



Preliminary Site Investigation

Proposed Mixed-Use Development

4 Delmar Parade and 812 Pittwater Road, Dee Why NSW 2099

Prepared for Dee Why 3 Pty Ltd & Dee Why 4 Pty Ltd

Project No. 21181

1 December 2021

Version 2



Preliminary Site Investigation Proposed Mixed-Use Development

4 Delmar Parade and 812 Pittwater Road, Dee Why, NSW 2099
Prepared for Dee Why 3 Pty Ltd & Dee Why 4 Pty Ltd

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Executive Summary

Reditus Consulting Pty Ltd (Reditus) was engaged by Dee Why 3 Pty Ltd & Dee Why 4 Pty Ltd Pty Ltd (Dee Why 3 Pty Ltd & Dee Why 4 Pty Ltd) to complete a Preliminary Site Investigation (PSI) for a proposed development at 4 Delmar Parade and 812 Pittwater Road, Dee Why, NSW, 2099 (herein referred to as 'the Site').

The purpose of the PSI was to identify the potential for issues, concerns or environmental risks or liabilities associated with the present and historical uses of the site and provide advice on whether the land is likely suitable (from a contamination perspective) for the proposed development including multi-story residential building with commercial land use taking place at the ground floor and two levels of underground basement carparking. , so that the consent authority (Council) may be satisfied that the required considerations of Clause 7 of SEPP55 have been achieved.

Based on the outcomes of the desktop review, fieldwork observations and laboratory analytical data, Reditus makes the following conclusions:

- A review of available historical records and aerial photographs indicated that the Site has been in use as a commercial/industrial facility since at least 1943, with the present-day configuration of the Site established around 1986.
- The Site currently comprises a two-storey brick building used for commercial land use towards Pittwater Road, and two larger two-story brick buildings in use as offices and warehousing.
- No evidence of underground or above storage tanks was observed at the Site.
- No evidence of the use and/or storage of materials containing per- and polyfluoroalkyl substances (PFAS) was observed. In addition, no fire suppression systems, deluge systems or PFAS containing firehoses were observed.
- No stockpiled waste, hazardous materials, chemicals, dangerous goods, odours, or visual signs of contamination were observed during the site inspection.
- Significant fill thicknesses have historically been reported across the Site.
- The United Petroleum Service Station at 625 Pittwater Road, located approximately 50 m to the north-west of the Site, is listed on the NSW EPA Contaminated Sites register, with a management class of 'Under assessment'. As assessment of hydrocarbon impact in soils and groundwater is recommended for the Site to determine whether potential impact associated with the service station has migrated onto the Site. Reditus notes that the proposed development onsite is likely to intercept groundwater.
- Asbestos fines were reported under separate cover in the Reditus (2021) Preliminary Waste Classification in two locations. Delineation of the spatial extent of asbestos impacted soils was not achieved during the Preliminary Waste Classification. As such, further assessment of the identified impact and



the Site as a whole to determine whether asbestos impact is localised or site-wide is required.

- A preliminary conceptual site model (CSM) has been developed for the Site. Based on available records and observations, the CSM identified potential contamination sources and associated contaminants of potential concern, and also presents potential exposure pathways and receptor linkages to potential sources.

Based on the above and in accordance with requirements, Reditus considers that there is a moderate risk of contamination relevant to the proposed development for the Site.

Reditus however consider that the Site can be made suitable for the proposed development subject to the implementation of following the recommendations:

- Completion of a Detailed Site Assessment (DSI) (including soils and groundwater) to define the nature, extent and degree of identified and potential contamination, to assess potential risk posed by contaminants to health and the environment (if any) for the proposed development and to obtain sufficient information to develop a remedial action plan (RAP) to render the Site suitable for the proposed development (if required).
- Given the identification of asbestos within fill material, an Asbestos Management Plan (AMP) must be prepared to comply with the Work Health and Safety (WHS) Regulation 2017, an Asbestos Management Plan (AMP) and asbestos register is required when the Site becomes a 'workplace' (i.e. during any excavation and construction).
- Due to the age of on-site structures, a Hazardous Materials Survey (HMS) should be completed by a suitably qualified and experienced consultant, before commencement of any demolition works, to identify any hazardous materials that may be present within existing structures.
- Should hazardous building materials be identified by the HMS, a clearance certificate, as required by the Work Health and Safety Regulation 2017, should be obtained from a suitably experienced occupational hygienist following removal of hazardous building materials at the conclusion of demolition works.



1. Introduction

Reditus Consulting Pty Ltd (Reditus) was engaged by Dee Why 3 Pty Ltd & Dee Why 4 Pty Ltd Pty Ltd (Dee Why 3 Pty Ltd & Dee Why 4 Pty Ltd) to complete a Preliminary Site Investigation (PSI) for a proposed development at 4 Delmar Parade and 812 Pittwater Road, Dee Why, NSW, 2099 (herein referred to as 'the Site'). The location and layout of the site is presented in **Figure 1, Appendix B**.

The Site is identified as the cadastral parcels SP32071 and SP32072 and occupies an approximate land area of 7,750 m² (0.775 Ha). The proposed development is understood to include the demolition of existing structures on site including three commercial/industrial buildings followed by the proposed construction of a multi-storey residential building with commercial premises on the ground floor and two levels of basement car parking.

To support the DA in accordance with the State Environmental Planning Policy No 55 (SEPP55) requirements, Reditus has completed a Preliminary Site Investigation (PSI).

1.1. Objectives

The overarching objective of the PSI was to identify the potential for contamination issues, concerns or environmental risks or liabilities associated with the present and historical uses of the site and provide advice on whether the land is likely suitable (from a contamination perspective) for the proposed development including multi-storey residential building with commercial land use taking place at the ground floor and two levels of underground basement carparking.

The specific objectives of the investigation were to:

- Investigate the current and historical uses of the Site.
- Assess the current condition of the Site.
- Evaluate aerial photographs to assist in assessing historical land uses and conditions on and adjacent to the Site.
- Identify the potential for environmental issues, concerns, risk and/or liabilities associated with the present and historical uses of the Site.
- Evaluate surrounding land uses to identify any neighbouring activities which may have affected or present a potential risk to the environmental quality of the Site.
- Inform the Preliminary Conceptual Site Model (CSM) for the Site.
- Preparation of a report in general accordance with the NEPC (2013) NEPM, NSW EPA (2020) and other relevant NSW EPA reporting guidelines. The report will assess whether contamination has the potential to exist on the Site and whether further investigation is needed. The report will provide the likelihood of the site suitability for the proposed development and provide recommendations for further investigation is needed (if any).
-



- Conform to the requirements of the NSW Environmental Protection Authority (NSW EPA) *Consultants Reporting on Contaminated Land* (NSW EPA, 2020).

Reditus notes that this report must be read in conjunction with the Statement of Limitations provided in **Appendix A**.

1.2. Scope of Works

In order to achieve the investigation objectives, the following scope of works was completed by Reditus:

- A review of previous environmental investigations conducted at the site.
- A review of available zoning plans, council documents and historical title deeds to determine potentially contaminating activities that may have occurred on the Site.
- An evaluation of historical aerial photographs to facilitate an assessment of relevant historical land uses and the historical condition of the Site and surrounding areas.
- A review of the environmental setting with regards to geology, topography, hydrology and hydrogeology.
- A site walkover to characterise the property setting, including an inspection of the site surface for visual signs of potential contamination and/or contaminant sources.
- An evaluation of surrounding land uses to identify any neighbouring activities which may have affected or present a potential risk to the environmental condition of the Site.
- Preparation of a *Preliminary Site Investigation* report in general accordance with the NEPC (2013) NEPM, NSW Environmental Protection Authority (EPA) (2020) and other relevant NSW EPA reporting guidelines.



2. Site Setting

2.1. Site Identification

The site identification details for the Site have been prepared in general accordance with the NSW EPA (2020) *Consultants Reporting on Contaminated Land* and the ASC NEPM (2013) Field Checklist 'Site Information' and are summarised in Table 2-1 below.

Table 2-1: Site Summary Details

Item	Detail
Address	4 Delmar Parade and 812 Pittwater Road, Dee Why, NSW 2099
Title and Land Information	SP32071 (4 Delmar Parade, Dee Why, NSW 2099) SP32072 (812 Pittwater Road, Dee Why, NSW 2099)
Local Government Area	Northern Beaches Council
Zoning	'B4 – Mixed Use' according to the Warringah Local Environmental Plan (LEP) 2011
Current landowner	Private
Trigger for assessment	To support the DA in accordance with the SEPP55 requirements
Site Coordinates to the approximate centre of the Site (WGS84)	Latitude: -33.75681247 Longitude: 151.28339809
Site Area	Approximately 7,750 m ²
Site Locality Map	Figure 1, Appendix B.
Site Layout	Figure 2, Appendix B.

2.2. Site Description

A site inspection was conducted by Reditus' Principal Environmental Scientist Ashley Barber on 1st October 2021. A description of the site observations made during the inspection is provided as follows:

- The Site is located within a mixed-use precinct of Dee Why, NSW.



- The Site is currently occupied by a two-storey brick building used for commercial land use towards Pittwater Road, and two larger two-story brick buildings in use as offices and warehousing.
- Land uses observed on the Site include medical services and a marine servicing shop.
- An Avis car rental premises was present immediately adjacent the Site to the west on the same block. This neighbouring premises' facade resembled a former service station.
- Landscaped gardens were present along the site boundaries.
- The Site was relatively flat.
- There was no observed evidence of soil staining odours or stressed vegetation observed. No evidence of above ground and below ground bulk fuel storage or chemical storage was observed onsite.

Photographs taken during the site inspection are provided in **Appendix H**.

2.3. Surrounding Land Uses

The land uses which currently surround the Site are as follows:

- North: Delmar Parade, followed by mixed use properties (including high density residential).
- South: Stony Range Regional Botanic Garden and carpark.
- West: 2 Delmar Parade development with Pittwater Road beyond, followed by low and medium density residential properties.
- East: Low density residential dwellings.

2.4. Sensitive Environments

The nearest sensitive environments are summarised as follows:

- Stony Range Regional Botanic Garden located immediately adjacent the Site to the south.
- Low density residential properties located both immediately adjacent the Site to the east, and 40 m to the west across Pittwater Road.
- St. Luke's Grammar School and playing fields located approximately 160 m south.
- Delmar Private Hospital located approximately 375 m to the east.
- A childcare centre located approximately 150 m to the north.
- A respiratory clinic located approximately 100 m to the north-west.
- Greendale Creek located approximately 970 m to the south.



2.5. Proposed Land Use

Reditus understands that, following demolition of existing site structures, the Site is proposed to be developed into multi-story residential building with commercial land use taking place at the ground floor and two levels of underground basement carparking.

3. Site Condition and Surrounding Environment

A summary of the condition and environmental setting of the site and surrounding area is provided in Table 3-1 below.

Table 3-1: Summary of Site Condition and Surrounding Environment

Item	Detail
Topography	The Site ranges between 31 mAHD and 40 mAHD based on elevation contours available for the Site. Review of the Asset Geotechnical Engineering Geotechnical Report (Asset 2021) indicates that topographically, the Site is located on gently to moderately sloping terrain. The overall ground surface slopes in the region are less than about 5°. Sloping down from a high point in the south-east to the northwest at an overall slope of about 3°.
Hydrology	Surface water is expected to flow into on-site stormwater drains and into the local stormwater network. The nearest surface water receptor is Greendale Creek, located approximately 970 m to the south. Greendale Creek drains into the Pacific Ocean.
Regional geology and soils	According to the Sydney 1:100,000 Geological Series Sheet S 9130 (1983), the Site is underlain by medium to coarse grained quartz sandstone, very minor shale and laminite lenses of the middle-Triassic Wianamatta Group. The Site is underlain by soils of the Newport landscape unit which is an aeolian deposit dominated by well sorted siliceous sands overlying yellow podzolic soils.
Acid Sulfate Soils (ASS)	The NSW Acid Sulphate Soils Risk Map - Sydney, 1:25,000 notes that the Site is not listed in an area of ASS probability. The Warringah LEP 2011 Acid Sulfate Soils Map indicates the Site is not listed within a classified ASS zone.
Registered Groundwater Bore Search	A review of data contained within the Bureau of Meteorology Australian Groundwater Explorer database indicates that there are two (2) registered groundwater wells were identified within a 500 m radius of the Site. Each of the wells was drilled to 15 m below ground level (bgl),



Item	Detail
	with a standing water level of 1.470 mbgl reported in both wells.
Inferred groundwater flow direction	Groundwater is inferred to flow in a easterly direction towards the Pacific Ocean.
Depth to water table	Two (2) registered groundwater wells were identified within a 500 m radius of the Site, each with a reported standing water level of 1.470 mbgl.
Yield and inferred groundwater quality	<p>An assessment of groundwater quality was not conducted as part of this investigation, however a Dewatering Management Plan (DMP) was prepared by Douglas Partners in 2020 for the adjacent site at 2 Delmar Parade, Dee Why, similarly with two levels of basement requiring excavation of depths up to approximately 7-8 mbgl. A drain basement was expected to be constructed in the long term.</p> <p>The investigation summarised previous reporting conducted for the site and included a round of groundwater monitoring in groundwater wells established on site. The investigation reported fill and alluvium to depths of 12 mbgl, and a depth to groundwater of between 3.5 mbgl and 5 mbgl within the alluvium layer. Groundwater sampling conducted by Douglas Partners in 2020 identified the presence of the heavy metal analytes copper, nickel and zinc in groundwater, with concentrations varying across the site. vTRH (C₆-C₉) was reported above laboratory limit-of-reporting (LOR) in one groundwater monitoring well (BH3), located in the south-western corner of the site.</p> <p>Further conclusions were made pertaining to expected infiltration flow volumes during basement excavation based on rising/falling head tests and other hydrogeological modelling.</p>
Groundwater dependant ecosystems	Two (2) registered groundwater wells were identified within a 500 m radius of the Site, both of which were used for exploration purposes.
Groundwater embargoes	Reditus did not identify any groundwater embargoes relevant to the Site.



4. Historical Site Records and Site Condition

4.1. Previous Investigations

Available environmental investigations (including recent geotechnical investigation) prepared for the Site and the adjacent development at 2 Delmar Parade, Dee Why which Reditus considered relevant to this PSI, are summarised below.

4.1.1. Asset Geotechnical Engineers (2021) Geotechnical Investigation, Proposed Mixed-use Development, 4 Delmar Parade, Dee Why, NSW

Asset Geotechnical Engineers (Asset) carried out a geotechnical investigation for the proposed development which is the subject of this PSI report. Asset drilled a total of eight (8) boreholes on the Site, which included rock coring and installation of three (3) groundwater monitoring wells.

A review of the Asset geotechnical bore logs indicates the following soil profile:

- Concrete was present at the surface.
- Fill material was present on the Site, with the fill thickness reported as highly variable.
- Residual clays underly fill material.
- Sandstone bedrock was encountered below residual clays and the depth of encounter was highly variable.

Groundwater was encountered at approximately 25.4 m AHD in the groundwater monitoring wells.

4.1.2. Reditus (2021) Preliminary Waste Classification, 4 Delmar Parade and 812 Pittwater Road, Dee Why NSW

Reditus completed a preliminary waste classification for the Site based on the proposed development. A total of eight (8) boreholes were drilled across the Site using a drill rig on a grid basis. A total of twelve (12) samples were submitted to a NATA accredited laboratory for analysis of a broad suite of contaminants. The following analytical results are noted:

- Asbestos fines were detected in two locations:
 - Borehole BH1 at a depth of 0.2 to 0.3m.
 - Borehole BH2 at a depth of 0.2 to 0.3m.

The above borehole locations are situated towards the north-eastern corner of the Site.

The preliminary report concluded that the fill material (with exception of the asbestos hotspots) falls within a *General Solid Waste (non-putrescible)* classification. Asbestos hotspots around BH1 and BH2 fall under the classification of *General Solid Waste (non-putrescible) – Special Waste (Asbestos)*. Natural soils underlying fill



material will fall into the Virgin Excavated Natural Material (VENM) classification, subject to additional characterisation.

4.2. Site History and Aerial Photography

A review of selected and available historical aerial imagery relevant to the site was undertaken using images sourced from NSW Government Historical Imagery and MetroMap. A summary of observations relevant to this investigation is provided in Table 4-1. A copy of aerial photographs reviewed as part of this investigation is provided in **Appendix C**.

Table 4-1: Summary of Aerial Photography Review

Date	Site Observations	Surrounding Land Use Observations
1943	Two large buildings and a series of smaller structures are present on the western portion of the Site. Vegetation and grass are present towards the eastern edge of the Site. Commercial/industrial land usage is likely based on the site configuration.	The surrounding area has undergone light development with a primarily residential land use. The present-day Pittwater Road has been established as well as the ancillary road network. Bushland is present to the immediate south of the Site where the present-day botanic gardens are. Residential properties appear to be present immediately north-west of the Site on the same block.
1955	The Site appears largely unchanged.	The surrounding land remains relatively unchanged, however further development including residential properties has occurred.
1965	The strip of grass towards the eastern edge of the Site has been cleared and developed. Storage of equipment is occurring across the Site.	The residential properties which are on the same block as the Site have been cleared or modified and appear to be associated with operations occurring at the Site. Significant development of the surrounding area has occurred.
1971	A large building which appears to be a warehouse has been constructed along the eastern edge of the Site.	The surrounding area appears relatively unchanged.
1982	The Site appears largely unchanged.	The surrounding area appears relatively unchanged.



Date	Site Observations	Surrounding Land Use Observations
1986	Existing site structures have been demolished and the Site has been developed into its present-day configuration of hardstand surrounding three commercial buildings.	Commercial buildings similar to those present on the Site have been constructed immediately north-west of the Site on the same block. The surrounding area appears relatively unchanged.
1991	The Site appears largely unchanged, however vegetation has begun growing in landscaped areas around the Site.	The surrounding area appears relatively unchanged.
1998	The Site appears largely unchanged.	The surrounding area appears relatively unchanged.
2005	The Site appears largely unchanged.	The surrounding area appears relatively unchanged. Some further commercial development has occurred to the north of the Site.
2011	The Site appears largely unchanged.	Commercial and mixed-use developments have been established to the north of the Site.
2021	The Site appears largely unchanged.	The surrounding area appears relatively unchanged. Development is occurring to the north-west of the Site on the same block as the Site.

The historical aerial imagery review indicates that the Site has been in use as a commercial facility since 1943, with development of its present-day setting around 1986. The majority of the surrounding area has been used residentially with commercial land use present to the north of the Site since at least 1943. Development of the surrounding area appears to have occurred gradually throughout the 20th century.

4.3. Historical Land Title Deed Search/ Council Planning Certificate

A historical title search was performed on 16th September 2021 for each of the cadastral parcels SP32071 and SP32072. A copy of the owner's report summary as well as the cadastral records enquiry reports are provided in **Appendix D**.

The results of the title search indicate that the site has predominantly been owned by Whitakers Pty td (and other variations) and Mandra Holdings Pty Limited. Various folios were owned by Whitakers since the 1920's followed by further acquisition of other folios in the 1960's and 1970's. From 1984 to 1987 the parcels were owned by Mandra Holdings Pty Limited with registration of cadastral parcels SP32071 and SP32072 in 1987 with subsequent acquisition by the current owners identified as '# The Proprietors'.



No information was found in attempts by Reditus to search for activities or services pertaining to each historical owner.

4.4. Council Planning Certificate

Planning Certificates under section 10.7(2) and (5) of the Environmental Planning & Assessment Act (1979) were requested from Northern Beaches Council and issued on 13th September 2021. Copies of the certificates are included in **Appendix E**.

The Environmental Planning instruments that apply to the carrying out of development on the land are provided within the Environmental Risk and Planning Report in **Appendix E**.

The following zoning and planning policies and instruments apply to the site:

- Warringah Local Strategic Planning Statement applies to the land.
- State Environmental Planning Policy Infrastructure applies to the land.
- The land does not contain an item of Environmental Heritage
- The land is not within a Heritage Conservation Area.
- The land is not proclaimed to be a mine subsidence district within the meaning of section 15 of the *Mine Subsidence Compensation Act 1961*.
- The land is not affected by any road widening or road realignment under Division 2 of Part 3 of the *Roads Act 1993*, or any environmental planning instrument or any resolution of the Council.
- The land is within the flood planning area and subject to flood related development controls.
- The land or part of the land is between the flood planning area and the probable maximum flood and subject to flood related development controls.
- The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016 (includes land certified under Part 7AA of the repealed *Threatened Species Conservation Act 1995*)
- The land has not been identified as contaminated land as prescribed by section 59(2) of the *Contaminated Land Management Act 1997*.
- The land does not comprise critical habitat.
- The land is not affected by any direction by the Minister in force under section 75P(2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect.

4.5. Zoning

The Site is currently Zoned 'B4 – Mixed Use' as specified in the Warringah Local Environmental Plan 2011. The objectives of the B4 zoning are:

- To provide a mixture of compatible land uses.



- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To reinforce the role of Dee Why as the major centre in the sub-region by the treatment of public spaces, the scale and intensity of development, the focus of civic activity and the arrangement of land uses.
- To promote building design that creates active building fronts, contributes to the life of streets and public spaces and creates environments that are appropriate to human scale as well as being comfortable, interesting and safe.
- To promote a land use pattern that is characterised by shops, restaurants and business premises on the ground floor and housing and offices on the upper floors of buildings.
- To encourage site amalgamations to facilitate new development and to facilitate the provision of car parking below ground.

4.6. SafeWork NSW Dangerous Goods Records

A dangerous goods search was requested for the Site from WorkSafe NSW. At the time of initial reporting a copy of the records, if applicable to the Site, were not available for review. Whilst the records were still not available at the time of issue of a report iteration this is not considered to impact upon the conclusions and recommendations made from site observations available information during the investigation. A copy of the SafeWork NSW record will be provided upon receipt.

