



Aargus

Environmental - Remediation - Engineering - Laboratories - Drilling

PRELIMINARY SITE INVESTIGATION

**160-178 Stoney Creek Road,
Beverly Hills NSW**

Prepared for

Cuzeno Builders and Developers Pty Ltd

16th February 2017

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ABBREVIATIONS

ADWG	Australian Drinking Water Guidelines
ANZECC	Australian and New Zealand Environment and Conservation Council
AST	Aboveground Storage Tank
BGL	Below Ground Level
BTEX	Benzene, Toluene, Ethyl benzene and Xylene
COC	Contaminants of Concern
DLWC	Department of Land & Water Conservation
DNR	Department of Natural Resources
DQOs	Data Quality Objectives
POEO	Protection of the Environment Operations
DSI	Detailed Site Investigation
EPA	Environment Protection Authority
ESA	Environmental Site Assessment
HIL	Health-Based Soil Investigation Level
LGA	Local Government Area
NEHF	National Environmental Health Forum
NEPC	National Environmental Protection Council
NEPM	National Environmental Protection Measure
NHMRC	National Health and Medical Research Council
OCF	Organochlorine Pesticides
OPP	Organophosphate Pesticides
PAH	Polycyclic Aromatic Hydrocarbon
PCB	Polychlorinated Biphenyl
PID	Photo Ionisation Detector
PQL	Practical Quantitation Limit
PSH	Phase Separated Hydrocarbon
PSI	Preliminary Site Investigation
QA/QC	Quality Assurance / Quality Control
RAC	Remediation Acceptance Criteria
RAP	Site Remediation Plan
RPD	Relative Percentage Difference
SAC	Site Assessment Criteria
SCID	Stored Chemical Information Database
SEPP	State Environment Planning Policy
SMP	Site Management Plan
SVC	Site Validation Criteria
TCLP	Toxicity Characteristics Leaching Procedure
TPH	Total Petroleum Hydrocarbons
TRH	Total Recoverable Hydrocarbons
UCL	Upper Confidence Limit
UST	Underground Storage Tank
VOC	Volatile Organic Compounds
VHC	Volatile Halogenated Compounds

EXECUTIVE SUMMARY

Aargus Pty Ltd ('Aargus') was appointed by Cuzeno Builders and Developers Pty Ltd (the 'client') to undertake a Preliminary Site Investigation (PSI) within the property located at 160-178 Stoney Creek Road, Beverly Hills NSW (the 'site'). The site is proposed for redevelopment into a mixed commercial and residential building with basement car parking.

A PSI was requested by the Georges River Council to determine the potential for onsite contamination. This report shall provide a preliminary assessment of any site contamination and, if required, provide a basis for a more detailed investigation.

At the time of the inspection (8th February 2017), the site was used for commercial purposes and comprised of two brick buildings in the western portion of the site on Nos.160-166. Nos.170-178 was a vacant lot with a small shed and some metal storage. The site was approximately 50% sealed by either the building structures or the hard-standing surface. The remaining unsealed surface area was occupied by garden bed areas.

The historical information suggested that the site was initially owned by private individuals but predominately used for commercial purposes. The western portion of the site (Nos.160-166) was developed between 1960 and 1971, and the eastern portion of the site (Nos.170-178) was used most likely as a service station. The general land use of the immediate site vicinity seems to have been consistently low density residential to the north and east, whilst commercial developments were mainly located across the street to the south and west direction of the site.

The findings of the assessment indicated the following areas of potential environmental concern:

- Potential importation of uncontrolled fill that may contain various contaminants;
- Current or past use of pesticides;
- Current and previous car park areas where leaks and spills from cars may have occurred;
- Historical site uses as a service station with active USTs in Nos.170-178; and

- Current and former building structures where asbestos based materials may / have been utilised.

The contaminants that may be present in some of these areas were considered to be of low significance in terms of risk to the human and environmental receptors identified. Therefore, a Detailed Site Investigation (DSI) is required to confirm the presence and extent of contamination in order to determine the suitability of the site for the proposed development application and to address the data gaps identified.

Based on the information collected during this investigation and in reference to Clause 7 (DA development of SEPP 55, the site will be suitable subject to the completion of a Detailed Site Investigation (and after remediation and validation, if required) for the proposed mixed commercial and residential apartments development.

1 INTRODUCTION

1.1 Background

Aargus Pty Ltd ('Aargus') was appointed by Cuzeno Builders and Developers Pty Ltd (the 'client') to undertake a Preliminary Site Investigation (PSI) within the property located at 160-178 Stoney Creek Road, Beverly Hills NSW (the 'site'). The location of the property is presented in Figure 1 of Appendix A.

It is understood that the site is proposed for the demolition of existing buildings along the western boundary of the site and redevelopment into a mixed use building comprising residential unit and retail space with three level basement car parking. The proposed development plans can be found in Appendix B.

A site investigation was requested by Georges River Council to determine the potential for onsite contamination as part of the Development Application (DA).

1.2 Objective

The primary objectives of this PSI are as follows:

- Identify potential areas where contamination may have occurred from current and historical activities;
- Identify potential contaminants associated with potentially contaminating activities;
- Assess the potential for soils and groundwater to have been impacted by current and historical activities; and
- Assess the suitability of the site for redevelopment into a mixed commercial/residential building including basement car parking, based on its current condition and the findings of this investigation.

1.3 Scope of Works

The scope of works for this PSI includes:

- Review of the physical site setting and site conditions based on a site inspection, including research of the location of sewers, drains, holding tanks and pits, spills, patches of discoloured vegetation, etc. (where applicable);
- Research and review of the information available, including previous environmental investigations, current and historical titles information, review of aerial photographs, groundwater bore searches, EPA notices, Council records, anecdotal evidence, site survey and site records on waste management practices;
- Development of a preliminary Conceptual Site Model (CSM) to demonstrate the interactions between potential sources of contamination, exposure pathways and human/ecological receptors identified; and
- Recommendations for additional investigations should any data gaps be identified or possible strategies for the management of the site, where relevant.

This report was prepared with reference to the NSW Environment Protection Authority (EPA) "*Guidelines for Consultants Reporting on Contaminated Sites*" (2011).

2 SITE IDENTIFICATION AND DESCRIPTION

2.1 Site Identification

Site identification information and land use is summarised in the table below.

Table 1: Site Identification

Lot and DP Number (Address) *	Lot 1 in DP129260 (160 Stoney Creek Road, Beverly Hills NSW) Lot 1 in DP128696 (160 Stoney Creek Road, Beverly Hills NSW) Lot 1 in DP136146 (164 Stoney Creek Road, Beverly Hills NSW) Lot 2 in DP136146 (166 Stoney Creek Road, Beverly Hills NSW) Lot 134 in DP12807 (166 Stoney Creek Road, Beverly Hills NSW) Lots 1 - 5 in DP19301 (178 Stoney Creek Road, Beverly Hills NSW)
Coordinates	(NE corner) Latitude: -33.951895, Longitude: 151.084573 (NW corner) Latitude: -33.951999, Longitude: 151.083629 (SW corner) Latitude: -33.952309, Longitude: 151.083707 (SE corner) Latitude: -33.951892, Longitude: 151.084573
Approx. Site Area	3,780 m ²
Local Government Area	Georges River Council
Parish	St George
County	Cumberland
Current Land Zoning**	B2 – Local Centre
Proposed Land Use	Mixed Commercial and Residential
Site End Users	Residents (adults & children), visitors, workers

Notes: * refer to <http://maps.six.nsw.gov.au/>

** refer to Hurstville Zoning Map published in

http://www.legislation.nsw.gov.au/maps/0c24f0f8-4b79-4bc9-b922-5fd69eafe8a5/4150_COM_LZN_004_010_20141210.pdf

The site boundary and Lot and DP numbers are presented in Figure 2 of Appendix A. A survey plan provided by the client is included in Appendix B.

2.2 Site Inspection

A site visit was carried out on Wednesday 8th February 2017 by an Aargus field scientist to inspect the site for any potential sources of contamination and document any observations made regarding the current site conditions. At the time of the site inspection, the following observations were made:

- The site was irregular in shape and is used for commercial purposes.
- Nos.160-164 was occupied by a two-storey brick building accompanied by associated concrete slabs in the car parking area at the northern portion of this property. The building was currently vacant and was used as a dental clinic in the past. Entry to the property is from either Stoney Creek Road at the southern site boundary or from the lane way adjacent to the northern site boundary.
- No.166 was fully occupied by a two-storey brick building with metal roof. The property used to be a restaurant and is now vacant at the time of the inspection. The only entrance to the property is via front door located along Stoney Creek Road.
- No.178 was vacant with a number of mature trees and vegetation scattered throughout. Minor concrete sealed surfaces were observed near the two driveway entrances located on the southern site boundary.
- A small shed was observed in the north-eastern portion area of the site, surrounded by some metal storage on the unsealed surface.
- No cracks and staining were observed in any of the sealed surfaces accessible.
- No surface standing water was noticed at the site. Stormwater drainage system was observed along Stoney Creek Road on the southern site boundary, and along Lee Avenue on the eastern perimeter.

The site features are presented in Figure 3 of Appendix A. Site photographs are included in Appendix C.

2.3 Topography and Surface Water Drainage

The following observations were made during the site inspection carried out on the 8th February 2017:

- Stoney Creek Road, along the southern perimeter, slightly slopes to the west at less than 5%. The site slopes towards the north at approximately 10%.
- Stormwater runoff from the site is expected to flow in a northerly direction along the Lee Avenue, and in a westerly direction along the Stoney Creek Road.

Copies of the topographical survey provided by the client can be found in Appendix B.

2.4 Surrounding Land Uses

The surrounding land uses identified are described in the table below:

Table 2: Surrounding Land Uses

Orientation	Description
North	Low density residential properties
East	Lee Avenue then low density residential properties
South	Stoney Creek Road then Beverly Hills Public School
West	Commercial (restaurant) and King Georges Road

3 SITE HISTORY

3.1 Land Titles

A review of historical documents held at the NSW Department of Lands offices was undertaken to identify the current and previous land owners, and potential land uses. The results of the title search are summarised in the following table (full search results are not available at the time of reporting, and will be included in the next stage of the investigation).

Table 3: Land Title Information

Year	Lot 1 in DP 128696(No.160 Stoney Creek Road, Beverly Hills)
2012-Current	Cuzeno Pty Ltd
1994-2012	Rosa Enterprises Pty Ltd
	Prior Titles: 131/12807
1988-1994	Rosa Enterprises Pty Ltd
	Prior Titles: Vol.4788, Fol.238
1972-1988	Rosa Enterprises Pty Ltd
1972-1972	The Commissioner for Main Roads
1958-1972	Antoni Measina
1949-1958	Arthur Edward Hall
1936-1949	John Watt Polhill
	Prior Titles: Vol.3577, Fol.181&182
1925-1936	Charles Herbert

Year	Lot 1 in DP 129260(No.160 Stoney Creek Road, Beverly Hills)
1995-Current	Cuzeno Pty Ltd
	Prior Titles: Vol.2366,Fol.165
1972-1995	Laurence Radolph Jarrett/Estella Dorotty Jarrett
1972-1972	Samuel Hewene
1947-1967	Ivy Ellen James
1946-1947	Alfred Verment/Ivy Ellen James

Year	Lot 1 in DP 136146(No.164 Stoney Creek Road, Beverly Hills)
2015-Current	Cuzeno Pty Ltd
1998-2015	William Kenyon Cearn
	Prior Titles: 132/12807
2015-1998	CUZENO PTY LTD
1989-2015	William Kenyon Cearn
	Prior Titles: Vol.4285,Fol.170
1979-1989	William Kenyon Cearn
1969-1979	The Commissioner for Main Roads
1961-1969	Jen Woloclilir kinoch
1958-1961	Antonio Measina

1948-1952	Arthur Edward Hall
1929-1948	John Watt Polhill
	Prior Titles: Vol.3577,Fol.181
1925-1929	Charles Harbert

Year	Lot 2 in DP 136146 & Lot 134 in DP 12807 (No.166 Stoney Creek Road, Beverly Hills)
2015-Current	Cuzeno Pty Ltd
	Prior Titles: 133/12807
2014-2015	Pack Securities Pty Ltd/Topdaze Pty Ltd
	Prior Titles: Vol.11690,Fol.201
2008-2014	Pack Securities Pty Ltd/Topdaze Pty Ltd
2003-2008	Cuzeno Pty Ltd
2003-2003	SAMSAT Properties Pty Ltd
1994-2003	Yum Hing Ko/Raymond YUEN Wing Ko
1994-1999(Lease)	Gordon TSO/Jenny TSO
	Prior Titles: Vol.11690,Fol.201
1972-1994	Big John (Holdings) Pty Ltd/ The Commissioner for Main Roads
1976-1972	Yum Hing Ko/Raymond YUEN Wing Ko
1971-1976	Big John (Holdings) Pty Ltd/DIO John (Holdings) Pty Ltd
	Prior Titles: Vol.4278,Fol.10
1965-1971	Big John Pty Ltd
1961-1965	Jammy Cheong
1929-1961	George Fredrick Gillham
1925-1929	Chareles Herbert

In summary, the partial land title information provided suggested that the site was initially used by private individuals from at least 1925 and subsequently transferred into commercial usage between 1965 and 1972. The companies used to own the site (or partial) include:

- Big John (Holdings) Pty Ltd: no information available
- SAMSAT Properties Pty Ltd: single-family housing construction company
- Pack Securities Pty Ltd: Australian proprietary company
- Top Daze Pty Ltd: Plastic Materials: Mass Consumption Products (Manufacture, Wholesale)
- The Commissioner for Main Roads: A government department
- Rosa Enterprises Pty Ltd: a Australian proprietary company
- Cuzeno Pty Ltd: current site owner, builders and developers

A copy of the historical land titles information obtained by Aargus can be found in Appendix D.

3.2 Aerial Photographs

Selected aerial photographs obtained from the NSW Department of Lands were reviewed to describe the site features and surrounding areas at various timelines. A summary of the review is presented in the table below.

Table 4: Summary of Historical Aerial Photos

Year	Site	Surrounding areas
1943	The site comprised one large commercial building located in the middle portion of the site. A small shed was located in the northern portion. Western and eastern areas were observed to be vacant.	N: Residential properties and vacant land S: Street then vacant land E: Street then vacant W: Vacant land then street
1961	The site was redeveloped into a new commercial structure in the middle eastern portion of the site. The south-eastern portion appeared to be sealed by a hard-standing surface. The remaining site area was vacant.	N: Low density residential houses S: Street then commercial building E: Street then low density residential W: Vacant land then street
1970	The commercial building and the vacant area located in Nos.170-178 remains unchanged. Three small commercial properties were observed in the western portion of the site.	N: Low density residential houses S: Street then commercial building E: Street then low density residential W: Commercial development then street
1986	The site layout appeared to be similar to that observed in the 1970 photo.	No apparent changes were observed from the previous photo
1994	The site layout appeared to be similar to that observed in the 1986 photo.	No apparent changes were observed from the previous photo
2005	The commercial building previously located on Nos.170-178 has been demolished. The area is now vacant. The three joining commercial properties in the western portion	No apparent changes were observed from the previous photo

Year	Site	Surrounding areas
	of the site remain unchanged.	
2016	The site layout appeared to be similar to that observed in the 2005 photo.	No apparent changes were observed from the previous photo

In summary, land use of No.170-178 Stoney Creek Road appeared to have been used for commercial purposes since at least 1943. Sometime between 1943 and 1960, this portion of the site has been redeveloped but remained commercial in nature. The property layout looks like a service station. The western portion of the site (Nos.160-170) was initially vacant land and was developed into three commercial buildings sometime between 1960 and 1970. The building structures remain to the current date.

The general land use of the immediate site vicinity seems to have been consistently low density residential to the north and east, whilst commercial developments were mainly located to the south and west of the site.

Copies of current and historical aerial photographs are presented in Appendix E.

3.3 EPA Records

3.3.1 CLM Act 1997

The NSW EPA publishes records of contaminated sites under Section 58 of the Contaminated Land Management (CLM) Act 1997. The notices relate to investigation and/or remediation of site contamination considered to pose a significant risk of harm under the definition in the CLM Act. However, it should be noted that the EPA record of Notices for Contaminated Land does not provide a record of all contaminated land in NSW.

A search of the EPA database revealed that the subject site or the suburb of Beverly Hills are not listed on the database. In addition, no properties were listed within the Hurstville Local Government Area.

