

Appendix E

Planning Certificates

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CERTIFICATE STATUS

To:

Jacqui Dunford
AECOM Australia Pty Ltd
PO Box Q410
QVB Post Office
Sydney NSW 1230

Our Reference **F77418**

Status as at **11/05/2015**

All certificates delivered

Your Ref **60327128_1.01**

Your Client **Various**

Property **2D,30A,32 The Crescent/Commercial Rd, Kingsgrove**

LGA and Title **HURSTVILLE, Lot 1&2 DP566805*(3)**

Certificates Enclosed ** Council Sect 149 (2)
Section 149 (5) add.info

** Please check that enclosed certificates contain correct details including title(s) and property description.



Hurstville City Council

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MacMahon Street
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website www.hurstville.nsw.gov.au

PLANNING CERTIFICATE ISSUED UNDER SECTION 149(2) and 149(5) ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

Our Reference: **PL2015/0999**
Your Reference: **F77418**
Date of Issue: **11/05/2015**

Foster & Ampamp Foster Pty Limited
Gpo Box 980
SYDNEY NSW 2001

Property Number:	68480
Property Address:	30A Commercial Road KINGSGROVE NSW 2208
Legal Description:	Lot 1 DP 566805

This certificate is provided pursuant to Section 149(2) and 149(5) 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. 1 - Development Standards
- No. 4 - Development Without Consent and Miscellaneous Complying Development
- No. 6 - Number of Storeys in a Building
- No. 19 - Bushland in Urban Areas
- No. 21 - Caravan Parks
- No. 22 - Shops and Commercial Premises
- 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 (Temporary Structures) 2007
- SEPP (Infrastructure) 2007
- SEPP (Exempt and Complying Codes) 2008
- SEPP (Affordable Rental Housing) 2009
- SEPP (State and Regional Development) 2011

(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 Director-General 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.

On 23 September 2014, the New South Wales Government placed on public exhibition an amendment to the State Planning Policy No 65 - Improving apartment design and affordability.

(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 the Hurstville Local Environmental Plan 2012.

(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 Clause 1.17A (c) and (d) 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 Services, Technology and Administration.

Council has not been notified by the Department of Services Technology and Administration 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 are to be 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

standard 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 Director-General of the Department of Environment, Climate Change and Water, 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 Director-General of the Department of Environment, Climate Change and Water).

Council has not been notified by the Director-General of the Department of Environment, Climate Change and Water, 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 of Planning, 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 of Planning.*

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 of Planning.*

(2) A statement setting out 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.

(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 Director-General'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 of Planning and Infrastructure.

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 Department of Environment, Climate Change and Water).

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 Department of Environment and Climate Change).

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 Department of Environment and Climate Change).

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 Department of Environment and Climate Change).

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 2 : Section 26 of the Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009 provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of that Act if the Council is provided with a copy of the exemption or authorisation by the Co-ordinator General under the Act.

Note 3: 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.

Additional Information Pursuant to Section 149(5)

As requested by you, the following additional information is provided pursuant to Section 149(5) of the Act:

Public Exhibition of Draft Hurstville Local Environmental Plan (Hurstville City Centre) 2014 and Draft Development Control Plan No. 2 - Hurstville City Centre

Hurstville City Council is re-exhibiting the draft Hurstville Local Environmental Plan (Hurstville City Centre) 2014 (draft LEP) and Draft Amendments to Development Control Plan 2 (draft DCP 2) for the Hurstville City Centre. The draft LEP will replace the current Hurstville LEP 1994 once approved by the Minister for Planning and Infrastructure.

The draft LEP was previously exhibited between 23 January 2012 and 29 February 2012. On 12 April 2012, Council considered a report on submissions received and resolved to amend the draft LEP in relation to specific matters. On 10 December 2013, Council further resolved to amend the draft LEP in response to the findings of the Transport Management and Accessibility Plan (TMAP) which was completed in June 2013.

Council has also prepared Draft Amendments to DCP 2 (draft DCP 2) has been exhibited at the same time as the draft LEP. The amendments to DCP 2 include, but are not limited to, the identification of City Centre Precincts, updated planning controls for commercial, mixed use and residential development, removal of the built form controls for all street blocks in the City Centre and a range of administrative amendments to make DCP 2 easier to use.

The draft LEP and draft DCP 2 was on public exhibition from **17 July 2014 to 14 August 2014**.

City Centre Concept Master Plan 2004

On the 15th December 2004, Council adopted the City Centre Concept Master Plan as a policy pursuant to Clause 9 of the Hurstville Local Environmental Plan 1994. This policy develops key design principles to improve the amenity of the City Centre. These include: development of new bus interchange, creation of a new civic precinct, improvement of North-South connections, improvement of rail station access, creation of new sequence of public spaces, creation of pocket parks and street planting and simplified traffic system.

Contaminated Land

Council has adopted by resolution a policy on contaminated land which may restrict the development of the land. This policy is implemented when zoning or land use changes are proposed on lands which have previously been used for certain purposes. Council records do not have sufficient information about previous use of this land to determine whether the land is contaminated.

Consideration of Council's adopted policy and the application of provisions under relevant State legislation is warranted.

NSW Coastal Planning Guideline: Adapting to Sea Level Rise (NSW Planning, August 2010)

Hurstville City Council has been categorised as a coastal council. A coastal council is a council whose area, or part of whose area, is included within the coastal zone (within the meaning of the *Coastal Protection Act 1979*) or whose area includes land that adjoins the tidal waters of the Hawkesbury River, Sydney Harbour and Botany Bay, and their tributaries. In accordance with the NSW Government *Sea Level Rise Policy Statement*, parts of the Hurstville local government area may be affected by projected sea level rise. In identifying coastal risks caused by projected sea level rise, council is to consider the NSW sea level rise planning benchmarks which specify an increase above 1990 mean sea levels of 40cm by 2050 and 90cm by 2100 in land use, strategic planning and the assessment of development applications.

Victor GD Lampe
General Manager



Hurstville City Council

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PLANNING CERTIFICATE ISSUED UNDER SECTION 149(2) and 149(5) ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

Our Reference: **PL2015/1000**
Your Reference: **F77418**
Date of Issue: **11/05/2015**

Foster & Ampamp Foster Pty Limited
Gpo Box 980
SYDNEY NSW 2001

Property Number:	68482
Property Address:	32 Commercial Road KINGSGROVE NSW 2208
Legal Description:	Part Lot 2 DP 566805

This certificate is provided pursuant to Section 149(2) and 149(5) 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. 1 - Development Standards
- No. 4 - Development Without Consent and Miscellaneous Complying Development
- No. 6 - Number of Storeys in a Building
- No. 19 - Bushland in Urban Areas
- No. 21 - Caravan Parks
- No. 22 - Shops and Commercial Premises
- 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 (Temporary Structures) 2007
- SEPP (Infrastructure) 2007
- SEPP (Exempt and Complying Codes) 2008
- SEPP (Affordable Rental Housing) 2009
- SEPP (State and Regional Development) 2011

(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 Director-General 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.

On 23 September 2014, the New South Wales Government placed on public exhibition an amendment to the State Planning Policy No 65 - Improving apartment design and affordability.

(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 the Hurstville Local Environmental Plan 2012.

(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 Clause 1.17A (c) and (d) 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 Services, Technology and Administration.

Council has not been notified by the Department of Services Technology and Administration 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 are to be 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

standard 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 Director-General of the Department of Environment, Climate Change and Water, 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 Director-General of the Department of Environment, Climate Change and Water).

Council has not been notified by the Director-General of the Department of Environment, Climate Change and Water, 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 of Planning, 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 of Planning.*

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 of Planning.*

(2) A statement setting out 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.

(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 Director-General'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 of Planning and Infrastructure.

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 Department of Environment, Climate Change and Water).

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 Department of Environment and Climate Change).

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 Department of Environment and Climate Change).

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 Department of Environment and Climate Change).

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 2 : Section 26 of the Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009 provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of that Act if the Council is provided with a copy of the exemption or authorisation by the Co-ordinator General under the Act.

Note 3: 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.

Additional Information Pursuant to Section 149(5)

As requested by you, the following additional information is provided pursuant to Section 149(5) of the Act:

Public Exhibition of Draft Hurstville Local Environmental Plan (Hurstville City Centre) 2014 and Draft Development Control Plan No. 2 - Hurstville City Centre

Hurstville City Council is re-exhibiting the draft Hurstville Local Environmental Plan (Hurstville City Centre) 2014 (draft LEP) and Draft Amendments to Development Control Plan 2 (draft DCP 2) for the Hurstville City Centre. The draft LEP will replace the current Hurstville LEP 1994 once approved by the Minister for Planning and Infrastructure.

The draft LEP was previously exhibited between 23 January 2012 and 29 February 2012. On 12 April 2012, Council considered a report on submissions received and resolved to amend the draft LEP in relation to specific matters. On 10 December 2013, Council further resolved to amend the draft LEP in response to the findings of the Transport Management and Accessibility Plan (TMAP) which was completed in June 2013.

Council has also prepared Draft Amendments to DCP 2 (draft DCP 2) has been exhibited at the same time as the draft LEP. The amendments to DCP 2 include, but are not limited to, the identification of City Centre Precincts, updated planning controls for commercial, mixed use and residential development, removal of the built form controls for all street blocks in the City Centre and a range of administrative amendments to make DCP 2 easier to use.

The draft LEP and draft DCP 2 was on public exhibition from **17 July 2014 to 14 August 2014**.

City Centre Concept Master Plan 2004

On the 15th December 2004, Council adopted the City Centre Concept Master Plan as a policy pursuant to Clause 9 of the Hurstville Local Environmental Plan 1994. This policy develops key design principles to improve the amenity of the City Centre. These include: development of new bus interchange, creation of a new civic precinct, improvement of North-South connections, improvement of rail station access, creation of new sequence of public spaces, creation of pocket parks and street planting and simplified traffic system.

Contaminated Land

Council has adopted by resolution a policy on contaminated land which may restrict the development of the land. This policy is implemented when zoning or land use changes are proposed on lands which have previously been used for certain purposes. Council records do not have sufficient information about previous use of this land to determine whether the land is contaminated.

Consideration of Council's adopted policy and the application of provisions under relevant State legislation is warranted.

NSW Coastal Planning Guideline: Adapting to Sea Level Rise (NSW Planning, August 2010)

Hurstville City Council has been categorised as a coastal council. A coastal council is a council whose area, or part of whose area, is included within the coastal zone (within the meaning of the *Coastal Protection Act 1979*) or whose area includes land that adjoins the tidal waters of the Hawkesbury River, Sydney Harbour and Botany Bay, and their tributaries. In accordance with the NSW Government *Sea Level Rise Policy Statement*, parts of the Hurstville local government area may be affected by projected sea level rise. In identifying coastal risks caused by projected sea level rise, council is to consider the NSW sea level rise planning benchmarks which specify an increase above 1990 mean sea levels of 40cm by 2050 and 90cm by 2100 in land use, strategic planning and the assessment of development applications.

Victor GD Lampe
General Manager

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DX 208 Sydney

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AECOM Australia Pty Ltd
PO Box Q410
QVB Post Office
Sydney NSW 1230

CERTIFICATE STATUS

Our Reference **F77419**

Status as at **11/05/2015**

All certificates delivered

Your Ref **60327128_1.01**

Your Client **Various**

Property **Road Reserve & Garema Cct, Kingsgrove**

LGA and Title **CANTERBURY, Lot 9-18 DP1069225* (11)**

Certificates Enclosed ** Council Sect 149 (2)
Section 149 (5) add.info

** Please check that enclosed certificates contain correct details including title(s) and property description.

**CANTERBURY CITY COUNCIL***City of Cultural Diversity***Facsimile Transmission
from
City Planning Division**

Date: 11/5/15

To: Foster & Foster	From: Diane Watson
Attention:	Title: Administration Officer
Telephone No: 9268 0033	Telephone No: 9789 9386
Fax No: 8088 1188	Fax No: 9789 1542

No of pages including this cover sheet: 78

(Please contact the above sender immediately if not fully received)

- **MESSAGE:** ☒ AS DISCUSSED

Please find following a copy of the Section 149 Certificate for 225-249 B Bexley Rd as
requested. & 27-31 Garena Circuit

IMPORTANT NOTICE REGARDING CONFIDENTIALITY

This facsimile is intended only for the addressee and may contain confidential information. If you are not the addressee, you are notified that any transmission, distribution or photocopying of this facsimile is strictly prohibited. The confidentiality attached to this facsimile is not waived, lost or destroyed by reasons of a mistaken delivery to you.

**City of Canterbury***City of Cultural Diversity*Administration Centre, 137 Beamish Street,
CAMPSIE N.S.W. 2194

DX: 3813 Campsie

Telephone: (02) 9789 9300

Fax: (02) 9789 1542

Foster & Foster Pty Ltd
DX 208
SYDNEY

PLANNING CERTIFICATE

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

Certificate No: 33331
11 May 2015

Land which Certificate is issued for:

Lot 18 DP 1069225

225 Bexley Road, KINGSGROVE NSW 2208



City of Canterbury
City of Cultural Diversity

Administration Centre, 137 Beamish Street,
CAMPSIE N.S.W. 2194
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Fax: (02) 9789 1542

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

Land which Certificate is issued for:

Lot 18 DP 1069225

225 Bexley Road, KINGSGROVE NSW 2208

**PART 1:
ENVIRONMENTAL PLANNING INSTRUMENTS**

1.1 Principal Environmental Planning Instrument

Canterbury Local Environmental Plan 2012

Date effective from

1 January 2013

Land Use Zone

ZONE SP2 INFRASTRUCTURE

1. Permitted without consent
Roads

2. Permitted with consent
The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose.

3. Prohibited
Any development not specified in item 1 or 2



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City of Cultural Diversity

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1.2 State Environmental Planning Policies

Note:

The following information indicates those State Environmental Planning Policies (SEPP) which may apply to the subject land. A summary explanation of each SEPP can be sourced from the Department of Planning (DoP) website at www.planning.nsw.gov.au. The full wording of each SEPP can also be accessed via the DoP website.

State Environmental Planning Policies:

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. 64 - Advertising and Signage

No. 65 - Design Quality of Residential Flat Development

No. 71 - Coastal Protection

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

State Environmental Planning Policy - Building Sustainability Index: BASIX 2004

State Environmental Planning Policy - (Repeal of Concurrence and Referral Provisions) 2004.

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

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

State Environmental Planning Policy - (Infrastructure) 2007

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

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

State Environmental Planning Policy (Affordable Rental Housing) 2009

Proposed State Environmental Planning Policies

State Environmental Planning Policy (Competition) 2010

1.3 Proposed Environmental Planning Instruments (including any Planning Proposals) that are or have been the subject of community consultation or on public exhibition under the Act Not applicable.

1.4 Development Control Plans.

Canterbury Development Control Plan 2012

Contains detailed design guidelines and development standards for development in Canterbury City.

1.5 Contribution Plans.

Council has in place a Development Contributions Plan prepared and adopted under the Environmental Planning and Assessment Act, 1979.



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PART 2: RESTRICTIONS ON DEVELOPMENT

2.1 Heritage

Not applicable.

2.2 Coastal Protection

There is no notification that the subject property is affected by the provisions of Section 38 or 39 of the Coastal Protection Act, 1979.

2.3 Mine Subsidence

The subject land is not within a mine subsidence district within the meaning of Section 15 of the Mine Subsidence Compensation Act, 1961.

2.4 Road Widening and Road Realignment

Whether or not the land is affected by a road widening or road realignment proposal under Division 2 or Part 3 of the Roads Act 1993 or an environmental planning instrument;

Affected by Road Widening - Roads Act and an EPI

Roads Act 1993

The subject land is affected by a road widening or road realignment proposal under Division 2 or Part 3 of the Roads Act 1993.

Environmental Planning Instruments

The subject land is affected by a road widening or road realignment proposal under an environmental planning instrument.

Whether or not the land is affected by a road widening or road realignment proposal under any resolution of Council.

The land is not affected by a road widening or road realignment proposal under any resolution of Council.

2.5 Council and Other Public Authority Policies on Hazard Risk Restrictions

Whether or not the land is affected by a policy adopted by Council or adopted by any other public authority (and notified to the Council for the express purpose of its adoption by that authority being referred to) that restricts the development of the land because of the likelihood of:

- **Land Slip**
The land is not affected by a policy restriction relating to landslip
- **Bushfire**
The land is not bushfire prone land (as defined in the Act).
- **Tidal Inundation**
The land is not affected by a policy restriction relating to tidal inundation
- **Subsidence**
The land is not affected by a policy restriction relating to subsidence
- **Acid Sulfate Soils**
The land is not affected by a policy restriction relating to acid sulfate soils.
- **Unhealthy Building Land**
The land is not affected by a policy restriction relating to Unhealthy Building Land.
- **Any Other Risk**
Not applicable.



- 2.6 Flooding**
Development on the 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 any flood related development controls.

Development on the land, or part of the land, for any other purpose is not subject to flood related development controls.
- 2.7 Matters arising under the Contaminated Land Management Act, 1997.**
Not applicable.
- 2.8 Land Reserved For Acquisition**
There is no environmental planning instrument, or proposed environmental planning instrument, applying to the land that makes provision for the acquisition of the land (or any part thereof) by a public authority, as referred to in Section 27 of the Act.
- 2.9 Property Vegetation Plans**
Not applicable
- 2.10 Orders under Trees (Disputes Between Neighbours) Act 2006**
Not applicable
- 2.11 Directions under Part 3A**
Not applicable
- 2.12 Site Compatibility Certificates and Conditions for Seniors Housing**
Not applicable
- 2.13 Site Compatibility Certificates for Infrastructure**
Not applicable
- 2.14 Site Compatibility Certificates and Conditions for Affordable Rental Housing**
Not applicable
- 2.15 Certain Information Relating to Beaches and Coasts**
Not applicable
- 2.16 Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works**
Not applicable
- 2.17 Biodiversity Certified Land**
Not applicable
- 2.18 Paper Subdivision Information**
Not applicable
- 2.19 Site Verification Certificates**
Not applicable



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2.20 Complying Development

Whether or not 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 (c) and (d) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 and, if no complying development may be carried out on that land under that Policy, the reasons why complying development may not be carried out on that land.

General Housing Code (if in a residential zone)

The land is excluded for the following reason(s):

No.

Land Reserved for a Public Purpose
Affected by Road Widening - Roads
Act and an EPI

Housing Alterations Code

Yes

General Development Code

Yes

Commercial and Industrial (New Buildings and Additions) Code)

The land is excluded for the following reason(s):

No.

Land Reserved for a Public Purpose
Affected by Road Widening - Roads
Act and an EPI

Commercial and Industrial Alterations Code

Yes

Demolition Code

Yes

Subdivision Code

Yes

Fire Safety Code

Yes

Important Disclaimer: This clause of the Certificate only contains information in respect of that required by clause 3 of Schedule 4 of the Environmental Planning and Assessment Regulation 2000, in relation to Complying Development under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Other provisions contained in the SEPP, including but not limited to, minimum allotment size requirements, specified development standards or any other general exclusions, may preclude Complying Development under the SEPP from being able to be carried out. You will need to refer to the SEPP for complete details. It is your responsibility to ensure that you comply with all other general requirements of the SEPP. Failure to comply with these provisions may mean that any Complying Development Certificate issued under the provisions of the SEPP is invalid.

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PART 3**INFORMATION PROVIDED UNDER SECTION 149 (5)
OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979.**

Note: When information pursuant to Section 149(5) is requested the Council is under no obligation to furnish any of the information supplied herein pursuant to that Section. Council draws your attention to Section 149(6), which states that a Council shall not incur any liability in respect of any advice provided in good faith pursuant to sub-section (5). The absence of any reference to any matter affecting the land shall not imply that the land is not affected by any matter not referred to in this Certificate.

3.1 Amending Local Environmental Plans

Site specific and, where relevant, general amendments to the principal planning instrument are identified below:

Not applicable

3.2 Tree Preservation Order

A tree preservation order applies to the whole of the City of Canterbury.

3.3 Council Policy on Contaminated Land

On the 10 June 1999 Council adopted a policy on contaminated land. This policy will restrict development of land:

- a) which is affected by contamination;
- a) which has been used for certain purposes;
- b) in respect of which there is not sufficient information about contamination;
- c) which is proposed to be used for certain purposes;
- d) in other circumstances contained in the policy.

3.4 General Advice Regarding Use of Property

Persons considering commencing a use of or purchasing a property are advised to seek confirmation that the current, or intended, use (as the case may be) has been approved by Council, or does not require Council approval. It is pointed out that the question of "existing use rights" within the meaning of the Environmental Planning and Assessment Act, 1979, is a complex matter, and that the commencement of a use without Council approval (where required) is unlawful and may be subject to enforcement action.

3.5 Other Matters

Not applicable.

per **JIM MONTAGUE PSM**
GENERAL MANAGER

**City of Canterbury***City of Cultural Diversity*

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Foster & Foster Pty Ltd
DX 208
SYDNEY

PLANNING CERTIFICATE

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

Certificate No: 33332

11 May 2015

Land which Certificate is issued for:

Lot 17 DP 1069225

227 Bexley Road, KINGSGROVE NSW 2208

**City of Canterbury***City of Cultural Diversity*

Administration Centre, 137 Beamish Street,

CAMPSIE N.S.W. 2194

DX: 3813 Campsie

Telephone: (02) 9789 9300

Fax: (02) 9789 1542

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

Land which Certificate is issued for:

Lot 17 DP 1069225

227 Bexley Road, KINGSGROVE NSW 2208

PART 1:

ENVIRONMENTAL PLANNING INSTRUMENTS

1.1 Principal Environmental Planning Instrument

Canterbury Local Environmental Plan 2012

Date effective from

1 January 2013

Land Use Zone

ZONE SP2 INFRASTRUCTURE

1. Permitted without consent

Roads

2. Permitted with consent

The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose.

3. Prohibited

Any development not specified in item 1 or 2



City of Canterbury

City of Cultural Diversity

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1.2 State Environmental Planning Policies

Note:

The following information indicates those State Environmental Planning Policies (SEPP) which may apply to the subject land. A summary explanation of each SEPP can be sourced from the Department of Planning (DoP) website at www.planning.nsw.gov.au. The full wording of each SEPP can also be accessed via the DoP website.

State Environmental Planning Policies:

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. 64 - Advertising and Signage

No. 65 - Design Quality of Residential Flat Development

No. 71 - Coastal Protection

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

State Environmental Planning Policy - Building Sustainability Index: BASIX 2004

State Environmental Planning Policy - (Repeal of Concurrence and Referral Provisions) 2004.

State Environmental Planning Policy - (Major Projects) 2005

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

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

State Environmental Planning Policy - (Infrastructure) 2007

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

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

State Environmental Planning Policy (Affordable Rental Housing) 2009

Proposed State Environmental Planning Policies

State Environmental Planning Policy (Competition) 2010

1.3 Proposed Environmental Planning Instruments (including any Planning Proposals) that are or have been the subject of community consultation or on public exhibition under the Act Not applicable.

1.4 Development Control Plans.

Canterbury Development Control Plan 2012

Contains detailed design guidelines and development standards for development in Canterbury City.

1.5 Contribution Plans.

Council has in place a Development Contributions Plan prepared and adopted under the Environmental Planning and Assessment Act, 1979.



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PART 2: RESTRICTIONS ON DEVELOPMENT

2.1 Heritage

Not applicable.

2.2 Coastal Protection

There is no notification that the subject property is affected by the provisions of Section 38 or 39 of the Coastal Protection Act, 1979.

2.3 Mine Subsidence

The subject land is not within a mine subsidence district within the meaning of Section 15 of the Mine Subsidence Compensation Act, 1961.

2.4 Road Widening and Road Realignment

Whether or not the land is affected by a road widening or road realignment proposal under Division 2 or Part 3 of the Roads Act 1993 or an environmental planning instrument;

Affected by Road Widening - Roads Act and an EPI Roads Act 1993

The subject land is affected by a road widening or road realignment proposal under Division 2 or Part 3 of the Roads Act 1993.

Environmental Planning Instruments

The subject land is affected by a road widening or road realignment proposal under an environmental planning instrument.

Whether or not the land is affected by a road widening or road realignment proposal under any resolution of Council.

The land is not affected by a road widening or road realignment proposal under any resolution of Council.

2.5 Council and Other Public Authority Policies on Hazard Risk Restrictions

Whether or not the land is affected by a policy adopted by Council or adopted by any other public authority (and notified to the Council for the express purpose of its adoption by that authority being referred to) that restricts the development of the land because of the likelihood of:

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The land is not affected by a policy restriction relating to landslip
- **Bushfire**
The land is not bushfire prone land (as defined in the Act).
- **Tidal Inundation**
The land is not affected by a policy restriction relating to tidal inundation
- **Subsidence**
The land is not affected by a policy restriction relating to subsidence
- **Acid Sulfate Soils**
The land is not affected by a policy restriction relating to acid sulfate soils.
- **Unhealthy Building Land**
The land is not affected by a policy restriction relating to Unhealthy Building Land.
- **Any Other Risk**
Not applicable.

**City of Canterbury***City of Cultural Diversity*

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2.6 Flooding

Development on the 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 any flood related development controls.

Development on the land, or part of the land, for any other purpose is not subject to flood related development controls.

2.7 Matters arising under the Contaminated Land Management Act, 1997.

Not applicable.

2.8 Land Reserved For Acquisition

There is no environmental planning instrument, or proposed environmental planning instrument, applying to the land that makes provision for the acquisition of the land (or any part thereof) by a public authority, as referred to in Section 27 of the Act.

