5	105° 41' 41"	351.55	15	110° 41' 20"	143.6"
6	104° 55' 24"	332.8	16	110° 41' 20"	143.6"
7	105° 41' 41"	351.55	17	110° 41' 20"	143.6"
8	104° 55' 24"	332.8	18	110° 41' 20"	143.6"
9	105° 41' 41"	351.55	19	110° 41' 20"	143.6"
10	104° 55' 24"	332.8	20	110° 41' 20"	143.6"
11	105° 41' 41"	351.55	21	110° 41' 20"	143.6"
12	104° 55' 24"	332.8	22	110° 41' 20"	143.6"
13	105° 41' 41"	351.55	23	110° 41' 20"	143.6"
14	104° 55' 24"	332.8	24	110° 41' 20"	143.6"
15	105° 41' 41"	351.55	25	110° 41' 20"	143.6"
16	104° 55' 24"	332.8	26	110° 41' 20"	143.6"
17	105° 41' 41"	351.55	27	110° 41' 20"	143.6"
18	104° 55' 24"	332.8	28	110° 41' 20"	143.6"
19	105° 41' 41"	351.55	29	110° 41' 20"	143.6"
20	104° 55' 24"	332.8	30	110° 41' 20"	143.6"
21	105° 41' 41"	351.55	31	110° 41' 20"	143.6"
22	104° 55' 24"	332.8	32	110° 41' 20"	143.6"
23	105° 41' 41"	351.55	33	110° 41' 20"	143.6"
24	104° 55' 24"	332.8	34	110° 41' 20"	143.6"
25	105° 41' 41"	351.55	35	110° 41' 20"	143.6"
26	104° 55' 24"	332.8	36	110° 41' 20"	143.6"
27	105° 41' 41"	351.55	37	110° 41' 20"	143.6"
28	104° 55' 24"	332.8	38	110° 41' 20"	143.6"
29	105° 41' 41"	351.55	39	110° 41' 20"	143.6"
30	104° 55' 24"	332.8	40	110° 41' 20"	143.6"
31	105° 41' 41"	351.55	41	110° 41' 20"	143.6"
32	104° 55' 24"	332.8	42	110° 41' 20"	143.6"
33	105° 41' 41"	351.55	43	110° 41' 20"	143.6"
34	104° 55' 24"	332.8	44	110° 41' 20"	143.6"
35	105° 41' 41"	351.55	45	110° 41' 20"	143.6"
36	104° 55' 24"	332.8	46	110° 41' 20"	143.6"
37	105° 41' 41"	351.55	47	110° 41' 20"	143.6"
38	104° 55' 24"	332.8	48	110° 41' 20"	143.6"
39	105° 41' 41"	351.55	49	110° 41' 20"	143.6"
40	104° 55' 24"	332.8	50	110° 41' 20"	143.6"
41	105° 41' 41"	351.55	51	110° 41' 20"	143.6"
42	104° 55' 24"	332.8	52	110° 41' 20"	143.6"
43	105° 41' 41"	351.55	53	110° 41' 20"	143.6"
44	104° 55' 24"	332.8	54	110° 41' 20"	143.6"
45	105° 41' 41"	351.55	55	110° 41' 20"	143.6"
46	104° 55' 24"	332.8	56	110° 41' 20"	143.6"
47	105° 41' 41"	351.55	57	110° 41' 20"	143.6"
48	104° 55' 24"	332.8	58	110° 41' 20"	143.6"
49	105° 41' 41"	351.55	59	110° 41' 20"	143.6"
50	104° 55' 24"	332.8	60	110° 41' 20"	143.6"
51	105° 41' 41"	351.55	61	110° 41' 20"	143.6"
52	104° 55' 24"	332.8	62	110° 41' 20"	143.6"
53	105° 41' 41"	351.55	63	110° 41' 20"	143.6"
54	104° 55' 24"	332.8	64	110° 41' 20"	143.6"
55	105° 41' 41"	351.55	65	110° 41' 20"	143.6"
56	104° 55' 24"	332.8	66	110° 41' 20"	143.6"
57	105° 41' 41"	351.55	67	110° 41' 20"	143.6"
58	104° 55' 24"	332.8	68	110° 41' 20"	143.6"
59	105° 41' 41"	351.55	69	110° 41' 20"	143.6"
60	104° 55' 24"	332.8	70	110° 41' 20"	143.6"
61	105° 41' 41"	351.55	71	110° 41' 20"	143.6"
62	104° 55' 24"	332.8	72	110° 41' 20"	143.6"
63	105° 41' 41"	351.55	73	110° 41' 20"	143.6"
64	104° 55' 24"	332.8	74	110° 41' 20"	143.6"
65	105° 41' 41"	351.55	75	110° 41' 20"	143.6"
66	104° 55' 24"	332.8	76	110° 41' 20"	143.6"
67	105° 41' 41"	351.55	77	110° 41' 20"	143.6"
68	104° 55' 24"	332.8	78	110° 41' 20"	143.6"
69	105° 41' 41"	351.55	79	110° 41' 20"	143.6"
70	104° 55' 24"	332.8	80	110° 41' 20"	143.6"
71	105° 41' 41"	351.55	81	110° 41' 20"	143.6"
72	104° 55' 24"	332.8	82	110° 41' 20"	143.6"
73	105° 41' 41"	351.55	83	110° 41' 20"	143.6"
74	104° 55' 24"	332.8	84	110° 41' 20"	143.6"
75	105° 41' 41"	351.55	85	110° 41' 20"	143.6"
76	104° 55' 24"	332.8	86	110° 41' 20"	143.6"
77	105° 41' 41"	351.55	87	110° 41' 20"	143.6"
78	104° 55' 24"	332.8	88	110° 41' 20"	143.6"
79	105° 41' 41"	351.55	89	110° 41' 20"	143.6"
80	104° 55' 24"	332.8	90	110° 41' 20"	143.6"
81	105° 41' 41"	351.55	91	110° 41' 20"	143.6"
82	104° 55' 24"	332.8	92	110° 41' 20"	143.6"
83	105° 41' 41"	351.55	93	110° 41' 20"	143.6"
84	104° 55' 24"	332.8	94	110° 41' 20"	143.6"
85	105° 41' 41"	351.55	95	110° 41' 20"	143.6"
86	104° 55' 24"	332.8	96	110° 41' 20"	143.6"
87	105° 41' 41"	351.55	97	110° 41' 20"	143.6"
88	104° 55' 24"	332.8	98	110° 41' 20"	143.6"
89	105° 41' 41"	351.55	99	110° 41' 20"	143.6"
90	104° 55' 24"	332.8	100	110° 41' 20"	143.6"

ESTATE AND LAND REFERRED TO

Estate in Fee Simple in **Lot 8 in Deposited Plan 233845** at Wilton in the Shire of Wollondilly Parish of Wilton and County of Camden being part of Portions 6, 38 and 39 granted to Harman Luke Printz, Henry Pullen and William Smith respectively on 30-6-1823.

FIRST SCHEDULE (continued overleaf)

**CAMBRIDGE CREDIT CORPORATION LIMITED**

SECOND SCHEDULE (continued overleaf)

- Reservations and conditions, if any, contained in the Crown Grants above referred to.
- Mortgage No. K728472 to James Vernon Haig McCann, of Appin, Dairyman. Entered 10-7-1967. Discharged K847325.

*J. Watson*  
Registrar General.

Signature of Registrar-General

*Handwritten signature*

12

10

## CANCELLATION

N590016

N590016

REGISTRAR GENERAL

REGISTRAR GENERAL

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





# CERTIFICATE OF TITLE

PROPERTY ACT, 1900



13118102

NEW SOUTH WALES

Appln. No.8724

Prior Title Vol.10622 Fol.191

Vol. **13118** Fol. **102**

EDITION ISSUED

23 8 1976



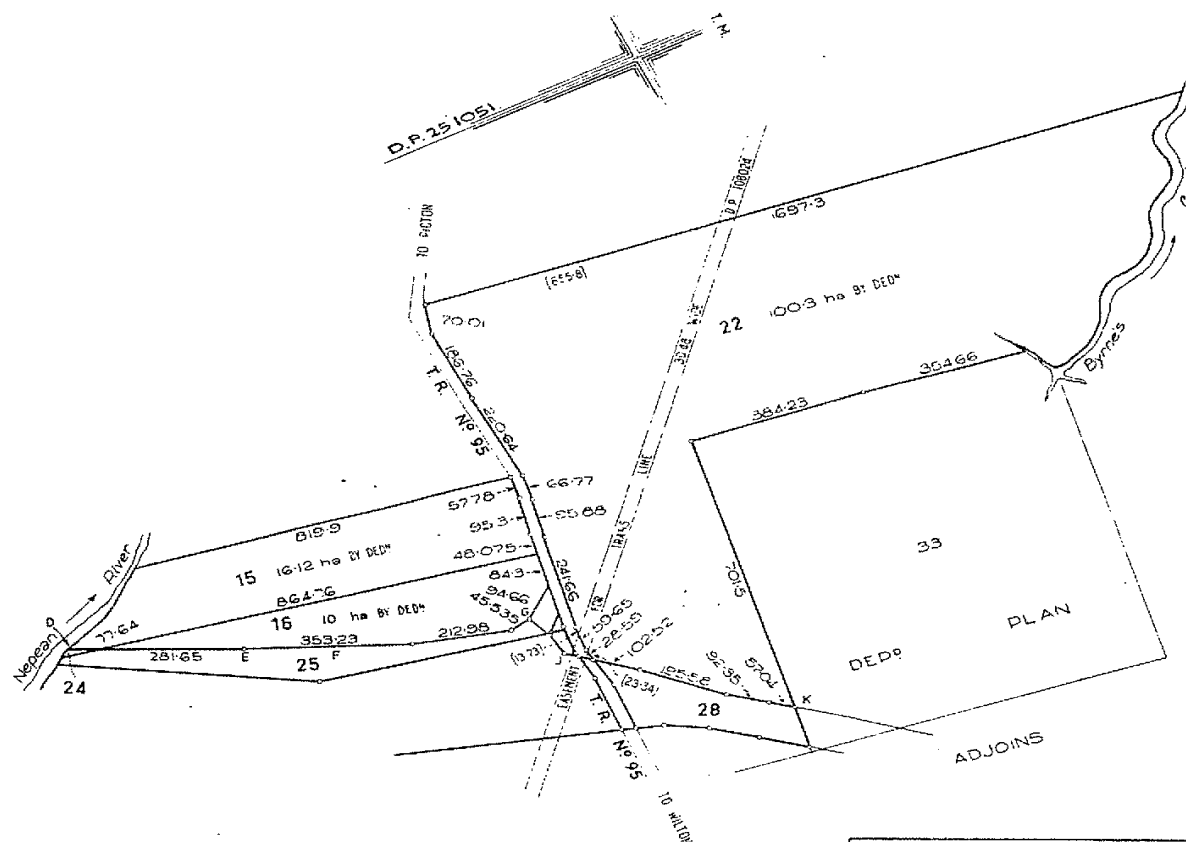
I certify that the person described in the First Schedule is the registered proprietor of the undermentioned estate in the land within described subject nevertheless to such exceptions encumbrances and interests as are shown in the Second Schedule.

*Lawton*  
Registrar General.



## PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES



## ESTATE AND LAND REFERRED TO

Estate in Fee Simple in **Lot 15 in Deposited Plan 251051** at Wilton in the Shire of Wollondilly Parish of Wilton and County of Camden being part of Portions 6, 38 and 39 granted to Harman Luke Printz, Henry Pullen and William Smith respectively on 30-6-1823.

## FIRST SCHEDULE

**WILLIAM GODFREY SELWYN** of Wilton, **Airline Pilot and CHRISTINA FRASER SELWYN, his wife**, as Tenants Common in Equal Shares.

## SECOND SCHEDULE

1. Reservations and conditions, if any, contained in the Crown Grants above referred to.
2. ~~Mortgage No. N927484 to Bank of New South Wales Registered 13-5-1976 Discharged R789609~~
3. Covenant created by Transfer No. P801275 by the Transferor.

