

Landcom

Cherrybrook Station Precinct Preliminary Site Investigation

Bradfield Parade Cherrybrook NSW

5 April 2022

59281/134199 Rev 3

JBS&G Australia Pty Ltd

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Abbreviations

Term	Definition
AEC	Area of Environmental Concern
AHD	Australian Height Datum
ASC NEPM	National Environmental Protection (Assessment of Site Contamination) Measure
ASS	Acid Sulfate Soils
ASSMAC	Acid Sulfate Soil Management Advisory Committee
bgl	below ground level
BOM	Bureau of Meteorology
BTEX	Benzene, toluene, ethylbenzene and xylene
CLM Act	Contaminated Land Management Act 1997
CSM	Conceptual Site Model
CSWMP	Construction Soil and Water Management Plan
DGL	Developable Government Land
DLWC	Department of Land and Water Conservation
DMR	Department of Mineral Resources
DP	Douglas Partners Pty Ltd
DPI	Department of Planning and Industry
DPE	Department of Planning and Environment
EIS	Environmental Impact Statement
EPA	Environment Protection Authority
ha	Hectare
JBS&G	JBS&G Australia Pty Ltd
NWRL	North West Rail Link
OCP	Organochlorine Pesticides
OEH	Office of Environment and Heritage
OPP	Organophosphorus Pesticides
PAH	Polycylic Aromatic Hydrocarbons
PCB	Polychlorinated Biphenyls
PFAS	Per- and Poly-fluoroalkyl Substances
PID	Photoionization Detector
POEO Act	Protection of Environment Operations Act 1997
PSI	Preliminary Site Investigation
RFS	Rural Fire Service
RL	Relative Level
SMNW	Sydney Metro North West
SPR	Source-Pathway-Receptor
SSP	State Significant Precinct
TRH	Total Recoverable Hydrocarbons
UST	Underground Storage Tank
VENM	Virgin Excavated Natural Material
VOC	Volatile Organic Compounds



Executive Summary

JBS&G Australia Pty Ltd (JBS&G) has been engaged by Landcom (the client) for the provision of environmental consultancy services associated with the proposed rezoning of Cherrybrook Station Government Land State Significant Precinct (the State Significant Precinct). The land subject to this assessment, herein referred to as 'the SSP' is bound by Castle Hill Road, Roberts Road, and Franklin Road. The SSP comprises 7.7 hectares of government-owned land including Cherrybrook Station, commuter carpark and station access road (Bradfield Parade) and vacant land to the east of the station referred to as the Developable Government Land.

The SSP is currently zoned R2 Low Density Residential under the Hornsby Local Environmental Plan 2013 (Council 2013¹). The SSP is proposed to be rezoned to accommodate a mixed-use local centre which supports the function of the station and the needs of the local community.

Landcom requires geotechnical and contamination studies to assess the suitability of the SSP for rezoning in accordance with the Study Requirements issued by the NSW Department of Planning, Industry and Environment in May 2020. To this end, JBS&G has undertaken a preliminary site investigation, as documented herein.

This Preliminary Site Investigation presents a summary of the proposed development, site history and environmental setting. The desktop review has informed a Conceptual Site Model and identification of potential contamination issues in the SSP. This PSI has been completed in accordance with guidelines made or approved by the New South Wales Environment Protection Authority and relevant Australian Standards.

Based on the scope of investigation undertaken, and in accordance with the limitations in **Section 8**, the following conclusions are provided:

- No significant indications of gross and/or widespread contamination were identified within the SSP. However, there are a number of potentially contaminating activities being undertaken during the site inspection (31 July 2020), or that have previously been undertaken at the SSP that carry a low potential to have introduced localised contamination within areas of the SSP. These areas will require further assessment prior to future development works, such that it may be demonstrated that the SSP, or portions therefore, are suitable (or can be made suitable) for individual development lot uses.
- With consideration of the above, subject to implementation of an appropriate staged contamination assessment framework and development of any required management strategies, it is considered that all areas of the SSP can be made suitable for the proposed future land uses;
- There is no appreciable risk of ASS presence within natural residual or quaternary alluvial soils at the SSP given the formation environment, and therefore no future management for the potential presence of ASS is required during future ground disturbance works;
- It is considered that, whilst potential contamination may be present at the site, the site is able to be made suitable for the proposed development subject to management of contamination if confirmed to be present at the SSP during future investigations or during redevelopment; and
- It is recommended that where required to establish the suitability of the SSP, or portions thereof for a specific land use, detailed assessment of contamination conditions are completed during the detailed design phase for each individual development parcel such that

¹ Council (2013) Hornsby Local Environmental Plan 2013. Hornsby Shire Council (Council), last modified 17 April 2020.



site specific development considerations (including the landuse details, the extent of material disturbance, drainage infrastructure and land use scenarios) may be taken into account.

Further to the above, the outcomes of specific Study Requirements are presented in the following table.

Reference	Details
15.1	Study Requirement : Provide an assessment of the local soil, outlining its suitability for the proposed uses of the SSP site with respect to erosion, salinity and acid sulphate soils. Outcome: Potential salinity and erosion conditions have been assessed within PSM (2022 ²).
	Review of the environmental landscape of the SSP indicates that there is no appreciable risk of acid sulfate soil occurrence in natural residual and deposited soils and/or rock at the SSP. On this basis, there is no further requirement for consideration of ASS conditions and/or management of such conditions during future ground disturbance activities.
15.2	Study Requirement: Provide an assessment of the proposed land uses to reflect the Section 9.1 Direction – 2.6 Remediation of Contaminated Land' which requires consideration of contamination in the assessment of planning proposals and more generally in accordance with <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> (SEPP-RH ³).
	Outcome: This PSI report comprises a preliminary investigation of the land carried out in accordance with contaminated land planning guidelines (SEPP-RH and ASC NEPM). It is considered that this report satisfies Clause (5) of 'Section 9.1 Direction – 2.6 Remediation of Contaminated Land'.
	With consideration of the assessment undertaken herein, subject to implementation of an appropriate staged contamination assessment framework and development of any required management strategies, all areas of the SSP could be made suitable for future proposed uses. Such conclusions are consistent with the approach as nominated under SEPP-RH and allows for consideration of the future specific landuse proposals in a staged manner such that a suitable scope for assessment may be completed specific to the proposed development.
15.3	Study Requirement: Consider the requirements of Sydney Regional Environmental Plan 20 – Hawkesbury Nepean River in the SSP planning noting that in relation to the future development applications, the SREP requires development consent for the remediation of contaminated [land].
	Outcome: The site forms part of the land subject to <i>Sydney Regional Environmental Plan 20 – Hawkesbury Nepean River</i> (SREP20). Part 3, Section 11 Clause (4) of SREP20 stipulates the requirement for development consent to be provided by the consent authority to conduct remediation of land. Where any future works identify the requirement to conduct remediation of land to make the site, or parts thereof, suitable for the proposed land uses, development consent will be required from the appropriate consent authority prior to the commencement of any remediation works. This requirement is typically able to be satisfied by completing the remediation works ancillary to site development works.

Sydney Metro North West (SMNW), Cherrybrook Station Government Land State Significant Precinct (SSP), Geotechnical Desktop Study. Pells Sullivan Meynink reference PSM3675-006L Rev 3 dated 30 March 2022

It is noted that since issue of Revision 1 of this report, the State Environmental Planning Policy No. 55 (Remediation of Land) (SEPP55) has since been repealed and replaced by State Environmental Planning Policy (Resilience and Hazards) 2021. No changes to the policy have been implemented. All references to SEPP55 have been removed and replaced by the new policy.



1. Introduction

1.1 Introduction and Background

JBS&G Australia Pty Ltd (JBS&G) has been engaged by Landcom (the client) for the provision of environmental consultancy services associated with the proposed rezoning of Cherrybrook Station Government Land State Significant Precinct (the State Significant Precinct) as shown on **Figure 1**. The land subject to this assessment, herein referred to as 'the SSP' is bound by Castle Hill Road, Roberts Road, and Franklin Road as shown in **Figure 2**. The SSP comprises 7.7 hectares (ha) of government-owned land including Cherrybrook Station, commuter carpark and station access road (Bradfield Parade) and vacant land to the east of the station referred to as the Developable Government Land (DGL).

The client has provided JBS&G with a project summary for the State Significant Precinct which is presented in **Section 1.4**.

It is understood that the SSP was historically used for agricultural purposes, and more recently for mixed suburban residential and educational facilities (secondary school). The SSP was partially redeveloped to accommodate Cherrybrook Station and associated roads and infrastructure over the past decade.

The SSP is currently zoned R2 Low Density Residential under the Hornsby Local Environmental Plan 2013 (Council 2013⁴). The SSP is proposed to be rezoned to accommodate a mixed-use local centre which supports the function of the station and the needs of the local community.

Landcom requires geotechnical and contamination studies to assess the suitability of the SSP for rezoning in accordance with the Study Requirements issued by the NSW Department of Planning, Industry and Environment (DPIE) in May 2020. To this end, JBS&G has undertaken a preliminary site investigation (PSI), as documented herein.

Given the identified soil conditions within the vicinity of the SSP, evaluation of salinity and acid sulfate soil (ASS) potential at the SSP has also been incorporated into this assessment. Guidance on the preparation of a salinity and ASS assessment program was drawn from the NSW Department of Land and Water Conservation (DLWC 1992⁵), DLWC (2002⁶), AS 2159-2009 (SA 2009⁷) and ASSMAC (1998⁸) guidelines as appropriate.

This scope of work has been completed based on the client's requirements with consideration to guidelines made or approved by the NSW Environment Protection Authority (EPA) including the ASC NEPM⁹.

Council (2013) Hornsby Local Environmental Plan 2013. Hornsby Shire Council (Council), last modified 16 March 2022 and accessed https://legislation.nsw.gov.au/view/html/inforce/current/epi-2013-0569.

What Do All the Numbers Mean? A Guide for the Interpretation of Soil Test Results. Hazelton and Murphy for Department of Land and Water Conservation, DLWC (1992);

⁶ Site Investigations for Urban Salinity. Department of Land and Water Conservation, 2002, DLWC (2002);

⁷ AS2159-2009 Piling - Design and Installation. Standards Australia, 2009, (SA 2009);

⁸ Acid Sulfate Soil Manual. Acid Sulfate Soil Management Advisory Committee, August 1998, (ASSMAC 1998);

ASC NEPM (2013) National Environment Protection (Assessment of Site Contamination) Measure (As Amended 2013), National Environmental Protection Council, dated May 2013.



1.2 Objective

The objective of the investigation was to provide a preliminary assessment of site contamination to evaluate whether the SSP is or can be made suitable for the proposed rezoning, such that the Study Requirements relating to potential contamination were able to be addressed.

The Study Requirements are outlined below:

- 15.1 Provide an assessment of the local soil, outlining its suitability for the proposed uses of the SSP site with respect to erosion, salinity and acid sulphate soils.
- 15.2 Provide an assessment of the proposed land uses to reflect the Section 9.1 Direction 2.6 Remediation of Contaminated Land' which requires consideration of contamination in the assessment of planning proposals and more generally in accordance with State Environmental Planning Policy No 55 Remediation of Land (SEPP 55¹⁰).
- 15.3 Consider the requirements of Sydney Regional Environmental Plan 20 Hawkesbury Nepean River in the SSP planning noting that in relation to the future development applications, the SREP requires development consent for the remediation of contaminated [land].

1.3 Scope of Works

The following scope of works was undertaken:

- A desktop review of available site history information, including:
 - Previous contamination related investigations as provided by the client;
 - Publicly available project documentation pertaining to the SSP and surrounds, including: North West Rail Link Civil Works, Stations, Rail Infrastructure and Systems packages and relevant environmental impact assessments for the rail projects;
 - Section 10.7 (2&5) planning certificates for properties within the SSP, obtained from Council;
 - Historical and current land title records;
 - Historical aerial photographs obtained from the Department of Lands and Nearmap;
 - Publicly available heritage records held by the Department of Planning and Environment and Council, where readily available;
 - Consideration of EPA and other information relating to potential impacts from per- and polyfluoroalkyl substances (PFAS) associated with historical use of the SSP and surrounding area;
 - The NSW loose fill Asbestos Register;
 - Heritage records held by the DPE;
 - Records of environmental incidents or former environmental licenses as held by the EPA;
 - Regional geological conditions including consideration of salinity and acid sulfate soil conditions; and
 - Licensed bores present within a 1.5 km radius of the SSP available on the Groundwater Resources Map hosted by Water NSW.

SEPP 55 has since been repealed and replaced by State Environmental Planning Policy (Resilience and Hazards) 2021. The investigation has been undertaken accordance with State Environmental Planning Policy (Resilience and Hazards) 2021.



- Review of the environmental setting, including a review of topography, geology, hydrology, hydrogeology and meteorology of the SSP and surrounding areas;
- A detailed site inspection to identify potential areas of environmental concern (AECs) and confirm desktop findings;
- Development and documentation of a preliminary conceptual site model (CSM) based on the available information:
- An assessment of the conditions which may require further consideration, remediation and/or ongoing management during future development stages;
- Evaluation of whether the SSP is or can be made suitable for the proposed rezoning; and
- Preparation of this PSI report.

1.4 Project Summary

1.4.1 Overview

This study relates to a proposal to develop land called the 'Cherrybrook Station Government Land State Significant Precinct' (the State Significant Precinct) by Landcom on behalf of the landowner, Sydney Metro. The State Significant Precinct is centred around Cherrybrook Station on the Metro North West Line. The Metro North West Line delivers a direct connection with the strategic centres of Castle Hill, Norwest, Macquarie Park and Chatswood. It covers 7.7 hectares of government-owned land that comprises the Cherrybrook Station, commuter carpark and station access road (Bradfield Parade) and vacant land to the east of the station (referred to as the Developable Government Land) (DGL). It is bound by Castle Hill Road (south), Franklin Road (south east) and Robert Road (north west).

As a State Significant Precinct, the Minister for Planning and Public Spaces (the Minister) has determined that it is of State planning significance and should be investigated for rezoning. This investigation will be carried out in accordance with study requirements issued by the NSW Department of Planning, Industry and Environment (now Department of Planning and Environment (DPE)) in May 2020. These study requirements were prepared in collaboration with Hornsby Shire Council and The Hills Shire Council.

The outcome of the State Significant Precinct process will be new planning controls. This will enable the making of development applications to create a new mixed-use local centre to support Cherrybrook Station and the needs of the local community.

At the same time, DPE is also working with Hornsby Shire and The Hills Shire Councils, as well as other agencies such as Transport for NSW, to undertake a separate planning process for a broader area called the Cherrybrook Precinct. Unlike the State Significant Precinct, the outcome of this process will not be a rezoning. Instead, it will create a Place Strategy that will help set the longer term future for this broader area. Landcom will be consulted as part of this process.

Figure 1-1 illustrates the site boundaries of the State Significant Precinct and the Cherrybrook Precinct.





Figure 1-1: Cherrybrook Precinct and Cherrybrook Station State Significant Precinct (subject of this proposal)

Source: NSW Department of Planning, Industry & Environment

1.4.2 Purpose

The purpose of this study is to address the relevant study requirements for the State Significant Precinct, as issued by DPE. It is part of a larger, overall State Significant Precinct Study. This State Significant Precinct Study undertakes planning investigations for the precinct in order to achieve a number of objectives that are summarised as follows (refer to the State Significant Precinct Study Planning Report for a full list of the study requirements):

- Facilitate a mixed-use local centre at Cherrybrook Station that supports the function of the station and the needs of the local community;
- Deliver public benefit through a mixed use local centre;
- Deliver transport and movement initiatives and benefits;
- Demonstrate the suitability of the site for the proposed land uses; and
- Prepare a new planning framework for the site to achieve the above objectives.

1.4.3 Proposal

The proposed new planning controls for the State Significant Precinct are based on the investigations undertaken as part of the State Significant Precinct Study process. A Reference Scheme has also been prepared to illustrate one way in which the State Significant Precinct may be developed in the future under the proposed new planning controls.



The proposed planning controls comprise amendments to the Hornsby LEP 2013 to accommodate:

- Rezoning of the site for a combination of R4 High Density Residential, B4 Mixed Use and RE1
 Public Recreation zoned land;
- Building height limits of between 18.5 m 22 m
- Building Floor Space Ratio (FSR) controls of 1:1 1.25:1;
- Inclusion of residential flat buildings as an additional permitted use on the site in the B4 Mixed Use zone;
- Site specific LEP provisions requiring the delivery of a minimum quantity of public open space and a maximum amount of commercial floor space; and
- New site-specific Design Guide addressing matters such as open space, landscaping, land use, built form, sustainability and heritage.

The Reference Scheme (refer to **Figure 2-2**) seeks to create a vibrant, transit-oriented local centre, which will improve housing choice and affordability and seeks to integrate with Hornsby's bushland character. The Reference Scheme includes the following key components:

- Approximately 33 350 m² of residential Gross Floor Area (GFA), with a yield of approximately 390 dwellings across 12 buildings ranging in height from 2 to 5 (when viewed from Bradfield Parade) storeys.
- A multi-purpose community hub with a GFA of approximately 1300 m².
- Approximately 3200 m² of retail GFA.
- Over 1 hectare of public open space, comprising:
 - A village square with an area of approximately 1250 m², flanked by active retail and community uses.
 - A community gathering space with an area of approximately 3250 m².
 - An environmental space around the pond and Blue Gum High Forest with an area of approximately 8450 m².
 - Green corridors and pedestrian through site links, providing opportunities for potential future precinct-wide integration and linkages to the north.

The Reference Scheme (refer to **Figure 2-2**) seeks to create a vibrant, transit-oriented local centre, which will improve housing choice and affordability and seeks to integrate with Hornsby's bushland character.





Figure 2-2: Reference Scheme

Source: SJB

1.5 SMNW Project

Sydney Metro, through its contractor (North west Rapid Transit, NRT), delivered part of the infrastructure and public domain within the station precincts as well as roads. Review of the North West Rapid Transit (NRT) *Project Integrated Management System: Construction Soil and Water Management Plan* (NRT 2015¹¹) has indicated three planning approvals have previously been issued for the broader SMNW Project site including portions of the SSP by the Minister for Planning (NSW Government):

- North West Rail Link Major Civil Construction Works (Critical State Infrastructure Project SSI-5100) – including major earthworks, tunnel/station excavations, and aboveground infrastructure; and
- North West Rail Link Stations, Rail Infrastructure and Systems (Critical State Infrastructure Project SSI-5414) construction and operation of stations and wider precincts, services facilities and rail infrastructure.

In accordance with the approved works relating to the broader SMNW Project site including the SSP site, the following Precinct improvements have been completed:

- Cherrybrook Station with associated public domain plazas and forecourts;
- Internal access roads and services; and
- The commuter car park.

Project Integrated Management System: Construction Soil and Water Management. North west Rapid Transit dated 30 October 2015, NRT 2015;



Review of information identified within the public domain indicated that construction works which had occurred at the SSP were managed in accordance with the following plans:

- Construction Environmental Management Plan. Northwest Rapid Transit Project Integrated Management System dated 12 October 2017, NRT (2017a);
- Construction Soil and Water Management Plan. Northwest Rapid Transit Project Integrated Management System dated 11 October 2017, NRT (2017b); and
- Construction Spoil Management Plan. Northwest Rapid Transit Project Integrated Management System dated 11 October 2017, SEEC (2015).



2. Site Condition and Surrounding Environment

2.1 General

Portions of the SSP site have been substantially altered by activities undertaken in implementation of works approved under SSI-5100 and SSI-5414. On this basis, review of the regional environmental setting pertains to site conditions prior to SMNW Project works, with additional details provided relating to the current conditions, where available.

2.2 Site Identification

The location of the Cherrybrook Station Precinct are shown on **Figure 1.** The current layout and area is shown in **Figure 2**. Site identification details are provided in **Table 2.1**.

Table 2.1 Summary Site Details

The CCD expended of the late.				
The SSP comprises five lots:				
• DP1253104 Lot 30;				
• DP1253104 Lot 31;				
• DP1253104 Lot 32;				
 DP1253104 Lot 33; and 				
• DP1253104 Lot 34.				
As well as two registered road corridors.				
The SSP comprises the following addresses:				
 2 Bradfield Parade, Cherrybrook; 				
 4 Bradfield Parade, Cherrybrook; 				
 6 Bradfield Parade, Cherrybrook; and 				
 1-19 Bradfield Parade, Cherrybrook. 				
The approximate site area is 7.7 ha, as shown on Figure 2 and Figure 3.				
160 m AHD (north east corner)				
180 m AHD (south west corner)				
Hornsby Shire Council (Council)				
Refer to Figure 2				
The Hornsby Local Environmental Plan 2013 (Council 2013):				
R2 – Low Density Residential.				
Mixed – primarily rural residential, agricultural, mixed suburban residential and				
educational facilities (secondary school).				
Mixed suburban residential, public transport (Cherrybrook Station) and associated				
roads and infrastructure.				
Mixed use local centre which supports the function of the station and the needs of				
the local community. The site will comprise the following proposed zones:				
Part B4 – Mixed Use;				
Part R4 – High Density Residential; and				
Part RE1 – Public Recreational				

The SSP comprises an irregularly shaped parcel of land bound by Castle Hill Road, Robert Road, Franklin Road, and low density residential development facing Kayla Way and Oliver Way to the north west and north east of the site respectively.

2.3 Site Condition

2.3.1 General

The SSP was inspected on 31 July 2020 by an environmental consultant trained and experienced in the identification of potential contamination sources. A photographic log is presented in **Appendix A**. The SSP is broadly segregated into the two portions of DGL, north and south of Bradfield Parade, Cherrybrook Station, public spaces, and the commuter car park as shown in **Figure 2**. Each of these areas is separately described following.



With respect to general indicators of contamination, apart from those specifically described in **Section 2.3.2** to **Section 2.3.4**, the following potential contamination sources were not observed during the site inspection:

- Evidence of bulk liquid or other chemical storage/handling;
- Potential asbestos containing materials within current structures, on site surfaces or exposed soil;
- Evidence of stressed or dead vegetation; and
- Evidence of substantial quantities of waste storage, handling or fly tipping across the SSP. Typical public domain and Station waste receptacles were present at the SSP.

2.3.2 Developable Government Land

The DGL is separated into two portions, one north and one south of Bradfield Parade. Both portions of DGL were secured by chain-link and wooden hoarding fences. Access for vehicles and pedestrians was provided by locked gates and the areas were not open to public access.

The northern DGL was dissected by a gravel roadway which led from Bradfield Parade to the northern site portion. The land east and west of the gravel roadway comprised raised/levelled landforms of bare soil and sparse vegetation/ grass cover. Apparent raising and grading of site surfaces had occurred as shown on **Figure 4**, portions of the SSP up to 4 m above the surrounding ground surfaces. North of the landforms stormwater/sediment control measures were apparent, which directed surface water runoff to a stormwater detention basin in the northern most site portion. Where the landforms were substantially raised, they were battered from the surrounding ground surfaces.

The southern DGL comprised a rectangular portion of land to the east of the newly constructed Station and commuter car park which had been raised/levelled, similarly to the northern DGL, up to 4 m above the surrounding ground surfaces. Two stockpiles (<5 m³) were apparent in the southern DGL, which comprised of soil (observed at the surface to be similar in character to the placed fill) and mulch. Similar to the northern DGL, where landforms were substantially raised, a soil batter graded from the levelled surface to the surrounding ground levels.

Ground surfaces comprised a mixture of vegetated and non-vegetated soils. Where observed, bare/exposed soil comprised a mixture of shale and sandstone aggregates with intermixed sand and clay components. The fill material character observed is considered consistent with typical rail tunnel spoil observed by JBS&G at other sites associated with the SMNW Project. Small quantities of building and demolition wastes were observed in the exposed fill material, comprising bricks, concrete and terracotta. No asbestos containing materials were observed in the fill profile.

The stormwater detention basin in the northern most site portion was inundated at the time of the inspection. Two pipes were present on the southern side of the basin, with water flowing into the basin at the time of the inspection. The retained water was clear to slightly turbid and did not exhibit any odours, sheens, slicks or evidence of algal blooms. North west of the detention basin a constructed spillway was present, which lead into a secondary detention basin that directed water offsite via stormwater infrastructure. It is understood that the stormwater basin receives stormwater runoff from the Station.

Infrequent and sporadically distributed rubbish/ general household detritus was observed (plastic containers, plastic sheeting, etc.) was present across ground surfaces over the whole of the DGL.

2.3.3 Cherrybrook Station

The Cherrybrook Station and associated infrastructure was inspected from publicly accessible road areas. The Station included various buildings and structures associated with the operation of the



newly built station. Portions of land surrounding the station buildings were landscaped areas with recently planted vegetation and trees, surrounded by geofabric covered and mulched surfaces.

2.3.4 Public Spaces and Commuter Car Park

Public spaces and the commuter car park were inspected from publicly accessible footpaths and roads. The roads and commuter car park were recently constructed and free from any visual or olfactory indicators of potential contamination at the surface. Newly installed vegetation was in good health.

2.4 Surrounding Land Uses

The surrounding land uses observed during the site inspection and by review of current aerial imagery are identified as follows:

- North east The SSP was bound to the north east residential housing on the southern side of Kayla Way and Oliver Way, across which were low density residential houses, and vacant bushland across the central north.
- South east The SSP was bound to the east by Franklin Road. Further east was the disability services & support organisation, Inala, the Tangara School for Girls and a Sydney Water reservoir tank;
- South west Castle Hill Road was located immediately adjacent to the south western boundary, followed by extensive low-density residential areas in the suburb of West Pennant Hills; and
- North west Robert Road bound the west of the site, across which were extensive lowdensity residential areas in the suburb of Cherrybrook.

According to the ePlanning Spatial Viewer¹², the land to the north and east of the site comprises R2 Low Density Residential and the land to the south and west of the SSP is zoned E4 Environmental Living under the HSC (2013). A printout of the surrounding land use map is provided as **Appendix B**.

The local area is noted to have a history of common activities comprising primarily rural residential, agricultural and low-density residential. No significant potentially contaminating surrounding land uses were identified via desktop review.

2.5 Topography

Review of the Spatial Information Exchange Viewer, LPI (2016¹³) regional topographic map indicated that the SSP is located in a region characterised by gently undulating rises. The southern DGL is the highest point of elevation (185 m) in the area, with gentle slopes down away from this point in a north to north west direction towards Pyes Creek.

NSW Planning Portal (NSW Government) ePlanning Spatial Viewer accessed 3 August 2020 https://www.planningportal.nsw.gov.au/spatialviewer/#/find-a-property/address

Spatial Information Exchange Viewer. NSW Land and Property Information, Accessed 17 July 2020, Hosted on https://maps.six.nsw.gov.au/;



2.6 Geology and Soils

Reference to the online ESPADE 2.1 tool hosted by the NSW Department of Planning, Industry & Environment (DPI 2020¹⁴) and the 1:100 000 Geological Series Sydney Geological Survey of NSW Sheet 9130 (DMR 1991¹⁵) indicates that site is present within the following natural geological and soil landscapes:

Geology:

- Wianamatta Group Ashfield Shale which consists of laminate and dark grey siltstone, Bringelly Shale with occasional calcareous claystone, laminate and infrequent coal, and Minchinbury Sandstone consisting of fine to medium-grained quartz lithic sandstone.
- Landscape: the SSP is within an area of gently undulating rises on Wianamatta Group shale. Local relief is 50 to 80 m with slopes typically 5 to 20 %. Narrow ridges, hillcrests and valleys. Extensively cleared tall open-forest.
- Soils: 'Glenorie Erosional Soils':
 - Shallow to moderately deep (<100 cm) red podzolic soils on crests;
 - Moderately deep (70 to 150 cm) red and brown podzolic soils on upper slopes; and
 - Deep (>200 cm) yellow podzolic soils and gleyed podzolic soils along drainage lines.
- **Limitations** high soil erosion hazard, localised impermeable, highly plastic soil and moderately reactive..

2.7 Salinity

ESPADE 2.1 (DPI 2020) indicates that the SSP is part of the Glenhaven Hydrogeological Landscape. Salinity within this landscape is indicated to be low, with occasional sites present in poorly drained areas of lower slopes and drainage lines. Salt export is low due to high run-off, sandstone dominated drainage lines and limited salt expression. Water electrical conductivity is typically low in incised sandstone streams and can be higher in shale drainage lines.

It is noted that the SSP exists on a hill-crest and has been subject to substantial ground surface alterations.

2.8 Acid Sulfate Soils

DLWC (1998), states that ASS are likely to be located in coastal lowlands up to about 10 m AHD. No risk map for the area encompassing the SSP was provided as part of the acid sulfate soil risk map series, DLWC (1998), typically indicating that such conditions have not been identified based on regional mapping of geology and soil (as discussed in **Section 2.5**).

Review of accessible data using the SEED tool, hosted by NSW OEH (2020¹⁶) indicates that assessment of the broader area has not been required with regard to ASS based on the outcomes of a preliminary evaluation. A printout of the risk map surrounding the SSP is presented in **Appendix C**. Such sites are by default characterised as "no known occurrence", being defined as areas where land management activities are not likely to be affected by ASS materials.

Planning certificates included **Appendix D** do not identify the SSP as being subject to any policies relating to ASS.

Review of the geographical and topographical location of the assessment area, in addition to the geological conditions identified at the SSP has indicated that there is no appreciable risk of acid

¹⁴ ESPADE 2.1. NSW Office of Environment and Heritage, Accessed 17 July 2020, DPI 2020;

^{15 1:100 000} Sydney Geological Map Sheet 9130wp Edition 1. Department of Mineral Resources, Published 1991, DMR 1991

Sharing and Enabling Environmental Data (SEED). https://www.seed.nsw.gov.au/ accessed 17 July 2020;



sulfate soil occurrence in natural residual soils and/or rock at the SSP. On this basis, there is no further requirement for consideration of ASS conditions and/or management of such during future ground disturbance activities.

2.9 Hydrology

The nearest surface water body is Excelsior Creek, though it is noted that this is on the opposite side of the Castle Hill Road crest. The nearest downgradient surface water body is Pyes Creek (~ 1.0 km north) which discharges into Berowra Creek (4.0 km north east) and ultimately Hawkesbury River (26 km north-north east). Pyes Creek is a freshwater environment. Berowra Creek is freshwater inland and estuarine towards the junction with the Hawkesbury River which is an estuarine body.

Local topography (**Section 2.4**) slopes generally downward in a north to north west direction into Pyes Creek. The SSP is covered in a substantial proportion of hardstand, with excess surface water present during periods of rain anticipated to be captured within local stormwater and discharged to Pyes Creek via a combination of overland flow and infiltration into shallow groundwater.

Within recently constructed areas of the SSP (Cherrybrook Station, public spaces and commuter car park), stormwater was managed by recently installed stormwater infrastructure and drainage services.

The majority of the DGL was unsealed at the time of the inspection, with numerous areas of sodden ground (from recent rainfall), and exposed soil present. During periods of heavy rainfall, surface water runoff is likely to migrate from the SSP via infiltration into unsealed surfaces.

2.10 Hydrogeology

ESPADE 2.1 (DPI 2020) indicates that the SSP is part of the Glenhaven Hydrogeological Landscape. Groundwater within the landscape infiltrates through steep hills and flows downslope, laterally along relatively impermeable layers. Vertical flows occur through underlying shale within the rock matrix and along fractures and bedding plains.

Registered groundwater bore information was obtained from the WaterNSW groundwater mapping tools (WaterNSW 2020¹⁷) (**Appendix E**). A review of the registered bore information indicated that there were six registered bores within a 1.5 km radius of the SSP.

Table 2.2 Registered Groundwater Bore Search

Bore ID	Use	Distance / Direction from site	Standing Water Level (m bgl)	Well Depth (m)	Encountered Geology Comments		
GW105750	Domestic	300 m	70.0	126.5	Clay to 8.50 m, shale to 29.50 m,		
		north west			sandstone to 54.50 m, quartz to 58.50		
					m, sandstone to 66.50 m, shale to		
					67.00 m, sandstone to 104.70 m, shale		
					to 106.5 m, sandstone to 126.50 m.		
GW106144	Domestic	1200 m north west	52.0	240.0	Topsoil to 1.00 m, clay to 5.00, shale		
					to 20.00 m, sandstone to 27.00 m,		
					shale to 31.00 m, sandstone to 39.00		
					m, shale to 43.00 m, sandstone to 155		
					m with interbedded shale at 54.00-		
					60.00 m, quartz to 240.00 m.		
GW107347	Domestic	600 m north east	68.0	195.0	Topsoil to 1.00 m, clay to 5.00 m,		
					shale to 51.00 m, sandstone with		
					interbedded shale to 115.00 m,		
					sandstone to 140.00 m, shale to		
					143.00 m, sandstone to 182.00 m,		
					shale to 184.00 m, sandstone to		
					195.00 m.		

¹⁷ All Groundwater Map. WaterNSW, 2020 https://realtimedata.waternsw.com.au/ Accessed 20 July 2020



Bore ID	Use	Distance / Direction from site	Standing Water Level (m bgl)	Well Depth (m)	Encountered Geology Comments
GW111378	Monitoring	950 m north west	6.2	11.8	Silty clay to 0.45 m, clay to 1.60 m, weathered shale to 11.8 m.
GW111379	Monitoring	900 m north west	5.8	10.0	Fill to 0.70 m, clay to 2.00 m, shale to 10.00 m.
GW111380	Monitoring	880 m north west	5.75	9.80	Fill to 0.55 m, clay to 2.30 m, weathered shale to 9.80 m.

Based on the reported geology, topography and depth to groundwater, perched (shallow) groundwater if present within unconsolidated soils is expected to migrate in an north to north west direction towards Pyes Creek.

2.11 Meteorology

The Sydney area has a humid to temperate climate with a seasonal rainfall maximum during the summer and autumn months. The average maximum temperature ranges from 17.5°C in July to 28.6°C in January. The average rainfall for Parramatta North Station is 960.7 mm. Monthly rainfall ranges from 44.2 mm to 126.4 mm (BOM 2000¹⁸).

The area has a history of droughts, which are broken by periods of heavy rainfall resulting in significant recharges to groundwater resources. The 1940s and 1980s and the current decade are observed to be dry periods, while the early 1970s and 1990s were wet periods.

Summer winds are north-easterly with southerly thunderstorms common. Winter winds are westerly.

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http://www.bom.gov.au/climate/averages/tables/cw_066124.shtml
Product IDCJCM0028 prepared at 16 July 2020 and accessed by JBS&G on 20 July 2020;



2.12 Summary of Environmental Media

Environmental media are present as a result of both natural and anthropogenic processes. Each of the site media relevant to identification of potential source-pathway-receptor (SPR) linkages are presented **Table 2.3**.

Table 2.3 Summary of Environmental Media

Medium	Description
Site Media	
Soil/ lithology	Fill – imported to or generated on-site to create current site levels or used to backfill service trenches.
	Clay
	Shale
Groundwater	Perched water table
	Shallow groundwater table
Surface Water	Stormwater basins
Ground Gas	Unsaturated soil pores
Enclosed Space	Buildings, trenches, services, rail tunnel, etc
Air	
Off-site Media	
Soil/ lithology	Fill – imported to or generated on-site to create current site levels or used to backfill service trenches.
	Clay
	Shale
Groundwater	Perched water table
	Shallow groundwater table
Surface Water	Surface water present Pyes Creek, Berowra Creek and Hawkesbury River.
Sediment	Sediment present at the base of surface water features (Pyes Creek, Berowra Creek and Hawkesbury
	River)
Ground Gas	Unsaturated soil pores
Enclosed Space	Buildings, trenches, services, rail tunnel, etc
Air	



3. Site History

3.1 Historical Titles

The SSP currently comprises five individual properties and two registered roads corridors. These properties are understood to have been amalgamated as part of the recent SMNW Project from more than 20 previously registered land parcels.

Historical land title records were obtained for three portions of the SSP, which were considered representative of the range of historical, recent and current land uses. The record and a summary of ownership changes are provided in **Appendix F.**

Records of historical ownership indicate are summarised following for the representative land parcels:

- Lot 30 in Deposited Plan 1253104, subsection Part 1:
 - Freehold and private ownership from 1929 to 2012. The land was owned by an orchardist between 1960 and 1969;
 - Acquired by Transport for New South Wales in 2012 and transferred to Sydney Metro in 2019;
- Lot 30 in Deposited Plan 1253104, subsection Part 2:
 - Freehold and private ownership from 1929 to 2013. The land was owned by an electrical fitter between 1947 and 1987;
 - Acquired by Transport for New South Wales in 2013 and transferred to Sydney Metro in 2019;
- Lot 30 and 32 within DP 1253104, subsection Part 1 and Part 2:
 - Private owners from 1936 to 2013. The land was owned by an orchardist between 1936 and 1957;
 - Acquired by Transport for New South Wales in 2013 and transferred to Sydney Metro in 2019;
- Lot 33 within DP 1253104:
 - Private owners from 1936 to 2007. The land was owned by a merchant, lorry driver, radio technician, shopkeeper, solicitor and nurseryman between 1936 and 1958; and
 - Acquired by Transport for New South Wales in 2013 and transferred to Sydney Metro in 2019.



3.2 Aerial Photographs

Aerial photographs presented in are included in **Appendix G**. A summary of relevant observation is provided in **Table 3.1** below.

Table 3.1 Historical Aerial Photographs

Year	Observations	Likely Site Uses
Pre-SM	NW Project Works	
1930	Castle Hill Road, Robert Road and Franklin Road were clearly visible on the image.	Agricultural and residential
	The SSP was almost entirely used for market gardens. Portions of cleared/vacant land were present on the south east and north west corners. Small structures were observed on the south east corner, likely rural residential houses and sheds.	residential
	The surrounding area beyond the SSP boundary comprised rural/ agricultural residences with market gardens observed north and south of the SSP. Structures in the location of the present day Inala disability support service were observed west of the SSP.	
1943	The north west portion of the SSP had been redeveloped since the previous (1930) aerial image. Several structures were observed within distinct rectangular areas, possibly animal sheds and external fenced/ paddock areas. Additionally, a residential structure was present on the boundary with Castle Hill Road, surrounded by landscaped gardens and associated structures.	
	The balance of the SSP was observed to be similar to the previous aerial image.	
	The surrounding area beyond the SSP boundary comprised rural/ agricultural residences with market gardens observed north and south of the SSP.	
1947	The quality of the image was poor and detailed assessment of the SSP and surrounding land uses was not able to be undertaken.	Agricultural and residential
	The SSP appeared similar to the previous (1943) aerial image. A notable exception was the presence of lightly coloured rectangular allotments on the south east corner, associated with future subdivisions observed in the following image.	
	The surrounding area beyond the SSP boundary comprised rural/agricultural residences with market gardens observed north and south of the SSP.	
1961	The quality of the image was poor and detailed assessment of the SSP and surrounding land uses was not able to be undertaken.	Agricultural and residential
	The SSP had undergone substantial redevelopment since the previous aerial image (1947). Numerous low-density residential properties on large lots were present with associated housing structures. Animal shelters observed in 1943 and 1947 were no longer present on the north west site portion. Additional housing structures were present on the north west site portion, and additional agricultural structures present on the eastern site boundary. A rectangular outline of trees was present in the centre of the SSP, with the balance of the SSP comprising market garden and other agricultural features.	
	The surrounding area beyond the SSP boundary comprised rural/ agricultural residences with market gardens observed south of the SSP. The surrounding area had undergone development since the previous image and was dominated by residential housing. Further structures were observed west of the SSP.	
1966	The quality of the image was poor and detailed assessment of the SSP and surrounding land uses was not able to be undertaken.	Agricultural and residential
	The SSP and surrounding area appeared similar to the previous aerial image (1961).	



