

Phase 1 Contaminated Land Investigation  
20 Hearne Street, Mortdale, NSW

Report Number 610.14692-R17-V1 Phase 1

14 April 2016

Hearne Street Pty Ltd  
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NSW 2136

Version: Revision 1

## Phase 1 Contaminated Land Investigation

20 Hearne Street, Mortdale, NSW

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### DOCUMENT CONTROL

Reference	Status	Date	Prepared	Checked	Authorised
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## 1 INTRODUCTION

SLR Consulting Pty Ltd (SLR) was engaged by APP on behalf of its client Hearne Street Pty Ltd to conduct a Phase 1 Preliminary Contaminated Site Investigation (PSI) for a waste recycling facility at 20 Hearne Street, Mortdale, NSW (the Site).

The assessment was undertaken in accordance with SLR's offer of services dated 10 February 2016 (ref: Mortdale Contract Review 20160210 response to APP Comment.docx).

The Phase 1 Contamination Investigation of the Site is required to address the Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Statement (EIS) for the proposed Mortdale Waste Management Facility development.

### 1.1 Objectives

The objectives of this project were to:

- Make an assessment of the potential for land contamination to be present at the site, as a result of past and present land use activities.
- Identify areas of environmental concern (AEC) and associated contaminants of potential concern (COPC) at the site.
- Assess the likelihood of those COPC being present on site.
- Provide recommendations for further investigation of the site (if warranted), in the context of the SEARS request.

### 1.2 Scope of Work

SLR undertook the following scope of work to address the project objectives:

- a desktop review;
- a site walkover; and
- data assessment and reporting.

## 2 SITE IDENTIFICATION

The locality of the Site is presented in **Figure 1**.

The site is legally identified as Lot 102 on DP 585775, 20 Hearne Street, Mortdale, New South Wales. The site falls within the Hurstville City Council area and is located within Zone IN2 Light Industrial under the Hurstville Local Environmental Plan 2012.

The site is located on an irregularly shaped parcel of land and occupies an area of approximately 0.7ha.



**Figure 1 Site Location**

### **3 SITE SETTING**

#### **3.1 Topography**

The topography of the Site and its surrounds are relatively flat terrain, with a gentle fall towards the southwest. The ground elevation has been mildly modified to suit operations on site and is approximately 20-30m AHD.

#### **3.2 Geology**

The Geological Survey of NSW Sydney 1:250 000 Geological Series Sheet 9130 (Edition 1) 1983 indicates that the site is underlain by the Triassic Hawkesbury Sandstone formations which comprises of medium to coarse grained quartz with some shale and laminate lenses.

#### **3.3 Hydrology**

There are no surface waterbodies located within the Site boundaries or directly adjacent. Lime Kiln Bay is located approximately 1.4km to the south and Salt Pan Creek approximately 1.8km to the west. Both of the watercourses flow into the Georges River which ultimately discharges into Botany Bay.

The Mortdale facility is located within the Peakhurst Industrial Area surface water catchment. The catchment drains through the Hurstville Golf Course stormwater harvesting system to supply the golf course's irrigation system, with excess flows discharged directly to Lime Kiln Bay.

The Hurstville Local Council Overland Flood Study mapping (SMEC, 2015) indicates that some minor overland flooding will occur within the Site during a 100 year ARI event. The Site is, however, not located within the main overland flood flow path. A review of the Georges River Floodplain Risk Management Study and Plan (Bewsher Consulting 2004) indicates that the Site is not affected by Main Stream Flooding associated with the nearest watercourses.

### 3.4 Hydrogeology

The Commonwealth of Australia, 1:5 000 000 Hydrogeology Map of Australia developed in 1987 indicates the Site falls within an area consisting of extensive aquifers from the Triassic Period of low-moderate productivity and is on the boundary between fresh and saline groundwater.

A search of the NSW Department of Primary Industries real-time groundwater data ([www.realtimedata.water.nsw.gov.au](http://www.realtimedata.water.nsw.gov.au)) conducted on 18 February 2016 did not reveal any real-time monitoring groundwater bores in the vicinity of the site. A search of the Australian Government Bureau of Meteorology ([www.bom.gov.au/water/groundwater](http://www.bom.gov.au/water/groundwater)) indicated there were a couple of shallow monitoring bores within 1km of the site but no information on water level or contaminant levels were available (Appendix A).

### 3.5 Soils

A review of Hurstville Local Council's Acid Sulfate Soil (ASS) map indicates the ASS is unlikely to be present on-site.

## 4 SITE HISTORY

A review of a selection of historical aerial photographs was undertaken. Observations made during the review are presented in Table 1, while the aerial photographs are provided in Appendix B.

**Table 1 Aerial Photography Review**

Year of Photograph	Site Land Use Observations	Surrounding Land Use Observations
1956	The site was vacant, containing no buildings and was covered with vegetation.	Some warehouses/large buildings are evident in the immediate vicinity.
1965	A warehouse and office have been established along with another building which is located approximately in the middle of the site. No evidence of significant site filling.	Majority of the area has been developed, with the exception of the property directly to the west of the site, which is covered with vegetation.
1979	No significant changes observed onsite from the 1965 photograph. Ground surface appears to be unsealed.	All areas are developed as they appear today.
1986	The building located in the centre of the site no longer exists and the ground appears to have been sealed with bitumen/concrete. There is organised storage of materials across the site (long planks/pipes).	No significant changes from the 1979 photograph.
1994	The wash bay has been built, all other buildings appear as they did in the 1986 photograph. There are what appear to be storage bins located in the northwest portion of the site and numerous vehicles across the site.	Commercial/industrial warehouses as they appear today.

2003 (Google Earth)	Buildings on the site appear as they are today.	Commercial/industrial warehouses as they appear today.
2009 (Google Earth)	Buildings on the site appear as they are today.	Commercial/industrial warehouses as they appear today.
2012 - 2015 (Google Earth)	The site appears as it is today and is being used as a waste depot with evidence of large waste bins being stored and moved around the site.	Commercial/industrial warehouses as they appear today.

The aerial photography review indicates that the following land contaminating activities may have been undertaken on the site:

- Commercial/Industrial activities between 1965 and the time of reporting.

The aerial photography review indicates the following off site land use activities which may present an onsite contamination migration risk:

- Commercial/Industrial activities between 1965 and the time of reporting.

#### 4.1 Historical Land Titles

A search of historical land title ownership records was undertaken on 17 February 2016. The search indicated the land was owned by the proprietors set out below:

- N.S.W Realty Co Limited (1909 – 1924)
- Private owners (1924 – 1947)
- W.H.S. Stacy & Sons Pty Limited (1947 – 1985) – design and manufacture of machinery for industrial purposes
- K.H. Construction Pty Limited (1985 – 1989)
- Flat Glass Holdings Pty Limited (1989 – 2011) – glass supplier & manufacturer
- John Papantoniou (2011 – 2015) – owner of JVC Holdings Pty Ltd operating as a refuse system company)
- Current owners Hearne Street Pty Ltd (2015 to date)

A lease was established in 1996, which expired due to effluxion of time, while another lease which was established in 2010 was surrendered in 2015.

The historical land title ownership records indicate a potential for land contaminating activities to have occurred on the site since 1947 due to the site being used for general industrial uses including the manufacture of industrial machinery, glass manufacturing and operating as a refuse facility.

A copy of the search record is presented in Appendix C.

#### 4.2 Regulatory Authorities

##### 4.2.1 NSW Environmental Protection Agency

A search of the NSW EPA contaminated land public register of records of notices (maintained under Section 58 of the Contaminated Land Act 1997) was undertaken by SLR on the 17 February 2016. With regard to the Site, the search results indicated that there are no:

- Orders made under Part 3 of the Contaminated Land Management Act 1997 (CLM Act).



- Approved voluntary management proposals under the CLM Act that have not been fully carried out and where the approval of the Environmental Protection Authority has not been revoked.
- Site audit statements provided under Section 53B of the CLM Act that relate to significantly contaminated land.
- Where practicable, copies of anything formerly required to be part of the public record.
- Actions taken by EPA under Section 35 or 36 of the Environmentally Hazardous Chemicals Act 1985.

A search of the NSW EPA Protection of the Environment Operations Act public register of licence, applications and notices (maintained under Section 308 of the Protection of the Environment Operations Act 1997) was undertaken on 17 February 2016. The register contains information on:

- Environmental protection licences
- Applications for new licences and to transfer or vary existing licences
- Environment protection and noise control notices
- Convictions in prosecutions under the POEO Act
- The results of civil proceedings
- Licence review information
- Exemptions from the provisions of the POEO Act or regulations
- Approvals granted under clause 9 of the POEO (Control of Burning) Regulations
- Approvals granted under clause 7A of the POEO (Clean Air) Regulation
- Any mandatory audits required to be undertaken in relation to a licence
- Each pollution study requires to be a condition of licence
- Each pollution reduction program required by a condition of a licence
- Each penalty notice issued in relation to a premises.

