



Douglas Partners

Geotechnics | Environment | Groundwater

Report on
Preliminary Site (Contamination) Investigation

Proposed Mixed Use Building
26 Somerset Street & 38-40 Orth Street, Kingswood

Prepared for
Biogiene Property Investment Pty Ltd

Project 94530.01
October 2019

Integrated Practical Solutions



Document History

Document details

Project No.	94530.01	Document No.	R.002.Rev0
Document title	Report on Preliminary Site (Contamination) Investigation Proposed Mixed Use Building		
Site address	26 Somerset Street & 38-40 Orth Street, Kingswood		
Report prepared for	Biogene Property Investment Pty Ltd		
File name	94530.01.R.002.Rev0.docx		



Document status and review

Status	Prepared by	Reviewed by	Date issued
Revision 0	Gavin Boyd	Chris Kline	16 October 2019

Distribution of copies

Status	Electronic	Paper	Issued to
Revision 0	1	0	Wei Hunag, Biogene Property Investment Pty Ltd

The undersigned, on behalf of Douglas Partners Pty Ltd, confirm that this document and all attached drawings, logs and test results have been checked and reviewed for errors, omissions and inaccuracies.

Signature	Date
Author 	16 October 2019
Reviewer  CCK	16 October 2019



Douglas Partners Pty Ltd
 ABN 75 053 980 117
www.douglaspartners.com.au
 43 Hobart Street
 Riverstone NSW 2765
 PO Box 267
 Riverstone NSW 2765
 Phone (02) 4666 0450

Executive Summary

This report presents the results of a preliminary site (contamination) investigation (PSI) undertaken for a proposed mixed use building at 26 Somerset Street & 38-40 Orth Street, Kingswood. The investigation was commissioned in an email dated 24 July 2019 by Wei Huang of Biogene Property Investment Pty Ltd and was undertaken in accordance with Douglas Partners' proposal NWS180112 dated 19 December 2018 and subsequent proposal dated .

The proposed development is understood to comprise the demolition of existing structures, construction of a seven storey mixed-use development including ground floor commercial tenancy, 121 residential apartments, three levels of basement car parking and associated works.

The objectives of the PSI were to:

- Identify potential sources of contamination and determine the potential contaminants of concern;
- Identify potential human and ecological receptors; and
- Identify potentially affected soil and groundwater.

Following the review of the site history it is indicated that the site has remained of residential land use from between 1965 and 1970. Prior to development, the previous primarily vacant land uses are considered to have low or limited potential for contamination impact.

Sources of contamination on the site are considered to be:

- Hazardous building materials which were not appropriately removed prior to demolition of the former residential buildings or are present within the existing structures.
- Imported fill – fill of unknown origin used to level building footprints.
- Construction of buildings – the potential for pesticides to have been sprayed during construction of the building for termite control and deterioration of hazardous materials present within the buildings on site.

It is noted contamination on site (if present) is localised with a low risk of migration off-site.

Given the historical and current areas of environmental concern, the following assessments are recommended prior to detailed design at the construction certificate stage:

- **Pre-demolition Hazardous building material assessment** - as some of the buildings on the site are likely to contain hazardous building materials given their age, a hazardous material building survey and subsequently appropriate removal of the identified hazardous building materials (HBM) is to be undertaken prior to demolition. Care should be taken prior to demolition to remove all HBM from the building and also to prevent cross contamination of the surface if any remnant demolition debris remains on the site;
- **Soil investigation** – It is recommended that preliminary soil testing is undertaken (this can be undertaken in conjunction with geotechnical investigation) to determine if any surficial contamination is present from the deterioration of lead paint or asbestos from building materials. In addition, some preliminary soil testing should be undertaken to characterise fill materials on site.

Also once demolition of the buildings has occurred; it is recommended that soil testing is undertaken to validate the building footprint to determine any impacts from pesticides or other contaminants.

It is unlikely that groundwater testing would be required unless leachable contamination is found within the soils.

- **Waste classification** – A waste classification of soils will be required prior to off-site disposal due to basement construction. In ground assessment of the soils, using test pits, prior to commencement of excavation, but after the demolition of buildings (and removal of all demolition waste), should be carried out as additional contamination concerns (e.g. asbestos) may arise following demolition and as previously inaccessible areas of the site can be accessed;
- **Unexpected finds protocol** - An unexpected finds protocol (UFP) is recommended to be incorporated in the works management plan, so if necessary a strategy for asbestos management (or other unexpected finds) is in place.

On the basis of the investigation findings, it is considered that the site can be rendered suitable for the proposed mixed use development, subject to the implementation of the above recommendations and any remediation actions (if required).

Table of Contents

	Page
1. Introduction.....	1
2. Scope of Work.....	1
3. Site Information	2
3.1 Proposed development.....	3
4. Background information	3
4.1 Other Records.....	4
5. Topography, Geology and Hydrogeology	4
5.1 Topography	4
5.2 Geology.....	5
5.3 Hydrogeology.....	5
5.3.1 Groundwater bore search	5
6. Desktop Review – Site History.....	6
6.1 Historical Aerial Photographs	6
6.2 Historical Title Deeds	6
6.3 Historical Business Directory	9
6.4 SafeWork NSW Records Search.....	9
6.5 Council Records.....	9
6.6 NSW EPA Information	10
6.6.1 Contaminated Land and Waste Management Facilities	10
6.6.2 EPA PFAS investigation programme	11
6.7 Council Planning Certificates	12
7. Site Walkover	12
8. Preliminary Conceptual Site Model	13
8.1 Potential Sources.....	13
8.2 Potential Receptors.....	14
8.3 Potential Pathways	15
8.4 Summary of Preliminary CSM	15
9. Discussion of Results	16
10. Conclusion and Recommendation	16
11. Limitations	17

Appendix A:	About This Report
Appendix B:	Site
Appendix C:	Lotsearch Report
Appendix D:	Aerial Photography
Appendix E:	Title Deeds
Appendix F:	Section 10.6 Certificates Council records search Safework Search
Appendix G:	Site Photographs

Report on Preliminary Site (Contamination) Investigation Proposed Mixed Use Building 26 Somerset Street & 38-40 Orth Street, Kingswood

1. Introduction

This report presents the results of a preliminary site (contamination) investigation (PSI) undertaken for a proposed mixed use building at 26 Somerset Street & 38-40 Orth Street, Kingswood. The investigation was commissioned in an email dated 24 July 2019 by Wei Hunag of Biogene Property Investment Pty Ltd and was undertaken in accordance with Douglas Partners' proposal NWS180112 dated 19 December 2018 and subsequent proposal dated .

It is understood that the construction a 7 storey building with three basement levels is proposed. The PSI is understood to be required for planning purposes.

The objectives of the PSI were to:

- Identify potential sources of contamination and determine the potential contaminants of concern;
- Identify potential human and ecological receptors; and
- Identify potentially affected soil and groundwater.

The PSI has been conducted in general accordance with the National Environment Protection Council (NEPC) *National Environment Protection (Assessment of Site Contamination) Measure* 1999 (amended 2013, NEPC 2013) and includes a review of historical information, a limited site walkover and development of a preliminary conceptual site model (CSM).

It is noted that an intrusive investigation has not been conducted as part of the PSI.

A desktop geotechnical report was undertaken concurrently and is reported separately.

2. Scope of Work

The scope of work was as follows:

- Review of DP's previous contamination assessment reports in the vicinity of the site;
- Review of current and historical land titles to identify previous owners that may indicate potentially contaminating activities;
- Readily available historical aerial photographs to identify previous land uses that may indicate potential contamination;
- Review of the Lotsearch Enviro Lite Report, reference LS004837 dated 21 December 2018 (the Lotsearch Report) which included:

- Records from the NSW EPA Register for notices issued under the *Contaminated Land Management Act 1997* (CLM Act) and the *Protection of the Environment Operations Act 1997* (POEO Act);
- Review of historic business uses in the area;
- Search of the NSW Department of Primary Industries groundwater database for registered groundwater bores in the vicinity of the site; and
- Review of published geological, soil landscape and acid sulphate soil maps.
- Search of the NSW SafeWork register to identify dangerous goods and thereby contamination sources that may have been kept on site;
- A search of Council records accessible on their website under the *Government Information (Public Access) (GIPA) Act 2009*;
- Review of Council Planning Certificates;
- A site walkover to observe current and recent land use and assess the potential for contaminating activities; and
- Preparation of this PSI report describing the methodology and results of the investigation. The report includes a preliminary CSM of the potential contamination sources, potential contaminant transport pathways and receptors under the proposed development, comments on the risk of contamination, and provides recommendations for further investigation (if necessary).

3. Site Information

The site is located on the southern side of Orth Street, east of the intersection with Somerset Street. It extends approximately 60 m east of the intersection with Somerset Street along its street frontage. The site is an irregular shape of about 1785 m² with maximum north-south and east-west dimensions of approximately 40 m and 60 m respectively.

The site comprises three residential lots currently occupied by single storey weatherboard houses with associated garages, sheds, driveways, garden and grassed areas. Some mature trees are present on the northern and southern boundaries.

The ground surface slopes towards the east at gradients less than 1°, with site levels estimated to range from RL 47.5 m to RL 47.0 m (relative to Australian Height Datum [AHD]).

The site is bordered by Somerset Street to the west, Orth Street to the north and similar residential properties to the subject site on the southern and eastern boundaries. The Nepean Hospital precinct is located approximately 40 m to the west of the site.

The site is situated in the local government area of Penrith. The approximate site location and boundary are shown in Drawing 1, Appendix B.

Table 1: Summary of Site Details

Details	
Approximate Site Area	1,785 m ²
Current Use	Low-density residential
Street Address	Lot and Plan
26 Somerset Street, Kingswood, NSW	Lot 60, DP 36728
40 Orth Street, Kingswood, NSW	Lot 61, DP 36728
38 Orth Street, Kingswood, NSW	Lot 62, DP 36728

3.1 Proposed development

The development is understood to comprise the demolition of existing structures, construction of a seven storey mixed-use development including ground floor commercial tenancy, 121 residential apartments, three levels of basement car parking and associated works.

The lower basement floor level is at RL 38.3 m, and will require excavation to a depth of approximately 9 m.

4. Background information

DP has conducted a recent PSI for residential properties directly south and west of the site, along Somerset Street. The site conditions have the potential to be very similar due to this site also consisting of residential housing with buildings and yards of generally the same age of construction.

Ground conditions from this investigation at the neighbouring site comprised filling to depths of between 0.2 m and 0.7 m; clays/silty clays to depths of between 2.7 m and 4.3 m; and extremely low to very low strength shale to depths of between 4.5 m and 6.0 m overlying low and then medium strength shale to termination depths of between 9.92 m and 11.6 m bgl.

The soil samples were free of signs of chemical contamination concern (e.g. strong odours, staining, etc). Filling/topsoil depths ranged between 0.2 m and 0.7 m depth. All results were within the health and ecological site assessment criteria (SAC).

It should be noted that as these reports were not undertaken on the site and were undertaken on the behalf of other clients, only limited information can be repeated herein. Notwithstanding, these investigations do provide a basis for DP's understanding of the geological and hydrogeological conditions for the area and the risk of contamination from off-site sources. In this regard contaminants on the adjacent properties to the south-west have recorded results which were below the SAC. This

combined with the low permeable clays indicate a low level of risk of contamination from off-site sources.

4.1 Other Records

In addition to the above information, the following table summarises the results of searches and data, relating to the environmental setting, acquired from the Lotsearch Report included in Appendix C.

Table 2: Summary of available information from Lotsearch Report

Record / Source of Information	Comments
Naturally occurring asbestos potential	No record of natural occurring asbestos within a 1 km buffer (page 44)
Dryland salinity	The site is in an area of moderate salinity potential (page 52)
Mining subsidence districts	No Mining Subsidence Districts within a 1 km buffer (page 54)

5. Topography, Geology and Hydrogeology

5.1 Topography

Review of topographic maps indicates that site levels fall towards the east and it is located in-between two areas which appear to be minor drainages. There is a ridgeline present approximately 200 m west of the site. The ground surface slopes towards the east at gradients less than 1° with site levels estimated to range from RL 47.5 m to RL 47.0 m (relative to Australian Height Datum [AHD]).

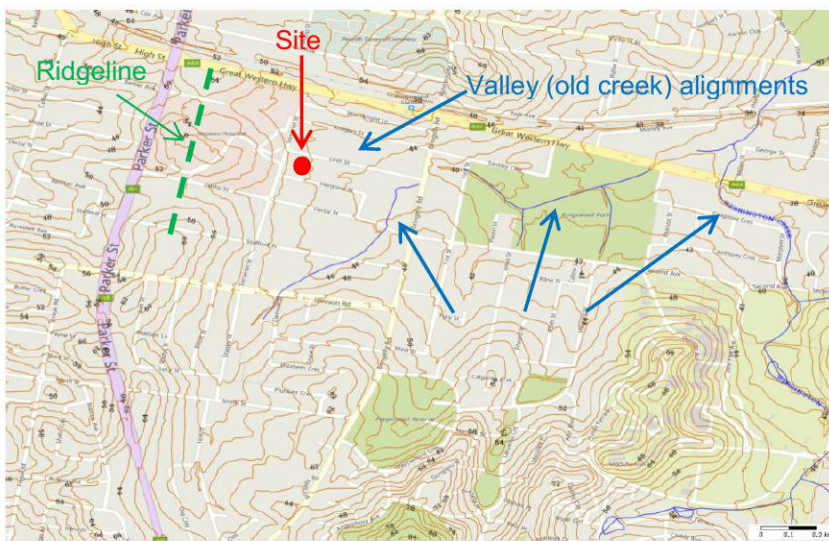


Figure 1: Site Topography and Creek Alignments

5.2 Geology

Reference to the Sydney 1:100 000 Series Geological Sheet indicates the site is underlain by Bringelly Shale which typically comprises shale, carbonaceous claystone, laminite and fine to medium grained lithic sandstone.

Reference to Acid Sulfate Soil (ASS) mapping indicates that the site is located at least 3 km east of areas mapped as having potential for ASS. The Acid Sulfate Soil Management Advisory Committee (ASSMAC) guidelines indicate that ASS normally occurs in alluvial or estuarine soils below RL 5 m AHD. Given that the site soils are likely to be above an elevation of RL 40 m AHD and the site soils are expected to be residual clays, ASS is not likely to be present on-site.

5.3 Hydrogeology

Review of Sydney Watercourses Map indicates that the site is located within the Werrington Creek catchment. Topographic maps suggest that surface water in the area would generally flow along the lower elevation alignments (valley) east towards Werrington Creek. These creeks are not expected to be significant watercourses as the proximity to the ridgeline to the west suggests relatively small up-gradient water catchments.

5.3.1 Groundwater Bore Search

Groundwater search information is provided in the Lotsearch report (pages 37-41), Appendix C.

The search indicates that porous, extensive aquifers are located within the search buffer (2 km radius). The aquifers range from low-moderate productivity to high productivity. Thirteen registered groundwater wells were recorded in the buffer area. Nine wells were recorded as monitoring wells. One groundwater well was recorded as a groundwater recreational test bore; its use was not recorded within the logs. Three wells, located approximately 1.9 km to the east of the site were recorded as waste disposal wells.

Bore log records generally indicate silty clay and sand with shale inclusions overlaying shale.

Drillers' logs indicate that water supply was located between 8.8 m and 13.7 m in the wells to the east of the site.

Wells located to the south and north of the site indicate relatively shallow shale layers from 0.5 m to 0.9 m bgl.

6. Desktop Review – Site History

6.1 Historical Aerial Photographs

Historical aerial photographs were obtained for the years as below and are provided in Appendix D.

1943 – The 1943 photograph shows the site and surrounding area to be generally undeveloped. Some tracks or minor roadways are evident throughout the photograph. The Great Western Highway and railway line can also be observed to the north. Somerset Street is also present to the west. Some tree clearing is likely to have occurred.

1947 – The photograph shows minimal change from the 1943 photograph. The site and surrounding areas remain relatively undeveloped.

1965 – Minimal change can be observed from the 1947 photograph. Orth Street and some local roads and residential houses have been constructed. The first buildings for Nepean Hospital located to the west of the site have been constructed.

1970 – All three houses on site have now been constructed. The garages do not appear to have been constructed at this stage. Further development at Nepean Hospital is evident. There is a large vacant, grassed area to the north of the site, assumed to be a park or throughway.

1986 – The garages on the Orth Street properties have now been constructed. A long concrete driveway can be observed along the eastern boundary of the backyard of 40 Orth Street. Surrounding areas remain as residential land use.

1994 – There has been significant tree growth in the backyards of the properties since the 1986 photograph. The concrete driveway is no longer observed in the backyard of 40 Orth Street. There also appears to be some clearing or disturbance to the rear of 38 Orth Street. There is the potential that this may indicate the construction of the sewer. Further buildings have been constructed to the hospital to the west of the site and a large at grade carpark. The surrounding areas remain residential.

2005 – The site appears to not differ from the 1994 photograph. Further development of the hospital including roads and some buildings to the west are shown in the photograph.

2015 – This photograph shows a concrete construction to the rear of 40 Orth Street (which was not observed during the site inspection or 2018 photograph as below). The remainder of the site and surrounding areas remain relatively unchanged.

6.2 Historical Title Deeds

A historical title deeds search was conducted for the site by Infotrack Pty Ltd and was used to obtain ownership and occupancy information including company names and the occupations of individuals. The title information can assist in the identification of previous land uses by the company names or the site owners and can, therefore, assist in establishing whether there were potentially contaminating activities occurring at the site. A summary of the title deeds and possible land uses (with reference to the aerial photographs and historical business directories) is presented in Tables 2A, 2B and 2C below for the site shown on the cadastre map in Appendix E.

Table 2A: Lot 61 in D.P. 36728

Date of Acquisition and term held	Registered Proprietor(s) & Occupations where available	Potential Land Use
30.06.1922 (1922 to 1942)	Frederick Charles Jones (Farmer)	Rural/Farming
27.03.1942 (1942 to 1958)	Commonwealth of Australia (Acquired for postal & telegraphic purposes)	Infrastructure
28.08.1958 (1958 to 1994)	The Housing Commission of New South Wales Then New South Wales Land and Housing Corporation	Residential
23.08.1994 (1994 to 2000)	Mary Veronica Nesbit	Residential
14.04.2000 (2000 to 2015)	Kathleen Mary Cranstone Joseph James Nesbit Allan Peter Nesbit	Residential
12.11.2015 (2015 to 2018)	Agamemnon Ypermachou Janelle Ypermachou	Residential
04.05.2018 (2018 to date)	# Biogiene Property Investments Pty Ltd	Residential

Denotes Current Registered Proprietor

Table 2B: Lot 62 in D.P. 36728

Date of Acquisition and term held	Registered Proprietor(s) & Occupations where available	Potential Land Use
30.06.1922 (1922 to 1942)	Frederick Charles Jones (Farmer)	Rural/Farming
27.03.1942 (1942 to 1958)	Commonwealth of Australia (Acquired for postal & telegraphic purposes)	Infrastructure
28.08.1958 (1958 to 1972)	The Housing Commission of New South Wales Then New South Wales Land and Housing Corporation	Residential
19.07.1972 (1972 to 1972)	Brian Ambrose Byrnes (Head Steward) Jannece (? or Janneece) Rosemary Byrnes (Married Woman)	Residential
27.07.1972 (1972 to 1980)	James Francis Hill (Retired) Mildred May Hill (Married Woman)	Residential

Date of Acquisition and term held	Registered Proprietor(s) & Occupations where available	Potential Land Use
04.11.1980 (1980 to 1985)	James Francis Hill (Retired) Francis Roy Hill (Maintenance Foreman) (Transmission Application not investigated)	Residential
05.03.1985 (1985 to 1986)	Betty Mildred Kalnins Francis Roy Hill (Maintenance Foreman)	Residential
10.03.1986 (1986 to 1989)	Betty Mildred Kalnins	Residential
20.07.1989 (1989 to 1991)	James Demitrios Gerassimou (Electronics Technician)	Residential
31.05.1991 (1991 to 2001)	Michael Raymond Hilton Julie Hilton	Residential
12.02.2001 (2001 to 2009)	Wai Fong Wong	Residential
19.10.2009 (2009 to 2015)	Han Yin Chung	Residential
10.06.2015 (2015 to 2018)	Agamemnon Ypermachou Janelle Ypermachou	Residential
04.05.2018 (2018 to date)	# Biogene Property Investments Pty Ltd	Residential

Denotes Current Registered Proprietor

Leases & Easements: NIL

Table 2C: Lot 60 DP 36728

Date of Acquisition and term held	Registered Proprietor(s) & Occupations where available	Potential Land Use
30.04.1922 (1922 to 1939)	Frederick Charles Jones (Farmer)	Rural/Farming
22.09.1939 (1939 to 1942)	Amy Amelia Jones (widow) Frederick Nepean Jones (Master Tanner) Reginald Neale (Storekeeper) (Transmission Application not investigated)	Possible Retail Store
12.02.1942 (1942 to 1958)	Commonwealth of Australia (for the purpose of Postal, Telephonic and other like services)	Infrastructure

Date of Acquisition and term held	Registered Proprietor(s) & Occupations where available	Potential Land Use
28.08.1958 (1958 to 1993)	Housing Commission of New South Wales	Residential
02.06.1993 (1993 to 2013)	Russell John Connors Valerie Connors	Residential
09.08.2013 (2013 to date)	# Valerie Connors	Residential

Denotes Current Registered Proprietor

Leases & Easements: NIL

The historical title search indicates that the site has primarily been vacant or residential land since 1947.

6.3 Historical Business Directory

The historical business directory indicates that several motor garages and service stations are located or were previously located within the 1km search buffer of the site. All sites which were indicated with an address were located to the north or north-west of the site. Several other motor garages and service stations were located in the historical business directories, but the exact addresses could not be matched within the search.

6.4 SafeWork NSW Records Search

SafeWork NSW undertook searches of their Stored Chemical Information Database for the site. A search of the record did not locate any records pertaining to the properties.

A copy of the SafeWork NSW letters are provided in Appendix F.

6.5 Council Records

An informal request to review available Council records associated with the site under the *Government Information (Public Access) Act 2009* was completed. The request for information was to indicate records for the site with respect to:

- Information indicating previous land use and site activities;
- Previous contamination assessments;
- Pollution notifications or other breaches of Council's environmental policies; and
- Use of asbestos or other hazardous materials on the site.

Penrith City Council provided a building application in regard to 40 Orth Street.

Also provided was a link to development applications in regard to the site. It is understood that this information is publically accessible. No further information in regard to the search was provided.

- **Building Application, 40 Orth St, Kingswood –Construction of garage (28 July 1967)**

The application was for Lot 61 Orth Street Kingswood (40 Orth Street).

The report indicates that the garage was to be constructed with fibro walls and a corrugated iron roof. (It is assumed that fibro construction due to the age of the application would indicate asbestos cement).

- **Report on ‘Statement of environmental effects, proposed mixed use development, 38-40 Orth Street and 1-5 Hargrave Street Kingswood, Boston Blyth Fleming Town Planners, September 2016’**

Relevant information from the report indicates a Sewer main traverses the rear of the properties. The development site is located within the Penrith Health and Education Precinct, within the Medical Mixed Use character zone and immediate proximity to the Nepean Hospital campus.

The report concluded that the development was consistent with zone objectives and there was not statutory or environmental planning impediment to the granting of a height of buildings variation in this instance.

- **Development consent application for proposed development - DA16/0999.**

Consent was granted on 10 August 2017 for the development application DA16/0999.

The application was for the demolition of existing structures, construction of a seven storey mixed-use development including ground floor commercial tenancy, 121 residential apartments, three levels of basement car parking and associated works. The development is proposed for 38-40 Orth Street, 1,3 and 5 Hargrave Street, Kingswood.

The Council records referred to above are included in Appendix F.

6.6 NSW EPA Information

The following sections summarise the results of searches and data (within a 1 km radius of the site) acquired from the Lotsearch Report included in Appendix C.

6.6.1 Contaminated Land and Waste Management Facilities

The EPA publishes records of contaminated sites under section 58 of the *Contaminated Land Management Act 1997* (CLM Act) on a public database accessed via the internet. The notices relate to investigation and/or remediation of site contamination considered to be significantly contaminated under the definition in the CLM Act. More specifically the notices cover the following:

- Actions taken by the EPA under sections 15, 17, 19, 21, 23, 26 or 28 of the CLM Act;

- Actions taken by the EPA under sections 35 or 36 of the Environmentally Hazardous Chemicals Act 1985; and
- Site audit statements provided to the EPA under section 52 of the CLM Act on sites subject to an in-force remediation order.

A search of the public database on 20 December 2018 in the Lotsearch report indicated that neither the site nor any other properties within a 1 km radius were listed.

It should be noted that the EPA record of Notices for contaminated land does not provide a record of all contaminated land in NSW.

The NSW EPA also issues environmental protection licenses under section 308 of the *Protection of the Environment Operations Act 1997* (POEO Act). The register contains:

- Environmental protection licenses;
- Applications for new licenses and to transfer or vary existing licenses;
- Environment protection and noise control licenses;
- Convictions in prosecutions under the POEO Act;
- The result of civil proceedings;
- License review information;
- Exemptions from provisions of the POEO Act or Regulations;
- Approvals granted under Clause 9 of the POEO (Control of Burning) Regulation; and
- Approvals granted under Clause 7a of the POEO (Clean Air) Regulation.

A search of the public register on 20 December 2018, within the Lotsearch report indicated that no licenses were listed for the site or properties within 1 km (buffer area).

Licensed activities under the POEO Act undertaken nearby include railway systems activities by Sydney Trains located 286 m to the north and road construction 707 m to the south-west of the site.

Delicensed activities still regulated by the EPA include hazardous, industrial or Group A waste generation or storage located at Nepean Hospital, immediately to the west and Nepean Private Hospital located to the north-west.

Former licensed activities under the POEO Act now surrendered include activities related to a network of waterway features in regard to the application of herbicides located within 282 metres of the site. Due to the low permeable clays that are present in the area, the applications of herbicides along the waterways were not considered to be of concern and hence are not discussed further.

6.6.2 EPA PFAS investigation programme

There were no records within a 1 km buffer of any sites part of the EPA PFAS investigation program.

6.7 Council Planning Certificates

Copies of Council Section 10.6 Planning Certificates for Lot 61 and Lot 62 DP 36728 from Penrith City Council were applied for via Lot Search. Review of the certificates indicated that:

- The site is currently zoned B4 Mixed Use under the Penrith LEP 2011;
- The land has not been identified as significantly contaminated land within the meaning of the CLM Act;
- The land is not subject to a management order within the meaning of the CLM Act; and
- The land is not the subject of an approved voluntary management proposal within the meaning of the CLM Act.

A copy of the planning certificates is provided is included in Appendix F.

7. Site Walkover

Site walkovers were conducted by environmental scientists from DP on 8 January 2019 for 38 and 40 Orth Street and 3 September 2019 for 26 Somerset Street with observations of the site and activities described below. Site photographs referred to herein, are provided in Appendix G.

At the time of the walkover the site comprised three neighbouring residential houses (26 Somerset Street, 38 Orth Street and 40 Orth Street). The site is bounded by Somerset Street to the west, Orth Street to the north and residential housing surrounding the south and east boundaries.

38 Orth Street

The property consisted of a single storey fibre cement clad house which was assumed to contain asbestos and other hazardous building materials, such as lead paint, due to the age of construction (Photograph 1). A fibre cement garage was located in the backyard along the eastern boundary of the property, also potentially constructed with asbestos containing materials (Photograph 2). The garage was noted to be of relatively poor construction, with various large cracks and holes in the wall linings and an aged, weathered fibre cement roof (Photograph 3). The yard was grassed and contained several large trees to the southern boundary. Several fibre cement sheet panels were observed on the eastern fence, the tenant advised that these had been moved from another property (Photograph 4). A service cap was observed to the south-eastern corner of the site (Photograph 5). The tenant advised that the backyard had experienced several occasions of severe flooding, as a result of which drainage had been installed. A disused green-house was also observed to the rear of the garage. Ground surfaces were generally grass covered with concrete driveway and paths.

40 Orth Street

The property also consisted of a single storey fibre cement clad house which was assumed to contain asbestos and other hazardous building materials, such as lead paint, due to the age of construction (Photograph 6). A fibre cement shed was located to the western side of the backyard and was also in relatively poor condition, cracks and holes were observed in the wall linings (Photograph 7). Several trees in the backyard had been mulched and the tenants also advised of localised flooding to the rear

of the property flowing toward 38 Orth Street (east) (Photograph 8). A sheet of fibre cement was observed along the back fence which potentially could contain asbestos (Photograph 9). Ground surfaces were generally grass covered with concrete driveway and paths.

26 Somerset Street

The property consisted of a single storey weatherboard house which was assumed to contain asbestos and other hazardous building materials, such as lead paint, due to the age of construction (Photographs 11 and 12). Three separate structures were observed in the backyard including a corrugated iron shed, a likely Fibro Cement Sheet (FCS) Shed and toilet (Photographs 13 and 14), both of which are damaged (Photograph 15 and 16). The exposed FCS in the damaged structures exposed material which could potentially contain asbestos. Ground surfaces were generally grass covered with concrete driveway and paths. General debris, an incinerator and a number of LPG gas bottles are also present around and in the subfloor areas of the house (Photo 17 and 18).

In general, with the exception of potential hazardous building materials in the structures located on the properties, significant contamination was not observed during site inspection.

The surrounding area was mainly residential in nature, with the Nepean Hospital located directly west of the site. Some construction and demolition of residential properties were observed surrounding the site.

8. Preliminary Conceptual Site Model

A conceptual site model (CSM) is a representation of site-related information regarding contamination sources, receptors and exposure pathways between those sources and receptors. The CSM provides the framework for identifying how the site became contaminated and how potential receptors may be exposed to contamination either in the present or the future i.e. it enables an assessment of the potential source – pathway – receptor linkages (complete pathways).

8.1 Potential Sources

Based on the current investigation, the following potential sources of contamination and associated contaminants of potential concern (COPC) have been identified and summarised in Table 3 below:

Table 3: Potential Contamination Sources and Contaminants of Concern

Potential Source	Description of Potential Contaminating Activity	Contaminants of Concern
Impacted filling/topsoil from general site activities (S1)	Use of uncontrolled filling associated with disturbed terrain in the local area and/or for levelling of the site prior to construction of the existing buildings and pavements.	Heavy metals, TRH, BTEX, PAH, PCB, OCP, OPP, phenols and asbestos.
Demolition and deterioration of previous site structures and/or deterioration of existing structures(S2)	Impact on soils due to incorrect demolition and removal of former structures/materials and/or deterioration of these or current structures.	Asbestos, lead based paints, PCB capacitors, synthetic mineral fibres (SMF).
Use of lead based paints and the potential use of pesticides for termite/pest treatment within the building footprint (S3)	Impact on soils due to spraying of pesticides. Deterioration of lead-based paints.	Pesticides (OCP and OPP), lead based paints, heavy metals.

Notes :

TRH -	total petroleum hydrocarbon
BTEX -	benzene, toluene, ethylbenzene, xylene
PAH -	polycyclic aromatic hydrocarbons
PCB -	polychlorinated biphenyls
OCP -	organochlorine pesticides
OPP -	organophosphorus pesticides
VOC -	volatile organic compounds

8.2 Potential Receptors

Human health receptors:

- R1 – Construction and maintenance workers;
- R2 – End users (residential and commercial users); and
- R3 – Adjacent users (commercial and residential).

Environmental receptors:

- R4 – Surface water (Werrington Lakes catchment – north east); and
- R5 – Groundwater (freshwater).

As the site will involve bulk excavation across the site to approximately 9 m depth below ground level to allow construction of the basement car park, terrestrial ecology at the site is not considered to be relevant from a contamination perspective and hence is not discussed further.

8.3 Potential Pathways

- P1 – Ingestion and dermal contact;
- P2 – Inhalation of dust and/or vapours;
- P3 – Leaching of contaminants and vertical migration into groundwater; and
- P4 – Lateral migration of groundwater providing base flow to water bodies.

Given that the proposed development will be predominantly covered in hardstand with artificial drainage lines located along the perimeter roads, surface water run-off is not considered a likely contamination pathway and hence has not been considered further.

8.4 Summary of Preliminary CSM

A 'source–pathway–receptor' approach has been used to assess the potential risks of harm being caused to the identified receptors from contamination sources on or in the vicinity of the site, via exposure pathways (complete pathways). The possible pathways between the above sources (S1 to S2) and receptors (R1 to R5) are provided in Table 5 below.

Table 4: Potential Complete Pathways

Potential Source and Contaminants of Concern	Pathway	Receptor	Risk Management Action Recommended
S1: Impacted filling or topsoil from site activities	P1: Ingestion and dermal contact P2: Inhalation of dust and/or vapour	R1: Construction and maintenance workers R2: End users	Due to the residential nature of the site over time, the potential for contamination is considered to be low. However, preliminary testing should be undertaken to characterise the fill.
	P2: Inhalation of dust and/or vapour	R3: Adjacent users	
	P3: Leaching of contaminants and vertical migration into groundwater	R5: Groundwater	
	P4: Lateral migration of groundwater	R4: Surface water	
S2: Hazardous building materials	P1: Ingestion and dermal contact P2: Inhalation of dust and/or vapour	R1: Construction and maintenance workers R2: End users	Undertake hazardous materials assessment and remove hazardous materials prior to

Potential Source and Contaminants of Concern	Pathway	Receptor	Risk Management Action Recommended
			demolition of existing structures.
S3: Pesticide use and building construction	P1: Ingestion and dermal contact P2: Inhalation of dust and/or vapour	R1: Construction and maintenance workers R2: End users	Undertake preliminary soil testing to determine potential impact of contaminants within building footprint
	P2: Inhalation of dust and/or vapour	R5: Groundwater	
	P3: Leaching of contaminants and vertical migration into groundwater		

9. Discussion of Results

A review of the site history indicates the site has remained of residential land use from between 1965 and 1970. Prior to development, the previous primarily vacant land uses are considered to have low or limited potential for contamination impact.

Sources of contamination on the site are considered to be:

- Hazardous building materials which were not appropriately removed prior to demolition of the former residential buildings or are present within the existing structures.
- Imported fill – fill of unknown origin used to level building footprints.
- Construction of buildings – the potential for pesticides to have been sprayed during construction of the building for termite control and deterioration of hazardous materials present within the buildings on site.

It is noted contamination on site (if present) is localised with a low risk of migration off-site.

10. Conclusion and Recommendation

Given the historical and current areas of environmental concern, the following assessments are recommended prior to detailed design at the construction certificate stage:

- **Pre-demolition Hazardous building material assessment** - as some of the buildings on the site are likely to contain hazardous building materials given their age, a hazardous material building survey and subsequently appropriate removal of the identified hazardous building materials (HBM) is to be undertaken prior to demolition. Care should be taken prior to demolition to remove

all HBM from the building and also to prevent cross contamination of the surface if any remnant demolition debris remains on the site;

- **Soil investigation** – It is recommended that preliminary soil testing is undertaken (this can be undertaken in conjunction with geotechnical investigation) to determine if any surficial contamination is present from the deterioration of lead paint or asbestos from building materials. In addition, some preliminary soil testing should be undertaken to characterise fill materials on site.

Also once demolition of the buildings has occurred; it is recommended that soil testing is undertaken to validate the building footprint to determine any impacts from pesticides or other contaminants.

It is unlikely that groundwater testing would be required unless leachable contamination is found within the soils.

- **Waste classification** – A waste classification of soils will be required prior to off-site disposal due to basement construction. In ground assessment of the soils, using test pits, prior to commencement of excavation, but after the demolition of buildings (and removal of all demolition waste), should be carried out as additional contamination concerns (e.g. asbestos) may arise following demolition and as previously inaccessible areas of the site can be accessed;
- **Unexpected finds protocol** - An unexpected finds protocol (UFP) is recommended to be incorporated in the works management plan, so if necessary a strategy for asbestos management (or other unexpected finds) is in place.

On the basis of the investigation findings, it is considered that the site can be rendered suitable for the proposed mixed use development, subject to the implementation of the above recommendations and any remediation actions (if required).

11. Limitations

Douglas Partners (DP) has prepared this report (or services) for this project at 38-40 Orth Street, Kingswood in accordance with DP's proposal NWS180112 dated 19 December 2018 and acceptance received from Mr Joe Yuan of Biogene Property Investment Pty Ltd dated 20 December 2019. The work was carried out under DP's Conditions of Engagement. This report is provided for the exclusive use of Biogene Property Investment Pty Ltd for this project only and for the purposes as described in the report. It should not be used by or relied upon for other projects or purposes on the same or other site or by a third party. Any party so relying upon this report beyond its exclusive use and purpose as stated above, and without the express written consent of DP, does so entirely at its own risk and without recourse to DP for any loss or damage. In preparing this report DP has necessarily relied upon information provided by the client and/or their agents.

The results provided in the report are indicative of the sub-surface conditions on the site only at the specific sampling and/or testing locations, and then only to the depths investigated and at the time the work was carried out. Sub-surface conditions can change abruptly due to variable geological processes and also as a result of human influences. Such changes may occur after DP's field testing has been completed.

DP's advice is based upon the conditions encountered during this investigation. The accuracy of the advice provided by DP in this report may be affected by undetected variations in ground conditions across the site between and beyond the sampling and/or testing locations. The advice may also be limited by budget constraints imposed by others or by site accessibility.

This report must be read in conjunction with all of the attached notes and should be kept in its entirety without separation of individual pages or sections. DP cannot be held responsible for interpretations or conclusions made by others unless they are supported by an expressed statement, interpretation, outcome or conclusion stated in this report.

This report, or sections from this report, should not be used as part of a specification for a project, without review and agreement by DP. This is because this report has been written as advice and opinion rather than instructions for construction.

Douglas Partners Pty Ltd

Appendix A

About This Report

About this Report

Douglas Partners



Introduction

These notes have been provided to amplify DP's report in regard to classification methods, field procedures and the comments section. Not all are necessarily relevant to all reports.

DP's reports are based on information gained from limited subsurface excavations and sampling, supplemented by knowledge of local geology and experience. For this reason, they must be regarded as interpretive rather than factual documents, limited to some extent by the scope of information on which they rely.

Copyright

This report is the property of Douglas Partners Pty Ltd. The report may only be used for the purpose for which it was commissioned and in accordance with the Conditions of Engagement for the commission supplied at the time of proposal. Unauthorised use of this report in any form whatsoever is prohibited.

Borehole and Test Pit Logs

The borehole and test pit logs presented in this report are an engineering and/or geological interpretation of the subsurface conditions, and their reliability will depend to some extent on frequency of sampling and the method of drilling or excavation. Ideally, continuous undisturbed sampling or core drilling will provide the most reliable assessment, but this is not always practicable or possible to justify on economic grounds. In any case the boreholes and test pits represent only a very small sample of the total subsurface profile.

Interpretation of the information and its application to design and construction should therefore take into account the spacing of boreholes or pits, the frequency of sampling, and the possibility of other than 'straight line' variations between the test locations.