Reditus acknowledge that no visual evidence of underground storage tank(s) (USTs) and aboveground storage tank(s) (ASTs) were observed by conducted by Reditus' Principal Environmental Scientist Ashley Barber on 1st October 2021.

4.7. Regulatory Records and Desktop Investigation Results

A summary of the desktop investigation results, and review of regulatory records is provided in Table 4-2.



Table 4-2: Summary of Regulatory Records and Desktop Investigation Results

Record	Detail
NSW EPA Register of Contaminated Sites	<p>At the time of conducting the investigation, the NSW EPA did not hold records for notification of a contaminated site under <i>Environment Protection Act (1997)</i> for this Site.</p> <p>The United Petroleum Service Station at 625 Pittwater Road, located approximately 50 m to the north-west of the Site, is listed on the NSW EPA Contaminated Sites register, with a management class of 'Under assessment'.</p> <p>The Dee Why Town Centre, located approximately 350 m to the north-east of the Site, is listed on the NSW EPA Contaminated Sites list, with a management class of '<i>Regulation under CLM Act not required</i>'.</p>
NSW EPA Public Registers	<p>A search of the NSW EPA Public Registers did not identify any license or notices that have been issued to the subject site under the Protection of the Environment (Operations) Act 1997.</p>
National Pollutant Inventory Map	<p>The National Pollutant Inventory (NPI) did not identify any facilities within 1 km of the Site.</p>
Unexploded Ordinance	<p>Review of the Australian Department of Defence UXO Mapping Application did not indicate potential for UXO to be present on the Site.</p>

4.8. Historical Industrial Processes

There is no evidence of historical or current industrial processes taking place on the Site, with exception to marine servicing observed during the site walkover.

4.9. Manufacturing Processes

The historical data review and site walkover did not indicate that manufacturing processes had occurred at the Site.

4.10. Hazardous Materials

No potentially asbestos containing material (PACM) was observed on the external building facades during the site walkover, however access to the insides of buildings was unavailable at the time of the walkover. As such, there remains the possibility for hazardous building materials to be present inside buildings on site.

Asbestos fines were reported in the Reditus (2021) Preliminary Waste Classification in two locations situated towards the north-eastern corner of the Site.

Reditus note that a hazardous materials survey was not completed as part of this investigation.



4.11. Discharges to Land, Water and Air

Based on the historical land use of the site, discharges to land, air and water are unlikely to occur. Surface water from the Site is likely to enter the local stormwater system via on-site stormwater drains.

There is low potential for significant contamination discharge to land having occurred from off-site locations.

4.12. Visible Signs of Contamination

No staining was observed on site surfaces by Reditus during the site inspection conducted on 1st October 2021.

No olfactory signs of contamination were noted during the site inspection conducted on 1st October 2021.

No evidence of vegetation stress was identified.

4.13. Chemical Storage, Drums and Wastes

No chemical storage containers, drums or wastes were observed on the Site during the site inspection on 1st October 2021.

4.14. Underground Storage Tanks and Aboveground Storage Tanks

No visual evidence of underground storage tank(s) (USTs) and aboveground storage tank(s) (ASTs), such as cuts in hardstand, fill points, dip points, vents, bowser islands and fuel lines, were observed during the site walkover.

4.15. Fill Material

Evidence of significant filling could not be determined from historical imagery as the Site had been developed prior to 1943, which was the date of the earliest imagery available for the Site. It is possible that fill was imported to the Site to level the ground prior to the construction of the historical structures on the Site, as well as the present-day structures.

No obvious signs of infilling were observed during the site walkover on 1st October 2021.

Fill material has historically been reported at the Site during previous geotechnical investigations.

4.16. Odours

There were no olfactory indicators of contamination noted during the site walkover.



4.17. PFAS Assessment

Per- and polyfluoroalkyl substances (PFAS) are a complex group of >4,700 synthetically produced organic compounds. PFAS are highly effective surface-active agents in high temperature environments and are resistant to water and oils. These unique physico-chemical characteristics account for their widespread use in Aqueous Film Forming Foams (AFFF) and a wide range of household and industrial products.

The potential risk to the Site presented by PFAS has been evaluated in general accordance with Appendix B of the HEPA (2020) PFAS National Environmental Management Plan 2.0 and is provided in Table 4-3.

Table 4-3: Decision Tree for PFAS Assessment

Preliminary Screening	Probability	Justification
Has fire training occurred on-site?	Low	The site has retained a commercial land use. Based on the historical imagery available for the Site which inferred its historical and current land use (storage and transfer of equipment), it is unlikely that fire training has occurred on the Site.
Is an airport or fire station up gradient of or adjacent to the Site?	Low	The Dee Why Fire and Rescue fire station is present 500 m to the north of the Site. Due to the distance of the fire station from the Site, any potential contamination associated with fire training is unlikely to have impacted the Site. The fire station is not listed on the NSW EPA Government PFAS Investigation Program. Surrounding land uses are commercial, residential and mixed use in nature and therefore the potential for PFAS contamination is low.
Have "fuel" fires ever occurred on-site? e.g., ignition of fuel (solvent, petrol, diesel, kerosene) tanks.	Low	No fuel fires are understood to have historically occurred on the Site or adjoining sites. There is no evidence to support storage of fuels on the Site.
Have PFAS been used in manufacturing or stored on-site?	Low	Given the Site's history, it is unlikely that PFAS has been manufactured at the Site. Storage of PFAS may have occurred at the Site, however no indications of chemical storage have been observed.

The outcomes of the PFAS Assessment summarised in Table 4-3 above indicates there is low potential for the Site to be impacted by PFAS generated by on- or off-site activities.



5. Data Integrity Assessment

Information was collected from a number of sources to determine the risk of site contamination. The sources included a combination of government bodies and private organisations that have no knowledge of the current proposed development, nor are they project stakeholders.

The data obtained from other historical sources reviewed has been found to be in general agreement. It is therefore considered that the information provided in this historical assessment has an acceptable level of accuracy.

Whilst Reditus uses professional judgement when evaluating information, Reditus cannot guarantee all information is neither correct nor complete. Reditus does not take responsibility for any errors or incomplete data.

Reditus has relied on the following sources of data during the completion of this investigation:

- Site observations made by Ashley Barber, Principal Environmental Scientist, Reditus Consulting during site walkovers conducted on 1st October 2021.
- Warringah LEP 2011.
- MetroMaps.
- Australian Bureau of Meteorology.
- NSW EPA Contaminated Land Record.
- NSW EPA POEO Act Public Register.
- National Pollutant Inventory.
- NSW EPA Government PFAS Investigation Program.
- NSW SafeWork Dangerous Goods Register (results pending).

A request for the any Dangerous Goods storage records was requested from SafeWork NSW for each cadastral parcel (SP32071 and SP32072) on 13 September 2021. At the time of initial reporting a copy of the records, if applicable to the Site, were not available for review. Whilst the records were still not available at the time of issue of a report iteration this is not considered to impact upon the conclusions and recommendations made from site observations available information during the investigation. A copy of the SafeWork NSW record will be provided upon receipt.

Reditus acknowledge that no visual evidence of underground storage tank(s) (USTs) and aboveground storage tank(s) (ASTs) were observed by conducted by Reditus' Principal Environmental Scientist Ashley Barber on 1st October 2021.

Reditus considers the data obtained from the sources outlined above to be accurate, representative, reputable, reliable, and suitable for use within the context of this investigation.



6. Preliminary Conceptual Site Model

Based on the information presented in **Sections 1-5** of this report, a preliminary Conceptual Site Model (CSM) has been prepared for the site. The National Environment Protection (Assessment of Site Contamination) Measure (NEPC, 2013) defines a CSM as:

“A representation of site-related information regarding contamination sources, receptors and exposure pathways between those sources and receptors”.

The essential elements of the CSM, as required by the ASC NEPM (NEPC, 2013), include an understanding of:

- Known and potential sources of contamination and contaminants of concern including the mechanism(s) of contamination (e.g., ‘top down’ spill or sub-surface release from corroded tank or pipe).
- Potentially affected media (soil, sediment, groundwater, surface water, indoor and ambient air) and human and ecological receptors.
- Potential and complete exposure pathways.

A tabular CSM provided in **Table 6-1** identifies the complete and potential pathways between the known or potential source(s) of contamination and receptor(s).

6.1. Potential Sources of Contamination

The potential sources of contamination identified on the Site during this PSI are summarised in Table 6-1.

Table 6-1: Potential Sources of Contamination

Source	Location	Associated Chemicals	COPC
Migration of contaminated groundwater from United Petroleum Service Station	Off-site	Petroleum hydrocarbons and other chemicals associated with fuel storage	TRH, BTEX, PAHs, VOCs, Heavy Metals
Historical placement of fill materials to level site for construction	On-site	Importation of fill from an unknown source or from adjacent site activities. Asbestos, ash, slag, general waste, industrial waste, construction waste, demolition waste and pesticides for vermin and weed control. Asbestos was reported as being detected in fill material during the Reditus (2021) Preliminary Waste Classification.	Heavy metals, TRH, BTEX, PAHs, OCP, OPP, asbestos



Source	Location	Associated Chemicals	COPC
Weathering of Hazardous Building Materials of former and current site structures. Including ACM, Lead Paint and Polychlorinated Biphenyls (PCB)	On-site	Hazardous building materials such as lead paints and asbestos could possibly have likely been used in the current onsite building structures. Weathering of these materials and wastes during construction, may have impacted shallow site soils.	Lead, asbestos, PCB

6.2. Potentially Affected Media

The potentially affected media at the Site includes:

- Soil.
- Groundwater.

The development is anticipated to encounter both exposed soils and the groundwater table during basement construction.

6.3. Potential Receptors and Pathways

6.3.1. Proposed Land Use Scenario and Potential Receptors

The proposed development could potentially require landscaping works which may result in direct contact with soil and groundwater. Based on the proposed land use, future potential receptors to the media listed in Section 6.2 include the following:

- On-site receptors
 - Future site users.
 - Current and future construction/maintenance workers.
- Off-site receptors
 - Current and future residents and visitors of surrounding residential properties and users of Stony Range Botanic Gardens.
 - Current future construction/maintenance workers.

Due to the nature of the proposed development, the presence of ecological receptors being present on-site is unlikely. Additionally, no aquatic receptors were identified due to the Site's distance from the nearest water body.

6.3.2. Human Health – Direct Contact Pathway

Based on the current and proposed future land use of the site, it is considered appropriate to assess whether a direct contact source may be present on the Site for future residential occupants and construction/maintenance workers.



6.3.3. Aesthetics

Given the mixed-use nature of the proposed development and likely hardstand surface covering the majority of the Site and basement carparking, aesthetic impacts of soil and fill materials are unlikely to inhibit the proposed development.

6.3.4. Ecological – Terrestrial Ecosystems

The NEPC (2013) NEPM requires a pragmatic risk-based approach should be taken in applying ecological investigation and screening levels in residential and commercial / industrial land use settings.

The Ecological Investigation Level (EIL) and Ecological Screening Level (ESL) guidelines are considered by Reditus to be applicable to proposed landscaped / garden bed areas or deep soil areas for the proposed development. It is understood that the proposed mixed-use development will include hardstand with minimal access to soils, therefore environmental values are considered as a conservative measure.

In addition, the hardstand materials limits water infiltration into the subsurface fill layers during rainfall events and thereby reduces the ongoing potential for contaminant mobility and migration from soil to groundwater.

6.4. Potential Transport Mechanisms and Exposure Pathways

Potential transport mechanisms of contamination relevant to the Site include:

- Direct contact (dermal exposure).
- Ingestion.
- Inhalation.

6.5. Source, Pathway and Receptor Linkages

A preliminary tabular CSM has been prepared for the site based on the outcomes of this PSI (Table 6-2). The tabular CSM describes potential linkages and assesses each of the linkages as probably, possible, or unlikely based on the likelihood of occurrence and availability of data.



Table 6-2: Potential Exposure Pathway Assessment

Source	Pathway	Receptor	Exposure Assessment
Potentially contaminated water associated with United Petroleum Service Station	Direct contact Inhalation Ingestion	Future onsite occupants (adults and children). Future onsite maintenance workers.	Potential migration onto site of off-site contamination in groundwater from the United Petroleum site at 625 Pittwater Road, Dee Why. The potential hence exists for on-site receptors to come into contact with contamination in groundwater via the direct contact, inhalation (of volatile compounds) and ingestion pathways. Reditus is unaware of the current status of contamination on the United Petroleum site.
Fill Materials of Unknown Origin	Direct contact Inhalation Ingestion	Future onsite occupants (adults and children). Future onsite maintenance workers. Off-site occupants, pedestrians and workers.	The potential exists for both on-site and off-site receptors to come into contact with contaminated fill via the direct contact, inhalation and digestion pathways during construction. There is potential for the inhalation of volatile compounds for on-site maintenance workers and site users following construction. There is the potential for direct contact pathway being complete following construction for future on-site maintenance workers.
Weathering of Hazardous Building Materials	Direct contact Inhalation Ingestion	Future onsite maintenance workers. Off-site occupants, pedestrians and workers.	The potential exists for both on-site maintenance workers and off-site receptors to come into contact with weathered hazardous building materials in existing site structures or in soils via the direct contact, inhalation and digestion pathways during construction. Reditus does not consider it to be likely that future site users will come into contact with soil, given the nature of the development which includes predominantly hardstand across the Site.



7. Conclusions and Recommendations

The following conclusions and recommendations are made based on the key findings of this investigation.

7.1. Conclusions

Based on the outcomes of the desktop review, fieldwork observations and laboratory analytical data, Reditus makes the following conclusions:

- A review of available historical records and aerial photographs indicated that the Site has been in use as a commercial/industrial facility since at least 1943, with the present-day configuration of the Site established around 1986.
- The Site currently comprises a two-storey brick building with a commercial land use towards Pittwater Road, and two larger two-story brick buildings in use as offices and warehousing.
- No evidence of underground or above storage tanks was observed at the Site.
- No evidence of the use and/or storage of materials containing per- and polyfluoroalkyl substances (PFAS) was observed. In addition, no fire suppression systems, deluge systems or PFAS containing firehoses were observed.
- No stockpiled waste, hazardous materials, chemicals, dangerous goods, odours, or visual signs of contamination were observed during the site inspection.
- Significant fill thicknesses have historically been reported across the Site.
- The United Petroleum Service Station at 625 Pittwater Road, located approximately 50 m to the north-west of the Site, is listed on the NSW EPA Contaminated Sites register, with a management class of 'Under assessment'. As assessment of hydrocarbon impact in soils and groundwater is recommended for the Site to determine whether potential impact associated with the service station has migrated onto the Site. Reditus notes that the proposed development is likely to intercept groundwater.
- Asbestos fines were reported in the Reditus (2021) Preliminary Waste Classification in two locations. Delineation of the spatial extent of asbestos impacted soils was not achieved during the Preliminary Waste Classification. As such, further assessment of the identified impact and the Site as a whole to determine whether asbestos impact is localised or site-wide is required.
- A preliminary CSM has been developed for the Site. Based on available records and observations, the CSM identified potential contamination sources and associated contaminants of potential concern, and also presents potential exposure pathways and receptor linkages to potential sources.

Based on the above and in accordance with requirements, Reditus considers that there is a moderate risk of contamination relevant to the proposed development for the Site.



Reditus however consider that the Site can be made suitable for the proposed development subject to the implementation of following the recommendations.

7.2. Recommendations

Based on the conclusions of the Reditus recommends the following assessment for the Site:

- Completion of a Detailed Site Assessment (DSI) (including soils and groundwater) to define the nature, extent and degree of identified and potential contamination, to assess potential risk posed by contaminants to health and the environment (if any) for the proposed development and to obtain sufficient information to develop a remedial action plan (RAP) to render the Site suitable for the proposed development (if required).
- Given the identification of asbestos within fill material, an Asbestos Management Plan (AMP) must be prepared to comply with the Work Health and Safety (WHS) Regulation 2017, an Asbestos Management Plan (AMP) and asbestos register is required when the Site becomes a 'workplace' (i.e. during any excavation and construction).
- Due to the age of on-site structures, a Hazardous Materials Survey (HMS) should be completed by a suitably qualified and experienced consultant, before commencement of any demolition works, to identify any hazardous materials that may be present within existing structures.
- Should hazardous building materials be identified by the HMS, a clearance certificate, as required by the Work Health and Safety Regulation 2017, should be obtained from a suitably experienced occupational hygienist following removal of hazardous building materials at the conclusion of demolition works.



8. References

- Asset Geotechnical Engineers (2021) *Geotechnical Investigation, Proposed Mixed-use Development, 4 Delmar Parade, Dee Why, NSW*
- Australian Bureau of Meteorology
- Australian Standard AS4482.1-2005. *Guide to the Investigation and Sampling of Sites with Potentially Contaminated Soil. Part 1: Non-volatile and Semi-volatile Compounds.* 2005
- Australian Standard AS4482.2-1999. *Guide to the Investigation and Sampling of Sites with Potentially Contaminated Soil. Part 2: Volatile Substances.* 1999
- Heads of EPA, *PFAS National Environmental Management Plan 2.0*, January 2020 (PFAS NEMP 2020).
- National Pollutant Inventory
- NEPC, 2013 National Environmental Protection (Assessment of Site Contamination) Measure (NEPM). *Schedule B (1) Guideline on the Investigation Levels for Soil and Groundwater.* 2013
- NSW EPA (1995) *Sampling Design Guidelines*
- NSW EPA (2020) *Guidelines for Consultants Reporting on Contaminated Sites*
- NSW eSPADE Newport Soil Report (9130np)
- Warringah Local Environmental Plan 2011



Appendix A – Limitations

This report has been prepared in accordance with the scope of works described in the Section 2. The letter has been prepared for the sole use of the client and has been prepared in accordance with a scope of work agreed by the client.

The report or document does not purport to provide legal advice and any conclusions or recommendations made should not be relied upon as a substitute for such advice.

The report does not constitute a recommendation by Reditus for the client or any other party to engage in any commercial or financial transaction and any decision by the client or other party to engage in such activities is strictly a matter for the client.

The report relies upon data, surveys, measurements and results taken at or under the site at particular times and conditions specified herein. Any findings, conclusions or recommendations only apply to the aforementioned circumstances and no greater reliance should be assumed or drawn by the client. Furthermore, the report has been prepared solely for use by the client and Reditus accepts no responsibility for its use by other parties. The client agrees that Reditus' report or associated correspondence will not be used or reproduced in full or in part for promotional purposes and cannot be used or relied upon by any other individual, party, group or company in any prospectus or offering. Any individual, party, group or company seeking to rely on this report cannot do so and should seek their own independent advice.

No warranties, express or implied, are made. Subject to the scope of work undertaken, Reditus assessment is limited strictly to identifying typical environmental conditions associated with the subject property based on the scope of work and testing undertaken and does not include and evaluation of the structural conditions of any buildings on the subject property or any other issues that relate to the operation of the site and operational compliance of the site with state or federal laws, guidelines, standards or other industry recommendations or best practice. Scope of work undertaken for assessments are agreed in advance with the client and may not necessarily comply with state or federal laws or industry guidelines for the type of assessment conducted.

Additionally, unless otherwise stated Reditus did not conduct soil, air or wastewater analyses including asbestos or perform contaminated sampling of any kind. Nor did Reditus investigate any waste material from the property that may have been disposed off-site, or undertake and assessment or review of related site waste management practices.

The results of this assessment are based upon (if undertaken as part of the scope work) a site inspection conducted by Reditus personnel and/or information from interviews with people who have knowledge of site conditions and/or information provided by regulatory agencies. All conclusions and recommendations regarding the property are the professional opinions of the Reditus personnel involved with the project, subject to the qualifications made above.

While normal assessments of data reliability have been made, Reditus assumes no responsibility or liability for errors in any data obtained from regulatory agencies,

statements from sources outside of Reditus, or developments resulting from situations outside the scope of this project/assessment.

Reditus is not engaged in environmental auditing and/or reporting of any kind for the purpose of advertising sales promoting, or endorsement of any client's interests, including raising investment capital, recommending investment decisions, or other publicity purposes. Reditus assumes no responsibility or liability for errors in any data obtained from regulatory agencies, statements from sources outside of Reditus, or developments resulting from situations outside the scope of this project.

In relation the conduct of asbestos inspections or the preparation of hazardous materials reports Reditus has conducted inspections and the identification of hazardous material within the constraints presented by the property. Whilst efforts are made to access areas not normally accessed during normal use of the site to identify the presence of asbestos or other hazardous material, unless explicitly tested no guarantee can be provided that such material is or is not present.

Reditus' professional opinions are based upon its professional judgment, experience, and training. These opinions are also based upon data derived from the limited testing and analysis described in this report or reports reviewed. It is possible that additional testing and analysis might produce different results and/or different opinions or other opinions. Reditus has limited its investigation(s) to the scope agreed upon with its client. Reditus believes that its opinions are reasonably supported by the testing and analysis that has been undertaken (if any), and that those opinions have been developed according to the professional standard of care for the environmental consulting profession in this area at this time. Other opinions and interpretations may be possible. That standard of care may change and new methods and practices of exploration, testing and analysis may develop in the future, which might produce different results.



Appendix B – Figures

This report has been prepared in accordance with the scope of works described in the Section 2. The letter has been prepared for the sole use of the client and has been prepared in accordance with a scope of work agreed by the client.

The report or document does not purport to provide legal advice and any conclusions or recommendations made should not be relied upon as a substitute for such advice.

The report does not constitute a recommendation by Reditus for the client or any other party to engage in any commercial or financial transaction and any decision by the client or other party to engage in such activities is strictly a matter for the client.