The search did not identify any records for the site or for any properties located adjacent to the site.

A search of the NSW EPA public register of contaminated site notified to NSW EPA under Section 60 of the Contaminated Land Management Act was undertaken on 17 February 2016. The search did not identify any records for the Site or for any properties located adjacent to the Site.

A copy of the search records is presented in Appendix D.

#### **4.2.2 SafeWork NSW**

A search of the stored chemical information database (SCID) held by SafeWork NSW for the Site was undertaken on 7 March 2016. SafeWork NSW reported they had no records pertaining to the storage of Dangerous Goods at 20 Hearne Street, Mortdale.

A copy of the search results is presented in Appendix E.

#### **4.2.3 NSW Office of Environment and Heritage**

A search of the NSW Office of Environment and Heritage (OEH) State Heritage Register was undertaken on the 17 February 2016 by SLR of an area of 5km radius surrounding the Site. No Aboriginal Places were encountered and the following 2 sites were listed on the State Heritage Register:

- Oatley Railway Station Group (approximately 1.9km away)

- Beverly Hills Railway Station Group (approximately 2.5km away)

#### **4.2.4 Council Records**

A planning certificate (dated 2 March 2016) issued by Hurstville City Council under Section 149 (2) of the Environmental Planning and Assessment Act 1979 was reviewed. The planning certificate indicates that the land to which the certificate relates to, in the context of the Contaminated Land Management Act and at the date the certificate was issued:

- Is not significantly contaminated land within the meaning of the Act
- Is not subject to a management order within the meaning of the Act
- Is not the subject of an approved voluntary management proposal within the meaning of the Act
- Is not the subject of an ongoing maintenance order within the meaning of the Act
- Is not the subject of a site audit statement within the meaning of the Act

A copy of the planning certificate and development application search records is presented in Appendix F.

The Hurstville City Council website was also searched on the 2 March 2016 for available development application information for the site dating back to 1990. The search provided the following results:

- 1993/DA-0146 submitted 13/4/1993 – enclosed wash bay
- 1999/DA-0878 submitted 26/9/1999 – change hours of operation, 24 hours per day requested
- 2002/DA-0361 submitted 10/5/2002 – factory, installation of 3 spray booths and 15 material bins
- 2010/DA-0055 submitted 23/02/2010 – use of premises as waste transfer/sorting facility

#### **4.2.5 Previous Contamination Assessments**

There was no previous contamination assessments made available to SLR for this investigation.

## **5 SITE WALKOVER**

A site walkover was undertaken by a suitably qualified and experienced SLR Consultant on the 4 March 2015. The purpose of the site walkover was to make observations of the site and adjacent site land uses (relevant to land contamination). Operations being undertaken at the site during the site inspection included basic resource recovery from inert wastes. Trucks were delivering waste which was being tipped on to the concrete hardstand outside the warehouse. The lighter material was moved into the warehouse for sorting/shredding, leaving the heavier materials which were then removed off site.

### **5.1 Site Features**

The following site features were observed during the walkover:

- The majority of the site is covered with concrete which was observed to be in fair to good condition with the exception of a small area downgradient of the warehouse entrance where the concrete has been damaged due to high vehicle usage. There were also some unsealed areas including a gravel easement along the northern boundary between the Site and the neighbouring building, and some small exposed soil areas located:
  - within the middle of the facility
  - along the south western, north eastern and southern boundaries

- around the vegetative areas
- A weighbridge
- Single storey site office
- Covered Warehouse acting as a waste processing centre/separation area
- Decommissioned wash bay. The wash bay is currently used to house a 28 000L, mobile, double walled, self-bunded, above ground diesel tank. There was a spill response kit also located within the wash bay area.
- Old grease arrestor which is no longer used and has been backfilled with gravel. There is a high pressure water cleaner and connected water hoses stored in this area.
- Chemical storage area in a sealed covered room adjacent to the main warehouse process area housing oils, coolants, additives, a compressor and generator.

Site features are also presented in the site layout plan in **Figure 2**.

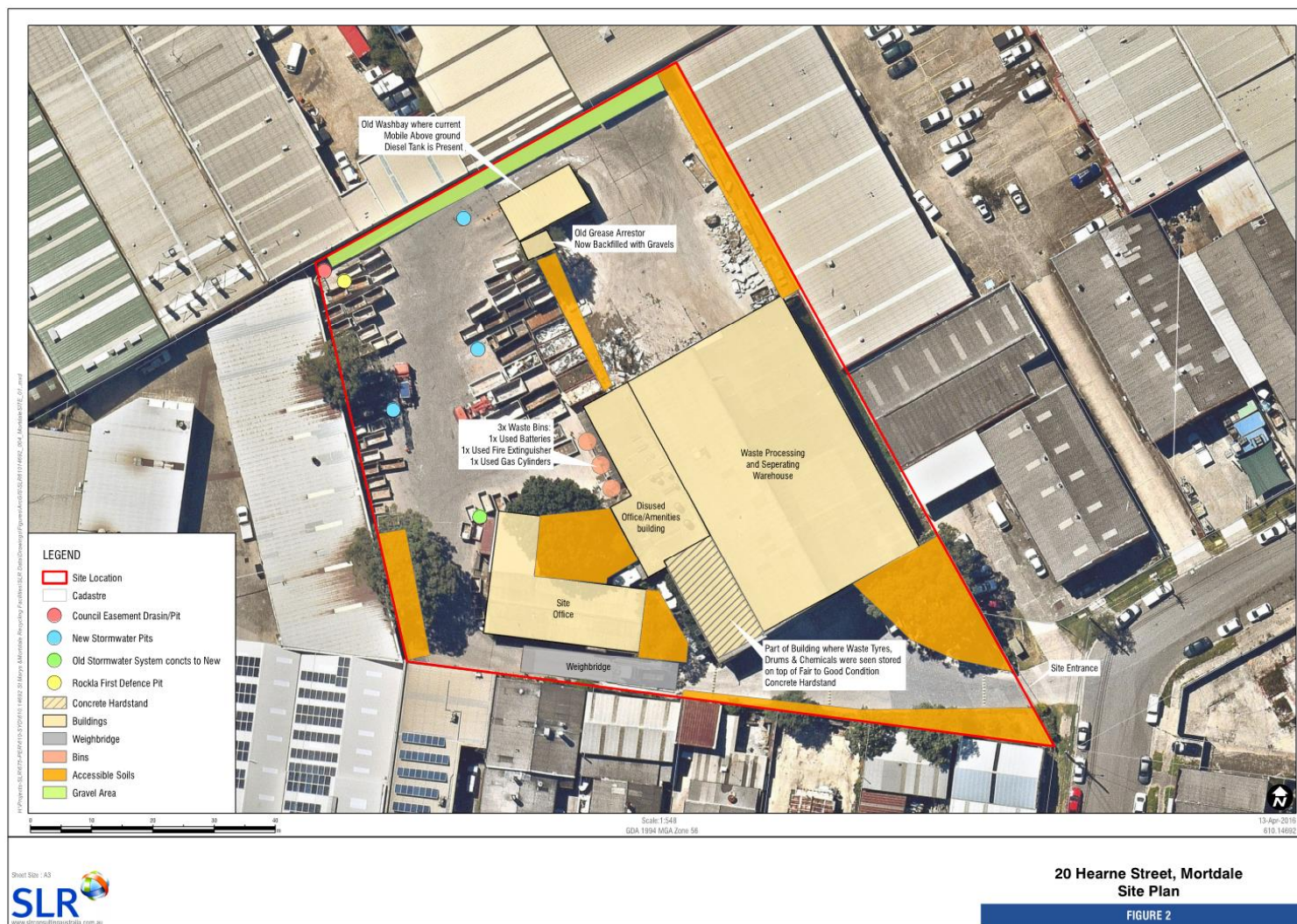


Figure 2 Site Plan





Photograph 1:  
View of driveway  
entrance off Hearne  
Street, looking north



Photograph 2:  
View of weighbridge  
along entrance  
driveway, looking  
towards Hearne St to  
the south



Photograph 3:  
View of the Office  
Building, looking  
towards Hearne  
Street to the  
southeast



Photograph 4:  
View towards the  
southwest corner of  
the property



Photograph 5;  
View of the  
processing  
warehouse, looking  
towards the  
southeast



Photograph 6:  
View of the  
decommissioned  
wash bay, looking  
towards the east





Photograph 7:  
View of the  
processing  
warehouse, looking  
towards the south



Photograph 8: View  
of area containing  
decommissioned  
grease arrestor



Photograph 9:  
View of unsealed  
gravel area along the  
northern boundary



Photograph 10:  
Elevated exposed  
soil area adjacent to  
decommissioned  
grease arrestor area



Photograph 11:  
Exposed soil along  
the eastern boundary





Photograph 12:  
View of mobile diesel  
AST



Photograph 13:  
Small area of  
damaged concrete  
downgradient of  
processing  
warehouse



Photograph 14:  
View towards the  
western boundary  
and empty waste  
bins



Photograph 15:  
View inside the  
processing  
warehouse

## 5.2 Site Drainage

Observations made during the site walkover indicate that the site drainage comprises of:

- Roof top water flowing to downpipes and subsurface drainage infrastructure or surface overland flow.
- Surface overland flow towards the north-west and south of the site. For the majority of the site (and all areas containing wastes and waste movements) surface flows would be towards the north west, while the area containing the entrance access road and weighbridge drains towards the south
- Stormwater directed towards the north-west flows into the Rockla First Defence system pit located in the northwest corner of the site, which discharges to the Council easement drain pit.
- Stormwater directed towards the south of the site drains directly into the Council easement drain pit.

