GEOTECHNIQUE
PTY LTD
ABN 64 002 841 063

JOHNSON PROPERTY GROUP PTY LTD

PROPOSED RESIDENTIAL AND RECREATIONAL DEVELOPMENT

PART LOT 2 IN DP76375
HALL STREET
PITT TOWN

PRELIMINARY CONTAMINATION ASSESSMENT

REPORT NO: 11124/3-AA 27 JUNE 2006

Lemko Place, Penrith NSW 2750
Telephone (02) 4722 2700
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Land Consultants Association

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Company
ISO 9001 LIC11650
Standards Australia

Job No: 11124/3
Our Ref: 11124/3-AA

27 June 2006

Johnson Property Group Pty Ltd
268 Old Northern Road
CASTLE HILL NSW 2154

Attention: Mr P Hedge

Dear Sir

re: **Proposed Residential and Recreational Development**
Part Lot 2 in DP76375, Hall Street, Pitt Town
Preliminary Contamination Assessment

Please find herewith our *Preliminary Contamination Assessment* for the above site, which forms only part of a larger residential and recreational development.

The objective of this assessment was to determine whether the site presents or potentially presents a risk of harm to human health and/or the environment, as a result of any past and/or present activities within the site and/or the neighbouring properties.

Reference should be made to Sections 9.0 and 10.0 of the report for the conclusion, recommendations and limitations of this assessment.

Should you have any questions relating to this report please do not hesitate to contact the undersigned.

Yours faithfully
GEOTECHNIQUE PTY LTD

P. Gorman

PAUL GORMAN
Principal Environmental Engineer

Lemko Place, Penrith NSW 2750
Telephone (02) 4722 2700
e-mail: info@geotech.com.au

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Standards Australia

EXECUTIVE SUMMARY

As requested, a preliminary contamination assessment has been carried out for part of the property registered as Lot 2 in DP76375, located on Hall Street, Pitt Town, as indicated on Figure 1 (page 1 of the report).

It is understood that the site is proposed for inclusion in a large residential and recreational development.

The objective of this assessment was to determine whether the site is likely to present a risk of harm to human health and/or the environment, as a result of any past and/or present activities within the site and/or the neighbouring properties and, in so doing, assess whether the site is suitable for the development proposed or requires further assessment to make that determination.

In order to achieve the objective of this assessment, the scope of work included a site inspection, review of historical information, review of soil and geological maps, review of the findings of the geotechnical investigation and preparation of this report.

As indicated on the plans attached with the land titles information in Appendix A, and also on Drawing No 11124/3-AA1, the site is irregular in shape, with frontages to Hall Street and Paul Street of approximately 420metres(m) and 277m respectively. The total site area is estimated at about 15 to 20 hectares. At the time of the site inspection on 14 June 2006, the site was essentially vacant (with the exception of a single dwelling and associated sheds) and grass covered with some mature trees, relatively shallow depressions / dams and some noted shallow filling. There were no noted indications of underground tanks or any other indicators of significant soil contamination.

Historical aerial photographs indicate that the site has been essentially undeveloped, with the exception of one house and adjoining sheds, at least since 1947. The bulk of the site, over this period, remained as open grassland, probably used for grazing purposes, whilst relatively small patches were utilised for orchard farming in the past. Orchard farming dominated the landscape for much of the 1900s.

The records of NSW Department of Lands indicate personal ownership of the site since 1903 (ie. no corporate ownership), with several of the owners listed as orchardists.

The site is not located in an area of known disturbance through human activities.

Based on the foregoing, it is considered that the risk of soil contamination within the subject site, with respect to the existing uses and proposed development, is low. Some localised soil contamination, not considered to pose a risk of harm to human health, may have occurred in the following areas:

- Former orchard farming areas
- Filled areas

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Geotechnique has had extensive experience in assessing numerous for market garden and orchard farming sites in western Sydney. On the basis of that expereice, it is considered unlikely that any significant contamination of the soil has resulted from the past use of the site and neighbouring properties for orchard farming. If contaminants have resulted, they are likely to be metals such as zinc and copper, at concentrations that do not pose a risk of harm to human health. Some plant impact may result.

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Based on this preliminary contamination assessment, it is considered that the site does not present a significant risk of harm to human health or the environment and is therefore environmentally suitable for the proposed residential and recreational development. However, soil sampling and testing is recommended to assess the contamination status of the soils in and around former orchards and the identified filling area, particularly in relation to impact on future planting / landscaping. As stated earlier, no significant contamination is expected to be found in these areas.

Reference must be made to Section 10.0 for the limitations of the assessment.