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

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







# CERTIFICATE OF TITLE



14164075

NEW SOUTH WALES

Appln. No.8724

Prior Title Vol.13118 Fol.102

Vol. 14164 Fol. 75



EDITION ISSUED

2 7 1980

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

**CANCELLED**

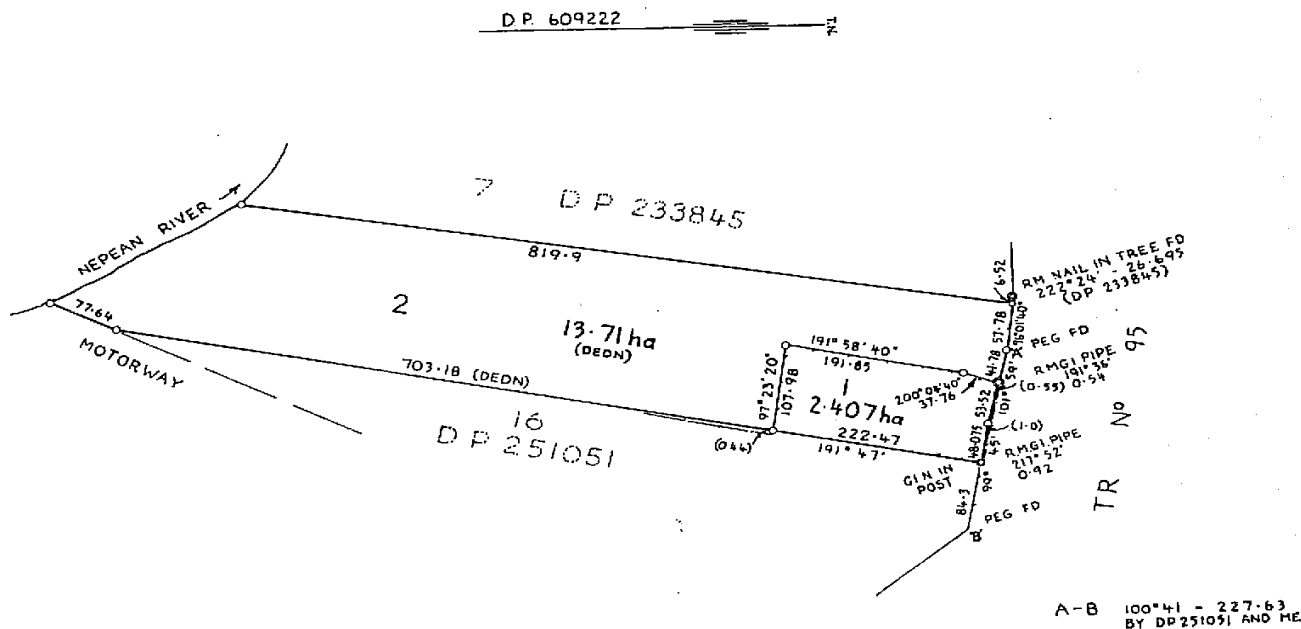
*[Signature]*

Registrar General.  
**SEE AUTO FOLIO**



## PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES



### ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 2 in Deposited Plan 609222 at Wilton in the Shire of Wollondilly Parish of Wilton and County of Camden being part of Portions 6, 38 and 39 granted to Harman Luke Printz, Henry Pullen and William Smith respectively on 30-6-1823.

### FIRST SCHEDULE

WILLIAM GODFREY SELWYN of Wilton, Airline Pilot and CHRISTINA FRASER SELWYN, his wife, as Tenants in Common in Equal Shares.

### SECOND SCHEDULE

1. Reservations and conditions, if any, contained in the Crown Grants above referred to.
2. P801275 Covenant by the transferor.

REGISTERED PROPRIETOR

[illegible]

## INSTRUMENT

[illegible]

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

5694017m R



NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

1/12/2021 3:58PM

FOLIO: 2/609222

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

Prior Title(s): VOL 14164 FOL 75

Recorded -----	Number -----	Type of Instrument -----	C.T. Issue -----
28/3/1988		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
7/9/1988		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
31/5/1990	Z32430	DISCHARGE OF MORTGAGE	EDITION 1
30/6/2009	AE801977	TRANSFER	
30/6/2009	AE801978	MORTGAGE	EDITION 2
15/8/2017	AM644876	DISCHARGE OF MORTGAGE	
15/8/2017	AM644877	TRANSFER	EDITION 3

\*\*\* END OF SEARCH \*\*\*

Form: 01T  
Licence: 01-05-025  
Licensee: LEAP Legal Software Pty Limited  
Firm name:

# TRANSFER

New South Wales  
Real Property Act 1900



AE801977F

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises the Registrar to use the information provided by this form for the establishment and maintenance of the Real Property Act Register. Section 96B RP Act requires that the Register is made available to any person for search upon payment of a fee, if any.

## STAMP DUTY

Office of State Revenue use only

Office of State Revenue	
NSW Treasury	
Client No: 1411509	1272
Duty: 10	Trans No: 5455665
Asst details: 17/10/09	

## (A) TORRENS TITLE

If appropriate, specify the part transferred  
**2/609222**

## (B) LODGED BY

Delivery Box	Name, Address or DX and Telephone	LLPN: 123835G CSB	CODES T TW (Sheriff)
23L	Reference (optional): 831649505		

## (C) TRANSFEROR

**DONALD WILLIAM DAVIS AND THELMA DAVIS**

## (D) CONSIDERATION

The transferor acknowledges receipt of the consideration of \$993,000.00 and as regards

## (E) ESTATE

The land specified above transfers to the transferee an estate in fee simple.

## (F) SHARE TRANSFERRED

## (G) ENCUMBRANCES (if applicable):

(H) **MARK WEBSTER AND NATASHA ANNE WEBSTER**

(I) **TENANCY: Joint Tenants**

## DATE

17/10/09

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

Signature of witness:

Name of witness: Rebecca Soper  
Address of witness: L4, 310 Crown St  
Wollongong 2500

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

Signature of transferor:

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

Signature:

Signatory's name: Jacinta Maas  
Signatory's capacity: Licensed Conveyancer for the Transferee



FOLIO: 2/609222

SEARCH DATE	TIME	EDITION NO	DATE
1/12/2021	3:57 PM	3	15/8/2017

LAND

LOT 2 IN DEPOSITED PLAN 609222

AT WILTON

LOCAL GOVERNMENT AREA WOLLONDILLY

PARISH OF WILTON COUNTY OF CAMDEN

TITLE DIAGRAM DP609222

FIRST SCHEDULE

TONY MOSCA

MARIA GIUSEPPINA MOSCA

AS JOINT TENANTS

(T AM644877)

SECOND SCHEDULE (2 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 P801275 COVENANT

NOTATIONS

UNREGISTERED DEALINGS: NIL

\*\*\* END OF SEARCH \*\*\*



10622189

NEW SOUTH WALES

**CERTIFICATE OF TITLE**  
**PROPERTY ACT, 1900, as amended.**

Application No. 8724

Prior Title Vol. 4059 Fol. 88

Vol. **10622** Fol. **189**

**CANCELLED**



EH

Edition issued 18-8-1967

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

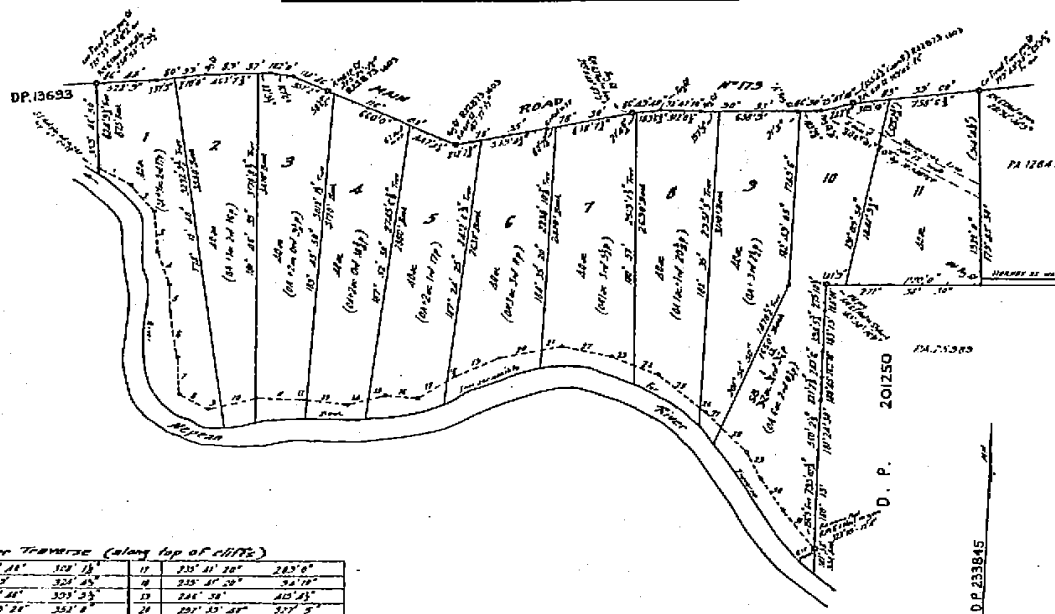
Witness

*J. Offick*

*Jawatson*  
Registrar General.



PLAN SHOWING LOCATION OF LAND



River Traverse (along top of 1872)

1	30° 32' 18"	324' 18"	11	215° 41' 20"	283' 0"
2	324° 25'	324' 25'	12	215° 41' 20"	34' 10"
3	215° 29' 28"	329' 25'	13	214° 34'	415' 25'
4	222° 23' 28"	342' 2'	14	215° 15' 28"	377' 3"
5	435° 04'	245' 10"	15	215° 32' 28"	124' 105'
6	324° 24' 28"	415' 10"	16	185° 44' 10"	422' 15'
7	215° 15' 28"	374' 25'	17	154° 45' 46"	200' 45'
8	225° 45' 46"	245' 15'	18	254° 45' 46"	215' 10"
9	214° 34'	105' 0"	19	315° 10' 28"	400' 0"
10	215° 15' 28"	374' 25'	20	315° 10' 28"	37' 25'
11	215° 41' 20"	324' 25'	21	315° 10' 28"	300' 25'
12	215° 15' 28"	374' 25'	22	315° 10' 28"	375' 0"
13	215° 15' 28"	374' 25'	23	314° 40' 48"	291' 05"
14	215° 41' 20"	324' 25'	24	315° 10' 28"	375' 25'
15	215° 41' 20"	324' 25'	25	215° 41' 20"	476' 10"
16	215° 41' 20"	324' 25'			

ESTATE AND LAND REFERRED TO

Estate in Fee Simple in **Lot 6 in Deposited Plan 233845** at Wilton in the Shire of Wollondilly Parish of Wilton and County of Camden being part of Portions 38, 39 and 43 granted to Henry Pullen, William Smith and William Britton respectively on 30-6-1823.

FIRST SCHEDULE (continued overleaf)

**CAMBRIDGE CREDIT CORPORATION LIMITED.**

SECOND SCHEDULE (continued overleaf)

- Reservations and conditions, if any, contained in the Crown Grants above referred to.
- ~~Mortgage No. K728472 to James Vernon Haig McCann, of Appin, Dairyman. Entered 10-7-1967. Discharged 18-8-1967.~~

*Jawatson*  
Registrar General.

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



## FIRST SCHEDULE (continued)

## REGISTERED PROPRIETOR

David Geoffrey Bowen of Wentworth Falls, Naval Officer and Margaret Bowen his wife as joint tenants  
John Bruce Dugan of Blacktown, Pharmacist and Lila Merle Dugan his wife as joint tenants

Tees Mines N.L. as regards the coal and minerals lying in and under the land within described and John Bruce Dugan of Blacktown, Pharmacist and Lila Merle Dugan his wife as joint tenants as regards the residue

As to the whole (i.e. minerals)  
 this Deed is cancelled and New Certificate of Title issued  
 Vol. 12014 Fol. 127 dated 11-1-1973  
 Vide C.M. 723284

The residue of land in this certificate of title  
 comprises minerals in T.M. 1462111  
 entered 19-1-1973

NATURE	INSTRUMENT		ENTERED	Signature of Registrar-General
	NUMBER	DATE		
Transfer	K 873391	31-10-1967	11-12-1967	Jaworski
Transfer	L 876349	2-6-1970	22-6-1970	Jaworski
Transfer	M 462111	27-8-1971	29-5-1972	Jaworski

## REGISTRAR GENERAL

## SECOND SCHEDULE (continued)

NATURE	INSTRUMENT		DATE	PARTICULARS	ENTERED	Signature of Registrar-General	CANCELLATION		
	NUMBER	DATE							
Covenant	K 873391			Created by Transfer No. K 873391		Jaworski			
Mortgage	K 873392	1-11-1967		to Cambridge Credit Corporation Limited	11-12-1967	Jaworski	Cancelled	L 876349	Jaworski
Whit	L 153257	1-11-1967		to Cambridge Credit Corporation Limited	2-8-1968	Jaworski	Cancelled	L 876349	Jaworski
Mortgage	L 876350	2-6-1970		to Cambridge Credit Corporation Limited	22-6-1970	Jaworski			
Discharge	M 462110	27-8-1971		of Mortgage No. L 876350 as regards the coal and minerals lying in and under the land within described	29-5-1972	Jaworski			
				As to <u>Residue</u> being the coal & minerals this Deed is cancelled and New Certificate of Title issued. Vol. 129114 Fol. 136 dated 5-5-1979 Vide <u>Q 672163</u>					

REGISTRAR GENERAL

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

K 873391

L 153257

L 876349

L 876349

L 876349

L 876349

L 876349

L 876349

L 876349

L 876349

L 876349

L 876349

L 876349

L 876349

L 876349

L 876349

L 876349

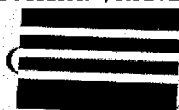
L 876349

L 876349

L 876349

L 876349

L 876349



# CERTIFICATE OF TITLE

PROPERTY ACT, 1900



12014 27

NEW SOUTH WALES

Appln. No. 8724

Prior Title Vol. 10622 Fol. 189

Vol. 12014 Fol. 127

Edition issued 11-1-1973

M723284



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.