2.9 Property Vegetation Plans

Not applicable

2.10 Orders under Trees (Disputes Between Neighbours) Act 2006

Not applicable

2.11 Directions under Part 3A

Not applicable

2.12 Site Compatibility Certificates and Conditions for Seniors Housing

Not applicable

2.13 Site Compatibility Certificates for Infrastructure

Not applicable

2.14 Site Compatibility Certificates and Conditions for Affordable Rental Housing

Not applicable

2.15 Certain Information Relating to Beaches and Coasts

Not applicable

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

Not applicable

2.17 Biodiversity Certified Land

Not applicable

2.18 Paper Subdivision Information

Not applicable

2.19 Site Verification Certificates

Not applicable



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The land is excluded for the following reason(s):

No.
Land Reserved for a Public Purpose
Affected by Road Widening - Roads
Act and an EPI

Housing Alterations Code

Yes

General Development Code

Yes

Commercial and Industrial (New Buildings and Additions) Code)
The land is excluded for the following reason(s):

No.
Land Reserved for a Public Purpose
Affected by Road Widening - Roads
Act and an EPI

Commercial and Industrial Alterations Code

Yes

Demolition Code

Yes

Subdivision Code

Yes

Fire Safety Code

Yes

Important Disclaimer: This clause of the Certificate only contains information in respect of that required by clause 3 of Schedule 4 of the Environmental Planning and Assessment Regulation 2000, in relation to Complying Development under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Other provisions contained in the SEPP, including but not limited to, minimum allotment size requirements, specified development standards or any other general exclusions, may preclude Complying Development under the SEPP from being able to be carried out. You will need to refer to the SEPP for complete details. It is your responsibility to ensure that you comply with all other general requirements of the SEPP. Failure to comply with these provisions may mean that any Complying Development Certificate issued under the provisions of the SEPP is invalid.



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PART 3

INFORMATION PROVIDED UNDER SECTION 149 (5) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979.

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Not applicable

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3.5 Other Matters

Not applicable.

per **JIM MONTAGUE PSM**
GENERAL MANAGER



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Foster & Foster Pty Ltd
DX 208
SYDNEY

PLANNING CERTIFICATE

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

Certificate No: 33333

11 May 2015

Land which Certificate is issued for:

Lot 16 DP 1069225

229 Bexley Road, KINGSGROVE NSW 2208



City of Canterbury
City of Cultural Diversity

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

Land which Certificate is issued for:

Lot 16 DP 1069225

229 Bexley Road, KINGSGROVE NSW 2208

**PART 1:
ENVIRONMENTAL PLANNING INSTRUMENTS**

1.1 Principal Environmental Planning Instrument

Canterbury Local Environmental Plan 2012

Date effective from

1 January 2013

Land Use Zone

ZONE SP2 INFRASTRUCTURE

1. Permitted without consent

Roads

2. Permitted with consent

The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose.

3. Prohibited

Any development not specified in item 1 or 2



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Note:

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State Environmental Planning Policy - (Infrastructure) 2007

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

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

State Environmental Planning Policy (Affordable Rental Housing) 2009

Proposed State Environmental Planning Policies

State Environmental Planning Policy (Competition) 2010

1.3 Proposed Environmental Planning Instruments (including any Planning Proposals) that are or have been the subject of community consultation or on public exhibition under the Act Not applicable.

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Canterbury Development Control Plan 2012

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PART 2: RESTRICTIONS ON DEVELOPMENT

2.1 Heritage

Not applicable.

2.2 Coastal Protection

There is no notification that the subject property is affected by the provisions of Section 38 or 39 of the Coastal Protection Act, 1979.

2.3 Mine Subsidence

The subject land is not within a mine subsidence district within the meaning of Section 15 of the Mine Subsidence Compensation Act, 1961.

2.4 Road Widening and Road Realignment

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Affected by Road Widening - Roads Act and an EPI Roads Act 1993

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Whether or not the land is affected by a road widening or road realignment proposal under any resolution of Council.

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2.5 Council and Other Public Authority Policies on Hazard Risk Restrictions

Whether or not the land is affected by a policy adopted by Council or adopted by any other public authority (and notified to the Council for the express purpose of its adoption by that authority being referred to) that restricts the development of the land because of the likelihood of:

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The land is not affected by a policy restriction relating to landslip
- **Bushfire**
The land is not bushfire prone land (as defined in the Act).
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The land is not affected by a policy restriction relating to tidal inundation
- **Subsidence**
The land is not affected by a policy restriction relating to subsidence
- **Acid Sulfate Soils**
The land is not affected by a policy restriction relating to acid sulfate soils.
- **Unhealthy Building Land**
The land is not affected by a policy restriction relating to Unhealthy Building Land.
- **Any Other Risk**
Not applicable.

**City of Canterbury***City of Cultural Diversity*

Administration Centre, 137 Beamish Street,

CAMPSIE N.S.W. 2194

DX: 3813 Campsie

Telephone: (02) 9789 9300

Fax: (02) 9789 1542

2.6 Flooding

Development on the 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 any flood related development controls.

Development on the land, or part of the land, for any other purpose is not subject to flood related development controls.

2.7 Matters arising under the Contaminated Land Management Act, 1997.

Not applicable.

2.8 Land Reserved For Acquisition

There is no environmental planning instrument, or proposed environmental planning instrument, applying to the land that makes provision for the acquisition of the land (or any part thereof) by a public authority, as referred to in Section 27 of the Act.

2.9 Property Vegetation Plans

Not applicable

2.10 Orders under Trees (Disputes Between Neighbours) Act 2006

Not applicable

2.11 Directions under Part 3A

Not applicable

2.12 Site Compatibility Certificates and Conditions for Seniors Housing

Not applicable

2.13 Site Compatibility Certificates for Infrastructure

Not applicable

2.14 Site Compatibility Certificates and Conditions for Affordable Rental Housing

Not applicable

2.15 Certain Information Relating to Beaches and Coasts

Not applicable

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

Not applicable

2.17 Biodiversity Certified Land

Not applicable

2.18 Paper Subdivision Information

Not applicable

2.19 Site Verification Certificates

Not applicable



City of Canterbury

City of Cultural Diversity

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2.20 Complying Development

Whether or not 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 (c) and (d) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 and, if no complying development may be carried out on that land under that Policy, the reasons why complying development may not be carried out on that land.

General Housing Code (if in a residential zone)

The land is excluded for the following reason(s):

No.

Land Reserved for a Public Purpose
Affected by Road Widening - Roads
Act and an EPI

Housing Alterations Code

Yes

General Development Code

Yes

Commercial and Industrial (New Buildings and Additions) Code)

The land is excluded for the following reason(s):

No.

Land Reserved for a Public Purpose
Affected by Road Widening - Roads
Act and an EPI

Commercial and Industrial Alterations Code

Yes

Demolition Code

Yes

Subdivision Code

Yes

Fire Safety Code

Yes

Important Disclaimer: This clause of the Certificate only contains information in respect of that required by clause 3 of Schedule 4 of the Environmental Planning and Assessment Regulation 2000, in relation to Complying Development under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Other provisions contained in the SEPP, including but not limited to, minimum allotment size requirements, specified development standards or any other general exclusions, may preclude Complying Development under the SEPP from being able to be carried out. You will need to refer to the SEPP for complete details. It is your responsibility to ensure that you comply with all other general requirements of the SEPP. Failure to comply with these provisions may mean that any Complying Development Certificate issued under the provisions of the SEPP is invalid.



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PART 3

INFORMATION PROVIDED UNDER SECTION 149 (5) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979.

Note: When information pursuant to Section 149(5) is requested the Council is under no obligation to furnish any of the information supplied herein pursuant to that Section. Council draws your attention to Section 149(6), which states that a Council shall not incur any liability in respect of any advice provided in good faith pursuant to sub-section (5). The absence of any reference to any matter affecting the land shall not imply that the land is not affected by any matter not referred to in this Certificate.

3.1 Amending Local Environmental Plans

Site specific and, where relevant, general amendments to the principal planning instrument are identified below:

Not applicable

3.2 Tree Preservation Order

A tree preservation order applies to the whole of the City of Canterbury.

3.3 Council Policy on Contaminated Land

On the 10 June 1999 Council adopted a policy on contaminated land. This policy will restrict development of land;

- a) which is affected by contamination;
- a) which has been used for certain purposes;
- b) in respect of which there is not sufficient information about contamination;
- c) which is proposed to be used for certain purposes;
- d) in other circumstances contained in the policy.

3.4 General Advice Regarding Use of Property

Persons considering commencing a use of or purchasing a property are advised to seek confirmation that the current, or intended, use (as the case may be) has been approved by Council, or does not require Council approval. It is pointed out that the question of "existing use rights" within the meaning of the Environmental Planning and Assessment Act, 1979, is a complex matter, and that the commencement of a use without Council approval (where required) is unlawful and may be subject to enforcement action.

3.5 Other Matters

Not applicable.

per **JIM MONTAGUE PSM**
GENERAL MANAGER



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City of Cultural Diversity

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Foster & Foster Pty Ltd
DX 208
SYDNEY

PLANNING CERTIFICATE

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

Certificate No: 33334
11 May 2015

Land which Certificate is issued for:

Lot 15 DP 1069225

231 Bexley Road, KINGSGROVE NSW 2208

**City of Canterbury***City of Cultural Diversity*

Administration Centre, 137 Beamish Street,

CAMPSIE N.S.W. 2194

DX: 3813 Campsie

Telephone: (02) 9789 9300

Fax: (02) 9789 1542

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

Land which Certificate is issued for:

Lot 15 DP 1069225

231 Bexley Road, KINGSGROVE NSW 2208

**PART 1:
ENVIRONMENTAL PLANNING INSTRUMENTS**

1.1 Principal Environmental Planning Instrument

Canterbury Local Environmental Plan 2012

Date effective from

1 January 2013

Land Use Zone

ZONE SP2 INFRASTRUCTURE

1. Permitted without consent

Roads

2. Permitted with consent

The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose.

3. Prohibited

Any development not specified in item 1 or 2



City of Canterbury
City of Cultural Diversity

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CAMPSIE N.S.W. 2194
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Fax: (02) 9789 1542

1.2 State Environmental Planning Policies

Note:

The following information indicates those State Environmental Planning Policies (SEPP) which may apply to the subject land. A summary explanation of each SEPP can be sourced from the Department of Planning (DoP) website at www.planning.nsw.gov.au. The full wording of each SEPP can also be accessed via the DoP website.

State Environmental Planning Policies:

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. 64 - Advertising and Signage

No. 65 - Design Quality of Residential Flat Development

No. 71 - Coastal Protection

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

State Environmental Planning Policy - Building Sustainability Index: BASIX 2004

State Environmental Planning Policy - (Repeal of Concurrence and Referral Provisions) 2004.

State Environmental Planning Policy - (Major Projects) 2005

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

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

State Environmental Planning Policy - (Infrastructure) 2007

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

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

State Environmental Planning Policy (Affordable Rental Housing) 2009

Proposed State Environmental Planning Policies

State Environmental Planning Policy (Competition) 2010

1.3 Proposed Environmental Planning Instruments (including any Planning Proposals) that are or have been the subject of community consultation or on public exhibition under the Act Not applicable.

1.4 Development Control Plans.

Canterbury Development Control Plan 2012

Contains detailed design guidelines and development standards for development in Canterbury City.

1.5 Contribution Plans.

Council has in place a Development Contributions Plan prepared and adopted under the Environmental Planning and Assessment Act, 1979.



PART 2: RESTRICTIONS ON DEVELOPMENT

2.1 **Heritage**

Not applicable.

2.2 **Coastal Protection**

There is no notification that the subject property is affected by the provisions of Section 38 or 39 of the Coastal Protection Act, 1979.

2.3 **Mine Subsidence**

The subject land is not within a mine subsidence district within the meaning of Section 15 of the Mine Subsidence Compensation Act, 1961.

2.4 **Road Widening and Road Realignment**

Whether or not the land is affected by a road widening or road realignment proposal under Division 2 or Part 3 of the Roads Act 1993 or an environmental planning instrument;

Affected by Road Widening - Roads Act and an EPI Roads Act 1993

The subject land is affected by a road widening or road realignment proposal under Division 2 or Part 3 of the Roads Act 1993.

Environmental Planning Instruments

The subject land is affected by a road widening or road realignment proposal under an environmental planning instrument.

Whether or not the land is affected by a road widening or road realignment proposal under any resolution of Council.

The land is not affected by a road widening or road realignment proposal under any resolution of Council.

2.5 **Council and Other Public Authority Policies on Hazard Risk Restrictions**

Whether or not the land is affected by a policy adopted by Council or adopted by any other public authority (and notified to the Council for the express purpose of its adoption by that authority being referred to) that restricts the development of the land because of the likelihood of:

- **Land Slip**
The land is not affected by a policy restriction relating to landslip
- **Bushfire**
The land is not bushfire prone land (as defined in the Act).
- **Tidal Inundation**
The land is not affected by a policy restriction relating to tidal inundation
- **Subsidence**
The land is not affected by a policy restriction relating to subsidence
- **Acid Sulfate Soils**
The land is not affected by a policy restriction relating to acid sulfate soils.
- **Unhealthy Building Land**
The land is not affected by a policy restriction relating to Unhealthy Building Land.
- **Any Other Risk**
Not applicable.

**City of Canterbury***City of Cultural Diversity*

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2.6 Flooding

Development on the 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 any flood related development controls.

Development on the land, or part of the land, for any other purpose is not subject to flood related development controls.

2.7 Matters arising under the Contaminated Land Management Act, 1997.

Not applicable.

2.8 Land Reserved For Acquisition

There is no environmental planning instrument, or proposed environmental planning instrument, applying to the land that makes provision for the acquisition of the land (or any part thereof) by a public authority, as referred to in Section 27 of the Act.

2.9 Property Vegetation Plans

Not applicable

2.10 Orders under Trees (Disputes Between Neighbours) Act 2006

Not applicable

2.11 Directions under Part 3A

Not applicable

2.12 Site Compatibility Certificates and Conditions for Seniors Housing

Not applicable

2.13 Site Compatibility Certificates for Infrastructure

Not applicable

2.14 Site Compatibility Certificates and Conditions for Affordable Rental Housing

Not applicable

2.15 Certain Information Relating to Beaches and Coasts

Not applicable

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

Not applicable

2.17 Biodiversity Certified Land

Not applicable

2.18 Paper Subdivision Information

Not applicable

2.19 Site Verification Certificates

Not applicable


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2.20
Complying Development

Whether or not 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 (c) and (d) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 and, if no complying development may be carried out on that land under that Policy, the reasons why complying development may not be carried out on that land.

General Housing Code (if in a residential zone)

The land is excluded for the following reason(s):

No.

 Land Reserved for a Public Purpose
Affected by Road Widening - Roads
Act and an EPI

Housing Alterations Code

Yes

General Development Code

Yes

Commercial and Industrial (New Buildings and Additions) Code)

The land is excluded for the following reason(s):

No.

 Land Reserved for a Public Purpose
Affected by Road Widening - Roads
Act and an EPI

Commercial and Industrial Alterations Code

Yes

Demolition Code

Yes

Subdivision Code

Yes

Fire Safety Code

Yes

Important Disclaimer: This clause of the Certificate only contains information in respect of that required by clause 3 of Schedule 4 of the Environmental Planning and Assessment Regulation 2000, in relation to Complying Development under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Other provisions contained in the SEPP, including but not limited to, minimum allotment size requirements, specified development standards or any other general exclusions, may preclude Complying Development under the SEPP from being able to be carried out. You will need to refer to the SEPP for complete details. It is your responsibility to ensure that you comply with all other general requirements of the SEPP. Failure to comply with these provisions may mean that any Complying Development Certificate issued under the provisions of the SEPP is invalid.

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PART 3**INFORMATION PROVIDED UNDER SECTION 149 (5)
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3.1 Amending Local Environmental Plans

Site specific and, where relevant, general amendments to the principal planning instrument are identified below:

Not applicable

3.2 Tree Preservation Order

A tree preservation order applies to the whole of the City of Canterbury.

3.3 Council Policy on Contaminated Land

On the 10 June 1999 Council adopted a policy on contaminated land. This policy will restrict development of land:

- a) which is affected by contamination;
- a) which has been used for certain purposes;
- b) in respect of which there is not sufficient information about contamination;
- c) which is proposed to be used for certain purposes;
- d) in other circumstances contained in the policy.

3.4 General Advice Regarding Use of Property

Persons considering commencing a use of or purchasing a property are advised to seek confirmation that the current, or intended, use (as the case may be) has been approved by Council, or does not require Council approval. It is pointed out that the question of "existing use rights" within the meaning of the Environmental Planning and Assessment Act, 1979, is a complex matter, and that the commencement of a use without Council approval (where required) is unlawful and may be subject to enforcement action.

3.5 Other Matters

Not applicable.

per **JIM MONTAGUE PSM**
GENERAL MANAGER

**City of Canterbury***City of Cultural Diversity*

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Foster & Foster Pty Ltd
DX 208
SYDNEY

PLANNING CERTIFICATE

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

Certificate No: 33335

11 May 2015

Land which Certificate is issued for:

Lot 14 DP 1069225

233 Bexley Road, KINGSGROVE NSW 2208



City of Canterbury
City of Cultural Diversity

Administration Centre, 137 Beamish Street,
CAMPSIE N.S.W. 2194
DX: 3813 Campsie
Telephone: (02) 9789 9300
Fax: (02) 9789 1542

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

Land which Certificate is issued for:

Lot 14 DP 1069225

233 Bexley Road, KINGSGROVE NSW 2208

**PART 1:
ENVIRONMENTAL PLANNING INSTRUMENTS**

1.1 Principal Environmental Planning Instrument

Canterbury Local Environmental Plan 2012

Date effective from

1 January 2013

Land Use Zone

ZONE SP2 INFRASTRUCTURE

1. Permitted without consent

Roads

2. Permitted with consent

The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose.

3. Prohibited

Any development not specified in item 1 or 2



City of Canterbury

City of Cultural Diversity

Administration Centre, 137 Beamish Street,
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1.2 State Environmental Planning Policies

Note:

The following information indicates those State Environmental Planning Policies (SEPP) which may apply to the subject land. A summary explanation of each SEPP can be sourced from the Department of Planning (DoP) website at www.planning.nsw.gov.au. The full wording of each SEPP can also be accessed via the DoP website.

State Environmental Planning Policies:

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. 64 - Advertising and Signage

No. 65 - Design Quality of Residential Flat Development

No. 71 - Coastal Protection

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

State Environmental Planning Policy - Building Sustainability Index: BASIX 2004

State Environmental Planning Policy - (Repeal of Concurrence and Referral Provisions) 2004.

State Environmental Planning Policy - (Major Projects) 2005

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

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

State Environmental Planning Policy - (Infrastructure) 2007

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

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

State Environmental Planning Policy (Affordable Rental Housing) 2009

Proposed State Environmental Planning Policies

State Environmental Planning Policy (Competition) 2010

1.3 Proposed Environmental Planning Instruments (including any Planning Proposals) that are or have been the subject of community consultation or on public exhibition under the Act Not applicable.

1.4 Development Control Plans.

Canterbury Development Control Plan 2012

Contains detailed design guidelines and development standards for development in Canterbury City.

1.5 Contribution Plans.

Council has in place a Development Contributions Plan prepared and adopted under the Environmental Planning and Assessment Act, 1979.



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Fax: (02) 9789 1542

PART 2: RESTRICTIONS ON DEVELOPMENT

2.1 Heritage

Not applicable.

2.2 Coastal Protection

There is no notification that the subject property is affected by the provisions of Section 38 or 39 of the Coastal Protection Act, 1979.

2.3 Mine Subsidence

The subject land is not within a mine subsidence district within the meaning of Section 15 of the Mine Subsidence Compensation Act, 1961.

2.4 Road Widening and Road Realignment

Whether or not the land is affected by a road widening or road realignment proposal under Division 2 or Part 3 of the Roads Act 1993 or an environmental planning instrument;

Affected by Road Widening - Roads Act and an EPI Roads Act 1993

The subject land is affected by a road widening or road realignment proposal under Division 2 or Part 3 of the Roads Act 1993.

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The subject land is affected by a road widening or road realignment proposal under an environmental planning instrument.

Whether or not the land is affected by a road widening or road realignment proposal under any resolution of Council.

The land is not affected by a road widening or road realignment proposal under any resolution of Council.

2.5 Council and Other Public Authority Policies on Hazard Risk Restrictions

Whether or not the land is affected by a policy adopted by Council or adopted by any other public authority (and notified to the Council for the express purpose of its adoption by that authority being referred to) that restricts the development of the land because of the likelihood of:

- **Land Slip**
The land is not affected by a policy restriction relating to landslip
- **Bushfire**
The land is not bushfire prone land (as defined in the Act).
- **Tidal Inundation**
The land is not affected by a policy restriction relating to tidal inundation
- **Subsidence**
The land is not affected by a policy restriction relating to subsidence
- **Acid Sulfate Soils**
The land is not affected by a policy restriction relating to acid sulfate soils.
- **Unhealthy Building Land**
The land is not affected by a policy restriction relating to Unhealthy Building Land.
- **Any Other Risk**
Not applicable.

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2.6 Flooding

Development on the 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 any flood related development controls.

Development on the land, or part of the land, for any other purpose is not subject to flood related development controls.

2.7 Matters arising under the Contaminated Land Management Act, 1997.

Not applicable.

2.8 Land Reserved For Acquisition

There is no environmental planning instrument, or proposed environmental planning instrument, applying to the land that makes provision for the acquisition of the land (or any part thereof) by a public authority, as referred to in Section 27 of the Act.

2.9 Property Vegetation Plans

Not applicable

2.10 Orders under Trees (Disputes Between Neighbours) Act 2006

Not applicable

2.11 Directions under Part 3A

Not applicable

2.12 Site Compatibility Certificates and Conditions for Seniors Housing

Not applicable

2.13 Site Compatibility Certificates for Infrastructure

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2.14 Site Compatibility Certificates and Conditions for Affordable Rental Housing

Not applicable

2.15 Certain Information Relating to Beaches and Coasts

Not applicable

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

Not applicable

2.17 Biodiversity Certified Land

Not applicable

2.18 Paper Subdivision Information

Not applicable

2.19 Site Verification Certificates

Not applicable


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Complying Development

Whether or not 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 (c) and (d) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 and, if no complying development may be carried out on that land under that Policy, the reasons why complying development may not be carried out on that land.

General Housing Code (if in a residential zone)

The land is excluded for the following reason(s):

No.

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Affected by Road Widening - Roads
Act and an EPI

Housing Alterations Code

Yes

General Development Code

Yes

Commercial and Industrial (New Buildings and Additions) Code)

The land is excluded for the following reason(s):

No.

 Land Reserved for a Public Purpose
Affected by Road Widening - Roads
Act and an EPI

Commercial and Industrial Alterations Code

Yes

Demolition Code

Yes

Subdivision Code

Yes

Fire Safety Code

Yes

Important Disclaimer: This clause of the Certificate only contains information in respect of that required by clause 3 of Schedule 4 of the Environmental Planning and Assessment Regulation 2000, in relation to Complying Development under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Other provisions contained in the SEPP, including but not limited to, minimum allotment size requirements, specified development standards or any other general exclusions, may preclude Complying Development under the SEPP from being able to be carried out. You will need to refer to the SEPP for complete details. It is your responsibility to ensure that you comply with all other general requirements of the SEPP. Failure to comply with these provisions may mean that any Complying Development Certificate issued under the provisions of the SEPP is invalid.

**City of Canterbury**

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PART 3**INFORMATION PROVIDED UNDER SECTION 149 (5)
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3.1 Amending Local Environmental Plans

Site specific and, where relevant, general amendments to the principal planning instrument are identified below:

Not applicable

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A tree preservation order applies to the whole of the City of Canterbury.

3.3 Council Policy on Contaminated Land

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- a) which is affected by contamination;
- a) which has been used for certain purposes;
- b) in respect of which there is not sufficient information about contamination;
- c) which is proposed to be used for certain purposes;
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3.4 General Advice Regarding Use of Property

Persons considering commencing a use of or purchasing a property are advised to seek confirmation that the current, or intended, use (as the case may be) has been approved by Council, or does not require Council approval. It is pointed out that the question of "existing use rights" within the meaning of the Environmental Planning and Assessment Act, 1979, is a complex matter, and that the commencement of a use without Council approval (where required) is unlawful and may be subject to enforcement action.

3.5 Other Matters

Not applicable.

per **JIM MONTAGUE PSM**
GENERAL MANAGER



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City of Cultural Diversity

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Foster & Foster Pty Ltd
DX 208
SYDNEY

PLANNING CERTIFICATE

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

Certificate No: 33336
11 May 2015

Land which Certificate is issued for:

Lot 13 DP 1069225

235 Bexley Road, KINGSGROVE NSW 2208

**City of Canterbury***City of Cultural Diversity*

Administration Centre, 137 Beamish Street,

CAMPSIE N.S.W. 2194

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Telephone: (02) 9789 9300

Fax: (02) 9789 1542

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

Land which Certificate is issued for:

Lot 13 DP 1069225

235 Bexley Road, KINGSGROVE NSW 2208

**PART 1:
ENVIRONMENTAL PLANNING INSTRUMENTS**

1.1 Principal Environmental Planning Instrument

Canterbury Local Environmental Plan 2012

Date effective from

1 January 2013

Land Use Zone

ZONE SP2 INFRASTRUCTURE

1. Permitted without consent

Roads

2. Permitted with consent

The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose.

3. Prohibited

Any development not specified in item 1 or 2



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City of Cultural Diversity

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1.2 State Environmental Planning Policies

Note:

The following information indicates those State Environmental Planning Policies (SEPP) which may apply to the subject land. A summary explanation of each SEPP can be sourced from the Department of Planning (DoP) website at www.planning.nsw.gov.au. The full wording of each SEPP can also be accessed via the DoP website.

State Environmental Planning Policies:

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No. 21 - Caravan Parks

No. 30 - Intensive Agriculture

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No. 33 - Hazardous and Offensive Development

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

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

State Environmental Planning Policy - (Infrastructure) 2007

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

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

State Environmental Planning Policy (Affordable Rental Housing) 2009

Proposed State Environmental Planning Policies

State Environmental Planning Policy (Competition) 2010

1.3 Proposed Environmental Planning Instruments (including any Planning Proposals) that are or have been the subject of community consultation or on public exhibition under the Act Not applicable.

1.4 Development Control Plans.

Canterbury Development Control Plan 2012

Contains detailed design guidelines and development standards for development in Canterbury City.

1.5 Contribution Plans.

Council has in place a Development Contributions Plan prepared and adopted under the Environmental Planning and Assessment Act, 1979.



City of Canterbury

City of Cultural Diversity

Administration Centre, 137 Beamish Street,

CAMPSE N.S.W. 2194

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Telephone: (02) 9789 9300

Fax: (02) 9789 1542

PART 2: RESTRICTIONS ON DEVELOPMENT

2.1 Heritage

Not applicable.

2.2 Coastal Protection

There is no notification that the subject property is affected by the provisions of Section 38 or 39 of the Coastal Protection Act, 1979.

2.3 Mine Subsidence

The subject land is not within a mine subsidence district within the meaning of Section 15 of the Mine Subsidence Compensation Act, 1961.