GEOTECHNIQUE PTY LTD

P. Gorman

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LIST OF REFERENCES

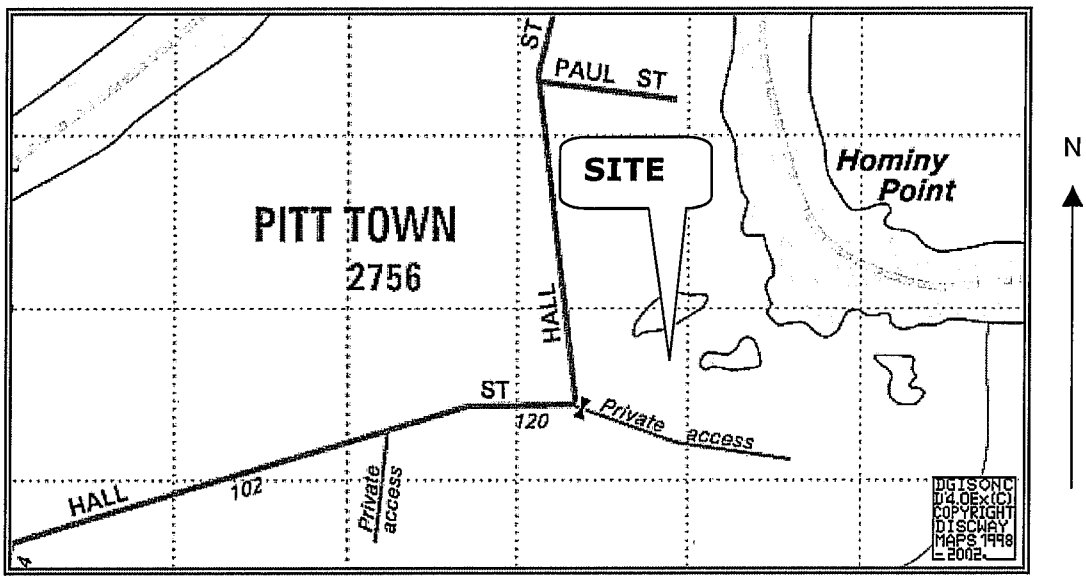
DRAWINGS

APPENDICES

1.0 INTRODUCTION

This report presents the results of a preliminary contamination assessment carried out for part of the property registered as Lot 2 in DP76375, located on Hall Street, Pitt Town, as indicated on Figure 1 below. The assessment was commissioned by Mr P Hedge of Johnson Property Group Pty Ltd in a signed confirmation of engagement letter dated 2 June 2006.

FIGURE 1



It is understood that the subject site forms part of a larger development, incorporating a number of properties between Hall Street and the Hawkesbury River, which will include residential properties and recreational facilities such as parklands, lakes and sporting facilities. The subject site, based on the information provided, will be predominantly redeveloped for recreational activities.

The objective of this assessment was to determine whether the site is likely to present a risk of harm to human health and/or the environment, as a result of any past and/or present activities within the site and/or the neighbouring properties and, in so doing, assess whether the site is suitable for the development proposed or requires further assessment to make that determination.

The format of this report closely follows that recommended in the NSW Environment Protection Authority (EPA) "*Guidelines for Consultants Reporting on Contaminated Sites*" - 1997.

2.0 SCOPE OF WORK

In order to achieve the objective of this assessment, the following scope of work was conducted, in accordance with our proposal dated 1 June 2006. The scope of work also complies with the NSW EPA "*Guidelines for Consultants Reporting on Contaminated Sites*" - 1997:

- An inspection of the site and surrounds by an Environmental Engineer from Geotechnique Pty Ltd (Geotechnique), in order to identify any site features and any visible signs/indicators of contamination.
- A review of the findings of a geotechnical investigation, also completed by Geotechnique in conjunction with this contamination assessment.
- A desktop study of the following in order to assist in the identification of potential contamination issues.

- Historical aerial photographs.
- Records of NSW Department of Lands.
- Soil and geological maps.

3.0 SITE IDENTIFICATION

The site is located on the eastern side of Hall Street, Pitt Town, in the local government area of Hawkesbury, as indicated on Figure 1. As detailed in Appendix A, the site is currently registered to David and Christopher Thornton as part of Lot 2 in DP76375.

As indicated on the plans attached with the land titles information in Appendix A, and also on Drawing No 11124/3-AA1, the site is irregular in shape, with frontages to Hall Street and Paul Street of approximately 420 metres (m) and 277m respectively. The total site area is estimated at about 15 to 20 hectares.

4.0 SITE HISTORY

A review of historical aerial photographs and records of NSW Department of Lands has been carried out in order to assist in the identification of any potential contamination issues.

4.1 Aerial Photographs

Aerial photographs taken in 1947, 1961, 1970, 1982, 1998 and 2005 were examined. Copies of the aerial photographs are kept in the offices of Geotechnique and are available for examination upon request.

The following table provides information on observations made on the aerial photographs by the author of this report.

Year	Observation
1947	The site is essentially open grassland with some scattered tree growth along the Hawkesbury Riverbank. There are a few patches of remnant-cultivated areas in parts of the site. There are several apparent dams in depressed areas within the site. The site is bound to the north-east by the Hawkesbury River, to the north, west, south and east by similar open grasslands, much of which is covered in active orchards. Hall Street and Paul Street have not yet been formed at the site boundaries.
1961	The site and neighbouring properties have not significantly changed since 1947. Hall Street appears to have been formed as a dirt / gravel road.
1970	Apart from some minor orchard farming in the southern portion of the site, there appears to be no significant change to the site appearance since 1961. Orchard farming continues to dominate the land use in properties bordering the site and within the region in general.
1982	A house has been built in the south-western portion of the site. Water is evident in two of the depressions / dams within the site. Apart from this, there appears to be no significant change to the appearance of the site and neighbouring properties since 1970.

Year	Observation
1998	All minor orchard farming activities within the site have ceased. There are no remnant areas of past land cultivation. Increased tree growth is visible in the central portion of the site. The house noted in the 1982 aerial photograph remains, with several sheds adjoining. The neighbouring properties to the west and south continue to be dominated by orchard farms.
2005	The site surface appears more dry, with water evident in only one of the depressions / dams. Tree growth has increased in the central portion of the site. No other changes to the appearance of the site are noted. Orchard farming appears to be on the decline in the area, with additional dwellings being built on the large properties.

4.2 Records of NSW Department of Lands

The chronological list of proprietors for Lot 2 in DP76375 is summarised as follows. Reference should be made to Appendix A for details of the records obtained by Advance Legal Search Pty Limited.