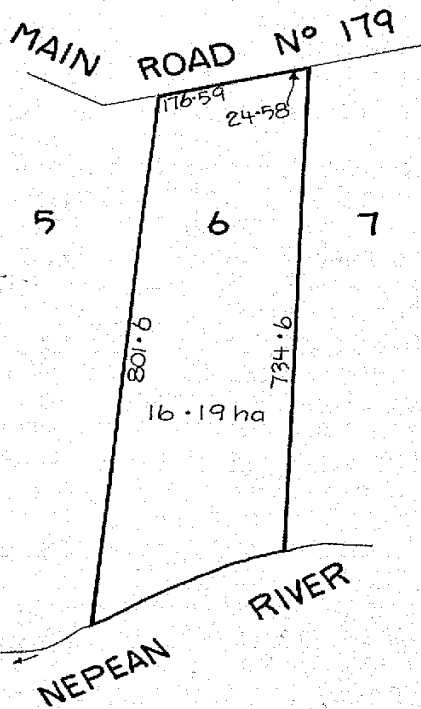
*Jawatson*

Registrar General.



## PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES



SEE AUTO FOLIO

M 723284

REDUCTION RATIO 1:8000

## ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 6 in Deposited Plan 233845 at Wilton in the Shire of Wollondilly Parish of Wilton and County of Camden being part of Portions 38, 39 and 43 granted to Henry Pullen, William Smith and William Britton respectively on 30-6-1823. EXCEPTING THEREOUT all coal and minerals transferred by Transfer No.M462111.

## FIRST SCHEDULE

~~JOHN BRUCE DUGAN, of Blacktown, Pharmacist and LILA MARY DUGAN, his wife, as Joint Tenants.~~

## SECOND SCHEDULE

1. Reservations and conditions, if any, contained in the Crown Grants above referred to.
2. Covenant created by Transfer No.K873391.
3. Mortgage No.L876356 to Cudge Credit Corporation Limited. Entered 22-6-1970 Discharged

N502135

*Jawatson*

Registrar General.

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

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

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

(Page 1) Vol. 12014 Fol. 127

1

M77963  
N5021350  
C.T. 31-7-80  
S24635N/2

1

M77963  
N5021350  
C.T. 31-7-80  
S24635N/2

M77963  
N5021350  
C.T. 31-7-80  
S24635N/2



NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

1/12/2021 4:26PM

FOLIO: 6/233845

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

Prior Title(s): VOL 12014 FOL 127

Recorded	Number	Type of Instrument	C.T. Issue
5/6/1987		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
5/1/1988		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
25/8/1992	E708964	DISCHARGE OF MORTGAGE	
25/8/1992	E708965	MORTGAGE	EDITION 1
1/5/1997	3024148	MORTGAGE	EDITION 2
16/5/2007	AD123038	DISCHARGE OF MORTGAGE	
16/5/2007	AD123039	TRANSFER	
16/5/2007	AD123040	MORTGAGE	
16/5/2007	AD123041	MORTGAGE	EDITION 3
21/2/2008	AD781190	MORTGAGE	EDITION 4

\*\*\* END OF SEARCH \*\*\*



FOLIO: 6/233845

SEARCH DATE	TIME	EDITION NO	DATE
1/12/2021	4:25 PM	4	21/2/2008

LAND

LOT 6 IN DEPOSITED PLAN 233845

AT WILTON

LOCAL GOVERNMENT AREA WOLLONDILLY

PARISH OF WILTON COUNTY OF CAMDEN

TITLE DIAGRAM DP233845

FIRST SCHEDULE

DEREK JOHN DUGAN

IN 1/20 SHARE

PENNY RUTH DUGAN

IN 19/20 SHARE

AS TENANTS IN COMMON

(T AD123039)

SECOND SCHEDULE (6 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 K873391 COVENANT
- 3 M462111 LAND EXCLUDES MINERALS
- 4 AD123040 MORTGAGE TO JOHN BRUCE DUGAN
- 5 AD123041 MORTGAGE TO COMMONWEALTH BANK OF AUSTRALIA
- 6 AD781190 MORTGAGE TO COMMONWEALTH BANK OF AUSTRALIA

NOTATIONS

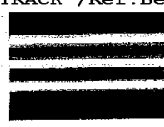
UNREGISTERED DEALINGS: NIL

\*\*\* END OF SEARCH \*\*\*





10622



**CERTIFICATE OF TITLE**  
**PROPERTY ACT, 1900, as amended.**

NEW SOUTH WALES

Application No. 8724

Prior Title Vol. 4059 Fol. 88

Vol. **10622** Fol. **187**



EH

Edition issued 18-8-1967

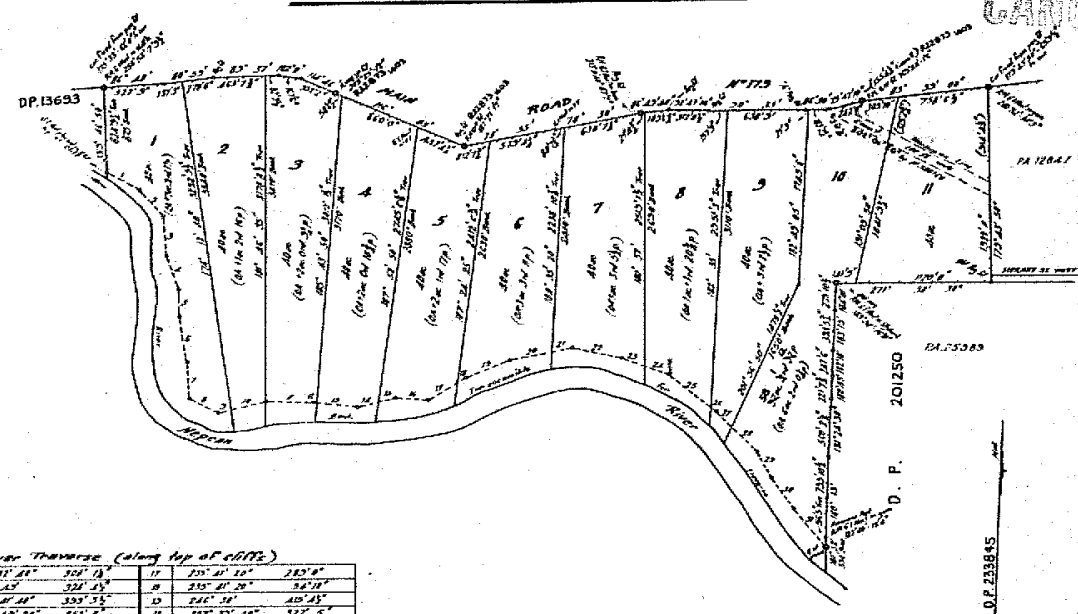
I certify that the person described in the First Schedule is the registered proprietor of the undermentioned estate in the land within described subject nevertheless to such exceptions encumbrances and interests as are shown in the Second Schedule.

Witness *J. Offick*

*Lawson*  
Registrar General.



PLAN SHOWING LOCATION OF LAND



*River Traverse (along top of lot 12)*

1	80° 31' 24"	324' 13"	11	105° 40' 12"	182' 8"
2	324° 13'	324' 13"	12	215° 41' 20"	54' 10"
3	324° 13' 28"	324' 13"	13	216° 35' 28"	40' 25"
4	324° 13' 28"	324' 13"	14	227° 30' 28"	527' 5"
5	324° 13'	324' 13"	15	207° 33' 48"	134' 10"
6	324° 13' 28"	412' 10"	16	205° 48' 10"	428' 15"
7	107° 11' 48"	324' 13"	17	124° 24' 40"	200' 15"
8	225° 40' 28"	324' 13"	18	224° 24' 40"	223' 0"
9	224° 12'	105' 8"	19	512° 00' 28"	500' 0"
10	224° 12'	207' 12"	20	52° 00' 28"	32' 25"
11	224° 12' 05"	200' 25"	21	512° 28'	200' 18"
12	224° 12' 28"	24' 6"	22	512° 28'	325' 0"
13	224° 12' 28"	324' 13"	23	524° 40' 28"	237' 25"
14	224° 12' 28"	170' 8"	24	504° 52'	512' 25"
15	224° 12' 28"	145' 25"	25	512° 27' 28"	470' 0"
16	224° 12' 28"	242' 25"			

ESTATE AND LAND REFERRED TO

Estate in Fee Simple in **Lot 4 in Deposited Plan 233845** at Wilton in the Shire of Wollondilly Parish of Wilton and County of Camden being part of Portions 42, 43 and 44 granted to James Vaughan, William Britton and William Hutchinson respectively on 30-6-1823.

FIRST SCHEDULE (continued overleaf)

**CAMBRIDGE CREDIT CORPORATION LIMITED.**

SECOND SCHEDULE (continued overleaf)

1. Reservations and conditions, if any, contained in the Crown Grants above referred to.
2. Mortgage No. K728472 to James Vernon ~~Harry~~ McGarr, of Appin, Dairyman. Entered 10-7-1967. Now charged 11867925

*Lawson*  
Registrar General.

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



## FIRST SCHEDULE (continued)

## REGISTERED PROPRIETOR

*Gordon Keith Layton of Miametta, late Line Pilot and Leonie Jett Layton  
his wife as joint tenants  
less Donald Smith of Hurstville, truck dealer and Rosina Hazel Smith his wife  
as joint tenants*

*Tess Miner N.H. as regards the coal and minerals lying in and under the land within described and  
Alex Donald Smith of Hurstville, Motor Dealer and Rosina Hazel Smith his wife as joint tenants as regards the residue*

*As to the whole Lex minerals  
this Deed is cancelled and New Certificate of Title issued.  
Vol. 12014 Fol 120 dated 11-1-1973  
Vide 01723284*

*The residue of land in this certificate of title  
comprises minerals in Te M218890  
Entered 19-1-1973*

NATURE	INSTRUMENT		ENTERED	Signature of Registrar-General
	NUMBER	DATE		
<i>Transfer</i>	<i>K893152</i>	<i>2-11-1967</i>	<i>12-2-1968</i>	<i>Jaworski</i>
<i>Transfer</i>	<i>L240634</i>	<i>13-11-1968</i>	<i>28-11-1968</i>	<i>Jaworski</i>
<i>Transfer</i>	<i>M218890</i>	<i>8-1-1971</i>	<i>29-5-1972</i>	<i>Jaworski</i>

REGISTRAR GENERAL

REGISTRAR GENERAL  
SECOND SCHEDULE (continued)

