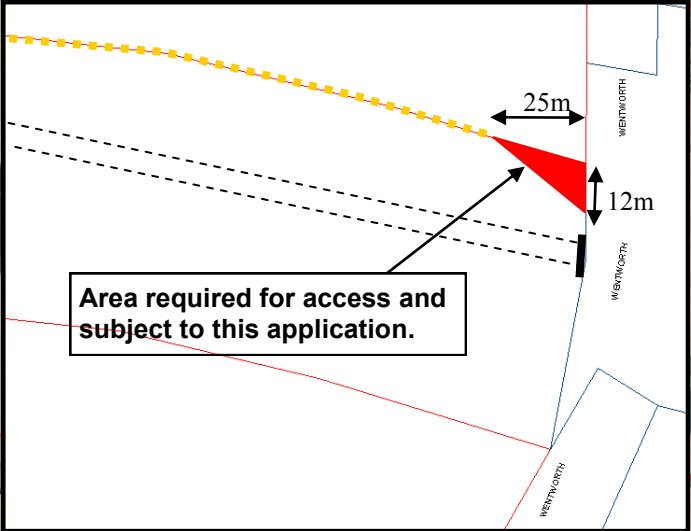


Fence proposed to be located on actual boundary.

Refer Inset.

Existing fence (approx).



Area required for access and subject to this application.

25m
12m



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S P & K Birkbeck
Raintree Farm
PO Box 332
Denmark WA 6333

6 October 2010

Dear Mr and Mrs Birkbeck,

Subject: Safety Inspection of Wentworth Road Dam, Plantagenat Lot 303

Thank you for the opportunity to undertake a limited review of safety aspects of your water storage dam, located on the western side of Wentworth Road on Raintree Farm.

Red Earth Engineering Pty Ltd (REE) provides the following letter report to address the issues that you raised during our meeting and site inspection on the 3rd of August 2010 that was attended by Don Glenister. This review is limited to visible site conditions and by information provided by Mr Birkbeck and Mr Nigel Palmer, the earthworks contractor. A limited site survey was undertaken and an assessment made of the dam's hydrology and the hydraulic capacity of the dam spillway structures.

1.0 Red Earth Engineering Pty Ltd (REE)

By way of introduction, Red Earth Engineering Pty Ltd (REE) is an engineering consultancy that provides services to the resource industry and other clients. These services include geotechnical engineering strategic planning, design, construction supervision and technical audits of tailings management and water storage facilities. Mr Don Glenister is a senior technical consultant with REE with qualifications in civil and environmental engineering and a background of over thirty years of industrial experience including engineering design and management roles. Mr Glenister and his family have also been active in farming and horticulture at Kentdale in the Denmark Shire for over 20 years and he therefore has a good local knowledge.



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More information on Red Earth Engineering Pty Ltd and Mr Glenister's qualifications may be referenced at: www.reearthengineering.com.au

2.0 Background of Wentworth Road Dam

The Wentworth Road water storage dam is designed to provide irrigation water for planned horticultural development on Raintree Farm and also as an integral part of a sustainable tourist and job creating enterprise that is planned for Raintree Farm. Apart from the irrigation function it is understood that the dam will provide water storage for a sustainable energy system and as an aesthetic feature to support development of tourist facilities.

It is understood that communications between Mr and Mrs Birkbeck, their planning consultants and the Shire of Denmark took place over the period July 2007 – February 2008 and resulted in approval to construct the dam. There was no formal procedure in place for the approval of farm dams at that time, however in August 2009 the Shire of Denmark adopted Town Planning Scheme Policy No. 37 that covers "Dams and Water Features". This report does not include a retrospective comparison between Wentworth Road dam and the Shire's policy.

The dam was constructed between December 2007 and March 2009 by the local Earthmoving Contractor, Rivermouth Holdings Pty Ltd. - Nigel Palmer Earthmoving.

In discussion between Mr and Mrs Birkbeck and Shire of Denmark concerning further property improvements it is understood that "an engineering sign off on the dam's safety standards" has been offered.