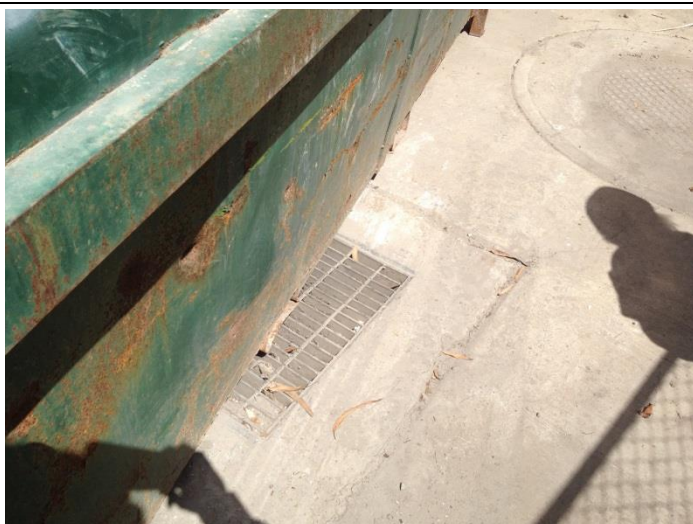




Photograph 16: Building downpipes



Photograph 17: Building downpipe outlets



Photograph 18: Grated stormwater drains



Photograph 19: Grated stormwater drains



Photograph 20: Rockla First Defence System Pit located in northeast corner



Photograph 21: Grated stormwater drains



### 5.3 Wastes

The site is used to receive, sort and recycle general solid wastes. Numerous empty waste bins used to transport the recycled wastes to site were evident across the site. Three additional waste storage areas were encountered outside the warehouse and were used to store the following wastes encountered while sorting the received general wastes:

- Used batteries
- Used fire extinguishers
- Used gas cylinders



Photograph 22:  
Storage of used batteries



Photograph 23:  
Storage of used gas cylinders and fire extinguishers

### 5.4 Chemical Use and Storage

Chemical usage and storage observed during the site inspections included:

- 28 000L, mobile, double-walled, self-bunded, above ground diesel tank being housed in the decommissioned washbay for onsite fuelling of vehicles/machinery.
- Approximately 6 LPG tanks stored on site for use by the forklifts.

- Approximately 2 x 250L drums of coolant for use on forklifts. The coolant drums were kept inside larger heavy duty plastic drums for spill control. No staining or spills were observed during the site walkover.
- Approximately 5 x 250L drums of engine oil for use on forklifts. The drums were kept on top of wooden pallets or inside heavy duty plastic drums. No staining or spills were observed during the site walkover.
- 1000L plastic tank containing Hi-Tec Blue Air, which is a urea solution for use as a diesel additive.

These chemicals are used for operation of the onsite machinery and stored (with the exception of the diesel, which is stored in the decommissioned wash bay) within a room located adjacent to the main warehouse.



Photograph 24: Storage of engine oil on pallets and waste tyres



Photograph 25  
Storage of engine oil, coolant and urea solution diesel additive (Hi-Tec Blue Air)

## **5.5 Asbestos**

Discussions with Ms Ros Dent (from Bingo) during the site walkover suggested that the buildings on site contained asbestos. An Asbestos Register and Asbestos Management Plan (AMP) are present and enforced to manage the risks presented by the asbestos. No asbestos fragments were observed during the site walkover, although there is potential for additional waste asbestos products to be brought onto the site mixed with the delivery of the inert wastes. The Draft Operational Environmental Management Plan (OEMP) for the site incorporates protocols to enable the appropriate management of nonconforming wastes including asbestos.

It is noted that a hazardous building materials survey was not within the scope of this investigation.

## **5.6 Phytotoxicity**

All vegetation on site appeared healthy and showed no signs of phytotoxic impact.

## **5.7 Odours and Staining**

There was no olfactory evidence of odours on the site, with the exception of odours generally associated with inert waste. There was no visual evidence of widespread or significant staining however there was evidence of a small amount of stained gravel within the old grease arrestor area (refer to Photograph 8).

## **5.8 Adjacent Land Uses**

The site is located within an established light industrial area and is surrounded by light industrial warehouses undertaking low risk contaminating activities including mechanical repairs, bodywork repairs, trailer manufacturing and tool makers. There was no visual or olfactory evidence of migration of contamination from adjacent land users.

# **6 DATA QUALITY ASSESSMENT**

The sources of data relied upon for this assessment included:

- NSW Environmental Protection Authority
- NSW Office of Environment and Heritage
- NSW WorkCover Authority
- NSW Natural Resources Atlas
- Google Earth
- NSW Globe
- Hurstville City Council

Observations made in the field were generally consistent with observations made of relevant data provided by third parties during the desktop review.

## 7 AREAS OF ENVIRONMENTAL CONCERN AND CONTAMINANTS OF POTENTIAL CONCERN

A review of available site history data and observations made during the site walkover indicated a number of areas of environmental concern (AEC) and contaminants of potential concern (COPC) may be present on the site. The AECs and associated COPC are presented in **Table 2**.

**Table 2 Areas of Environmental Concern and Contaminants of Potential Concern**

AEC	Land Use Activity	COPC	Likelihood of Soil Contamination Presence on Site <sup>1</sup>
01	On-site waste receipt, handling and transfer	Petroleum Hydrocarbons Polycyclic Aromatic Hydrocarbons Metals Solvents Pesticides/Herbicides Asbestos	Low
02	Decommissioned Grease Arrestor	Petroleum Hydrocarbons Polycyclic Aromatic Hydrocarbons Metals	Low
03	Decommissioned Washbay	Petroleum Hydrocarbons Polycyclic Aromatic Hydrocarbons Metals Solvents	Low
04	Historic Onsite Activities	Petroleum Hydrocarbons Polycyclic Aromatic Hydrocarbons Metals Solvents Pesticides/Herbicides Asbestos	Low - medium

Note: 1. Qualitative Assessment only, based on available data and SLR's experience with comparable land use activities

It should be noted that the likelihood of contamination being present from current land activities has been determined as low due to the majority of the site being covered in good to fair condition hardstand, restricting the pathway for contaminants to enter underlying soils. The likelihood of contamination being present from historic activities has been determined as low to medium due to the ground surface being unsealed prior to 1986.

## 8 CONCEPTUAL SITE MODEL

Potential contamination migration pathways between sources of contamination and potential identified receptors are presented in **Table 3** below.