NATURE	INSTRUMENT		PARTICULARS	ENTERED	Signature of Registrar-General	CANCELLATION	
	NUMBER	DATE					
<i>Covenant</i>	<i>K893152</i>		<i>Granted by transfer M.H. 893152</i>	<i>12-2-1968</i>	<i>Jaworski</i>		
<i>Mortgage</i>	<i>K893153</i>	<i>2-11-1967</i>	<i>Cymbidge Credit Corporation Limited.</i>	<i>12-2-1968</i>	<i>Jaworski</i>	<i>Discharged</i>	<i>L240633</i>
<i>Mortgage</i>	<i>L240635</i>	<i>13-11-1968</i>	<i>to General Credits (Finance) Pty Ltd</i>	<i>28-11-1968</i>	<i>Jaworski</i>		
<i>Discharge</i>	<i>M218889</i>	<i>9-2-1971</i>	<i>of Mortgage No L240635 as regards the coal and minerals lying in and under the land within described</i>	<i>29-5-1972</i>	<i>Jaworski</i>		
			<i>The residue being the coal and minerals</i>				
			<i>Vol. 13914 36 dated 3-8-1979</i>				
			<i>Vide 01672163</i>				

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

K893152

K893153

L240633

L240634

M218889

M218890

M218891

M218892

M218893

M218894

M218895

M218896

M218897

M218898

M218899

M218900

M218901

M218902

M218903

M218904

M218905

M218906

M218907

M218908

M218909

M218910

M218911

M218912

M218913

M218914

# CERTIFICATE OF TITLE

PROPERTY ACT, 1900



12014120

NEW SOUTH WALES

Appln. No. 8724

Prior Title Vol. 10622 Fol. 187



Vol. 12014 Fol. 120  
**CANCELLED**  
Edition issued 11-1-1973

M723284

**CANCELLED**

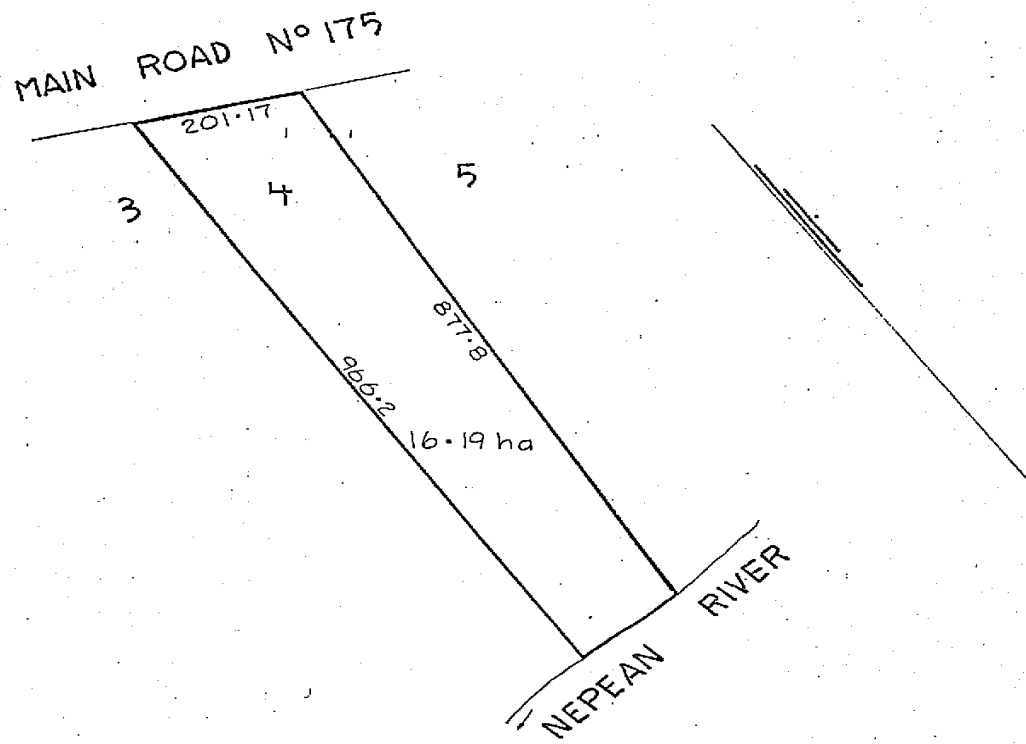
I certify that the person described in the First Schedule is the registered proprietor of the undermentioned estate in the land within described subject nevertheless to such exceptions encumbrances and interests as are shown in the Second Schedule.

*Lawton*  
Registrar General.



## PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES



M 723284 *by*

REDUCTION RATIO 1:8000

### ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 4 in Deposited Plan 233845 at Wilton in the Shire of Wollondilly Parish of Wilton and County of Camden being part of Portions 42, 43 and 44 granted to James Vaughan, William Britton and William Hutchinson respectively on 30-6-1823. EXCEPTING THEREOUT all coal and minerals transferred by Transfer No.M218890.

### FIRST SCHEDULE

~~ALEX DONALD SMITH, of Hurstville, Motor Dealer and ROSINA HAZEL SMITH, his wife, as Joint Tenants.~~

### SECOND SCHEDULE

1. Reservations and conditions, if any, contained in the Crown Grants above referred to.
2. Covenant created by Transfer No.K893152.
3. Mortgage No.L240635 to General Credits (Finance) Pty. Ltd. Entered 28-11-1968. Discharged N274196.

*Lawton*  
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

NR7446 0/12  
7453230N/O  
DP 749823

Vol. 12014 Fol. 120

(Page 2 of 2 pages)

[illegible]

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



SEARCH DATE

1/12/2021 4:31PM

FOLIO: 41/749823

First Title(s): OLD SYSTEM

Prior Title(s): VOL 12014 FOL 120

Recorded	Number	Type of Instrument	C.T. Issue
-----	-----	-----	-----
13/11/1987	DP749823	DEPOSITED PLAN	FOLIO CREATED EDITION 1
17/12/1987	X269050	TRANSFER	EDITION 2
19/11/1990	Z344802	TRANSFER	EDITION 3
19/11/1990	Z344803	MORTGAGE	
29/11/1990	Z380025	DEPARTMENTAL DEALING	EDITION 4
16/8/2000	7025140	DISCHARGE OF MORTGAGE	
16/8/2000	7025141	MORTGAGE	EDITION 5
16/5/2005	AB480845	CAVEAT	
15/8/2005	AB694492	CAVEAT	
15/8/2005	AB695647	DEPARTMENTAL DEALING	
22/12/2005	AC8907	WITHDRAWAL OF CAVEAT	
22/12/2005	AC8908	WITHDRAWAL OF CAVEAT	
22/12/2005	AC8909	DISCHARGE OF MORTGAGE	
22/12/2005	AC8910	MORTGAGE	EDITION 6
15/8/2007	AD346248	DISCHARGE OF MORTGAGE	
15/8/2007	AD346249	TRANSFER	EDITION 7
15/8/2007	AD346250	MORTGAGE	
27/6/2008	AE50497	DISCHARGE OF MORTGAGE	
27/6/2008	AE50498	MORTGAGE	EDITION 8
21/10/2010	AF828919	CAVEAT	
27/9/2011	AG521564	WITHDRAWAL OF CAVEAT	
6/10/2011	AG542857	DISCHARGE OF MORTGAGE	
6/10/2011	AG542858	MORTGAGE	EDITION 9
21/12/2011	AG704967	CAVEAT	
18/4/2012	AG930388	CAVEAT	

END OF PAGE 1 - CONTINUED OVER

NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

1/12/2021 4:31PM

FOLIO: 41/749823

PAGE 2

Recorded -----	Number -----	Type of Instrument -----	C.T. Issue -----
11/7/2017	AM526715	WITHDRAWAL OF CAVEAT	
31/7/2017	AM604588	DEPARTMENTAL DEALING	
3/10/2017	AM526714	APPLICATION FOR PREPARATION OF LAPSING NOTICE	
14/5/2018	AN336436	MORTGAGE	EDITION 10 CORD ISSUED
25/10/2019	AP632063	DISCHARGE OF MORTGAGE	EDITION 11 CORD ISSUED

\*\*\* END OF SEARCH \*\*\*

Berwick Park Road, Wilton

PRINTED ON 1/12/2021

InfoTrack an approved NSW Information Broker 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.

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Received: 01/12/2021 16:31:08

RP 13

STAMP DUTY



NEW SOUTH WALES  
 DEPARTMENT OF FINANCE  
 STAMP DUTY  
 \$100



X269050

**TRANSFER**  
 REAL PROPERTY ACT, 1900

T CB1 of 1 X  
 \$ 37

R/L

**DESCRIPTION OF LAND**  
 Note (a)

Torrens Title Reference CHIEF COMMISSIONER	If Part Only, Delete Whole and Give Details WHOLE	Location at Wilton
---	--	-----------------------

**TRANSFEROR**  
 Note (b)

ROSINA HAZEL SMITH

**ESTATE**  
 Note (c)

(the abovenamed TRANSFEROR) hereby acknowledges receipt of the consideration of \$ 90,000.00  
 and transfers an estate in fee simple  
 in the land above described to the TRANSFEREE

**TRANSFEREE**  
 Note (d)

TERRY JOHN LOCKHART of Lot 7 Carrolls Road, Menangle and BARBARA ANN LOCKHART of the same address, Domestic Duties as Joint Tenants

OFFICE USE ONLY

JT2

**TENANCY**  
 Note (e)

as joint tenants/tenants in common

**PRIOR ENCUMBRANCES**  
 Note (f)

subject to the following PRIOR ENCUMBRANCES 1. ....  
 2. .... 3. ....

DATE 7th December 1987

We hereby certify this dealing to be correct for the purposes of the Real Property Act, 1900.

**EXECUTION**  
 Note (g)

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

Signature of Witness  
 J. W. STANFORTH  
 SOLICITOR  
 CANTERBURY, N.S.W.  
 Name of Witness  
 Address and occupation of Witness

Rosina H Smith  
 Signature of Transferor

**Note (g)**

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

Signature of Witness  
 Name of Witness (BLOCK LETTERS)  
 Address and occupation of Witness

Solicitor for Signature of Transferee  
 (A.A. MACRI)

**TO BE COMPLETED BY LODGING PARTY**  
 Notes (h) and (i)

LODGED BY BURKHART & COMPANY Law Stationers 66 KING STREET, SYDNEY DX654 SYDNEY Phone 293171 155S		LOCATION OF DOCUMENTS	
CT	OTHER	Herewith.	
		In L.T.O. with	
		Produced by	
Delivery Box Number	Checked Passed Signed	REGISTERED -19	Secondary Directions
	Extra Fee	17 DEC 1987	Delivery Directions

**OFFICE USE ONLY**



Form: 01T  
Licence: 04-04-371  
Licensee: Lawpoint

# TRANSFER

New South Wales  
Real Property Act 1900



AD346249B

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) :  
information required by this form for the establishment and maintenance of the Real Property Register. Section 30B of the  
Act requires that the Register is made available to any person for search upon payment of a fee, if any.

## STAMP DUTY

Office of State Revenue use only

NSW Treasury 11/8/07  
Client No: 1405240 2657  
Duty: \$2- Trans No: 4456545  
Asst details:

## (A) TORRENS TITLE

If appropriate, specify the part transferred  
Folio Id 41/749823

## (B) LODGED BY

Delivery Box <b>100 U</b>	Name, Address or DX and Telephone <b>LLPN : 123045N KEMP STRANG</b> Reference (optional): <b>HANDFORD</b>	CODES <b>T TW</b> (Sheriff)
------------------------------	---	---------------------------------------

## (C) TRANSFEROR

**John Kennedy and Susan Francis Kennedy**

- (D) CONSIDERATION The transferor acknowledges receipt of the consideration of \$700,000.00 and as regards  
(E) ESTATE the land specified above transfers to the transferee an estate in fee simple.  
(F) SHARE TRANSFERRED

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

## (H) TRANSFEE

**Robert John Handford**

(I) TENANCY:

DATE:

**01/08/07**

- (J) I certify that the Transferor, with whom I am personally acquainted or as to whose identity I am otherwise satisfied, signed this instrument in my presence.