Copies of the EPA records are included in Appendix F.

3.3.2 POEO Register

A search of the POEO Register revealed that the site was not listed. A copy of the POEO register search is included in Appendix F.

3.4 SafeWork NSW Records

A search of the Stored Chemical Information Database (SCID) for licences to keep dangerous goods at the site was not available at the time of the reporting.

3.5 Section 149 Certificates

The Planning Certificate – Section 149 (2) of the Environmental Planning & Assessment Act 1979 was not provided at the time of the inspection.

3.6 Council Search Records

The Georges River Council database was not available at the time of the reporting.

3.7 Industrial Processes and Products Manufactured

Based on the historical record available and the site inspection, it is unlikely that any industrial processes and/or products manufactured would have previously occurred on site.

3.8 Former Chemical Storage and Transfer Areas

A copy of the “*Site Decommissioning Report – Shell Beverly Hills Autoport, Stoney Creek Road, Beverly Hills NSW*, CMPS&F Environmental, 1997” was provided to Aargus for review. The report suggested that:

- The property at 178 Stoney Creek Road was an operational Shell Service Station facility in the past.
- The service station was constructed around 1970. Prior to this time the site was used for residential purposes.
- A total of 8 USTs were installed at the site in 1986, which included:
 - 3 * T55 (55,000L) super petroleum tanks
 - 1 * T36 (36,000L) unleaded petroleum (ULP) tank
 - 1 * T26 (26,000L) ULP tank
 - 1 * T16 (16,000L) super petroleum tank
 - 1 * T14 (14,000L) ULP tank
 - 1 * T5 waste oil tank

3.9 Product Spill & Loss History

No.178 was vacant at the time of the inspection. Minimum hard-standing surfaces were observed in this area. No hydrocarbon staining was observed on the sealed or un-sealed surfaces. The rest of the site (No.160, No.164, and No.166) was either occupied by a building and/ or sealed surfaces. At the time of the inspections, the sealed surfaces of the concrete slab were in generally good condition with only minor cracks observed. Minor oil staining was observed but did not appear to penetrate the existing hard standing surfaces.

3.10 Discharges to Land, Water and Air

Based on POEO register search, the site was not issued with any Environmental Protection Licence under Section 55 of Protection of the Environment Act to discharge any pollution into land, water or air.

3.11 Historical Use of Adjacent Land

It was indicated by the client that to their knowledge, the adjacent lands to the north and east of the site have been used primarily for low density residential uses. The land to the west across the street was observed primarily for commercial purposes, whilst to the south was the commercial (likely to be a school).

3.12 Review of Previous Report

A Site Decommissioning Report – Shell Beverly Hills Autoport, Stoney Creek Road, Beverly Hills was prepared by CMPS&F Environmental in May 1997 for the No.178 Stoney Creek Road, and was provided to Aargus for review. The summary of the report was provided as below:

- The site used to comprise an operational Shell Service Station.
- The service station was constructed around 1970. Prior to this time the site was used for residential purposes.
- Plans supplied by Shell indicate that a total of 8 USTs were installed in 1986. No further USTs are understood to have been installed afterwards.
- An Environmental Site Assessment prepared in 1996 by Rust PPK reported contamination in the tank pit and bowser island areas, and one additional borehole in the north western site area.
- The site lithology comprises clay to a depth of between 2 and 4 metres, grading into highly weathered grey shales.
- Groundwater would not be expected at depths of less than 7m.
- Demolition works were commenced during the week of July 4, 1996.

- USTs were removed in accordance with Shell and WorkCover specifications.
- Approximately 3,800m³ of soil was excavated and remediated on site following the removal of all USTs.
- Lead was reported at an elevated concentration in one final pit validation sample only. All other analytes were below current NSW EPA guidelines in all final excavation validation samples.
- All stockpiled impacted materials were validated, backfilled and compacted to a standard.
- All unexcavated areas were validated via grid sampling. Toluene was reported within one grid validation pit at a depth of 2.5m and presents a very low risk and will be further attenuated via natural biodegradation.
- CMPS&F consider the site to have been validated to within the stated criteria for sensitive land use.

3.13 Discussion and Summary of Site History

Based on available information, the site historical usage is summarised as follows:

- The land title information provided suggested that the site was used by private individuals since at least 1925 and was then started to be used by commercial companies from 1965.
- Nos.170-178 was used for commercial purposes from at least 1943. Nos.160-166 was only developed after 1960 and before 1971, also for commercial purposes.
- The general land use of the immediate site vicinity seems to have been consistently low density residential to the north and east direction. Commercial developments were mainly located across the street to the south and west direction of the site.
- No records were present on the NSW EPA and POEO databases.
- The previous report from CMPS&F regarding the decommissioning of the service station considered that the site to have been validated to within the stated criteria for sensitive land use.

4 ENVIRONMENTAL SETTING

4.1 Sensitive Environmental Receptors

The nearest watercourse is a tributary of Wolli Creek, located approximately 300m to the east of the site. The nearest down-gradient watercourse is Wolli Creek, approximately 800m to the north-northeast of the site.

Beverly Hills Park is located approximately 600m northeast of the site. Olds Park is located approximately 700m southwest of the site.

4.2 Soil

The Soil Landscape Map of Sydney (soil Landscape Series Sheet 9130, Scale 1:100,000, 2002), prepared by the Soil Conservation Service of NSW, indicates that the site is located within the Blacktown landscape area and typically consists of highly plastic and relatively impermeable residual soil.

4.3 Geology

The Geological Map of Sydney (Geological Series Sheet 9130, Scale 1:100,000, 1983), published by the Department of Mineral Resources indicates the residual soils within the site to be underlain by Triassic Age Shale of the Wianamatta Group, comprising black to dark grey shale and laminite.

A *Geotechnical Investigation* carried out by Aargus on the 16th and 17th January 2017 indicates that the site ground profile can be summarised as:

- Fill: Sandy Gravelly Clay, low to medium plasticity, brown, fine to coarse grained gravel, fine grained sand from 0.4 to 3.2m BGL.

- Residual: Silty CLAY, medium to high plasticity, pale grey, some fine to coarse grained ironstone gravel, interbedded with shale, firm to stiff., from 0.4m to 3.0m BGL; underlain by
- Bedrock: SHALE, brown grey.

Reference should be made to Aargus *Geotechnical Investigation Report* (Report Ref: GS6759-1A)

4.4 Acid Sulfate Soils

To determine whether there is a potential for acid sulphate soils to be present at the site, reference was made to the NSW Department of Land & Water Conservation (DLWC) *Acid Sulphate Soil Risk Maps* (Edition Two, December 1997, Scale 1:250,000), specifically Map No. 93 – “Botany Bay”. A review of the map indicated that there is a “No Known Occurrence” of acid sulphate soil materials at the site, and the presence of acid sulphate soils was considered to be unlikely.

4.5 Hydrogeology

Based on available information, our desktop study indicates that groundwater from site is likely to be flowing towards the Wolli Creek approximately 800m north-east of the site.

A search of the Department of Primary Industries borehole database information revealed no groundwater bores within a 500m radius of the site.

A *Geotechnical Investigation* carried out in January indicates that:

- Groundwater was not encountered during the drilling of the four boreholes. Measurement of water levels during core drilling below the depth achieved by augering within the borehole was not possible due to the introduction of water required for coring.

- Water level measured on the 23rd January 2017 was present at a depth of approximately 8.4m (28.1m AHD).
- It is inferred that natural groundwater levels may be in the form of seepage through fissures and natural defects in the underlying weathered bedrock. Further, it should be noted that groundwater levels may be subject to seasonal and daily fluctuations influenced by factors such as rainfall and future development of the surrounding lands.

Reference should be made to Aargus *Geotechnical Investigation Report* (Report Ref: GS6759-1A)

Groundwater present within the bedrock layer is likely to be under confined conditions with low recharge rates during heavy rainfall events. No information was provided regarding salinity records, however, groundwater is likely to be fresh or brackish based on other site investigations conducted by Aargus in the area.

A copy of the groundwater bore search records can be found in Appendix G.

4.6 Local Meteorology

The monthly rainfall of the local area can be represented by the data collected by Bureau of Meteorology (BOM) from the rainfall gauge located in Peakhurst Golf Club, which is located approximately 3km south-west of the site. Records indicate that the annual mean rainfall from 1969 to January 2017 is 894.6 mm.

Reference can be made to Appendix H – Local Meteorology.

5 AREAS OF POTENTIAL ENVIRONMENTAL CONCERN

Based on the site inspection, site history, previous reports and review of available information from the desktop study, the potential Areas of Environmental Concern (AEC) and their associated Contaminants of Concern (CoC) for the site were identified. These are summarised in the following table.

Table 5: Summary of Potential Areas and Contaminants of Concern

Potential AEC	Potentially contaminating activity	Potential CoCs	Likelihood of Site Impact	Justification
Entire site	Importation of fill material from unknown origin	Metals, TPH, BTEX, PAH, OCP, PCB, Phenols, Cyanides, Asbestos	Low	Based on the site observations, site topography, the Geotechnical Investigation and the previous report, the presence of imported fill material is likely to be minimal in the western portion of the site, whilst the fill materials noted in the eastern portion, that being the former service station are comprised of the original soils within this portion of the site that were excavated, bio remediated and validated prior to backfilling. A small volume of fill material was also imported into this portion of the site and was subsequently validated for retention.
Western portion occupied by buildings	Potential for pesticides to have been sprayed or injected on or underneath concrete slabs	OCP	Low	The site is not known for having been used for agricultural purposes from the 1950s when OCPs were first introduced into Australia. If use of OCPs has occurred, the impact is likely to have been localised and limited to the topsoil/fill layer under and in the vicinity of the buildings.
Current and previous car parking areas	Leaks from vehicles	Metals, TPH, BTEX, PAH	Low	Minor staining was noted on some of the sealed surfaces, whilst other areas of the site are unsealed.
Building Structures – current and former	Potential Asbestos/Fibro Features	Asbestos	Low	Fibre-cement building features were not observed during the site inspection. However, if present, these will be removed by licensed contractors. It is unknown if the former residential dwellings and associated features were constructed of asbestos products.

Potential AEC	Potentially contaminating activity	Potential CoCs	Likelihood of Site Impact	Justification
Previous site usage as a service station where USTs for petrol storage were identified	Leaking from the USTs and associated pipelines, bowers and other infrastructures	Metals, TPH, BTEX, PAH	Low	The site was previously an active service station from at least 1970 to 1996. Previous site decommissioning report has suggested that a total of 8 USTs were constructed on site for petrol and waste oil storage. However, the decommissioning report has concluded that the site have been remediated and validated to within the stated criteria for sensitive land use.

6 PRELIMINARY CONCEPTUAL SITE MODEL

6.1 Conceptual Site Model

The Preliminary Conceptual Site Model (CSM) presented in the table below provides a representation of the potential risks associated with the linkages between the following elements:

- Potential contamination sources and their associated contaminants of concern identified in Section 5. Only potential areas of concern with a significance rating of low to high were included;
- Potential human receptors that may be impacted by site contamination are current and future end-users, construction workers and the general public within the immediate vicinity;
- Potential environmental receptors identified in Section 4;
- Potential exposure pathways; and
- Whether each source-pathway-receptor pollution linkage are complete, limited or not present, based on current and future site conditions.

Table 6: Conceptual Site Model

Potential Sources	Potential Receptor	Potential Exposure Pathways	Complete Linkages	Risk	Justification
Hydrocarbon spills and leakages from vehicles in the carpark area (current and past)	Site users or the general public	Dermal contact, inhalation or ingestion of exposed impacted soils	Limited (Current)	Low	Direct contact with impacted soils is limited to the unsealed site area in property Nos. 170-178.
			No (Future)	Negligible	If present, contaminated soils are likely to be remediated and removed with the remaining soils from the basement excavation level for off-site disposal.
Former building structures	The aquatic ecosystems at Wolli Creek located at 800m to the north-northeast of the site	Migration of impacted groundwater and surface water run-off	Yes (Current)	Low	No obvious sources of contamination were observed on site that could migrate off site with surface water run-off.
Contaminated soil from placement of uncontrolled fill mainly under the existing building structures			No (Future)	Negligible	If present, contaminated soils and groundwater is likely to be remediated and any remaining residual contamination would likely be at acceptable concentrations upon reaching the creek.
Use of OCPs	Underlying Bedrock Aquifer	Leaching and migration of contaminants through groundwater infiltration	Limited (Current)	Moderate	Nos.170-178 was used to be a service station with a number of USTs present. However, groundwater is observed to be located within the bedrock layer based on the geotechnical investigation and is considered to be under a confined condition. Also, previous report provided considered that the site has been adequately validated after the decommissioning works. With additional consideration to the leachability of metals and organic compounds, vertical migration of contaminants may be limited.
Historical site uses as a service station			No (Future)	Negligible	If present, contaminated soils and groundwater is likely to be remediated and any remaining residual contamination would likely be at acceptable concentrations upon reaching the underlying aquifer

6.1.1 Data Gaps

Based on the CSM, the following data gaps were identified with respect to the pollution linkages identified:

- Council, SafeWork NSW records and Section 149 Planning Certificate are required in order to complete site history linkages.
- Confirmation if contamination has occurred from the potential areas of environmental concern listed in Section 5.0, through the collection and laboratory analysis of soil and groundwater samples from across the site.

7 CONCLUSION AND RECOMMENDATIONS

The findings of the assessment indicated the following areas of potential environmental concern:

- Potential importation of uncontrolled fill that may contain various contaminants;
- Current or past use of pesticides;
- Current and previous car park areas where leaks and spills from cars may have occurred;
- Historical site uses as a service station with active USTs in Nos.170-178; and
- Current and former building structures where asbestos based materials may / have been utilised.

The contaminants that may be present in some of these areas were considered to be of low significance in terms of risk to the human and environmental receptors identified. Therefore, a Detailed Site Investigation (DSI) is required to confirm the presence and extent of contamination in order to determine the suitability of the site for the proposed development application and to address the data gaps identified.

Based on the information collected during this investigation and in reference to Clause 7 (DA development of SEPP 55, the site will be suitable subject to the completion of a Detailed Site Investigation (and after remediation and validation, if required) for the proposed mixed commercial and residential apartments development.

Thank you for the opportunity to undertake this work. We would be pleased to provide further information on any aspects of this report.

For and on behalf of

Aargus Pty Ltd

Written by:



Roderick Zhang

Environmental Engineer

Reviewed By:



Mark Kelly

Environmental Manager

LIMITATIONS

The Aargus assessment is based on the result of limited site investigations and sample testing. Neither Aargus, nor any other reputable consultant, can provide unqualified warranties nor does Aargus assume any liability for site conditions not observed or accessible during the time of the investigations.

Despite all reasonable care and diligence, the materials encountered and concentrations of contaminants measured may not be representative of conditions between the locations sampled and investigated. There is always some disparity in subsurface conditions across a site that cannot be fully defined by investigation. Hence it is unlikely that measurements and values obtained from sampling and testing during environmental works carried out at a site will characterise the extremes of conditions that exist within the site. In addition, site characteristics may change at any time in response to variations in natural conditions, chemical reactions, truck movement or contractor movement of soils and other events, e.g. groundwater movement and or spillages of contaminating substances. These changes may occur subsequent to Aargus investigations and assessment.

This report and associated documentation and the information herein have been prepared solely for the use of the client at the time of writing the report and is valid (for the purposes of management or transport of material) for a period of one month only from the date of issue. Any other reliance assumed by third parties on this report shall be at such parties' own risk. Any ensuing liability resulting from use of the report by third parties cannot be transferred to Aargus.

Whilst this report provides a review of site conditions encountered at sampling locations within the investigation, it should be noted that if materials are proposed to be moved from site - Part 5.6, Section 143 of the Protection of the Environment Operations (POEO) Act 1997 states that it is an offence for waste to be transported to a place that cannot lawfully be used as a facility to accept that waste. It is the duty of the owner and transporter of the waste to ensure that all material removed from a site must be accompanied by an appropriate waste classification report and materials are disposed of appropriately. An environmental or validation report does not constitute a waste classification report and results are treated

differently. Aargus accepts no liability for the unlawful disposal of waste materials from any site. Aargus does not accept any responsibility for the material tracking, loading, management, transport or disposal of waste from the site. If material is to be removed from a site, before disposal of any material to a licensed landfill is undertaken, the site owner must ensure an appropriate waste classification exists for all materials on the site planning to be removed, the waste producer will need to obtain prior consent from the licensed landfill/recycler. The receiving site should check to ensure that the material received matches the description provided in the report.