3.0 Dam Design

It is understood that the design process incorporated the expertise of the landowners and the earthworks contractor along with some informal engineering advice. A sketch of the dam cross section along with a construction methodology were agreed prior to construction and formed the basis of the construction contract.

The main characteristics of the "as constructed" dam are as follows:

Crest Elevation: 77.70m AHD

Maximum wall height: 7.0m

Length of Main Wall: 250m



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Length of Return Wall: 150m

Crest Width: 5.0m

Upstream Embankment Slope: 3H:1V

Downstream Embankment Slope: 2H:1V

Primary Spillway(2X1800 dia. Sumps) Elevation: 76.5m AHD

Secondary Spillway (900x900 box culvert) Elevation: 76.7m AHD

Emergency Spillway Elevation: 77.0m AHD

Normal Operating Freeboard: 1.2m

Surface Area at Full Elevation: 8 Ha

Mean Water Depth: 4m

Approximate Water Storage Volume: 300,000 cubic metres

Catchment Area: 178 ha.

(Note: The datum used for the survey was the invert of the box culvert under Wentworth Road (69.81m AHD) as shown on Denmark Survey and Mapping Contour Survey)

4.0 Earthwork Construction

A review of the earthworks procedures used in the construction of the dam embankments has been conducted. This included a visual inspection and limited survey of the completed structure and an interview with the earthworks contractor that completed the work.

Inspection and survey indicates that the dam structure has been constructed in accordance with relevant engineering standards. Based on the information provided regarding the construction the methodology employed was typical of good dam building practice and was based on a good understanding of the engineering properties of the local soils and conditions.

Prior to dam construction a site investigation was carried out that included a series of test pits along the dam centreline and in proposed borrow areas. An inspection of the foundation conditions was completed. A cutoff trench was excavated below the dam wall to intersect any permeable strata. This cutoff was 4m wide and up to 4m deep. Selected clay and gravelly clay soils were used for backfilling of the cutoff trench and general embankment fill. The fill was



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placed in 200mm loose layers and each layer was compacted by bulldozer track rolling. More permeable sandy fill was placed in the downstream slope of the dam to ensure adequate drainage and a low phreatic surface (water level), which is desirable for slope stability. It is noted that no compaction testing or quality control documentation was reviewed as part of this assessment. The engineering standards and construction quality achieved for this dam is based on the anecdotal information provided by the owner and the earthworks contractor. Our assessment is based on this information being accurate of this described herein.

It is worth noting that many farm dams suffer problems due to lack of attention to the principles that the earthworks contractor applied in this case.

5.0 Catchment Characteristics and Design Storm

The Wentworth Road dam is located in the upper reach of the Little River catchment. The catchment area above the dam is estimated to be 178 Ha. Approximately 80% of the catchment is cleared grazing land while 20% is remnant native vegetation. Average catchment slopes are around 5 -10%.

The Bureau of Meteorology provides statistical rainfall intensity-frequency-duration data to assist in flood estimation. (www.bom.gov.au/hydro). Data for the Denmark area suggests that for a 100 year average recurrence interval, 24 hr design rainfall intensity of 6mm/hr be assumed.

6.0 Spillway Provisions

Runoff from the dam catchment as a result of a low frequency storm event will be accommodated by surcharge storage above the spillway level and flow from the dam via the primary and if necessary the emergency spillways.

To prevent overtopping of the dam the spillways need to be designed to discharge the storm flow such that a minimum embankment freeboard is maintained. It is suggested that under these conditions a minimum freeboard of 0.7m is assumed. This means that the storm surcharge level in the dam could reach 77.0m AHD. At this level the head over the primary spillway would be 0.5m, the secondary box culvert 0.3m and the emergency spillway 0m.

The combined capacity of the spillways under such a condition has been estimated at 4.5 cubic metres per second



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Assuming a conservative total catchment runoff in response to the 24 hour, 100 year storm event of 256,000 m³ (100% runoff coefficient), storm surcharge up to 77m AHD of 45,000 m³, the primary spillway capacity alone is such that the storm flow would be discharged within a 13 hour period without requiring the emergency spillway.