Signature of witness:

Name of witness:

Address of witness:

**Richard White**  
**46 Rundle St**  
**Green Valley NSW 2170**

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

Signature of Transferor:

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

Signature:

Signatory's Name: **Nicole Garner**  
Signatory's capacity: transferee's licensed conveyancer

**Melissa Ann Laidlaw**  
Licensed Conveyancer  
No. 1166804



FOLIO: 41/749823

SEARCH DATE	TIME	EDITION NO	DATE
1/12/2021	4:30 PM	11	25/10/2019

LAND

LOT 41 IN DEPOSITED PLAN 749823

AT WILTON

LOCAL GOVERNMENT AREA WOLLONDILLY

PARISH OF WILTON COUNTY OF CAMDEN

TITLE DIAGRAM DP749823

FIRST SCHEDULE

ROBERT JOHN HANDFORD

(T AD346249)

SECOND SCHEDULE (5 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 M218890 LAND EXCLUDES MINERALS
- 3 K893152 COVENANT
- 4 EASEMENT(S) AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE  
DIAGRAM CREATED BY:  
DP749823 -FOR ELECTRICITY PURPOSES OVER THE EXISTING  
LINES OF PIPES  
DP749823 -FOR TRANSMISSION LINE 9 WIDE
- 5 AN336436 MORTGAGE TO WESTPAC BANKING CORPORATION

NOTATIONS

UNREGISTERED DEALINGS: NIL

\*\*\* END OF SEARCH \*\*\*



ABN: 36 092 724 251  
Ph: 02 9099 7400  
(Ph: 0412 199 304)

Level 14, 135 King Street, Sydney  
Sydney 2000  
GPO Box 4103 Sydney NSW 2001  
DX 967 Sydney

**Summary of Owners Report**

**Address: 10 Berwick Park Road and 45 & 75 Wilton Park Road, Wilton, NSW 2571**

**Description: - Lot 2 D.P. 609222, Lot 6 D.P. 233845 & Lot 41 D.P. 749823**

**As regards to the whole: -**

<b><u>Date of Acquisition and term held</u></b>	<b><u>Registered Proprietor(s) &amp; Occupations where available</u></b>	<b><u>Reference to Title at Acquisition and sale</u></b>
15.06.1927 (1927 to 1964)	David Roy Asimus (Farmer)	Volume 1134 Folio 249 Now Volume 4059 Folio 88
23.12.1964 (1964 to 1967)	James Vernon Haig McCann (Dairyman)	Volume 4059 Folio 88

**Continued as regards to Lot 2 D.P. 609222: -**

<b><u>Date of Acquisition and term held</u></b>	<b><u>Registered Proprietor(s) &amp; Occupations where available</u></b>	<b><u>Reference to Title at Acquisition and sale</u></b>
04.07.1967 (1967 to 1967)	Cambridge Credit Corporation Limited.	Volume 4059 Folio 88 Now Volume 10622 Folio 191
27.10.1967 (1967 to 1980)	William Godfrey Selwyn (Airline Pilot) Christina Fraser Selwyn (Married Woman)	Volume 10622 Folio 191 Then Volume 13118 Folio 102 Now Volume 14164 Folio 75
26.11.1980 (1980 to 2009)	Donald William Davis (School Teacher) Thelma Davis (Married Woman)	Volume 14164 Folio 75 Now 2/609222
30.06.2009 (2009 to 2017)	Mark Andrew Webster Natasha Anne Webster	2/609222
15.08.2017 (2017 to Date)	# Tony Mosca # Maria Giuseppina Mosca	2/609222

**# Denotes current registered proprietor**

**Leases: -**

- 
- 20.01.1911 (608809): Lease to Anthony Hordern (Esquire). Expired by effluxion of time 05.03.1926.
- 27.09.1955 (G441033): Lease to Ernest Doubleday (farmer) of the land within described (excluding road). Expired by effluxion of time 22.01.1965.

**Easements: - NIL**

Email: [mark.groll@infotrack.com.au](mailto:mark.groll@infotrack.com.au)  
Email: [taylor.wilson@infotrack.com.au](mailto:taylor.wilson@infotrack.com.au)



ABN: 36 092 724 251  
Ph: 02 9099 7400  
(Ph: 0412 199 304)

Level 14, 135 King Street, Sydney  
Sydney 2000  
GPO Box 4103 Sydney NSW 2001  
DX 967 Sydney

**Continued as regards to Lot 6 D.P. 233845: -**

<b><u>Date of Acquisition and term held</u></b>	<b><u>Registered Proprietor(s) &amp; Occupations where available</u></b>	<b><u>Reference to Title at Acquisition and sale</u></b>
04.07.1967 (1967 to 1967)	Cambridge Credit Corporation Limited.	Volume 4059 Folio 88 Now Volume 10622 Folio 187
31.10.1967 (1967 to 1970)	David Geoffrey Bowen (Naval Officer) Marjorie Anne Bowen (Married Woman)	Volume 10622 Folio 189
02.06.1970 (1970 to 1980)	John Bruce Dugan (Pharmacist) Lila Merle Dugan (Married Woman)	Volume 10622 Folio 189 Now Volume 12014 Folio 127
05.09.1980 (1980 to 2007)	John Bruce Dugan (Pharmacist) (Notice of Death not investigated)	Volume 12014 Folio 127 Now 6/233845
16.05.2007 (2007 to Date)	# Derek John Dugan # Penny Ruth Dugan	6/233845

**# Denotes current registered proprietor**

**Leases: -**

- 20.01.1911 (608809): Lease to Anthony Hordern (Esquire). Expired by effluxion of time 05.03.1926.
- 27.09.1955 (G441033): Lease to Ernest Doubleday (farmer) of the land within described (excluding road). Expired by effluxion of time 22.01.1965.

**Easements: - NIL**

**Continued as regards to Lot 41 D.P. 749823: -**

<b><u>Date of Acquisition and term held</u></b>	<b><u>Registered Proprietor(s) &amp; Occupations where available</u></b>	<b><u>Reference to Title at Acquisition and sale</u></b>
04.07.1967 (1967 to 1967)	Cambridge Credit Corporation Limited.	Volume 4059 Folio 88 Now Volume 10622 Folio 187
02.11.1967 (1967 to 1968)	Jordon Leith Layton (Airline Pilot) Leonie Jill Layton (Married Woman)	Volume 10622 Folio 187
13.11.1968 (1968 to 1983)	Alex Donald Smith (Motor Dealer) Rosina Hazel Smith (Married Woman now Widow)	Volume 10622 Folio 187 Now Volume 12014 Folio 120
16.03.1983 (1983 to 1987)	Rosina Hazel Smith (Married Woman now Widow) (Notice of Death not investigated)	Volume 12014 Folio 120 Now 41/749823
17.12.1987 (1987 to 1990)	Terry John Lockhart Barbara Ann Lockhart (Domestic Duties)	41/749823
19.11.1990 (1990 to 2007)	John Kenndey Susan Francis Kennedy	41/749823
15.08.2007 (2007 to Date)	# Robert John Handford	41/749823

**# Denotes current registered proprietor**

**Continued Over.**

Email: [mark.groll@infotrack.com.au](mailto:mark.groll@infotrack.com.au)

Email: [taylor.wilson@infotrack.com.au](mailto:taylor.wilson@infotrack.com.au)



**ABN: 36 092 724 251**  
**Ph: 02 9099 7400**  
(Ph: 0412 199 304)

**Level 14, 135 King Street, Sydney**  
**Sydney 2000**  
**GPO Box 4103 Sydney NSW 2001**  
**DX 967 Sydney**

**Leases: -**

- 20.01.1911 (608809): Lease to Anthony Hordern (Esquire). Expired by effluxion of time 05.03.1926.
- 27.09.1955 (G441033): Lease to Ernest Doubleday (farmer) of the land within described (excluding road). Expired by effluxion of time 22.01.1965.

**Easements: -**

- (D.P. 749823): Easement for electricity purposes over the existing lines of pipes
- (D.P. 749823): Easement for transmission line 9 wide.

---

Yours Sincerely  
Taylor Wilson  
1<sup>st</sup> December 2021





NEW SOUTH WALES

**CERTIFICATE OF TITLE**  
**PROPERTY ACT, 1900, as amended.**



Application No. 8724

Vol. **10622** Fol. **190**

Prior Title Vol. 4059 Fol. 82

EH

Edition issued 18-8-1967



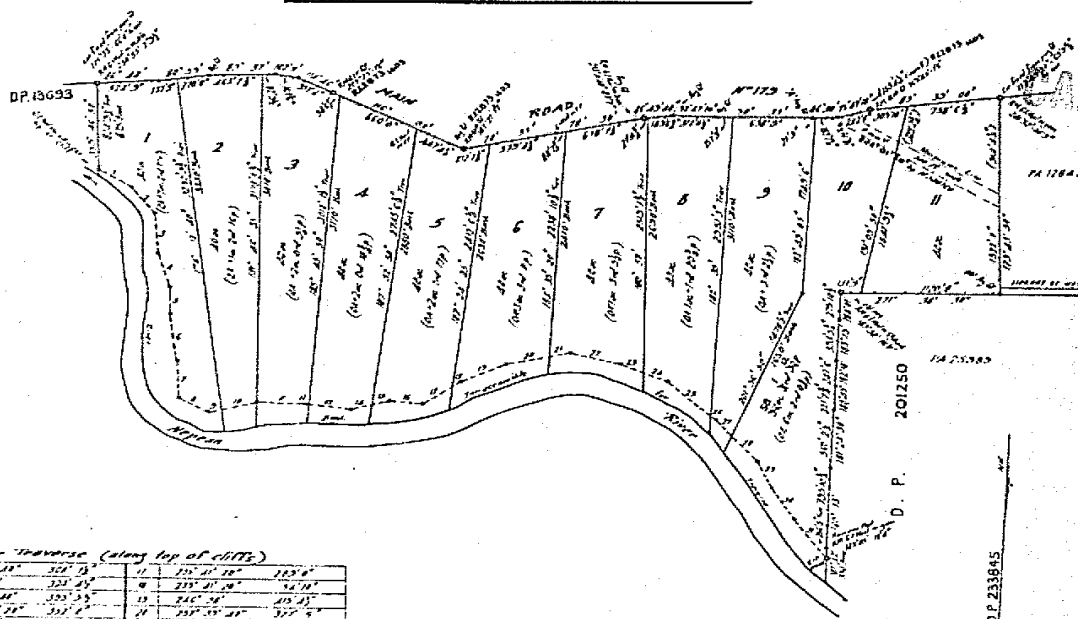
I certify that the person described in the First Schedule is the registered proprietor of the undermentioned estate in the land within described subject nevertheless to such exceptions encumbrances and interests as are shown in the Second Schedule.

Witness *J. Offick*

*J. Watson*  
Registrar General.