Groundwater

Where groundwater levels are measured in boreholes there are several potential problems, namely:

- In low permeability soils groundwater may enter the hole very slowly or perhaps not at all during the time the hole is left open;

- A localised, perched water table may lead to an erroneous indication of the true water table;
- Water table levels will vary from time to time with seasons or recent weather changes. They may not be the same at the time of construction as are indicated in the report; and
- The use of water or mud as a drilling fluid will mask any groundwater inflow. Water has to be blown out of the hole and drilling mud must first be washed out of the hole if water measurements are to be made.

More reliable measurements can be made by installing standpipes which are read at intervals over several days, or perhaps weeks for low permeability soils. Piezometers, sealed in a particular stratum, may be advisable in low permeability soils or where there may be interference from a perched water table.

Reports

The report has been prepared by qualified personnel, is based on the information obtained from field and laboratory testing, and has been undertaken to current engineering standards of interpretation and analysis. Where the report has been prepared for a specific design proposal, the information and interpretation may not be relevant if the design proposal is changed. If this happens, DP will be pleased to review the report and the sufficiency of the investigation work.

Every care is taken with the report as it relates to interpretation of subsurface conditions, discussion of geotechnical and environmental aspects, and recommendations or suggestions for design and construction. However, DP cannot always anticipate or assume responsibility for:

- Unexpected variations in ground conditions. The potential for this will depend partly on borehole or pit spacing and sampling frequency;
- Changes in policy or interpretations of policy by statutory authorities; or
- The actions of contractors responding to commercial pressures.

If these occur, DP will be pleased to assist with investigations or advice to resolve the matter.

About this Report

Site Anomalies

In the event that conditions encountered on site during construction appear to vary from those which were expected from the information contained in the report, DP requests that it be immediately notified. Most problems are much more readily resolved when conditions are exposed rather than at some later stage, well after the event.

Information for Contractual Purposes

Where information obtained from this report is provided for tendering purposes, it is recommended that all information, including the written report and discussion, be made available. In circumstances where the discussion or comments section is not relevant to the contractual situation, it may be appropriate to prepare a specially edited document. DP would be pleased to assist in this regard and/or to make additional report copies available for contract purposes at a nominal charge.

Site Inspection

The company will always be pleased to provide engineering inspection services for geotechnical and environmental aspects of work to which this report is related. This could range from a site visit to confirm that conditions exposed are as expected, to full time engineering presence on site.

Appendix B

Site Drawing



— Approximate site boundary



Source: Nearmap



CLIENT: Biogene Property Investment Pty Ltd

OFFICE: NWS

DATE: 15 Oct 2019

Site Drawing-Mixed Use Development

26 Somerset Street and

38-40 Orth Street, Kingswood

PROJECT No: 94530.00

DWG No: B1

REVISION: A

Appendix C

Lotsearch Report



LOTSEARCH

LOTSEARCH ENVIRO LITE

Date: 21 Dec 2018 08:57:34

Reference: LS004837 EP

Address: 38-40 Orth Street, Kingswood, NSW 2340

Disclaimer:

The purpose of this report is to provide an overview of some of the site history, environmental risk and planning information available, affecting an individual address or geographical area in which the property is located. It is not a substitute for an on-site inspection or review of other available reports and records. It is not intended to be, and should not be taken to be, a rating or assessment of the desirability or market value of the property or its features. You should obtain independent advice before you make any decision based on the information within the report. The detailed terms applicable to use of this report are set out at the end of this report.

Table of Contents

Location Confidences.....	2
Dataset Listings.....	3
Site Location Aerial	6
Contaminated Land & Waste Management Facilities.....	7
EPA PFAS Investigation Program	9
EPA Other Sites with Contamination Issues	10
EPA Current Licensed Activities.....	11
EPA Delicensed & Former Licensed Activities	13
UPSS Sensitive Zones.....	15
Historical Business Activities.....	16
Historical Maps.....	27
Topographic Features	31
Elevation Contours.....	36
Hydrogeology & Groundwater	37
Geology.....	42
Naturally Occurring Asbestos Potential	44
Soils	45
Acid Sulfate Soils	49
Dryland Salinity	52
Mining Subsidence Districts	54
State Environmental Planning	55
Local Environmental Planning.....	56
Heritage	60
Natural Hazards	62
Ecological Constraints.....	64
Terms & Conditions.....	73

Location Confidences

Where Lotsearch has had to georeference features from supplied addresses, a location confidence has been assigned to the data record. This indicates a confidence to the positional accuracy of the feature. Where applicable, a confidence is given under the field heading "LocConf" or "Location Confidence".

LC Code	Location Confidence
Premise match	Georeferenced to the site location / premise or part of site
General area or suburb match	Georeferenced with the confidence of the general/approximate area
Road match	Georeferenced to the road or rail
Road intersection	Georeferenced to the road intersection
Feature is a buffered point	Feature is a buffered point
Land adjacent to geocoded site	Land adjacent to Georeferenced Site

Dataset Listing

Datasets contained within this report, detailing their source and data currency:

Dataset Name	Custodian	Supply Date	Currency Date	Update Frequency	Dataset Buffer (m)	No. Features Onsite	No. Features within 100m	No. Features within Buffer
Cadastre Boundaries	Dept. Finance, Services & Innovation	21/12/2018	21/12/2018	Daily	-	-	-	-
Topographic Data	Dept. Finance, Services & Innovation	17/07/2018	17/07/2018	As required	-	-	-	-
List of NSW contaminated sites notified to EPA	Environment Protection Authority	18/12/2018	12/12/2018	Monthly	1000	0	0	0
Contaminated Land Records of Notice	Environment Protection Authority	13/12/2018	13/12/2018	Monthly	1000	0	0	0
Former Gasworks	Environment Protection Authority	04/12/2018	11/10/2017	Monthly	1000	0	0	0
National Waste Management Facilities Database	Geoscience Australia	06/11/2018	07/03/2017	Quarterly	1000	0	0	0
EPA PFAS Investigation Program	Environment Protection Authority	29/11/2018	29/11/2018	Monthly	2000	0	0	0
EPA Other Sites with Contamination Issues	Environment Protection Authority	11/01/2018	11/01/2018	As required	1000	0	0	0
Licensed Activities under the POEO Act 1997	Environment Protection Authority	27/11/2018	27/11/2018	Monthly	1000	0	0	2
Delicensed POEO Activities still Regulated by the EPA	Environment Protection Authority	27/11/2018	27/11/2018	Monthly	1000	0	1	2
Former POEO Licensed Activities now revoked or surrendered	Environment Protection Authority	27/11/2018	27/11/2018	Monthly	1000	0	0	4
UPSS Environmentally Sensitive Zones	Environment Protection Authority	14/04/2015	12/01/2010	As required	1000	1	1	1
UBD Business to Business Directory 1991 (Premise & Intersection Matches)	Hardie Grant			Not required	150	0	0	0
UBD Business to Business Directory 1991 (Road & Area Matches)	Hardie Grant			Not required	150	-	0	0
UBD Business to Business Directory 1986 (Premise & Intersection Matches)	Hardie Grant			Not required	150	0	0	0
UBD Business to Business Directory 1986 (Road & Area Matches)	Hardie Grant			Not required	150	-	0	0
UBD Business Directory 1982 (Premise & Intersection Matches)	Hardie Grant			Not required	150	0	0	0
UBD Business Directory 1982 (Road & Area Matches)	Hardie Grant			Not required	150	-	0	0
UBD Business Directory 1970 (Premise & Intersection Matches)	Hardie Grant			Not required	150	0	0	0
UBD Business Directory 1970 (Road & Area Matches)	Hardie Grant			Not required	150	-	0	1
UBD Business Directory 1961 (Premise & Intersection Matches)	Hardie Grant			Not required	150	0	0	0
UBD Business Directory 1961 (Road & Area Matches)	Hardie Grant			Not required	150	-	0	2
UBD Business Directory 1950 (Premise & Intersection Matches)	Hardie Grant			Not required	150	0	0	0
UBD Business Directory 1950 (Road & Area Matches)	Hardie Grant			Not required	150	-	0	2
UBD Business Directory Drycleaners & Motor Garages/Service Stations (Premise & Intersection Matches)	Hardie Grant			Not required	500	0	0	11
UBD Business Directory Drycleaners & Motor Garages/Service Stations (Road & Area Matches)	Hardie Grant			Not required	500	-	0	17
Points of Interest	Dept. Finance, Services & Innovation	12/10/2018	12/10/2018	Quarterly	1000	0	1	32
Tanks (Areas)	Dept. Finance, Services & Innovation	15/10/2018	15/10/2018	Quarterly	1000	0	0	0
Tanks (Points)	Dept. Finance, Services & Innovation	15/10/2018	15/10/2018	Quarterly	1000	0	0	0

Dataset Name	Custodian	Supply Date	Currency Date	Update Frequency	Dataset Buffer (m)	No. Features Onsite	No. Features within 100m	No. Features within Buffer
Major Easements	Dept. Finance, Services & Innovation	12/10/2018	12/10/2018	Quarterly	1000	0	0	1
State Forest	Dept. Finance, Services & Innovation	18/01/2018	18/01/2018	As required	1000	0	0	0
NSW National Parks and Wildlife Service Reserves	NSW Office of Environment & Heritage	18/01/2018	30/09/2017	Annually	1000	0	0	0
Hydrogeology Map of Australia	Commonwealth of Australia (Geoscience Australia)	08/10/2014	17/03/2000	As required	1000	1	1	2
Botany Groundwater Management Zones	NSW Department of Primary Industries	15/03/2018	01/10/2005	As required	1000	0	0	0
Groundwater Boreholes	NSW Dept. of Primary Industries - Water NSW; Commonwealth of Australia (Bureau of Meteorology)	24/07/2018	23/07/2018	Annually	2000	0	0	13
Geological Units 1:100,000	NSW Dept. of Industry, Resources & Energy	20/08/2014		None planned	1000	1	-	2
Geological Structures 1:100,000	NSW Dept. of Industry, Resources & Energy	20/08/2014		None planned	1000	0	-	0
Naturally Occurring Asbestos Potential	NSW Dept. of Industry, Resources & Energy	04/12/2015	24/09/2015	Unknown	1000	0	0	0
Soil Landscapes	NSW Office of Environment & Heritage	12/08/2014		None planned	1000	1	-	2
Atlas of Australian Soils	CSIRO	19/05/2017	17/02/2011	As required	1000	1	1	1
Environmental Planning Instrument - Acid Sulfate Soils	NSW Department of Planning and Environment	23/10/2018	12/10/2018	As required	500	0	-	-
Atlas of Australian Acid Sulfate Soils	CSIRO	19/01/2017	21/02/2013	As required	1000	1	1	1
Dryland Salinity - National Assessment	National Land and Water Resources Audit	18/07/2014	12/05/2013	None planned	1000	0	0	0
Dryland Salinity Potential of Western Sydney	NSW Office of Environment & Heritage	12/05/2017	01/01/2002	None planned	1000	1	2	4
Mining Subsidence Districts	Dept. Finance, Services & Innovation	13/07/2017	01/07/2017	As required	1000	0	0	0
SEPP 14 - Coastal Wetlands	NSW Planning and Environment	17/12/2015	24/10/2008	Annually	1000	0	0	0
SEPP 26 - Littoral Rainforest	NSW Planning and Environment	17/12/2015	05/02/1988	Annually	1000	0	0	0
SEPP 71 - Coastal Protection	NSW Planning and Environment	17/12/2015	01/08/2003	Annually	1000	0	0	0
SEPP Major Developments 2005	NSW Planning and Environment	09/03/2013	25/05/2005	Under Review	1000	0	0	0
SEPP Strategic Land Use Areas	NSW Planning and Environment	01/08/2017	28/01/2014	Annually	1000	0	0	0
EPI - Land Zoning	NSW Planning and Environment	23/10/2018	12/10/2018	Quarterly	1000	1	4	61
EPI - Minimum Lot Size	NSW Planning and Environment	23/10/2018	12/10/2018	Quarterly	0	1	-	-
EPI - Height of Buildings	NSW Planning and Environment	23/10/2018	12/10/2018	Quarterly	0	1	-	-
EPI - Floor Space Ratio	NSW Planning and Environment	23/10/2018	12/10/2018	Quarterly	0	1	-	-
EPI - Land Application	NSW Planning and Environment	23/10/2018	12/10/2018	Quarterly	0	1	-	-
EPI - Land Reservation Acquisition	NSW Planning and Environment	23/10/2018	12/10/2018	Quarterly	0	0	-	-
State Heritage Register - Curtilages	NSW Office of Environment & Heritage	18/10/2018	19/01/2018	Quarterly	1000	0	0	0
Environmental Planning Instrument - Heritage	NSW Department of Planning and Environment	23/10/2018	12/10/2018	Quarterly	1000	0	0	8
Bush Fire Prone Land	NSW Rural Fire Service	27/11/2018	31/07/2018	Quarterly	1000	0	0	2
Remnant Vegetation of the Cumberland Plain	NSW Office of Environment & Heritage	07/10/2014	04/08/2011	Unknown	1000	0	3	7
Ramsar Wetlands	Commonwealth of Australia Department of the Environment	08/10/2014	24/06/2011	As required	1000	0	0	0
Groundwater Dependent Ecosystems	Bureau of Meteorology	14/08/2017	15/05/2017	Unknown	1000	0	0	1
Inflow Dependent Ecosystems Likelihood	Bureau of Meteorology	14/08/2017	15/05/2017	Unknown	1000	0	0	3

Dataset Name	Custodian	Supply Date	Currency Date	Update Frequency	Dataset Buffer (m)	No. Features Onsite	No. Features within 100m	No. Features within Buffer
NSW BioNet Species Sightings	NSW Office of Environment & Heritage	12/12/2018	12/12/2018	Daily	10000	-	-	-



Contaminated Land & Waste Management Facilities

38-40 Orth Street, Kingswood, NSW 2340

List of NSW contaminated sites notified to EPA

Records from the NSW EPA Contaminated Land list within the dataset buffer:

Map Id	Site	Address	Suburb	Activity	Management Class	Status	Location Confidence	Dist (m)	Direction
N/A	No records in buffer								

The values within the EPA site management class in the table above, are given more detailed explanations in the table below:

EPA site management class	Explanation
Contamination being managed via the planning process (EP&A Act)	The EPA has completed an assessment of the contamination and decided that the contamination is significant enough to warrant regulation. The contamination of this site is managed by the consent authority under the Environmental Planning and Assessment Act 1979 (EP&A Act) planning approval process, with EPA involvement as necessary to ensure significant contamination is adequately addressed. The consent authority is typically a local council or the Department of Planning and Environment.
Contamination currently regulated under CLM Act	The EPA has completed an assessment of the contamination and decided that the contamination is significant enough to warrant regulation under the Contaminated Land Management Act 1997 (CLM Act). Management of the contamination is regulated by the EPA under the CLM Act. Regulatory notices are available on the EPA's Contaminated Land Public Record of Notices.
Contamination currently regulated under POEO Act	The EPA has completed an assessment of the contamination and decided that the contamination is significant enough to warrant regulation. Management of the contamination is regulated under the Protection of the Environment Operations Act 1997 (POEO Act). The EPA's regulatory actions under the POEO Act are available on the POEO public register.
Contamination formerly regulated under the CLM Act	The EPA has determined that the contamination is no longer significant enough to warrant regulation under the Contaminated Land Management Act 1997 (CLM Act). The contamination was addressed under the CLM Act.
Contamination formerly regulated under the POEO Act	The EPA has determined that the contamination is no longer significant enough to warrant regulation. The contamination was addressed under the Protection of the Environment Operations Act 1997 (POEO Act).
Contamination was addressed via the planning process (EP&A Act)	The EPA has determined that the contamination is no longer significant enough to warrant regulation. The contamination was addressed by the appropriate consent authority via the planning process under the Environmental Planning and Assessment Act 1979 (EP&A Act).
Ongoing maintenance required to manage residual contamination (CLM Act)	The EPA has determined that ongoing maintenance, under the Contaminated Land Management Act 1997 (CLM Act), is required to manage the residual contamination. Regulatory notices under the CLM Act are available on the EPA's Contaminated Land Public Record of Notices.
Regulation being finalised	The EPA has completed an assessment of the contamination and decided that the contamination is significant enough to warrant regulation under the Contaminated Land Management Act 1997. A regulatory approach is being finalised.
Regulation under the CLM Act not required	The EPA has completed an assessment of the contamination and decided that regulation under the Contaminated Land Management Act 1997 is not required.
Under assessment	The contamination is being assessed by the EPA to determine whether regulation is required. The EPA may require further information to complete the assessment. For example, the completion of management actions regulated under the planning process or Protection of the Environment Operations Act 1997. Alternatively, the EPA may require information via a notice issued under s77 of the Contaminated Land Management Act 1997 or issue a Preliminary Investigation Order.

NSW EPA Contaminated Land List Data Source: Environment Protection Authority
© State of New South Wales through the Environment Protection Authority

Contaminated Land & Waste Management Facilities

38-40 Orth Street, Kingswood, NSW 2340

Contaminated Land: Records of Notice

Record of Notices within the dataset buffer:

Map Id	Name	Address	Suburb	Notices	Area No	Location Confidence	Distance	Direction
N/A	No records in buffer							

Contaminated Land Records of Notice Data Source: Environment Protection Authority
© State of New South Wales through the Environment Protection Authority
Terms of use and disclaimer for Contaminated Land: Record of Notices, please visit
<http://www.epa.nsw.gov.au/clm/clmdisclaimer.htm>

Former Gasworks

Former Gasworks within the dataset buffer:

Map Id	Location	Council	Further Info	Location Confidence	Distance	Direction
N/A	No records in buffer					

Former Gasworks Data Source: Environment Protection Authority
© State of New South Wales through the Environment Protection Authority

National Waste Management Site Database

Sites on the National Waste Management Site Database within the dataset buffer:

Site Id	Owner	Name	Address	Suburb	Class	Landfill	Reprocess	Transfer	Comments	Loc Conf	Dist (m)	Direction
N/A	No records in buffer											

Waste Management Facilities Data Source: Geoscience Australia
Creative Commons 3.0 © Commonwealth of Australia <http://creativecommons.org/licenses/by/3.0/au/deed.en>

EPA PFAS Investigation Program

38-40 Orth Street, Kingswood, NSW 2340

EPA PFAS Investigation Program

Sites that are part of the EPA PFAS investigation program, within the dataset buffer:

Id	Site	Address	Location Confidence	Distance	Direction
N/A	No records in buffer				

EPA PFAS Investigation Program: Environment Protection Authority
© State of New South Wales through the Environment Protection Authority

EPA Other Sites with Contamination Issues

38-40 Orth Street, Kingswood, NSW 2340

EPA Other Sites with Contamination Issues

This dataset contains other sites identified on the EPA website as having contamination issues. This dataset currently includes:

- James Hardie asbestos manufacturing and waste disposal sites
- Radiological investigation sites in Hunter's Hill
- Pasminco Lead Abatement Strategy Area

Sites within the dataset buffer:

Site Id	Site Name	Site Address	Dataset	Comments	Location Confidence	Distance	Direction
N/A	No records in buffer						

EPA Other Sites with Contamination Issues: Environment Protection Authority
© State of New South Wales through the Environment Protection Authority



EPA Activities

38-40 Orth Street, Kingswood, NSW 2340

Licensed Activities under the POEO Act 1997

Licensed activities under the Protection of the Environment Operations Act 1997, within the dataset buffer:

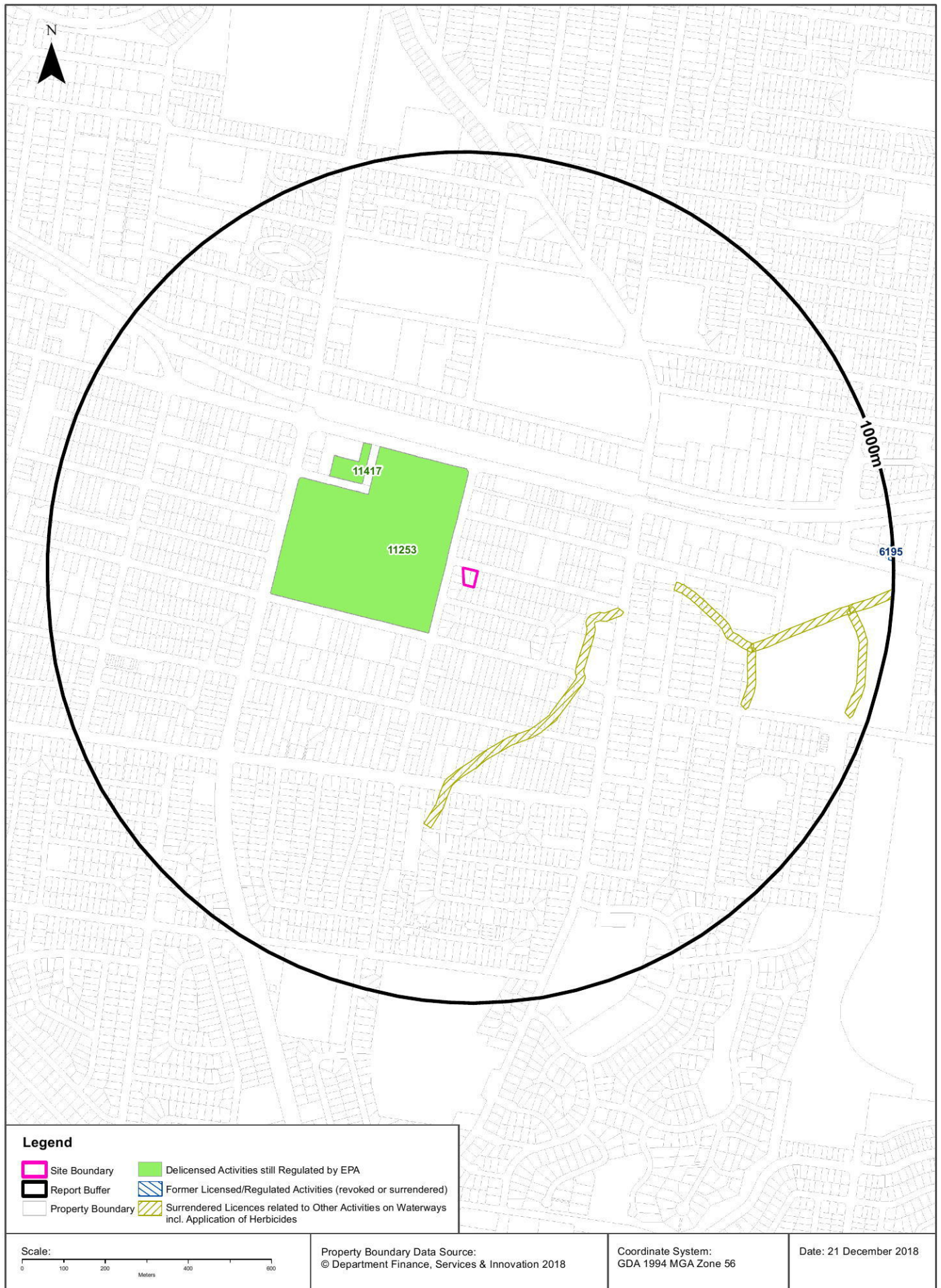
EPL	Organisation	Name	Address	Suburb	Activity	Loc Conf	Distance	Direction
12208	SYDNEY TRAINS		PO BOX K349, HAYMARKET, NSW 1238		Railway systems activities	Road Match	286m	North
20910	LENLEASE ENGINEERING PTY LIMITED		Glenmore Park to Jamison Road, PENRITH SOUTH, NSW 2750		Road construction	Road Match	707m	South West

POEO Licence Data Source: Environment Protection Authority

© State of New South Wales through the Environment Protection Authority

Delicensed & Former Licensed EPA Activities

38-40 Orth Street, Kingswood, NSW 2340



EPA Activities

38-40 Orth Street, Kingswood, NSW 2340

Delicensed Activities still regulated by the EPA

Delicensed activities still regulated by the EPA, within the dataset buffer:

Licence No	Organisation	Name	Address	Suburb	Activity	Loc Conf	Distance	Direction
11253	SYDNEY WEST AREA HEALTH SERVICE	NEPEAN HOSPITAL	CNR DERBY STREET AND PARKER STREET	KINGSWOOD	Hazardous, Industrial or Group A Waste Generation or Storage	Premise Match	44m	West
11417	HEALTHSCOPE OPERATIONS PTY LTD	NEPEAN PRIVATE HOSPITAL	9 Barber Avenue	KINGSWOOD	Hazardous, Industrial or Group A Waste Generation or Storage	Premise Match	316m	North West

Delicensed Activities Data Source: Environment Protection Authority

© State of New South Wales through the Environment Protection Authority

Former Licensed Activities under the POEO Act 1997, now revoked or surrendered

Former Licensed activities under the Protection of the Environment Operations Act 1997, now revoked or surrendered, within the dataset buffer:

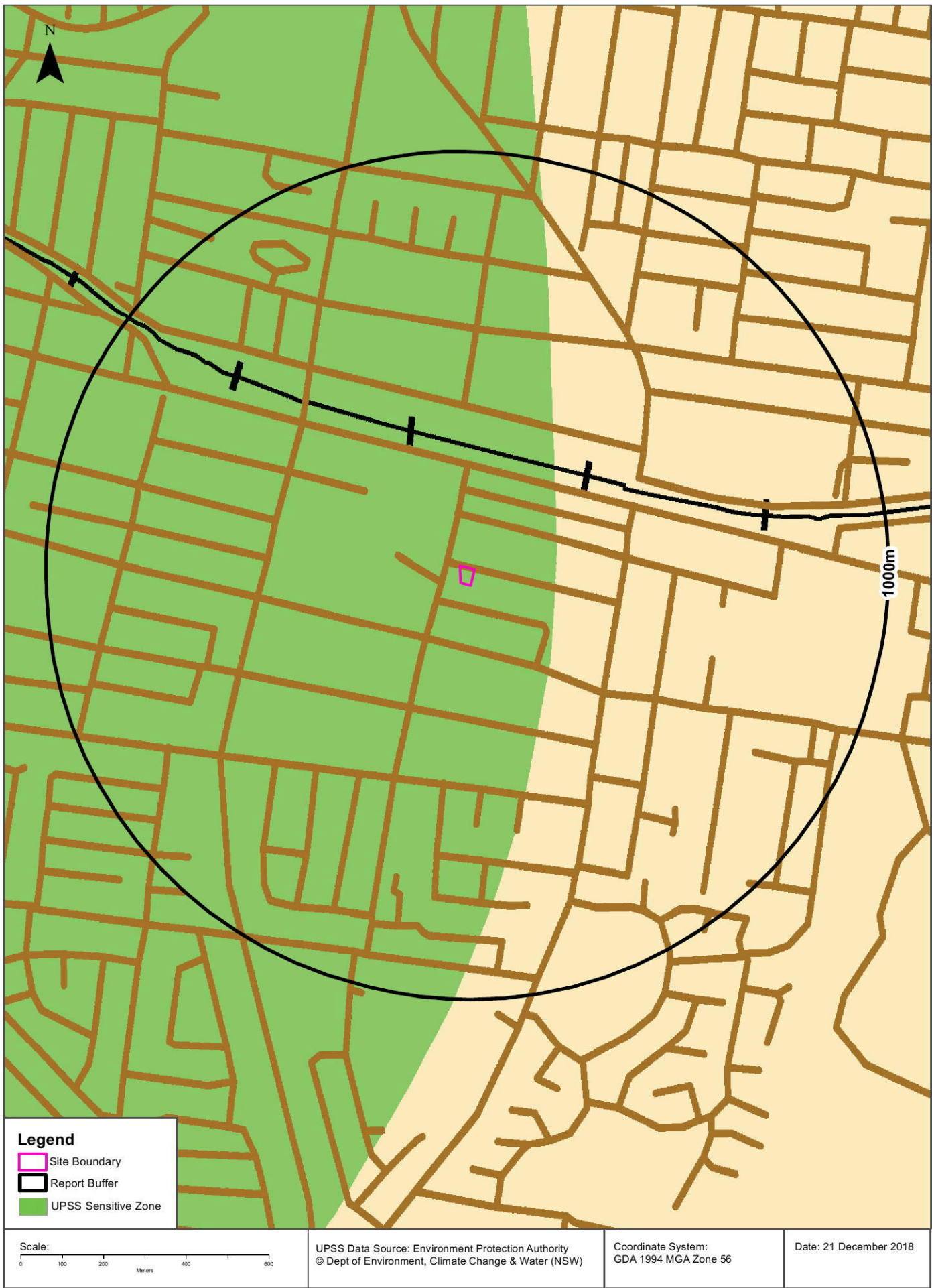
Licence No	Organisation	Location	Status	Issued Date	Activity	Loc Conf	Distance	Direction
4653	LUHRMANN ENVIRONMENT MANAGEMENT PTY LTD	WATERWAYS THROUGHOUT NSW	Surrendered		Other Activities / Non Scheduled Activity - Application of Herbicides	Network of Features	282m	-
4838	Robert Orchard	Various Waterways throughout New South Wales - SYDNEY NSW 2000	Surrendered		Other Activities / Non Scheduled Activity - Application of Herbicides	Network of Features	282m	-
6630	SYDNEY WEED & PEST MANAGEMENT PTY LTD	WATERWAYS THROUGHOUT NSW - PROSPECT, NSW, 2148	Surrendered		Other Activities / Non Scheduled Activity - Application of Herbicides	Network of Features	282m	-
6195	WESTERN SYDNEY AUTOMOTIVES PTY LTD	107-121 GREAT WESTERN HIGHWAY, KINGSWOOD, NSW 2747	Surrendered	17/01/2000	Hazardous, Industrial or Group A Waste Generation or Storage	Premise Match	988m	East

Former Licensed Activities Data Source: Environment Protection Authority

© State of New South Wales through the Environment Protection Authority

UPSS Sensitive Zones

38-40 Orth Street, Kingswood, NSW 2340



Historical Business Directories

38-40 Orth Street, Kingswood, NSW 2340

1991 Business to Business Directory Records Premise or Road Intersection Matches

Records from the 1991 UBD Business to Business Directory, mapped to a premise or road intersection, within the dataset buffer:

Business Activity	Premise	Ref No.	Location Confidence	Distance to Feature Point	Direction
N/A	No records in buffer				

Business Directory Content Derived from Universal Business Directories (UBD) - Licensed from Hardie Grant

1991 Business to Business Directory Records Road or Area Matches

Records from the 1991 UBD Business to Business Directory, mapped to a road or an area, within the dataset buffer. Records are mapped to the road when a building number is not supplied, cannot be found, or the road has been renumbered since the directory was published:

Business Activity	Premise	Ref No.	Location Confidence	Distance to Road Corridor or Area
N/A	No records in buffer			

Business Directory Content Derived from Universal Business Directories (UBD) - Licensed from Hardie Grant

Historical Business Directories

38-40 Orth Street, Kingswood, NSW 2340

1986 Business to Business Directory Records Premise or Road Intersection Matches

Records from the 1986 UBD Business to Business Directory, mapped to a premise or road intersection, within the dataset buffer:

Business Activity	Premise	Ref No.	Location Confidence	Distance to Feature Point	Direction
N/A	No records in buffer				

Business Directory Content Derived from Universal Business Directories (UBD) - Licensed from Hardie Grant

1986 Business to Business Directory Records Road or Area Matches

Records from the 1986 UBD Business to Business Directory, mapped to a road or an area, within the dataset buffer. Records are mapped to the road when a building number is not supplied, cannot be found, or the road has been renumbered since the directory was published:

Business Activity	Premise	Ref No.	Location Confidence	Distance to Road Corridor or Area
N/A	No records in buffer			

Business Directory Content Derived from Universal Business Directories (UBD) - Licensed from Hardie Grant

Historical Business Directories

38-40 Orth Street, Kingswood, NSW 2340

1982 Business Directory Records Premise or Road Intersection Matches

Records from the 1982 UBD Business Directory, mapped to a premise or road intersection, within the dataset buffer:

Business Activity	Premise	Ref No.	Location Confidence	Distance to Feature Point	Direction
N/A	No records in buffer				

Business Directory Content Derived from Universal Business Directories (UBD) - Licensed from Hardie Grant

1982 Business Directory Records Road or Area Matches

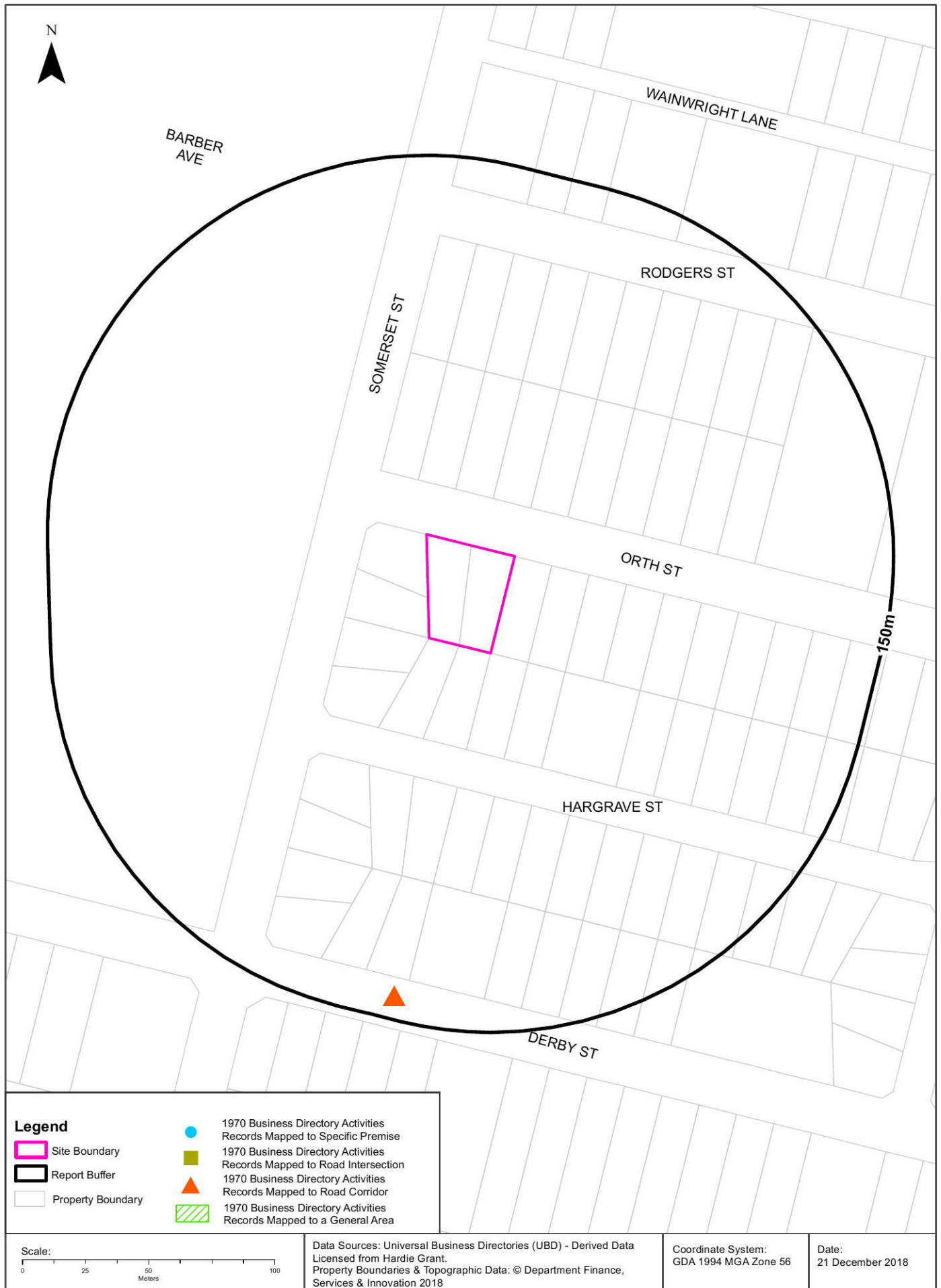
Records from the 1982 UBD Business Directory, mapped to a road or an area, within the dataset buffer. Records are mapped to the road when a building number is not supplied, cannot be found, or the road has been renumbered since the directory was published:

Business Activity	Premise	Ref No.	Location Confidence	Distance to Road Corridor or Area
N/A	No records in buffer			

Business Directory Content Derived from Universal Business Directories (UBD) - Licensed from Hardie Grant

1970 Historical Business Directory Records

38-40 Orth Street, Kingswood, NSW 2340



Historical Business Directories

38-40 Orth Street, Kingswood, NSW 2340

1970 Business Directory Records Premise or Road Intersection Matches

Records from the 1970 UBD Business Directory, mapped to a premise or road intersection, within the dataset buffer:

Business Activity	Premise	Ref No.	Location Confidence	Distance to Feature Point	Direction
N/A	No records in buffer				

Business Directory Content Derived from Universal Business Directories (UBD) - Licensed from Hardie Grant

1970 Business Directory Records Road or Area Matches

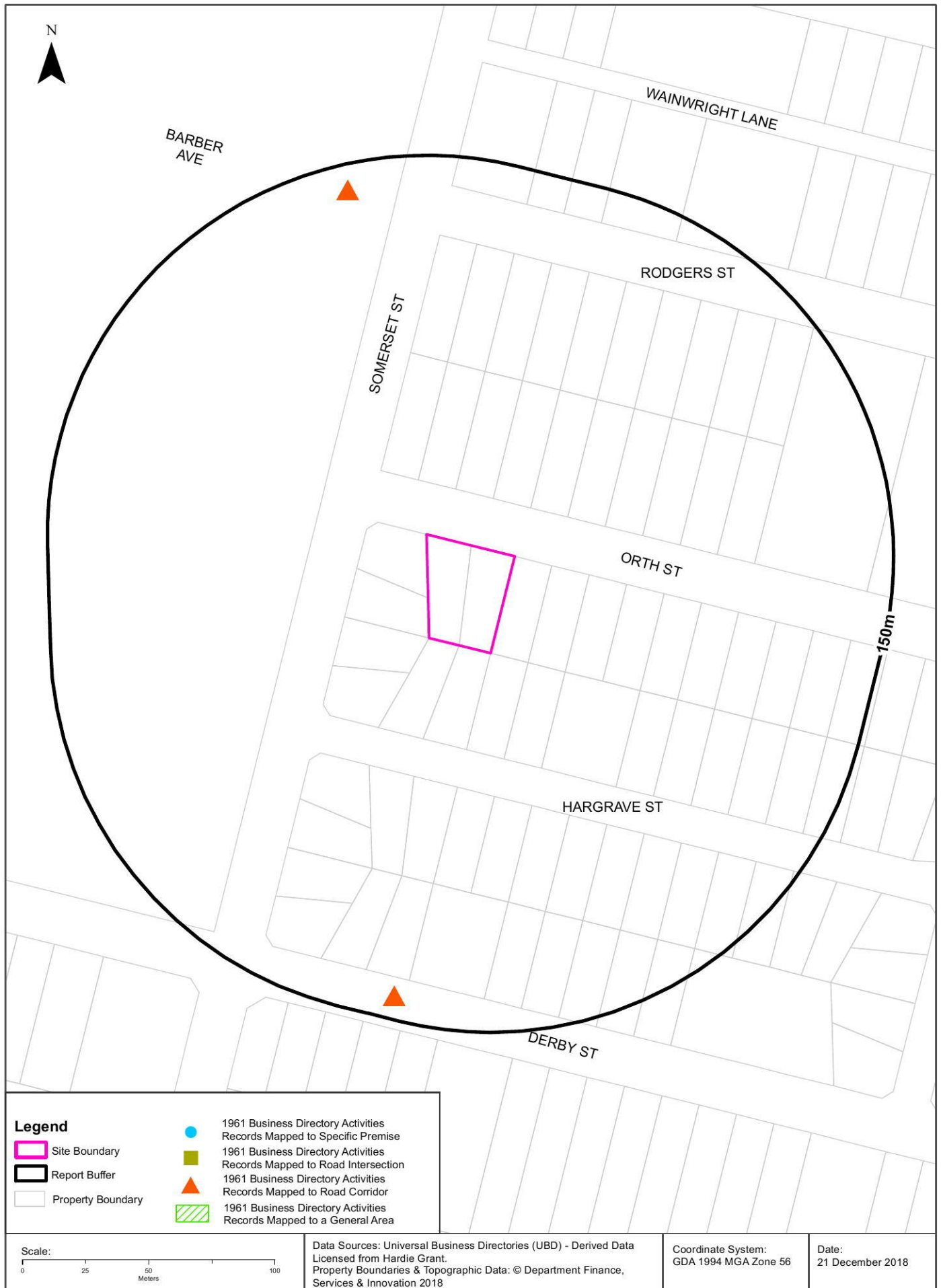
Records from the 1970 UBD Business Directory, mapped to a road or an area, within the dataset buffer. Records are mapped to the road when a building number is not supplied, cannot be found, or the road has been renumbered since the directory was published:

Business Activity	Premise	Ref No.	Location Confidence	Distance to Road Corridor or Area
GRAVEL, SAND & SOIL SUPPLIES	Randell, L. G. and E. J., Derby St. Penrith	535898	Road Match	133m

Business Directory Content Derived from Universal Business Directories (UBD) - Licensed from Hardie Grant

1961 Historical Business Directory Records

38-40 Orth Street, Kingswood, NSW 2340



Historical Business Directories

38-40 Orth Street, Kingswood, NSW 2340

1961 Business Directory Records Premise or Road Intersection Matches

Records from the 1961 UBD Business Directory, mapped to a premise or road intersection, within the dataset buffer:

Business Activity	Premise	Ref No.	Location Confidence	Distance to Feature Point	Direction
N/A	No records in buffer				

Business Directory Content Derived from Universal Business Directories (UBD) - Licensed from Hardie Grant

1961 Business Directory Records Road or Area Matches

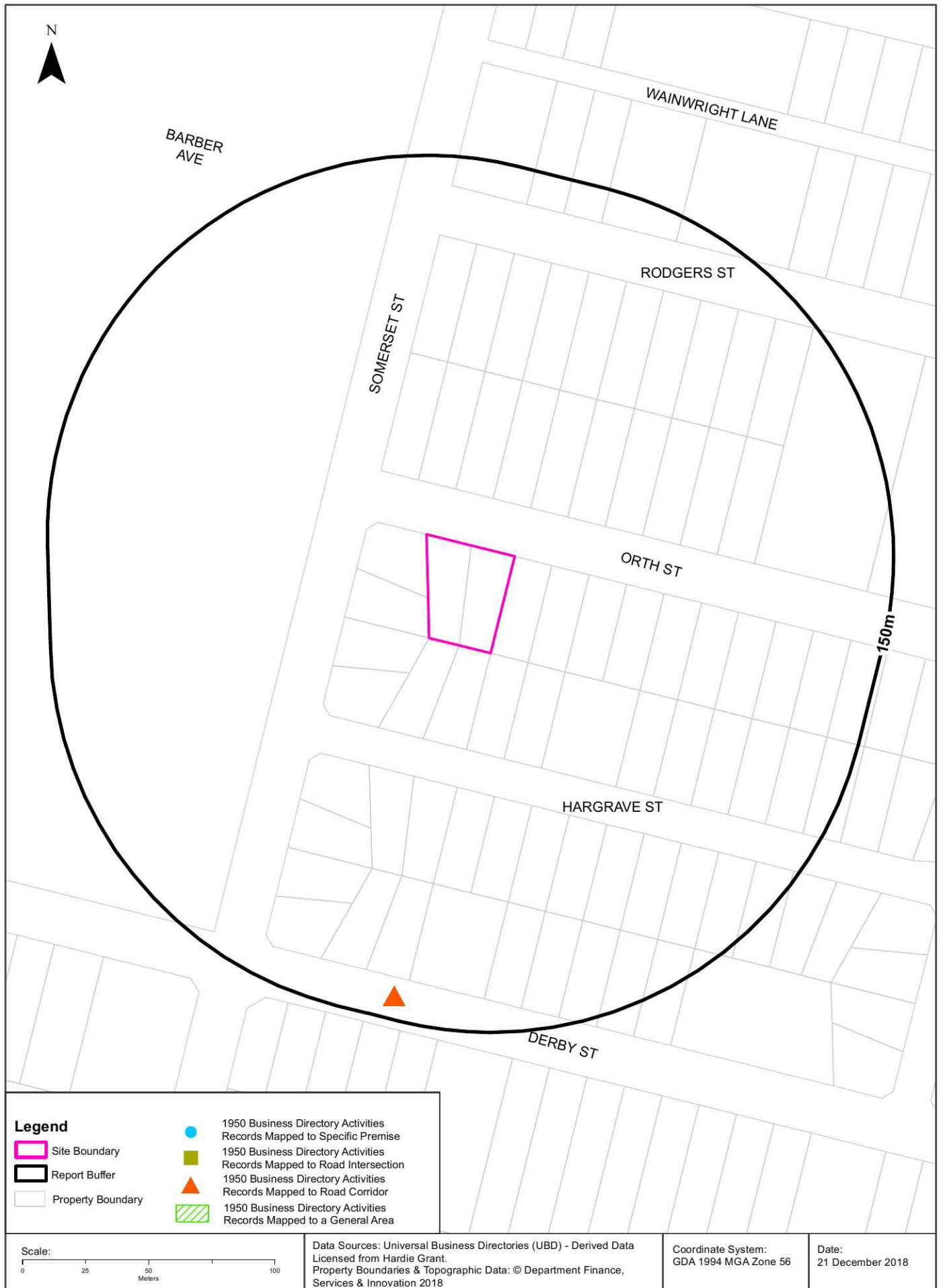
Records from the 1961 UBD Business Directory, mapped to a road or an area, within the dataset buffer. Records are mapped to the road when a building number is not supplied, cannot be found, or the road has been renumbered since the directory was published:

Business Activity	Premise	Ref No.	Location Confidence	Distance to Road Corridor or Area
ASSOCIATIONS & SOCIETIES	Quota Club, c/- H. Connelly, Barber Ave., Penrith	222144	Road Match	124m
GRAVEL, SAND & SOIL SUPPLIES	Randell, L. G. and E. J., Derby St., Penrith	222390	Road Match	133m

Business Directory Content Derived from Universal Business Directories (UBD) - Licensed from Hardie Grant

1950 Historical Business Directory Records

38-40 Orth Street, Kingswood, NSW 2340



Historical Business Directories

38-40 Orth Street, Kingswood, NSW 2340

1950 Business Directory Records Premise or Road Intersection Matches

Records from the 1950 UBD Business Directory, mapped to a premise or road intersection, within the dataset buffer:

Business Activity	Premise	Ref No.	Location Confidence	Distance to Feature Point	Direction
N/A	No records in buffer				

Business Directory Content Derived from Universal Business Directories (UBD) - Licensed from Hardie Grant

1950 Business Directory Records Road or Area Matches

Records from the 1950 UBD Business Directory, mapped to a road or an area, within the dataset buffer. Records are mapped to the road when a building number is not supplied, cannot be found, or the road has been renumbered since the directory was published:

Business Activity	Premise	Ref No.	Location Confidence	Distance to Road Corridor or Area
CONCRETE CONTRACTORS	Trask, J. H., Derby St. Penrith	151108	Road Match	133m
PLASTERERS	Trask, J. H., Derby St. Penrith	151436	Road Match	133m

Business Directory Content Derived from Universal Business Directories (UBD) - Licensed from Hardie Grant

Historical Business Directories

38-40 Orth Street, Kingswood, NSW 2340

Dry Cleaners, Motor Garages & Service Stations Premise or Road Intersection Matches

Dry Cleaners, Motor Garages & Service Stations from UBD Business Directories, mapped to a premise or road intersection, within the dataset buffer:

Business Activity	Premise	Ref No.	Year	Location Confidence	Distance to Feature Point	Direction
Motor Garages & Service Stations	Solo Kingswood Service Station, 236 Great Western H'way, Kingswood 2747	53897	1991	Premise Match	226m	North East
Motor Garages & Service Stations	Kingswood Auto Port, 182 Great Western H'way., Kingswood 2747	96636	1991	Premise Match	338m	North East
Motor Garages & Service Stations	Nepean Automotive Services, 48 Cox Ave, Kingswood 2747	97836	1991	Premise Match	371m	North
MOTOR GARAGES & SERVICE STATIONS.	Nepean Automotive Services, 48 Cox Ave., Kingswood.	65178	1986	Premise Match	371m	North
MOTOR GARAGES &/OR ENGINEERS &/OR SERVICE STATIONS. (M6860)	Nepean Automotive Services, 48 Cox Ave., Kingswood. 2750.	57284	1982	Premise Match	371m	North
MOTOR GARAGES & SERVICE STATIONS.	Trojan Performance, 81 Cox Ave., Kingswood.	65646	1986	Premise Match	442m	North
MOTOR GARAGES &/OR ENGINEERS &/OR SERVICE STATIONS. (M6860)	Mini Shop Pty. Ltd., The, 81 Cox Ave., Kingswood. 2750.	57191	1982	Premise Match	442m	North
MOTOR GARAGES &/OR ENGINEERS &/OR SERVICE STATIONS. (M6860)	Trojan Performance, 81 Cox Ave., Kingswood. 2750.	57772	1982	Premise Match	442m	North
MOTOR GARAGES &/OR ENGINEERS &/OR SERVICE STATIONS. (M6860)	Roberts. M., 68 Cox Ave, Kingswood. 2750.	57477	1982	Premise Match	477m	North West
MOTOR GARAGES & SERVICE STATIONS.	Penrith Dyno Tune Centre, 16, 83 Cox Ave., Kingswood.	65257	1986	Premise Match	487m	North
MOTOR GARAGES &/OR ENGINEERS &/OR SERVICE STATIONS. (M6860)	Penrith Dyno Tune Centre, 16, 83 Cox Ave., Kingwood. 2750.	57372	1982	Premise Match	487m	North

Business Directory Content Derived from Universal Business Directories (UBD) - Licensed from Hardie Grant

Historical Business Directories

38-40 Orth Street, Kingswood, NSW 2340

Dry Cleaners, Motor Garages & Service Stations Road or Area Matches

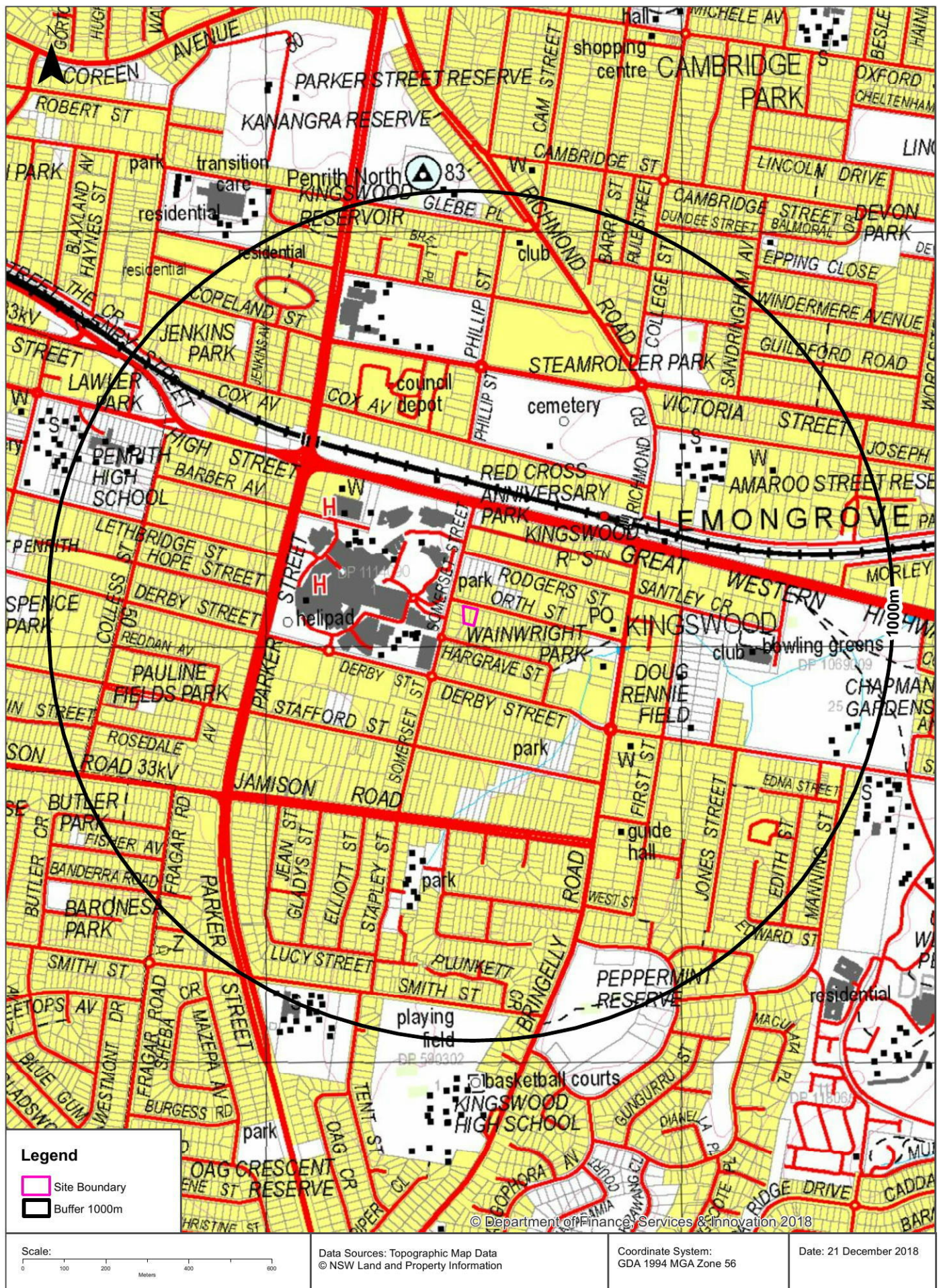
Dry Cleaners, Motor Garages & Service Stations from UBD Business Directories, mapped to a road or an area, within the dataset buffer. Records are mapped to the road when a building number is not supplied, cannot be found, or the road has been renumbered since the directory was published:

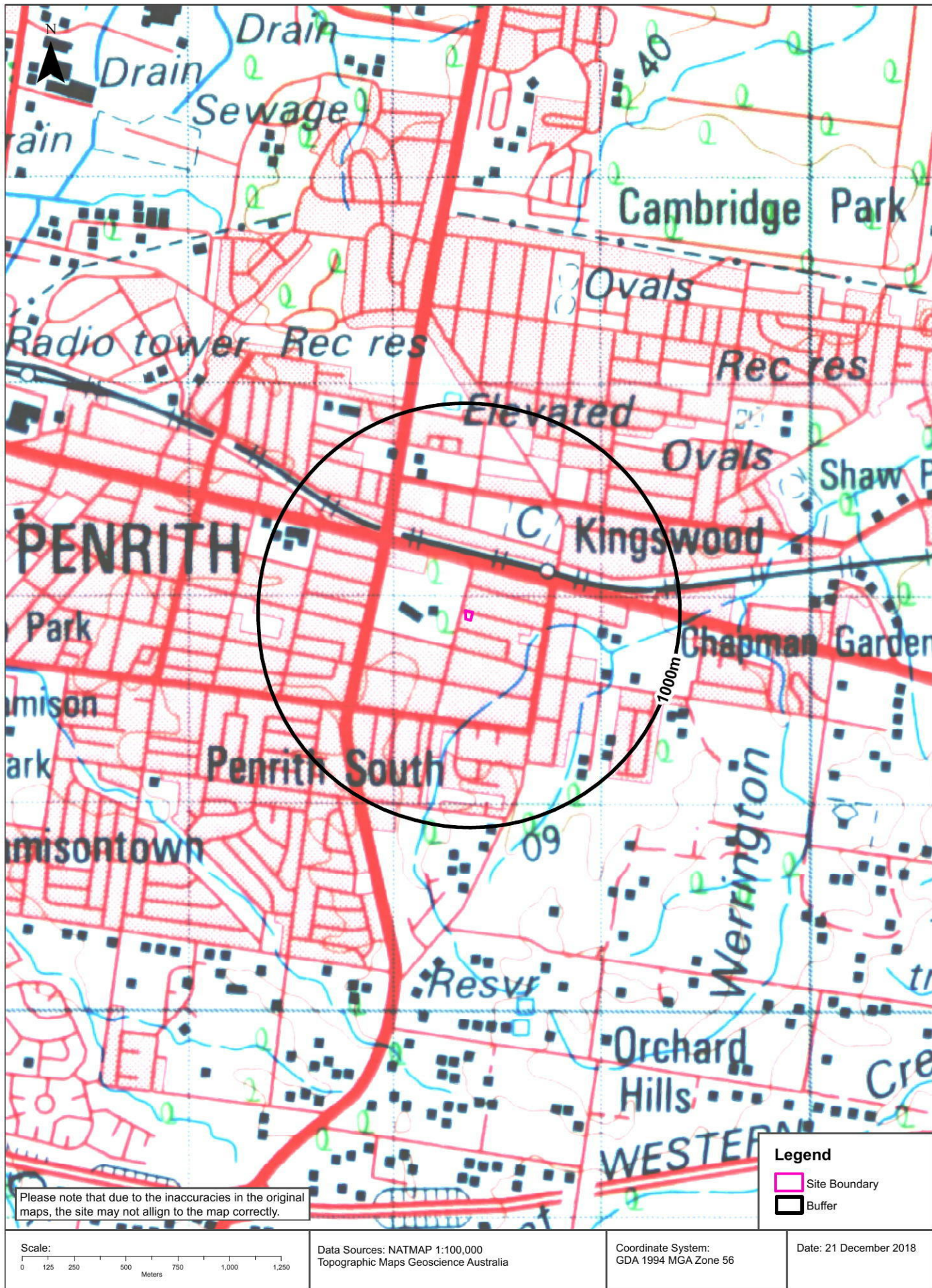
Business Activity	Premise	Ref No.	Year	Location Confidence	Distance to Road Corridor or Area
MOTOR GARAGES & ENGINEERS	Beattie, R. & Co., Great Western Highway., Kingswood	211435	1961	Road Match	233m
MOTOR GARAGES & ENGINEERS	Beattie, R. & Co., Great Western Hghwy. Kingswood	535551	1970	Road Match	233m
MOTOR GARAGES & SERVICE STATIONS.	Golden Fleece Kingswood Service Station, Great Western Highway., Kingswood.	64765	1986	Road Match	233m
MOTOR GARAGES &/OR ENGINEERS &/OR SERVICE STATIONS. (M6860)	Golden Fleece Kingswood Service Station, Great Western Highway.,Kingswood. 2750.	56836	1982	Road Match	233m
MOTOR GARAGES &/OR ENGINEERS &/OR SERVICE STATIONS. (M6860)	Golden Fleece Kingswood Service Station, Great Western Highway.,Kingswood. 2750.	56837	1982	Road Match	233m
MOTOR GARAGES & ENGINEERS	Golden Fleece Service Station, Great Western Hghwy. Kingswood	535552	1970	Road Match	233m
MOTOR SERVICE STATIONS, PETROL, OILS, Etc.	Kingswood Auto Port, Great Western Hghwy. Kingswood	535557	1970	Road Match	233m
MOTOR GARAGES & SERVICE STATIONS.	Kingswood Auto Port, Great Western Highway., Kingswood.	64956	1986	Road Match	233m
MOTOR GARAGES &/OR ENGINEERS &/OR SERVICE STATIONS. (M6860)	Kingswood Auto Port, Great Western Highway., Kingswood. 2750.	57058	1982	Road Match	233m
MOTOR SERVICE STATIONS, PETROL, OILS, Etc.	Kingswood Tyre Service, Great Western Hghwy. Kingswood	535558	1970	Road Match	233m
Motor Service Stations - Petrol, Oil, Etc.	Kingswood Tyre Service, Great Western Highway. Kingswood	125815	1965	Road Match	233m
MOTOR SERVICE STATIONS—PETROL, OIL, Etc.	Kingswood Tyre Service, Great Western Highway. Kingswood	350757	1961	Road Match	233m
MOTOR SERVICE STATIONS-PETROL, Etc.	Kingswood Tyre Service, Western Highway., Kingswood	86110	1950	Road Match	233m
MOTOR SERVICE STATIONS-PETROL,OIL,Etc. (M716)	Kingswood Tyre Service,Great Western Highway.KINGSWOOD	341256	1970	Road Match	233m
MOTOR SERVICE STATIONS, PETROL, OILS, Etc.	Towns, L. R., Great Western Hghwy. Kingswood	535559	1970	Road Match	233m
MOTOR SERVICE STATIONS, PETROL, Etc.	Towns, L. R., Great Western Highway., Kingswood	211437	1961	Road Match	233m
MOTOR GARAGES & ENGINEERS	Kingswood Smash & Body Repairs, Cox Ave. Kingswood	535554	1970	Road Match	377m

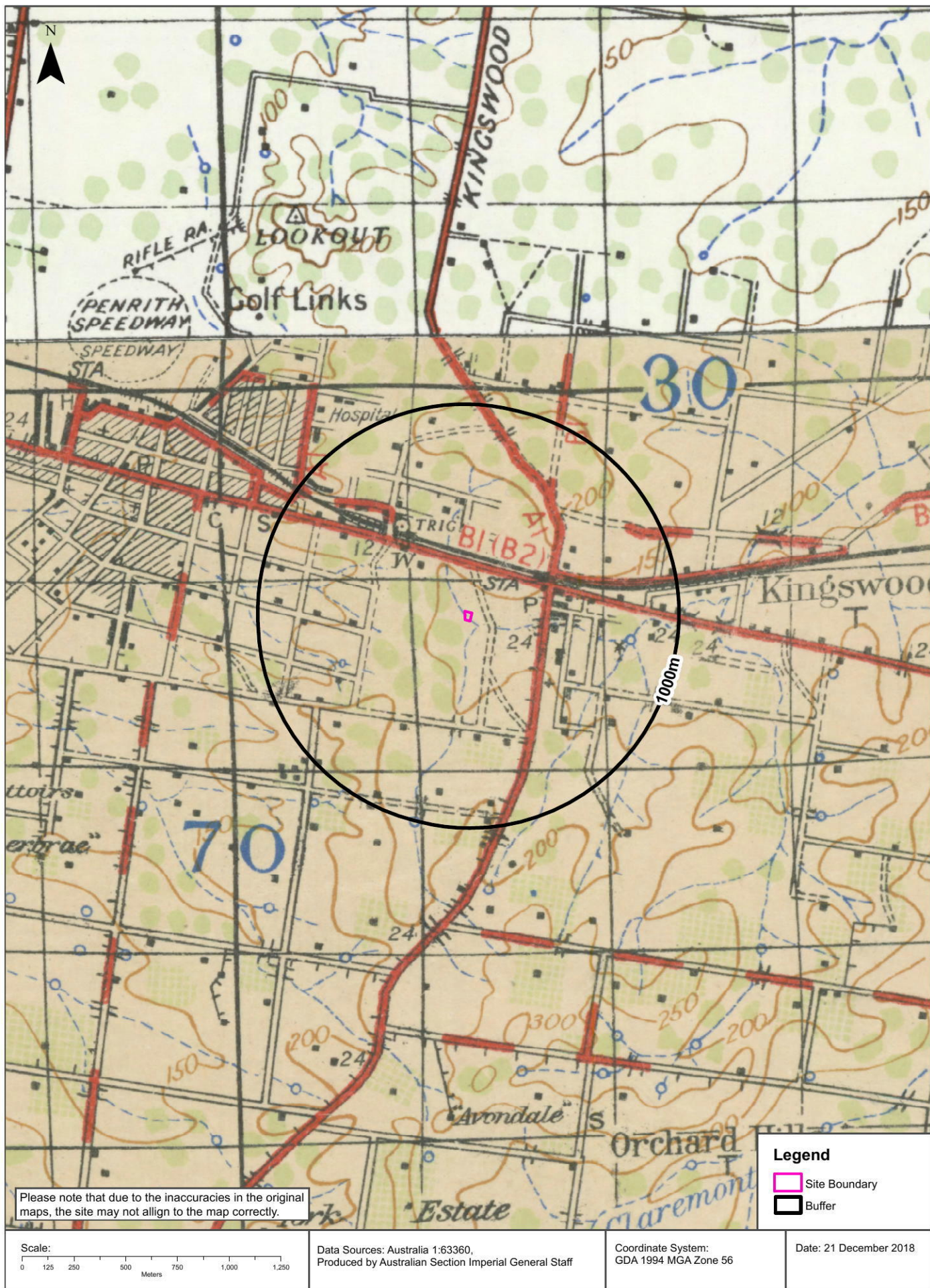
Business Directory Content Derived from Universal Business Directories (UBD) - Licensed from Hardie Grant

Topographic Map 2015

38-40 Orth Street, Kingswood, NSW 2340









Topographic Features

38-40 Orth Street, Kingswood, NSW 2340



Topographic Features

38-40 Orth Street, Kingswood, NSW 2340

Points of Interest

What Points of Interest exist within the dataset buffer?

Map Id	Feature Type	Label	Distance	Direction
731400	Park	Park	89m	North
731422	Park	RED CROSS ANNIVERSARY PARK	219m	North
731427	Park	WAINWRIGHT PARK	286m	East
731146	Community Facility	KINGSWOOD NEIGHBOURHOOD CENTRE	325m	East
731388	Post Office	KINGSWOOD POST OFFICE	328m	East
731471	Suburb	KINGSWOOD	359m	East
731472	General Hospital	NEPEAN PRIVATE HOSPITAL	363m	North West
731447	Park	Park	368m	South East
731507	Railway Station	KINGSWOOD RAILWAY STATION	379m	North East
731489	General Hospital	NEPEAN HOSPITAL	380m	West
731383	Place Of Worship	BAPTIST CHURCH	408m	North West
731164	Helipad	Helipad	423m	West
731380	Place Of Worship	ANGLICAN CHURCH	475m	South East
731396	Cemetery	PENRITH CEMETERY	499m	North East
731523	Sports Field	DOUG RENNIE FIELD	548m	East
731916	Urban Place	LEMONGROVE	610m	North East
731419	Park	Park	628m	South
731478	Primary School	ST JOSEPH'S PRIMARY SCHOOL	656m	North East
731373	Club	KINGSWOOD SPORTS CLUB	667m	East
731458	Sports Field	BOWLING GREENS	675m	East
731527	Combined Primary-Secondary School	ST DOMINIC'S COLLEGE	708m	North
731381	Place Of Worship	Place Of Worship	784m	North East
731182	Ambulance Station	PENRITH SUPERSTATION AMBULANCE STATION	788m	North West
731438	Park	STEAMROLLER PARK	789m	North East
731413	Park	PAULINE FIELDS PARK	792m	West
731445	Park	JENKINS PARK	835m	North West
731428	Park	CHAPMAN GARDENS	884m	East
731500	Club	PENRITH GAELS CULTURAL AND SPORTING ASSOCIATION	884m	North
731399	Park	LAWLER PARK	903m	North West
731443	Park	PEPPERMINT RESERVE	910m	South

Map Id	Feature Type	Label	Distance	Direction
731488	High School	PENRITH HIGH SCHOOL	948m	North West
731504	Community Home	LEMONGROVE GARDENS HOSTEL	988m	North West

Topographic Data Source: © Land and Property Information (2015)

Creative Commons 3.0 © Commonwealth of Australia <http://creativecommons.org/licenses/by/3.0/au/deed.en>

Topographic Features

38-40 Orth Street, Kingswood, NSW 2340

Tanks (Areas)

What are the Tank Areas located within the dataset buffer?

Note. The large majority of tank features provided by LPI are derived from aerial imagery & are therefore primarily above ground tanks.

Map Id	Tank Type	Status	Name	Feature Currency	Distance	Direction
	No records in buffer					

Tanks (Points)

What are the Tank Points located within the dataset buffer?

Note. The large majority of tank features provided by LPI are derived from aerial imagery & are therefore primarily above ground tanks.

Map Id	Tank Type	Status	Name	Feature Currency	Distance	Direction
	No records in buffer					

Tanks Data Source: © Land and Property Information (2015)

Creative Commons 3.0 © Commonwealth of Australia <http://creativecommons.org/licenses/by/3.0/au/deed.en>

Major Easements

What Major Easements exist within the dataset buffer?

Note. Easements provided by LPI are not at the detail of local governments. They are limited to major easements such as Right of Carriageway, Electrical Lines (66kVa etc.), Easement to drain water & Significant subterranean pipelines (gas, water etc.).

Map Id	Easement Class	Easement Type	Easement Width	Distance	Direction
167895560	Primary	Right of way	3M	838m	South East

Easements Data Source: © Land and Property Information (2015)

Creative Commons 3.0 © Commonwealth of Australia <http://creativecommons.org/licenses/by/3.0/au/deed.en>

Topographic Features

38-40 Orth Street, Kingswood, NSW 2340

State Forest

What State Forest exist within the dataset buffer?

State Forest Number	State Forest Name	Distance	Direction
N/A	No records in buffer		

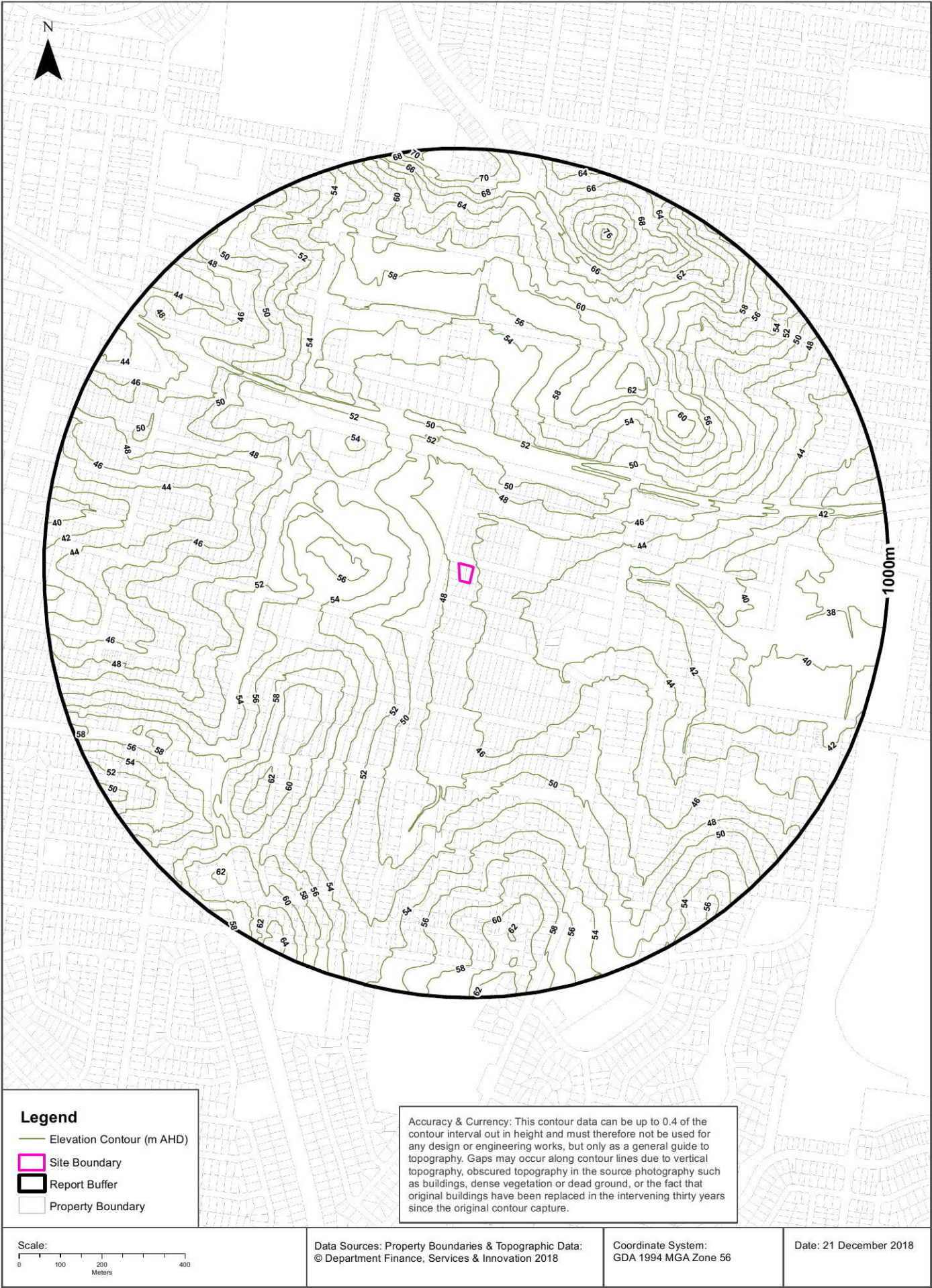
State Forest Data Source: © NSW Department of Finance, Services & Innovation (2018)
Creative Commons 3.0 © Commonwealth of Australia <http://creativecommons.org/licenses/by/3.0/au/deed.en>

National Parks and Wildlife Service Reserves

What NPWS Reserves exist within the dataset buffer?