Lot 2 DP 76375

Year	Proprietor (Lot 2 DP 76375)
1998 – todate	David Robert Thornton Christopher Michael Thornton
1988 – 1998	Marie Veneta Thornton, widow David Robert Thornton, orchardist Christopher Michael Thornton, technician (Lot 2 DP 76375 - CT Vol 12058 Fol 129)
1974 – 1988	Marie Veneta Thornton, widow David Robert Thornton, orchardist Christopher Michael Thornton, technician
1973 – 1974	Marie Veneta Thornton, widow (Part Portions 9 & 10 Parish Pitt Town - Area 97 Acres 1 Rood 28 Perches - CT Vol 6377 Fol 124, 125 & 126)
1951 – 1973	Arthur Fergus Thornton, business manager
1951 -1951	Gwendoline Doretta Seale, wife of artist Jean Elizabeth Tibbey, wife of merchant Kenneth Bruce Moses, store keeper (Part Portions 9 & 10 Parish Pitt Town - Area 97 Acres 1 Rood 28 Perches - CT Vol 3955 Fol 86)
1951 – 1951	Ruby Ebenetza Hall Moses, married woman William John Ross, conveyancer
1931 – 1951	Mary Elizabeth Johnston, spinster Ruby Ebenetza Hall Moses, married woman William John Ross, conveyancer
1927 – 1931	Sarah Louisa Paull, wife of orchardist

Year	Proprietor
	(Part Portion 9 & 10 Parish Pitt Town - Area 105 Acres 0 rood 28 Perches - CT vol 3933 Fol 77)
1926 – 1927	Sarah Louisa Paull, wife of orchardist (Part Portions 9 & 10 Parish Pitt Town - Area 106 Acres 0 Roods 14 ½ Perches)
1903 – 1926	Sarah Louisa Paull, wife of orchardist (formerly Sarah Louisa Johnston, spinster)

5.0 SITE CONDITION & SURROUNDING ENVIRONMENT

An inspection of the subject site and immediately surrounding region was carried out by an Environmental Engineer on 14 June 2006. At that time, the following observations were made:

- The site contained a house and several sheds in the south-eastern portion (as also noted on the aerial photographs from 1982)
- The bulk of the site is essentially undeveloped grassland, with tree growth primarily in the central portion and along the river banks.
- There were a number of obvious localised depressions capable of holding water. All were dry with the exception of the eastern most depression, which contained little water.
- Some shallow filling was evident in the eastern portion of the site, probably placed to aid in water retention.
- There were no obvious ash materials, asbestos sheet/pieces, features (such as a bowser, breather pipe, inlet valve and piping) associated with any underground storage tanks, odour, discolouration of the soils and vegetation or petroleum hydrocarbon staining on the ground surface of the site that would indicate the potential for contamination.

The site is bound to the north by Paul Street, to the west by Hall Street, to the south by the remainder of Lot 2 (essentially rural land with a house and some sheds), to the east by rural residential land and to the north-east by the Hawkesbury River.

Reference may be made to Drawing No 11124/3-AA1 for the site boundaries and observations.

7.0 TOPOGRAPHY, GEOLOGY & HYDROGEOLOGY

The ground surface over the whole of the proposed development site is sloping down towards the central portion of the site from both the northern and the southern portions. The central portion of the site forms valley/depression oriented in an almost east west direction. Ground surface slope varies from about 5 degrees to more than 25 degrees. Within the subject site, ground surface falls towards the north from the southern boundary, and is reasonably flat in the northern portions.

Based on the Geological Map of Penrith (1:100,000), bedrock at the site is anticipated to be Ashfield Shale, belonging to the Wianamatta Group of rocks and comprising dark grey to black shale and laminite. The map also indicates that the bedrock is likely to be overlain by fluvial deposits, comprising gravel, sand, silt and clay, in most portion of the site.

The thickness of alluvial soils and depth to bedrock is not known at this stage.

Reference to the Soil Landscape Map (1:100,000) of Penrith indicates that the landscapes at the site belong to the Agnes Bank and Freemans Reach Groups.

Agnes Bank Group is characterised by low parallel sand dunes deposited on the flat tertiary terraces, with local relief to 7.0m and ground surface slopes generally less than 5%. The soils in the group are sandy, strongly leached overlying sandy clay, with high permeability and susceptible to high water and wind erosion hazards. This group has high seasonal water table and is subject to seasonal logging. Freemans Reach Group, which is a present active floodplain of Nepean River, is characterised by level ground with minor (less than 10m) relief, levees and back swamp. This landform is susceptible to high stream bank erosion and frequent flooding. Soils in this landscape are deep (more than 2.0m) and comprise sands and loams.

Test pit excavation carried out as part of the geotechnical investigation revealed the subject site to be underlain by topsoil, then low plasticity silt and silty clay to depths in excess of 2.9m below the existing ground level. This profile was encountered in the low-lying northern portion of the site.

No groundwater investigation has been carried out as part of this assessment. However, as no groundwater was encountered within the test pits excavated as part of the geotechnical investigation, the regional groundwater level beneath the site is expected to be at least 3-4m below the existing ground levels.

7.0 POTENTIAL FOR CONTAMINATION

Historical aerial photographs indicate that the site has been essentially undeveloped, with the exception of one house and an adjoining shed, at least since 1947. The bulk of the site, over this period, remained as open grassland, probably used for grazing purposes, whilst relatively small patches were utilised for orchard farming in the past. Orchard farming dominated the landscape for much of the 1900s.

The records of NSW Department of Lands indicate personal ownership of the site since 1903 (ie. no corporate ownership), with several of the owners listed as orchardists.

At the time of the site inspection on 14 June 2006, the site was essentially vacant (with the exception of a single dwelling and associated sheds) and grass covered with some mature trees, relatively shallow depressions / dams and some noted shallow filling. There were no noted indications of underground tanks or any other indicators of significant soil contamination.

The site is not located in an area of known disturbance through human activities.

Based on the foregoing, it is considered that the risk of soil contamination within the subject site, with respect to the existing uses and development proposed, is low. Some localised soil contamination, not considered to pose a risk of harm to human health, may have occurred in the following areas:

- Fertilisers and/or pesticides are likely to have been used in the areas of orchard farming, both within the site and in neighbouring properties. The use of some old fertilisers might lead to surface soil contamination by heavy metals, such as arsenic, cadmium, chromium, copper, lead, mercury and zinc. Possible soil contaminants resulting from the application of pesticides are arsenic, lead, Organophosphate Pesticides (OPP) and persistent Organochlorine Pesticides (OCP), such as Dieldrin, Heptachlor and DDT, which have been either restricted or prohibited from agricultural use since 1986/1987. The predicted persistence of OPP is typically less than one year; therefore these are not of concern.