PLAN SHOWING LOCATION OF LAND



River traverse (along top of cliffs)					
1	70° 12' 18"	324' 3"	11	75° 41' 18"	125' 6"
2	71° 12' 18"	324' 3"	12	76° 41' 18"	125' 6"
3	72° 12' 18"	324' 3"	13	77° 41' 18"	125' 6"
4	73° 12' 18"	324' 3"	14	78° 41' 18"	125' 6"
5	74° 12' 18"	324' 3"	15	79° 41' 18"	125' 6"
6	75° 12' 18"	324' 3"	16	80° 41' 18"	125' 6"
7	76° 12' 18"	324' 3"	17	81° 41' 18"	125' 6"
8	77° 12' 18"	324' 3"	18	82° 41' 18"	125' 6"
9	78° 12' 18"	324' 3"	19	83° 41' 18"	125' 6"
10	79° 12' 18"	324' 3"	20	84° 41' 18"	125' 6"
11	80° 12' 18"	324' 3"	21	85° 41' 18"	125' 6"
12	81° 12' 18"	324' 3"	22	86° 41' 18"	125' 6"
13	82° 12' 18"	324' 3"	23	87° 41' 18"	125' 6"
14	83° 12' 18"	324' 3"	24	88° 41' 18"	125' 6"
15	84° 12' 18"	324' 3"	25	89° 41' 18"	125' 6"
16	85° 12' 18"	324' 3"	26	90° 41' 18"	125' 6"
17	86° 12' 18"	324' 3"	27	91° 41' 18"	125' 6"
18	87° 12' 18"	324' 3"	28	92° 41' 18"	125' 6"
19	88° 12' 18"	324' 3"	29	93° 41' 18"	125' 6"
20	89° 12' 18"	324' 3"	30	94° 41' 18"	125' 6"
21	90° 12' 18"	324' 3"	31	95° 41' 18"	125' 6"
22	91° 12' 18"	324' 3"	32	96° 41' 18"	125' 6"
23	92° 12' 18"	324' 3"	33	97° 41' 18"	125' 6"
24	93° 12' 18"	324' 3"	34	98° 41' 18"	125' 6"
25	94° 12' 18"	324' 3"	35	99° 41' 18"	125' 6"
26	95° 12' 18"	324' 3"	36	100° 41' 18"	125' 6"
27	96° 12' 18"	324' 3"	37	101° 41' 18"	125' 6"
28	97° 12' 18"	324' 3"	38	102° 41' 18"	125' 6"
29	98° 12' 18"	324' 3"	39	103° 41' 18"	125' 6"
30	99° 12' 18"	324' 3"	40	104° 41' 18"	125' 6"
31	100° 12' 18"	324' 3"	41	105° 41' 18"	125' 6"
32	101° 12' 18"	324' 3"	42	106° 41' 18"	125' 6"
33	102° 12' 18"	324' 3"	43	107° 41' 18"	125' 6"
34	103° 12' 18"	324' 3"	44	108° 41' 18"	125' 6"
35	104° 12' 18"	324' 3"	45	109° 41' 18"	125' 6"
36	105° 12' 18"	324' 3"	46	110° 41' 18"	125' 6"
37	106° 12' 18"	324' 3"	47	111° 41' 18"	125' 6"
38	107° 12' 18"	324' 3"	48	112° 41' 18"	125' 6"
39	108° 12' 18"	324' 3"	49	113° 41' 18"	125' 6"
40	109° 12' 18"	324' 3"	50	114° 41' 18"	125' 6"
41	110° 12' 18"	324' 3"	51	115° 41' 18"	125' 6"
42	111° 12' 18"	324' 3"	52	116° 41' 18"	125' 6"
43	112° 12' 18"	324' 3"	53	117° 41' 18"	125' 6"
44	113° 12' 18"	324' 3"	54	118° 41' 18"	125' 6"
45	114° 12' 18"	324' 3"	55	119° 41' 18"	125' 6"
46	115° 12' 18"	324' 3"	56	120° 41' 18"	125' 6"
47	116° 12' 18"	324' 3"	57	121° 41' 18"	125' 6"
48	117° 12' 18"	324' 3"	58	122° 41' 18"	125' 6"
49	118° 12' 18"	324' 3"	59	123° 41' 18"	125' 6"
50	119° 12' 18"	324' 3"	60	124° 41' 18"	125' 6"
51	120° 12' 18"	324' 3"	61	125° 41' 18"	125' 6"
52	121° 12' 18"	324' 3"	62	126° 41' 18"	125' 6"
53	122° 12' 18"	324' 3"	63	127° 41' 18"	125' 6"
54	123° 12' 18"	324' 3"	64	128° 41' 18"	125' 6"
55	124° 12' 18"	324' 3"	65	129° 41' 18"	125' 6"
56	125° 12' 18"	324' 3"	66	130° 41' 18"	125' 6"
57	126° 12' 18"	324' 3"	67	131° 41' 18"	125' 6"
58	127° 12' 18"	324' 3"	68	132° 41' 18"	125' 6"
59	128° 12' 18"	324' 3"	69	133° 41' 18"	125' 6"
60	129° 12' 18"	324' 3"	70	134° 41' 18"	125' 6"
61	130° 12' 18"	324' 3"	71	135° 41' 18"	125' 6"
62	131° 12' 18"	324' 3"	72	136° 41' 18"	125' 6"
63	132° 12' 18"	324' 3"	73	137° 41' 18"	125' 6"
64	133° 12' 18"	324' 3"	74	138° 41' 18"	125' 6"
65	134° 12' 18"	324' 3"	75	139° 41' 18"	125' 6"
66	135° 12' 18"	324' 3"	76	140° 41' 18"	125' 6"
67	136° 12' 18"	324' 3"	77	141° 41' 18"	125' 6"
68	137° 12' 18"	324' 3"	78	142° 41' 18"	125' 6"
69	138° 12' 18"	324' 3"	79	143° 41' 18"	125' 6"
70	139° 12' 18"	324' 3"	80	144° 41' 18"	125' 6"
71	140° 12' 18"	324' 3"	81	145° 41' 18"	125' 6"
72	141° 12' 18"	324' 3"	82	146° 41' 18"	125' 6"
73	142° 12' 18"	324' 3"	83	147° 41' 18"	125' 6"
74	143° 12' 18"	324' 3"	84	148° 41' 18"	125' 6"
75	144° 12' 18"	324' 3"	85	149° 41' 18"	125' 6"
76	145° 12' 18"	324' 3"	86	150° 41' 18"	125' 6"
77	146° 12' 18"	324' 3"	87	151° 41' 18"	125' 6"
78	147° 12' 18"	324' 3"	88	152° 41' 18"	125' 6"
79	148° 12' 18"	324' 3"	89	153° 41' 18"	125' 6"
80	149° 12' 18"	324' 3"	90	154° 41' 18"	125' 6"
81	150° 12' 18"	324' 3"	91	155° 41' 18"	125' 6"
82	151° 12' 18"	324' 3"	92	156° 41' 18"	125' 6"
83	152° 12' 18"	324' 3"	93	157° 41' 18"	125' 6"
84	153° 12' 18"	324' 3"	94	158° 41' 18"	125' 6"
85	154° 12' 18"	324' 3"	95	159° 41' 18"	125' 6"
86	155° 12' 18"	324' 3"	96	160° 41' 18"	125' 6"
87	156° 12' 18"	324' 3"	97	161° 41' 18"	125' 6"
88	157° 12' 18"	324' 3"	98	162° 41' 18"	125' 6"
89	158° 12' 18"	324' 3"	99	163° 41' 18"	125' 6"
90	159° 12' 18"	324' 3"	100	164° 41' 18"	125' 6"
91	160° 12' 18"	324' 3"	101	165° 41' 18"	125' 6"
92	161° 12' 18"	324' 3"	102	166° 41' 18"	125' 6"
93	162° 12' 18"	324' 3"	103	167° 41' 18"	125' 6"
94	163° 12' 18"	324' 3"	104	168° 41' 18"	125' 6"
95	164° 12' 18"	324' 3"	105	169° 41' 18"	125' 6"
96	165° 12' 18"	324' 3"	106	170° 41' 18"	125' 6"
97	166° 12' 18"	324' 3"	107	171° 41' 18"	125' 6"
98	167° 12' 18"	324' 3"	108	172° 41' 18"	125' 6"
99	168° 12' 18"	324' 3"	109	173° 41' 18"	125' 6"
100	169° 12' 18"	324' 3"	110	174° 41' 18"	125' 6"
101	170° 12' 18"	324' 3"	111	175° 41' 18"	125' 6"
102	171° 12' 18"	324' 3"	112	176° 41' 18"	125' 6"
103	172° 12' 18"	324' 3"	113	177° 41' 18"	125' 6"
104	173° 12' 18"	324' 3"	114	178° 41' 18"	125' 6"
105	174° 12' 18"	324' 3"	115	179° 41' 18"	125' 6"
106	175° 12' 18"	324' 3"	116	180° 41' 18"	125' 6"
107	176° 12' 18"	324' 3"	117	181° 41' 18"	125' 6"
108	177° 12' 18"	324' 3"	118	182° 41' 18"	125' 6"
109	178° 12' 18"	324' 3"	119	183° 41' 18"	125' 6"
110	179° 12' 18"	324' 3"	120	184° 41' 18"	125' 6"
111	180° 12' 18"	324' 3"	121	185° 41' 18"	125' 6"
112	181° 12' 18"	324' 3"	122	186° 41' 18"	125' 6"
113	182° 12' 18"	324' 3"	123	187° 41' 18"	125' 6"
114	183° 12' 18"	324' 3"	124	188° 41' 18"	125' 6"
115	184° 12' 18"	324' 3"	125	189° 41' 18"	125' 6"
116	185° 12' 18"	324' 3"	126	190° 41' 18"	125' 6"
117	186° 12' 18"	324' 3"	127	191° 41' 18"	125' 6"
118	187° 12' 18"	324' 3"	128	192° 41' 18"	125' 6"
119	188° 12' 18"	324' 3"	129	193° 41' 18"	125' 6"
120	189° 12' 18"	324' 3"	130	194° 41' 18"	125' 6"
121	190° 12' 18"	324' 3"	131	195° 41' 18"	125' 6"
122	191° 12' 18"	324' 3"	132	196° 41' 18"	125' 6"
123	192° 12' 18"	324' 3"	133	197° 41' 18"	125' 6"
124	193° 12' 18"	324' 3"	134	198° 41' 18"	125' 6"
125	194° 12' 18"	324' 3"	135	199° 41' 18"	125' 6"
126	195° 12' 18"	324' 3"	136	200° 41' 18"	125' 6"
127	196° 12' 18"	324' 3"	137	201° 41' 18"	125' 6"
128	197° 12' 18"	324' 3"	138	202° 41' 18"	125' 6"
129	198° 12' 18"	324' 3"	139	203° 41' 18"	125' 6"
130	199° 12' 18"	324' 3"	140	204° 41' 18"	125' 6"
131	200° 12' 18"	324' 3"	141	205° 41' 18"	125' 6"
132	201° 12' 18"	324' 3"	142	206° 41' 18"	125' 6"
133	202° 12' 18"	324' 3"	143	207° 41' 18"	125' 6"
134	203° 12' 18"	324' 3"	144	208° 41' 18"	125' 6"
135	204° 12' 18"	324' 3"	145	209° 41' 18"	125' 6"
136	205° 12' 18"	324' 3"	146	210° 41' 18"	125' 6"
137	206° 12' 18"	324' 3"	147	211° 41' 18"	125' 6"
138	207° 12' 18"	324' 3"	148	212° 41' 18"	125' 6"
139	208° 12' 18"	324' 3"	149	213° 41' 18"	125' 6"
140	209° 12' 18"	324' 3"	150	214° 41' 18"	125' 6"
141	210° 12' 18"	324' 3"	151	215° 41' 18"	125' 6"
142	211° 12' 18"	324' 3"	152	216° 41' 18"	125' 6"
143	212° 12' 18"	324' 3"	153	217° 41' 18"	125' 6"
144	213° 12' 18"	324' 3"	154	218° 41' 18"	125' 6"
145	214° 12' 18"	324' 3"	155	219° 41' 18"	125' 6"
146	215° 12' 18"	324' 3"	156	220° 41' 18"	125' 6"
147	216° 12' 18"	324' 3"	157	221° 41' 18"	125' 6"
148	217° 12' 18"	324' 3"	158	222° 41' 18"	125' 6"
149	218° 12' 18"	324' 3"	159	223° 41' 18"	125' 6"
150	219° 12' 18"	324' 3"	160	224° 41' 18"	125' 6"
151	220° 12' 18"	324' 3"	161	225° 41' 18"	125' 6"
152	221° 12' 18"	324' 3"	162	226° 41' 18"	125' 6"
153	222° 12' 18"	324' 3"	163	227° 41' 18"	125' 6"
154	223° 12' 18"	324' 3"	164	228° 41' 18"	125' 6"
155	224° 12' 18"	324' 3"	165	229° 41' 18"	125' 6"
156	225° 12' 18"	324' 3"	166	230° 41' 18"	125' 6"
157	226° 12' 18"	324' 3"	167	231° 41' 18"	125' 6"
158	227° 12' 18"	324' 3"	168	232° 41' 18"	125' 6"
159	228° 12' 18"	324' 3"	169	233° 41' 18"	125' 6"
160	229° 12' 18"	324' 3"	170	234° 41' 18"	125' 6"
161	230° 12' 18"	324' 3"	171	235° 41' 18"	125' 6"
162	231° 12' 18"	324' 3"	172	236° 41' 18"	125' 6"
163	232° 12' 18"	324' 3"	173	237° 41' 18"	125' 6"
164	233° 12' 18"	324' 3"	174	238° 41' 18"	125' 6"
165	234° 12' 18"	324' 3"	175	239° 41' 18"	125' 6"
166	235° 12' 18"	324' 3"	176	240° 41' 18"	125' 6"
167	236° 12' 18"	324' 3"	177	241° 41' 18"	125' 6"
168	237° 12' 18"	324' 3"	178	242° 41' 18"	125' 6"
169	238° 12' 18"	324' 3"	179	243° 41' 18"	125' 6"
170	239° 12' 18"	324' 3"	180	244° 41' 18"	125' 6"
171	240° 12' 18"	324' 3"</			

# FIRST SCHEDULE (continued)

## REGISTERED PROPRIETOR

## INSTRUMENT

### NATURE

### NUMBER

### DATE

### ENTERED

### Signature of Registrar-General

*John Bruce Dugan of Blacktown, Chemist and Lila Marie Dugan his wife as joint tenants*

*Transfer*

*K439106*

*26-11-1968*

*12-2-1968*

*Jaworski*

*Tees Mines N.L. as regards the coal and minerals lying in and under the land in this described and John Bruce Dugan of Blacktown, Pharmacist and Lila Marie Dugan his wife as joint tenants as regards the residue*

*Transfer*

*M462111*

*27-8-1971*

*29-5-1972*

*Jaworski*

*As to the whole (ex minerals) this Deed is cancelled and New Certificate of Title Issued. Vol. 12014 Fol. 126 dated 11-1-1973. Vide Q1723284*

The residue of land in this certificate of title comprises *minerals in Te. M462111*  
 Entered *19-1-1973*

*Jaworski*

REGISTRAR GENERAL



*Jaworski*

REGISTRAR GENERAL



# SECOND SCHEDULE (continued)

## NATURE

## INSTRUMENT NUMBER

## DATE

## PARTICULARS

## ENTERED

## Signature of Registrar-General

## CANCELLATION

*Mortgage*

*K439107*

*26-1-1968*

*Cambridge Credit Corporation Limited*

*12-2-1968*

*Jaworski*

*Discharged*

*L859075*

*Jaworski*

*As title Residue being the coal & minerals this Deed is cancelled and New Certificate of Title Issued. Vol. 13914 Fol. 36 dated 8-5-1979. Vide Q672163*

*Seaman*

REGISTRAR GENERAL



*K801973*

*K439106*

*-107M*

*L859075*

*M462111-T*

*all coal & minerals lying in & under land*

*M723284*

*M462111*

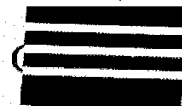
*Q533117*

*for sale*

*(note)*

*Q672163*

*(note)*



# CERTIFICATE OF TITLE



12014 126

NEW SOUTH WALES

PROPERTY ACT, 1900

Appln. No. 8724

Vol. **12014** Fol. **126**

Prior Title Vol.10622 Fol. 190

Edition issued 11-1-1973

M723284



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.

