

DEXUS Property Group

Phase 1 – Environmental Site Assessment

201-217 Elizabeth Street, Sydney, NSW

Property No. 20006



22nd January 2016

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Table of Contents

1. Introduction	5
1.1 Background	5
1.2 Site Identification	5
1.3 Objective	5
1.4 Scope of works	6
1.5 Limitations	7
2. Geology and Hydrogeology	9
2.1 Geology	9
2.2 Hydrogeology	9
2.3 Acid Sulfate Soils	10
3. Site Background and Historical Review	12
3.1 General information	12
3.2 Adjoining Land Uses	12
3.3 Planning context	13
3.4 Title searches	14
3.5 Aerial photograph review	14
3.6 Section 149 (2) and (5) information	15
3.7 Office of Environment and Heritage (OEH) records	15
3.8 Previous Environmental Assessments	16
3.9 Summary of Site History	17
3.10 Contaminants of Potential Concern	17
3.11 Potential Areas of Environmental Concern	17
4. Site Inspection	18
4.1 Underground and Above Ground Storage Tanks	18
4.2 Conditions at Site Boundary	20
4.3 Visible Signs of Plant Stress	20
4.4 Presence of Drums, Wastes and Fill Material	20
4.5 Odours	20
4.6 Condition of Buildings and Roads	20
5. Conclusions and Recommendations	21
6. References	23

1. Introduction

1.1 Background

Edge Environment Pty Limited (Edge) has been engaged by DEXUS Property Group (DEXUS) to undertake a Phase 1 Environmental Site Assessment (ESA) of the site located at 201 Elizabeth St, Sydney, NSW.

The purpose of this investigation is to identify any risks associated with the potential for contaminated areas of land that may pose constraints for the proposed redevelopment of the site. This report has been produced as a requirement of the NSW Department of Planning Director Generals Requirements under Section 75F of the Environmental Planning and Assessment Act 1979. This report specifically addresses SEPP 55 – Remediation of Land.

This assessment has been carried out in accordance with the relevant guidelines entitled “Contaminated Sites – Guidelines for Consultants Reporting on Contaminated Sites” and standard industry practices outlined by the NSW Office of Environment and Heritage (2011).

1.2 Site Identification

The location of the site is shown in Figure 1. The building is a commercial building located in the Sydney CBD.



Figure 1: Existing Site Location

1.3 Objective

The objective of the Phase 1 ESA is to investigate the site history, and to identify potentially contaminating activities that may have occurred on site. The purpose of this preliminary site investigation is to:

- Identify all past and present potentially contaminating activities
- Identify potential contamination types
- Discuss the site condition

- Provide a preliminary assessment of site contamination
- Assess the need for further investigations

Carrying out Phase 1 ESAs will provide DEXUS with information on potential risks associated with contamination based on past and present land uses. The process will identify where there is significant contamination risk to warrant additional intrusive investigations aimed at characterising the presence and extent of any impact. The outcome of the assessment will inform management actions for ongoing protection of the environment and will provide baseline information to monitor future change from on-site tenant operations.

1.4 Scope of works

To achieve the objectives the following scope of works was undertaken:

- Desktop review of site history information to identify potential areas of environmental concern. This included review of:
 - historical titles;
 - historical aerial photographs (from 1940 to present, where available);
 - previous environmental reports for the site;
 - licences and notices (i.e. water discharge licences, hazardous materials, tradewaste etc.);
 - groundwater bore database search;
 - publicly available records comprising topographic, geological and hydrogeological maps;
 - trade Waste Plans and EPA licence (where available);
- A site walkover by an Edge representative; this included:
 - identification of current activities on the property;
 - identification of aboveground or belowground chemical storage areas;
 - identification of potential sources of contamination;
 - general description of current and/or previous manufacturing operations;
 - identification of current uses of adjoining properties;
 - check validity of publicly available information (as previously described);
 - general description of structures, storage facilities, disposal areas etc;
 - check for signs of ground contamination;
 - details of waste disposal locations;
 - obtain local site knowledge of current and

- obtain local site knowledge of current and former owners or occupiers, and/or employees, and;
- Preparation of a Phase 1 ESA Report for 20-217 Elizabeth Street.

1.5 Limitations

The findings in this report are based on the preliminary environmental desktop study described in the scope of works. Edge has performed the services in a manner consistent with the level of care and expertise exercised by members of the environmental consulting profession. No warranties, expressed or implied are made. Edge's assessment is limited strictly to identifying typical environmental conditions associated with the site. All environmental and contaminated land work is subject to general limitations related to the heterogeneity of the natural environment, variability of contaminant distribution and constraints imposed by the investigation methods utilised.

The results of this assessment are based on the site inspection undertaken by Edge personnel from accessible areas, information provided by DEXUS and publically available background information. All conclusions and recommendations are the professional opinions of the Edge personnel involved in the project, subject to the qualifications made above. While normal assessments of data reliability have been made, Edge assumes no responsibility or liability for errors in any data obtained from external sources, or developments resulting from situations outside the scope of this project.

Specifically, with regard to this report, it should be noted that the scope of works carried out herein is not intended to include sufficient information to enable completion of a statutory audit of the site, and as such does not include the following:

- Any intrusive soil/groundwater sampling and analysis
- Sampling and analysis of any emissions to air, wastewater discharges or solid and liquid wastes.

Please ensure that these limitations are understood before utilising, or basing decisions on the information presented in this report.

2. Geology and Hydrogeology

2.1 Geology

The geology of the site, as mapped in the 1:250,000 Sydney Geological Series Sheets S1 56-5 and the 1:100,000 Sydney Geological Series Sheet (1983) indicates that the site is underlain by Ashfield Shale which comprises black to dark grey shale and laminate and is part of the Wianamatta Group. Ashfield shale lies directly on eroded Hawkesbury Sandstone and is often associated with the rock type common in the inner west and the north shore of Sydney. Ashfield Shale comprises black mudstones and grey silty shales with frequent sideritic clay ironstone bands. The chemistry of the rock is typical of shales, with high iron levels, and some iron sulfide and low calcium levels.

2.2 Hydrogeology

The Ashfield Shale is a low permeability material which generally acts as an aquitard forming an impervious confining bed. The hydrogeological characteristics of the shale vary with the degree of weathering and jointing

An online search of the Groundwater Bores NSW Map (<http://waterinfo.nsw.gov.au/gw/>) determined that there are no groundwater monitoring bores within a 500m radius of the site. However there are five monitoring bores located within 1km to the east of the site. The locations of these are shown in the map below and highlighted in the blue box.



Figure 2: Map outlining locations of groundwater bores (NSW NRAtlas 2011)

No information was available on the local aquifer depth, nature and contamination status of groundwater at these bores.

2.3 Acid Sulfate Soils

Acid sulfate soils are acidic soil horizons or layers formed as a result of aeration of soil materials rich in iron sulphides (predominately pyrite - FeS₂). Such characteristics are likely to be found in:

- Marine and estuarine sediments of the recent (Holocene) geological age
- Soils usually not more than five metres above mean sea level.
- Marine or estuarine settings.

A search of the Australian Soil Resource Information System (ASRIS) National Acid Sulfate Soils Risk Map was carried out for the site area. The Acid Sulfate Soil (ASS) map from the search is illustrated in Figure 3 where the blue dot represents the location of 201 Elisabeth Street. The map shows that there is a low probability/low confidence of acid sulfate soil occurrence. The surrounding areas are classified as either extremely low probability/very low confidence or low probability/confidence low.

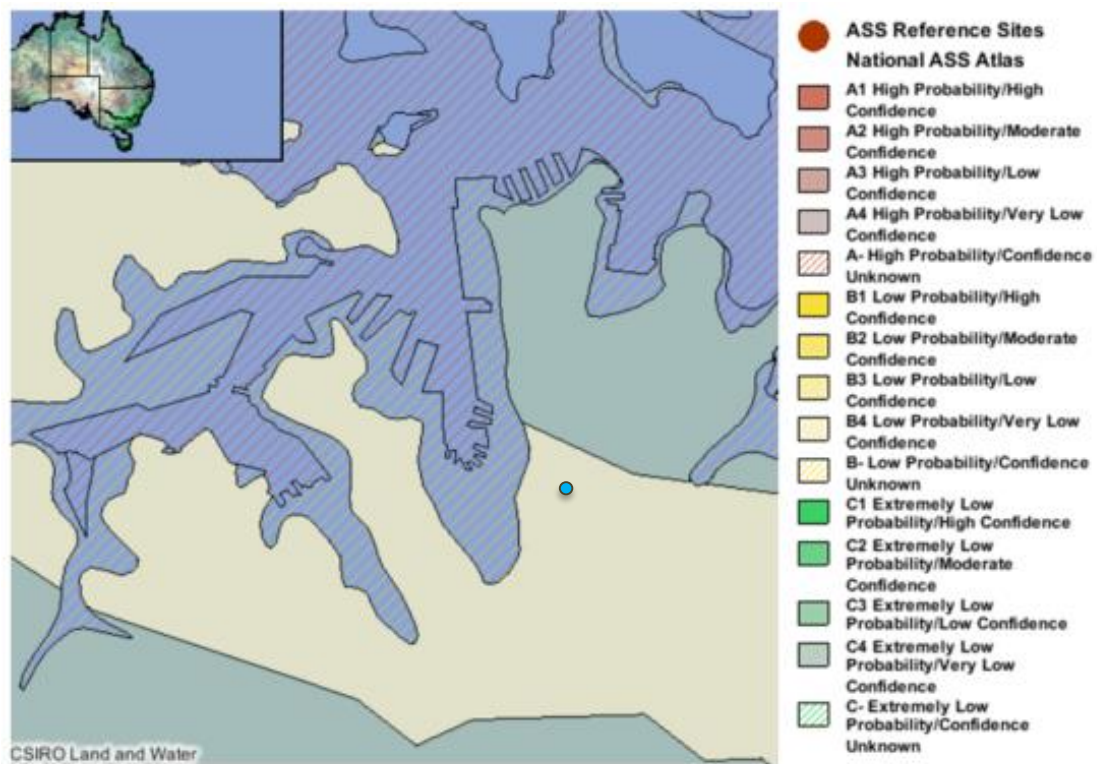


Figure 3: Acid Sulfate Soil map from the Australian Soil Resource Information System (ASRIS) for 201 Elisabeth Street and surrounding areas.