- There appears to be some localised filling within the site, in the south-eastern portion, probably placed to aid in water retention. The origin of the fill materials is not known and therefore there is a possibility that the soils could be contaminated from the source site.

Based on experience in assessing numerous for market garden and orchard farming sites in western Sydney, it is considered unlikely that any significant contamination of the soil has resulted from the past use of the site and neighbouring properties for orchard farming. If contaminants have resulted, they are likely to be metals such as zinc and copper, at concentrations that do not pose a risk of harm to human health. Some plant impact may result.

8.0 CONTAMINATED LAND LEGISLATION

The New South Wales (NSW) government has introduced significant reforms to the identification and management of contaminated sites in NSW. The reforms have been designed to provide uniform control of the investigation and remediation of contaminated land throughout NSW. The following documents outline the reforms undertaken:

- The *Contaminated Land Management Act 1997 (CLM Act)* establishes a process for investigating and remediating (where necessary) land where contamination presents a significant risk of harm to human health or the environment. The three particular objectives are as follows:

    a. To set out accountabilities for managing contaminated land, if a significant risk of harm is identified.

    b. To set out the role of the NSW Environment Protection Authority (EPA) in the supervision of contaminated site investigations and/or remediation.

    c. To ensure that contaminated land is managed with regard to the principals of ecologically sustainable development.

- The EPA *Guidelines on the Significant Risk of Harm from Contaminated Land and the Duty to Report, 1999* provide guidance on two issues:

    1. Assessing whether site contamination presents a significant risk of harm under the CLM Act

    2. The duty to report to the EPA if a site is known or suspected to present a significant risk of harm under the CLM Act

- The *State Environmental Planning Policy (SEPP) No.55 – Remediation of Land 1998,* prepared by Department of Urban Affairs and Planning (DUAP) is an environmental planning instrument that sets out matters which must be considered by local councils and other planning authorities when determining development applications, or making zoning or rezoning decisions. The *Managing Land Contamination: Planning Guidelines 1998,* prepared by DUAP and Environment Protection Authority (EPA), have been developed to further provide guidance to consent authorities on their responsibilities under SEPP55 and the Environmental Planning and Assessment Act 1979.

- Under the legislation, as set out in the previously mentioned documents, the following points should be noted in particular:

    1. The CLM Act sets out a positive duty on an owner, or person whose activities cause contamination, to notify the EPA if they are aware that the contamination presents a significant risk of harm. Monetary penalties can be issued by the EPA for failure to notify.

2. The SEPP55 sets out the definitions of Category 1 and Category 2 remediation works. Development consent is required for Category 1 remediation works, whereas Category 2 remediation works do not require consent. The relevant local council must be notified of all remediation works (30 days notification) **whether or not** development consent for the remediation is required.

3. Notice of validation of remediation work must be submitted to the local council within one month of completion of remediation.

9.0 CONCLUSION & RECOMMENDATIONS

Based on this preliminary contamination assessment, it is considered that the site does not present a significant risk of harm to human health or the environment and is therefore environmentally suitable for the proposed residential and recreational development. However, soil sampling and testing is recommended to assess the contamination status of the soils in and around former orchards and the identified filling area, particularly in relation to impact on future planting / landscaping. As stated earlier, no significant contamination is expected to be found in these areas.

It should be noted that thick grass cover might mask areas of potential contamination. As such, it is recommended that, should any suspect soils or evidence of potential contamination be uncovered during the development stage, a suitably qualified environmental consultant should be contacted for assessment.

10.0 LIMITATIONS

This preliminary contamination assessment has been carried out in accordance with our proposal dated 1 June 2006.

This report has been prepared for Johnson Property Group Pty Ltd for the purpose stated within. Hawkesbury City Council may also rely upon this report for rezoning, development and building application approval processes. Any reliance on this report by other parties shall be at such parties' sole risk, as the report may not contain sufficient information for purposes of other parties or for other uses.

This report shall only be presented in full and may not be used to support any other objective than those set out in the report, except where written approval is provided by Geotechnique.

This report only covers the site conditions at the time of inspection (14 June 2006). Should there be any variations in site conditions beyond this date, such as imported fill, chemical spillage, illegal dumping, etc, the conclusions of this report may no longer be valid.

Reference must be made to the "Environmental Notes" in Appendix B, which set out further details of the limitations of this report.

GEOTECHNIQUE PTY LTD

P. Gorman

LIST OF REFERENCES

Contaminated Land Management Act 1997.

Contaminated Land Management Regulation 1998.

Contaminated Sites: *Guidelines for Consultants Reporting on Contaminated Sites* – NSW Environment Protection Authority 1997.

Contaminated Sites: Guidelines on Significant Risk of Harm from Contaminated Land and the Duty to Report – NSW Environment Protection Authority 1999