While these calculations assume a static condition, which is only an approximation, they illustrate that the primary spillway alone can handle the design storm without reliance on the emergency spillway. Never the less it is good practice to provide an emergency spillway to protect the dam in the event of a partial blockage of the primary spillway, and to cater for lower frequency storm events should they occur.

Buffer storage within the dam is such that the peak flows downstream of the dam will be substantially reduced from the natural condition. Even so the storm discharge from the dam spillways resulting from low frequency storm events is likely to exceed the capacity of the drainage culvert beneath Wentworth Road and therefore overtop the roadway. This is to be expected as the road culvert would only be designed for a 5 or 10 year average recurrence interval rainfall event in the pre-dam condition.

7.0 Summary and Recommendations

A visual inspection, limited survey and review of available data suggests that the Wentworth Road dam on Plantagenat Location 303 has been constructed to a standard that exceeds the requirements for small farm dams. The design of the spillway structures is such that they can discharge a 1:100 design storm event without danger of embankment overtopping. So long as the embankment and spillway structures are maintained to a high standard the dam should meet the required safety standards for water retaining structures.

While the following recommendations do not apply to the overall integrity of the dam they are recommended for consideration:-

1. The upstream face of the dam, and to a lesser extent the northern return embankment, is subject to wave erosion. It is recommended that a 300mm thick capstone rubble and rock (up to 300mm in size) layer be placed on the embankment face between RL 75 and 77 to protect the slope against wave erosion when the dam is full. It may be possible to place this 'rip-rap' during later summer when the dam level is at its lowest to minimise disturbance to the landscaping that has been installed along the crest. It is possible that placement of further



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topsoil and establishment of suitable vegetation (reeds etc) could be a suitable substitute for the rock.

2. Additional compacted gravel and rubble fill should be added to the top section of the eastern abutment of the emergency spillway to avoid overtopping in the event of storm discharge from the two emergency spillway structures. It is suggested that this section be built up by 300mm. (Refer photograph 6/080810)

3. Further use of the grey/white silty material that has been used to sheet the inside slopes of the dam should be avoided as the material is highly erodible.

4. The dam should be inspected by a qualified engineer annually for the next few years. The inspection should be scheduled in early summer to allow any maintenance work to be scheduled before the following winter.

8.0 Limitation

It is noted that this report is limited to the observations made at the time of inspections and survey plus anecdotal information gained from discussions with Mr S. Birkbeck and Mr Nigel Palmer.

We trust that this review will assist in your negotiations with the Shire of Denmark. Please let us know if we can be of further assistance.

As advised earlier Don Glenister will be travelling overseas between the 13 August and 27 September . If you require any assistance during this time please contact Mr Symon Jackson 0439 984 336.

Yours faithfully

Don Glenister

Tel. 0429 840 809



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PHOTOGRAPHS:

1/080810 - Wentworth Road dam from south abutment looking along dam crest.

2/080810 - Wentworth Road dam upstream face of main (eastern) embankment.

3/080810 - Wentworth Road dam, upstream face of (northern) return embankment.

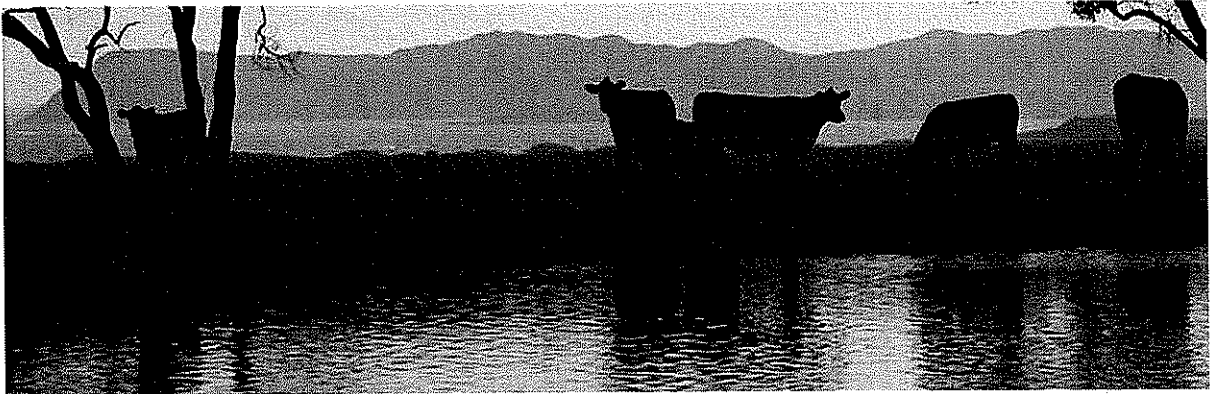
4/080810 - Wentworth Road dam – primary spillway intake (2x1800 mm dia. sumps)