The report relies upon data, surveys, measurements and results taken at or under the site at particular times and conditions specified herein. Any findings, conclusions or recommendations only apply to the aforementioned circumstances and no greater reliance should be assumed or drawn by the client. Furthermore, the report has been prepared solely for use by the client and Reditus accepts no responsibility for its use by other parties. The client agrees that Reditus' report or associated correspondence will not be used or reproduced in full or in part for promotional purposes and cannot be used or relied upon by any other individual, party, group or company in any prospectus or offering. Any individual, party, group or company seeking to rely on this report cannot do so and should seek their own independent advice.

No warranties, express or implied, are made. Subject to the scope of work undertaken, Reditus assessment is limited strictly to identifying typical environmental conditions associated with the subject property based on the scope of work and testing undertaken and does not include and evaluation of the structural conditions of any buildings on the subject property or any other issues that relate to the operation of the site and operational compliance of the site with state or federal laws, guidelines, standards or other industry recommendations or best practice. Scope of work undertaken for assessments are agreed in advance with the client and may not necessarily comply with state or federal laws or industry guidelines for the type of assessment conducted.

Additionally, unless otherwise stated Reditus did not conduct soil, air or wastewater analyses including asbestos or perform contaminated sampling of any kind. Nor did Reditus investigate any waste material from the property that may have been disposed off-site, or undertake and assessment or review of related site waste management practices.

The results of this assessment are based upon (if undertaken as part of the scope work) a site inspection conducted by Reditus personnel and/or information from interviews with people who have knowledge of site conditions and/or information provided by regulatory agencies. All conclusions and recommendations regarding the property are the professional opinions of the Reditus personnel involved with the project, subject to the qualifications made above.

While normal assessments of data reliability have been made, Reditus assumes no responsibility or liability for errors in any data obtained from regulatory agencies,

statements from sources outside of Reditus, or developments resulting from situations outside the scope of this project/assessment.

Reditus is not engaged in environmental auditing and/or reporting of any kind for the purpose of advertising sales promoting, or endorsement of any client's interests, including raising investment capital, recommending investment decisions, or other publicity purposes. Reditus assumes no responsibility or liability for errors in any data obtained from regulatory agencies, statements from sources outside of Reditus, or developments resulting from situations outside the scope of this project.

In relation the conduct of asbestos inspections or the preparation of hazardous materials reports Reditus has conducted inspections and the identification of hazardous material within the constraints presented by the property. Whilst efforts are made to access areas not normally accessed during normal use of the site to identify the presence of asbestos or other hazardous material, unless explicitly tested no guarantee can be provided that such material is or is not present.

Reditus' professional opinions are based upon its professional judgment, experience, and training. These opinions are also based upon data derived from the limited testing and analysis described in this report or reports reviewed. It is possible that additional testing and analysis might produce different results and/or different opinions or other opinions. Reditus has limited its investigation(s) to the scope agreed upon with its client. Reditus believes that its opinions are reasonably supported by the testing and analysis that has been undertaken (if any), and that those opinions have been developed according to the professional standard of care for the environmental consulting profession in this area at this time. Other opinions and interpretations may be possible. That standard of care may change and new methods and practices of exploration, testing and analysis may develop in the future, which might produce different results.



Appendix B – Figures



Map 21181_rp01_f01_siteloc_v01	Author CS/JP
Date of Export 05/10/2021	Approver GB
Data source Metromap, Google Maps, Open Street Map, NSW Government	
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Legend	
	Approximate Site Boundary

Figure 1 - Site Location

4 Delmar Parade and 812 Pittwater Rd, Dee Why, NSW

21181- Preliminary Site Investigation

Willow Frank



Map 21181_rp01_f02_sitelayout_v01	Author CS/JP
Date of Export 05/10/2021	Approver GB
Data source Metromap, Google Maps, Open Street Map	
© Reditus, 2021. This document and the information provided therein are provided for the use of the recipient. Reditus accepts no responsibility for the use of this document or the information provided within by a third party.	

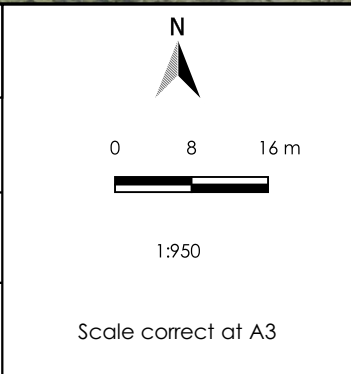


Figure 2 - Sample Locations
 4 Delmar Parade and 812 Pittwater Rd, Dee Why, NSW
 21181- Preliminary Site Investigation
 Willow Frank



Appendix C – Historical Aerial Photographs



















Appendix D – Historical Title Deed Search

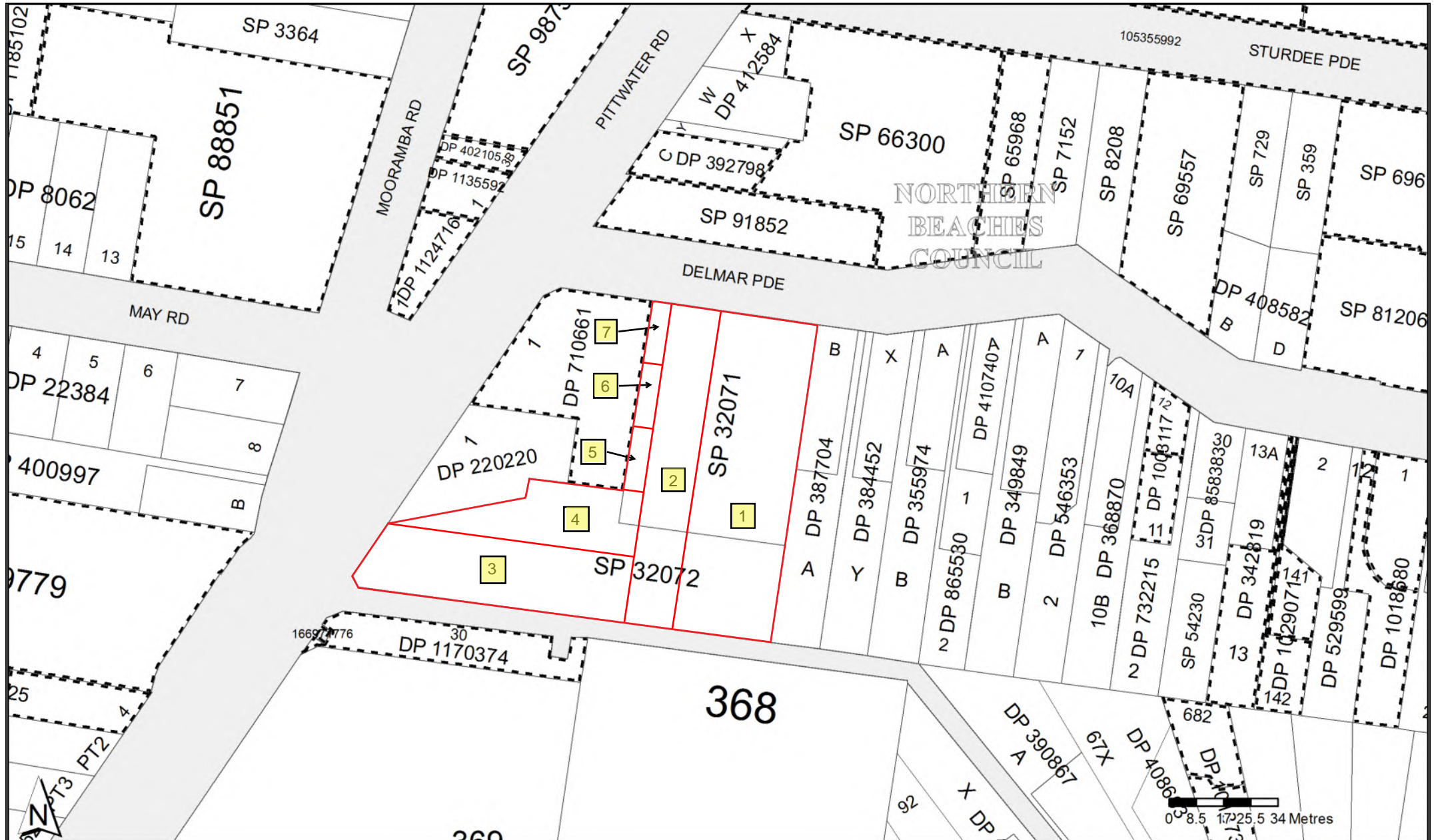
Cadastral Records Enquiry Report : SP 32071

Locality : DEE WHY

Parish : MANLY COVE

LGA : NORTHERN BEACHES

County : CUMBERLAND



COUNCIL'S CERTIFICATE
 The Council of the *City Municipality* Warringham having satisfied itself that the requirements of the Strata Titles Act, 1973 (other than the requirements for the registration of plans) have been complied with, approves of the proposed strata plan ~~strata plan of subdivision~~ illustrated herein.
 Council does not object to the encroachment of the building beyond the alignment of the alignment of
 *This approval is given on the condition that lot(s) is/are subject to the restriction on user referred to in section 30 of the Strata Titles Act, 1973
 Date 28.4.87
 Subdivision No. 1176/87 Alan Thomson
 Council Clerk.
 *Complete, or delete if inapplicable.

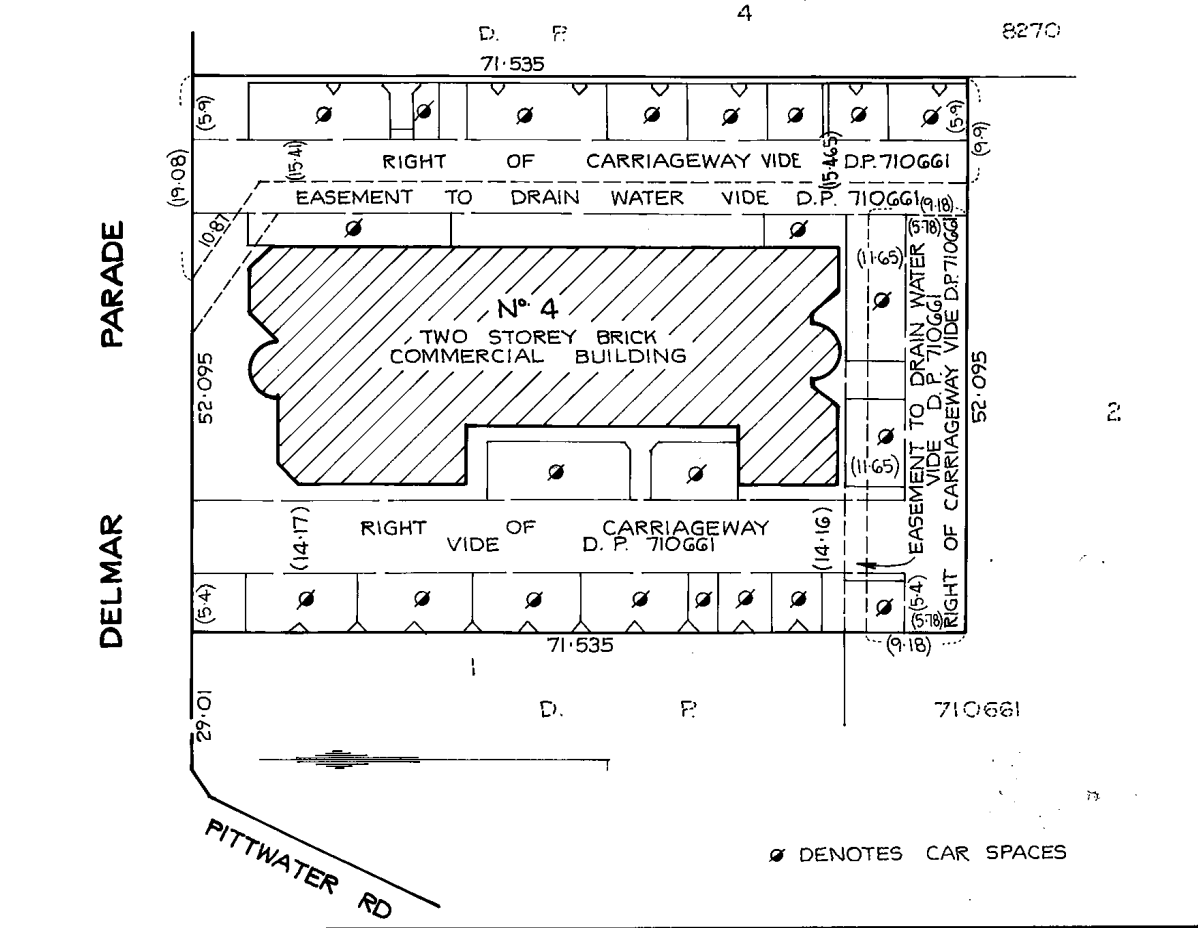
SURVEYOR'S CERTIFICATE
MICHAEL BELL OF MICHAEL BELL & PTNRS P/L
4/29 BERTRAM ST, CHATSWOOD 2067.
 a surveyor registered under the Surveyors Act, 1929, hereby certify that—
 (1) any wall, the inner surface or any part of which corresponds substantially with any line shown on the accompanying floor plan as a boundary of a proposed lot, exists;
 (2) any floor or ceiling, the upper or under surface or any part of which forms a boundary of a proposed lot, shown in the accompanying floor plan, exists;
 (3) any wall, floor, ceiling or structural cubic space, by reference to which any boundary of a proposed lot shown in the accompanying floor plan is defined, exists;
 (4) any building containing proposed lots erected on the land shown on the accompanying location plan and each proposed lot shown on the accompanying floor plan are wholly within the perimeter of the parcel *subject to subparagraphs (a) and (b) —
 * (a) — except to the extent that the building encroaches on a public place;
 * (b) — eaves and guttering of the building encroach on land other than a public place, in respect of which eaves and guttering an appropriate assessment has been created by registered land
 (5) the survey information recorded in the accompanying location plan is accurate
 Signature Michael Bell
 Date 27-11-85
 * Delete if inapplicable
 † State whether dealing or plan, and quote registered number.
 This is sheet 1 of my Plan in 3 sheets.

PLAN OF SUBDIVISION OF LOT 3 D.P. 710661
 Locality: DEE WHY (E)
 Parish: MANLY COVE County: CUMBERLAND
 Reduction Ratio 1: 500 Lengths are in metres (M)

STRATA PLAN 32071
 Registered: 7.5.1987
 C.A.: Nº 1176/87 OF 28.4.1987
 Purpose: STRATA PLAN
 Ref. Map: U1860-64#
 Last Plan: DP 710661

Name of, and *address for service of notices on, the body corporate
THE PROPRIETORS, STRATA PLAN Nº 32071, 4 DELMAR PARADE, DEE WHY 2099.
 *Address required on original strata plan only.

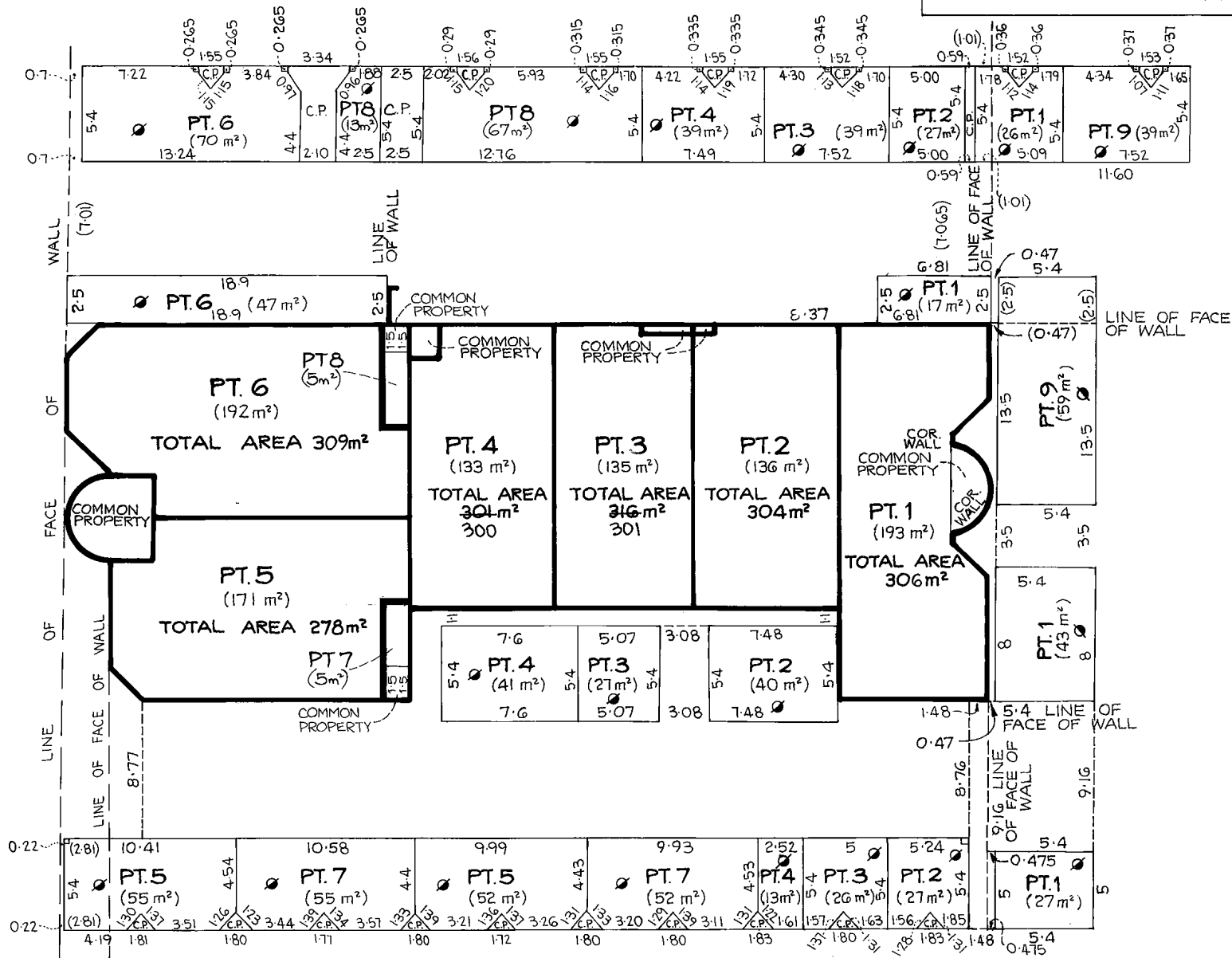
Signatures, seals and statements of intention to create easements or restrictions as to user.
 Common Seal of Manly Cove Pty Ltd affixed hereto by authority of this Board of Directors
 [Signatures: James T. Neal, James T. Neal, James T. Neal]
 [Seal: MANLY COVE PTY LTD]
CUSTOM CREDIT CORPORATION LIMITED
 by its Attorney STEPHEN CHARLES BENSEN MANNING
 who states that he has not received any notice or information whatsoever of the revocation of the Power of Attorney registered in the Office of the Registrar General Book 3612 No. 993 under authority of which he executes this dealing.
 [Signature: James T. Neal]
 TOTAL AREA OF LOT 8 AMENDED IN L.T.O. AT SURVEYORS REQUEST 4-8-1987
 TOTAL AREAS OF LOTS 3 & 4 AMENDED IN L.T.O. AT SURVEYORS REQUEST
 Table of mm: 10 20 30 40 50 60 100 110 120 130 140 150 160



Plan Drawing only to appear in this space

Req:R551263 /Doc:SP 0032071 P /Rev:02-Feb-2009 /NSW LRS /Pgs:ALL /Prt:16-Sep-2021 18:11 /Seq:1 of 3
 © Office of the Registrar-General /Src:TRISEARCH /Ref:Dee Why 4 Delmar Parade

STRATA PLAN 32071



NOTE: AREAS ARE APPROXIMATE

Ø DENOTES CAR SPACE

CAR SPACES ARE LIMITED IN HEIGHT TO 3 ABOVE THE UPPER SURFACE OF THEIR RESPECTIVE HARDSTANDS

C.P. DENOTES COMMON PROPERTY

SCHEDULE OF UNIT ENTITLEMENT	
LOT N°	UNIT ENTITLEMENT
1	11
2	12
3	12
4	12
5	10
6	12
7	10
8	12
9	11
AGGREGATE	102

GROUND FLOOR

Reduction Ratio 1: 250

Lengths are in metres

Michael Bell
Registered Surveyor

John Harrison
Council Clerk

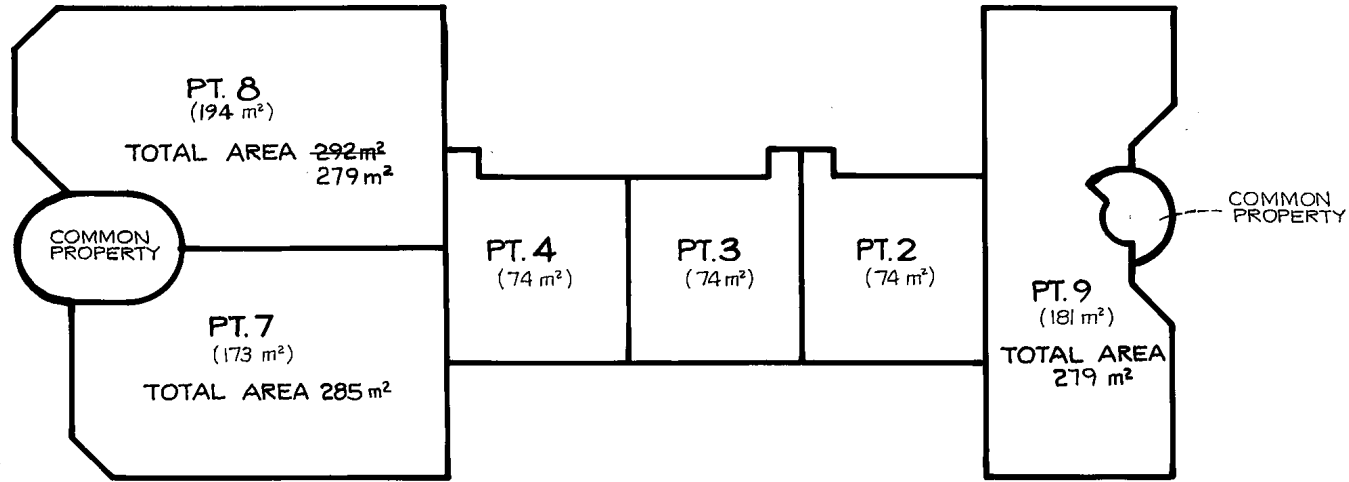
SURVEYOR'S REFERENCE: 85148

Req:R551263 /Doc:SP 0032071 P /Rev:02-Feb-2009 /NSW LRS /Pgs:ALL /Prt:16-Sep-2021 18:11 /Seq:2 of 3
© Office of the Registrar-General /Src:TRISARCH /Ref:Dee Why 4 Delmar Parade

*OFFICE USE ONLY

26 32071 24 5/3

STRATA PLAN 32071



NOTE : AREAS ARE APPROXIMATE

FIRST FLOOR

Reduction Ratio 1: 250

Lengths are in metres



Michael Bell
Registered Surveyor

Fden Houston
Council Clerk

SURVEYOR'S REFERENCE: 85148

Req:R551263 /Doc:SP 0032071 P /Rev:02-Feb-2009 /NSW LRS /Egs:ALL /Prt:16-Sep-2021 18:11 /Seq:3 of 3
© Office of the Registrar-General /Src:TRISEARCH /Ref:Dee Why 4 Delmar Parade

*OFFICE USE ONLY

26 35071 24313

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COUNCIL'S CERTIFICATE

The Council of the Shire of Warringham having satisfied itself that the requirements of the Strata Titles Act, 1973 (other than the requirements for the registration of plans) have been complied with, approves of the proposed strata plan of subdivision illustrated herein.