Reserve Number	Reserve Type	Reserve Name	Gazetted Date	Distance	Direction
N/A	No records in buffer				

NPWS Data Source: © NSW Department of Finance, Services & Innovation (2018)
Creative Commons 3.0 © Commonwealth of Australia <http://creativecommons.org/licenses/by/3.0/au/deed.en>



Hydrogeology & Groundwater

38-40 Orth Street, Kingswood, NSW 2340

Hydrogeology

Description of aquifers on-site:

Description
Porous, extensive highly productive aquifers

Description of aquifers within the dataset buffer:

Description
Porous, extensive aquifers of low to moderate productivity
Porous, extensive highly productive aquifers

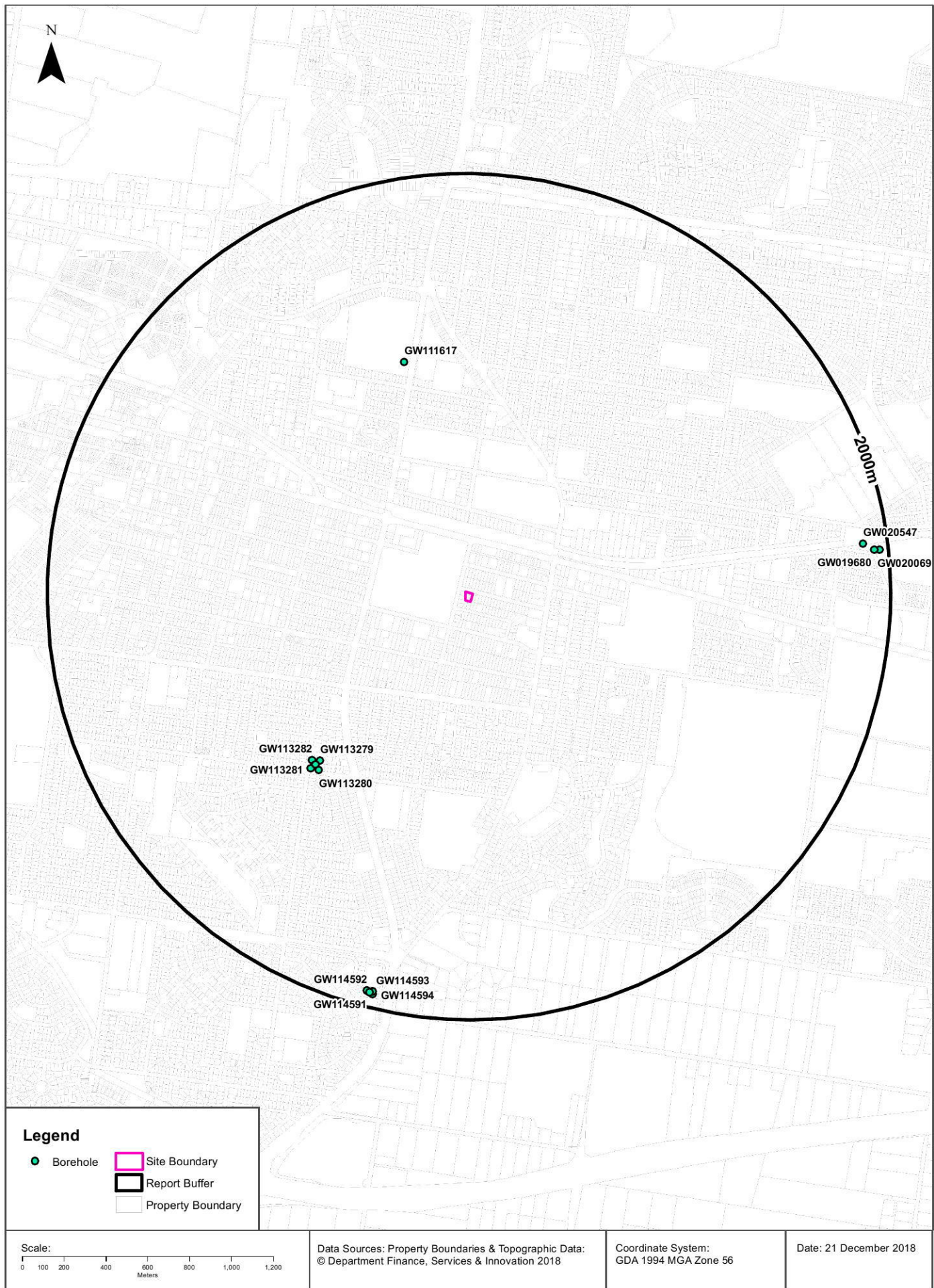
Hydrogeology Map of Australia : Commonwealth of Australia (Geoscience Australia)
Creative Commons 3.0 © Commonwealth of Australia <http://creativecommons.org/licenses/by/3.0/au/deed.en>

Botany Groundwater Management Zones

Groundwater management zones relating to the Botany Sand Beds aquifer within the dataset buffer:

Management Zone No.	Restriction	Distance	Direction
N/A	No records in buffer		

Botany Groundwater Management Zones Data Source : NSW Department of Primary Industries



Hydrogeology & Groundwater

38-40 Orth Street, Kingswood, NSW 2340

Groundwater Boreholes

Boreholes within the dataset buffer:

GW No.	Licence No	Work Type	Owner Type	Authorised Purpose	Intended Purpose	Name	Complete Date	Final Depth (m)	Drilled Depth (m)	Salinity (mg/L)	SWL (m)	Yield (L/s)	Elev (AHD)	Dist	Dir
GW113 279	10BL601 835	Bore	Local Govt	Monitoring Bore	Monitoring Bore	The Prospect CC	02/05/2007	7.50	7.50					1036m	South West
GW113 282	10BL601 835	Bore	Local Govt	Monitoring Bore	Monitoring Bore	The Prospect CC	02/05/2007	7.00	7.00					1061m	South West
GW113 283	10BL601 835	Bore	Local Govt	Monitoring Bore	Monitoring Bore	The Prospect CC	02/05/2007	2.80	2.80					1065m	South West
GW113 280	10BL601 835	Bore	Local Govt	Monitoring Bore	Monitoring Bore	The Prospect CC	02/05/2007	8.20	8.20					1073m	South West
GW113 281	10BL601 835	Bore	Local Govt	Monitoring Bore	Monitoring Bore	The Prospect CC	02/05/2007	2.85	2.85					1093m	South West
GW111 617	10BL604 801, 10BL604 802, 10WA11 7803	Bore	Local Govt	Recreation (groundwater), Test Bore	Recreation (groundwater)		20/10/2011	210.00	210.00	2600	69.00	1.120		1135m	North
GW020 547	10BL013 346	Bore open thru rock	Federal Govt	Waste Disposal	Waste Disposal		01/06/1963	91.40	91.40					1885m	East
GW114 593	10BL604 457	Bore	Private	Monitoring Bore	Monitoring Bore		12/01/2011	7.50	7.50					1922m	South
GW114 592	10BL604 457	Bore	Private	Monitoring Bore	Monitoring Bore		12/01/2011	8.00	8.00					1924m	South
GW114 591	10BL604 457	Bore	Private	Monitoring Bore	Monitoring Bore		12/01/2011	7.00	7.00					1929m	South
GW019 680	10BL012 376	Bore open thru rock	Federal Govt	Test Bore	Waste Disposal		01/04/1962	53.30	53.30	Salty				1933m	East
GW114 594	10BL604 457	Bore	Private	Monitoring Bore	Monitoring Bore		12/01/2011	7.00	7.00					1934m	South
GW020 069	10BL012 538	Bore open thru rock	Federal Govt	Waste Disposal	Waste Disposal		01/06/1962	75.50	75.60					1959m	East

Borehole Data Source : NSW Department of Primary Industries - Office of Water / Water Administration Ministerial Corporation for all bores prefixed with GW. All other bores © Commonwealth of Australia (Bureau of Meteorology) 2015. Creative Commons 3.0 © Commonwealth of Australia <http://creativecommons.org/licenses/by/3.0/au/deed.en>

Hydrogeology & Groundwater

38-40 Orth Street, Kingswood, NSW 2340

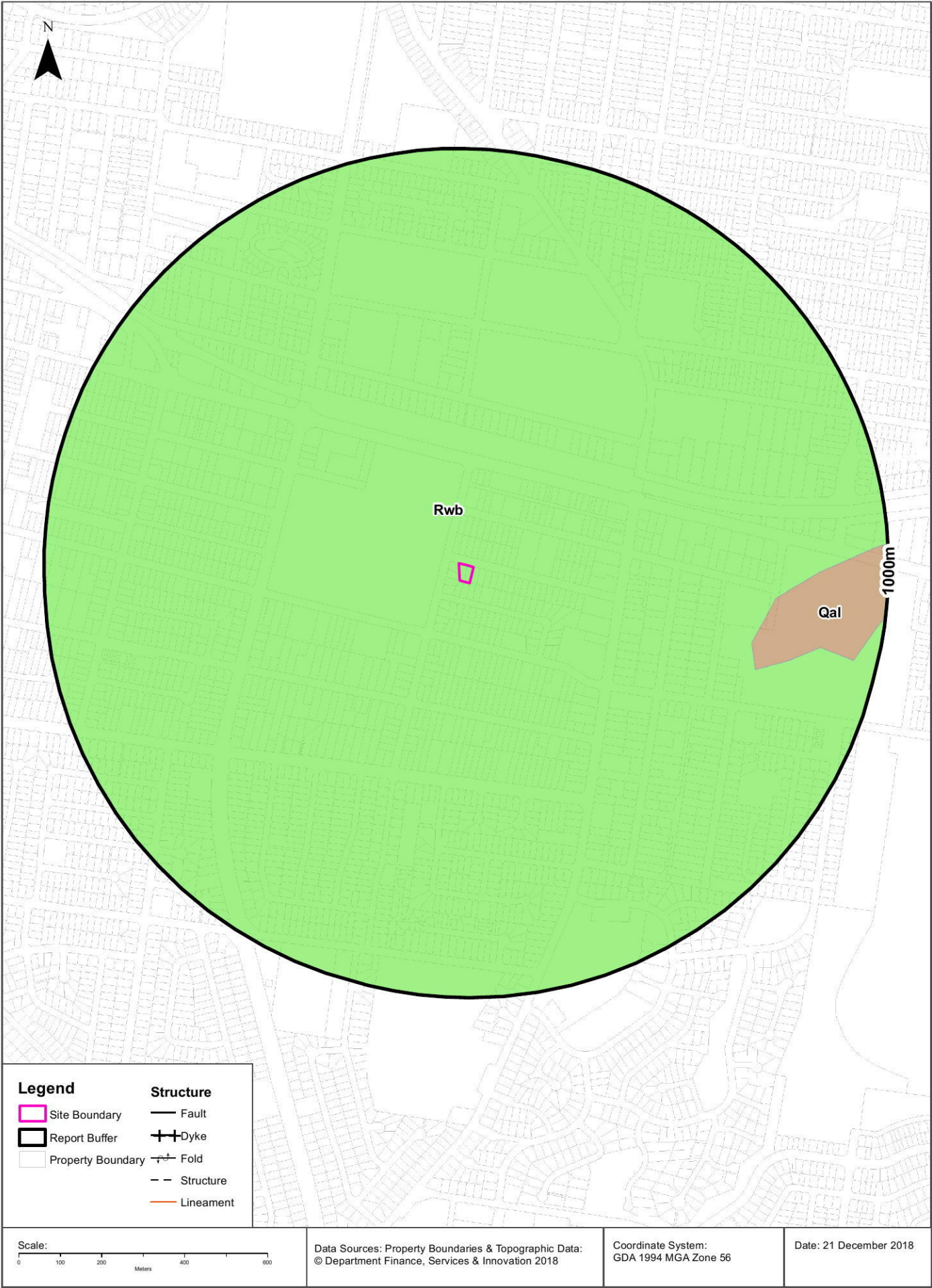
Driller's Logs

Drill log data relevant to the boreholes within the dataset buffer:

Groundwater No	Drillers Log	Distance	Direction
GW111617	0.00m-0.50m CLAY BROWN 0.50m-1.00m SHALE BROWN 1.00m-113.00m SHALE GREY 113.00m-130.00m SANDSTONE GREY 130.00m-130.20m SANDSTONE GREY QUARTZ 130.20m-141.00m SANDSTONE GREY 141.00m-142.00m SANDSTONE GREY QUARTZ 142.00m-145.00m SANDSTONE GREY 145.00m-149.00m SANDSTONE GREY QUARTZ 149.00m-154.00m SANDSTONE GREY 154.00m-155.00m SANDSTONE GREY ,SILTSTONE BANDS 155.00m-158.50m SANDSTONE GREY 158.50m-160.00m SANDSTONE GREY QUARTZ 160.00m-161.00m SANDSTONE GREY 161.00m-162.00m SANDSTONE GREY ,SILTSTONE BANDS 162.00m-190.00m SANDSTONE GREY 190.00m-192.00m SANDSTONE GREY ,SILTSTONE BANDS 192.00m-198.50m SANDSTONE GREY 198.50m-200.00m SANDSTONE GREY QUARTZ 200.00m-203.00m SANDSTONE GREY 203.00m-209.00m SANDSTONE GREY QUARTZ 209.00m-210.00m SANDSTONE GREY	1135m	North
GW020547	0.00m-0.91m Topsoil 0.91m-9.14m Clay Yellow 0.91m-9.14m Pebbles 9.14m-13.71m Shale Grey 13.71m-91.44m Shale Black Water Supply	1885m	East
GW114593	0.00m-0.20m CONCRETE 0.20m-0.50m SILTY CLAY ,FIRM,MOIST,M/PLASTICITY 0.50m-0.80m SHALE WEATHERED,VERY HARD 0.80m-4.00m SHALE,VERY HARD,DRY,DARK BROWN 4.00m-7.50m SHALE,VERY HARD ,DRY,WHITE	1922m	South
GW114592	0.00m-0.20m CONCRETE 0.20m-0.50m SAND,M/GRAINED,MOIST DARK BROWN 0.50m-0.80m SHALE WITH MINOR CLAY 0.80m-6.00m SHALE DRY YELLOW/BROWN 6.00m-8.00m SHALE WHITE	1924m	South
GW114591	0.00m-0.10m CONCRETE 0.10m-0.50m CLAY WITH MINOR SAND M/GRAINED 0.50m-0.90m CLAY SOFT , MOIST,LOW PLASTICITY 0.90m-1.20m SHALE WEATHERED,VERY HARD,DRY,YELLOWISH BROWN 1.20m-3.50m SHALE VERY HARD DRY,YELLOWISH BROWN 3.50m-7.00m SHALE, VERY HARD,DRY,WHITE	1929m	South
GW019680	0.00m-11.27m Clay Water Supply 11.27m-16.15m Clay Shale 16.15m-44.19m Shale Hard 44.19m-44.80m Shale Water Supply 44.80m-50.29m Shale Dark 50.29m-52.42m Shale Clay Seams 52.42m-53.34m Shale Water Supply	1933m	East
GW114594	0.00m-0.12m CONCRETE 0.12m-0.50m SAND MINOR CLAY AND SHALE M/GRAINED 0.50m-0.70m SHALE MINOR CLAY MOIST BROWN 0.70m-5.00m SHALE VERY HARD,DRY YELLOW BROWN 5.00m-7.00m SHALE VERY HARD WHITE	1934m	South

Groundwater No	Drillers Log	Distance	Direction
GW020069	0.00m-2.13m Clay 2.13m-4.57m Clay Coloured 4.57m-7.31m Clay Shale 7.31m-8.83m Clay Sticky Water Supply 8.83m-51.20m Shale Light Coloured 51.20m-59.43m Shale Dark Water Supply 51.20m-59.43m Clay Seams 59.43m-60.65m Shale Dark 60.65m-63.70m Shale 60.65m-63.70m Sandstone Yellow Streaks 63.70m-72.54m Shale Light Orange 72.54m-74.67m Shale Dark Orange Water Supply 72.54m-74.67m Clay Seams 74.67m-75.59m Shale Dark Orange	1959m	East

Drill Log Data Source: NSW Department of Primary Industries - Office of Water / Water Administration Ministerial Corp
Creative Commons 3.0 © Commonwealth of Australia <http://creativecommons.org/licenses/by/3.0/au/deed.en>



Geology

38-40 Orth Street, Kingswood, NSW 2340

Geological Units

What are the Geological Units onsite?

Symbol	Description	Unit Name	Group	Sub Group	Age	Dom Lith	Map Sheet	Dataset
Rwb	Shale, carbonaceous claystone, claystone, laminate, fine to medium-grained lithic sandstone, rare coal and tuff	Bringelly Shale	Wianamatta Group (undifferentiated)		Middle Triassic		Penrith	1:100,000

What are the Geological Units within the dataset buffer?

Symbol	Description	Unit Name	Group	Sub Group	Age	Dom Lith	Map Sheet	Dataset
Qal	Fine-grained sand, silt and clay				Quaternary		Penrith	1:100,000
Rwb	Shale, carbonaceous claystone, claystone, laminate, fine to medium-grained lithic sandstone, rare coal and tuff	Bringelly Shale	Wianamatta Group (undifferentiated)		Middle Triassic		Penrith	1:100,000

Geological Structures

What are the Geological Structures onsite?

Feature	Name	Description	Map Sheet	Dataset
No features				1:100,000

What are the Geological Structures within the dataset buffer?

Feature	Name	Description	Map Sheet	Dataset
No features				1:100,000

Geological Data Source : NSW Department of Industry, Resources & Energy

© State of New South Wales through the NSW Department of Industry, Resources & Energy

Naturally Occurring Asbestos Potential

38-40 Orth Street, Kingswood, NSW 2340

Naturally Occurring Asbestos Potential

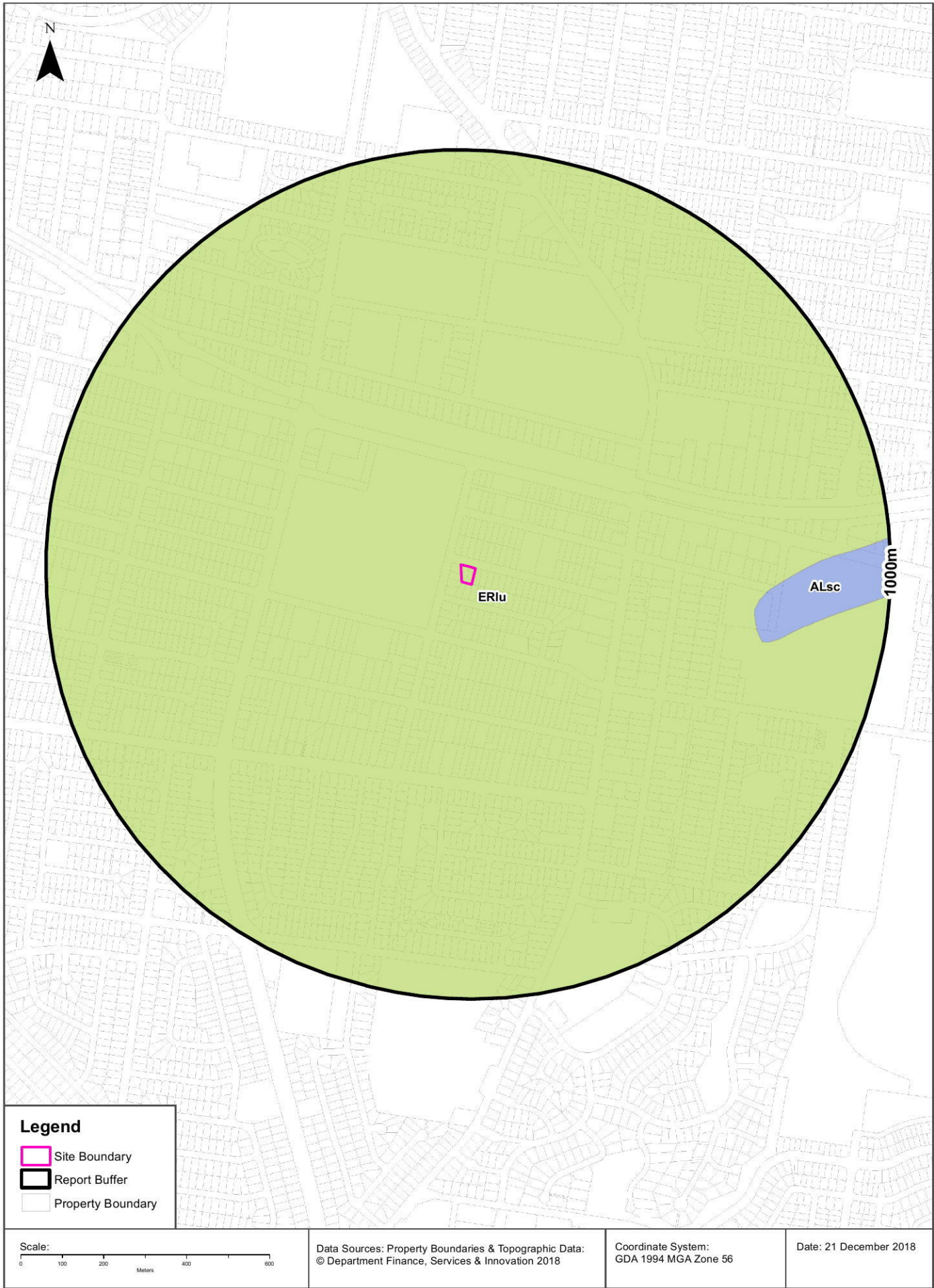
Naturally Occurring Asbestos Potential within the dataset buffer:

Potential	Sym	Strat Name	Group	Formation	Scale	Min Age	Max Age	Rock Type	Dom Lith	Description	Dist	Dir
No records in buffer												

Mining Subsidence District Data Source: © State of New South Wales through NSW Department of Industry, Resources & Energy

Soil Landscapes

38-40 Orth Street, Kingswood, NSW 2340



Soils

38-40 Orth Street, Kingswood, NSW 2340

Soil Landscapes

What are the onsite Soil Landscapes?

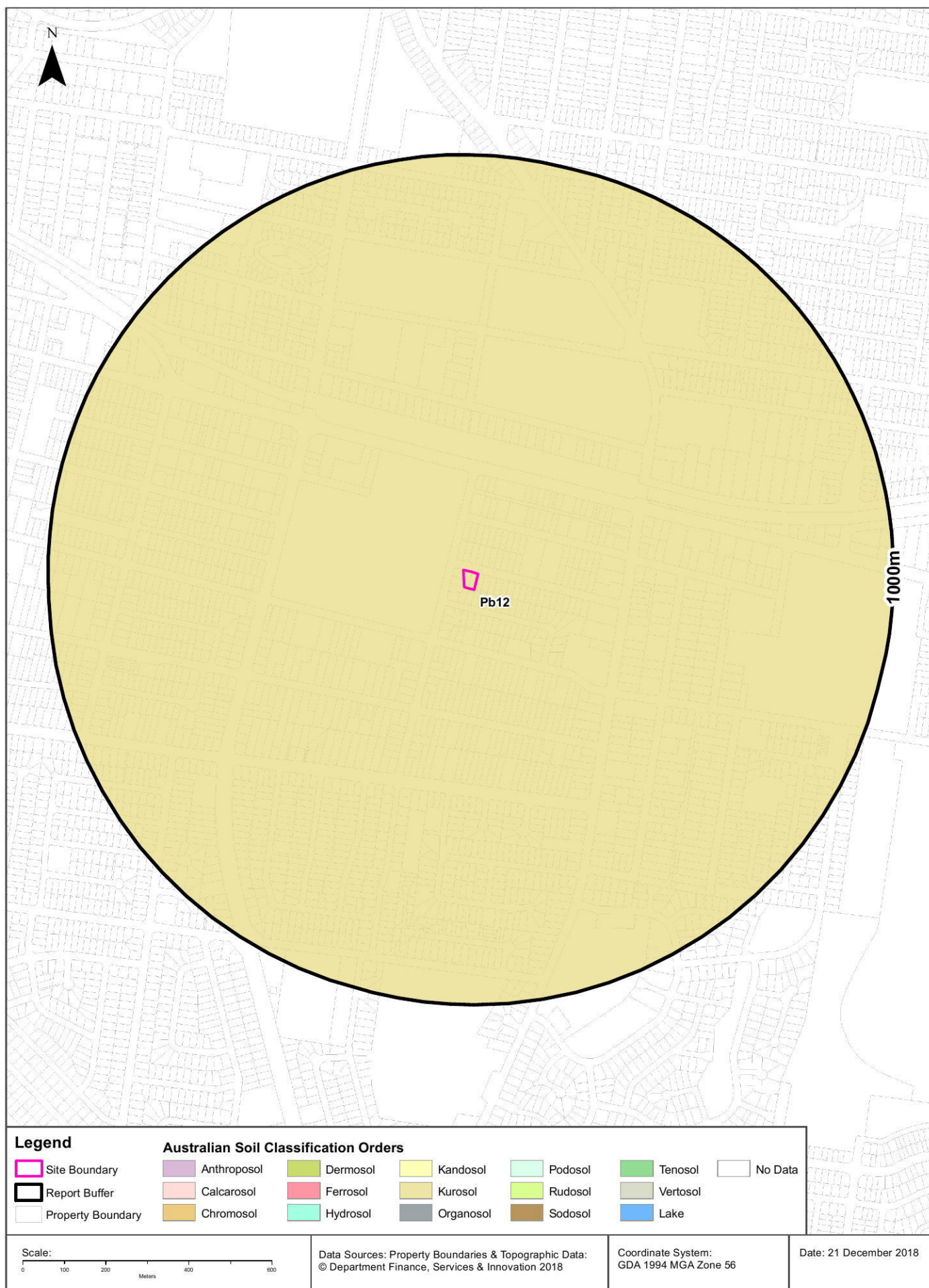
Soil Code	Name	Group	Process	Map Sheet	Scale
ERlu	LUDDENHAM		EROSIONAL	Penrith	1:100,000

What are the Soil Landscapes within the dataset buffer?

Soil Code	Name	Group	Process	Map Sheet	Scale
ALsc	SOUTH CREEK		ALLUVIAL	Penrith	1:100,000
ERlu	LUDDENHAM		EROSIONAL	Penrith	1:100,000

Soils Landscapes Data Source : NSW Office of Environment and Heritage

Creative Commons 3.0 © Commonwealth of Australia <http://creativecommons.org/licenses/by/3.0/au/deed.en>



Soils

38-40 Orth Street, Kingswood, NSW 2340

Atlas of Australian Soils

Soil mapping units and Australian Soil Classification orders within the dataset buffer:

Map Unit Code	Soil Order	Map Unit Description	Distance
Pb12	Kurosol	Gently rolling to rounded hilly country with some steep slopes and broad valleys: chief soils are hard acidic red soils (Dr2.21) with hard neutral and acidic yellow mottled soils (Dy3.42 and Dy3.41) on lower slopes and in valleys. Associated are small areas of various soils including (Gn3.54) on some ridges, (Dr3.31) on some slopes; (Dr2.23) in saddles and some mid-slope positions, and some low-lying swampy areas of (Uf6) soils and (Uc1.2) soils with peaty surfaces. Small areas of other soils such as (Db1.2) are likely throughout.	0m

Atlas of Australian Soils Data Source: CSIRO

Creative Commons 4.0 © Commonwealth of Australia <http://creativecommons.org/licenses/by/4.0/au/deed.en>

Acid Sulfate Soils

38-40 Orth Street, Kingswood, NSW 2340

Environmental Planning Instrument - Acid Sulfate Soils

What is the on-site Acid Sulfate Soil Plan Class that presents the largest environmental risk?

Soil Class	Description	EPI
N/A		

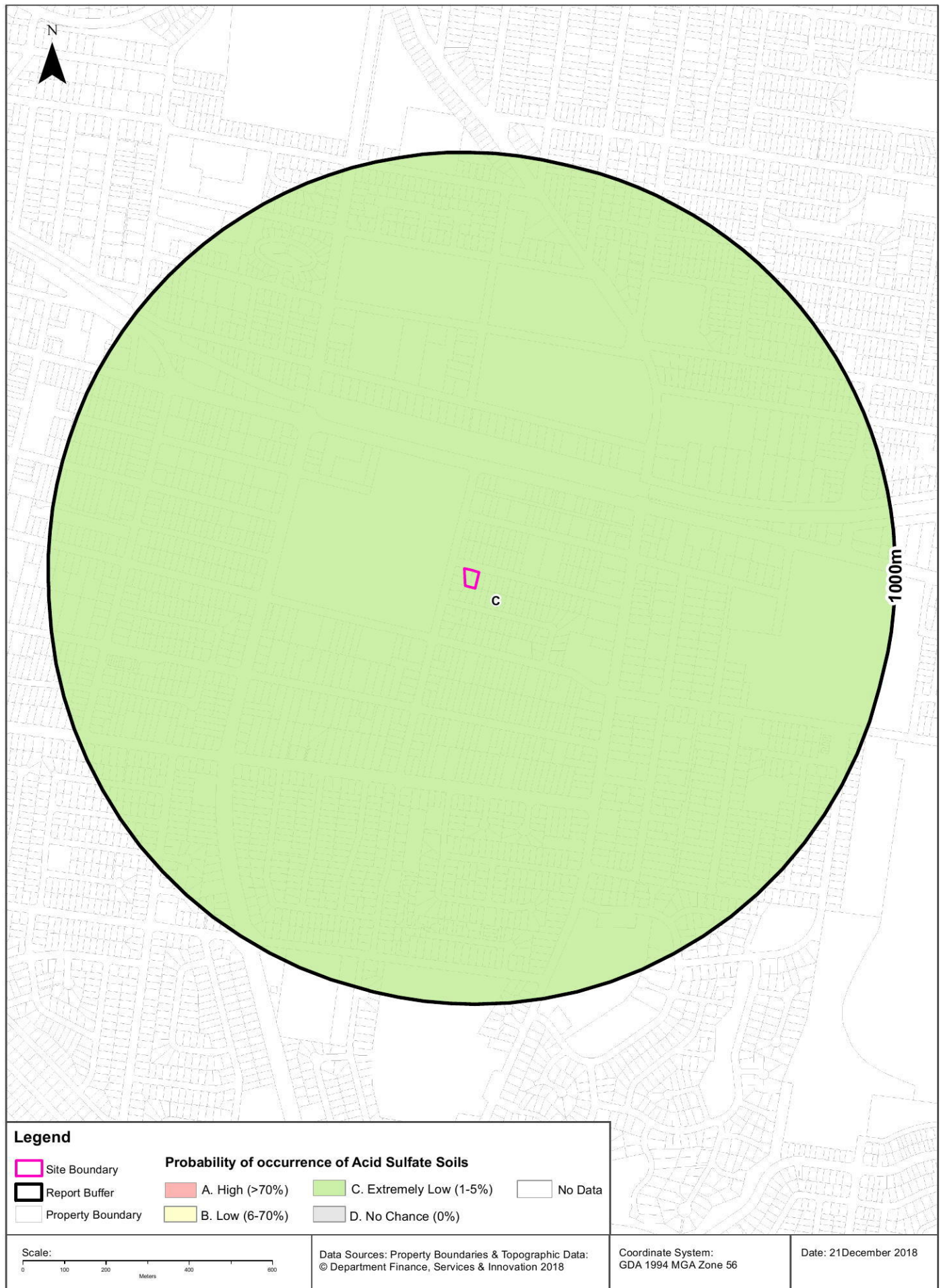
If the on-site Soil Class is 5, what other soil classes exist within 500m?

Soil Class	Description	EPI	Distance	Direction
N/A				

Acid Sulfate Data Source Accessed 23/10/2018: NSW Crown Copyright - Planning and Environment
Creative Commons 4.0 © Commonwealth of Australia <https://creativecommons.org/licenses/by/4.0/>

Atlas of Australian Acid Sulfate Soils

38-40 Orth Street, Kingswood, NSW 2340



Acid Sulfate Soils

38-40 Orth Street, Kingswood, NSW 2340

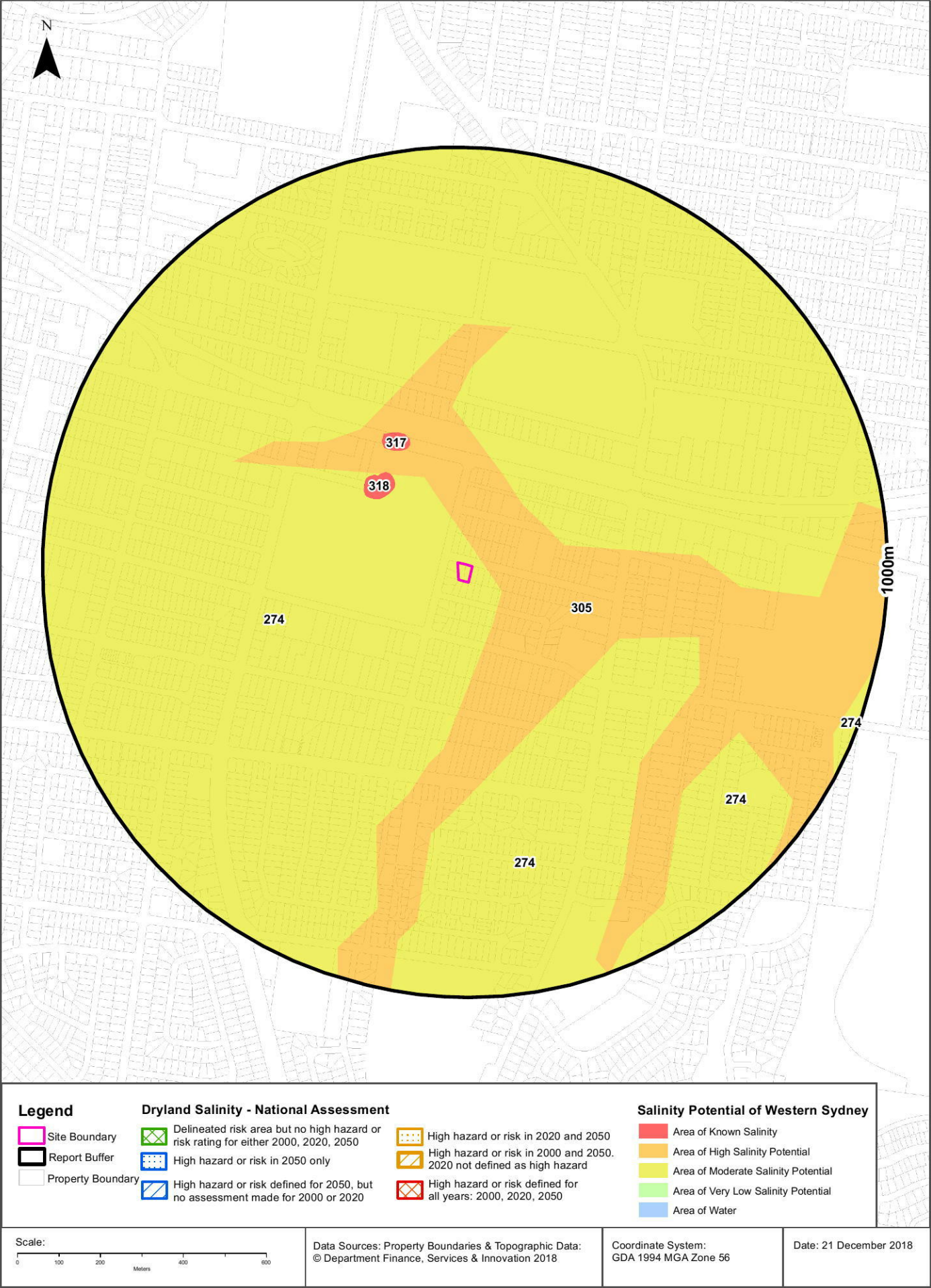
Atlas of Australian Acid Sulfate Soils

Atlas of Australian Acid Sulfate Soil categories within the dataset buffer:

Class	Description	Distance
C	Extremely low probability of occurrence. 1-5% chance of occurrence with occurrences in small localised areas.	0m

Atlas of Australian Acid Sulfate Soils Data Source: CSIRO

Creative Commons 3.0 © Commonwealth of Australia <http://creativecommons.org/licenses/by/3.0/au/deed.en>



Dryland Salinity

38-40 Orth Street, Kingswood, NSW 2340

Dryland Salinity - National Assessment

Is there Dryland Salinity - National Assessment data onsite?

No

Is there Dryland Salinity - National Assessment data within the dataset buffer?

No

What Dryland Salinity assessments are given?

Assessment 2000	Assessment 2020	Assessment 2050	Distance	Direction
N/A	N/A	N/A	N/A	N/A

Dryland Salinity Data Source : National Land and Water Resources Audit

The Commonwealth and all suppliers of source data used to derive the maps of "Australia, Forecast Areas Containing Land of High Hazard or Risk of Dryland Salinity from 2000 to 2050" do not warrant the accuracy or completeness of information in this product. Any person using or relying upon such information does so on the basis that the Commonwealth and data suppliers shall bear no responsibility or liability whatsoever for any errors, faults, defects or omissions in the information. Any persons using this information do so at their own risk.

In many cases where a high risk is indicated, less than 100% of the area will have a high hazard or risk.

Dryland Salinity Potential of Western Sydney

Dryland Salinity Potential of Western Sydney within the dataset buffer?

Feature Id	Classification	Description	Distance	Direction
274	MODERATE	Area of Moderate Salinity Potential	0m	Onsite
305	HIGH	Area of High Salinity Potential	23m	East
318	SALT	Area of Known Salinity	236m	North West
317	SALT	Area of Known Salinity	300m	North West

Dryland Salinity Potential of Western Sydney Data Source : NSW Office of Environment and Heritage

Creative Commons 3.0 © Commonwealth of Australia <http://creativecommons.org/licenses/by/3.0/au/deed.en>

Mining Subsidence Districts

38-40 Orth Street, Kingswood, NSW 2340

Mining Subsidence Districts

Mining Subsidence Districts within the dataset buffer:

District	Distance	Direction
There are no Mining Subsidence Districts within the report buffer		

Mining Subsidence District Data Source: © Land and Property Information (2016)
Creative Commons 3.0 © Commonwealth of Australia <http://creativecommons.org/licenses/by/3.0/au/deed.en>

Environmental Zoning

38-40 Orth Street, Kingswood, NSW 2340

State Environmental Planning Policy Protected Areas

Are there any State Environmental Planning Policy Protected Areas onsite or within the dataset buffer?

Dataset	Onsite	Within Site Buffer	Distance
SEPP14 - Coastal Wetlands	No	No	N/A
SEPP26 - Littoral Rainforests	No	No	N/A
SEPP71 - Coastal Protection Zone	No	No	N/A

SEPP Protected Areas Data Source: NSW Department of Planning & Environment
Creative Commons 3.0 © Commonwealth of Australia <http://creativecommons.org/licenses/by/3.0/au/deed.en>

State Environmental Planning Policy Major Developments (2005)

State Environmental Planning Policy Major Developments within the dataset buffer:

Map Id	Feature	Effective Date	Distance	Direction
N/A	No records within buffer			

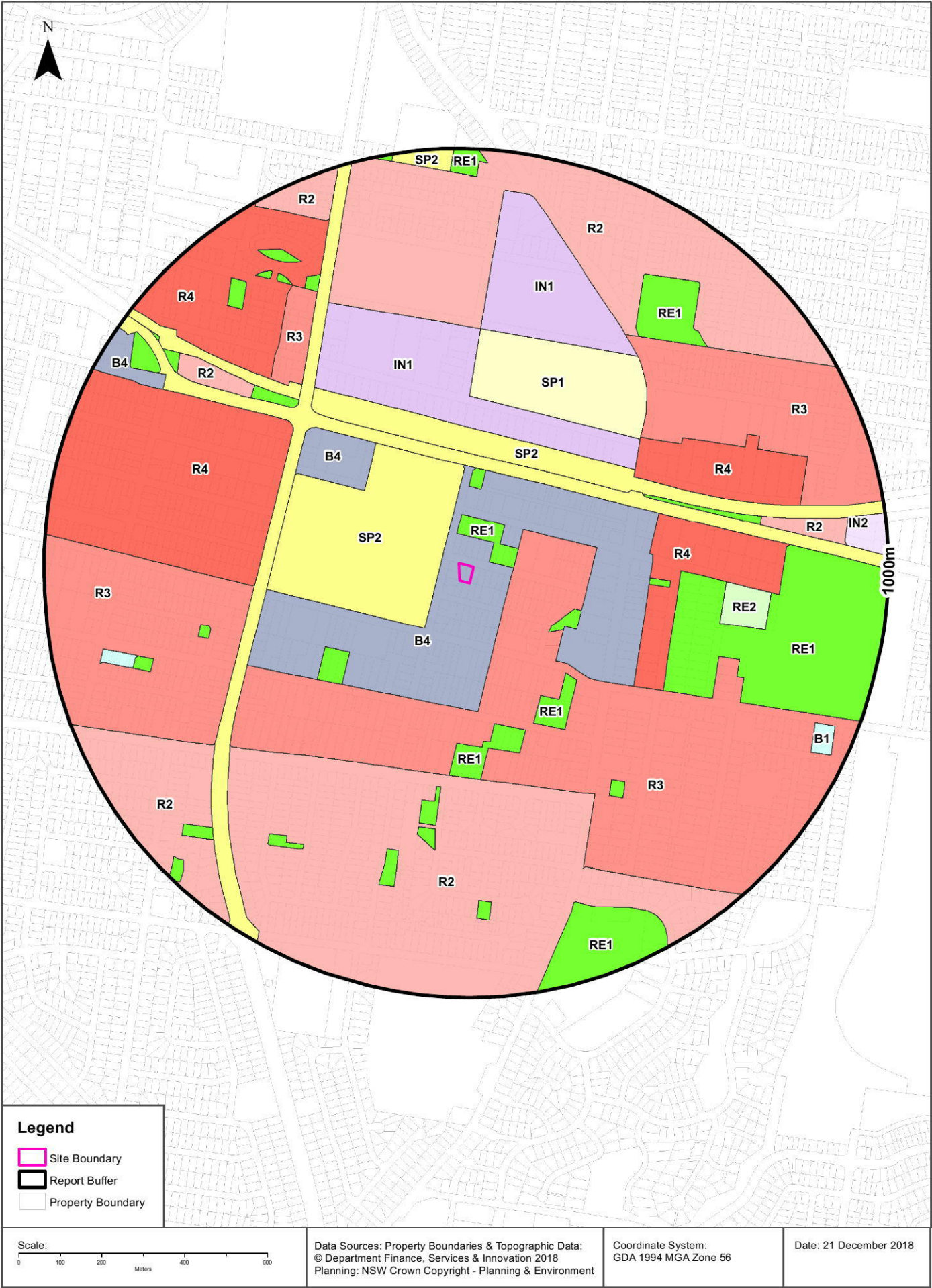
SEPP Major Development Data Source: NSW Department of Planning & Environment
Creative Commons 3.0 © Commonwealth of Australia <http://creativecommons.org/licenses/by/3.0/au/deed.en>

State Environmental Planning Policy Strategic Land Use Areas

State Environmental Planning Policy Strategic Land Use Areas onsite or within the dataset buffer:

Strategic Land Use	SEPPNo	Effective Date	Amendment	Amendment Year	Distance	Direction
No records within buffer						

SEPP Strategic Land Use Data Source: NSW Department of Planning & Environment
Creative Commons 3.0 © Commonwealth of Australia <http://creativecommons.org/licenses/by/3.0/au/deed.en>



Environmental Planning Instrument

38-40 Orth Street, Kingswood, NSW 2340

Land Zoning

What Environmental Planning Instrument Land Zones exist within the dataset buffer?