2.4 Road Widening and Road Realignment

Whether or not the land is affected by a road widening or road realignment proposal under Division 2 or Part 3 of the Roads Act 1993 or an environmental planning instrument;

Affected by Road Widening - Roads Act and an EPI Roads Act 1993

The subject land is affected by a road widening or road realignment proposal under Division 2 or Part 3 of the Roads Act 1993.

Environmental Planning Instruments

The subject land is affected by a road widening or road realignment proposal under an environmental planning instrument.

Whether or not the land is affected by a road widening or road realignment proposal under any resolution of Council.

The land is not affected by a road widening or road realignment proposal under any resolution of Council.

2.5 Council and Other Public Authority Policies on Hazard Risk Restrictions

Whether or not the land is affected by a policy adopted by Council or adopted by any other public authority (and notified to the Council for the express purpose of its adoption by that authority being referred to) that restricts the development of the land because of the likelihood of:

- **Land Slip**
The land is not affected by a policy restriction relating to landslip
- **Bushfire**
The land is not bushfire prone land (as defined in the Act).
- **Tidal Inundation**
The land is not affected by a policy restriction relating to tidal inundation
- **Subsidence**
The land is not affected by a policy restriction relating to subsidence
- **Acid Sulfate Soils**
The land is not affected by a policy restriction relating to acid sulfate soils.
- **Unhealthy Building Land**
The land is not affected by a policy restriction relating to Unhealthy Building Land.
- **Any Other Risk**
Not applicable.

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2.6 Flooding

Development on the 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 any flood related development controls.

Development on the land, or part of the land, for any other purpose is not subject to flood related development controls.

2.7 Matters arising under the Contaminated Land Management Act, 1997.

Not applicable.

2.8 Land Reserved For Acquisition

There is no environmental planning instrument, or proposed environmental planning instrument, applying to the land that makes provision for the acquisition of the land (or any part thereof) by a public authority, as referred to in Section 27 of the Act.

2.9 Property Vegetation Plans

Not applicable

2.10 Orders under Trees (Disputes Between Neighbours) Act 2006

Not applicable

2.11 Directions under Part 3A

Not applicable

2.12 Site Compatibility Certificates and Conditions for Seniors Housing

Not applicable

2.13 Site Compatibility Certificates for Infrastructure

Not applicable

2.14 Site Compatibility Certificates and Conditions for Affordable Rental Housing

Not applicable

2.15 Certain Information Relating to Beaches and Coasts

Not applicable

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

Not applicable

2.17 Biodiversity Certified Land

Not applicable

2.18 Paper Subdivision Information

Not applicable

2.19 Site Verification Certificates

Not applicable



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2.20 Complying Development

Whether or not 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 (c) and (d) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 and, if no complying development may be carried out on that land under that Policy, the reasons why complying development may not be carried out on that land.

General Housing Code (if in a residential zone)

The land is excluded for the following reason(s):

No.

Land Reserved for a Public Purpose
Affected by Road Widening - Roads
Act and an EPI

Housing Alterations Code

Yes

General Development Code

Yes

Commercial and Industrial (New Buildings and Additions) Code)

The land is excluded for the following reason(s):

No.

Land Reserved for a Public Purpose
Affected by Road Widening - Roads
Act and an EPI

Commercial and Industrial Alterations Code

Yes

Demolition Code

Yes

Subdivision Code

Yes

Fire Safety Code

Yes

Important Disclaimer: This clause of the Certificate only contains information in respect of that required by clause 3 of Schedule 4 of the Environmental Planning and Assessment Regulation 2000, in relation to Complying Development under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Other provisions contained in the SEPP, including but not limited to, minimum allotment size requirements, specified development standards or any other general exclusions, may preclude Complying Development under the SEPP from being able to be carried out. You will need to refer to the SEPP for complete details. It is your responsibility to ensure that you comply with all other general requirements of the SEPP. Failure to comply with these provisions may mean that any Complying Development Certificate issued under the provisions of the SEPP is invalid.

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PART 3**INFORMATION PROVIDED UNDER SECTION 149 (5)
OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979.**

Note: When information pursuant to Section 149(5) is requested the Council is under no obligation to furnish any of the information supplied herein pursuant to that Section. Council draws your attention to Section 149(6), which states that a Council shall not incur any liability in respect of any advice provided in good faith pursuant to sub-section (5). The absence of any reference to any matter affecting the land shall not imply that the land is not affected by any matter not referred to in this Certificate.

3.1 Amending Local Environmental Plans

Site specific and, where relevant, general amendments to the principal planning instrument are identified below:

Not applicable

3.2 Tree Preservation Order

A tree preservation order applies to the whole of the City of Canterbury.

3.3 Council Policy on Contaminated Land

On the 10 June 1999 Council adopted a policy on contaminated land. This policy will restrict development of land:

- a) which is affected by contamination;
- a) which has been used for certain purposes;
- b) in respect of which there is not sufficient information about contamination;
- c) which is proposed to be used for certain purposes;
- d) in other circumstances contained in the policy.

3.4 General Advice Regarding Use of Property

Persons considering commencing a use of or purchasing a property are advised to seek confirmation that the current, or intended, use (as the case may be) has been approved by Council, or does not require Council approval. It is pointed out that the question of "existing use rights" within the meaning of the Environmental Planning and Assessment Act, 1979, is a complex matter, and that the commencement of a use without Council approval (where required) is unlawful and may be subject to enforcement action.

3.5 Other Matters

Not applicable.

per **JIM MONTAGUE PSM**
GENERAL MANAGER



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Foster & Foster Pty Ltd
DX 208
SYDNEY

PLANNING CERTIFICATE

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

Certificate No: 33337
11 May 2015

Land which Certificate is issued for:

Lot 12 DP 1069225

237 Bexley Road, KINGSGROVE NSW 2208

**City of Canterbury***City of Cultural Diversity*

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**INFORMATION PROVIDED UNDER SECTION 149 (2)
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Land which Certificate is issued for:

Lot 12 DP 1069225

237 Bexley Road, KINGSGROVE NSW 2208

**PART 1:
ENVIRONMENTAL PLANNING INSTRUMENTS**

1.1 Principal Environmental Planning Instrument

Canterbury Local Environmental Plan 2012

Date effective from

1 January 2013

Land Use Zone

ZONE SP2 INFRASTRUCTURE

1. Permitted without consent

Roads

2. Permitted with consent

The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose.

3. Prohibited

Any development not specified in item 1 or 2



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1.2 State Environmental Planning Policies

Note:

The following information indicates those State Environmental Planning Policies (SEPP) which may apply to the subject land. A summary explanation of each SEPP can be sourced from the Department of Planning (DoP) website at www.planning.nsw.gov.au. The full wording of each SEPP can also be accessed via the DoP website.

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State Environmental Planning Policy (Affordable Rental Housing) 2009

Proposed State Environmental Planning Policies

State Environmental Planning Policy (Competition) 2010

1.3 Proposed Environmental Planning Instruments (including any Planning Proposals) that are or have been the subject of community consultation or on public exhibition under the Act Not applicable.

1.4 Development Control Plans.

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1.5 Contribution Plans.

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PART 2: RESTRICTIONS ON DEVELOPMENT

2.1 Heritage

Not applicable.

2.2 Coastal Protection

There is no notification that the subject property is affected by the provisions of Section 38 or 39 of the Coastal Protection Act, 1979.

2.3 Mine Subsidence

The subject land is not within a mine subsidence district within the meaning of Section 15 of the Mine Subsidence Compensation Act, 1961.

2.4 Road Widening and Road Realignment

Whether or not the land is affected by a road widening or road realignment proposal under Division 2 or Part 3 of the Roads Act 1993 or an environmental planning instrument;

Affected by Road Widening - Roads Act and an EPI Roads Act 1993

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Whether or not the land is affected by a road widening or road realignment proposal under any resolution of Council.

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The land is not bushfire prone land (as defined in the Act).
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The land is not affected by a policy restriction relating to tidal inundation
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The land is not affected by a policy restriction relating to subsidence
- **Acid Sulfate Soils**
The land is not affected by a policy restriction relating to acid sulfate soils.
- **Unhealthy Building Land**
The land is not affected by a policy restriction relating to Unhealthy Building Land.
- **Any Other Risk**
Not applicable.

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Development on the land, or part of the land, for any other purpose is not subject to flood related development controls.
- 2.7 Matters arising under the Contaminated Land Management Act, 1997.**
Not applicable.
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There is no environmental planning instrument, or proposed environmental planning instrument, applying to the land that makes provision for the acquisition of the land (or any part thereof) by a public authority, as referred to in Section 27 of the Act.
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Not applicable
- 2.10 Orders under Trees (Disputes Between Neighbours) Act 2006**
Not applicable
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Not applicable
- 2.12 Site Compatibility Certificates and Conditions for Seniors Housing**
Not applicable
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Not applicable
- 2.15 Certain Information Relating to Beaches and Coasts**
Not applicable
- 2.16 Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works**
Not applicable
- 2.17 Biodiversity Certified Land**
Not applicable
- 2.18 Paper Subdivision Information**
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- 2.19 Site Verification Certificates**
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General Housing Code (If in a residential zone)

The land is excluded for the following reason(s):

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Affected by Road Widening - Roads
Act and an EPI

Housing Alterations Code

Yes

General Development Code

Yes

Commercial and Industrial (New Buildings and Additions) Code)

The land is excluded for the following reason(s):

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Affected by Road Widening - Roads
Act and an EPI

Commercial and Industrial Alterations Code

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Demolition Code

Yes

Subdivision Code

Yes

Fire Safety Code

Yes

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3.5 Other Matters

Not applicable.

per **JIM MONTAGUE PSM**
GENERAL MANAGER



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PLANNING CERTIFICATE

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

Certificate No: 33338
11 May 2015

Land which Certificate is issued for:

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Land which Certificate is issued for:

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239 Bexley Road, KINGSGROVE NSW 2208

**PART 1:
ENVIRONMENTAL PLANNING INSTRUMENTS**

1.1 Principal Environmental Planning Instrument

Canterbury Local Environmental Plan 2012

Date effective from

1 January 2013

Land Use Zone

ZONE SP2 INFRASTRUCTURE

1. Permitted without consent

Roads

2. Permitted with consent

The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose.

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Any development not specified in item 1 or 2



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

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1.3 Proposed Environmental Planning Instruments (including any Planning Proposals) that are or have been the subject of community consultation or on public exhibition under the Act Not applicable.

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PART 2: RESTRICTIONS ON DEVELOPMENT

2.1 Heritage

Not applicable.

2.2 Coastal Protection

There is no notification that the subject property is affected by the provisions of Section 38 or 39 of the Coastal Protection Act, 1979.

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The land is not affected by a policy restriction relating to acid sulfate soils.
- **Unhealthy Building Land**
The land is not affected by a policy restriction relating to Unhealthy Building Land.
- **Any Other Risk**
Not applicable.



- 2.6 Flooding**
Development on the 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 any flood related development controls.

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There is no environmental planning instrument, or proposed environmental planning instrument, applying to the land that makes provision for the acquisition of the land (or any part thereof) by a public authority, as referred to in Section 27 of the Act.
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Whether or not 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 (c) and (d) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 and, if no complying development may be carried out on that land under that Policy, the reasons why complying development may not be carried out on that land.

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Demolition Code

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Subdivision Code

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Fire Safety Code

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City of Canterbury
City of Cultural Diversity

Administration Centre, 137 Beamish Street,
CAMPSIE N.S.W. 2194
DX: 3813 Campsie
Telephone: (02) 9789 9300
Fax: (02) 9789 1542

PART 3

INFORMATION PROVIDED UNDER SECTION 149 (5) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979.

Note: When information pursuant to Section 149(5) is requested the Council is under no obligation to furnish any of the information supplied herein pursuant to that Section. Council draws your attention to Section 149(6), which states that a Council shall not incur any liability in respect of any advice provided in good faith pursuant to sub-section (5). The absence of any reference to any matter affecting the land shall not imply that the land is not affected by any matter not referred to in this Certificate.

3.1 Amending Local Environmental Plans

Site specific and, where relevant, general amendments to the principal planning instrument are identified below:

Not applicable

3.2 Tree Preservation Order

A tree preservation order applies to the whole of the City of Canterbury.

3.3 Council Policy on Contaminated Land

On the 10 June 1999 Council adopted a policy on contaminated land. This policy will restrict development of land:

- a) which is affected by contamination;
- a) which has been used for certain purposes;
- b) in respect of which there is not sufficient information about contamination;
- c) which is proposed to be used for certain purposes;
- d) in other circumstances contained in the policy.

3.4 General Advice Regarding Use of Property

Persons considering commencing a use of or purchasing a property are advised to seek confirmation that the current, or intended, use (as the case may be) has been approved by Council, or does not require Council approval. It is pointed out that the question of "existing use rights" within the meaning of the Environmental Planning and Assessment Act, 1979, is a complex matter, and that the commencement of a use without Council approval (where required) is unlawful and may be subject to enforcement action.

3.5 Other Matters

Not applicable.

per **JIM MONTAGUE PSM**
GENERAL MANAGER



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Foster & Foster Pty Ltd
DX 208
SYDNEY

PLANNING CERTIFICATE

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

Certificate No: 33339
11 May 2015

Land which Certificate is Issued for:

Lot 10 DP 1069225

241 Bexley Road, KINGSGROVE NSW 2208



City of Canterbury
City of Cultural Diversity

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

Land which Certificate is issued for:

Lot 10 DP 1069225

241 Bexley Road, KINGSGROVE NSW 2208

**PART 1:
ENVIRONMENTAL PLANNING INSTRUMENTS**

1.1 Principal Environmental Planning Instrument

Canterbury Local Environmental Plan 2012

Date effective from

1 January 2013

Land Use Zone

ZONE SP2 INFRASTRUCTURE

1. Permitted without consent
Roads

2. Permitted with consent
The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose.

3. Prohibited
Any development not specified in item 1 or 2



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1.2 State Environmental Planning Policies

Note:

The following information indicates those State Environmental Planning Policies (SEPP) which may apply to the subject land. A summary explanation of each SEPP can be sourced from the Department of Planning (DoP) website at www.planning.nsw.gov.au . The full wording of each SEPP can also be accessed via the DoP website.

State Environmental Planning Policies:

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. 64 - Advertising and Signage

No. 65 - Design Quality of Residential Flat Development

No. 71 - Coastal Protection

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

State Environmental Planning Policy - Building Sustainability Index: BASIX 2004

State Environmental Planning Policy - (Repeal of Concurrence and Referral Provisions) 2004.

State Environmental Planning Policy - (Major Projects) 2005

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

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

State Environmental Planning Policy - (Infrastructure) 2007

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

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

State Environmental Planning Policy (Affordable Rental Housing) 2009

Proposed State Environmental Planning Policies

State Environmental Planning Policy (Competition) 2010

1.3 Proposed Environmental Planning Instruments (including any Planning Proposals) that are or have been the subject of community consultation or on public exhibition under the Act Not applicable.

1.4 Development Control Plans.

Canterbury Development Control Plan 2012

Contains detailed design guidelines and development standards for development in Canterbury City.

1.5 Contribution Plans.

Council has in place a Development Contributions Plan prepared and adopted under the Environmental Planning and Assessment Act, 1979.



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PART 2: RESTRICTIONS ON DEVELOPMENT

2.1 Heritage

Not applicable.

2.2 Coastal Protection

There is no notification that the subject property is affected by the provisions of Section 38 or 39 of the Coastal Protection Act, 1979.

2.3 Mine Subsidence

The subject land is not within a mine subsidence district within the meaning of Section 15 of the Mine Subsidence Compensation Act, 1961.

2.4 Road Widening and Road Realignment

Whether or not the land is affected by a road widening or road realignment proposal under Division 2 or Part 3 of the Roads Act 1993 or an environmental planning instrument;

Affected by Road Widening - Roads Act and an EPI Roads Act 1993

The subject land is affected by a road widening or road realignment proposal under Division 2 or Part 3 of the Roads Act 1993.

Environmental Planning Instruments

The subject land is affected by a road widening or road realignment proposal under an environmental planning instrument.

Whether or not the land is affected by a road widening or road realignment proposal under any resolution of Council.

The land is not affected by a road widening or road realignment proposal under any resolution of Council.

2.5 Council and Other Public Authority Policies on Hazard Risk Restrictions

Whether or not the land is affected by a policy adopted by Council or adopted by any other public authority (and notified to the Council for the express purpose of its adoption by that authority being referred to) that restricts the development of the land because of the likelihood of:

- **Land Slip**
The land is not affected by a policy restriction relating to landslip
- **Bushfire**
The land is not bushfire prone land (as defined in the Act).
- **Tidal Inundation**
The land is not affected by a policy restriction relating to tidal inundation
- **Subsidence**
The land is not affected by a policy restriction relating to subsidence
- **Acid Sulfate Soils**
The land is not affected by a policy restriction relating to acid sulfate soils.
- **Unhealthy Building Land**
The land is not affected by a policy restriction relating to Unhealthy Building Land.
- **Any Other Risk**
Not applicable.

**City of Canterbury***City of Cultural Diversity*

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2.6 Flooding

Development on the 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 any flood related development controls.

Development on the land, or part of the land, for any other purpose is not subject to flood related development controls.

2.7 Matters arising under the Contaminated Land Management Act, 1997.

Not applicable.

2.8 Land Reserved For Acquisition

There is no environmental planning instrument, or proposed environmental planning instrument, applying to the land that makes provision for the acquisition of the land (or any part thereof) by a public authority, as referred to in Section 27 of the Act.

2.9 Property Vegetation Plans

Not applicable

2.10 Orders under Trees (Disputes Between Neighbours) Act 2006

Not applicable

2.11 Directions under Part 3A

Not applicable

2.12 Site Compatibility Certificates and Conditions for Seniors Housing

Not applicable

2.13 Site Compatibility Certificates for Infrastructure

Not applicable

2.14 Site Compatibility Certificates and Conditions for Affordable Rental Housing

Not applicable

2.15 Certain Information Relating to Beaches and Coasts

Not applicable

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

Not applicable

2.17 Biodiversity Certified Land

Not applicable

2.18 Paper Subdivision Information

Not applicable

2.19 Site Verification Certificates

Not applicable



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CAMPBIE N.S.W. 2194

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2.20 Complying Development

Whether or not 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 (c) and (d) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 and, if no complying development may be carried out on that land under that Policy, the reasons why complying development may not be carried out on that land.

General Housing Code (if in a residential zone)

The land is excluded for the following reason(s):

No.

Land Reserved for a Public Purpose
Affected by Road Widening - Roads
Act and an EPI

Housing Alterations Code

Yes

General Development Code

Yes

Commercial and Industrial (New Buildings and Additions) Code)

The land is excluded for the following reason(s):

No.

Land Reserved for a Public Purpose
Affected by Road Widening - Roads
Act and an EPI

Commercial and Industrial Alterations Code

Yes

Demolition Code

Yes

Subdivision Code

Yes

Fire Safety Code

Yes

Important Disclaimer: This clause of the Certificate only contains information in respect of that required by clause 3 of Schedule 4 of the Environmental Planning and Assessment Regulation 2000, in relation to Complying Development under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Other provisions contained in the SEPP, including but not limited to, minimum allotment size requirements, specified development standards or any other general exclusions, may preclude Complying Development under the SEPP from being able to be carried out. You will need to refer to the SEPP for complete details. It is your responsibility to ensure that you comply with all other general requirements of the SEPP. Failure to comply with these provisions may mean that any Complying Development Certificate issued under the provisions of the SEPP is invalid.

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PART 3**INFORMATION PROVIDED UNDER SECTION 149 (5)
OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979.**

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3.1 Amending Local Environmental Plans

Site specific and, where relevant, general amendments to the principal planning instrument are identified below:

Not applicable

3.2 Tree Preservation Order

A tree preservation order applies to the whole of the City of Canterbury.

3.3 Council Policy on Contaminated Land

On the 10 June 1999 Council adopted a policy on contaminated land. This policy will restrict development of land:

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- d) in other circumstances contained in the policy.

3.4 General Advice Regarding Use of Property

Persons considering commencing a use of or purchasing a property are advised to seek confirmation that the current, or intended, use (as the case may be) has been approved by Council, or does not require Council approval. It is pointed out that the question of "existing use rights" within the meaning of the Environmental Planning and Assessment Act, 1979, is a complex matter, and that the commencement of a use without Council approval (where required) is unlawful and may be subject to enforcement action.

3.5 Other Matters

Not applicable.

per **JIM MONTAGUE PSM**
GENERAL MANAGER



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Foster & Foster Pty Ltd
DX 208
SYDNEY

PLANNING CERTIFICATE

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

Certificate No: 33340
11 May 2015

Land which Certificate is issued for:

Lot 9 DP 1069225

249B Bexley Road, KINGSGROVE NSW 2208



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

Land which Certificate is issued for:

Lot 9 DP 1069225

249B Bexley Road, KINGSGROVE NSW 2208

**PART 1:
ENVIRONMENTAL PLANNING INSTRUMENTS**

1.1 Principal Environmental Planning Instrument

Canterbury Local Environmental Plan 2012

Date effective from

1 January 2013

Land Use Zone

ZONE SP2 INFRASTRUCTURE

1. Permitted without consent

Roads

2. Permitted with consent

The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose.

3. Prohibited

Any development not specified in item 1 or 2



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1.2 State Environmental Planning Policies

Note:

The following information indicates those State Environmental Planning Policies (SEPP) which may apply to the subject land. A summary explanation of each SEPP can be sourced from the Department of Planning (DoP) website at www.planning.nsw.gov.au. The full wording of each SEPP can also be accessed via the DoP website.

State Environmental Planning Policies:

No. 19 - Bushland in Urban Areas

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

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

State Environmental Planning Policy (Affordable Rental Housing) 2009

Proposed State Environmental Planning Policies

State Environmental Planning Policy (Competition) 2010

- 1.3 Proposed Environmental Planning Instruments (including any Planning Proposals) that are or have been the subject of community consultation or on public exhibition under the Act
Not applicable.

1.4 Development Control Plans.

Canterbury Development Control Plan 2012

Contains detailed design guidelines and development standards for development in Canterbury City.

1.5 Contribution Plans.

Council has in place a Development Contributions Plan prepared and adopted under the Environmental Planning and Assessment Act, 1979.



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PART 2: RESTRICTIONS ON DEVELOPMENT

2.1 Heritage

Not applicable.

2.2 Coastal Protection

There is no notification that the subject property is affected by the provisions of Section 38 or 39 of the Coastal Protection Act, 1979.

2.3 Mine Subsidence

The subject land is not within a mine subsidence district within the meaning of Section 15 of the Mine Subsidence Compensation Act, 1961.

2.4 Road Widening and Road Realignment

Whether or not the land is affected by a road widening or road realignment proposal under Division 2 or Part 3 of the Roads Act 1993 or an environmental planning instrument;

Affected by Road Widening - Roads Act and an EPI Roads Act 1993

The subject land is affected by a road widening or road realignment proposal under Division 2 or Part 3 of the Roads Act 1993.

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The land is not bushfire prone land (as defined in the Act).
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The land is not affected by a policy restriction relating to tidal inundation
- **Subsidence**
The land is not affected by a policy restriction relating to subsidence
- **Acid Sulfate Soils**
The land is not affected by a policy restriction relating to acid sulfate soils.
- **Unhealthy Building Land**
The land is not affected by a policy restriction relating to Unhealthy Building Land.
- **Any Other Risk**
Not applicable.



- 2.6 Flooding**
Development on the 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 any flood related development controls.

Development on the land, or part of the land, for any other purpose is not subject to flood related development controls.
- 2.7 Matters arising under the Contaminated Land Management Act, 1997.**
Not applicable.
- 2.8 Land Reserved For Acquisition**
There is no environmental planning instrument, or proposed environmental planning instrument, applying to the land that makes provision for the acquisition of the land (or any part thereof) by a public authority, as referred to in Section 27 of the Act.
- 2.9 Property Vegetation Plans**
Not applicable
- 2.10 Orders under Trees (Disputes Between Neighbours) Act 2006**
Not applicable
- 2.11 Directions under Part 3A**
Not applicable
- 2.12 Site Compatibility Certificates and Conditions for Seniors Housing**
Not applicable
- 2.13 Site Compatibility Certificates for Infrastructure**
Not applicable
- 2.14 Site Compatibility Certificates and Conditions for Affordable Rental Housing**
Not applicable
- 2.15 Certain Information Relating to Beaches and Coasts**
Not applicable
- 2.16 Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works**
Not applicable
- 2.17 Biodiversity Certified Land**
Not applicable
- 2.18 Paper Subdivision Information**
Not applicable
- 2.19 Site Verification Certificates**
Not applicable



City of Canterbury

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The land is excluded for the following reason(s):

No.

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Affected by Road Widening - Roads
Act and an EPI

Housing Alterations Code

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General Development Code

Yes

Commercial and Industrial (New Buildings and Additions) Code)

The land is excluded for the following reason(s):

No.

Land Reserved for a Public Purpose
Affected by Road Widening - Roads
Act and an EPI

Commercial and Industrial Alterations Code

Yes

Demolition Code

Yes

Subdivision Code

Yes

Fire Safety Code

Yes

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PART 3

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Not applicable

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3.5 Other Matters

Not applicable.

per **JIM MONTAGUE PSM**
GENERAL MANAGER

**City of Canterbury***City of Cultural Diversity*

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Foster & Foster Pty Ltd
DX 208
SYDNEY

PLANNING CERTIFICATE

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

Certificate No: 33341

11 May 2015

Land which Certificate is issued for:

Strata Plan 37275

27-31 Garema Circuit, KINGSGROVE NSW 2208

**City of Canterbury***City of Cultural Diversity*

Administration Centre, 137 Beamish Street,

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

Land which Certificate is issued for:

Strata Plan 37275

27-31 Garema Circuit, KINGSGROVE NSW 2208

**PART 1:
ENVIRONMENTAL PLANNING INSTRUMENTS**

1.1 Principal Environmental Planning Instrument

Canterbury Local Environmental Plan 2012

Date effective from

1 January 2013

Land Use Zone

ZONE IN2 LIGHT INDUSTRIAL

1. Permitted without consent

Home occupations

2. Permitted with consent

Agricultural produce industries; Depots; Garden centres; Hardware and building supplies; Industrial training facilities; Landscaping material supplies; Light industries; Markets; Neighbourhood shops; Plant nurseries; Restaurants or cafes; Roads; Take away food and drink premises; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres; Any other development not specified in item 1 or 3

3. Prohibited

Agriculture; Airstrips; Amusement centres; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Eco-tourist facilities; Educational establishments; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Forestry; Freight transport facilities; Function centres; General industries; Health services facilities; Heavy industrial storage establishments; Heavy industries; Helipads; Highway service centres; Home occupations (sex services); Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Passenger transport facilities; Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Residential accommodation; Restricted premises; Rural industries; Sex services premises; Tourist and visitor accommodation; Water recreation structures; Wharf or boating facilities



1.2 State Environmental Planning Policies

Note:

The following information indicates those State Environmental Planning Policies (SEPP) which may apply to the subject land. A summary explanation of each SEPP can be sourced from the Department of Planning (DoP) website at www.planning.nsw.gov.au. The full wording of each SEPP can also be accessed via the DoP website.