*This approval is given on the condition that lot(s) is/are subject to the restriction on user referred to in section 39 of the Strata Titles Act, 1973.

Date: 21.4.87

Subdivision No. 1175/87
B. J. Grogan
Council Clerk

*Complete, or delete if inapplicable.

James T. Neal

[Signature]

SURVEYOR'S CERTIFICATE

J. TINKER OF MICHAEL BELL & PTNRS P/L
4/29 BERTRAM ST, CHATSWOOD 2067
of a surveyor registered under the Surveyors Act, 1928, hereby certify that—

- (1) any wall, the inner surface or any part of which corresponds substantially with any line shown on the accompanying floor plan as a boundary of a proposed lot, exists;
- (2) any floor or ceiling, the upper or under surface or any part of which forms a boundary of a proposed lot, shown in the accompanying floor plan, exists;
- (3) any wall, floor, ceiling or structural cubic space, by reference to which any boundary of a proposed lot shown in the accompanying floor plan is defined, exists;
- (4) any building containing proposed lots erected on the land shown on the accompanying location plan and each proposed lot shown on the accompanying floor plan are wholly within the perimeter of the parcel * subject to subparagraphs (a) and (b) —

* (a) except to the extent that the building encroaches on a public place;

* (b) eaves and guttering of the building encroach on land other than a public place, in respect of which eaves and guttering in appropriate easement has been created by registered plan.

* (5) the survey information recorded in the accompanying location plan is accurate.

Signature: J. A. Tinker
Date: 4TH FEBRUARY, 1986

* Delete if inapplicable
† State whether dealing or plan, and quote registered number.

This is sheet 1 of my Plan in 4 sheets.

PLAN OF SUBDIVISION OF LOT 2 D.P. 710661

(E)

Mun./Shire City : WARRINGAH Locality : DEE WHY

Parish : MANLY COVE County : CUMBERLAND

Reduction Ratio 1: 600 Lengths are in metres (m)

Name of, and *address for service of notices on, the body corporate
*Address required on original strata plan only.
THE PROPRIETORS,
STRATA PLAN NO. 818
818 PITTWATER ROAD,
DEE WHY 2099.

STRATA PLAN 32072

Registered: 7.5.1987

C.A.: No 1175/87 OF 21.4.1987

Purpose: STRATA PLAN

Ref. Map: U1860 - 64 #

Last Plan: DP 710661

Signatures, seals and statements of intention to create easements or restrictions as to user.

The Strata Plan of Michael Bell Holdings Pty Ltd was this day fixed here by authority of the Board of Directors

James T. Neal



P. J. [Signature]

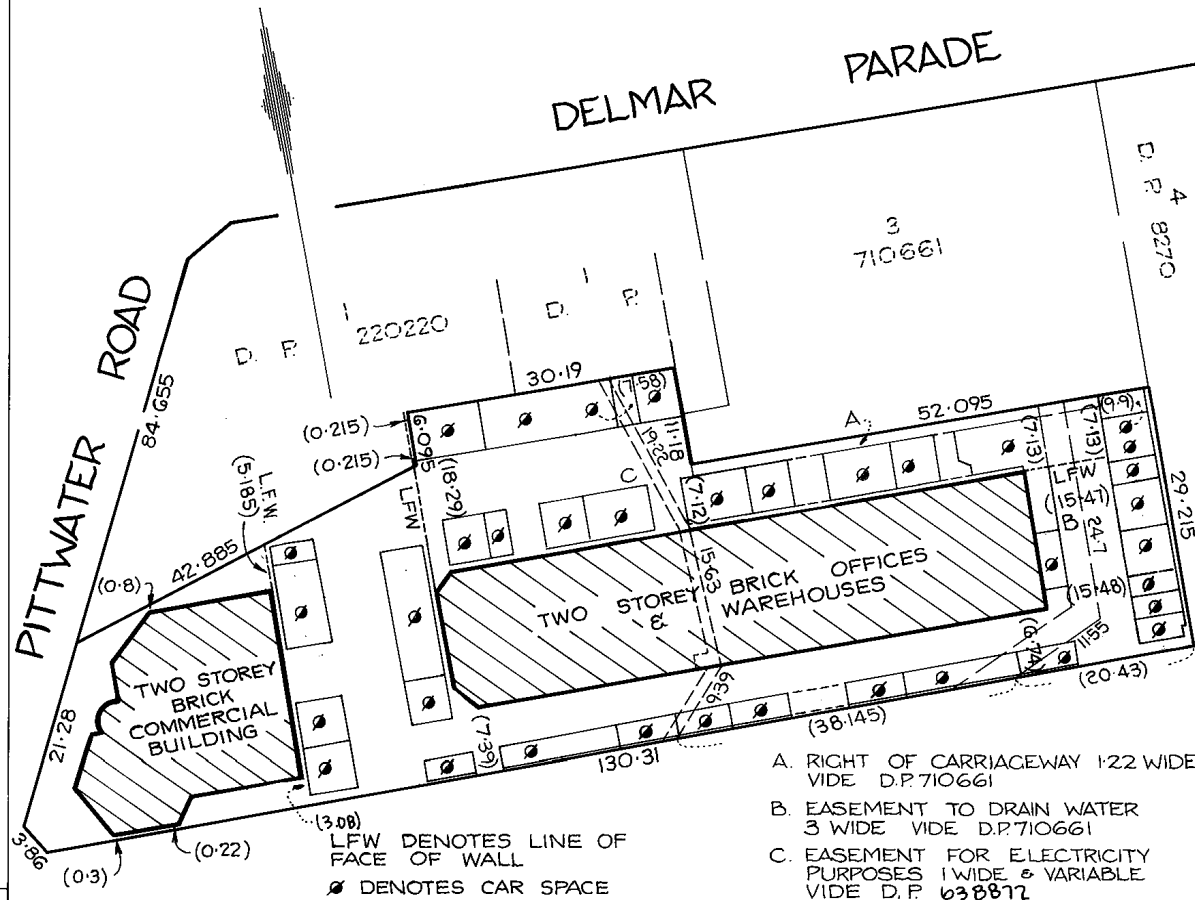
CUSTOM CREDIT CORPORATION LIMITED

by its Attorney Stephen Charles Gemberick manager.

who states that he has not received any notice or information whatsoever of the revocation of the Power of Attorney registered in the Office of the Registrar General Book 3612 No. 993 under authority of which he executes this dealing.

James T. Neal
JAMES T NEAL
MONEY

DIMENSIONS OF PT. LOT 1 & TOTAL AREA LOT 10 AMENDED IN L.T.O. AT SURVEYOR'S REQUEST.



- A. RIGHT OF CARRIAGEWAY 1.22 WIDE VIDE D.P. 710661
- B. EASEMENT TO DRAIN WATER 3 WIDE VIDE D.P. 710661
- C. EASEMENT FOR ELECTRICITY PURPOSES 1 WIDE & VARIABLE VIDE D.P. 638872

Plan Drawing only to appear in this space

Table of mm: 10, 20, 30, 40, 50, 60, 100, 110, 120, 130, 140, 150, 160

Req:R551256 /Doc:SP 0032072 P /Rev:02-Feb-2009 /NSW LRS /Pgs:ALL /Prt:16-Sep-2021 18:10 /Seq:1 of 4
© Office of the Registrar-General /Src:TRISEARCH /Ref:Dee Why 4 Delmar Parade

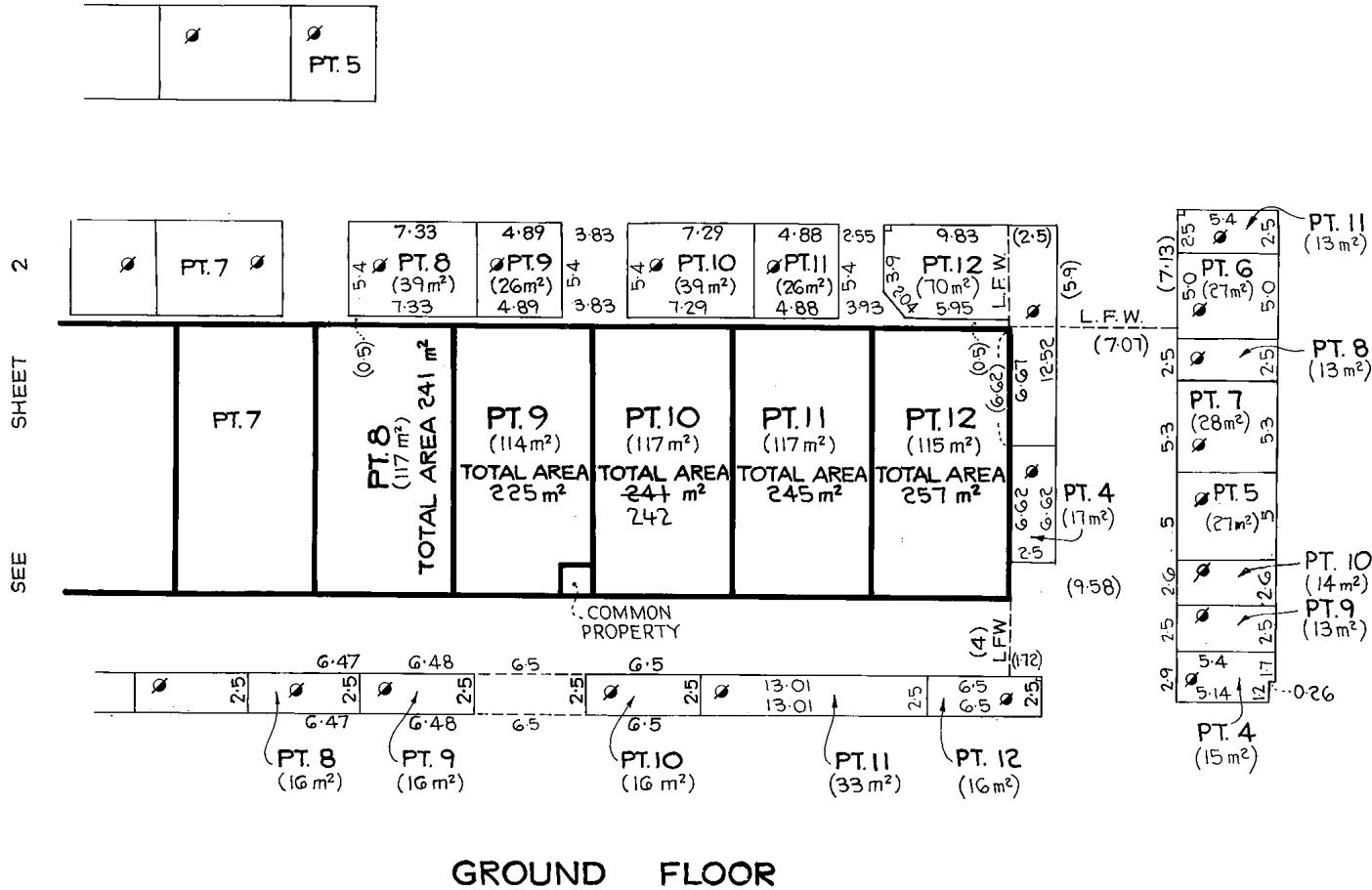
STRATA PLAN 32072

NOTE: AREAS ARE APPROXIMATE

CAR SPACES ARE LIMITED IN HEIGHT TO 3 ABOVE THE UPPER SURFACE OF THEIR RESPECTIVE HARDSTANDS.

Ø DENOTES CAR SPACE

LFW DENOTES LINE OF FACE OF WALL



SEE SHEET 2

GROUND FLOOR

Reduction Ratio 1:300

Lengths are in metres

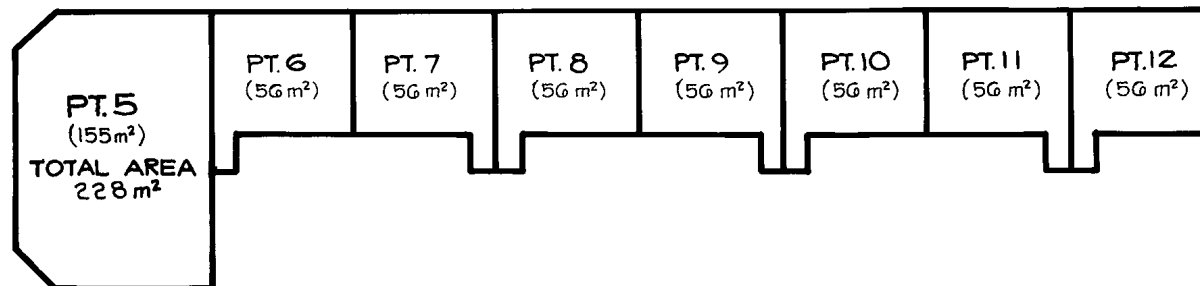
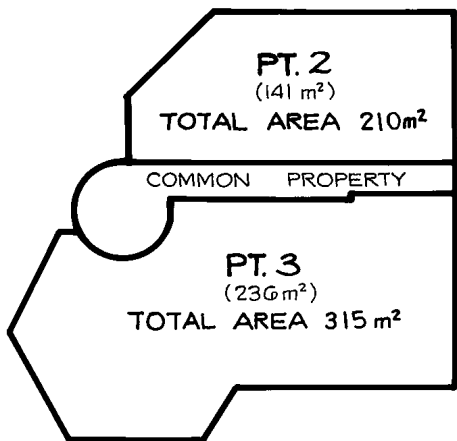
J A Timber
Registered Surveyor

B. P. [Signature]
Council Clerk

STRATA PLAN 32072

OFFICE USE ONLY

Req:R551256 /Doc:SP 0032072 P /Rev:02-Feb-2009 /NSW LRS /Pgs:ALL /Prt:16-Sep-2021 18:10 /Seq:4 of 4
© Office of the Registrar-General /Src:TRISEARCH /Ref:Dee Why 4 Delmar Parade



FIRST FLOOR

NOTE: AREAS ARE APPROXIMATE

Reduction Ratio 1: 300

Lengths are in metres



J. A. Timber
Registered Surveyor

B. P. ...
Council Clerk



09907080

NEW SOUTH WALES

CERTIFICATE OF TITLE
PROPERTY ACT, 1900, as amended.

Prior Titles Vol.2999 Fol. 75
Vol.3080 Fol.189
Vol.3062 Fol.230
Vol.3134 Fol.216
Vol.4057 Fol.239
Vol.8194 Fols.114 and 115

Vol. 9907 Fol. 80
1st Edition issued 15-1-1965.



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

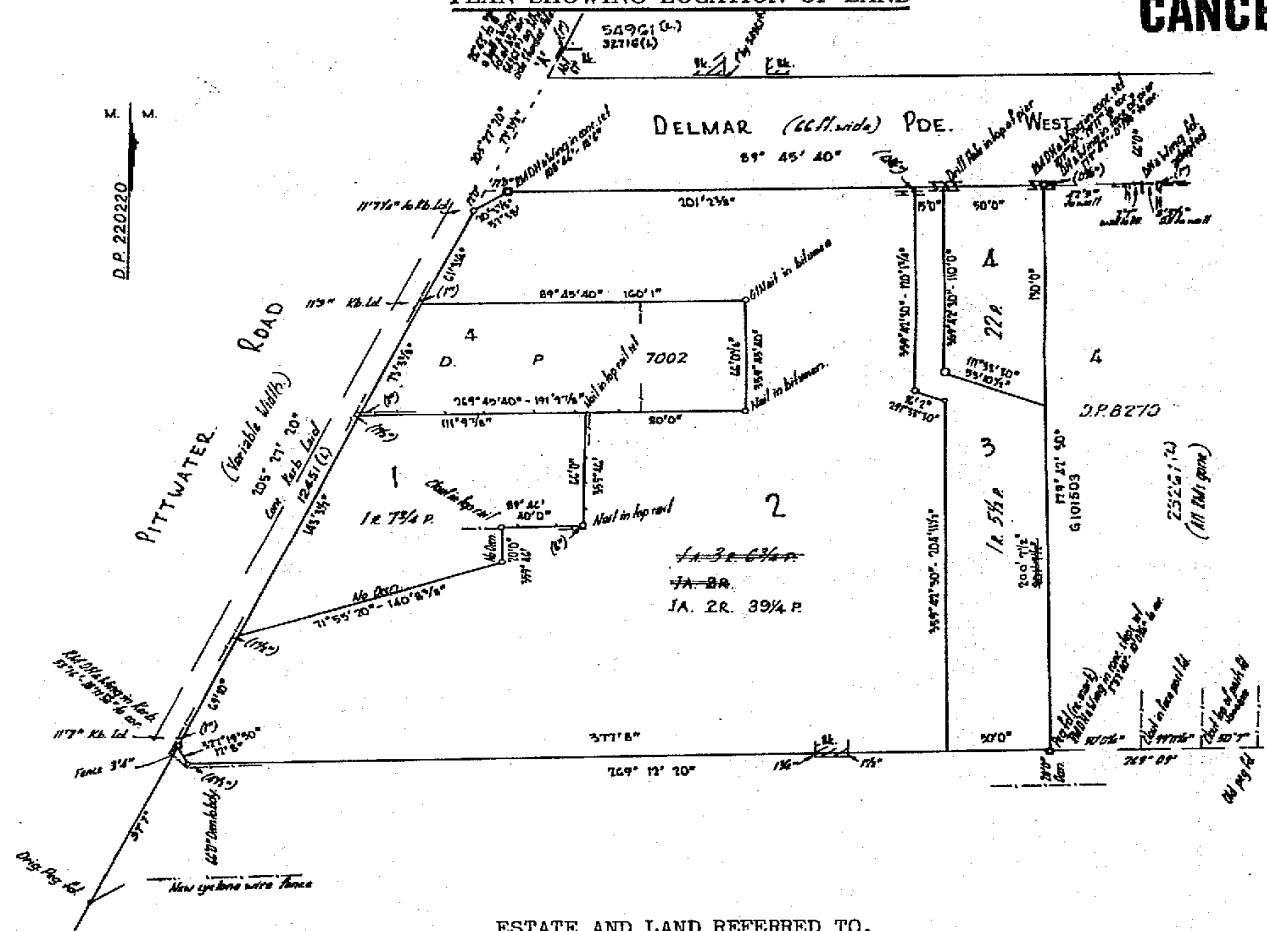
Witness *Aboken*

Jawatson
Registrar General.



PLAN SHOWING LOCATION OF LAND

CANCELLED



ESTATE AND LAND REFERRED TO.

Estate in Fee Simple in Lot 2 in Deposited Plan 220220 at Dee Why in the Shire of Warringah Parish of Manly Cove and County of Cumberland being part of Portion 1298 granted to James Wheeler on 18-4-1842.

FIRST SCHEDULE (Continued overleaf)



Jawatson
Registrar General.

SECOND SCHEDULE (Continued overleaf)

- Reservations and conditions, if any, contained in the Crown Grant above referred to.
- Mortgage No. C147771 of those parts of the land above described formerly comprised in Certificates of Title Volume 2999 Folio 75, Volume 3062 Folio 230, Volume 3134 Folio 216 and Volume 4057 Folio 239 to The National Bank of Australasia Limited. Entered 21-11-1932. Discharged K 56982

Jawatson
Registrar General.