Opinions are judgements, which are based on our understanding and interpretation of current regulatory standards, and should not be construed as legal opinions.

Appendix I – Important information about your environmental site report should also be read in conjunction with this report.

REFERENCES

This report was prepared with reference to the following guiding documents:

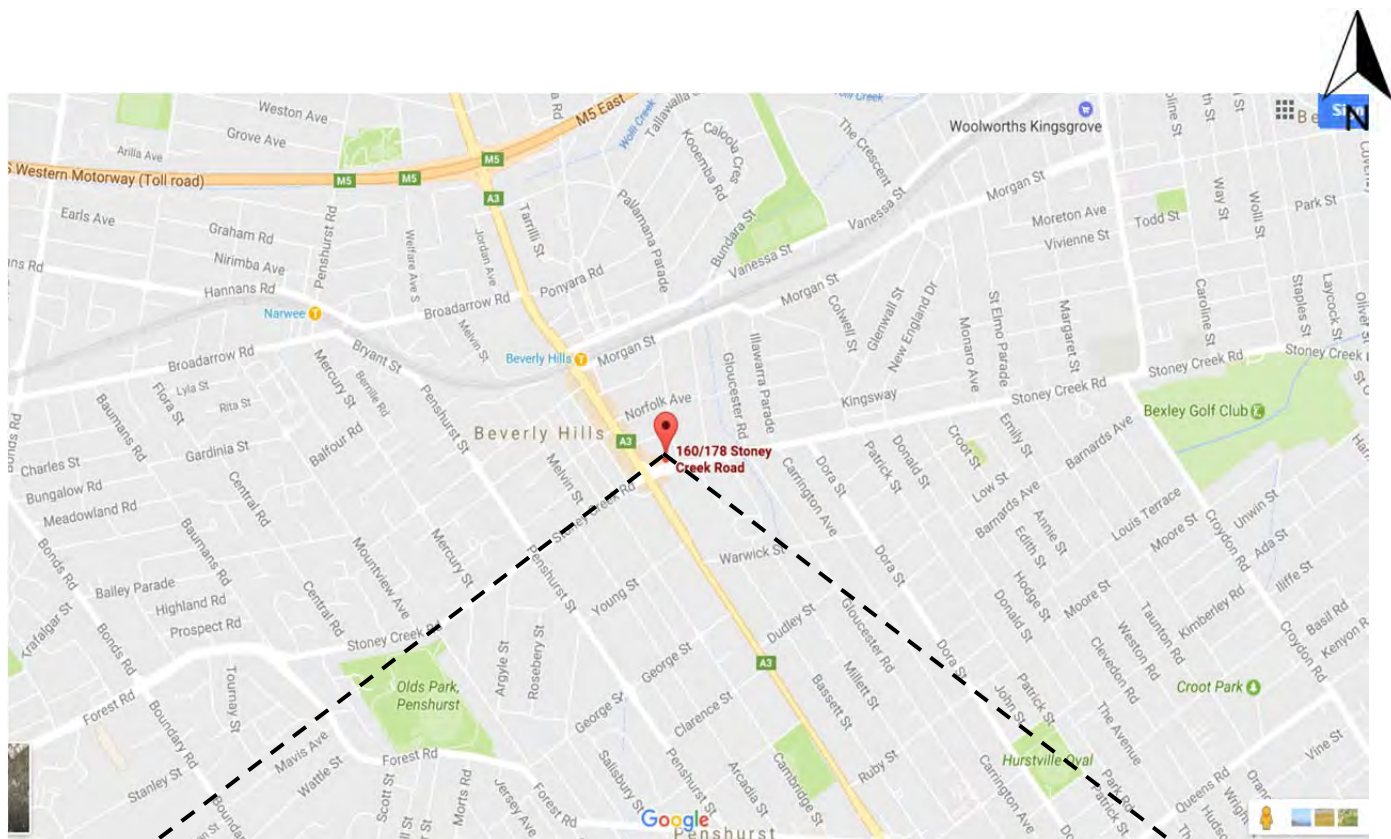
- ANZECC/NHMRC (1992) – “Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites”. Australian and New Zealand Environment and Conservation Council and the National Health and Medical Research Council, Canberra;
- ANZECC National Water Quality Management Strategy “Australian Water Quality Guidelines for Fresh and Marine Waters”, 1992.
- CRC Care Technical Report No. 13 – Soil Vapour Assessment (August 2009);
- CMPS&F (1997), “Site Decommissioning – Shell Beverly Hills Autoport, Stoney Creek Road, Beverly Hills NSW, dated May 1997”
- Department of Urban Affairs and Planning – EPA (1998) “Managing Land Contamination – Planning Guidelines – SEPP 55 – Remediation of Land”;
- National Environment Protection (Assessment of Site Contamination) Amendment Measure 2013 (No.1);
- NSW DEC, “Guidelines for the Assessment and Management of Groundwater Contamination” (March 2007);
- NSW DEC “Guidelines for the NSW Site Auditor Scheme” (2006, 2nd edition). NSW Environment Protection Authority, Sydney;
- NSW EPA (2014) – “Waste Classification Guidelines, Part 1: Classifying Waste”;
- NSW DECCW, “Vapour Intrusion: Technical Practice Note”, (September 2010);
- NSW EPA “Guidelines for Assessing Service Station Sites” (1994). NSW Environment Protection Authority, Sydney;
- NSW EPA “Guidelines for Consultants Reporting on Contaminated Sites” (2011). NSW Environment Protection Authority, Sydney;
- NSW EPA “Guidelines on the Duty to Report Contamination under the Contaminated Land Management Act 1997” (2009). NSW Environment Protection Authority, Sydney;
- NSW EPA “Sampling Design Guidelines” (1995). NSW Environment Protection Authority, Sydney.

APPENDIX A

SITE PLANS



SITE LOCALITY MAP



PROJECT DETAILS

Project Title	Preliminary Site Investigation
Project No.	ES6759/2
Client	Cuzeno Builders and Developers Pty Ltd
Site Address	160-178 Stoney Creek Road, Beverly Hills NSW



DRAWING DETAILS

Figure No.	1	Rev No.	0
Scale	As above	Size	A4
Drawn by	LC	Date	15.02.2017
Approved by	MK	Date	16.02.2017



PROJECT DETAILS			DRAWING DETAILS			
Project Title	Preliminary Site Investigation		Figure No.	2	Rev No.	0
Project No.	ES6759/2		Scale	As above	Size	A4
Client	Cuzeno Builders and Developers Pty Ltd		Drawn by	LC	Date	15.02.2017
Site Address	160-178 Stoney Creek Road, Beverly Hills NSW		Approved by	MK	Date	16.02.2017

SITE FEATURES



SITE FEATURES - LEGEND

1. Driveway sealed with asphalt
2. Vacant store (used as restaurant) , brick wall with metal colorbond roof
3. St George Dental , , brick wall with metal colorbond roof and metal garage door
4. Empty store , brick wall with metal colorbond roof
5. Veterinary Clinic, brick wall with metal colorbond roof
6. Chinese restaurant, Brick wall with metal colorbond roof
7. Car park area sealed with asphalt
8. Tools storage area
9. Garden bed area
10. Garden bed area covered with grass
11. Mature trees
12. Neighbouring Low density residential
13. Stormwater Drainage system

PROJECT DETAILS

Project Title	Preliminary Site Investigation
Project No.	ES6759/2
Client	Cuzeno Builders and Developers Pty Ltd
Site Address	160-178 Stoney Creek Road, Beverly Hills NSW



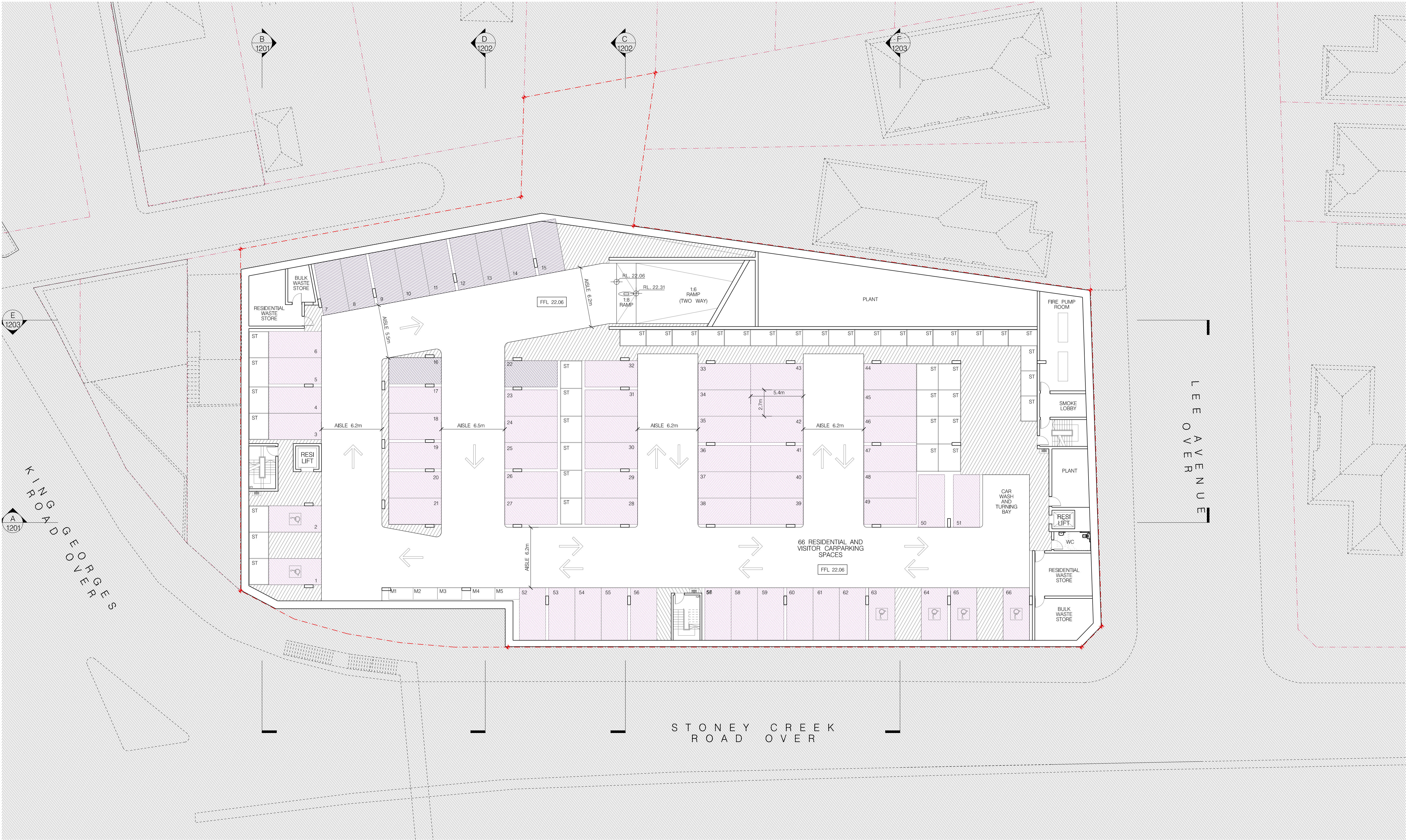
DRAWING DETAILS

Figure No.	3	Rev No.	0
Scale	As above	Size	A4
Drawn by	LC	Date	15.02.2017
Approved by	MK	Date	16.02.2017

APPENDIX B

PROPOSED DEVELOPMENT PLANS SITE SURVEY PLANS





01 BASEMENT LEVEL PLAN B3
1:200

- RETAIL CAR PARKING
- RESIDENTIAL CAR PARKING
- VISITOR CAR PARKING

PRELIMINARY

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NOT FOR CONSTRUCTION
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ARCHITECT:
CANDALEPAS
ASSOCIATES
309 SUSSEX STREET
SYDNEY NSW 2000
T: 02 9283 7755
F: 02 9283 7477
E: architects@candalepas.com.au
NSW ARCHITECTS REG No. - 5773

PROJECT:
160-178 STONEY CREEK ROAD,
BEVERLY HILLS
CLIENT:
CUZENO BUILDERS AND DEVELOPERS

SCALE: 1:200@A1 / 1:400@A3
0 5m 10m

DATE:
27 SEP 2016
CHECKED 1:
GJ
CHECKED 2:
—

DRAWN BY:
JL, DB

DRAWING No.
DA - 1101

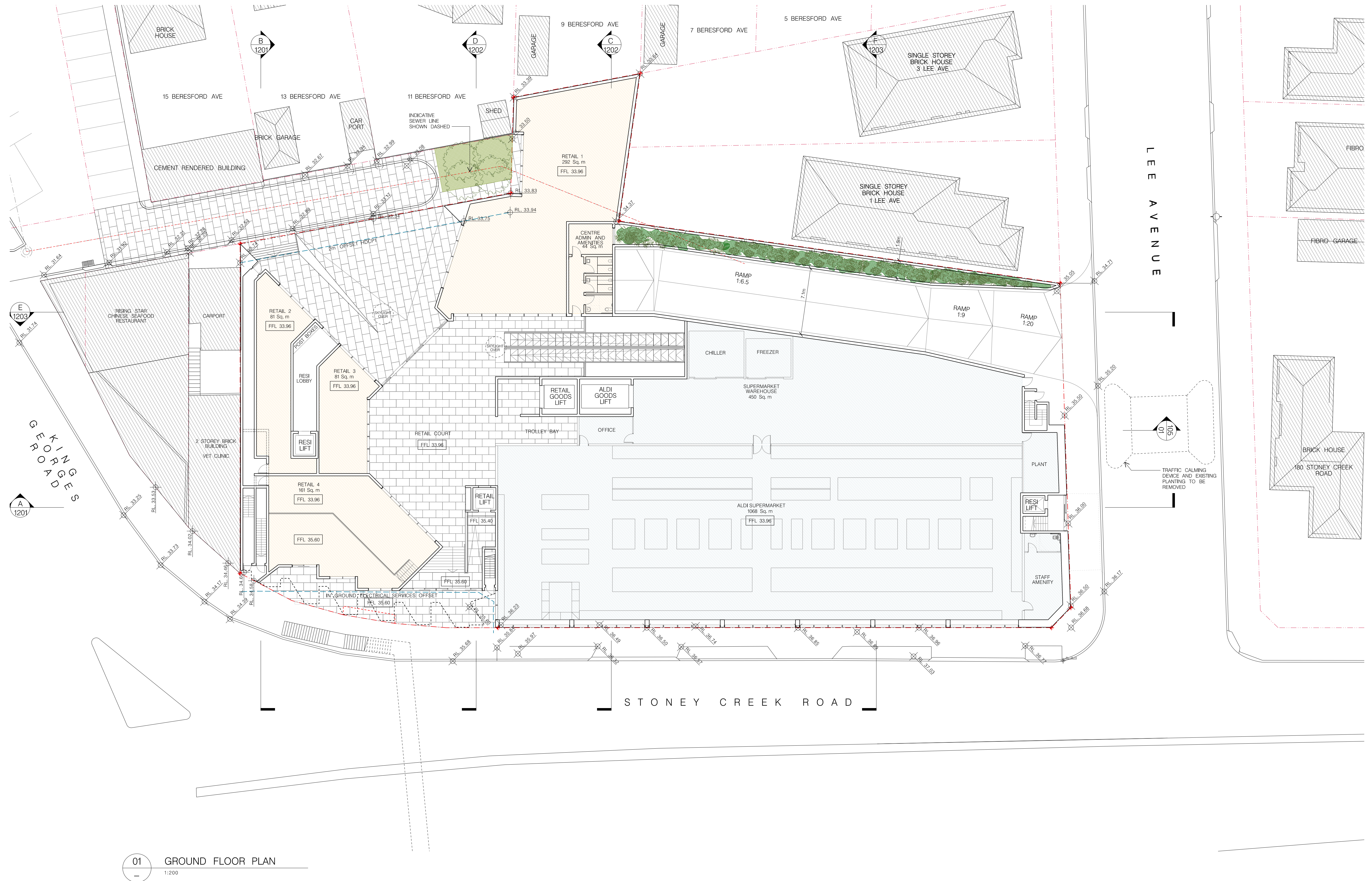
ISSUE
P11

JOB No.
5728

ISSUE
P11

JOB NO.
5728

PRELIMINARY



01 GROUND FLOOR PLAN
1:200

FOR DA PURPOSES ONLY
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ARCHITECT:
CANDELEPAS
ASSOCIATES
309 SUSSEX STREET
SYDNEY NSW 2000
T: 02 9283 7755
F: 02 9283 7477
E: architects@candepas.com.au
NSW ARCHITECTS REG No. - 5773