Year	Observations	Likely Site Uses
1970	The quality of the image was poor and detailed assessment of the SSP and surrounding land uses was not able to be undertaken.	Agricultural and residential
	The SSP appeared similar to the previous aerial image (1966). Minor amendments to the built form of structures and additional residential and possibly agricultural type structures (sheds, garages, etc.) were constructed since the previous image.	
	The surrounding site area appeared similar to the previous aerial image.	
1984	The quality of the image was poor and detailed assessment of the SSP and surrounding land uses was not able to be undertaken.	Primarily residential
	The SSP appeared broadly similar to the previous aerial image (1966). A residential structure in the north east corner had been demolished and replaced by a larger structure. A dam was observed in the northern portion of the SSP.	
	The surrounding site area appeared similar to the previous aerial image. On the northern site boundary a white shade was observed, the character of which was unable to be discerned.	
1991	The SSP appeared broadly similar to the previous aerial image (1984). An area of disturbed soils was observed in the north west site portion, associated with future residential development observed in the 2002 aerial image. Additional structures adjacent to existing shed/ garage were erected on property in the north west portion of the site, abutting Castle Hill Road.	Primarily residential
	The surrounding site area appeared similar to the previous aerial image.	
2002	The SSP appeared broadly similar to the previous aerial image (1991). The area of disturbed soil observed in 1991 had been developed with several residential houses and associated driveways. Additional houses had also been constructed in the eastern most site portion.	Mixed suburban residential
	Between 1991 and 2010, the central portion of the site became progressively more heavily vegetated.	
	The surrounding site area appeared similar to the previous aerial image. Several additional residential developments were present on the southern side of Castle Hill Road.	
2010	The SSP appeared broadly similar to the previous aerial image (2002). Further residential development in the form of housing and associated structure construction and demolition was observed in some areas of the site and the extent of vegetation canopy cover had also increased.	Mixed suburban residential
	The surrounding site area was observed to be similar to the previous aerial image.	
SMNW	Project Works	
2013	The SSP had been subject to preparations for the SMNW Project works. Residential structures present in the previous (2010) image were not observed in the current image. Stockpiles of soil and temporary structures were present on the SSP. The majority of vegetation had not been altered since the previous image.	Station Construction Activities
	The surrounding site area was observed to be similar to the previous (2010) aerial image.	
2014	The majority of the SSP was observed to have been substantially altered since the previous aerial image (2013). The central and south west portions of the SSP were fenced from the balance of the SSP and contained numerous temporary construction/ staging buildings associated with rail tunnel excavation activities, including temporary water treatment facilities. The rail tunnel was observed in the south western portion of the SSP, orientated north west to south east.	Station Construction Activities
	The northern DGL contained a sediment detention basin and a car park, having been subject to apparent filling and ground surface alterations for this infrastructure. The southern DGL contained an asphalt paved car park and a temporary construction compound.	



Year	Observations	Likely Site Uses
2015	The layout of the SSP was similar to the previous aerial image (2014). The central and south western portion of the SSP contained additional staging compounds and rail excavation/processing infrastructure. A large bunded compound containing grey soil/ rock stockpiles was present in the central northern site portion. Additionally, numerous containers, trucks and vehicles were observed within the fenced compound.	Station Construction Activities
	The southern and southern DGL, and the surrounding site area, appeared similar to the previous aerial image.	
2016	The layout of the SSP was similar to the previous aerial image (2015). The fenced compound contained substantially less temporary/ staging infrastructure, and comprised an apparently bare concrete slab with the tunnel excavation clearly discernible. The southern DGL and surrounding site area appeared similar to the previous image.	Station Construction Activities
	The northern DGL had been subject to additional filling since the previous aerial image, particularly in the north east corner.	
2017	The layout of the SSP was similar to the previous aerial image (2016). The fenced compound was observed to be actively used for rail staging and construction activities, with infrastructure, spoil, and materials present throughout the compound. The sediment basin in the northern corner of the site was not present in this image.	Station Construction Activities
	The southern DGL and the surrounding site area appeared similar to the previous aerial image.	
2018	The layout of the SSP was similar to the previous aerial image (2017). The fenced compound was observed to be actively used for rail staging and construction activities, with infrastructure, spoil, and materials present throughout the compound. Permanent structures were being constructed at the time of this aerial image.	Station Construction Activities
	The northern DGL had been subject to extensive additional spoil stockpiling and placement. The southern DGL and the surrounding site area appeared similar to the previous aerial image.	
2019	The layout of the SSP resembled the current site layout, with Bradfield Parade under construction, visible within the central site portion. Permanent buildings including the commuter car park and Station infrastructure was observed.	Station Construction Activities
	The northern and southern DGLs had been subject to further material importation and placement, with material batters observed on the southern portion of the northern DGL and in the west of the southern DGL	
	The surrounding land appeared similar to the previous aerial image (2018).	
2020	The site had been significantly redeveloped, resulting in the layout as described in Section 2.3 . The surrounding site area appeared similar to the previous aerial image (2019).	Station and infrastructure

3.3 State Regulator (NSW EPA) Records

A review of the EPA's list of NSW Contaminated Sites Notified to EPA (**Appendix G**) identified that the properties comprising the SSP had not been notified to EPA under Section 60 of the *Contaminated Land Management Act 1997* (CLM Act). The search yielded the following information:

- No notices have been issued under the CLM Act for the assessment area and immediate surroundings.
- The assessment area is not on the list of NSW contaminated sites notified to the EPA. A service station located approximately 2 km north west of the SSP has been listed as regulation under CLM Act not required.
- The assessment area is not identified on the list of sites for Per- and poly-fluoroalkyl substances (PFAS) usage. The SSP is approximately 5 km south west of the NSW Rural Fire Services (RFS) training site located at Westleigh, which currently being investigated for



historical PFAS usage. PFAS was detected in low quantities in soil, surface and groundwater samples. Given the propensity for PFAS to migrate through groundwater, and the south west direction of flow of the nearby Berowra Creek (approximately 2 km east of the SSP), there is a potential risk for migration.

A search of the NSW EPA's public register maintained under the *Protection of the Environment Operations Act 1997 (POEO Act 1997)* was undertaken for the SSP and surrounding properties. The results of the search are presented in **Appendix G**. The review identified the following with regards to the SSP:

 No prevention, clean-up or prohibition notices and no transfer, variation, suspension, surrender or revocation of an environment protection licence records were identified to have been issued under the POEO Act for the assessment area and immediate surroundings.

A search of the NSW Fair Trading loose-fill asbestos insulation register found that the SSP has not been identified as containing loose-fill asbestos insulation. The results of the search are presented in **Appendix G**.

3.4 Section 10.7 Council Planning Certificates

Section 10.7 Planning Certificates were obtained from Council for each of the properties which comprise the SSP. The certificates are provided as **Appendix D**. The planning certificates were reviewed to identify potential indicators of contamination or restrictions imposed by environmental conditions at the SSP. In summary:

- Council and other public authority policies on hazard risk restrictions have not been adopted on the basis of potential for acid sulfate soils or land contamination;
- Lot 33 (the northern DGL) is subject to flood related development controls, no other lots are subject to flood related controls;
- Regarding matters prescribed by Section 59(2) of the CLM Act, the land to which the certificates relate, within the meaning of the CLM Act:
 - Are not significantly contaminated;
 - Are not subject to a management order;
 - Are not the subject of an approved voluntary management proposal; and
 - Are not the subject of a site audit statement.
- Some residential homes within Hornsby shire have been identified as containing loose-fill asbestos insulation in the roof spaces.

3.5 Australian and NSW Heritage Register

A search of the Australian Heritage Trust database and the NSW Heritage Inventory was undertaken, and records are included in **Appendix I**.

The search did not identify the presence of any other items of national significance in the immediate vicinity of the assessment area. The search did identify thirteen items of state significance in the Cherrybrook vicinity on the state register, one of which, Inala School, was located directly adjacent to the south-western border of the SSP at 160-168 Castle Hill Road (**Appendix I**). The School has been recognised as a good example of a large early Federation Bungalow style house.



3.6 Summary of Site History and Integrity Assessment

A summary of the site history is provided following:

- 1930-1980: the SSP was primarily used for rural agricultural purposes, with associated residential housing. Over this period it was progressively subdivided and redeveloped for residential purposes, although still at relatively rural (large) lots sizes which may have resulted in retention of some home business/workshop/market garden style premises;
- 1980-2015: the SSP was primarily used for residential purposes;
- 2015-current: the SSP was developed as part of the SMNW project into its current day layout.

Evidence of possible commercial uses within the former premises known as Volume 5880 Foliage 194 (See **Appendix F**) has been identified by review of previous contamination reports (refer to discussion in **Section 4.1**). Review of aerial images identified numerous shed/garage style structures at this premises between 1961 and 2010. Review of the land titles for this lot did not provide further evidence of historical commercial land uses.

Several sources of information were obtained and reviewed to inform the site history assessment. The information sources generally provided consistent information, with no obvious conflicts identified. The information reviewed has therefore been considered appropriate to inform the site history assessment and identification of potentially contaminating historical land uses of significance.



4. Previous Contamination and Geotechnical Reports

4.1 DP (2014) Tank Pit Inspection and Validation

Douglas Partners Pty Ltd undertook a validation assessment following the identification and removal of an underground storage tank (UST) in the approximate location of the previous property known as Volume 5880 Foliage 194. The assessment is documented in DP (2014¹⁹). During earthworks in this portion of the SSP, a UST was uncovered and subsequently exhumed. The residual excavation was the subject of a validation assessment to evaluate whether any residual contamination was present as result of the historical presence or removal of the UST.

The UST was reported to be 2 m in diameter by 3 m to 4 m in length (~15 kL capacity). DP reported that the UST contained a mixture of water and petrol, which was removed by a liquid waste contractor prior to disturbance of the tank. Following exhumation of the tank, the scope of works completed comprised:

- Inspection of the pit;
- Screening of soils with a photoionization detector (PID); and
- Collection and analysis of samples from the tank pit and from stockpiled soils previously used
 as tank backfill. Analysis was undertaken for: heavy metals; total recoverable hydrocarbons
 (TRHs); benzene, toluene, ethylbenzene and xylenes (BTEX compounds); polycyclic aromatic
 hydrocarbons (PAHs); volatile organic compounds (VOCs); polychlorinated biphenyls (PCBs),
 organochlorine pesticides (OCPs); organophosphorus pesticides (OPPs); phenol and asbestos.

The tank was reported to be in good condition, with the exception of a minor leak on the northern aspect. The tank pit was observed to be lined with backfill sands, the base of which were observed to exhibit a hydrocarbon odour and an oily sheen on residual surface water. Free product was reported to be absent from the tank pit.

Backfill sands and a small quantity of residual soils were reported to have been excavated and stockpiled. The stockpiled soils totalled 35 m³ spread across three stockpiles (SP1 to SP3). The stockpiles were subject to sampling and analysis, with analytical results for all compounds (detailed above) less than the adopted assessment criteria (ASC NEPM generic commercial industrial criteria and EPA 1994²⁰). Similarly, the residual soils sampled from the tank pit excavation faces exhibited concentrations of assessed compounds less than the adopted assessment criteria. DP (2014) reported that the soils were considered suitable for reuse on site, subject to there being no substantial odour identified during material handling and placement.

4.2 NRT (2015) Construction Soil and Water management Plan

A construction soil and water management plan (CSWMP) was prepared for works undertaken to complete SSI-5100 and SSI-5414. The CSWMP discusses contamination works undertaken in preparation of the Environmental Impact Statements (EIS) 1 and 2 relating to SSI-5100 and SSi-5414 respectively.

Pertinent to potential site contamination, the following information was extracted:

• Three boreholes were advanced across the SSP. Fill material was encountered from the ground surface to depth ranging between 0.2 m and 0.5 m bgl.

DP (2014) Tank Pit Inspection and Validation – Cherrybrook Station, Castle Hill Road, Cherrybrook NSW. Douglas Partners Pty Ltd reference 73315.01-5.1 dated 3 February 2014.

²⁰ EPA (1994) Contaminated Sites: Guidelines for Assessing Service Station Sites. NSW EPA dated December 1994.



- Fill in the area had been assigned a waste classification of General Solid Waste (nonputrescible in accordance with the EPA waste classification guidelines (EPA 2014²¹);
- Natural soils underlying fill were classified as Virgin Excavated Natural Material (VENM) in accordance with the POEO Act;
- Three shallow groundwater wells were installed at the SSP. One well was able to be sampled with the other two dry. The groundwater was indicated to be free from contamination; and
- Asbestos was not reported to have not been detected by observation or laboratory analysis;
 and
- A UST was encountered and removed during excavation (See **Section 4.1**).

4.3 EMM (2016) Archaeological Test Excavation Report – Late Nineteenth Century Cottage

EMM conducted an archaeological investigation on the south east portion the SSP, including the area occupied by the southern DGL. The investigation was completed following the exposure of historical building features and was undertaken to evaluate whether the features could be defined as 'relics' under the NSW *Heritage Act 1977*.

The investigation identified a deposit of late nineteenth century building features, including a septic tank, path and building foundations. It was reported that it was highly unlikely any relics remain on the SSP which was subject to assessment.

4.4 DP (2016) Report on Geotechnical Assessment Cherrybrook Planning Proposals Cherrybrook Station Precinct

A geotechnical assessment report was prepared by Douglas Partners Pty Ltd (DP 2016²²). The assessment was undertaken on a large parcel of land, including approximately 100 hectares of land north and south of the SSP. The investigation incorporated advancement of boreholes and testing of geotechnical conditions within the portion of the subject site, south of Castle Hill Road and the SSP.

The reported lithological conditions comprised top soil at some locations (base depth 0.1 to 0.3 m bgl), silty clay and clay (base depth 1.3 to 4.1 m bgl), overlying moderately weathered shale (base depth 2.7 to 10.9 m bgl), shale and laminite (base depth 7.6 to 11.6 m bgl), and laminite and sandstone to the depth of investigation.

A geotechnical model was developed for the northern area of the subject site, including the SSP based on the author's professional experience and local desktop resources. The natural lithology was indicated to exhibit the following characteristics:

- Base depth 0.3 m to 1.0 m bgl: topsoil and filling;
- Base depth 0.5 m to 2.0 m bgl: clay;
- Base depth 2.0 m to 7.0 m: Shaly clay and shale; and
- Beyond: shale, decreasing magnitude of weathering with depth.

Groundwater was considered likely to be present below the soil – bedrock interface. DP (2016) reported that separate aquifers were expected in shale and sandstone bedrock, and that temporary groundwater within soils and on upper bedrock would be anticipated following periods of rainfall (i.e. temporal perched water).

The reported conditions are generally concordant with those identified by JBS&G (See Section 2).

²¹ EPA (2014) Waste Classification Guidelines – Part 1: Classifying Waste. NSW EPA dated November 2014.

DP (2016) Report on Geotechnical Assessment – Cherrybrook Planning Proposals Cherrybrook Station Precinct. Douglas Partners Pty Ltd Reference 85450.00.R.001.DftA dated 31 August 2016



4.5 Summary

JBS&G's review of the available reports is summarised following:

- DP (2014): JBS&G's review of this report indicates that, whilst petroleum storage and handling presents a material risk of contamination, potential contamination associated with the storage and handling of fuels in this area and associated with this tank are likely to have been removed from the SSP;
- NRT (2015): This plan does not provide primary information sources. However, the contamination-related information provided concords with JBS&G's opinion of the likely character and extent of contamination conditions at the SSP; and
- DP (2016): This report does not provide any novel indicators or evidence of potential contamination at the SSP.



5. Preliminary Conceptual Site Model

5.1 General

An initial CSM was developed to evaluate the potential for contamination to exist at the site. The initial CSM has been established based on information documented in **Section 2** and **Section 3** of this report. The purpose of the initial CSM is to document the state of knowledge about the nature and extent of potential contamination, where identified by review of the current use of the land, the site history, regional environmental setting, and current development layout.

5.2 Essential Elements of Conceptual Site Model

The ASC NEPM states that a CSM should identify complete and potential pathways between known or potential source(s) and receptor(s), referred to herein as source-pathway-receptor (SPR) linkages. To identify SPR linkages, the following essential elements are required:

- Known and potential sources of contamination, including contaminants of concern, and the mechanism(s) of contamination;
- Potentially affected media;
- Human and ecological receptors; and
- Potential and complete exposure pathways.

5.3 Known and Potential Sources of Contamination

By review and consideration of the information presented in in **Section 2** and **Section 3**. The identified moderate risk items are presented following:

- **Source 1:** Large quantities of fill/soil, of unknown character and origin, imported to, placed and stockpiled on the DGL portions of the site (**Figure 5**, AEC 1 Filled Ground);
- **Source 2:** Current hydrological features including the large stormwater detention basin in the northern portion of the site (**Figure 5**, AEC 2, Stormwater Detention Basin); and
- **Source 3:** Potential historical filling of the site, including application of building/ demolition waste to land and impacts associated with the use of hazardous building materials in former structures prior to works undertaken as part of the SMNW project (Site-wide, though not anticipated in areas of the Station which have been previously excavated).

In addition, items of low materiality were identified relating to:

- **Source 4:** Application of agricultural products (herbicides, pesticides, fertilizers, etc.) to land in support of former agricultural uses (Site-wide, though not anticipated in areas of the Station which have been previously excavated); and
- **Source 5:** Historically reported presence of petroleum storage infrastructure. It is noted that this infrastructure was reportedly exhumed, subject to validation and the residual soils determined to be free from impact.

Each of the potential sources of contamination is summarised in **Table 5.1**. Each of the sources identified in **Table 5.1** comprise either a 'primary source' or an 'ancillary source'. The primary sources are defined as the material(s) from which potential contamination has been introduced to the site. The ancillary sources comprise the media which may have been subsequently impacted by the presence of and interaction with the primary source.

5.4 Potentially Affected Media

Environmental media present at the site have been documented in **Section 2.12**. All on-site media have been documented, in addition to off-site environmental media which may be affected by site



contamination, if present. Each of the known and potential sources of contamination at the site have been documented in **Table 5.1**.

By consideration of the mechanisms of contamination associated with known or potential contamination sources, both primary and ancillary media which may be affected by contamination are documented in **Table 5.1**.



Table 5.1 Known and Potential Sources of Contamination

Mechanism of Contamination ²³	Location	Depth	Primary Medium ²⁴	Ancillary Media ²⁵	Anticipated Distribution	Constituents of Potential concern	Qualitative Risk Rating ²⁶	Status	
	ource 1 – Soil of unknown character and origin placed at the site as part of SMNW Project								
Primary Source: Placement of soil fill to create current site landforms	DGL	Surface to top of previous surface profile	Soil	N/A	Anticipated heterogeneous contaminant distribution (if present)	Principally: asbestos and heavy metals; Possibly: PAHs, TRHs/BTEX, OCPs and PCBs	Low	Potential	
Source 2 – Stormwater detention bas		T	l	l					
Primary Source: Accumulation of potentially impacted surface water runoff within the stormwater detention basin.	Figure 3 Northern DGL	Depth of water	Surface Water	Sediment	Homogenous within surface waters	Principally: gross pollutants, heavy metals, nutrients and physicochemical parameters; Possibly: TRHs/BTEX and PAHs	Low	Potential	
Source 3 – Soil of unknown character	r and origin p	laced at the site pre	evious to SMN	IW Project					
Primary Source: Placement of soil fill to create former site landforms and impacts from historical use of hazardous building materials	Figure 3 All of site	Previous surface profile to natural ground	Soil	N/A	Anticipated heterogeneous contaminant distribution (if present)	Principally: asbestos and heavy metals; Possibly: PAHs, TRHs/BTEX, OCPs and PCBs	Low	Potential	
Source 4 - Historical agricultural/resi	dential practi	ces							
Primary Source: storage, application and potential spills/ leaks of agricultural products and onsite sewerage treatment	Figure 3 All of site	Previous surface profile and shallow soils	Soil	N/A	Anticipated heterogeneous contaminant distribution (if present)	Principally: Heavy metals, TRHs/BTEX and OCPs Possibly: microbiological	Low	Potential	
Source 5 – Historical Storage of Petro	Source 5 – Historical Storage of Petroleum Fuels								
Primary Source: potential spills/ leaks of petroleum fuels during historical storage	Southern Site Area	Below tank level	Soil	Unlikely to be substantially impacted	Top down	Principally: TRHs/BTEX Possibly: lead, phenols	Low	Potential	

²³ The mechanism of contamination is the event(s) or condition(s) which may have resulted in the presence of the source medium entering the SSP.

²⁴ The medium which represents a potential source in the context of a SPR linkage identification.

²⁵ Media impacted by the presence of the primary/ancillary source. Ancillary impacted media may comprise a source within the SPR linkage and require consideration.

The qualitative risk rating is provided on the basis of professional judgement, to aid in the allocation of investigation resources. The risk ranking considers likelihood of occurrence, magnitude of potential impact in severity and extent, ancillary impacts, and potential implications on the assessment outcomes.



5.5 Receptors of Potential Contamination

Both human and ecological receptors of potential contamination have been identified. Each of the receptor populations have been documented below in the context of anticipated broad exposure scenarios. Receptors groups have been identified by consideration of the proposed site redevelopment, in addition to the current utilisation of the surrounding land.

Human receptor groups are identified as follows:

- Onsite receptors:
 - Residents (adults and children);
 - Recreational users (adults and children);
 - Visitors/ users of commercial areas (adults and children);
 - o Adult workers (non-intrusive); and
 - o Adult workers (intrusive).
- Offsite receptors:
 - Residents (adults and children);
 - Recreational users (adults and children);
 - School children;
 - o Visitors/ users of commercial areas and other public spaces (adults and children);
 - Adult workers (non-intrusive); and
 - Adult workers (intrusive).

The ASC NEPM provides a framework of assessment which establishes threshold assessment values, based on achieving designated levels of species protection. Generic ecological receptor groups are identified as follows:

- Primary Consumers: Microorganisms, soil invertebrates and other ecological process supporting biota;
- Primary Consumers: Native and introduced flora; and
- Secondary and Tertiary Consumers: Native and introduced fauna.

By review of the current site layout, the potential presence of flora and fauna is limited at the SSP. Ecological species may access the SSP upon development.

In addition, site contamination may migrate from the SSP via surface water and groundwater to the receiving environment of the Pyes Creek. Potential receptors present within the Pyes Creek comprise freshwater species micro-organisms, invertebrates, plants and vertebrate species. In addition to terrestrial predators who forage and live within the receiving environment.



5.6 Exposure Pathways

5.6.1 Human Receptor Exposure Pathways

Exposure pathways have been defined for environmental media which represent a reasonable potential for exposure under typical site operational conditions. Exposure pathways for each of the relevant environmental media are documented in **Table 5.2**.

Table 5.2: Human Exposure Pathways

Medium	Oral Ingestion	Dermal Contact	Vapour Inhalation	Dust Inhalation
On site Exposure Pathw	vays			
Soil	Incidental	Incidental	Assessed by other media	Incidental
Surface Water	Incidental	Incidental	Assessed by other media	Not a viable pathway
Sediment	Incidental	Incidental	Assessed by other media	Not a viable pathway
Groundwater	Implausible (> 2 m depth)	Implausible (> 2 m depth)	Assessed by other media	Not a viable pathway
Vapour	Implausible	Implausible	Assessed by other enclosed spaces	Not a viable pathway
Enclosed Air Space	Implausible	Implausible	Incidental	Not a viable pathway
Off-site Exposure Pathy	ways			
Soil	Implausible	Implausible	Assessed by other media	Incidental
Groundwater	Incidental / Intentional	Incidental / Intentional	Assessed by other media	Not a viable pathway
Vapour	Implausible	Implausible	Assessed by other enclosed spaces	Not a viable pathway
Enclosed Air Space	Implausible	Implausible	Incidental	Not a viable pathway

5.6.2 Ecological Receptor Exposure Pathways

Exposure pathways have been defined for environmental media which represent a reasonable potential for exposure under typical site operational conditions. The ASC NEPM (Schedule B5b, section 2) lists a range of potential ecological exposure pathways, which can be broadly categorised as either direct contact (i.e. ingestion/ passive absorption within source medium such as soil or surface water), mobile impacts (i.e. ingestion/ passive absorption within secondary medium, such as surface water impacted by migration of site groundwater), or bio-accumulative (i.e. consumption of biota impacted by direct contact with source or secondary media).

In accordance with the ASC NEPM methodology for derivation of ecological investigation levels (EILs), it is considered that direct contact between soils and ecological receptors occurs primarily within the top 2 m of the soil profile. Direct soil contact contaminant uptake to offsite receptors is considered implausible, as it may only occur via generation of windblown dusts under normal conditions.

The surface water bodies at the SSP are intended to be retained under the precinct plan as a 'natural water feature'. There is potential for ecological species to be exposed to surface water and sediment in this water feature. Groundwater is below the ecologically active zone (0 to 2 m bgl). The assessment of potential impacts to ecological receptors by contaminated site water is limited to the receiving water body (Pyes Creek).

Consumption of impacted biota may occur on-site, to the extent that potentially bio-accumulative compounds are present within site soils and absorbed by primary consumers (soil dwellers and plants). Consumption of impacted biota may also occur off-site, within the receiving water body, by migration of impacted surface water and groundwater from the SSP.

Soil-vapour pathways have been considered an implausible pathway for ecological species.



Table 5.3 Ecological Exposure Pathways

Medium	Primary Consumers	Secondary and Tertiary Consumers
On-site Exposure Pat	hways	
Soil	Ingestion / Passive Absorption (<2 m)	Ingestion / Passive Absorption (<2 m)
Groundwater	Not a viable pathway	Not a viable pathway
Surface Water	Ingestion / Passive Absorption	Ingestion / Passive Absorption
Sediment	Ingestion / Passive Absorption	Ingestion / Passive Absorption
Biota	Not a viable pathway	Ingestion of Impacted Biota
Off-site Exposure Pat	hways	
Soil	Implausible	Not a viable pathway
Groundwater	Ingestion / Passive Absorption in Receiving	Ingestion / Passive Absorption in Receiving
	Water Body	Water Body
Surface Water	Ingestion / / Passive Absorption in	Ingestion / Passive Absorption in Receiving
	Receiving Water Body	Water Body
Biota	Not a viable pathway	Ingestion of Impacted Biota

5.7 Potentially Complete Source-Pathway-Receptor Linkages

Potentially complete SPR linkages may exist at the SSP where impacted media (if present) are not identified and managed during remediation works. An assessment of SPR linkages based on the current site layout is likely not reflective the SPR linkages which may exist following development of the SSP.

As such, all environmental media at the SSP which may be impacted (**Table 5.1**) are considered to have the potential to form part of a complete SPR linkage following site development.



6. Discussion

The objective of the investigation, as stated in **Section 1.2**, is to provide a preliminary assessment of site contamination to evaluate whether the SSP is or can be made suitable for the proposed rezoning. The discussion provided following has been prepared on the basis of the understanding of the development context, site history and environmental setting and likely development scenario.

The SSP has historically been used for activities which present a low to moderate potential to have resulted in contamination to land. The uses identified comprise primarily agricultural, then residential, then recently redevelopment under SSI-5100 and SSI-5414. Whilst assessment of the site history has identified potential for contamination to be present at the SSP, indicators of gross and/or widespread contamination were not identified within the SSP. It is noted that detailed inspection of the Station and commuter car park were not undertaken as part of the assessment. The AECs and their relative level of risk are discussed following:

- Recent development work under the SMNW Project has introduced large quantities of soil to the SSP. No information is available within the public domain as to the quality of the material imported to the SSP. Inspection of surfaces indicate that the soil imported and applied to land is likely to comprise rail tunnel spoil, consistent with JBS&G's experience on other SMNW Project precincts. No evidence that the applied fill is contaminated has been identified, noting that the concrete, brick and other building/ demolition wastes were identified and that inspection was limited to visible bare soil surfaces only. Imported soils are therefore considered to present a low contamination risk to the development.
- Current onsite hydrological features represent a low contamination risk to the development.
- There is the potential for sporadic and/ or low levels of contamination to be present within shallow soils of the pre SMNW Project surfaces. Such contamination may have resulted from demolition of structures, application of demolition wastes and other fill material to land to make previous site levels, storage/application of pesticides, herbicides and/or vehicle maintenance. Historical site uses present a low contamination risk to the development.

It is also noted that, with consideration of the most sensitive future land use (residential and possible day care centres as part of future mixed-use), current site operational usage has resulted in the introduction of numerous aesthetic impacts (stormwater detention basins, general site related rubbish, soil stockpiles, etc.) which will require management during development to ensure the SSP is, upon completion, considered suitable for the proposed land use.

Based on discussions with the site owner/operator, it is understood that since the initial site investigation works undertaken in 2020, no access to the site or development works have been undertaken. Based on this, it is unlikely that the assessment conditions encountered in 2020 will have changed in the intervening period.

The study requirements identified in **Section 1.2** have been addressed by the assessment completed herein, as detailed in **Table 6.1**.

Table 6.1 Specific Study Requirements

Reference	Details
15.1 Study Requirement : Provide an assessment of the local soil, outlining its suitability for the proposed the SSP site with respect to erosion, salinity and acid sulphate soils.	
	Outcome: Potential salinity and erosion conditions have been assessed within PSM (2022 ²⁷).

²⁷ Sydney Metro North West (SMNW), Cherrybrook Station Government Land State Significant Precinct (SSP), Geotechnical Desktop Study. Pells Sullivan Meynink reference PSM3675-006L dated 30 March 2022



	Review of the environmental landscape of the SSP indicates that there is no appreciable risk of acid sulfate soil occurrence in natural residual and deposited soils and/or rock at the SSP. On this basis, there is no further requirement for consideration of ASS conditions and/or management of such conditions during future ground disturbance activities.
15.2	Study Requirement: Provide an assessment of the proposed land uses to reflect the Section 9.1 Direction – 2.6 Remediation of Contaminated Land' which requires consideration of contamination in the assessment of planning proposals and more generally in accordance with <i>State Environmental Planning Policy (Resilience and Hazards) 2021.</i>
	Outcome: This PSI report comprises a preliminary investigation of the land carried out in accordance with contaminated land planning guidelines (SEPP-RH and ASC NEPM). It is considered that this report satisfies Clause (5) of 'Section 9.1 Direction – 2.6 Remediation of Contaminated Land'.
	With consideration of the assessment undertaken herein, subject to implementation of an appropriate staged contamination assessment framework and development of any required management strategies, all areas of the SSP could be made for future proposed uses. Such conclusions are consistent with the approach as nominated under SEPP-RH and allows for consideration of the future specific landuse proposals in a staged manner such that a suitable scope for assessment may be completed specific to the proposed development.
15.3	Study Requirement: Consider the requirements of Sydney Regional Environmental Plan 20 – Hawkesbury Nepean River in the SSP planning noting that in relation to the future development applications, the SREP requires development consent for the remediation of contaminated [land].
	Outcome: The site forms part of the land subject to <i>Sydney Regional Environmental Plan 20 – Hawkesbury Nepean River</i> (SREP20). Part 3, Section 11 Clause (4) of SREP20 stipulates the requirement for development consent to be provided by the consent authority to conduct remediation of land. Where any future works identify the requirement to conduct remediation of land to make the site, or part thereof suitable for the proposed land uses, it will require development consent by the consent authority prior to the commencement of remediation. This requirement is typically able to be satisfied by completing the remediation works ancillary to site development.



7. Conclusions and Recommendations

7.1 Conclusions

Based on the scope of investigation undertaken, and in accordance with the limitations in **Section 8**, the following conclusions are provided:

- No significant indications of gross and/or widespread contamination were identified within the SSP. However, there are a number of potentially contaminating activities being undertaken during the site inspection (31 July 2020), or that have previously been undertaken at the SSP that carry a low potential to have introduced localised contamination within areas of the SSP. These areas will require further assessment prior to future development works, such that it may be demonstrated that the SSP, or portions therefore, are suitable (or can be made suitable) for individual development lot uses.
- With consideration of the above, subject to implementation of an appropriate staged contamination assessment framework and development of any required management strategies, it is considered that all areas of the SSP can be made suitable for the proposed future land uses;
- There is no appreciable risk of ASS presence within natural residual or quaternary alluvial soils at the SSP given the formation environment, and therefore no future management for the potential presence of ASS is required during future ground disturbance works;
- It is considered that, whilst potential contamination may be present at the site, the site is able to be made suitable for the proposed development subject to management of contamination if confirmed to be present at the SSP during future investigations or during redevelopment;
- It is recommended that where required to establish the suitability of the SSP, or portions thereof for a specific land use, detailed assessment of contamination conditions are completed during the detailed design phase for each individual development parcel such that site specific development considerations (including the landuse details, the extent of material disturbance, drainage infrastructure and land use scenarios) may be taken into account.



8. Limitations

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

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

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

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

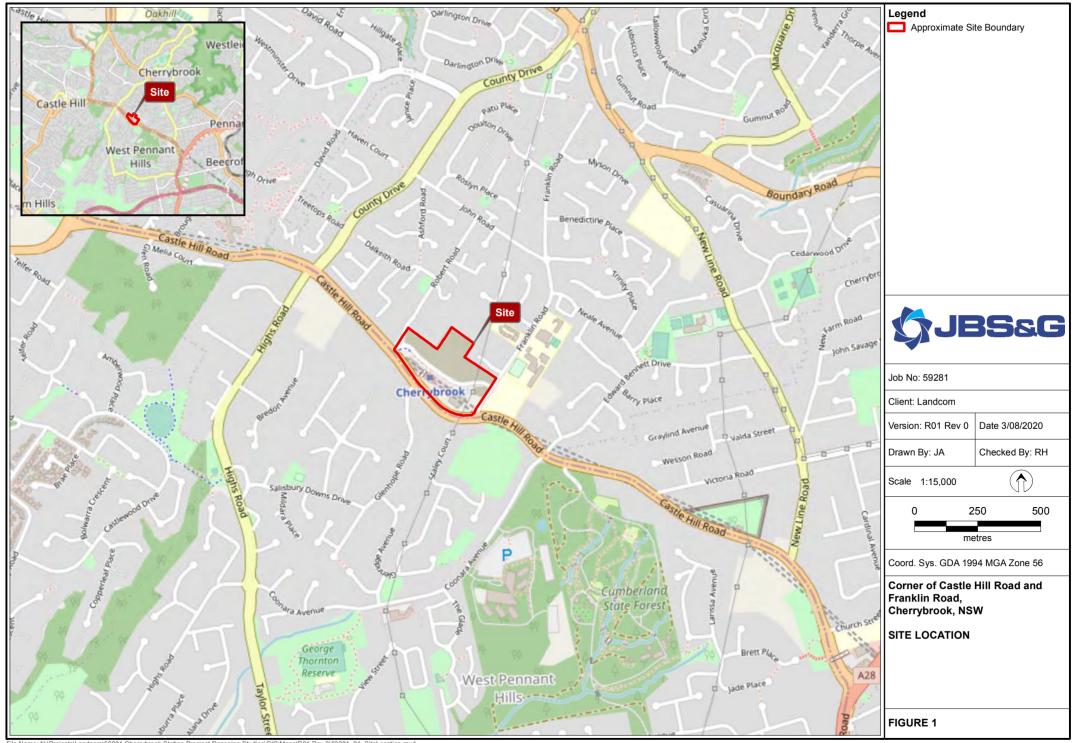
Limited sampling and laboratory analyses were undertaken as part of the investigations undertaken, as described herein. Ground conditions between sampling locations and media may vary, and this should be considered when extrapolating between sampling points. Chemical analytes are based on the information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

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

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



Figures













Appendix A Photographic Log

1 – NORTH WEST SITE CORNER: DGL COMPOUND FENCING AND ROBERT ROAD, FACING SOUTH WEST









3 – WESTERN SITE CORNER: METRO STATION FACING EAST

4 – CASTLE HILL ROAD: CHERRYBROOK METRO STATION, FACING EAST





Client: Landcom	
Version: R01 Rev A	Date: 10/8/20

Drawn By: RH Checked By: JR

Not to Scale

Job No: 59281

Coord. Sys n/a

Cherrybrook SSP





6 - SOUTHERN SITE CORNER: SOUTHERN DGL, DRAINAGE



7 – SOUTHERN SITE CORNER: SOUTHERN DGL, FACING NORTH EAST







Job No: 59281

Client: Landcom

Version: R01 Rev A Date: 10/8/20

Drawn By: RH

Checked By:JR

Not to Scale

Coord. Sys n/a

Cherrybrook SSP





10 - CNR BRADFIELD PARADE AND FRANKLIN ROAD, FILL



11 – NORTHERN BOUNDARY OF SOUTHERN DGL: EXPOSED FILL, FACING SOUTH WEST







Job No: 59281	
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Version: R01 Rev A	Date: 10/8/20

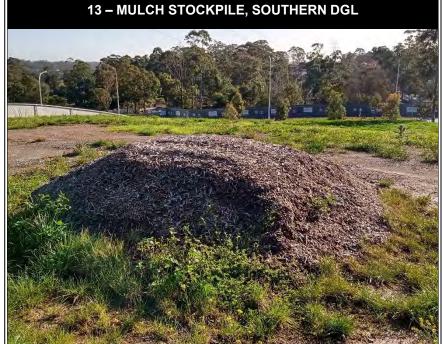
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Not to Scale

Coord. Sys n/a

Cherrybrook SSP





14 – EXPOSED SOILS AND BUILDING RUBBLE IN SOUTHERN



15 – COMMUTER CAR PARK AND METRO STATION, FACING NORTH WEST FROM SOUTHERN DGL







Client: Landcom	
Version: R01 Rev A	Date: 10/8/20

Drawn By:RH Checked By:JR

Not to Scale

Job No: 59281

Coord. Sys n/a

Cherrybrook SSP







19 – NORTHERN DGL, SEDIMENT FENCING, FACING NORTH WEST FROM SOUTH WEST CORNER



20 – NORTHERN DGL STORMWATER DETENTION BASIN, FACING NORTH



Job No: 59281

Client: Landcom

Version: R01 Rev A Date: 10/8/20

Drawn By: RH

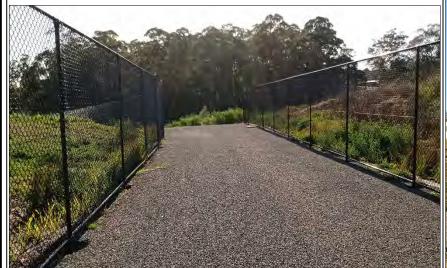
Checked By:JR

Not to Scale

Coord. Sys n/a

Cherrybrook SSP

21 – NORTHERN DGL, SHOWING GRAVEL ACCESS ROUTE TO STORMWATER DETENTION BASIN, FACING NORTH EAST



22 – NORTHERN DGL, SHOWING FILL BATTER, CENTRAL PORTION FACING NORTH WEST





23 – NORTHERN DGL, SHOWING SOUTHERN FILL BATTER AND POOLED SURFACE WATER, CENTRAL PORTION FACING NORTH WEST



24 – NORTHERN DGL, SHOWING SOUTHERN FILL BATTER, CENTRAL PORTION FACING SOUTH WEST



Job No: 59281

Client: Landcom

Version: R01 Rev A Date: 10/8/20

Drawn By:RH Checked By:JR

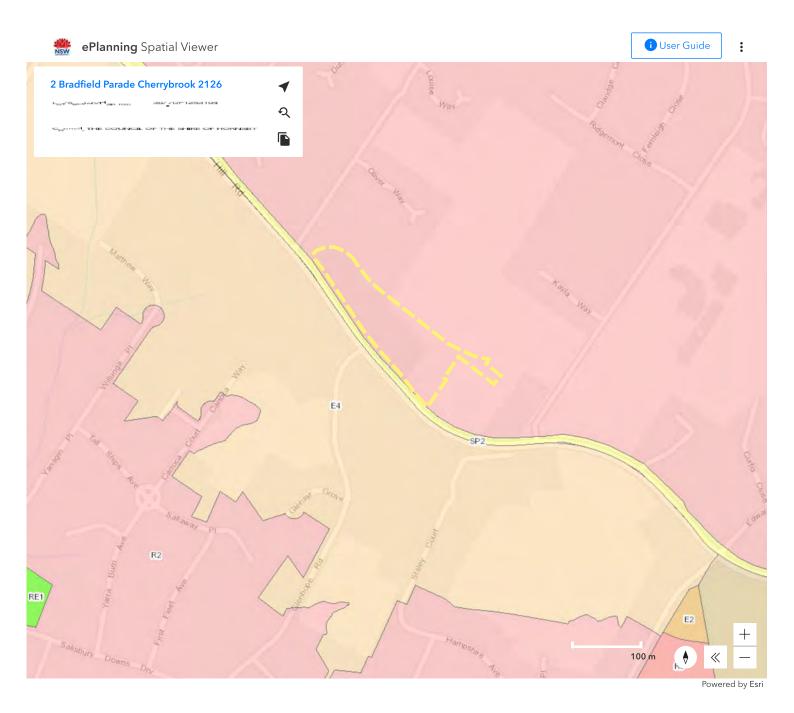
Not to Scale

Coord. Sys n/a

Cherrybrook SSP

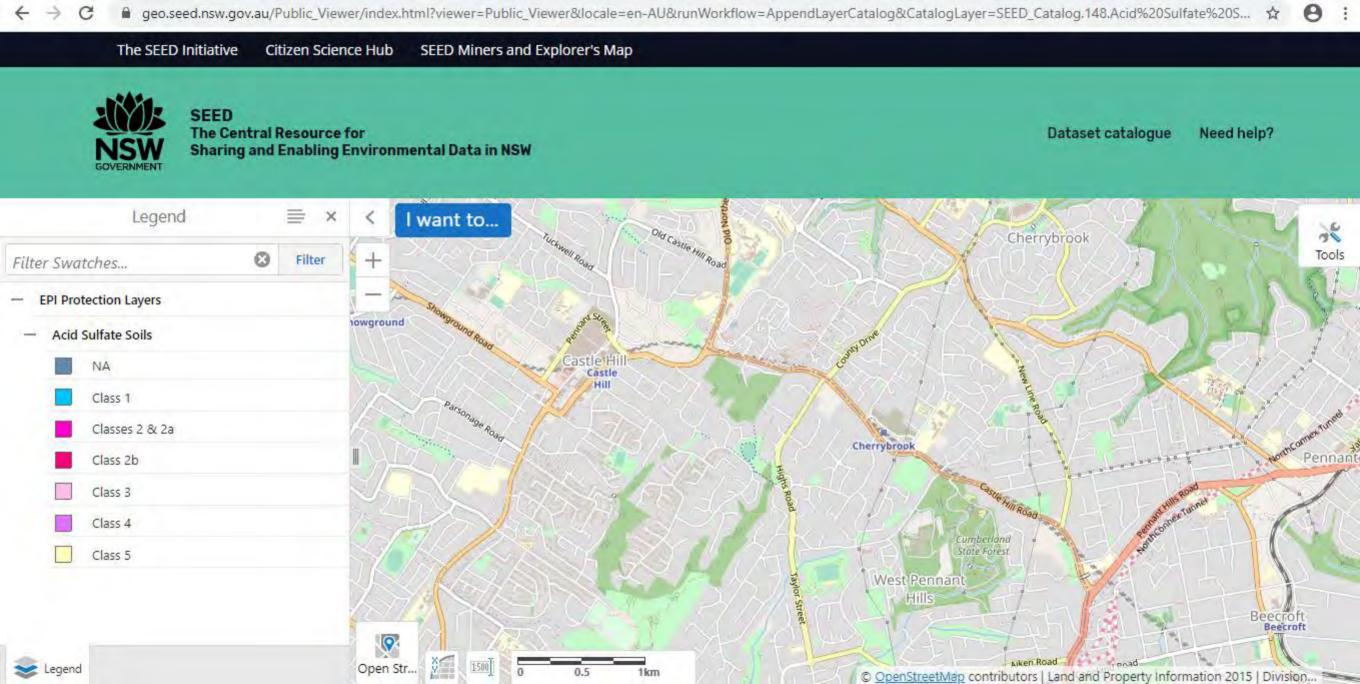


Appendix B ePlanning Spatial Viewer











Appendix D Planning Certificates



Online Services Portal Public User Hornsby Shire Council

PLANNING CERTIFICATE UNDER SECTION 10.7 (2)

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 AS AMENDED

 Certificate Number:
 C2023184

 Reference:
 59281:105941

 Issue Date:
 23 July 2020

 Receipt No.:
 6816742

 Fee Paid:
 \$133.00

ADDRESS: No. 2 Bradfield Parade, CHERRYBROOK NSW 2126

DESCRIPTION: Lot 30 DP 1253104

The land is zoned: R2 Low Density Residential

The information contained in this certificate needs to be read in conjunction with the provisions of the Environmental Planning and Assessment Regulation 2000.