5/080810 - Wentworth Road dam – emergency spillways. 1x 900 mm box culvert and 8m wide abutment weir.

6/080810 - Emergency spillway discharge channel.

7/080810 - Highly erodible white silt layer on return embankment

DENMARK SHIRE COUNCIL BRIEFING



RAINTREE FARM BACKGROUND

Before consideration of the approval of the completion of a farm fence along a shared boundary at the cost of the landholder, the Council has sought that the Landholder address the safety of the Wentworth Road dams construction, a long term vision for the site and to verify that no underground powerlines have been trenched through Shire Land.

RESPONSE

The intention of this briefing is to confirm that all these matters have been respected and are being acted upon.

EXECUTIVE OVERVIEW

The region is the midst of a farming and forestry crisis with a tourism industry that has been impacted by the Global Crisis and a strong Australian dollar.

Raintree provides a blueprint for an alternate approach to agriculture and land usage that is driven by a core ambition to keep rural families together. For too long children have left our district and headed north against their wishes or alternatively they exist on welfare or subsistence wages.

Our region is at a turning point with our infrastructure not able to cope with power and water demand of the existing population. We need to work on collective action that will allow a sustainable future for our children's children that creates new ways of using our land that are profitable, create employment, develop new skills and are able to improve land and water degradation to maintain the integrity of our region.

INTRODUCTION

As per discussions with the Shire Executive I would like to brief the Shire on Raintree Farm. The objective of this meeting is very simple. I would like to respond to the conditions that the Council placed on me erecting a vermin proof fence in accordance with my submission in April.

I understand that there are three conditions that the Council seek to be met;

1. To provide an engineer's sign off on the fact that dam constructed met a standard of safety.
2. To provide the Shire Council with an overview to the master plan for the site.
3. To clarify that no electricity has been run through the horse trail when water lines were trenched through.

The Dam

I have already given my word to date that I would do this, i.e.

"In terms of the letter of reference in regard to my wife's property, Raintree Estate. While I consider that my wife received full planning approval for this water conservation structure and I am under no legal obligation to oblige, I am happy to carry forward as a matter of goodwill to you both and implement an engineering overview of the water resource on Wentworth Road as requested."

Extract from letter to Dale Stewart, November 2009.

Planning Approval

- | | | |
|--------------|---|--|
| July 2007 | - | Request to build dam to Council (CEO/President).
Directed request with support to head of Planning. |
| 9/9/2007 | - | Detailed overview to Denmark Head of Planning. |
| 12/9/2007 | - | Site Inspection by Head of Planning.
Approval provided. |
| October 2007 | - | South West Planning appointed.
Recommendation of Denmark Shire. |
| January 2008 | - | Meeting Held between South West Planning/Shire.
Ratification of approval from Shire. |
| 28/2/2008 | - | Document affirming Shires position. |

Dam Safety

River-mouth Holdings Pty Ltd is a local Denmark Earthmoving Firm that co-ordinated the construction of the dam on our property in 2007/08. An Engineer was used to examine test holes and advise on the structure, but as this was not a requirement of the Council to gain an Engineer's Certificate at the time, this supporting work does not constitute a full engineers sign off on all aspects of construction.

Given that the dam was constructed in 07/08 it has taken time to reconcile records and finalise a safety audit that will now allow an Engineer to conduct a field/desk-top inspection.