PROJECT:
160-178 STONEY CREEK ROAD,
BEVERLY HILLS
CLIENT:
CUZENO BUILDERS AND DEVELOPERS

SCALE: 1:200@A1 / 1:400@A3
0 5m 10m

DATE:
27 SEP 2016
CHECKED 1:
GJ
CHECKED 2:
-
DRAWN BY:
JL, DB

DRAWING No.
DA - 1104

JOB No.
5728
ISSUE
P11

APPENDIX C

SITE PHOTOGRAPHS



SITE PHOTOGRAPHS

Client:	Cuzeno Builders and Developers Pty Ltd
Project:	Preliminary Site Investigation
Site Location:	160-178 Stoney Creek Road, Beverly Hills
Job No.:	ES6759/2
Photos Taken By:	NZ



Photograph N° 1



View of 170-178 Stoney Creek Road
Looking west. Inspected on 08.02.2017

Photograph N° 2



View of shed and metal storage in Nos. 170-178
Looking northwest. Inspected on 08.02.2017

Photograph N° 3



View of No.166 Stoney Creek Road
Looking north. Inspected on 08.02.2017

Photograph N° 4



View of Stoney Creek Road frontage.
Looking east. Inspected on 08.02.2017

Photograph N° 5



View of northern portion of properties No.160-166
Looking east. Inspected on 08.02.2017

Photograph N° 6



View of northern portion of property Nos.170-178.
Looking southeast. Inspected on 08.02.2017

APPENDIX D

LAND TITLE INFORMATION





TITLE SEARCH

Computer Folio Certificate issued under
Section 96D of the Real Property Act 1900

No. 15

Search certified to:

8/2/2017 10:33 AM

COMPUTER FOLIO REFERENCE	
1/128696	
EDITION No. & DATE OF CURRENT CERTIFICATE OF TITLE	
5	3/5/2013

Page 1

LAND

LOT 1 IN DEPOSITED PLAN 128696

LOCAL GOVERNMENT AREA GEORGES RIVER

PARISH OF ST GEORGE COUNTY OF CUMBERLAND

TITLE DIAGRAM DP128696

FIRST SCHEDULE

CUZENO PTY LIMITED

(T AH8974)

SECOND SCHEDULE (2 NOTIFICATIONS)

1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)

2 AH703584 MORTGAGE TO GEORGE SHEHADIE HOLDINGS PTY LIMITED

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

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15

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* ANY ENTRIES PRECEDED BY AN ASTERISK DO NOT APPEAR ON THE CURRENT EDITION OF THE CERTIFICATE OF TITLE
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Registrar General

HISTORICAL TITLE SEARCH

Certificate issued under Section 96G
of the Real Property Act 1900

No. 16

Search certified to: 8/2/2017 10:33AM

Computer Folio Reference: 1/128696

Page 1

First Title(s): OLD SYSTEM

Prior Title(s): 131/12807

Recorded -----	Number -----	Type of Instrument -----	C.T. Issue -----
17/11/1994	DP128696	DEPOSITED PLAN	FOLIO CREATED CT NOT ISSUED
23/11/1994		AMENDMENT: VOL FOL INDEX	
24/2/1995	08395	MORTGAGE	EDITION 1
20/1/1997	2773162	DISCHARGE OF MORTGAGE	
20/1/1997	2773163	MORTGAGE	EDITION 2
27/6/2011	AG328269	DISCHARGE OF MORTGAGE	EDITION 3
✓ 25/5/2012	AH8974	TRANSFER	EDITION 4
3/5/2013	AH703584	MORTGAGE	EDITION 5

*** END OF SEARCH ***

doccop1

PRINTED ON 8/2/2017

16

The Registrar General certifies that at the date and time specified above the information set out in this search constitutes the historical record of all dealings recorded in or action taken in respect of the mentioned title which is required to be kept by the Registrar General under section 32(7) of the Real Property Act 1900.



Registrar General

TRANSFER



AH8974K

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RPA) authorises the Registrar to collect the information required by this form for the establishment and maintenance of the Real Property Act Register. Section 86B RPA Act requires that the Register is made available to any person for search upon payment of a fee, if any.

Office of State Revenue use only

Client No: 89478257	Trans No: 6303813
Duty: \$10-	Assist details: TS

1283

Document	Name, Address or DX, Telephone, and Customer Account Number if any	Collection	Box
5944	Michael Shehadeh + Co	123433D	123433D
Reference:	CUZENO 160 STONEY	TK TW	TF TJ

TRANSFEROR	ROSA ENTERPRISES PTY LIMITED ACN 000 575 664
CONSIDERATION	The transferor acknowledges receipt of the consideration of \$1,000,000.00 and as regards the above-mentioned land transfers to the transferee an estate in fee simple
ESTATE	SHARE
TRANSFERRER	
TRANSFEE	CUZENO PTY LIMITED ACN 001 291 738
TENANCY:	

DATE	11 April 2012
(J)	Certified correct for the purposes of the Real Property Act 1900 and executed on behalf of the corporation named below by the authorised person(s) whose signature(s) appears below
Corporation:	ROSA ENTERPRISES PTY LIMITED ACN 000 575 664
Authority:	Section 127(1) Corporations Act 2001
Signature of authorised person:	
Name of authorised person:	MARK HIGGINS
Office held:	Sole Director / Secretary

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

Signature: Michael John Shehadeh

Signatory's name: Michael John Shehadeh
Signatory's capacity: transferor's solicitor

(K) The transferee certifies that the eNOS data relevant to this dealing has been submitted and stored under eNOS ID No. 141104 Full name: Michael John Shehadeh Signature: Michael John Shehadeh



TITLE SEARCH

Computer Folio Certificate issued under
Section 96D of the Real Property Act 1900

No. 18

WARNING: *** FOLIO CANCELLED *******

COMPUTER FOLIO REFERENCE
131/12807
EDITION No. & DATE OF CURRENT CERTIFICATE OF TITLE
CANCELLED

Page 1

CERTIFICATE OF TITLE HAS NOT ISSUED

LAND

LOT 131 IN DEPOSITED PLAN 12807

LOCAL GOVERNMENT AREA GEORGES RIVER

PARISH OF ST GEORGE COUNTY OF CUMBERLAND

TITLE DIAGRAM DP12807

FIRST SCHEDULE

ROSA ENTERPRISES PTY LIMITED

(T M798117)

SECOND SCHEDULE (3 NOTIFICATIONS)

1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)

2 EXCEPTING THE PART OF THE LAND ABOVE DESCRIBED BEING LOT 7 IN
DP233129

* 3 DP128696 ***** FOLIO CANCELLED ***** THIS FOLIO
ISSUED IN ERROR FEE IS IN 1/128696

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

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FOLIO CANCELLED

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18

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* ANY ENTRIES PRECEDED BY AN ASTERISK DO NOT APPEAR ON THE CURRENT EDITION OF THE CERTIFICATE OF TITLE

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HISTORICAL TITLE SEARCH

Certificate issued under Section 96G
of the Real Property Act 1900

No. 19

Search certified to: 8/2/2017 10:43AM

Computer Folio Reference: 131/12807

Page 1

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

Prior Title(s): VOL 4788 FOL 238

Recorded -----	Number -----	Type of Instrument -----	C.T. Issue -----
22/12/1988		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
9/3/1990		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
17/11/1994		AMENDMENT: VOL FOL INDEX	
17/11/1994	DP128696	DEPOSITED PLAN	FOLIO CANCELLED

*** END OF SEARCH ***

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19

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Registrar General



TITLE SEARCH

Computer Folio Certificate issued under
Section 96D of the Real Property Act 1900

No. 13

Search certified to:

8/2/2017 9:56 AM

COMPUTER FOLIO REFERENCE	
1/129260	
EDITION No. & DATE OF CURRENT CERTIFICATE OF TITLE	
5	3/5/2013

Page 1

LAND

LOT 1 IN DEPOSITED PLAN 129260

AT BEVERLEY HILLS

LOCAL GOVERNMENT AREA GEORGES RIVER

PARISH OF ST GEORGE COUNTY OF CUMBERLAND

TITLE DIAGRAM DP129260

FIRST SCHEDULE

CUZENO PTY LIMITED

(T AH8974)

SECOND SCHEDULE (2 NOTIFICATIONS)

1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)

2 AH703584 MORTGAGE TO GEORGE SHEHADIE HOLDINGS PTY LIMITED

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

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13

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HISTORICAL TITLE SEARCH

Certificate issued under Section 96G
of the Real Property Act 1900

No. 14

Search certified to: 8/2/2017 9:56AM

Computer Folio Reference: 1/129160

Page 1

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

Prior Title(s): VOL 2366 FOL 165

Recorded	Number	Type of Instrument	C.T. Issue
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31/1/1995	DP129160	DEPOSITED PLAN	LOT RECORDED FOLIO NOT CREATED
10/2/1995		AMENDMENT: PARISH-COUNTY	
10/2/1995		CONVERTED TO AUTO CONSOL 2366-165	CONSOL CREATED CT NOT ISSUED

*** END OF SEARCH ***

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14

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Registrar General

TITLE SEARCH

No. 65

Reference: 2/136146

Page 1

PART OF AUTO CONSOL 11690-201

```
*****  
*                                     *  
* PLEASE ENQUIRE AT INFORMATION DELIVERY *  
*   COUNTER FOR RETURN OF YOUR TICKET   *  
*   AS REGARDS THIS FOLIO IDENTIFIER    *  
*                                     *  
*****
```

①



HISTORICAL TITLE SEARCH

Certificate issued under Section 96G
of the Real Property Act 1900

No. 66

Search certified to: 8/2/2017 12:15PM

Computer Folio Reference: 2/136146

Page 1

First Title(s): OLD SYSTEM

Prior Title(s): 133/12807

Recorded	Number	Type of Instrument	C.T. Issue
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11/5/1998	DP136146	DEPOSITED PLAN	LOT RECORDED FOLIO NOT CREATED
9/10/2014	AI949254	DEPARTMENTAL DEALING	FOLIO CREATED CT NOT ISSUED
9/10/2014	AI949290	CONVERTED TO AUTO CONSOL 11690-201	CONSOL CREATED CT NOT ISSUED

*** END OF SEARCH ***

①

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Registrar General



TITLE SEARCH

Computer Folio Certificate issued under
Section 96D of the Real Property Act 1900

No. 65

WARNING: *** FOLIO CANCELLED *******

COMPUTER FOLIO REFERENCE
133/12807
EDITION No. & DATE OF CURRENT CERTIFICATE OF TITLE
CANCELLED

Page 1

CERTIFICATE OF TITLE HAS NOT ISSUED

LAND

LOT 133 IN DEPOSITED PLAN 12807

AT BEVERLEY HILLS

LOCAL GOVERNMENT AREA GEORGES RIVER

PARISH OF ST GEORGE COUNTY OF CUMBERLAND

TITLE DIAGRAM DP12807

FIRST SCHEDULE

PACK SECURITIES PTY LIMITED

TOPDAZE PTY LIMITED

AS JOINT TENANTS

SECOND SCHEDULE (3 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- * 2 LAND EXCLUDES THE ROAD(S) WITHIN LOT 133 IN DP12807 BEING LOT 2
IN DP233129
- * 3 AI949226 ***** FOLIO CANCELLED ***** NEW FOLIOS
HAVE BEEN CREATED FOR LOT(S) 2 IN DP136146

NOTATIONS

DP136146 NOTE: ON NEXT LODGEMENT OF AUTO CONSOL VOL 11690 FOL 201
SCHEDULE OF PARCELSTO BE REVISED, RE LOT 133/12807 NEW IDENTITY
TO BE 2/136146 BEING RESIDUE AFTER ROAD ACTION.

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

doccop1

FOLIO CANCELLED

PRINTED ON 8/2/2017

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WARNING: THE INFORMATION APPEARING UNDER NOTATIONS HAS NOT BEEN FORMALLY RECORDED IN THE REGISTER.



Registrar General



HISTORICAL TITLE SEARCH

Certificate issued under Section 96G
of the Real Property Act 1900

No. 67

Search certified to: 8/2/2017 2:08PM

Computer Folio Reference: 133/12807

Page 1

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

Prior Title(s): VOL 11690 FOL 201

Recorded	Number	Type of Instrument	C.T. Issue
-----	-----	-----	-----
21/8/1988		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
8/10/1991		CONVERTED TO AUTO CONSOL 11690-201	CONSOL CREATED CT NOT ISSUED
9/10/2014	AI949212	EXCISED FROM AUTO CONSOL 11690-201	
9/10/2014	AI949226	DEPARTMENTAL DEALING	FOLIO CANCELLED

*** END OF SEARCH ***

2

doccop1

PRINTED ON 8/2/2017

67

The Registrar General certifies that at the date and time specified above the information set out in this search constitutes the historical record of all dealings recorded in or action taken in respect of the mentioned title which is required to be kept by the Registrar General under section 32(7) of the Real Property Act 1900.



Registrar General



HISTORICAL TITLE SEARCH

Certificate issued under Section 96G
of the Real Property Act 1900

No. 69

Search certified to: 8/2/2017 2:26PM

Computer Folio Reference: AUTO CONSOL 11690-201

Page 1

Recorded -----	Number -----	Type of Instrument -----	C.T. Issue -----
8/10/1991		CONSOL HISTORY RECORD CREATED FOR AUTO CONSOL 11690-201	

PARCELS IN CONSOL ARE:
133-134/12807.

12/10/1994	U697500	SURRENDER OF LEASE	
✓ 12/10/1994	U697501	LEASE	EDITION 1
16/4/1996	2086137	TRANSFER OF LEASE	
16/4/1996	2086138	VARIATION OF LEASE	EDITION 2
11/5/1998	DP136146	DEPOSITED PLAN	
✓ 1/8/2003	9842173	TRANSFER	
✓ 1/8/2003	9842174	TRANSFER	EDITION 3
✓ 9/5/2008	AD924159	TRANSFER	EDITION 4
30/9/2013	AH925408	APPLICATION TO RECORD A NEW REGISTERED PROPRIETOR	EDITION 5
9/10/2014	AI949212	PARCELS EXCISED. CONSOL BROKEN UP	
9/10/2014	AI949290	AUTO CONSOL RESTORED	CT NOT ISSUED

PARCELS IN CONSOL ARE:
134/12807, 2/136146.

✓ 9/10/2014	AI847234	TRANSFER	EDITION 6
-------------	----------	----------	-----------

END OF PAGE 1 - CONTINUED OVER

doccop1

PRINTED ON 8/2/2017

69

The Registrar General certifies that at the date and time specified above the information set out in this search constitutes the historical record of all dealings recorded in or action taken in respect of the mentioned title which is required to be kept by the Registrar General under section 32(7) of the Real Property Act 1900.



Registrar General



HISTORICAL TITLE SEARCH

Certificate issued under Section 96G
of the Real Property Act 1900

No. 69

Search certified to: 8/2/2017 2:26PM

Computer Folio Reference: AUTO CONSOL 11690-201

Page 2

Recorded	Number	Type of Instrument	C.T. Issue
-----	-----	-----	-----

*** END OF SEARCH ***

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PRINTED ON 8/2/2017

69

The Registrar General certifies that at the date and time specified above the information set out in this search constitutes the historical record of all dealings recorded in or action taken in respect of the mentioned title which is required to be kept by the Registrar General under section 32(7) of the Real Property Act 1900.