**Table 3 Potential Contaminant Pathways and Receptors**

<b>PATHWAYS</b>	<b>HUMAN HEALTH RECEPTORS</b>	<b>ENVIRONMENT RECEPTORS</b>
Direct dermal contact with contaminants	<ul style="list-style-type: none"> <li>Workers and visitors during the demolition/construction phase of the Site</li> <li>Future/current maintenance/construction workers</li> </ul>	Impact on off-site and on-site fauna
Inhalation of soil dust, fibres and/or soil vapours	<ul style="list-style-type: none"> <li>Workers and visitors during the demolition/construction phase of the Site</li> <li>Future/current maintenance/construction workers</li> <li>General public or workers in neighbouring properties during demolition/construction phase of the Site</li> </ul>	Impact on off-site and on-site fauna
Ingestion of contaminated soil/water	<ul style="list-style-type: none"> <li>Workers or visitors during the demolition/construction phase of the Site</li> <li>Future/current maintenance/construction workers</li> <li>Users of groundwater/surface water down-gradient of project area</li> </ul>	Impact on off-site and on-site fauna Impact on off-site aquatic eco-systems

The preferential pathways identified for contaminant migration to occur include:

- Surface water drains via runoff
- Subsurface drains via runoff and leaching
- Vapour/groundwater flow through service trenches
- Potential entry of vapours into buildings through service penetrations and cracks in the building fabric (future)

## 9 CONCLUSIONS AND RECOMMENDATIONS

Based on a review of the available desktop search data and observations made during the site walkover with the context of the objectives of this investigation, SLR makes the following conclusions and recommendations:

1. Some AECs have been identified on the site, based on past and current land use activities, including:
  - Waste Handling
  - Decommissioned Grease Arrestor
  - Decommissioned Washbay

- Historic on-site activities including the manufacture of industrial machinery, glass manufacturing, the use of spray booths and operation as a refuse facility.
2. No AECs have been identified in association with potential off-site sources of contamination.
  3. The qualitative likelihood of soil contamination being present on the site, as a result of the identified AECs, is considered low to medium.
  4. An additional investigation in the form of soil sampling would be recommended, to refine the level of certainty around the likelihood of contamination being present at the site, particularly in areas where future soil disturbance is proposed, so an assessment can be made in relation to the safety of the workers who may come into contact with the soil during soil disturbance works.
  5. Further contamination investigation work should be undertaken by a suitably experienced environmental consultant.
  6. The site in its current state is suitable for commercial/industrial activities.

## 10 REFERENCES

NW Environmental Protection Agency (1994), Contaminated Sites: Guidelines for Assessing Service Station Sites.

NSW Office of Environment and Heritage (2011), Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites.

Friebel, E and Nadebaum, P (2011), HSLs for petroleum hydrocarbons in soil and groundwater, part 1: technical development document, Technical report no. 10, CRC for Contamination Assessment and Remediation of the Environment, Adelaide, Australia.

National Environmental Protection Council (2013), National Environmental Protection (Assessment of Site Contamination) April 2011, Schedule B2, Guideline on Site Characterisation (hereafter referred to as the Amendment 1 NEPM 2013).

Standards Australia (1999), Australian Standard, AS4482.2, Guide to the Sampling and Investigation of Potentially Contaminated soil, Part 2 Volatile Substances. Standards Australia, Sydney, NSW.

Standards Australia (2005), Australian Standard, AS4482.1, Guide to the Sampling and Investigation of Potentially Contaminated soil, Part 1: Non-Volatile and Semi-Volatile Compounds. Standards Australia, Sydney, NSW.

## **Appendix A**

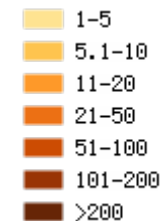
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### **LOCATION OF GROUNDWATER BORES**




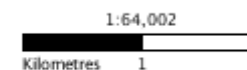
## Bore density per 25km2



## All bores

• Bore

 Bores closest to Investigation Site



Data Source: Bureau of Meteorology, Geoscience Australia and State/Territory lead water agencies. Refer to metadata for further information: [Click here](#)

Australian Albers GDA94

Date: 17 March, 2016

## Appendix B

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### HISTORICAL AERIAL PHOTOGRAPHS



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### HISTORICAL AERIAL PHOTOGRAPHS



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### HISTORICAL AERIAL PHOTOGRAPHS





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### HISTORICAL AERIAL PHOTOGRAPHS





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### HISTORICAL AERIAL PHOTOGRAPHS



## **Appendix C**

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### **TITLE SEARCH RESULTS**

Locality : MORTDALE

# Cadastral Records Enquiry Report

Requested Parcel : Lot 102 DP 585775

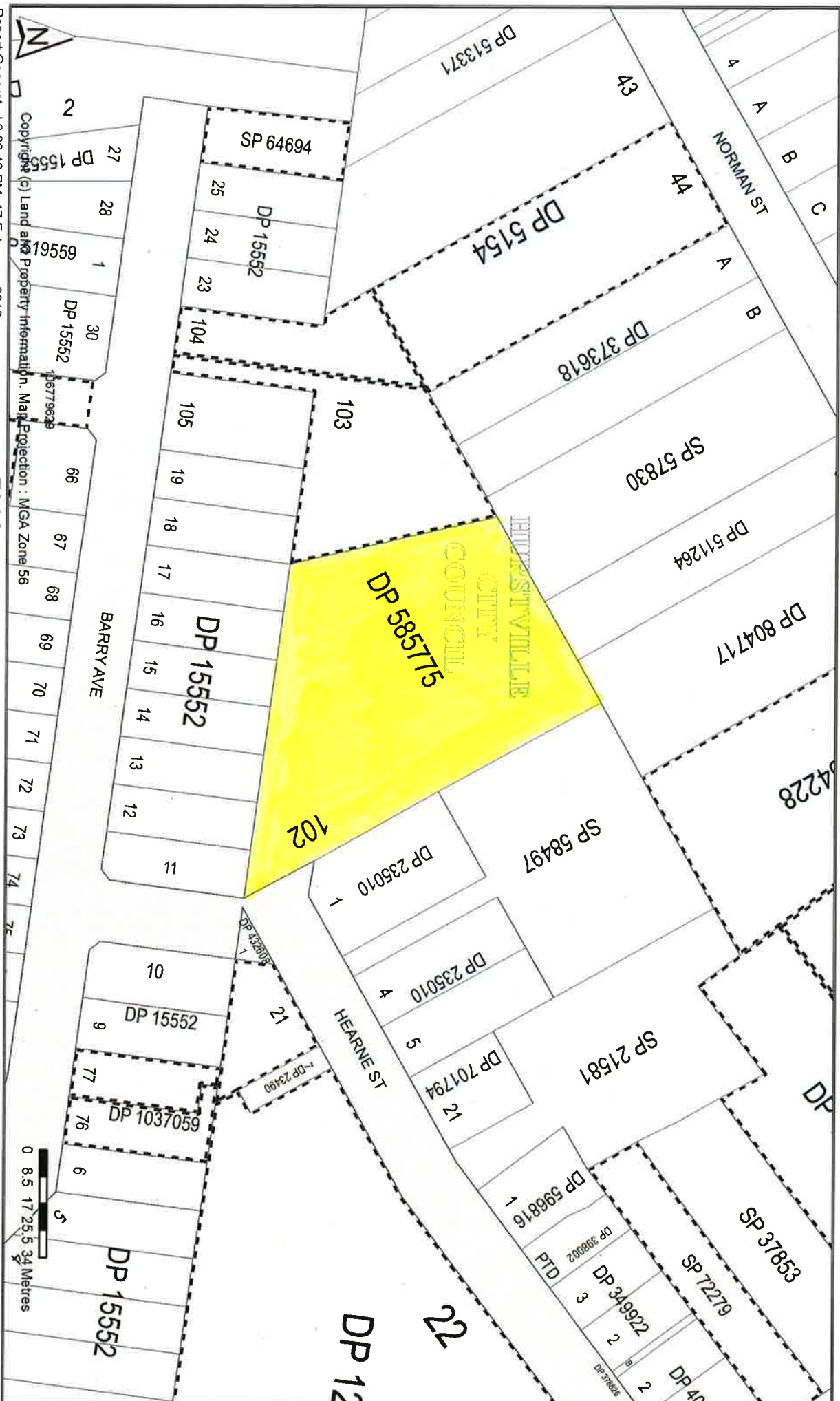
LGA : HURSTVILLE

Parish : ST GEORGE

Identified Parcel : Lot 102 DP 585775

County : CUMBERLAND

Ref : surv:scim-grollm



Copyright (c) Land and Property Information. Map Projection : MGA Zone 56

0 8.5 17 25.5 34 Metres



## Reverse Street Address Inquiry

Provides street address details for a title.

Street Address associated with title reference: **102/585775**

Address:

**20 HEARNE ST MORTDALE 2223**

Client Reference:

Date of Service: 17-Feb-2016 15:23:00

This information is provided as a searching aid only.  
The Registrar General does not guarantee the information provided.

Please forward any feedback or data quality issues to [feedback@lands.nsw.gov.au](mailto:feedback@lands.nsw.gov.au)

1. Jack Hayward Watson, Registrar General for New South Wales, certify that this negative is a photograph made at a prison, record at a document in my custody this 1st day of November, 1970.