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

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

(Page 1) Vol. 9907 Fol. 80

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR

REGISTERED PROPRIETOR	INSTRUMENT			ENTERED	Signature of Registrar General
	NATURE	NUMBER	DATE		
Mandra Holdings Pty. Limited by Transfer V208485. Registered 27-6-1984.					<i>[Signature]</i>
DP18/ 710661 Registered 25-6-1985 This folio is cancelled as to whole/ part upon creation of computer folios for lots 1/2/3 in the abovementioned plan.					<i>[Signature]</i>



PT. filed in front file
1/18/85
 K106507
 dge card/pt
 L525070
 1/18/85
 L913072
 074
 L916087 m
 Q500233 A
 CT 22-7-85
 CT: 16/11/84
 T947395 w
 60/1
 V355642
 4/2/85
 L5 to
 V355642
 CT 8.1.85
 DP 710661 R
 V69002 Cink

SECOND SCHEDULE (continued)

NATURE	INSTRUMENT		PARTICULARS	ENTERED	Signature of Registrar General	CANCELLATION		
	NUMBER	DATE						
Mortgage	K 38492	15-6-1965	The National Bank of Australia Limited	14-7-1965	<i>[Signature]</i>	Discharged	L913074	<i>[Signature]</i>
Transfer	K 106607	27-7-1965	Document for drainage affecting the piece of land shown as 6 feet wide in the annexed to Transfer No. K106507 (with consent of mortgagee)	29-12-1965	<i>[Signature]</i>	Cancelled	V690062	<i>[Signature]</i>
Convey	L 525070	6-8-1969		13-8-1969	<i>[Signature]</i>	Withdrawn	L639651	<i>[Signature]</i>
Mortgage	L 639653	7-10-1969	to Mater Corporation Limited	18-11-1969	<i>[Signature]</i>	Discharged	L913072	<i>[Signature]</i>
Mortgage	L 913076	1-7-1970	to Superannuation Board	16-7-1970	<i>[Signature]</i>	Discharged	T947396	<i>[Signature]</i>
Mortgage	L 916097	1-7-1970	to The National Bank of Australia Limited	4-9-1970	<i>[Signature]</i>	Discharged	V208484	<i>[Signature]</i>
Convey	Q 500233		to Mater Corporation Limited	1-2-1978	<i>[Signature]</i>	Withdrawn	T947395	<i>[Signature]</i>
V208483	Caveat by Custom Credit Corporation Limited Registered 27-6-1984				<i>[Signature]</i>	Withdrawn	V355642	<i>[Signature]</i>
V355642	Mortgage to Custom Credit Corporation Limited. Registered 3.10.1984.				<i>[Signature]</i>			
			Interests created pursuant to Section 88B Conveyancing Act, 1919, by the registration of DP 710661					
			Registered 25-6-1985					





09907081

NEW SOUTH WALES

CERTIFICATE OF TITLE
PROPERTY ACT, 1900, as amended.

Prior Title Vol.3080 Fol.189

Vol. 9907 Fol. 81

1st Edition issued 15-1-1965.



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

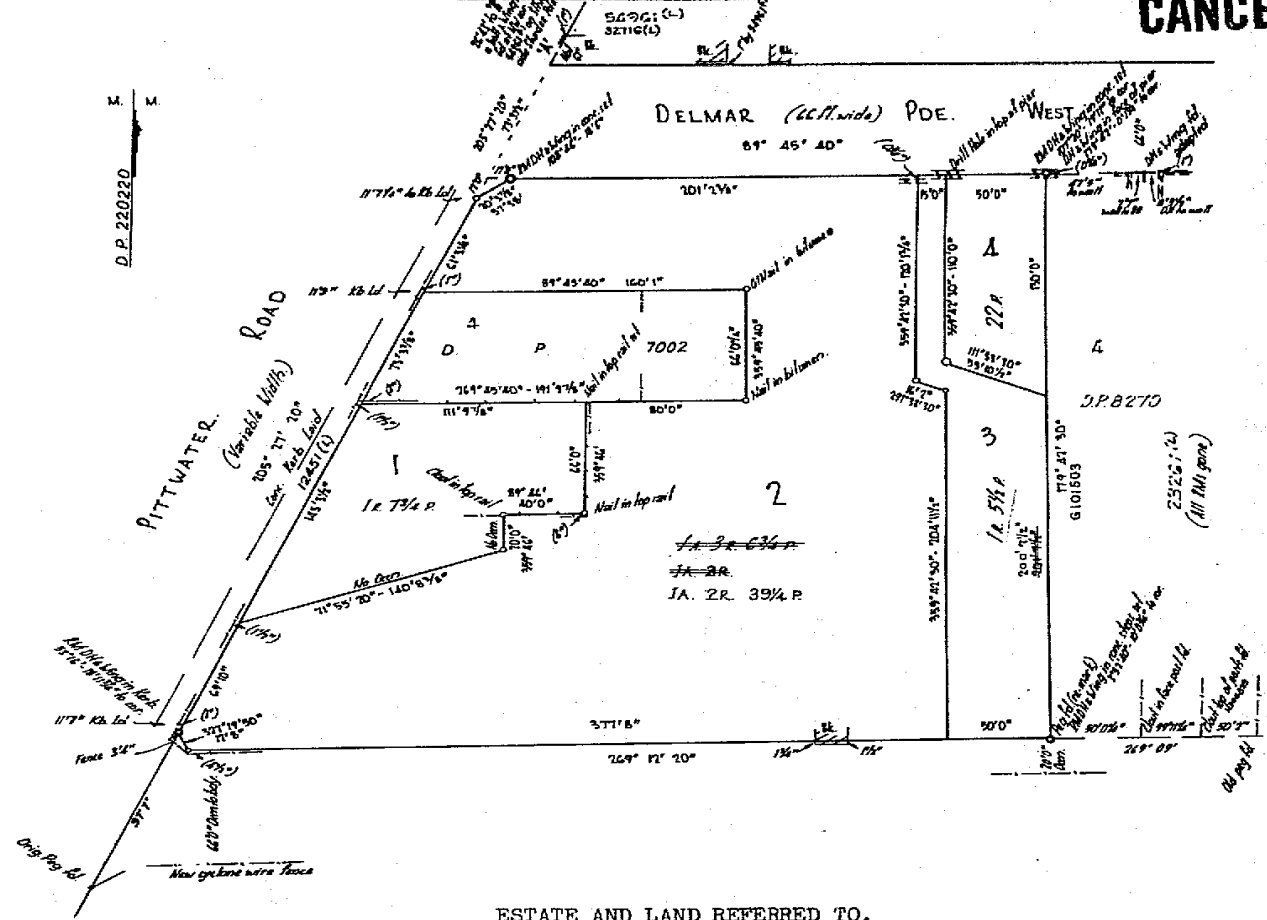
Witness *Aboken*

Jawatson
Registrar General.



PLAN SHOWING LOCATION OF LAND

CANCELLED



ESTATE AND LAND REFERRED TO.

Estate in Fee Simple in Lot **3** in Deposited Plan 220220 at Dee Why in the Shire of Warringah Parish of Manly Cove and County of Cumberland being part of Portion 1298 granted to James Wheeler on 18-4-1842.

FIRST SCHEDULE (Continued overleaf)

~~WHITAKERS PTY. LIMITED.~~

Jawatson
Registrar General.

SECOND SCHEDULE (Continued overleaf)

1. Reservations and conditions, if any, contained in the Crown Grant above referred to.

Jawatson
Registrar General.

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

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

(Page 1) Vol. 9907 Fol. 81

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR

INSTRUMENT

NATURE NUMBER DATE

ENTERED

Signature of Registrar General

Mandra Holdings Pty. Limited by Transfer V208485. Registered 27-6-1984.

DP/SP 710661 Registered 25-6-1985
 This folio is cancelled as to whole/part upon cancellation of computer folios for lots 1/2/3 in the abovementioned plan.



25252701
 L639651
 L913072
 L916087M
 Q455272A
 Q500233Pt

SECOND SCHEDULE (continued)

INSTRUMENT			PARTICULARS	ENTERED	Signature of Registrar General	CANCELLATION	Signature of Registrar General	
NATURE	NUMBER	DATE						
Caveat	L525070	6.8.1969		13.11.1961	Joubert	Withdrawn	L639651	Joubert
Mortgage	L639652	15.10.1969	to The National Bank of Australasia Limited	19.11.1969	Joubert	discharged	L913075	Joubert
Mortgage	L639653	9.10.1969	to Martin Corporation Limited	18.11.1969	Joubert	discharged	L913072	Joubert
Mortgage	L913076	1.7.1970	to Superannuation Board	16.7.1970	Joubert	Discharged	T947396	Rance
Mortgage	L916087	1.7.1970	to The National Bank of Australasia Limited	6.9.1970	Joubert	Discharged	V208484	Joubert
CAVEAT	Q455272		BY EUGEN COOK BEING LAND FORMERLY CONTAINED IN LOT 3 IN DEPOSITED PLAN 8270	22.10.1977	Joubert	Withdrawn	Q770191	Joubert
CAVEAT	Q500233		BY MARTIN CORPORATION LIMITED	1.2.1978	Joubert	Withdrawn	T947395	Rance
V208483	Caveat by Custom Credit Corporation Limited. Registered 27-6-1984.				Joubert	Withdrawn	V355642	Joubert
V355642	Mortgage to Custom Credit Corporation Limited. Registered 3.10.1984.				Joubert			
			Interests created pursuant to Section 88B Conveyancing Act, 1919, by the registration of DP 710661 Registered 25-6-1985					

Re: 22-87
 Q770191
 Q770191
 CT 22-1-88
 CT 16.1.84
 T947395
 L639651
 V208484
 - A.D.M.
 - 15 to
 V355642
 CT 8.1.85
 DP 710661 R

Vol. 9907 Fol 81

(Page 2 of 2 pages)

Reg: B4304 / Doc: CT 09907-081 CT / Rev: 13-Jan-2011 / NSW IRS / Pgs: ALL / Prt: 1-5-Sep-2021 18:44 / Seq: 2 of 2
 © Office of the Registrar General / Sec: TRISARCH / Ref: Dec Why 4 Delmar Parade



09907082

NEW SOUTH WALES

CERTIFICATE OF TITLE
PROPERTY ACT, 1900, as amended.

Prior Title Vol.3080 Fol.189

Vol. **9907** Fol. **82**

1st Edition issued 15-1-1965.



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

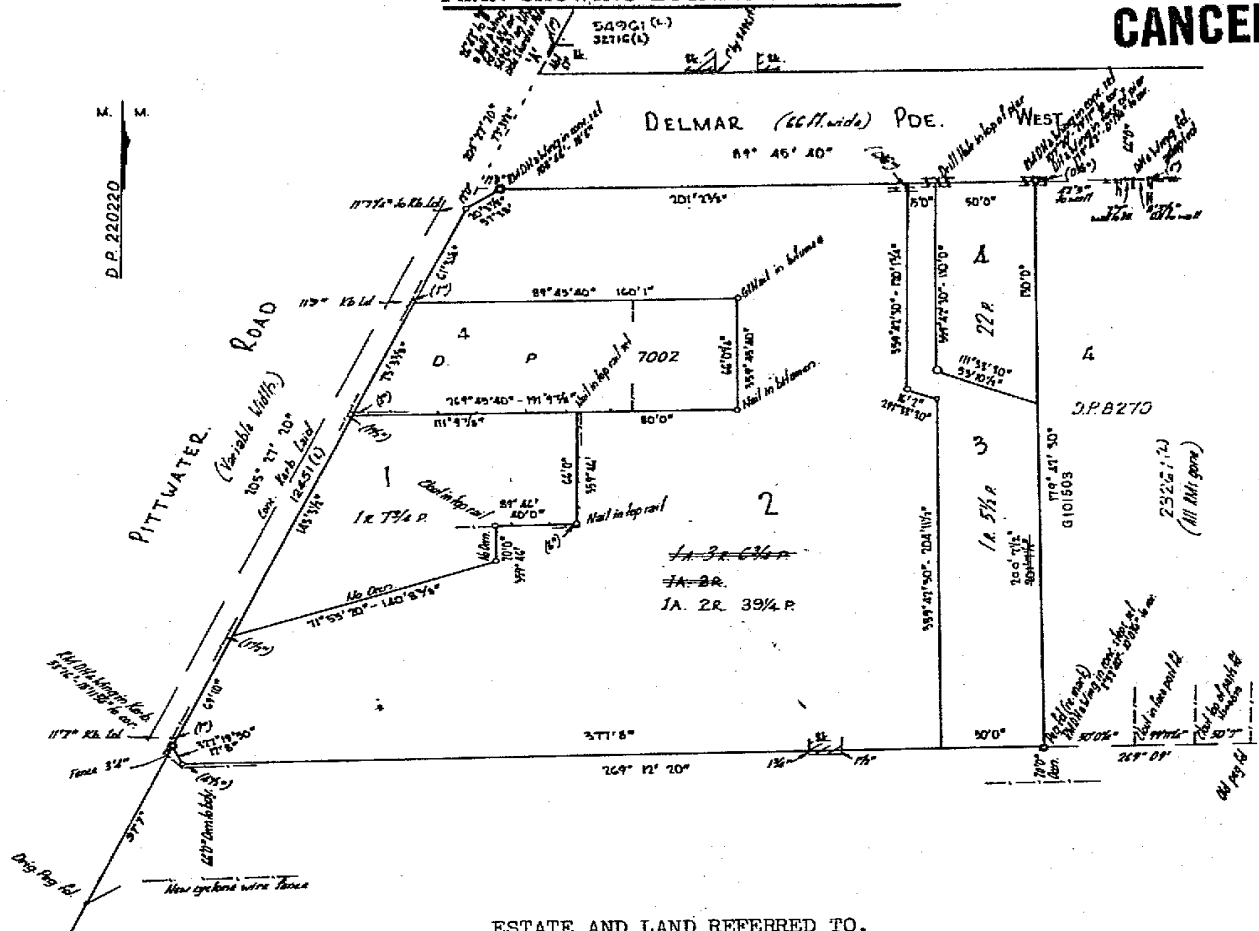
Witness *Aboken*

Jawatson
Registrar General.



PLAN SHOWING LOCATION OF LAND

CANCELLED



ESTATE AND LAND REFERRED TO.

Estate in Fee Simple in Lot 4 in Deposited Plan 220220 at Dee Why in the Shire of Warringah Parish of Manly Cove and County of Cumberland being part of Portion 1298 granted to James Wheeler on 18-4-1842.

FIRST SCHEDULE (Continued overleaf)



Jawatson
Registrar General.

SECOND SCHEDULE (Continued overleaf)

1. Reservations and conditions, if any, contained in the Crown Grant above referred to.

Jawatson
Registrar General.

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

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

(Page 1) Vol. 9907 Fol. 82

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR

Mandra Holdings Pty. Limited by Transfer V208485. Registered 27-6-1984.

DPIS# 710661 Registered 25-6-1985
This folio is cancelled as to whole of
of computer folios for lots
above-mentioned plan. 1/2/3



INSTRUMENT			ENTERED	Signature of Registrar General
NATURE	NUMBER	DATE		

525076
 L913/2 D
 5 D
 6 M
 L91600707
 Q407193 PEX
 Q500233 PEX
 CT22-753P

SECOND SCHEDULE (continued)

NATURE	INSTRUMENT		PARTICULARS	ENTERED	Signature of Registrar General	CANCELLATION	
	NUMBER	DATE					
Caveat	L575070	6-8-1969		13-8-1969	Jawakson	Withdrawn	L639651
Mortgage	L639652	15-10-1969	to The National Bank of Australasia Limited	17-11-1969	Jawakson	discharged	L913075
Mortgage	L639653	21-10-1969	to Martin Corporation Limited	21-11-1969	Jawakson	discharged	L913072
Mortgage	L913076	1-7-1970	to Australian Corporation Limited	16-7-1970	Jawakson	Discharged	T947396
Mortgage	L916087	1-7-1970	to The National Bank of Australasia Limited	6-9-1970	Jawakson	Discharged	V208484
Caveat	Q407193		by Ellen Cook	14-10-1977		Withdrawn	V167360
Caveat	Q500233		on Martin Corporation Limited	1-2-1978		Withdrawn	T947395
V208483			Caveat by Custom Credit Corporation Limited. Registered 27-6-1984.			Withdrawn	V355642
V355642			Mortgage to Custom Credit Corporation Limited. Registered 3.10.1984.				
			Interests created pursuant to Section 88B Conveyancing Act, 1989, by the registration of DP 710661 Registered 25-6-1985				

CT.16-1984
 T947395 W/L
 L 601M
 V167360 W/L R
 V208483 W/L
 4 21M
 V355642 M
 R
 CT8-1-85
 DP 710661 R

Reg: R543039 /Doc: CT 09907-082 CT /Rev: 13-Jan-2011 /NSW LRS /Pgs: ALL /Prt: 15-Sep-2021 18:42 /Seq: 2 of 2
 Office of the Registrar-General /Src: TRISEARCH /Src: Dee Why 4 Delmar Parade Vol. 82 Fol 2301



CERTIFICATE OF TITLE



13373137

NEW SOUTH WALES

PROPERTY ACT, 1900

Vol. **13373** Fol. **137**
EDITION ISSUED
15 7 1977

Appln. No. 46605

Prior Title Vol. 3036 Fol. 104



(Page 1) Vol. 13373 Fol. 137

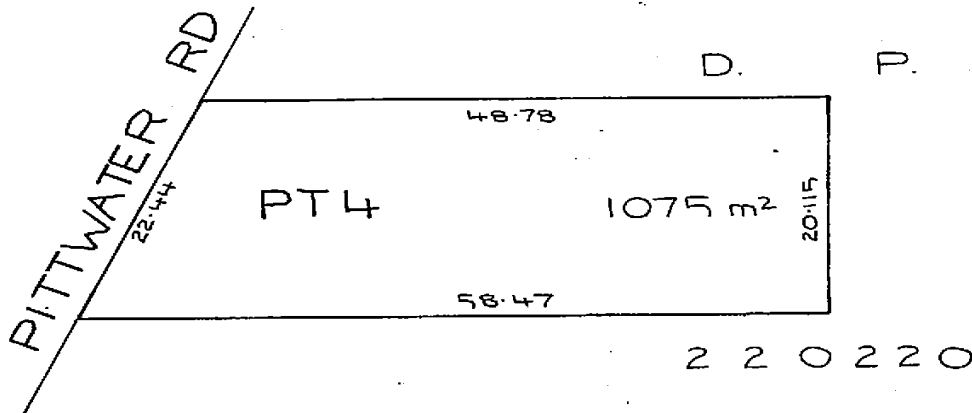
I certify that the person described in the First Schedule is the registered proprietor of the undermentioned estate in the land within described subject nevertheless to such exceptions encumbrances and interests as are shown in the Second Schedule.

[Signature]
Registrar General.



PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES




Q 103669 KS

REDUCTION RATIO 1:500

ESTATE AND LAND REFERRED TO

Estate in Fee Simple in the part of Lot 4 in Deposited Plan 7002 shown in the plan hereon in the Shire of Warringah Parish of Manly Cove and County of Cumberland being part of Portion 52 granted to James Wheeler on 18-4-1842.

FIRST SCHEDULE

MILLARS  LIMITED.

SECOND SCHEDULE

1. Reservations and conditions, if any, contained in the Crown Grant above referred to.

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

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



NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

15/9/2021 6:41PM

FOLIO: 3/710661

First Title(s): OLD SYSTEM

Prior Title(s): VOL 9907 FOLS 80-82 VOL 13373 FOL 137

Recorded -----	Number -----	Type of Instrument -----	C.T. Issue -----
26/6/1985	DP710661	DEPOSITED PLAN	FOLIO CREATED EDITION 1
11/5/1987	SP32071	STRATA PLAN	FOLIO CANCELLED
27/8/1997		AMENDMENT: LOCAL GOVT AREA	

*** END OF SEARCH ***



FOLIO: CP/SP32071

SEARCH DATE	TIME	EDITION NO	DATE
15/9/2021	7:14 PM	4	3/7/2015

LAND

THE COMMON PROPERTY IN THE STRATA SCHEME BASED ON STRATA PLAN 32071
WITHIN THE PARCEL SHOWN IN THE TITLE DIAGRAM

AT DEE WHY
LOCAL GOVERNMENT AREA NORTHERN BEACHES
PARISH OF MANLY COVE COUNTY OF CUMBERLAND
TITLE DIAGRAM SHEET 1 SP32071

FIRST SCHEDULE

THE OWNERS - STRATA PLAN NO. 32071
ADDRESS FOR SERVICE OF DOCUMENTS:
4 DELMAR PARADE
DEE WHY 2099

SECOND SCHEDULE (7 NOTIFICATIONS)

- RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- ATTENTION IS DIRECTED TO BY-LAWS SET OUT IN SCHEDULE 2 STRATA SCHEMES MANAGEMENT REGULATION 2016
- EASEMENT(S) AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM CREATED BY:
 - DP710661 -RIGHT OF CARRIAGEWAY
 - DP710661 -TO DRAIN WATER 3 WIDE
 - DP710661 -TO DRAIN WATER 2 WIDE
- EASEMENT(S) APPURTENANT TO THE LAND ABOVE DESCRIBED CREATED BY:
 - DP710661 -RIGHT OF CARRIAGEWAY
- AC398481 CHANGE OF BY-LAWS
- AJ559933 CHANGE OF BY-LAWS
- AJ624186 CHANGE OF BY-LAWS

SCHEDULE OF UNIT ENTITLEMENT (AGGREGATE: 102)

STRATA PLAN 32071

LOT	ENT	LOT	ENT	LOT	ENT	LOT	ENT
1	- 11	2	- 12	3	- 12	4	- 12
5	- 10	6	- 12	7	- 10	8	- 12
9	- 11						

END OF PAGE 1 - CONTINUED OVER



NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

16/9/2021 6:15PM

FOLIO: 2/710661

First Title(s): OLD SYSTEM

Prior Title(s): VOL 9907 FOLS 80-81

Recorded -----	Number -----	Type of Instrument -----	C.T. Issue -----
26/6/1985	DP710661	DEPOSITED PLAN	FOLIO CREATED EDITION 1
18/8/1986	DP638872	DEPOSITED PLAN	EDITION 2
17/3/1987	W765037	CAVEAT	
8/5/1987	SP32072	STRATA PLAN	FOLIO CANCELLED
27/8/1997		AMENDMENT: LOCAL GOVT AREA	

*** END OF SEARCH ***

FOLIO: CP/SP32071

PAGE 2

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

Dee Why 4 Delmar Parade

PRINTED ON 15/9/2021

* 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. triSearch 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.