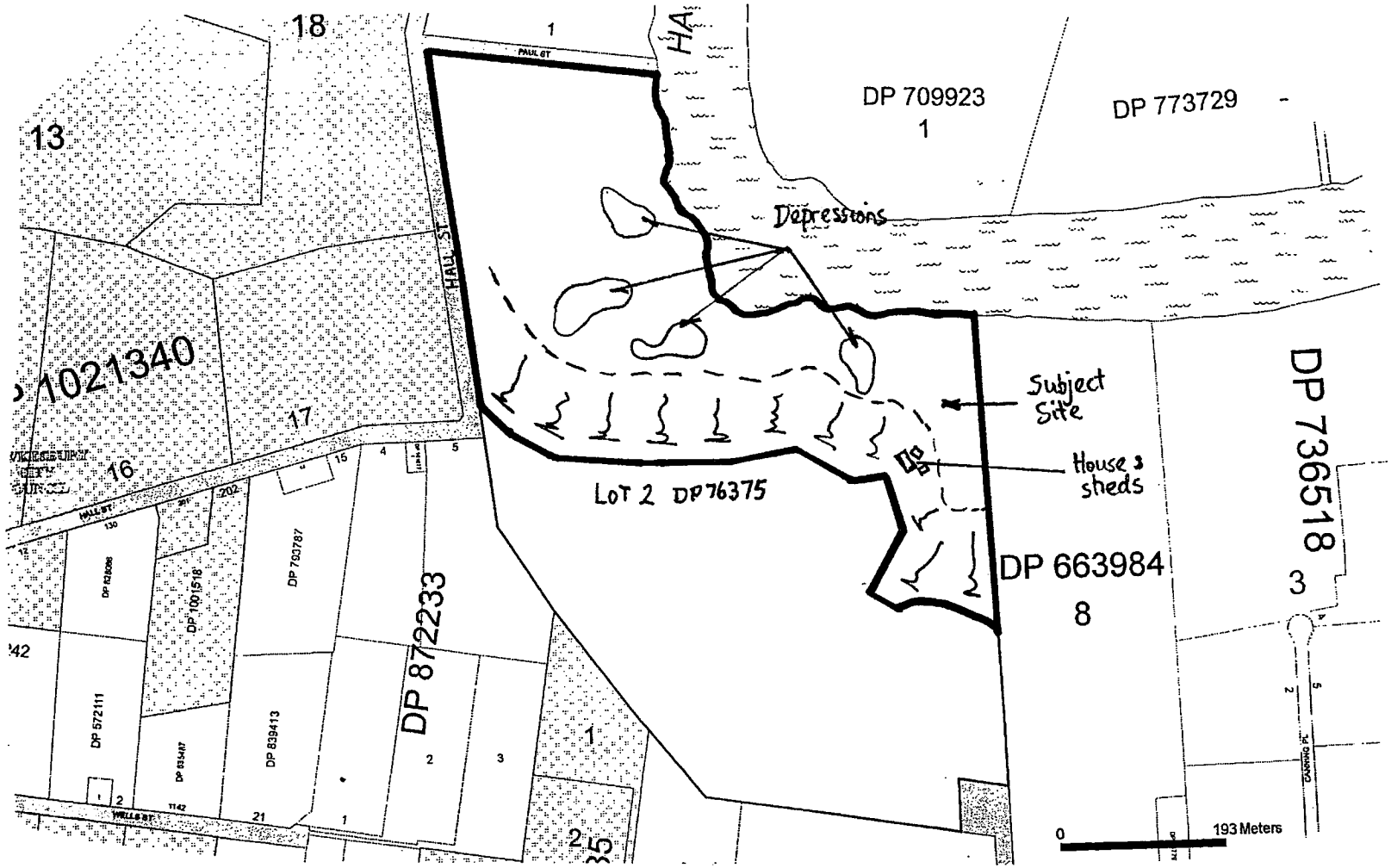
Geology of Penrith 1:100,000 Sheet (9030) – Geological Survey of New South Wales, Department of Minerals and Energy 1991

Managing Land Contamination: Planning Guidelines SEPP 55 – Remediation of Land – Department of Urban Affairs and Planning / NSW Environment Protection Authority 1998.

Soil Landscape of Penrith 1:100,000 Sheet (9030) – Soil Conservation Service of NSW 1989

DRAWINGS

Drawing No 11124/3-AA
Site Layout



NOTE
This Drawing has been produced using a base plan provided by others to which additional information e.g., Test Pits, Borehole Locations or Notes have been added. Some or all of the information shown on the plan may not be relevant at the time of producing this drawing.

GEOTECHNIQUE PTY LTD — CONSULTING ENGINEERS

Drawn:	PG
Approved:	
Date:	27-6-2006
Scale:	NTS

Johnson Property Group Pty Ltd
Part Lot 2 in DP76375
Hall Street, Pitt Town
Site Layout

Drawing No:	11124/3-AA1
Job No:	11124/3
Our Ref:	11124/3-AA
File No:	

Form No 0014L Version 2 01/02

APPENDIX A

RECORDS OF NSW DEPARTMENT OF LANDS

ADVANCE LEGAL SEARCH PTY LIMITED

(ACN 077 067 068)
ABN 49 077 067 068

PO Box 149
Yagoona NSW 2199

Telephone: +612 9754 1590
Mobile: 0412 169 809
Facsimile: +612 9754 1364
Email: alsearch@optusnet.com.au

14 June 2006

GEOTECHNIQUE PTY LTD
PO BOX 880,
PENRITH NSW 2751

Attention: Frances Kuipers

RE: **Hall Street, Pitt Town**
Lot 2 DP 76375
Ref: 11124/1

Current Search

Folio Identifier 2/76375 (attached)
DP 76375 (plan attached)
Dated 08 June 2006
Registered Proprietor:
DAVID ROBERT THORNTON
CHRISTOPHER MICHAEL THORNTON