Safety Audit

The dam has a surface area of 80,000 square metres and is relatively shallow, with an average depth of four metres, giving a total capacity of approximately 320,000 cubic metres with an estimated additional surge capacity of 60,000 cubic metres (75 mm X 80,000 s.m.). Under our historical cost of construction we have built dams at a cost of under \$ 1.00 per cubic metre of conserved water.

This construction cost was over \$ 2.50 per cubic metre. This is very high and was our choice as we wanted to build a dam that had a range of safety features. These features and estimates include and are not limited to the following;

a. Dam Construction (Diagrams available)

The bank foundation was checked by test pits that I had verified by an independent Engineer. The average wall height across the main wall is 5 metres. Normally this would require a 3 metre crest top section. We scaled the crest top section to 5 metres and a base wall of over 30 metres with extensive compaction in 200 mm layers.

b. Overflow System

I am not aware of any dam in the district that has this overflow and surge capacity and has spent as much time and attention to secondary and tertiary safety measures.

Spill-way Flow Rates of 600 million litres per day / 7,000 litres per second

In 1988 Denmark recorded rainfall of 250 mm in 24 hours. The Spillway can cope with this volume of water in 3 hours with-out further modification due to the combined spillway and surge capacity.

The spillway cost a total of \$ 150,000 and is designed to provide a secondary and tertiary safety spillway in the event that the catchment records catastrophic rainfall rates.

100 hectares of catchment (estimated size). Based on rainfall of 60 mm per hour will produce a maximum water shed, once land is fully saturated, a flow rate of 7,000 litres per second.

Storm Surge Capacity of 60-75 million litres

1. Primary spillway with 2 X 900 ml pipes that have been built with heavy duty Pump Pits at a cost of \$ 90,000. This spillway will cope with a water surge estimated at 300 mm which on the over-all surface area + bank-up on side and rear walls provides an estimated surge capacity of 20-25 million litres.
2. Secondary Spillway at a cost of \$ 60,000 with a 900 mL overflow that can cope with an additional 20 million litres of storm surge. This spillway will cope with a water surge estimated at 300-600 mm which on the over-all surface area provides a surge capacity of 20-25 million litres.
3. 50 Year Storm Emergency Spillway that is 8 metres wide at base + side wall = 10 metres with an allowance for storm surge of between 600-900 mm. This provides a further 20-25 million litres of surge capacity.

Note there is a provision to increase the size of the tertiary overflow at short notice and we have a 21 tonne Excavator on site.

Summer overflow

At a cost of \$ 20,000 we built into the core foundations a 100 mm drainage pipe line to allow an outflow in drier Month's, constructed to allow water to be drawn from various depths.

Repairs and Maintenance

We have adopted an annual audit of key safety elements of the dam by River-mouth Holdings and any points of concern will be referenced to an Engineer. On-going maintenance of the dam includes the following;

Primary Spillway

Concrete capping of pipe ends to prevent rusting of iron in concrete.

Secondary Spillway

Was the primary spillway through the first two years of the dams life and coped with a spillway surge of 100 mm of rain over an eight hour period. This spillway will be subject to further fortification, even though it has not flowed since the commissioning of the primary spillway, it is currently operational and can run as a primary overflow if required.

Free Board

Ongoing Vegetation plan with Rock batter in key strategic locations

Conclusion

I am unaware of any other farm dam in the district that has gone to these extreme lengths to build and maintain a farm dam. I hope to have the Safety Audit overviewed by a qualified engineer with all remedial work now planned to be carried out once the winter rains cease in November 2010 – June 2011.

2. Master Plan For the Site

Background

Denmark is one of the most beautiful places in the world to live and has become a popular retirement location. It's core industries are farming, forestry and tourism. The principle farming activity is cattle and in forestry is the blue gum plantations.

Tourism in regional WA has been hurt with the GFC and recently with the strong Australian dollar and cheap overseas holidays. Denmark has seen a reduction in accommodation in the region with the closure of the Shires largest resort, Karri Mia.

In the Albany Advertiser today, The regional City of Albany has reported an economic crisis as jobless figures soar by 6.9% in May and 4.2% in June.

I have a common problem to many other middle aged people that have had their children born and raised in the region; my children are all leaving their home and out of necessity for work moving north.