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State Environmental Planning Policy - (Temporary Structures and Places of Public Entertainment) 2007
State Environmental Planning Policy - (Infrastructure) 2007
State Environmental Planning Policy (Repeal of Concurrence and Referral Provisions) 2008
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
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Proposed State Environmental Planning Policies

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1.3 Proposed Environmental Planning Instruments (including any Planning Proposals) that are or have been the subject of community consultation or on public exhibition under the Act Not applicable.

1.4 Development Control Plans.

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PART 2: RESTRICTIONS ON DEVELOPMENT

2.1 Heritage

Not applicable.

2.2 Coastal Protection

There is no notification that the subject property is affected by the provisions of Section 38 or 39 of the Coastal Protection Act, 1979.

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The subject land is not within a mine subsidence district within the meaning of Section 15 of the Mine Subsidence Compensation Act, 1961.

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Whether or not the land is affected by a road widening or road realignment proposal under Division 2 or Part 3 of the Roads Act 1993 or an environmental planning instrument;

The land is not affected by a road widening or road realignment proposal under Division 2 or Part 3 of the Roads Act 1993, or an environmental planning instrument.

Whether or not the land is affected by a road widening or road realignment proposal under any resolution of Council.

The land is not affected by a road widening or road realignment proposal under any resolution of Council.

2.5 Council and Other Public Authority Policies on Hazard Risk Restrictions

Whether or not the land is affected by a policy adopted by Council or adopted by any other public authority (and notified to the Council for the express purpose of its adoption by that authority being referred to) that restricts the development of the land because of the likelihood of:

- **Land Slip**
The land is not affected by a policy restriction relating to landslip
- **Bushfire**
The land is not bushfire prone land (as defined in the Act).
- **Tidal Inundation**
The land is not affected by a policy restriction relating to tidal inundation
- **Subsidence**
The land is not affected by a policy restriction relating to subsidence
- **Acid Sulfate Soils**
The land is not affected by a policy restriction relating to acid sulfate soils.
- **Unhealthy Building Land**
The land is not affected by a policy restriction relating to Unhealthy Building Land.
- **Any Other Risk**
Not applicable.



2.6 Flooding

Development on the 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 any flood related development controls.

Development on the land, or part of the land, for any other purpose is not subject to flood related development controls.

2.7 Matters arising under the Contaminated Land Management Act, 1997,

Not applicable.

2.8 Land Reserved For Acquisition

There is no environmental planning instrument, or proposed environmental planning instrument, applying to the land that makes provision for the acquisition of the land (or any part thereof) by a public authority, as referred to in Section 27 of the Act.

2.9 Property Vegetation Plans

Not applicable

2.10 Orders under Trees (Disputes Between Neighbours) Act 2006

Not applicable

2.11 Directions under Part 3A

Not applicable

2.12 Site Compatibility Certificates and Conditions for Seniors Housing

Not applicable

2.13 Site Compatibility Certificates for Infrastructure

Not applicable

2.14 Site Compatibility Certificates and Conditions for Affordable Rental Housing

Not applicable

2.15 Certain Information Relating to Beaches and Coasts

Not applicable

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

Not applicable

2.17 Biodiversity Certified Land

Not applicable

2.18 Paper Subdivision Information

Not applicable

2.19 Site Verification Certificates

Not applicable



2.20 Complying Development

Whether or not 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 (c) and (d) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 and, if no complying development may be carried out on that land under that Policy, the reasons why complying development may not be carried out on that land.

General Housing Code (if in a residential zone)	Yes
Housing Alterations Code	Yes
General Development Code	Yes
Commercial and Industrial (New Buildings and Additions) Code	Yes
Commercial and Industrial Alterations Code	Yes
Demolition Code	Yes
Subdivision Code	Yes
Fire Safety Code	Yes

Important Disclaimer: This clause of the Certificate only contains information in respect of that required by clause 3 of Schedule 4 of the Environmental Planning and Assessment Regulation 2000, in relation to Complying Development under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Other provisions contained in the SEPP, including but not limited to, minimum allotment size requirements, specified development standards or any other general exclusions, may preclude Complying Development under the SEPP from being able to be carried out. You will need to refer to the SEPP for complete details. It is your responsibility to ensure that you comply with all other general requirements of the SEPP. Failure to comply with these provisions may mean that any Complying Development Certificate issued under the provisions of the SEPP is invalid.



City of Canterbury
City of Cultural Diversity

Administration Centre, 137 Beamish Street,
CAMPSIE N.S.W. 2194
DX: 3813 Campsie
Telephone: (02) 9789 9300
Fax: (02) 9789 1542

PART 3

INFORMATION PROVIDED UNDER SECTION 149 (5) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979.

Note: When information pursuant to Section 149(5) is requested the Council is under no obligation to furnish any of the information supplied herein pursuant to that Section. Council draws your attention to Section 149(6), which states that a Council shall not incur any liability in respect of any advice provided in good faith pursuant to sub-section (5). The absence of any reference to any matter affecting the land shall not imply that the land is not affected by any matter not referred to in this Certificate.

3.1 Amending Local Environmental Plans

Site specific and, where relevant, general amendments to the principal planning instrument are identified below:

Not applicable

3.2 Tree Preservation Order

A tree preservation order applies to the whole of the City of Canterbury.

3.3 Council Policy on Contaminated Land

On the 10 June 1999 Council adopted a policy on contaminated land. This policy will restrict development of land:

- a) which is affected by contamination;
- b) which has been used for certain purposes;
- c) in respect of which there is not sufficient information about contamination;
- d) which is proposed to be used for certain purposes;
- e) in other circumstances contained in the policy.

3.4 General Advice Regarding Use of Property

Persons considering commencing a use of or purchasing a property are advised to seek confirmation that the current, or intended, use (as the case may be) has been approved by Council, or does not require Council approval. It is pointed out that the question of "existing use rights" within the meaning of the Environmental Planning and Assessment Act, 1979, is a complex matter, and that the commencement of a use without Council approval (where required) is unlawful and may be subject to enforcement action.

3.5 Other Matters

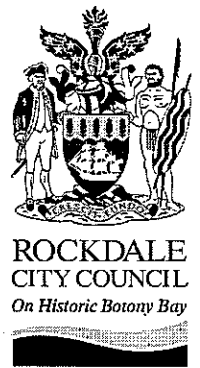
Not applicable.

per **JIM MONTAGUE PSM**
GENERAL MANAGER

14 May 2015

Our Ref Certificate No. 41252
Contact Customer Service 9562 1666

Foster & Foster Pty Ltd
DX 208
SYDNEY



Dear Sir/Madam

Following is your planning certificate issued under section 149 (2) and (5) of the Environmental Planning and Assessment Act 1979.

Should you have any enquiries, please contact the Council's Customer Service Centre on 9562 1666.

149 PLANNING CERTIFICATE

(under section 149 of the Environmental Planning and Assessment Act 1979)

ISSUED TO

Foster & Foster Pty Ltd
DX 208
SYDNEY

Council City of Rockdale
County Cumberland
Parish St George

Fee 273.00
Receipt No 512810448221
Receipt Date 8 May 2015
Your Ref URGENT

**PROPERTY: PK - KINGSGROVE AVENUE RESERVE 15 KINGSGROVE AVENUE,
KINGSGROVE NSW 2208**

Lot 5 DP 1069225

FI-5

Assessment No

Date 14 May 2015

For
Meredith Wallace
General Manager

2 Bryant Street Rockdale NSW 2216 Australia
PO Box 21 Rockdale NSW 2216 Australia
Tel 02 9562 1666 Fax 02 9562 1777 Email rcc@rockdale.nsw.gov.au
DX 25308 Rockdale www.rockdale.nsw.gov.au

ABN 66 139 730 052

Important

This document contains important information about Rockdale City Council. If you do not understand, please visit Council's Customer Service Centre at 2 Bryant Street Rockdale, Monday – Friday from 8.30am – 4.30pm, Saturday from 9am – 1pm. Council Staff will be happy to arrange interpreter services for you.

You may also contact Telephone Interpreter Services on 131 450 and ask them to ring Rockdale City Council on 9562 1666 on your behalf.

Arabic

هام:

تحتوي هذه الوثيقة على معلومات هامة عن بلدية روكديل. إذا لم تفهم قادراً على فهمها، يرجى زيارة مركز خدمة زبائن البلدية على العنوان التالي: 2 Bryant Street في روكديل من الاثنين إلى الجمعة بين الساعة ٨.٣٠ صباحاً و ٤.٣٠ مساءً، والسبت بين الساعة ٩.٠٠ صباحاً و ١.٠٠ بعد الظهر، حيث ستقوم موظفو البلدية بتأمين مترجم لك بكل سرور. كما يمكنك الاتصال بخدمة الترجمة الهاتفية على الرقم 131 450 والطلب منهم الاتصال ببلدية روكديل على الرقم 9562 1666 نيابةً عنك.

Chinese

重要消息

本文件載有關於 Rockdale 市政府的重要資訊，如果您有不明之處，請於星期一至星期五，上午 8 時 30 分至下午 4 時 30 分，及星期六上午 9 時至下午 1 時，前來位於 2 Bryant Street, Rockdale 市政府的顧客服務中心。市政府的職員會很樂意為您安排翻譯員的服務。

您也可以聯絡電話傳譯服務處，電話 131 450，並請他們代您致電 9562 1666 給 Rockdale 市政府。

Greek

Σημαντικό:

Αυτό το έγγραφο περιέχει σημαντικές πληροφορίες για τη Δημαρχία Rockdale City Council. Αν δεν τις καταλαβαίνετε, παρακαλούμε να επισκεφτείτε το Κέντρο Εξυπηρέτησης Πελάτων (Customer Service Centre) του Δήμου στο 2 Bryant Street, Rockdale, Δευτέρα - Παρασκευή από 8.30πμ - 4.30πμ και Σάββατο από 9.00πμ - 1.00πμ. Το Προσωπικό του Δήμου θα χαρεί να κανονίσει υπηρεσίες διερμηνέων για σας.

Μπορείτε επίσης να επικοινωνήσετε με τις Τηλεφωνικές Υπηρεσίες Διερμηνέων (Telephone Interpreter Services) στο 131 450 και να τους ζητήσετε να τηλεφωνήσουν στο Rockdale City Council στο 9562 1666 για λογαριασμό σας.

Italian

Importante:

Questo documento contiene importanti informazioni sul Comune di Rockdale City. Se avete difficoltà a comprenderne il contenuto, recatevi presso il Customer Service Centre del Comune a 2 Bryant Street, Rockdale dal lunedì al venerdì dalle ore 8.30 alle 16.30 e al sabato dalle 9.00 alle 13.00. Il personale del Comune sarà ben lieto di procurarvi un servizio interprete.

Potete anche chiamare il Servizio telefonico interpreti (TIS) al numero 131 450 chiedendo che telefonino per vostro conto al Comune di Rockdale City al numero 9562 1666.

Macedonian

Важно:

Овој документ содржи важни информации за Rockdale City Council (Градската општина на Rockdale). Ако не го разбирате, ве молиме, посетете го општинскиот Customer Service Centre (Центар за услуги на клиенти), кој се наоѓа на 2 Bryant Street, Rockdale, од понеделник до петок, од 8.30 наутро до 4.30 попладне и во сабота од 9.00 наутро до 1.00 попладне. Вработените во општината со задоволство ќе ви организираат да користите преведувач.

Исто така, можете да телефонирате во Telephone Interpreter Services (Служба за преведување по телефон) на 131 450, и да ги замолиме во ваше име да се јават во Градската општина на Rockdale на 9562 1666.

Spanish

Importante:

Este documento contiene información importante sobre el Rockdale City Council (Municipio de Rockdale). Si no la entiende, le rogamos concurrir al Centro de Servicio al Cliente del Municipio, ubicado en 2 Bryant Street, Rockdale, atención de lunes a viernes, de 8.30 am a 4.30 pm y el sábado de 9.00 am a 1.00 pm. El personal del municipio se complacerá en obtener los servicios de un intérprete para usted.

Puede asimismo llamar al Servicio Telefónico de Intérpretes al 131 450 y pedirles que llamen de su parte al Rockdale City Council, teléfono 9562 1666.

Caring for the Environment – In the interest of protecting and preserving our environment, Rockdale City Council uses Nordset paper for all of its pre-printed paper requirements. Nordset has been awarded the Nordic Swan label for environmentally friendly pulp and paper manufacturing. It is manufactured with fibre obtained from sustainable plantation forest, it is oxygen bleached, Totally Chlorine Free (TCF), dioxin and acid free. Nordset can be recycled and is biodegradable.

Notes: (1) Where this certificate refers to a specific allotment (or allotments) within a strata plan the certificate is issued for the whole of the land within the strata plan, not just the specific allotment or allotments referred to, and any information contained in the certificate may relate to the whole or any part of the strata plan.
 (2) The *Environmental Planning and Assessment Amendment Act 1997* commenced operation on 1 July 1998. As a consequence of this Act the information contained in this certificate needs to be read in conjunction with the provisions of the:
 * *Environmental Planning and Assessment (Amendment) Regulation 1998*,
 * *Environmental Planning and Assessment (Further Amendment) Regulation 1998* and
 * *Environmental Planning and Assessment (Savings and Transitional) Regulation 1998*.
 * *Environmental Planning and Assessment Regulation 2000*

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.

Rockdale Local Environmental Plan 2011

State Environmental Planning Policy No 19	Bushland in Urban Areas
State Environmental Planning Policy No 21	Caravan Parks
State Environmental Planning Policy No 30	Intensive Agriculture
State Environmental Planning Policy No 32	Urban Consolidation (Redevelopment of Urban Land) (Does not apply to land referred to in Schedule 1 to the Policy)
State Environmental Planning Policy No 33	Hazardous and Offensive Development
State Environmental Planning Policy No 50	Canal Estates Development
State Environmental Planning Policy No 55	Remediation of Land
State Environmental Planning Policy No 62	Sustainable Aquaculture
State Environmental Planning Policy No 64	Advertising and Signage
State Environmental Planning Policy No 65	Design Quality of Residential Flat Development
State Environmental Planning Policy No 70	Affordable Housing (Revised Schemes)
State Environmental Planning Policy	(Affordable Rental Housing) 2009
State Environmental Planning Policy	(Building Sustainability Index: BASIX) 2004
State Environmental Planning Policy	(Exempt and Complying Development Codes) 2008
State Environmental Planning Policy	(Housing for Seniors and People with a Disability) 2004 (Only applies to land referred to in clause 4 (1) of the Policy and does not apply to land referred to in clause 4 (2) of the Policy) and including Amendment No 2.
State Environmental Planning Policy	(Infrastructure) 2007
State Environmental Planning Policy	(Major Development) 2005
State Environmental Planning Policy	(Mining, Petroleum Production and Extractive Industries) 2007
State Environmental Planning Policy	(State and Regional Development) 2011
State Environmental Planning Policy	(Miscellaneous Consent Provisions) 2007 (except Part 3)

Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment (only applies to land within the Georges River Catchment, being, in the Rockdale City Council area, certain land within the suburbs of Dolls Point, Ramsgate, Sandringham)

and Sans Souci)

- (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 Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

State Environmental Planning Policy No 65— Design Quality of Residential Flat Development (Amendment No 3)

No such Planning Proposal applies to the land.

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

Rockdale Development Control Plan 2011

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

2 Zoning and land use under relevant local environmental plans

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

- 2(a) the identity of the zone, whether by reference to a name or by reference to a number,
- 2(b) the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent,
- 2(c) the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,
- 2(d) the purposes for which the instrument provides that development is prohibited within the zone:

The following zone or zones apply under the local environmental plan or deemed environmental planning instrument referred to in question 1 (1):

Zone RE1 Public Recreation

1 Objectives of zone

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.

2 Permitted without consent

Roads

3 Permitted with consent

Boat launching ramps; Child care centres; Community facilities; Environmental facilities; Environmental protection works; Jetties; Kiosks; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; Signage; Water supply systems

4 Prohibited

Any development not specified in item 2 or 3

2(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

No environmental planning instrument applies to the land that fixes minimum land dimensions for the erection of a dwelling.

Note:

- (1) Whether or not such a requirement applies to the land under any local environmental plan, deemed environmental planning instrument or draft local environmental plan, the Council does set minimum dimensions and areas for new residential allotments in **Section 4.1.9 of Rockdale Development Control Plan 2011**.
 - (2) The above information does not imply that the erection of a dwelling-house 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.
-

2(f) whether the land includes or comprises critical habitat

The land does not include or comprise critical habitat.

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

The land is not in a conservation area.

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

There is no such item situated on the land.

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).

Not applicable.

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) 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) 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.

General Housing Code

Rural Housing Code

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

Commercial and Industrial (New Buildings and Additions) Code

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

Housing Alterations Code

General Commercial and Industrial Code

Subdivisions Code

General Development Code

Demolition Code

Commercial and Industrial Alterations Code

Fire Safety Code

Complying development **may** be carried out on the land in accordance with the above Codes.

Notes:

(1) If a reference is made to "part of the land", Complying Development may be carried out on the portion of the land not subject to such a restriction.

(2) This certificate only addresses matters raised in Clause 1.17 and Clause 1.19 of *State Environmental*

Planning Policy (Exempt and Complying Development Codes) 2008. It is your responsibility to ensure that you comply with any other general requirements of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

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 Public Works

The land is not affected.

4A Certain information relating to beaches and coasts

- (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.

There is no such order affecting the land.

- (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.

Council has not been notified of any such works.

- (3) In relation to a coastal council—such information (if any) as is required by the regulations under section 56B of the *Coastal Protection Act 1979* to be included in the planning certificate and of which the council has been notified pursuant to those regulations.

There is no other information.

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).

The land is not so affected.

5 Mine subsidence

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

The land is not so proclaimed.

6 Road widening and road realignment

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

- (a) Division 2 of Part 3 of the *Roads Act 1993*, or
- (b) Any environmental planning instrument, or
- (c) Any resolution of the council

The land is not affected by any road widening or road realignment under Division 2 of Part 3 of the *Roads Act 1993*, any environmental planning instrument or 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, or
- (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 land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding)

Contaminated Land Policy

The Council has adopted by resolution a policy on contaminated land that may restrict the development of the land. This policy is implemented when zoning or land use changes are proposed on lands that have previously been used for certain purposes. The Council's records do not have sufficient information about previous use of this land to determine whether the land is contaminated. Consideration of the Council's adopted policy and the application of provisions under relevant State legislation is warranted.

Policy on Rezoning and Development of Land Affected by Aircraft Noise and Airport Related Height Controls

The Council resolved on 4 October 2006 to adopt a policy for assessing the appropriateness of rezoning and development in areas affected by aircraft noise and airport related height controls. This policy applies to all land within the City of Rockdale.

Other policies

The land is not affected by any other such policy that restricts the development of the land due to hazard risk.

7A Flood related development control 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.**

The development of the land or part of the land for such a purpose may be 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.**

The development of the land or part of the land for a purpose not referred to in Question 7A (1) may be subject to flood related development controls.

Note:

(1) 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.

(2) Council is not in a position to identify whether the information provided under Clause 7A relates to a current or future hazard as defined in Planning Circular PS 14-003.

Note: Further information relating to flooding is provided in the "Advice under Section 149 (5)" attached.

- (3) **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*.**

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.

The land is not affected by any provision in an environmental planning instrument, deemed environmental planning instrument or draft environmental planning instrument that provides for 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 contributions plan applying to the land

Rockdale Section 94 Contributions Plan 2004

Rockdale Section 94A Development Contributions Plan 2008

Note: *Rockdale Section 94 Contributions Plan (Amendment No 4)* and *Rockdale Section 94 Contributions Plan 1998* will continue to apply to all development applications and applications for complying development certificates made prior to 1 June 2004.

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.

The land is not so affected.

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 Director-General of the Department of Environment, Climate Change and Water).

The land is not affected by such an agreement.

11 Bush fire prone land

If any of the land is bush fire 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 bush fire prone land.

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 land is not land to which a property vegetation plan applies.

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 the council has been notified of the order).

The land is not subject to such an order.

14 Directions under Part 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a

provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

The land is not subject to any such directions.

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 of Planning, 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.

The land is not subject to any such certificate.

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, the statement is to include:

- (a) the period for which the certificate is valid, and
- (b) that a copy may be obtained from the head office of the Department of Planning.

The land is not subject to any such certificate.

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 of Planning.
- (2) A statement setting out 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.

The land is not subject to any such statement.

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.
- (2) The date of any subdivision order that applies to the land.
- (3) Words and expressions used in this clause have the same meaning as they have in Part 16C of this Regulation.

The land is not so affected.

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 Director-General'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 certificate ceases to be current (if any), and
- (c) that a copy may be obtained from the head office of the Department of Planning and Infrastructure.

The land is not subject to any such certificate.

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,
- (b) that the land to which the certificate relates is 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,
- (c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act—if it is the subject of such an approved proposal at the date when the certificate is issued,
- (d) that the land to 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,
- (e) that the land to which the certificate relates is the 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.

The land is not so affected.

Note Section 26 of the *Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009* provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of that Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

The land is not so affected.

[End of information under section 149 (2)]

ADVICE UNDER SECTION 149 (5)

Note: The Council is under no obligation to furnish any of the information supplied below. Equally, it may be that not every relevant matter relating to the land is provided below. The Council draws your attention to section 149 (6) which states that a council shall not incur any liability in respect of any advice provided in good faith under section 149 (5).

Further to your application for information under section 149 (5), the Council has resolved to supply answers to the following questions:

A Details of any resolution of the Council to alter the zoning of the land or to alter the provisions of an environmental planning instrument applying to the land, where such an alteration has not yet been placed on exhibition under section 57 of the Act

No Planning Proposal or draft environmental planning instrument applies to the land that has not yet been placed on public exhibition.

B Details of any provision in a local environmental plan or deemed environmental planning instrument applying to the land that

- (i) Permits any development or class of development without the need for development consent, or
- (ii) Requires development consent for any development or class of development, or
- (iii) Restricts or prohibits any development or class of development,

other than such a provision referred to in Question 2 (a) to (d) of the certificate under section 149 (2):

The Schedule at the end of this certificate identifies any such provisions that may apply to the land.

C Whether or not the Council has information that would indicate that the land is subject to the risk of flooding or tidal inundation for a 1% annual exceedance probability (AEP) (1 in 100 Year) event

The Council is aware of various information that suggests the land may be affected by the 1% AEP flood. The Council is unaware of the accuracy of this information, although further enquiries may be made with the Council's City Services Department in relation to this.

Note: Refer to Question 7A of the preceding certificate under section 149 (2) to ascertain whether or not development on the land may be subject to flood related development controls.

D Whether or not the Council has information that would indicate that the land is subject to slip or subsidence

The Council is not aware of any investigations that have been carried out.

E Details of any tree preservation order applying to the land

Rockdale Local Environmental Plan 2011 requires development consent to ringbark, cut down, top, lop, remove, injure, or wilfully destroy any tree covered by clause 5.9 [except for those activities referred to in subclauses (5), (6) and (8)].

F Whether or not the land is in the vicinity of a heritage item or heritage conservation area identified in an environmental planning instrument or a proposed heritage item or proposed heritage conservation area identified in a draft local environmental plan

The land is not in the vicinity of a heritage item or heritage conservation area identified in an environmental planning instrument or a proposed heritage item or proposed heritage conservation area identified in a draft local environmental plan.

G Whether or not a planning agreement entered into under Subdivision 2 of Division 6 of Part 4 of the Environmental Planning and Assessment Act 1979 currently applies to the land (but only if, where the Council is not a party to the agreement, information about the agreement has been provided to the Council)

No planning agreement currently applies to the land.

H Details of the Annual Noise Exposure Forecast (ANEF) applying to the land

The ANEF affectation of the land is less than 20.

Note: The ANEF level may restrict the development of the land due to the risk of exposure to aircraft noise.

[End of advice under Section 149 (5)]

SCHEDULE

Details of any provision in a local environmental plan or deemed environmental planning instrument applying to the land that permit without development consent, require development consent for, or restrict or prohibit, certain development or classes of development

Active street frontages – Clause 6.11 of Rockdale Local Environmental Plan 2011 requires the provision of business or retail premises on the ground floor of land identified in the Active Street Frontages Map.

Additional permitted uses for particular land - Clause 2.5 of Rockdale Local Environmental Plan 2011 allows development to be carried out, with development consent, for certain additional purposes on certain land within the City, as detailed in Schedule 1.

Airspace operations – Clause 6.4 of Rockdale Local Environmental Plan 2011 requires Council to consult with the relevant Commonwealth body on any development application that may penetrate the Obstacle Limitation Surface.

Architectural roof features – Clause 5.6 of Rockdale Local Environmental Plan 2011 permits variation to the maximum building height standards for roof features of visual interest.

Bush fire hazard reduction – Clause 5.11 of Rockdale Local Environmental Plan 2011 permits bush fire hazard reduction work authorised by the Rural Fires Act 1997 on any land without development consent.

Controls relating to miscellaneous permissible uses – Clause 5.4 of Rockdale Local Environmental Plan 2011 provides development controls for the following development types: Bed and breakfast accommodation; Home businesses; Home industries; Industrial retail outlets; Farm stay accommodation; Kiosks; Neighbourhood shops; Roadside stalls and Secondary dwellings.

Conversion of fire alarms – Clause 5.8 of Rockdale Local Environmental Plan 2011 requires development consent for the conversion of a fire alarm system that can be monitored by Fire and Rescue NSW or by a private service provider.

Demolition requires development consent – Clause 2.7 of Rockdale Local Environmental Plan 2011 requires development consent for demolition, except if it is identified as exempt development in the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Development below the mean high water mark – Clause 5.7 of Rockdale Local Environmental Plan 2011 requires development consent to carry out any development on land below the mean high water mark.