The City of Sydney Local Environment Plan 2012 (LEP) also includes an ASS map. This map is illustrated in Figure 4 where 201 Elisabeth Street is represented by the blue dot. Figure 4 shows that land occupied by 201 Elisabeth Street is classified as Class 5.

Under the LEP, development consent is required for the carrying out of works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land. Figure 4 shows that the site is not located within 500 metres of Class 1, 2, 3 or 4 land.



Figure 4: Acid Sulfate Soil map (City of Sydney LEP 2012) for 201 Elizabeth Street and surrounding areas.

3. Site Background and Historical Review

3.1 General information

The high rise office building located at 201-217 Elizabeth Street, Sydney was reportedly built circa 1972 and is constructed from reinforced concrete columns, beams, floor and roof slabs with double glazed aluminium framed windows and pre-cast concrete spandrel panels set between exposed off form concrete perimeter columns to all four elevations.

The concrete roof slab appears to be an insitu topping slab which is presumed to cover a waterproof membrane over the main structural slab. The membrane is inaccessible.

The central core of the building contains the 16 low, medium and high rise passenger and goods lifts, two fire egress stairs, the building services risers and cupboards, the return air shafts, the male and female toilets. The core is constructed from reinforced concrete and masonry brick and block walls. The main supply air ducts to the office floors are enclosed within the perimeter columns of the building.

General finishes, throughout the office floors, include carpet and ceramic floor tiles over the concrete floor slabs with cement rendered masonry walls and plasterboard lined framed internal divisional walls, set plasterboard and exposed grid "T" bar suspended ceiling systems with drop in mineral fibre acoustic ceiling tiles. The male and female toilets are finished with ceramic floor tiles and full height ceramic wall tiles and drop in plasterboard ceiling tiles to an exposed grid system and plastic laminate finished timber toilet cubicle dividers.

The main entry and lift lobby finishes include polished stone paving with polished marble facing panels to the lift walls and aluminium and polyurethane finishes to columns and walls with set plasterboard ceilings. The retail areas are finished with sheet vinyl and ceramic floor tiles with various types of wall finishes to suite their respective fit outs. The ceilings are both set plaster board and exposed grid "T" bar suspended ceiling systems with drop in ceiling tiles.

Pedestrian access to the building is from all street frontages and vehicular ingress and egress is provided at two separate driveways on Castlereagh Street to the west with car parking set over two levels P1 and P2.

Table 1 below summarises the identification details for the site.

Table 1: Site identification

Site Address	201 Elizabeth St Sydney
Approximate Total Site Area	0.4 ha
Lettable Area	38,500m ²
Postcode	2000
Lot and DP Number	1/868008
Local Government Area	City of Sydney
Current Site Zoning	Commercial
Current Site Use	Commercial

3.2 Adjoining Land Uses

Adjoining land uses are predominantly commercial with Hyde Park located to the east. Neighbouring buildings are commercial in nature with some retail outlets including cafes on the ground levels.

3.3 Planning context

Figure 5 illustrates the zoning map under the City of Sydney LEP 2012. 201 Elizabeth Street is represented by the blue marker. The site is located within Zone B8 – Metropolitan Centre. The objectives of this zone are as follows:

- To recognise and provide for the pre-eminent role of business, office, retail, entertainment and tourist premises in Australia's participation in the global economy
- To provide opportunities for an intensity of land uses commensurate with Sydney's global status
- To permit a diversity of compatible land uses characteristic of Sydney's global status and that serve the workforce, visitors and wider community
- To encourage the use of alternatives to private motor vehicles, such as public transport, walking and cycling
- To promote uses with active street frontages on main streets in which buildings are used primarily (at street level) for the purposes of retail premises.



Figure 5: Sydney LEP 2012 Zoning map (City of Sydney Council)

The following activities are permitted in this zone with consent: child care centres, commercial premises, community facilities, educational establishments, entertainment

facilities, function centres, information and education facilities, passenger transport facilities, recreation facilities (indoor), registered clubs, respite day care centres, restricted premises, roads, tourist and visitor accommodation.

3.4 Title searches

Edge conducted a title search with the aim of tracing ownership details through a search of title records. A summary of the title information is provided in Table 2.

Table 2: Prior Title History

Year	Proprietor
1904	Thomas Galvin (builder and Sydney Bede Galvin (Civil Servant) – Vol 1544 Fol 50
1904	William Cary(Merchant) – Vol 1544 Fol 50
1906	Richard Cary and Sydney Herbert Cary (Merchants) – Vol 1544 Fol 50
1907	John Perman, James Edward, William Henry Beale, William Woods Ruthedge, John George, Morris Taylor, Thomas Hilliard, William Robson, Walter Hamilton McClelland, Joseph Neckery, Frederic Over – Vol 1544 Fol 50
1907	William Charles Cooper – Vol 1544 Fol 50
1913	Jonas Mynderse Coe Forsyth (Gentleman) – Vol2343 Fol 89
1915	Rom Raine Raine, and Percy Arundel Rebett (Estate Agents) – Vol 1544 Fol 50
1922	Australasian Temperance and General Mutual Life Assurance Society Limited - - Vol2343 Fol 89
1962	Harvard House Pty Ltd – Vol 8338 Fol69
1966	Australian Dental Association (New South Wales Branch) – Vol 1544 Fol 50
1968	The Australian Temperance and Mutual Life Assurance Society Limited – Vol 8338 Fol 69
1971	The Australian Temperance and Mutual Life Assurance Society Limited – Vol 1544 Fol 50
1973	The Australian Temperance and Mutual Life Assurance Society Limited – Vol 12096 Fol 29
1997	Perpetual Trustees Australia Ltd – Vol 3652 Fol 24
1999	Perpetual Trustees Australia Ltd and Perron Investments Pty Ltd– 1/868008

Historical activities appear to be generally commercial in nature and no potentially contaminating activities were identified by the historical title search. Copies of the historical titles are available on request.

3.5 Aerial photograph review

Historical aerial photographs were obtained from the Land and Property Management Authority (LPMA). A review of the historical aerial photographs of the site is presented in the Table 3. Aerial photographs are presented in Appendix B. It appears the building on the site were historically commercial in nature.

Table 3: Review of historical aerial photographs

Date	Site History Details	Reference
6-3-1930	The site appears to be occupied by 4 commercial buildings	Map 3422
8-8-1955	The site appears to be occupied by one large commercial, high rise development	Map NSW 227-5133 Run 22 6,400 feet
29-8-1965	No change from previous	Cumberland 1965 Series. Run 21E 8,350 feet
14-11-1976	The current building has been constructed and is at 201 Elizabeth Street	Run 4 2499 metres

3.6 Section 149 (2) and (5) information

Section 149 (2) planning certificates were requested from Sydney City Council on the 23rd of December 2015 for the site. A review of the certificates revealed that the land:

- Is not significantly contaminated land within the meaning of the Contaminated Land Management Act 1997
- Has not been identified as a property that comprises, or on which there is, an item that is listed on the State Heritage Register under the Heritage Act 1977 or that is subject to an interim heritage order under the Heritage Act 1977
- Has not been identified as a property that comprises, or on which there is, a heritage item or draft heritage item
- Has not been identified as being within a wilderness area (identified under the Wilderness Act 1987).
- Has not been identified as land that is within an environmentally sensitive area or by an environmental planning instrument as being within a buffer area, a river front area, an ecologically sensitive area, environmentally sensitive land or a protected area
- Has not been identified as being within a heritage conservation area or a draft heritage conservation area
- Has not been identified as being land that is reserved for a public purpose in an environmental planning instrument
- Has not been identified as being on an Acid Sulfate Soils Map as being Class 1 or Class 2
- Has not been identified as land that is subject to a biobanking agreement under part 7A of the threatened Species Conservation Act 1995 or a property vegetation plan under the Native Vegetation Act 2003
- Has not been identified by an environmental planning instrument, a development control plan or a policy adopted by the Council as being or affected by a coastline hazard, a coastal hazard or a coastal erosion hazard.
- Has not been identified as being land in a foreshore area
- Has not been identified as land that is in the 25 ANEF contour or a higher ANEF contour. (Applies only to the General Housing Code)
- Has not been identified as unsewered land within a drinking water catchment.
- Has not been identified as land that is declared to be a special area under the Sydney Water Catchment Management Act 1998.

A copy of the Section 149 certificate are provided in Appendix C

3.7 Office of Environment and Heritage (OEH) records

A search of the OEH contaminated land public record was undertaken on 23rd December 2015 (<http://www.epa.nsw.gov.au/prclmapp/searchregister.aspx>) to determine whether the site was registered under the Contaminated Land Management Act 1997.