Vision

To create new innovative sustainable agricultural industries for the region based on lowered carbon footprints with improved impact on our water and forests.

Economic / Environmental Balance

Raintree Farm has started to reduce it's carbon footprint, improve water quality (eg acidity, nutrient load sheds) into the William Bay National Park and the Wilson inlet catchments and regain the health of remnant forests.

This is being achieved through wide ranging farming practises such as Yoemen ploughing, organic fertigation, water way buffer zones, oxygenation and nutrient grab ponds. Economic returns can be improved by reducing reliance on grazing of cattle and at the same time a substantive environmental improvement in the regions sustainable health is being recorded.

It is hoped that the Shire will take the time to understand the scope of this work and the documentation/records being built up. One small step in this process is to appreciate the benefits of the fencing submission that has been put on hold that will be the first step in creating an 8 kilometre 100 hectare bio-diversity corridor.

Objectives

Reduce Footprint	Agricultural benchmark
Develop Hydro Farm	Gravity/wind technology
Bio-diversity link Petrified Forest	100 ha Raintree forest
Improved water resources	Reducing salinity/nutrients
Donate land to link National Park	Raintree walk trail link
Indigenous Heritage Review	Raintree
Invest and construct a wind farm	French technology
Create high value agriculture	Zero footprint
Import expertise	Immigration – France
Eco-Parfumerie	Zero Footprint
Regional Nursery	Joint Venture
Eco-Retreat	Eco-construction

Goals

Up-skilling agricultural capability by drawing new expertise to the region
Reduce acid/heavy metal run-off into inlet/lakes from conventional farming.
Preserve remnant forest and wildlife corridors.
Support and extend existing Shire investments in public walk/cycle-ways.
Create peak power input from hydro-wind.

Pioneer new farm processes for the region.
Create new exports.
Youth employment & training.

Attachment

Attached and provided by Local Architects, Pixel Trix.
Note that all lines through the Horse Trail are water lines.

Request

To ask that the Council deals with the fencing submission in good faith and not impose existing terms that will mean a 12 Month delay on the fence and project.

Fencing Submission

That valuable wetlands are exchanged for a fire control buffer zone and fenced off from further development and farming and that the hazardous 5 line barbed wire is removed from Horse Trail. Net land fenced with-in Horse trail to be equal to or higher than surveyed boundaries. Fence to provide a vermin proof capacity.

Stephen Birkbeck

**Denmark to Nornalup Rail Trail
McLeod – Limbourne Roads Section
Management Plan
Reserve No. 42507 September 2006**

Introduction

The Rail Trail is a multi-use trail suitable for walking, bicycle riding and horse-riding. This section also affords access to a number of properties along its length. It winds through a well vegetated reserve. Remnant vegetation is vitally important as it provides a bench mark or reference to indicate the type of vegetation formerly existing in an area.

The rail trail reserve, between McLeod and Limbourne Roads is easily accessible and contains astonishingly weed-free vegetation with a breathtaking array of wildflowers, particularly in spring. Western Australia's flora is noted for its beauty and diversity.

This management plan for Reserve 42507 is prepared in accordance with *section 49 of the Land Administration Act 1997*. Good management will ensure that the reserve remains in good health for future generations to enjoy. The management plan is to be executed by the Shire of Denmark.

General Description

This section of the rail reserve (No 42507) extends from McLeod Road to Limbourne Road and is approximately 15 km west of Denmark, meandering roughly east to west. This section of the trail is a reserve set apart for the purpose of "Heritage Trail and Access" with a Management Order issued to the Shire of Denmark which has the care, control and management of the land. It is bounded by farmland to the north and south, with a small Recreation Reserve on the northern side of the eastern end.

The excellent condition of the bushland, and its location close to William Bay, makes this section of the reserve a valuable area for passive recreational pursuits such as walking, bird watching and nature study.

Physical Features

The reserve has a well made, winding gravel road, on level ground with good quality bushland verges. The climate is characterised by warm to hot dry summers and cool wet winters. There are nine access points, mostly to properties, along this stretch that include the end of Bell Road.