Registrar General

Form: 01T
Release: 6-1

TRANSFER

New South Wales
Real Property Act 1900



AI847234W

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises the Registrar to collect and use the information required by this form for the establishment and maintenance of the Real Property Act Register. Section 96B of the 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

Client No: 89478257

1263

Duty: 10-00

Trans No: 7753607

Asset details

(A) TORRENS TITLE

Folio Identifiers 2/19301, 5/19301, Auto Consol 11690-201 and Auto Consol 6490-105

RELOADED

(B) LODGED BY

09 OCT 2014

Document Collection Box
Name, Address or DX, Telephone, and Customer Account Number if any
Michie Shehadie & Co A/C123433D
88 Pitt Street Sydney NSW 2000 Ph 9231 6399

594P

Reference: MS: CUZ

CODES

T

TW

(C) TRANSFEROR TIME: 1:30

TOPDAZE PTY LIMITED ACN 072 371 861 and
PACK SECURITIES PTY LIMITED ACN 164 611 358

(D) CONSIDERATION

The transferor acknowledges receipt of the consideration of \$512,620-00 and as regards the abovementioned land transfers to the transferee an estate in fee simple

(E) ESTATE

(F) SHARE TRANSFERRED

WHOLE

(G)

Encumbrances (if applicable):

(H) TRANSFEE

TOPDAZE PTY LIMITED ACN 072 371 861 as to 6349 ten thousandths and
PACK SECURITIES PTY LIMITED ACN 164 611 358 as to 3651 ten thousandths

(I)

TENANCY: Tenants in Common

DATE 31 JULY 2014

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

Company: Topdaze Pty Limited A C N 072 371 861
Authority: section 127 of the Corporations Act 2001

Signature of authorised person:

Name of authorised person:

Office held:

RENEE JABBOUR
Director

EXECUTED AT SYDNEY

Signature of authorised person:

Name of authorised person:

Office held:

GEORGE JABBOUR
Director

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

Company: Pack Securities Pty Limited A C N 164 611 358
Authority: section 127 of the Corporations Act 2001

Signature of authorised person:

Name of authorised person:

Office held:

ABRAHAM ABAYB
Director

EXECUTED AT SYDNEY

Signature of authorised person:

Name of authorised person:

Office held:

PAUL JABBOUR
DIRECTOR

SEE ANNEXURE 'A' FOR
TRANSFEE'S EXECUTION

(K) The transferee

certifies that the eNOS data relevant to this dealing has been submitted and stored under

eNOS ID No.

677828

Full name:

MICHAEL SHEHADIE

Signature:

* s117 RP Act requires that you must have known the signatory for more than 12 months or have sighted identifying documentation.

ALL HANDWRITING MUST BE IN BLOCK CAPITALS

ANNEXURE A TO TRANSFER DATED 31/07/2014
FROM TOPDAZE PTY LIMITED & PACK SECURITIES PTY LIMITED TO
TOPDAZE PTY LIMITED & PACK SECURITIES PTY LIMITED.

DATE 31-07-2014

Certified correct for the purposes of the Real Property Act 1900

and executed on behalf of the company named below by the

authorised person(s) whose signature(s) appear(s) below

pursuant to the authority specified.

EXECUTED AT SYDNEY

Company: Topdaze Pty Limited ACN 072 371 861

Authority: Section 127 Corporations Act 2001

Signature of authorised person: 

Signature of authorised person: 

Name of authorised person: RENEE JABBOUR

Name of authorised person: GEORGE JABBOUR

Office held: DIRECTOR

Office held: DIRECTOR

Certified correct for the purposes of the Real Property Act 1900

and executed on behalf of the company named below by the

authorised person(s) whose signature(s) appear(s) below

pursuant to the authority specified.

EXECUTED AT SYDNEY

Company: Pack Securities Pty Limited ACN 164 611 358

Authority: Section 127 Corporations Act 2001

Signature of authorised person: 

Signature of authorised person: 


Name of authorised person: ABRAHAM AYOUB

Name of authorised person: PAUL JABBOUR

Office held: DIRECTOR

Office held: DIRECTOR

MICHAEL SHEHADI SOLICITOR FOR TRANSFERS & TRANSFERRES
AM AUTHORISED TO MAKE THE ALTERATIONS TO THIS TRANSFER


9/10/14

Form: 01T
Release: 3.3
www.lands.nsw.gov.au

TRANSFER
New South Wales
Real Property Act 1900



AD924159F

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises the Reg by this form for the establishment and maintenance of the Real Property Act register. Section 31B of the RP Act provides 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

(4)

Office of State Revenue
NSW Treasury
Client No: 89478257-2-00 1263
Duty: 1176.737-00 Trans No: 4378577
Asst details: TS



(A) FOLIO OF THE REGISTER

Folio identifiers 2/19301, 5/19301 Auto Console 6490 103 and 11690 201

(B) LODGED BY

Document Collection Box	Name, Address or DX, Telephone, and LLPN if any MICHAEL SHEHADI 123433 D DX 713 SYDNEY NL: 92316399	CODES T TW (Sheriff)
594P	Reference:	

(C) TRANSFEROR

CUZENO PTY LIMITED ACN 001 291 738

(D) CONSIDERATION The transferor acknowledges receipt of the consideration of \$ 3,476,920.00 and as regards

(E) ESTATE the above folio of the Register transfers to the transferee an estate in fee simple

(F) SHARE TRANSFERRED

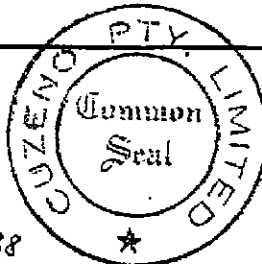
(G) Encumbrances (if applicable):

(H) TRANSFeree

CUZENO PTY LIMITED ACN 001 291 738

(I) TENANCY:

DATE 29th June, 2007



(J) Certified correct for the purposes of the Real Property Act 1900 by the corporation named below the common seal of which was affixed pursuant to the authority specified and in the presence of the authorised person(s) whose signature(s) appear(s) below.

Corporation: CUZENO PTY LIMITED ACN 001 291 738

Authority: CORPORATIONS ACT

Signature of authorised person:

Signature of authorised person:

Name of authorised person: GEORGE JABOUR

Name of authorised person: RENEE JABOUR

Office held: SECRETARY

Office held: DIRECTOR

Certified correct for the purposes of the Real Property Act 1900 by the corporation named below the common seal of which was affixed pursuant to the authority specified and in the presence of the authorised person(s) whose signature(s) appear(s) below.

Corporation:
Authority:

Signature of authorised person:

Signature of authorised person:

Name of authorised person:

Name of authorised person:

Office held:

Office held:

MICHAEL SHEHADI
SOLICITOR FOR PURCHASER

READS 6490-105
RAC 11690-201

Form: 01T
Release: 2
www.lpi.nsw.gov.au

TRANSFER

New South Wales
Real Property Act 1900



9842174Q

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

STAMP DUTY

Office of State Revenue use only

30-07-2003

0001526815-004

SECTION 55(1)(B)

DUTY

\$ *****10.00

(A) TORRENS TITLE

FOLIO IDENTIFIER AUTO CONSOL 11690-201

(B) LODGED BY

Delivery Box
1110L
Name, Address or DX and Telephone
VOSNAKIS & ASSOCIATES
D X 11109 KOGARAH
TEL: (02) 9587 5744
Reference: JCV:ME

CODES

T

TW

(Sheriff)

(C) TRANSFEROR

SAMSAT PROPERTIES PTY LIMITED ACN 077 596 902

(D) **CONSIDERATION** The transferor acknowledges receipt of the consideration of \$ pursuant to Deed of Trust dated 16 May 2002 and as regards

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

(F) **SHARE TRANSFERRED** WHOLE

(G) Encumbrances (if applicable):

(H) TRANSFEE

CUZENO PTY LIMITED ACN 001 291 738

(I)

~~TENANCY~~

(J) DATE

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

Corporation: SAMSAT PROPERTIES PTY LIMITED ACN 077 596 902

Authority: section 127 of the Corporations Law

Signature of authorised person:

Name of authorised person:

Office held:

SECRETARY/DIRECTOR

Signature of authorised person:

Name of authorised person:

Office held:

sole Director/Secretary

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

Signature:

Signatory's name:

Signatory's capacity:

JOSEPH VOSNAKIS

transferee's solicitor

Reg 40

Form: 01T
Release: 2
www.lpi.nsw.gov.au

TRANSFER

New South Wales
Real Property Act 1900



98421735

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

STAMP DUTY

Office of State Revenue use only	NEW SOUTH WALES DUTY
	06-08-2002 0001069122-001
	SECTION 13(2).
	DUTY \$ *****2.00

(A) TORRENS TITLE

FOLIO IDENTIFIER AUTO CONSOL 11690-201

(B) LODGED BY

Delivery Box	Name, Address or DX and Telephone	CODES
1110L	VOSNAKIS & ASSOCIATES DX 11109 KOGARAM	T TW (Sheriff)
	Reference: JCW	

(C) TRANSFEROR

YUM HING KO and RAYMOND YUEN WING KO

(D) CONSIDERATION The transferor acknowledges receipt of the consideration of \$ 750,000.00 and as regards

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

(F) SHARE TRANSFERRED WHOLE

(G) Encumbrances (if applicable):

(H) TRANSFEE

SAMSAT PROPERTIES PTY LIMITED ACN 077 596 902

(I)

TENANCY:

(J) DATE

17 JUNE 2002

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.

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

Signature of witness:

Name of witness:

Address of witness:

[Signature]
LUKE HOR
[Signature]
FIRST FLOOR
422 SUSSEX ST
SYDNEY 2000

Signature of transferor:

[Signature] Raymond Y. W. Ko
[Signature] Y. H. Ko

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

Signature:

Signatory's name:

Signatory's capacity:

JOSEPH C VOSNAKIS
transferee's solicitor

OFF (L) 0697501

All handwriting must be in block capitals.

Page 1 of 2
number additional
pages sequentially

Land and Property Information NSW.

Statutory Declaration

I, Raymond Yuen Wing Ko of 43 Heritage Drive, Illawong in the State of New South Wales, do hereby solemnly and sincerely declare as follows:

1. I am a joint registered proprietor of the property known as 166 Stoney Creek Road, Beverly Hills and being the whole of the land comprised in the Certificate of Title Folio Auto Consol 11690-201 and being Lots 133-134 in DP12807.
2. The Lease registered no. U697501 on the title expired on 9 October 1999.
3. The tenants vacated the property in 1999.
4. The tenants did not exercise any option to renew.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the "Oaths Act 1900-1953".

Subscribed and declared at)

Sydney this 18 day of)

June 2002 before me:)

[Signature]
.....

Polisita
Sydney

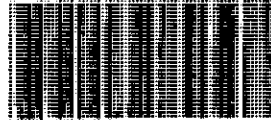
Raymond Y. W. Ko
.....

97-07L



B

LEASE
Real Property Act, 1



U
697501 H

use only

(A) **PROPERTY LEASED**

Show no more than 20 References to Title.
Specify the part or premises if appropriate.

Volume 11690
Folio 201

NOW BEING A/consol 11690-201

(B) **LODGED BY**

L.T.O. Box

581Y

Name, Address or DX and Telephone

Luke Hor
422 Sussex Street
Sydney 200
DX 921 Sydney (Tel. 212 3743)
REFERENCE (max. 15 characters):

(C) **LESSOR**

YUM HING KO and RAYMOND YUEN WING KO

(D) The lessor leases to the lessee the property described above subject to the following **ENCUMBRANCES**

1. 2. 3. 4.

(E) **LESSEE**

L

GORDON TSO and JENNY TSO both of 2 Hollis Avenue,
Eastwood

(F)

as joint tenants/tenants in common

X

(G) 1. **TERM:** Five (5) years

2. **COMMENCING DATE:** 10 October 1994

3. **TERMINATING DATE:** 9 October 1999

4. With an **OPTION TO RENEW** for a period of Five (5) Years set out in Clause 6

5. ~~With an OPTION TO PURCHASE set out in~~

6. Together with and reserving the **RIGHTS** set out in

Incorporates the provisions set out in **ANNEXURE "A"** hereto.

8. Incorporates the provisions set out in **MEMORANDUM No. U 543183** filed in the Land Titles Office.

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

CHECKED BY (office use only)



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

DATE OF EXECUTION

31/01/14

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

Signature of Witness

L. HOR

Name of Witness (BLOCK LETTERS)

Address of Witness

Ray + G. W. K.

J. H. K.

Signature of Lessor

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

Signature of Witness

THOMAS JAMES RUE

Name of Witness (BLOCK LETTERS)

191 CLARENCE ST SYDNEY
SYDNEY

Address of Witness

Jenny 750

Signature of Lessee

(I) I solemnly and sincerely declare that the time for the exercise of the Option to Renew/Purchase in expired lease No.
has ended and the lessee under that lease has not exercised the option.
I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths Act, 1900.
Made and subscribed at in the State of on 19.....
in the presence of

Signature of Witness

Name of Witness (BLOCK LETTERS)

Address of Witness

Signature of Lessor

"A"

THIS IS THE ANNEXURE WHICH CONSISTS OF 8 PAGES REFERRED TO IN
LEASE FROM YUM HING KO and RAYMOND YUEN WING KO
TO GORDON TSO and JENNY TSO
THE LAND COMPRISED IN CERTIFICATE OF TITLE Volume 11690 Folio 201

1. FIXED ANNUAL RENT VARIED BY CONSUMER PRICE INDEX

Subject as hereinafter appearing the rent payable by the
Lease shall be the sum of Eighty Three Thousand Two
Hundred Dollars (\$83,200.00) per year and such annual
rent shall be payable by equal consecutive weekly
instalments in advance of One Thousand Six Hundred Dollars
the first of such payments to be made on the *MONDAY*
10 OCTOBER 1994 and subsequent payments shall
be made on the same day of each subsequent ~~month~~ week
PROVIDED HOWEVER no rental shall be payable for the first
three weeks of the initial period. *JS*

PROVIDED ALWAYS THAT:

On the expiration of each period of ONE (1) year
during the term or any renewal or extension
thereof computed from the date of commencement of
this Lease and subject to this sub-clause annual
rent reserved in this Lease shall be the sum of
Eighty Three Thousand Two Hundred Dollars (\$83,200.00)
increased in the proportion that the Index Number as at
the date of expiration of each period aforesaid bears to
the Index Number as at the date of commencement of this
Lease. In this Clause the words "Index Number" shall
mean the Consumer Price Index Published from time to time
in the Commonwealth Statisticians Summary of
Australian Statistics and related to the City of
Sydney. In the event that there is any suspension or
discontinuance of the Consumer Price Index by
Commonwealth authorities then Index Number shall mean the
Index published at the date hereof and at the times of
variation of the rental in the said Commonwealth
Statisticians Summary of Australian Statistics which
reflects fluctuations of the costs of living in Sydney
and which the parties may mutually agree upon and if they
are unable to agree then such variation of rental shall
be by rental by reference to such Index or in such amount
as may be determined by a member of the New South Wales
Division of the Australian Institute of Land Valuers and
Administrators (Incorporated) carrying on business in
Sydney and nominated by the Lessor.

Jenny TSO

Y. H. Ko

Raymond Y. W. Ko

[Handwritten signatures and initials]

- 2 -

2. PAYMENT OF OUTGOINGS

The Lessee shall in respect of the term of this Lease and any renewal or extension thereof, pay to the Lessor of the whole of the Lessor's outgoing for the term hereof, such sum to be paid within fourteen (14) days of a notice thereof being given by the Lessor to the Lessee. For the purpose of this Clause the term "outgoings" shall mean the total sum of all outgoing, costs and expenses of the Lessor properly or reasonably assessed or assessable charge or chargeable paid or payable or otherwise incurred in respect of the land comprised in the aforesaid Certificate of Title and in particular but ~~the aforesaid Certificate of Title and in particular but~~ without limiting the generality of the foregoing shall include:-

- (a) All rates taxes charges and assessments duties impositions and fees at any time or from time to time payable to any Government or other competent authority in respect of the land or building, including land tax (calculated on the basis that the land is the only land owned by the Lessor).
- (b) All charges for an costs in relation to the supply of water, sewerage and the removal of all waste sullage in relation to the grease trap and other garbage from the building and the said land.
- (c) The costs of operating air conditioning and the maintenance, repair and renovation of air conditioning and other plant and equipment required in connection with any of such services.
- (d) All charges (if any) for lighting, power, heating, air conditioning and ventilation incurred in connection with the building and in particular, but without limiting the generality of the foregoing, in connection with the forecourt, entrances, vestibules, corridors, passages, stairways, landings, lifts, tea-rooms, waterclosets, washrooms and lavatories in the building.
- (e) All costs of repairs, maintenance, renewals and replacements including painting (but not work of a structural nature) incurred in keeping the building in good and substantial repair order and condition.