FOLIO: CP/SP32072

SEARCH DATE	TIME	EDITION NO	DATE
16/9/2021	6:10 PM	7	23/9/2014

LAND

THE COMMON PROPERTY IN THE STRATA SCHEME BASED ON STRATA PLAN 32072
WITHIN THE PARCEL SHOWN IN THE TITLE DIAGRAM

AT DEE WHY
LOCAL GOVERNMENT AREA NORTHERN BEACHES
PARISH OF MANLY COVE COUNTY OF CUMBERLAND
TITLE DIAGRAM SHEET 1 SP32072

FIRST SCHEDULE

THE OWNERS - STRATA PLAN NO. 32072
ADDRESS FOR SERVICE OF DOCUMENTS:
C/- MASON & BROPHY STRATA MANAGEMENT PTY LTD
PO BOX 567
DEE WHY NSW 2099

SECOND SCHEDULE (8 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 ATTENTION IS DIRECTED TO BY-LAWS SET OUT IN SCHEDULE 2 STRATA SCHEMES MANAGEMENT REGULATION 2016
- 3 EASEMENT(S) APPURTENANT TO THE LAND ABOVE DESCRIBED CREATED BY:
 - DP710661 -RIGHT OF CARRIAGEWAY
 - DP710661 -TO DRAIN WATER 3 WIDE
 - DP710661 -TO DRAIN WATER 2 WIDE
- 4 EASEMENT(S) AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM CREATED BY:
 - DP710661 -RIGHT OF CARRIAGEWAY
 - DP710661 -TO DRAIN WATER
 - DP638872 -FOR ELECTRICITY SUPPLY
- 5 3108809 CHANGE OF BY-LAWS
- 6 9859667 CHANGE OF BY-LAWS
- 7 AA270536 CHANGE OF BY-LAWS
- 8 AI913447 CHANGE OF BY-LAWS

SCHEDULE OF UNIT ENTITLEMENT (AGGREGATE: 100)

STRATA PLAN 32072

LOT	ENT	LOT	ENT	LOT	ENT	LOT	ENT
1	- SP54641	2	- 6	3	- SP54641	4	- 7
5	- 7	6	- 8	7	- 8	8	- 7

END OF PAGE 1 - CONTINUED OVER

FOLIO: CP/SP32072

PAGE 2

SCHEDULE OF UNIT ENTITLEMENT (AGGREGATE: 100) (CONTINUED)

STRATA PLAN 32072

LOT	ENT	LOT	ENT	LOT	ENT	LOT	ENT
9	- 7	10	- 7	11	- 8	12	- 8

STRATA PLAN 54641

LOT	ENT	LOT	ENT
13	- 17	14	- 10

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

Dee Why 4 Delmar Parade

PRINTED ON 16/9/2021

* 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. triSearch 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.

Summary of Owners Report

Address: - Delmar Dee Why

Description: - Strata Plan 32071 & Strata Plan 32072

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

<u>Date of Acquisition and term held</u>	<u>Registered Proprietor(s) & Occupations where available</u>	<u>Reference to Title at Acquisition and sale</u>
26.07.1920 (1920 to 1957)	Thomas Murray (Telegraph Linesman)	Vol 3080 Fol 189
05.03.1957 (1957 to 1960)	James Noel Murray (Accountant) Sheila Maureen Holland (Married Woman) (Section 94 Application not investigated)	Vol 3080 Fol 189
26.08.1960 (1960 to 1984)	Whitakers Pty Limited	Vol 3080 Fol 189 Now Vol 9907 Fol's 80 to 82
27.06.1984 (1984 to 1987)	Mandra Holdings Pty Limited	Vol 9907 Fol's 80 to 82 Now 2/710661 & 3/710661

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

<u>Date of Acquisition and term held</u>	<u>Registered Proprietor(s) & Occupations where available</u>	<u>Reference to Title at Acquisition and sale</u>
24.09.1925 (1925 to 1929)	Whitaker Hayman and Company Limited	Vol 3134 Fol 216
11.04.1929 (1929 to 1932)	Whitaker & Hayman Limited	Vol 3134 Fol 216
12.10.1932 (1932 to 1984)	Whitakers Now Whitakers Pty Limited	Vol 3134 Fol 216 Now Vol 9907 Fol 80
27.06.1984 (1984 to 1987)	Mandra Holdings Pty Limited	Vol 9907 Fol 80 Now 2/710661 & 3/710661

As regards the part numbered (3) on the attached Cadastral Records Enquiry Report.

<u>Date of Acquisition and term held</u>	<u>Registered Proprietor(s) & Occupations where available</u>	<u>Reference to Title at Acquisition and sale</u>
27.09.1927 (1927 to 1929)	Whitaker Hayman and Company Limited	Vol 4057 Fol 239
11.04.1929 (1929 to 1932)	Whitaker & Hayman Limited	Vol 4057 Fol 239
12.10.1932 (1932 to 1984)	Whitakers Now Whitakers Pty Limited	Vol 4057 Fol 239 Now Vol 9907 Fol 80
27.06.1984 (1984 to 1987)	Mandra Holdings Pty Limited	Vol 9907 Fol 80 Now 2/710661

As regards the part numbered (4) on the attached Cadastral Records Enquiry Report.

<u>Date of Acquisition and term held</u>	<u>Registered Proprietor(s) & Occupations where available</u>	<u>Reference to Title at Acquisition and sale</u>
28.06.1926 (1926 to 1929)	Whitaker Hayman and Company Limited	Vol 3062 Fol 230
11.04.1929 (1929 to 1932)	Whitaker & Hayman Limited	Vol 3062 Fol 230
12.10.1932 (1932 to 1984)	Whitakers Now Whitakers Pty Limited	Vol 3062 Fol 230 Now Vol 9907 Fol 80
27.06.1984 (1984 to 1987)	Mandra Holdings Pty Limited	Vol 9907 Fol 80 Now 2/710661 & 3/710661

As regards the part numbered (5) on the attached Cadastral Records Enquiry Report.

<u>Date of Acquisition and term held</u>	<u>Registered Proprietor(s) & Occupations where available</u>	<u>Reference to Title at Acquisition and sale</u>
20.03.1923 (1923 to 1959)	William Barber Cook (Tram Driver) Alice Cook (Married Woman)	Vol 3431 Fol 183
23.10.1959 (1959 to 1959)	Ellen Mary Cook (Widow) (Section 94 Application not investigated)	Vol 3431 Fol 183
30.03.1961 (1961 to 1963)	Ellen Mary Cook (Widow) – for her life After for William Aubrey Cook (Baker's Carrier) Neville Clive Cook (French Polisher) Keith George Cook (Carpenter)	Vol 3431 Fol 183 Now Vol 8194 Fol's 114 & 115
18.11.1963 (1963 to 1984)	Whitakers Pty Limited	Vol 8194 Fol's 114 & 115 Now Vol 9907 Fol 80
27.06.1984 (1984 to 1987)	Mandra Holdings Pty Limited	Vol 9907 Fol 80 Now 3/710661

As regards the part numbered (6) on the attached Cadastral Records Enquiry Report.

<u>Date of Acquisition and term held</u>	<u>Registered Proprietor(s) & Occupations where available</u>	<u>Reference to Title at Acquisition and sale</u>
24.06.1930 (1930 to 1954)	Mary Ellen Bailey (Married Woman)	Vol 3036 Fol 104
18.06.1954 (1954 to 1957)	Clara Amelia Stubbs (Widow) (Transmission Application not investigated)	Vol 3036 Fol 104
10.06.1957 (1957 to 1966)	Phoebe Minnie Easton (Married Woman) (& her deceased estate)	Vol 3036 Fol 104
09.06.1966 (1966 to 1977)	Caterina Bombardiere (Married Woman)	Vol 3036 Fol 104
27.06.1977 (1977 to 1984)	Millers Pty Limited	Vol 3036 Fol 104 Now Vol 13373 Fol 137
27.06.1984 (1984 to 1987)	Mandra Holdings Pty Limited	Vol 13373 Fol 137 Now 3/710661

Continued as regards the part numbered (6) on the attached Cadastral Records Enquiry Report.

Leases: -

- 07.02.1949 to Whitakers Pty Limited, of part – expired 18.06.1954.
- 10.01.1960 to Whitakers Pty Limited, of part – expired 01.06.1968.

As regards the part numbered (7) on the attached Cadastral Records Enquiry Report.

<u>Date of Acquisition and term held</u>	<u>Registered Proprietor(s) & Occupations where available</u>	<u>Reference to Title at Acquisition and sale</u>
09.08.1929 (1929 to 1932)	Whitaker & Hayman Limited	Vol 2999 Fol 75
12.10.1932 (1932 to 1984)	Whitakers Now Whitakers Pty Limited	Vol 2999 Fol 75 Now Vol 9907 Fol 80
27.06.1984 (1984 to 1987)	Mandra Holdings Pty Limited	Vol 9907 Fol 80 Now 3/710661

Continued as regards Strata Plan No. 32071.

<u>Date of Acquisition and term held</u>	<u>Registered Proprietor(s) & Occupations where available</u>	<u>Reference to Title at Acquisition and sale</u>
27.06.1987	Registration of Strata Plan No. 32071	3/710661
	<u>Search continued as regards the Common Property Areas only</u>	
27.06.1987 (1987 to date)	# The Proprietors - Strata Plan No. 32071	3/710661 Now CP/SP 32071

Denotes current registered proprietor

Leases, continued: - NIL

Easements: -

- 26.09.1985 (D.P. 710661) Right of Carriageway.
- 26.09.1985 (D.P. 710661) Easement to Drain Water 3 wide.
- 26.09.1985 (D.P. 710661) Easement to Drain Water 2 wide

Continued over.

Continued as regards Strata Plan No. 32072.

<u>Date of Acquisition and term held</u>	<u>Registered Proprietor(s) & Occupations where available</u>	<u>Reference to Title at Acquisition and sale</u>
07.05.1987	Registration of Strata Plan No. 32072	2/710661
	<u>Search continued as regards the Common Property Areas only</u>	
07.05.1987 (1987 to date)	# The Proprietors - Strata Plan No. 32072	2/710661 Now CP/SP 32072

Denotes current registered proprietor

Leases, continued: - NIL

Easements: -

- 26.09.1985 (D.P. 710661) Right of Carriageway.
- 26.09.1985 (D.P. 710661) Easement to Drain Water.
- 18.08.1986 (D.P. 638872) Easement for Electricity Supply.

Yours Sincerely
Mark Groll
16 September 2021



Appendix E – Planning Certificate

Northern Beaches Council Planning Certificate – Part 2&5

Applicant: Reditus Consulting
Suite 1 11-15 Gray Street
SUTHERLAND NSW 2232

Reference: 21181-section 10.7
Date: 13/09/2021
Certificate No. ePLC2021/7136

Address of Property: 4 Delmar Parade DEE WHY NSW 2099
Description of Property: Lot CP SP 32071

Planning Certificate – Part 2

The following certificate is issued under the provisions of Section 10.7(2) of the *Environmental Planning and Assessment Act 1979* (as amended – formerly Section 149). The information applicable to the land is accurate as at the above date.

1. Relevant planning instruments and Development Control Plans

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

1.1a) Local Environmental Plan

Warringah Local Environmental Plan 2011

1.1b) State Environmental Planning Policies and Regional Environmental Plans

State Environmental Planning Policy 19 – Bushland in Urban Areas
State Environmental Planning Policy 21 – Caravan Parks
State Environmental Planning Policy 33 – Hazardous and Offensive Development
State Environmental Planning Policy 50 – Canal Estate Development
State Environmental Planning Policy 55 – Remediation of Land
State Environmental Planning Policy 64 – Advertising and Signage
State Environmental Planning Policy 65 – Design Quality of Residential Apartment Development
State Environmental Planning Policy No 70—Affordable Housing (Revised Schemes)
State Environmental Planning Policy (Affordable Rental Housing) 2009
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004
State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007
State Environmental Planning Policy (State and Regional Development) 2011
State Environmental Planning Policy (State Significant Precincts) 2005
State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017
State Environmental Planning Policy (Primary Production and Rural Development) 2019
State Environmental Planning Policy (Koala Habitat Protection) 2019
Sydney Regional Environmental Plan No 20-Hawkesbury-Nepean River (No 2-1997)
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005
Sydney Regional Environmental Plan No 9-Extractive Industry (No 2-1995)

1.2 Draft Environmental Planning Instruments

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 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):

1.2 a) Draft State Environmental Planning Policies

Draft State Environmental Planning Policy (Environment)
Draft State Environmental Planning Policy (Short-term Rental Accommodation) 2019
Amendment to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
Draft Remediation of Land State Environmental Planning Policy (intended to replace State Environmental Planning Policy 55)

1.2 b) Draft Local Environmental Plans

Planning Proposal - Manly Warringah War Memorial State Park (Wakehurst Parkway, Allambie Heights)

Applies to: Crown Land: Lots 76 and 77 DP 504237; Lot 2 DP 710023.

Outline: Proposed amendment to WLEP 2011 to:

- Amend Land Zoning Map to change the zoning from R2 (Low Density Residential) to RE1 (Public Recreation) for Lots 76 and 77 DP 504237, Lot 2 DP 710023.
- Amend Height of Building Map and Minimum Lot Size Map to remove the residential development standards for height and minimum lot size from all of the subject lots.

Council resolution: 28 May 2019, 29 September 2020

Gateway Determination: 21 February 2021

1.3 Development Control Plans

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

Warringah Development Control Plan 2011

2. Zoning and land use under relevant Local Environmental Plans

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

2.1 Zoning and land use under relevant Local Environmental Plans

2.1 (a), (b), (c) & (d)

The following information identifies the purposes for which development may be carried out with or without development consent and the purposes for which the carrying out of development is prohibited, for all zones (however described) affecting the land to which the relevant Local Environmental Plan applies.

EXTRACT FROM WARRINGAH LOCAL ENVIRONMENTAL PLAN 2011

Zone B4 Mixed Use

1 Objectives of zone

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To reinforce the role of Dee Why as the major centre in the sub-region by the treatment of public spaces, the scale and intensity of development, the focus of civic activity and the arrangement of land uses.
- To promote building design that creates active building fronts, contributes to the life of streets and public spaces and creates environments that are appropriate to human scale as well as being comfortable, interesting and safe.
- To promote a land use pattern that is characterised by shops, restaurants and business premises on the ground floor and housing and offices on the upper floors of buildings.
- To encourage site amalgamations to facilitate new development and to facilitate the provision of car parking below ground.

2 Permitted without consent

Home-based child care; Home occupations

3 Permitted with consent

Boarding houses; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Residential flat buildings; Respite day care centres; Restricted premises; Roads; Seniors housing; Shop top housing; Any other development not specified in item 2 or 4

4 Prohibited

Advertising structures; Agriculture; Air transport facilities; Animal boarding or training establishments; Boat building and repair facilities; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Environmental facilities; Exhibition villages; Extractive industries; Forestry; Freight transport facilities; Heavy industrial storage establishments; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Marinas; Mooring pens; Moorings; Open cut mining; Port facilities; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Residential accommodation; Rural industries; Service stations; Sex services premises; Storage premises; Transport depots; Vehicle body repair workshops; Vehicle repair stations; Waste or resource management facilities; Water recreation structures; Wharf or boating facilities; Wholesale supplies

Additional permitted uses

Additional permitted uses, if any, for which development is permissible with development consent pursuant to Clause 2.5 and Schedule 1 of the relevant Local Environmental Plan:

Nil

(e) Minimum land dimensions

The *Warringah Local Environmental Plan 2011* contains no development standard that fixes minimum land dimensions for the erection of a dwelling house on the land.

(f) Critical habitat

The land does not include or comprise critical habitat.

(g) Conservation areas

The land is not in a heritage conservation area.

(h) Item of environmental heritage

The land does not contain an item of environmental heritage.

2.2 Draft Local Environmental Plan - if any

For any proposed changes to zoning and land use, see Part 1.2 b)

Please contact Council's Strategic and Place Planning unit with enquiries on 1300 434 434.

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

The *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* does not apply to the land.

3. Complying Development

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

a) Housing Code

Complying Development under the Housing Code may be carried out on all of the land.

b) Rural Housing Code

Complying Development under the Rural Housing Code may be carried out on all of the land.

c) Low Rise Housing Diversity Code

Complying Development under the Low Rise Housing Diversity Code may be carried out on all of the land.

d) Greenfield Housing Code

Complying Development under the Greenfield Housing Code may not be carried out on all of the land.

e) Housing Alterations Code

Complying Development under the Housing Alterations Code may be carried out on all of the land.

f) General Development Code

Complying Development under the General Development Code may be carried out on all of the land.

g) Commercial and Industrial Alterations Code

Complying Development under the Commercial and Industrial Alterations Code may be carried out on all of the land.

h) 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 all of the land.

i) Container Recycling Facilities Code

Complying Development under the Container Recycling Facilities Code may be carried out on all of the land.

j) Subdivisions Code

Complying Development under the Subdivisions Code may be carried out on all of the land.

k) Demolition Code

Complying Development under the Demolition Code may be carried out on all of the land.

l) Fire Safety Code

Complying Development under the Fire Safety Code may be carried out on all of the land.

m) Inland Code

Complying Development under the Inland Code does not apply to the land.

Note: Pursuant to clause 3D.1 of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, the Inland Code only applies to 'inland local government areas'. Northern Beaches local government area is not defined as an 'inland local government area' by *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

4, 4A (Repealed)

4B. Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

The owner of the land (or any previous owner) has not consented in writing to the land being subject to annual charges under section 496B of the *Local Government Act 1993* for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

5. Mine Subsidence

The land has not been proclaimed to be a mine Subsidence (Mine Subsidence) district within the meaning of section 15 of the *Mine Subsidence (Mine Subsidence) Compensation Act, 1961*.

6. Road widening and road realignment

- (a) The land is not affected by a road widening or re-alignment proposal under Division 2 of Part 3 of the *Roads Act 1993*.
- (b) The land is not affected by a road widening or re-alignment proposal under an environmental planning instrument.
- (c) The land is not affected by a road widening or re-alignment proposal under a resolution of Council.

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

- (a) Council has adopted a number of policies with regard to various hazards or risks which may restrict development on this land. The identified hazard or risk and the respective Council policies which affect the property, if any, are listed below (other than flooding – see 7A):

Nil

- (b) The following information applies to any policy as 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 a planning certificate issued by the Council. The identified hazard or risk and the respective Policy which affect the property, if any, are listed below:

Nil

7A. Flood related development control Information

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

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

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

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

8. Land reserved for acquisition

Environmental planning instrument referred to in Clause 1 does not make provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the Act.

9. Contribution plans

The following applies to the land:

Dee Why Town Centre Contributions Plan - in force 13 July 2019

This Plan was approved to fund the delivery of local infrastructure to support growth in the Dee Why Town Centre.

9A. Biodiversity certified land

The land is not biodiversity certified land under Part 8 of the *Biodiversity Conservation Act 2016* (includes land certified under Part 7AA of the repealed *Threatened Species Conservation Act 1995*).

10. Biodiversity Stewardship Sites

The Council has not been notified by the Chief Executive of the Office of Environment and Heritage that the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the *Biodiversity Conservation Act 2016* (includes land to which a biobanking agreement under Part 7A of the repealed *Threatened Species Conservation Act 1995* relates).

10A. Native vegetation clearing set asides

Council has not been notified by Local Land Services of the existence of a set aside area under section 60ZC of the *Local Land Services Act 2013*.

11. Bush fire prone land

Bush Fire Prone Land

The land is not bush fire prone land.

12. Property vegetation plans

The Council has not been notified that the land is land to which a vegetation plan under the *Native Vegetation Act 2003* applies.

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

Council has not been notified of the existence of an order made under the *Trees (Disputes Between Neighbours) Act 2006* to carry out work in relation to a tree on the land.

14. Directions under Part 3A

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

15. Site compatibility certificates and conditions for seniors housing

- (a) There is not a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land.
- (b) No condition of consent applies to the property that limits the kind of people who may occupy the premises/ development. This refers only to consents granted after 11 October 2007 with conditions made in accordance with clause 18(2) of *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*.

16. Site compatibility certificates for infrastructure, schools or TAFE establishments

There is not a valid site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments), of which the council is aware, in respect of proposed development on the land.

17. Site compatibility certificate and conditions for affordable rental housing

- (a) There is not a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land.
- (b) There are not 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

There is no current paper subdivision, of which council is aware, in respect of this land according to Part 16C of the *Environmental Planning and Assessment Regulation 2000*.

19. Site verification certificates

There is no current site verification certificate, of which council is aware, in respect of the land according to Part 4AA of the *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*.

20. Loose-fill asbestos insulation

The residential dwelling erected on this land has not been identified in the Loose-Fill Asbestos Insulation Register as containing loose-fill asbestos ceiling insulation.

This clause applies to residential premises (within the meaning of Division 1A of part 8 of the Home Building Act 1989) that are listed in the register that is required to be maintained under that Division.

Contact NSW Fair Trading for more information.

21 Affected building notices and building product rectification orders

- 1) There is not an affected building notice of which the council is aware that is in force in respect of the land.
- 2) There is not a building product rectification order of which the council is aware that is in force in respect of the land and has not been fully complied with, and
- 3) There is not a notice of intention to make a building product rectification order of which the council is aware has been given in respect of the land and is outstanding.

In this clause:

affected building notice has the same meaning as in Part 4 of the *Building Products (Safety) Act 2017*.

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

Additional matters under the Contaminated Land Management Act 1997

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) the land to which the certificate relates is not significantly contaminated land within the meaning of that Act
- (b) the land to which the certificate relates is not subject to a management order within the meaning of that Act
- (c) the land to which the certificate relates is not the subject of an approved voluntary management proposal within the meaning of that Act
- (d) the land to which the certificate relates is not subject to an ongoing maintenance order within the meaning of that Act
- (e) the land to which the certificate relates is not the subject of a site audit statement

If contamination is identified above please contact the Environmental Protection Authority (EPA) for further information.