Vegetation/Fauna

The vegetation community has a great diversity of understorey and ground cover species. There is one small (approx 500m) stretch of weed invasion on the roadside that could and should be weeded. The dense bush on either side of the trail make it a valuable habitat and corridor for the movement of fauna through the landscape.

History

This reserve originally carried the railway and is now used for access by adjoining landowners. The road has a 40 km limit and is now a multipurpose trail for use by walkers, cyclists, horse riders and local traffic.

Fire History

There have been no fires in this reserve in recent times.

Rehabilitation Areas

The native vegetation in the body of the reserve is in excellent condition, weed occurrence is restricted to the edges of a short section. Here there are piles of soil covered with kikuyu and a few other weed species.

Management Objectives

- To maintain access for the adjoining land-owners.
- To maintain signage.
- To maintain the reserve in its current good condition.
- To protect the reserve from fire.

Zones

This reserve could be divided into two distinct zones: the actual road surface and the remainder of the reserve, managed for conservation and passive recreation.

Rehabilitation and Regeneration

Maintenance of the road surface, access to landowners and control of introduced species are the main on-going activities needed to keep this reserve in good condition. The small outbreaks of weeds on the southern and northern side can be managed by hand. All exotic grasses should be treated with herbicide. Extreme care must be taken when using herbicides to avoid spray drift onto native vegetation.

Consideration could be given to the removal of the soil dumps, which carry a burden of kikuyu. If this occurs, revegetation with seed collected from the reserve may be necessary, otherwise take the soil to 2-5cms below the original surface.

Regular monitoring, at least twice yearly, and follow-up control work, is absolutely essential to ensure the present low level of weed infestation is maintained.

Use of the Reserve

This area is well-suited to passive forms of recreation such as walking, bicycling, horse-riding, bird-watching and nature photography.

Access

The freehold properties that have access to Reserve 42507 are lot 3298, lot 5273 and lot 7187.

Management of Conditions of Access

The Shire of Denmark will ensure that landholder's access to their properties is maintained. The Shire will maintain the road surface and ensure existing cross-overs into properties are maintained in good condition.

Fire Prevention and Management

No slashing or clearing is necessary. However, fallen trees and branches should be removed from the road, as is the current practice. In the event of a fire, the area should be monitored and any invading weeds controlled as quickly as possible to allow the area to regenerate naturally.

Administration

The Shire of Denmark is responsible for management of the reserve, particularly the road surface. Care should be taken in maintaining the road surface to ensure that weed free machinery is used.

Indemnity

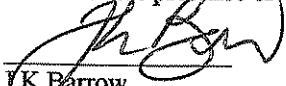
The Shire of Denmark indemnifies the State of Western Australia and the Minister for Lands against any claims or costs arising from the use of the reserve for the purposes of heritage trail and access.

Term of the Plan

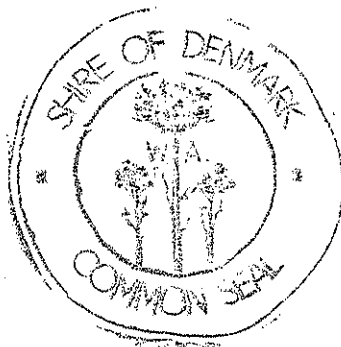
This plan should be reviewed every five years.

Dated this 7th day of December 2006.

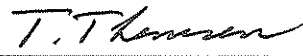
The common seal of the Shire of Denmark was affixed in the presence of -