J.H.Ko
Raymond Y.W.Ko
Terry Tso

[Handwritten signatures and initials]

- (f) All insurance premiums incurred by the Lessor for the "Loss of Rent" insurance taken out by the Lessor with any Insurance Company selected by the Lessor to cover the Lessor against any loss or diminution of rent incurred by the Lessor for any reason whatsoever PROVIDED THAT in all cases the payment of the said premium demanded by the Lessor shall not in any way affect or excuse the Lessee from full compliance with the terms and conditions of this Lease including the payment of rent and outgoings by the Lessee.
- (g) The following are estimates only at the commencement of the Lease, of some of the outgoings (apart from those that are assessed and charged by the relevant authorities based on the Lessee's usage or consumption):
- (i) Council Rates: \$1,014.40 p.a. ✓
 - (ii) Water Rates: \$1,800.00 per quarter
 - (iii) Land Tax: Nil for the current year but payable by Lessee whenever the same is assessed against the Lessor (on the basis that the subject land is the only land owned by the Lessor).
 - (iv) Premium for insurance against Loss of Rent: \$464.00 p.a.

3. BOND

- (i) Covenant - The Lessee shall concurrently with the execution of this Lease as a condition of the execution of this Lease by the Lessor enter into a bond with respect to the term of this Lease and any extension thereof with a bank for the amount of Forty thousand dollars (\$40,000.00) ✓ under which the said amount shall be irrevocably payable to the Lessor in accordance with the provisions hereinafter appearing.
- (ii) Payment to landlord - the said amount,
- (a) Shall be paid in whole or in part to the Lessor for and in respect of any of the following matters in respect of which the Lessor shall advise the said bank,

J.H.Ko
Lenny TSO
Ray & J.W.Ko
[Signature]
[Signature]

- 4 -

- (A) any arrears of rental, damages or losses caused by or arising out of any breach by the Lessor of the provisions of this Lease during the said term and extension thereof and any and all costs to the Lessor related to or arising out of the same,
- (B) any other moneys payable by the Lessee to the Lessor pursuant to the provisions of this Lease and any and all costs related to or arising out of the same, and
- (b) Shall only be discharge upon the performance of the Lessee's obligations pursuant to this Lease.
- (iii) Not to prejudice other rights -
 - (a) Any claim to the said moneys by the Lessor to any such moneys shall not prejudice the exercise by the Lessor of any and all rights which may accrue to him in respect of the matters the subject of claim by him apart from his right to recover the amount paid to him pursuant to any such claim.
 - (b) Any failure by the said bank to meet such a claim by the Lessor shall not bind or affect the rights of the parties to this Lease pursuant to the provisions of this Lease.

4. USE OF DEMISED PREMISES

The Lessee will not use or permit to be used the demised premises or any part thereof for any purpose other than as a restaurant and shall not permit or suffer the use of the same or any part thereof to be used for any other purposes or for any residential purpose whether temporary or permanent.

5. FILED MEMORANDUM U.543183 the provisions of which are deemed to be incorporated herein shall be amended as follows:
- (a) To the words "clause 3", add "and Clause 1 of the Lease".
 - (b) To Clause 14(a), add

J.H.Ko
Rayd g.w.k.
Jenny 750

[Handwritten signature]
[Handwritten signature]
[Handwritten signature]

- 5 -

- " (iv) Clause 2 of the Lease;
(v) Clause 3 of the Lease;
(vi) Clause 7 of the memorandum;
(vii) Clause 8 of the memorandum;
(viii) Clause 9 of the memorandum;
(ix) Clause 11 of the memorandum."

6. OPTION TO RENEW

If the Lessee shall desire to take a further Lease of the premises for a further term of Five (5) years after the expiration of the term hereby granted, and shall give to Lessor during the last six (6) months of the term not less than three (3) months notice in writing of such desire prior to the expiration of the term hereof THEN if at the date of expiration of this Lease there are no outstanding breaches of any of the covenants, terms and conditions on the part of the Lessee herein contained or implied, the Lessor shall grant to the Lessee at the cost and expense of the Lessee a Lease of the premises for a further term of five (5) years commencing on the day next following the expiration of the term hereby granted subject to the same terms, covenants and conditions as are herein contained with the exception of this Clause and at yearly rent calculated and determined as follows:

- (a) The yearly rent shall be such amount as shall be determined by Agreement in writing between the Lessor and the Lessee to be the current market rent of the demised premises (having regard to all matters then relevant to the determination of such rent) and in default of such agreement between the Lessor and the Lessee, the yearly rental shall be determined in accordance with the provisions of paragraph (b) of this Clause. The yearly rent so agreed between the Lessor and the Lessee as aforesaid or determined in accordance with sub-paragraph (b) of this Clause shall be subject to the terms of the renewed Lease be the yearly rent payable by the Lessee.

J.H.Ko
Ray
y. W. Ko
Lenny TSO

JW
[Signature]
[Signature]

- 6 -

- (b) In the event of any dispute between the Lessor and the Lessee as to such current market rent, then the points in dispute between the Lessor and the Lessee shall be referred for determination to an independent Valuer nominated by the President or Chief Executive Officer for the time being of the Commonwealth Institute of Valuers or its successors in Title (who in making such determination shall be acting as an expert and not as an arbitrator, and accordingly the Arbitration Act shall not apply) and any such determination shall be final and binding upon both the Lessor and the Lessee.
- (c) All costs incurred in the valuation and determination of the rent aforesaid shall be borne equally by the Lessor and the Lessee.
- (d) The said rent shall be paid weekly in advance.

7. LIQUOR LICENCE

- (a) The Lessee shall at his own expense comply with all notices and requirements of the Liquor Administration Board and other competent authorities, including notices and requirements requiring structural alterations or replacements to the licensed premises or any part thereof and in connection with or incidental to the Restaurant On-Licence and entertainment area, and the Lessee shall indemnify and keep the Lessor indemnified against any losses or damages incurred by the Lessor as a result of the Lessee's breach, omission or non-compliance.
- (b) The Lessee shall and will annually cause applications to be made and use his best endeavours to obtain all such licenses at his own expense as are or may be necessary for keeping open the premises as a Restaurant duly licensed with entertainment area for the said and consumption therein of spirituous and fermented liquors within the terms of the Licence relating thereto.

Handwritten initials: JW

Handwritten signatures and text:
J.H.Ko
Raymond G.W.K.
Jenny TSO

Handwritten signatures:
[Signature]
[Signature]

- 7 -

- (c) It is hereby agreed and declared that ~~in case the~~ Lessee or Licensee for the time being of the said premises shall be convicted of any offences against the Gaming and Betting Act 1912 or any amendments thereof or under any of the Laws affecting Licensed Restauranteurs for the time being in force in the ~~said State of New South Wales or in case the~~ Restaurant Licence of the said premises shall be cancelled or the renewal thereof refused, then the Lessor at any time or times thereafter shall have the right to re-enter into and upon the demised premises and repossess and enjoy the same as of its former estate anything herein contained to the contrary notwithstanding but without prejudice to any action or other remedy available to the Lessor and thereupon the Lessor shall be freed and discharged from any action, suit, claim, demand by or obligation to the Lessee under or by virtue of this Lease. *on the happening of any event whereby the lessor may become entitled to re-enter and take possession of the demised premises and*
- (d) / And for the more effectual preservation of the Licence of the said Restaurant, the Lessee doth hereby irrevocably appoint the Lessor the true and lawful Attorney of him the Lessee to transfer or cause to be transferred the Restaurant Licence for the time being held in connection with the said premises to any person whomsoever and to apply for the renewal of the said Licence or any new Licence and to sign all notices, transfers and documents for the purpose of such transfer removal or renewal or new Licence to consent thereto or apply therefor and to receive all Licenses, Certificates and other documents and to give valid receipts for the sum and to pay all fees therefor or connected therewith and generally to do and perform all such further acts matters or things as shall be necessary or expedient to enable the Lessor to obtain the renewal of any Licence or any new Licence or the transfer of any Licence then existing and in force and in the name of the Lessee or other the person or persons in whose name the said Licence or Licensees shall then be to carry on and conduct the business of the said Club and to serve and to employ any other person or persons to serve in the name of the Licensees thereof to customers all spirituous and fermented liquor under and by virtue of the Restaurant Licence for the time being granted to the said premises. *to determine this lease.*

G.H.K. pay a y.w.K. of Lenny 750

[Signature]

- 8 -

- (e) Provided always that it is hereby further agreed and declared that in every transfer or Sub-lease the Lessee shall at its own expense procure the new or intending Transferee or Sub-Lessee to enter into and execute a Power of Attorney in respect of a Licence similar to that hereinbefore contained and no transfer of Sub-Lease shall be complete or effective until the Lessor's consent shall be obtained thereto as aforesaid and the said Power of Attorney from the new or intending Transferee or Sub-Lessee shall have been in each case duly executed stamped registered and delivered to the Lessor without any expense to the Lessor.

[Handwritten signature]

J.H. Ko
Ray a y. w. Ko
Tenny TSO

[Handwritten signature]
[Handwritten signature]

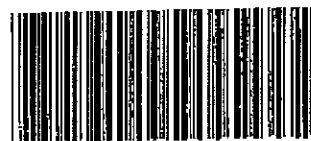
NEW SOUTH WALES

Appln.No.25281

Prior Title Vol.4278 Fol.10

CERTIFICATE OF TITLE

PROPERTY ACT, 1900



11690201

Vol.

Edition issued 19-10-1971

M440887

CANCELLED



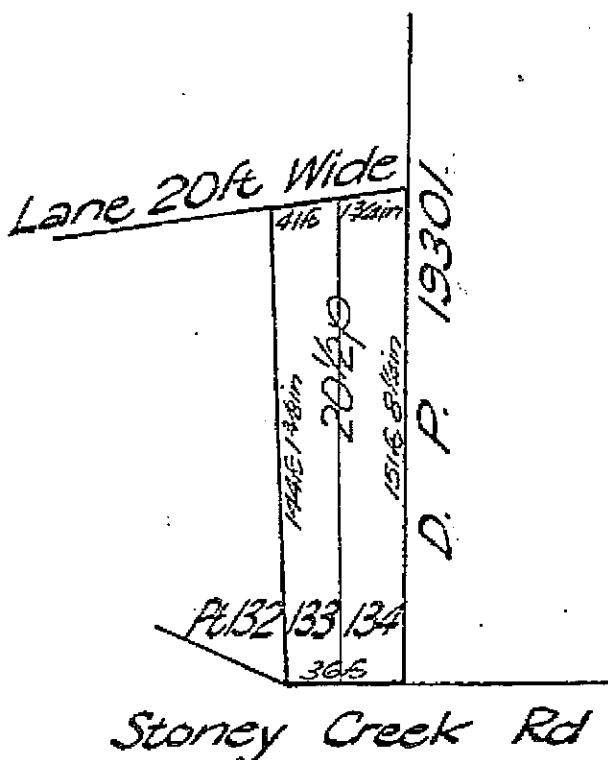
I certify that the person described in the First Schedule is the registered proprietor of the undermentioned estate in the land within described subject nevertheless to such exceptions encumbrances and interests as are shown in the Second Schedule.

SEE AUTO FILE

J. Watson
Registrar General.



PLAN SHOWING LOCATION OF LAND



M440887

Scale: 60 feet to one inch

ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lots 133 and 134 in Deposited Plan 12807 at Beverley Hills in the Municipality of Hurstville Parish of St. George and County of Cumberland being part of Portion 113 granted to John Townson on 11-4-1810.

FIRST SCHEDULE

~~BIG JOHN (HOLDINGS) PTY. LIMITED.~~

~~BIG JOHN (HOLDINGS) PTY. LIMITED.~~

SECOND SCHEDULE

1. Reservations and conditions, if any, contained in the Crown Grant above referred to.
2. Mortgage No. M440887 to Frederick Lindsay Mallick of Wingells, Grazier.
~~Entered 30-9-1971. Discharged 10-5-1972~~
2. Mortgage No. M440887 to Frederick Lindsay Mallick of Wingells, Grazier.
~~Entered 30-9-1971. Discharged 10-5-1972~~

J. Watson
Registrar General

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR

REGISTERED PROPRIETOR	INSTRUMENT		ENTERED	Signature of Registrar General
	NATURE	NUMBER		
Big John (Holdings) Pty Limited The Commission for Atomic Research Yum King Co. Inc. and Raymond Yuen Wing Ko + Waiwei b + n of Maryville, N.S.W. joint tenants	Transfer	MB343455	16-2-1972	<i>[Signature]</i>
	Transfer	P623278	22-6-1978	<i>[Signature]</i>

SECOND SCHEDULE (continued)

[illegible]

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



TITLE SEARCH

Computer Folio Certificate issued under
Section 96D of the Real Property Act 1900

No. 20

Search certified to:

8/2/2017 11:37 AM

COMPUTER FOLIO REFERENCE	
1/136146	
EDITION No. & DATE OF CURRENT CERTIFICATE OF TITLE	
1	12/2/2015

Page 1

LAND

LOT 1 IN DEPOSITED PLAN 136146

AT BEVERLY HILLS

LOCAL GOVERNMENT AREA GEORGES RIVER

PARISH OF ST GEORGE COUNTY OF CUMBERLAND

TITLE DIAGRAM DP136146

FIRST SCHEDULE

CUZENO PTY LIMITED

SECOND SCHEDULE (2 NOTIFICATIONS)

1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)

2 L722494 EASEMENT FOR BATTER AFFECTING THE PART OF THE LAND
ABOVE DESCRIBED SHOWN SO BURDENED IN THE PLAN WITH
L722494

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

doccop1

PRINTED ON 8/2/2017

20

The Registrar General certifies that at the date and time specified above the person(s) described in the First Schedule was the registered proprietor of an estate in fee simple (or other such estate or interest set out in the Schedule) in the land described, subject to any exceptions, encumbrances, interests, and entries which appear in the Second Schedule.

* 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.



Registrar General

HISTORICAL TITLE SEARCHCertificate issued under Section 96G
of the Real Property Act 1900

No. 61

Search certified to: 8/2/2017 11:37AM

Computer Folio Reference: 1/136146

Page 1

First Title(s): OLD SYSTEM

Prior Title(s): 132/12807

Recorded	Number	Type of Instrument	C.T. Issue
-----	-----	-----	-----
11/5/1998	DP136146	DEPOSITED PLAN	LOT RECORDED FOLIO NOT CREATED
✓ 12/2/2015	AJ188314	TRANSFER	FOLIO CREATED EDITION 1

*** END OF SEARCH ***

doccop1

PRINTED ON 8/2/2017

61

The Registrar General certifies that at the date and time specified above the information set out in this search constitutes the historical record of all dealings recorded in or action taken in respect of the mentioned title which is required to be kept by the Registrar General under section 32(7) of the Real Property Act 1900.

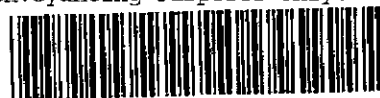


Registrar General

Form: 01T
Release: 61

TRANSFER

New South Wales
Real Property Act 1900



AJ188314V

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises the Registrar General to collect the information required 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: 89478257 1263
Duty \$10.00 Trans No: 7628984
Ass details TS

(A) TORRENS TITLE

132/12807

(B) LODGED BY

Document Collection Box 5948	Name, Address or DX, Telephone, and Customer Account Number if any Michie Shehadie and Co Suite 7, Level 2 86 Pitt St SYDNEY	Reference:
---------------------------------	---	------------

CODES

T
TW

(C) TRANSFEROR

WILLIAM KENYON CEARNS

(D) CONSIDERATION

The transferor acknowledges receipt of the consideration of \$ 1,000,000.00

and as regards

(E) ESTATE

the abovementioned land transfers to the transferee an estate in fee simple

(F) SHARE TRANSFERRED

(G) ENCUMBRANCES (if applicable):

(H) TRANSFEE

CUZENO PTY LIMITED ACN 001 291 738

(I)

TENANCY:

DATE 16 January 2015

- (J) I certify I am an eligible witness and that the transferor signed this dealing in my presence.
[See note* below]

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

Signature of witness:

Signature of transferor:

Name of witness:
Address of witness:

Cindy Le
1/34 MacMahon Street
Hurstville NSW 2220

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

Signature:

Signatory's name:
Signatory's capacity:

Michael John Shehadie
solicitor

- (K) The transferee certifies that the eNOS data relevant to this dealing has been submitted and stored under eNOS ID No. 762696 Full name: Michael John Shehadie Signature:

* s117 RP Act requires that you must have known the signatory for more than 12 months or have sighted identifying documentation.