Development in areas subject to aircraft noise - Clause 6.4 of Rockdale Local Environmental Plan 2011 requires Council to consider the aircraft noise impacts on proposed development. See Question H of this certificate for the actual aircraft noise affectation of the land.

Development on flood prone land - Clause 6.6 of Rockdale Local Environmental Plan 2011 requires development consent for the erection of buildings or the carrying out of work for any purpose on land identified on the 'Flood Planning Area' map. Further information on whether this land may be subject to the risk of flooding is provided in Question C of the "Advice under Section 149 (5)".

Development on land intended to be acquired for public purposes – Clause 5.1A of Rockdale Local Environmental Plan 2011 specifies the permissible land uses for land that is identified for acquisition on the 'Land Acquisition Reservation Map'.

Earthworks - Clause 6.2 of Rockdale Local Environmental Plan 2011 requires development consent for excavating or filling the land to which this Certificate applies, except for excavating and filling referred to in subclause (2).

Exempt and complying development – Clause 3.1, 3.2 and Schedules 2 and 3 of Rockdale Local Environmental Plan 2011 identify the types of development that are "exempt development" and "complying development" (within the meaning of the Act).

Floor space ratio – Clause 4.4 (and supporting maps) of Rockdale Local Environmental Plan 2011 applies maximum allowable floor space ratio standards to all land within the City.

Foreshore building line – Clause 6.5 of Rockdale Local Environmental Plan 2011 applies a foreshore building line to certain land within Zone IN2 Light Industry in Henderson Street, Turrella, which generally prohibits the erection of a building or the carrying out of a work between the foreshore building line and Wolli Creek.

Height of buildings – Clause 4.3 (and supporting maps) of Rockdale Local Environmental Plan 2011 applies maximum allowable height of building standards to all land within the City.

Heritage items, heritage conservation areas and relics - Clause 5.10 of Rockdale Local Environmental Plan 2011 requires development consent for certain activities relating to heritage items, heritage conservation areas and relics. If this land is within a heritage conservation area or contains a heritage item it will be indicated in Question 2 (g) or (h), respectively, of this certificate.

Infrastructure development and use of existing buildings of the Crown – Clause 5.12 of Rockdale Local Environmental Plan 2011 does not restrict or prohibit, or enable the restriction or prohibition of, the carrying out of any development, by or on behalf of a public authority, that is permitted to be carried out with or without development consent, or that is exempt development, under State Environmental Planning Policy (Infrastructure) 2007.

Minimum subdivision lot size – Clause 4.1 of Rockdale Local Environmental Plan 2011 sets minimum subdivision lot size for any land shown on the Lot Size Map.

Outdoor advertising – Schedule 2 of Rockdale Local Environmental Plan 2011 allows certain advertisements as exempt development.

Sex services premises - Clause 6.13 of Rockdale Local Environmental Plan 2011 provides locational and amenity assessment criteria for the various types of sex services premises, which includes brothels.

Subdivision - Clause 2.6 of Rockdale Local Environmental Plan 2011 requires development consent for the subdivision of land.

Temporary use of land - Clause 2.8 of Rockdale Local Environmental Plan 2011 allows the use of any land or building for any temporary purpose, with development consent, subject to the considerations identified in that clause.

Trees or vegetation not prescribed by development control plan – Clause 5.9A of Rockdale Local Environmental Plan 2011 permits the ringbarking, cutting down, topping, lopping, removal, injuring or destruction of any tree or other vegetation for any tree or other vegetation that is not of a species or kind prescribed for the purposes of clause 5.9 by a development control plan made by the Council.

Unzoned land – Clause 2.4 of Rockdale Local Environmental Plan 2011 allows development to be carried out on unzoned land, but only with consent.

[End of Schedule]

IMPORTANT NOTICE TO PURCHASERS

ALTERATIONS AND ADDITIONS TO BUILDINGS

Purchasers are reminded that it is necessary to obtain development consent from the Council prior to carrying out any building alterations or additions, including brick reskinning, replacing windows or internal alterations, or for the demolition of any building, unless the proposed work is specifically exempted by *Rockdale Local Environmental Plan 2011* or *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. All other building work does require the Council's approval.

Should you require any information or advice for any building work that you propose to undertake please contact the Council's Customer Service Centre on 9562 1666.

Foster & Foster Pty Limited

DX 208 Sydney
GPO Box 980 Sydney 2001

Tel (02) 9268-0033
Fax (02) 8088-1188

ABN 40 116 451 140

www.legalsearches.com.au
service@legalsearches.com.au

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Urgent Legal Searches

Property Enquiry Services

To:

Jacqui Dunford
AECOM Australia Pty Ltd
PO Box Q410
QVB Post Office
Sydney NSW 1230

CERTIFICATE STATUS

Our Reference **F77420**

Status as at **14/05/2015**

All certificates delivered

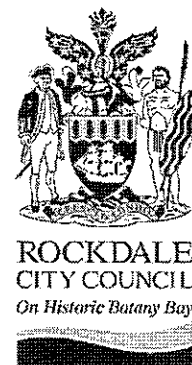
Your Ref **60327128_1.01**
Your Client **Various**
Property **Marsh Street, Arncliffe**
LGA and Title **ROCKDALE, Lot 1 DP108492* (5)**

Certificates Enclosed ** Council Sect 149 (2)
Section 149 (5) add.info

** Please check that enclosed certificates contain correct details including title(s) and property description.

14 May 2015

Our Ref Certificate No. 41279
Contact Customer Service 9562 1666



Foster & Foster Pty Ltd
DX 208
SYDNEY

Dear Sir/Madam

Following is your planning certificate issued under section 149 (2) and (5) of the Environmental Planning and Assessment Act 1979.

Should you have any enquiries, please contact the Council's Customer Service Centre on 9562 1666.

149 PLANNING CERTIFICATE

(under section 149 of the Environmental Planning and Assessment Act 1979)

ISSUED TO

Foster & Foster Pty Ltd
DX 208
SYDNEY

Council City of Rockdale
County Cumberland
Parish St George

Fee 273.00
Receipt No 513115545578
Receipt Date 11 May 2015
Your Ref

PROPERTY: PK - KOGARAH GOLF CLUB (PT) VALDA ST RESERVE (PT) 13 MARSH STREET, ARNCLIFFE NSW 2205

Lot 1 DP 108492

CT-6550/173

Assessment No 18368

Date 14 May 2015

For
Meredith Wallace
General Manager

2 Bryant Street Rockdale NSW 2216 Australia
PO Box 21 Rockdale NSW 2216 Australia
Tel 02 9562 1666 Fax 02 9562 1777 Email rcc@rockdale.nsw.gov.au
DX 25308 Rockdale www.rockdale.nsw.gov.au

ABN 66 139 730 052

Important

This document contains important information about Rockdale City Council. If you do not understand, please visit Council's Customer Service Centre at 2 Bryant Street Rockdale, Monday – Friday from 8.30am – 4.30pm, Saturday from 9am – 1pm. Council Staff will be happy to arrange interpreter services for you.

You may also contact Telephone Interpreter Services on 131 450 and ask them to ring Rockdale City Council on 9562 1666 on your behalf.

Arabic

هامم:

تستوي هذه الوثيقة على معلومات هامة عن بلدية روكدايل. إذا لم تكن قادراً على فهمها، يرجى زيارة مركز خدمة زائين البلدية على العنوان التالي: 2 Bryant Street في روكدايل من الإثنين إلى الجمعة بين الساعة ٨:٣٠ صباحاً و ٤:٣٠ مساءً وبين الجمعة ٩:٠٠ صباحاً و ١:٠٠ مساءً. الطاهر حيث ستقوم موظفو البلدية بتأمين مترجم لك بكل سرور. كما يمكنك الاتصال بخدمة الترجمة الهاتفية على الرقم 131 450 والطلب منهم الاتصال ببلدية روكدايل على الرقم 9562 1666 نهايةً على.

Chinese

重要消息

本文件載有關於 Rockdale 市政府的重要資訊。如果您有不明之處，請於星期一至星期五，上午 8 時 30 分至下午 4 時 30 分，及星期六上午 9 時至下午 1 時，前來位於 2 Bryant Street, Rockdale 市政府的顧客服務中心。市政府的職員會很樂意為您安排傳譯員的服務。

您也可以聯絡電話傳譯服務處，電話 131 450，並請他們代您致電 9562 1666 給 Rockdale 市政府。

Greek

Σημαντικό:

Αυτό το έγγραφο περιέχει σημαντικές πληροφορίες για τη Δημότητα Rockdale City Council. Αν δεν τις καταλαβαίνετε, παρακαλούμε να επισκεφτείτε το Κέντρο Εξυπηρέτησης Πελατών (Customer Service Centre) του Δήμου στο 2 Bryant Street, Rockdale, Δευτέρα - Παρασκευή από 8.30am - 4.30pm και Σάββατο από 9.00am - 1.00pm. Το προσωπικό του Δήμου θα χαρεί να κανονίσει υπηρεσίες διερμηνέων για σας.

Μπορείτε επίσης να επικοινωνήσετε με τις Τηλεφωνικές Υπηρεσίες Διερμηνέων (Telephone Interpreter Services) στο 131 450 και να τους ζητήσετε να τηλεφωνήσουν στο Rockdale City Council στο 9562 1666 για λογαριασμό σας.

Italian

Importante:

Questo documento contiene importanti informazioni sul Comune di Rockdale City. Se avete difficoltà a comprenderne il contenuto, recatevi presso il Customer Service Centre del Comune a 2 Bryant Street, Rockdale dal lunedì al venerdì dalle ore 8.30 alle 16.30 e al sabato dalle 9.00 alle 13.00. Il personale del Comune sarà ben lieto di procurarvi un servizio interprete.

Potete anche chiamare il Servizio telefonico interpreti (TIS) al numero 131 450 chiedendo che telefoni per vostro conto al Comune di Rockdale City al numero 9562 1666.

Macedonian

Важно:

Овој документ содржи важни информации за Rockdale City Council (Градската општина на Rockdale). Ако не го разбирате, во молиме, посетете го општинскиот Customer Service Centre (Центар за услуги на клиенти), кој се наоѓа на 2 Bryant Street, Rockdale, од понеделник до петок, од 8.30 наутро до 4.30 попладне и во сабота од 9.00 наутро до 1.00 попладне. Вработените во општината со задоволство ќе ви организират да користите преведувач.

Исто така, можете да телефонирате во Telephone Interpreter Services (Служба за преведување по телефон) на 131 450, и да ги замолате во ваше име да се јават во Градската општина на Rockdale на 9562 1666.

Spanish

Importante:

Este documento contiene información importante sobre el Rockdale City Council (Municipio de Rockdale). Si no la entiende, le rogamos concurrir al Centro de Servicio al Cliente del Municipio, ubicado en 2 Bryant Street, Rockdale, atención de lunes a viernes, de 8:30 am a 4:30 pm y el sábado de 9:00 am a 1:00 pm. El personal del municipio se complacerá en obtener los servicios de un intérprete para usted.

Puede asimismo llamar al Servicio Telefónico de Intérpretes al 131 450 y pedirles que llamen de su parte al Rockdale City Council, teléfono 9562 1666.

Caring for the Environment – In the interest of protecting and preserving our environment, Rockdale City Council uses Nordset paper for all of its pre-printed paper requirements. Nordset has been awarded the Nordic Swan label for environmentally friendly pulp and paper manufacturing. It is manufactured with fibre obtained from sustainable plantation forest, it is oxygen bleached, Totally Chlorine Free (TCF), dioxin and acid free. Nordset can be recycled and is biodegradable.

- Notes:**
- (1) Where this certificate refers to a specific allotment (or allotments) within a strata plan the certificate is issued for the whole of the land within the strata plan, not just the specific allotment or allotments referred to, and any information contained in the certificate may relate to the whole or any part of the strata plan.
- (2) The *Environmental Planning and Assessment Amendment Act 1997* commenced operation on 1 July 1998. As a consequence of this Act the information contained in this certificate needs to be read in conjunction with the provisions of the:
- * *Environmental Planning and Assessment (Amendment) Regulation 1998*,
 - * *Environmental Planning and Assessment (Further Amendment) Regulation 1998* and
 - * *Environmental Planning and Assessment (Savings and Transitional) Regulation 1998*.
 - * *Environmental Planning and Assessment Regulation 2000*

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.

Rockdale Local Environmental Plan 2011
Rockdale Local Environmental Plan 2011

State Environmental Planning Policy No 19	Bushland in Urban Areas
State Environmental Planning Policy No 21	Caravan Parks
State Environmental Planning Policy No 30	Intensive Agriculture
State Environmental Planning Policy No 32	Urban Consolidation (Redevelopment of Urban Land) (Does not apply to land referred to in Schedule 1 to the Policy)
State Environmental Planning Policy No 33	Hazardous and Offensive Development
State Environmental Planning Policy No 50	Canal Estates Development
State Environmental Planning Policy No 55	Remediation of Land
State Environmental Planning Policy No 62	Sustainable Aquaculture
State Environmental Planning Policy No 64	Advertising and Signage
State Environmental Planning Policy No 65	Design Quality of Residential Flat Development
State Environmental Planning Policy No 70	Affordable Housing (Revised Schemes)
State Environmental Planning Policy	(Affordable Rental Housing) 2009
State Environmental Planning Policy	(Building Sustainability Index: BASIX) 2004
State Environmental Planning Policy	(Exempt and Complying Development Codes) 2008
State Environmental Planning Policy	(Housing for Seniors and People with a Disability) 2004 (Only applies to land referred to in clause 4 (1) of the Policy and does not apply to land referred to in clause 4 (2) of the Policy) and including Amendment No 2.
State Environmental Planning Policy	(Infrastructure) 2007
State Environmental Planning Policy	(Major Development) 2005
State Environmental Planning Policy	(Mining, Petroleum Production and Extractive Industries) 2007
State Environmental Planning Policy	(State and Regional Development) 2011
State Environmental Planning Policy	(Miscellaneous Consent Provisions) 2007 (except Part 3)

Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment (only applies to land within the Georges River Catchment, being, in the Rockdale City

Council area, certain land within the suburbs of Dolls Point, Ramsgate, Sandringham and Sans Souci)

In addition, the following regional environmental plans or draft regional environmental plans apply specifically to the land:

Sydney Regional Environmental Plan No 33 – Cooks Cove

- (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 Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).**

State Environmental Planning Policy No 65— Design Quality of Residential Flat Development (Amendment No 3)

No such Planning Proposal applies to the land.

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

Rockdale Development Control Plan 2011

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

2 Zoning and land use under relevant local environmental plans

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

- 2(a) the identity of the zone, whether by reference to a name or by reference to a number,
- 2(b) the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent,
- 2(c) the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,
- 2(d) the purposes for which the instrument provides that development is prohibited within the zone:

The following zone or zones apply under the local environmental plan or deemed environmental planning instrument referred to in question 1 (1):

Open Space Zone

1 Objectives

The objectives of this zone are:

- (a) to provide for active sporting and recreational land uses and club facilities, and

- (b) to provide public access along the Cooks River and Muddy Creek foreshores, and
- (c) to protect significant wetland areas within the Cooks Cove site and along the Cooks River foreshores, and
- (d) to provide for facilities that are ancillary to the recreational use of public open space, and
- (e) to provide vegetated riparian areas to enhance biological connectivity along the Cooks River and Muddy Creek foreshores,
- (f) to protect and enhance the habitat of the Green and Golden Bell Frog established within Cooks Cove.

2 Development that is allowed

Exempt development and development for the purpose of the following may be carried out **without development consent**:

aids to navigation; gardening; landscape maintenance works (including tree planting, repaving and replacement of street furniture); other maintenance works; public utility undertakings.

Development for the purpose of the following and subdivision of land may be carried out only **with development consent**:

artworks; boat landing and hire facilities; boat ramps and berths; car parks; clubs; community facilities; drainage; identifying or interpretive signage ancillary to another use allowed on the site; kiosks; landscaping (except landscape maintenance works); outdoor eating areas (if linked to kiosks within the zone or restaurants in adjoining zones); recreation areas; recreation facilities; remediation of land; roads; other land uses incidental or ancillary to the land uses lawfully carried out within the zone at the commencement of this plan.

3 Prohibited development

Any development not listed in item 2.

Special Uses Zone

1 Objectives

The objectives of this zone are:

- (a) to accommodate existing special uses, including the South West Sydney Ocean Outfall Sewer and M5 corridor, and
- (b) to provide for the development of a transport corridor by the Roads and Traffic Authority or for other public transport infrastructure.

2 Development that is allowed

Exempt development and development for the purpose of the following may be carried out **without development consent**:

aids to navigation; public utility undertakings.

Development for the purpose of the following and subdivision of land may be carried out only **with development consent**:

drainage; public transport infrastructure; recreation areas; remediation of land; roads.

3 Prohibited development

Any development not listed in item 2.

Trade and Technology Zone

1 Objectives

The objectives of this zone are:

- (a) to encourage economic activity and trade-focussed businesses that benefit directly from, or benefit from a synergy due to, the physical proximity of land within the zone to Sydney Airport and Port Botany, and the excellent transport network links to Sydney's CBD and the Advanced Technology Park at Eveleigh, and
- (b) to promote the establishment of enterprises that create advanced technology or that manufacture products that utilise advanced technology, and
- (c) to promote export and other trade-related enterprises that are associated with trade logistics and distribution, just-in-time supply, the movement of perishables, time-sensitive goods processing, and the management of air and sea commerce, and
- (d) to provide facilities for the workforce by allowing a limited range of ancillary, retail and recreational uses that are ancillary and provide support to the dominant functions within the zone.

2 Development that is allowed

Exempt development and development for the purpose of the following may be carried out **without development consent**:

landscape maintenance works (including tree planting, repaving and replacement of street furniture); public utility undertakings.

Development for the purpose of the following and subdivision of land may be carried out only **with development consent**:

advanced technology businesses; aids to navigation; car parks and car parking stations (if their only use is ordinarily incidental to other uses allowed within the zone); child care centres; clubs; commercial support premises; community facilities; drainage; educational establishments; hotels; light industries; medical centres; motels; offices ancillary to trade-related enterprises; open space; passenger transport terminals; public transport infrastructure (not including car parks or car parking stations); recreation areas; recreation facilities; remediation of land; restaurants; roads; service stations; serviced apartments; shops; tourist facilities; trade-related enterprises; vehicle rental centres; warehouses.

3 Prohibited development

Any development not listed in item 2.

- 2(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

No environmental planning instrument applies to the land that fixes minimum land dimensions for the erection of a dwelling.

Note:

- (1) Whether or not such a requirement applies to the land under any local environmental plan, deemed environmental planning instrument or draft local environmental plan, the Council does set minimum dimensions and areas for new residential allotments in **Section 4.1.9 of Rockdale Development Control Plan 2011**.
- (2) The above information does not imply that the erection of a dwelling-house 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.

2(f) whether the land includes or comprises critical habitat

The land does not include or comprise critical habitat.

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

The land is not in a conservation area.

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

There is no such item situated on the land.

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).

Not applicable.

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) 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) 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.

General Housing Code
Rural Housing Code

Complying development **may not** be carried out on the land in accordance with the above codes for the following reason/s:

- All or part of the land is within a Special Uses Zone under *Sydney Regional Environmental Plan No 33 - Cooks Cove*. Land within this zone is subject to acquisition under clause 24 of this plan.

Commercial and Industrial (New Buildings and Additions) Code

Complying development **may not** be carried out on the land in accordance with the above codes for the following reason/s:

- All or part of the land is within a Special Uses Zone under *Sydney Regional Environmental Plan No 33 - Cooks Cove*. Land within this zone is subject to acquisition under clause 24 of this plan.

Housing Alterations Code
General Commercial and Industrial Code
Subdivisions Code
General Development Code
Demolition Code
Commercial and Industrial Alterations Code
Fire Safety Code

Complying development **may** be carried out on the land in accordance with the above Codes.

Notes:

(1) If a reference is made to "part of the land", Complying Development **may** be carried out on the portion of the land not subject to such a restriction.

(2) This certificate only addresses matters raised in Clause 1.17 and Clause 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. It is your responsibility to ensure that you comply with any other general requirements of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

Note 3: The land may be subject to Council's *Contaminated Land Policy*. Consideration should be given to this Policy prior to carrying out any development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

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 Public Works

The land is not affected.

4A Certain information relating to beaches and coasts

- (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.

There is no such order affecting the land.

- (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.

Council has not been notified of any such works.

- (3) In relation to a coastal council—such information (if any) as is required by the regulations under section 56B of the *Coastal Protection Act 1979* to be included in the planning certificate and of which the council has been notified pursuant to those regulations.

There is no other information.

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).

The land is not so affected.

5 Mine subsidence

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

The land is not so proclaimed.

6 Road widening and road realignment

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

- (a) Division 2 of Part 3 of the *Roads Act 1993*, or
- (b) Any environmental planning instrument, or
- (c) Any resolution of the council

The land is not affected by any road widening or road realignment under Division 2 of Part 3 of the *Roads Act 1993*, any environmental planning instrument or 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, or
- (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 land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding)

Contaminated Land Policy

The Council has adopted by resolution a policy on contaminated land that may restrict the development of the land. This policy is implemented when zoning or land use changes are proposed on lands that have previously been used for certain purposes. Consideration of the Council's adopted policy and the application of provisions under relevant State legislation is warranted.

Policy on Rezoning and Development of Land Affected by Aircraft Noise and Airport Related Height Controls

The Council resolved on 4 October 2006 to adopt a policy for assessing the appropriateness of rezoning and development in areas affected by aircraft noise and airport related height controls. This policy applies to all land within the City of Rockdale.

Other policies

The land is not affected by any other such policy that restricts the development of the land due to hazard risk.

7A Flood related development control 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.

The development of the land or part of the land for such a purpose may be 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.

The development of the land or part of the land for a purpose not referred to in Question 7A (1) may be subject to flood related development controls.

Note:

(1) 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.

(2) Council is not in a position to identify whether the information provided under Clause 7A relates to a current or future hazard as defined in Planning Circular PS 14-003.

Note: Further information relating to flooding is provided in the "Advice under Section 149 (5)" attached.

- (3) 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*.

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.

All or part of the land is within a Special Uses Zone under *Sydney Regional Environmental Plan No 33 - Cooks Cove*. Land within this zone is subject to acquisition under clause 24 of this plan.

9 Contributions plans

The name of each contributions plan applying to the land

Rockdale Section 94 Contributions Plan 2004

Rockdale Section 94A Development Contributions Plan 2008

Note: *Rockdale Section 94 Contributions Plan (Amendment No 4)* and *Rockdale Section 94 Contributions Plan 1998* will continue to apply to all development applications and applications for complying development certificates made prior to 1 June 2004.

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.

The land is not so affected.

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 Director-General of the Department of Environment, Climate Change and Water).

The land is not affected by such an agreement.

11 Bush fire prone land

If any of the land is bush fire 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 bush fire prone land.

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 land is not land to which a property vegetation plan applies.

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 the council has been notified of the order).

The land is not subject to such an order.

14 Directions under Part 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the

carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

The land is not subject to any such directions.

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 of Planning, 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.

The land is not subject to any such certificate.

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, the statement is to include:

- (a) the period for which the certificate is valid, and
- (b) that a copy may be obtained from the head office of the Department of Planning.

The land is not subject to any such certificate.

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 of Planning.
- (2) A statement setting out 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.

The land is not subject to any such statement.

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.
- (2) The date of any subdivision order that applies to the land.
- (3) Words and expressions used in this clause have the same meaning as they have in Part 16C of this Regulation.

The land is not so affected.

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 Director-General'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 certificate ceases to be current (if any), and
- (c) that a copy may be obtained from the head office of the Department of Planning and Infrastructure.

The land is not subject to any such certificate.

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,
- (b) that the land to which the certificate relates is 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,
- (c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act—if it is the subject of such an approved proposal at the date when the certificate is issued,
- (d) that the land to 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,
- (e) that the land to which the certificate relates is the 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.

The land is not so affected.

Note Section 26 of the *Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009* provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of that Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

The land is not so affected.

[End of information under section 149 (2)]

ADVICE UNDER SECTION 149 (5)

Note: The Council is under no obligation to furnish any of the information supplied below. Equally, it may be that not every relevant matter relating to the land is provided below. The Council draws your attention to section 149 (6) which states that a council shall not incur any liability in respect of any advice provided in good faith under section 149 (5).

Further to your application for information under section 149 (5), the Council has resolved to supply answers to the following questions:

A Details of any resolution of the Council to alter the zoning of the land or to alter the provisions of an environmental planning instrument applying to the land, where such an alteration has not yet been placed on exhibition under section 57 of the Act

No Planning Proposal or draft environmental planning instrument applies to the land that has not yet been placed on public exhibition.

B Details of any provision in a local environmental plan or deemed environmental planning instrument applying to the land that

- (i) Permits any development or class of development without the need for development consent, or
- (ii) Requires development consent for any development or class of development, or
- (iii) Restricts or prohibits any development or class of development,

other than such a provision referred to in Question 2 (a) to (d) of the certificate under section 149 (2):

The Schedule at the end of this certificate identifies any such provisions that may apply to the land.

C Whether or not the Council has information that would indicate that the land is subject to the risk of flooding or tidal inundation for a 1% annual exceedance probability (AEP) (1 in 100 Year) event

The Council is aware of various information that suggests the land may be affected by the 1% AEP flood. The Council is unaware of the accuracy of this information, although further enquiries may be made with the Council's City Services Department in relation to this.

Note: Refer to Question 7A of the preceding certificate under section 149 (2) to ascertain whether or not development on the land may be subject to flood related development controls.

D Whether or not the Council has information that would indicate that the land is subject to slip or subsidence

The Council is not aware of any investigations that have been carried out.

E Details of any tree preservation order applying to the land

No tree preservation order applies to the land.

F Whether or not the land is in the vicinity of a heritage item or heritage conservation area identified in an environmental planning instrument or a proposed heritage item or proposed heritage conservation area identified in a draft local environmental plan

The land is not in the vicinity of a heritage item or heritage conservation area identified in an environmental planning instrument or a proposed heritage item or proposed heritage conservation area identified in a draft local environmental plan.

G Whether or not a planning agreement entered into under Subdivision 2 of Division 6 of Part 4 of the Environmental Planning and Assessment Act 1979 currently applies to the land (but only if, where the Council is not a party to the agreement, information about the agreement has been provided to the Council)

No planning agreement currently applies to the land.