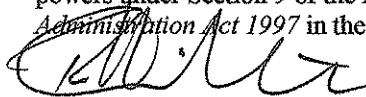

J.K. Barrow
Shire President

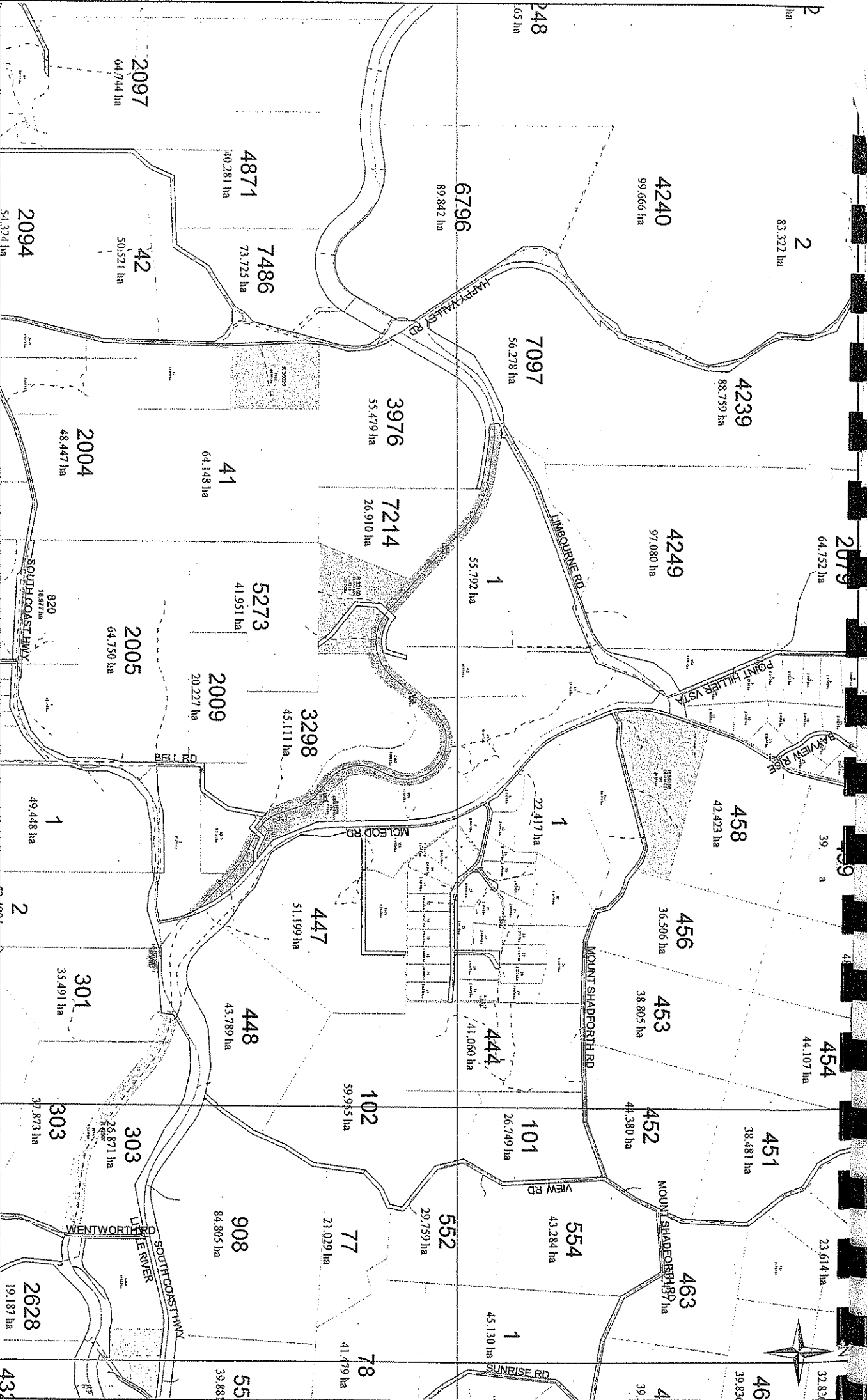

P. Durtanovich
Chief Executive Officer



Signed for the STATE OF WESTERN AUSTRALIA for and on behalf of the MINISTER FOR LANDS by


T. Thomson
TEAM LEADER, STATE LANDS-SOUTH EAST a Department Planning and Infrastructure officer delegated the Minister's powers under Section 9 of the *Land Administration Act 1997* in the presence of:


PROJECT OFFICER



Scale : 1:25000 (MGA)

MGA : SW=517134.444, 6127800, 182 Zone 50 / NE=524346.29, 6132192, 668 Zone 50
 Lat/Long : -34°59'32.103", 117°11'15.913" / -34°57'08.979", 117°15'59.938" H 176mm by W 289mm

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