Zone	Description	Purpose	LEP or SEPP	Published Date	Commenced Date	Currency Date	Amendment	Distance	Direction
B4	Mixed Use		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	0m	Onsite
RE1	Public Recreation		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	38m	North East
SP2	Infrastructure	Health Services Facilities	Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	44m	West
R3	Medium Density Residential		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	91m	South East
RE1	Public Recreation		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	187m	North
RE1	Public Recreation		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	221m	South East
SP2	Infrastructure	Classified Road	Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	233m	West
SP2	Infrastructure	Railway	Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	264m	East
B4	Mixed Use		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	289m	North West
RE1	Public Recreation		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	316m	South East
RE1	Public Recreation		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	317m	South West
IN1	General Industrial		Penrith Local Environmental Plan 2010	22/09/2010	22/09/2010	22/06/2018		323m	North
RE1	Public Recreation		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	345m	South
SP1	Special Activities	Cemetery	Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	397m	North East
R4	High Density Residential		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	423m	East
RE1	Public Recreation		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	423m	East
R4	High Density Residential		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	442m	East
RE1	Public Recreation		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	443m	East
R2	Low Density Residential		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	466m	South
R4	High Density Residential		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	467m	West
R3	Medium Density Residential		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	494m	West
RE1	Public Recreation		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	494m	East
RE1	Public Recreation		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	496m	South
R3	Medium Density Residential		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	509m	East
RE1	Public Recreation		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	546m	North West
SP2	Infrastructure	Railway	Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	552m	North West
IN1	General Industrial		Penrith Local Environmental Plan 2010	22/09/2010	22/09/2010	22/06/2018		565m	North

Zone	Description	Purpose	LEP or SEPP	Published Date	Commenced Date	Currency Date	Amendment	Distance	Direction
R2	Low Density Residential		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	567m	North East
R3	Medium Density Residential		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	574m	North West
RE1	Public Recreation		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	583m	South East
RE1	Public Recreation		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	598m	South
RE2	Private Recreation		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	605m	East
RE1	Public Recreation		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	611m	West
R4	High Density Residential		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	636m	North West
R2	Low Density Residential		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	642m	North West
RE1	Public Recreation		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	668m	South
RE1	Public Recreation		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	682m	North East
R2	Low Density Residential		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	696m	East
R2	Low Density Residential		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	708m	South West
RE1	Public Recreation		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	740m	South West
RE1	Public Recreation		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	741m	North West
RE1	Public Recreation		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	762m	West
RE1	Public Recreation		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	766m	South
RE1	Public Recreation		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	783m	North West
B1	Neighbourhood Centre		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	795m	West
RE1	Public Recreation		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	805m	North West
RE1	Public Recreation		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	810m	South
RE1	Public Recreation		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	820m	North West
RE1	Public Recreation		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	821m	North West
RE1	Public Recreation		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	826m	North West
B4	Mixed Use		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	828m	West
RE1	Public Recreation		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	842m	South West
RE1	Public Recreation		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	856m	North West
R2	Low Density Residential		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	885m	North West
IN2	Light Industrial		Penrith Local Environmental Plan 2010	22/09/2010	22/09/2010	22/06/2018		894m	East
B1	Neighbourhood Centre		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	897m	South East
RE1	Public Recreation		Penrith Local Environmental Plan 2010	14/10/2016	14/10/2016	22/06/2018	Amendment No 11	900m	North West
RE1	Public Recreation		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	934m	North
SP2	Infrastructure	Water Supply System	Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	945m	North
RE1	Public Recreation		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	948m	South West
RE1	Public Recreation		Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	983m	North

Environmental Planning Instrument Data Source: NSW Crown Copyright - Planning & Environment
Creative Commons 4.0 © Commonwealth of Australia <https://creativecommons.org/licenses/by/4.0/>

Environmental Planning Instrument

38-40 Orth Street, Kingswood, NSW 2340

Minimum Lot Size

What are the onsite Environmental Planning Instrument Minimum Lot Sizes?

Symbol	Minimum Lot Size	LEP or SEPP	Published Date	Commenced Date	Currency Date	Amendment	Percentage of Site Area
F	400 m ²	Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	100

Maximum Height of Buildings

What are the onsite Environmental Planning Instrument Maximum Height of Buildings?

Symbol	Maximum Height of Building	LEP or SEPP	Published Date	Commenced Date	Currency Date	Amendment	Percentage of Site Area
16	18.00 m	Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	22/06/2018	Amendment No 4	100

Floor Space Ratio

What are the onsite Environmental Planning Instrument Floor Space Ratios?

Symbol	Floor Space Ratio	LEP or SEPP	Published Date	Commenced Date	Currency Date	Amendment	Percentage of Site Area
23	3.50	LEP	25/02/2015	25/02/2015	14/10/2016	Amendment No 4	100

Land Application

What are the onsite Environmental Planning Instrument Land Applications?

Application Type	LEP or SEPP	Published Date	Commenced Date	Currency Date	Amendment	Percentage of Site Area
Included	Penrith Local Environmental Plan 2010	11/08/2017	11/08/2017	11/08/2017	Amendment No 12	100

Land Reservation Acquisition

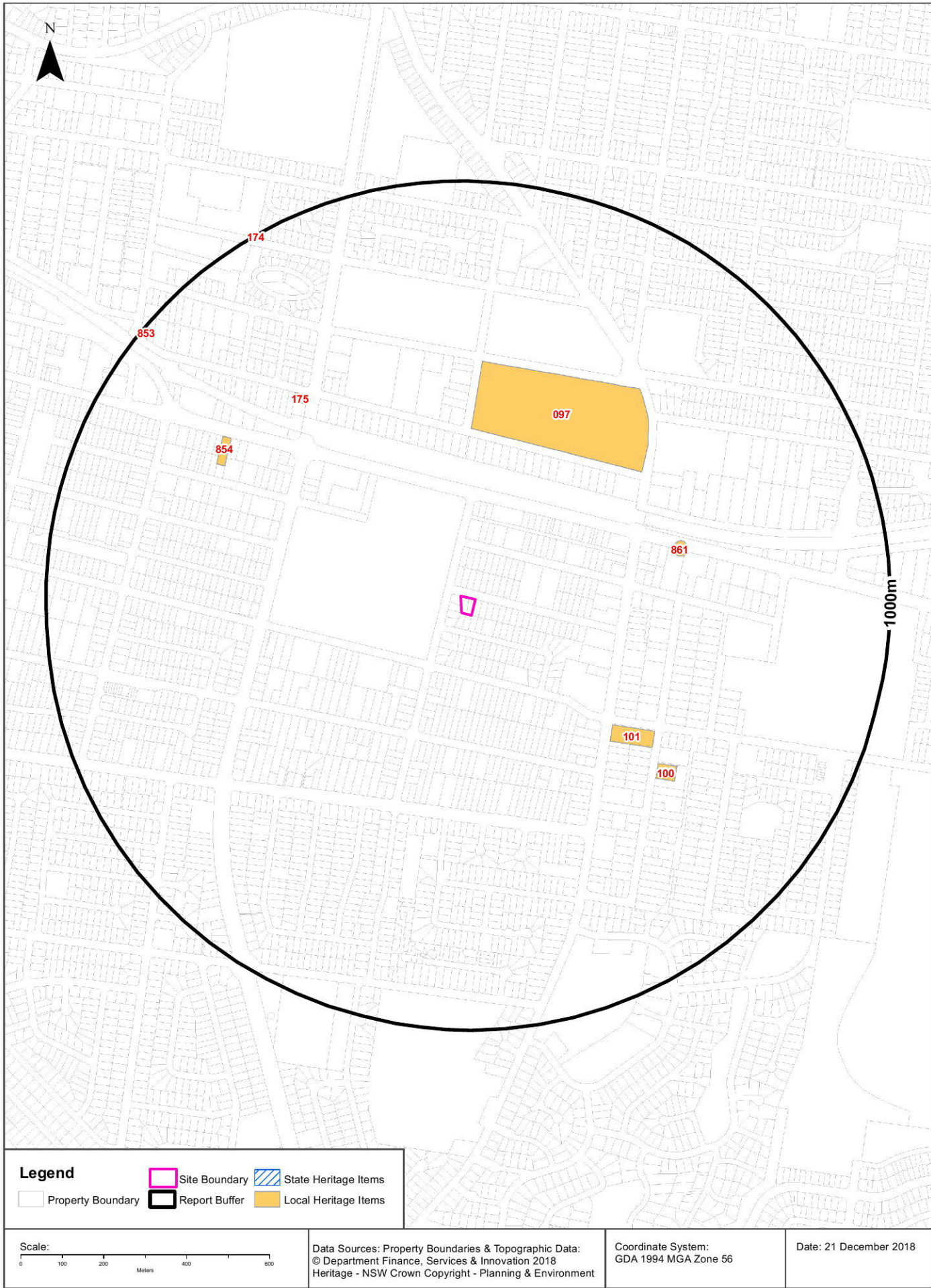
What are the onsite Environmental Planning Instrument Land Reservation Acquisitions?

Reservation	LEP or SEPP	Published Date	Commenced Date	Currency Date	Amendment	Comments	Percentage of Site Area
No Data							

Environmental Planning Instrument Data Source: NSW Crown Copyright - Planning & Environment
Creative Commons 4.0 © Commonwealth of Australia <https://creativecommons.org/licenses/by/4.0/>

Heritage Items

38-40 Orth Street, Kingswood, NSW 2340



Heritage

38-40 Orth Street, Kingswood, NSW 2340

State Heritage Register - Curtilages

What are the State Heritage Register Items located within the dataset buffer?

Map Id	Name	Address	LGA	Listing Date	Listing No	Plan No	Distance	Direction
N/A	No records in buffer							

Heritage Data Source: NSW Crown Copyright - Office of Environment & Heritage
Creative Commons 4.0 © Commonwealth of Australia <https://creativecommons.org/licenses/by/4.0/>

Environmental Planning Instrument - Heritage

What are the EPI Heritage Items located within the dataset buffer?

Map Id	Name	Classification	Significance	EPI	Published Date	Commenced Date	Currency Date	Distance	Direction
097	Penrith General Cemetery	Item - General	Local	Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	11/08/2017	397m	North East
101	St. Phillips Anglican Church	Item - General	Local	Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	11/08/2017	429m	South East
861	Milestone	Item - General	Local	Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	11/08/2017	490m	East
100	Federation house and garden	Item - General	Local	Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	11/08/2017	573m	South East
175	Cottage	Item - General	Local	Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	11/08/2017	594m	North West
854	Federation house	Item - General	Local	Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	11/08/2017	651m	North West
853	Cottage	Item - General	Local	Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	11/08/2017	979m	North West
174	Governor Phillip Special Hospital - original building	Item - General	Local	Penrith Local Environmental Plan 2010	25/02/2015	25/02/2015	11/08/2017	993m	North West

Heritage Data Source: NSW Crown Copyright - Planning & Environment
Creative Commons 4.0 © Commonwealth of Australia <https://creativecommons.org/licenses/by/4.0/>



Natural Hazards

38-40 Orth Street, Kingswood, NSW 2340

Bush Fire Prone Land

What are the nearest Bush Fire Prone Land Categories that exist within the dataset buffer?

Bush Fire Prone Land Category	Distance	Direction
Vegetation Buffer	709m	South
Vegetation Category 1	809m	South

NSW Bush Fire Prone Land - © NSW Rural Fire Service under Creative Commons 4.0 International Licence



Ecological Constraints

38-40 Orth Street, Kingswood, NSW 2340

Remnant Vegetation of the Cumberland Plain

What remnant vegetation of the Cumberland Plain exists within the dataset buffer?

Description	Crown Cover	Distance	Direction
10 - Shale Plains Woodland	Crown cover less than 10% (urban areas)	32m	South East
10 - Shale Plains Woodland	Crown cover less than 10%	37m	South West
11 - Alluvial Woodland	Crown cover less than 10% (urban areas)	40m	East
9 - Shale Hills Woodland	Crown cover less than 10% (urban areas)	653m	North
9 - Shale Hills Woodland	Crown cover less than 10%	758m	North East
10 - Shale Plains Woodland	Crown cover greater than 10%	816m	South
9 - Shale Hills Woodland	Crown cover greater than 10%	937m	North

Remnant Vegetation of the Cumberland Plain : NSW Office of Environment and Heritage
Creative Commons 3.0 © Commonwealth of Australia <http://creativecommons.org/licenses/by/3.0/au/deed.en>

Ramsar Wetlands

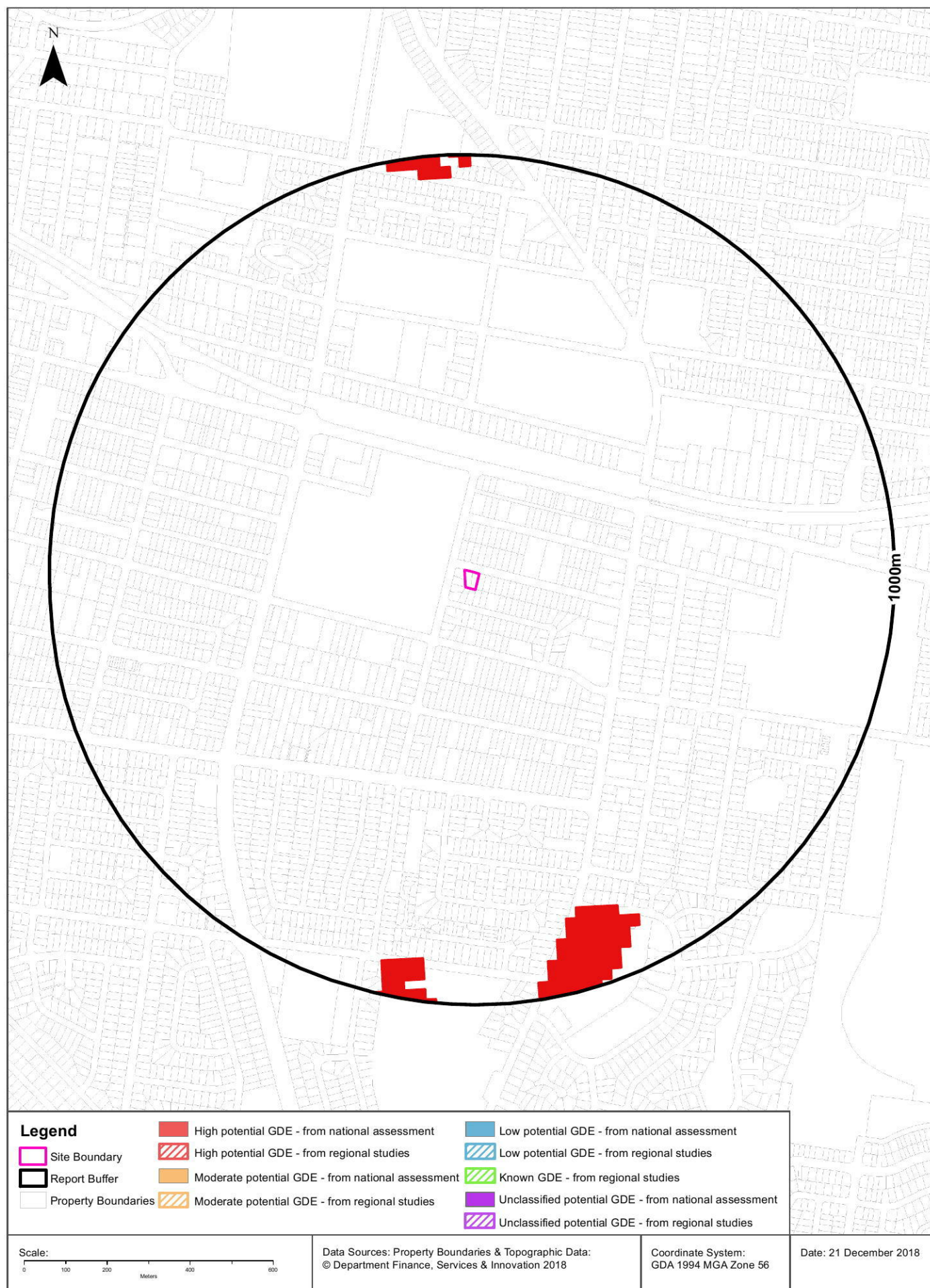
What Ramsar Wetland areas exist within the dataset buffer?

Map Id	Ramsar Name	Wetland Name	Designation Date	Source	Distance	Direction
N/A	No records in buffer					

Ramsar Wetlands Data Source: © Commonwealth of Australia - Department of Environment

Ecological Constraints - Groundwater Dependent Ecosystems Atlas

38-40 Orth Street, Kingswood, NSW 2340



Ecological Constraints

38-40 Orth Street, Kingswood, NSW 2340

Groundwater Dependent Ecosystems Atlas

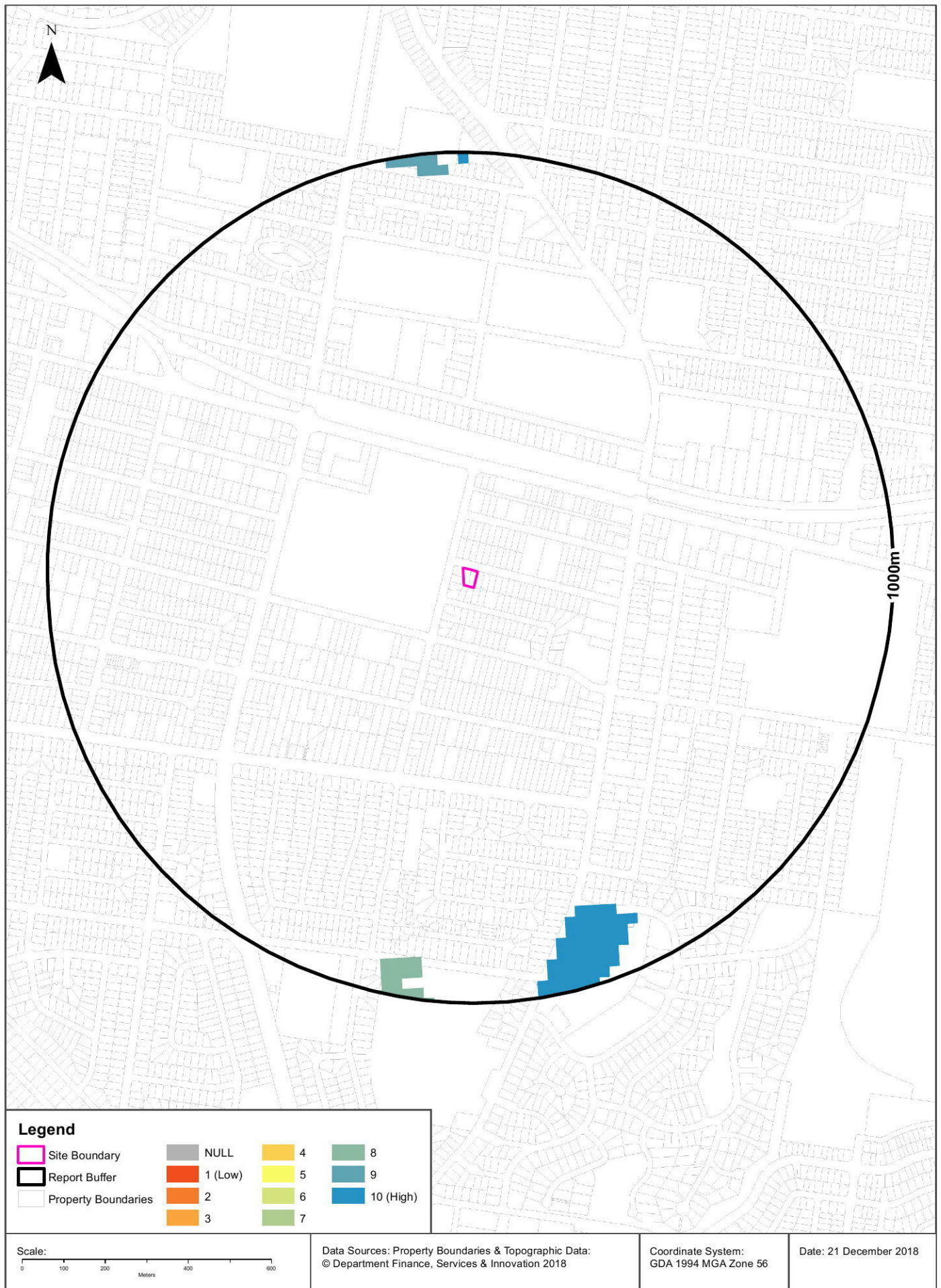
Type	GDE Potential	Geomorphology	Ecosystem Type	Aquifer Geology	Distance
Terrestrial	High potential GDE - from national assessment	Undulating to low hilly country, mainly on shale.	Vegetation	Consolidated sedimentary	803m

Groundwater Dependent Ecosystems Atlas Data Source: The Bureau of Meteorology

Creative Commons 3.0 © Commonwealth of Australia <http://creativecommons.org/licenses/by/3.0/au/deed.en>

Ecological Constraints - Inflow Dependent Ecosystems Likelihood

38-40 Orth Street, Kingswood, NSW 2340



Ecological Constraints

38-40 Orth Street, Kingswood, NSW 2340

Inflow Dependent Ecosystems Likelihood

Type	IDE Likelihood	Geomorphology	Ecosystem Type	Aquifer Geology	Distance
Terrestrial	10	Undulating to low hilly country, mainly on shale.	Vegetation	Consolidated sedimentary	803m
Terrestrial	8	Undulating to low hilly country, mainly on shale.	Vegetation	Consolidated sedimentary	896m
Terrestrial	9	Undulating to low hilly country, mainly on shale.	Vegetation	Consolidated sedimentary	945m

Inflow Dependent Ecosystems Likelihood Data Source: The Bureau of Meteorology
Creative Commons 3.0 © Commonwealth of Australia <http://creativecommons.org/licenses/by/3.0/au/deed.en>

Ecological Constraints

38-40 Orth Street, Kingswood, NSW 2340

NSW BioNet Atlas

Species on the NSW BioNet Atlas that have a NSW or federal conservation status, a NSW sensitivity status, or are listed under a migratory species agreement, and are within 10km of the site?

Kingdom	Class	Scientific	Common	NSW Conservation Status	NSW Sensitivity Class	Federal Conservation Status	Migratory Species Agreements
Animalia	Amphibia	Heleioporus australiacus	Giant Burrowing Frog	Vulnerable	Not Sensitive	Vulnerable	
Animalia	Amphibia	Litoria aurea	Green and Golden Bell Frog	Endangered	Not Sensitive	Vulnerable	
Animalia	Amphibia	Pseudophryne australis	Red-crowned Toadlet	Vulnerable	Not Sensitive	Not Listed	
Animalia	Aves	Actitis hypoleucos	Common Sandpiper	Not Listed	Not Sensitive	Not Listed	ROKAMBA;CAMBA; JAMBA
Animalia	Aves	Anthochaera phrygia	Regent Honeyeater	Critically Endangered	Not Sensitive	Critically Endangered	
Animalia	Aves	Apus pacificus	Fork-tailed Swift	Not Listed	Not Sensitive	Not Listed	ROKAMBA;CAMBA; JAMBA
Animalia	Aves	Ardea ibis	Cattle Egret	Not Listed	Not Sensitive	Not Listed	CAMBA;JAMBA
Animalia	Aves	Artamus cyanopterus cyanopterus	Dusky Woodswallow	Vulnerable	Not Sensitive	Not Listed	
Animalia	Aves	Botaurus poiciloptilus	Australasian Bittern	Endangered	Not Sensitive	Endangered	
Animalia	Aves	Burhinus grallarius	Bush Stone-curlew	Endangered	Not Sensitive	Not Listed	
Animalia	Aves	Callocephalon fimbriatum	Gang-gang Cockatoo	Vulnerable	Category 3	Not Listed	
Animalia	Aves	Calyptorhynchus lathami	Glossy Black-Cockatoo	Vulnerable	Category 2	Not Listed	
Animalia	Aves	Chthonicola sagittata	Speckled Warbler	Vulnerable	Not Sensitive	Not Listed	
Animalia	Aves	Circus assimilis	Spotted Harrier	Vulnerable	Not Sensitive	Not Listed	
Animalia	Aves	Daphoenositta chrysoptera	Varied Sittella	Vulnerable	Not Sensitive	Not Listed	
Animalia	Aves	Ephippiorhynchus asiaticus	Black-necked Stork	Endangered	Not Sensitive	Not Listed	
Animalia	Aves	Gallinago hardwickii	Latham's Snipe	Not Listed	Not Sensitive	Not Listed	ROKAMBA;CAMBA; JAMBA
Animalia	Aves	Glossopsitta pusilla	Little Lorikeet	Vulnerable	Not Sensitive	Not Listed	
Animalia	Aves	Grantiella picta	Painted Honeyeater	Vulnerable	Not Sensitive	Vulnerable	
Animalia	Aves	Haliaeetus leucogaster	White-bellied Sea-Eagle	Vulnerable	Not Sensitive	Not Listed	CAMBA
Animalia	Aves	Hieraaetus morphnoides	Little Eagle	Vulnerable	Not Sensitive	Not Listed	
Animalia	Aves	Hirundapus caudacutus	White-throated Needletail	Not Listed	Not Sensitive	Not Listed	ROKAMBA;CAMBA; JAMBA
Animalia	Aves	Ixobrychus flavicollis	Black Bittern	Vulnerable	Not Sensitive	Not Listed	
Animalia	Aves	Lathamus discolor	Swift Parrot	Endangered	Category 3	Critically Endangered	
Animalia	Aves	Limosa limosa	Black-tailed Godwit	Vulnerable	Not Sensitive	Not Listed	ROKAMBA;CAMBA; JAMBA
Animalia	Aves	Lophoictinia isura	Square-tailed Kite	Vulnerable	Category 3	Not Listed	

Kingdom	Class	Scientific	Common	NSW Conservation Status	NSW Sensitivity Class	Federal Conservation Status	Migratory Species Agreements
Animalia	Aves	Melithreptus gularis	Black-chinned Honeyeater (eastern subspecies)	Vulnerable	Not Sensitive	Not Listed	
Animalia	Aves	Merops ornatus	Rainbow Bee-eater	Not Listed	Not Sensitive	Not Listed	JAMBA
Animalia	Aves	Neophema pulchella	Turquoise Parrot	Vulnerable	Category 3	Not Listed	
Animalia	Aves	Ninox connivens	Barking Owl	Vulnerable	Category 3	Not Listed	
Animalia	Aves	Ninox strenua	Powerful Owl	Vulnerable	Category 3	Not Listed	
Animalia	Aves	Petroica boodang	Scarlet Robin	Vulnerable	Not Sensitive	Not Listed	
Animalia	Aves	Petroica phoenicea	Flame Robin	Vulnerable	Not Sensitive	Not Listed	
Animalia	Aves	Plegadis falcinellus	Glossy Ibis	Not Listed	Not Sensitive	Not Listed	CAMBA
Animalia	Aves	Rostratula australis	Australian Painted Snipe	Endangered	Not Sensitive	Endangered	
Animalia	Aves	Stagonopleura guttata	Diamond Firetail	Vulnerable	Not Sensitive	Not Listed	
Animalia	Aves	Stictonetta naevosa	Freckled Duck	Vulnerable	Not Sensitive	Not Listed	
Animalia	Aves	Tringa glareola	Wood Sandpiper	Not Listed	Not Sensitive	Not Listed	ROKAMBA;CAMBA; JAMBA
Animalia	Aves	Tringa nebularia	Common Greenshank	Not Listed	Not Sensitive	Not Listed	ROKAMBA;CAMBA; JAMBA
Animalia	Aves	Tyto longimembris	Eastern Grass Owl	Vulnerable	Category 3	Not Listed	
Animalia	Aves	Tyto novaehollandiae	Masked Owl	Vulnerable	Category 3	Not Listed	
Animalia	Aves	Tyto tenebricosa	Sooty Owl	Vulnerable	Category 3	Not Listed	
Animalia	Gastropoda	Meridolum corneovirens	Cumberland Plain Land Snail	Endangered	Not Sensitive	Not Listed	
Animalia	Insecta	Petalura gigantea	Giant Dragonfly	Endangered	Not Sensitive	Not Listed	
Animalia	Mammalia	Cercartetus nanus	Eastern Pygmy-possum	Vulnerable	Not Sensitive	Not Listed	
Animalia	Mammalia	Chalinolobus dwyeri	Large-eared Pied Bat	Vulnerable	Not Sensitive	Vulnerable	
Animalia	Mammalia	Dasyurus maculatus	Spotted-tailed Quoll	Vulnerable	Not Sensitive	Endangered	
Animalia	Mammalia	Falsistrellus tasmaniensis	Eastern False Pipistrelle	Vulnerable	Not Sensitive	Not Listed	
Animalia	Mammalia	Miniopterus australis	Little Bentwing-bat	Vulnerable	Not Sensitive	Not Listed	
Animalia	Mammalia	Miniopterus schreibersii oceanensis	Eastern Bentwing-bat	Vulnerable	Not Sensitive	Not Listed	
Animalia	Mammalia	Mormopterus norfolkensis	Eastern Freetail-bat	Vulnerable	Not Sensitive	Not Listed	
Animalia	Mammalia	Myotis macropus	Southern Myotis	Vulnerable	Not Sensitive	Not Listed	
Animalia	Mammalia	Petauroides volans	Greater Glider	Not Listed	Not Sensitive	Vulnerable	
Animalia	Mammalia	Petaurus australis	Yellow-bellied Glider	Vulnerable	Not Sensitive	Not Listed	
Animalia	Mammalia	Petaurus norfolcensis	Squirrel Glider	Vulnerable	Not Sensitive	Not Listed	
Animalia	Mammalia	Phascolarctos cinereus	Koala	Vulnerable	Not Sensitive	Vulnerable	
Animalia	Mammalia	Pteropus poliocephalus	Grey-headed Flying-fox	Vulnerable	Not Sensitive	Vulnerable	
Animalia	Mammalia	Saccolaimus flaviventris	Yellow-bellied Sheath-tail-bat	Vulnerable	Not Sensitive	Not Listed	
Animalia	Mammalia	Scoteanax rueppellii	Greater Broad-nosed Bat	Vulnerable	Not Sensitive	Not Listed	

Kingdom	Class	Scientific	Common	NSW Conservation Status	NSW Sensitivity Class	Federal Conservation Status	Migratory Species Agreements
Animalia	Mammalia	Vespadelus trouhoni	Eastern Cave Bat	Vulnerable	Not Sensitive	Not Listed	
Plantae	Flora	Acacia bynoeana	Bynoe's Wattle	Endangered	Not Sensitive	Vulnerable	
Plantae	Flora	Acacia pubescens	Downy Wattle	Vulnerable	Not Sensitive	Vulnerable	
Plantae	Flora	Allocasuarina glareicola		Endangered	Not Sensitive	Endangered	
Plantae	Flora	Dillwynia tenuifolia		Vulnerable	Not Sensitive	Not Listed	
Plantae	Flora	Eucalyptus benthamii	Camden White Gum	Vulnerable	Not Sensitive	Vulnerable	
Plantae	Flora	Eucalyptus leucoxylon subsp. pruinosa	Yellow Gum	Vulnerable	Not Sensitive	Not Listed	
Plantae	Flora	Eucalyptus scoparia	Wallangarra White Gum	Endangered	Not Sensitive	Vulnerable	
Plantae	Flora	Grevillea juniperina subsp. juniperina	Juniper-leaved Grevillea	Vulnerable	Not Sensitive	Not Listed	
Plantae	Flora	Grevillea parviflora subsp. parviflora	Small-flower Grevillea	Vulnerable	Not Sensitive	Vulnerable	
Plantae	Flora	Hibbertia puberula		Endangered	Not Sensitive	Not Listed	
Plantae	Flora	Isotoma fluviatilis subsp. fluviatilis		Not Listed	Not Sensitive	Extinct	
Plantae	Flora	Macadamia tetraphylla	Rough-shelled Bush Nut	Vulnerable	Not Sensitive	Vulnerable	
Plantae	Flora	Marsdenia viridiflora subsp. viridiflora	Native Pear	Endangered Population	Not Sensitive	Not Listed	
Plantae	Flora	Micromyrtus minutiflora		Endangered	Not Sensitive	Vulnerable	
Plantae	Flora	Persoonia hirsuta	Hairy Geebung	Endangered	Category 3	Endangered	
Plantae	Flora	Persoonia nutans	Nodding Geebung	Endangered	Not Sensitive	Endangered	
Plantae	Flora	Pimelea spicata	Spiked Rice-flower	Endangered	Not Sensitive	Endangered	
Plantae	Flora	Pterostylis saxicola	Sydney Plains Greenhood	Endangered	Category 2	Endangered	
Plantae	Flora	Pultenaea parviflora		Endangered	Not Sensitive	Vulnerable	
Plantae	Flora	Senna acclinis	Rainforest Cassia	Endangered	Not Sensitive	Not Listed	
Plantae	Flora	Tetratheca glandulosa		Vulnerable	Not Sensitive	Not Listed	

Data does not include NSW category 1 sensitive species.
NSW BioNet: © State of NSW and Office of Environment and Heritage
Data obtained 20/12/2018

Appendix D

Aerial Photography



Source: Nearmap



Douglas Partners
Geotechnics | Environment | Groundwater

CLIENT: Biogiene Property Investment Pty Ltd

OFFICE: NWS

DATE: 28 Aug 2019

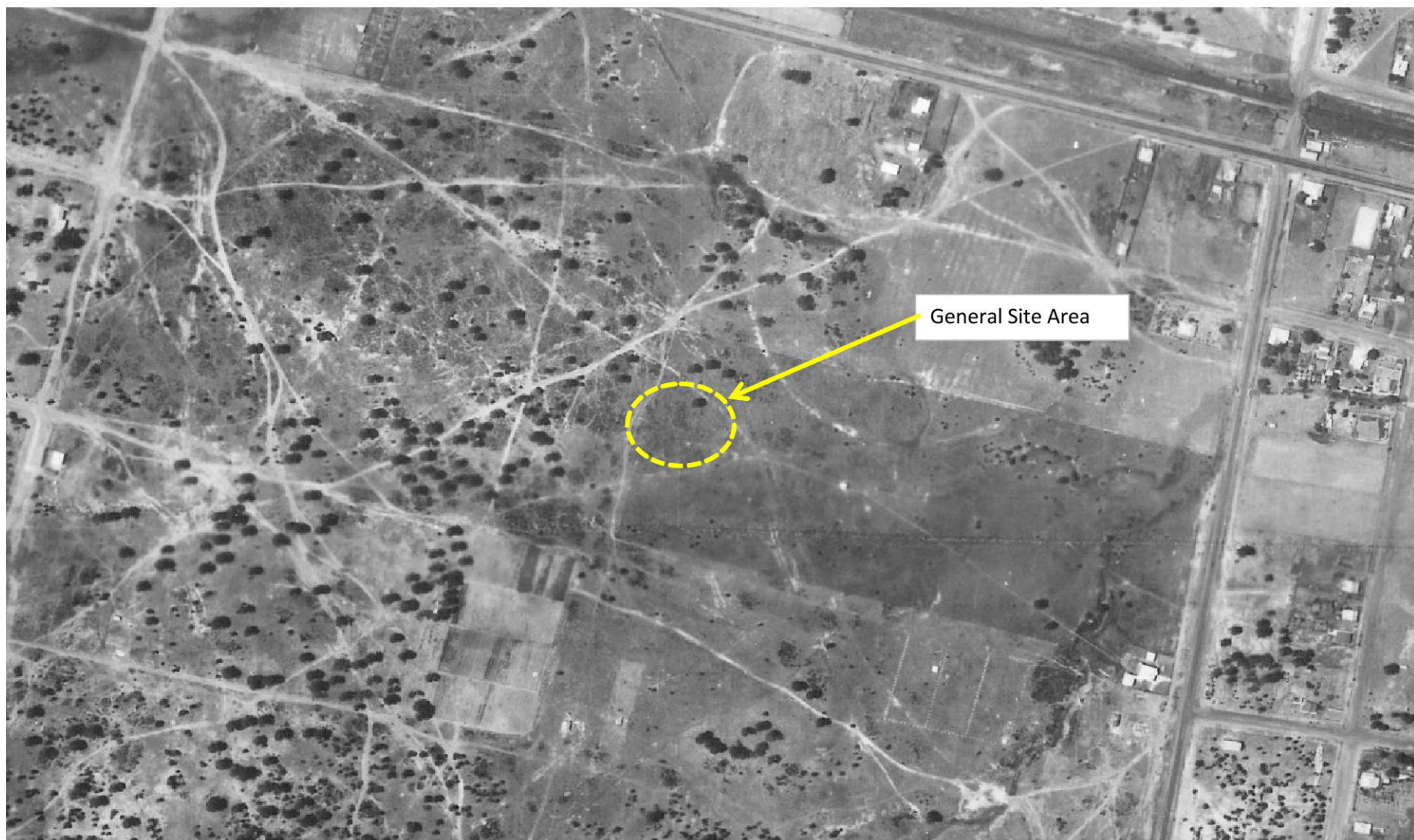
Aerial Photograph 1943

**26 Somerset St and 38 to 40 Orth
St, Kingswood**

PROJECT No: 94530.01

DWG No: D1

REVISION: A



CLIENT: Biogene Property Investment Pty Ltd

OFFICE: NWS

DATE: 28 Aug 2019

Aerial Photograph 1947

**26 Somerset St and 38 to 40 Orth St,
Kingswood**

PROJECT No: 94530.01

DWG No: D2

REVISION: A



Douglas Partners
Geotechnics | Environment | Groundwater

CLIENT: Biogene Property Investment Pty Ltd

OFFICE: NWS

DATE: 28 Aug 2019

Aerial Photograph 1965

**26 Somerset St and 38 to 40 Orth St,
Kingswood**

PROJECT No: 94530.01

DWG No: D3

REVISION: A



Douglas Partners
Geotechnics | Environment | Groundwater

CLIENT: Biogene Property Investment Pty Ltd

OFFICE: NWS

DATE: 28 Aug 2019

Aerial Photograph 1970

**26 Somerset St and 38 to 40 Orth
St, Kingswood**

PROJECT No: 94530.01

DWG No: D4

REVISION: A



Douglas Partners
Geotechnics | Environment | Groundwater

CLIENT: Biogene Property Investment Pty Ltd

OFFICE: NWS

DATE: 28 Aug 2019

Aerial Photograph 1986

**26 Somerset St and 38 to 40 Orth
St, Kingswood**

PROJECT No: 94530.01

DWG No: D5

REVISION: A



Douglas Partners
Geotechnics | Environment | Groundwater

CLIENT: Biogiene Property Investment Pty Ltd

OFFICE: NWS

DATE: 28 Aug 2019

Aerial Photograph 1994

**26 Somerset St and 38 to 40 Orth
St, Kingswood**

PROJECT No: 94530.01

DWG No: D6

REVISION: A



Douglas Partners
Geotechnics | Environment | Groundwater

CLIENT: Biogene Property Investment Pty Ltd

OFFICE: NWS

DATE: 28 Aug 2019

Aerial Photograph 2005

**26 Somerset St and 38 to 40 Orth
St, Kingswood**

PROJECT No: 94530.01

DWG No: D7

REVISION: A



Source: Nearmap



CLIENT: Biogiene Property Investment Pty Ltd

OFFICE: NWS

DATE: 28 Aug 2019

Aerial Photograph 2015

26 Somerset St and 38 to 40 Orth St,
Kingswood

PROJECT No: 94530.01

DWG No: D8

REVISION: A



Source: Nearmap



CLIENT: Biogene Property Investment Pty Ltd

OFFICE: NWS

DATE: 28 Aug 2019

Aerial Photograph 2018

26 Somerset St and 38 to 40 Orth St,
Kingswood

PROJECT No: 94530.01

DWG No: D9

REVISION: A

Appendix E

Title Deeds

Cadastral Records Enquiry Report : Lot 62 DP 36728

Locality : KINGSWOOD

LGA : PENRITH

Parish : MULGOA

County : CUMBERLAND

Ref : NOUSER

4090

LETHBRIDGE ST

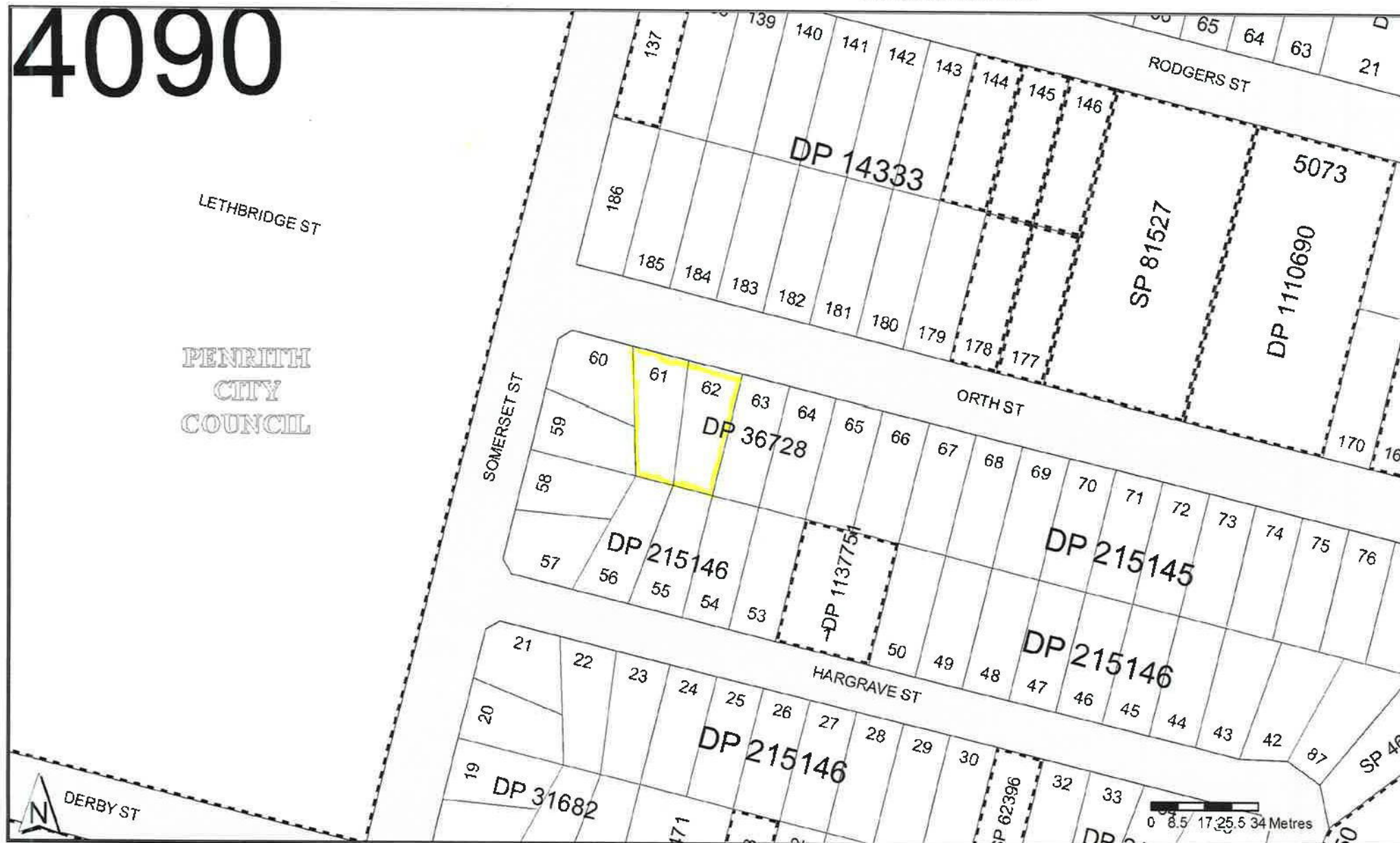
PENRITH
CITY
COUNCIL



Report Generated 1:25:17 PM, 8 January, 2019
Copyright © Crown in right of New South Wales, 2017

This information is provided as a searching aid only. Whilst every endeavour is made to ensure that current map, plan and titling information is accurately reflected, the Registrar General cannot guarantee the information provided. For ALL ACTIVITY PRIOR TO SEPTEMBER 2002 you must refer to the RGs Charting and Reference Maps

Page 1 of 3





38-40 Orth Street, Kingswood, NSW, 2340

DP 36728

- Lot 61 DP215145
- Lot 62 DP215145

DPJ6728

NEW SOUTH WALES

CERTIFICATE OF TITLE
PROPERTY ACT, 1900



14634/178

Vol. **14634** Fol. **178**

Appln No 5727

Prior Title Vol. 7663 Fol. 217



EDITION ISSUED

3 2 1982

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

Registrar General.