H Details of the Annual Noise Exposure Forecast (ANEF) applying to the land

The property is on the 25 ANEF (2033) contour.

Note: The ANEF level may restrict the development of the land due to the risk of exposure to aircraft noise.

[End of advice under Section 149 (5)]

SCHEDULE

Details of any provision in a local environmental plan or deemed environmental planning instrument applying to the land that permit without development consent, require development consent for, or restrict or prohibit, certain development or classes of development

Active street frontages – Clause 6.11 of Rockdale Local Environmental Plan 2011 requires the provision of business or retail premises on the ground floor of land identified in the Active Street Frontages Map.

Additional permitted uses for particular land - Clause 2.5 of Rockdale Local Environmental Plan 2011 allows development to be carried out, with development consent, for certain additional purposes on certain land within the City, as detailed in Schedule 1.

Airspace operations – Clause 6.4 of Rockdale Local Environmental Plan 2011 requires Council to consult with the relevant Commonwealth body on any development application that may penetrate the Obstacle Limitation Surface.

Architectural roof features – Clause 5.6 of Rockdale Local Environmental Plan 2011 permits variation to the maximum building height standards for roof features of visual interest.

Bush fire hazard reduction – Clause 5.11 of Rockdale Local Environmental Plan 2011 permits bush fire hazard reduction work authorised by the Rural Fires Act 1997 on any land without development consent.

Controls relating to miscellaneous permissible uses – Clause 5.4 of Rockdale Local Environmental Plan 2011 provides development controls for the following development types: Bed and breakfast accommodation; Home businesses; Home industries; Industrial retail outlets; Farm stay accommodation; Kiosks; Neighbourhood shops; Roadside stalls and Secondary dwellings.

Conversion of fire alarms – Clause 5.8 of Rockdale Local Environmental Plan 2011 requires development consent for the conversion of a fire alarm system that can be monitored by Fire and Rescue NSW or by a private service provider.

Demolition requires development consent – Clause 2.7 of Rockdale Local Environmental Plan 2011 requires development consent for demolition, except if it is identified as exempt development in the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Development below the mean high water mark – Clause 5.7 of Rockdale Local Environmental Plan 2011 requires development consent to carry out any development on land below the mean high water mark.

Development in areas subject to aircraft noise - Clause 6.4 of Rockdale Local Environmental Plan 2011 requires Council to consider the aircraft noise impacts on proposed development. See Question H of this certificate for the actual aircraft noise affectation of the land.

Development on flood prone land - Clause 6.6 of Rockdale Local Environmental Plan 2011 requires development consent for the erection of buildings or the carrying out of work for any purpose on land identified on the 'Flood Planning Area' map. Further information on whether this land may be subject to the risk of flooding is provided in Question C of the "Advice under Section 149 (5)".

Development on land intended to be acquired for public purposes – Clause 5.1A of Rockdale Local Environmental Plan 2011 specifies the permissible land uses for land that is identified for acquisition on the 'Land Acquisition Reservation Map'.

Earthworks - Clause 6.2 of Rockdale Local Environmental Plan 2011 requires development consent for excavating or filling the land to which this Certificate applies, except for excavating and filling referred to in subclause (2).

Exempt and complying development – Clause 3.1, 3.2 and Schedules 2 and 3 of Rockdale Local Environmental Plan 2011 identify the types of development that are "exempt development" and "complying development" (within the meaning of the Act).

Floor space ratio – Clause 4.4 (and supporting maps) of Rockdale Local Environmental Plan 2011 applies maximum allowable floor space ratio standards to all land within the City.

Foreshore building line – Clause 6.5 of Rockdale Local Environmental Plan 2011 applies a foreshore building line to certain land within Zone IN2 Light Industry in Henderson Street, Turrella, which generally prohibits the erection of a building or the carrying out of a work between the foreshore building line and Wolli Creek.

Height of buildings – Clause 4.3 (and supporting maps) of Rockdale Local Environmental Plan 2011 applies maximum allowable height of building standards to all land within the City.

Heritage items, heritage conservation areas and relics - Clause 5.10 of Rockdale Local Environmental Plan 2011 requires development consent for certain activities relating to heritage items, heritage conservation areas and relics. If this land is within a heritage conservation area or contains a heritage item it will be indicated in Question 2 (g) or (h), respectively, of this certificate.

Infrastructure development and use of existing buildings of the Crown – Clause 5.12 of Rockdale Local Environmental Plan 2011 does not restrict or prohibit, or enable the restriction or prohibition of, the carrying out of any development, by or on behalf of a public authority, that is permitted to be carried out with or without development consent, or that is exempt development, under State Environmental Planning Policy (Infrastructure) 2007.

Minimum subdivision lot size – Clause 4.1 of Rockdale Local Environmental Plan 2011 sets minimum subdivision lot size for any land shown on the Lot Size Map.

Outdoor advertising – Schedule 2 of Rockdale Local Environmental Plan 2011 allows certain advertisements as exempt development.

Sex services premises - Clause 6.13 of Rockdale Local Environmental Plan 2011 provides locational and amenity assessment criteria for the various types of sex services premises, which includes brothels.

Subdivision - Clause 2.6 of Rockdale Local Environmental Plan 2011 requires development consent for the subdivision of land.

Temporary use of land - Clause 2.8 of Rockdale Local Environmental Plan 2011 allows the use of any land or building for any temporary purpose, with development consent, subject to the considerations identified in that clause.

Trees or vegetation not prescribed by development control plan – Clause 5.9A of Rockdale Local Environmental Plan 2011 permits the ringbarking, cutting down, topping, lopping, removal, injuring or destruction of any tree or other vegetation for any tree or other vegetation that is not of a species or kind prescribed for the purposes of clause 5.9 by a development control plan made by the Council.

Unzoned land – Clause 2.4 of Rockdale Local Environmental Plan 2011 allows development to be carried out on unzoned land, but only with consent.

[End of Schedule]

IMPORTANT NOTICE TO PURCHASERS

ALTERATIONS AND ADDITIONS TO BUILDINGS

Purchasers are reminded that it is necessary to obtain development consent from the Council prior to carrying out any building alterations or additions, including brick reskinning, replacing windows or internal alterations, or for the demolition of any building, unless the proposed work is specifically exempted by *Rockdale Local Environmental Plan 2011* or *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. All other building work does require the Council's approval.

Should you require any information or advice for any building work that you propose to undertake please contact the Council's Customer Service Centre on 9562 1666.

14 May 2015

Our Ref Certificate No. 41262
Contact Customer Service 9562 1666



Foster & Foster Pty Ltd
DX 208
SYDNEY

Dear Sir/Madam

Following is your planning certificate issued under section 149 (2) and (5) of the Environmental Planning and Assessment Act 1979.

Should you have any enquiries, please contact the Council's Customer Service Centre on 9562 1666.

149 PLANNING CERTIFICATE

(under section 149 of the Environmental Planning and Assessment Act 1979)

ISSUED TO

Foster & Foster Pty Ltd
DX 208
SYDNEY

Council City of Rockdale
County Cumberland
Parish St George

Fee 273.00
Receipt No 513116554443
Receipt Date 13 May 2015
Your Ref

**PROPERTY: KOGARAH GOLF CLUB (PT) COUNCIL 17 MARSH STREET, ARNCLIFFE
NSW 2205**

PT 14 DP 213314

CT

Assessment No 72560

Date 14 May 2015

For
Meredith Wallace
General Manager

2 Bryant Street Rockdale NSW 2216 Australia
PO Box 21 Rockdale NSW 2216 Australia
Tel 02 9562 1666 Fax 02 9562 1777 Email rcc@rockdale.nsw.gov.au
DX 25308 Rockdale www.rockdale.nsw.gov.au

ABN 66 139 730 052

Important

This document contains important information about Rockdale City Council. If you do not understand, please visit Council's Customer Service Centre at 2 Bryant Street Rockdale, Monday – Friday from 8.30am – 4.30pm, Saturday from 9am – 1pm. Council Staff will be happy to arrange interpreter services for you.

You may also contact Telephone Interpreter Services on 131 450 and ask them to ring Rockdale City Council on 9562 1666 on your behalf.

Arabic

مهم:

تحتوي هذه الوثيقة على معلومات هامة عن بلدية روكدايل. إذا لم تكن قادراً على فهمها، يرجى زيارة مركز خدمة زبائن البلدية على العنوان التالي: 2 Bryant Street في روكدايل من الاثنين إلى الجمعة بين الساعة 8.30 صباحاً و 4.30 مساءً، والجمعة بين الساعة 9.00 صباحاً و 1.00 بعد الظهر حيث سيساعد موظفو البلدية بتأمين مترجم لك بكل سرور.

كما يمكنك الاتصال بخدمة الترجمة الهاتفية على الرقم 131 450 والطلب منهم الاتصال ببلدية روكدايل على الرقم 9562 1666 نيابةً عنك.

Chinese

重要消息

本文件載有關於 Rockdale 市政府的重要資訊。如果您有不明之處，請於星期一至星期五，上午 8 時 30 分至下午 4 時 30 分，及星期六上午 9 時至下午 1 時，前來位於 2 Bryant Street, Rockdale，市政府的顧客服務中心。市政府的職員會很樂意為您安排傳譯服務。

您也可以聯絡電話傳譯服務處，電話 131 450，並請他們代您致電 9562 1666 給 Rockdale 市政府。

Greek

Σημαντικό:

Αυτό το έγγραφο περιέχει σημαντικές πληροφορίες για τη Δημαρχία Rockdale City Council. Αν δεν τις καταλαβαίνετε, παρακαλούμε να επισκεφτείτε το Κέντρο Εξυπηρέτησης Πελατών [Customer Service Centre] του Δήμου στο 2 Bryant Street, Rockdale, Δευτέρα - Παρασκευή από 8.30πμ - 4.30πμ και Σάββατο από 9.00πμ - 1.00πμ. Το Προσωπικό του Δήμου θα χαρεί να κανονίσει υπηρεσίες διερμηνέων για σας.

Μπορείτε επίσης να επικοινωνήσετε με τις Τηλεφωνικές Υπηρεσίες Διερμηνέων [Telephone Interpreter Services] στο 131 450 και να τους ζητήσετε να τηλεφωνήσουν στο Rockdale City Council στο 9562 1666 για λογαριασμό σας.

Italian

Importante:

Questo documento contiene importanti informazioni sul Comune di Rockdale City. Se avete difficoltà a comprenderne il contenuto, recatevi presso il Customer Service Centre del Comune a 2 Bryant Street, Rockdale dal lunedì al venerdì dalle ore 8.30 alle 16.30 e al sabato dalle 9.00 alle 13.00. Il personale del Comune sarà ben lieto di procurarvi un servizio interpreti.

Potete anche chiamare il Servizio telefonico interpreti (TIS) al numero 131 450 chiedendo che telefonino per vostro conto al Comune di Rockdale City al numero 9562 1666.

Macedonian

Важно:

Овој документ содржи важни информации за Rockdale City Council (Градската општина на Rockdale). Ако не го разбирате, ве молиме, посетете го општинскиот Customer Service Centre (Центар за услуги на клиенти), кој се наоѓа на 2 Bryant Street, Rockdale, од понеделник до петок, од 8.30 наутро до 4.30 попладне и во сабота од 9.00 наутро до 1.00 попладне. Вработените во општината со задоволство ќе ви организираат да користите преведувач.

Исто така, можете да телефонираше во Telephone Interpreter Services (Служба за преведување по телефон) на 131 450, и да ги замолиме во ваше име да се јават во Градската општина на Rockdale на 9562 1666.

Spanish

Importante:

Este documento contiene información importante sobre el Rockdale City Council (Municipio de Rockdale). Si no la entiende, le rogamos concurrir al Centro de Servicio al Cliente del Municipio, ubicado en 2 Bryant Street, Rockdale, atención de lunes a viernes, de 8:30 am a 4:30 pm y el sábado de 9:00 am a 1:00 pm. El personal del municipio se complacerá en obtener los servicios de un intérprete para usted.

Puede asimismo llamar al Servicio Telefónico de Intérpretes al 131 450 y pedirles que llamen de su parte al Rockdale City Council, teléfono 9562 1666.

Caring for the Environment – In the interest of protecting and preserving our environment, Rockdale City Council uses Nordset paper for all of its pre-printed paper requirements. Nordset has been awarded the Nordic Swan label for environmentally friendly pulp and paper manufacturing. It is manufactured with fibre obtained from sustainable plantation forest, it is oxygen bleached, Totally Chlorine Free (TCF), dioxin and acid free. Nordset can be recycled and is biodegradable.

- Notes:**
- (1) Where this certificate refers to a specific allotment (or allotments) within a strata plan the certificate is issued for the whole of the land within the strata plan, not just the specific allotment or allotments referred to, and any information contained in the certificate may relate to the whole or any part of the strata plan.
- (2) The *Environmental Planning and Assessment Amendment Act 1997* commenced operation on 1 July 1998. As a consequence of this Act the information contained in this certificate needs to be read in conjunction with the provisions of the:
- * *Environmental Planning and Assessment (Amendment) Regulation 1998,*
 - * *Environmental Planning and Assessment (Further Amendment) Regulation 1998* and
 - * *Environmental Planning and Assessment (Savings and Transitional) Regulation 1998.*
 - * *Environmental Planning and Assessment Regulation 2000*

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.

State Environmental Planning Policy No 19	Bushland in Urban Areas
State Environmental Planning Policy No 21	Caravan Parks
State Environmental Planning Policy No 30	Intensive Agriculture
State Environmental Planning Policy No 32	Urban Consolidation (Redevelopment of Urban Land) (Does not apply to land referred to in Schedule 1 to the Policy)
State Environmental Planning Policy No 33	Hazardous and Offensive Development
State Environmental Planning Policy No 50	Canal Estates Development
State Environmental Planning Policy No 55	Remediation of Land
State Environmental Planning Policy No 62	Sustainable Aquaculture
State Environmental Planning Policy No 64	Advertising and Signage
State Environmental Planning Policy No 65	Design Quality of Residential Flat Development
State Environmental Planning Policy No 70	Affordable Housing (Revised Schemes)
State Environmental Planning Policy	(Affordable Rental Housing) 2009
State Environmental Planning Policy	(Building Sustainability Index: BASIX) 2004
State Environmental Planning Policy	(Exempt and Complying Development Codes) 2008
State Environmental Planning Policy	(Housing for Seniors and People with a Disability) 2004 (Only applies to land referred to in clause 4 (1) of the Policy and does not apply to land referred to in clause 4 (2) of the Policy) and including Amendment No 2.
State Environmental Planning Policy	(Infrastructure) 2007
State Environmental Planning Policy	(Major Development) 2005
State Environmental Planning Policy	(Mining, Petroleum Production and Extractive Industries) 2007
State Environmental Planning Policy	(State and Regional Development) 2011
State Environmental Planning Policy	(Miscellaneous Consent Provisions) 2007 (except Part 3)
Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment (only applies to land within the Georges River Catchment, being, in the Rockdale City Council area, certain land within the suburbs of Dolls Point, Ramsgate, Sandringham and Sans Souci)	

In addition, the following regional environmental plans or draft regional environmental plans apply specifically to the land:

Sydney Regional Environmental Plan No 33 – Cooks Cove

- (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 Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).**

State Environmental Planning Policy No 65— Design Quality of Residential Flat Development (Amendment No 3)

No such Planning Proposal applies to the land.

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

No development control plan applies to the land.

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

2 Zoning and land use under relevant local environmental plans

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

- 2(a) **the identity of the zone, whether by reference to a name or by reference to a number,**
- 2(b) **the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent,**
- 2(c) **the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,**
- 2(d) **the purposes for which the instrument provides that development is prohibited within the zone:**

The following zone or zones apply under the local environmental plan or deemed environmental planning instrument referred to in question 1 (1):

Open Space Zone

1 Objectives

The objectives of this zone are:

- (a) to provide for active sporting and recreational land uses and club facilities, and
 - (b) to provide public access along the Cooks River and Muddy Creek foreshores,
- and

- (c) to protect significant wetland areas within the Cooks Cove site and along the Cooks River foreshores, and
- (d) to provide for facilities that are ancillary to the recreational use of public open space, and
- (e) to provide vegetated riparian areas to enhance biological connectivity along the Cooks River and Muddy Creek foreshores,
- (f) to protect and enhance the habitat of the Green and Golden Bell Frog established within Cooks Cove.

2 Development that is allowed

Exempt development and development for the purpose of the following may be carried out **without development consent**:

aids to navigation; gardening; landscape maintenance works (including tree planting, repaving and replacement of street furniture); other maintenance works; public utility undertakings.

Development for the purpose of the following and subdivision of land may be carried out only **with development consent**:

artworks; boat landing and hire facilities; boat ramps and berths; car parks; clubs; community facilities; drainage; identifying or interpretive signage ancillary to another use allowed on the site; kiosks; landscaping (except landscape maintenance works); outdoor eating areas (if linked to kiosks within the zone or restaurants in adjoining zones); recreation areas; recreation facilities; remediation of land; roads; other land uses incidental or ancillary to the land uses lawfully carried out within the zone at the commencement of this plan.

3 Prohibited development

Any development not listed in item 2.

Special Uses Zone

1 Objectives

The objectives of this zone are:

- (a) to accommodate existing special uses, including the South West Sydney Ocean Outfall Sewer and M5 corridor, and
- (b) to provide for the development of a transport corridor by the Roads and Traffic Authority or for other public transport infrastructure.

2 Development that is allowed

Exempt development and development for the purpose of the following may be carried out **without development consent**:

aids to navigation; public utility undertakings.

Development for the purpose of the following and subdivision of land may be carried out only **with development consent**:

drainage; public transport infrastructure; recreation areas; remediation of land; roads.

3 Prohibited development

Any development not listed in item 2.

Trade and Technology Zone

1 Objectives

The objectives of this zone are:

- (a) to encourage economic activity and trade-focussed businesses that benefit directly from, or benefit from a synergy due to, the physical proximity of land within the zone to Sydney Airport and Port Botany, and the excellent transport network links to Sydney's CBD and the Advanced Technology Park at Eveleigh, and
- (b) to promote the establishment of enterprises that create advanced technology or that manufacture products that utilise advanced technology, and
- (c) to promote export and other trade-related enterprises that are associated with trade logistics and distribution, just-in-time supply, the movement of perishables, time-sensitive goods processing, and the management of air and sea commerce, and
- (d) to provide facilities for the workforce by allowing a limited range of ancillary, retail and recreational uses that are ancillary and provide support to the dominant functions within the zone.

2 Development that is allowed

Exempt development and development for the purpose of the following may be carried out **without development consent**:

landscape maintenance works (including tree planting, repaving and replacement of street furniture); public utility undertakings.

Development for the purpose of the following and subdivision of land may be carried out only **with development consent**:

advanced technology businesses; aids to navigation; car parks and car parking stations (if their only use is ordinarily incidental to other uses allowed within the zone); child care centres; clubs; commercial support premises; community facilities; drainage; educational establishments; hotels; light industries; medical centres; motels; offices ancillary to trade-related enterprises; open space; passenger transport terminals; public transport infrastructure (not including car parks or car parking stations); recreation areas; recreation facilities; remediation of land; restaurants; roads; service stations; serviced apartments; shops; tourist facilities; trade-related enterprises; vehicle rental centres; warehouses.

3 Prohibited development

Any development not listed in item 2.

- 2(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**

No environmental planning instrument applies to the land that fixes minimum land

dimensions for the erection of a dwelling.

Note:

- (1) Whether or not such a requirement applies to the land under any local environmental plan, deemed environmental planning instrument or draft local environmental plan, the Council does set minimum dimensions and areas for new residential allotments in **Section 4.1.9 of Rockdale Development Control Plan 2011**.
- (2) The above information does not imply that the erection of a dwelling-house 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.

2(f) whether the land includes or comprises critical habitat

The land does not include or comprise critical habitat.

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

The land is not in a conservation area.

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

There is no such item situated on the land.

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).

Not applicable.

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) 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) 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.

General Housing Code
Rural Housing Code

Complying development **may not** be carried out on the land in accordance with the above codes for the following reason/s:

- All or part of the land is within a Special Uses Zone under *Sydney Regional Environmental Plan No 33 - Cooks Cove*. Land within this zone is subject to acquisition under clause 24 of this plan.

Commercial and Industrial (New Buildings and Additions) Code

Complying development **may not** be carried out on the land in accordance with the above codes for the following reason/s:

- All or part of the land is within a Special Uses Zone under *Sydney Regional Environmental Plan No 33 - Cooks Cove*. Land within this zone is subject to acquisition under clause 24 of this plan.

Housing Alterations Code
General Commercial and Industrial Code
Subdivisions Code
General Development Code
Demolition Code
Commercial and Industrial Alterations Code
Fire Safety Code

Complying development **may** be carried out on the land in accordance with the above Codes.

Notes:

(1) If a reference is made to "part of the land", Complying Development **may** be carried out on the portion of the land not subject to such a restriction.

(2) This certificate only addresses matters raised in Clause 1.17 and Clause 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. It is your responsibility to ensure that you comply with any other general requirements of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

Note 3: The land may be subject to Council's *Contaminated Land Policy*. Consideration should be given to this Policy prior to carrying out any development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

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 Public Works

The land is not affected.

4A Certain information relating to beaches and coasts

- (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.

There is no such order affecting the land.

- (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.

Council has not been notified of any such works.

- (3) In relation to a coastal council—such information (if any) as is required by the regulations under section 56B of the *Coastal Protection Act 1979* to be included in the planning certificate and of which the council has been notified pursuant to those regulations.

There is no other information.

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).

The land is not so affected.

5 Mine subsidence

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

The land is not so proclaimed.

6 Road widening and road realignment

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

- (a) Division 2 of Part 3 of the *Roads Act 1993*, or
- (b) Any environmental planning instrument, or
- (c) Any resolution of the council

The land is not affected by any road widening or road realignment under Division 2 of Part 3 of the *Roads Act 1993*, any environmental planning instrument or 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, or
- (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 land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding)

Contaminated Land Policy

The Council has adopted by resolution a policy on contaminated land that may restrict the development of the land. This policy is implemented when zoning or land use changes are proposed on lands that have previously been used for certain purposes. Consideration of the Council's adopted policy and the application of provisions under relevant State legislation is warranted.

Policy on Rezoning and Development of Land Affected by Aircraft Noise and Airport Related Height Controls

The Council resolved on 4 October 2006 to adopt a policy for assessing the appropriateness of rezoning and development in areas affected by aircraft noise and airport related height controls. This policy applies to all land within the City of Rockdale.

Other policies

The land is not affected by any other such policy that restricts the development of the land due to hazard risk.

7A Flood related development control 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.

The development of the land or part of the land for such a purpose may be 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.

The development of the land or part of the land for a purpose not referred to in Question 7A (1) may be subject to flood related development controls.

Note:

(1) 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.

(2) Council is not in a position to identify whether the information provided under Clause 7A relates to a current or future hazard as defined in Planning Circular PS 14-003.

Note: Further information relating to flooding is provided in the "Advice under Section 149 (5)" attached.

(3) 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*.

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.

All or part of the land is within a Special Uses Zone under *Sydney Regional Environmental Plan No 33 - Cooks Cove*. Land within this zone is subject to acquisition under clause 24 of this plan.

9 Contributions plans

The name of each contributions plan applying to the land

No Section 94 Contributions Plan applies to the land.

Note: *Rockdale Section 94 Contributions Plan (Amendment No 4)* and *Rockdale Section 94 Contributions Plan 1998* will continue to apply to all development applications and applications for complying

development certificates made prior to 1 June 2004.

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.

The land is not so affected.

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 Director-General of the Department of Environment, Climate Change and Water).

The land is not affected by such an agreement.

11 Bush fire prone land

If any of the land is bush fire 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 bush fire prone land.

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 land is not land to which a property vegetation plan applies.

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 the council has been notified of the order).

The land is not subject to such an order.

14 Directions under Part 3A

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

The land is not subject to any such directions.

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 of Planning, 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.

The land is not subject to any such certificate.

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, the statement is to include:

- (a) the period for which the certificate is valid, and
- (b) that a copy may be obtained from the head office of the Department of Planning.

The land is not subject to any such certificate.

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 of Planning.
- (2) A statement setting out 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.

The land is not subject to any such statement.

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.

- (2) The date of any subdivision order that applies to the land.
- (3) Words and expressions used in this clause have the same meaning as they have in Part 16C of this Regulation.

The land is not so affected.

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 Director-General'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 certificate ceases to be current (if any), and
- (c) that a copy may be obtained from the head office of the Department of Planning and Infrastructure.

The land is not subject to any such certificate.

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,
- (b) that the land to which the certificate relates is 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,
- (c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act—if it is the subject of such an approved proposal at the date when the certificate is issued,
- (d) that the land to 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,
- (e) that the land to which the certificate relates is the 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.

The land is not so affected.

Note Section 26 of the *Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009* provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of that Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General

under that Act.

The land is not so affected.

[End of information under section 149 (2)]

ADVICE UNDER SECTION 149 (5)

Note: The Council is under no obligation to furnish any of the information supplied below. Equally, it may be that not every relevant matter relating to the land is provided below. The Council draws your attention to section 149 (6) which states that a council shall not incur any liability in respect of any advice provided in good faith under section 149 (5).

Further to your application for information under section 149 (5), the Council has resolved to supply answers to the following questions:

A Details of any resolution of the Council to alter the zoning of the land or to alter the provisions of an environmental planning instrument applying to the land, where such an alteration has not yet been placed on exhibition under section 57 of the Act

No Planning Proposal or draft environmental planning instrument applies to the land that has not yet been placed on public exhibition.

B Details of any provision in a local environmental plan or deemed environmental planning instrument applying to the land that

- (i) Permits any development or class of development without the need for development consent, or
- (ii) Requires development consent for any development or class of development, or
- (iii) Restricts or prohibits any development or class of development,

other than such a provision referred to in Question 2 (a) to (d) of the certificate under section 149 (2):

The Schedule at the end of this certificate identifies any such provisions that may apply to the land.

C Whether or not the Council has information that would indicate that the land is subject to the risk of flooding or tidal inundation for a 1% annual exceedance probability (AEP) (1 in 100 Year) event

The Council is aware of various information that suggests the land may be affected by the 1% AEP flood. The Council is unaware of the accuracy of this information, although further enquiries may be made with the Council's City Services Department in relation to this.