The results of this search indicate that the site is not registered under the Act

3.8 Previous Environmental Assessments

The following environmental assessment reports have been developed and were reviewed for the site:

- Back-up Diesel Generators Risk Assessment
- DEXUS Risk Management Report – 201-217 Elizabeth Street, 2011
- Hazardous Material Management Plan and Register – 201-217 Elizabeth Street, 2015
- Diesel Fuel Pump Risk Assessment
- UPSS Precision Test Report – 2013
- UPSS Compliance Assessment - 2009

A review of these reports found that there are 2 underground petroleum storage systems (UPSS) on site located on basement level 2. Both tanks have 22.5 kL capacity and feed the back up generators in plant rooms on levels 39 and 40. The risk management report outlined that the UPSS had been integrity tested regularly and that a risk management plan and reporting was in place. The integrity test report had no recommendations and showed that the tank systems met the USEPA requirements for leak detection using precision testing methods. A risk management plan was not sighted as part of this study. All visible parts of the systems, sealed by the technician, were shown to be tight using soapy water.

The UPSS compliance assessment recommends that the UPSS at 201 Elizabeth Street is exempt from complying with the UPSS regulation 2008. It recommends that the following is undertaken as due diligent practice:

- Consideration should be taken into the installation of groundwater monitoring wells. At present the UPSS at 201 Elizabeth Street is exempt from having groundwater monitoring wells. However, the Guidelines state that “old UPSS (that are non-exempt) are required to have groundwater monitoring wells in operation at the site within three years of the commencement date of the regulation (i.e. by 1 st June 2011)”
- Carry out checks on all gauges, indicators and other measuring instruments associated with the UPSS in accordance with the manufacturers instructions and keep a record of the data (clause 20);
- Investigate any discrepancies found from a loss monitoring procedure, confirm the existence of a leak, identify the source and undertake repairs. Maintain results of any loss investigation together with details of follow-up action (clause 22)
- Retain an Incident Log (clause 24) for the UPSS e.g. record the occurrence of any unplanned or abnormal incidents such as equipment failure.

The Hazardous Materials Register identified the presence of asbestos within the building. The asbestos was audited as being in good, non friable condition.

3.9 Summary of Site History

The information obtained from the site history review can be summarised as follows:

- No historical potentially contaminating activities were identified by the historical title search.
- A review of aerial photography indicated that contaminating activities were not likely to have occurred on the site since 1930. The site appears to have been used for commercial purposes only.
- A search of the OEH contaminated land public record under the Contaminated Land Management Act 1997 indicates that the site is not registered under the Act. Nearby sites on Hickson Road have been identified as being significantly contaminated. However, these are not likely to pose significant risk to the site at 201 Elizabeth Street.
- The site has not been declared to be significantly contaminated land at the date when the s149 certificates were issued.

3.10 Contaminants of Potential Concern

Based on information obtained from this site history review, contaminants of potential concern at the site are summarised in Table 4.

Table 4: Contaminants of Potential Concern

Contaminants of Potential Concern	Potential Source
Total Petroleum Hydrocarbons (TPH), Volatile Organics (BTEX), Polycyclic Aromatic Hydrocarbons (PAH), Phenyls and heavy metals potentially associated with diesel	Underground Petroleum Storage System

3.11 Potential Areas of Environmental Concern

Based on information obtained from this site history review, potential environmental issues at the site can be summarised as follows:

- There is a potential risk of contamination from the existence of an underground storage tank on site. This risk will be assessed based on the information gained from the site inspection.

4. Site Inspection

A site inspection was undertaken by Edge Environment on the 17th December 2015. The investigation involved a walk around of all chemical and dangerous goods storage areas, main operating areas and the perimeter of the site. Site inspection photographs are illustrated in Appendix A.

4.1 Underground and Above Ground Storage Tanks

There are 2 underground storage tanks (Photo 1, Photo 2) located on the property on basement level 2. These contain diesel for the purpose of supplying fuel to backup generators on level 40 of the building (Photo 8, Photo 9).

There are no records of any previously existing underground storage tanks being decommissioned. The risk audit undertaken by Aon in 2011 outlined that the tanks had been integrity tested, are were regularly monitored. A copy of the latest integrity testing from 2013 was provided and showed that the tanks meet the USEPA requirements for leak detection. Underground storage tanks have the potential to cause significant soil and groundwater contamination. Problems may occur from a lack of corrosion protection, spills during filling, overfilling of the tanks, and/or pipe work failure. Australian standard AS1940 defines an underground storage tank (UST) as any tank with more than 50% of its height buried below ground level without any surrounding pit or chamber.

Legislation regarding Underground Petroleum Storage Systems

The protection of the Environmental Operations (Underground Petroleum Storage Systems - UPSS) Regulation was introduced in 2008 under the Protection of the Environmental Operations Act 1997. This regulation was revised in September 2014 to clarify the statutory requirements for the management and operation of UPSS infrastructure in NSW. The UPSS Regulation aims to ensure that UPSS management follows industry best practice to prevent land and groundwater contamination caused by leakage. UPSS have the potential to leak, leading to clean up risks associated with environmental damage and remediation cost. The UPSS Regulation requires owners and operators to regularly check for leaks in the fuel tanks and pipes used to store and handle petroleum products. Owners and operators are also required to meet minimum standards in their day to day environmental management of these storage systems. The UPSS Regulation was gazetted on the 1st September 2014 and commenced on the same day. It aims to:

- Introduce preventative measures to reduce harm to human health and the environment
- Save money and minimise time consuming remediation by preventing leaks or dealing with them early
- Ensure industry best practice is followed
- Ensure appropriate validation and decommissioning of systems and sites

Under the UPSS Regulation, it is against the law to allow or ignore contamination resulting from a leaking or faulty UPSS. The person responsible for a UPSS is required to have in place:

- A system for detecting and monitoring leaks
- Groundwater monitoring wells at sensitive locations and a program to test them

- An Environmental Protection Plan for the facility
- Systems in place for record keeping, reporting of leaks and notifying the local council when a UPSS is decommissioned

In some cases a proponent may apply for exemptions to meeting the requirements of the UPSS Regulation. Under clause 28 of the UPSS Regulation, the OEH has the power to exempt the person responsible for a UPSS from complying with certain requirements of the Regulations. OEH adopts a risk based approach to assessing and granting exemptions. Exemptions are mainly being applied to the operations of 'old' UPSS (installation approved before 1 June 2008), where the operator/owners can demonstrate that either the UPSS is not in a OEH defined 'environmental sensitive zone' or the site is not contaminated and that appropriate systems are in place to ensure any leak or spill from the system will not pose any risk to health or the environment. It is recommended that building management at 201 Elizabeth Street, Sydney contact OEH in accordance with the UPSS regulations (see link below) to confirm the above described exemption can apply to the site. It is also recommended the following management controls are implemented for compliance with the DEXUS Environmental Management Manual (2009) and due diligence purposes:

- All fuel dispensing and filling areas associated with the UST should be provided with bunding to contain any potential spills or leaks. All fill points are to be provided with secondary containment. Any fuel spills are to be cleaned up immediately;
- A system should be implemented for detecting and monitoring leaks, as well as notifying local council when a UST is decommissioned;
- A register of USTs located on-site is to be maintained;
- Tanks, including those which are disused, need to be identified, recorded on a register and monitored for fuel loss (this includes tenant managed tanks) through regular dip testing and reconciliation of fuel delivery and usage records;
- The contents of the UST are to be checked weekly using a dip stick and recorded in the UST register in the EMF and property filing system;
- Delivery and usage levels are to be reconciled monthly. Any unexplained losses are to be investigated, recorded, and action taken to correct the problem and stop loss from the tank;
- Tanks should be inspected regularly and a report prepared. This report should be signed by the person performing each inspection certifying that the tanks are not leaking, regulatory requirements are met and that if any leakage has occurred appropriate remedial actions have been taken;
- Material Safety Data Sheets must be available for all materials stored in USTs; and integrity testing is to be carried out for the UPSS whether or not they are leaking and causing contamination of surrounding soils and groundwater for due diligence purposes.

If a tank is removed or decommissioned in situ, a validation report for the storage site must be submitted to the relevant local authority to verify the site has met remediation criteria or is suitable for continued and future use. This validation report must be served no later than 60 days after the system is decommissioned or, where remediation is

required, no later than 60 days after remediation is completed. Documents relating to the decommissioning of tanks must be kept for at least seven years from the date of decommissioning. When considering tank decommissioning, reference should be made to the Occupational Health and Safety Regulation 2001, UPSS technical note: Site validation reporting, UPSS technical note: Decommissioning, abandonment and removal of underground petroleum storage systems and Dangerous goods fact sheet 3_1 (WorkCover NSW 2009). Proponent's role. For proposed works requiring development consent, a proponent must follow the applicable standards and industry best practice as well as ensure that appropriate notification and reporting occurs before and after decommissioning works and tank removal. Even if decommissioning and/or removal of tanks does not require development consent, it should conform to industry best practice and must meet the requirements of Planning guidelines: State Environmental Planning Policy 55 – Remediation of land (DUAP 1998), i.e. notification of the local planning authority at the start and completion of land remediation. The proponent should also be aware that NSW WorkCover Authority is responsible for occupational health and safety issues relating to decommissioning and removal of tanks from a site: see Storage and handling of dangerous goods – Code of practice 2005 (WorkCover NSW 2005) and Dangerous goods fact sheet 3_1 (WorkCover NSW 2009).

4.2 Conditions at Site Boundary

The surrounding area is primarily of a commercial nature and in good condition.

4.3 Visible Signs of Plant Stress

There were no visible signs of plant stress during the inspection.