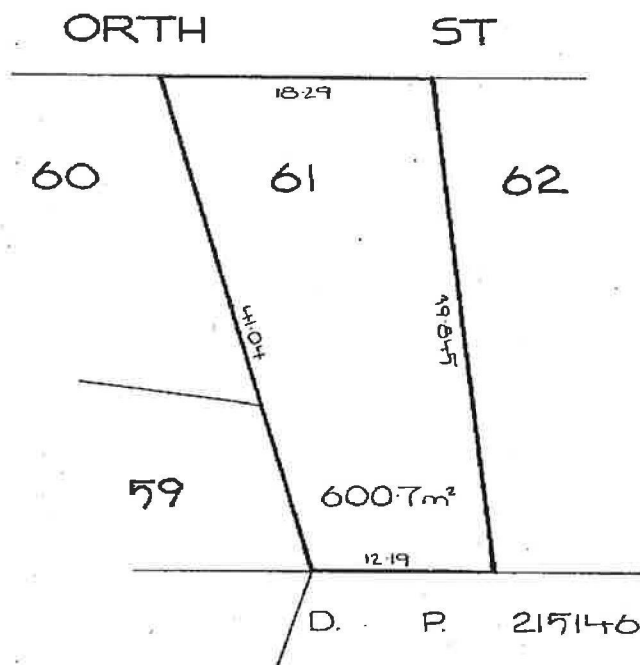


PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES

CANCELLED

SEE ALSO PLAN



5705792 *fy*
S

ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 61 in Deposited Plan 36728 at Penrith in the City of Penrith Parish of Mulgoa County of Cumberland being part of Portion 48 granted to John Best on 24-1-1817.

FIRST SCHEDULE

THE HOUSING COMMISSION OF NEW SOUTH WALES.

SECOND SCHEDULE

NIL.

GRN

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

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR

Registrar General

CANCELLED

SEP 10 1913

SECOND SCHEDULE (continued)

PARTICULARS

Registrar General

CANCELLATION

NOTATIONS AND UNREGISTERED DEALINGS

NOTE: ENTRIES RULED THROUGH AND AUTHENTICATED BY THE SEAL OF THE REGISTRAR GENERAL
 Ref: Kingswood / Src: M: NEW 4415137C 4.81 D. West, Government Printer / Rev: 21-Jan-2011 / Sts: OK.SC / Pgs: ALL / Prt: 08-Jan-2019 12:55
 Req: R781775 / Doc: CT 14634-178 CT / Rev: 21-Jan-2011 / Sts: OK.SC / Pgs: ALL / Prt: 08-Jan-2019 12:55



LAND
REGISTRY
SERVICES

Historical Title



NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

8/1/2019 12:51PM

FOLIO: 61/36728

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

Prior Title(s): VOL 14634 FOL 178

Recorded	Number	Type of Instrument	C.T. Issue
21/8/1988		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
7/12/1988		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
8/9/1994	U601439	TRANSFER	EDITION 1
14/4/2000	6720089	TRANSMISSION APPLICATION	EDITION 2
15/12/2015	AK69306	TRANSFER	
15/12/2015	AK69307	MORTGAGE	EDITION 3
9/5/2016	AK416025	CAVEAT	
10/5/2017	AM375006	WITHDRAWAL OF CAVEAT	
29/3/2018	AN227686	CAVEAT	
4/5/2018	AN311415	WITHDRAWAL OF CAVEAT	
4/5/2018	AN311434	DISCHARGE OF MORTGAGE	
4/5/2018	AN311435	TRANSFER	EDITION 4
25/5/2018	AN367977	MORTGAGE	EDITION 5 CORD ISSUED

*** END OF SEARCH ***

kingswood

PRINTED ON 8/1/2019

InfoTrack an approved NSW Information Broker hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with Section 96B(2) of the Real Property Act 1900.

Copyright © Office of the Registrar-General 2019

Received: 08/01/2019 12:52:45

RP13

TRANSFER

Real Property Act, 1900



U
601439 B



00-24

Office of State Revenue use only

10/046692104 40 4050 48081

(A) LAND TRANSFERRED

Show no more than 20 References to Title.
If appropriate, specify the share transferred.

Volume 14634 Folio 178

NOW BEING 61/36728

(B) LODGED BY

L.T.O. Box

1W

Name, Address or DX and Telephone

MRS. M. NESBIT
40 ORTH ST.
KINGSWOOD 2747

REFERENCE (max. 15 characters):

(C) TRANSFEROR

New South Wales Land and Housing Corporation

formerly The Housing Commission of NSW

(D) acknowledges receipt of the consideration of \$6850

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

(E) subject to the following ENCUMBRANCES 1. 2. 3.

(F) TRANSFEE

T

Mary Veronica NESBIT

as joint tenants/tenants in common

(G)

(H) We certify this dealing correct for the purposes of the Real Property Act, 1900. DATE 23.08.94

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

Signature of Witness

PETER ARSLAN
Name of Witness (BLOCK LETTERS)

10/99 BATHURST ST, SYDNEY
Address of Witness

Signed by the New South Wales Land and Housing Corporation ('the Corporation') in accordance with the powers conferred on the Corporation pursuant to the Power of Attorney contained in Clause 18 of the Deed of Transfer Registered Book 3791 No 543, and signed by the Corporations delegate Peter Watson pursuant to delegation Registered Book 4021 No 374 and I declare that I have had no notice of the revocation of the said delegation.

Signature of Transferor

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

Signature of Witness

KATHLEEN M. CRANSTONE
Name of Witness (BLOCK LETTERS)

60 COLLESS ST. PENRITH
Address of Witness NSW 2750

Signature of Transferee

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

CHECKED BY (office use only)

CT SIGHTED
CAND. & RET.

Ref:kingswood /Src:M

Form: 97-031A

Licence: 10V/0894/98

Edition: 9901

TRANSMISSION APPLICATION

NEW South Wales

Section 93 Real Property Act 1900

6720089M



STAMP DUTY

Office of State Revenue use only

NEW SOUTH WALES DUTY

12-04-2000

0000281582-001

SECTION 63(C)

DUTY

\$ *****10.00

(A) LAND

Torrens Title

FOLIO IDENTIFIER 61/36728

(B) REGISTERED DEALING

Number

Torrens Title

(C) LODGED BY

LTO Box

Name, Address or DX and Telephone

CODE

1102K

John R De Kathera & Co

Reference (optional): CRANSTONE

TA

(D) DECEASED REGISTERED PROPRIETOR

MARY VERONICA NESBIT

(E) APPLICANT

KATHLEEN MARY CRANSTONE, JOSEPH JAMES NESBIT and ALLAN PETER NESBIT

AS TENANTS IN COMMON IN EQUAL SHARES

We,

(F) I, the applicants being entitled asbeneficiaries..... of the will/estate of the deceased registered proprietor (who died on 20th September, 1999.....) pursuant to probate/letters of administration No. 102033/00..... granted on 17th February, 2000..... to KATHLEEN MARY CRANSTONE..... apply to be registered as proprietor of the estate or interest of the deceased registered proprietor in the land/registered dealing specified above.

(G) We certify this application correct for the purposes of the Real Property Act 1900. DATE:

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

Signature of witness:

Signature of applicant:

Name of witness:

Peter James De Kathera

KATHLEEN MARY CRANSTONE

Address of witness:

Samuelson Property

K. Cranstone

(H) CONSENT OF EXECUTOR, ADMINISTRATOR OR TRUSTEE

I, KATHLEEN MARY CRANSTONE

executor of the will/administrator of the estate/trustee of the estate of the deceased registered proprietor, hereby consent to this application.

Signature of witness:

Signature of executor/administrator/trustee:

Name of witness:

Peter James De Kathera

Address of witness:

Samuelson Property

K. Cranstone

All handwriting must be in block capitals.

A set of notes on this form (97-03TA-2)

is available from the Land Titles Office

Page 1 of 2

LTO use—

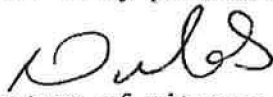
Evidence sighted & returned:

Checked by: Probate original doc. ITW

FILM

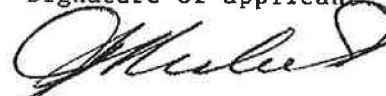
(G) We certify this application correct for the purposes of the Real Property Act 1900.

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


Signature of witness:

NICOLE ILES
Name of witness:

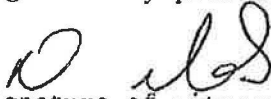
Signature of applicant:


JOSEPH JAMES NESBIT

Address of witness:

72 KENILWORTH CRES
CRANE BROOK. 2749

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


Signature of witness:

NICOLE ILES
Name of witness:

72 KENILWORTH CRES
CRANE BROOK 2749.
Address of witness:

Signature of applicant:

ALLAN PETER NESBIT



Form: 01T
Licence: 01-05-025
Licensee: LEAP Legal Software Pty Limited
Firm name: Property Conveyancing Specialists

TRANSFER

New South Wales
Real Property Act 1900



AK69306K

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 95B 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
New South Wales
Client No: 1411508
Duty: \$100
Form No: B399/139-001
1272
05-11-15

(A) **TORRENS TITLE**

61/36728 ✓

(B) **LODGED BY**

Document
Collection
Box

Name, Address or DX, Telephone, and Customer Account Number if any

CODES

T
TW

23L

LLPN: 123835G
CSB

Reference: 46268613

(C) **TRANSFEROR**

Kathleen Mary Cranstone, Joseph James Nesbit and Allan Peter Nesbit

(D) **CONSIDERATION**

The transferor acknowledges receipt of the consideration of \$860,000.00 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**

Agamemnon Ypermachou and Janelle Ypermachou

(I)

TENANCY: Joint Tenants

DATE

12/11/2015

(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.

See annexure

Signature of witness:

Signature of transferor:

Name of witness:

Address of witness:

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: Mimi Kappos

Signatory's capacity: Licensed Conveyancer for the Transferee

(K) The transferee certifies that the eNOS data relevant to this dealing has been submitted and stored under

eNOS ID No.

Full name:

Signature:

ANNEXURE TO TRANSFER

FOLIO IDENTIFIER 61/36728

BETWEEN
Transferor's Kathleen Mary Cranstone, Joseph James Nesbit &
Allan Peter Nesbit
Transferee's Agamemnon Ypermachon & Janelle Ypermachon

I certify that I am an eligible witness and that the transferor signed this dealing in my presence.

Signature of witness: 

Name of witness: Peter De Mattia

Address of witness: 461 High St, Penrith
2751

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


Signature of transferor Kathleen Mary Cranstone

I certify that I am an eligible witness and that the transferor signed this dealing in my presence.

Signature of witness: 


Name of witness: Peter De Mattia

Address of witness: 461 High St, Penrith
2751

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


Signature of transferor Joseph James Nesbit

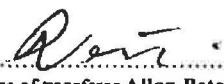
I certify that I am an eligible witness and that the transferor signed this dealing in my presence.

Signature of witness: 

Name of witness: Peter De Mattia

Address of witness: 461 High St, Penrith
2751

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


Signature of transferor Allan Peter Nesbit



LAND
REGISTRY
SERVICES

Title Search



NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 61/36728

SEARCH DATE	TIME	EDITION NO	DATE
8/1/2019	12:44 PM	5	25/5/2018

NO CERTIFICATE OF TITLE HAS ISSUED FOR THE CURRENT EDITION OF THIS FOLIO.
CONTROL OF THE RIGHT TO DEAL IS HELD BY WESTPAC BANKING CORPORATION.

LAND

LOT 61 IN DEPOSITED PLAN 36728
AT PENRITH
LOCAL GOVERNMENT AREA PENRITH
PARISH OF MULGOA COUNTY OF CUMBERLAND
TITLE DIAGRAM DP36728

FIRST SCHEDULE

BIOGIENE PROPERTY INVESTMENTS PTY LTD

(T AN311435)

SECOND SCHEDULE (1 NOTIFICATION)

1 AN367977 MORTGAGE TO WESTPAC BANKING CORPORATION

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

kingswood

PRINTED ON 8/1/2019

* Any entries preceded by an asterisk do not appear on the current edition of the Certificate of Title. Warning: the information appearing under notations has not been formally recorded in the Register. InfoTrack an approved NSW Information Broker hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with Section 96B(2) of the Real Property Act 1900.

Copyright © Office of the Registrar-General 2019

Received: 08/01/2019 12:44:30

NEW SOUTH WALES

CERTIFICATE OF TITLE

PROPERTY ACT, 1900



11938046

Appln. No.5727

Prior Title Vol.7663 Fol.217

Vol. **11938** Fol. **46**

Edition issued 6-9-1972

M832582



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

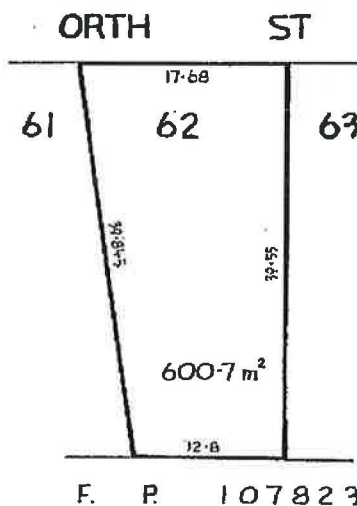
CANCELLED

Jawatson
Registrar General.
SEE AUTO FOLIO



PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES



M832582 RUC
B

REDUCTION RATIO 1:500

ESTATE AND LAND REFERRED TO

5 Estate in Fee Simple in Lot 62 in Deposited Plan 36728 in the City of Penrith Parish of Mulgoa and County of Cumberland being part of Portion 48 granted to John Best on 24-1-1817.

FIRST SCHEDULE

~~BRIAN AMBROSE BYRNES of Kingswood, Head Steward and JANNETTE ROSEMARY BYRNES his wife, as Joint Tenants.~~

GRN

SECOND SCHEDULE

NIL

Jawatson
Registrar General




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

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

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

(Page 2 of 2 pages)

REGISTERED PROPRIETOR

REGISTERED PROPRIETOR	INSTRUMENT			ENTERED	Signature of Registrar General
	NATURE	NUMBER	DATE		
James Francis Hill of Kingswood, Retired and Mildred May Hill, his wife as Tenants in Common in equal shares.	Transfer	M832583	27-7-1972	17-10-1972	
James Francis Hill, Retired in $\frac{1}{2}$ share and Francis Roy Hill, Maintenance Foreman in $\frac{1}{2}$ share, both of Kingswood, tenancy in common	Transmission	S134409		4-11-1980	
Betty Mildred Kalnins by Transfer V593160. Registered 5-3-1985					
Francis Roy Hill and Betty Mildred Kalnins as tenants in common in equal shares by Transfer V603160. Registered 5-3-1985					
Betty Mildred Kalnins by Transfer W228216. Registered 10-3-1986.					
CANCELLED					
SEE AUTO FOLIO					

INSTRUMENT		
NATURE	NUMBER	DATE

[illegible]

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



SEARCH DATE

8/1/2019 12:52PM

FOLIO: 62/36728

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

Prior Title(s): VOL 11938 FOL 46

Recorded	Number	Type of Instrument	C.T. Issue
21/8/1988		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
4/11/1988		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
20/7/1989	Y497320	TRANSFER	
20/7/1989	Y497321	MORTGAGE	EDITION 1
14/6/1991	Z704615	DISCHARGE OF MORTGAGE	
14/6/1991	Z704616	TRANSFER	
14/6/1991	Z704617	MORTGAGE	EDITION 2
21/11/1995	O702912	DISCHARGE OF MORTGAGE	
21/11/1995	O702913	MORTGAGE	EDITION 3
12/2/2001	7404096	DISCHARGE OF MORTGAGE	
12/2/2001	7404097	TRANSFER	
12/2/2001	7404098	MORTGAGE	EDITION 4
21/1/2009	AE455718	DISCHARGE OF MORTGAGE	EDITION 5
19/10/2009	AF52778	TRANSFER	
19/10/2009	AF52779	MORTGAGE	EDITION 6
24/5/2013	AH752639	DISCHARGE OF MORTGAGE	
24/5/2013	AH752640	MORTGAGE	EDITION 7
25/6/2015	AJ602326	DISCHARGE OF MORTGAGE	
25/6/2015	AJ602327	TRANSFER	
25/6/2015	AJ602328	MORTGAGE	EDITION 8
9/5/2016	AK416025	CAVEAT	
10/5/2017	AM375006	WITHDRAWAL OF CAVEAT	
29/3/2018	AN227686	CAVEAT	
4/5/2018	AN311415	WITHDRAWAL OF CAVEAT	
4/5/2018	AN311416	DISCHARGE OF MORTGAGE	

END OF PAGE 1 - CONTINUED OVER

kingswood

PRINTED ON 8/1/2019

NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

8/1/2019 12:52PM

FOLIO: 62/36728

PAGE 2

Recorded	Number	Type of Instrument	C.T. Issue
4/5/2018	AN311417	TRANSFER	EDITION 9
25/5/2018	AN367976	MORTGAGE	EDITION 10 CORD ISSUED

*** END OF SEARCH ***

kingswood

PRINTED ON 8/1/2019

InfoTrack an approved NSW Information Broker hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with Section 96B(2) of the Real Property Act 1900.

Copyright © Office of the Registrar-General 2019

Received: 08/01/2019 12:52:45

1985



AMP DUTY



Y497320

TRANSFER

REAL PROPERTY ACT, 1900 -

T

31 of 2	X
\$ 44	

R1/2

DESCRIPTION
OF LAND
Note (a)

Torrens Title Reference

If Part Only, Delete Whole and Give Details

Location

FOLIO IDENTIFIER 62/36728

WHOLE

KINGSWOOD

TRANSFEROR
Note (b)

BETTY MILDRED KALNINS of 38 ORTH STREET, KINGSWOOD

ESTATE
Note (c)

(the abovenamed TRANSFEROR) hereby acknowledges receipt of the consideration of \$ 98,000:00
and transfers an estate in fee simple
in the land above described to the TRANSFEE

TRANSFEE
Note (d)

JAMES DEMITRIOS GERASSIMOU of 1/103 DOLOMITE ROAD, MOUNT PLEASANT,
Electronics Technician.

OFFICE USE ONLY

S

TENANCY
Note (e)

as joint tenants/tenants in common

PRIOR
ENCUMBRANCES
Note (f)

subject to the following PRIOR ENCUMBRANCES 1.

2.

3.

DATE

We hereby certify this dealing to be correct for the purposes of the Real Property Act, 1900.

EXECUTION
Note (g)

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

M. Murphy

Signature of Witness

MAVIS MURPHY

Name of Witness (BLOCK LETTERS)

4 COSGROVE CRE. KINGSWOOD.
2750

Address and occupation of Witness

HOME DUTIES.

Note (g)

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

Signature of Witness

Name of Witness (BLOCK LETTERS)

Address and occupation of Witness

B Kalnins

Signature of Transferor

TO BE COMPLETED
BY LODGING PARTY
Notes (h)
and (i)

LODGED BY

CSB
ZBL

CT OTHER

LOCATION OF DOCUMENTS

Herewith.

In L.T.O. with

Produced by

Delivery Box Number

Checked

Passed

REGISTERED

-19

Signed

Extra Fee



20 JUL 1989

Secondary
Directions

Delivery
Directions

OFFICE USE ONLY

Ref:kingswood /Src:M

HP 13
1985

STAMP DUTY

2
704616 G

TRANSFER

REAL PROPERTY ACT, 1900

T

1	2 ⁰³	X
\$ 47		

R213

DESCRIPTION
OF LAND
Note (a)

Torrens Title Reference

If Part Only, Delete Whole and Give Details

Location

Folio Identifier
62/36728

WHOLE

Penrith

TRANSFEROR
Note (b)JAMES DEMITRIOS GERASSIMOUESTATE
Note (c)(the abovesaid TRANSFEROR) hereby acknowledges receipt of the consideration of \$ 107,500-00
and transfers an estate in fee simple
in the land above described to the TRANSFEREETRANSFEREE
Note (d)MICHAEL RAYMOND HILTON of 38 Orith Street, Kingswood and
JULIE HILTON of the same address, his wife.

OFFICE USE ONLY

TENANCY
Note (e)

as joint tenants/tenants in common

PRIOR
ENCUMBRANCES
Note (f)

subject to the following PRIOR ENCUMBRANCES 1.

2.

3.

DATE 31st May 1991

We hereby certify this dealing to be correct for the purposes of the Real Property Act, 1900.

EXECUTION
Note (g)

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

Sandra A. Sullivan
Signature of WitnessSANDRA ANNE SULLIVAN
Name of Witness (BLOCK LETTERS)37 CORBETT ST WETHERILL PARK,
Address and occupation of WitnessCLERK, FAMILY COURT, PARRAMATTA

Note (g)

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

Signature of Witness

Name of Witness (BLOCK LETTERS)

Address and occupation of Witness

TO BE COMPLETED
BY LODGING PARTY
Notes (h)
and (i)

LODGED BY

CITY AGENTS
10TH FLR, 155 CASTLEREAGH ST. SYDNEY
Box 256L

Delivery Box Number

OFFICE USE ONLY

Checked

Passed

REGISTERED

-19

Signed

Extra Fee



14 JUN 1991

LOCATION OF DOCUMENTS

CT

OTHER

Herewith.

In L.T.O. with

Produced by

Secondary
DirectionsDelivery
Directions

Signature of Transferee

Solicitor for Transferee 2/5/91
GINO MANNA

INSTRUCTIONS FOR COMPLETION

This dealing should be marked by the Commissioner of Stamp Duties before lodgment by hand at the Land Titles Office.

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

Alterations are not to be made by erasure; the words rejected are to be ruled through and initialled by the parties to the dealing in the left hand margin.

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

If it is intended to create easements, covenants, &c., use forms RP13A, RP13B, RP13C as appropriate.

Rule up all blanks.

The following instructions relate to the SIDE NOTES on the form.

(a) Description of land.

(i) TORRENS TITLE REFERENCE.—For a manual reference insert the Volume and Folio (e.g., Vol. 8514 Fol. 126).—For a computer folio insert the folio identifier (e.g., 12/701924).

(ii) PART/WHOLE.—If part only of the land in the folio of the Register is being transferred, delete the word "WHOLE" and insert the lot and plan number, portion, &c. See also sections 327 and 327AA of the Local Government Act, 1989.

(iii) LOCATION.—Insert the locality shown on the Certificate of Title/Crown Grant, e.g., at Chullora. If the locality is not shown, insert the Parish and County, e.g., Ph. Lismore Co. Ross.

(b) Show the full name of the transferor(s).

(c) If the estate being transferred is a lesser estate than an estate in fee simple, delete "fee simple" and insert appropriate estate.

(d) Show the full name, address and occupation or description of the transferee(s).

(e) Delete if only one transferee. If more than one transferee, delete either "joint tenants" or "tenants in common", and, if the transferees hold as tenants in common, state the shares in which they hold.

(f) In the memorandum of prior encumbrances, state only the registered number of any mortgage, lease, charge or writ to which this dealing is subject.

(g) Execution.

GENERALLY

(i) Should there be insufficient space for the execution of this dealing, use an annexure sheet.

(ii) The certificate of correctness under the Real Property Act, 1900, must be signed by all parties to the transfer, each party to execute the dealing in the presence of an adult witness, not being a party to the dealing, to whom he/she is personally known.

The solicitor for the transferor may sign the certificate on behalf of the transferor, the solicitor's name (not that of his/her firm), to be typewritten or printed adjacent to the signature. Any person falsely or negligently certifying is liable to the penalties provided by section 117 of the Real Property Act, 1900.

ATTORNEY

(iii) If the transfer is executed by an attorney for the transferor/transferee pursuant to a registered power of attorney, the form of attestation must set out the full name of the attorney, and the form of execution must indicate the source of his/her authority, e.g., "AU by his attorney (or receiver or delegate, as the case may be) XY pursuant to power of attorney registered Book No."

AUTHORITY

(iv) If the transfer is executed pursuant to an authority (other than specified in (iii)), the form of execution must indicate the statutory, judicial or other authority pursuant to which the transfer has been executed.

CORPORATION

(v) If the transfer is executed by a corporation under seal, the form of execution should include a statement that the seal has been properly affixed, e.g., "In accordance with the Articles of Association of the corporation. Each person attesting the affixing of the seal must state his/her position (e.g., director, secretary) in the corporation."

(h) Insert the name, postal address, Document Exchange reference, telephone number, and delivery box number of the lodging party.

(i) The lodging party is to complete the LOCATION OF DOCUMENTS panel. Place a tick in the appropriate box to indicate the whereabouts of the Certificate of Title. List, in an abbreviated form, other documents lodged, e.g., stat. dec. for statutory declaration, p/bt for probate, L/A for letters of administration, &c.

OFFICE USE ONLY

L.O. 1341



FIRST SCHEDULE DIRECTIONS

(A)	FOLIO IDENTIFIER	(B)	DIRECTION	(C)	NAME

SECOND SCHEDULE AND OTHER DIRECTIONS

(D)	FOLIO IDENTIFIER	(E)	DIRECTION	(F)	NOTFN TYPE	(G)	DEALING NUMBER	(H)	DETAILS

1 Licence: 10V/0096/96
2 Edition: 9804.

TRANSFER
New South Wales
Real Property Act 1900

7404097C



STAMP DUTY

Office of State Revenue use only

NEW SOUTH WALES DUTY
23-01-2001 0000517759-001
SECTION 18(2)
DUTY \$ *****2.00

(A) TORRENS TITLE

If appropriate, specify the part or share transferred
F/I 62/36728

(B) LODGED BY

LTO Box	Name, Address or DX and Telephone	CODES
208	St George Bank. Reference (optional): 9074201	T TS (\$713) TW (Sheriff)

(C) TRANSFEROR

MICHAEL RAYMOND HILTON and
JULIE HILTON

(D) The transferor acknowledges receipt of the consideration of \$ 145,000 and as regards the land specified above transfers to the transferee an estate in fee simple.

(E) Encumbrances (if applicable): 1. 2. 3.

(F) TRANSFEE

WAI FONG WONG

(G) TENANCY:

(H) We certify this dealing correct for the purposes of the Real Property Act 1900.
Signed in my presence by the transferor who is personally known to me.

DATE: Do not date

Signature of witness:

X *Kerri Jay Marshall* *Mary Banicevic*

Name of witness:

X Kerri Jay Marshall 43 Eastlakes St
Perth

Address of witness:

X 1/8 Yarrow St, Queanbeyan

M Hilton

J Hilton

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

Signature of witness:

Signature of transferee:

Name of witness:

Leus Tee

Address of witness:

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

SOLICITOR FOR TRANSFEE.

All handwriting must be in block capitals.

A set of notes on this form (97-01T-2)
is available from the Land Titles Office.

Page 1 of 1
number additional pages sequentially

Checked by (LTO use):

2

Form: 01T
Licence: 01-05-025
Licensee: LEAP Legal Software Pty Limited
Firm name: Paul Denny Conveyancing

TRANSFER

New South Wales
Real Property Act 1900



AF52778K

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises the R 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	3243
Client No: 2931676	
Duty: \$10 -	Tax No: 5605203
Asst details:	

(A) TORRENS TITLE

If appropriate, specify the part transferred
62/36728

(B) LODGED BY

Delivery Box	Name, Address or DX and Telephone	15029021	CODES T TW (Sheriff)
208X 208X	LLPN 123131V ST GEORGE BANK C/- ESPREON DX 885 SYDNEY 9283 5111		
Reference (optional):			

(C) TRANSFEROR

WAI FONG WONG

(D) CONSIDERATION

The transferor acknowledges receipt of the consideration of \$277,000.00 and as regards

(E) ESTATE

The land specified above transfers to the transferee an estate in fee simple.

(F) SHARE

TRANSFERRED

(G)

Encumbrances (if applicable):

(H) TRANSFEE

HAN YIN CHUNG

(I)

TENANCY:

DATE

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

Signature of witness:

[Signature]

Name of witness:

BENJAMIN YIP

Address of witness:

**SUITE 208 / 451 PITT ST
SYDNEY NSW 2000.**

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

Signature of transferor:

[Signature]

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

Signature:

[Signature]

Signatory's name:

Kristy Curr

Signatory's capacity:

Licensed Conveyancer for the Transferee

Form: 01T
Release: 6-1

TRANSFER

New South Wales
Real Property Act 1900



AJ602327H

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

STAMP DUTY

Office of State Revenue use only

Office of State Revenue	
NSW Treasury	
Client No: 111441385	2936
Duty: \$10.00	Trans No: 816577-001
Asset details:	

(A) TORRENS TITLE

62/36728

(B) LODGED BY

Document Collection Box	Name, Address or DX, Telephone, and Customer Account Number if any	CODES
23L	LLPN: 123835G CSB	T
Reference: 728925115		TW

(C) TRANSFEROR

HAN YIN CHUNG

(D) CONSIDERATION

The transferor acknowledges receipt of the consideration of \$ 860,000.00 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

AGAMEMNON YPERMACHOU AND JANELLE YPERMACHOU

(I)

TENANCY: Joint Tenants

DATE 10/6/2015

- (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:

x *Olivia Chung*

Signature of transferor:

Name of witness:

x Olivia Chung

Address of witness:

x 20 East St, Bardwell Valley
NSW 2207

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

Signature:

Kaylene Widderick

Signatory's name:

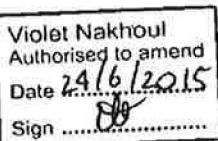
Signatory's capacity:

KAYLENE WIDDERICK
licensed conveyancer for the transferee

(K) The transferee's agent

certifies that the eNOS data relevant to this dealing has been submitted and stored under eNOS ID No. 633501 Full name: KAYLENE WIDDERICK Signature: *Kaylene Widderick*

* 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 Page 1 of 1 1303





LAND
REGISTRY
SERVICES

Title Search



NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 62/36728

SEARCH DATE	TIME	EDITION NO	DATE
8/1/2019	12:44 PM	10	25/5/2018

NO CERTIFICATE OF TITLE HAS ISSUED FOR THE CURRENT EDITION OF THIS FOLIO.
CONTROL OF THE RIGHT TO DEAL IS HELD BY WESTPAC BANKING CORPORATION.

LAND

LOT 62 IN DEPOSITED PLAN 36728
LOCAL GOVERNMENT AREA PENRITH
PARISH OF MULGOA COUNTY OF CUMBERLAND
TITLE DIAGRAM DP36728

FIRST SCHEDULE

BIOGIENE PROPERTY INVESTMENTS PTY LTD

(T AN311417)

SECOND SCHEDULE (1 NOTIFICATION)

1 AN367976 MORTGAGE TO WESTPAC BANKING CORPORATION

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

kingswood

PRINTED ON 8/1/2019

* Any entries preceded by an asterisk do not appear on the current edition of the Certificate of Title. Warning: the information appearing under notations has not been formally recorded in the Register. InfoTrack an approved NSW Information Broker hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with Section 96B(2) of the Real Property Act 1900.

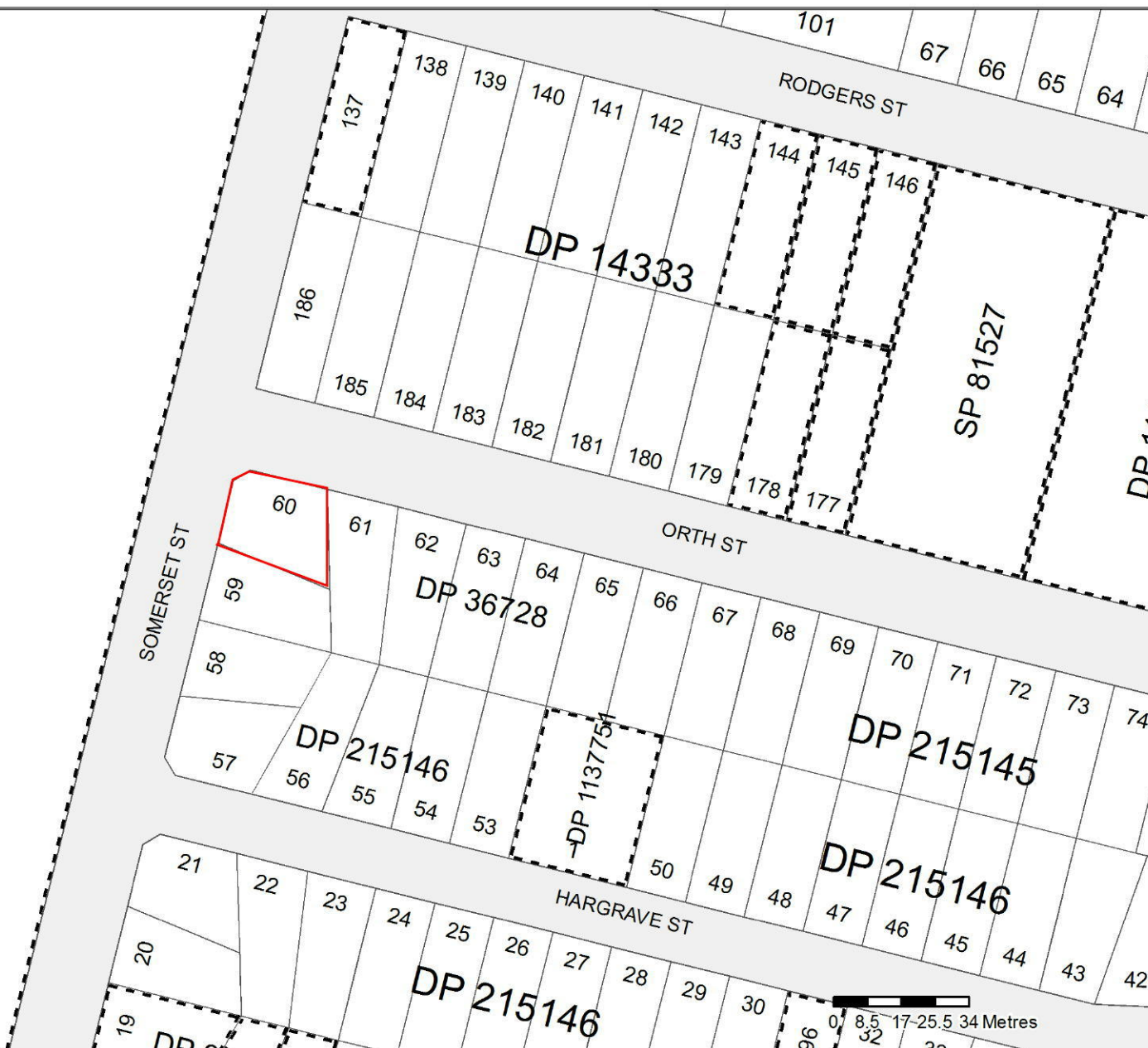
Copyright © Office of the Registrar-General 2019

Received: 08/01/2019 12:44:30

238301

4

PENRITH
CITY
COUNCIL



D119629

CONVEYANCING ACT 1919-1939.

REAL PROPERTY ACT 1900.

NOTICE OF ACQUISITION OF LAND SUBJECT TO THE PROVISIONS OF THE REAL PROPERTY ACT 1900.