*Watson*



13193-059

NEW SOUTH WALES

# CERTIFICATE OF TITLE

REAL PROPERTY ACT, 1900

Vol. 13193 Fol. 59

Appln. No.6635

Prior Title Vol.4291 Fol. 6

EDITION ISSUED

3 12 1976



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

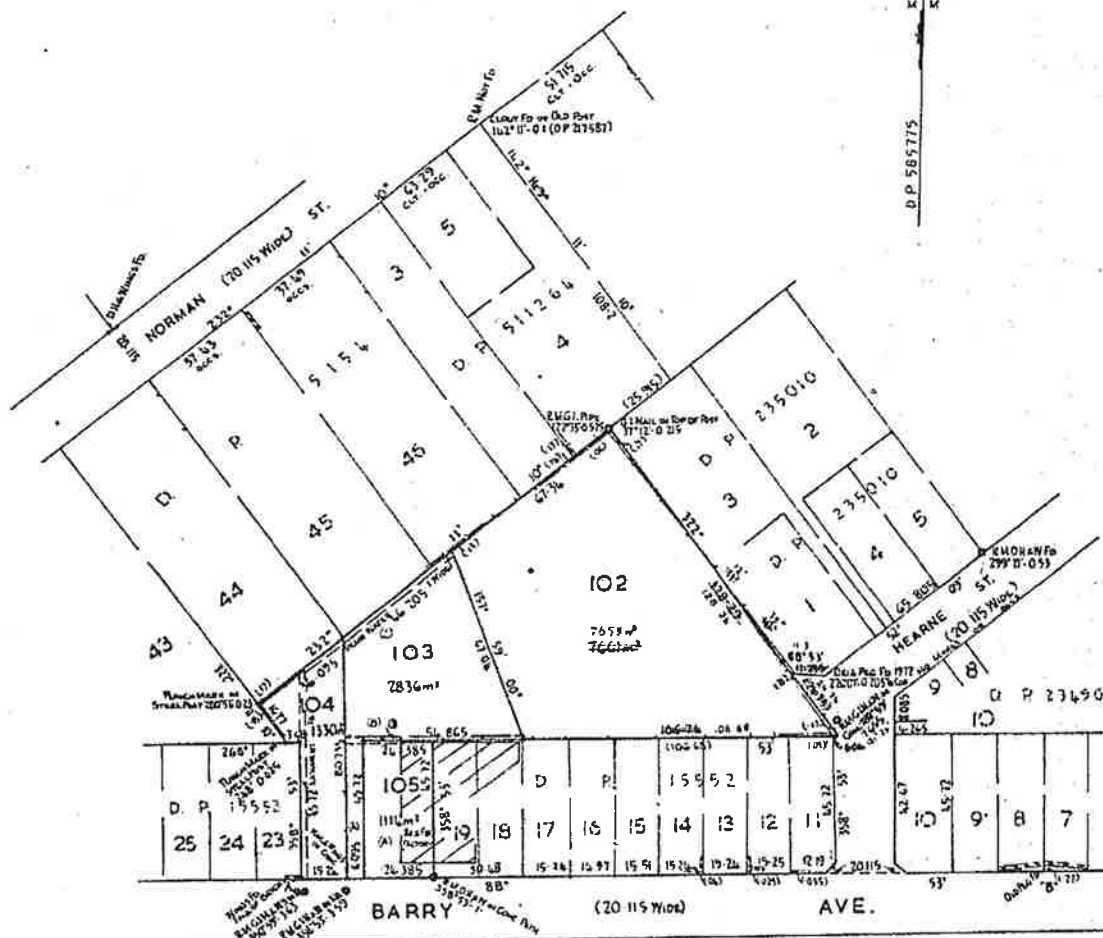
**CANCELLED**  
Registrar General.



## PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES

SEE AUTO FOLIO



(A) COVT 3 194010  
(B) EASEMENT FOR SEWERAGE PURPOSES  
(C) EASEMENT TO DRAIN WATER  
(D) EASEMENT TO DRAIN WATER

### ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 102 in Deposited Plan 585775 in the Municipality of Hurstville Parish of St. George and County of Cumberland being part of Portion 261 granted to Mary Parrott on 18-3-1842.

### FIRST SCHEDULE

~~W.H.S. STACY & SONS, LIMITED.~~

### SECOND SCHEDULE

1. Reservations and conditions, if any, contained in the Crown Grant above referred to.
2. Mortgage No. J576339 to the Australasian Temperance and General Mutual Life Assurance Society Limited. Registered 26-2-1964. Discharged V626706
3. Mortgage No. J576340 to Commonwealth Development Bank of Australia. Registered 26-2-1964. Discharged V626707
4. Mortgage No. J657347 to Commonwealth Trading Bank of Australia. Registered 25-5-1964. Discharged V626708
5. Easement to Drain Water appurtenant to the land above described created by the registration of Deposited Plan 585775. See P882633.
6. Easement for Sewerage Purposes appurtenant to the land above described created by the registration of Deposited Plan 585775. See P882633.
7. Restriction as to user created by the registration of Deposited Plan 585775. See P882633.

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

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

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









# Legal Liaison Services

Legal Liaison Services hereby certifies that the information contained in this document has been provided electronically by the Registrar General.

Information provided through Tri-Search an approved LPINSW Information Broker

## LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

17/2/2016 9:46AM

FOLIO: 102/585775

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

Prior Title(s): VOL 13193 FOL 59

Recorded	Number	Type of Instrument	C.T. Issue
28/3/1988		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
19/8/1988		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
8/5/1989	Y333840	CAVEAT	
1/6/1989	Y351290	WITHDRAWAL OF CAVEAT	
1/6/1989	Y351291	DISCHARGE OF MORTGAGE	
1/6/1989	Y351292	TRANSFER	EDITION 1
14/9/1989	Y596332	MORTGAGE	EDITION 2
19/9/1989		AMENDMENT: CT DELIVEREE	
15/6/1990	Z62458	MORTGAGE	EDITION 3
27/11/1991	E86758	DISCHARGE OF MORTGAGE	EDITION 4
23/1/1995	U960971	DISCHARGE OF MORTGAGE	EDITION 5
12/7/1996	2300240	LEASE	EDITION 6
25/9/2001	7970065	MORTGAGE	EDITION 7
11/2/2010	AF301692	LEASE	EDITION 8
3/3/2011	AG9183	DISCHARGE OF MORTGAGE	
3/3/2011	AG9184	TRANSFER	
3/3/2011	AG9185	MORTGAGE	EDITION 9
28/11/2014	AJ75305	CAVEAT	
9/1/2015	AJ153421	DISCHARGE OF MORTGAGE	
9/1/2015	AJ153422	TRANSFER	EDITION 10
31/1/2015	AJ218667	SURRENDER OF LEASE	EDITION 11
22/10/2015	AJ922988	MORTGAGE	EDITION 12

END OF PAGE 1 - CONTINUED OVER

SLR

PRINTED ON 17/2/2016

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH  
-----SEARCH DATE  
-----

17/2/2016 9:46AM

FOLIO: 102/585775  
-----

PAGE 2

Recorded	Number	Type of Instrument	C.T. Issue
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\*\*\* END OF SEARCH \*\*\*

Ref:slr /Src:T

RP 13  
1005

STAMP DUTY

①



Flat Glass Holdings



Y351292

\$1-

## TRANSFER

REAL PROPERTY ACT, 1900

T

33 of 3  
\$ 42

R3/3

DESCRIPTION  
OF LAND  
Note (a)CERTIFICATE OF TITLE  
VOLUME: 13193 FOLIO 59  
NOW BEING  
FOLIO IDENTIFIER 102/585775

If Part Only, Define Whole and Give Details

WHOLE

Location

COUNTY OF CUMBERLAND  
PARISH OF ST. GEORGETRANSFEROR  
Note (b)

K. H. CONSTRUCTIONS PTY LIMITED now known as 20 MORTDALE STREET PTY LTD

ESTATE  
Note (c)(the abovenamed TRANSFEROR) hereby acknowledges receipt of the consideration of \$1,540,000.00  
and transfers an estate in fee simple  
in the land above described to the TRANSFEETRANSFEE  
Note (d)FLAT GLASS HOLDINGS PTY LIMITED a company duly incorporated in the State of  
New South Wales and having its registered office at 4 Treloar Avenue, Mortdale

OFFICE USE ONLY

S

TENANCY  
Note (e)

as joint tenants/tenants in common

PRIOR  
ENCUMBRANCES  
Note (f)

subject to the following PRIOR ENCUMBRANCES 1.

2.

3.

DATE 2nd MARCH 1989

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

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

EXECUTION  
Note (g)

Signature of Witness

Name of Witness (BLOCK LETTERS)

Address and occupation of Witness

THE COMMON SEAL of 20 MORTDALE  
STREET PTY. LTD. was hereunto  
affixed in accordance with its  
Articles of Association in the  
presence of

Director:

Secretary:

Signature of Transferor



Note (g)

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

Signature of Witness

Name of Witness (BLOCK LETTERS)

Address and occupation of Witness

Signature of Transferee

C. V. Theodore Solicitor for Transferee

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

LODGED BY

Westpac Banking Corporation  
200 MORTDALE STREET, 200 MORTDALE STREET,  
MORTDALE NSW 2223 PHONE: 226-2511  
DELIVERY BOX NO. 274

Delivery Box Number

LOCATION OF DOCUMENTS

CT

OTHER

✓ NY, 0M

Herewith.