Planning Certificate – Part 5

ePLC2021/7136

The following is information provided in good faith under the provisions of Section 10.7(5) of the *Environmental Planning and Assessment Act 1979* (as amended – formerly Section 149) and lists relevant matters affecting the land of which Council is aware. The Council shall not incur any liability in respect of any such advice.

Persons relying on this certificate should read the environmental planning instruments referred to in this certificate.

Company Title Subdivision

Clause 4.1 of the *Pittwater Local Environmental Plan 2014*, *Warringah Local Environmental Plan 2011* or *Manly Local Environmental Plan 2013* provides that land may not be subdivided except with the consent of the Council. This includes subdivision by way of company title schemes.

Persons considering purchasing property in the Northern Beaches local government area the subject of a company title scheme are advised to check that the land has been subdivided with the consent of the Council.

District Planning

Under the Greater Sydney Regional Plan – A Metropolis of Three Cities 2018, the Greater Sydney Commission sets a planning framework for a metropolis of three cities across Greater Sydney which reach across five Districts. Northern Beaches is located within the ‘Eastern Harbour City’ area and is in the North District which forms a large part of the Eastern Harbour City. The North District Plan sets out planning priorities and actions for the growth of the North District, including Northern Beaches. Northern Beaches Council’s Local Strategic Planning Statement gives effect to the District Plan based on local characteristics and opportunities and Council’s own priorities in the community. The Local Strategic Planning Statement came into effect on 26 March 2020.

Council Resolution To Amend Environmental Planning Instrument

The following instrument or resolution of Council proposes to vary the provisions of an environmental planning instrument, other than as referred to in the Planning Certificate – Part 2:

Planning Proposal - rezone deferred land within the Oxford Falls Valley & Belrose North area

Applies to land: Land within the B2 Oxford Falls Valley and C8 Belrose North localities of WLEP 2000 and land zoned E4 Environmental Living under WLEP 2011 at Cottage Point (Boundaries identified within the Planning Proposal)

Outline: Amends WLEP 2000 and WLEP 2011 to:

- Transfer the planning controls for land within the B2 Oxford Falls Valley and C8 Belrose North localities of WLEP 2000 into the best fit zones and land use controls under WLEP 2011
- Rezone the majority of the subject land to E3 Environmental Management under WLEP 2011
- Rezone smaller parcels of land to E4 Environmental Living, RU4 Primary Production Small Lots, SP2 Infrastructure, SP1 Special Activities, R5 Large Lot Residential and R2 Low Density Residential under WLEP 2011
- Include various parcels of land as having additional permitted uses under Schedule 1 of WLEP 2011

Council resolution: 24 February 2015

Planning Proposal - Pittwater Road and Albert Street, Narrabeen

Applies to: 1294 - 1300 Pittwater Road and 2 - 4 Albert Street, Narrabeen

Outline: Amends WLEP 2011 to:

- Amend Height of Building Map to increase height from 8.5m to 11m (excluding lot 1 DP613544 and part lot 8C DP200030).
- Amend Schedule 1 to allow “shop top housing” on the site.
- To seek an affordable housing contribution in conjunction with future redevelopment of the land.

Council resolution: 28 May 2019

Additional Information Applying To The Land

Additional information, if any, relating to the land the subject of this certificate:

Nil

General Information

Threatened Species

Many threatened species identified under the *Biodiversity Conservation Act 2016* (NSW) and Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth) are found within the former Local Government Area of Warringah (now part of Northern Beaches). Council's Natural Environment unit can be contacted to determine whether any site specific information is available for this property. Records of threatened flora and fauna are also available from the NSW Office of Environment and Heritage's Atlas of NSW Wildlife database: <<http://www.bionet.nsw.gov.au>>

Potential threatened species could include:

(a) threatened species as described in the final determination of the scientific committee to list endangered and vulnerable species under Schedule 1 of the *Biodiversity Conservation Act 2016*, and/or

(b) one or more of the following threatened ecological communities as described in the final determination of the scientific committee to list the ecological communities under Schedule 2 of the *Biodiversity Conservation Act 2016*:

- Duffys Forest Ecological Community in the Sydney Basin Bioregion
- Swamp Sclerophyll Forest on Coastal Floodplain
- Coastal Saltmarsh of the Sydney Basin Bioregion
- Swamp Oak Floodplain Forest
- Bangalay Sand Forest of the Sydney Basin Bioregion
- Themeda grasslands on Seacliffs and Coastal Headlands
- Sydney Freshwater Wetlands in the Sydney Basin Bioregion
- Coastal Upland Swamp in the Sydney Basin Bioregion
- River-Flat Eucalypt Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions

Bush fire

Certain development may require further consideration under section 79BA or section 91 of the Environmental Planning and Assessment Act 1979, and section 100B of the Rural Fires Act, 1997 with respect to bush fire matters. Contact NSW Rural Fire Service.

Aboriginal Heritage

Many Aboriginal objects are found within the Local Government Area. It is prudent for the purchaser of land to make an enquiry with the Office of Environment and Heritage as to whether any known Aboriginal objects are located on the subject land or whether the land has been declared as an Aboriginal place under the *National Parks and Wildlife Act 1974* (NSW). The carrying out of works may be prevented on land which is likely to significantly affect an Aboriginal object or Aboriginal place. For information relating to Aboriginal sites and objects across NSW, contact: Aboriginal Heritage Information Management System (AHIMS) on (02) 9585 6345 or email AHIMS@environment.nsw.gov.au. Alternatively visit

<http://www.environment.nsw.gov.au/licences/AboriginalHeritageInformationManagementSystem.htm>.

Coastal Erosion

Information available to Council indicates coastal erosion may affect a greater number of properties and may present an increased risk to properties than that shown on published hazard maps of the Warringah coastline. Council's Natural Environment Unit can be contacted for further information.

A handwritten signature in black ink, appearing to read 'Ray Brownlee', with a long horizontal stroke extending to the right.

Ray Brownlee PSM
Chief Executive Officer
13/09/2021



Appendix F – WorkSafe NSW Dangerous Goods Record Search



Appendix G – POEO & CLM Register Search

[Home](#) [Public registers](#) [Contaminated land record of notices](#)

Search results

Your search for: Suburb: DEE WHY

Matched 9 notices relating to 2 sites.

[Search Again](#)

[Refine Search](#)

Suburb	Address	Site Name	Notices related to this site
DEE WHY	Inman ROAD	Roche Products Dee Why Facility	3 current and 5 former
DEE WHY	148 Pacific Parade STREET	United Dee Why	1 current

Page 1 of 1

8 October 2021

For business and industry ^

For local government ^

Contact us

131 555 (tel:131555)

[Online \(https://yoursay.epa.nsw.gov.au/epa-website-feedback\)](https://yoursay.epa.nsw.gov.au/epa-website-feedback)

[info@epa.nsw.gov.au \(mailto:info@epa.nsw.gov.au\)](mailto:info@epa.nsw.gov.au)

[EPA Office Locations \(https://www.epa.nsw.gov.au/about-us/contact-us/locations\)](https://www.epa.nsw.gov.au/about-us/contact-us/locations)

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in

(<https://au.linkedin.com/company/nsw-environment-protection-authority>)



authority-

(https://twitter.com/Nsw_EPA)



(https://www.youtube.com/channel/UCSp4Hv1erL0w1N6Wt_EPA)

Find us on

[Home](#) [Public registers](#) [Contaminated land record of notices](#)

Site and notice details

Your search for: Suburb: DEE WHY 9 notices on 2 sites were matched.

[Return to list of search results](#)

Area No: 3457

The information below was correct at the time the notices were issued.

Site: United Dee Why

Address: 148 Pacific Parade STREET, DEE WHY

LGA: NORTHERN BEACHES

Occupier: United Petroleum Pty Ltd

Owner: Michael Spindel

Notices relating to this site (1 current and 0 former)

(Map) where available, maps show the part of the site affected by the notice
* notice matched search criteria

Notice recipient	Notice type & number	Status	Date
Not Applicable	Declaration of Significantly Contaminated Land * 20201105 Map	Current	Issued 14 Sep 2020

8 October 2021

For business and industry ^

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>)

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Declaration of significantly contaminated land

Section 11 of the *Contaminated Land Management Act 1997*
Declaration No. 20201105; Area No. 3457

The Environment Protection Authority (EPA) declares the following land to be significantly contaminated land under s 11 of the *Contaminated Land Management Act 1997* (Act).

Land to which this Declaration applies

1. This Declaration applies to significantly contaminated land described as Lot 23 DP738226, Northern Beaches Local Government Area, 148 Pacific Parade, and part of Lot 14 DP6167 (Land).
2. A [map](#) of the Land is attached to this Declaration.

Significant Contaminants affecting the Land

3. The EPA has reason to believe that the Land is contaminated with the following substances (Significant Contaminants) in such a way as to warrant regulation as significantly contaminated land under the Act:
 - (i) Petroleum hydrocarbons including total recoverable hydrocarbons (TRH), and benzene, toluene, ethylbenzene and xylenes.

Nature of harm caused, or that may be caused, by the Significant Contaminants

4. The EPA has reason to believe harm has been caused by the Significant Contaminants, including:
 - (i) Petroleum hydrocarbons have entered soil and groundwater. Concentrations of Significant Contaminants in the groundwater exceed relevant guideline values and pose a potential risk to human health.
 - (ii) Concentrations of Significant Contaminants, including benzene, toluene, ethylbenzene, in groundwater exceed the relevant drinking water guidelines, degrading the groundwater and limiting its potential beneficial use.
5. The EPA has reason to believe harm may be caused by the Significant Contaminants, including:
 - (i) Free phase petroleum product is present in the sub-surface of the Land. It has the potential to act as an ongoing secondary source of groundwater contamination.
 - (ii) It is likely that the Significant Contaminants may migrate from the Land and cause further degradation of soil and groundwater. Further migration

may complete exposure pathways and pose a risk to human health or the environment.

Matters considered before declaring the Land to be significantly contaminated land

6. Before making this Declaration, the EPA has taken into account relevant guidelines and each of the matters listed in s 12(1) of the Act with respect to the Significant Contaminants that the EPA believes cause the Land to be contaminated.
7. The EPA believes that the Land is contaminated, and that the contamination is significant enough to warrant regulation under the Act for the following reasons.
 - (i) Petroleum products, including toxic constituents such as benzene, toluene, ethylbenzene and xylenes, are present in the sub-surface as light non-aqueous phase liquid and as high dissolved phase concentrations in the groundwater. This has degraded soil and groundwater.
 - (ii) High concentrations of the Significant Contaminants in groundwater, including TRH F1 and F2 fractions, benzene, toluene and ethylbenzene, exceed guideline values that are protective of human health and pose a potential risk.
 - (iii) It is likely that the Significant Contaminants may migrate from the Land. This has the potential to complete exposure pathways and pose a risk to human health or the environment.

Further action to carry out voluntary management under the Act

8. The making of this Declaration does not prevent the carrying out of voluntary management of the Land by any person. Any person may submit a voluntary management proposal for the Land to the EPA.

Submissions invited

9. Any person may make a written submission to the EPA on:
 - whether the EPA should issue a management order in relation to the Land; or
 - any other matter concerning the Land.
10. Submissions should be made in writing and

sent

to: **Email** RegOps.MetroRegulation@epa.nsw.gov.au

www.epa.nsw.gov.au or

Post

Director
Regulatory Operations Metropolitan
Branch Environment Protection
Authority
Locked Bag 5022
PARRAMATTA NSW 2124

11. Submissions should be made by no later than **5:00pm on Monday, 12 October 2020**.

12. Information on contaminated land management can be found on the EPA's website at: www.epa.nsw.gov.au/your-environment/contaminated-land

[Signed]

JAMES GOODWIN
Director Regulatory Operations
Metropolitan
Environment Protection Authority

(by delegation)

Date of this Declaration: 14

September 2020 SERVICE BY

REGISTERED POST

Further information about this Declaration

Management Order may follow

If management of the Land or part of the Land is required, the EPA may issue a Management Order under s 14 of the Act.

Amendment or Repeal

This declaration may be amended or repealed. It remains in force until it is otherwise amended or repealed. The subsequent declaration must state the reasons for the amendment or repeal (s 4 4 of the Act).

Information recorded by the EPA

Section 58 of the Act requires the EPA to maintain a public record. A copy of this significantly contaminated land declaration will be included in the public record and is available for access at the principal office of the EPA and on the EPA's website.

Information recorded by Councils

Section 59(a) of the Act requires the EPA to inform the relevant local Council as soon as practicable of this Declaration. Pursuant to s 59(2)(a) of the Act, land being declared to be significantly contaminated land is a prescribed matter to be specified in a planning certificate issued pursuant to s 10.7 of the *Environmental Planning and Assessment Act 1979*. The EPA is also required to inform the relevant Council as soon as practicable when the declaration is no longer in force. Pursuant to s 59(3) of the *Contaminated Land Management Act 1997*, if a Council includes advice in a planning certificate regarding a declaration of significantly contaminated land that is no longer in force, the Council is to make it clear on the planning certificate that the declaration no longer applies.

Relationship to other regulatory instruments

This Declaration does not affect the provisions of any relevant environmental planning instruments which apply to the land or provisions of any other environmental protection legislation administered by the EPA.

**Map – Declaration Area – United Service Station Dee Why – 148 Pacific Parade Dee Why – Lot 23 DP738226 and part Lot 14 DP6167
(SIX Maps image dated August 2018)**



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Search results

Your search for: **General Search** with the following criteria

Suburb - dee why

returned 10 results

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1 of 1 Pages

[Search Again](#)

Number	Name	Location	Type	Status	Issued date
12312	DYNAMIC PRESS PTY LTD	156 South Creek Road, DEE WHY, NSW 2099	POEO licence	No longer in force	03 May 2005
622	METROMIX PTY. LIMITED	158 SOUTH CREEK ROAD, DEE WHY, NSW 2099	POEO licence	No longer in force	27 Jun 2000
1020	ROCHE PRODUCTS PTY LTD	4-10 INMAN ROAD, DEE WHY, NSW 2099	POEO licence	Surrendered	19 Jun 2000
1019496	ROCHE PRODUCTS PTY LTD	4-10 INMAN ROAD, DEE WHY, NSW 2099	s.58 Licence Variation	Issued	13 Aug 2002
1057327	ROCHE PRODUCTS PTY LTD	4-10 INMAN ROAD, DEE WHY, NSW 2099	s.58 Licence Variation	Issued	07 Apr 2006
1072213	ROCHE PRODUCTS PTY LTD	4-10 INMAN ROAD, DEE WHY, NSW 2099	s.58 Licence Variation	Issued	24 Jul 2007
1084752	ROCHE PRODUCTS PTY LTD	4-10 INMAN ROAD, DEE WHY, NSW 2099	s.80 Surrender of a Licence	Issued	15 Apr 2008
12988	ROCHE PRODUCTS PTY LTD	4-10 Inman Road, DEE WHY, NSW 2099	POEO licence	Surrendered	19 Dec 2008
1521810	ROCHE PRODUCTS PTY LTD	4-10 Inman Road, DEE WHY, NSW 2099	s.80 Surrender of a Licence	Issued	08 May 2014
1572448	UNITED PETROLEUM PTY LTD	148 Pacific Parade, DEE WHY, NSW 2099	s.91 Clean Up Notice	Issued	23 Jan 2019

08 October 2021

For business and industry ^

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>)

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Clean-Up Notice



UNITED PETROLEUM PTY LTD
ACN 085 779 255
600 Glenferrie Road
HAWTHORN VIC 3122

Attention: The Proper Officer

Notice Number 1572448
File Number EF17/2658
Date 23-Jan-2019

Clean-up Notice

Why is the EPA writing to you?

The Environment Protection Authority (EPA) reasonably suspects that a pollution incident has occurred or is occurring on land at the United Dee Why Service Station located at Lot 23 of DP738226, No.148 Pacific Parade (also referred to as 1 The Strand), Dee Why NSW (the site). The EPA has issued you with this Clean-up Notice. Further information is set out in the notice below.

What are you required to do?

Please read this notice carefully and carry out the clean-up action specified in this notice by the date required. If you have any queries about this matter, please contact Elvin Wong on (02) 8275-1520.

BACKGROUND

- A. The Environment Protection Authority ("EPA") is responsible for the administration and enforcement of environment protection legislation, including *the Protection of the Environment Operations Act 1997* (the POEO Act).
- B. The EPA understands that United Petroleum Pty Ltd ("United") currently occupies the site under a lease arrangement. The lease is registered on the land title and expires on 31/01/2027 with a 10-year renewal option.
- C. United is the occupier of the site, in that United has management and control of the site for the purposes of section 91(1)(a) of the POEO Act.

Clean-Up Notice



- D. Subsection 6(3) of the POEO Act provides that the regulations may declare a public authority as the appropriate regulatory authority (ARA) for certain matters. Clause 91 of the Protection of the Environment Operations (General) Regulation 2009 declares the EPA to be the ARA for any matter arising under the Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2014 (the UPSS Regulation).
- E. Petroleum hydrocarbon contamination has been found on the site at the groundwater wells of MW02, MW03, MW04, MW05, MW09A, and MW10A as per Figure 1 of the Report under item H (ii) below. The EPA reasonably suspects that such contamination is likely to be associated with the use of the adjacent underground petroleum storage systems (UPSS) in the course of operating the service station at the site. Therefore, the EPA is the ARA for this matter. Figure 1 is reproduced in **Attachment 1** to this notice.
- F. On 24 January 2017, the owner of the site notified the EPA that the site is contaminated under section 60 of the *Contaminated Land Management Act 1997* (CLM Act).
- G. The owner of the site submitted a report by prepared by JBS&G titled *L01 United Dee Why S.60 notification* dated 25 January 2017 (the contamination report) with the following attachments:
- i. Attachment A: Section 60 notification form;
 - ii. Attachment B: MassTech UPSS Precision Test Report dated 2 April 2003 certifying all tanks and line have passed the tests;
 - iii. Attachment C: Groundwater Monitoring Event and Human and Ecological Health Risk Assessment, prepared for BP Australia Pty Ltd by OTEK Australia Pty Ltd dated 29 April 2003;
 - iv. Attachment D: Parsons Brinckerhoff UPSS Program Q3 Aug 2016; and
 - v. Attachment E: JBS&G Soil, Groundwater and Soil Vapour Assessment dated 25 January 2017.
- H. On 4 April 2018, United provided the EPA with two groundwater monitoring event reports (the United Reports) at the EPA's request:
- i. *United Petroleum, UPSS Monitoring Q1 2017, Dee Why (The Strand) Service Station* by WSP Parsons Brinckerhoff, November 2017.
 - ii. *United Petroleum Pty Ltd UPSS Monitoring Q3 2017, Dee Why (The Strand)* by WSP, 16 October 2017.
- I. Under the UPSS Regulation a 'storage system' means a system of tanks, pipes, valves and other equipment that is designed:
- i. to contain petroleum, or
 - ii. to control the passage of petroleum into, out of, through or within the system,
- and includes any structure through which petroleum routinely passes from one part of the system to another.
- J. Clause 21 of the UPSS Regulation requires groundwater to be tested for contamination by petroleum and other contaminants of concern on a six-monthly basis. The groundwater monitoring is a compulsory secondary leak detection system designed to detect contamination transmitted from the

Clean-Up Notice



UPSS through soil and reached groundwater, causing pollution to soil or water or both. The United Reports demonstrated the results of the groundwater monitoring undertaken at the site by United between 7 January 2003 to 22 Aug 2017, and other groundwater monitoring results before 2003.

- K. Elevated concentrations of total petroleum hydrocarbons, benzene, toluene, ethyl benzene, xylenes or naphthalene (BTEXN) have been persistently detected at groundwater wells MW02, MW03, MW04, MW05, MW09A, and MW10A as reported by WSP in the United Reports as summarised in **Attachment 2** to this notice.
- L. Petroleum hydrocarbons have been introduced into the groundwater through soils, which has resulted in a change to the physical and chemical condition of the groundwater and have the potential to cause harm to human health and to the environment. Petroleum hydrocarbons have been introduced into the soil, which have the potential to cause harm to human health because petroleum hydrocarbons may contain toxic chemicals such as BTEXN.
- M. Section 91 of the POEO Act empowers the EPA to issue a Clean-up Notice in respect of a pollution incident.
- N. The Dictionary to the POEO Act defines:
 - “Pollution incident” as an incident or set of circumstances during or as a consequence of which there is or is likely to be a leak, spill or other escape or deposit of a substance, as a result of which pollution has occurred, is occurring or is likely to occur. It includes an incident or set of circumstances in which a substance has been placed or disposed of on premises, but it does not include an incident or set of circumstances involving only the emission of any noise.
 - “Pollution” as including land and water pollution.
 - Land pollution or pollution of land means placing in or on, or otherwise introducing into or onto, the land (whether through an act or omission) any matter, whether solid, liquid or gaseous:
 - (a) that causes or is likely to cause degradation of the land, resulting in actual or potential harm to the health or safety of human beings, animals or other terrestrial life or ecosystems, or actual or potential loss or property damage, that is not trivial.
 - ...
 - Water pollution or pollution of waters as (relevantly):
 - (a) placing in or on, or otherwise introducing into or onto, waters (whether through an act or omission) any matter, whether solid, liquid or gaseous, so that the physical, chemical or biological condition of the waters is changed, or
 - ...
 - (c) placing in or on, or otherwise introducing into or onto, the waters (whether through an act or omission) any matter, whether solid, liquid or gaseous, that is of a prescribed nature, description or class or that does not comply with any standard prescribed in respect of that matter.
 - ...