*Jawatson*

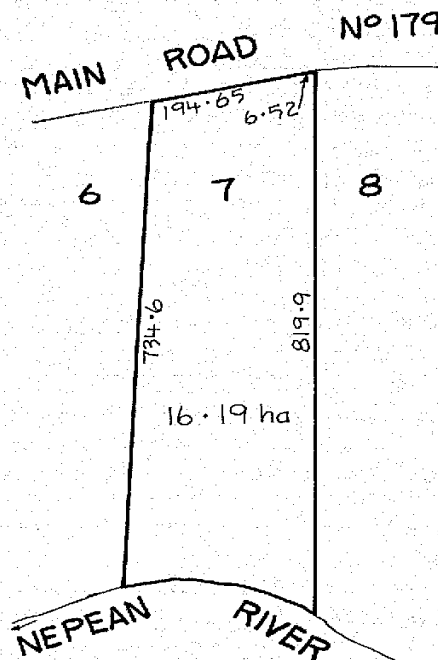
Registrar General.



**CANCELLED**

## PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES



REDUCTION RATIO 1:8000

## ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 7 in Deposited Plan 233845 at Wilton in the Shire of Wollondilly Parish of Wilton and County of Camden being part of Portions 38 and 39 granted to Henry Pullen and William Smith respectively on 30-6-1823. EXCEPTING THEREOUT all coal and minerals transferred by Transfer No.M462111.

## FIRST SCHEDULE

~~JOHN BRUCE DUGAN, of Blacktown, Chemist and LILA MERLE DUGAN, his wife, as Joint Tenants.~~

## SECOND SCHEDULE

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

*Jawatson*  
Registrar General.







LAND  
REGISTRY  
SERVICES

# Historical Title



NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

5/1/2022 7:31AM

FOLIO: 7/233845

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

Prior Title(s): VOL 12014 FOL 126

Recorded	Number	Type of Instrument	C.T. Issue
5/6/1987		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
5/1/1988		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
19/5/1999	5834396	DISCHARGE OF MORTGAGE	
19/5/1999	5834397	TRANSFER	
19/5/1999	5834398	MORTGAGE	EDITION 1
2/9/2018	AN678864	DEPARTMENTAL DEALING	EDITION 2 CORD ISSUED
24/7/2019	AP415946	DISCHARGE OF MORTGAGE	EDITION 3

\*\*\* END OF SEARCH \*\*\*



LAND  
REGISTRY  
SERVICES

# Title Search



NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 7/233845

SEARCH DATE	TIME	EDITION NO	DATE
5/1/2022	7:30 AM	3	24/7/2019

LAND

LOT 7 IN DEPOSITED PLAN 233845  
AT WILTON  
LOCAL GOVERNMENT AREA WOLLONDILLY  
PARISH OF WILTON COUNTY OF CAMDEN  
TITLE DIAGRAM DP233845

FIRST SCHEDULE

MICHAEL BRUCE DUGAN

(T 5834397)

SECOND SCHEDULE (2 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 M462111 LAND EXCLUDES MINERALS

NOTATIONS

UNREGISTERED DEALINGS: NIL

\*\*\* END OF SEARCH \*\*\*

25 Wilton Park Road, Wilton

PRINTED ON 5/1/2022

\* 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. InfoTrack an approved NSW Information Broker 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.







10622192

NEW SOUTH WALES



**CERTIFICATE OF TITLE**  
**PROPERTY ACT, 1900, as amended.**

Application No. 8724

Vol. **10622** Fol. **192**

Prior Title Vol. 4059 Fol. 88



EH

Edition issued 18-8-1967

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

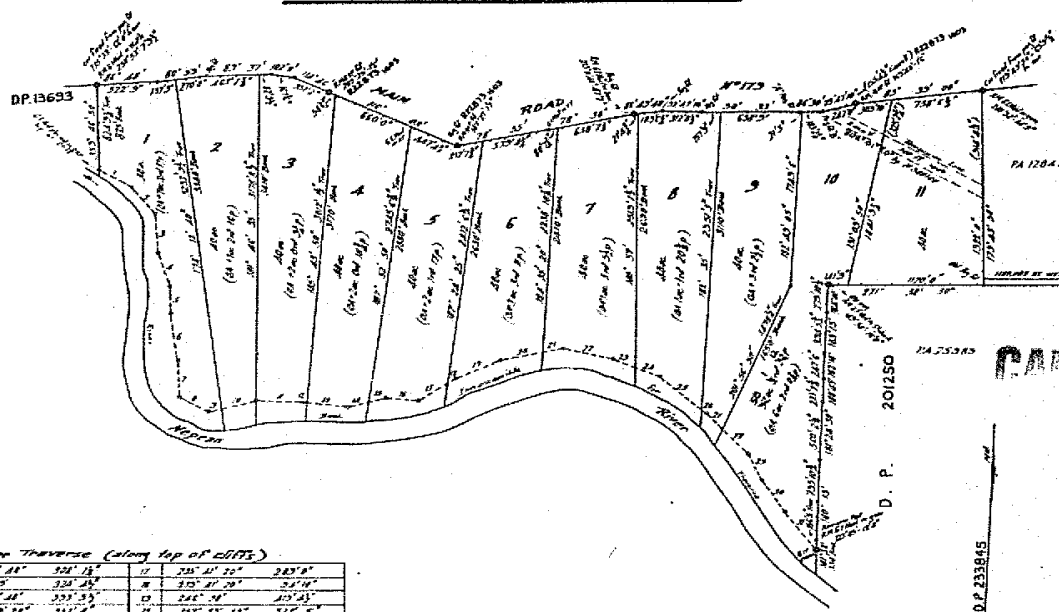
Witness

*J. Offick*

*Jawatson*  
Registrar General.



PLAN SHOWING LOCATION OF LAND



River Thverse (along top of lots)					
1	30° 32' 18"	328' 18"	17	235' 41' 25"	282' 8"
2	324' 45"	328' 45"	18	375' 27' 20"	24' 14"
3	355' 20' 18"	355' 55"	19	246' 54"	215' 45"
4	344' 35' 28"	345' 0"	20	352' 55' 18"	517' 5"
5	355' 04"	345' 10"	21	251' 35' 41"	124' 10 1/2"
6	344' 24' 40"	415' 10"	22	305' 44' 40"	428' 15"
7	352' 25' 18"	374' 25"	23	254' 21' 40"	200' 6 1/2"
8	252' 45' 18"	281' 15"	24	254' 26' 40"	223' 10"
9	254' 32"	105' 0"	25	315' 06' 34"	500' 2"
10	254' 32"	375' 18"	26	315' 44' 28"	12' 25"
11	272' 46' 45"	320' 45"	27	318' 28"	280' 7 1/2"
12	315' 14' 20"	24' 0"	28	315' 28"	325' 0"
13	375' 14' 20"	345' 25"	29	354' 44' 28"	431' 2 1/2"
14	345' 41' 18"	124' 0"	30	318' 55"	512' 5 1/2"
15	315' 41' 28"	124' 25"	31	375' 41' 28"	874' 10"
16	375' 46' 28"	345' 25"			

ESTATE AND LAND REFERRED TO

Estate in Fee Simple in **Lot 9 in Deposited Plan 233845** at Wilton in the Shire of Wollondilly Parish of Wilton and County of Camden being part of Portion 6 granted to Harman Luke Printz on 30-6-1823.

FIRST SCHEDULE (continued overleaf)

**CAMBRIDGE CREDIT CORPORATION LIMITED.**

SECOND SCHEDULE (continued overleaf)

- Reservations and conditions, if any, contained in the Crown Grant above referred to.
- Mortgage No K728472 to James Vernon Haig McCann, of Appin, Dairyman. Entered 10-7-1967. Dockinged 15847928

*Jawatson*  
Registrar General.

## FIRST SCHEDULE (continued)

## REGISTERED PROPRIETOR

## INSTRUMENT

NATURE

NUMBER

DATE

ENTERED

Signature of Registrar-General

*Williams of Jeffrey Selwyn of Carlton, Airline Pilot, and Christina Fraser Selwyn, his wife as joint tenants*  
*Teas Mines N. L. as regards the coal and minerals lying in and under the land within described and*  
*William Godfrey Selwyn of Carlton, Airline Pilot and Christina Fraser Selwyn his wife as joint tenants as regards the residue*

*Transfer* *M492410* *15-11-1967* *20-3-1968*

*James*

As to the whole (ex minerals)  
 this Deed is cancelled and New Certificate of Title issued.  
 Vol. 120144 Fol 122 dated 11-1-1973  
 Vide M723284

The residue of land in this certificate of title  
 comprises minerals *inter M492410*  
 Entered 19-1-1973

*Transfer* *M492410* *10-5-1971* *29-5-1972*

*James*

*James*  
 REGISTRAR GENERAL

*James*  
 REGISTRAR GENERAL

## SECOND SCHEDULE (continued)

NATURE INSTRUMENT NUMBER DATE

PARTICULARS

ENTERED

Signature of Registrar-General

CANCELLATION

*Mortgage* *M492410* *15-11-1967*  
*Transfer* *M492410* *10-5-1971*

*Cambridge Corporation Limited*  
*Rights to Mine all coal and minerals affecting the land*  
*within described as set out in Transfer No. M492410*

*20-3-1968*

*James*

*Discharged*

*M492409*

*James*

*29-5-1972*

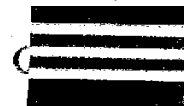
*James*

As to the residue being the coal and minerals  
 this Deed is cancelled and New Certificate of Title issued.  
 Vol. 120144 Fol 36 dated 8-8-1979  
 Vide Q672163

*James*  
 REGISTRAR GENERAL



*M723284*  
*Q5331172*  
*James*  
*Q672163*



# CERTIFICATE OF TITLE

PROPERTY ACT, 1900



12014122

NEW SOUTH WALES

Appln. No. 8724

Prior Title Vol. 10622 Fol. 192

Vol. **12014** Fol. **122**

Edition issued 11-1-1973

M723284

**CANCELLED**



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

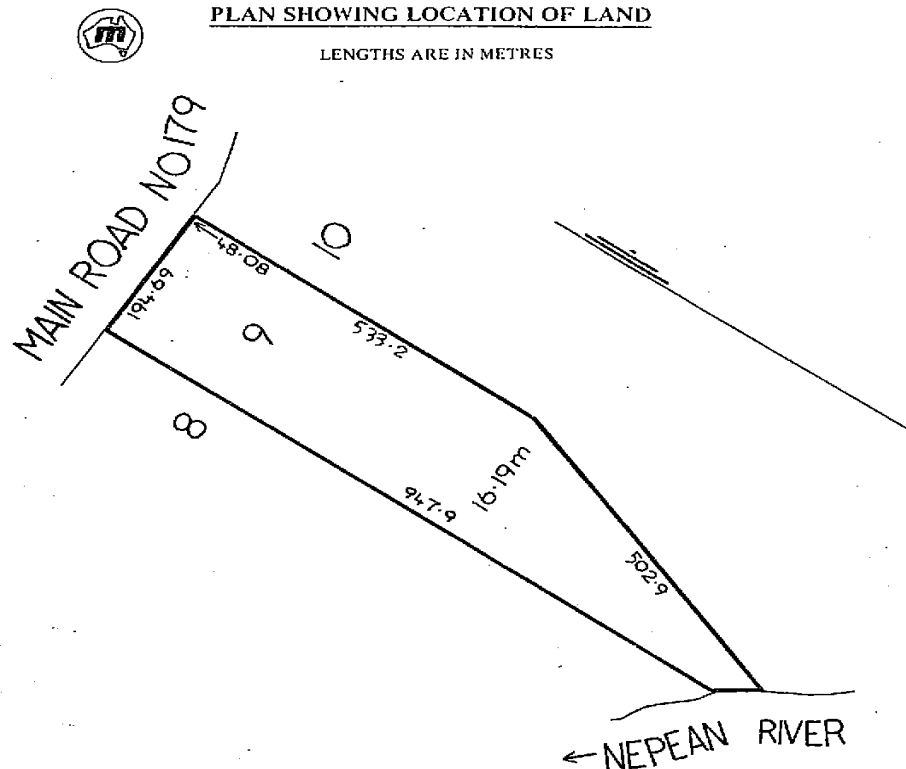
*Jawatson*

Registrar General.



## PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES



REDUCTION RATIO 1:8000

### ESTATE AND LAND REFERRED TO

Estate in Fee Simple in **Lot 9 in Deposited Plan 233845** at Wilton in the Shire of Wollondilly Parish of Wilton and County of Camden being part of Portion 6 granted to Harman Luke Printz on 30-6-1823. EXCEPTING THEREOUT all coal and minerals transferred by Transfer No.M492410.

### FIRST SCHEDULE

~~WILLIAM GODFREY SELWYN~~, of Carlton, ~~Online Pilot~~ and ~~CHRISTINA FRASER SELWYN~~, his wife, as Joint-Tenants.

### SECOND SCHEDULE

1. Reservations and conditions, if any, contained in the Crown Grant above referred to.
2. Rights to mine as set out in Transfer No.M492410.

*Jawatson*

Registrar General.

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

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

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

(Page 1) Vol. **12014** Fol. **122**



14.7.1976

# FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR	INSTRUMENT			ENTERED	Signature of Registrar General
	NATURE	NUMBER	DATE		
Michael John Greenwood of Kew, Journalist and Elva Jean Greenwood his wife as tenants in common in equal shares.	Transfer	N896758	30-1-1974	28-6-1974	Jackson
The Commissioner for Main Roads as regards lot 17 and lot 25 (Motorway) in DP 251051 and Michael John Greenwood of Kew in the State of Victoria, Journalist and Elva Jean Greenwood his wife as tenants in common in equal shares as regards the residue.	Transfer	P782307		14-7-1976	Jackson
<div>NEW CERTIFICATE(S) OF TITLE ISSUING ON DP251051 NO DEALING TO BE REGISTERED WITHOUT REFERENCE TO SURVEY-DIAGNOSTIC BRANCH.</div>					
*The Commissioner for Main Roads as regards lot 25 in DP251051 limited to a depth of 30 metres from the surface and The Commissioner for Main Roads as regards the residue being lot 25 in DP251051 excluding the land above a depth of 30 metres from the surface, by Resumption S435178. Registered 26-6-1981.					

N470813 M  
 N896757 Jm  
 98 - 55 1c1  
 - 53 mR  
 DP 251051  
 13171  
 CT 16-6-1976  
 P782306 D  
 - 077  
 (Lots 17 & 25)  
 DP 251051  
 P being lot 25  
 DP251051 Resum  
 to a depth of 30  
 2 Proclaimed Mot  
 G22 16-1-1981  
 Fils 254 & 255  
 S435178 N  
 S435178 N  
 S435178 N  
 S435178 N

# SECOND SCHEDULE (continued)

INSTRUMENT			PARTICULARS	ENTERED	Signature of Registrar General	CANCELLATION		
NATURE	NUMBER	DATE						
Mortgage	N470813	24-8-1973	to Bank of New South Wales	2-10-1973	Jackson	Discharged	N896757	Jackson
Mortgage	N896759	28-2-1974	to Bank of New South Wales	28-6-1974	Jackson	Discharged	P782306	Jackson
Transfer	P782307		of part being lot 30 in DP 251051 is public road vested in The Commissioner for Main Roads	14-7-1976	Jackson			
Covenant	P782307		created by Transfer No P782307 by the transferor as regards the residue	14-7-1976	Jackson			
Mortgage	N896759	28-2-1974	to Bank of New South Wales	28-6-1974	Jackson			
Discharge	P782306		of Mortgage N896759 as regards lots 17, 25 & 30	14-7-1976	Jackson			
Transfer	P782307		of part being lot 30 in DP 251051 is public road vested in The Commissioner for Main Roads	14-7-1976	Jackson			
Covenant	P782307		created by the Transfer No P782307 by the transferor as regards the residue.	14-7-1976	Jackson			
<div>The residue of land in this folio comprising the road &amp; motorway in DP251051</div>								
<div>Jackson REGISTRAR GENERAL</div>						<div>Jackson REGISTRAR GENERAL</div>		

This deed is cancelled as to the whole & parts mentioned.  
 New Certificate of Title have issued on 13-5-76  
 for lots in Deposited DP 251051  
 Lots 16-17 V. 13110 not 232-233 respectively.

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

# CERTIFICATE OF TITLE

NEW SOUTH WALES

PROPERTY ACT, 1900



13110237

Appln. No. 8724

Prior Title Vol. 12014 Fol. 122

Vol. 13110 Fol. 237

EDITION ISSUED

13 8 1976



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.

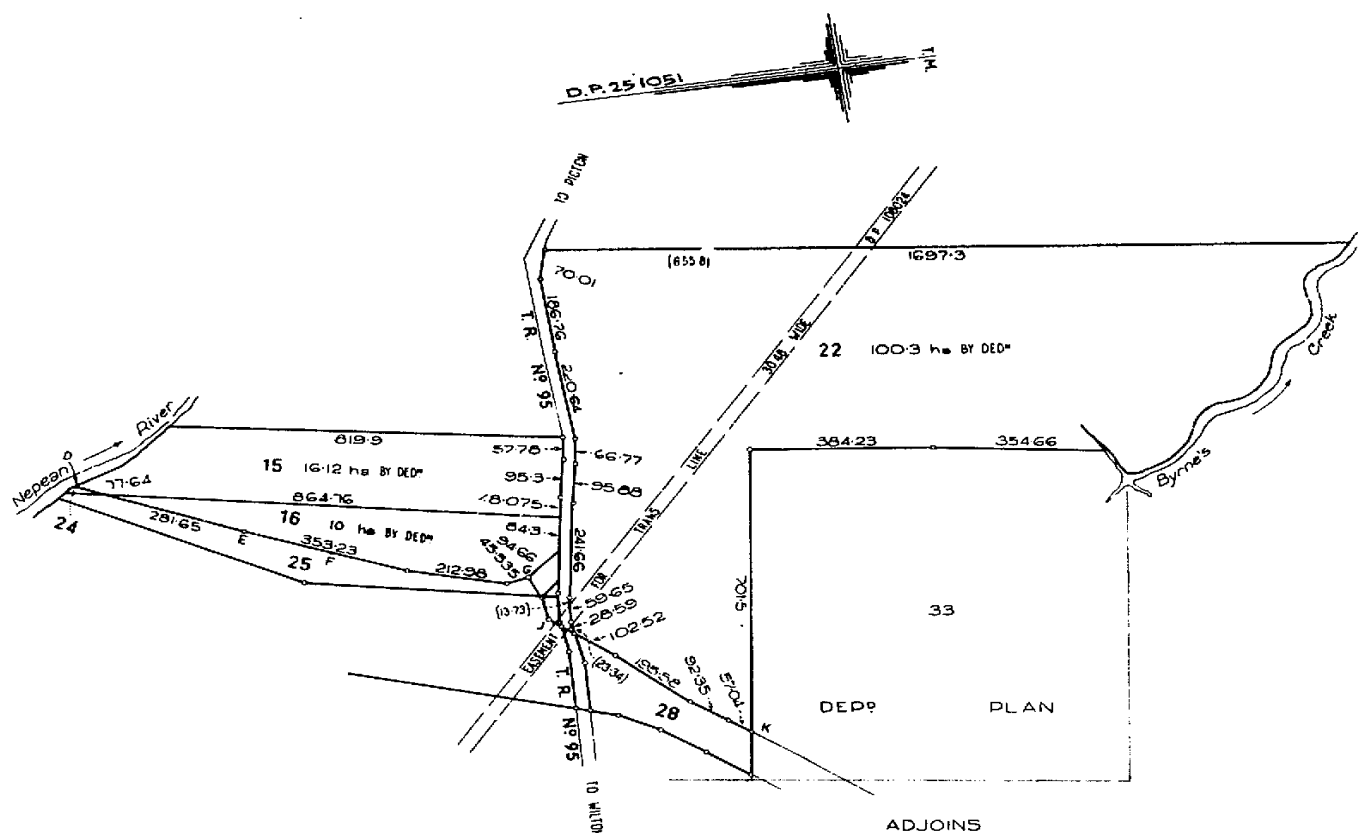
*James*  
Registrar General.



PLAN SHOWING LOCATION OF LAND

SEE AUTO FOLIO

LENGTHS ARE IN METRES



## ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 16 in Deposited Plan 251051 at Wilton in the Shire of Wollondilly, Parish of Wilton and County of Camden being part of Portion 6 granted to Harman Luke Printz on 30-6-1823. EXCEPTING THEREOUT all coal and minerals transferred by Transfer No. M492410.

## FIRST SCHEDULE

~~MICHAEL JOHN GREENWOOD of [redacted] in the State of Victoria, Journalist and ELVA JEAN GREENWOOD his wife as Tenants in Common in equal shares.~~

## SECOND SCHEDULE

- CRY 1. Reservations and conditions, if any, contained in the Crown Grant above referred to.  
XE 2. Rights to mine as set out in Transfer No. M492410.  
CV 3. ~~Mortgage No. N896759 to Bank of New South Wales.~~ ~~dated 28-6-1976.~~ Discharged R874255  
4. Covenant created by Transfer No. P782307.

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

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



[illegible]

R874255D/M  
— 65

**SECOND SCHEDULE (continued)**[illegible]

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



SEARCH DATE

1/3/2022 2:35PM

FOLIO: 16/251051

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

Prior Title(s): VOL 13110 FOL 237

Recorded	Number	Type of Instrument	C.T. Issue
5/6/1987		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
3/11/1987		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
16/2/1988	X383832	TRANSFER	
16/2/1988	X383833	MORTGAGE	EDITION 1
18/5/2016	AK439430	DEPARTMENTAL DEALING	
9/9/2018	AN695392	DEPARTMENTAL DEALING	EDITION 2 CORD ISSUED
8/4/2021	AQ940641	DEPARTMENTAL DEALING	

\*\*\* END OF SEARCH \*\*\*



FOLIO: 16/251051

SEARCH DATE	TIME	EDITION NO	DATE
1/3/2022	2:33 PM	2	9/9/2018

LAND

LOT 16 IN DEPOSITED PLAN 251051

AT WILTON

LOCAL GOVERNMENT AREA WOLLONDILLY

PARISH OF WILTON COUNTY OF CAMDEN

TITLE DIAGRAM DP251051

FIRST SCHEDULE

LESLIE COLIN HAYTER

ROBYN EDNA HAYTER

AS JOINT TENANTS

(T X383832)

SECOND SCHEDULE (4 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 M492410 LAND EXCLUDES MINERALS AND IS SUBJECT TO RIGHTS TO MINE
- 3 P782307 COVENANT
- 4 X383833 MORTGAGE TO NATIONAL AUSTRALIA BANK LIMITED

NOTATIONS

UNREGISTERED DEALINGS: NIL

\*\*\* END OF SEARCH \*\*\*


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2	Isaac Lee	Nathan Cussen	Nathan Cussen		27/04/2023