THIS CERTIFICATE IS DIRECTED TO THE FOLLOWING MATTERS PRESCRIBED UNDER SECTION 10.7 (2) OF THE ABOVE ACT.

1. Names of relevant planning instruments and DCPs

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

(A) Local Environmental Plans

The Hornsby Local Environmental Plan (HLEP) 2013, as amended, applies to all land in the Shire unless otherwise stated in this certificate.

Refer to Council's website www.hornsby.nsw.gov.au/hlep to view the HLEP.

State Environmental Planning Policies

SEPP No. 19 - Bushland in Urban Areas

SEPP No. 21 - Caravan Parks

SEPP No. 33 - Hazardous and Offensive Development

SEPP No. 50 - Canal Estate Development

SEPP No. 55 - Remediation of Land

SEPP No. 64 - Advertising and Signage

SEPP No. 65 – Design Quality of Residential Apartment Development

SEPP No. 70 – Affordable Housing (Revised Schemes)

SEPP (Building Sustainability Index: BASIX) 2004

SEPP (Housing for Seniors or People with a Disability) 2004

SEPP (State Significant Precincts) 2005

SEPP (Mining, Petroleum Production and Extractive Industries) 2007

SEPP (Infrastructure) 2007

SEPP (Exempt and Complying Development Codes) 2008

SEPP (Affordable Rental Housing) 2009

SEPP (State and Regional Development) 2011

SEPP (Vegetation in Non-Rural Areas) 2017

SEPP (Educational Establishments and Child Care Facilities) 2017

SEPP (Coastal Management) 2018

SEPP (Concurrences and Consents) 2018

SEPP (Primary Production and Rural Development) 2019

SEPP (Koala Habitat Protection) 2019

Deemed State Environmental Planning Policies

SREP No. 20 - Hawkesbury-Nepean River (No. 2 - 1997).

(2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Secretary has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

(A) Proposed Local Environmental Plans

No proposed Local Environmental Plans apply to this land.

(B) Proposed State Environmental Planning Policies

YES

The proposed State Environmental Planning Policy (Environment) 2017 applies to the land. The proposed SEPP will combine seven existing policies into one with the aim of simplifying and modernising planning rules for a number of water catchments, waterways, urban bushland and Willandra Lakes World Heritage Property. The policies under review which apply in Hornsby Shire are: SEPP No. 19 (Bushland in Urban Areas); SREP No. 20 Hawkesbury-Nepean River 1997 and SREP (Sydney Harbour Catchment) 2005. Further information on the proposed new Environment SEPP can be obtained by viewing the Explanation and Intended Effect and Frequently Asked Questions on the proposed policy Department of Planning, Industry and Environment's https://www.planning.nsw.gov.au/Policy-and-Legislation/State-Environmental-Planning-Policies-Review/Draft-Environment-SEPP

YES

The proposed amendment to State Environmental Planning Policy (State and Regional Development) 2011 applies to Government owned land immediately adjoining all Sydney Metro Northwest stations, including Cherrybrook. The proposed amendment nominates the Minister for Planning as the consent authority for future development on identified Government owned land along the Sydney metro Northwest corridor, if the development meets the criteria of State Significant Development. It proposes that the following development be identified as State Significant Development: 1) a principal subdivision establishing major lots or public domain areas or 2) the creation of new roadways and associated works or 3) has a capital investment value of more than \$30 million. Further information on the proposed amendment to the SEPP including the Consultation Paper and Explanation of Intended Effect can be viewed on the Department of Planning, Industry and Environment's website https://www.planning.nsw.gov.au/Policy-and-Legislation/State-Environmental-Planning-Policies-Review/Sydney-Metro-Northwest-SRD-SEPP

YES

The proposed State Environmental Planning Policy (Short-term Rental Accommodation) 2019 applies to the land. The proposed SEPP is part of a new regulatory framework for short-term rental accommodation in NSW. It includes a state-wide planning framework, a mandatory code of conduct and changes to strata legislation. Further information on the proposed policy and Frequently Asked Questions can be accessed on the Department of

Planning, Industry and Environment's website https://www.planning.nsw.gov.au/policy-and-legislation/under-review-and-new-policy-and-legislation/short-term-holiday-letting

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

Hornsby Development Control Plan (HDCP) 2013

Refer to Council's website www.hornsby.nsw.gov.au/hdcp to view the HDCP.

(4) In this clause, proposed environmental planning instrument includes a planning proposal for a LEP or a draft environmental planning instrument.

2. Zoning of 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).

(A) The HLEP 2013 applies to the land unless otherwise stated in this certificate and identifies the land to be:

R2 Low Density Residential

(B) The purpose for which the instrument provides that development may be carried out within the zone without the need for development consent:

Refer to Attachment

Note: Also refer to the applicable SEPP instrument for provisions regarding Development without Consent and Exempt Development

(C) The purposes for which the instrument provides that development may not be carried out within the zone except the development consent:

Refer to Attachment

Note: Also refer to the applicable SEPP instrument for provisions regarding Development with Consent.

(D) The purposes for which the instrument provides that development is prohibited within the zone:

Refer to Attachment

(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?

NO

(F) Whether the land includes or comprises critical habitat?

NO

(G) Whether the land is in a conservation area (however described)?

NO

(H) Whether an item of environmental heritage (however described) is situated on the land?

NO

2A. Zoning and land use under State Environmental Planning Policy (Sydney Region Growth Centres) 2006

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

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

NO

3. Complying Development

Whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A(1)(c) to (e), (2), (3) and (4), 1.18(1)(c3) and 1.19 of <u>State Environmental Planning Policy (Exempt and Complying Developments Code) 2008</u>. If complying development may not be carried out on that land because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of that Policy, the reasons why it may not be carried out under those clauses.

General Housing Code and Rural Housing Code

Complying Development under the General Housing Code or Rural Housing Code **may be** carried out on the land.

Low Rise Housing Diversity Code

Complying Development under the Low Rise Housing Diversity Code **may not** be carried out on the land. The land is affected by specific land exemptions.

Note. Any specific land exemptions listed apply to all or part of the land. Complying development that is located on a part of the land that does not comprise the land that forms a specific land exemption may be carried out on that part of the land. The land that does not satisfy the various land based requirements under Clauses 1.17A, 1.18 and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 are shown coloured pink in Council's web-based Mapping Application by ticking the "Code SEPP-Non Complying Land/Low Rise Housing Diversity" map layers. The Mapping Application can be accessed on desktop computers, tablets or mobile phones by clicking on the relevant link on Council's HLEP webpage www.hornsby.nsw.gov.au/hlep

Complying development for the purpose of this Policy is not permissible for the
land zone under the Hornsby Local Environmental Plan 2013. Clause 1.18(1)(b)
states that to be complying development for the purpose of this Policy, the
development must be permissible, with consent, under an environmental planning
instrument applying to the land on which the development is carried out.

Commercial and Industrial (New Buildings and Additions) Code

Complying Development under the Commercial and Industrial (New Buildings and Additions) Code **may be** carried out on the land.

Housing Alterations, General Development, Commercial and Industrial Alterations, Container Recycling Facilities, Subdivisions, Demolition and Fire Safety Codes (Other Codes)

Complying Development under the Housing Alterations Code, General Development Code, Commercial and Industrial Alterations Code, Container Recycling Facilities, Subdivisions Code, Demolition Code or Fire Safety Code **may be** carried out on the land.

- 4. (Repealed)
- 4A. (Repealed)
- 4B. Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

Whether the owner (or previous owner) of the land has been consented in writing to the land being subject to annual charges under Section 496B of the <u>Local Government Act</u> <u>1993</u> for coastal protection services that relate to existing coastal protection works (within the meaning of Section 553B of that Act).

Note: "Existing coastal protection works" are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of Section 553B of the <u>Local Government Act 1993</u>.

5. Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of section of the *Coal Mine Subsidence Compensation Act 2017*.

NO

6. Road widening and road realignment

Whether or not the land is affected by any road widening or road alignment under -

(A) Division 2 of Part 3 of the Roads Act 1993; or

NO

(B) any environmental planning instrument; or

NO

(C) any resolution of council?

NO

7. Council and other public authority policies on hazard risk restrictions

Whether or not the land is affected by a policy:

- (a) adopted by council, or
- (b) adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the council,

that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulfate soils or any other risk (other than flooding)?

Council's and other public authorities' policies on hazard risk restrictions are as follows:

(A) Landslip

YES

All or part of the land has a gradient in excess of 20%. Section 1C.1.4 Earthworks and Slope of the *Hornsby DCP 2013* contains provisions that restrict development on land with the potential for landslip. Specifically, the provisions require certification from a

geotechnical engineer as to the stability of the slope in regards to the proposed design of development on sloping sites with a gradient in excess of 20%.

Hornsby DCP 2013 can be viewed on Council's website hornsby.nsw.gov.au/hdcp or at Council's Administration Building or Libraries.

Note: This is a statement of Council and/or Public Authority Policy as the land has a landslip risk but NOT a statement on whether or not the property is or has been affected by landslip.

(B) Bushfire

NO

(C) Tidal inundation

NO

(D) Subsidence

NO

(E) Acid Sulfate Soils

NO

(F) Land contamination

NO

Council's electronic property records do not identify the land to be contaminated, being contaminated, as having been remediated or being remediated. Notwithstanding, consideration of Council's policy and the application of provisions under relevant State legislation may still be warranted if upon further evaluation the land is found to be contaminated or potentially contaminated.

Section 1.C.3.4 Land Contamination of the *Hornsby DCP 2013* contains provisions that restrict the development of land affected by contamination or that is potentially contaminated. Specifically, the provisions may require preliminary contamination assessments, detailed investigations, remedial action plans, validation reports and site audit statements to be undertaken pursuant to *SEPP No. 55 Remediation of Land* before a site is suitable for certain development.

Hornsby DCP 2013 can be viewed on Council's website hornsby.nsw.gov.au/hdcp or at Council's Administration Building or Libraries.

Notes: Council undertakes a thorough review of all relevant records (including hard copy property files) for land within zones with a higher propensity for potentially contaminating

land uses (i.e. non-residential zoned land) to identify previously approved land uses which have the potential to cause contamination in accordance with the *Managing Land Contamination - Planning Guidelines*. The result of this review is provided on Certificates issued under Section 10.7 (5) of the *EP&A Act 1979*.

If you have any queries regarding a landowner's obligations in relation to contamination issues, it is recommended that you seek your own independent professional advice.

(G) Any other risk

NO

7A. Flood related development controls information

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls?

NO

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls?

NO

(3) Word and expressions in this clause have the same meanings as in the Standard Instrument.

8. Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the Act.

(A) State Environmental Planning Policy?

NO

(B) Hornsby Local Environmental Plan 2013?

NO

(C) Planning Proposal?

NO

9. Contribution plans

The name of each contribution plan applying to the land:

Hornsby Section 94 Development Contributions Plan 2014 – 2024 Hornsby Section 7.12 Development Contributions Plan 2019-2029

9A. Biodiversity certified land

Whether the land is biodiversity certified land under Part 8 of the *Biodiversity* Conservation Act 2016?

NO

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.*

10. Biodiversity stewardship sites

Whether the land is land to which a biodiversity stewardship site agreement under Part 5 of the <u>Biodiversity Conservation Act 2016</u> relates, (but only if the council has been notified of the existence of the agreement by the Chief Executive of the Office of the Environment and Heritage)?

NO

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

10A. Native vegetation clearing set asides

Whether the land contains a set aside area under Section 60ZC of the <u>Local Land Services Act 2013</u>, (but only if the council has been notified of the existence of the set aside by Local Land Services or it is registered in the public register under that section)?

NO

11. Bush fire prone land

Whether any of the land has been identified as bush fire prone land?

NO

12. Property vegetation plans

Has the council been notified that a property vegetation plan under Part 4 of the <u>Native</u> <u>Vegetation Act 2003</u> (and that continues in force) applies to this land?

NO

13. Orders under Trees (Disputes Between Neighbours) Act 2006

Whether an order has been made under the <u>Trees (Disputes Between Neighbours) Act</u> <u>2006</u> to carry out work in relation to a tree on this land (but only if the council has been notified of the order)?

NO

14. Directions under Part 3A

Whether there is a direction by the Minister in force under Section 75P_(2)(c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of project or a stage of a project on the land under Part 4 of the Act does not have effect?

NO

15. Site compatibility certificates and conditions for seniors housing

(a) Whether there is a current site compatibility certificate (seniors housing) of which council is aware, issued under <u>State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</u> in respect of proposed development on this land?

NO

(b) Whether there are any terms of a kind referred to in clause 18(2) of <u>State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</u> that have imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land?

NO

16. Site compatibility certificates for infrastructure

Whether there is a valid site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments), issued in respect of proposed development on this land?

NO

17. Site compatibility certificates and conditions for affordable rental housing

(1) Whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land?

NO

(2) Whether there are any terms of a kind referred to in clause 17(1) or 38(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 that have been imposed as a condition of consent to a development application in respect of the land?

NO

18. Paper subdivision information

(1) The name of any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot.

NO DEVELOPMENT PLAN APPLIES

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

NO SUBDIVISION ORDER APPLIES

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

19. Site verification certificates

Whether there is a current site verification certificate, of which the council is aware, in respect of the land?

NO

20. Loose-fill asbestos insulation

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

NO

21. Affected building notices and building product rectification orders

Whether there is any affected building notice of which the council is aware that is in force in respect of the land?

NO

Note: *affected building notice* has the same meaning as in the *Building Products* (*Safety*) *Act* 2017.

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

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

(a) that the land to which the certificate relates is significantly contaminated land within the meaning of that Act - if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,

NO

(b) that the land to which the certificate relates is subject to a management order within the meaning of that Act – if it is subject to such an order at the date when the certificate is issued,

NO

(c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act – if it is the subject of such an approved proposal at the date when the certificate is issued,

NO

(d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act – if it is subject to such an order at the date when the certificate is used,

NO

(e) that the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act – if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

NO

THIS PART IS DIRECTED TO THE FOLLOWING MATTERS PRESCRIBED UNDER SECTION 10.7 (5) OF THE ABOVE ACT

NOTE: "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."

A. Whether a resolution to prepare a Planning Proposal applies to the land?

NO

B. Whether there are draft amendments to the Hornsby Development Control Plan that are on exhibition, have been exhibited or have been adopted by Council for exhibition applying to the land?

NO

C. Whether there are any provisions applying to the land that control the management of trees and vegetation?

YES

Tree and Vegetation Preservation Provisions contained within the SEPP (Vegetation in Non-Rural Areas) 2017 and Hornsby DCP apply to the land.

Note: SEPP (Vegetation in Non-Rural Areas) 2017 can be viewed on the NSW Legislation website at: www.legislation.nsw.gov.au and the Hornsby DCP can be viewed on Council's website hornsby.nsw.gov.au/hdcp or at Council's Administration Building.

D. Whether there are any provisions within the Hornsby LEP applying to the land that controls the management of biodiversity?

NO

E. Whether there are any provisions applying to the land within the Hornsby Local Environmental Plan that control development within a foreshore area?

NO

F. Whether Council has adopted a Voluntary Planning Agreement within the meaning of S7.4 of the Environmental Planning and Assessment Act, 1979, as amended, in relation to the land?

G. Whether the land is within or adjacent to the North West Rail Link as identified on the maps provided by Transport NSW?

YES

Note: Any enquiries on the NWRL should be directed to Transport NSW.

H. Whether the land is subject to the North West Rail Link Corridor Strategy prepared by the Department of Planning, Industry and Environment?

YES

Note: The Department of Planning and Infrastructure and Transport NSW, have prepared the NWRL Corridor Strategy to guide future development around the eight new stations of the NWRL. Any enquiries on the Corridor Strategy should be directed to the Department of Planning and Infrastructure.

I. Whether the land is within or adjacent to an existing rail corridor?

YES

Note: Clauses 85 and 86 of State Environmental Planning Policy (Infrastructure) 2007 requires Council to notify the rail authority of development on land in, above or immediately adjacent to a rail corridor if it is likely to impact on the rail corridor or penetrate 2 metres or more below ground level.

J. Whether the land is in a rural area or located adjacent to a rural area in which agriculture occurs?

NO

- **K.** Whether Council's records show a history of potentially contaminating land use and the land is zoned:
 - Business, Industrial and/or SP2 Infrastructure; or

NO

 RU1 Primary Production, RU2 Rural Landscape, RU4 Primary Production Small Lots or E3 Environmental Management.

NO

Any other risk

NO

Note: This is NOT a statement on whether or not the property is affected by contamination. Council has a policy on contaminated land which may restrict the development of the land. This policy is implemented when zoning, land use changes or further development is proposed on lands which are contaminated, or have previously been used for certain purposes and the contamination status of the land is uncertain. Accordingly, consideration of Council's policy and the application of provisions under relevant State legislation is warranted. If you have any queries regarding a landowner's obligations in relation to contamination issues, it is recommended that you seek your own independent professional advice.

L. Whether the land is subject to risk of "future" exposure to tidal inundation?

NO

M. Whether the land is within or adjacent to the NorthConnex motorway link corridor as identified on the maps provided by the NorthConnex project team?

NO

N. Whether there is potential for loose-fill asbestos insulation to be found on properties that are not listed on the NSW Department of Fair Trading's Loose-Fill Asbestos Public Register

YES

Note: Some residential homes located in Hornsby Shire have been identified as containing loose-fill asbestos insulation in the roof space. The NSW Department of Fair Trading maintains a Public Register of homes that are affected by loose-fill asbestos insulation.

You should make your own enquiries as to the age of the buildings on the land to which this certificate relates, and if it contains a building construction prior to 1980, it is recommended that any potential purchaser obtain advice from a licensed asbestos assessor to determine whether loose-fill asbestos is present in any building on the land and, if so, the risk (if any) this may pose for the building's occupants.

Further information can be obtained by contacting the NSW Department of Fair Trading and viewing the Department's website.

O. Whether there is potential for external combustible cladding to be found on multi-storey buildings on properties in Hornsby Shire?

YES

Note: Some buildings located in Hornsby Shire have been identified as containing combustible cladding. Combustible cladding is a material that is capable of readily burning.

You should make your own enquiries as to the type of materials that have been used to construct the building. It is recommended that the purchaser obtain a building report from an appropriately qualified person to determine if any cladding type material may pose a risk to the building's occupants. Council may issue orders to rectify a building where combustible cladding is found.

Steven Head

General Manager per

PLEASE NOTE: COUNCIL RETAINS THE ELECTRONIC ORIGINAL OF THIS CERTIFICATE.

model.

WHERE THIS CERTIFICATE REFERS TO INFORMATION DISPLAYED ON COUNCIL'S WEBSITE OR TO ANY EXTERNAL WEBSITE, IT REFERS TO INFORMATION DISPLAYED ON THE WEBSITE ON THE DATE THIS CERTIFICATE IS ISSUED.

Hornsby Local Environmental Plan 2013 - Land Use Table

Zone R2Low Density Residential

10bjectives of zone

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

2Permitted without consent

Environmental protection works; Home occupations

3Permitted with consent

Boarding houses; Building identification signs; Business identification signs; Centre-based childcare facilities; Community facilities; Dwelling houses; Educational establishments; Emergency services facilities; Exhibition homes; Flood mitigation works; Group homes; Home-based child care; Home businesses; Information and education facilities; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Public administration buildings; Recreation areas; Recreation facilities (outdoor); Respite day care centres; Roads; Tank-based aquaculture; Tourist and visitor accommodation; Veterinary hospitals; Water reticulation systems

4Prohibited

Backpackers' accommodation; Farm stay accommodation; Hotel or motel accommodation; Serviced apartments; Any other development not specified in item 2 or 3



Online Services Portal Public User Hornsby Shire Council

PLANNING CERTIFICATE UNDER SECTION 10.7 (2)

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 AS AMENDED

 Certificate Number:
 C2023187

 Reference:
 59281:105941

 Issue Date:
 23 July 2020

 Receipt No.:
 6816742

 Fee Paid:
 \$133.00

ADDRESS: No. 4 Bradfield Parade, CHERRYBROOK NSW 2126

DESCRIPTION: Lot 31 DP 1253104

The land is zoned: R2 Low Density Residential

The information contained in this certificate needs to be read in conjunction with the provisions of the Environmental Planning and Assessment Regulation 2000.

THIS CERTIFICATE IS DIRECTED TO THE FOLLOWING MATTERS PRESCRIBED UNDER SECTION 10.7 (2) OF THE ABOVE ACT.

1. Names of relevant planning instruments and DCPs

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

(A) Local Environmental Plans

The Hornsby Local Environmental Plan (HLEP) 2013, as amended, applies to all land in the Shire unless otherwise stated in this certificate.

Refer to Council's website www.hornsby.nsw.gov.au/hlep to view the HLEP.

State Environmental Planning Policies

SEPP No. 19 - Bushland in Urban Areas

SEPP No. 21 - Caravan Parks

SEPP No. 33 - Hazardous and Offensive Development

SEPP No. 50 - Canal Estate Development

SEPP No. 55 - Remediation of Land

SEPP No. 64 - Advertising and Signage

SEPP No. 65 – Design Quality of Residential Apartment Development

SEPP No. 70 – Affordable Housing (Revised Schemes)

SEPP (Building Sustainability Index: BASIX) 2004

SEPP (Housing for Seniors or People with a Disability) 2004

SEPP (State Significant Precincts) 2005

SEPP (Mining, Petroleum Production and Extractive Industries) 2007

SEPP (Infrastructure) 2007

SEPP (Exempt and Complying Development Codes) 2008

SEPP (Affordable Rental Housing) 2009

SEPP (State and Regional Development) 2011

SEPP (Vegetation in Non-Rural Areas) 2017

SEPP (Educational Establishments and Child Care Facilities) 2017

SEPP (Coastal Management) 2018

SEPP (Concurrences and Consents) 2018

SEPP (Primary Production and Rural Development) 2019

SEPP (Koala Habitat Protection) 2019

Deemed State Environmental Planning Policies

SREP No. 20 - Hawkesbury-Nepean River (No. 2 - 1997).

(2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Secretary has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

(A) Proposed Local Environmental Plans

No proposed Local Environmental Plans apply to this land.

(B) Proposed State Environmental Planning Policies

YES

The proposed State Environmental Planning Policy (Environment) 2017 applies to the land. The proposed SEPP will combine seven existing policies into one with the aim of simplifying and modernising planning rules for a number of water catchments, waterways, urban bushland and Willandra Lakes World Heritage Property. The policies under review which apply in Hornsby Shire are: SEPP No. 19 (Bushland in Urban Areas); SREP No. 20 Hawkesbury-Nepean River 1997 and SREP (Sydney Harbour Catchment) 2005. Further information on the proposed new Environment SEPP can be obtained by viewing the Explanation and Intended Effect and Frequently Asked Questions on the proposed policy Department of Planning, Industry and Environment's https://www.planning.nsw.gov.au/Policy-and-Legislation/State-Environmental-Planning-Policies-Review/Draft-Environment-SEPP

YES

The proposed amendment to State Environmental Planning Policy (State and Regional Development) 2011 applies to Government owned land immediately adjoining all Sydney Metro Northwest stations, including Cherrybrook. The proposed amendment nominates the Minister for Planning as the consent authority for future development on identified Government owned land along the Sydney metro Northwest corridor, if the development meets the criteria of State Significant Development. It proposes that the following development be identified as State Significant Development: 1) a principal subdivision establishing major lots or public domain areas or 2) the creation of new roadways and associated works or 3) has a capital investment value of more than \$30 million. Further information on the proposed amendment to the SEPP including the Consultation Paper and Explanation of Intended Effect can be viewed on the Department of Planning, Industry and Environment's website https://www.planning.nsw.gov.au/Policy-and-Legislation/State-Environmental-Planning-Policies-Review/Sydney-Metro-Northwest-SRD-SEPP

YES

The proposed State Environmental Planning Policy (Short-term Rental Accommodation) 2019 applies to the land. The proposed SEPP is part of a new regulatory framework for short-term rental accommodation in NSW. It includes a state-wide planning framework, a mandatory code of conduct and changes to strata legislation. Further information on the proposed policy and Frequently Asked Questions can be accessed on the Department of

Planning, Industry and Environment's website https://www.planning.nsw.gov.au/policy-and-legislation/under-review-and-new-policy-and-legislation/short-term-holiday-letting

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

Hornsby Development Control Plan (HDCP) 2013

Refer to Council's website www.hornsby.nsw.gov.au/hdcp to view the HDCP.

(4) In this clause, proposed environmental planning instrument includes a planning proposal for a LEP or a draft environmental planning instrument.

2. Zoning of 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).

(A) The HLEP 2013 applies to the land unless otherwise stated in this certificate and identifies the land to be:

R2 Low Density Residential

(B) The purpose for which the instrument provides that development may be carried out within the zone without the need for development consent:

Refer to Attachment

Note: Also refer to the applicable SEPP instrument for provisions regarding Development without Consent and Exempt Development

(C) The purposes for which the instrument provides that development may not be carried out within the zone except the development consent:

Refer to Attachment

Note: Also refer to the applicable SEPP instrument for provisions regarding Development with Consent.

(D) The purposes for which the instrument provides that development is prohibited within the zone:

Refer to Attachment

(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?

NO

(F) Whether the land includes or comprises critical habitat?

NO

(G) Whether the land is in a conservation area (however described)?

NO

(H) Whether an item of environmental heritage (however described) is situated on the land?

NO

2A. Zoning and land use under State Environmental Planning Policy (Sydney Region Growth Centres) 2006

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

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

NO

3. Complying Development

Whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A(1)(c) to (e), (2), (3) and (4), 1.18(1)(c3) and 1.19 of <u>State Environmental Planning Policy (Exempt and Complying Developments Code) 2008</u>. If complying development may not be carried out on that land because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of that Policy, the reasons why it may not be carried out under those clauses.

General Housing Code and Rural Housing Code

Complying Development under the General Housing Code or Rural Housing Code **may be** carried out on the land.

Low Rise Housing Diversity Code

Complying Development under the Low Rise Housing Diversity Code **may not** be carried out on the land. The land is affected by specific land exemptions.

Note. Any specific land exemptions listed apply to all or part of the land. Complying development that is located on a part of the land that does not comprise the land that forms a specific land exemption may be carried out on that part of the land. The land that does not satisfy the various land based requirements under Clauses 1.17A, 1.18 and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 are shown coloured pink in Council's web-based Mapping Application by ticking the "Code SEPP-Non Complying Land/Low Rise Housing Diversity" map layers. The Mapping Application can be accessed on desktop computers, tablets or mobile phones by clicking on the relevant link on Council's HLEP webpage www.hornsby.nsw.gov.au/hlep

 Complying development for the purpose of this Policy is not permissible for the land zone under the Hornsby Local Environmental Plan 2013. Clause 1.18(1)(b) states that to be complying development for the purpose of this Policy, the development must be permissible, with consent, under an environmental planning instrument applying to the land on which the development is carried out.

Commercial and Industrial (New Buildings and Additions) Code

Complying Development under the Commercial and Industrial (New Buildings and Additions) Code **may be** carried out on the land.

Housing Alterations, General Development, Commercial and Industrial Alterations, Container Recycling Facilities, Subdivisions, Demolition and Fire Safety Codes (Other Codes)

Complying Development under the Housing Alterations Code, General Development Code, Commercial and Industrial Alterations Code, Container Recycling Facilities, Subdivisions Code, Demolition Code or Fire Safety Code **may be** carried out on the land.

- 4. (Repealed)
- 4A. (Repealed)
- 4B. Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

Whether the owner (or previous owner) of the land has been consented in writing to the land being subject to annual charges under Section 496B of the <u>Local Government Act</u> <u>1993</u> for coastal protection services that relate to existing coastal protection works (within the meaning of Section 553B of that Act).

NO

Note: "Existing coastal protection works" are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of Section 553B of the *Local Government Act 1993*.

5. Mine subsidence

of section of the Coal Mine Subsidence Compensation Act 2017. NO 6. Road widening and road realignment Whether or not the land is affected by any road widening or road alignment under -(A) Division 2 of Part 3 of the Roads Act 1993; or NO (B) any environmental planning instrument; or NO (C) any resolution of council? NO 7. Council and other public authority policies on hazard risk restrictions Whether or not the land is affected by a policy: (a) adopted by council, or (b) adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the council, that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulfate soils or any other risk (other than flooding)? Council's and other public authorities' policies on hazard risk restrictions are as follows: (A) Landslip NO (B) **Bushfire** NO

(C)

Tidal inundation

Whether or not the land is proclaimed to be a mine subsidence district within the meaning

NO

(D) Subsidence

NO

(E) Acid Sulfate Soils

NO

(F) Land contamination

NO

Council's electronic property records do not identify the land to be contaminated, being contaminated, as having been remediated or being remediated. Notwithstanding, consideration of Council's policy and the application of provisions under relevant State legislation may still be warranted if upon further evaluation the land is found to be contaminated or potentially contaminated.

Section 1.C.3.4 Land Contamination of the *Hornsby DCP 2013* contains provisions that restrict the development of land affected by contamination or that is potentially contaminated. Specifically, the provisions may require preliminary contamination assessments, detailed investigations, remedial action plans, validation reports and site audit statements to be undertaken pursuant to *SEPP No. 55 Remediation of Land* before a site is suitable for certain development.

Hornsby DCP 2013 can be viewed on Council's website hornsby.nsw.gov.au/hdcp or at Council's Administration Building or Libraries.

Notes: Council undertakes a thorough review of all relevant records (including hard copy property files) for land within zones with a higher propensity for potentially contaminating land uses (i.e. non-residential zoned land) to identify previously approved land uses which have the potential to cause contamination in accordance with the *Managing Land Contamination - Planning Guidelines*. The result of this review is provided on Certificates issued under Section 10.7 (5) of the *EP&A Act 1979*.

If you have any queries regarding a landowner's obligations in relation to contamination issues, it is recommended that you seek your own independent professional advice.

(G) Any other risk

NO

7A. Flood related development controls information

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls?

NO

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls?

NO

(3) Word and expressions in this clause have the same meanings as in the Standard Instrument.

8. Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the Act.

(A) State Environmental Planning Policy?

NO

(B) Hornsby Local Environmental Plan 2013?

NO

(C) Planning Proposal?

NO

9. Contribution plans

The name of each contribution plan applying to the land:

Hornsby Section 94 Development Contributions Plan 2014 – 2024 Hornsby Section 7.12 Development Contributions Plan 2019-2029

9A. Biodiversity certified land

Whether 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.*

10. Biodiversity stewardship sites

Whether the land is land to which a biodiversity stewardship site agreement under Part 5 of the <u>Biodiversity Conservation Act 2016</u> relates, (but only if the council has been notified of the existence of the agreement by the Chief Executive of the Office of the Environment and Heritage)?

NO

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

10A. Native vegetation clearing set asides

Whether the land contains a set aside area under Section 60ZC of the <u>Local Land Services Act 2013</u>, (but only if the council has been notified of the existence of the set aside by Local Land Services or it is registered in the public register under that section)?

NO

11. Bush fire prone land

Whether any of the land has been identified as bush fire prone land?

NO

12. Property vegetation plans

Has the council been notified that a property vegetation plan under Part 4 of the <u>Native</u> <u>Vegetation Act 2003</u> (and that continues in force) applies to this land?

NO

13. Orders under Trees (Disputes Between Neighbours) Act 2006

Whether an order has been made under the <u>Trees (Disputes Between Neighbours) Act</u> <u>2006</u> to carry out work in relation to a tree on this land (but only if the council has been notified of the order)?

NO

14. Directions under Part 3A

Whether there is a direction by the Minister in force under Section 75P_(2)(c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of project or a stage of a project on the land under Part 4 of the Act does not have effect?

NO

15. Site compatibility certificates and conditions for seniors housing

(a) Whether there is a current site compatibility certificate (seniors housing) of which council is aware, issued under <u>State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</u> in respect of proposed development on this land?

NO

(b) Whether there are any terms of a kind referred to in clause 18(2) of <u>State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</u> that have imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land?

NO

16. Site compatibility certificates for infrastructure

Whether there is a valid site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments), issued in respect of proposed development on this land?

NO

17. Site compatibility certificates and conditions for affordable rental housing

(1) Whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land?

NO

(2) Whether there are any terms of a kind referred to in clause 17(1) or 38(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 that have been imposed as a condition of consent to a development application in respect of the land?

NO

18. Paper subdivision information

(1) The name of any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot.

NO DEVELOPMENT PLAN APPLIES

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

NO SUBDIVISION ORDER APPLIES

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

19. Site verification certificates

Whether there is a current site verification certificate, of which the council is aware, in respect of the land?

NO

20. Loose-fill asbestos insulation

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

NO

21. Affected building notices and building product rectification orders

Whether there is any affected building notice of which the council is aware that is in force in respect of the land?

NO

Note: *affected building notice* has the same meaning as in the *Building Products* (*Safety*) *Act* 2017.

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

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

(a) that the land to which the certificate relates is significantly contaminated land within the meaning of that Act - if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,

(b) that the land to which the certificate relates is subject to a management order within the meaning of that Act – if it is subject to such an order at the date when the certificate is issued,

NO

(c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act – if it is the subject of such an approved proposal at the date when the certificate is issued,

NO

(d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act – if it is subject to such an order at the date when the certificate is used,

NO

(e) that the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act – if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

THIS PART IS DIRECTED TO THE FOLLOWING MATTERS PRESCRIBED UNDER SECTION 10.7 (5) OF THE ABOVE ACT

NOTE: "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."

A. Whether a resolution to prepare a Planning Proposal applies to the land?

NO

B. Whether there are draft amendments to the Hornsby Development Control Plan that are on exhibition, have been exhibited or have been adopted by Council for exhibition applying to the land?

NO

C. Whether there are any provisions applying to the land that control the management of trees and vegetation?

YES

Tree and Vegetation Preservation Provisions contained within the SEPP (Vegetation in Non-Rural Areas) 2017 and Hornsby DCP apply to the land.

Note: SEPP (Vegetation in Non-Rural Areas) 2017 can be viewed on the NSW Legislation website at: www.legislation.nsw.gov.au and the Hornsby DCP can be viewed on Council's website hornsby.nsw.gov.au/hdcp or at Council's Administration Building.

D. Whether there are any provisions within the Hornsby LEP applying to the land that controls the management of biodiversity?

NO

E. Whether there are any provisions applying to the land within the Hornsby Local Environmental Plan that control development within a foreshore area?

NO

F. Whether Council has adopted a Voluntary Planning Agreement within the meaning of S7.4 of the Environmental Planning and Assessment Act, 1979, as amended, in relation to the land?

NO

G. Whether the land is within or adjacent to the North West Rail Link as identified on the maps provided by Transport NSW?

YES

Note: Any enquiries on the NWRL should be directed to Transport NSW.

H. Whether the land is subject to the North West Rail Link Corridor Strategy prepared by the Department of Planning, Industry and Environment?

YES

Note: The Department of Planning and Infrastructure and Transport NSW, have prepared the NWRL Corridor Strategy to guide future development around the eight new stations of the NWRL. Any enquiries on the Corridor Strategy should be directed to the Department of Planning and Infrastructure.

I. Whether the land is within or adjacent to an existing rail corridor?

YES

Note: Clauses 85 and 86 of State Environmental Planning Policy (Infrastructure) 2007 requires Council to notify the rail authority of development on land in, above or immediately adjacent to a rail corridor if it is likely to impact on the rail corridor or penetrate 2 metres or more below ground level.