Clean-Up Notice



- ‘waters’ to include underground waters.
- O. The EPA reasonably suspects that a pollution incident has occurred and is occurring at the site because total petroleum hydrocarbons and BTEXN are detected in groundwater at groundwater wells: MW02, MW03, MW04, MW05, MW09A, and MW10A as reported in items H(i) and H(ii) above, and are reasonably suspected to be associated with the UPSS operated at the site. The introduction of petroleum hydrocarbons to the ground water through soils has resulted in a change to the physical and chemical condition of the groundwater (i.e. definition of water pollution), as indicated in the contamination report.
- P. Petroleum products and fuel are dangerous goods (class 3) according to the *Transport of Dangerous Goods Code*, making them prescribed mater for the definition of water pollution as provided by Schedule 5 of the POEO (General) Regulation 2009. Hence the introduction of petroleum hydrocarbons to the ground water has polluted waters.
- Q. The introduction of petroleum hydrocarbon contamination, which may contain toxic chemicals such as BTEXN into the soil has the potential to cause harm to the health of humans (i.e. definition of land pollution).
- R. The EPA is directing you to take clean-up action because you are the occupier of the site.

DIRECTION TO TAKE CLEAN-UP ACTION

The EPA directs UNITED PETROLEUM PTY LTD to take the following clean-up action:

1. Ascertain the nature and extent of petroleum hydrocarbon contamination including BTEXN and other contaminants of concern within and outside the site, subject to consent by the land owner, through:
 - i. A review of site history and statistical inventory reconciliation analysis and incident records to determine the time and durations, locations and estimated volume of fuel releases;
 - ii. A review of all previous groundwater monitoring event results and summary of such results and observations to be presented in a table;
 - iii. Designing and implementing a groundwater sampling program at the site and outside the site and installing additional groundwater wells where necessary.
2. Develop a conceptual site model to input existing and new field data in identifying the hydrocarbon contamination sources, contaminant migration pathways, receptors and exposure mechanisms.
3. Prepare a remedial action plan addressing items as listed under the heading of “Remedial action plan” on page 16 of the *Guidelines for consultants reporting on contaminated sites*, available on the EPA’s website:

Clean-Up Notice



<https://www.epa.nsw.gov.au/~media/EPA/Corporate%20Site/resources/clm/20110650consultantsguidelines.ashx>

4. Prepare a report addressing the above directions 1 to 3 in accordance with the guidelines as follows:

Guidelines made by the EPA:

- iii. Sampling design guidelines (September 1995).
- iv. Guidelines for the assessment and management of groundwater contamination (March 2007).
- v. Guidelines for consultants reporting on contaminated sites (reprinted August 2011).

Guidelines approved by the EPA:

- vi. Australian and New Zealand Guidelines for Fresh and Marine Water Quality, published by ANZECC and the Agriculture and Resource Management Council of Australia and New Zealand, Paper No. 4 (October 2000).
- vii. Australian Drinking Water Guidelines, NHMRC and Natural Resource Management Ministerial Council of Australia and New Zealand (2011).
- viii. National Environment Protection (Assessment of Site Contamination) Measure 1999 (April 2013).

5. The actions specified in directions 1 to 4 must be performed by a certified contaminated land consultant.

Note: information on certified consultant schemes is available on the EPA's website:

<http://www.epa.nsw.gov.au/your-environment/contaminated-land/managing-contaminated-land/engaging-consultant>

6. Submit the report specified in direction 4 to the EPA in writing by **5pm on Friday 28 June 2019**. The report must be submitted to the following address: PO Box A290, Sydney South NSW 1232 or via email to Mr Robert Hogan at contaminated.sites@epa.nsw.gov.au.

FEE TO BE PAID

- You are required by law to pay a fee of \$550 for the administrative costs of issuing this notice. An invoice for the fee has been attached to this notice.
- It is an offence not to pay this fee. However you can apply for an extension of time to pay the fee or for the fee to be waived. At the end of this notice there is information about how and when to pay the fee and how to apply for an extension or a waiver of the fee.

Clean-Up Notice

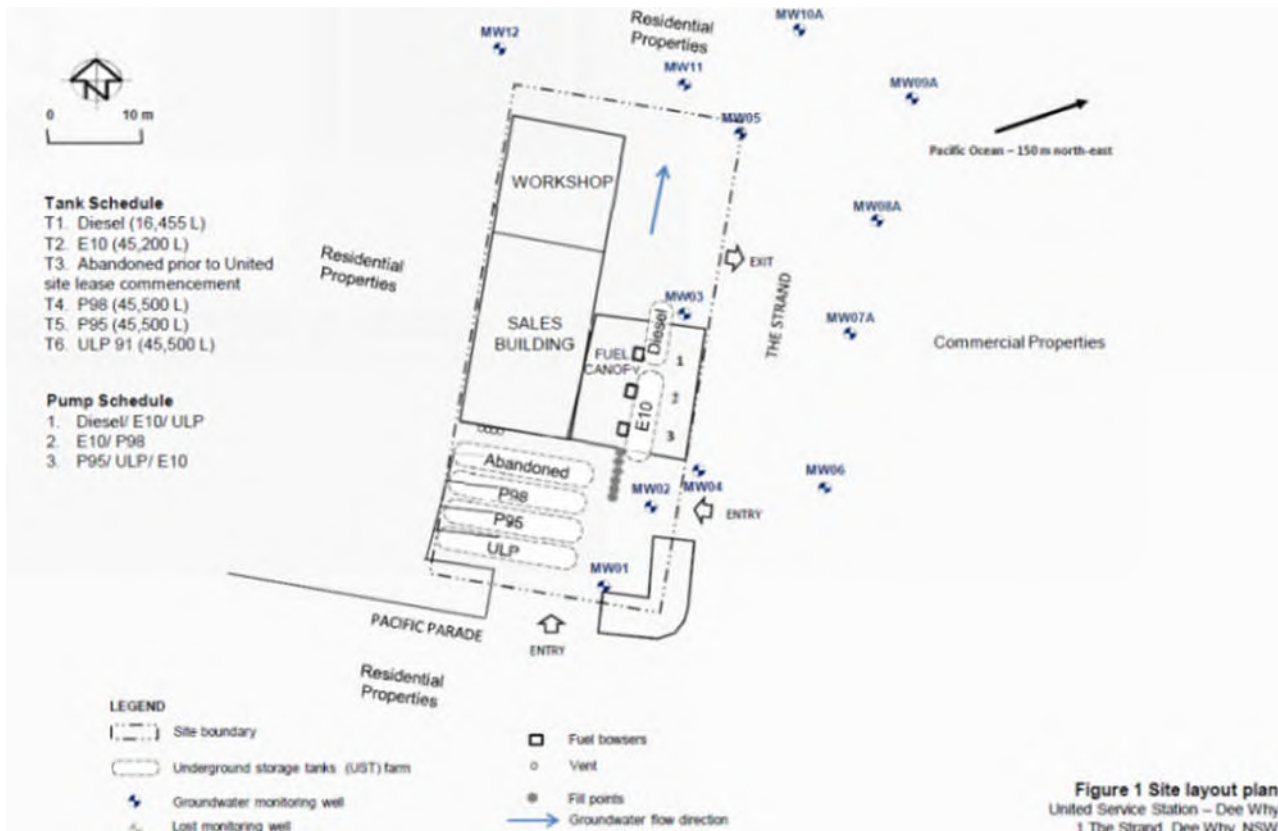


Lesley Corkill

.....
Lesley Corkill
Unit Head
Contaminated Sites
(by Delegation)

Attachments:

1. Figure 1 (below) reproduced from the report prepared by WSP titled *United Petroleum Pty Ltd UPSS Monitoring Q3 2017, Dee Why (The Strand)*, dated 16 October 2017.



7.

Clean-Up Notice



2. Results of groundwater monitoring events extracted from the report *United Petroleum Pty Ltd UPSS Monitoring Q3 2017, Dee Why (the Strand)* by WSP, 16 October 2017 [with the two added LNAPL detections at MW02 from the report *United Petroleum, UPSS Monitoring Q1 2017, Dee Why (The Strand) Service Station, 1 The Strand, Dee Why*, by WSP Parsons Brinckerhoff, November 2017.]

Groundwater Results(a)												
ID	Date Sampled	SWL (m)	TPH C ₁₀ -C ₉	TPH C ₁₀ -C ₃₀	F1 C6-C10 minus BTEX	F2 >C10-C16 minus Naphthalene	Benzene	Toluene	Ethylbenzene	m&p-Xylene	o-Xylene	Naphthalene
Freshwater Ecosystem ^(b)			-	-	-	-	950	180	80	275	350	16
Marine Ecosystem ^(c)			-	-	-	-	500	180	5	-	-	50
Commercial ^(d) (2) MWD 2.4 metres			-	-	NL	NL	5,000	NL	NL	NL	NL	NL
MW01	30-Dec-99	-	250	<50	-	-	96	1	14	6	-	-
	12-May-00	-	320	<50	-	-	250	1	9	<1	<1	-
	22-Feb-01	-	50	<50	-	-	19	<1	<1	<1	<1	-
	15-Apr-02	-	<20	<50	-	-	<1	<1	<1	<1	<1	-
	7-Jan-03	3,540	<20	<50	-	-	<1	<1	<1	<1	<1	-1
	20-Aug-12	2,364	2,800	120	-	-	910	15	21	29	<1	<5
	29-Jan-14	3,435	1,660	50	870	<100	726	22	22	20	7	<5
	31-Jul-14	3,320	550	<50	470	<100	76	7	3	4	2	<5
	29-Jan-15	3,119	1,080	80	740	<100	322	14	11	<5	<5	<25
	1-Sep-15	2,842	4,000	<450	2,800	130	1,500	<25	110	<50	<25	<5
	11-Feb-16	2,665	1,250	240	830	210	280	5	19	11	3	<5
	08-Aug-16	2,488	620	170	340	160	61	<2	12	5	<2	<10
	24-Nov-16	3,054	260	<100	-	-	17	2	3	2	<1	<5
	30-Jan-17	3,413	400	50	210	<100	34	<2	6	2	<2	<5
22-Aug-17	3,081	270	130	320	110	4	<2	3	<2	<2	<5	
MW02	30-Dec-99	-	20,000	2,300	-	-	12,000	3,300	860	2,500	-	-
	12-May-00	-	8,400	990	-	-	6,500	590	310	790	-	-
	22-Feb-01	-	1,100	720	-	-	6,500	240	520	660	-	-
	15-Apr-02	-	3,900	1,500	-	-	2,600	200	500	340	130	-
	7-Jan-03	3,380	280	480	-	-	190	7	11	27	20	-
	20-Aug-12 ¹	-	-	-	-	-	LNAPL	-	-	-	-	-
	31-Jul-14	4,081	196,000	194,000	80,300	692,000	14,900	70,300	4,730	19,300	8,500	464
	29-Jan-15 ²	-	-	-	-	-	LNAPL	-	-	-	-	-
	1-Sep-15	2,799	120,000	5,600	<50,000	3,000	7,200	58,000	2,400	12,000	4,100	600
	11-Feb-16	2,648	89,300	5,130	35,200	2,920	2,430	35,400	1,340	13,800	4,630	268
	08-Aug-16	2,495	35,500	2,580	11,600	1,110	1,760	14,400	756	5,020	2,190	121
	24-Nov-16	2,972	25,000	5,250	-	-	2,500	2,000	1,200	2,900	1,000	2,300
	30-Jan-17	3,248	89,500	2,330	41,400	1,100	4,860	24,500	1,760	9,110	3,980	195
	22-Aug-17	3,032	51,200	8,060	32,500	3,470	2,940	22,300	1,710	8,250	3,700	120
MW03	30-Dec-99	-	14,000	-	-	-	9,100	1,500	870	1,600	-	-
	12-May-00	-	7,600	3,424	-	-	4,800	1,000	430	1,100	-	-
	22-Feb-01	-	23,000	3,577	-	-	5,600	3,500	1,500	5,500	-	-
	15-Apr-02	-	28,000	10,651	-	-	12,000	2,800	2,200	-	-	-
	7-Jan-03	3,180	32,000	64,037	-	-	8,800	5,600	3,100	7,200	1,100	-
	29-Jan-14	3,110	12,800	3,880	9,360	2,530	2,000	941	490	10,000	2,600	308
	31-Jul-14	3,436	15,500	2,470	9,720	3,330	2,010	1,430	790	1,290	520	626
	29-Jan-15	2,757	7,520	1,510	5,990	1,400	985	314	177	2,510	837	194
	1-Sep-15	2,649	18,000	11,000	13,000	7,100	1,600	32,000	1,400	875	366	150
	11-Feb-16	2,448	9,680	3,520	4,590	2,410	1,210	1,290	530	7,600	2,400	328
	08-Aug-16	2,333	8,490	2,920	3,520	1,660	813	731	345	1,080	381	289
	24-Nov-16	2,798	9,100	1,000	-	-	1,000	4,700	320	1,300	600	100
	30-Jan-17	3,062	11,600	5,620	3,660	2,930	1,270	1,660	773	2,500	933	434
	22-Aug-17	2,831	17,400	9,340	15,700	5,080	1,520	1,750	833	2,850	916	366
MW04	12-May-00	-	140	<50	-	-	74	2	6	6	-	-
	22-Feb-01	-	180	60	-	-	79	<1	3	3	-	-
	15-Apr-02	-	<20	100	-	-	<1	<1	1	<1	<1	-
	7-Jan-03	3,190	<20	<50	-	-	<1	<1	<1	<1	<1	-
	1-Sep-15	2,626	76,000	2,700	33,000	1,500	3,200	32,000	1,400	7,600	2,400	150
	11-Feb-16	2,503	18,200	3,780	11,200	2,330	532	5,680	322	2,110	958	80
	08-Aug-16	2,330	17,400	1,120	5,920	570	908	7,370	382	1,760	764	58
	24-Nov-16	2,798	9,100	1,000	-	-	230	2,800	230	860	390	<200
	30-Jan-17	3,065	40,000	4,290	18,200	2,300	908	13,200	1,010	4,620	1,940	144
	22-Aug-17	2,830	27,700	1,120	19,700	1,120	697	11,500	809	5,670	1,620	90
MW05	12-May-00	-	5,400	2,292	-	-	4,600	40	450	210	-	-
	22-Feb-01	-	800	680	-	-	190	19	110	110	-	-
	15-Apr-02	-	12,000	4,400	-	-	4,900	980	1,500	3,100	620	-
	7-Jan-03	2,840	11,000	3,000	-	-	3,500	1,600	1,300	2,700	770	-

Clean-Up Notice



	20-Aug-12	2,301	2,000	<50	-	-	490	11	16	15	<2	
	18-Feb-14	-	21,000	1,740	<20	<100	3,170	5,020	666	1,830	753	163
	31-Jul-14	3,068	8,540	520	4,010	310	1,410	1,680	399	1,200	411	82
	29-Jan-15	2,372	<20	<50	<20	<100	<1	<2	<2	<2	<2	<5
	1-Sep-15	2,420	15,000	1,600	5,200	1,100	3,100	3,500	380	2,700	540	97
	11-Feb-16	2,285	18,200	1,630	10,500	950	2,910	1,180	728	2,380	698	157
	08-Aug-16	2,110	7,540	1,030	2,370	590	2,220	148	469	1,390	222	93
	24-Nov-16	2,506	12,000	3,520	-	-	3,200	790	670	1,900	290	<100
	30-Jan-17	2,734	6,250	1,140	890	670	2,410	194	492	1,500	46	84
	22-Aug-17	2,521	12,000	1,560	7,600	810	3,450	1,370	767	2,410	204	121
MW09A	12-May-00	-	<20	<50	-	-	<1	<1	<1	<1	<1	-
	22-Feb-01	-	<20	<50	-	-	<1	<1	<1	<1	<1	-
	15-Apr-02	-	<20	<50	-	-	<1	<1	<1	<1	<1	-
	7-Jan-03	-	<20	<50	-	-	<1	<1	<1	<1	<1	-
	24-Nov-16	2,621	<20	<100	-	-	<1	<1	<1	<1	<1	<10
30-Jan-17	2,823	1,920	460	600	220	291	101	210	509	224	43	
22-Aug-17	2,646	<20	<50	<20	<100	<1	<2	<2	<2	<2	<5	
MW10A	12-May-00	-	<20	<50	-	-	3	<1	1	<1	<1	-
	22-Feb-01	-	<20	<50	-	-	<1	<1	<1	<1	<1	-
	15-Apr-02	-	<20	40	-	-	4	<1	<1	<1	<1	-
	7-Jan-03	-	340	160	-	-	220	7	10	39	36	-
	24-Nov-16	2,681	460	190	-	-	41	18	32	63	30	20
	30-Jan-17	2,872	<20	<50	<20	<100	<1	<2	<2	<2	<2	<5
	22-Aug-17	2,685	240	110	240	<100	26	6	18	34	19	6

¹ From Q1 2017 results, MW02 not sampled due to the presence of light non-aqueous phase liquid

² From Q1 2017 results, MW02 not sampled due to the presence of light non-aqueous phase liquid

(a) All concentrations expressed as µg/L

(b) ANZECC/ARMCANZ (2000) - trigger values for marine ecosystems, 95% level of protection

(c) NEPM 2013 Schedule B-1 Table 1A(4) Groundwater HSLs for vapour intrusion - HSL D Commercial/Industrial in sand

WARNINGS AND INFORMATION ABOUT THIS CLEAN-UP NOTICE

- This notice is issued under section 91 of the Act.
- It is an offence against the Act not to comply with a clean-up notice unless you have a reasonable excuse.
- Details provided in this notice will be available on the Public Register in accordance with section 308 of the Act

Penalty for not complying with this notice

- The maximum penalty that a court may impose for a corporation is \$1,000,000 and a further \$120,000 for each day the offence continues. The maximum penalty that a court may impose for an individual is \$250,000 and a further \$60,000 for each day the offence continues.

When this notice begins to operate

- This notice operates from the day the notice is given, unless a later date is specified in the notice.

Clean-Up Notice



Continuing obligation

- Under section 319A of the Act, your obligation to comply with the requirements of this notice continues until the notice is complied with in full, even if the due date for compliance has passed.

Cost recovery from the person who caused the incident

- If you comply with this clean-up notice but you are not the person who caused the pollution incident to which the notice relates, you have a right to go to court to recover your costs of complying with the notice from the person who caused the incident.

Deadline for paying the fee

- The fee must be paid by **no later than 30 days after the date of this notice**, unless the EPA extends the time to pay the fee, or waives the fee.

How to pay the fee

- Possible methods of payment are listed on the last page of the attached invoice/statement.
- Please include the payment slip from the attached invoice/statement with your payment.

How to apply for an extension of time to pay/waive the fee

- Any application for an extension of time to pay the fee or for the fee to be waived must be made in writing to the EPA. The application should set out clearly why you think your application should be granted.

Other costs

- The Act allows the EPA to recover from you reasonable costs and expenses it incurs in monitoring action taken under this notice, ensuring the notice is complied with and associated matters.
- If you are required to pay these other costs and expenses you will later be sent a separate notice called a "Notice Requiring Payment of Reasonable Costs and Expenses".

Variation of this notice

- The requirements of this notice may only be varied or revoked by written notice issued by the EPA.



Appendix H – Photoboard

**APPENDIX D
SITE PHOTOGRAPHS**



Report Title
Preliminary Site Investigation

Client Name

Willow Frank

Site Location

4 Delmar Parade and 812 Pittwater Road, Dee Why NSW
2099

Project Number

21181

Photo No. 1	Date 1/10/2021	
Direction Facing South		
Description Façade on northern boundary.		

Photo No. 2	Date 1/10/2021	
Direction Facing South		
Description Façade on northern boundary.		

**APPENDIX D
SITE PHOTOGRAPHS**



Report Title
Preliminary Site Investigation

Client Name

Willow Frank

Site Location

4 Delmar Parade and 812 Pittwater Road, Dee Why NSW
2099

Project Number

21181

Photo No. 3	Date 1/10/2021	
Direction Facing South-west.		
Description Development occurring on adjacent site.		

Photo No. 4	Date 1/10/2021	
Direction Facing South-east		
Description Avis car rental on adjacent property.		



APPENDIX D SITE PHOTOGRAPHS		
Report Title Preliminary Site Investigation		
Client Name Willow Frank	Site Location 4 Delmar Parade and 812 Pittwater Road, Dee Why NSW 2099	Project Number 21181

Photo No. 5	Date 1/10/2021	
Direction Facing N/A		
Description Façade.		

Photo No. 6	Date 1/10/2021	
Direction Facing West		
Description Southern site boundary.		

**APPENDIX D
SITE PHOTOGRAPHS**



Report Title
Preliminary Site Investigation

Client Name

Willow Frank

Site Location

4 Delmar Parade and 812 Pittwater Road, Dee Why NSW
2099

Project Number

21181

Photo No. 7	Date 1/10/2021	
Direction Facing North		
Description Groundwater monitoring well towards center of site.		

Photo No. 8	Date 1/10/2021	
Direction Facing East		
Description Business operating within site.		


APPENDIX D SITE PHOTOGRAPHS		
Report Title Preliminary Site Investigation		
Client Name Willow Frank	Site Location 4 Delmar Parade and 812 Pittwater Road, Dee Why NSW 2099	Project Number 21181

Photo No. 9	Date 1/10/2021	
Direction Facing North		
Description Mixed-use buildings to the north of the Site.		

Photo No. 10	Date 1/10/2021	
Direction Facing South.		
Description Businesses operating in northern portion of the Site.		


APPENDIX D SITE PHOTOGRAPHS		
Report Title Preliminary Site Investigation		
Client Name Willow Frank	Site Location 4 Delmar Parade and 812 Pittwater Road, Dee Why NSW 2099	Project Number 21181

Photo No. 11	Date 1/10/2021	
Direction Facing South-east		
Description Vegetation towards south-eastern corner.		

Photo No. 12	Date 1/10/2021	
Direction Facing N/A		
Description Businesses.		