4.4 Presence of Drums, Wastes and Fill Material

There were no drums containing wastes or fill material located on site at the time of the site inspection. Dangerous goods stored on site included chemicals used for cooling towers and cleaning chemicals. All storage areas were appropriately bunded and there were no signs of spills occurring. Three grease traps (Photo 5, Photo 6 and Photo 7) also exist on site with a valid trade waste agreement associated kept on file.

4.5 Odours

There were no odours encountered on site that may indicate land contamination.

4.6 Condition of Buildings and Roads

There were no signs of contamination associated with any roads or structures on or around the site.

5. Conclusions and Recommendations

A Phase 1 Environmental Site Assessment has been undertaken to determine the potential risk for land contamination from past and current activities at 201-217 Elizabeth Street, Sydney. A review of aerial photography indicated that the site appeared to be occupied by commercial structures from 1930 photo till the current building that was constructed in 1972. However, the photos only go back to 1930 and there is some possibility that land contamination may have occurred prior to 1930. There is also a possibility that the land may have been contaminated through previous historical construction procedures during historic development, although this risk is considered to be low.

A search of available Council and State Government databases showed no record of current or historical contamination on the site. The site is classified as Class 5 for Acid Sulfate Soil under the City of Sydney LEP 2012. Development consent is required for the carrying out of works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land. The Mapping indicates that the site is not located within 500 metres of Class 1, 2, 3 or 4 land.

Dangerous goods are stored on site, however these are mainly cleaning and cooling tower chemicals and they appeared to have been stored appropriately and in small quantities during the site visit. A dangerous goods register was kept and maintained on site. Current activities on site are commercial in nature, while it is unlikely that these site activities would lead to significant land contamination. There is the existence of an underground storage tank (UST) on site which presents a potential risk. The Protection of the Environment Operations (Underground Petroleum Storage Systems - UPSS) Regulation was introduced in 2008 and updated in 2014. This regulation affects UPSS's installed before June 2008 in that they must meet some requirements as stipulated below:

- Procedures must be introduced for the regular monitoring and detection of leaks (may be deferred for up to one year after June 2008)
- Groundwater monitoring wells must be installed and a program prepared to test them (may be deferred for up to three years).
- An Environmental Protection Plan must be adopted (may be deferred for up to one year).
- Installation of certain best practice control equipment not required unless a significant modification is undertaken on the system.

The UST on this site may qualify for an exemption to this regulation under clause 28. It is recommended that building management contact OEH to confirm that the UST on site is exempt from this legislation. It is strongly recommended that the UST is monitored in accordance to the DEXUS Environmental Management Manual and the UPSS compliance assessment for compliance and due diligence purposes

A site inspection undertaken by an Edge representative revealed no evidence of contamination through the presence of odours or visible signs. A review of S149 Planning Certificate (2) for the site showed the land has not been declared to be significantly contaminated land. The outcomes of the Phase 1 ESA, the nature of the

current site activities, previous and current land use of the site and surrounding area, suggest that the risk of contamination at the site is low. An integrity test was undertaken on the UPSS in 2013. This test showed that the tank systems met the USEPA requirements for leak detection using precision testing methods. There is a low risk that contamination is occurring from the UPSS and the ability to remediate the area after tank decommissioning is relatively high in this case.

This Phase 1 assessment has identified a low risk of land contamination and that the site is suitable for continued commercial use. Appendix D summarises the Soil Investigation Levels for Urban Development Sites in NSW. According to this appendix, the health based investigation levels for petroleum hydrocarbon components in commercial zoning are 20% higher than those for high rise residential. The outcomes of the phase one report indicate that contaminant levels at the 201 Elizabeth Street site will likely be lower than the soil investigation levels for high rise residential. A Phase 2 investigation is recommended for any redevelopment to confirm this is the case.

6. References

Chapman, G.A. and Murphy C.L (1989), Soil Landscapes of the Sydney 1:100,000 Sheet. Soil Conservation Service of NSW, Sydney

City of Sydney LEP 2012 -

<http://www.cityofsydney.nsw.gov.au/development/planning-controls/local-environmental-plans>

Department of Environment, Climate Change and Water, Contaminated Land Record Search - <http://www.epa.nsw.gov.au/prclmapp/aboutregister.aspx>

Office of Environment and Heritage Acid Sulfate Mapping -

<http://www.environment.nsw.gov.au/acidsulfatesoil/riskmaps.htm>

Herbet, C (eds) (1980) Geology of the Sydney 1:100,000 Sheet 9130, Geological Survey of

New South Wales, Department of Mineral Resources, Sydney

Aon Risk Audit 201 Elizabeth Street 2011

NSW EPA (2000) Contaminated Sites – Guidelines for Consultants Reporting on Contaminated Sites

UPSS Precision Test Report – 2013 – Leighton O'Brien

UPSS Compliance Assessment – 2009 – Noel Arnold and Associates

Appendix A - Site Photographs

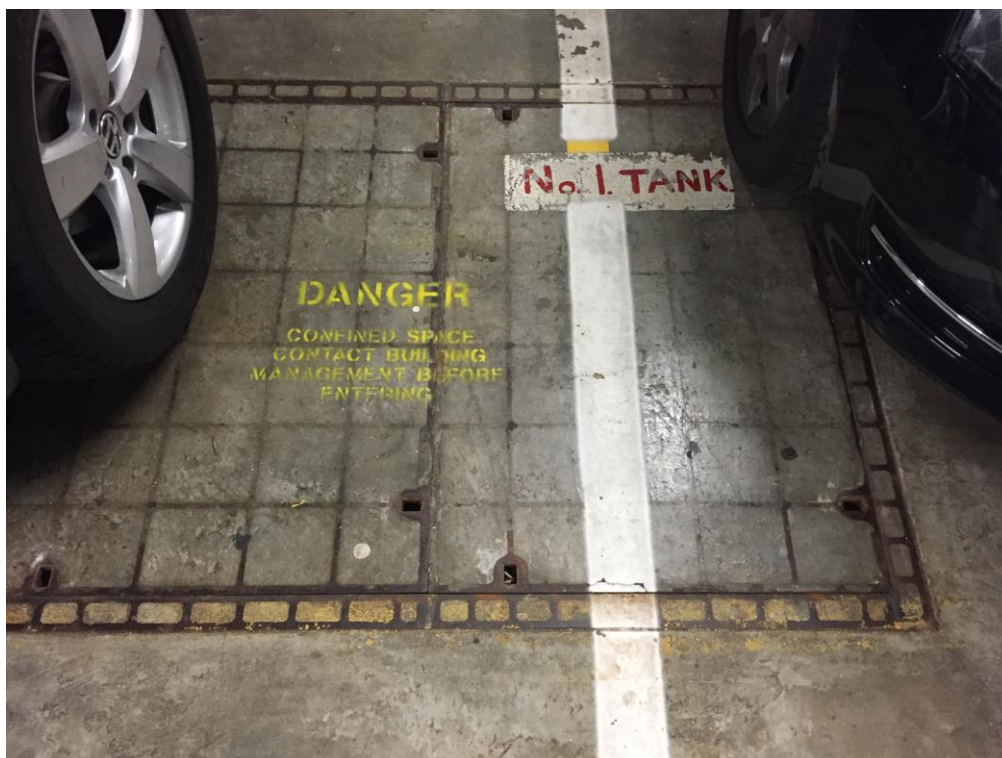


Photo 1: Underground Storage Tank 1 - Basement Level 2



Photo 2: Underground Storage Tank 2 - Basement Level 2



Photo 3: Spill kit located in basement level 2 in the vicinity of underground storage tanks

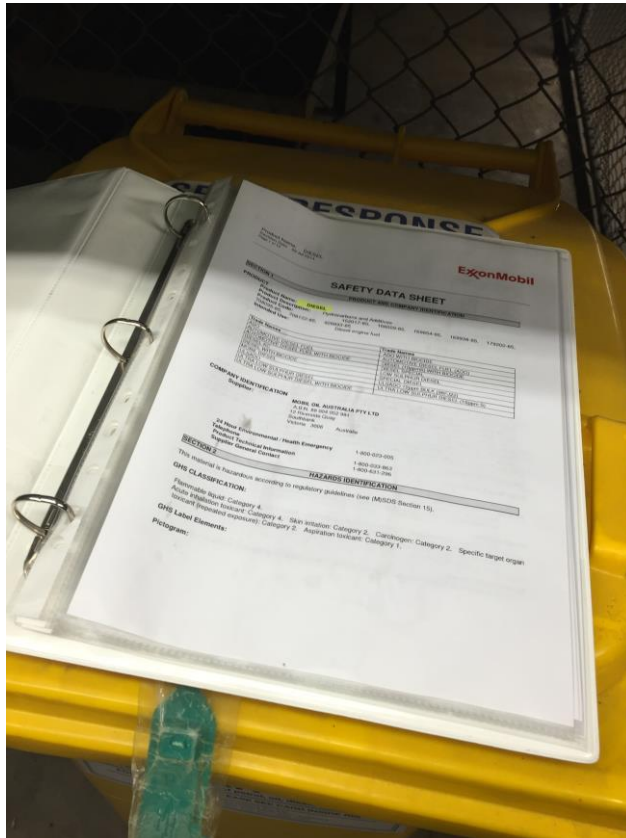


Photo 4: Materials Safety Data Sheet for diesel stored in the underground storage tanks