J. Whether the land is in a rural area or located adjacent to a rural area in which agriculture occurs?

NO

- **K.** Whether Council's records show a history of potentially contaminating land use and the land is zoned:
 - Business, Industrial and/or SP2 Infrastructure; or

NO

 RU1 Primary Production, RU2 Rural Landscape, RU4 Primary Production Small Lots or E3 Environmental Management.

Any other risk

NO

Note: This is NOT a statement on whether or not the property is affected by contamination. Council has a policy on contaminated land which may restrict the development of the land. This policy is implemented when zoning, land use changes or further development is proposed on lands which are contaminated, or have previously been used for certain purposes and the contamination status of the land is uncertain. Accordingly, consideration of Council's policy and the application of provisions under relevant State legislation is warranted. If you have any queries regarding a landowner's obligations in relation to contamination issues, it is recommended that you seek your own independent professional advice.

L. Whether the land is subject to risk of "future" exposure to tidal inundation?

NO

M. Whether the land is within or adjacent to the NorthConnex motorway link corridor as identified on the maps provided by the NorthConnex project team?

NO

N. Whether there is potential for loose-fill asbestos insulation to be found on properties that are not listed on the NSW Department of Fair Trading's Loose-Fill Asbestos Public Register

YES

Note: Some residential homes located in Hornsby Shire have been identified as containing loose-fill asbestos insulation in the roof space. The NSW Department of Fair Trading maintains a Public Register of homes that are affected by loose-fill asbestos insulation.

You should make your own enquiries as to the age of the buildings on the land to which this certificate relates, and if it contains a building construction prior to 1980, it is recommended that any potential purchaser obtain advice from a licensed asbestos assessor to determine whether loose-fill asbestos is present in any building on the land and, if so, the risk (if any) this may pose for the building's occupants.

Further information can be obtained by contacting the NSW Department of Fair Trading and viewing the Department's website.

O. Whether there is potential for external combustible cladding to be found on multi-storey buildings on properties in Hornsby Shire?

YES

Note: Some buildings located in Hornsby Shire have been identified as containing combustible cladding. Combustible cladding is a material that is capable of readily burning.

You should make your own enquiries as to the type of materials that have been used to construct the building. It is recommended that the purchaser obtain a building report from an appropriately qualified person to determine if any cladding type material may pose a risk to the building's occupants. Council may issue orders to rectify a building where combustible cladding is found.

Steven Head

General Manager per

PLEASE NOTE: COUNCIL RETAINS THE ELECTRONIC ORIGINAL OF THIS CERTIFICATE.

model.

WHERE THIS CERTIFICATE REFERS TO INFORMATION DISPLAYED ON COUNCIL'S WEBSITE OR TO ANY EXTERNAL WEBSITE, IT REFERS TO INFORMATION DISPLAYED ON THE WEBSITE ON THE DATE THIS CERTIFICATE IS ISSUED.

Hornsby Local Environmental Plan 2013 - Land Use Table

Zone R2Low Density Residential

10bjectives of zone

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

2Permitted without consent

Environmental protection works; Home occupations

3Permitted with consent

Boarding houses; Building identification signs; Business identification signs; Centre-based childcare facilities; Community facilities; Dwelling houses; Educational establishments; Emergency services facilities; Exhibition homes; Flood mitigation works; Group homes; Home-based child care; Home businesses; Information and education facilities; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Public administration buildings; Recreation areas; Recreation facilities (outdoor); Respite day care centres; Roads; Tank-based aquaculture; Tourist and visitor accommodation; Veterinary hospitals; Water reticulation systems

4Prohibited

Backpackers' accommodation; Farm stay accommodation; Hotel or motel accommodation; Serviced apartments; Any other development not specified in item 2 or 3



Online Services Portal Public User Hornsby Shire Council

PLANNING CERTIFICATE UNDER SECTION 10.7 (2)

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 AS AMENDED

 Certificate Number:
 C2023189

 Reference:
 59281:105941

 Issue Date:
 23 July 2020

 Receipt No.:
 6816742

 Fee Paid:
 \$133.00

ADDRESS: No. 6 Bradfield Parade, CHERRYBROOK NSW 2126

DESCRIPTION: Lot 32 DP 1253104

The land is zoned: R2 Low Density Residential

The information contained in this certificate needs to be read in conjunction with the provisions of the Environmental Planning and Assessment Regulation 2000.

THIS CERTIFICATE IS DIRECTED TO THE FOLLOWING MATTERS PRESCRIBED UNDER SECTION 10.7 (2) OF THE ABOVE ACT.

1. Names of relevant planning instruments and DCPs

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

(A) Local Environmental Plans

The Hornsby Local Environmental Plan (HLEP) 2013, as amended, applies to all land in the Shire unless otherwise stated in this certificate.

Refer to Council's website www.hornsby.nsw.gov.au/hlep to view the HLEP.

State Environmental Planning Policies

SEPP No. 19 - Bushland in Urban Areas

SEPP No. 21 - Caravan Parks

SEPP No. 33 - Hazardous and Offensive Development

SEPP No. 50 - Canal Estate Development

SEPP No. 55 - Remediation of Land

SEPP No. 64 - Advertising and Signage

SEPP No. 65 – Design Quality of Residential Apartment Development

SEPP No. 70 – Affordable Housing (Revised Schemes)

SEPP (Building Sustainability Index: BASIX) 2004

SEPP (Housing for Seniors or People with a Disability) 2004

SEPP (State Significant Precincts) 2005

SEPP (Mining, Petroleum Production and Extractive Industries) 2007

SEPP (Infrastructure) 2007

SEPP (Exempt and Complying Development Codes) 2008

SEPP (Affordable Rental Housing) 2009

SEPP (State and Regional Development) 2011

SEPP (Vegetation in Non-Rural Areas) 2017

SEPP (Educational Establishments and Child Care Facilities) 2017

SEPP (Coastal Management) 2018

SEPP (Concurrences and Consents) 2018

SEPP (Primary Production and Rural Development) 2019

SEPP (Koala Habitat Protection) 2019

Deemed State Environmental Planning Policies

SREP No. 20 - Hawkesbury-Nepean River (No. 2 - 1997).

(2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Secretary has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

(A) Proposed Local Environmental Plans

No proposed Local Environmental Plans apply to this land.

(B) Proposed State Environmental Planning Policies

YES

The proposed State Environmental Planning Policy (Environment) 2017 applies to the land. The proposed SEPP will combine seven existing policies into one with the aim of simplifying and modernising planning rules for a number of water catchments, waterways, urban bushland and Willandra Lakes World Heritage Property. The policies under review which apply in Hornsby Shire are: SEPP No. 19 (Bushland in Urban Areas); SREP No. 20 Hawkesbury-Nepean River 1997 and SREP (Sydney Harbour Catchment) 2005. Further information on the proposed new Environment SEPP can be obtained by viewing the Explanation and Intended Effect and Frequently Asked Questions on the proposed policy Department of Planning, Industry and Environment's https://www.planning.nsw.gov.au/Policy-and-Legislation/State-Environmental-Planning-Policies-Review/Draft-Environment-SEPP

YES

The proposed amendment to State Environmental Planning Policy (State and Regional Development) 2011 applies to Government owned land immediately adjoining all Sydney Metro Northwest stations, including Cherrybrook. The proposed amendment nominates the Minister for Planning as the consent authority for future development on identified Government owned land along the Sydney metro Northwest corridor, if the development meets the criteria of State Significant Development. It proposes that the following development be identified as State Significant Development: 1) a principal subdivision establishing major lots or public domain areas or 2) the creation of new roadways and associated works or 3) has a capital investment value of more than \$30 million. Further information on the proposed amendment to the SEPP including the Consultation Paper and Explanation of Intended Effect can be viewed on the Department of Planning, Industry and Environment's website https://www.planning.nsw.gov.au/Policy-and-Legislation/State-Environmental-Planning-Policies-Review/Sydney-Metro-Northwest-SRD-SEPP

YES

The proposed State Environmental Planning Policy (Short-term Rental Accommodation) 2019 applies to the land. The proposed SEPP is part of a new regulatory framework for short-term rental accommodation in NSW. It includes a state-wide planning framework, a mandatory code of conduct and changes to strata legislation. Further information on the proposed policy and Frequently Asked Questions can be accessed on the Department of

Planning, Industry and Environment's website https://www.planning.nsw.gov.au/policy-and-legislation/under-review-and-new-policy-and-legislation/short-term-holiday-letting

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

Hornsby Development Control Plan (HDCP) 2013

Refer to Council's website www.hornsby.nsw.gov.au/hdcp to view the HDCP.

(4) In this clause, proposed environmental planning instrument includes a planning proposal for a LEP or a draft environmental planning instrument.

2. Zoning of 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).

(A) The HLEP 2013 applies to the land unless otherwise stated in this certificate and identifies the land to be:

R2 Low Density Residential

(B) The purpose for which the instrument provides that development may be carried out within the zone without the need for development consent:

Refer to Attachment

Note: Also refer to the applicable SEPP instrument for provisions regarding Development without Consent and Exempt Development

(C) The purposes for which the instrument provides that development may not be carried out within the zone except the development consent:

Refer to Attachment

Note: Also refer to the applicable SEPP instrument for provisions regarding Development with Consent.

(D) The purposes for which the instrument provides that development is prohibited within the zone:

Refer to Attachment

(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?

NO

(F) Whether the land includes or comprises critical habitat?

NO

(G) Whether the land is in a conservation area (however described)?

NO

(H) Whether an item of environmental heritage (however described) is situated on the land?

NO

2A. Zoning and land use under State Environmental Planning Policy (Sydney Region Growth Centres) 2006

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

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

NO

3. Complying Development

Whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A(1)(c) to (e), (2), (3) and (4), 1.18(1)(c3) and 1.19 of <u>State Environmental Planning Policy (Exempt and Complying Developments Code) 2008</u>. If complying development may not be carried out on that land because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of that Policy, the reasons why it may not be carried out under those clauses.

General Housing Code and Rural Housing Code

Complying Development under the General Housing Code or Rural Housing Code **may be** carried out on the land.

Low Rise Housing Diversity Code

Complying Development under the Low Rise Housing Diversity Code **may not** be carried out on the land. The land is affected by specific land exemptions.

Note. Any specific land exemptions listed apply to all or part of the land. Complying development that is located on a part of the land that does not comprise the land that forms a specific land exemption may be carried out on that part of the land. The land that does not satisfy the various land based requirements under Clauses 1.17A, 1.18 and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 are shown coloured pink in Council's web-based Mapping Application by ticking the "Code SEPP-Non Complying Land/Low Rise Housing Diversity" map layers. The Mapping Application can be accessed on desktop computers, tablets or mobile phones by clicking on the relevant link on Council's HLEP webpage www.hornsby.nsw.gov.au/hlep

 Complying development for the purpose of this Policy is not permissible for the land zone under the Hornsby Local Environmental Plan 2013. Clause 1.18(1)(b) states that to be complying development for the purpose of this Policy, the development must be permissible, with consent, under an environmental planning instrument applying to the land on which the development is carried out.

Commercial and Industrial (New Buildings and Additions) Code

Complying Development under the Commercial and Industrial (New Buildings and Additions) Code **may be** carried out on the land.

Housing Alterations, General Development, Commercial and Industrial Alterations, Container Recycling Facilities, Subdivisions, Demolition and Fire Safety Codes (Other Codes)

Complying Development under the Housing Alterations Code, General Development Code, Commercial and Industrial Alterations Code, Container Recycling Facilities, Subdivisions Code, Demolition Code or Fire Safety Code **may be** carried out on the land.

- 4. (Repealed)
- 4A. (Repealed)
- 4B. Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

Whether the owner (or previous owner) of the land has been consented in writing to the land being subject to annual charges under Section 496B of the <u>Local Government Act</u> <u>1993</u> for coastal protection services that relate to existing coastal protection works (within the meaning of Section 553B of that Act).

Note: "Existing coastal protection works" are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of Section 553B of the *Local Government Act 1993*.

5. Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of section of the *Coal Mine Subsidence Compensation Act 2017*.

NO

6. Road widening and road realignment

Whether or not the land is affected by any road widening or road alignment under -

(A) Division 2 of Part 3 of the *Roads Act 1993*; or

NO

(B) any environmental planning instrument; or

NO

(C) any resolution of council?

NO

7. Council and other public authority policies on hazard risk restrictions

Whether or not the land is affected by a policy:

- (a) adopted by council, or
- (b) adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the council,

that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulfate soils or any other risk (other than flooding)?

Council's and other public authorities' policies on hazard risk restrictions are as follows:

(A) Landslip

(B) Bushfire

NO

(C) Tidal inundation

NO

(D) Subsidence

NO

(E) Acid Sulfate Soils

NO

(F) Land contamination

NO

Council's electronic property records do not identify the land to be contaminated, being contaminated, as having been remediated or being remediated. Notwithstanding, consideration of Council's policy and the application of provisions under relevant State legislation may still be warranted if upon further evaluation the land is found to be contaminated or potentially contaminated.

Section 1.C.3.4 Land Contamination of the *Hornsby DCP 2013* contains provisions that restrict the development of land affected by contamination or that is potentially contaminated. Specifically, the provisions may require preliminary contamination assessments, detailed investigations, remedial action plans, validation reports and site audit statements to be undertaken pursuant to *SEPP No. 55 Remediation of Land* before a site is suitable for certain development.

Hornsby DCP 2013 can be viewed on Council's website hornsby.nsw.gov.au/hdcp or at Council's Administration Building or Libraries.

Notes: Council undertakes a thorough review of all relevant records (including hard copy property files) for land within zones with a higher propensity for potentially contaminating land uses (i.e. non-residential zoned land) to identify previously approved land uses which have the potential to cause contamination in accordance with the *Managing Land Contamination - Planning Guidelines*. The result of this review is provided on Certificates issued under Section 10.7 (5) of the *EP&A Act 1979*.

If you have any queries regarding a landowner's obligations in relation to contamination issues, it is recommended that you seek your own independent professional advice.

(G) Any other risk

NO

7A. Flood related development controls information

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls?

NO

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls?

NO

(3) Word and expressions in this clause have the same meanings as in the Standard Instrument.

8. Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the Act.

(A) State Environmental Planning Policy?

NO

(B) Hornsby Local Environmental Plan 2013?

NO

(C) Planning Proposal?

NO

9. Contribution plans

The name of each contribution plan applying to the land:

Hornsby Section 94 Development Contributions Plan 2014 – 2024 Hornsby Section 7.12 Development Contributions Plan 2019-2029

9A. Biodiversity certified land

Whether the land is biodiversity certified land under Part 8 of the *Biodiversity* Conservation Act 2016?

NO

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.*

10. Biodiversity stewardship sites

Whether the land is land to which a biodiversity stewardship site agreement under Part 5 of the <u>Biodiversity Conservation Act 2016</u> relates, (but only if the council has been notified of the existence of the agreement by the Chief Executive of the Office of the Environment and Heritage)?

NO

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

10A. Native vegetation clearing set asides

Whether the land contains a set aside area under Section 60ZC of the <u>Local Land Services Act 2013</u>, (but only if the council has been notified of the existence of the set aside by Local Land Services or it is registered in the public register under that section)?

NO

11. Bush fire prone land

Whether any of the land has been identified as bush fire prone land?

NO

12. Property vegetation plans

Has the council been notified that a property vegetation plan under Part 4 of the <u>Native</u> <u>Vegetation Act 2003</u> (and that continues in force) applies to this land?

NO

13. Orders under Trees (Disputes Between Neighbours) Act 2006

Whether an order has been made under the <u>Trees (Disputes Between Neighbours) Act</u> <u>2006</u> to carry out work in relation to a tree on this land (but only if the council has been notified of the order)?

NO

14. Directions under Part 3A

Whether there is a direction by the Minister in force under Section 75P_(2)(c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of project or a stage of a project on the land under Part 4 of the Act does not have effect?

NO

15. Site compatibility certificates and conditions for seniors housing

(a) Whether there is a current site compatibility certificate (seniors housing) of which council is aware, issued under <u>State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</u> in respect of proposed development on this land?

NO

(b) Whether there are any terms of a kind referred to in clause 18(2) of <u>State</u> <u>Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</u> that have imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land?

NO

16. Site compatibility certificates for infrastructure

Whether there is a valid site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments), issued in respect of proposed development on this land?

NO

17. Site compatibility certificates and conditions for affordable rental housing

(1) Whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land?

NO

(2) Whether there are any terms of a kind referred to in clause 17(1) or 38(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 that have been imposed as a condition of consent to a development application in respect of the land?

18. Paper subdivision information

(1) The name of any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot.

NO DEVELOPMENT PLAN APPLIES

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

NO SUBDIVISION ORDER APPLIES

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

19. Site verification certificates

Whether there is a current site verification certificate, of which the council is aware, in respect of the land?

NO

20. Loose-fill asbestos insulation

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

NO

21. Affected building notices and building product rectification orders

Whether there is any affected building notice of which the council is aware that is in force in respect of the land?

NO

Note: *affected building notice* has the same meaning as in the *Building Products* (*Safety*) *Act 2017.*

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

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

(a) that the land to which the certificate relates is significantly contaminated land within the meaning of that Act - if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued.

NO

(b) that the land to which the certificate relates is subject to a management order within the meaning of that Act – if it is subject to such an order at the date when the certificate is issued,

NO

(c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act – if it is the subject of such an approved proposal at the date when the certificate is issued,

NO

(d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act – if it is subject to such an order at the date when the certificate is used,

NO

(e) that the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act – if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

THIS PART IS DIRECTED TO THE FOLLOWING MATTERS PRESCRIBED UNDER SECTION 10.7 (5) OF THE ABOVE ACT

NOTE: "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."

A. Whether a resolution to prepare a Planning Proposal applies to the land?

NO

B. Whether there are draft amendments to the Hornsby Development Control Plan that are on exhibition, have been exhibited or have been adopted by Council for exhibition applying to the land?

NO

C. Whether there are any provisions applying to the land that control the management of trees and vegetation?

YES

Tree and Vegetation Preservation Provisions contained within the SEPP (Vegetation in Non-Rural Areas) 2017 and Hornsby DCP apply to the land.

Note: SEPP (Vegetation in Non-Rural Areas) 2017 can be viewed on the NSW Legislation website at: www.legislation.nsw.gov.au and the Hornsby DCP can be viewed on Council's website hornsby.nsw.gov.au/hdcp or at Council's Administration Building.

D. Whether there are any provisions within the Hornsby LEP applying to the land that controls the management of biodiversity?

NO

E. Whether there are any provisions applying to the land within the Hornsby Local Environmental Plan that control development within a foreshore area?

NO

F. Whether Council has adopted a Voluntary Planning Agreement within the meaning of S7.4 of the Environmental Planning and Assessment Act, 1979, as amended, in relation to the land?

NO

G. Whether the land is within or adjacent to the North West Rail Link as identified on the maps provided by Transport NSW?

YES

Note: Any enquiries on the NWRL should be directed to Transport NSW.

H. Whether the land is subject to the North West Rail Link Corridor Strategy prepared by the Department of Planning, Industry and Environment?

YES

Note: The Department of Planning and Infrastructure and Transport NSW, have prepared the NWRL Corridor Strategy to guide future development around the eight new stations of the NWRL. Any enquiries on the Corridor Strategy should be directed to the Department of Planning and Infrastructure.

I. Whether the land is within or adjacent to an existing rail corridor?

YES

Note: Clauses 85 and 86 of State Environmental Planning Policy (Infrastructure) 2007 requires Council to notify the rail authority of development on land in, above or immediately adjacent to a rail corridor if it is likely to impact on the rail corridor or penetrate 2 metres or more below ground level.

J. Whether the land is in a rural area or located adjacent to a rural area in which agriculture occurs?

NO

- **K.** Whether Council's records show a history of potentially contaminating land use and the land is zoned:
 - Business, Industrial and/or SP2 Infrastructure; or

NO

 RU1 Primary Production, RU2 Rural Landscape, RU4 Primary Production Small Lots or E3 Environmental Management.

Any other risk

NO

Note: This is NOT a statement on whether or not the property is affected by contamination. Council has a policy on contaminated land which may restrict the development of the land. This policy is implemented when zoning, land use changes or further development is proposed on lands which are contaminated, or have previously been used for certain purposes and the contamination status of the land is uncertain. Accordingly, consideration of Council's policy and the application of provisions under relevant State legislation is warranted. If you have any queries regarding a landowner's obligations in relation to contamination issues, it is recommended that you seek your own independent professional advice.

L. Whether the land is subject to risk of "future" exposure to tidal inundation?

NO

M. Whether the land is within or adjacent to the NorthConnex motorway link corridor as identified on the maps provided by the NorthConnex project team?

NO

N. Whether there is potential for loose-fill asbestos insulation to be found on properties that are not listed on the NSW Department of Fair Trading's Loose-Fill Asbestos Public Register

YES

Note: Some residential homes located in Hornsby Shire have been identified as containing loose-fill asbestos insulation in the roof space. The NSW Department of Fair Trading maintains a Public Register of homes that are affected by loose-fill asbestos insulation.

You should make your own enquiries as to the age of the buildings on the land to which this certificate relates, and if it contains a building construction prior to 1980, it is recommended that any potential purchaser obtain advice from a licensed asbestos assessor to determine whether loose-fill asbestos is present in any building on the land and, if so, the risk (if any) this may pose for the building's occupants.

Further information can be obtained by contacting the NSW Department of Fair Trading and viewing the Department's website.

O. Whether there is potential for external combustible cladding to be found on multi-storey buildings on properties in Hornsby Shire?

YES

Note: Some buildings located in Hornsby Shire have been identified as containing combustible cladding. Combustible cladding is a material that is capable of readily burning.

You should make your own enquiries as to the type of materials that have been used to construct the building. It is recommended that the purchaser obtain a building report from an appropriately qualified person to determine if any cladding type material may pose a risk to the building's occupants. Council may issue orders to rectify a building where combustible cladding is found.

Steven Head

General Manager per

PLEASE NOTE: COUNCIL RETAINS THE ELECTRONIC ORIGINAL OF THIS CERTIFICATE.

model.

WHERE THIS CERTIFICATE REFERS TO INFORMATION DISPLAYED ON COUNCIL'S WEBSITE OR TO ANY EXTERNAL WEBSITE, IT REFERS TO INFORMATION DISPLAYED ON THE WEBSITE ON THE DATE THIS CERTIFICATE IS ISSUED.

Hornsby Local Environmental Plan 2013 - Land Use Table

Zone R2Low Density Residential

10bjectives of zone

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

2Permitted without consent

Environmental protection works; Home occupations

3Permitted with consent

Boarding houses; Building identification signs; Business identification signs; Centre-based childcare facilities; Community facilities; Dwelling houses; Educational establishments; Emergency services facilities; Exhibition homes; Flood mitigation works; Group homes; Home-based child care; Home businesses; Information and education facilities; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Public administration buildings; Recreation areas; Recreation facilities (outdoor); Respite day care centres; Roads; Tank-based aquaculture; Tourist and visitor accommodation; Veterinary hospitals; Water reticulation systems

4Prohibited

Backpackers' accommodation; Farm stay accommodation; Hotel or motel accommodation; Serviced apartments; Any other development not specified in item 2 or 3



Online Services Portal Public User Hornsby Shire Council

PLANNING CERTIFICATE UNDER SECTION 10.7 (2)

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 AS AMENDED

 Certificate Number:
 C2023192

 Reference:
 59281:105941

 Issue Date:
 23 July 2020

 Receipt No.:
 6816742

 Fee Paid:
 \$133.00

ADDRESS: No. 1-19 Bradfield Parade, CHERRYBROOK NSW 2126

DESCRIPTION: Lot 33 DP 1253104

The land is zoned: R2 Low Density Residential

The information contained in this certificate needs to be read in conjunction with the provisions of the Environmental Planning and Assessment Regulation 2000.

THIS CERTIFICATE IS DIRECTED TO THE FOLLOWING MATTERS PRESCRIBED UNDER SECTION 10.7 (2) OF THE ABOVE ACT.

1. Names of relevant planning instruments and DCPs

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

(A) Local Environmental Plans

The Hornsby Local Environmental Plan (HLEP) 2013, as amended, applies to all land in the Shire unless otherwise stated in this certificate.

Refer to Council's website www.hornsby.nsw.gov.au/hlep to view the HLEP.

State Environmental Planning Policies

SEPP No. 19 - Bushland in Urban Areas

SEPP No. 21 - Caravan Parks

SEPP No. 33 - Hazardous and Offensive Development

SEPP No. 50 - Canal Estate Development

SEPP No. 55 - Remediation of Land

SEPP No. 64 - Advertising and Signage

SEPP No. 65 – Design Quality of Residential Apartment Development

SEPP No. 70 – Affordable Housing (Revised Schemes)

SEPP (Building Sustainability Index: BASIX) 2004

SEPP (Housing for Seniors or People with a Disability) 2004

SEPP (State Significant Precincts) 2005

SEPP (Mining, Petroleum Production and Extractive Industries) 2007

SEPP (Infrastructure) 2007

SEPP (Exempt and Complying Development Codes) 2008

SEPP (Affordable Rental Housing) 2009

SEPP (State and Regional Development) 2011

SEPP (Vegetation in Non-Rural Areas) 2017

SEPP (Educational Establishments and Child Care Facilities) 2017

SEPP (Coastal Management) 2018

SEPP (Concurrences and Consents) 2018

SEPP (Primary Production and Rural Development) 2019

SEPP (Koala Habitat Protection) 2019

Deemed State Environmental Planning Policies

SREP No. 20 - Hawkesbury-Nepean River (No. 2 - 1997).

(2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Secretary has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

(A) Proposed Local Environmental Plans

No proposed Local Environmental Plans apply to this land.

(B) Proposed State Environmental Planning Policies

YES

The proposed State Environmental Planning Policy (Environment) 2017 applies to the land. The proposed SEPP will combine seven existing policies into one with the aim of simplifying and modernising planning rules for a number of water catchments, waterways, urban bushland and Willandra Lakes World Heritage Property. The policies under review which apply in Hornsby Shire are: SEPP No. 19 (Bushland in Urban Areas); SREP No. 20 Hawkesbury-Nepean River 1997 and SREP (Sydney Harbour Catchment) 2005. Further information on the proposed new Environment SEPP can be obtained by viewing the Explanation and Intended Effect and Frequently Asked Questions on the proposed policy Department of Planning, Industry and Environment's https://www.planning.nsw.gov.au/Policy-and-Legislation/State-Environmental-Planning-Policies-Review/Draft-Environment-SEPP

YES

The proposed amendment to State Environmental Planning Policy (State and Regional Development) 2011 applies to Government owned land immediately adjoining all Sydney Metro Northwest stations, including Cherrybrook. The proposed amendment nominates the Minister for Planning as the consent authority for future development on identified Government owned land along the Sydney metro Northwest corridor, if the development meets the criteria of State Significant Development. It proposes that the following development be identified as State Significant Development: 1) a principal subdivision establishing major lots or public domain areas or 2) the creation of new roadways and associated works or 3) has a capital investment value of more than \$30 million. Further information on the proposed amendment to the SEPP including the Consultation Paper and Explanation of Intended Effect can be viewed on the Department of Planning, Industry and Environment's website https://www.planning.nsw.gov.au/Policy-and-Legislation/State-Environmental-Planning-Policies-Review/Sydney-Metro-Northwest-SRD-SEPP

YES

The proposed State Environmental Planning Policy (Short-term Rental Accommodation) 2019 applies to the land. The proposed SEPP is part of a new regulatory framework for short-term rental accommodation in NSW. It includes a state-wide planning framework, a mandatory code of conduct and changes to strata legislation. Further information on the proposed policy and Frequently Asked Questions can be accessed on the Department of

Planning, Industry and Environment's website https://www.planning.nsw.gov.au/policy-and-legislation/under-review-and-new-policy-and-legislation/short-term-holiday-letting

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

Hornsby Development Control Plan (HDCP) 2013

Refer to Council's website www.hornsby.nsw.gov.au/hdcp to view the HDCP.

(4) In this clause, proposed environmental planning instrument includes a planning proposal for a LEP or a draft environmental planning instrument.

2. Zoning of 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).

(A) The HLEP 2013 applies to the land unless otherwise stated in this certificate and identifies the land to be:

R2 Low Density Residential

(B) The purpose for which the instrument provides that development may be carried out within the zone without the need for development consent:

Refer to Attachment

Note: Also refer to the applicable SEPP instrument for provisions regarding Development without Consent and Exempt Development

(C) The purposes for which the instrument provides that development may not be carried out within the zone except the development consent:

Refer to Attachment

Note: Also refer to the applicable SEPP instrument for provisions regarding Development with Consent.

(D) The purposes for which the instrument provides that development is prohibited within the zone:

Refer to Attachment

(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?

NO

(F) Whether the land includes or comprises critical habitat?

NO

(G) Whether the land is in a conservation area (however described)?

NO

(H) Whether an item of environmental heritage (however described) is situated on the land?

NO

2A. Zoning and land use under State Environmental Planning Policy (Sydney Region Growth Centres) 2006

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

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

NO

3. Complying Development

Whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A(1)(c) to (e), (2), (3) and (4), 1.18(1)(c3) and 1.19 of <u>State Environmental Planning Policy (Exempt and Complying Developments Code) 2008</u>. If complying development may not be carried out on that land because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of that Policy, the reasons why it may not be carried out under those clauses.

General Housing Code and Rural Housing Code

Complying Development under the General Housing Code or Rural Housing Code **may not** be carried out on the land. The land is affected by specific land exemptions.

Note. Any specific land exemptions listed apply to all or part of the land. Complying development that is located on a part of the land that does not comprise the land that forms a specific land exemption may be carried out on that part of the land. The land that does not satisfy the various land based requirements under Clauses 1.17A, 1.18 and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 are shown coloured red in Council's web-based Mapping Application by ticking the "Code SEPP-Non Complying Land/General and Rural Housing" map layers. The Mapping Application can be accessed on desktop computers, tablets or mobile phones by clicking on the relevant link on Council's HLEP webpage www.hornsby.nsw.gov.au/hlep

 All or part of the land is identified as being an environmentally sensitive land under an environmental planning instrument, namely land identified as being of biodiversity significance on the Terrestrial Biodiversity Map under the HLEP. (Clause 1.17A)

Low Rise Housing Diversity Code

Complying Development under the Low Rise Housing Diversity Code **may not** be carried out on the land. The land is affected by specific land exemptions.

Note. Any specific land exemptions listed apply to all or part of the land. Complying development that is located on a part of the land that does not comprise the land that forms a specific land exemption may be carried out on that part of the land. The land that does not satisfy the various land based requirements under Clauses 1.17A, 1.18 and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 are shown coloured pink in Council's web-based Mapping Application by ticking the "Code SEPP-Non Complying Land/Low Rise Housing Diversity" map layers. The Mapping Application can be accessed on desktop computers, tablets or mobile phones by clicking on the relevant link on Council's HLEP webpage www.hornsby.nsw.gov.au/hlep

- Complying development for the purpose of this Policy is not permissible for the
 land zone under the Hornsby Local Environmental Plan 2013. Clause 1.18(1)(b)
 states that to be complying development for the purpose of this Policy, the
 development must be permissible, with consent, under an environmental planning
 instrument applying to the land on which the development is carried out.
- All or part of the land is identified as being an environmentally sensitive land under an environmental planning instrument, namely land identified as being of biodiversity significance on the Terrestrial Biodiversity Map under the HLEP. (Clause 1.17A)

Commercial and Industrial (New Buildings and Additions) Code

Complying Development under the Commercial and Industrial (New Buildings and Additions) Code **may not** be carried out on the land. The land is affected by specific land exemptions.

Note. Any specific land exemptions listed apply to all or part of the land. Complying development that is located on a part of the land that does not comprise the land that forms a specific land exemption may be carried out on that part of the land. The land that does not satisfy the various land based requirements under Clauses 1.17A, 1.18 and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 are shown coloured orange in Council's web-based Mapping Application by ticking the "Code SEPP-Non Complying Land/Commercial and Industrial" map layers. The Mapping Application can be accessed on desktop computers, tablets or mobile phones by clicking on the relevant link on Council's HLEP webpage www.hornsby.nsw.gov.au/hlep

 All or part of the land is identified as being an environmentally sensitive land under an environmental planning instrument, namely land identified as being of biodiversity significance on the Terrestrial Biodiversity Map under the HLEP. (Clause 1.17A)

Housing Alterations, General Development, Commercial and Industrial Alterations, Container Recycling Facilities, Subdivisions, Demolition and Fire Safety Codes (Other Codes)

Complying Development under the Housing Alterations Code, General Development Code, Commercial and Industrial Alterations Code, Container Recycling Facilities, Subdivisions Code, Demolition Code or Fire Safety Code **may not** be carried out on the land. The land is affected by specific land exemptions.

Note. Any specific land exemptions listed apply to all or part of the land. Complying development that is located on a part of the land that does not comprise the land that forms a specific land exemption may be carried out on that part of the land. The land that does not satisfy the various land based requirements under Clauses 1.17A, 1.18 and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 are shown coloured purple in Council's web-based Mapping Application by ticking the "Code SEPP-Non Complying Land/Codes Other" map layers. The Mapping Application can be accessed on desktop computers, tablets or mobile phones by clicking on the relevant link on Council's HLEP webpage www.hornsby.nsw.gov.au/hlep

- All or part of the land is identified as being an environmentally sensitive land under an environmental planning instrument, namely land identified as being of biodiversity significance on the Terrestrial Biodiversity Map under the HLEP. (Clause 1.17A)
- 4. (Repealed)
- 4A. (Repealed)
- 4B. Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

Whether the owner (or previous owner) of the land has been consented in writing to the land being subject to annual charges under Section 496B of the *Local Government Act*

<u>1993</u> for coastal protection services that relate to existing coastal protection works (within the meaning of Section 553B of that Act).

NO

Note: "Existing coastal protection works" are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of Section 553B of the *Local Government Act 1993*.

5. Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of section of the *Coal Mine Subsidence Compensation Act 2017*.

NO

6. Road widening and road realignment

Whether or not the land is affected by any road widening or road alignment under -

(A) Division 2 of Part 3 of the Roads Act 1993; or

NO

(B) any environmental planning instrument; or

NO

(C) any resolution of council?

NO

7. Council and other public authority policies on hazard risk restrictions

Whether or not the land is affected by a policy:

- (a) adopted by council, or
- (b) adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the council,

that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulfate soils or any other risk (other than flooding)?

Council's and other public authorities' policies on hazard risk restrictions are as follows:

(A) Landslip

YES

All or part of the land has a gradient in excess of 20%. Section 1C.1.4 Earthworks and Slope of the *Hornsby DCP 2013* contains provisions that restrict development on land with the potential for landslip. Specifically, the provisions require certification from a geotechnical engineer as to the stability of the slope in regards to the proposed design of development on sloping sites with a gradient in excess of 20%.

Hornsby DCP 2013 can be viewed on Council's website hornsby.nsw.gov.au/hdcp or at Council's Administration Building or Libraries.

Note: This is a statement of Council and/or Public Authority Policy as the land has a landslip risk but NOT a statement on whether or not the property is or has been affected by landslip.

(B) Bushfire

YES

All or part of the land is identified as bushfire prone land on the Bushfire Prone Land Map for Hornsby Shire certified by the NSW Rural Fire Service. Section 1C.3.1 Bushfire of the Hornsby DCP 2013 and the NSW Rural Fire Service publication Planning for Bushfire Protection 2019 contain bushfire protection provisions that restrict the development of bushfire prone land.

Note: This is a statement of Council and/or Public Authority Policy as the land has a bushfire risk but NOT a statement on whether or not the property is or has been affected by bushfire.

(C) Tidal inundation

NO

(D) Subsidence

NO

(E) Acid Sulfate Soils

NO

(F) Land contamination

NO

Council's electronic property records do not identify the land to be contaminated, being contaminated, as having been remediated or being remediated. Notwithstanding, consideration of Council's policy and the application of provisions under relevant State

legislation may still be warranted if upon further evaluation the land is found to be contaminated or potentially contaminated.

Section 1.C.3.4 Land Contamination of the *Hornsby DCP 2013* contains provisions that restrict the development of land affected by contamination or that is potentially contaminated. Specifically, the provisions may require preliminary contamination assessments, detailed investigations, remedial action plans, validation reports and site audit statements to be undertaken pursuant to *SEPP No. 55 Remediation of Land* before a site is suitable for certain development.

Hornsby DCP 2013 can be viewed on Council's website hornsby.nsw.gov.au/hdcp or at Council's Administration Building or Libraries.

Notes: Council undertakes a thorough review of all relevant records (including hard copy property files) for land within zones with a higher propensity for potentially contaminating land uses (i.e. non-residential zoned land) to identify previously approved land uses which have the potential to cause contamination in accordance with the *Managing Land Contamination - Planning Guidelines*. The result of this review is provided on Certificates issued under Section 10.7 (5) of the *EP&A Act 1979*.

If you have any queries regarding a landowner's obligations in relation to contamination issues, it is recommended that you seek your own independent professional advice.

(G) Any other risk

NO

7A. Flood related development controls information

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls?

YES

The land is subject to "current" exposure to flood hazard risk. Accordingly, flood related development controls apply to the land. Please refer to Section 1C.3.2 Flooding of the *Hornsby DCP 2013* for further information.

Notes: This is a statement that flood related development controls apply to the land as the land has a "current" exposure to flood hazard but is NOT a statement on whether or not the property is subject to flooding.

"Current" exposure to flood hazard risk for urban, river settlement and riverside rural lands is based on the 1 in 100 year ARI storm event flowpath identified by the *Hornsby Overland Flow Study (2010)*. "Current" exposure to flood hazard risk for the balance of the rural lands is based on the property being traversed by a natural watercourse/creek as identified by the Department of Land and Property Information in 2011.

Land within river settlement and riverside rural lands may also be subject to "future" exposure to flood hazard risk – see Clause 7(C) – Tidal Inundation of this Certificate to determine this risk.

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls?

YES

The land is subject to "current" exposure to flood hazard risk. Accordingly, flood related development controls apply to the land. Please refer to Section 1C.3.2 Flooding of the *Hornsby DCP 2013* for further information.

Notes: This is a statement that flood related development controls apply to the land as the land has a "current" exposure to flood hazard but is NOT a statement on whether or not the property is subject to flooding.

"Current" exposure to flood hazard risk for urban, river settlement and riverside rural lands is based on the 1 in 100 year ARI storm event flowpath identified by the *Hornsby Overland Flow Study (2010)*. "Current" exposure to flood hazard risk for the balance of the rural lands is based on the property being traversed by a natural watercourse/creek as identified by the Department of Land and Property Information in 2011.

Land within river settlement and riverside rural lands may also be subject to "future" exposure to flood hazard risk – see Clause 7(C) – Tidal Inundation of this Certificate to determine this risk.

(3) Word and expressions in this clause have the same meanings as in the Standard Instrument.

8. Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the Act.

(A) State Environmental Planning Policy?

NO

(B) Hornsby Local Environmental Plan 2013?

NO

(C) Planning Proposal?

NO

9. Contribution plans

The name of each contribution plan applying to the land:

Hornsby Section 94 Development Contributions Plan 2014 – 2024 Hornsby Section 7.12 Development Contributions Plan 2019-2029

9A. Biodiversity certified land

Whether the land is biodiversity certified land under Part 8 of the *Biodiversity Conservation Act 2016*?

NO

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.*

10. Biodiversity stewardship sites

Whether the land is land to which a biodiversity stewardship site agreement under Part 5 of the <u>Biodiversity Conservation Act 2016</u> relates, (but only if the council has been notified of the existence of the agreement by the Chief Executive of the Office of the Environment and Heritage)?

NO

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

10A. Native vegetation clearing set asides

Whether the land contains a set aside area under Section 60ZC of the <u>Local Land Services Act 2013</u>, (but only if the council has been notified of the existence of the set aside by Local Land Services or it is registered in the public register under that section)?

NO

11. Bush fire prone land

Whether any of the land has been identified as bush fire prone land?