TITLE SEARCH

Computer Folio Certificate issued under
Section 96D of the Real Property Act 1900

No. 62

WARNING: *** FOLIO CANCELLED *******

COMPUTER FOLIO REFERENCE
132/12807
EDITION No. & DATE OF CURRENT CERTIFICATE OF TITLE
CANCELLED

Page 1

LAND

LOT 132 IN DEPOSITED PLAN 12807

LOCAL GOVERNMENT AREA GEORGES RIVER

PARISH OF ST GEORGE COUNTY OF CUMBERLAND

TITLE DIAGRAM DP12807

FIRST SCHEDULE

CUZENO PTY LIMITED

(T AJ188314)

SECOND SCHEDULE (4 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 LAND EXCLUDES THE ROAD(S) BEING LOT 8 IN DP233129
- 3 L722494 EASEMENT FOR BATTER AFFECTING THE PART OF THE LAND
ABOVE DESCRIBED SHOWN SO BURDENED IN VOL 4285 FOL 170
- * 4 AJ188314 ***** FOLIO CANCELLED ***** NEW FOLIOS
HAVE BEEN CREATED FOR LOT(S) 1 IN DP136146

NOTATIONS

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

DP136146 NOTE: ON NEXT LODGEMENT OF CERTIFICATE OF TITLE THIS FOLIO
TO BE CANCELLED & NEW FOLIO ISSUED FOR LOT 1 IN DP136146 BEING
RESIDUE AFTER ROAD ACTION.

END OF PAGE 1 - CONTINUED OVER

doccop1

FOLIO CANCELLED

PRINTED ON 8/2/2017

62

The Registrar General certifies that at the date and time specified above the person(s) described in the First Schedule was the registered proprietor of an estate in fee simple (or other such estate or interest set out in the Schedule) in the land described, subject to any exceptions, encumbrances, interests, and entries which appear in the Second Schedule.

* 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.



Registrar General



TITLE SEARCH

Computer Folio Certificate issued under
Section 96D of the Real Property Act 1900

No. 62

WARNING: *** FOLIO CANCELLED *******

COMPUTER FOLIO REFERENCE
132/12807
EDITION No. & DATE OF CURRENT CERTIFICATE OF TITLE
CANCELLED

Page 2

NOTATIONS (CONTINUED)

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

doccop1

FOLIO CANCELLED

PRINTED ON 8/2/2017

62

The Registrar General certifies that at the date and time specified above the person(s) described in the First Schedule was the registered proprietor of an estate in fee simple (or other such estate or interest set out in the Schedule) in the land described, subject to any exceptions, encumbrances, interests, and entries which appear in the Second Schedule.

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WARNING: THE INFORMATION APPEARING UNDER NOTATIONS HAS NOT BEEN FORMALLY RECORDED IN THE REGISTER.



Registrar General

HISTORICAL TITLE SEARCH

Certificate issued under Section 96G
of the Real Property Act 1900

No. 63

Search certified to: 8/2/2017 11:53AM

Computer Folio Reference: 132/12807

Page 1

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

Prior Title(s): VOL 4285 FOL 170

Recorded	Number	Type of Instrument	C.T. Issue
-----	-----	-----	-----
18/2/1989		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
21/7/1993		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
17/5/1994	U270135	DEPARTMENTAL DEALING	
17/5/1994	U259634	MORTGAGE	EDITION 1
7/6/1995	O287363	MORTGAGE	EDITION 2
11/5/1998	DP136146	DEPOSITED PLAN	
12/2/2015	AJ188311	DISCHARGE OF MORTGAGE	
12/2/2015	AJ188312	DISCHARGE OF MORTGAGE	
12/2/2015	AJ188313	DISCHARGE OF MORTGAGE	
✓ 12/2/2015	AJ188314	TRANSFER	FOLIO CANCELLED

*** END OF SEARCH ***

doccop1

PRINTED ON 8/2/2017

63

The Registrar General certifies that at the date and time specified above the information set out in this search constitutes the historical record of all dealings recorded in or action taken in respect of the mentioned title which is required to be kept by the Registrar General under section 32(7) of the Real Property Act 1900.



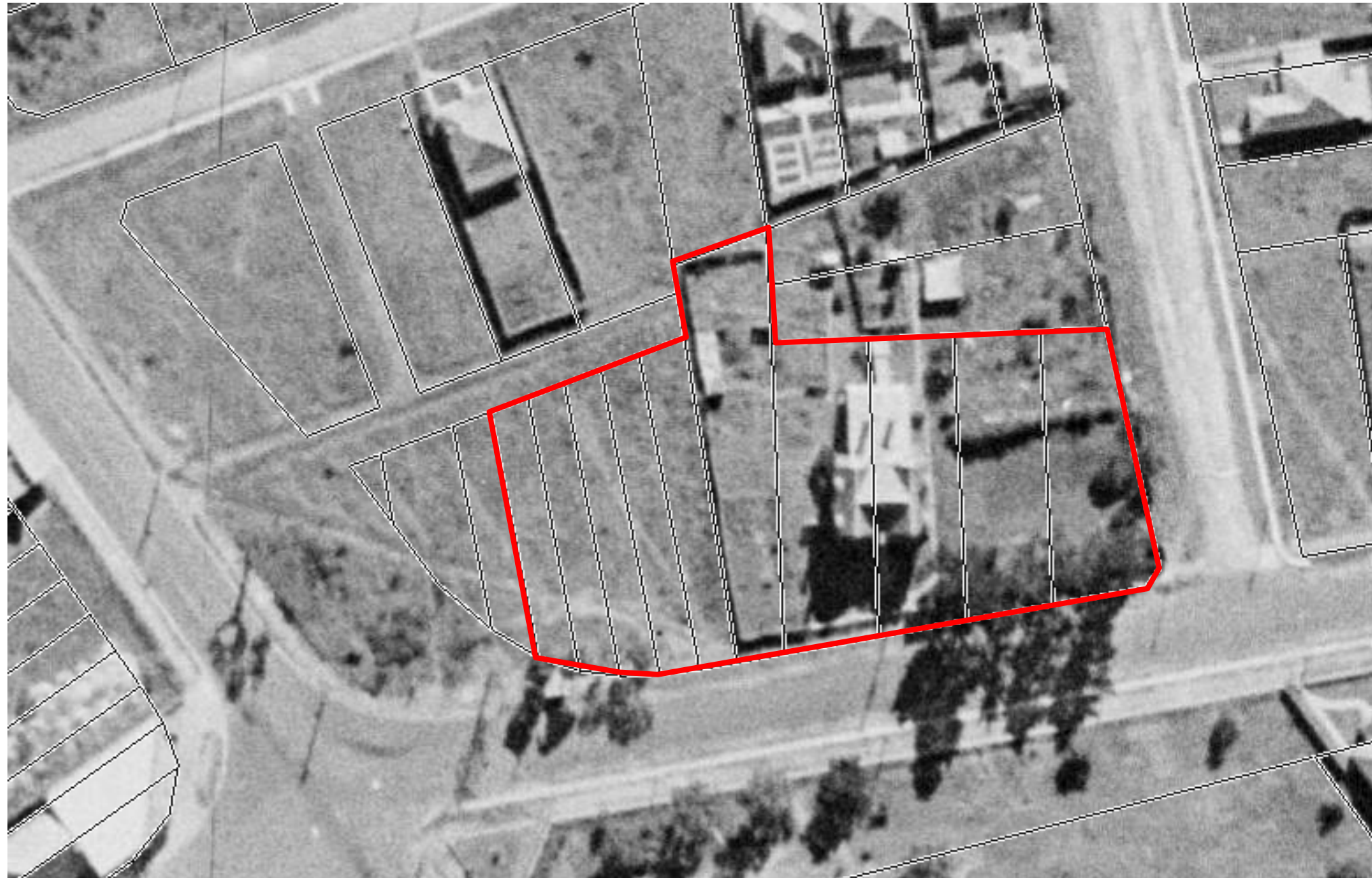
Registrar General

APPENDIX E

CURRENT AND HISTORICAL AERIAL PHOTOGRAPHS



HISTORICAL AERIAL PHOTOGRAPHS - 1943



LEGEND

Site Boundary



PROJECT DETAILS			DRAWING DETAILS			
Project Title	Preliminary Site Investigation		Figure No.	A	Rev No.	0
Project No.	ES6759/2		Scale	NA	Size	A3
Client	Cuzeno Builders and Developers Pty Ltd		Drawn by	NZ	Date	14.02.2017
Site Address	160-178 Stoney Creek Road, Beverly Hills NSW		Approved by	MK	Date	16.02.2017

HISTORICAL AERIAL PHOTOGRAPHS - 1961



LEGEND



Site Boundary

PROJECT DETAILS

Project Title	Preliminary Site Investigation
Project No.	ES6759/2
Client	Cuzeno Builders and Developers Pty Ltd
Site Address	160-178 Stoney Creek Road, Beverly Hills NSW



DRAWING DETAILS

Figure No.	B	Rev No.	0
Scale	NA	Size	A3
Drawn by	NZ	Date	14.02.2017
Approved by	MK	Date	16.02.2017

HISTORICAL AERIAL PHOTOGRAPHS - 1970



LEGEND



Site Boundary

PROJECT DETAILS

Project Title	Preliminary Site Investigation
Project No.	ES6759/2
Client	Cuzeno Builders and Developers Pty Ltd
Site Address	160-178 Stoney Creek Road, Beverly Hills NSW



DRAWING DETAILS

Figure No.	C	Rev No.	0
Scale	NA	Size	A3
Drawn by	NZ	Date	14.02.2017
Approved by	MK	Date	16.02.2017

HISTORICAL AERIAL PHOTOGRAPHS - 1986



PROJECT DETAILS	
Project Title	Preliminary Site Investigation
Project No.	ES6759/2
Client	Cuzeno Builders and Developers Pty Ltd
Site Address	160-178 Stoney Creek Road, Beverly Hills NSW



DRAWING DETAILS			
Figure No.	D	Rev No.	0
Scale	NA	Size	A3
Drawn by	NZ	Date	14.02.2017
Approved by	MK	Date	16.02.2017

HISTORICAL AERIAL PHOTOGRAPHS - 1994



LEGEND

 Site Boundary

PROJECT DETAILS			DRAWING DETAILS			
Project Title	Preliminary Site Investigation		Figure No.	E	Rev No.	0
Project No.	ES6759/2		Scale	NA	Size	A3
Client	Cuzeno Builders and Developers Pty Ltd		Drawn by	NZ	Date	14.02.2017
Site Address	160-178 Stoney Creek Road, Beverly Hills NSW		Approved by	MK	Date	16.02.2017

HISTORICAL AERIAL PHOTOGRAPHS - 2005



LEGEND



Site Boundary

PROJECT DETAILS			DRAWING DETAILS			
Project Title	Preliminary Site Investigation		Figure No.	F	Rev No.	0
Project No.	ES6759/2		Scale	NA	Size	A3
Client	Cuzeno Builders and Developers Pty Ltd		Drawn by	NZ	Date	14.02.2017
Site Address	160-178 Stoney Creek Road, Beverly Hills NSW		Approved by	MK	Date	16.02.2017

HISTORICAL AERIAL PHOTOGRAPHS - 2016



LEGEND



Site Boundary

PROJECT DETAILS

Project Title	Preliminary Site Investigation
Project No.	ES6759/2
Client	Cuzeno Builders and Developers Pty Ltd
Site Address	160-178 Stoney Creek Road, Beverly Hills NSW



DRAWING DETAILS

Figure No.	G	Rev No.	0
Scale	NA	Size	A3
Drawn by	NZ	Date	14.02.2017
Approved by	MK	Date	16.02.2017

APPENDIX F

NSW EPA RECORDS





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

Search results

Your search for: Suburb: BEVERLY HILLS

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](#)

Connect

Fee

We

Put

7 February 2017



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

Search results

Your search for: General Search with the following criteria

Suburb - BEVERLY HILLS

returned 18 results

[Export to excel](#)

1 of 1 Pages

[Search Again](#)

Number	Name	Location	Type	Status	Issued date
12908	CPB CONTRACTORS PTY LIMITED	King Georges Road, BEVERLY HILLS, NSW 2209	POEO licence	Surrendered	18 Sep 2008
1093660	CPB CONTRACTORS PTY LIMITED	King Georges Road, BEVERLY HILLS, NSW 2209	s.58 Licence Variation	Issued	14 Nov 2008
1095210	CPB CONTRACTORS PTY LIMITED	King Georges Road, BEVERLY HILLS, NSW 2209	s.58 Licence Variation	Issued	12 Dec 2008
1096024	CPB CONTRACTORS PTY LIMITED	King Georges Road, BEVERLY HILLS, NSW 2209	s.58 Licence Variation	Issued	17 Dec 2008
1097544	CPB CONTRACTORS PTY LIMITED	King Georges Road, BEVERLY HILLS, NSW 2209	s.58 Licence Variation	Issued	05 Feb 2009
1100324	CPB CONTRACTORS PTY LIMITED	King Georges Road, BEVERLY HILLS, NSW 2209	s.58 Licence Variation	Issued	30 Apr 2009
1105828	CPB CONTRACTORS PTY LIMITED	King Georges Road, BEVERLY HILLS, NSW 2209	s.58 Licence Variation	Issued	28 Aug 2009
1107073	CPB CONTRACTORS PTY LIMITED	King Georges Road, BEVERLY HILLS, NSW 2209	s.58 Licence Variation	Issued	09 Oct 2009
1110488	CPB CONTRACTORS PTY LIMITED	King Georges Road, BEVERLY HILLS, NSW 2209	s.58 Licence Variation	Issued	07 Jan 2010
1112182	CPB CONTRACTORS PTY LIMITED	King Georges Road, BEVERLY HILLS, NSW 2209	s.58 Licence Variation	Issued	08 Mar 2010
1115013	CPB CONTRACTORS PTY LIMITED	King Georges Road, BEVERLY HILLS, NSW 2209	s.58 Licence Variation	Issued	03 Jun 2010
1123736	CPB CONTRACTORS PTY LIMITED	King Georges Road, BEVERLY HILLS, NSW 2209	s.58 Licence Variation	Issued	14 Jan 2011
1123993	CPB CONTRACTORS PTY LIMITED	King Georges Road, BEVERLY HILLS, NSW 2209	s.58 Licence Variation	Issued	27 Jan 2011
1125234	CPB CONTRACTORS PTY LIMITED	King Georges Road, BEVERLY HILLS, NSW 2209	s.58 Licence Variation	Issued	25 Feb 2011
1127399	CPB CONTRACTORS PTY LIMITED	King Georges Road, BEVERLY HILLS, NSW 2209	s.58 Licence Variation	Issued	21 Apr 2011
1128024	CPB CONTRACTORS PTY LIMITED	King Georges Road, BEVERLY HILLS, NSW 2209	s.58 Licence Variation	Issued	03 May 2011
1128140	CPB CONTRACTORS PTY LIMITED	King Georges Road, BEVERLY HILLS, NSW 2209	s.58 Licence Variation	Issued	17 Jun 2011

Connect

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[20772](#)

CPB CONTRACTORS PTY
LIMITED

2209

Between Beverly Hills POEO licence Issued
and St Peters,
BEVERLY HILLS, NSW
2209

17 May 2016

07 February 2017



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

Search results

Your search for: LGA: Hurstville City Council

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](#).

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- 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](#).