I, SIR GEORGE SHAW KNOWLES, Solicitor-General of the Commonwealth
DO HEREBY CERTIFY that the Copy Gazette Notification hereunto annexed
is a true copy of the Gazette Notification contained in the Commonwealth
of Australia Gazette No. 45 dated 12th February, 1942, declaring that
the land therein described being the land mentioned in the Schedule
hereunder written has been acquired by The Commonwealth of Australia
AND I REQUEST that you will deal with and give effect to the said
Notification in the manner provided in the Real Property Act 1900
AND I HEREBY FURTHER CERTIFY that this instrument is correct for the
purposes of the Real Property Act 1900.

SCHEDULE.

<u>County</u>	<u>Parish</u>	<u>Part or Whole</u>	<u>Volume</u>	<u>Folio</u>
* Cumberland	Mulgoa	Part	3332 x	240 x

DATED this seventeenth day of March 1942.

SIGNED in my presence by SIR GEORGE SHAW KNOWLES, the Solicitor-General
of the Commonwealth for and on behalf
of The Commonwealth of Australia, who
is personally known to me:

LGR Thomas
Acting for Secretary,
Attorney-General's Department.

Solicitor-General

0119629

Requisition
~~then transfer of~~ Transfer of
 Lots 227 to 278 incl. D.P. 14333
 Lethbridge, Somerset + Derby Sts
 and Brimgelly Rd at Penrith.
 Manly. of Penrith

LODGED BY

Crown Solicitor for the Commonwealth
 108-120 Pitt Street,
SYDNEY.

The Commonwealth of Australia
Transferee.

Particulars entered in Register Book Vol. 3332 Fol. 340

the 19th day of June 1942 at 12 o'clock noon.

E. W. Miles

Registrar General



[Handwritten signature]

PROCESS RECORD.

	RECEIVED	DATE
SENT TO SURVEY DRAFTING		
RECEIVED FROM REG. ROOM		
DRAFT WRITTEN	<i>[Signature]</i>	15.4.42
DRAFT EXAMINED	<i>[Signature]</i>	16/4
DIAGRAM IN CHARGE	<i>[Signature]</i>	28.4.42
DIAGRAM EXAMINED	<i>[Signature]</i>	29/4
DRAFT FORWARDED	<i>[Signature]</i>	25/4/42
	<i>[Signature]</i>	19/5
	<i>[Signature]</i>	24.6.42

5327 198

21/6/42 11/12/42 11/12/42 11/12/42

COMMONWEALTH OF AUSTRALIA.

The Lands Acquisition Act 1906-1936.

NOTIFICATION OF THE ACQUISITION OF LAND
BY THE COMMONWEALTH.

IT is hereby notified and declared by His Excellency the Governor-General acting with the advice of the Federal Executive Council, that the land hereunder described together with all tanks and buildings, if any, thereon has been acquired by the Commonwealth under the *Lands Acquisition Act 1906-1936*, for the following public purpose, namely: Postal, Telegraphic, Telephonic and other like services at Penrith, New South Wales.—(C.L.8752.)

Dated this fourth day of February, One thousand nine hundred and forty-two.

GOWRIE

Governor-General.

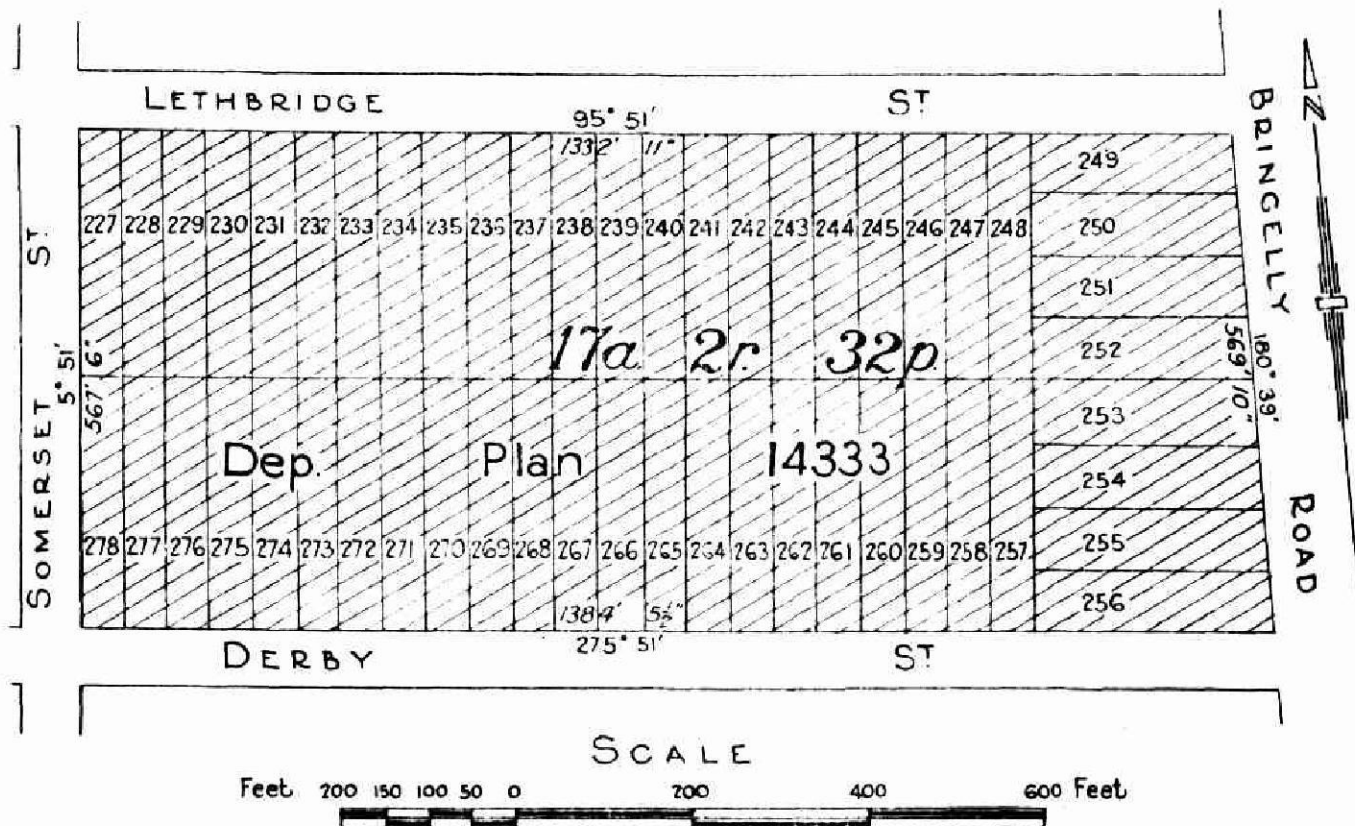
By His Excellency's Command,

J. S. COLLINGS

Minister of State for the Interior.

DESCRIPTION OF LAND REFERRED TO.

All that piece of land containing an area of 17 acres 2 rods 32 perches more or less being Lots 227 to 278 inclusive on Deposited Plan No. 14333 Parish of Mulgoa County of Cumberland State of New South Wales as shown hachured on plan hereunder.



COMMONWEALTH OF AUSTRALIA.

The Lands Acquisition Act 1906-1936.

NOTIFICATION OF THE ACQUISITION OF LAND
BY THE COMMONWEALTH.

IT is hereby notified and declared by His Excellency the Governor-General acting with the advice of the Federal Executive Council, that the land hereunder described has been acquired by the Commonwealth under the *Lands Acquisition*

Act 1906-1936, for the following public purpose, namely: Defence purposes at Rocklea, Queensland.—(C.L.8680.)

Dated this fourth day of February, One thousand nine hundred and forty-two.

GOWRIE

Governor-General.

By His Excellency's Command,

J. S. COLLINGS

Minister of State for the Interior.



14634/177

NEW SOUTH WALES

CERTIFICATE OF TITLE

PROPERTY ACT, 1900

Appln No 5727

Prior Title Vol. 7663 Fol. 217



Vol. **14634** Fol. **177**

EDITION ISSUED

3 2 1982

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

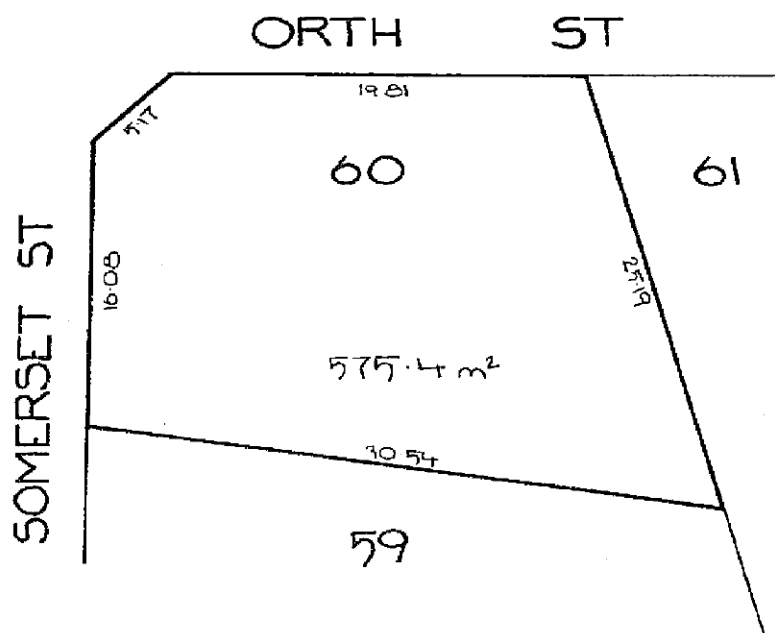
he

Registrar General.



PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES



CANCELLED

SEE AUTO FOLIO

5765792 *ff*
S

ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 60 in Deposited Plan 36728 at Penrith in the City of Penrith Parish of Mulgoa County of Cumberland being part of Portion 48 granted to John Best on 24-1-1877.

FIRST SCHEDULE

THE HOUSING COMMISSION OF NEW SOUTH WALES.

SECOND SCHEDULE

NIL.

GRW

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

14634 Fol. 177
(Page 1) Vol.

FIRST SCHEDULE (continued)		
REGISTERED PROPRIETOR		Registrar General
CANCELLED SEE AUTO FILED		
SECOND SCHEDULE (continued)		
PARTICULARS	Registrar General	CANCELLATION
NOTATIONS AND UNREGISTERED DEALINGS		



SEARCH DATE

14/8/2019 2:59PM

FOLIO: 60/36728

First Title(s): SEE PRIOR TITLE(S)
Prior Title(s): VOL 14634 FOL 177

Recorded	Number	Type of Instrument	C.T. Issue
21/8/1988		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
7/12/1988		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
2/6/1993	I382194	TRANSFER	EDITION 1
7/3/2013	AH259853	REJECTED - APPLICATION FOR REPLACEMENT CERTIFICATE OF TITLE	
7/3/2013	AH259854	REJECTED - NOTICE OF DEATH	
9/8/2013	AH934999	APPLICATION FOR REPLACEMENT CERTIFICATE OF TITLE	
9/8/2013	AH935000	NOTICE OF DEATH	EDITION 2
18/2/2014	AI385397	MORTGAGE	EDITION 3
2/9/2018	AN678864	DEPARTMENTAL DEALING	EDITION 4 CORD ISSUED

*** END OF SEARCH ***

RP13



①

TRANSFER

Real Property Act, 1900



I
382194 V

Office of

B

60/36728

(A) LAND TRANSFERRED

Show no more than 20 References to Title.
If appropriate, specify the share transferred.

NOW BEING 60/36728

CERTIFICATE OF TITLE VOLUME 14634 FOLIO 177

(B) LODGED BY

L.T.O. Box

Name, Address or DX and Telephone

R.J. & V. Connors
26 Somerset St,
Kingswood 2747

REFERENCE (max. 15 characters):

1993M300 (671)

(C) TRANSFEROR

NEW SOUTH WALES LAND AND HOUSING CORPORATION

(D) acknowledges receipt of the consideration of ~~55,000.00~~ \$5600.00

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

(E) subject to the following ENCUMBRANCES 1. 2. 3.

(F) TRANSFEE

T

Russell JOHN CONNORS. AND
VALERIE CONNORS.

as joint tenants/tenants in common

(G)

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

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

Alana Congert
Signature of Witness

ALANA CONGERT

Name of Witness (BLOCK LETTERS)

10/99 Bathurst Street Sydney

Address of Witness

Signed by the New South Wales Land and Housing Corporation
(‘the Corporation’) in accordance with the powers conferred on
the Corporation pursuant to the Power of Attorney contained in
Clause 18 of the Deed of Transfer Registered Book 3791 No 543,
and signed by the Corporations delegate Peter Watson pursuant
to delegation Registered Book 3857 No 525 and I declare that I
have had no notice of the revocation of the said delegation.

Signature of Transferor

Peter Watson

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

Geoffrey G. Vren
Signature of Witness

GEORGEY G. VREN

Name of Witness (BLOCK LETTERS)

82 Tennyson Rd Tennyson

Address of Witness

R. Connors

V. Connors

Signature of Transferee

Geoffrey G. Vren



LAND
REGISTRY
SERVICES

Title Search



NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 60/36728

SEARCH DATE	TIME	EDITION NO	DATE
14/8/2019	2:59 PM	4	2/9/2018

NO CERTIFICATE OF TITLE HAS ISSUED FOR THE CURRENT EDITION OF THIS FOLIO.
CONTROL OF THE RIGHT TO DEAL IS HELD BY COMMONWEALTH BANK OF AUSTRALIA.

LAND

LOT 60 IN DEPOSITED PLAN 36728
AT PENRITH
LOCAL GOVERNMENT AREA PENRITH
PARISH OF MULGOA COUNTY OF CUMBERLAND
TITLE DIAGRAM DP36728

FIRST SCHEDULE

VALERIE CONNORS

(ND AH935000)

SECOND SCHEDULE (1 NOTIFICATION)

1 AI385397 MORTGAGE TO COMMONWEALTH BANK OF AUSTRALIA

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

penrith

PRINTED ON 14/8/2019

* Any entries preceded by an asterisk do not appear on the current edition of the Certificate of Title. Warning: the information appearing under notations has not been formally recorded in the Register. InfoTrack an approved NSW Information Broker hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with Section 96B(2) of the Real Property Act 1900.

Appendix F

Additional Site History

Section 10.6 Certificates
Council records search results
Safework search



SafeWork NSW

Locked Bag 2906, Lisarow NSW 2252

Customer Experience 13 10 50

ABN 81 913 830 179 | www.safework.nsw.gov.au

Our Ref: D19/184651

5 September 2019

Douglas Partners Pty Ltd
Mr Gavin Boyd
PO Box 267
RIVERSTONE NSW 2765

Dear Mr Boyd

RE SITE: 26 Somerset St, Penrith NSW 2750

I refer to your site search request received by SafeWork NSW on 30 August 2019 requesting information on Storage of Hazardous Chemicals for the above site.

A search of the records held by SafeWork NSW has not located any records pertaining to the above-mentioned premises.

For further information or if you have any questions, please call us on 13 10 50 or email licensing@safework.nsw.gov.au

Yours sincerely

A handwritten signature in black ink, appearing to read 'G. D. Smith', written in a cursive style.

Customer Service Officer
Customer Experience - Operations
SafeWork NSW



SafeWork NSW

Locked Bag 2906, Lisarow NSW 2252
Customer Experience 13 10 50
ABN 81 913 830 179 | www.safework.nsw.gov.au

Our Ref: D19/051634

8 January 2019

Zoe Maher
Douglas Partners
43 Hobart Street
Riverstone NSW 2765

Dear Ms Maher

RE SITE: 38-40 Orth Street Kingswood NSW 2747

I refer to your site search request received by SafeWork NSW on 28th December 2018 requesting information on Storage of Hazardous Chemicals for the above site.

A search of the records held by SafeWork NSW has not located any records pertaining to the above-mentioned premises.

For further information or if you have any questions, please call us on 13 10 50 or email licensing@safework.nsw.gov.au

Yours sincerely

Customer Service Officer
Customer Experience - Operations
SafeWork NSW

Appendix G

Site Photographs

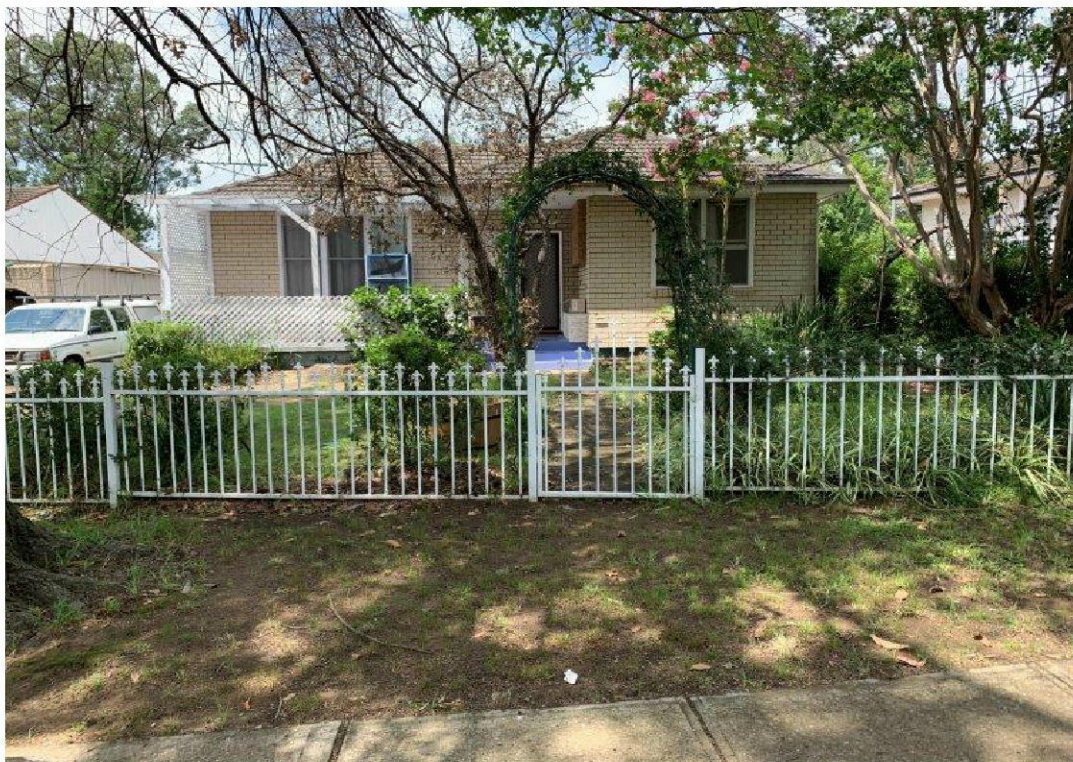


Photo 1 - Looking South at Front Yard of 38 Orth Street



Photo 2 - 38 Orth Street, Fibre cement garage possibly containing asbestos cement

	Site Photographs		PROJECT	94530.00
	Proposed Mixed use Development		PLATE No	1
	38-40 Orth Street, Kingswood		REV	A
	CLIENT:	Biogene Property Investment Pty Ltd	DATE	8-Jan-19



Photo 3 - 38 Orth Street, Cracks in fibre cement wall of garage and potential asbestos cement roof sheeting



Photo 4 - 38 Orth Street, Fibre cement sheet along driveway (east)

 Douglas Partners Geotechnics Environment Groundwater	Site Photographs Proposed Mixed use Development 38-40 Orth Street, Kingswood CLIENT: Biogene Property Investment Pty Ltd	PROJECT	94530.00
		PLATE No	2
		REV	A
		DATE	8-Jan-19



Photo 5 - 38 Orth Street, service cap for drainage to rear (south)



Photo 6 - Looking South at Front Yard of Number 40 Orth Street

 Douglas Partners Geotechnics Environment Groundwater	Site Photographs Proposed Mixed use Development 38-40 Orth Street, Kingswood	PROJECT	94530.00
		PLATE No	3
		REV	A
	CLIENT: Biogene Property Investment Pty Ltd	DATE	8-Jan-19



Photo 7 - 40 Orth Street, fibre cement garage with hole in wall



Photo 8 - 40 Orth Street backyard with mulch and fibre cement sheet along fence

 Douglas Partners Geotechnics Environment Groundwater	Site Photographs		PROJECT	94530.00
	Proposed Mixed use Development		PLATE No	4
	38-40 Orth Street, Kingswood		REV	A
	CLIENT: Biogiene Property Investment Pty Ltd		DATE	8-Jan-19



Photo 9 - 40 Orth Street, Fibre cement sheet along back fence potentially containing asbestos



Photo 10 - Photograph of Nepean hospital along Somerset Street (west of site)

	Site Photographs		PROJECT	94530.00
	Proposed Mixed Use Development		PLATE No	5
	38-40 Orth Street, Kingswood		REV	A
	CLIENT:	Biogene Property Investment Pty Ltd	DATE	8-Jan-19



Photo 11



Photo 12



Site Photographs

Proposed Mixed use Development
26 Somerset Street, Kingswood

CLIENT: Biogene Property Investment Pty Ltd

PROJECT 94530.01

PLATE No 1

REV A

DATE 15-Oct-19



Photo 15



Photo 16


 Douglas Partners Geotechnics Environment Groundwater	Site Photographs Proposed Mixed use Development 26 Somerset Street, Kingswood	PROJECT	94530.01
		PLATE No	3
		REV	A
	CLIENT: Biogene Property Investment Pty Ltd	DATE	15-Oct-19



Photo 13



Photo 14



 Douglas Partners Geotechnics Environment Groundwater	Site Photographs		PROJECT	94530.01
	Proposed Mixed use Development		PLATE No	2
	26 Somerset Street, Kingswood		REV	A
	CLIENT: Biogene Property Investment Pty Ltd		DATE	15-Oct-19



Photo 17



Photo 18




	Site Photographs		PROJECT	94530.01
	Proposed Mixed use Development		PLATE No	4
	26 Somerset Street, Kingswood		REV	A
	CLIENT: Biogiene Property Investment Pty Ltd		DATE	15-Oct-19

Appendix H

Additional Site Information

DELEGATE'S REPORT

Application Number:	DA16/0999
Proposed Development:	Demolition of Existing Structures, Construction of a Seven (7) Storey Mixed Use Development including Ground Floor Commercial Tenancy, 121 Residential Apartments, Three (3) Levels of Basement Car Parking & Associated Works
Estimated Cost:	\$ 35,970,671
Assessing Officer	Kate Smith
Report Date	31 July 2017

Final Decision:	
<input type="checkbox"/> Approve	<input checked="" type="checkbox"/> Refuse
<input type="checkbox"/> Deferred Com	
DA Type:	
<input type="checkbox"/> Integrated	<input type="checkbox"/> Extension of time
<input type="checkbox"/> Review of determination	<input checked="" type="checkbox"/> SWPP
<input type="checkbox"/> Modification	
<i>I have considered the report prepared by Kate Smith and dated 26 July 2017. I have considered the recommendation contained in that report relating to this matter, and pursuant to the delegated authority granted by the General Manager (pursuant to Section 377 and Section 378 of the Local Government Act 1993) on 9 October 2013 the application is:</i>	
Determined in accordance with the recommendation: 	
Name of Delegate:	Gavin Cherry
Signature of Delegate:	
Position Title:	Development Assessment Co-ordinator
Delegates Level of Authority:	SWPP
Date of Determination:	26 July 2017.
<i>I have reviewed the details of this application and Council's requirements, and also certify that:</i>	
Section 94 contributions are not applicable to this development. 	
Name of Delegate:	Gavin Cherry
Signature of Delegate:	
Date of Determination:	26 July 2017
<i>Determination of the Development Application is to be advertised under section 101 Environmental Planning and Assessment Act 1979.</i> 	

PENRITH CITY COUNCIL

NOTICE OF DETERMINATION

DESCRIPTION OF DEVELOPMENT

JRPP Ref. No.:	2016SYW197
Application number:	DA16/0999
Description of development:	Demolition of Existing Structures, Construction of a Seven (7) Storey Mixed Use Development including Ground Floor Commercial Tenancy, 121 Residential Apartments, Three (3) Levels of Basement Car Parking & Associated Works
Classification of development:	Class 2 , Class 5 , Class 7a

DETAILS OF THE LAND TO BE DEVELOPED

Legal description:	Lot 61 DP 36728 Lot 55 DP 215146 Lot 56 DP 215146 Lot 54 DP 215146 Lot 62 DP 36728
Property address:	38 Orth Street, KINGSWOOD NSW 2747 40 Orth Street, KINGSWOOD NSW 2747 3 Hargrave Street, KINGSWOOD NSW 2747 1 Hargrave Street, KINGSWOOD NSW 2747 5 Hargrave Street, KINGSWOOD NSW 2747

DETAILS OF THE APPLICANT

Name & Address:	Pamada Pty Limited Level 9 189 Kent Street SYDNEY NSW 2000
-----------------	---

DECISION OF CONSENT AUTHORITY

Penrith Council has determined to refuse to grant consent to the subject development application. In accordance with Section 81(1) (a) of the Environmental Planning and Assessment Act 1979, the reasons for refusal to grant consent are in Attachment 1.

Date of this decision	26 July 2017
-----------------------	--------------

POINT OF CONTACT

If you have any questions regarding this determination you should contact:

Assessing Officer:	Kate Smith
Contact telephone number:	+612 4732 7705

NOTES

Reasons

The reasons for refusal in the attached schedule have been imposed in accordance with Section 80A of the Environmental Planning and Assessment Act 1979 as amended.

Reasons for refusal

Your attention is drawn to the attached reasons for refusal in attachment 1.

Review of determination

The applicant may request Council to review its determination pursuant to Section 82A of the Environmental Planning and Assessment Act 1979 within 6 months of receiving this Notice of Determination.

You cannot make this request if the development is Designated Development, Integrated Development or State Significant development or if the application was decided by Sydney West Planning Panel.

Appeals in the Land and Environment Court

The applicant can appeal against this decision in the Land and Environment Court within six (6) months of receiving this Notice of Determination.

You cannot appeal if a Commission of Inquiry was held for the subject development application, or if the development is a State Significant Development.

An appeal to the Land and Environment Court is made by lodging an application to the Court in accordance with the Rules of the Court.

Designated development

If the application was for designated development and a written objection was made in respect to the application, the objector can appeal against this decision to the Land and Environment Court within 28 days after the date of this notice. The objector cannot appeal if a Commission of Inquiry was held.

If the applicant appeals against this decision, objector(s) will be given a notice of the appeal and the objector(s) can apply to the Land and Environment Court within 28 days after the date of this appeal notice to attend the appeal and make submissions at that appeal.

Sydney West Planning Panels

If the application was decided by the Sydney West Planning Panel, please refer to Section 18 of the Greater Sydney Commission Act 2015 and Section 23H of the Environmental Planning and Assessment Act, 1979 (as amended) for any further regulations.

SIGNATURE

Name:	Kate Smith
Signature:	

For the Development Services Manager

ATTACHMENT 1 : REASONS FOR REFUSAL

1. The development is not satisfactory for the purposed of Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979 as the proposal does not represent design quality in accordance with the requirements of State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development.
2. The application is not satisfactory for the purpose of Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979 as insufficient detail in order to assess the impacts of the proposal in terms of stormwater quality against the provisions of State Regional Environmental Plan No 20 - Hawkesbury Nepean River.
3. The development is not satisfactory for the purpose of Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979 as the development is inconsistent with the provisions of the Penrith Local Environmental Plan 2010 in relation to:
 - the aims of the plan,
 - the zone objectives,
 - height of buildings,
 - variation to development standards, and
 - earthworks.
4. The development is not satisfactory for the purpose of Section 79C(1)(a)(iii) of the Environmental Planning and Assessment Act 1979 as the development is inconsistent with the provisions of Penrith Development Control Plan 2014 relating to context and character, residential amenity, public domain, landscape design, water management, waste management and traffic.
5. The application has not demonstrated that the site is suitable for the proposed development in accordance with the requirements of Section 79C(1)(c) of the Environmental Planning and Assessment Act 1979.
6. The development is not satisfactory for the purposed of Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979 as the development is not in the public interest. The development is contrary to the primary aims, objectives and controls of the applicable planning instruments and will result in negative and unacceptable impacts.
7. The application is not satisfactory for the purpose of Section 79C(1)(b) of the Environmental Planning and Assessment Act 1979 in terms of the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.

Penrith City Council

BUILDING APPLICATION

LOCAL GOVERNMENT ACT, 1919 (ORDINANCE 71)

THE TOWN CLERK,
Penrith City Council.

Date 28-7-67

SIR,—

I, the undersigned, hereby make application for the approval of the Council to plans and specifications of a building which I propose to complete and erect within TWELVE MONTHS from date of approval.

Particulars are as follows:— ASSESSMENT No. 5/4346 DEVELOPMENT HN 40.

CLASS OF BUILDING Garage VALUE \$ 300 LAND VALUE \$
(Here state dwellings, flats, shop and dwelling, additions, or as the case may be)

Purpose for which Building is to be used GARAGE Car shelter

Number of Plans and Specifications Submitted 2 Plans Specifications

LOCATION OF BUILDING

Lot 61 Section Street or Road Lot 61 ORTH ST Estate
Town or Locality KINGSTOWN Lot: Frontage 55' Depth 150'.
NAME OF OWNER MV NESBIT Address LOT 61 ORTH ST. KINGSTOWN
NAME OF BUILDER Self Address
Roof Material CORRUGATED IRON External Wall Material FIBRO
Internal Wall Material Height (floor to ceiling) 5 feet 8 inches

Office Use Only

BUILDING FEES:

BASED ON COST OF BUILDING

\$1 per \$200 up to \$2,000 (\$10 for \$2,000)
\$10, plus 40c per \$200 from \$2,000 to \$100,000
(\$4 for each \$2,000 over the first \$2,000)
\$206, plus 10c per \$200 over \$100,000
(\$1 per \$2,000 over the first \$100,000)

Minimum Fee \$1

Maximum Fee \$2,000

EXAMPLES:

\$2,000 \$10 \$8,000 \$22
\$4,000 \$14 \$100,000 \$206
\$6,000 \$18 \$200,000 \$256

	\$	c	Rect. No.	Date
FLOOR SPACE				
BUILDING FEE	1	50	18501	28/7/67
ROAD OPENING FEE				
DEPOSIT covering likely damage to paving, kerb and guttering, etc.				
TOTAL	1	50		
FEES PAID BY: Mr. J. Nesbit				

Block Plan of Allotment and Plan of Proposed Building Thereon

Applicant must show hereunder a Block Plan on the Allotment, drawn to scale in ink, showing dimensions of allotment, the street to which it fronts, and position of proposed building thereon, including outhouses. The distances between buildings and boundaries of the allotment to be marked on plan. Also positions of any buildings on adjoining Lots.

CITY COUNCIL

APPLICANT'S LOCATION No.

5/298/67

17-8-67

1. The plan must be drawn to scale in ink, showing dimensions of allotment, the street to which it fronts, and position of proposed building thereon, including outhouses. The distances between buildings and boundaries of the allotment to be marked on plan. Also positions of any buildings on adjoining Lots.
2. The plan must be drawn to scale in ink, showing dimensions of allotment, the street to which it fronts, and position of proposed building thereon, including outhouses. The distances between buildings and boundaries of the allotment to be marked on plan. Also positions of any buildings on adjoining Lots.
3. The plan must be drawn to scale in ink, showing dimensions of allotment, the street to which it fronts, and position of proposed building thereon, including outhouses. The distances between buildings and boundaries of the allotment to be marked on plan. Also positions of any buildings on adjoining Lots.
4. The plan must be drawn to scale in ink, showing dimensions of allotment, the street to which it fronts, and position of proposed building thereon, including outhouses. The distances between buildings and boundaries of the allotment to be marked on plan. Also positions of any buildings on adjoining Lots.

- These building plans must be submitted to the Building Plan Committee of the Metropolitan Water, Sewerage and Drainage Board, at least 14 days prior to the commencement of work to construct or alter any structure, by Law or otherwise, on any of the Board's
- (1) The plan must be drawn to scale in ink, showing dimensions of allotment, the street to which it fronts, and position of proposed building thereon, including outhouses. The distances between buildings and boundaries of the allotment to be marked on plan. Also positions of any buildings on adjoining Lots.
 - (2) The plan must be drawn to scale in ink, showing dimensions of allotment, the street to which it fronts, and position of proposed building thereon, including outhouses. The distances between buildings and boundaries of the allotment to be marked on plan. Also positions of any buildings on adjoining Lots.
 - (3) The plan must be drawn to scale in ink, showing dimensions of allotment, the street to which it fronts, and position of proposed building thereon, including outhouses. The distances between buildings and boundaries of the allotment to be marked on plan. Also positions of any buildings on adjoining Lots.
 - (4) The plan must be drawn to scale in ink, showing dimensions of allotment, the street to which it fronts, and position of proposed building thereon, including outhouses. The distances between buildings and boundaries of the allotment to be marked on plan. Also positions of any buildings on adjoining Lots.

FAILURE TO COMPLY WITH THE ABOVE CONDITIONS MAY RESULT IN THE DEMOLITION OF THE WORKS AT THE BUILDER'S EXPENSE.

APPROVED DESIGNS SHOWN HEREON
MAY BE USED FOR OTHER PURPOSES

C GARAGE SHALL NOT BE USED
FOR LIVING OR COMMERCIAL PURPOSES

I hereby agree to comply with all requirements and conditions written and printed herein.

Scale..... inches to foot.

Signature of Applicant.

State whether Owner, Builder, Architect or Structural Engineer.

PLANNING CERTIFICATE UNDER SECTION 10.7

Environmental Planning and Assessment Act, 1979

Property No: 456278
Your Reference: LS004837
Contact No:

Issue Date: 21 December 2018
Certificate No: 18/06518

Issued to: Lotsearch Pty Ltd
3/68 Alfred St
MILSONS POINT NSW 2061

PRECINCT 2010

DESCRIPTION OF LAND

County: CUMBERLAND

Parish: MULGOA

Location: 38 Orth Street KINGSWOOD NSW 2747

Land Description: Lot 62 DP 36728

- PART 1 PRESCRIBED MATTERS -

In accordance with the provisions of Section 10.7(2) of the Act the following information is furnished in respect of the abovementioned land:

1 NAMES OF RELEVANT PLANNING INSTRUMENTS AND DCPs

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

Penrith Local Environmental Plan 2010, published 22nd September 2010, as amended, applies to the land.

Sydney Regional Environmental Plan No.9 - Extractive Industry (No.2), gazetted 15 September 1995, as amended, applies to the local government area of Penrith.

Sydney Regional Environmental Plan No. 20 - Hawkesbury-Nepean River (No. 2 - 1997), gazetted 7 November 1997, as amended, applies to the local government area of Penrith (except land to which State Environmental Planning Policy (Penrith Lakes Scheme) 1989 applies).

The following State environmental planning policies apply to the land (subject to the exclusions noted below):

State Environmental Planning Policy No.1 - Development Standards. (Note: This policy does not apply to the land to which Penrith Local Environmental Plan 2010 or State Environmental Planning Policy (Western Sydney Employment Area) 2009 apply.)

State Environmental Planning Policy No.19 - Bushland in Urban Areas. (Note: This policy does not apply to certain land referred to in the National Parks and Wildlife Act 1974 and the Forestry Act 1916.)

State Environmental Planning Policy No.21 - Caravan Parks.

State Environmental Planning Policy No.30 - Intensive Agriculture.

State Environmental Planning Policy No.33 - Hazardous and Offensive Development.

PLANNING CERTIFICATE UNDER SECTION 10.7

Environmental Planning and Assessment Act, 1979

State Environmental Planning Policy No.50 - Canal Estate Development. (Note: This policy does not apply to the land to which State Environmental Planning Policy (Penrith Lakes Scheme) 1989 applies.

State Environmental Planning Policy No.55 - Remediation of Land.

State Environmental Planning Policy No.62 - Sustainable Aquaculture.

State Environmental Planning Policy No.64 - Advertising and Signage.

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

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

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (Note: This policy applies to land within New South Wales that is land zoned primarily for urban purposes or land that adjoins land zoned primarily for urban purposes, but only as detailed in clause 4 of the policy.)

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

State Environmental Planning Policy (State Significant Precincts) 2005.

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2013.

State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007.

State Environmental Planning Policy (Infrastructure) 2007.

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

State Environmental Planning Policy (Affordable Rental Housing) 2009.

State Environmental Planning Policy (State and Regional Development) 2011.

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

State Environmental Planning Policy (Education Establishments and Child Care Centre Facilities) 2017.

1(2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act:

(Information is provided in this section only if a proposed environmental planning instrument that is or has been the subject of community consultation or on public exhibition under the Act will apply to the carrying out of development on the land.)

Draft amendments to State Environmental Planning Policy No.70 - Affordable Housing (Revised Schemes) applies to the land.

Draft amendments to State Environmental Planning Policy (Affordable Rental Housing) 2009 applies to the land.

Draft State Environmental Planning Policy (Western Sydney Corridors) may apply to the land. Further information is available here: <https://www.transport.nsw.gov.au/corridors>.

On 22 June 2018, the NSW Government announced changes to the recommended alignments for the Western Sydney corridors, including continuing with the previously gazetted 1951 corridor for the Bells Line of Road Castlereagh Connection.

Draft State Environmental Planning Policy (Primary Production & Rural Development) applies to the land.

Draft State Environmental Planning Policy (Environment) applies to the land.

Draft State Environmental Planning Policy (Remediation of Land) applies to the land.

PLANNING CERTIFICATE UNDER SECTION 10.7

Environmental Planning and Assessment Act, 1979

Draft Standard Instrument (Local Environmental Plans) Order 2006 applies to the land.

Draft State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 applies to the land.

1(3) The name of each development control plan that applies to the carrying out of development on the land:

Penrith Development Control Plan 2014 applies to the land.

2 ZONING AND LAND USE UNDER RELEVANT LEPs

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

2(a)-(d) the identity of the zone; the purposes that may be carried out without development consent; the purposes that may not be carried out except with development consent; and the purposes that are prohibited within the zone. Any zone(s) applying to the land is/are listed below and/or in annexures.

(Note: If no zoning appears in this section see section 1(1) for zoning and land use details (under the Sydney Regional Environmental Plan or State Environmental Planning Policy that zones this property).)

**Zone B4 Mixed Use
(Penrith Local Environmental Plan 2010)**

1 Objectives of zone

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To minimise conflict between land uses within the zone and land uses within adjoining zones.
- To create opportunities to improve public amenity.
- To provide a wide range of retail, business, office, residential, community and other suitable land uses.

2 Permitted without consent

Home occupations

3 Permitted with consent

Amusement centres; Boarding houses; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Function centres; Home-based child care; Home businesses; Hostels; Hotel or motel accommodation; Information and education facilities; Medical centres; Mortuaries; Multi dwelling housing; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Residential accommodation; Residential flat

PLANNING CERTIFICATE UNDER SECTION 10.7

Environmental Planning and Assessment Act, 1979

buildings; Respite day care centres; Restricted premises; Roads; Seniors housing; Serviced apartments; Sex services premises; Shop top housing; Signage; Veterinary hospitals.

4 Prohibited

Rural workers' dwellings; Any development not specified in item 2 or 3

Additional information relating to Penrith Local Environmental Plan 2010

Note 1: Under the terms of Clause 2.4 of Penrith Local Environmental Plan 2010 development may be carried out on unzoned land only with development consent.