In L.T.O. with

Produced by

OFFICE USE ONLY

Checked

Passed

REGISTERED

-19

1 JUN 1989

Secondary  
Directions

Signed

Extra Fee

STAMP DUTY 1/03/89

6243

Delivery  
Directions

CT 374

Ref:slr /Src:T.m: . 01T

Release: 4.1  
www.lpma.nsw.gov.au**TRANSFER**New South Wales  
Real Property Act 1900**AG9184L**

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

STAMP DUTY

Office of State Revenue use only

Office of State Revenue	
Client No: 109163208	2751
Duty: \$10 -	Trans No: 6104948
Asst details: 13.12.10	

(A) TORRENS TITLE

Folio Identifier 102/585775

(B) LODGED BY

Document  
Collection  
Box

245

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

**LLPN:123836E**  
**CTB**

Reference:

642918467

CODES

T JT  
TF TJ  
TK TW

(C) TRANSFEROR

FLAT GLASS HOLDINGS PTY LIMITED ACN 001 757 099

(D) CONSIDERATION

The transferor acknowledges receipt of the consideration of \$ 3,800,000.00 and as regards

(E) ESTATE

the abovementioned land transfers to the transferee an estate in fee simple(F) SHARE  
TRANSFERRED

(G)

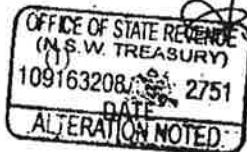
Encumbrances (if applicable):

(H) TRANSFEE

**JOHNY**  
**JOHN PAPANTONIOU**

TENANCY:

24-12-2010



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

Signature of witness:

Name of witness:

Address of witness:

BERNADETTE ROSE WATERS

1/34 MACMAHON ST, HURSTVILLE

Certified correct for the purposes of the Real Property Act 1900 by the person(s) named below who signed this instrument pursuant to the power of attorney specified.

Signature of attorney:

Attorney's name:

(Signing on behalf of:)

Power of attorney-Book:

-No.:

JACK JACOVOU

4401 FLAT GLASS HOLDINGS Pty Ltd

204

**RELODGED**

24 FEB 2011

TIME:

945

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

Signature:

Signatory's name:

Signatory's capacity:

JOHN JEWELLER

transferee's solicitor

(K) The transferee certifies that the eNOS data relevant to this dealing has been submitted and stored under eNOS ID No. Full name: Signature:



# Legal Liaison Services

Legal Liaison Services 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.

Information provided through Tri-Search an approved LPINSW Information Broker

## LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 102/585775

SEARCH DATE	TIME	EDITION NO	DATE
17/2/2016	9:41 AM	12	22/10/2015

### LAND

LOT 102 IN DEPOSITED PLAN 585775  
LOCAL GOVERNMENT AREA HURSTVILLE  
PARISH OF ST GEORGE COUNTY OF CUMBERLAND  
TITLE DIAGRAM DP585775

### FIRST SCHEDULE

HEARNE STREET PTY LTD

(T AJ153422)

### SECOND SCHEDULE (5 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 DP585775 EASEMENT TO DRAIN WATER APPURTENANT TO THE LAND ABOVE DESCRIBED
- 3 DP585775 EASEMENT FOR SEWERAGE PURPOSES APPURTENANT TO THE LAND ABOVE DESCRIBED
- 4 DP585775 RESTRICTION(S) ON THE USE OF LAND
- 5 AJ922988 MORTGAGE TO SUNCORP-METWAY LIMITED

### NOTATIONS

UNREGISTERED DEALINGS: NIL

\*\*\* END OF SEARCH \*\*\*

SLR

PRINTED ON 17/2/2016

\*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.

17/02/2016



## **Appendix D**

Report Number 610.14692-R17-V1 Phase 1

Page 1 of 1

### **NSW EPA POEO ACT SEARCH RESULTS**



Healthy Environment, Healthy Community, Healthy Business

[Home](#) [Environment protection licences](#) [POEO Public Register](#) [Search](#)  
for licences, applications and notices

## Search results

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

**Suburb - HURSTVILLE**

returned 10 results

[Export to excel](#)

1 of 1 Pages

[Search Again](#)

<u>Number</u>	<u>Name</u>	<u>Location</u>	<u>Type</u>	<u>Status</u>	<u>Issued date</u>
<a href="#">7120</a>	DOMINELLI HURSTVILLE PTY LIMITED	CORNER FOREST ROAD & PEARL STREET, HURSTVILLE, NSW 2220	POEO licence	Surrendered	10 Aug 2000
<a href="#">982</a>	HOLCIM (AUSTRALIA) PTY LTD	156 BELLEVUE PARADE, HURSTVILLE, NSW 2220	POEO licence	No longer in force	14 Mar 2000
<a href="#">6539</a>	HURSTVILLE COMMUNITY PRIVATE HOSPITAL LIMITED	37 GLOUCESTER ROAD, HURSTVILLE, NSW 2220	POEO licence	No longer in force	30 May 2000
<a href="#">1018616</a>	HURSTVILLE COMMUNITY PRIVATE HOSPITAL LIMITED	37 GLOUCESTER ROAD, HURSTVILLE, NSW 2220	s.58 Licence Variation	Issued	22 Oct 2002
<a href="#">1044523</a>	HURSTVILLE COMMUNITY PRIVATE HOSPITAL LIMITED	37 GLOUCESTER ROAD, HURSTVILLE, NSW 2220	s.58 Licence Variation	Issued	15 Feb 2005
<a href="#">11231</a>	MORUYA GOLF CLUB LTD	ISEMS Street w, WILLOUGHBY, NSW 2068	POEO licence	Pending	
<a href="#">2099</a>	ORORA LIMITED	95 FOREST ROAD, HURSTVILLE, NSW 2220	POEO licence	Surrendered	15 Dec 1999
<a href="#">10470</a>	THE HOSPITALS CONTRIBUTION FUND OF AUSTRALIA LTD	12 Butler Street, HURSTVILLE, NSW 2220	POEO licence	No longer in force	17 Feb 2000
<a href="#">1034571</a>	THE HOSPITALS CONTRIBUTION FUND OF AUSTRALIA LTD	12 Butler Street, HURSTVILLE, NSW 2220	s.58 Licence Variation	Issued	27 Feb 2004
<a href="#">6745</a>	TYCO HEALTHCARE PTY LIMITED	59-69 HALSTEAD STREET, HURSTVILLE, NSW 2220	POEO licence	Surrendered	11 Jul 2000

[Connect](#)

[Feedback](#)

[Web support](#)  
[Public comment](#)

17 February 2016



Healthy Environment, Healthy Community, Healthy Business

[Home](#) [Contaminated land](#) [Record of notices](#)

## Search results

Your search for: Suburb: HURSTVILLE

did not find any records in our database.

If a site does not appear on the record it may still be affected by contamination. For example:

- Contamination may be present but the site has not been regulated by the EPA under the Contaminated Land Management Act 1997 or the Environmentally Hazardous Chemicals Act 1985.
- The EPA may be regulating contamination at the site through a licence or notice under the Protection of the Environment Operations Act 1997 (POEO Act).
- Contamination at the site may be being managed under the [planning process](#).

More information about particular sites may be available from:

- The [POEO public register](#)
- The appropriate planning authority: for example, on a planning certificate issued by the local council under [section 149 of the Environmental Planning and Assessment Act](#).

See [What's in the record and What's not in the record](#).

If you want to know whether a specific site has been the subject of notices issued by the EPA under the CLM Act, we suggest that you search by Local Government Area only and carefully review the sites that are listed.

This public record provides information about sites regulated by the EPA under the Contaminated Land Management Act 1997, including sites currently and previously regulated under the Environmentally Hazardous Chemicals Act 1985. Your inquiry using the above search criteria has not matched any record of current or former regulation. You should consider searching again using different criteria. The fact that a site does not appear on the record does not necessarily mean that it is not affected by contamination. The site may have been notified to the EPA but not yet assessed, or contamination may be present but the site is not yet being regulated by the EPA. Further information about particular sites may be available from the appropriate planning authority, for example, on a planning certificate issued by the local council under section 149 of the Environmental Planning and Assessment Act. In addition the EPA may be regulating contamination at the site through a licence under the Protection of the Environment Operations Act 1997. You may wish to search the POEO public register. [POEO public register](#)

[Search Again](#)

[Refine Search](#)

### Search TIP

To search for a specific site, search by LGA (local government area) and carefully review all sites listed.