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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](#)

Connect

Fee

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7 February 2017

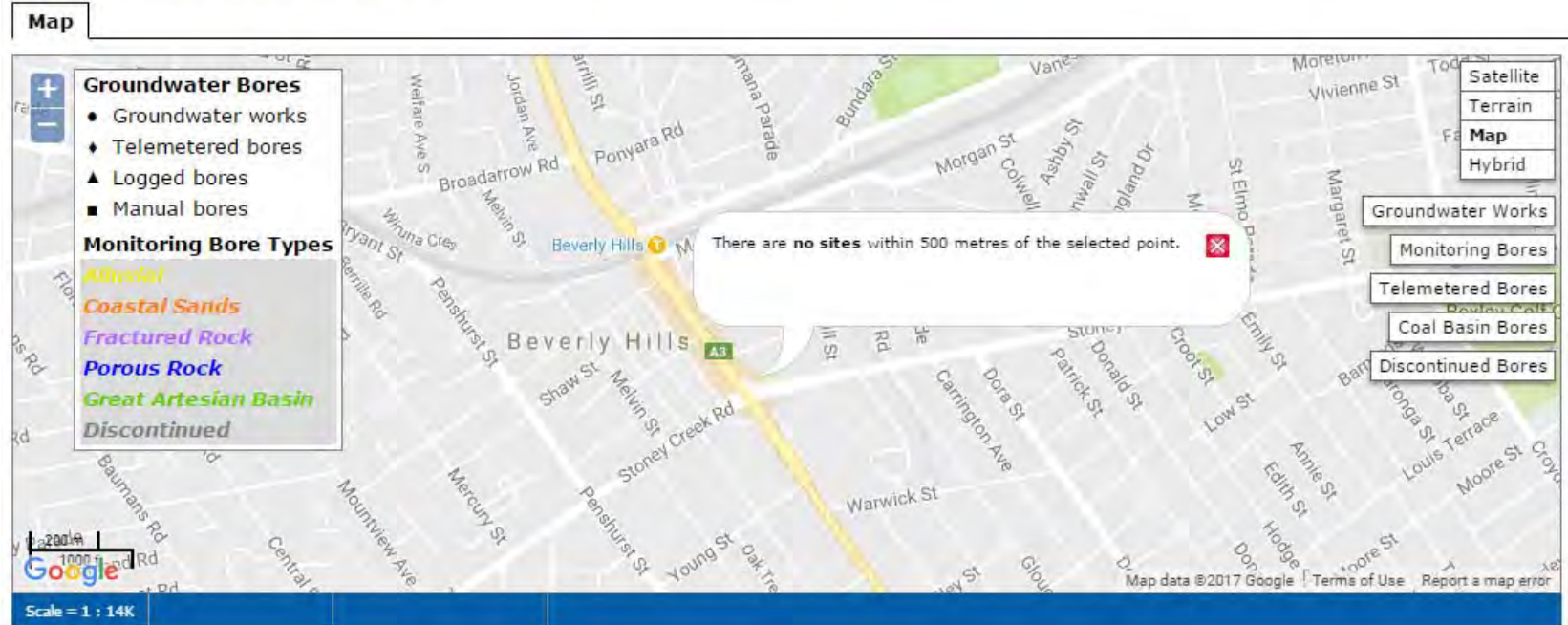
APPENDIX G

GROUNDWATER BORE SEARCH



Georges River Basin

All data times are Eastern Standard Time



APPENDIX H

METEOROLOGY



Monthly Rainfall (millimetres)

PEAKHURST GOLF CLUB

Station Number: 066148 · State: NSW · Opened: 1969 · Status: Open · Latitude: 33.97°S · Longitude: 151.06°E · Elevation: 20 m

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
1969									63.2	52.9	204.6	14.4	
1970		50.3	79.2	37.7	14.4	13.2	0.0	21.6	171.6	15.5	137.9	269.2	
1971	60.8	139.3	121.8	28.2	59.7	27.7	9.1	68.9	42.9	0.0	53.5	86.4	698.3
1972	317.2	66.1	200.1	96.8	40.6	58.4	1.3	32.6	12.3	201.5	25.9	22.6	1075.4
1973	208.2	219.6	28.2	85.5	27.7	51.2	98.8	50.0	40.1	102.6	94.4	30.9	1037.2
1974	125.8	103.0	291.2	133.9	164.8	126.6	9.8	158.8	30.4	50.5	43.7	9.4	1247.9
1975	38.2	128.6	206.4	64.6	3.4	273.8	158.6	14.0	22.4	73.4	41.6	12.0	1037.0
1976	224.7	167.2	229.0	33.4	26.0	118.6	64.0	9.1	52.9	149.2	93.8	20.8	1188.7
1977	67.6	206.0	181.4	9.8	93.9	93.2	0.8	14.0	53.2	4.2	26.0	6.8	756.9
1978	216.0	13.5	200.9	54.4	80.5	313.4	11.0	16.6	54.4	53.0	53.6	20.6	1087.9
1979	22.8	8.8	109.4	12.8	72.2	115.2	8.6	9.8	8.0	31.6	79.1	4.0	482.3
1980	98.3	47.2	21.6	6.6	91.4	53.2	29.6	4.8	0.0	16.8	27.0	23.8	420.3
1981	22.2	189.0	19.0	119.9	63.2	39.8	25.8	5.4	0.0	129.4	104.4	67.2	785.3
1982	39.0	9.4	100.0	2.6	2.0	67.0	30.0	0.0	158.6	27.8	0.4	10.4	447.2
1983	43.4	9.8	217.3	44.6	123.4	103.0	41.4	41.8	39.8	110.2	27.0	117.8	919.5
1984	120.0	81.8	162.0	70.8	39.6	66.0	124.0	13.8	23.9	12.2	190.8	66.4	971.3
1985	5.2	25.6	45.0	228.8	132.0	138.0	7.0	10.2	49.8	158.2	94.0	87.8	981.6
1986	151.2	58.6	12.4	68.8	33.2	6.6	18.6	364.9	34.8	33.0	112.0	6.2	900.3
1987	35.0	26.6	78.5	22.6	53.0	44.0							
1990	0.0												
1994		11.0	165.3	109.8	28.0	48.2	20.4	14.2	5.8	37.6	66.6	58.6	
1995	169.6	47.8	155.0	7.6	170.2	71.2	4.4	0.0	177.4	47.6	152.8	86.2	1089.8
1996	175.4	50.2	45.4	37.6	189.0	83.5	19.3						
1997											38.0	27.0	
1998	88.0	47.0	20.0	204.0	173.0	75.0	85.0	348.0	31.0	23.0	68.0	14.0	1176.0
1999		189.0	54.0	137.0	43.0	50.0	151.0	40.0	10.0	141.0	30.0	73.0	
2000	32.0	6.0	220.0	42.0	28.0	34.0	24.0	21.0	34.0			46.0	
2001	123.0	117.0	96.0	61.0	150.0	22.0	81.0	37.0	13.0	44.0	57.0	19.0	820.0
2002	69.0	298.0	49.0	11.0	85.0	9.0	18.0	10.0	7.0	5.0	18.0	87.0	666.0
2003	10.0	53.0	67.0	186.0	374.0	42.0	27.0	30.0	7.0	62.0	70.0	38.0	966.0
2004	36.0	100.0	46.0	52.0	9.0	26.0	38.0	68.0	56.0	208.0	46.0	93.0	778.0
2005	67.0	112.0	103.0	58.0	76.0	58.0	58.0	2.0	43.0	67.0	121.0	30.0	795.0
2006	91.0	44.0	20.0	0.0	0.0	127.0	84.0	50.0	139.0	9.0	22.0	27.0	613.0
2007	11.0	108.0	58.0	19.0	0.0	326.0	34.0	107.0	44.0	36.0	119.0	81.0	943.0
2008	42.0	305.0	66.0	147.0	15.0	109.0	59.0	39.0	63.0	49.0			
2009	12.0	152.0	62.0	145.0	127.0	54.0			8.0	138.0	35.0	47.0	
2010	22.0	142.0	91.0	23.0	135.0	84.0	87.0	24.0	44.0	69.0	123.0	94.0	938.0
2011	30.0	14.0	136.0	151.0	89.0	56.0	164.0	40.0	50.0	27.0	150.0	81.0	988.0
2012	97.0	183.0	220.0	120.0	16.0	157.0	34.0	8.0	15.0	29.0	33.0	36.0	948.0
2013	133.0	130.0	63.0	108.0	65.0	200.0	25.0	6.0	45.0	9.0	173.0	29.0	986.0
2014	10.0	58.0	154.0	35.0	10.0	31.0	14.0	232.0	20.0	135.0	18.0	142.0	859.0
2015	141.0	54.0	18.0	339.0	81.0	64.0	49.0	38.0	40.0	36.0	88.0	61.0	1009.0
2016	267.0	19.0	66.0	42.0	15.0	266.0	76.0	122.0	50.0	21.0	12.0	60.0	1016.0
2017	38.0												

Quality control: 12.3 Done & acceptable, 12.3 Not completed or unknown

Monthly Rainfall (millimetres)

PEAKHURST GOLF CLUB

Station Number: 066148 · State: NSW · Opened: 1969 · Status: Open · Latitude: 33.97°S · Longitude: 151.06°E · Elevation: 20 m

Statistics for this station calculated over all years of data

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
Mean	88.7	94.8	107.0	78.9	75.0	92.5	47.1	56.0	45.1	63.6	75.0	54.0	894.6
Lowest	0.0	6.0	12.4	0.0	0.0	6.6	0.0	0.0	0.0	0.0	0.4	4.0	420.3
5th percentile	9.5	9.4	19.0	6.4	1.9	13.0	1.2	1.6	5.2	4.9	17.1	6.7	466.5
10th percentile	10.8	10.9	20.0	9.6	8.4	25.6	6.2	5.2	7.0	9.0	20.8	10.2	618.3
Median	67.0	62.3	85.1	56.2	61.5	65.0	29.8	24.0	40.0	45.8	61.8	38.0	945.5
90th percentile	209.8	190.7	217.6	154.5	165.3	206.6	106.4	136.7	78.4	143.5	150.8	93.2	1089.6
95th percentile	228.9	223.5	220.4	205.2	173.8	275.8	152.1	255.2	159.9	164.7	175.7	120.2	1181.7
Highest	317.2	305.0	291.2	339.0	374.0	326.0	164.0	364.9	177.4	208.0	204.6	269.2	1247.9

Statistics calculated over the period 1961-1990

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
Mean	99.8	86.1	128.0	62.3	62.3	94.9	37.6	49.2	47.7	67.9	78.3	48.7	877.3
Lowest	0.0	8.8	12.4	2.6	2.0	6.6	0.0	0.0	0.0	0.0	0.4	4.0	420.3
5th Percentile	4.4	9.3	18.0	6.0	3.2	12.2	0.6	3.8	0.0	3.6	22.1	5.9	440.5
10th percentile	17.1	9.7	20.8	8.8	11.1	23.4	1.1	5.2	5.6	9.8	26.0	6.6	464.8
Median	64.2	62.3	115.6	49.5	56.3	66.5	18.6	14.0	40.0	51.7	66.3	21.7	945.4
90th percentile	218.6	194.1	220.8	124.1	126.0	178.7	108.9	104.9	91.8	151.9	153.8	96.8	1138.3
95th percentile	238.6	208.0	238.3	148.1	136.9	279.7	130.9	200.0	160.6	164.7	192.9	140.5	1203.5
Highest	317.2	219.6	291.2	228.8	164.8	313.4	158.6	364.9	171.6	201.5	204.6	269.2	1247.9

1) Calculation of statistics

Summary statistics, other than the Highest and Lowest values, are only calculated if there are at least 20 years of data available.

2) Gaps and missing data

Gaps may be caused by a damaged instrument, a temporary change to the site operation, or due to the absence or illness of an observer.

3) Further information

<http://www.bom.gov.au/climate/cdo/about/about-rain-data.shtml>.

Product code: IDCJAC0001 reference: 29022232 Created on Wed 15 Feb 2017 13:51:26 PM EST



Australian Government
Bureau of Meteorology

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APPENDIX I

IMPORTANT INFORMATION ABOUT YOUR REPORT





IMPORTANT INFORMATION ABOUT YOUR ENVIRONMENTAL SITE ASSESSMENT

These notes have been prepared by Aargus (Australia) Pty Ltd and its associated companies using guidelines prepared by ASFE (The Association) of Engineering Firms Practising in the Geo-sciences. They are offered to help you in the interpretation of your Environmental Site Assessment (ESA) reports.

REASONS FOR CONDUCTING AN ESA

ESA's are typically, though not exclusively, carried out in the following circumstances:

- as pre-acquisition assessments, on behalf of either purchaser or vender, when a property is to be sold;
- as pre-development assessments, when a property or area of land is to be redeveloped or have its use changed for example, from a factory to a residential subdivision;
- as pre-development assessments of greenfield sites, to establish "baseline" conditions and assess environmental, geological and hydrological constraints to the development of, for example, a landfill; and
- as audits of the environmental effects of an ongoing operation.

Each of these circumstances requires a specific approach to the assessment of soil and groundwater contamination. In all cases however, the objective is to identify and if possible quantify the risks that unrecognised contamination poses to the proposed activity. Such risks may be both financial, for example, cleanup costs or limitations on site use, and physical, for example, health risks to site users or the public.

THE LIMITATIONS OF AN ESA

Although the information provided by an ESA could reduce exposure to such risks, no ESA, however, diligently carried out can eliminate them. Even a rigorous professional assessment may fail to detect all contamination on a site. Contaminants may be present in areas that were not surveyed or sampled,

or may migrate to areas which showed no signs of contamination when sampled.

AN ESA REPORT IS BASED ON A UNIQUE SET OF PROJECT SPECIFIC FACTORS

Your environmental report should not be used:

- when the nature of the proposed development is changed, for example, if a residential development is proposed instead of a commercial one;
- when the size or configuration of the proposed development is altered;
- when the location or orientation of the proposed structure is modified;
- when there is a change of ownership
- or for application to an adjacent site.

To help avoid costly problems, refer to your consultant to determine how any factors, which have changed subsequent to the date of the report, may affect its recommendations.

ESA "FINDINGS" ARE PROFESSIONAL ESTIMATES

Site assessment identifies actual subsurface conditions only at those points where samples are taken, when they are taken. Data derived through sampling and subsequent laboratory testing are interpreted by geologists, engineers or scientists who then render an opinion about overall subsurface conditions, the nature and extent of contamination, its likely impact on the proposed development and appropriate remediation measures. Actual conditions may differ from those inferred to exist, because no professional, no matter how qualified, and no subsurface exploration program, no matter how comprehensive, can reveal what is hidden by earth, rock and time. The actual interface between materials may be far more gradual or abrupt than a report indicates. Actual conditions in areas not sampled may differ from predictions. Nothing can be done to help minimise its impact. For this reason owners should retain the services of their consultants

through the development stage, to identify variances, conduct additional tests which may be needed, and to recommend solutions to problems encountered on site.

SUBSURFACE CONDITIONS CAN CHANGE

Natural processes and the activity of man change subsurface conditions. As an ESA report is based on conditions, which existed at the time of subsurface exploration, decisions should not be based on an ESA report whose adequacy may have been affected by time. Speak with the consultant to learn if additional tests are advisable.

ESA SERVICES ARE PERFORMED FOR SPECIFIC PURPOSES AND PERSONS

Every study and ESA report is prepared in response to a specific brief to meet the specific needs of specific individuals. A report prepared for a consulting civil engineer may not be adequate for a construction contractor, or even some other consulting civil engineer. Other persons should not use a report for any purpose, or by the client for a different purpose. No individual other than the client should apply a report even apparently for its intended purpose without first conferring with the consultant. No person should apply a report for any purpose other than that originally contemplated without first conferring with the consultant.

AN ESA REPORT IS SUBJECT TO MISINTERPRETATION

Costly problems can occur when design professionals develop their plans based on misinterpretations of an ESA. To help avoid these problems, the environmental consultant should be retained to work with appropriate design professionals to explain relevant findings and to review the adequacy of their plans and specifications relative to contamination issues.

LOGS SHOULD NOT BE SEPARATED FROM THE ENGINEERING REPORT

Final borehole or test pit logs are developed by environmental scientists, engineers or geologists based upon their interpretation of field logs (assembled by site personnel) and laboratory evaluation of field samples. Only final logs customarily included in our reports. These logs should not under any circumstances be redrawn for inclusion in site remediation or other design drawings, because drafters may commit errors or omissions in the transfer process. Although photographic reproduction eliminates this problem, it does nothing to minimise the possibility of contractors misinterpreting the logs during bid preparation. When this occurs, delays, disputes and unanticipated costs are the all-too-frequent result.

To reduce the likelihood of boring log misinterpretation, the complete report must be available to persons or organisations involved in the project, such as contractors, for their use. Those who do not provide such access may proceed under the mistaken impression that simply disclaiming responsibility for the accuracy of subsurface information always insulates them from attendant liability. Providing all the available information to persons and organisations such as contractors helps prevent costly construction problems and the adversarial attitudes that may aggravate them to disproportionate scale.

READ RESPONSIBILITY CLAUSES CLOSELY

Because an ESA is based extensively on judgement and opinion, it is necessarily less exact than other disciplines. This situation has resulted in wholly unwarranted claims being lodged against consultants. To help prevent this problem, model clauses have been developed for use in transmittals. These are not exculpatory clauses designed to foist liabilities onto some other party. Rather, they are definitive clauses that identify where your consultant's responsibilities begin and end. Their use helps all parties involved recognise their individual responsibilities and take appropriate action. Some of these definitive clauses are likely to appear in your ESA report, and you are encouraged to read them closely. Your consultant will be pleased to give full and frank answers to your questions.