Title Tree
Lot 2 DP 76375

Folio Identifier 2/76375

Certificate of Title Volume 12058 Folio 129

Certificate of Title Volume 6377 Folio 124, 125 & 126

Certificate of Title Volume 3955 Folio 86

Certificate of Title Volume 3933 Folio 77

P A 26375

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seen 19/6/06

Summary of Proprietor(s)
Lot 2 DP 76375

Year	Proprietor
	(Lot 2 DP 76375)
1998 – todate	David Robert Thornton Christopher Michael Thornton
1988 – 1998	Marie Veneta Thornton, widow David Robert Thornton, orchardist Christopher Michael Thornton, technician
	(Lot 2 DP 76375 - CT Vol 12058 Fol 129)
1974 – 1988	Marie Veneta Thornton, widow David Robert Thornton, orchardist Christopher Michael Thornton, technician
1973 – 1974	Marie Veneta Thornton, widow
	(Part Portions 9 & 10 Parish Pitt Town - Area 97 Acres 1 Rood 28 Perches - CT Vol 6377 Fol 124, 125 & 126)
1951 – 1973	Arthur Fergus Thornton, business manager
1951 -1951	Gwendoline Doretta Seale, wife of artist Jean Elizabeth Tibbey, wife of merchant Kenneth Bruce Moses, store keeper
	(Part Portions 9 & 10 Parish Pitt Town - Area 97 Acres 1 Rood 28 Perches - CT Vol 3955 Fol 86)
1951 – 1951	Ruby Ebenetza Hall Moses, married woman William John Ross, conveyancer
1931 – 1951	Mary Elizabeth Johnston, spinster Ruby Ebenetza Hall Moses, married woman William John Ross, conveyancer
1927 – 1931	Sarah Louisa Paull, wife of orchardist
	(Part Portion 9 & 10 Parish Pitt Town - Area 105 Acres 0 rood 28 Perches - CT vol 3933 Fol 77)
1926 – 1927	Sarah Louisa Paull, wife of orchardist
	(Part Portions 9 & 10 Parish Pitt Town - Area 106 Acres 0 Roods 14 ½ Perches)
1903 – 1926	Sarah Louisa Paull, wife of orchardist (formerly Sarah Louisa Johnston, spinster)

*****

Information Provided Through
Advance Legal Search Pty Ltd
Ph. 0297541590 *Fax.* 0297541364

Title Search

EziSearch
An Approved LPI *NSW*
Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 2/76375

SEARCH DATE	TIME	EDITION NO	DATE
8/6/2006	5:24 PM	1	30/4/1998

LAND

LOT 2 IN DEPOSITED PLAN 76375
LOCAL GOVERNMENT AREA: HAWKESBURY
PARISH OF PITT TOWN COUNTY OF CUMBERLAND
TITLE DIAGRAM: DP76375

FIRST SCHEDULE

DAVID ROBERT THORNTON
CHRISTOPHER MICHAEL THORNTON
AS TENANTS IN COMMON IN EQUAL SHARES (TA 3952305)

SECOND SCHEDULE (2 NOTIFICATIONS)

1. RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
* 2. 8641347 CAVEAT BY VERMONT QUAYS PTY LIMITED

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

Geotechnique - Pitt Town ALSP PRINTED ON 8/6/2006

Seen 19/6/06

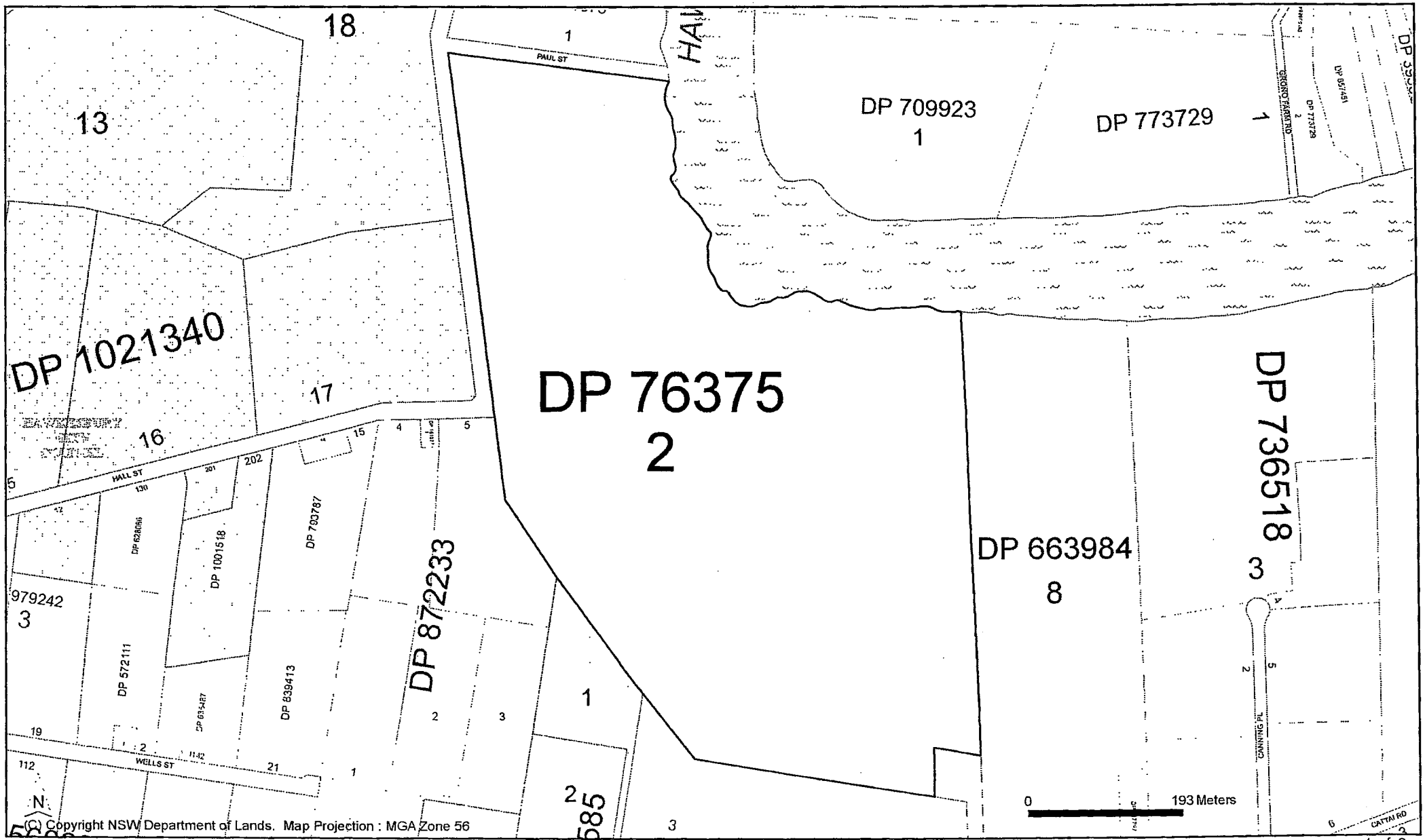
Department of Lands
Reliable from the ground up

Cadastral Records Enquiry Report

Box : 97 **Reference** : #11124/1

Requested Parcel : Lot 2 DP 76375 **Identified Parcel** : Lot 2 DP 76375

Locality : PITT TOWN **LGA** : HAWKESBURY **Parish** : PITT TOWN **County** : CUMBERLAND



Report Generated 12:19:50 PM, 9 June, 2006

This information is provided as a searching aid only. While every endeavour is made to ensure the current cadastral pattern is accurately reflected, the Registrar General cannot guarantee the information provided

Plan Form No. 4 (for Appns. &c.)