... [more search tips](#)

Connect

Feedback

Web support  
Public contact

17 February 2016

## **Appendix E**

Report Number 610.14692-R17-V1 Phase 1

Page 1 of 1

### **NSW WORKCOVER RECORDS**



**SafeWork NSW**

SafeWork NSW  
92-100 Donnison Street, Gosford, NSW, 2250  
Locked Bag 2906, Lisarow, NSW, 2252 |  
Customer Service Centre 13 10 50  
[licensing@safework.nsw.gov.au](mailto:licensing@safework.nsw.gov.au) | [www.safework.nsw.gov.au](http://www.safework.nsw.gov.au)

Our Ref: D16/543484

Your Ref: Sarah Kill

14 March 2016

Attention: Sarah Kill  
SLR Consulting Australia Pty Ltd  
2/15 Astor Terrace  
Spring Hill Qld 4000

Dear Ms Kill,

**RE SITE: 20 Hearne St Mortdale NSW**

I refer to your site search request received by SafeWork NSW on 7 March 2016 requesting information on Storage of Hazardous Chemicals for the above site.

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

For further information or if you have any questions, please call our Customer Service Centre on 13 10 50 or email [licensing@safework.nsw.gov.au](mailto:licensing@safework.nsw.gov.au)

Yours sincerely,

  
Brent Jones  
Customer Service Officer  
Customer Service Centre - Operations  
SafeWork NSW



## **Appendix F**

Report Number 610.14692-R17-V1 Phase 1

Page 1 of 1

### **HURSTVILLE CITY COUNCIL PLANNING CERTIFICATE**



## Hurstville City Council

Civic Centre  
MacMahon Street  
Hurstville NSW 2220

PO Box 205  
Hurstville BC NSW 1481  
Telephone (02) 9330 6222  
Facsimile (02) 9330 6223  
email [hccmail@hurstville.nsw.gov.au](mailto:hccmail@hurstville.nsw.gov.au)  
website [www.hurstville.nsw.gov.au](http://www.hurstville.nsw.gov.au)

### PLANNING CERTIFICATE ISSUED UNDER SECTION 149(2) ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

---

Our Reference: **PL2016/0375**  
Your Reference: **610.14692 Mortdale**  
Date of Issue: **02/03/2016**

***S K Slr Consulting Australia Pty Ltd***  
***2/15 Astor Terrace***  
***SPRING HILL QLD 4000***

Property Number:	<b>76800</b>
Property Address:	<b>20 Hearne Street MORTDALE NSW 2223</b>
Legal Description:	<b>Lot 102 DP 585775</b>

This certificate is provided pursuant to Section 149(2) of the Act. At the date of this certificate, the subject land may be affected by the following matters.

## **1. Names of relevant planning instruments and DCPs**

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

The following environmental planning instruments apply to the carrying out of development on the land:

### **Local Environmental Plans**

Hurstville Local Environmental Plan 2012 gazetted 7 December 2012

### **State Environmental Planning Policies**

The following State Environmental Planning Policies apply:

- No. 19 - Bushland in Urban Areas
- No. 21 - Caravan Parks
- No. 30 - Intensive Agriculture
- No. 32 - Urban Consolidation (Redevelopment of Urban Land))
- No. 33 - Hazardous and Offensive Development
- No. 50 - Canal Estates
- No. 55 - Remediation of Land
- No. 62 - Sustainable Aquaculture
- No. 64 - Advertising and Signage
- No. 65 - Design Quality of Residential Flat Development
- No. 70 - Affordable Housing
- SEPP (Housing for Seniors or People with a Disability) 2004
- SEPP (Major Development) 2005
- SEPP (Building Sustainability Index; BASIX) 2004
- SEPP (Mining, Petroleum Production and Extraction Industries) 2007
- SEPP (Miscellaneous Consent Provisions) 2007
- SEPP (Infrastructure) 2007
- SEPP (Exempt and Complying Codes) 2008
- SEPP (Affordable Rental Housing) 2009
- SEPP (State and Regional Development) 2011

### **Deemed State Environmental Planning Policies (Regional Environmental Plan)**

The Greater Metropolitan Regional Environmental Plan 2 - Georges River Catchment.

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

*council that the making of the proposed instrument has been deferred indefinitely or has not been approved):*

The following proposed environmental planning instruments that have been the subject of community consultation or on public exhibition under the Act, apply to the carrying out of development on the land:

On 27 July 2010, the New South Wales Government placed on public exhibition the draft State Environmental Planning Policy (Competition) 2010.

On 21 October 2013, the New South Wales Government placed on public exhibition the Draft State Environmental Planning Policy (Infrastructure) Amendment (Shooting Range) 2013.

On 10 December 2013, the New South Wales Government placed on public exhibition the Draft State Environmental Planning Policy (Infrastructure) Amendment (Sport and Recreation) 2013.

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

The following development control plans apply to the carrying out of development on the land:

Development Control Plan 1 - LGA Wide.

Development Control Plan 2 - Hurstville City Centre.

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

## **2. Zoning and land use under relevant LEPs**

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

*(a) the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No 2 (a)"),*

*(b) the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent,*

*(c) the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,*

*(d) the purposes for which the instrument provides that development is prohibited within the zone,*

## **Zone IN2 Light Industrial under Hurstville Local Environmental Plan 2012**

### **2 Permitted without consent**

Home occupations.

### **3 Permitted with consent**

Depots; Garden centres; Hardware and building supplies; Industrial training facilities; Kiosks; Landscaping material supplies; Light industries; Neighbourhood shops; Plant nurseries; Roads; Take-away food and drink premises; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres; Water recycling facilities; any other development not specified in item 2 or 4.

### **4 Prohibited**

Agriculture; Air transport facilities; Airstrips; Amusement centres; Biosolids treatment facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Child care centres; Commercial premises; Community facilities; Correctional centres; Crematoria; Eco-tourist facilities; Educational establishments; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Function centres; Health services facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Information and education facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Public administration buildings; Recreation areas; Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Residential accommodation; Respite day care centres; Rural industries; Sewage treatment plants; Tourist and visitor accommodation; Water recreation structures; Water supply systems; Wholesale supplies.

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

(e) There are no development standards applying to the land which fix minimum land dimensions for the erection of a dwelling house under the Hurstville Local Environmental Plan 2012.

*(f) whether the land includes or comprises critical habitat,*

(f) The land does not include or comprise critical habitat under any environmental planning instrument.

*(g) whether the land is in a conservation area (however described),*



(g) The land is not located within a conservation area under the provisions of the Hurstville Local Environmental Plan 2012.

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

(h) The land does not contain a heritage item under the Hurstville Local Environmental Plan 2012.

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

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

*(a) Part 3 of the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the 2006 SEPP), or*

*(b) a Precinct Plan (within the meaning of the 2006 SEPP) , or*

*(c) a proposed Precinct Plan that is or has been the subject of community consultation or on public exhibition under the Act, the particulars referred to in clause 2(a)-(h) in relation to that land (with a reference to “the instrument” in any of those paragraphs being read as a reference to Part 3 of the 2006 SEPP, or the Precinct Plan or proposed Precinct Plan, as the case requires).*

The State Environmental Planning Policy (Sydney Region Growth Centres) 2006 does not apply to the Hurstville Local Government Area.

## **3. Complying Development**

*(1) The extent to which the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A (1)(c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.*

*(2) The extent to which complying development may not be carried out on that land because of the provisions of clauses 1.17A (1)(c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of that Policy and the reasons why it may not be carried out under those clauses.*

*(3) If the Council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on that land, a statement that a restriction applies to the land, but it may not apply to all of the land, and that council does not have sufficient information to ascertain the extent to which complying development*

*may or may not be carried out on the land.*

### **General Housing Code**

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

### **Rural Housing Code**

Complying development under the Rural General Housing Code may be carried out on the land.

### **Housing Alterations Code**

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

### **General Development Code**

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

### **Commercial and Industrial Alterations Code**

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

### **Commercial and Industrial (New Buildings and Additions) Code**

Complying development under the Commercial and Industrial (New Buildings and Alterations) Code may be carried out on the land.

### **Subdivision Code**

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

### **Demolition Code**

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

### **Fire Safety Code**

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

### **Disclaimer**

This certificate only addresses matters raised in clauses 1.17A (1)(c) to (e), (2), (3) and (4), 1.18(1)(c3) and 1.19 of SEPP (Exempt and Complying Development Codes) 2008 (The Codes SEPP). It is your responsibility to ensure that you comply with any other requirements of the Codes SEPP. Failure to comply with these provisions may mean that a Complying Development Certificate issued under the provisions of the Codes SEPP could be invalidated by the Land and Environment Court.