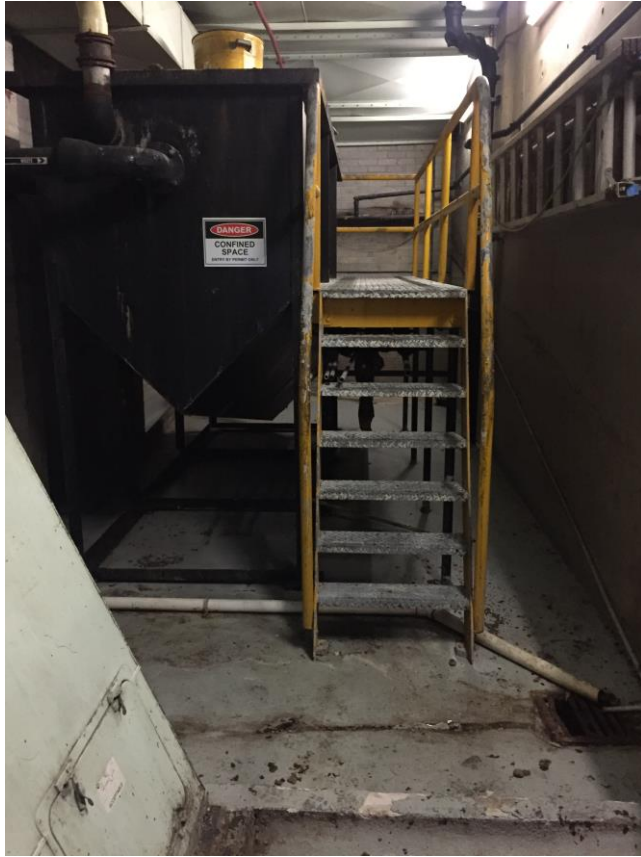


Photo 5: 1 of 3 grease traps located in basement level 1



Photo 6: 1 of 3 grease traps located in basement level 1



Photo 7: 1 of 3 grease traps located in basement level 1

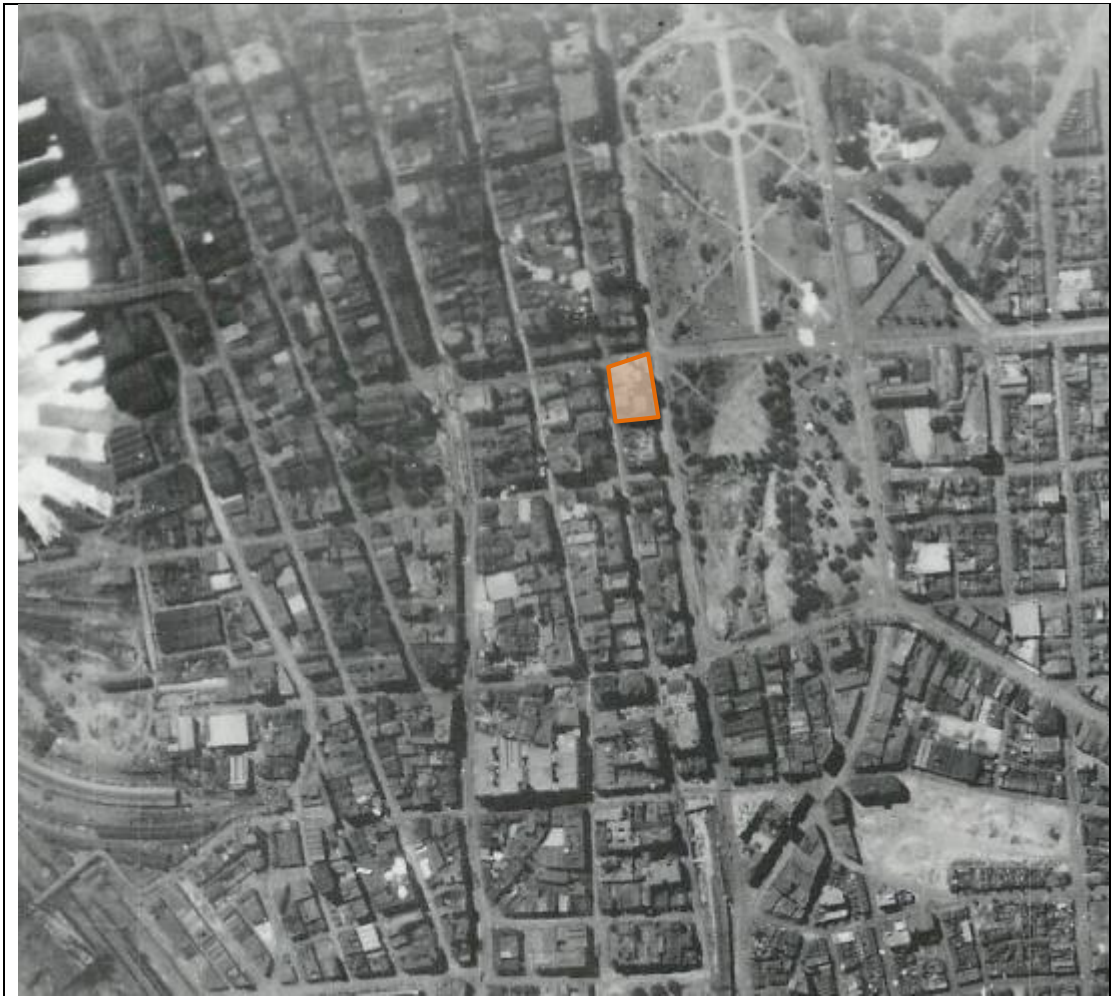


Photo 8: Day tanks holding diesel from underground storage tanks for back up generators on level 40