YES

Note. All or part of the land is identified as bushfire prone land on the Bushfire Prone Land Map for Hornsby Shire Certified by the NSW Rural Fire Service. The land that comprises Bush Fire Prone Land is shown coloured in Council's web-based Mapping Application by ticking the "Bushfire Prone Areas" map layer. The Mapping Application can be accessed on desktop computers, tablets or mobile phones by clicking on the relevant link on Council's HLEP webpage www.hornsby.nsw.gov.au/hlep

12. Property vegetation plans

Has the council been notified that a property vegetation plan under Part 4 of the <u>Native</u> <u>Vegetation Act 2003</u> (and that continues in force) applies to this land?

NO

13. Orders under Trees (Disputes Between Neighbours) Act 2006

Whether an order has been made under the <u>Trees (Disputes Between Neighbours) Act</u> <u>2006</u> to carry out work in relation to a tree on this land (but only if the council has been notified of the order)?

NO

14. Directions under Part 3A

Whether there is a direction by the Minister in force under Section 75P_(2)(c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of project or a stage of a project on the land under Part 4 of the Act does not have effect?

NO

15. Site compatibility certificates and conditions for seniors housing

(a) Whether there is a current site compatibility certificate (seniors housing) of which council is aware, issued under <u>State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</u> in respect of proposed development on this land?

NO

(b) Whether there are any terms of a kind referred to in clause 18(2) of <u>State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</u> that have imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land?

NO

16. Site compatibility certificates for infrastructure

Whether there is a valid site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments), issued in respect of proposed development on this land?

NO

17. Site compatibility certificates and conditions for affordable rental housing

(1) Whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land?

NO

(2) Whether there are any terms of a kind referred to in clause 17(1) or 38(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 that have been imposed as a condition of consent to a development application in respect of the land?

NO

18. Paper subdivision information

(1) The name of any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot.

NO DEVELOPMENT PLAN APPLIES

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

NO SUBDIVISION ORDER APPLIES

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

19. Site verification certificates

Whether there is a current site verification certificate, of which the council is aware, in respect of the land?

NO

20. Loose-fill asbestos insulation

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

21. Affected building notices and building product rectification orders

Whether there is any affected building notice of which the council is aware that is in force in respect of the land?

NO

Note: *affected building notice* has the same meaning as in the *Building Products* (*Safety*) *Act* 2017.

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

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

(a) that the land to which the certificate relates is significantly contaminated land within the meaning of that Act - if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,

NO

(b) that the land to which the certificate relates is subject to a management order within the meaning of that Act – if it is subject to such an order at the date when the certificate is issued.

NO

(c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act – if it is the subject of such an approved proposal at the date when the certificate is issued,

NO

(d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act – if it is subject to such an order at the date when the certificate is used.

NO

(e) that the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act – if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

THIS PART IS DIRECTED TO THE FOLLOWING MATTERS PRESCRIBED UNDER SECTION 10.7 (5) OF THE ABOVE ACT

NOTE: "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."

A. Whether a resolution to prepare a Planning Proposal applies to the land?

NO

B. Whether there are draft amendments to the Hornsby Development Control Plan that are on exhibition, have been exhibited or have been adopted by Council for exhibition applying to the land?

NO

C. Whether there are any provisions applying to the land that control the management of trees and vegetation?

YES

Tree and Vegetation Preservation Provisions contained within the SEPP (Vegetation in Non-Rural Areas) 2017 and Hornsby DCP apply to the land.

Note: SEPP (Vegetation in Non-Rural Areas) 2017 can be viewed on the NSW Legislation website at: www.legislation.nsw.gov.au and the Hornsby DCP can be viewed on Council's website hornsby.nsw.gov.au/hdcp or at Council's Administration Building.

D. Whether there are any provisions within the Hornsby LEP applying to the land that controls the management of biodiversity?

YES

Note: All or part of the land is identified on the Hornsby LEP Biodiversity Map. Biodiversity Provisions contained in Hornsby LEP and Hornsby DCP apply to the land. The Hornsby LEP and Hornsby DCP can be viewed on Council's website hornsby.nsw.gov.au/hlep or at Council's Administration Building or Libraries.

E. Whether there are any provisions applying to the land within the Hornsby Local Environmental Plan that control development within a foreshore area?

F. Whether Council has adopted a Voluntary Planning Agreement within the meaning of S7.4 of the Environmental Planning and Assessment Act, 1979, as amended, in relation to the land?

NO

G. Whether the land is within or adjacent to the North West Rail Link as identified on the maps provided by Transport NSW?

YES

Note: Any enquiries on the NWRL should be directed to Transport NSW.

H. Whether the land is subject to the North West Rail Link Corridor Strategy prepared by the Department of Planning, Industry and Environment?

YES

Note: The Department of Planning and Infrastructure and Transport NSW, have prepared the NWRL Corridor Strategy to guide future development around the eight new stations of the NWRL. Any enquiries on the Corridor Strategy should be directed to the Department of Planning and Infrastructure.

I. Whether the land is within or adjacent to an existing rail corridor?

YES

Note: Clauses 85 and 86 of State Environmental Planning Policy (Infrastructure) 2007 requires Council to notify the rail authority of development on land in, above or immediately adjacent to a rail corridor if it is likely to impact on the rail corridor or penetrate 2 metres or more below ground level.

J. Whether the land is in a rural area or located adjacent to a rural area in which agriculture occurs?

NO

- **K.** Whether Council's records show a history of potentially contaminating land use and the land is zoned:
 - Business, Industrial and/or SP2 Infrastructure; or

 RU1 Primary Production, RU2 Rural Landscape, RU4 Primary Production Small Lots or E3 Environmental Management.

NO

Any other risk

NO

Note: This is NOT a statement on whether or not the property is affected by contamination. Council has a policy on contaminated land which may restrict the development of the land. This policy is implemented when zoning, land use changes or further development is proposed on lands which are contaminated, or have previously been used for certain purposes and the contamination status of the land is uncertain. Accordingly, consideration of Council's policy and the application of provisions under relevant State legislation is warranted. If you have any queries regarding a landowner's obligations in relation to contamination issues, it is recommended that you seek your own independent professional advice.

L. Whether the land is subject to risk of "future" exposure to tidal inundation?

NO

M. Whether the land is within or adjacent to the NorthConnex motorway link corridor as identified on the maps provided by the NorthConnex project team?

NO

N. Whether there is potential for loose-fill asbestos insulation to be found on properties that are not listed on the NSW Department of Fair Trading's Loose-Fill Asbestos Public Register

YES

Note: Some residential homes located in Hornsby Shire have been identified as containing loose-fill asbestos insulation in the roof space. The NSW Department of Fair Trading maintains a Public Register of homes that are affected by loose-fill asbestos insulation.

You should make your own enquiries as to the age of the buildings on the land to which this certificate relates, and if it contains a building construction prior to 1980, it is recommended that any potential purchaser obtain advice from a licensed asbestos assessor to determine whether loose-fill asbestos is present in any building on the land and, if so, the risk (if any) this may pose for the building's occupants.

Further information can be obtained by contacting the NSW Department of Fair Trading and viewing the Department's website.

O. Whether there is potential for external combustible cladding to be found on multi-storey buildings on properties in Hornsby Shire?

YES

Note: Some buildings located in Hornsby Shire have been identified as containing combustible cladding. Combustible cladding is a material that is capable of readily burning.

You should make your own enquiries as to the type of materials that have been used to construct the building. It is recommended that the purchaser obtain a building report from an appropriately qualified person to determine if any cladding type material may pose a risk to the building's occupants. Council may issue orders to rectify a building where combustible cladding is found.

Steven Head

General Manager per

PLEASE NOTE: COUNCIL RETAINS THE ELECTRONIC ORIGINAL OF THIS CERTIFICATE.

model.

WHERE THIS CERTIFICATE REFERS TO INFORMATION DISPLAYED ON COUNCIL'S WEBSITE OR TO ANY EXTERNAL WEBSITE, IT REFERS TO INFORMATION DISPLAYED ON THE WEBSITE ON THE DATE THIS CERTIFICATE IS ISSUED.

Hornsby Local Environmental Plan 2013 - Land Use Table

Zone R2Low Density Residential

10bjectives of zone

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

2Permitted without consent

Environmental protection works; Home occupations

3Permitted with consent

Boarding houses; Building identification signs; Business identification signs; Centre-based childcare facilities; Community facilities; Dwelling houses; Educational establishments; Emergency services facilities; Exhibition homes; Flood mitigation works; Group homes; Home-based child care; Home businesses; Information and education facilities; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Public administration buildings; Recreation areas; Recreation facilities (outdoor); Respite day care centres; Roads; Tank-based aquaculture; Tourist and visitor accommodation; Veterinary hospitals; Water reticulation systems

4Prohibited

Backpackers' accommodation; Farm stay accommodation; Hotel or motel accommodation; Serviced apartments; Any other development not specified in item 2 or 3



Appendix E Registered Groundwater Bores



Groundwater (Telemetered data)

favourites search

download sites find a site

Real Time Data - Bores

All Groundwater Site details

search download sites

find a site | search by licence

■ All Groundwater Map

Meteorology

favourites search

download sites find a site

Real Time Data - Weather Sta...

 Real Time Data - Weather Sta...

Hunter Integrated Telemetry System

Hunter Integrated Telemetry S...

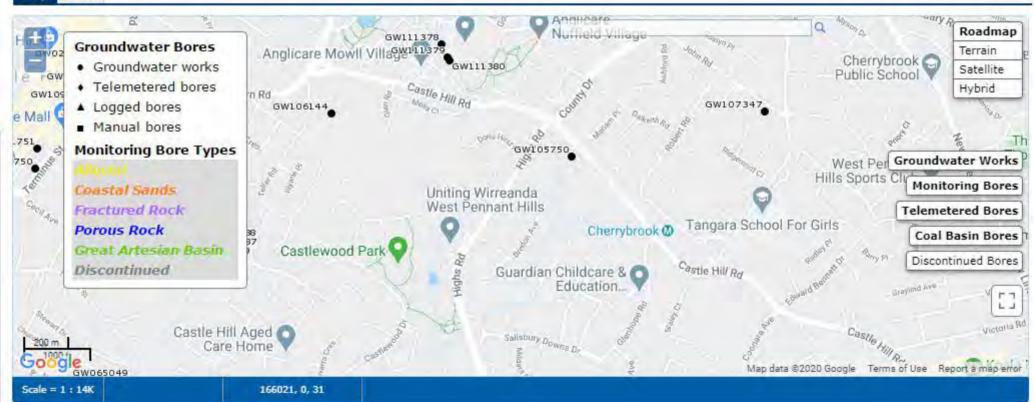
glossary and metadata

All Groundwater Site Details

ALL GROUNDWATER MAP

All data times are Eastern Standard Time

Map Info



bookmark this page

WaterNSW Work Summary

GW105750

Licence: 10WA108568 Licence Status: CURRENT

Authorised Purpose(s): DOMESTIC Intended Purpose(s): DOMESTIC

Work Type: Bore

Work Status: Supply Obtained Construct.Method: Down Hole Hamm

Owner Type: Private

Commenced Date: Final Depth: 126.50 m
Completion Date: 23/01/2004 Drilled Depth: 126.50 m

Contractor Name: INTERTEC DRILLING SERVICES

Driller: Damian Paranihi

Assistant Driller:

Property: Kirby Projects Pty Ltd 139-141

Castle Hill Rd WEST PENNANT

HILLS 2125 NSW

GWMA: -GW Zone: - Standing Water Level 70.000

(m):

Salinity Description:

Yield (L/s): 6.000

Site Details

Site Chosen By:

County Parish Cadastre
Form A: CUMBERLAND FIELD OF A//153486

Licensed: CUMBERLAND FIELD OF MARS Whole Lot A//153486

Region: 10 - Sydney South Coast CMA Map: 9130-4S

River Basin: 213 - SYDNEY COAST - Grid Zone: Scale:

GEORGES RIVER

Area/District:

 Elevation:
 0.00 m (A.H.D.)
 Northing:
 6265582.000
 Latitude:
 33°44'02.7"S

 Elevation Source:
 (Unknown)
 Easting:
 317299.000
 Longitude:
 151°01'40.4"E

GS Map: - MGA Zone: 56 Coordinate Source: GIS - Geogra

Construction

Negative depths indicate Above Ground Level; C-Cemented; SL-Slot Length; A-Aperture; GS-Grain Size; Q-Quantity; PL-Placement of Gravel

Pack; PC-Pressure Cemented; S-Sump; CE-Centralisers

Hole	Pipe	Component	Туре	From (m)	To (m)	Outside Diameter (mm)	Inside Diameter (mm)	Interval	Details
1		Hole	Hole	0.00	5.60	207			Down Hole Hammer
1		Hole	Hole	5.60	126.50	163			Down Hole Hammer
1		Annulus	Concrete	0.00	5.60	207	163		
1	1	Casing	Pvc Class 9	-0.40	83.60	140			Suspended in Clamps, Screwed and Glued
1	1	Casing	Steel	-0.40	5.60	168	158		Driven into Hole

Water Bearing Zones

From (m)	To (m)	Thickness (m)	WBZ Type	_	D.D.L. (m)	Yield (L/s)	Hole Depth (m)	Duration (hr)	Salinity (mg/L)
54.50	58.50	4.00	Unknown		60.50	0.15			1740.00
113.00	114.50	1.50	Unknown		114.50	2.05			3200.00
115.20	116.70	1.50	Unknown		120.50	1.40			3170.00
123.50	123.70	0.20	Unknown	70.00	126.50	2.40			3140.00

Drillers Log

20/07/2020 $https://real time data.waternsw.com.au/wgen/users/b3f9c143c35547c69356f6a92e54af99/gw105750.agagpf_org.wsr.htm?15952166...$

From (m)	To (m)	Thickness (m)	Drillers Description	Geological Material	Comments
0.00	8.50	8.50	clay, brown grey	Clay	
8.50	29.50		shale, brown to grey	Shale	
29.50	54.50	25.00	sandstone, grey	Sandstone	
54.50	58.50	4.00	quartz	Quartz	
58.50	66.50	8.00	sandstone, grey	Sandstone	
66.50	67.00	0.50	shale	Shale	
67.00	74.00	7.00	sandstone, grey light grey	Sandstone	
74.00	76.00	2.00	sandstone, grey dark grey	Sandstone	
76.00	104.70	28.70	sandstone, grey light brown	Sandstone	
104.70	106.50	1.80	shale	Shale	
106.50	113.00	6.50	sandstone, grey	Sandstone	
113.00	114.00	1.00	sandstone, grey	Sandstone	
114.00	115.20	1.20	sandstone, grey	Sandstone	
115.20	116.70	1.50	sandstone, grey	Sandstone	
116.70	123.50	6.80	sandstone, grey and quartz	Sandstone	
123.50	123.70	0.20	sandstone, grey	Sandstone	
123.70	126.50	2.80	sandstone grey & quartz	Sandstone	

Remarks

11/11/2009: updated from original form A

*** End of GW105750 ***

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

WaterNSW Work Summary

GW106144

Licence: 10WA108364 Licence Status: CURRENT

> Authorised Purpose(s): DOMESTIC Intended Purpose(s): DOMESTIC

Work Type: Bore

Work Status: Supply Obtained

Construct.Method: Rotary Owner Type: Private

Commenced Date: Final Depth: 240.00 m Drilled Depth: 240.00 m Completion Date: 22/09/1995

Contractor Name: INTERTEC DRILLING SERVICES

Driller: Colin Leslie Barden

Assistant Driller:

Property: ZHOU 14 Telfer Rd CASTLE HILL

2154 NSW

GWMA: -

GW Zone: -

Standing Water Level 52.000

Salinity Description:

Yield (L/s): 0.500

Site Details

Site Chosen By:

County Parish Cadastre Form A: CUMBERLAND FIELD OF G//367326

FIELD OF MARS Licensed: CUMBERLAND Whole Lot G//367326

Region: 10 - Sydney South Coast CMA Map:

River Basin: - Unknown **Grid Zone:** Scale:

Area/District:

Elevation: 0.00 m (A.H.D.) Northing: 6265735.000 Latitude: 33°43'57.1"S Longitude: 151°01'03.2"E Elevation Source: Unknown **Easting:** 316340.000

GS Map: -MGA Zone: 56 Coordinate Source: GIS - Geogra

Construction

Negative depths indicate Above Ground Level; C-Cemented; SL-Slot Length; A-Aperture; GS-Grain Size; Q-Quantity; PL-Placement of Gravel

Pack; PC-Pressure Cemented; S-Sump; CE-Centralisers

Hole	Pipe	Component	Туре	From (m)	1	Outside Diameter (mm)		Interval	Details
1		Hole	Hole	0.00	17.40	187			Rotary
1		Hole	Hole	17.40	240.00	156			Down Hole Hammer
1	1	Casing	Steel	-0.50	17.50	156	146		Driven into Hole

Water Bearing Zones

From (m)	To (m)	Thickness (m)	WBZ Type	S.W.L. (m)	D.D.L. (m)	Yield (L/s)	Hole Depth (m)		Salinity (mg/L)
54.00	60.00	6.00	Unknown			0.10		00:25:00	1340.00
228.00	234.00	6.00	Unknown			0.40		00:25:00	900.00

Drillers Log

From (m)	n To Thickness (m)		Drillers Description	Geological Material	Comments
0.00	1.00	1.00	topsoil	Topsoil	
1.00	5.00	4.00	clay, brown	Clay	
5.00	20.00	15.00	shale	Shale	
20.00	27.00	7.00	sandstone, grey medium grained soft	Sandstone	
			1		7

20/07/2020 $https://real time data.waternsw.com.au/wgen/users/b3f9c143c35547c69356f6a92e54af99/gw106144.agagpf_org.wsr.htm?15952160...$

27.00	31.00	4.00	shale	Shale
31.00	39.00	8.00	sandstone, grey medium grained soft	Sandstone
39.00	43.00	4.00	shale	Shale
43.00	155.00	112.00	sandstone, grey medium grained soft	Sandstone
54.00	60.00	6.00	shale, water bearing	Shale
96.00	100.00	4.00	quartz	Quartz
107.00	109.00	2.00	quartz	Quartz
155.00	240.00	85.00	quartz and bit of dark brown sandstone	Quartz
228.00	234.00	6.00	water bearing	(Unknown)

Remarks

03/12/2009: updated from original form A

*** End of GW106144 ***

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

WaterNSW Work Summary

GW107347

Licence: 10WA108692 Licence Status: CURRENT

> Authorised Purpose(s): DOMESTIC Intended Purpose(s): DOMESTIC

Work Type: Bore

Work Status: Supply Obtained Construct.Method: Down Hole Hamm

Owner Type: Private

Commenced Date: Final Depth: 195.00 m Completion Date: 08/04/2004 Drilled Depth: 195.00 m

Contractor Name: Ultra Drilling

Driller: Peter Edward Davidson

Assistant Driller:

Property: JARRETT 90 Franklin Rd

CHERRYBROOK 2126 NSW

GWMA: -GW Zone: - Standing Water Level 68.000

Salinity Description:

Yield (L/s): 2.500

Site Details

Site Chosen By:

County Parish Cadastre Form A: CUMBERLAND SOUTH COL 18//16975

Licensed: CUMBERLAND SOUTH COLAH Whole Lot 18//16975

Region: 10 - Sydney South Coast CMA Map: 9130-4S

River Basin: 212 - HAWKESBURY RIVER

Area/District:

Grid Zone:

Scale:

Northing: 6265774.000 Easting: 318062.000 Elevation: 0.00 m (A.H.D.) Latitude: 33°43'56.9"S Elevation Source: Unknown Longitude: 151°02'10.1"E

GS Map: -MGA Zone: 56 Coordinate Source: GIS - Geogra

Construction

Negative depths indicate Above Ground Level; C-Cemented; SL-Slot Length; A-Aperture; GS-Grain Size; Q-Quantity; PL-Placement of Gravel

Pack; PC-Pressure Cemented; S-Sump; CE-Centralisers

Hole	Pipe	Component	Туре	From (m)	To (m)	Outside Diameter (mm)	1	Interval	Details
1		Hole	Hole	0.00	1.00	203			Down Hole Hammer
1		Hole	Hole	1.00	54.00	171			Down Hole Hammer
1		Hole	Hole	54.00	195.00	140			Down Hole Hammer
1	1	Casing	Pvc Class 9	-0.30	54.00	140			Driven into Hole, Glued
1	1	Casing	Steel	-0.30	2.00	168	158		Driven into Hole

Water Bearing Zones

From (m)	To (m)	Thickness (m)	WBZ Type	S.W.L. (m)	D.D.L. (m)	Yield (L/s)	Hole Depth (m)	Duration (hr)	Salinity (mg/L)
129.00	130.00	1.00	Unknown			0.25		00:05:00	1000.00
148.00	149.00	1.00	Unknown			0.35		00:05:00	1000.00
180.00	181.00	1.00	Unknown			0.40		00:05:00	1000.00
192.00	195.00	3.00	Unknown	68.00		1.50		01:00:00	1900.00

Drillers Log

From (m)	To (m)	Thickness (m)	Drillers Description	Geological Material	Comments

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0.00	1.00	1.00	topsoil	Topsoil
1.00	5.00	4.00	clay, bands shale	Clay
5.00	37.00	32.00	shale	Shale
37.00	47.00	10.00	shale/sandstone	Shale
47.00	51.00	4.00	shale	Shale
51.00	115.00	64.00	sandstone/shale seams	Sandstone
115.00	118.00	3.00	sandstone/quartzite	Sandstone
118.00	127.00	9.00	sandstone/shale	Sandstone
127.00	129.00	2.00	sandstone/quartzite	Sandstone
129.00	140.00	11.00	sandstone/shale	Sandstone
140.00	143.00	3.00	shale	Shale
143.00	148.00	5.00	sandstone/quartzite	Sandstone
148.00	167.00	19.00	sandstone/shale	Sandstone
167.00	182.00	15.00	sandstone/quartzite	Sandstone
182.00	184.00	2.00	shale	Shale
184.00	195.00	11.00	sandstone	Sandstone

Remarks

29/03/2010: updated from original form A

*** End of GW107347 ***

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

WaterNSW Work Summary

GW111378

Licence: Licence Status:

Authorised Purpose(s):

Intended Purpose(s): MONITORING BORE

Work Type: Bore
Work Status: Equipped
Construct.Method: Auger - Solid
Owner Type: Private

Commenced Date: Final Depth: 11.80 m
Completion Date: 25/01/2011 Drilled Depth: 11.80 m

Contractor Name: SGA Environmental

Driller: Dahmon Sorongan

Assistant Driller: Peter Graham

Property: Standing Water Level 6.200

(m):

GWMA: Salinity Description:
GW Zone: Yield (L/s):

Site Details

Site Chosen By:

County Parish Cadastre
Form A: CUMBERLAND SOUTH COL 2005//1088072

Licensed:

Region: 10 - Sydney South Coast CMA Map:

River Basin: - Unknown Grid Zone: Scale:

Area/District:

 Elevation:
 0.00 m (A.H.D.)
 Northing:
 6266017.000
 Latitude:
 33°43'48.2"S

 Elevation Source:
 Unknown
 Easting:
 316772.000
 Longitude:
 151°01'20.2"E

GS Map: - MGA Zone: 56 Coordinate Source: Unknown

Construction

Negative depths indicate Above Ground Level; C-Cemented; SL-Slot Length; A-Aperture; GS-Grain Size; Q-Quantity; PL-Placement of Gravel

Pack; PC-Pressure Cemented; S-Sump; CE-Centralisers

Hole	Pipe	Component	Туре	From (m)	To (m)	Outside Diameter (mm)	Inside Diameter (mm)	Interval	Details
1		Hole	Hole	0.00	11.80	90			Auger - Solid Flight
1		Annulus	Bentonite/Grout	8.25	8.80				
1		Annulus	Waterworn/Rounded	8.80	10.75				Graded
1	1	Casing	Pvc Class 9	0.00	10.75	50			Seated on Bottom, Screwed
1	1	Opening	Slots - Diagonal	8.90	10.75	50		0	Casing - Hand Sawn Slot, PVC Class 9, Screwed, SL: 40.0mm, A: 10.00mm

Water Bearing Zones

	-	To (m)	Thickness (m)	WBZ Type	S.W.L. (m)	D.D.L. (m)	Yield (L/s)		Duration (hr)	Salinity (mg/L)
İ	9.80	10.75	0.95	Unknown	6.20			(,		

Drillers Log

Fro (m)			Thickness (m)	Drillers Description	Geological Material	Comments
0	.00	0.45	0.45	CLAY SILTY BROWN	Silty Clay	
0	.45	0.90	0.45	CLAY WITH SHALE FRAGMENTS	Clay	
		1				

20/07/2020 $https://real timedata.waternsw.com.au/wgen/users/b3f9c143c35547c69356f6a92e54af99/gw111378.agagpf_org.wsr.htm?15952153...$

	0.90	1.60	0.70	CLAT GREY STIFF ,BROWN GREY SHALE	Clay	
	1.60	3.50	1.90	SHALE STIFF WEATHERED	Shale	
Ī	3.50	11.80	8.30	SHALE STIFF WITH WEATHERED	Shale	
				ZONES		

*** End of GW111378 ***

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

WaterNSW Work Summary

GW111379

Licence: Licence Status:

Authorised Purpose(s):

Intended Purpose(s): MONITORING BORE

Work Type: Bore
Work Status: Equipped
Construct.Method: Auger - Solid
Owner Type: Private

Commenced Date: Final Depth: 10.00 m
Completion Date: 25/01/2011 Drilled Depth: 10.00 m

Contractor Name: SGA Environmental

Driller: Dahmon Sorongan
Assistant Driller: Peter Graham

Property: Standing Water Level 5.800

(m):

GWMA: Salinity Description:
GW Zone: Yield (L/s):

Site Details

Site Chosen By:

County Parish Cadastre
Form A: CUMBERLAND SOUTH COL 2005//1088072

Licensed:

Region: 10 - Sydney South Coast CMA Map:

River Basin: - Unknown Grid Zone: Scale:

Area/District:

 Elevation:
 0.00 m (A.H.D.)
 Northing:
 6265965.000
 Latitude:
 33°43'49.9"S

 Elevation Source:
 Unknown
 Easting:
 316799.000
 Longitude:
 151°01'21.2"E

GS Map: - MGA Zone: 56 Coordinate Source: Unknown

Construction

Negative depths indicate Above Ground Level; C-Cemented; SL-Slot Length; A-Aperture; GS-Grain Size; Q-Quantity; PL-Placement of Gravel

Pack; PC-Pressure Cemented; S-Sump; CE-Centralisers

Hole	Pipe	Component	Туре	From (m)	To (m)	Outside Diameter (mm)	Inside Diameter (mm)	Interval	Details
1		Hole	Hole	0.00	10.00	90			Auger - Solid Flight
1		Annulus	Bentonite/Grout	6.60	7.60				
1		Annulus	Waterworn/Rounded	7.60	10.00				Graded
1	1	Casing	Pvc Class 9	0.00	10.00	50			Seated on Bottom
1	1	Opening	Slots - Diagonal	8.00	10.00	50		0	Casing - Hand Sawn Slot, PVC Class 9, Screwed, SI : 40 0mm, A: 10 00mm

Water Bearing Zones

		To (m)	Thickness (m)	WBZ Type	S.W.L. (m)	D.D.L. (m)	Yield (L/s)	Hole Depth (m)	Duration (hr)	Salinity (mg/L)
Ī	8.60	10.00	1.40	Unknown	5.80					

Drillers Log

From (m)	To (m)	Thickness (m)	Drillers Description	Geological Material	Comments
0.00	0.70		FILL, FIRM,BROWN CLAY,CONCRETE,BRICK	Fill	
			, , , , , , , , , , , , , , , , , , , ,		

20/07/2020

0.70	1.10	0.40	CLAY FIRM BROWN BLACK	Clay	
1.10	2.00	0.90	CLAY STIFF BROWN ORANGE	Clay	
2.00	2.60	0.60	STIFF TO VERY STIFF BROWN SHALE	Shale	
2.60	5.60	3.00	SHALE STIFF/FIRM/ORANGE	Shale	
5.60	10.00	4.40	SHALE STIFF GREY	Shale	

*** End of GW111379 ***

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

WaterNSW Work Summary

GW111380

Licence: **Licence Status:**

Authorised Purpose(s):

Intended Purpose(s): MONITORING BORE

Work Type: Bore Work Status: Equipped Construct.Method: Auger - Solid Owner Type: Private

Commenced Date: Final Depth: 9.80 m Completion Date: 25/01/2011 Drilled Depth: 9.80 m

Contractor Name: SGA Environmental Driller: Dahmon Sorongan

Assistant Driller: Peter Sorongan

Property: Standing Water Level 5.750

GWMA: Salinity Description: **GW Zone:**

Yield (L/s):

Site Details

Site Chosen By:

County Parish Cadastre Form A: CUMBERLAND SOUTH COL 2005//1088072

Licensed:

Region: 10 - Sydney South Coast CMA Map:

River Basin: - Unknown **Grid Zone:** Scale:

Area/District:

Elevation: 0.00 m (A.H.D.) Latitude: 33°43'50.4"S Northing: 6265952.000 Elevation Source: Unknown Longitude: 151°01'21.6"E Easting: 316808.000

GS Map: -MGA Zone: 56 Coordinate Source: Unknown

Construction

Negative depths indicate Above Ground Level; C-Cemented; SL-Slot Length; A-Aperture; GS-Grain Size; Q-Quantity; PL-Placement of Gravel

Pack; PC-Pressure Cemented; S-Sump; CE-Centralisers

Hole	Pipe	Component	Туре	From (m)	1	Outside Diameter (mm)	Inside Diameter (mm)	Interval	Details
1		Hole	Hole	0.00	9.80	90			Auger - Solid Flight
1		Annulus	Bentonite/Grout	5.80	5.90				
1		Annulus	Waterworn/Rounded	5.90	9.80				Graded
1	1	Casing	Pvc Class 9	0.00	9.80	50			Seated on Bottom, Screwed
1	1	Opening	Slots - Diagonal	7.00	9.80	50		0	Casing - Hand Sawn Slot, PVC Class 9, Screwed, SL: 40.0mm, A: 10.00mm

Water Bearing Zones

	To (m)	Thickness (m)	WBZ Type	S.W.L. (m)	D.D.L. (m)	Yield (L/s)	Hole Depth (m)	Duration (hr)	Salinity (mg/L)
8.00	9.80	1.80	Unknown	5.75					

Drillers Log

From (m)	1 ' 1	Thickness (m)	Drillers Description	Geological Material	Comments
0.00	0.45		FILL.FIRM, BROWN GREY,CLAY,SHALE FRAGS.	Fill	

20/07/2020 $https://real timedata.waternsw.com.au/wgen/users/b3f9c143c35547c69356f6a92e54af99/gw111380.agagpf_org.wsr.htm?15952158...\\$

	0.45	1.00	0.55	FILL,CRUSHED SHALE	Fill	
	1.00	2.30	1.30	CLAY WITH MINOR YELLOW MOTTLING	Clay	
ſ	2.30	9.80	7.50	STIFF YELLOW ORANGE WEATHERED	Shale	
				SHALE		

*** End of GW111380 ***

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



Appendix F Historical Land Title Records



Level 14, 135 King Street, Sydney Sydney 2000 GPO Box 4103 Sydney NSW 2001 DX 967 Sydney

Summary of Owners Report

Address: - Cherrybrook Train Station

Description: - Lots 30 to 34 D.P. 1253104

As regards the part of Stratum Lot 30 D.P. 1253104 within the red edged area on the attached Cadastral Records Enquiry Report–located near the north west corner

As regards the part numbered (1) on the attached Cadastral Records Enquiry Report

Date of Acquisition and term held	Registered Proprietor(s) & Occupations where available	Reference to Title at Acquisition and sale
22.03.1929 (1929 to 1939)	Alma Beatrice Mackey (Married Woman)	Vol 634 Fol 215 Now Vol 4276 Fol 211
17.05.1939 (1939 to 1943)	Herbert Henry Dearin (Freeholder)	Vol 4276 Fol 211
10.09.1943 (1943 to 1948)	Leila Doris Joan Digges La Louche (Widow)	Vol 4276 Fol 211
21.05.1948 (1948 to 1951)	Alexander Casa (Retired)	Vol 4276 Fol 211 Now Vol 5880 Fol 194
28.03.1951 (1951 to 1960)	Ethel Maud Bourne (Widow)	Vol 5880 Fol 194
15.03.1960 (1960 to 1969)	Ellis Branz (Orchardist)	Vol 5880 Fol 194
26.02.1969 (1969 to 1983)	Frederick Linley Critchley (Production Supervisor) Valerie Critchley (Married Woman)	Vol 5880 Fol 194
19.04.1983 (1983 to 1988)	Ronald Cameron Mossman Veronica Mary Mossman	Vol 5880 Fol 194
31.10.1988 (1988 to 2012)	Alfred See Boo Chung Kwai Choo Chung	Vol 5880 Fol 194 Now 5/14282
31.12.2012 (2012 to 2019)	Transport for NSW	5/14282 Now 80/1180972
26.02.2019 (2019 to date)	# Sydney Metro	80/1180972 Now 30/1253104

Denotes Current Registered Proprietor



Level 14, 135 King Street, Sydney Sydney 2000 GPO Box 4103 Sydney NSW 2001 DX 967 Sydney

As regards the part numbered (2) on the attached Cadastral Records Enquiry Report

Date of Acquisition and term held	Registered Proprietor(s) & Occupations where available	Reference to Title at Acquisition and sale
22.03.1929 (1929 to 1939)	Alma Beatrice Mackey (Married Woman)	Vol 634 Fol 215 Now Vol 4276 Fol 211
17.05.1939 (1939 to 1943)	Herbert Henry Dearin (Freeholder)	Vol 4276 Fol 211
10.09.1943 (1943 to 1946)	Leila Doris Joan Digges La Louche (Widow)	Vol 4276 Fol 211
02.05.1946 (1946 to 1947)	June Rosemary Bertha Vickrage (Married Woman)	Vol 4276 Fol 211 Now Vol 5619 Fol 90
12.04.1947 (1947 to 1978)	Kenneth William Vickrage (Electrical Fitter) June Rosemary Bertha Vickrage (Married Woman)	Vol 5619 Fol 90
21.12.1978 (1978 to 1987)	Turk Holdings Pty Limited	Vol 5619 Fol 90
04.12.1987 (1987 to 2013)	Reginald Thomas Webb	Vol 5619 Fol 90 Now 6/14282
05.04.2013 (2013 to	Transport for NSW	6/14282 Now 80/1180972
26.02.2019 (2019 to date)	# Sydney Metro	80/1180972 Now 30/1253104

Denotes Current Registered Proprietor

Easements: -

• 07.07.1961 Easement for Transmission Line 200 feet wide

Leases: -NIL

As regards the part of Stratum Lots 30 and 32 D.P. 1253104 within the red edged area on the attached Cadastral Records Enquiry Report – located near the south east corner

Date of Acquisition and term held	Registered Proprietor(s) & Occupations where available	Reference to Title at Acquisition and sale
16.06.1936 (1936 to 1957)	Leslie Charles Small (Orchardist)	Vol 4768 Fol 91 Now Vol 4992 Fol 190
21.06.1957 (1957 to 1957)	Lenna Small (Widow) (Section 94 Application not investigated)	Vol 4992 Fol 190
27.08.1957 (1957 to 1973)	Leslie Mervyn Small (Lorry Driver)	Vol 4992 Fol 190
16.08.1973 (1973 to 1995)	Jean Gwendoline Small (Widow) (Section 93 Application not investigated)	Vol 4992 Fol 190



Level 14, 135 King Street, Sydney Sydney 2000 GPO Box 4103 Sydney NSW 2001 DX 967 Sydney

Continued as regards the part of Stratum Lots 30 and 32 D.P. 1253104 within the red edged area on the attached Cadastral Records Enquiry Report – located near the south east corner

Date of Acquisition and term held	Registered Proprietor(s) & Occupations where available	Reference to Title at Acquisition and sale
26.06.1995 (1995 to 1996)	Beverley Dunn William Small (Transmission Application not investigated)	Vol 4992 Fol 190
11.04.1996 (1996 to 1997)	William Small Patricia McMullen	Vol 4992 Fol 190
11.09.1997 (1997 to	Taydell Properties Pty Limited	Vol 4992 Fol 190 Now 14/1005729 & 15/1005729
	Continued as regards the part numbered (1) on the attached Cadastral Records Enquiry Report	
13.10.1999 (1999 to 2007)	Habibollah Modir	14/1005729
11.05.2007 (2007 to 2013)	Minister Adminstering the Environmental Planning and Assessment Act 1979	14/1005729
24.05.2013 (2013 to 2019)	Transport for NSW	14/1005729 Now 80/1180972
26.02.2019 (2019 to date)	# Sydney Metro	80/1180972 Now 30/1253104 & 32/1253104
	Continued as regards the part numbered (2) on the attached Cadastral Records Enquiry Report	,
05.04.2000 (2000 to 2004)	Mohammad Naim Rafiqi Zarghona Rafiqi	15/1005729
21.01.2004 (2004 to 2007)	Janet Elizabeth Howells Wade Morgan Howells	15/1005729
04.06.2007 (2007 to 2013)	Minister Adminstering the Environmental Planning and Assessment Act 1979	15/1005729
24.05.2013 (2013 to 2019)	Transport for NSW	15/1005729 Now 80/1180972
26.02.2019 (2019 to date)	# Sydney Metro	80/1180972 Now 30/1253104 & 32/1253104

Denotes Current Registered Proprietor

Easements: - Refer to D.P. 1253104

Leases: -NIL



Level 14, 135 King Street, Sydney Sydney 2000 GPO Box 4103 Sydney NSW 2001 DX 967 Sydney

As regards the part of Lot 33 D.P. 1253104 within the red edged area on the attached Cadastral Records Enquiry Report – located near the north east corner

Date of Acquisition and term held	Registered Proprietor(s) & Occupations where available	Reference to Title at Acquisition and sale
27.04.1936 (1936 to 1944)	James Melville Derrin (Merchant)	Vol 4757 Fol 182
12.12.1944 (1944 to 1956)	Leslie Mervyn Small (Lorry Driver)	Vol 4757 Fol 182 Now Vol 5483 Fol 185
10.08.1956 (1956 to 1957)	George Stanley Schulze (Radio Technician) Peggy Merle Schulze (Married Woman)	Vol 5483 Fol 185 Now Vol 7169 Fol 80
11.07.1957 (1957 to 1958)	William Richard Clayton (Shopkeeper) Julia Matilda Clayton (Married Woman)	Vol 7169 Fol 80
13.07.1958 (1958 to 1967)	Robert Palmer (Nurseryman)	Vol 7169 Fol 80
11.07.1967 (1967 to 1979)	Fay Olive Palmer (Widow) (Section 94 Application not investigated)	Vol 7169 Fol 80
11.06.1979 (1979 to 2007)	Richard Allen Davies (Solicitor) Dawn Roslyn Davies (Married Woman)	Vol 7169 Fol 80 Now 8/16975
27.06.2007 (2007 to 2013)	Minister Adminstering the Environmental Planning and Assessment Act 1979	8/16975
24.05.2013 (2013 to 2019)	Transport for NSW	8/16975 Now 80/1180972
26.02.2019 (2019 to date)	# Sydney Metro	80/1180972 Now 33/1253104