F.P.76375 (E)

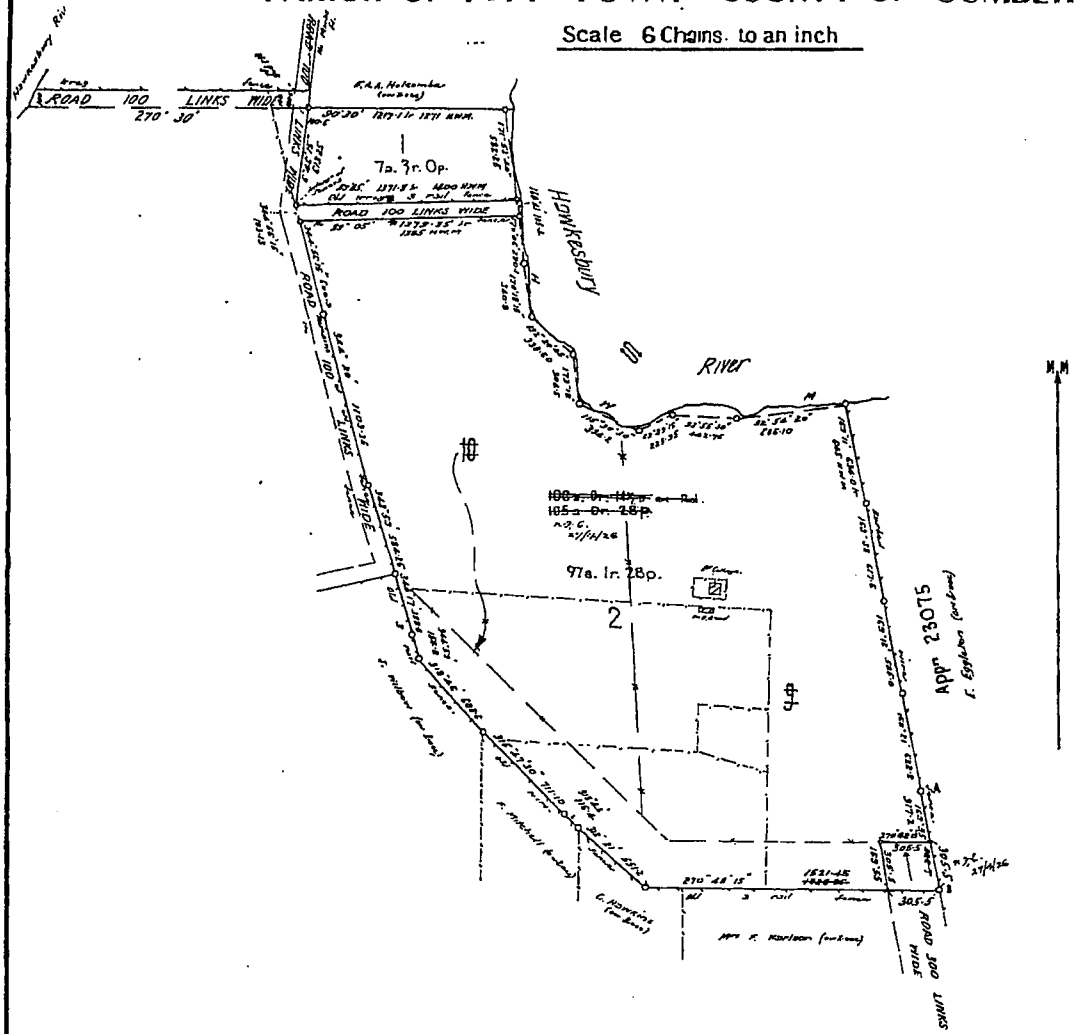
Municipality of Windsor
~~Shire of~~ P. A. 26375

PLAN

of Portions 9 & 10

PARISH OF PITT TOWN COUNTY OF CUMBERLAND

Scale 6 Chains. to an inch



Offset Areas { +·7764 ac / −·006 ac } Total +·7704 ac

Datum line of Azimuth A-B.

I Norman Frederick Chapman of 2 Castlereagh St Sydney Licensed Surveyor, specially Licensed under the Real Property Act, do hereby solemnly and sincerely declare that the boundaries and measurements shown in this plan are correct for the purposes of the said Act, and that the survey of the land to which the plan relates has been made* under my immediate supervision and I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Oaths Act, 1900.

Norman F. Chapman

Licensed Surveyor.

Subscribed and declared before me at Sydney this 12th day of Nov. A.D. 1924.

J.P.

Date of Survey..September..1924.

*Add here by me or under my immediate supervision as the case may be.

Lots added, areas amended in Reg. Gen. Dept. SW 6-2-11

Seen 19/6/06

APPENDIX B

ENVIRONMENTAL NOTES

IMPORTANT INFORMATION REGARDING YOUR ENVIRONMENTAL SITE ASSESSMENT

These notes have been prepared by Geotechnique Pty Ltd, using guidelines prepared by the ASFE (Associated Soil and Foundation Engineers). The notes are offered to assist in the interpretation of your environmental site assessment report.