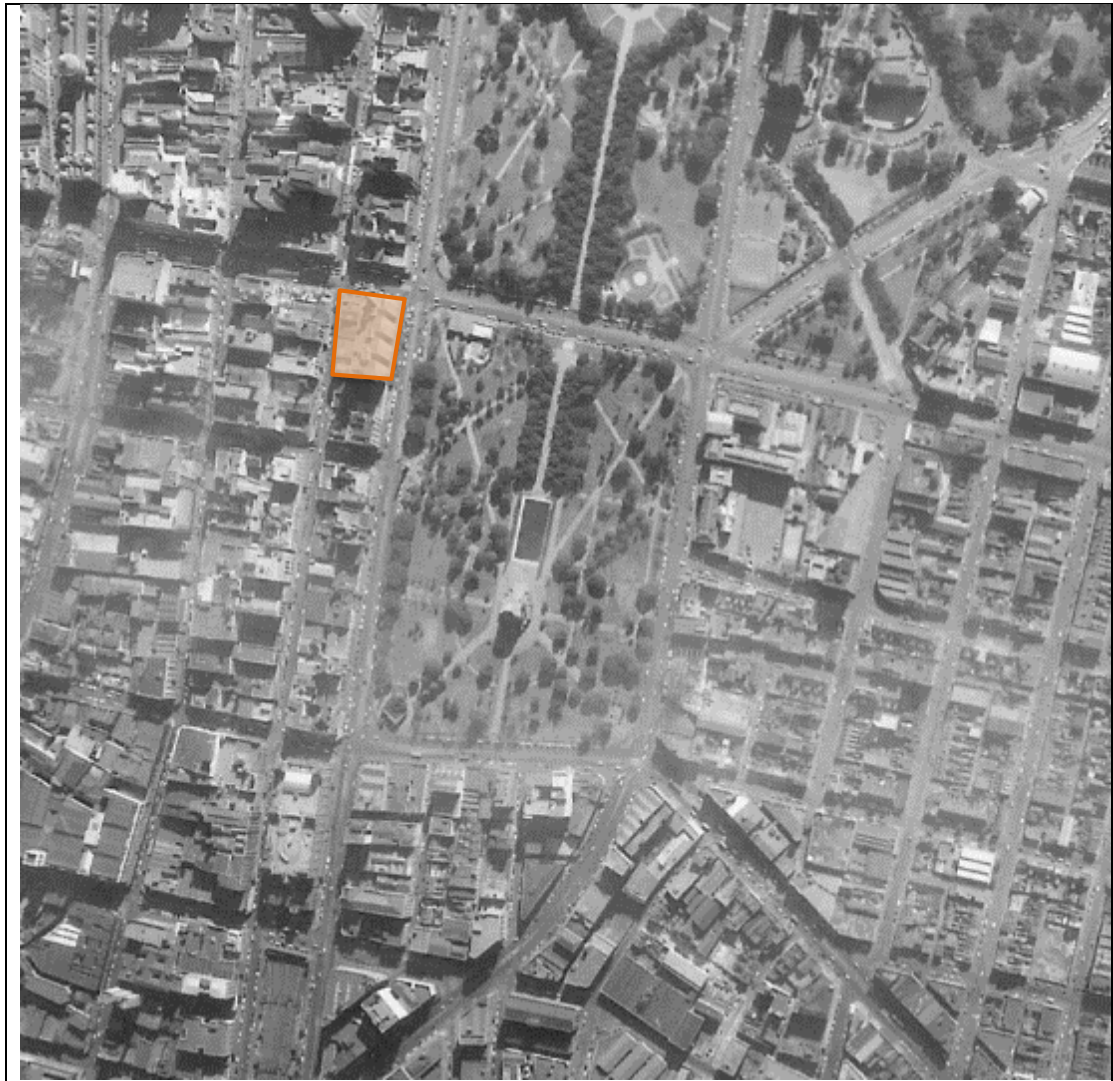


Photo 9: Back up generator on level 40

Appendix B - Historical Aerial Photographs



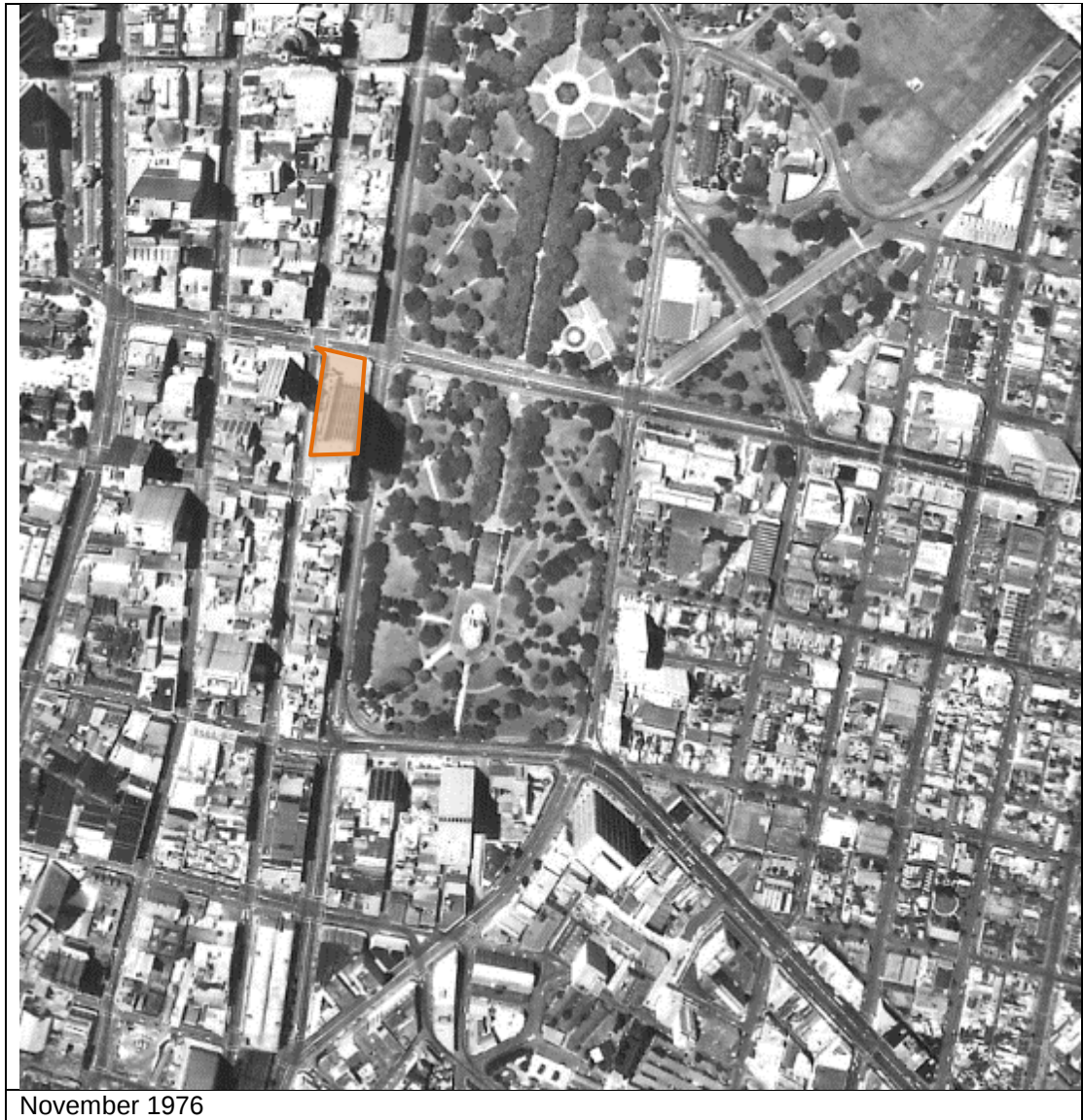
March 1930



August 1955



August 1965



November 1976

Appendix C - Section 149 Certificates

City of Sydney
Town Hall House
456 Kent Street
Sydney NSW 2000
Telephone +61 2 9265 9333
Fax +61 2 9265 9222
council@cityofsydney.nsw.gov.au
GPO Box 1591 Sydney NSW 2001
cityofsydney.nsw.gov.au



EDGE ENVIRONMENT
5 / 39 East Esplanade
MANLY NSW 2095

PLANNING CERTIFICATE

Under Section 149 of the Environmental Planning and Assessment Act, 1979

Applicant:	EDGE ENVIRONMENT
Applicant's reference:	
Address of property:	201-217 Elizabeth Street , SYDNEY NSW 2000
Owner:	PERRON INVTS PTY LTD and PERPETUAL TRUSTEES AUSTRALIA LTD
Description of land:	Lot 1 DP 868008
Certificate No.:	2015308884
Certificate Date:	23/12/15
Receipt No:	40411
Fee:	\$53.00
Paid:	21/12/15

Title information, description, dimensions and area of land are provided from data supplied by the Valuer General and shown where available.

Issuing Officer
per **Monica Barone**
Chief Executive Officer

CERTIFICATE ENQUIRIES:

Ph: 9265 9333
Fax: 9265 9415

Sydney2030 Green Global Connected

**PLANNING CERTIFICATE UNDER SECTION 149 (2) OF THE ENVIRONMENTAL
PLANNING AND ASSESSMENT ACT, 1979**

**MATTERS AFFECTING THE LAND AS PRESCRIBED BY SCHEDULE 4 -
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION, 2000, CLAUSES (1) - (2).**

DEVELOPMENT CONTROLS

The following information must be read in conjunction with and subject to all other provisions of the environmental planning instruments specified in this certificate.

ZONING

Zone B8 Metropolitan Centre (Sydney Local Environmental Plan 2012)

1 Objectives of zone

- To recognise and provide for the pre-eminent role of business, office, retail, entertainment and tourist premises in Australia's participation in the global economy.
- To provide opportunities for an intensity of land uses commensurate with Sydney's global status.
- To permit a diversity of compatible land uses characteristic of Sydney's global status and that serve the workforce, visitors and wider community.
- To encourage the use of alternatives to private motor vehicles such as public transport, walking or cycling.
- To promote uses with active street frontages on main streets and on streets in which buildings are used primarily (at street level) for the purposes of retail premises.

2 Permitted without consent

Nil

3 Permitted with consent

Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Information and education facilities; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Tourist and visitor accommodation; Any other development not specified in item 2 or 4

4 Prohibited

Nil

PROPOSED ZONING

This property is not affected by a draft zone.

LOCAL PLANNING CONTROLS

Sydney Local Environmental Plan 2012 (as amended) – Published 14 December 2012
NSW Legislation Website.

Sydney Development Control Plan 2012 (as amended) - (commenced 14.12.2012)

Planning Proposal - Amendment to Sydney Local Environmental Plan 2012 – Minor
Policy and Housekeeping Amendments 2014

The Planning Proposal seeks to amend the *Sydney Local Environmental Plan 2012* by implementing minor policy and housekeeping amendments that align future development and the objectives of the City's Sustainable Sydney 2030, and improve

the operation and accuracy of the plan by permitting additional uses to a site, correcting errors, refining definitions, correcting descriptions, removing barriers and updating details.

HERITAGE

State Heritage Register (Amendment To Heritage Act, 1977 Gazetted 2/4/99)

This property may be identified as being of state heritage significance, and entered on the State Heritage Register.

To confirm whether the site is listed under the Heritage Act 1977 a Section 167 Certificate should be obtained from the NSW Heritage Office by contacting the NSW Heritage office on (02) 9873 8500 for an application form or by downloading the application form from www.heritage.nsw.gov.au

STATE PLANNING INSTRUMENTS

Full copies of State Environmental Planning Policies are available online at www.planning.nsw.gov.au.

State Environmental Planning Policy No. 19 – Bushland in Urban Areas

This is a policy to protect and preserve bushland within certain urban areas, as part of the natural heritage or for recreational, educational and scientific purposes. This policy is designed to protect bushland in public open space zones and reservations, and to ensure that bush preservation is given a high priority when local environmental plans for urban development are prepared.

State Environmental Planning Policy No. 32 – Urban Consolidation

This policy implements the principles of urban consolidation, including the orderly, economic use and development of land. The policy enables urban land which is no longer required for the purpose for which it is currently zoned or used to be redeveloped for multi-unit housing and related development.

State Environmental Planning Policy No. 33 – Hazardous and Offensive Development

This policy aims to amend the definitions of hazardous and offensive industries; to render ineffective any environmental planning instruments not defining hazardous or offensive as per this policy; to control development of hazardous and offensive industries.

State Environmental Planning Policy No. 55 – Remediation of Land

This policy provides planning controls for the remediation of contaminated land. The policy states that land must not be developed if it is unsuitable for a proposed use because it is contaminated. If the land is unsuitable, remediation must take place before the land is developed. The policy makes remediation permissible across the State, defines when consent is required, requires all remediation to comply with standards, ensures land is investigated if contamination is suspected, and requires councils to be notified of all remediation proposals. To assist councils and developers, the Department, in conjunction with the Environment Protection Authority, has prepared Managing Land Contamination: Planning Guidelines.

State Environmental Planning Policy No. 64 – Advertising and Signage

This policy aims to ensure that signage (including advertising):
Is compatible with the desired amenity and visual character of an area, and
Provides effective communications in suitable locations, and
Is of a high quality design and finish.

To this end the policy regulates signage (but not content) under Part 4 of the Act and provides limited time consents for the display of certain advertisements. The policy does not apply to signage that is exempt development under an environmental planning instrument. It does apply to all signage that can be displayed with or without consent and is visible from any public place or reserve, except as provided by the policy.