Denotes Current Registered Proprietor

Easements: - NIL

Leases: -NIL

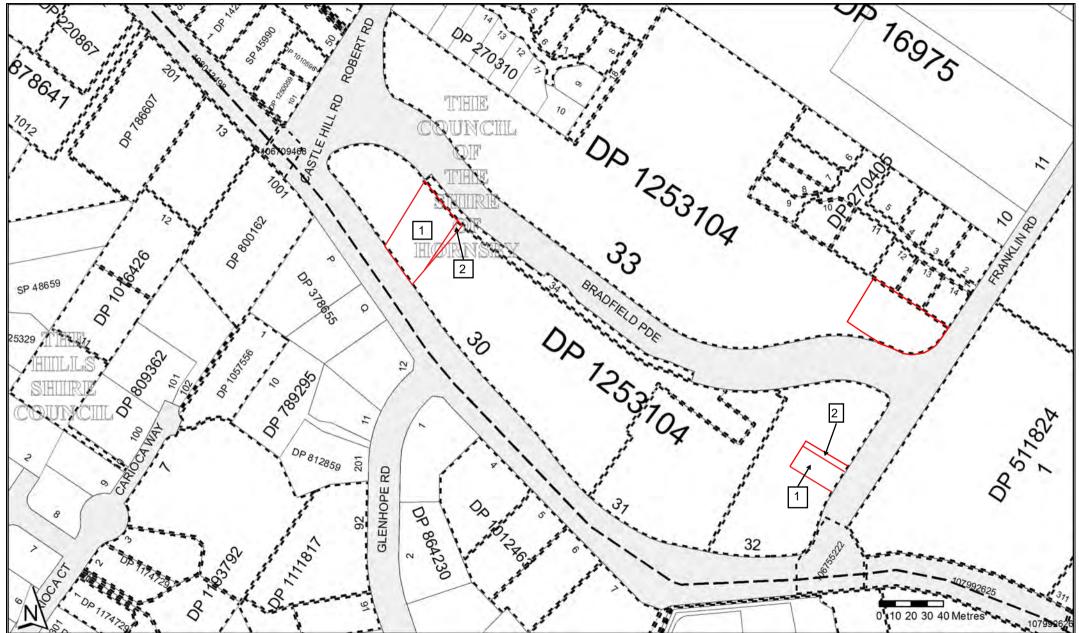
Yours Sincerely Mark Groll 4 August 2020



Cadastral Records Enquiry Report: Lot 30 DP 1253104

Locality: CHERRYBROOK Parish: SOUTH COLAH

LGA: HORNSBY **County:** CUMBERLAND



Report Generated 5:59:54 AM, 4 August, 2020 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



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1253104

DP1253104 ePlan SHEET 1 OF 6 SHEETS EASEMENT FOR TRANSMISSION LINE VARIABLE WIDTH (H127106)
EASEMENT FOR TRANSMISSION LINE VARIABLE WIDTH (J5360) EASEMENT FOR TRANSMISSION LINE 30 AR WIDE (15360) EASEMENT FOR BATTER (DP 442976, DP 443037, G911449)
EASEMENT FOR WATER SUPPLY PURPOSES 3 WIDE & VARIABLE (DP 1213429) SSM 46119 FD 11 \ DP 16975 EASEMENT FOR ELECTRICITY AND OTHER PURPOSES VARIABLE WIDTH (DP 1213429)
RIGHT OF CARRIAGEWAY 4.6 WIDE (DP1252839) 10 PROPOSED FASEMENT FOR STREET LIGHTING (WHOLE OF LOT 34) RESERVATIONS & CONDITIONS IN THE CROWN GRANTS, AS REGARDS THE PARTS D P 16975 ROAD 125° FORMERLY COMPRISED IN LOT 3-5 IN DP 22429 AND LOTS 4-7 IN DP 14282 D 108.02 (0.03 151.01 DP 185227 DP 378203 (DP 270405) 61 3 DP 1040835 2 7 5 6 DP 1022285 123°11′40" 15.24 0 12 13 14 11 \ 150.875 17 4 0 ROAD^{\exists} CNR INACCESSIBLE Q RMB NAIL FD IN FACE OF 150.49 ® € METAL PANFI FENCE 25 YO 3 34°32'-0.115 TO ENR 16 15 14 13 12 10 હ (DP 1180972) (C) 021 /Prt:04-Aug-2020 Train Station __ 33 DP 882721 142 22 3.289ha PM 73849 SEE SHEET 4 DP 511824 (GONE) 50 1145462 (C) ROBEI ROAD WIDENING FRANKLIN DP 1010596 (C) PARADE SEE SHEET 2 101 BRADFIELD SW LRS /Pgs:ALL / /Ref:Cheerybrook DP 1250059 32 PT 31 6718m² SSM 180273 FD 🔼 (EST'D) DP 1180950 PM 7645 FD 34 PT 30 (BELOW) (EST'D) 1329m² SEE SHEET 3 (1.597ha)(B) 70 Ó 4655⁴ (5570) TOTAL ARÉA PT 30 DP 1180970 /Rev:30-Sep-2019 /NSW ral /Src:INFOTRACK /Re PT 30 & 2.539ha & PT31 (BELOW) (IN 8 PARTS) **BRADFIELD PDE** (IN STRATUM) SSM 180260 FD (EST'D) (NOW GONE) SURVEYING AND SPATIAL INFORMATION REGULATION 2017, CLAUSE 71 SEE SHEET 6 FOR ALL STRATUM LEVELS MARK HEIGHT DATUM VALIDATION STATE & RESTRICTIONS AND LONG SECTIONS ROAD HILLAHD CLASS ORDER A-A TO D-D (INCLUSIVE) SSM 180252 SSM 46554 177.574 174.651 TC TC TC SCIMS ADOPTED SCIMS VALIDATION FOUND FOUND PM 7644 FD (J)(P) (EST'D) SSM 180260 183 313 L3 L3 SCIMS VALIDATION FOLIND SCHEDITLE OF MGA COMPARISONS ROAD SSM 180252 FD 185.211 SCIMS VALIDATION FROM TO DATE OF HEIGHT VALUES: 29th MARCH 2019 HEIGHT DATUM : AHD71 (EST'D) SURVEYING AND SPATIAL INFORMATION REGULATION 2017, CLAUSE 70 'X'-'Y SSM 180260 SSM 180252 272°26'45" - 105.517 MGA GRND 272°26'45" - 105.51 SURVEY SCHEDULE OF REFERENCE MARKS MGA CO-ORDINATES 310°42'32" - 115.189 MGA GRND 310°42'37" - 115.20 SURVEY SSM 180252 HEIGHT DIFFERENCE SCHEDULE MARK STATE ME THOD EASTING NORTHING CLASS ORDER BEARING & DISTANCE DESCRIPTION HEIGHT DIFFERENCE ORIGIN PM 7644 SSM 46554 FROM ΤN METHOD 124°41'40"-3.52 RM DH&W FD (DP285659)(NOW GONE) 322°11'41" - 217.563 SURVEY SSM 180260 317 853.157 265 147.353 IMS ADOPTED FOUND PM 7645 SSM 180260 SCIMS SURVEY SCIMS SCIMS SCIMS SCIMS SCIMS 2 113°37'40"-3.505 RM DH&W FD (DP270310) SSM 180252 317 747,738 6 265 151.856 FOUND SSM 46554 SSM 180273 318°17'17" - 291.037 SURVEY -1.881 SSM 46119 SSM 46554 SSM 180273 318 039.524 6 265 412.42 6 265 398.9 303°11'-3.675 RM DH&W FD (DP1022285) SSM 180260 | SSM 180252 -5.739 SCIMS FOUND 4 331°58'40"-13.285 RM NAIL&W FD (DP882721)(NOW GONE) 106°05'28" - 734.947 MGA GRND 106°05'43" - 734.928 SURVEY SSM 180273 317 333 387 -5.742 SURVEY 6 265 616 119 FOLIND 5 116°02'-2.06 RM DH&W PLCD IN M/H 317 660.423 317 921.255 6 265 226.982 6 265 153.558 SCIMS FOUND SSM 180252 -2.923 -2.93 SCIMS SURVEY RM NAIL FD (DP270405) M 7645 6 80°23'-4.45 SSM 46119 204°33'17" - 284.607 MGA GRND TRIGONOMETRIC 33°26'-0.5 RM GIP FD (DP1180972) 204°33'07" - 284.608 SURVEY ADOPTED FROM SCIMS: 29th MARCH 2019 MGA ZONE: 56 SSM 46554 BM 1 +0.101 SURVEY HEIGHTING 300°44'"-5.115 RM DH&W FD (DP270405)(NOW GONE) SSM 180260 В PM 7645 264°47'37" - 68.382 MGA GRND 264°49'29" - 68.39 SURVEY COMBINED SCALE FACTOR: 0.999977 MGA DATUM : GDA94 323°03'-5.725 RM DH&W FD (DP1180972) -3.74 SURVEY Req:R433205 © Office of PM 7645 +14.192 SURVEY REGISTERED SURVEYOR PLAN OF SUBDIVISION OF L.G.A.: HORNSBY

10 | 20 | 30 | 40 | 50 | 60 | 70 | 80 | 90 | 100 | 110 | 120 | 130 | 140 | 150 | Table of mm

HEIGHT DATUM : AHD71

Reference: PR124856-141-DP3

Name:

Date:

DAVID ANDREW ADA

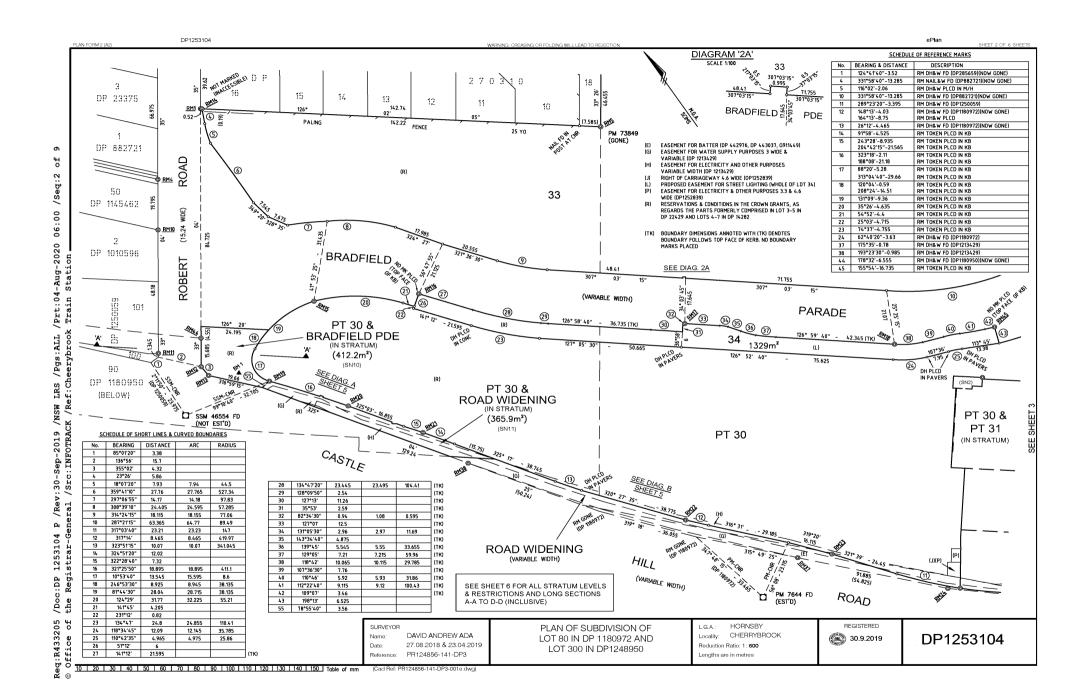
27.08.2018 & 23.04.2019

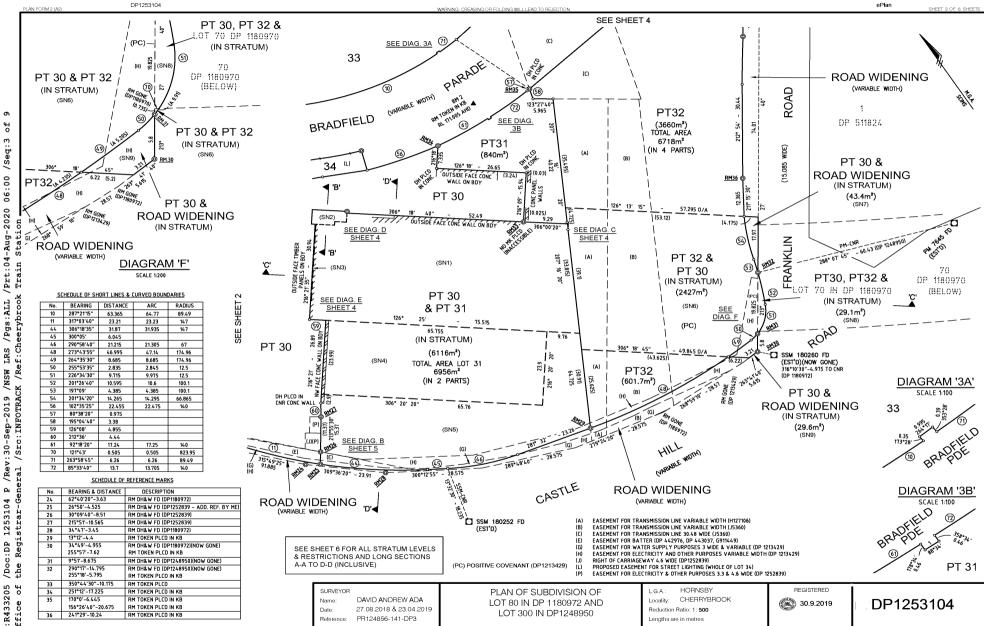
LOT 80 IN DP 1180972 AND LOT 300 IN DP1248950

Locality: CHERRYBROOK Reduction Ratio: 1: 1250 Lengths are in metres

30.9.2019

DP1253104

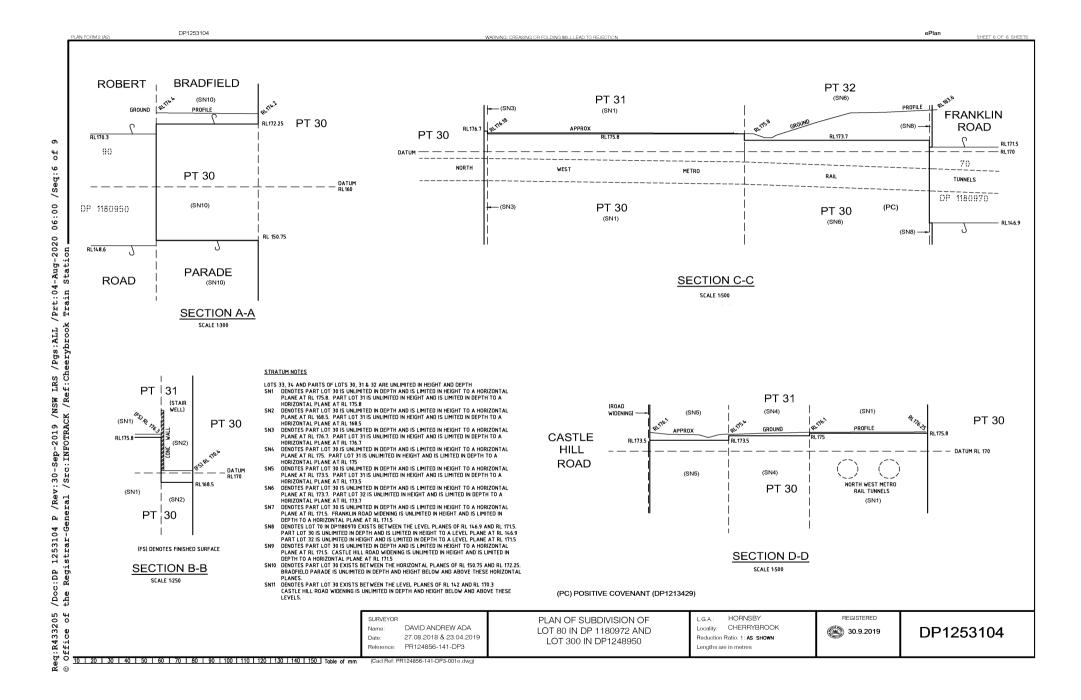




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10 | 20 | 30 | 40 | 50 | 60 | 70 | 80 | 90 | 100 | 110 | 120 | 130 | 140 | 150 | Table of mm

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ePlan

PLAN FORM 6 (2018)	AN FORM 6 (2018) DEPOSITED PLAN AI			ADMINISTRATION SHEET Sheet 1 of 3		
Registered: 30.9.2 Title System: TORRENS	Office Use Only	С)P125		ce Use Only	
PLAN OF SUBDIVISION O LOT 80 IN DP 1180972 and DP1248950		LGA: Locality: Parish: County:	HORNSBY CHERRYBRO SOUTH COL	АН		
Survey Certii I, DAVID ANDREW ADA of RPS AUSTRALIA EAST PTY LTD a surveyor registered under the Surveyin 2002, certify that: *(a) The land shown in the plan was surveying and Spatial Information R and the survey was completed on 46 *(b) The part of the land shown in the plan was surveyed in accordance with the Information Regulation 2017, the par survey was completed on, was compiled in accordance with the *(c) The land shown in this plan was com Surveying and Spatial Information R Datum Line: 'X' - 'Y' Type: *Urban/*Rural The terrain is *Level Undulating / Steep Signature:	reyed in accordance with the egulation 2017, is accurate 0.04.2010	County: CUMBERLAND Crown Lands NSW/Western Lands Office Approval I,				
*Strike out inappropriate words. **Specify the land actually surveyed or specific is not the subject of the survey. Plans used in the preparation of survey/or DP 270310 DP 1213429 DP 270405 DP 1248950 DP 285659 DP 1250059	*Strike through if inapplicable. Statements of intention to dedicate public roads, create public reserves and drainage reserves, acquire/resume land. IT IS INTENDED TO DEDICATE BRADFIELD PARADE AND THE WIDENING ALONG CASTLE HILL ROAD TO THE			ADE AND THE		
DP 1180972 DP 1252839 DP 1180950 DP 1180970 Surveyor's Reference: PR124856	-141-DP3	IT IS INTENTI FRANKLIN R	ADMINISTRATION ED TO DEDICATE OAD TO THE PUE	THE WIDENING OBLIC AS PUBLIC R	OF OAD.	

ePlan

DEPOSITED PLAN ADMINISTRATION SHEET PLAN FORM 6A (2017) Sheet 2 of 3 sheet(s) Office Use Only Office Use Only 30.9.2019 Registered: DP1253104 **PLAN OF SUBDIVISION OF** LOT 80 IN DP 1180972 and LOT 300 IN DP1248950 This sheet is for the provision of the following information as required: A schedule of lots and addresses - See 60(c) SSI Regulation 2017 Subdivision Certificate number: SMNWPR-009..... Statements of intention to create and release affecting interests in accordance with section 88B Conveyancing Act 1919 Date of Endorsement: 6/5/19 Signatures and seals- see 195D Conveyancing Act 1919 Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets.

STREET ADDRESSES NOT AVAILABLE

IT IS INTENDED TO DEDICATE BRADFIELD PARADE AND THE WIDENING ALONG CASTLE HILL ROAD TO THE PUBLIC AS PUBLIC ROAD, SUBJECT TO THE FOLLOWING EASEMENTS:

- 1. BRADFIELD PARADE IS SUBJECT TO: EASEMENT FOR TRANSMISSION LINE VARIABLE WIDTH (C) CREATED BY DEALING J5360
- 2. THE WIDENING ALONG CASTLE HILL ROAD IS SUBJECT TO: EASEMENT FOR BATTER VARIABLE WIDTH (E) (DP442976, DP443037 & G911449), EASEMENT FOR WATER SUPPLY PURPOSES 3 WIDE AND VARIABLE WIDTH (G) CREATED BY DP1213429, EASEMENT FOR ELECTRICITY AND OTHER PURPOSES VARIABLE WIDTH (H) CREATED BY DP1213429, EASEMENT FOR TRANSMISSION LINE VARIABLE WIDTH (A) CREATED BY DEALING H127106 AND EASEMENT FOR TRANSMISSION LINE VARIABLE WIDTH (B) CREATED BY DEALING J5360

If space is insufficient use additional annexure sheet

Surveyor's Reference: PR124856-141-DP3

ePlan

PLAN FORM 6A (2017) DEPOSITED PLAN AI	DMINISTRATION SHEET Sheet 3 of 3 sheet(s)			
Office Use Only Registered: 30.9.2019	Office Use Only			
PLAN OF SUBDIVISION OF LOT 80 IN DP 1180972 and LOT 300 IN	DP1253104			
Subdivision Certificate number: SMNWPR-009 Date of Endorsement:&1s.1.19	This sheet is for the provision of the following information as required: A schedule of lots and addresses - See 60(c) SSI Regulation 2017 Statements of intention to create and release affecting interests in accordance with section 88B Conveyancing Act 1919 Signatures and seals- see 195D Conveyancing Act 1919 Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets.			
Executed by Sydney Metro ABN 12 354 063 515 by its authorised delegate in the presence of: Signature of witness NECTARIA VELIOTIS Name of witness LHO, 680 GEORGE STREET Address Address	Authorised Delegate IVAN A LAVINIC Name in full A / E X E C U T I V E D I R E C T O R Capacity of Delegate PLACE MAKING 7 PROJECT DEVELOPME			
If anged in insufficient use	additional annexure sheet			

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DP1248950 ePlan COORDINATE SCHEDULE 14 APPROX. SURFACE LEVEL RL 184.0 MGA COORDINATES STATE MARK CLASS ORDER METHOD EASTING NORTHING 270405 PM 7645 317 921,255 6 265 153,558 SCIMS FOUND PΤ FRANKLIN 317 747.738 6 265 151.856 SCIMS FOUND ROAD SSM 180260 317 853.157 6 265 147.353 SCIMS FOUND 300 DATE OF SCIMS COORDINATES: 13.09.2018 MGA ZONE 56 MGA DATUM: GDA94 RL 171.5 COMBINED SCALE FACTOR = 0.999976 RM DH&W FD 300°44'-5.115 (DP 270405) HEIGHT SCHEDULE 70 AHD VALUE MARK CLASS ORDER HEIGHT DATUM VALIDATION STATE 80 DP 1180970 LC LC L3 L3 L3 FOUND 185.211 FROM SCIMS DP 1180972 SSM 180252 SSM 180260 FROM SCIMS FOLIND 177.574 183.313 FROM SCIMS FOUND RL 146.9 DATE OF SCIMS AHD VALUES: 13.09.2018 HEIGHT DATUM: AHD71 РΤ HEIGHT DIFFERENCE SCHEDULE RM DH&W FD FRANKLIN HEIGHT DIFFERENCE 23°15′20″-13.59 (DP 1180970) 300 FROM METHOD ROAD PM 7645 SSM 180260 -1.881 -5.742 TRIGONOMETRIC SSM 180252 SSM 180260 LEVELLING SSM 180252 PM 7645 HEIGHT DATUM: AHD71 **SECTION A-A** 80 RM DH&W 290°17'-14.795 DP 1180972 70 80 1180970 300 & DP 1180972 70 DP 1180970 NOTE 2 29.2m² RM GONE (DP 11809) NOTE 1 70 DP 1180970 DIAGRAM 1 NOT TO SCALE SSM 180260 FD 'X' (EST'D) SSM 180252 FD **ROAD** (EST'D) HILL **CASTLE** SCHEDULE OF SHORT LINES & CURVED BOUNDARIES EXISTING EASEMENTS NOTE 1 PT 300 UNLIMITED IN HEIGHT AND DEPTH No. BEARING DISTANCE ARC RADIUS (H) EASEMENT FOR ELECTRICITY AND OTHER PURPOSES VARIABLE WIDTH (DP 1213429) 201°26′40″ 10.595 10.6 100.10 PT 300 EXCLUDES LOT 70 DP 1180970 AND IS OTHERWISE UNLIMITED IN HEIGHT AND DEPTH AS SHOWN IN SECTION A-A 2 226°34′30" 9.715 9.975 12.5 LEVELS SHOWN ARE ON AUSTRALIAN HEIGHT DATUM (A.H.D.) ORIGIN OF LEVELS SSM 180260 RL 183.313 (AHD) HORNSBY REGISTERED SURVEYOR PLAN OF ACQUISITION BEING L.G.A.: IT IS INTENDED TO ACQUIRE LOT 300 FOR RAILWAY PURPOSES DAVID WALLACE FAIRLIE Locality: CHERRYBROOK DP1248950 Name: PART OF THE LAND IN CT VOL540 FOL178 18.12.2018 25.09.2018 Date: Reduction Ratio: 1: 250 Reference: PR124856-141-DP3A Lengths are in metres

/Prt:04-Aug-2020 Train Station ___ 1248950 Req:R433206 © Office of

10 | 20 | 30 | 40 | 50 | 60 | 70 | 80 | 90 | 100 | 110 | 120 | 130 | 140 | 150 | Toble of mm

PLAN FORM 6 (2017) DEPOSITED PLAN A	DMINISTRATION SHEET	Sheet 1 of 2 sheet(s)
Office Use Only		Office Use Only
Registered: 18.12.2018	DP12489	950
Title System: TORRENS		
PLAN OF ACQUISITION BEING	LGA: HORNSB	Y
PART OF THE LAND IN CT 540 VOL 178	Locality: CHERRY	BROOK
	Parish: SOUTH (COLAH
	County: CUMBER	LAND
Survey Certificate I, DAVID WALLACE FAIRLIE	I,	n Certificate gerl*Accredited Certifier, certify that fronmental Planning and atisfied in relation to the proposed et out herein.
DP1180972, DP 1180970, DP 1213429	and drainage reserves, acquire/res IT IS INTENDED TO ACQUI	
Surveyor's Reference: PR124856-141-DP3A		8B Statements should appear on ORM 6A

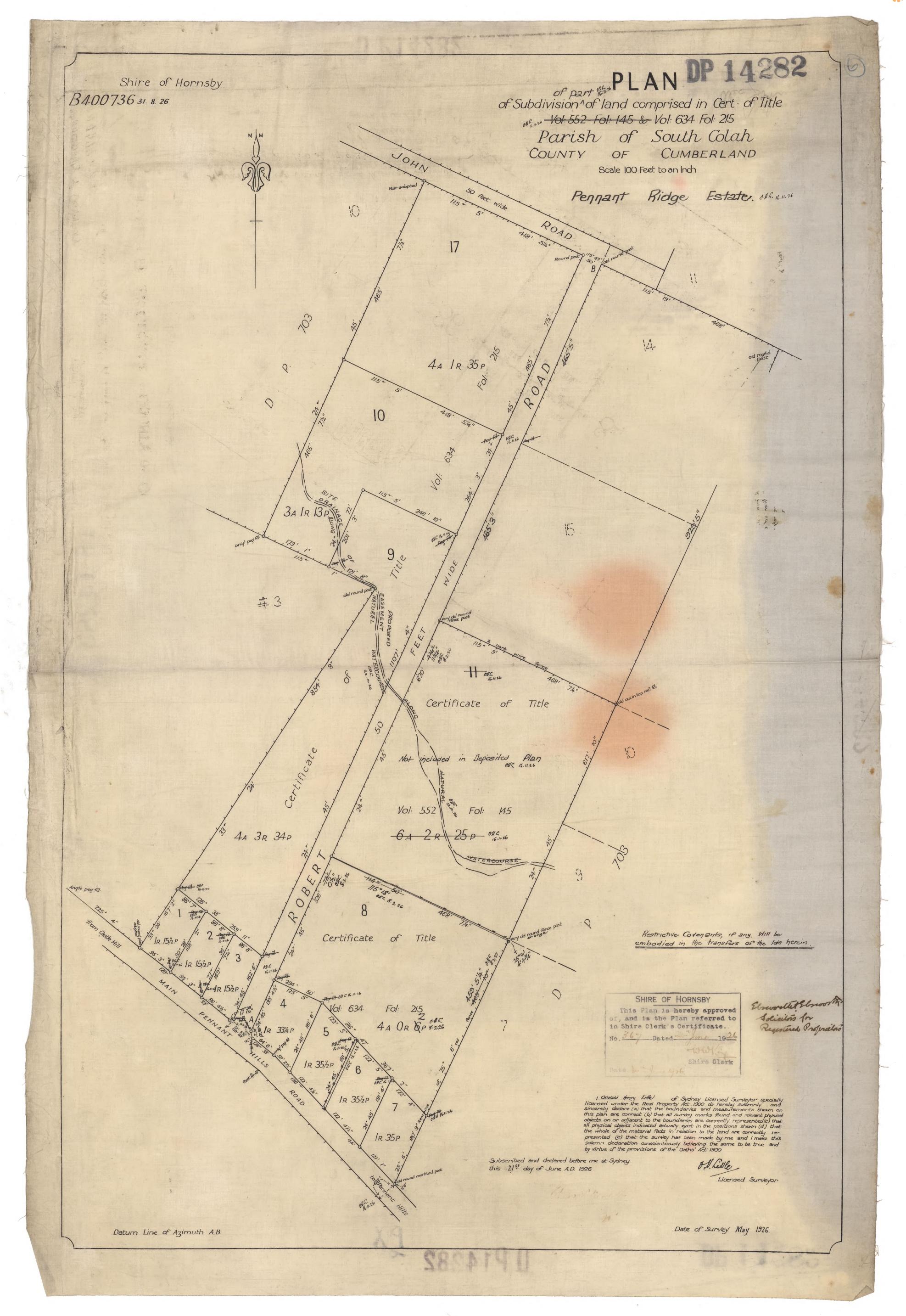
OMINISTRATION SHEET Sheet 2 of 2 sheet(s)
Office Use Only
DP1248950
 This sheet is for the provision of the following information as required: A schedule of lots and addresses - See 60(c) SSI Regulation 2017 Statements of intention to create and release affecting interests in accordance with section 88B Conveyancing Act 1919 Signatures and seals- see 195D Conveyancing Act 1919 Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets.

SCHEDULE OF STREET ADDRESSES

LOT	STREET No.	STREET NAME	STREET TYPE	LOCALITY
300	-	FRANKLIN	ROAD	CHERRYBROOK

If space is insufficient use additional annexure sheet

Surveyor's Reference: PR124856-141-DP3A





LAND Historical REGISTRY SERVICES Title



NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

4/8/2020 10:32AM

FOLIO: 5/14282

First Title(s): SEE PRIOR TITLE(S)
Prior Title(s): VOL 5880 FOL 194

Recorded	Number	Type of Instrument	C.T. Issue
17/12/1988		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
11/8/1989		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
31/5/1993	I372616	MORTGAGE	EDITION 1
25/7/2012	DP1175988	WITHDRAWN - PRE-EXAMINATION PLAN	
31/12/2012	AH458076	DISCHARGE OF MORTGAGE	
31/12/2012	AH458077	TRANSFER	EDITION 2
8/3/2013	DP1159982	WITHDRAWN - PROPOSED PLAN	
9/9/2015	DP1180972	DEPOSITED PLAN	
17/9/2015	AJ722810	REQUEST	FOLIO CANCELLED

*** END OF SEARCH ***

Form: 01T Release: 6·0 (1)

TRANSFER

New South Wales leal Property Act 1900



PRIVACY NOTE	Real Property Act 1900 : Section 31B of the Real Property Act 1900 (RP Act) authorises	sthe AH408U//E
the Register is	or the establishment and maintenance of the Real Propermade available to any person for search upon payment of a fe	e. if any: 本語》Office of State Revenue
STAMP DUTY	Office of State Revenue use only	Client No: 120350770 3607 Duty: Exemp Trans No: 6941853 4sst details: 5.308
TORRENS TITLE	Folio Identifier 5/14282	
LODGED BY	Document Collection Box 185 H Name, Address or DX, Telephone, and Custom Ut 2 185 H	
	Reference: (3.4.80	124868 IVV
TRANSFEROR	Alfred See Boo Chung and Kwai Choo Chu	ng
CONSIDERATIO	N The transferor acknowledges receipt of the consideration of	\$ 1,200,000.00 and as regar
ESTATE	the abovementioned land transfers to the transferee an e	estate in fee simple
SHARE Transferred		
1	Encumbrances (if applicable):	
TRANSFEREE	Transport for NSW ABN 18 804 239 602	
	TENANCY:	
DATE Do	NOT DATE 21 DECEMBER 2012	
	ling in my presence. 1900	ified correct for the purposes of the Real Property Act 0 by the transferor.
Signature of w	itness: Sign	nature of transferor:
Name of witne Address of wit		The state of the s
	EPPING NSW 2121	
	Certi 1900	fied correct for the purposes of the Real Property Act on behalf of the transferee by the person whose sture appears below.
	Sign .	nature: #\dampa_
		natory's name: Anne Maree Taylor solicitor
The transf	eree certifics that the eNOS data rele	vant to this dealing has been submitted and stored und
eNOS ID No.	Full name:	Signature:

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

ALL HANDWRITING MUST BE IN BLOCK CAPITALS

Page 1 of 1

1111



Historical Title



NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

3/8/2020 6:43AM

FOLIO: 80/1180972

First Title(s): OLD SYSTEM

Prior Title(s): 4-7/14282 7-8/16975 3-11/22429 1-2/772261

3-11/22429 11-15/1005729

Recorded	Number	Type of Instrument	C.T. Issue
9/9/2015	DP1180972	DEPOSITED PLAN	LOT RECORDED FOLIO NOT CREATED
17/9/2015	AJ722810	REQUEST	FOLIO CREATED EDITION 1
11/11/2016	DP1213429	DEPOSITED PLAN	EDITION 2
18/9/2017	AM733656	CAVEAT	
26/2/2019	AP58624	REQUEST	EDITION 3
1/5/2019 1/5/2019	AP222303 DP1252839	DEPARTMENTAL DEALING DEPOSITED PLAN	EDITION 4
26/9/2019 26/9/2019	AP350181 AP350182	REQUEST CANCELLATION OR EXTINGUISHMENT OF AN EASEMENT	
30/9/2019	DP1253104	DEPOSITED PLAN	FOLIO CANCELLED RESIDUE REMAINS

*** END OF SEARCH ***

	by this form for	r the establisi	hment and mainter	REQUES New South Wales Real Property Act 19 21 1900 (RP Act) authorise nance of the Real Property upon payment of a f	00 es the Regist perty Act Regist		2810 J Act requires t
(A)	STAMP DUTY		. Office of State Re		oo, II aliy.		
(B)	TORRENS TITLE	See Anne	xure marked '	A' hereto			*****
(C)	REGISTERED DEALING	Number	-		Torrens Title		
Pl	PGEP/	Document	Name, Address or	DX, Telephone, and Cu	stomer Account I	Number if any	CODE
5 Si	EP 2015	Collection Box 883G	GPO Box 5196		mith 1 2001	23638J	R
(E)	APPLICANT 7-40	Transpor	Reference: NWRL	12-15			
	NATURE OF					n Court Carette	24/05/2013
(F)	NATURE OF REQUEST	(v/t-vahdisetsseersseld-neut-neut-	The second secon	created by the r e of title pursu	***************************************	CEL MATERIA WALLE VALUE AND	
` ′	TEXT OF REQUEST	issued n	ew certificat	e of title pursu	ant to S31A	(3)Real Prope	rty Act 1900
` ′	TEXT OF REQUEST The applica 24 May 2013	issued not in constructed for the folios 22 ts that not	ew certificat sequence of the 235 and 2236, ew certificate	THE CONTRACTOR OF THE PROPERTY	ant to S31A	(3)Real Prope	rty Act 1900 tte 62 date s Annexure
` ′	TEXT OF REQUEST The applica 24 May 2013 "B", reques	issued not in constructed for the folios 22 ts that not	ew certificat sequence of the 235 and 2236, ew certificate	e of title pursule resumption not a copy of which of title issue	ant to S31A	the purposes of the leapplicant by the per	rty Act 1900 tte 62 dates s Annexure
(G)	TEXT OF REQUEST The applica 24 May 2013 "B", reques	issued not in constructed for the folios 22 ts that not	ew certificat sequence of the 235 and 2236, ew certificate	e of title pursule resumption not a copy of which of title issue	ant to S31A cified in Go is attached for lot 80	the purposes of the leapplicant by the per	rty Act 1900 tte 62 date s Annexure .

eNOS ID No.

Full name: Signature:

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

ALL HANDWRITING MUST BE IN BLOCK CAPITALS Page 1 of 1801

Annexure 'A' to Request dated

	Torrens Title	Acquisition Description	Government Gazette Notice
		80/1180972	No 62 of 24 May 2013 Folio 2235
1	7/16975		
2	8/16975	80/1180972	No 62 of 24 May 2013 Folio 2235
3_	1/772261	80/1180972	No 62 of 24 May 2013 Folio 2235
4	2/772261	80/1180972	No 62 of 24 May 2013 Folio 2235
5	11/1005729	80/1180972	No 62 of 24 May 2013 Folio 2235
6	12/1005729	80/1180972	No 62 of 24 May 2013 Folio 2235
7	13/1005729	80/1180972	No 62 of 24 May 2013 Folio 2235
8	14/1005729	80/1180972	No 62 of 24 May 2013 Folio 2235
9	15/1005729	80/1180972	No 62 of 24 May 2013 Folio 2235
10	4/22429	80/1180972	
11	5/22429	80/1180972	
12	6/22429	80/1180972	No 62 of 24 May 2013 Folio 2235
13	7/22429	80/1180972	No 62 of 24 May 2013 Folio 2235
14	8/22429	80/1180972	No 62 of 24 May 2013 Folio 2235
15	9/22429	80/1180972	No 62 of 24 May 2013 Folio 2235
16	10/22429	80/1180972	No 62 of 24 May 2013 Folio 2235
18	11/22429	80/1180972	No 62 of 24 May 2013 Folio 2235
19	4/14282	80/1180972	
20	5/14282	80/1180972	
21	6/14282	80/1180972	
22	7/14282	80/1180972	
23	81/1181119	80/1180972	

ø 3122429

solicitor for and on behalf of Transportfor NSW 14 September 2015

TRANSPORT ADMINISTRATION ACT 1988

Land Acquisition (Just Terms Compensation) Act 1991

Transport for NSW

Erratum

THE Notice of Compulsory Acquisition of Land published in the *New South Wales Government Gazette* No. 130 of 21 December 2012, Folio 5253, contained an error. The following corrects that error and the Gazettal date remains 21 December 2012.

Item 2 of the Schedule, commencing on Folio 5254, should have included the following entry:

Lot 11 in DP 842090 – Property: 1x Castle Howard Road, Cheltenham, said to be in the ownership of Hornsby Council, affected by Plan of Acquisition Lot 41 in DP 1180962.

Dated this 24th day of May 2013.

RODD STAPLES, Project Director, North West Rail Link, Transport for NSW

TRANSPORT ADMINISTRATION ACT 1988

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land in the Local Government Areas of The Hills Shire and Hornsby

TRANSPORT for NSW declares, with the approval of Her Excellency the Governor that the land described in Schedule 1 below, excepting the interests in land described in Schedule 2 below, is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, as authorised by and for the purposes of the Transport Administration Act 1988.

Dated at Sydney, this 17th day of April 2013.

RODD STAPLES, Project Director, North West Rail Link, Transport for NSW

SCHEDULE 1

All those pieces of land situated in the Local Government Area of the Hills Shire, Parish of Castle Hill, County of Cumberland comprising:

Part Lot 1 – DP 1076043, Folio Identifier 1/1076043. Property 46 Balmoral Road, Kellyville NSW 2155, said to be in the ownership of the Minister Administering the Environmental Planning and Assessment Act 1979, as affected by the plan of acquisition Lot 1, DP in 1184373.

Part Lot 35 – DP 1071715, Folio Identifier 35/1071715. Property 4 Cumberlege Lane, Kellyville NSW 2155, said to be in the ownership of the Minister Administering the Environmental Planning and Assessment Act 1979, as affected by the plan of acquisition Lot 2, DP in 1184373.

Part Lot 36 – DP 1071715, Folio Identifier 36/1071715. Property 4A Cumberlege Lane, Kellyville NSW 2155, said to be in the ownership of the Minister Administering the Environmental Planning and Assessment Act 1979, as affected by the plan of acquisition Lot 3, DP in 1184373.

Part Lot 37 – DP 1071715, Folio Identifier 37/1071715. Property 6 Cumberlege Lane, Kellyville NSW 2155, said to be in the ownership of the Minister Administering the Environmental Planning and Assessment Act 1979, as affected by the plan of acquisition Lot 4, DP in 1184373.