Note 2: Under the terms of Clause 2.6 of Penrith Local Environmental Plan 2010 land may be subdivided but only with development consent, except for the exclusions detailed in the clause.

Note 3: Under the terms of Clause 2.7 of Penrith Local Environmental Plan 2010 the demolition of a building or work may be carried out only with development consent.

Note 4: A temporary use may be permitted with development consent subject to the requirements of Clause 2.8 of Penrith Local Environmental Plan 2010.

Note 5: Under the terms of Clause 4.1A of Penrith Local Environmental Plan 2010, despite any other provision of this plan, development consent must not be granted for dual occupancy on an internal lot in Zone R2 Low Density Residential.

Note 6: Under the terms of Clause 5.1 of Penrith Local Environmental Plan 2010 development on land acquired by an authority of the State under the owner-initiated acquisition provisions may, before it is used for the purpose for which it is reserved, be carried out, with development consent, for any purpose.

Note 7: Under the terms of Clause 5.3 of Penrith Local Environmental Plan 2010 development consent may be granted to development of certain land for any purpose that may be carried out in an adjoining zone.

Note 8: Clause 5.10 of Penrith Local Environmental Plan 2010 details when development consent is required/not required in relation to heritage conservation.

Note 9: Under the terms of Clause 5.11 of Penrith Local Environmental Plan 2010 bush fire hazard reduction work authorised by the *Rural Fires Act 1997* may be carried out on any land without development consent.

Note 10: Under the terms of Clause 7.1 of Penrith Local Environmental Plan 2010 (PLEP 2010) development consent is required for earthworks unless the work is exempt development under PLEP 2010 or another applicable environmental planning instrument, or the work is ancillary to other development for which development consent has been given.

Note 11: Sex services premises and restricted premises may only be permitted subject to the requirements of Clause 7.23 of Penrith Local Environmental Plan 2010.

PLANNING CERTIFICATE UNDER SECTION 10.7

Environmental Planning and Assessment Act, 1979

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

(Information is provided in this section only if any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.)

2(f) whether the land includes or comprises critical habitat:

(Information is provided in this section only if the land includes or comprises critical habitat.)

2(g) whether the land is in a conservation area (however described):

(Information is provided in this section only if the land is in a conservation area (however described).)

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

(Information is provided in this section only if an item of environmental heritage (however described) is situated on the land.)

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

(Information is provided in this section only if the land is within any zone under State Environmental Planning Policy (Sydney Region Growth Centres) 2006.)

3 COMPLYING DEVELOPMENT

HOUSING CODE

(The Housing Code only applies if the land is within Zones R1, R2, R3, R4 or RU5 under Penrith Local Environmental Plan 2010 or an equivalent zone in a non standard template planning instrument.)

Complying development under the Housing Code **may** be carried out on the land if the land is within one of the abovementioned zones.

RURAL HOUSING CODE

(The Rural Housing Code only applies if the land is within Zones RU1, RU2, RU3, RU4, RU6 or R5 under Penrith Local Environmental Plan 2010 or an equivalent zone in a non standard template planning instrument.)

Complying development under the Rural Housing Code **may** be carried out on the land if the land is within one of the abovementioned zones.

PLANNING CERTIFICATE UNDER SECTION 10.7

Environmental Planning and Assessment Act, 1979

LOW RISE MEDIUM DENSITY HOUSING CODE

(The Low Rise Medium Density Housing Code only applies if the land is within Zones R1, R2, R3 or RU5 under Penrith Local Environmental Plan 2010 or an equivalent zone in a non standard template planning instrument.)

Complying development under the Low Rise Medium Density Housing Code **may** be carried out on the land if the land is within one of the abovementioned zones.

Please note that Council has been deferred from the application of Part 3B of the Low Rise Medium Density Housing Code until 1 July 2019. That Part will not apply to Penrith Local Government Area during this time.

GREENFIELD HOUSING CODE

(The Greenfield Housing Code only applies if the land is within Zones R1, R2, R3, R4 or RU5 under Penrith Local Environmental Plan 2010 or an equivalent zone in a non standard template planning instrument, and if the land is identified as a Greenfield Housing Code Area by the Greenfield Housing Code Area Map.)

Complying development under the Greenfield Housing Code **may** be carried out on the land if the land is within one of the abovementioned zones, and if the land is identified as a Greenfield Housing Code Area by the Greenfield Housing Code Area Map.

HOUSING ALTERATIONS CODE

Complying development under the Housing Alterations Code **may** be carried out on the land.

GENERAL DEVELOPMENT CODE

Complying development under the General Development Code **may** be carried out on the land.

COMMERCIAL AND INDUSTRIAL ALTERATIONS CODE

Complying development under the Commercial and Industrial Alterations Code **may** be carried out on the land.

SUBDIVISIONS CODE

Complying development under the Subdivisions Code **may** be carried out on the land.

DEMOLITION CODE

Complying development under the Demolition Code **may** be carried out on the land.

PLANNING CERTIFICATE UNDER SECTION 10.7

Environmental Planning and Assessment Act, 1979

COMMERCIAL AND INDUSTRIAL (NEW BUILDINGS AND ADDITIONS) CODE

(The Commercial and Industrial (New Buildings and Additions) Code only applies if the land is within Zones B1, B2, B3, B4, B5, B6, B7, B8, IN1, IN2, IN3, IN4 or SP3 under Penrith Local Environmental Plan 2010 or an equivalent zone in a non standard template planning instrument.)

Complying development under the Commercial and Industrial (New Buildings and Alterations) Code **may** be carried out on the land if the land is within one of the abovementioned zones.

FIRE SAFETY CODE

Complying development under the Fire Safety Code **may** be carried out on the land.

(NOTE: (1) Council has relied on Planning and Infrastructure Circulars and Fact Sheets in the preparation of this information. Applicants should seek their own legal advice in relation to this matter with particular reference to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

(2) Penrith Local Environmental Plan 2010 (if it applies to the land) contains additional complying development not specified in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.)

4 COASTAL PROTECTION

The land is not affected by the operation of sections 38 or 39 of the Coastal Protection Act 1979, to the extent that council has been so notified by the Department of Public Works.

5 MINE SUBSIDENCE

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

6 ROAD WIDENING AND ROAD REALIGNMENT

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

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

7 COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS

(a) Council Policies

The land is affected by the Asbestos Policy adopted by Council.

The land is not affected by any other policy adopted by the council that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

(b) Other Public Authority Policies

The Bush Fire Co-ordinating Committee has adopted a Bush Fire Risk Management Plan that covers the local government area of Penrith City Council, and includes public, private and Commonwealth lands.

PLANNING CERTIFICATE UNDER SECTION 10.7

Environmental Planning and Assessment Act, 1979

The land is not affected by a policy adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the council, that restricts the development of the land because of the likelihood of land slip, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

7A FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION

(1) This land has not been identified as being below the adopted flood planning level (ie. the 1% Annual Exceedance Probability flood level plus 0.5 metre) and as such flood related development controls generally do not apply for dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) if such uses are permissible on the land. Council reserves the right, however, to apply flood related development controls depending on the merits of any particular application. Should future studies change this situation this position may be reviewed.

(2) This land has not been identified as being below the adopted flood planning level (ie. the 1% Annual Exceedance Probability flood level plus 0.5 metre) and as such flood related development controls generally do not apply for any other purpose not referred to in (1) above. Council reserves the right, however, to apply flood related development controls depending on the merits of any particular application. Should future studies change this situation this position may be reviewed.

8 LAND RESERVED FOR ACQUISITION

No environmental planning instrument or proposed environmental planning instrument referred to in clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the Act.

9 CONTRIBUTIONS PLANS

The Cultural Facilities Development Contributions Plan applies anywhere residential development is permitted within the City of Penrith.

The Penrith City Local Open Space Development Contributions Plan applies anywhere residential development is permitted within the City of Penrith, excluding industrial areas and the release areas identified in Appendix B of the Plan (Penrith Lakes, Cranebrook, Sydney Regional Environmental Plan No. 30 - St Marys, Waterside, Thornton, the WELL Precinct, Glenmore Park and Erskine Park). The Penrith City District Open Space Facilities Development Contributions Plan applies anywhere residential development is permitted within the City of Penrith, with the exclusion of industrial lands and the Penrith Lakes development site.

9A BIODIVERSITY CERTIFIED LAND

(Information is provided in this section only if the land is biodiversity certified land under Part 8 of the *Biodiversity Conservation Act 2016*. (Note. biodiversity certified land includes land certified under Part 7AA of the *Threatened Species Conservation Act 1995* that is taken to be certified under Part 8 of the *Biodiversity Conservation Act 2016*.)

PLANNING CERTIFICATE UNDER SECTION 10.7

Environmental Planning and Assessment Act, 1979

10 BIODIVERSITY STEWARDSHIP SITES

(Information is provided in this section only if Council has been notified by the Chief Executive of the Office of Environment and Heritage that the land is land to which a biobanking stewardship agreement under Part 5 of the *Biodiversity Conservation Act 2016* relates. Note. Biodiversity stewardship agreements include biobanking agreements under Part 7A of the *Threatened Species Conservation Act 1995* that are taken to be biodiversity stewardships agreements under Part 5 of the *Biodiversity Conservation Act 2016*)

11 BUSH FIRE PRONE LAND

The land is not identified as bush fire prone land according to Council records.

12 PROPERTY VEGETATION PLANS

(Information is provided in this section only if Council has been notified that the land is land to which a property vegetation plan approved under the *Native Vegetation Act 2003* applies and continues in force.)

13 ORDERS UNDER TREES (DISPUTES BETWEEN NEIGHBOURS) ACT 2006

(Information is provided in this section only if Council has been notified that an order has been made under the *Trees (Disputes Between Neighbours) Act 2006* to carry out work in relation to a tree on the land.)

14 DIRECTIONS UNDER PART 3A

(Information is provided in this section only if there is a direction by the Minister in force under section 75P(2)(c1) of the Act (repealed on 1st October 2011) that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect.)

15 SITE COMPATIBILITY CERTIFICATES AND CONDITIONS AFFECTING SENIORS HOUSING

(Information is provided in this section only if:

- (a) there is a current site compatibility certificate (seniors housing), of which the council is aware, issued under State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 in respect of proposed development on the land; and/or
- (b) any terms of a kind referred to in clause 18(2) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.)

16 SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE

(Information is provided in this section only if there is a valid site compatibility certificate (infrastructure), of which council is aware, in respect of proposed development on the land.)

PLANNING CERTIFICATE UNDER SECTION 10.7

Environmental Planning and Assessment Act, 1979

17 SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING

(Information is provided in this section only if:

- (a) there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land; and/or
- (b) any terms of a kind referred to in clause 17(1) or 37(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 have been imposed as a condition of consent to a development application in respect of the land.)

18 PAPER SUBDIVISION INFORMATION

(Information is provided in this section only if a development plan adopted by a relevant authority applies to the land or is proposed to be subject to a consent ballot, or a subdivision order applies to the land.)

19 SITE VERIFICATION CERTIFICATES

(Information is provided in this section only if there is a current site verification certificate, of which council is aware, in respect of the land.)

NOTE: The following matters are prescribed by section 59(2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate

(a) (Information is provided in this section only if, as at the date of this certificate, the land (or part of the land) is significantly contaminated land within the meaning of the Contaminated Land Management Act 1997.)

(b) (Information is provided in this section only if, as at the date of this certificate, the land is subject to a management order within the meaning of the Contaminated Land Management Act 1997.)

(c) (Information is provided in this section only if, as at the date of this certificate, the land is the subject of an approved voluntary management proposal within the meaning of the Contaminated Land Management Act 1997.)

(d) (Information is provided in this section only if, at the date of this certificate, the land subject to an ongoing maintenance order within the meaning of the Contaminated Land Management Act 1997.)

(e) (Information is provided in this section only if the land is the subject of a site audit statement within the meaning of the Contaminated Land Management Act 1997 - a copy of which has been provided to Council.)

Note: Section 10.7(5) information for this property may contain additional information regarding contamination issues.

PLANNING CERTIFICATE UNDER SECTION 10.7

Environmental Planning and Assessment Act, 1979

20 LOOSE FILL ASBESTOS INSULATION

(Information is provided in this section only if there is a residential premises listed on the register of residential premises that contain or have contained loose-fill asbestos insulation (as required by Division 1A of Part 8 of the Home Building Act 1989))

21 AFFECTED BUILDING NOTICES AND BUILDING PRODUCT RECTIFICATION ORDERS

(Information is provided in this section only if Council is aware of any “affected building notice” and/or a “building product rectification order” in force for the land).

Note: The Environmental Planning and Assessment Amendment Act 2017 commenced operation on the 1 March 2018. As a consequence of this Act the information contained in this certificate needs to be read in conjunction with the provisions of the Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017, and Environmental Planning and Assessment Regulation 2000.

Information is provided only to the extent that Council has been notified by relevant government departments.

10.7(5) Certificate

**This Certificate is directed to the following
relevant matters affecting the land**

When information pursuant to section 10.7(5) is requested the Council is under no obligation to furnish any of the information supplied herein pursuant to that section. Council draws your attention to section 10.7(6) which states that a council shall not incur any liability in respect of any advice provided in good faith pursuant to sub-section (5). The absence of any reference to any matter affecting the land shall not imply that the land is not affected by any matter not referred to in this certificate.

Note:

- Council's 10.7(5) information does not include development consent or easement information. Details of development consents may be obtained by making enquiries with Council's Development Services Department pursuant to section 12 of the Local Government Act 1993 or (for development applications lodged after January 2007) by viewing the Online Services area at www.penrithcity.nsw.gov.au. Details of any easements may be obtained from a Title Search at Land and Property Information New South Wales.
- This certificate does not contain information relating to Complying Development Certificates.
- This certificate may not provide full details of development rights over the land.

*** Threatened Species Conservation Act 1995**

When considering any development application Council must have regard to the Threatened Species Conservation Act 1995. Please note that this legislation may have application to any land throughout the city. Interested persons should make their own enquiries in regard to the impact that this legislation could have on this land.

*** Preservation of Trees and Vegetation**

See Chapter C2 of Penrith Development Control Plan 2014 for specific controls relating to the preservation of trees and vegetation.

PLANNING CERTIFICATE UNDER SECTION 10.7

Environmental Planning and Assessment Act, 1979

*** Development Control Plan General Information**

Penrith Development Control Plan 2014 which applies to the land, sets out requirements for a range of issues that apply across the Penrith Local Government Area, including:

- Site Planning and Design Principles
- Vegetation Management
- Water Management
- Land Management
- Waste Management
- Landscape Design
- Culture and Heritage
- Public Domain
- Advertising and Signage
- Transport, Access and Parking
- Subdivision
- Noise and Vibration, and
- Infrastructure and Services.

The Development Control Plan also specifies requirements relating to various types of land uses including:

- Rural Land Uses
- Residential Development
- Commercial and Retail Development, and
- Industrial Development

as well as for a number of specific activities, including child care centres; health consulting rooms; educational establishments; parent friendly amenities; places of public worship; vehicle repair stations; cemeteries, crematoria and funeral homes; extractive industries; and telecommunication facilities.

The Development Control Plan also details requirements relating to key precincts within the Penrith Local Government Area, including:

- Caddens
- Claremont Meadows Stage 2
- Cranebrook
- Emu Heights
- Emu Plains
- Erskine Business Park
- Glenmore Park
- Kingswood
- Mulgoa Valley
- Orchard Hills
- Penrith
- Penrith Health and Education Precinct
- Riverlink Precinct
- St Clair,
- St Marys / St Marys North, and
- Sydney Science Park.

PLANNING CERTIFICATE UNDER SECTION 10.7

Environmental Planning and Assessment Act, 1979

Penrith Development Control Plan 2014 may be accessed at
<https://www.penrithcity.nsw.gov.au/Building-and-Development/Planning-and-Zoning/Planning-Controls/Development-Control-Plans/>

*** Penrith Health and Education Precinct Controls**

See Clause 7.11 of Penrith Local Environmental Plan 2010 and Chapter E12 of Penrith Development Control Plan 2014 for specific controls relating to the Penrith Health and Education Precinct (which includes the subject property).

Warwick Winn
General Manager

PER



Please note:

Certain amendments to the Environmental Planning and Assessment Act 1979 No 203 (Act) commenced on 1 March 2018.

The Environmental Planning and Assessment (Amendment) Act 2017 No 60 makes structural changes to the Act and, as a consequence, the Act has been renumbered in a decimal format. For example, Section 149 Planning Certificates have become Section 10.7 Certificates. Some of the information in this certificate may refer to the previous version of the Act.

Council is committed to updating all relevant documents in a timely manner. This will include planning instruments, applications, approvals, orders, certificates, forms and other associated documents in both printed and electronic versions. Council is required to implement these changes and regrets any inconvenience caused to the local business, industry and the community.

PLANNING CERTIFICATE UNDER SECTION 10.7

Environmental Planning and Assessment Act, 1979

Property No: 456269
Your Reference: LS004837
Contact No:

Issue Date: 21 December 2018

Certificate No: 18/06519

Issued to: Lotsearch Pty Ltd
3/68 Alfred St
MILSONS POINT NSW 2061

PRECINCT 2010

DESCRIPTION OF LAND

County: CUMBERLAND

Parish: MULGOA

Location: 40 Orth Street KINGSWOOD NSW 2747

Land Description: Lot 61 DP 36728

- PART 1 PRESCRIBED MATTERS -

In accordance with the provisions of Section 10.7(2) of the Act the following information is furnished in respect of the abovementioned land:

1 NAMES OF RELEVANT PLANNING INSTRUMENTS AND DCPs

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

Penrith Local Environmental Plan 2010, published 22nd September 2010, as amended, applies to the land.

Sydney Regional Environmental Plan No.9 - Extractive Industry (No.2), gazetted 15 September 1995, as amended, applies to the local government area of Penrith.

Sydney Regional Environmental Plan No. 20 - Hawkesbury-Nepean River (No. 2 - 1997), gazetted 7 November 1997, as amended, applies to the local government area of Penrith (except land to which State Environmental Planning Policy (Penrith Lakes Scheme) 1989 applies).

The following State environmental planning policies apply to the land (subject to the exclusions noted below):

State Environmental Planning Policy No.1 - Development Standards. (Note: This policy does not apply to the land to which Penrith Local Environmental Plan 2010 or State Environmental Planning Policy (Western Sydney Employment Area) 2009 apply.)

State Environmental Planning Policy No.19 - Bushland in Urban Areas. (Note: This policy does not apply to certain land referred to in the National Parks and Wildlife Act 1974 and the Forestry Act 1916.)

State Environmental Planning Policy No.21 - Caravan Parks.

State Environmental Planning Policy No.30 - Intensive Agriculture.

State Environmental Planning Policy No.33 - Hazardous and Offensive Development.

PLANNING CERTIFICATE UNDER SECTION 10.7

Environmental Planning and Assessment Act, 1979

State Environmental Planning Policy No.50 - Canal Estate Development. (Note: This policy does not apply to the land to which State Environmental Planning Policy (Penrith Lakes Scheme) 1989 applies.

State Environmental Planning Policy No.55 - Remediation of Land.

State Environmental Planning Policy No.62 - Sustainable Aquaculture.

State Environmental Planning Policy No.64 - Advertising and Signage.

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

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

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (Note: This policy applies to land within New South Wales that is land zoned primarily for urban purposes or land that adjoins land zoned primarily for urban purposes, but only as detailed in clause 4 of the policy.)

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

State Environmental Planning Policy (State Significant Precincts) 2005.

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2013.

State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007.

State Environmental Planning Policy (Infrastructure) 2007.

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

State Environmental Planning Policy (Affordable Rental Housing) 2009.

State Environmental Planning Policy (State and Regional Development) 2011.

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

State Environmental Planning Policy (Education Establishments and Child Care Centre Facilities) 2017.

1(2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act:

(Information is provided in this section only if a proposed environmental planning instrument that is or has been the subject of community consultation or on public exhibition under the Act will apply to the carrying out of development on the land.)

Draft amendments to State Environmental Planning Policy No.70 - Affordable Housing (Revised Schemes) applies to the land.

Draft amendments to State Environmental Planning Policy (Affordable Rental Housing) 2009 applies to the land.

Draft State Environmental Planning Policy (Western Sydney Corridors) may apply to the land. Further information is available here: <https://www.transport.nsw.gov.au/corridors>.

On 22 June 2018, the NSW Government announced changes to the recommended alignments for the Western Sydney corridors, including continuing with the previously gazetted 1951 corridor for the Bells Line of Road Castlereagh Connection.

Draft State Environmental Planning Policy (Primary Production & Rural Development) applies to the land.

Draft State Environmental Planning Policy (Environment) applies to the land.

Draft State Environmental Planning Policy (Remediation of Land) applies to the land.

PLANNING CERTIFICATE UNDER SECTION 10.7

Environmental Planning and Assessment Act, 1979

Draft Standard Instrument (Local Environmental Plans) Order 2006 applies to the land.

Draft State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 applies to the land.

1(3) The name of each development control plan that applies to the carrying out of development on the land:

Penrith Development Control Plan 2014 applies to the land.

2 ZONING AND LAND USE UNDER RELEVANT LEPs

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

2(a)-(d) the identity of the zone; the purposes that may be carried out without development consent; the purposes that may not be carried out except with development consent; and the purposes that are prohibited within the zone. Any zone(s) applying to the land is/are listed below and/or in annexures.

(Note: If no zoning appears in this section see section 1(1) for zoning and land use details (under the Sydney Regional Environmental Plan or State Environmental Planning Policy that zones this property).)

**Zone B4 Mixed Use
(Penrith Local Environmental Plan 2010)**

1 Objectives of zone

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To minimise conflict between land uses within the zone and land uses within adjoining zones.
- To create opportunities to improve public amenity.
- To provide a wide range of retail, business, office, residential, community and other suitable land uses.

2 Permitted without consent

Home occupations

3 Permitted with consent

Amusement centres; Boarding houses; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Function centres; Home-based child care; Home businesses; Hostels; Hotel or motel accommodation; Information and education facilities; Medical centres; Mortuaries; Multi dwelling housing; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Residential accommodation; Residential flat

PLANNING CERTIFICATE UNDER SECTION 10.7

Environmental Planning and Assessment Act, 1979

buildings; Respite day care centres; Restricted premises; Roads; Seniors housing; Serviced apartments; Sex services premises; Shop top housing; Signage; Veterinary hospitals.

4 Prohibited

Rural workers' dwellings; Any development not specified in item 2 or 3

Additional information relating to Penrith Local Environmental Plan 2010

Note 1: Under the terms of Clause 2.4 of Penrith Local Environmental Plan 2010 development may be carried out on unzoned land only with development consent.

Note 2: Under the terms of Clause 2.6 of Penrith Local Environmental Plan 2010 land may be subdivided but only with development consent, except for the exclusions detailed in the clause.

Note 3: Under the terms of Clause 2.7 of Penrith Local Environmental Plan 2010 the demolition of a building or work may be carried out only with development consent.

Note 4: A temporary use may be permitted with development consent subject to the requirements of Clause 2.8 of Penrith Local Environmental Plan 2010.

Note 5: Under the terms of Clause 4.1A of Penrith Local Environmental Plan 2010, despite any other provision of this plan, development consent must not be granted for dual occupancy on an internal lot in Zone R2 Low Density Residential.

Note 6: Under the terms of Clause 5.1 of Penrith Local Environmental Plan 2010 development on land acquired by an authority of the State under the owner-initiated acquisition provisions may, before it is used for the purpose for which it is reserved, be carried out, with development consent, for any purpose.

Note 7: Under the terms of Clause 5.3 of Penrith Local Environmental Plan 2010 development consent may be granted to development of certain land for any purpose that may be carried out in an adjoining zone.

Note 8: Clause 5.10 of Penrith Local Environmental Plan 2010 details when development consent is required/not required in relation to heritage conservation.

Note 9: Under the terms of Clause 5.11 of Penrith Local Environmental Plan 2010 bush fire hazard reduction work authorised by the *Rural Fires Act 1997* may be carried out on any land without development consent.

Note 10: Under the terms of Clause 7.1 of Penrith Local Environmental Plan 2010 (PLEP 2010) development consent is required for earthworks unless the work is exempt development under PLEP 2010 or another applicable environmental planning instrument, or the work is ancillary to other development for which development consent has been given.

Note 11: Sex services premises and restricted premises may only be permitted subject to the requirements of Clause 7.23 of Penrith Local Environmental Plan 2010.

PLANNING CERTIFICATE UNDER SECTION 10.7

Environmental Planning and Assessment Act, 1979

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

(Information is provided in this section only if any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed.)

2(f) whether the land includes or comprises critical habitat:

(Information is provided in this section only if the land includes or comprises critical habitat.)

2(g) whether the land is in a conservation area (however described):

(Information is provided in this section only if the land is in a conservation area (however described).)

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

(Information is provided in this section only if an item of environmental heritage (however described) is situated on the land.)

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

(Information is provided in this section only if the land is within any zone under State Environmental Planning Policy (Sydney Region Growth Centres) 2006.)

3 COMPLYING DEVELOPMENT

HOUSING CODE

(The Housing Code only applies if the land is within Zones R1, R2, R3, R4 or RU5 under Penrith Local Environmental Plan 2010 or an equivalent zone in a non standard template planning instrument.)

Complying development under the Housing Code **may** be carried out on the land if the land is within one of the abovementioned zones.

RURAL HOUSING CODE

(The Rural Housing Code only applies if the land is within Zones RU1, RU2, RU3, RU4, RU6 or R5 under Penrith Local Environmental Plan 2010 or an equivalent zone in a non standard template planning instrument.)

Complying development under the Rural Housing Code **may** be carried out on the land if the land is within one of the abovementioned zones.

PLANNING CERTIFICATE UNDER SECTION 10.7

Environmental Planning and Assessment Act, 1979

LOW RISE MEDIUM DENSITY HOUSING CODE

(The Low Rise Medium Density Housing Code only applies if the land is within Zones R1, R2, R3 or RU5 under Penrith Local Environmental Plan 2010 or an equivalent zone in a non standard template planning instrument.)

Complying development under the Low Rise Medium Density Housing Code **may** be carried out on the land if the land is within one of the abovementioned zones.

Please note that Council has been deferred from the application of Part 3B of the Low Rise Medium Density Housing Code until 1 July 2019. That Part will not apply to Penrith Local Government Area during this time.

GREENFIELD HOUSING CODE

(The Greenfield Housing Code only applies if the land is within Zones R1, R2, R3, R4 or RU5 under Penrith Local Environmental Plan 2010 or an equivalent zone in a non standard template planning instrument, and if the land is identified as a Greenfield Housing Code Area by the Greenfield Housing Code Area Map.)

Complying development under the Greenfield Housing Code **may** be carried out on the land if the land is within one of the abovementioned zones, and if the land is identified as a Greenfield Housing Code Area by the Greenfield Housing Code Area Map.

HOUSING ALTERATIONS CODE

Complying development under the Housing Alterations Code **may** be carried out on the land.

GENERAL DEVELOPMENT CODE

Complying development under the General Development Code **may** be carried out on the land.

COMMERCIAL AND INDUSTRIAL ALTERATIONS CODE

Complying development under the Commercial and Industrial Alterations Code **may** be carried out on the land.

SUBDIVISIONS CODE

Complying development under the Subdivisions Code **may** be carried out on the land.

DEMOLITION CODE

Complying development under the Demolition Code **may** be carried out on the land.

PLANNING CERTIFICATE UNDER SECTION 10.7

Environmental Planning and Assessment Act, 1979

COMMERCIAL AND INDUSTRIAL (NEW BUILDINGS AND ADDITIONS) CODE

(The Commercial and Industrial (New Buildings and Additions) Code only applies if the land is within Zones B1, B2, B3, B4, B5, B6, B7, B8, IN1, IN2, IN3, IN4 or SP3 under Penrith Local Environmental Plan 2010 or an equivalent zone in a non standard template planning instrument.)

Complying development under the Commercial and Industrial (New Buildings and Alterations) Code **may** be carried out on the land if the land is within one of the abovementioned zones.

FIRE SAFETY CODE

Complying development under the Fire Safety Code **may** be carried out on the land.

(NOTE: (1) Council has relied on Planning and Infrastructure Circulars and Fact Sheets in the preparation of this information. Applicants should seek their own legal advice in relation to this matter with particular reference to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

(2) Penrith Local Environmental Plan 2010 (if it applies to the land) contains additional complying development not specified in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.)

4 COASTAL PROTECTION

The land is not affected by the operation of sections 38 or 39 of the Coastal Protection Act 1979, to the extent that council has been so notified by the Department of Public Works.

5 MINE SUBSIDENCE

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

6 ROAD WIDENING AND ROAD REALIGNMENT

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

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

7 COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS

(a) Council Policies

The land is affected by the Asbestos Policy adopted by Council.

The land is not affected by any other policy adopted by the council that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

(b) Other Public Authority Policies

The Bush Fire Co-ordinating Committee has adopted a Bush Fire Risk Management Plan that covers the local government area of Penrith City Council, and includes public, private and Commonwealth lands.

PLANNING CERTIFICATE UNDER SECTION 10.7

Environmental Planning and Assessment Act, 1979

The land is not affected by a policy adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the council, that restricts the development of the land because of the likelihood of land slip, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

7A FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION

(1) This land has not been identified as being below the adopted flood planning level (ie. the 1% Annual Exceedance Probability flood level plus 0.5 metre) and as such flood related development controls generally do not apply for dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) if such uses are permissible on the land. Council reserves the right, however, to apply flood related development controls depending on the merits of any particular application. Should future studies change this situation this position may be reviewed.

(2) This land has not been identified as being below the adopted flood planning level (ie. the 1% Annual Exceedance Probability flood level plus 0.5 metre) and as such flood related development controls generally do not apply for any other purpose not referred to in (1) above. Council reserves the right, however, to apply flood related development controls depending on the merits of any particular application. Should future studies change this situation this position may be reviewed.

8 LAND RESERVED FOR ACQUISITION

No environmental planning instrument or proposed environmental planning instrument referred to in clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the Act.

9 CONTRIBUTIONS PLANS

The Cultural Facilities Development Contributions Plan applies anywhere residential development is permitted within the City of Penrith.

The Penrith City Local Open Space Development Contributions Plan applies anywhere residential development is permitted within the City of Penrith, excluding industrial areas and the release areas identified in Appendix B of the Plan (Penrith Lakes, Cranebrook, Sydney Regional Environmental Plan No. 30 - St Marys, Waterside, Thornton, the WELL Precinct, Glenmore Park and Erskine Park). The Penrith City District Open Space Facilities Development Contributions Plan applies anywhere residential development is permitted within the City of Penrith, with the exclusion of industrial lands and the Penrith Lakes development site.

9A BIODIVERSITY CERTIFIED LAND

(Information is provided in this section only if the land is biodiversity certified land under Part 8 of the *Biodiversity Conservation Act 2016*. (Note. biodiversity certified land includes land certified under Part 7AA of the *Threatened Species Conservation Act 1995* that is taken to be certified under Part 8 of the *Biodiversity Conservation Act 2016*.)

PLANNING CERTIFICATE UNDER SECTION 10.7

Environmental Planning and Assessment Act, 1979

10 BIODIVERSITY STEWARDSHIP SITES

(Information is provided in this section only if Council has been notified by the Chief Executive of the Office of Environment and Heritage that the land is land to which a biobanking stewardship agreement under Part 5 of the *Biodiversity Conservation Act 2016* relates. Note. Biodiversity stewardship agreements include biobanking agreements under Part 7A of the *Threatened Species Conservation Act 1995* that are taken to be biodiversity stewardships agreements under Part 5 of the *Biodiversity Conservation Act 2016*)

11 BUSH FIRE PRONE LAND

The land is not identified as bush fire prone land according to Council records.

12 PROPERTY VEGETATION PLANS

(Information is provided in this section only if Council has been notified that the land is land to which a property vegetation plan approved under the *Native Vegetation Act 2003* applies and continues in force.)

13 ORDERS UNDER TREES (DISPUTES BETWEEN NEIGHBOURS) ACT 2006

(Information is provided in this section only if Council has been notified that an order has been made under the *Trees (Disputes Between Neighbours) Act 2006* to carry out work in relation to a tree on the land.)

14 DIRECTIONS UNDER PART 3A

(Information is provided in this section only if there is a direction by the Minister in force under section 75P(2)(c1) of the Act (repealed on 1st October 2011) that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect.)

15 SITE COMPATIBILITY CERTIFICATES AND CONDITIONS AFFECTING SENIORS HOUSING

(Information is provided in this section only if:

- (a) there is a current site compatibility certificate (seniors housing), of which the council is aware, issued under State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 in respect of proposed development on the land; and/or
- (b) any terms of a kind referred to in clause 18(2) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.)

16 SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE

(Information is provided in this section only if there is a valid site compatibility certificate (infrastructure), of which council is aware, in respect of proposed development on the land.)

PLANNING CERTIFICATE UNDER SECTION 10.7

Environmental Planning and Assessment Act, 1979

17 SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING

(Information is provided in this section only if:

- (a) there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land; and/or
- (b) any terms of a kind referred to in clause 17(1) or 37(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 have been imposed as a condition of consent to a development application in respect of the land.)

18 PAPER SUBDIVISION INFORMATION

(Information is provided in this section only if a development plan adopted by a relevant authority applies to the land or is proposed to be subject to a consent ballot, or a subdivision order applies to the land.)

19 SITE VERIFICATION CERTIFICATES

(Information is provided in this section only if there is a current site verification certificate, of which council is aware, in respect of the land.)

NOTE: The following matters are prescribed by section 59(2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate

(a) (Information is provided in this section only if, as at the date of this certificate, the land (or part of the land) is significantly contaminated land within the meaning of the Contaminated Land Management Act 1997.)

(b) (Information is provided in this section only if, as at the date of this certificate, the land is subject to a management order within the meaning of the Contaminated Land Management Act 1997.)

(c) (Information is provided in this section only if, as at the date of this certificate, the land is the subject of an approved voluntary management proposal within the meaning of the Contaminated Land Management Act 1997.)

(d) (Information is provided in this section only if, at the date of this certificate, the land subject to an ongoing maintenance order within the meaning of the Contaminated Land Management Act 1997.)

(e) (Information is provided in this section only if the land is the subject of a site audit statement within the meaning of the Contaminated Land Management Act 1997 - a copy of which has been provided to Council.)

Note: Section 10.7(5) information for this property may contain additional information regarding contamination issues.

PLANNING CERTIFICATE UNDER SECTION 10.7

Environmental Planning and Assessment Act, 1979

20 LOOSE FILL ASBESTOS INSULATION

(Information is provided in this section only if there is a residential premises listed on the register of residential premises that contain or have contained loose-fill asbestos insulation (as required by Division 1A of Part 8 of the Home Building Act 1989))

21 AFFECTED BUILDING NOTICES AND BUILDING PRODUCT RECTIFICATION ORDERS

(Information is provided in this section only if Council is aware of any “affected building notice” and/or a “building product rectification order” in force for the land).

Note: The Environmental Planning and Assessment Amendment Act 2017 commenced operation on the 1 March 2018. As a consequence of this Act the information contained in this certificate needs to be read in conjunction with the provisions of the Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017, and Environmental Planning and Assessment Regulation 2000.

Information is provided only to the extent that Council has been notified by relevant government departments.

10.7(5) Certificate

This Certificate is directed to the following relevant matters affecting the land

When information pursuant to section 10.7(5) is requested the Council is under no obligation to furnish any of the information supplied herein pursuant to that section. Council draws your attention to section 10.7(6) which states that a council shall not incur any liability in respect of any advice provided in good faith pursuant to sub-section (5). The absence of any reference to any matter affecting the land shall not imply that the land is not affected by any matter not referred to in this certificate.

Note:

- Council's 10.7(5) information does not include development consent or easement information. Details of development consents may be obtained by making enquiries with Council's Development Services Department pursuant to section 12 of the Local Government Act 1993 or (for development applications lodged after January 2007) by viewing the Online Services area at www.penrithcity.nsw.gov.au. Details of any easements may be obtained from a Title Search at Land and Property Information New South Wales.
- This certificate does not contain information relating to Complying Development Certificates.
- This certificate may not provide full details of development rights over the land.

*** Threatened Species Conservation Act 1995**

When considering any development application Council must have regard to the Threatened Species Conservation Act 1995. Please note that this legislation may have application to any land throughout the city. Interested persons should make their own enquiries in regard to the impact that this legislation could have on this land.

*** Preservation of Trees and Vegetation**

See Chapter C2 of Penrith Development Control Plan 2014 for specific controls relating to the preservation of trees and vegetation.

PLANNING CERTIFICATE UNDER SECTION 10.7

Environmental Planning and Assessment Act, 1979

*** Development Control Plan General Information**

Penrith Development Control Plan 2014 which applies to the land, sets out requirements for a range of issues that apply across the Penrith Local Government Area, including:

- Site Planning and Design Principles
- Vegetation Management
- Water Management
- Land Management
- Waste Management
- Landscape Design
- Culture and Heritage
- Public Domain
- Advertising and Signage
- Transport, Access and Parking
- Subdivision
- Noise and Vibration, and
- Infrastructure and Services.

The Development Control Plan also specifies requirements relating to various types of land uses including:

- Rural Land Uses
- Residential Development
- Commercial and Retail Development, and
- Industrial Development

as well as for a number of specific activities, including child care centres; health consulting rooms; educational establishments; parent friendly amenities; places of public worship; vehicle repair stations; cemeteries, crematoria and funeral homes; extractive industries; and telecommunication facilities.

The Development Control Plan also details requirements relating to key precincts within the Penrith Local Government Area, including:

- Caddens
- Claremont Meadows Stage 2
- Cranebrook
- Emu Heights
- Emu Plains
- Erskine Business Park
- Glenmore Park
- Kingswood
- Mulgoa Valley
- Orchard Hills
- Penrith
- Penrith Health and Education Precinct
- Riverlink Precinct
- St Clair,
- St Marys / St Marys North, and
- Sydney Science Park.

PLANNING CERTIFICATE UNDER SECTION 10.7

Environmental Planning and Assessment Act, 1979

Penrith Development Control Plan 2014 may be accessed at
<https://www.penrithcity.nsw.gov.au/Building-and-Development/Planning-and-Zoning/Planning-Controls/Development-Control-Plans/>

*** Penrith Health and Education Precinct Controls**

See Clause 7.11 of Penrith Local Environmental Plan 2010 and Chapter E12 of Penrith Development Control Plan 2014 for specific controls relating to the Penrith Health and Education Precinct (which includes the subject property).

Warwick Winn
General Manager

PER



Please note:

Certain amendments to the Environmental Planning and Assessment Act 1979 No 203 (Act) commenced on 1 March 2018.

The Environmental Planning and Assessment (Amendment) Act 2017 No 60 makes structural changes to the Act and, as a consequence, the Act has been renumbered in a decimal format. For example, Section 149 Planning Certificates have become Section 10.7 Certificates. Some of the information in this certificate may refer to the previous version of the Act.

Council is committed to updating all relevant documents in a timely manner. This will include planning instruments, applications, approvals, orders, certificates, forms and other associated documents in both printed and electronic versions. Council is required to implement these changes and regrets any inconvenience caused to the local business, industry and the community.