## **4. Coastal Protection**

*Whether or not the land is affected by the operation of section 38 or 39 of the Coastal Protection Act 1979 but only to the extent that the Council has been so notified by the Department of Finance, Services and Innovation.*

Council has not been notified by the Department of Finance, Services and Innovation that the land is affected by the operation of Section 38 or Section 39 of the Coastal Protection Act, 1979.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

### **4A. Coastal Protection**

*(1) In relation to a coastal council - whether an order has been made under Part 4D of the Coastal Protection Act 1979 in relation to temporary coastal protection works (within the meaning of that Act) on the land (or on public land adjacent to that land), except where the Council is satisfied that such an order has been fully complied with.*

(1) No, the land is not affected by any current or outstanding order relating to temporary coastal protection works issued under Section 4D of the Coastal Protection Act 1979.

*(2) In relation to a coastal council:*

*(a) Whether the council has been notified under Section 55X of the Coastal Protection Act 1979 that temporary coastal protection works (within the meaning of that Act) have been placed on the land (or on public land adjacent to that land), and*

*(b) If works have been so placed - whether the council is satisfied that the works have been removed and the land restored in accordance with that Act.*

(2) Council has not received notification from the landowner that temporary coastal protection works have been placed on the land and/or adjoining public land.

The accuracy of this statement may be reliant in part upon information supplied by a third party. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant

*(3) (Repealed)*

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

*In relation to a coastal council - whether the owner (or any previous owner) of the land has 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).*

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

No, according to Council's records the owner (or any previous owner) of the land has not consented in writing to the land being subject to annual charges for coastal protection services.

The accuracy of this statement may be reliant in part upon information supplied by a third party. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant

## **5. Mine subsidence**



*Whether or not the land is proclaimed to be mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act, 1961*

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

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

## **6. Road widening and road realignment**

*Whether or not the land is affected by a any road widening or road realignment under:*

*(a) Division 2 of Part 3 of the Roads Act 1993?*

(a) The land is not affected by road widening or road realignment under Division 2 of Part 3 of the *Roads Act 1993*.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

*(b) any environmental planning instrument?*

(b) The land is not affected by any road widening or road realignment under the provisions of any environmental planning instrument.

*(c) any resolution of the Council?*

(c) The land is not affected by any road widening or road realignment under any resolution of the Council.

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

*Whether or not the land is affected by a policy:*

*(a) adopted by the council that restricts the development of the land because of the likelihood of landslip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding)?*

(a) Council has not adopted any policies that restrict development of this land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

*(b) adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the council, that restricts the development of the land because of the likelihood of landslip, bushfire, tidal inundation, subsidence, acid sulphate or any other risk (other than flooding)?*

(b) Council has not been notified of any policies adopted by any other public authorities that restricts development of this land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

#### **7A. Flood related development controls information**

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

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

- (1) Development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is not subject to flood related development controls.
- (2) Development on that land or part of the land for any other purpose is not subject to flood related development controls.

**Note 1:** Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the Standard Instrument (Local Environmental Plans) Order 2006.

**Note 2:** The answers above do not imply that the development referred to is necessarily permissible on the land to which this certificate applies. Refer to the relevant local environmental plan, deemed environmental planning instrument or draft local environmental plan applying to the land to confirm this.

## 8. Land reserved for acquisition

*Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act?*

No environmental planning instrument or proposed environmental planning instrument referred to in clause 1, makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.

## 9. Contributions plans

*The name of each contribution plan applying to the land:*

The Hurstville Section 94 Development Contributions Plan 2012 applies to the land.

## 9A Biodiversity certified land

*If the land is biodiversity certified land (within the meaning of Part 7AA of the Threatened Species Conservation Act 1995), a statement to that effect.*

Council has not been notified by the Chief Executive of the Office of Environment and Heritage, that the subject land is biodiversity certified land within the meaning of Part 7 AA of the Threatened Species Conservation Act 1995.

## 10. Biobanking agreements

*If the land is land to which a biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995 relates, a statement to that effect (but only if the council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage).*

Council has not been notified by the Chief Executive of the Office of Environment and Heritage, of a biobanking agreement under Part 7A of the *Threatened Species Conservation Act 1995*, for the subject site.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

## 11. Bush fire prone land

*If any of the land is bushfire prone land (as defined in the Act), a statement that all or, as the case may be, some of the land is bush fire prone land.*

*If none of the land is bush fire prone land, a statement to that effect.*

The Land is not shown to be bushfire prone land in Council records.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

## **12. Property Vegetation Plans**

*If the land is land to which a property vegetation plan under the Native Vegetation Act 2003 applies, a statement to that effect (but only if the council has been notified of the existence of the plan by the person or body that approved the plan under that Act).*

The provisions of the *Native Vegetation Act 2003*, do not apply to the City of Hurstville.

## **13. Orders Under Trees (Disputes Between Neighbours) Act 2006**

*Whether an order has been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land (but only if Council has been notified of the order).*

The Council has not been notified of an order under the Act in respect of tree(s) on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

## **14. Directions under Part 3A**

*If there is 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 that does not have effect, a statement to that effect identifying the provision that does not have effect.*

There is no direction by the Minister in force under section 75P (2) (c1) of the *Environmental Planning and Assessment Act 1979* as amended.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.



## 15. Site compatibility certificates and conditions for seniors housing

*If the land is land to which State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies:*

*(a) a statement of whether there is a current site compatibility certificate (seniors housing) of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:*

- (i) the period for which the certificate is current, and*
- (ii) that a copy may be obtained from the head office of the Department, and*

*(b) a statement setting out any terms of a kind referred to in clause 18 (2) of that Policy that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.*

(a) Council is not aware of the issue of any current Site Compatibility Certificate (seniors housing) in respect of proposed development on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(b) No terms of a kind referred to in Clause 18(2) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004, have been imposed as a condition of consent to a Development Application granted after 11 October 2007 in respect of the land.

## 16. Site compatibility certificates for infrastructure

*A statement of whether there is a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land and, if there is a certificate is to include:*

- (a) The period for which the certificate is current, and*
- (b) That a copy may be obtained from the head office of the Department.*

Council is not aware of the issue of any valid Site Compatibility Certificate (Infrastructure), in respect of proposed development on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by

the applicant.

## **17. Site compatibility certificates and conditions for affordable rental housing**

*(1) A Statement of whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:*

- (a) The period for which the certificate is current, and*
- (b) That a copy may be obtained from the head office of the Department.*

*(2) A statement setting out any terms of a kind referred to in Clause 17(1) or 38(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 that have been imposed as a condition of consent to a development application in respect of the land.*

(1) Council is not aware of the issue of any current Site Compatibility Certificate (Affordable Rental Housing), in respect of proposed development on the land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

(2) No terms of a kind referred to in Clause 17(1) or 37(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009, have been imposed as a condition of consent to a Development Application in respect of the land.

## **18. Paper subdivision information**

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

There is no development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot.

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

There is no subdivision order applying to the land.

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

## 19. Site Verification Certificates

*A statement of whether there is a current site verification certificate, of which the council is aware, in respect of the land and, if there is a certificate, the statement is to include:*

*(a) the matter certified by the certificate, and*

**Note:** A site verification certificate sets out the Secretary's opinion as to whether the land concerned is or is not biophysical strategic agricultural land or critical industry cluster land – see Division 3 of Part 4AA of State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007.

*(b) The date on which the certificates ceases to be current (if any), and*

*(c) That a copy may be obtained from the head office of the Department.*

There are no current site verification certificates applying to the subject land.

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

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

(a) The land has not been identified as significantly contaminated land within the meaning of the Act. (Enquiries should be directed to the NSW Environmental Protection Authority).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

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

(b) The land is not subject to a management order within the meaning of the Act. (Enquiries should be directed to the NSW Environmental Protection Authority).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

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

(c) The land is not the subject of an approved voluntary management proposal within the meaning of the Act. (Enquiries should be directed to the NSW Environmental Protection Authority).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

*(d) that the land which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act - if it is subject to such an order at the date when the certificate is issued?*

(d) The land is not the subject of an ongoing maintenance order within the meaning of the Act. (Enquiries should be directed to the NSW Environmental Protection Authority).

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

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

(e) Council has not been provided with a site audit statement, within the meaning of the Act, for this land.

The accuracy of this statement may be reliant in part upon information supplied by a third party public authority. The accuracy of this information has not been verified by Council and if the information is vital for the proposed end use of the land, it should be verified by the applicant.

### **Any Other Prescribed Matter**

**Note: Council has developed a policy in regard to contaminated land. Further advice in relation to this policy is available from Council by obtaining a section 149(5) certificate.**



**Please note the information in this certificate is provided by Council in good faith but, pursuant to section 149(6) of the Act, Council does not accept any liability in respect of such advice.**

Laurie O'Connor  
**Acting General Manager**