Part Lot 38 – DP 1071715, Folio Identifier 38/1071715. Property 8 Cumberlege Lane, Kellyville NSW 2155, said to be in the ownership of the Minister Administering the Environmental Planning and Assessment Act 1979, as affected by the plan of acquisition Lot 5, DP in 1184373.

Part Lot 39 – DP 1071715, Folio Identifier 39/1071715. Property 10 Cumberlege Lane, Kellyville NSW 2155, said to be in the ownership of the Minister Administering the Environmental Planning and Assessment Act 1979, as affected by the plan of acquisition Lot 6, DP in 1184373.

Part Lot 40 – DP 1071715, Folio Identifier 40/1071715. Property 12 Cumberlege Lane, Kellyville NSW 2155, said to be in the ownership of the Minister Administering the Environmental Planning and Assessment Act 1979, as affected by the plan of acquisition Lot 7, DP in 1184373.

Part Lot 41 – DP 1071715, Folio Identifier 41/1071715. Property 14 Cumberlege Lane, Kellyville NSW 2155, said to be in the ownership of the Minister Administering the Environmental Planning and Assessment Act 1979, as affected by the plan of acquisition Lot 8, DP in 1184373.

Part Lot 42 – DP 1071715, Folio Identifier 42/1071715. Property 16 Cumberlege Lane, Kellyville NSW 2155, said to be in the ownership of the Minister Administering the Environmental Planning and Assessment Act 1979, as affected by the plan of acquisition Lot 9, DP in 1184373.

Part Lot 44 – DP 1071715, Folio Identifier 44/1071715. Property 20 Cumberlege Lane, Kellyville NSW 2155, said to be in the ownership of the Minister Administering the Environmental Planning and Assessment Act 1979, as affected by the plan of acquisition Lot 10, DP in 1184373.

Part Lot 45 – DP 1071715, Folio Identifier 45/1071715. Property 22 Cumberlege Lane, Kellyville NSW 2155, said to be in the ownership of the Minister Administering the Environmental Planning and Assessment Act 1979, as affected by the plan of acquisition Lot 11, DP in 1184373.

Part Lot 46 – DP 1071715, Folio Identifier 46/1071715. Property 24 Cumberlege Lane, Kellyville NSW 2155, said to be in the ownership of the Minister Administering the Environmental Planning and Assessment Act 1979, as affected by the plan of acquisition Lot 12, DP in 1184373.

Lot 101 – DP 1084481, Folio Identifier 101/1084481. Property 18 Cumberlege Lane, Kellyville NSW 2155, said to be in the ownership of the Minister Administering the Environmental Planning and Assessment Act 1979, Lot 101, DP in 1084481.

Lot 104 - DP 1122070, Folio Identifier 104/1122070. Property Old Windsor Road, Kellyville NSW 2155, said to be in the ownership of the Minister Administering the Environmental Planning and Assessment Act 1979, Lot 104, DP in 1122070.

Lot 102 - DP1122070, Folio Identifier 102/1122070. Property Samantha Riley Drive, Kellyville NSW 2155, said to be in the ownership of the Minister Administering the Environmental Planning and Assessment Act 1979, Lot 102, DP in 1122070.

Part Lot 100 – DP 1122070, Folio Identifier 100/1122070. Property Samantha Riley Drive, Kellyville NSW 2155, said to be in the ownership of the Minister Administering the Environmental Planning and Assessment Act 1979, as affected by the plan of acquisition Lot 1, DP in 1184376.

Part Lot 100 – DP 1122070, Folio Identifier 100/1122070. Property Samantha Riley Drive, Kellyville NSW 2155, said to be in the ownership of the Minister Administering the Environmental Planning and Assessment Act 1979, as affected by the plan of acquisition Lot 2, DP in 1184376.

Part Lot 31 – DP 215650, Folio Identifier 31/215650. Property Lot 31, Old Windsor Road, Kellyville, said to be in the ownership of the Minister Administering the Environmental Planning and Assessment Act 1979, as affected by the plan of acquisition Lot 3, DP in 1184376.

Part Lot 30 – DP 215650, Folio Identifier 30/215650. Property Lot 30, Old Windsor Road, Kellyville, said to be in the ownership of the Minister Administering the Environmental Planning and Assessment Act 1979, as affected by the plan of acquisition Lot 4, DP in 1184376.

Part Lot 1 - DP 844963, Folio Identifier 1/844963. Property Lot 1, Old Windsor Road, Kellyville NSW 2155, said to be in the ownership of the Minister Administering the Environmental Planning and Assessment Act 1979, as a ffected by the plan of acquisition Lot 5, DP in 1184376.

Part Lot 2 - DP 844963, Folio Identifier 2/844963. Property Lot 2, Old Windsor Road, Kellyville NSW 2155, said to be in the ownership of the Minister Administering the Environmental Planning and Assessment Act 1979, as affected by the plan of acquisition Lot 6, DP in 1184376.

Part Lot 32 – DP 1136496, Folio Identifier 32/1136496. Property 27 Old Windsor Road, Kellyville NSW 2155, said to be in the ownership of the Minister Administering the Environmental Planning and Assessment Act 1979, as affected by the plan of acquisition Lot 7, DP in 1184376.

All those pieces of land situated in the Local Government Area of Hornsby, Parish of South Colah, County of Cumberland comprising:

Part Lot 80 – DP 1180972 unregistered. Property 174-194 Castle Hill Road, Cherrybrook NSW 2126, said to be in the ownership of the Minister Administering the Environmental Planning and Assessment Act 1979, as affected by the plan of acquisition Part Lot 80, DP in 1180972.

SCHEDULE 2

In so far as it burdens Lot 1 – DP 1184376, Folio Identifier 1/1184376, DP 1079166, Right of Way variable width.

In so far as it burdens Lot 1 – DP 1184376, Folio Identifier 1/1184376, DP 1079166, Easement to Drain Water.

In so far as it burdens Lot 2 – DP 1184376, Folio Identifier 2/1184376, DP 1079166, Right of Way variable width.

In so far as it burdens Lot 80 - DP 1180972, H127106 Easement for Transmission Line variable width.

In so far as it burdens Lot 80 - DP 1180972, J5360, Easement for Transmission Line variable width.

In so far as it burdens Lot 80 - DP 1180972, J5360, Easement for Transmission Line 30.48 wide.

In so far as it burdens Lot 80 - DP 1180972, DP 442976, DP 443037, G911449, Easement for Batter.

UNIVERSITY OF SYDNEY ACT 1989

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of an interest in Land

THE Minister for Education declares, with the approval of Her Excellency the Governor, that the interest in land described in the Sehedule to this Notice is acquired by compulsory process under the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of the University of Sydney Act 1989.

Dated at Sydney, this 2nd day of May 2013.

By Her Excellency's Command,

The Hon. ADRIAN PICCOLI, M.P., Minister for Education

SCHEDULE

Rose Street and Boundary Lane, Darlington, as comprised in Lot 1 in Deposited Plan 1177692.

Deed of Acquisition and Compensation

Transport for NSW trinsw

The Minister administering the *Environmental Planning and Assessment Act* 1979 (NSW) as Corporation Sole Minister



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Deed of Acquisition and Compensation dated 21 MAY 2013

Parties

Transport for NSW ABN 18 804 239 602 of Level 7, 8-12 Castlereagh Street, Sydney NSW 2000 (TfNSW)

Minister administering the Environmental Planning and Assessment Act 1979 (NSW) as Corporation Sole of Level 4, 10 Valentine Street, Parramatta NSW 2150 (Minister)

Background

- A. TfNSW is developing the North West Rail Link (Project).
- B. The Minister is the legal and beneficial owner of the Land.
- C. TfNSW needs to acquire the Minister's freehold interest in the Land for the purposes of the Project.
- D. TfNSW and the Minister have agreed that TfNSW will acquire the Land in accordance with the terms of this Deed.

Operative provisions

1. Definitions and interpretation

1.1 Definitions

In this Deed:

Acquisition means the acquisition of the Land by TfNSW in accordance with the TA Act and the Acquisition Act.

Acquisition Act means the Land Acquisition (Just Terms Compensation) Act 1991.

Acquisition Notice means an acquisition notice under section 19 of the Acquisition Act.

Agreed Sum means the amount of \$1 (GST exclusive).

Authority means any:

- (a) governmental, semi-governmental, administrative, fiscal, judicial or quasi-judicial body department, instrumentality, commission, authority, tribunal, agency, entity or official; or
- (b) any private certifier having jurisdiction over the Land.

Business Day means any day other than:

- (a) a day that is a Saturday, Sunday or public holiday generally in Sydney; or
- (b) 27, 28, 29, 30 or 31 December.

Claim means a claim, notice, demand, action, proceeding, litigation, investigation or judgment however arising, whether present or future, actual or contingent, and whether involving a third party or a party to this Deed.

Costs includes costs, charges and expenses, including those incurred in connection with advisors.

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Encroachments means any encroachment, including those encroachments:

- (a) on the Land by another property or structure on another property;
- (b) by the Land or a structure on the Land on another property;
- (c) resulting from an incorrect alignment of a structure on the Land or another property; or
- (d) by a structure on the Land onto any easement or other reserve on the Land.

Environment includes:

- (a) ecosystems and their constituent parts, including people and communities;
- (b) natural and physical resources;
- (c) the qualities and characteristics of locations, places and areas;
- (d) heritage values of places; and
- (e) the social, economic and cultural aspects of a thing mentioned in paragraph (a), (b), (e) or (d).

Environmental Law means a law relating to the Environment, including:

- (a) a law relating to land use, planning, environmental assessment, heritage, water catchments, pollution of air or waters, noise, soil or water contamination, chemicals and hazardous substances, the ozone layer, waste, dangerous goods, building regulation, occupation of buildings and fire safety, public health, occupational health and safety, noxious trades and any aspect of the protection of the Environment, or the enforcement or administration of any of those laws; and
- (b) a cause of action at common law, in nuisance, negligence, trespass or otherwise or which gives rise or may give rise to equitable relief or which results or may result in an award of damages, costs or compensation, where any aspect of the cause of action concerns directly or indirectly the Environment or the health or safety of persons.

Environmental Liability means any liability which arises directly or indirectly in connection with any contamination caused by any solid, liquid, gas, odour, heat, sound, vibration, radiation or substance which makes or may make the Land unsafe or unfit for habitation or occupation by humans or otherwise environmentally degraded, including the following:

- (a) all Costs associated with undertaking any remediation of the Land whether or not ordered or required by any Authority;
- (b) any compensation or other monies that an Authority requires to be paid to any person under any Environmental Law for any reason;
- (c) all Costs incurred in complying with any Environmental Law; and
- (d) any Claim made in connection with any contamination of the Land.

Land means the land described in the list annexed to this Deed as Annexure A and displayed in the Plans of Acquisition annexed to this Deed as Annexure B.

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Loss includes any loss, injury, liability, damage, Costs, Claim or other detriment, including economic loss, consequential loss and special loss.

Plans of Acquisition means the Plans of Acquisition annexed to this Deed as Annexure B.

Recipient has the meaning given to it in clause 11.

Supplier has the meaning given to it in clause 11.

TA Act means the Transport Administration Act 1988.

1.2 Interpretation

In this Deed:

(a) headings are for convenience only and do not affect interpretation;

and the following rules apply in interpreting this Deed unless the context makes clear that a rule is not intended to apply:

- (b) an obligation or a liability assumed by, or a right conferred on, 2 or more persons binds or benefits them jointly and severally;
- (c) "person" includes an individual, the estate of an individual, a corporation, an authority, an association or a joint venture (whether incorporated or unincorporated), a partnership and a trust;
- (d) a reference to a party includes that party's executors, administrators, successors and permitted assigns, including persons taking by way of novation;
- (e) a reference to a document (including this Deed) is to that document as varied, novated, ratified or replaced from time to time;
- (f) a reference to a statute includes its delegated legislation and a reference to a statute or delegated legislation or a provision of either includes consolidations, amendments, re-enactments and replacements;
- (g) a word importing the singular includes the plural (and vice versa), and a word indicating a gender includes every other gender;
- (h) a reference to a party, clause, schedule, exhibit, attachment or annexure is a reference to a party, clause, schedule, exhibit, attachment or annexure to or of this Deed, and a reference to this Deed includes all schedules, exhibits, attachments and annexures to it;
- if a word or phrase is given a defined meaning, any other part of speech or grammatical form of that word or phrase has a corresponding meaning;
- (i) "includes" in any form is not a word of limitation; and
- (k) a reference to "\$" or "dollar" is to Australian currency.

1.3 Business Day

If the day on or by which anything is to be done under this Deed is not a Business Day, that thing must be done no later than the next Business Day.

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1.4 No bias against drafter

No provision of this Deed is to be interpreted to the disadvantage of a party because that party (or its representative) drafted that provision.

1.5 Excluding liability

Any provision of this Deed which seeks to limit or exclude a liability of a party is to be construed as doing so only to the extent permitted by law.

2. Acquisition by compulsory process

The Minister acknowledges and agrees that:

- (a) upon execution of this Deed by both parties, TfNSW may publish an Acquisition Notice at any time to effect the Acquisition;
- (b) this Deed constitutes an agreement for the purposes of section 29 of the Acquisition Act in respect of the Acquisition; and
- (c) the boundaries of the Land that will be subject of the Acquisition will be as drawn in the Plans of Acquisition, subject to any requisitions from or requirements of Land and Property Information, which must be answered to the satisfaction of both parties.

3. Agreed Sum

The Minister acknowledges and agrees that it has received the Agreed Sum from TfNSW, and TfNSW acknowledges and agrees that it or its nominated representative has received from the Minister a counterpart of this Deed duly executed by the Minister.

4. Acknowledgement

The Minister acknowledges that, subject to any prior correspondence hetween the parties, the payment of the Agreed Sum will be in full and final satisfaction of the Minister's claim for compensation in respect of, inter alia:

- (a) the Acquisition;
- (b) any facts, matters or circumstances in any way related to the Acquisition;
- (c) any Losses, damages, Costs, interest expenses, Claims, demands or other liabilities which have been or may be occasioned by reason of the Acquisition; and
- (d) without limiting clause 4(c) above, any legal or experts' fees incurred by the Minister in connection with or related to the Acquisition.

5. Release and Indemnity

5.1 Release by Minister

The Minister releases and discharges TfNSW from all actions, suits, Claims, demands, causes of action, Costs and expenses, legal, equitable, under statute and otherwise, and other liabilities of any nature (whether or not the parties were or could have been aware of them) which the Minister:

LegaN309712851.1 4

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- (a) now has;
- (b) at any time had;
- (c) may have; or
- (d) but for this Deed, could or might have had,

against TfNSW for compensation under Part 3 of the Acquisition Act.

5.2 Indemnity by Parties

Each party shall indemnify and keep indemnified the other party against any Loss arising out of, relating to or in connection with a breach by it of the warranties in clause 6.

6. Warranties

6.1 Warranties relating to the Land

The Minister warrants to TfNSW that:

- (a) the Land is beneficially and exclusively held by the Minister;
- (b) other than registered interests, the Minister has not granted, nor purported to grant, any interest in the Land (within the meaning of the Acquisition Act) to any other person, other than any such interest of which the Minister has advised TINSW in writing prior to the date of this Deed; and
- (c) as at the date of this Deed, the Minister is not aware of any:
 - (i) tenancies affecting the Land; or
 - (ii) Environmental Liability relating to, arising from or in connection with the Land.

6.2 No representation or warranties

- (a) With the exception of the warranties made in clauses 6.1 and 6.3, the Minister does not make any representations or warranties, and any representations, statements or warranties made by the Minister are excluded to the extent permitted by law.
- (b) In particular, the Minister makes no representations or warranties about:
 - (i) the condition, quality or state of repair of the Land;
 - (ii) the use and purposes for which the Land can be put;
 - (iii) whether the Land complies with any laws and requirements of any Authority affecting the Land (including any use) and any non-compliance;
 - (iv) the existence or otherwise of any requirements, notices or orders of any Authority in connection with the Land;
 - (v) the means or adequacy of access to the Land;
 - (vi) the zoning of the Land;

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11 of 18

- (vii) the description, area or measurements of the Land;
- (viii) the title to the Land;
- (ix) any Encroachments;
- (x) compliance with any Environmental Law;
- (xi) the existence of any claim affecting the Land under the Native Title Act 1993 (Cth) or any other native title law or whether the Land is listed on any heritage register;
- (xii) the existence of easements or other rights in respect of services for the Land, which is a joint service or which passes through another property, or any service for another property which passes through the Land;
- (xiii) the presence of asbestos or hazardous substances or contamination in, on or under the Land or which affects the Land in any way;
- (xiv) the condition, existence (or non-existence) or availability of services;
- (xv) the existence of, or the contents of, any certificate from an Authority in connection with the Land;
- (xvi) whether the Land is prone to flood, fire or natural disaster;
- (xvii) if the title to the Land is leasehold, the terms and conditions of the relevant lease and any non-compliance with those terms and conditions;
- (xviii) any party wall; or
- (xix) the ownership or location of any fuel storage tank or facility, manhole or vent on the Land.

6.3 General warranties

Each party further warrants to the other party that:

- (a) it has taken independent legal advice as to the terms, effect and extent of this Deed;
- (b) it has not relied upon, any promises, representations or inducements made by the other party or any of its officers, employees, agents or advisors, nor any conduct material to the entry into of this Deed other than as set out in this Deed;
- (c) it has power and has obtained all necessary authorisations to enter into and perform its obligations under this Deed; and
- (d) it is aware that the other party is relying on the warranties in this clause 6 in executing this Deed.

7. Commitments by TfNSW

7.1 Independent due diligence enquiries

TfNSW acknowledges and agrees that:

(a) it has been given the opportunity to undertake a full due diligence on the Land; and

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(b) it is satisfied that the description or particulars of the Land and title are correct.

7.2 Acceptance of Land

- (a) TfNSW accepts the Land in its condition and state of repair (including structural repair) as at the date of this Deed and at the date of Acquisition, with all faults and latent and patent defects, and all infestations and dilapidations; and
- (b) From the date of Acquisition, TfNSW accepts all responsibility and liability:
 - (i) To manage, maintain and insure; and
 - (ii) Meet outgoings and associated costs and expenses,

in regard to the Land, as owner of the Land.

7.3 TfNSW accepts environmental liability

From the date of this Deed, TfNSW, to the fullest extent permitted by law:

- (a) accepts all Environmental Liability relating to or arising from the Land;
- must not, at any time, take any action or make any Claim against the Minister for any Environmental Liability;
- (c) unconditionally releases and forever discharges the Minister from any Environmental Liability relating to or arising from the Land; and
- (d) indemnifies the Minister against all Loss the Minister suffers or incurs in respect of any Environmental Liability relating to or arising from the Land.

7.4 Accounting for Acquisition of Land

TfNSW will, at its cost, comply with the requirements of the NSW Government in respect of the accounting treatment for equity transfer of assets between NSW Government agencies.

8. Binding effect of this Deed

This Deed binds the parties and any executor, administrator, transferee, assignee, liquidator or trustee in bankruptey appointed in respect of it.

9. Bar to proceedings

This Deed may be pleaded as a full and complete defence by either party to any action, suit, or proceedings commenced, continued or taken by the other party or on its behalf in relation to any of the matters referred to in this Deed.

10. General

10.1 Governing law

This Deed is governed by and must be construed according to the law applying in New South Wales.

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10.2 TfNSW as a public authority

The parties acknowledge and agree that nothing in this Deed will in any way unlawfully restrict or otherwise unlawfully affect the unfettered discretion of TfNSW to exercise any of its functions and powers pursuant to any legislation.

10.3 Waiver

- (a) Failure to exercise or enforce, or a delay in exercising or enforcing, or the partial exercise or enforcement of, a right, power or remedy provided by law or under this Deed by a party does not preclude, or operate as a waiver of, the exercise or enforcement, or further exercise or enforcement, of that or any other right, power or remedy provided by law or under this Deed.
- (b) A waiver or consent given by a party under this Deed is only effective and binding on that party if it is given or confirmed in writing by that party.
- (c) No waiver of a breach of a term of this Deed operates as a waiver of another breach of that term or of a breach of any other term of this Deed.

10.4 Cost of performing obligations

Each party must perform its obligations under this Deed at its own cost, unless expressly provided otherwise.

10.5 Further acts and documents

Each party must promptly do all further acts and execute and deliver all further documents (in form and content reasonably satisfactory to that party) required by law or reasonably requested by another party to give effect to this Deed.

10.6 Counterparts

This Deed may be executed in any number of counterparts and by the parties on separate counterparts. Each counterpart constitutes the deed of each party who has executed and delivered that counterpart.

10.7 Expenses

Except as otherwise provided in this Deed, each party must pay its own costs and expenses in connection with negotiating, preparing, executing and performing this Deed.

10.8 Entire agreement

Subject to anything else provided herein, and to the extent permitted by law, in relation to its subject matter, this Deed:

- (a) embodies the entire understanding of the parties, and constitutes the entire terms agreed by the parties; and
- (b) supersedes any prior written or other agreement of the parties.

10.9 Indemnities

(a) Each indemnity in this deed is a continuing obligation, separate and independent from the other obligations of the parties, and survives termination, completion or expiration of this Deed.

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- (b) It is not necessary for a party to incur expense or to make any payment before enforcing a right of indemnity conferred by this Deed.
- (c) A party must pay on demand any amount it must pay under an indemnity in this Deed.

11. GST

11.1 Definitions

- (a) Except where the context suggests otherwise, terms used in this clause 11 have the meanings given to those terms by the A New Tax System (Goods and Services Tax)

 Act 1999 (as amended from time to time).
- (b) Any reference in this clause to GST payable by a party includes any GST payable by the representative member of any GST group of which that party is a member. Any reference in this clause to input tax credits to which a party or entity is entitled will include input tax credits to which the representative member of any GST group of which that party or entity is a member is entitled.
- (c) Any part of a supply that is treated as a separate supply for GST purposes (including attributing GST payable to tax periods) will be treated as a separate supply for the purposes of this clause 11.
- (d) Unless otherwise expressly stated, any consideration to be provided under or in connection with this Deed is exclusive of GST. Any consideration that is specified to be inclusive of GST must not be taken into account in calculating GST payable in relation to a supply for the purposes of this clause 11.
- (e) A reference to something done (including a supply made) by a party includes a reference to something done by any entity through which that party acts.

11.2 Reimbursement of costs, expenses and other amounts

If a party is required under this Deed to reimburse or pay to another party an amount calculated by reference to a cost, expense, or an amount paid or incurred by that party, the amount of the reimbursement or payment will be reduced by the amount of any input tax credits to which that party (or an entity on whose behalf the party is acting) is entitled in respect of the acquisition to which the cost, expense or other amount relates.

11.3 GST payable

- (a) If GST is payable in relation to a supply made under or in connection with this Deed, then any party (Recipient) that is required to provide consideration to another party (Supplier) for that supply must pay an additional amount to the Supplier equal to the amount of that GST.
- (b) The additional amount referred to in clause 11.3(a) is payable at the same time as any other consideration is to be provided under this Deed for that supply.
- (c) Without limiting any other provision of this clause, the Recipient is not required to provide any consideration under this Dccd to the Supplier until the Recipient receives a valid tax invoice from the Supplier for that supply.

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11.4 Adjustment

If the GST payable in relation to a supply made under or in connection with this Deed varies from the additional amount paid by the Recipient under clause 11.3(b) such that a further amount of GST is payable in relation to the supply or a refund or credit of GST is obtained in relation to the supply, then the Supplier will provide a corresponding refund or credit to, or will be entitled to receive the amount of that variation from, the Recipient. Any payment, credit or refund under this clause 11.4 is deemed to be a payment, credit or refund of the additional amount payable under clause 11.3(b). Where an adjustment event occurs in relation to a supply made by a Supplier under or in connection with the Deed, the Supplier must issue an adjustment note to the Recipient as soon as the Supplier becomes aware of the adjustment event.

11.5 No merger

This clause shall not merge on completion of the Deed.

10

Executed as a deed.

Signed, sealed and delivered for and on behalf of Transport for NSW ABN 18 804 239 602, in the presence of:

Signature of witness

LIN JAVA

Signed by me as delegate of the Minister administering the *Environmental Planning and Assessment Act* 1979, as a Corporation Sole, and I have no notification of revocation of such delegation, in the presence of:

Signature of Witness

DEIRDRE STEWARD

Name of Witness in full

Signature of Authorised Representative

Name of Authorised Representative

Signature of delegate

SIGNED by me CARL ANDERS STEVEN MAI MRERG as delegate of the Minister administering the Engineering Planning and Assessment Act, 1979, and I hereby certify that clustering no decent the revocal record vactor delegation.

Name of Signatory in full

Annexure A - Land

- (a) Lot 1 DP 1184373 (currently part of Lot 1 DP 1076043);
- (b) Lot 2 DP 1184373 (currently part of Lot 35 DP 1071715);
- (c) Lot 3 DP 1184373 (currently part of Lot 36 DP 1071715);
- (d) Lot 4 DP 1184373 (currently part of Lot 37 DP 1071715);
- (e) Lot 5 DP 1184373 (currently part of Lot 38 DP 1071715);
- (f) Lot 6 DP 1184373 (currently part of Lot 39 DP 1071715);
- (g) Lot 7 DP 1184373 (currently part of Lot 40 DP 1071715);
- (h) Lot 8 DP 1184373 (currently part of Lot 41 DP 1071715);
- (i) Lot 9 DP 1184373 (currently part of Lot 42 DP 1071715);
- (j) Lot 10 DP 1184373 (currently part of Lot 44 DP 1071715);
- (k) Lot 11 DP 1184373 (currently part of Lot 45 DP 1071715);
- (i) Lot 12 DP 1184373 (currently part of Lot 46 DP 1071715);
- (m) Lot 101 DP 1084481;
- (n) Lot 104 DP 1122070;
- (o) Lot 102 DP 1122070;
- (p) Lot 1 DP 1184376 (currently part of Lot 100 DP 1122070);
- (q) Lot 2 DP 1184376 (currently part of Lot 100 DP 1122070);
- (r) Lot 3 DP 1184376 (currently part of Lot 31 DP 215650);
- (s) Lot 4 DP 1184376 (currently part of Lot 30 DP 215650);
- (t) Lot 5 DP 1184376 (currently part of Lot 1 DP 844963);
- (u) Lot 6 DP 1184376 (currently part of Lot 2 DP 844963);
- (v) Lot 7 DP 1184376 (currently part of Lot 32 DP 1136496); and
- (w) The part of Lot 80 DP 1180972 shown with a shaded border in the Plans of Acquisition.

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Form: 11R 03-11-071 Licence:

Licensee: Ashurst Australia

REQUEST

New South Wales Real Property Act 1900 AP58624G

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises the Registrar General to collect the information required by this form for the establishment and maintenance of the Real Property Act Register. Section 96B RP Act requires that the Register is made available to any person for search upon payment of a fee, if any.

(A)	STAMP DUTY	If applicab	ile. Offic	ce of State Rever	nue use only			
(B)	TORRENS TITLE	Folio Iden	tifier 80/	1180972				
C)	REGISTERED DEALING	Number				Torrens Title	;	
D)	LODGED BY	Document Collection Box 238N	Custom Ashurst DX 388 Tel: 02	Address or DX, er Account Numer Australia Sydney 9258 6000 ace (optional): N	nber: 123155F		ount Number if any	R
E)	APPLICANT	Sydney M	etro (AB	N 12 354 063 51	15)			
F)	NATURE OF REQUEST	Notification	n of vest	ting of real prope	erty under s94 T	ransport Admi	nistration Act 1988	S (NSW)
(G)	REQUEST Sydney Me Act 1988 (1			N 12 354 063 51	15) pursuant to a 18. An extract of	vesting order the vesting or	BN 18 804 239 602 under s94 Transpor der is attached. The r the land.	rt Administration
	DATE	\mathbf{H}_{-f}	01 /	2019				
(H)		dd	mm	уууу				
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(I)	This section is to be The applicant's so stored under eNO	licitor certif		he eNOS data re		aling has been	een forwarded throug submitted and Signature:	gh eNOS.

^{*} 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 5

ORDER No. 2018/

Transfer of assets, rights and liabilities from Transport for NSW to Sydney Metro

TRANSPORT ADMINISTRATION ACT 1988 SECTION 94 ORDER NO. 2018/

I, Andrew Constance, M.P., Minister for Transport and Infrastructure, pursuant to section 94 of the *Transport Administration Act 1988 (NSW)*, make the following Order.

Dated this day of 20 th 2018.

ANDREW CONSTANCE, M.P.

Minister for Transport and Infrastructure

Explanatory Note

The object of this Order is to transfer to Sydney Metro the assets, rights, and liabilities of Transport for NSW the subject of, or arising under or in connection with the Project.

This Order is made under section 94(1) of the Transport Administration Act 1988 (NSW).

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Transport Administration Act 1988 Section 94 Order No. 2018/

1. Commencement

This Order takes effect from 12:01AM on 1 July 2018 (the Effective Time).

2. Interpretation

In this Order (including the Schedules to it):

- (a) the word "includes" in any form is not a word of limitation;
- (b) the terms "assets", "rights" and "liabilities" have the meanings assigned to those terms in clause 1 of Schedule 4 of the *Transport Administration Act 1988 (NSW)*;
- (c) contract or agreement means any contract or agreement, whether in writing or otherwise:
- (d) any references to this Order include any Schedules to it;
- (e) a reference to a document is a reference to that document as varied, novated, ratified or replaced from time to time and includes a document executed by a party in its name at the time of execution whether or not the name of the party has changed since the date of execution; and
- (f) for the avoidance of doubt, the provisions of clause 3 of Schedule 4 of the *Transport Administration Act 1988 (NSW)* have effect in the operation of this Order,

and:

Metro means a mass transit infrastructure system, and associated facilities, that:

- (a) provides high-frequency, high-capacity passenger services; and
- is operated using automated or partly-automated systems from one or more central control points.

Metro Assets means assets (including "transport infrastructure", "transport vehicles" and "rolling stock" as those terms are defined in the *Transport Administration Act 1988 (NSW)* used for or in connection with or to facilitate the movement of persons by means of a Metro.

Project means:

- (a) all parts of the Metro planned, under construction and/or constructed in Sydney, New South Wales including Sydney Metro Northwest, Sydney Metro City & Southwest and Sydney Metro West, and including all real and personal property, all the stations, tunnels, viaducts, stabling yards, maintenance depots, bridges, earthworks, landscaping, equipment, systems (including all information and communication systems), trackwork and support structures, buildings, plant, tangible and intangible property, rolling stock and ancillary infrastructure of each of these railway lines; and
- (b) the exercise by Transport for NSW, including through the Sydney Metro Delivery Office which is a division of Transport for NSW, of any functions conferred or imposed on it by or under the *Transport Administration Act 1988 (NSW)* (including any powers and functions set out in Schedule 1 of the *Transport Administration Act 1988 (NSW)*) or any other Act in relation to the Metro and any Metro Assets and all activities in connection with those functions or the Metro or any Metro Assets

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including the carrying out, finance, management or participation by Transport for NSW in development for residential, retail, commercial, industrial, mixed use, community, public open space or recreational purposes on land in the locality of a metro station, depot or stabling yard or a proposed metro station, depot or stabling yard.

Sydney Metro means Sydney Metro, a NSW Government agency constituted by Part 3D of the *Transport Administration Act 1988 (NSW)*.

Sydney Metro Northwest means the railway line from Chatswood to Cudgegong Road, including the stabling yard and maintenance depot at Tallawong Road.

Sydney Metro City & Southwest means the railway line from Bankstown to Chatswood including the upgrade and conversion of the existing Bankstown line to metro standard, the stabling yard and maintenance depot at Marrickville.

Sydney Metro West means the planned railway line from Parramatta to the Sydney central business district, including any planned stabling yard, maintenance depot and ancillary infrastructure.

Transport for NSW means Transport for NSW ABN 18 804 239 602, a NSW Government agency constituted by Part 1A of the *Transport Administration Act 1988 (NSW)*.

Vested Arrangements means any contract, agreement, deed, or other document specified in this Order which is to be transferred by this Order.

3. Transfer of Assets, Rights and Liabilities

The assets, rights and liabilities specified or referred to in this Order are transferred from Transport for NSW to Sydney Metro with effect from the Effective Time.

Dated this day of 20 1/2 2018.

ANDREW CONSTANCE, M.P.

Minister for Transport and Infrastructure

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Page 4 of 5"

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Schedule 5 - Real Property Assets: Sydney Metro Northwest - Freehold Title

1. The land specified in the tables below and all assets, rights and liabilities of Transport for NSW the subject of, or arising under or in connection with that land.

Surface

. . . .

No.	Street Address	Folio Identifier
1.	240-244 Beecroft Road & 4 Ray Road, Epping	22/1180959
2.	Cherrybrook Station Site	80/1180972
3.	129 Showground Road, Castle Hill	140/1180973
4.	Strip of Land adjacent to Showground Road (in front of 45 Showground Road)	1/1188091
5.	Strip of Land adjacent to Showground Road (in front of 69 Showground Road)	2/1188091
6.	Strip of Land adjacent to Showground Road (in front of 71 Showground Road)	3/1188091
7.	Strip of Land adjacent to Showground Road (in front of 73 Showground Road)	4/1188091
8.	Strip of Land adjacent to Showground Road (in front of 77 Showground Road)	5/1188091
9.	Strip of Land adjacent to Showground Road (in front of 81 Showground Road)	6/1188091
10.	Strip of Land adjacent to Showground Road (in front of 99 Showground Road)	7/1188091
11.	Strip of Land adjacent to Showground Road (in front of 35-37 Showground Road)	15/1188091
12.	Castle Hill Station Site	112/1180955
13.	Norwest Station Site	101/1181138
14.	Adjacent to Norwest Boulevard	1/1213270
15.	Partial_34, 36, 38, 40, 46 Brookhollow Ave, Baulkham Hills	1/1213271
16.	Cr of Norwest Boulevard& Brookhollow Ave	187/1180966
17.	Bella Vista Station Site	101/1188643
18.	Bella Vista Station Site	1/270243
19.	Bella Vista Station Site	103/1188643
20.	Bella Vista Station Site	102/1188643
21.	Bella Vista Station Site	105/1188643
22.	Bella Vista Station Site	13/270243
23.	Bella Vista Station Site	6/270243



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Page 5 of 5

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6 February 2019

Land Registry Services Queens Square Sydney NSW 2000

Dear Sir

Alpha Distribution Ministerial Holding Corporation (ADMHC) acquisition of

easement from Transport for NSW

Property: Castle Hill Road, Cherrybrook

Caveat No.: AM733656

Our ref: HEM/AUS096-01402

On behalf of Ausgrid (now ADMHC) we lodged caveat AM733656 to protect ADMHC's interest under a Deed of Agreement for Easement.

We are instructed to consent to the registration of the transfer of the title to the Property by Transport for New South Wales to Sydney Metro.

Caveat AM733656 should remain on the title pending the registration of an easement in favour of ADMHC.

If you require any additional information please contact our office.

Yours faithfully

Special Counsel responsible:

Helen Murray

t: +61 2 4924 7228

e: helen.murray@sparke.com.au



LAND Historical REGISTRY SERVICES Title



NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

4/8/2020 10:41AM

FOLIO: 6/14282

First Title(s): SEE PRIOR TITLE(S)
Prior Title(s): VOL 5619 FOL 90

Recorded	Number	Type of Instrument	C.T. Issue
18/12/1988		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
21/7/1989		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
16/9/1992	E761696	APPLICATION	
16/9/1992	E761697	DISCHARGE OF MORTGAGE	EDITION 1
25/7/2012	DP1175988	WITHDRAWN - PRE-EXAMINATION PLAN	
22/3/2013	АН623918	CAVEAT	
5/4/2013	АН627706	TRANSFER	EDITION 2
9/9/2015	DP1180972	DEPOSITED PLAN	
17/9/2015	AJ722810	REQUEST	FOLIO CANCELLED

*** END OF SEARCH ***

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	by this form for the establishment and maintenance of the Real Property Act Register. Section 96B RP Act requires the Register is made available to any person for search upon payment of a fee, if any.							
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	•			-02201 3 000 69 89084-0				
				CTION 308-TRANSFER DUTY PAYABLE				
			.XC	ANTI SULHBEE				
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` -	•	Total admerated 6, 11202						
(B)	LODGED BY	Document Name, Address or DX, Telephon	e, and Customer Account N	umber if any CODES				
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		1854 Reference: R.H. S.C.	12115/60-	T VÁ				
(C)	TRANSFEROR	Reference: B.H. &c	124868					
(C)	IRANSPEROR	Reginald Thomas Webb		•				
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(G)		Encumbrances (if applicable):						
(H)	TRANSFEREE	Transport for NSW ABN 18 804 23	9 602					
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(I)	2 (or reput				
	DATE 20(03) 2013							
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Careat AH 623918 Will lapse upon regn.

Annexure "A" to Transfer

Reginald Thomas Webb as transferor and Transport for NSW as transferee

Dated: 20 (3/2013

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

Lyden

Signature of witness:

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

RTUEBB

Signature of transferor:

Name of witness:

Address of witness:

LydiA WEBB

200 CASTLE

Hill Rd. Cherrybrook N.S. W

2126



LAND Historical REGISTRY SERVICES Title



NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

3/8/2020 6:43AM

FOLIO: 30/1253104

First Title(s): OLD SYSTEM

Prior Title(s): 80/1180972 300/1248950

Recorded Number Type of Instrument C.T. Issue

30/9/2019 DP1253104 DEPOSITED PLAN FOLIO CREATED

EDITION 1

*** END OF SEARCH ***





NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 30/1253104

SEARCH DATE	TIME	EDITION NO	DATE
3/8/2020	6:41 AM	1	30/9/2019

LAND

LOT 30 IN DEPOSITED PLAN 1253104 AT CHERRYBROOK LOCAL GOVERNMENT AREA HORNSBY PARISH OF SOUTH COLAH COUNTY OF CUMBERLAND TITLE DIAGRAM DP1253104

FIRST SCHEDULE

SYDNEY METRO

SECOND SCHEDULE (10 NOTIFICATIONS)

- RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S) WITHIN THE PART(S) SHOWN SO INDICATED IN THE TITLE DIAGRAM
- THE LAND ABOVE DESCRIBED IS LIMITED IN STRATUM IN THE MANNER DESCRIBED IN DP1253104
- G911449 EASEMENT FOR BATTER AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
- H127106 EASEMENT FOR TRANSMISSION LINE VARIABLE WIDTH AFFECTING THE SITE DESIGNATED (A) IN THE TITLE DIAGRAM Z944746 EASEMENT NOW VESTED IN SYDNEY ELECTRICITY
- J5360 EASEMENT FOR TRANSMISSION LINE VARIABLE WIDTH AFFECTING THE SITE DESIGNATED (B) IN THE TITLE DIAGRAM Z944756 EASEMENT NOW VESTED IN SYDNEY ELECTRICITY
- DP1213429 EASEMENT FOR WATER SUPPLY PURPOSES 3 METRE(S) WIDE AND VARIABLE AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
- DP1213429 EASEMENT FOR ELECTRICITY & OTHER PURPOSES VARIABLE WIDTH AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
- DP1213429 POSITIVE COVENANT AFFECTING THE PART SHOWN SO Я BURDENED IN THE TITLE DIAGRAM
- DP1252839 EASEMENT FOR ELECTRICITY AND OTHER PURPOSES 3.3 WIDE AND 4.6 METRE(S) WIDE AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
- 10 DP1252839 RIGHT OF CARRIAGEWAY 4.6 METRE(S) WIDE AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM

NOTATIONS

END OF PAGE 1 - CONTINUED OVER

Cheerybrook Station

PRINTED ON 3/8/2020

FOLIO: 30/1253104 PAGE 2

NOTATIONS (CONTINUED)

UNREGISTERED DEALINGS: PP DP1259513.