Note: Refer to Question 7A of the preceding certificate under section 149 (2) to ascertain whether or not development on the land may be subject to flood related development controls.

D Whether or not the Council has information that would indicate that the land is subject to slip or subsidence

The Council is not aware of any investigations that have been carried out.

E Details of any tree preservation order applying to the land

No tree preservation order applies to the land.

F Whether or not the land is in the vicinity of a heritage item or heritage conservation area identified in an environmental planning instrument or a proposed heritage item or proposed heritage conservation area identified in a draft local environmental plan

The land is not in the vicinity of a heritage item or heritage conservation area identified in an environmental planning instrument or a proposed heritage item or proposed heritage conservation area identified in a draft local environmental plan.

G Whether or not a planning agreement entered into under Subdivision 2 of Division 6 of Part 4 of the Environmental Planning and Assessment Act 1979 currently applies to the land (but only if, where the Council is not a party to the agreement, information about the agreement has been provided to the Council)

No planning agreement currently applies to the land.

H Details of the Annual Noise Exposure Forecast (ANEF) applying to the land

The property is between the 20 and 25 ANEF (2033) contours.

Note: The ANEF level may restrict the development of the land due to the risk of exposure to aircraft noise.

[End of advice under Section 149 (5)]

SCHEDULE

Details of any provision in a local environmental plan or deemed environmental planning instrument applying to the land that permit without development consent, require development consent for, or restrict or prohibit, certain development or classes of development

No local environmental plan or deemed environmental planning instrument applies to the land.

[End of Schedule]

IMPORTANT NOTICE TO PURCHASERS

ALTERATIONS AND ADDITIONS TO BUILDINGS

Purchasers are reminded that it is necessary to obtain development consent from the Council prior to carrying out any building alterations or additions, including brick reskinning, replacing windows or internal alterations, or for the demolition of any building, unless the proposed work is specifically exempted by *Rockdale Local Environmental Plan 2011* or *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. All other building work does require the Council's approval.

Should you require any information or advice for any building work that you propose to undertake please contact the Council's Customer Service Centre on 9562 1666.

14 May 2015

Our Ref Certificate No. 41249
Contact Customer Service 9562 1666



Foster & Foster Pty Ltd
DX 208
SYDNEY

Dear Sir/Madam

Following is your planning certificate issued under section 149 (2) and (5) of the Environmental Planning and Assessment Act 1979.

Should you have any enquiries, please contact the Council's Customer Service Centre on 9562 1666.

149 PLANNING CERTIFICATE

(under section 149 of the Environmental Planning and Assessment Act 1979)

ISSUED TO

Foster & Foster Pty Ltd
DX 208
SYDNEY

Council City of Rockdale
County Cumberland
Parish St George

Fee 273.00
Receipt No 513116548524
Receipt Date 11 May 2015
Your Ref

PROPERTY: PK - KOGARAH GOLF CLUB (PT) VALDA ST RESERVE (PT) 15 MARSH STREET, ARNCLIFFE NSW 2205

Lot 1 DP 329283

CT-4610/45

Assessment No 71718

Date 14 May 2015

For
Meredith Wallace
General Manager

2 Bryant Street Rockdale NSW 2216 Australia
PO Box 21 Rockdale NSW 2216 Australia
Tel 02 9562 1666 Fax 02 9562 1777 Email rcc@rockdale.nsw.gov.au
DX 25308 Rockdale www.rockdale.nsw.gov.au

ABN 66 139 730 052

Important

This document contains important information about Rockdale City Council. If you do not understand, please visit Council's Customer Service Centre at 2 Bryant Street Rockdale, Monday – Friday from 8.30am – 4.30pm, Saturday from 9am – 1pm. Council Staff will be happy to arrange interpreter services for you.

You may also contact Telephone Interpreter Services on 131 450 and ask them to ring Rockdale City Council on 9562 1666 on your behalf.

Arabic

هام:

تحتوي هذه الوثيقة على معلومات هامة عن بلدية روكديل. إذا لم تكن قادراً على فهمها، يرجى زيارة مركز خدمة زبائن البلدية على العنوان التالي: 2 Bryant Street في روكديل من الاثنين إلى الجمعة بين الساعة ٨.٣٠ صباحاً و ٤.٣٠ مساءً. والسبت بين الساعة ٩.٠٠ صباحاً و ١.٠٠ بعد الظهر. حيث سيسقوم موظفو البلدية بتأمين مترجم لك بكل مسزون. كما يمكنك الاتصال بخدمة الترجمة الهاتفية على الرقم 131 450 والمطلب منهم الاتصال ببلدية روكديل على الرقم 9562 1666 نهاية عنك.

Chinese

重要消息

本文件載有關於 Rockdale 市政府的重要資訊，如果您有不明白之處，請於星期一至星期五，上午 8 時 30 分至下午 4 時 30 分，及星期六上午 9 時至下午 1 時，前來位於 2 Bryant Street, Rockdale，市政府的顧客服務中心。市政府的職員會很樂意為您安排傳譯員的服務。

您也可以聯絡電話傳譯服務處，電話 131 450，並請他們代您發電 9562 1666 給 Rockdale 市政府。

Greek

Σημαντικό:

Αυτό το έγγραφο περιέχει σημαντικές πληροφορίες για τη Δημαρχία Rockdale City Council. Αν δεν τις καταλαβαίνετε, παρακαλούμε να επισκεφτείτε το Κέντρο Εξυπηρέτησης Πελατών (Customer Service Centre) του Δήμου στο 2 Bryant Street, Rockdale, Δευτέρα - Παρασκευή από 8.30πμ - 4.30πμ και Σάββατο από 9.00πμ - 1.00πμ. Το Προσωπικό του Δήμου θα χαρεί να κανονίσει υπηρεσίες διερμηνέων για σας.

Μπορείτε επίσης να επικοινωνήσετε με τις Τηλεφωνικές Υπηρεσίες Διερμηνέων (Telephone Interpreter Services) στο 131 450 και να τους ζητήσετε να τηλεφωνήσουν στο Rockdale City Council στο 9562 1666 για λογαριασμό σας.

Italian

Importante:

Questo documento contiene importanti informazioni sul Comune di Rockdale City. Se avete difficoltà a comprenderne il contenuto, recatevi presso il Customer Service Centre del Comune a 2 Bryant Street, Rockdale dal lunedì al venerdì dalle ore 8.30 alle 16.30 e al sabato dalle 9.00 alle 13.00. Il personale del Comune sarà ben lieto di procurarvi un servizio interprete.

Potete anche chiamare il Servizio telefonico interpreti (TIS) al numero 131 450 chiedendo che telefonino per vostro conto al Comune di Rockdale City al numero 9562 1666.

Macedonian

Важно:

Овој документ содржи важни информации за Rockdale City Council (Градската општина на Rockdale). Ако не го разбирате, ве молиме, посетете го општинскиот Customer Service Centre (Центар за услуги на клиенти), кој се наоѓа на 2 Bryant Street, Rockdale, од понеделник до петок, од 8.30 наутро до 4.30 попладне и во сабота од 9.00 наутро до 1.00 попладне. Вработените во општината со задоволство ќе ви организираат да користите преведувач.

Исто така, можете да телефонирате во Telephone Interpreter Services (Служба за преведување по телефон) на 131 450, и да ги замолисте во ваше име да се јават во Градската општина на Rockdale на 9562 1666.

Spanish

Importante:

Este documento contiene información importante sobre el Rockdale City Council (Municipio de Rockdale). Si no la entiende, le rogamos concurrir al Centro de Servicio al Cliente del Municipio, ubicado en 2 Bryant Street, Rockdale, atención de lunes a viernes, de 8:30 am a 4:30 pm y el sábado de 9:00 am a 1:00 pm. El personal del municipio se complacerá en obtener los servicios de un intérprete para usted.

Puede asimismo llamar al Servicio Telefónico de Intérpretes al 131 450 y pedirles que llamen de su parte al Rockdale City Council, teléfono 9562 1666.

Caring for the Environment – In the interest of protecting and preserving our environment, Rockdale City Council uses Nordset paper for all of its pre-printed paper requirements. Nordset has been awarded the Nordic Swan label for environmentally friendly pulp and paper manufacturing. It is manufactured with fibre obtained from sustainable plantation forest, it is oxygen bleached, Totally Chlorine Free (TCF), dioxin and acid free. Nordset can be recycled and is biodegradable.

Notes:

(1) Where this certificate refers to a specific allotment (or allotments) within a strata plan the certificate is issued for the whole of the land within the strata plan, not just the specific allotment or allotments referred to, and any information contained in the certificate may relate to the whole or any part of the strata plan.

(2) The *Environmental Planning and Assessment Amendment Act 1997* commenced operation on 1 July 1998. As a consequence of this Act the information contained in this certificate needs to be read in conjunction with the provisions of the:

- * *Environmental Planning and Assessment (Amendment) Regulation 1998*,
- * *Environmental Planning and Assessment (Further Amendment) Regulation 1998* and
- * *Environmental Planning and Assessment (Savings and Transitional) Regulation 1998*.

* *Environmental Planning and Assessment Regulation 2000*

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.

Rockdale Local Environmental Plan 2011	
Rockdale Local Environmental Plan 2011	
State Environmental Planning Policy No 19	Bushland in Urban Areas
State Environmental Planning Policy No 21	Caravan Parks
State Environmental Planning Policy No 30	Intensive Agriculture
State Environmental Planning Policy No 32	Urban Consolidation (Redevelopment of Urban Land) (Does not apply to land referred to in Schedule 1 to the Policy)
State Environmental Planning Policy No 33	Hazardous and Offensive Development
State Environmental Planning Policy No 50	Canal Estates Development
State Environmental Planning Policy No 55	Remediation of Land
State Environmental Planning Policy No 62	Sustainable Aquaculture
State Environmental Planning Policy No 64	Advertising and Signage
State Environmental Planning Policy No 65	Design Quality of Residential Flat Development
State Environmental Planning Policy No 70	Affordable Housing (Revised Schemes)
State Environmental Planning Policy	(Affordable Rental Housing) 2009
State Environmental Planning Policy	(Building Sustainability Index: BASIX) 2004
State Environmental Planning Policy	(Exempt and Complying Development Codes) 2008
State Environmental Planning Policy	(Housing for Seniors and People with a Disability) 2004 (Only applies to land referred to in clause 4 (1) of the Policy and does not apply to land referred to in clause 4 (2) of the Policy) and including Amendment No 2.
State Environmental Planning Policy	(Infrastructure) 2007
State Environmental Planning Policy	(Major Development) 2005
State Environmental Planning Policy	(Mining, Petroleum Production and Extractive Industries) 2007
State Environmental Planning Policy	(State and Regional Development) 2011
State Environmental Planning Policy	(Miscellaneous Consent Provisions) 2007 (except Part 3)
Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment (only applies to land within the Georges River Catchment, being, in the Rockdale City	

Council area, certain land within the suburbs of Dolls Point, Ramsgate, Sandringham and Sans Souci)

In addition, the following regional environmental plans or draft regional environmental plans apply specifically to the land:

Sydney Regional Environmental Plan No 33 – Cooks Cove

- (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 Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).**

State Environmental Planning Policy No 65— Design Quality of Residential Flat Development (Amendment No 3)

No such Planning Proposal applies to the land.

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

Rockdale Development Control Plan 2011

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

2 Zoning and land use under relevant local environmental plans

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

- 2(a) **the identity of the zone, whether by reference to a name or by reference to a number,**
- 2(b) **the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent,**
- 2(c) **the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,**
- 2(d) **the purposes for which the instrument provides that development is prohibited within the zone:**

The following zone or zones apply under the local environmental plan or deemed environmental planning instrument referred to in question 1 (1):

Zone RE1 Public Recreation

1 Objectives of zone

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible

land uses.

- To protect and enhance the natural environment for recreational purposes.

2 Permitted without consent

Roads

3 Permitted with consent

Boat launching ramps; Child care centres; Community facilities; Environmental facilities; Environmental protection works; Jetties; Kiosks; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; Signage; Water supply systems

4 Prohibited

Any development not specified in item 2 or 3

Zone SP2 Infrastructure

1 Objectives of zone

- To provide for infrastructure and related uses.
- To prevent development that is not compatible with or that may detract from the provision of infrastructure.

2 Permitted without consent

Roads

3 Permitted with consent

The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose

4 Prohibited

Any development not specified in item 2 or 3

Open Space Zone

1 Objectives

The objectives of this zone are:

- (a) to provide for active sporting and recreational land uses and club facilities, and
- (b) to provide public access along the Cooks River and Muddy Creek foreshores, and
- (c) to protect significant wetland areas within the Cooks Cove site and along the Cooks River foreshores, and
- (d) to provide for facilities that are ancillary to the recreational use of public open space, and
- (e) to provide vegetated riparian areas to enhance biological connectivity along the Cooks River and Muddy Creek foreshores,
- (f) to protect and enhance the habitat of the Green and Golden Bell Frog established within Cooks Cove.

2 Development that is allowed

Exempt development and development for the purpose of the following may be carried out **without development consent**:

aids to navigation; gardening; landscape maintenance works (including tree planting, repaving and replacement of street furniture); other maintenance

works; public utility undertakings.

Development for the purpose of the following and subdivision of land may be carried out only **with development consent**:

artworks; boat landing and hire facilities; boat ramps and berths; car parks; clubs; community facilities; drainage; identifying or interpretive signage ancillary to another use allowed on the site; kiosks; landscaping (except landscape maintenance works); outdoor eating areas (if linked to kiosks within the zone or restaurants in adjoining zones); recreation areas; recreation facilities; remediation of land; roads; other land uses incidental or ancillary to the land uses lawfully carried out within the zone at the commencement of this plan.

3 Prohibited development

Any development not listed in item 2.

Special Uses Zone

1 Objectives

The objectives of this zone are:

- (a) to accommodate existing special uses, including the South West Sydney Ocean Outfall Sewer and M5 corridor, and
- (b) to provide for the development of a transport corridor by the Roads and Traffic Authority or for other public transport infrastructure.

2 Development that is allowed

Exempt development and development for the purpose of the following may be carried out **without development consent**:

aids to navigation; public utility undertakings.

Development for the purpose of the following and subdivision of land may be carried out only **with development consent**:

drainage; public transport infrastructure; recreation areas; remediation of land; roads.

3 Prohibited development

Any development not listed in item 2.

Trade and Technology Zone

1 Objectives

The objectives of this zone are:

- (a) to encourage economic activity and trade-focussed businesses that benefit directly from, or benefit from a synergy due to, the physical proximity of land within the zone to Sydney Airport and Port Botany, and the excellent transport network links to Sydney's CBD and the Advanced Technology Park at Eveleigh, and
- (b) to promote the establishment of enterprises that create advanced technology or that manufacture products that utilise advanced technology, and

- (c) to promote export and other trade-related enterprises that are associated with trade logistics and distribution, just-in-time supply, the movement of perishables, time-sensitive goods processing, and the management of air and sea commerce, and
- (d) to provide facilities for the workforce by allowing a limited range of ancillary, retail and recreational uses that are ancillary and provide support to the dominant functions within the zone.

2 Development that is allowed

Exempt development and development for the purpose of the following may be carried out **without development consent**:

landscape maintenance works (including tree planting, repaving and replacement of street furniture); public utility undertakings.

Development for the purpose of the following and subdivision of land may be carried out only **with development consent**:

advanced technology businesses; aids to navigation; car parks and car parking stations (if their only use is ordinarily incidental to other uses allowed within the zone); child care centres; clubs; commercial support premises; community facilities; drainage; educational establishments; hotels; light industries; medical centres; motels; offices ancillary to trade-related enterprises; open space; passenger transport terminals; public transport infrastructure (not including car parks or car parking stations); recreation areas; recreation facilities; remediation of land; restaurants; roads; service stations; serviced apartments; shops; tourist facilities; trade-related enterprises; vehicle rental centres; warehouses.

3 Prohibited development

Any development not listed in item 2.

2(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

No environmental planning instrument applies to the land that fixes minimum land dimensions for the erection of a dwelling.

Note:

- (1) Whether or not such a requirement applies to the land under any local environmental plan, deemed environmental planning instrument or draft local environmental plan, the Council does set minimum dimensions and areas for new residential allotments in **Section 4.1.9 of Rockdale Development Control Plan 2011**.
 - (2) The above information does not imply that the erection of a dwelling-house 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.
-

2(f) whether the land includes or comprises critical habitat

The land does not include or comprise critical habitat.

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

The land is not in a conservation area.

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

There is no such item situated on the land.

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).

Not applicable.

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) 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) 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.

General Housing Code
Rural Housing Code

Complying development **may not** be carried out on the land in accordance with the above codes for the following reason/s:

- All or part of the land is within a Special Uses Zone under *Sydney Regional Environmental Plan No 33 - Cooks Cove*. Land within this zone is subject to acquisition under clause 24

of this plan.

Commercial and Industrial (New Buildings and Additions) Code

Complying development **may not** be carried out on the land in accordance with the above codes for the following reason/s:

- All or part of the land is within a Special Uses Zone under *Sydney Regional Environmental Plan No 33 - Cooks Cove*. Land within this zone is subject to acquisition under clause 24 of this plan.

Housing Alterations Code

General Commercial and Industrial Code

Subdivisions Code

General Development Code

Demolition Code

Commercial and Industrial Alterations Code

Fire Safety Code

Complying development **may** be carried out on the land in accordance with the above Codes.

Notes:

(1) If a reference is made to "part of the land", Complying Development **may** be carried out on the portion of the land not subject to such a restriction.

(2) This certificate only addresses matters raised in Clause 1.17 and Clause 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. It is your responsibility to ensure that you comply with any other general requirements of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

Note 3: The land may be subject to Council's *Contaminated Land Policy*. Consideration should be given to this Policy prior to carrying out any development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

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 Public Works

The land is not affected.

4A Certain information relating to beaches and coasts

- (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.

There is no such order affecting the land.

(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.

Council has not been notified of any such works.

- (3) In relation to a coastal council—such information (if any) as is required by the regulations under section 56B of the *Coastal Protection Act 1979* to be included in the planning certificate and of which the council has been notified pursuant to those regulations.

There is no other information.

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).

The land is not so affected.

5 Mine subsidence

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

The land is not so proclaimed.

6 Road widening and road realignment

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

- (a) Division 2 of Part 3 of the *Roads Act 1993*, or
- (b) Any environmental planning instrument, or
- (c) Any resolution of the council

The land is not affected by any road widening or road realignment under Division 2 of Part 3 of the *Roads Act 1993*, any environmental planning instrument or 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, or
- (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 land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding)

Contaminated Land Policy

The Council has adopted by resolution a policy on contaminated land that may restrict the development of the land. This policy is implemented when zoning or land use changes are proposed on lands that have previously been used for certain purposes. Consideration of the Council's adopted policy and the application of provisions under relevant State legislation is warranted.

Policy on Rezoning and Development of Land Affected by Aircraft Noise and Airport Related Height Controls

The Council resolved on 4 October 2006 to adopt a policy for assessing the appropriateness of rezoning and development in areas affected by aircraft noise and airport related height controls. This policy applies to all land within the City of Rockdale.

Other policies

The land is not affected by any other such policy that restricts the development of the land due to hazard risk.

7A Flood related development control 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.

The development of the land or part of the land for such a purpose may be 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.

The development of the land or part of the land for a purpose not referred to in Question 7A (1) may be subject to flood related development controls.

Note:

(1) 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.

(2) Council is not in a position to identify whether the information provided under Clause 7A relates to a current or future hazard as defined in Planning Circular PS 14-003.

Note: Further information relating to flooding is provided in the "Advice under Section 149 (5)" attached.

(3) 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*.

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.

All or part of the land is within a Special Uses Zone under *Sydney Regional Environmental Plan No 33 - Cooks Cove*. Land within this zone is subject to acquisition under clause 24 of this plan.

9 Contributions plans

The name of each contributions plan applying to the land

Rockdale Section 94 Contributions Plan 2004

Rockdale Section 94A Development Contributions Plan 2008

Note: *Rockdale Section 94 Contributions Plan (Amendment No 4)* and *Rockdale Section 94 Contributions Plan 1998* will continue to apply to all development applications and applications for complying development certificates made prior to 1 June 2004.

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.

The land is not so affected.

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 Director-General of the Department of Environment, Climate Change and Water).

The land is not affected by such an agreement.

11 Bush fire prone land

If any of the land is bush fire 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 bush fire prone land.

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 land is not land to which a property vegetation plan applies.

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 the council has been notified of the order).

The land is not subject to such an order.

14 Directions under Part 3A

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

The land is not subject to any such directions.

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 of Planning, 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.

The land is not subject to any such certificate.

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, the statement is to include:

- (a) the period for which the certificate is valid, and
- (b) that a copy may be obtained from the head office of the Department of Planning.

The land is not subject to any such certificate.

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 of Planning.

- (2) A statement setting out 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.

The land is not subject to any such statement.

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.
- (2) The date of any subdivision order that applies to the land.
- (3) Words and expressions used in this clause have the same meaning as they have in Part 16C of this Regulation.

The land is not so affected.

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 Director-General'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 certificate ceases to be current (if any), and

- (c) that a copy may be obtained from the head office of the Department of Planning and Infrastructure.

The land is not subject to any such certificate.

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,
- (b) that the land to which the certificate relates is 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,
- (c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act—if it is the subject of such an approved proposal at the date when the certificate is issued,
- (d) that the land to 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,
- (e) that the land to which the certificate relates is the 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.

The land is not so affected.

Note Section 26 of the *Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009* provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of that Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

The land is not so affected.

[End of information under section 149 (2)]

ADVICE UNDER SECTION 149 (5)

Note: The Council is under no obligation to furnish any of the information supplied below. Equally, it may be that not every relevant matter relating to the land is provided below. The Council draws your attention to section 149 (6) which states that a council shall not incur any liability in respect of any advice provided in good faith under section 149 (5).

Further to your application for information under section 149 (5), the Council has resolved to supply answers to the following questions:

A Details of any resolution of the Council to alter the zoning of the land or to alter the provisions of an environmental planning instrument applying to the land, where such an alteration has not yet been placed on exhibition under section 57 of the Act

No Planning Proposal or draft environmental planning instrument applies to the land that has not yet been placed on public exhibition.

B Details of any provision in a local environmental plan or deemed environmental planning instrument applying to the land that

- (i) Permits any development or class of development without the need for development consent, or
- (ii) Requires development consent for any development or class of development, or
- (iii) Restricts or prohibits any development or class of development,

other than such a provision referred to in Question 2 (a) to (d) of the certificate under section 149 (2):

The Schedule at the end of this certificate identifies any such provisions that may apply to the land.

C Whether or not the Council has information that would indicate that the land is subject to the risk of flooding or tidal inundation for a 1% annual exceedance probability (AEP) (1 in 100 Year) event

The Council is aware of various information that suggests the land may be affected by the 1% AEP flood. The Council is unaware of the accuracy of this information, although further enquiries may be made with the Council's City Services Department in relation to this.

Note: Refer to Question 7A of the preceding certificate under section 149 (2) to ascertain whether or not development on the land may be subject to flood related development controls.

D Whether or not the Council has information that would indicate that the land is subject to slip or subsidence

The Council is not aware of any investigations that have been carried out.

E Details of any tree preservation order applying to the land

Rockdale Local Environmental Plan 2011 requires development consent to ringbark, cut down, top, lop, remove, injure, or wilfully destroy any tree covered by clause 5.9 [except for those activities referred to in subclauses (5), (6) and (8)].

F Whether or not the land is in the vicinity of a heritage item or heritage conservation area identified in an environmental planning instrument or a proposed heritage item or proposed heritage conservation area identified in a draft local environmental plan

The land is not in the vicinity of a heritage item or heritage conservation area identified in an environmental planning instrument or a proposed heritage item or proposed heritage conservation area identified in a draft local environmental plan.

G Whether or not a planning agreement entered into under Subdivision 2 of Division 6 of Part 4 of the Environmental Planning and Assessment Act 1979 currently applies to the land (but only if, where the Council is not a party to the agreement, information about the agreement has been provided to the Council)

No planning agreement currently applies to the land.

H Details of the Annual Noise Exposure Forecast (ANEF) applying to the land

The property is between the 20 and 25 ANEF (2033) contours.

Note: The ANEF level may restrict the development of the land due to the risk of exposure to aircraft noise.

[End of advice under Section 149 (5)]

SCHEDULE

Details of any provision in a local environmental plan or deemed environmental planning instrument applying to the land that permit without development consent, require development consent for, or restrict or prohibit, certain development or classes of development

Active street frontages – Clause 6.11 of Rockdale Local Environmental Plan 2011 requires the provision of business or retail premises on the ground floor of land identified in the Active Street Frontages Map.

Additional permitted uses for particular land - Clause 2.5 of Rockdale Local Environmental Plan 2011 allows development to be carried out, with development consent, for certain additional purposes on certain land within the City, as detailed in Schedule 1.

Airspace operations – Clause 6.4 of Rockdale Local Environmental Plan 2011 requires Council to consult with the relevant Commonwealth body on any development application that may penetrate the Obstacle Limitation Surface.

Architectural roof features – Clause 5.6 of Rockdale Local Environmental Plan 2011 permits variation to the maximum building height standards for roof features of visual interest.

Bush fire hazard reduction – Clause 5.11 of Rockdale Local Environmental Plan 2011 permits bush fire hazard reduction work authorised by the Rural Fires Act 1997 on any land without development consent.

Controls relating to miscellaneous permissible uses – Clause 5.4 of Rockdale Local Environmental Plan 2011 provides development controls for the following development types: Bed and breakfast accommodation; Home businesses; Home industries; Industrial retail outlets; Farm stay accommodation; Kiosks; Neighbourhood shops; Roadside stalls and Secondary dwellings.

Conversion of fire alarms – Clause 5.8 of Rockdale Local Environmental Plan 2011 requires development consent for the conversion of a fire alarm system that can be monitored by Fire and Rescue NSW or by a private service provider.

Demolition requires development consent – Clause 2.7 of Rockdale Local Environmental Plan 2011 requires development consent for demolition, except if it is identified as exempt development in the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Development below the mean high water mark – Clause 5.7 of Rockdale Local Environmental Plan 2011 requires development consent to carry out any development on land below the mean high water mark.

Development in areas subject to aircraft noise - Clause 6.4 of Rockdale Local Environmental Plan 2011 requires Council to consider the aircraft noise impacts on proposed development. See Question H of this certificate for the actual aircraft noise affectation of the land.