REASONS FOR AN ENVIRONMENTAL ASSESSMENT

Environmental site assessments are typically, though not exclusively, performed in the following circumstances:

- As a pre-acquisition assessment on behalf of either a purchaser or a vendor, when a property is to be sold
- As a pre-development assessment, when a property or area of land is to be redeveloped, or the land use has changed e.g. from a factory to a residential subdivision
- As a pre-development assessment of greenfield sites, to establish baseline conditions and assess environmental, geological and hydrological constraints to the development of e.g. a landfill
- As an audit of the environmental effects of previous and present site usage

Each circumstance requires a specific approach to the assessment of soil and groundwater contamination. In all cases the objective is to identify and if possible quantify the risks that unrecognised contamination poses to the ongoing proposed activity. Such risks may be both financial (clean-up costs or limitations in site use) and physical (health risks to site users or the public).

ENVIRONMENTAL SITE ASSESSMENT LIMITATIONS

Although information provided by an environmental site assessment can reduce exposure to the risk of the presence of contamination, no environmental site assessment can eliminate the risk. Even a rigorous professional assessment may not detect all contamination within a site. Contaminants may be present in areas that were not surveyed or sampled, or may migrate to areas which did not show signs of contamination when sampled. Contaminant analysis cannot possibly cover every type of contaminant that may occur; only the most likely contaminants are screened.

AN ENVIRONMENTAL SITE ASSESSMENT REPORT IS BASED ON A UNIQUE SET OF PROJECT SPECIFIC FACTORS

In the following events and in order to avoid cost problems, you should ask your consultant to assess any changes in the conclusion and recommendations made in the assessment:

- When the nature of the proposed development is changed e.g. if a residential development is proposed, rather than a commercial development
- When the size or configuration of the proposed development is altered e.g. if a basement is added
- When the location or orientation of the proposed structure is modified
- When there is a change of land ownership, or
- For application to an adjacent site

ENVIRONMENTAL SITE ASSESSMENT FINDINGS ARE PROFESSIONAL ESTIMATES

Site assessment identifies actual sub-surface conditions only at those points where samples are taken, when they are taken. Data obtained from the sampling and subsequent laboratory analyses are interpreted by geologists, engineers or scientists and opinions are drawn about the overall sub-surface conditions, the nature and extent of contamination, the likely impact on any proposed development and appropriate remediation measures. Actual conditions may differ from those inferred, because no professional, no matter how qualified and no sub-surface exploration program, no matter how comprehensive, can reveal what is hidden by earth, rock and time. The actual interface between materials may be far more gradual or abrupt than an assessment indicates. Actual conditions in areas not sampled may differ from predictions. Nothing can be done to prevent the unanticipated, however, steps can be taken to help minimise the impact. For this reason site owners should retain the services of their consultants throughout the development stages of the project in order to identify variances, conduct additional tests that may be necessary and to recommend solutions to problems encountered on site.

Soil and groundwater contamination is a field in which legislation and interpretation of legislation by government departments is changing rapidly. Whilst every attempt is made by Geotechnique Pty Ltd to be familiar with current policy, our interpretation of the investigation findings should not be taken to be that of the relevant authority. When approval from a statutory authority is required for a project, approval should be directly sought.

STABILITY OF SUB-SURFACE CONDITIONS
Sub-surface conditions can change by natural processes and site activities. As an environmental site assessment is based on conditions existing at the time of the investigation, project decisions should not be based on environmental site assessment data that may have been affected by time. The consultant should be requested to advise if additional tests are required.

ENVIRONMENTAL SITE ASSESSMENTS ARE PERFORMED FOR SPECIFIC PURPOSES AND CLIENTS
Environmental site assessments are prepared in response to a specific scope of work required to meet the specific needs of specific individuals e.g. an assessment prepared for a consulting civil engineer may not be adequate to a construction contractor or another consulting civil engineer.

An assessment should not be used by other persons for any purpose or by the client for a different purpose. No individual, other than the client, should apply an assessment, even for its intended purpose, without first conferring with the consultant. No person should apply an assessment for any purpose other than that originally contemplated, without first conferring with the consultant.

MISINTERPRETATION OF ENVIRONMENTAL SITE ASSESSMENTS
Costly problems can occur when design professionals develop plans based on misinterpretation of an environmental site assessment. In order to minimise problems, the environmental consultant should be retained to work with appropriate design professionals, to explain relevant findings and to review the adequacy of plans and specifications relative to contamination issues.

LOGS SHOULD NOT BE SEPARATED FROM THE REPORT
Borehole and test pit logs are prepared by environmental scientists, engineers or geologists, based upon interpretation of field conditions and laboratory evaluation of field samples. Logs are normally provided in our reports and these would not be redrawn for inclusion in site remediation or other design drawings, as subtle but significant drafting errors or omissions may occur in the transfer process. Photographic reproduction can eliminate this problem, however, contractors can still misinterpret the logs during bid preparation if separated from the text of the assessment. Should this occur, delays and disputes, or unanticipated costs may result.

To reduce the likelihood of borehole and test pit log misinterpretation, the complete assessment should be available to persons or organisations involved in the project, such as contractors, for their use. Denial of such access and disclaiming responsibility for the accuracy of sub-surface information does not insulate an owner from the attendant liability. It is critical that the site owner provides all available site information to persons and organisations, such as contractors.

READ RESPONSIBILITY CLAUSES CLOSELY
An environmental site assessment is based extensively on judgement and opinion; therefore, it is necessarily less exact than other disciplines. This situation has resulted in wholly unwarranted claims being lodged against consultants. In order to aid in prevention of this problem, model clauses have been developed for use in written transmittals. These are definitive clauses, designed to indicate consultant responsibility. Their use helps all parties involved recognise individual responsibilities and formulate appropriate action. Some of these definitive clauses are likely to appear in the environmental site assessment and you are encouraged to read them closely. Your consultant will be happy to give full and frank answers to any questions you may have.