*** END OF SEARCH ***

Cheerybrook Station

PRINTED ON 3/8/2020

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Historical Title



NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

4/8/2020 11:15AM

FOLIO: 14/1005729

First Title(s): OLD SYSTEM
Prior Title(s): 1/669071

Recorded	Number	Type of Instrument	C.T. Issue
	DP1005729	DEPOSITED PLAN	FOLIO CREATED EDITION 1
30/9/1999	6236788	VARIATION OF MORTGAGE	EDITION 2
13/10/1999 13/10/1999 13/10/1999	6264314	DISCHARGE OF MORTGAGE TRANSFER MORTGAGE	EDITION 3
11/11/2003 11/11/2003		DISCHARGE OF MORTGAGE MORTGAGE	EDITION 4
11/5/2007 11/5/2007	AD110903 AD110904	DISCHARGE OF MORTGAGE TRANSFER	EDITION 5
25/7/2012	DP1175988	WITHDRAWN - PRE-EXAMINATION PLAN	
9/9/2015	DP1180972	DEPOSITED PLAN	
17/9/2015	AJ722810	REQUEST	FOLIO CANCELLED

*** END OF SEARCH ***

Annexure "A" to Transfer

Reginald Thomas Webb as transferor and Transport for NSW as transferee

Dated: 20 (3/2013

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

Lyden

Signature of witness:

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

RTUEBB

Signature of transferor:

Name of witness:

Address of witness:

LydiA WEBB

200 CASTLE

Hill Rd. Cherrybrook N.S. W

2126



Historical Title



NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

4/8/2020 11:15AM

FOLIO: 15/1005729

First Title(s): OLD SYSTEM

Prior Title(s): 1/669071

Recorded	Number	Type of Instrument	C.T. Issue
		DEPOSITED PLAN	FOLIO CREATED EDITION 1
30/9/1999	6236788	VARIATION OF MORTGAGE	EDITION 2
5/4/2000	6693345	DISCHARGE OF MORTGAGE	
5/4/2000	6693346	TRANSFER	
5/4/2000		MORTGAGE	EDITION 3
18/4/2002	8526358	DISCHARGE OF MORTGAGE	
18/4/2002	8526359	MORTGAGE	EDITION 4
7/6/2003	9680305	DISCHARGE OF MORTGAGE	
7/6/2003	9680306	MORTGAGE	EDITION 5
21/1/2004	AA348448	DISCHARGE OF MORTGAGE	
21/1/2004	AA348449	TRANSFER	
21/1/2004	AA348450	MORTGAGE	EDITION 6
21/3/2004	AA501351	DEPARTMENTAL DEALING	
4/6/2007	AD168423	DISCHARGE OF MORTGAGE	
4/6/2007	AD168424	TRANSFER	EDITION 7
25/7/2012	DP1175988	WITHDRAWN - PRE-EXAMINATION PLAN	
9/9/2015	DP1180972	DEPOSITED PLAN	
17/9/2015	AJ722810	REQUEST	FOLIO CANCELLED

*** END OF SEARCH ***

Cheerybrook Station

PRINTED ON 4/8/2020

/Rev:22-Jan-2004 /NSW LRS /Pgs:ALL /Prt:04-Aug-2020 11:18 /Seq:1 of 1 Office of the Registrar-General /Src:INFOTRACK /Ref:Cheerybrook Station Form: 01T TRANSFER Release: 2 **New South Wales** www.lpi.nsw.gov.au A3484 Real Property Act 1900 PRIVACY NOTE: this information is legally required and will become part of the public record Office of State Revenue (N.S.W. TREASURY) STAMP DUTY **GLIENT No. 1395845** STAMP No. 61 STAMP DUTY \$2.00 SIGNATURE TRANSACTION No. 1760,500 DATE 107 ASSESSMENT DETAILS: TORRENS TITLE FOLIO IDENTIFIER 15/1005729 CODES LODGED BY Name, Address or DX and Telephone Delivery EDS BPA PTY LTD TW (Sheriff) Reference: TRANSFEROR MOHAMMAD NAIM RAFIQI AND ZARGHONA RAFIQI CONSIDERATION The transferor acknowledges receipt of the consideration of \$ 750,000.00 and as regards the land specified above transfers to the transferee an estate in fee simple **ESTATE** (E) SHARE WHOLE TRANSFERRED Encumbrances (if applicable): (G) **TRANSFEREE** JANET ELIZABETH HOWELLS AND WADE MORGAN HOWELLS Joint Tenants TENANCY: (I) **(J)** DATE Certified correct for the purposes of the Real I certify that the person(s) signing opposite, with whom Property Act 1900 by the transferor. I am personally acquainted or as to whose identity I am otherwise satisfied, signed this instrument in my presence. Signature of transferor: Signature of witness MICHAEL BLUWOL Name of witness: 30 GRIFFITHS AVE Address of witness: WEST RYDE NSW 2114 Certified for the purposes of the Real Property Act 1900 by the person whose signature appears below. Signature:

Signatory's name: Signatory's capacity: KAME BARDEN OLNEY transferee's solicitor

Page 1 of 1 number additional pages sequentially

/Doc:DL AD168424 /Rev:05-Jun-2007 /NSW LRS /Pgs:ALL /Prt:04-Aug-2020 11:18 /Seq:1 of 1 Office of the Registrar-General /Src:INFOTRACK /Ref:Cheerybrook Station

·· Form: 😘 OIT Licence: 05-11-638 Licensee: Softdocs Champion Legal

Real Property Act 1900



AD168424B

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises the by this form for the establishment and maintenance of the Real Property Act Registe. ____ made available to any person for search upon payment of a fee, if any,

STAMP DUTY

Office of State Revenue use only

NEW SOUTH WALES DUTY

10-05-2007

0004248764-001

SECTION OTHR LEGN-TRANSFER

NO DUTY PAYABLE

(A) FOLIO OF THE REGISTER

FOLIO IDENTIFIER 15/1005729

(B) LODGED BY

Document Collection Box

440T

Name, Address or DX, Telephone, and LLPN if any

CHAMPION LEGAL LLPN: 123309E DX 8220 PARRAMATTA

Tel: (02) 9635 8266

and Reference (optional): JJC:MH:53039

CODE Sheriff)

(C) TRANSFEROR

WADE MORGAN HOWELLS and JANET ELIZABETH HOWELLS

(D) CONSIDERATION The transferor acknowledges receipt of the consideration of \$ 965,000.00

and as regards the folio

(E) ESTATE

of the Register specified above transfers to the transferee an estate in fee simple.

(F) SHARE TRANSFERRED

(G)

Encumbrances (if applicable):

(H) TRANSFEREE

MINISTER ADMINISTERING THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

1900 by the transferor.

TENANCY:

DATE

(I)

31,05,007

(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 of transferor:

Name of witness: Address of witness:

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

Certified correct for the purposes of the Real Property Act

Hours

Signature:

Signatory's fame: JOHN COTTER

Signatory's capacity: Solicitor for the transferee



LAND Historical REGISTRY SERVICES Title



NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

3/8/2020 6:43AM

FOLIO: 32/1253104

First Title(s): OLD SYSTEM

Prior Title(s): 80/1180972 300/1248950

Recorded Number Type of Instrument C.T. Issue
-----30/9/2019 DP1253104 DEPOSITED PLAN FOLIO CREATED

EDITION 1

*** END OF SEARCH ***

Received: 03/08/2020 06:43:22



REGISTRY Title Search



NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 32/1253104

LAND

LOT 32 IN DEPOSITED PLAN 1253104
AT CHERRYBROOK
LOCAL GOVERNMENT AREA HORNSBY
PARISH OF SOUTH COLAH COUNTY OF CUMBERLAND
TITLE DIAGRAM DP1253104

FIRST SCHEDULE

SYDNEY METRO

SECOND SCHEDULE (6 NOTIFICATIONS)

- 1 THE LAND ABOVE DESCRIBED IS LIMITED IN STRATUM IN THE MANNER DESCRIBED IN DP1253104
- 2 H127106 EASEMENT FOR TRANSMISSION LINE VARIABLE WIDTH
 AFFECTING THE SITE DESIGNATED (A) IN THE TITLE DIAGRAM
 Z944746 EASEMENT NOW VESTED IN SYDNEY ELECTRICITY
- 3 J5360 EASEMENT FOR TRANSMISSION LINE VARIABLE WIDTH
 AFFECTING THE SITE DESIGNATED (B) IN THE TITLE DIAGRAM
 Z944756 EASEMENT NOW VESTED IN SYDNEY ELECTRICITY
- 4 J5360 EASEMENT FOR TRANSMISSION LINE 30.48 WIDE

 AFFECTING THE SITE DESIGNATED (C) IN THE TITLE DIAGRAM

 Z944756 EASEMENT NOW VESTED IN SYDNEY ELECTRICITY
- 5 DP1213429 EASEMENT FOR ELECTRICITY & OTHER PURPOSES VARIABLE WIDTH AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
- 6 DP1213429 POSITIVE COVENANT AFFECTING THE PART SHOWN SO BURDENED IN THE TITLE DIAGRAM

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

Cheerybrook Station

PRINTED ON 3/8/2020

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Historical Title



NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

4/8/2020 11:42AM

FOLIO: 8/16975

First Title(s): SEE PRIOR TITLE(S)
Prior Title(s): VOL 7169 FOL 80

Recorded	Number	Type of Instrument	C.T. Issue
26/11/1988		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
15/3/1989		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
28/1/1993	Z944756	REQUEST	
30/4/1993	1294768	DEPARTMENTAL DEALING	
20/4/2007	AD66290	DEPARTMENTAL DEALING	
27/6/2007	AD222300	TRANSFER	EDITION 1
25/7/2012	DP1175988	WITHDRAWN - PRE-EXAMINATION PLAN	
9/9/2015	DP1180972	DEPOSITED PLAN	
17/9/2015	AJ722810	REQUEST	FOLIO CANCELLED

*** END OF SEARCH ***

R435673 /Doc:DL AD222300 /Rev:28-Jun-2007 /NSW LRS /Pgs:ALL /Prt:04-Aug-2020 11:42 /Seq:1 of 1 Office of the Registrar-General /Src:INFOTRACK /Ref:Cheerybrook Station

01TForm: 05-11-638 Licence: Licensee: Softdocs Champion Legal

Real Property Act 1



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AD222300'

ired ır is

/ACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorise شانة form for the establishment and maintenance of the Real Property Act Register. Section مانات made available to any person for search upon payment of a fee, if any. STAMP DUTY Office of State Revenue use only NEW SOUTH WALES DUTY (A) FOLIO OF THE **FOLIO IDENTIFIER 8/16975** 31-05-2007 0004301085-001 REGISTER SECTION 308-TRANSFER NO DUTY PHYHELE (B) LODGED BY Name, Address or DX, Telephone, and LLPN if any CODE Document Collection LLPN: 123309E CHAMPION LEGAL Box DX 8220 PARRAMATTA Tel: (02) 9635 8266 440T Reference (optional): JJC:MH:53049 (Sheriff) (C) TRANSFEROR RICHARD ALLEN DAVIES & DAWN ROSLYN DAVIES (D) CONSIDERATION The transferor acknowledges receipt of the consideration of \$ 6,181,800.00 and as regards the folio (E) ESTATE of the Register specified above transfers to the transferee an estate in fee simple. (F) SHARE **TRANSFERRED** (G) Encumbrances (if applicable): (H) TRANSFEREE MINISTER ADMINISTERING THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979 TENANCY: (I)

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

Signature of witness:

Name of witness:

DATE

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

Signature of transferor:

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

Signature:

Signatory's name: JOHN COTTER

Signatory's capacity: Solicitor for the transferee



LAND Historical REGISTRY SERVICES Title



NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

3/8/2020 6:43AM

FOLIO: 33/1253104

First Title(s): OLD SYSTEM
Prior Title(s): 80/1180972

Recorded Number Type of Instrument C.T. Issue

30/9/2019 DP1253104 DEPOSITED PLAN FOLIO CREATED

EDITION 1

*** END OF SEARCH ***

Received: 03/08/2020 06:43:23



REGISTRY Title Search



NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 33/1253104

LAND

LOT 33 IN DEPOSITED PLAN 1253104
AT CHERRYBROOK
LOCAL GOVERNMENT AREA HORNSBY
PARISH OF SOUTH COLAH COUNTY OF CUMBERLAND
TITLE DIAGRAM DP1253104

FIRST SCHEDULE

SYDNEY METRO

SECOND SCHEDULE (3 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S) WITHIN THE PART(S) SHOWN SO INDICATED IN THE TITLE DIAGRAM
- 2 J5360 EASEMENT FOR TRANSMISSION LINE 30.48 WIDE

 AFFECTING THE SITE DESIGNATED (C) IN THE TITLE DIAGRAM

 Z944756 EASEMENT NOW VESTED IN SYDNEY ELECTRICITY
- 3 DP1213429 POSITIVE COVENANT

NOTATIONS

UNREGISTERED DEALINGS: PP DP1259513.

*** END OF SEARCH ***

Cheerybrook Station

PRINTED ON 3/8/2020



Historical Title



NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

3/8/2020 6:43AM

FOLIO: 31/1253104

First Title(s): OLD SYSTEM
Prior Title(s): 80/1180972

Recorded	Number	Type of Instrument	C.T. Issue
30/9/2019	DP1253104	DEPOSITED PLAN	FOLIO CREATED EDITION 1
10/10/2019 10/10/2019	AP595334 AP595339	DEPARTMENTAL DEALING DEPARTMENTAL DEALING	EDITION 2

*** END OF SEARCH ***



REGISTRY Title Search



NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 31/1253104

LAND

LOT 31 IN DEPOSITED PLAN 1253104
AT CHERRYBROOK
LOCAL GOVERNMENT AREA HORNSBY
PARISH OF SOUTH COLAH COUNTY OF CUMBERLAND
TITLE DIAGRAM DP1253104

FIRST SCHEDULE

SYDNEY METRO

SECOND SCHEDULE (6 NOTIFICATIONS)

- 1 THE LAND ABOVE DESCRIBED IS LIMITED IN STRATUM IN THE MANNER DESCRIBED IN DP1253104
- 2 G911449 EASEMENT FOR BATTER AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
- 3 H127106 EASEMENT FOR TRANSMISSION LINE VARIABLE WIDTH
 AFFECTING THE PART(S)SHOWN SO BURDENED IN THE TITLE
 DIAGRAM

Z944746 EASEMENT NOW VESTED IN SYDNEY ELECTRICITY

- 4 DP1213429 EASEMENT FOR WATER SUPPLY PURPOSES 3 METRE(S) WIDE AND VARIABLE AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
- 5 DP1213429 EASEMENT FOR ELECTRICITY & OTHER PURPOSES VARIABLE WIDTH AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
- 6 DP1213429 POSITIVE COVENANT

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

Cheerybrook Station

PRINTED ON 3/8/2020

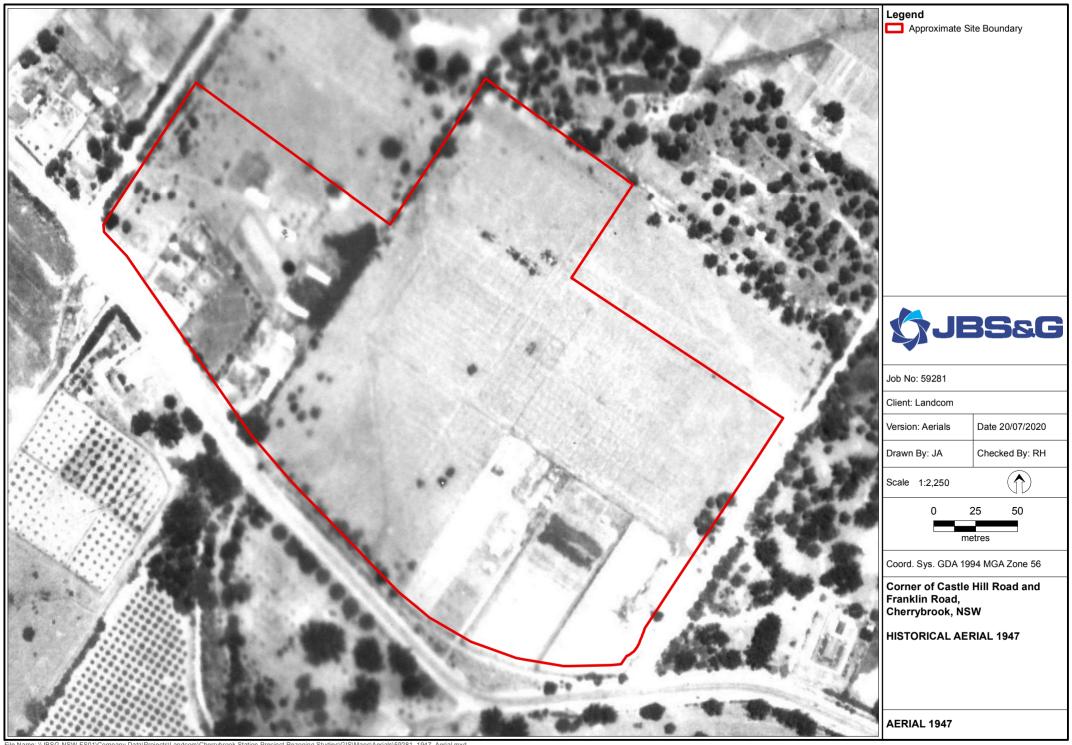
^{*} Any entries preceded by an asterisk do not appear on the current edition of the Certificate of Title. Warning: the information appearing under notations has not been formally recorded in the Register. InfoTrack an approved NSW Information Broker hereby certifies that the information contained in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

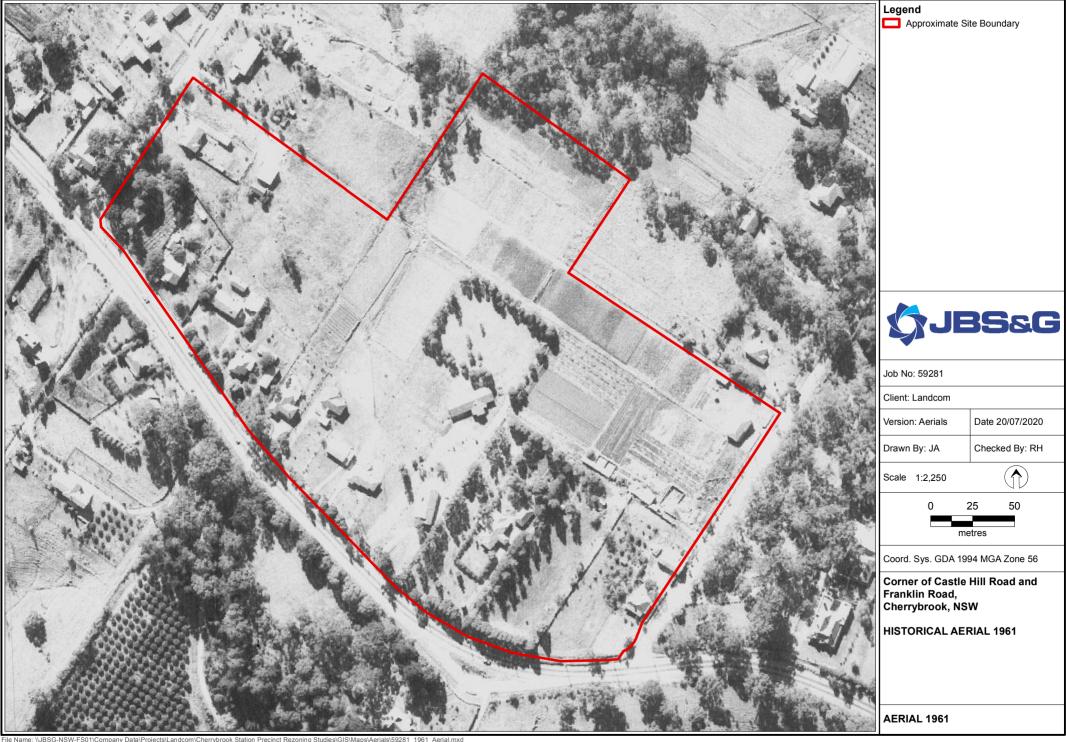


Appendix G Historical Aerial Photographs















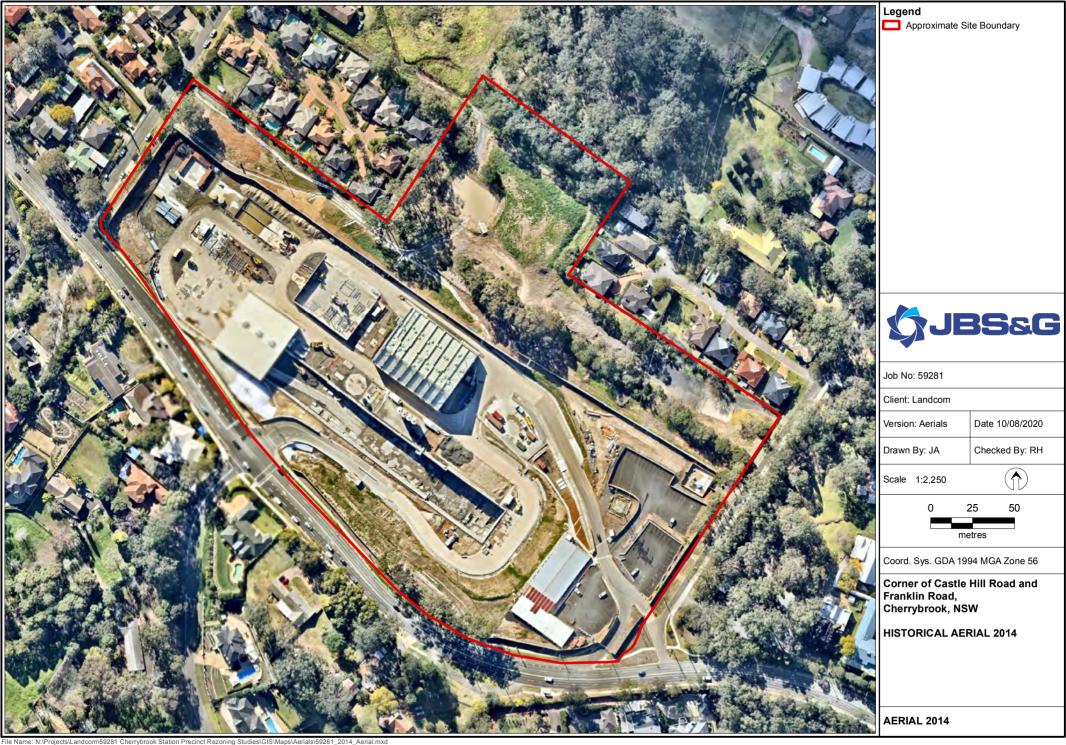
File Name: N:\Projects\Landcom\Cherrybrook Station Precinct Rezoning Studies\GIS\Maps\Aerials\59281_1984_Aerial.r
Reference: NSW DFSI

























Appendix H EPA Searches

Suburb	SiteName	Address	ContaminationActivityType	ManagementClass	Latitude	Longitude
CHARBON	Charbon Colliery	Charbon ROAD	Other Industry	Regulation under CLM Act not required	-32.92390131	149.9839098
CHARLESTOWN	7-Eleven Charlestown	273 Charlestown ROAD	Service Station	Regulation under CLM Act not required	-32.95802555	151.6897931
				Contamination currently regulated under		
CHARLESTOWN	Caltex Service Station	81 Pacific HIGHWAY	Service Station	CLM Act	-32.96708479	151.6955919
CHARLESTOWN	Caltex Woolworths (Former BP)	91-93 Pacific HIGHWAY	Service Station	Contamination formerly regulated under the CLM Act	-32.96633569	151.6959051
SHARLESTOWN	cattex woodworths (Former br)	31 331 delite mariwar	Service Station	the celvi Act	32.30033303	131.0333031
CHARLESTOWN	Ausgrid Powell Street Depot	8 Powell STREET	Other Industry	Regulation under CLM Act not required	-32.95912375	151.6944136
CHARMHAVEN	Caltex Charmhaven Service Station	13-15 Pacific HIGHWAY	Service Station	Regulation under CLM Act not required	-33.21655768	151.5091452
	Former Caltex Chatswood Service			Contamination formerly regulated under		
CHATSWOOD	Station	607 Pacific HIGHWAY	Service Station	the CLM Act	-33.80396472	151.1795766
CHATSWOOD	Woolworths Chatswood	364-366 Eastern Valley WAY	Service Station	Regulation under CLM Act not required	-33.78667419	151.2010828
CHATSWOOD	Caltex Service Station Chatswood	572 Pacific HIGHWAY	Service Station	Regulation under CLM Act not required	-33.80381271	151.1789656
CHATSWOOD	Auto Repairs	2 Devonshire STREET	Service Station	Regulation under CLM Act not required	-33.8015482	151.1859632
CHATSWOOD	Coles Express Service Station Chatswoo	od 1877-879 Pacific HIGHWAY	Service Station	Regulation under CLM Act not required	-33.79182176	151.1804867
				1000		
CHATSWOOD WEST	Chatswood Toyota	728 Pacific HIGHWAY	Service Station	Contamination formerly regulated under the CLM Act	-33.79654247	151.1776136
CHERRYBROOK	Caltex Service Station	67 Shepherds DRIVE	Service Station	Regulation under CLM Act not required	-33.72069183	151.0451415
CHESTER HILL	Former Orica, Chester Hill	127 Orchard ROAD	Chemical Industry	Contamination formerly regulated under the CLM Act	-33.8869823	150.9952873
O. LOTENTHEE	romer onea, enester mil	127 Grenara NOAD	Chemical madstry	and delivation	33.0003023	130.3332073
CHIPPENDALE	Frasers Development	Wellington STREET	Chemical Industry	Under preliminary investigation order	-33.88669108	151.2015805

List current as at 13 July 2020

Home Contaminated land Record of notices

Search results

Your search for: Suburb: CHERRYBROOK

did not find any records in our database.

If a site does not appear on the record it may still be affected by contamination. For example:

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

Search Again Refine Search

Search TIP

To search for a specific site, search by LGA (local government area) and carefully eview all sites listed.

.. more search tips

More information about particular sites may be available from:

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

See What's in the record and What's not in the record.

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

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

For business and industry

20 July 2020

For local government

Contact us

131 555 (tel:131555)

Online (https://yoursay.epa.nsw.gov.au/epa-website-feedback)

info@epa.nsw.gov.au (mailto:info@epa.nsw.gov.au)

EPA Office Locations (https://www.epa.nsw.gov.au/about-us/contact-us/locations)

Accessibility (https://www.epa.nsw.gov.au/about-us/contact-us/website-service-standards/help-index) Disclaimer (https://www.epa.nsw.gov.au/about-us/contact-us/website-service-standards/disclaimer) Privacy (https://www.epa.nsw.gov.au/about-us/contact-us/website-service-standards/privacy) Copyright (https://www.epa.nsw.gov.au/about-us/contact-us/website-service-standards/copyright)

(https://au.linkedin. environmentauthority-

Find us on

Home Environment protection licences POEO Public Register Search for licences, applications and notices

Search results

Your search for	: General Search with the following criteria		
returned 0 result	Suburb - Cherrybrook		
		Search Again	
For busines	s and industry 🗆		
For local go	vernment □		
Contact us			
. 131 555 (tel:13	1555)		
□ Online (https://y	yoursay.epa.nsw.gov.au/epa-website-feedback)		
□ info@epa.nsw.	gov.au (mailto:info@epa.nsw.gov.au)		
□ EPA Office Loc	ations (https://www.epa.nsw.gov.au/about-us/contact-us/locations)		
	w.epa.nsw.gov.au/about-us/contact-us/website-service-standards/help-index) epa.nsw.gov.au/about-us/contact-us/website-service-standards/disclaimer)		□ (https://au.linkedin
Privacy (https://www.epa	a.nsw.gov.au/about-us/contact-us/website-service-standards/privacy)		environment- protection-
Copyright (https://www.e	epa.nsw.gov.au/about-us/contact-us/website-service-standards/copyright)	Fin	□ authority- dus on (httpse/phaw)ndettpsn/n/w/wS/N

20/07/2020 Westleigh



Your environment(/your-environment) > Contaminated land(/your-environment/contaminated-land)

> PFAS investigation program(/your-environment/contaminated-land/pfas-investigation-program) > Westleigh





In this section

Westleigh

NSW Rural Fire Services (RFS) has investigated the presence of per-and-poly-fluoroalkyl substances (PFAS) contamination stemming from the historical use of fire-fighting foams at the Westleigh training site, which is owned by Hornsby Shire Council.

PFAS was detected in low quantities in soil, surface and groundwater samples.

Residents of Westleigh do not need to take any additional precautions to limit their exposure to PFAS and investigations have now concluded. As a precaution, RFS has voluntarily removed a 10 m x 25 m x 0.3 m section of soil from the north-east of the site. The excavated soil was sent to landfill, in accordance with NSW Environment Protection Authority's (EPA) waste classification guidelines.

For more information see

NSW EPA factsheet: PFAS investigations - Westleigh (/-/media/epa/corporate-site/resources/pfas/westleigh-pfas-factsheet.pdf)

NSW RFS website - PFAS environmental investigation (https://www.rfs.nsw.gov.au/news-and-media/pfas-environmental-investigation)

Tags: PFAS (/Search?q=PFAS)

Page last updated 9 October 2019

For business and industry

For local government

Contact us

- L 131 555 (tel:131555)
- Online (https://yoursay.epa.nsw.gov.au/epa-website-feedback)

20/07/2020 Westleigh

- info@epa.nsw.gov.au (mailto:info@epa.nsw.gov.au)
- ♠ EPA Office Locations (/about-us/contact-us/locations)

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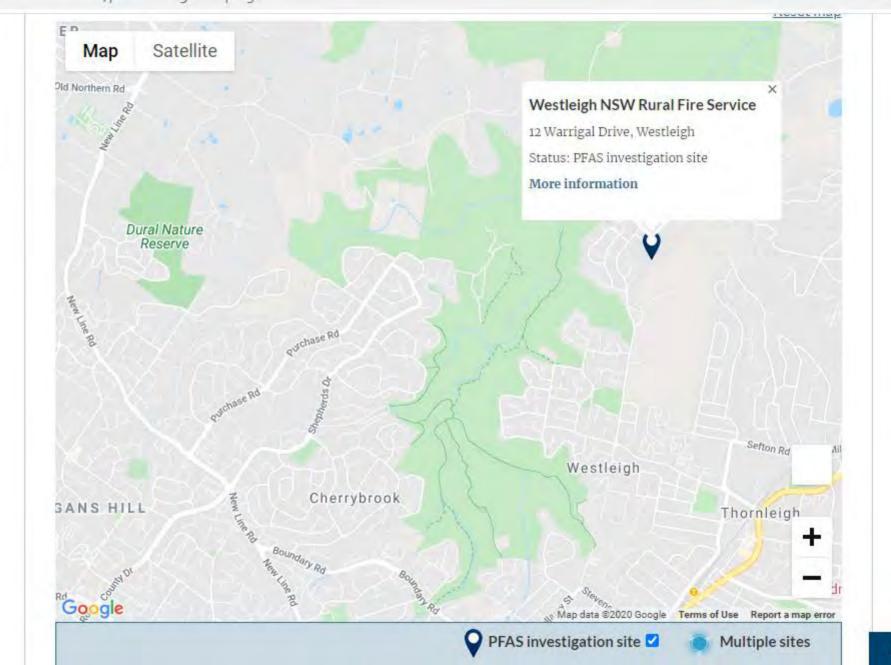
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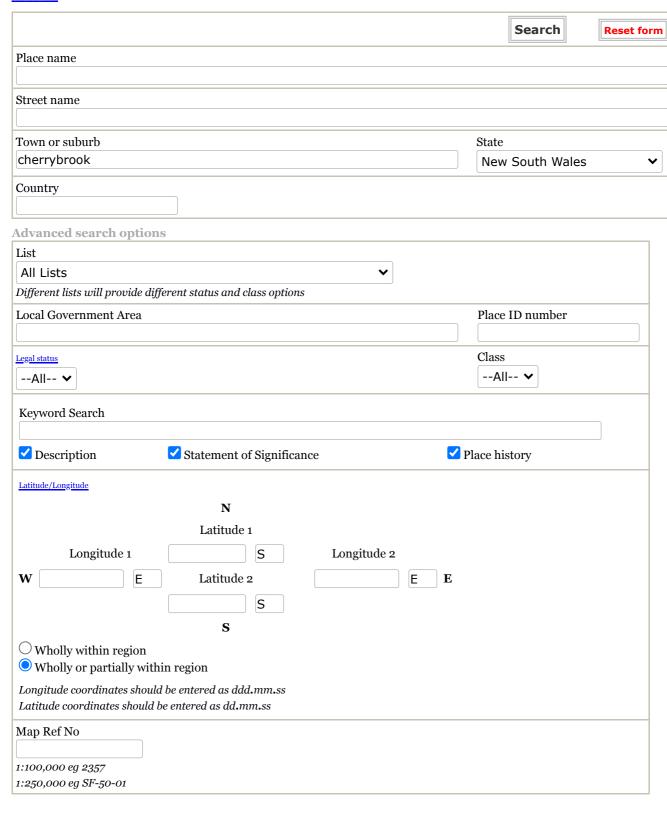
Appendix I Heritage Data Base Searches

Search Results

No results found.

Enter at least one search criterion.

Search Hints



Search Hints

- Not all fields need to be filled in. The fewer you fill in the more results you will get.
- If you cannot find a place, check spelling and try alternative names. Reduce the number of words that you include and use fewer fields.
- The Local Government field used on its own will provide a comprehensive list of places in an area.

Report Produced: Mon Jul 20 08:54:55 2020

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Item details

Name of item:

Inala School (original house)

Type of item:

Built

Group/Collection:

Education

Category:

Deaf, Dumb & Blind Institute

Primary address:

160-168 Castle Hill Road, Cherrybrook, NSW 2125

Local govt. area:

Hornsby

All addresses

Street Address	Suburb/town	LGA	Parish	County	Туре
160-168 Castle Hill Road	Cherrybrook	Hornsby			Primary Address
Franklin Road	Cherrybrook	Hornsby			Alternate Address

Statement of significance:

Good example of a large early Federation Bungalow style house. Elegant design with distinctive tall chimneys and pair of gablets. Integrity affected by some unsympathetic modifications.

Note: The State Heritage Inventory provides information about heritage items listed by local and State government agencies. The State Heritage Inventory is continually being updated by local and State agencies as new information becomes available. Read the Department of Premier and Cabinet copyright and disclaimer.

Description

Designer/Maker:

Builder/Maker:

Physical description:

Group of buildings including one from the Federation period. Building fronting Castle Hill Road has a complex hipped roof with two gablets to the main facade. Tall rendered chimneys with decorative pots. Roof continues over verandah which returns to side. Rendered masonry walls. Castellations to service wing at side.

History

Historical notes:

Built for Joseph Hopkins a fruit merchant in 1895. When he died in 1911 all his properties were transferred to his wife Rosa. She sold the house to John Mclean in 1913.

Historic themes

Australian theme (abbrev)	New South Wales theme	Local	ı
		theme	
4. Settlement-Building	Towns, suburbs and villages-Activities associated with creating, planning and	(none)-	
settlements, towns and	managing urban functions, landscapes and lifestyles in towns, suburbs and villages		
cities			

Recommended management:

Listings

Heritage Listing	Listing Title			Gazette Page
Local Environmental	Hornsby Local Environmental Plan	303	27 Sep 13	
Plan	2013			
Heritage study				

Study details

Title	Year	Number	Author	Inspected by	Guidelines used
Hornsby Shire Heritage Study	1993		Perumal Murphy Wu Pty Ltd	VM	No

References, internet links & images

None

Note: internet links may be to web pages, documents or images.

Data source

The information for this entry comes from the following source:

Name:

Local Government

Database number:

1780467

Every effort has been made to ensure that information contained in the State Heritage Inventory is correct. If you find any errors or omissions please send your comments to the Database Manager.

All information and pictures on this page are the copyright of Heritage NSW or respective copyright owners.



Search for NSW Heritage

Return to search page where you can refine/broaden your search.

Statutory listed items

Information and items listed in the State Heritage Inventory come from a number of sources. This means that there may be several entries for the same heritage item in the database. For clarity, the search results have been divided into three sections.

- **Section 1** contains Aboriginal Places declared by the **Minister for the Environment** under the National Parks and Wildlife Act. This information is provided by Heritage NSW.
- **Section 2** contains heritage items listed by the **Heritage Council of NSW** under the Heritage Act. This includes listing on the State Heritage Register, an Interim Heritage Order or protected under section 136 of the Heritage Act. This information is provided by Heritage NSW.
- **Section 3** contains items listed by **local councils** on Local Environmental Plans under the Environmental Planning and Assessment Act and **State government agencies** under s.170 of the Heritage Act. This information is provided by local councils and State government agencies.

Section 1. Aboriginal Places listed under the National Parks and Wildlife Act.

Your search did not return any matching results.

Section 2. Items listed under the Heritage Act.

Your search did not return any matching results.

Section 3. Items listed by Local Government and State Agencies.

Your search returned 13 records.

Item name	Address	Suburb	LGA	Information source
Boldrewood and garden	19 Boldrewood Place	Cherrybrook	Hornsby	LGOV
Cherrybrook Pre-school and Community Centre	144 New Line Road	Cherrybrook	Hornsby	LGOV
Cherrybrook Uniting Church Hall and Cemetery	134 New Line Road	Cherrybrook	Hornsby	LGOV
<u>Greenway Park</u>	69-85X Shepherds Drive	Cherrybrook	Hornsby	LGOV
<u>Hillcrest</u>	16 Sanctuary Close	Cherrybrook	Hornsby	LGOV
<u>House</u>	175 New Line Road	Cherrybrook	Hornsby	LGOV
<u>House</u>	150 Castle Hill Road	Cherrybrook	Hornsby	LGOV
<u>House</u>	208 New Line Road	Cherrybrook	Hornsby	LGOV
nala School (original house)	160-168 Castle Hill Road	Cherrybrook	Hornsby	LGOV
Kenburn Hall	59-61 Maquarie Drive	Cherrybrook	Hornsby	LGOV
akes of Cherrybrook Reserve	56X Shepherd Drives	Cherrybrook	Hornsby	LGOV
<u>Pyes Creek bridge, road and quarry</u>	Woodlark Place (behind)	Cherrybrook	Hornsby	LGOV
Reserve	1X Westminster Drive	Cherrybrook	Hornsby	LGOV

There was a total of 13 records matching your search criteria.

Key:

LGA = Local Government Area

GAZ= NSW Government Gazette (statutory listings prior to 1997), HGA = Heritage Grant Application, HS = Heritage Study, LGOV = Local Government, SGOV = State Government Agency.

Note: While Heritage NSW seeks to keep the Inventory up to date, it is reliant on State agencies and local councils to provide their data. Always check with the relevant State agency or local council for the most up-to-date information.



Appendix J NSW Fair Trading Loose-Fill Asbestos Insulation Register





Home (https://www.fairtrading.nsw.gov.au)

Loose-fill asbestos insulation register

Listen

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(https://www.fairtrading.ns(https://aswcgpyrauht)

(https://app-oc.readspeaker.com/cgi-bin/rsent?customerid=7371&lang=en_au&readid=page-content&url=https://www.fairtrading.nsw.gov.au/loose-fill-asbestos-insulation-register)

Look up the premises address

Please enter exact address information (including street type) of the address you wish to search (Note, the search fields are not case sensitive).

If a match is found, the premises has been identified as containing loose-fill asbestos insulation.

Results will only appear if an exact match of an address is found.

(The fields marked with * are required.)

Address searched: 200 castle hill R This information is correct at the	•	Insulation Register	
Unit			
Street number*			
Street name*			
Street type*	Alley		•
Suburb*			
Postcode			
	Su	bmit	
Site map Privacy (https://www.fairtrading.ns/httpss://aw/ksitefairtradimap)	த ng.nswattesadwwittesadom/nsw_fairtrading)	f (https://www.facebook.com/FairTradingNSW/)	(https://www.youtube.com/user/NSWOF
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