This policy should be read in conjunction with the Sydney Local Environmental Plan 2005, the City of Sydney Signage and Advertising Structures Development Control Plan 2003 and State Environmental Planning Policy No. 60 where these apply.

State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings

This policy aims to improve the design quality of flats of three or more storeys with four or more self contained dwellings. The policy sets out a series of design principles for local councils to consider when assessing development proposals for residential flat development. The policy also creates a role for an independent design review panel and requires the involvement of a qualified designer in the design and approval process.

State Environmental Planning Policy No.70 – Affordable Housing (Revised Schemes) (Gazetted 31.05.02)

The policy identifies that there is a need for affordable housing in the City of Sydney, describes the kinds of households for which affordable housing may be provided and makes a requirement with respect to the imposition of conditions relating to the provision of affordable housing (provided other requirements under the Act are met).

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

This Policy does not apply to land described in Schedule 1 (Environmentally sensitive land), or land that is zoned for industrial purposes, or land to which an interim heritage order made under the *Heritage Act 1997* by the Minister administering that Act applies, or land to which a listing on the State Heritage Register kept under the *Heritage Act 1997* applies.

The Policy aims to encourage the provision of housing (including residential care facilities) that will increase the supply and diversity of residences that meet the needs of seniors or people with a disability, and make efficient use of existing infrastructure and services, and be of good design.

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

Aims to ensure consistency in the implementation of the BASIX scheme throughout the State. This Policy achieves its aim by overriding provisions of other environmental planning instruments and development control plans that would otherwise add to, subtract from or modify any obligations arising under the BASIX scheme.

State Environmental Planning Policy (Major Development) 2005

This Policy aims to identify development of economic, social or environmental significance to the State or regions of the State so as to provide a consistent and comprehensive assessment and decision making process for that development.

NB: This SEPP also contains exempt & complying provisions

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

This Policy aims to provide for the proper management and development of mineral, petroleum and extractive material resources for the social and economic welfare of the State.

State Environmental Planning Policy (Temporary Structures and Places of Public Entertainment) 2007

This Policy aims to ensure that suitable provision is made for ensuring the safety of persons using temporary structures or places of public entertainment.

State Environmental Planning Policy (Infrastructure) 2007

This Policy aims to facilitate the effective delivery of infrastructure across the state.

NB: This SEPP also contains exempt & complying provisions

State Environmental Planning Policy (Repeal of Concurrence and Referral Provisions) 2008

This Policy is an 'amending instrument' that removes or modifies referral and concurrence clauses within local environmental plans (LEPs), regional environmental plans (REPs) and State environmental planning policies (SEPPs).

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

This Policy Streamlines assessment processes for development that complies with specified development standards. The policy provides exempt and complying development codes that have State-wide application, identifying, in the General Exempt Development Code, types of development that are of minimal environmental impact that may be carried out without the need for development consent; and, in the General Housing Code, types of complying development that may be carried out in accordance with a complying development certificate as defined in the Environmental Planning and Assessment Act 1979.

State Environmental Planning Policy (Affordable Rental Housing) 2009

Establishes a consistent planning regime for the provision of affordable rental housing. The policy provides incentives for new affordable rental housing, facilitates the retention of existing affordable rentals, and expands the role of not-for-profit providers. It also aims to support local centres by providing housing for workers close to places of work, and facilitate development of housing for the homeless and other disadvantaged people. NOTE: Does not apply to land at Green Square or at Ultimo Pymont, or on southern employment land.

State Environmental Planning Policy (Urban Renewal) 2010

The aims of this Policy are as follows:

- (a) to establish the process for assessing and identifying sites as urban renewal precincts,
- (b) to facilitate the orderly and economic development and redevelopment of sites in and around urban renewal precincts,
- (c) to facilitate delivery of the objectives of any applicable government State, regional or metropolitan strategies connected with the renewal of urban areas that are accessible by public transport.

State Environmental Planning Policy (State and Regional Development) 2011

The aims of this Policy are as follows:

- (a) to identify development that is State significant development,
- (b) to identify development that is State significant infrastructure and critical State significant infrastructure,
- (c) to confer functions on joint regional planning panels to determine development applications.

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

This plan applies to land within the Sydney Harbour Catchment, as shown edged heavy black on the Sydney Harbour Catchment Map, being part of the Sydney Region declared by order published in Gazette No 38 of 7 April 1989 at page 1841.

This plan has the following aims with respect to the Sydney Harbour Catchment:
to ensure that the catchment, foreshores, waterways and islands of Sydney Harbour are recognised, protected and maintained: as outstanding natural asset, and as a public asset of national and heritage significance, for existing and future generations; to ensure a healthy,

sustainable environment on land and water; to achieve a high quality urban environment; to ensure a prosperous working waterfront and an effective transport corridor, to encourage a culturally rich and vibrant place for people; to ensure accessibility to and along Sydney Harbour and its foreshores; to ensure the protection, maintenance and rehabilitation of watercourses, wetlands, riparian lands, remnant vegetation and ecological connectivity, to provide a consolidated, simplified and updated legislative framework for future planning.

**OTHER MATTERS AFFECTING THE LAND AS PRESCRIBED BY SCHEDULE 4 -
E. P. & A. REGULATION, 2000. CLAUSES (3) - (10)**

(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 the 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.

Note: All Exempt and Complying Development Codes: Council does not have sufficient information to ascertain the extent of a land based exclusion on a property. Despite any statement preventing the carrying out of complying development in the Codes listed below, complying development may still be carried out providing the development is not on the land affected by the exclusion and meets the requirements and standards of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

General Housing Code & Commercial and Industrial (New Buildings and Additions) Code

Complying development **may not** be carried out on the land under the General Housing Code & the Commercial and Industrial (New Buildings and Additions) Code if because of the provisions of clause 1.17A, 1.18(1)(c3) & 1.19 (Land-based requirements for exempt and complying development) any of the following statements are **YES**

▪ Clause 1.19(5)d. Land that is significantly contaminated land within the meaning of the Contaminated Land Management Act 1997. (Applies only to the Commercial and Industrial (New Buildings and Additions) Code.	NO
▪ Clause 1.17A(d). Has been identified as a property that comprises, or on which there is, an item that is listed on the State Heritage Register under the <i>Heritage Act 1977</i> or that is subject to an interim heritage order under the <i>Heritage Act 1977</i> .	NO
▪ Clause 1.17A(d) & 1.18(1)(c3). Has been identified as a property that comprises, or on which there is, a heritage item or draft heritage item.	NO
▪ Clause 1.17A(c). Has been identified as being within a wilderness area (identified under the <i>Wilderness Act 1987</i>).	NO
▪ Clause 1.17A(e) & 1.19(1)e or 1.19(5)f. Has been identified as land that is within an environmentally sensitive area or by an environmental planning instrument as being within a buffer area, a river front area, an ecologically sensitive area, environmentally sensitive land or a protected area	NO
▪ Clause 1.19(1)a or 1.19(5)a Has been identified as being within a heritage conservation area or a draft heritage conservation area.	NO
▪ Clause 1.19(1)b or 1.19(5)b. Has been identified as being land that is reserved for a public purpose in an environmental planning instrument.	NO
▪ Clause 1.19(1)c or 1.19(5)c. Has been identified as being on an Acid Sulfate Soils Map as being Class 1 or Class 2.	NO
▪ Clause 1.19(1)d or 1.19(5)e. Has been identified as land that is subject to a biobanking agreement under part 7A of the threatened Species Conservation Act 1995 or a property vegetation plan under the Native Vegetation Act 2003.	NO
▪ Clause 1.19(1)f or 1.19(5)g. Has been identified by an environmental planning instrument, a development control plan or a policy adopted by the Council as being or affected by a coastline hazard, a coastal hazard or a coastal erosion hazard.	NO
▪ Clause 1.19(1)g or 1.19(5)h. Has been identified as being land in a foreshore area.	NO
▪ Clause 1.19(1)h. Has been identified as land that is in the 25 ANEF contour or a higher ANEF contour. (Applies only to the General Housing Code)	NO
▪ Clause 1.19(1)j or 1.19(5)i. Has been identified as unsewered land within a drinking water catchment.	NO
▪ Clause 1.19(1)i. Has been identified as land that is declared to be a special area under the Sydney Water Catchment Management Act 1998.	NO

Housing Internal Alterations Code

Complying development under the Housing Alterations 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.

Subdivisions Code

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

Rural Housing Code

The Rural Housing Code does not apply to this Local Government Area.

General Development Code

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

Demolition Code

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

(4) Coastal Protection Act, 1979

The council has **not** been notified by the department of public works that the land is affected by the operation of section 38 or 39 of the coastal protection act, 1979.

(4A) Certain information relating to beaches and coasts

(1) In relation to a coastal council an order has **not** 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).

(2) In relation to a coastal council: Council has **not** been notified under section 55X of the Coastal Protection Act 1979 that temporary coastal protection works (within in the meaning of that Act) have been placed on the land (or on public land adjacent to that land).

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

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

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

(5) Mine Subsidence District

This land has not been proclaimed to be a mine subsidence district within the meaning of section 15 of the mine subsidence compensation act, 1961.

(6) Road Widening and/or Road Realignment affected by (a) Division 2 of Part 3 of the Roads act 1993 or (c) any resolution of council or other authority.

This land **is not** affected by road widening and/or road realignment under section 25 of the Roads Act, 1993 and/or resolution of Council or any other authority.

(6) Road Widening and/or Road Realignment Affected by (b) any environmental planning instrument.

This land **is not** affected by any road widening or road realignment under any planning instrument.

(7) Council and other public authorities policies on hazard risk restrictions:

- (a) The land **is not** affected by a policy adopted by the Council that restricts the development of the land because of the likelihood of land slip, bushfire, flooding, tidal inundation, subsidence, acid sulphate soils or any other risk; and
- (b) The land **is not** affected by a policy adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to on planning certificate issued by Council, that restricts the development of the land because of the likelihood of land slip, bushfire, flooding, tidal inundation, subsidence, acid sulphate soils or any other risk.

(7A) Flood related development controls information.

The development on this land or part of this land is subject to flood related development controls refer to Clause 7.15 of Sydney Local Environment Plan 2012 and Section 3.7 of Sydney Development Control Plan 2012.

(8) Land reserved for acquisition

No environmental planning instrument, or proposed environmental planning instrument applying to the land, provides for the acquisition of the land by a public authority, as referred to in section 27 of the Act.

(9) Contribution plans

The following Contributions Plans apply to properties within the City of Sydney local government area. Contributions plans marked **YES** may apply to this property:

▪ Central Sydney Development Contributions Plan 2013 – in operation 9 th July 2013	YES
▪ Ultimo Pyrmont Section 94 Contributions Plan (approved C.S.P.C 15 th December 1994 and Council 19 th December 1994)	NO
▪ City of Sydney Development Contributions Plan 2006 – in operation 7 th April 2007	NO
▪ Redfern Waterloo Authority Contributions Plan 2006 – in operation 16 th May 2007	NO
▪ Redfern Waterloo Authority Affordable Housing Contributions Plan – in operation 16 th May 2007	

(9A) Biodiversity certified land

The land has not been certified as biodiversity certified land.

(10) Biobanking Agreement

Council has not been notified of a biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995.

(11) Bush fire prone land

The land has not been identified as Bush fire prone land.

(12) Property vegetation plans

Not Applicable

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

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

(14) Directions under Part 3A

Not Applicable.

(15) Site compatibility certificates and conditions for seniors housing

(a) The land to which the certificate relates is not subject to a current site compatibility certificate (seniors housing), of which Council is aware, in respect of proposed development on the land.

(b) The land to which the certificate relates is not subject to any condition of consent to a development application granted after 11 October 2007 required by State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

(16) Site compatibility certificates for infrastructure

The land to which the certificate relates is not subject to a valid site compatibility certificate (infrastructure), of which Council is aware, in respect of proposed development on the land.

(17) Site compatibility certificates and conditions for affordable rental housing

(a) The land to which the certificate relates is not subject to a current site compatibility certificate (affordable rental housing), of which Council is aware, in respect of proposed development on the land.

(b) The land to which the certificate relates is not subject to any terms of a kind referred to in clause 17(1) or 37(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 that have been imposed as a condition of consent to a development application in respect of the land.

(18) Paper subdivision information

Not Applicable.

(19) Site verification certificates

The land to which the certificate relates is not subject to a valid site verification certificate of which Council is aware.

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

(a) The land to which the certificate relates **is not** declared to be **significantly contaminated land** within the meaning of that act as at the date when the certificate is issued.

(b) The land to which the certificate relates **is not** subject to a **management order** within the meaning of that act as at the date when the certificate is issued.

(c) The land to which the certificate relates **is not** the subject of an **approved voluntary management proposal** within the meaning of that act at the date the certificate is issued.

(d) The land to which the certificate relates **is not** the subject of an **ongoing maintenance order** within the meaning of that act as at the date when the certificate is issued.

(e) As at the date when the certificate is issued, Council **has not** identified that a **site audit statement** within the meaning of that act has been received in respect of the land the subject of the certificate.

PLANNING CERTIFICATE SECTION 149(2) INFORMATION:

Information provided in accordance with planning certificate section 149 (2) has been taken from council's records and advice from other authorities but council disclaims all liability for any omission or inaccuracy in the information. Specific inquiry should be made where doubt exists.

For information regarding outstanding notices and orders a CERTIFICATE FOR OUTSTANDING NOTICES OF INTENTION AND/OR AN ORDER UNDER SECTION 735A OF THE LOCAL GOVERNMENT ACT, 1993 AND SECTION 121ZP OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 may be applied for at Sydney City Council.

Planning certificate section 149 (2), local planning controls are available for inspection at the following Council locations:

General Enquiries:
Telephone: 02 9265 9333
Facsimile: 02 9265 9415

Town Hall House
Level 2,
Town Hall House,
456 Kent Street,
Sydney.
8am – 6pm, Monday - Friday

Glebe Customer Service Centre
Glebe Library,
186 Glebe Point Road,
Glebe
9am – 5pm, Monday – Friday

Neighbourhood Service Centre Kings Cross
50 Darlinghurst Road,
Potts Point
9am – 5pm, Monday – Friday
9am – 12pm, Saturday

Neighbourhood Service Centre Redfern

158 Redfern Street
Redfern
9am-5pm Monday – Friday
9am – 12 Noon Saturday

Green Square Customer Service Centre

The Tote,
100 Joynton Avenue,
Zetland
10am-6pm Monday – Friday

State planning controls are available for inspection at the following locations:

Sydney Harbour Foreshore Authority (former Sydney Cove Authority and Darling Harbour

Authority),
Level 6,
66 Harrington Street,
The Rocks.

Department of Planning & Infrastructure Information Centre

23-33 Bridge Street,
Sydney NSW 2000

Where planning certificate section 149 (5) matters are supplied, complete details are available by writing to:

*Chief Executive Officer,
City of Sydney,
G.P.O. Box 1591,
Sydney, NSW 2000*

End of Document

Appendix D – Soil Investigation Levels for Urban Development Sites in NSW

Substance	Health-based investigation levels ¹ (mg/kg)				Provisional phytotoxicity-based investigation levels ² (mg/kg)
	Residential with gardens and accessible soil (home-grown produce contributing < 10% fruit and vegetable intake; no poultry), including children's day-care centres, preschools, primary schools, townhouses, villas (NEHF A) ³	Residential with minimal access to soil including high-rise apartments and flats (NEHF D)	Parks, recreational open space, playing fields including secondary schools (NEHF E)	Commercial or industrial (NEHF F)	
	Column 1	Column 2	Column 3	Column 4	Column 5
Metals and metaloids					
Arsenic (total)	100	400	200	500	20
Beryllium	20	80	40	100	–
Cadmium	20	80	40	100	3
Chromium (III) ⁴	12%	48%	24%	60%	400
Chromium (VI)	100	400	200	500	1
Cobalt	100	400	200	500	–
Copper	1,000	4,000	2,000	5,000	100
Lead	300	1,200	600	1,500	600
Manganese	1,500	6,000	3,000	7,500	500
Methyl mercury	10	40	20	50	–
Mercury (inorganic)	15	60	30	75	1 ⁵
Nickel	600	2,400	600	3,000	60
Zinc	7,000	28,000	14,000	35,000	200
Organics					
Aldrin + dieldrin	10	40	20	50	–
Chlordane	50	200	100	250	–
DDT + DDD + DDE	200	800	400	1,000	–
Heptachlor	10	40	20	50	–
PAHs (total)	20	80	40	100	–
Benzo(a)pyrene	1	4	2	5	–
Phenol ⁶	8,500	34,000	17,000	42,500	–
PCBs (total)	10	40	20	50	–
Petroleum hydrocarbon components⁷					
> C16–C35 (aromatics)	90	360	180	450	–
> C16–C35	5,600	22,400	11,200	28,000	–
> C35 (aliphatics)	56,000	224,000	112,000	280,000	–
Other					
Boron	3,000	12,000	6,000	15,000	– ⁸
Cyanides (complex)	500	2,000	1,000	2,500	–
Cyanides (free)	250	1,000	500	1,250	–

- 1 The limitations of health-based soil investigation levels are discussed in Schedule B(1) Guidelines on the Investigation Levels for Soil and Groundwater and Schedule B(7a) Guidelines on Health-based Investigation Levels, *National Environment Protection (Assessment of Site Contamination) Measure 1999* (NEPC 1999)
- 2 The provisional phytotoxicity-based investigation levels proposed in this document are single number criteria. Their use has significant limitations because phytotoxicity depends on soil and species parameters in ways that are not fully understood. They are intended for use as a screening guide and may be assumed to apply to sandy loam soils or soils of a closely similar texture for pH 6–8.
- 3 National Environmental Health Forum (NEHF) is now known as enHealth.
- 4 Soil discolouration may occur at these concentrations.
- 5 Total mercury
- 6 Odours may occur at these concentrations.
- 7 The carbon number is an 'equivalent carbon number' based on a method that standardises according to boiling point. It is a method used by some analytical laboratories to report carbon numbers for chemicals evaluated on a boiling point GC column.
- 8 Boron is phytotoxic at low concentrations. A provisional phytotoxicity-based investigation level is not yet available.

Notes:

This table is adapted from Table 5-A in Schedule B(1): Guidelines on Investigation Levels for Soil and Groundwater to the *National Environment Protection (Assessment of Site Contamination) Measure 1999* (NEPC 1999).

Soil investigation levels (SILs) may not be appropriate for the protection of ground water and surface water. They also do not apply to land being, or proposed to be, used for agricultural purposes. (Consult NSW Agriculture and NSW Health for the appropriate criteria for agricultural land.)

SILs do not take into account all environmental concerns (for example, the potential effects on wildlife). Where relevant, these would require further consideration.

Impacts of contaminants on building structures should also be considered.

For assessment of hydrocarbon contamination for residential land use, refer to the *Guidelines for Assessing Service Station Sites* (EPA 1994).