Development on flood prone land - Clause 6.6 of Rockdale Local Environmental Plan 2011 requires development consent for the erection of buildings or the carrying out of work for any purpose on land identified on the 'Flood Planning Area' map. Further information on whether this land may be subject to the risk of flooding is provided in Question C of the "Advice under Section 149 (5)".

Development on land intended to be acquired for public purposes – Clause 5.1A of Rockdale Local Environmental Plan 2011 specifies the permissible land uses for land that is identified for acquisition on the 'Land Acquisition Reservation Map'.

Earthworks - Clause 6.2 of Rockdale Local Environmental Plan 2011 requires development consent for excavating or filling the land to which this Certificate applies, except for excavating and filling referred to in subclause (2).

Exempt and complying development – Clause 3.1, 3.2 and Schedules 2 and 3 of Rockdale Local Environmental Plan 2011 identify the types of development that are "exempt development" and "complying development" (within the meaning of the Act).

Floor space ratio – Clause 4.4 (and supporting maps) of Rockdale Local Environmental Plan 2011 applies maximum allowable floor space ratio standards to all land within the City.

Foreshore building line – Clause 6.5 of Rockdale Local Environmental Plan 2011 applies a foreshore building line to certain land within Zone IN2 Light Industry in Henderson Street, Turrella, which generally prohibits the erection of a building or the carrying out of a work between the foreshore building line and Wolli Creek.

Height of buildings – Clause 4.3 (and supporting maps) of Rockdale Local Environmental Plan 2011 applies maximum allowable height of building standards to all land within the City.

Heritage items, heritage conservation areas and relics - Clause 5.10 of Rockdale Local Environmental Plan 2011 requires development consent for certain activities relating to heritage items, heritage conservation areas and relics. If this land is within a heritage conservation area or contains a heritage item it will be indicated in Question 2 (g) or (h), respectively, of this certificate.

Infrastructure development and use of existing buildings of the Crown – Clause 5.12 of Rockdale Local Environmental Plan 2011 does not restrict or prohibit, or enable the restriction or prohibition of, the carrying out of any development, by or on behalf of a public authority, that is permitted to be carried out with or without development consent, or that is exempt development, under State Environmental Planning Policy (Infrastructure) 2007.

Minimum subdivision lot size – Clause 4.1 of Rockdale Local Environmental Plan 2011 sets minimum subdivision lot size for any land shown on the Lot Size Map.

Outdoor advertising – Schedule 2 of Rockdale Local Environmental Plan 2011 allows certain advertisements as exempt development.

Sex services premises - Clause 6.13 of Rockdale Local Environmental Plan 2011 provides locational and amenity assessment criteria for the various types of sex services premises, which includes brothels.

Subdivision - Clause 2.6 of Rockdale Local Environmental Plan 2011 requires development consent for the subdivision of land.

Temporary use of land - Clause 2.8 of Rockdale Local Environmental Plan 2011 allows the use of any land or building for any temporary purpose, with development consent, subject to the considerations identified in that clause.

Trees or vegetation not prescribed by development control plan – Clause 5.9A of Rockdale Local Environmental Plan 2011 permits the ringbarking, cutting down, topping, lopping, removal, injuring or destruction of any tree or other vegetation for any tree or other vegetation that is not of a species or kind prescribed for the purposes of clause 5.9 by a development control plan made by the Council.

Unzoned land – Clause 2.4 of Rockdale Local Environmental Plan 2011 allows development to be carried out on unzoned land, but only with consent.

[End of Schedule]

IMPORTANT NOTICE TO PURCHASERS

ALTERATIONS AND ADDITIONS TO BUILDINGS

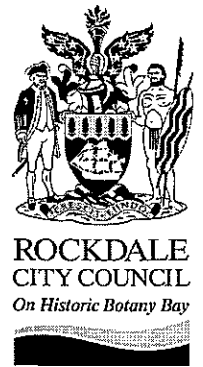
Purchasers are reminded that it is necessary to obtain development consent from the Council prior to carrying out any building alterations or additions, including brick reskinning, replacing windows or internal alterations, or for the demolition of any building, unless the proposed work is specifically exempted by *Rockdale Local Environmental Plan 2011* or *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. All other building work does require the Council's approval.

Should you require any information or advice for any building work that you propose to undertake please contact the Council's Customer Service Centre on 9562 1666.

14 May 2015

Our Ref Certificate No. 41277
Contact Customer Service 9562 1666

Foster & Foster Pty Ltd
DX 208
SYDNEY



Dear Sir/Madam

Following is your planning certificate issued under section 149 (2) and (5) of the Environmental Planning and Assessment Act 1979.

Should you have any enquiries, please contact the Council's Customer Service Centre on 9562 1666.

149 PLANNING CERTIFICATE

(under section 149 of the Environmental Planning and Assessment Act 1979)

ISSUED TO

Foster & Foster Pty Ltd
DX 208
SYDNEY

Council City of Rockdale
County Cumberland
Parish St George

Fee 273.00
Receipt No 513116551431
Receipt Date 11 May 2015
Your Ref

PROPERTY: KOGARAH GOLF CLUB 19A MARSH STREET, ARNCLIFFE NSW 2205

Lot 11 DP 570900

CT

Assessment No 18367

Date 14 May 2015

For
Meredith Wallace
General Manager

2 Bryant Street Rockdale NSW 2216 Australia
PO Box 21 Rockdale NSW 2216 Australia
Tel 02 9562 1666 Fax 02 9562 1777 Email rcc@rockdale.nsw.gov.au
DX 25308 Rockdale www.rockdale.nsw.gov.au

ABN 66 139 730 052

Important

This document contains important information about Rockdale City Council. If you do not understand, please visit Council's Customer Service Centre at 2 Bryant Street Rockdale, Monday – Friday from 8.30am – 4.30pm, Saturday from 9am – 1pm. Council Staff will be happy to arrange interpreter services for you.

You may also contact Telephone Interpreter Services on 131 450 and ask them to ring Rockdale City Council on 9562 1666 on your behalf.

Arabic

مهم:

تحتوي هذه الوثيقة على معلومات هامة عن بلدية روكديل. إذا لم تكن قادراً على فهمها، يرجى زيارة مركز خدمة زبائن البلدية على العنوان التالي: 2 Bryant Street في روكديل من الاثنين إلى الجمعة بين الساعة 8.30 صباحاً و 4.30 مساءً والسبت بين الساعة 9.00 صباحاً و 1.00 مساءً. الموظفون سيقومون بترجمة الوثيقة بتأمين مترجم لغة بكل سرور. كما يمكنك الاتصال بخدمة الترجمة الهاتفية على الرقم 131 450 والطلب مشورم الاتصال بلدية روكديل على الرقم 9562 1666 نيابة عنك.

Chinese

重要消息

本文件載有關於 Rockdale 市政府的重要資訊，如果您有不明白之處，請於星期一至星期五，上午 8 時 30 分至下午 4 時 30 分，及星期六上午 9 時至下午 1 時，前來位於 2 Bryant Street, Rockdale，市政府的顧客服務中心。市政府的職員會很樂意為您安排傳譯員的服務。

您也可以聯絡電話傳譯服務處，電話 131 450，並請他們代您致電 9562 1666 給 Rockdale 市政府。

Greek

Σημαντικό:

Αυτό το έγγραφο περιέχει σημαντικές πληροφορίες για τη Δημαρχία Rockdale City Council. Αν δεν τις καταλαβαίνετε, παρακαλείσθε να επισκεφτείτε το Κέντρο Εξυπηρέτησης Πελάτων (Customer Service Centre) του Δήμου στο 2 Bryant Street, Rockdale, Δευτέρα - Παρασκευή από 8.30πμ - 4.30πμ και Σάββατο από 9.00πμ - 1.00πμ. Το Προσωπικό του Δήμου θα χαρεί να κανονίσει υπηρεσίες διερμηνέων για σας.

Μπορείτε επίσης να επικοινωνήσετε με τις Τηλεφωνικές Υπηρεσίες Διερμηνέων (Telephone Interpreter Services) στο 131 450 και να τους ζητήσετε να τηλεφωνήσουν στο Rockdale City Council στο 9562 1666 για λογαριασμό σας.

Italian

Importante:

Questo documento contiene importanti informazioni sul Comune di Rockdale City. Se avete difficoltà a comprenderne il contenuto, recatevi presso il Customer Service Centre del Comune a 2 Bryant Street, Rockdale dal lunedì al venerdì dalle ore 8.30 alle 16.30 e al sabato dalle 9.00 alle 13.00. Il personale del Comune sarà ben lieto di procurarvi un servizio interpreti.

Potete anche chiamare il Servizio telefonico interpreti (TIS) al numero 131 450 chiedendo che telefonino per vostro conto al Comune di Rockdale City al numero 9562 1666.

Macedonian

Важно:

Овој документ содржи важни информации за Rockdale City Council (Градската општина на Rockdale). Ако не го разбирате, ве молиме, посетете го општинскиот Customer Service Centre (Центар за услуги на клиенти), кој се наоѓа на 2 Bryant Street, Rockdale, од понеделник до петок, од 8.30 наутро до 4.30 попладне и во сабота од 9.00 наутро до 1.00 попладне. Вработените во општината со задоволство ќе ви организираат да користите преведувач.

Исти така, можете да телефонирате во Telephone Interpreter Services (Служба за преведување по телефон) на 131 450, и да ги замолисте во ваше име да се јават во Градската општина на Rockdale на 9562 1666.

Spanish

Importante:

Este documento contiene información importante sobre el Rockdale City Council (Municipio de Rockdale). Si no la entiende, le rogamos concurrir al Centro de Servicio al Cliente del Municipio, ubicado en 2 Bryant Street, Rockdale, atención de lunes a viernes, de 8:30 am a 4:30 pm y el sábado de 9:00 am a 1:00 pm. El personal del municipio se complacerá en obtener los servicios de un intérprete para usted.

Puede asimismo llamar al Servicio Telefónico de Intérpretes al 131 450 y pedirles que llamen de su parte al Rockdale City Council, teléfono 9562 1666.

Caring for the Environment -- In the interest of protecting and preserving our environment, Rockdale City Council uses Nordset paper for all of its pre-printed paper requirements. Nordset has been awarded the Nordic Swan label for environmentally friendly pulp and paper manufacturing. It is manufactured with fibre obtained from sustainable plantation forest, it is oxygen bleached, Totally Chlorine Free (TCF), dioxin and acid free. Nordset can be recycled and is biodegradable.

- Notes:**
- (1) Where this certificate refers to a specific allotment (or allotments) within a strata plan the certificate is issued for the whole of the land within the strata plan, not just the specific allotment or allotments referred to, and any information contained in the certificate may relate to the whole or any part of the strata plan.
 - (2) The *Environmental Planning and Assessment Amendment Act 1997* commenced operation on 1 July 1998. As a consequence of this Act the information contained in this certificate needs to be read in conjunction with the provisions of the:
 - * *Environmental Planning and Assessment (Amendment) Regulation 1998*,
 - * *Environmental Planning and Assessment (Further Amendment) Regulation 1998* and
 - * *Environmental Planning and Assessment (Savings and Transitional) Regulation 1998*.
 - * *Environmental Planning and Assessment Regulation 2000*

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.

State Environmental Planning Policy No 19	Bushland in Urban Areas
State Environmental Planning Policy No 21	Caravan Parks
State Environmental Planning Policy No 30	Intensive Agriculture
State Environmental Planning Policy No 32	Urban Consolidation (Redevelopment of Urban Land) (Does not apply to land referred to in Schedule 1 to the Policy)
State Environmental Planning Policy No 33	Hazardous and Offensive Development
State Environmental Planning Policy No 50	Canal Estates Development
State Environmental Planning Policy No 55	Remediation of Land
State Environmental Planning Policy No 62	Sustainable Aquaculture
State Environmental Planning Policy No 64	Advertising and Signage
State Environmental Planning Policy No 65	Design Quality of Residential Flat Development
State Environmental Planning Policy No 70	Affordable Housing (Revised Schemes)
State Environmental Planning Policy	(Affordable Rental Housing) 2009
State Environmental Planning Policy	(Building Sustainability Index: BASIX) 2004
State Environmental Planning Policy	(Exempt and Complying Development Codes) 2008
State Environmental Planning Policy	(Housing for Seniors and People with a Disability) 2004 (Only applies to land referred to in clause 4 (1) of the Policy and does not apply to land referred to in clause 4 (2) of the Policy) and including Amendment No 2.
State Environmental Planning Policy	(Infrastructure) 2007
State Environmental Planning Policy	(Major Development) 2005
State Environmental Planning Policy	(Mining, Petroleum Production and Extractive Industries) 2007
State Environmental Planning Policy	(State and Regional Development) 2011
State Environmental Planning Policy	(Miscellaneous Consent Provisions) 2007 (except Part 3)
Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment (only applies to land within the Georges River Catchment, being, in the Rockdale City Council area, certain land within the suburbs of Dolls Point, Ramsgate, Sandringham and Sans Souci)	

In addition, the following regional environmental plans or draft regional environmental plans apply specifically to the land:

Sydney Regional Environmental Plan No 33 – Cooks Cove

- (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 Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).**

State Environmental Planning Policy No 65— Design Quality of Residential Flat Development (Amendment No 3)

No such Planning Proposal applies to the land.

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

No development control plan applies to the land.

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

2 Zoning and land use under relevant local environmental plans

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

- 2(a) **the identity of the zone, whether by reference to a name or by reference to a number,**
- 2(b) **the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent,**
- 2(c) **the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,**
- 2(d) **the purposes for which the instrument provides that development is prohibited within the zone:**

The following zone or zones apply under the local environmental plan or deemed environmental planning instrument referred to in question 1 (1):

Open Space Zone

1 Objectives

The objectives of this zone are:

- (a) to provide for active sporting and recreational land uses and club facilities, and
- (b) to provide public access along the Cooks River and Muddy Creek foreshores, and

- (c) to protect significant wetland areas within the Cooks Cove site and along the Cooks River foreshores, and
- (d) to provide for facilities that are ancillary to the recreational use of public open space, and
- (e) to provide vegetated riparian areas to enhance biological connectivity along the Cooks River and Muddy Creek foreshores,
- (f) to protect and enhance the habitat of the Green and Golden Bell Frog established within Cooks Cove.

2 Development that is allowed

Exempt development and development for the purpose of the following may be carried out **without development consent**:

aids to navigation; gardening; landscape maintenance works (including tree planting, repaving and replacement of street furniture); other maintenance works; public utility undertakings.

Development for the purpose of the following and subdivision of land may be carried out only **with development consent**:

artworks; boat landing and hire facilities; boat ramps and berths; car parks; clubs; community facilities; drainage; identifying or interpretive signage ancillary to another use allowed on the site; kiosks; landscaping (except landscape maintenance works); outdoor eating areas (if linked to kiosks within the zone or restaurants in adjoining zones); recreation areas; recreation facilities; remediation of land; roads; other land uses incidental or ancillary to the land uses lawfully carried out within the zone at the commencement of this plan.

3 Prohibited development

Any development not listed in item 2.

Special Uses Zone

1 Objectives

The objectives of this zone are:

- (a) to accommodate existing special uses, including the South West Sydney Ocean Outfall Sewer and M5 corridor, and
- (b) to provide for the development of a transport corridor by the Roads and Traffic Authority or for other public transport infrastructure.

2 Development that is allowed

Exempt development and development for the purpose of the following may be carried out **without development consent**:

aids to navigation; public utility undertakings.

Development for the purpose of the following and subdivision of land may be carried out only **with development consent**:

drainage; public transport infrastructure; recreation areas; remediation of land; roads.

3 Prohibited development

Any development not listed in item 2.

Trade and Technology Zone

1 Objectives

The objectives of this zone are:

- (a) to encourage economic activity and trade-focussed businesses that benefit directly from, or benefit from a synergy due to, the physical proximity of land within the zone to Sydney Airport and Port Botany, and the excellent transport network links to Sydney's CBD and the Advanced Technology Park at Eveleigh, and
- (b) to promote the establishment of enterprises that create advanced technology or that manufacture products that utilise advanced technology, and
- (c) to promote export and other trade-related enterprises that are associated with trade logistics and distribution, just-in-time supply, the movement of perishables, time-sensitive goods processing, and the management of air and sea commerce, and
- (d) to provide facilities for the workforce by allowing a limited range of ancillary, retail and recreational uses that are ancillary and provide support to the dominant functions within the zone.

2 Development that is allowed

Exempt development and development for the purpose of the following may be carried out **without development consent**:

landscape maintenance works (including tree planting, repaving and replacement of street furniture); public utility undertakings.

Development for the purpose of the following and subdivision of land may be carried out only **with development consent**:

advanced technology businesses; aids to navigation; car parks and car parking stations (if their only use is ordinarily incidental to other uses allowed within the zone); child care centres; clubs; commercial support premises; community facilities; drainage; educational establishments; hotels; light industries; medical centres; motels; offices ancillary to trade-related enterprises; open space; passenger transport terminals; public transport infrastructure (not including car parks or car parking stations); recreation areas; recreation facilities; remediation of land; restaurants; roads; service stations; serviced apartments; shops; tourist facilities; trade-related enterprises; vehicle rental centres; warehouses.

3 Prohibited development

Any development not listed in item 2.

- 2(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**

No environmental planning instrument applies to the land that fixes minimum land

dimensions for the erection of a dwelling.

Note:

- (1) Whether or not such a requirement applies to the land under any local environmental plan, deemed environmental planning instrument or draft local environmental plan, the Council does set minimum dimensions and areas for new residential allotments in **Section 4.1.9 of Rockdale Development Control Plan 2011**.
- (2) The above information does not imply that the erection of a dwelling-house 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.

2(f) whether the land includes or comprises critical habitat

The land does not include or comprise critical habitat.

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

The land is not in a conservation area.

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

There is no such item situated on the land.

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).

Not applicable.

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) 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) 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.

General Housing Code
Rural Housing Code

Complying development **may not** be carried out on the land in accordance with the above codes for the following reason/s:

- part of the land is located in the 25 ANEF (Annual Noise Exposure Forecast) contour. However, this restriction does not apply to the erection of ancillary development, the alteration of or an addition to ancillary development or the alteration of a dwelling.
- All or part of the land is within a Special Uses Zone under *Sydney Regional Environmental Plan No 33 - Cooks Cove*. Land within this zone is subject to acquisition under clause 24 of this plan.

Commercial and Industrial (New Buildings and Additions) Code

Complying development **may not** be carried out on the land in accordance with the above codes for the following reason/s:

- All or part of the land is within a Special Uses Zone under *Sydney Regional Environmental Plan No 33 - Cooks Cove*. Land within this zone is subject to acquisition under clause 24 of this plan.

Housing Alterations Code
General Commercial and Industrial Code
Subdivisions Code
General Development Code
Demolition Code
Commercial and Industrial Alterations Code
Fire Safety Code

Complying development **may** be carried out on the land in accordance with the above Codes.

Notes:

(1) If a reference is made to "part of the land", Complying Development **may** be carried out on the portion of the land not subject to such a restriction.

(2) This certificate only addresses matters raised in Clause 1.17 and Clause 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. It is your responsibility to ensure that you comply with any other general requirements of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

Note 3: The land may be subject to Council's *Contaminated Land Policy*. Consideration should be given to this Policy prior to carrying out any development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

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 Public Works

The land is not affected.

4A Certain information relating to beaches and coasts

- (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.

There is no such order affecting the land.

- (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.

Council has not been notified of any such works.

- (3) In relation to a coastal council—such information (if any) as is required by the regulations under section 56B of the *Coastal Protection Act 1979* to be included in the planning certificate and of which the council has been notified pursuant to those regulations.

There is no other information.

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).

The land is not so affected.

5 Mine subsidence

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

The land is not so proclaimed.

6 Road widening and road realignment

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

- (a) **Division 2 of Part 3 of the *Roads Act 1993*, or**
- (b) **Any environmental planning instrument, or**
- (c) **Any resolution of the council**

The land is not affected by any road widening or road realignment under Division 2 of Part 3 of the *Roads Act 1993*, any environmental planning instrument or 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, or**
- (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 land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding)

Contaminated Land Policy

The Council has adopted by resolution a policy on contaminated land that may restrict the development of the land. This policy is implemented when zoning or land use changes are proposed on lands that have previously been used for certain purposes. Consideration of the Council's adopted policy and the application of provisions under relevant State legislation is warranted.

Policy on Rezoning and Development of Land Affected by Aircraft Noise and Airport Related Height Controls

The Council resolved on 4 October 2006 to adopt a policy for assessing the appropriateness of rezoning and development in areas affected by aircraft noise and airport related height controls. This policy applies to all land within the City of Rockdale.

Other policies

The land is not affected by any other such policy that restricts the development of the land due to hazard risk.

7A Flood related development control 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.

The development of the land or part of the land for such a purpose may be 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.

The development of the land or part of the land for a purpose not referred to in Question 7A (1) may be subject to flood related development controls.

Note:

(1) 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.

(2) Council is not in a position to identify whether the information provided under Clause 7A relates to a current or future hazard as defined in Planning Circular PS 14-003.

Note: Further information relating to flooding is provided in the "Advice under Section 149 (5)" attached.

- (3) 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*.

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.

All or part of the land is within a Special Uses Zone under *Sydney Regional Environmental Plan No 33 - Cooks Cove*. Land within this zone is subject to acquisition under clause 24 of this plan.

9 Contributions plans

The name of each contributions plan applying to the land

No Section 94 Contributions Plan applies to the land.

Note: Rockdale Section 94 Contributions Plan (Amendment No 4) and Rockdale Section 94 Contributions Plan 1998 will continue to apply to all development applications and applications for complying development certificates made prior to 1 June 2004.

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.

The land is not so affected.

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 Director-General of the Department of Environment, Climate Change and Water).

The land is not affected by such an agreement.

11 Bush fire prone land

If any of the land is bush fire 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 bush fire prone land.

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 land is not land to which a property vegetation plan applies.

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 the council has been notified of the order).

The land is not subject to such an order.

14 Directions under Part 3A

If there is a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does

not have effect, a statement to that effect identifying the provision that does not have effect.

The land is not subject to any such directions.

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 of Planning, 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.

The land is not subject to any such certificate.

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, the statement is to include:

- (a) the period for which the certificate is valid, and
- (b) that a copy may be obtained from the head office of the Department of Planning.

The land is not subject to any such certificate.

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 of Planning.
- (2) A statement setting out 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.

The land is not subject to any such statement.

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.
- (2) The date of any subdivision order that applies to the land.
- (3) Words and expressions used in this clause have the same meaning as they have in Part 16C of this Regulation.

The land is not so affected.

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 Director-General'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 certificate ceases to be current (if any), and
- (c) that a copy may be obtained from the head office of the Department of Planning and Infrastructure.

The land is not subject to any such certificate.

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,
- (b) that the land to which the certificate relates is 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,
- (c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act—if it is the subject of such an approved proposal at the date when the certificate is issued,
- (d) that the land to 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,
- (e) that the land to which the certificate relates is the 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.

The land is not so affected.

Note Section 26 of the *Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009* provides that a planning certificate must include advice about any exemption under section 23 or authorisation under section 24 of that Act if the council is provided with a copy of the exemption or authorisation by the Co-ordinator General under that Act.

The land is not so affected.

[End of information under section 149 (2)]

ADVICE UNDER SECTION 149 (5)

Note: The Council is under no obligation to furnish any of the information supplied below. Equally, it may be that not every relevant matter relating to the land is provided below. The Council draws your attention to section 149 (6) which states that a council shall not incur any liability in respect of any advice provided in good faith under section 149 (5).

Further to your application for information under section 149 (5), the Council has resolved to supply answers to the following questions:

A Details of any resolution of the Council to alter the zoning of the land or to alter the provisions of an environmental planning instrument applying to the land, where such an alteration has not yet been placed on exhibition under section 57 of the Act

No Planning Proposal or draft environmental planning instrument applies to the land that has not yet been placed on public exhibition.

B Details of any provision in a local environmental plan or deemed environmental planning instrument applying to the land that

- (i) Permits any development or class of development without the need for development consent, or
- (ii) Requires development consent for any development or class of development, or
- (iii) Restricts or prohibits any development or class of development,

other than such a provision referred to in Question 2 (a) to (d) of the certificate under section 149 (2):

The Schedule at the end of this certificate identifies any such provisions that may apply to the land.

C Whether or not the Council has information that would indicate that the land is subject to the risk of flooding or tidal inundation for a 1% annual exceedance probability (AEP) (1 in 100 Year) event

The Council is aware of various information that suggests the land may be affected by the 1% AEP flood. The Council is unaware of the accuracy of this information, although further enquiries may be made with the Council's City Services Department in relation to this.

Note: Refer to Question 7A of the preceding certificate under section 149 (2) to ascertain whether or not development on the land may be subject to flood related development controls.

D Whether or not the Council has information that would indicate that the land is subject to slip or subsidence

The Council is not aware of any investigations that have been carried out.

E Details of any tree preservation order applying to the land

No tree preservation order applies to the land.

F Whether or not the land is in the vicinity of a heritage item or heritage conservation area identified in an environmental planning instrument or a proposed heritage item or proposed heritage conservation area identified in a draft local environmental plan

The land is not in the vicinity of a heritage item or heritage conservation area identified in an environmental planning instrument or a proposed heritage item or proposed heritage conservation area identified in a draft local environmental plan.

G Whether or not a planning agreement entered into under Subdivision 2 of Division 6 of Part 4 of the Environmental Planning and Assessment Act 1979 currently applies to the land (but only if, where the Council is not a party to the agreement, information about the agreement has been provided to the Council)

No planning agreement currently applies to the land.

H Details of the Annual Noise Exposure Forecast (ANEF) applying to the land

The property is on the 25 ANEF (2033) contour.

Note: The ANEF level may restrict the development of the land due to the risk of exposure to aircraft noise.

[End of advice under Section 149 (5)]

SCHEDULE

Details of any provision in a local environmental plan or deemed environmental planning instrument applying to the land that permit without development consent, require development consent for, or restrict or prohibit, certain development or classes of development

No local environmental plan or deemed environmental planning instrument applies to the land.

[End of Schedule]

IMPORTANT NOTICE TO PURCHASERS

ALTERATIONS AND ADDITIONS TO BUILDINGS

Purchasers are reminded that it is necessary to obtain development consent from the Council prior to carrying out any building alterations or additions, including brick reskinning, replacing windows or internal alterations, or for the demolition of any building, unless the proposed work is specifically exempted by *Rockdale Local Environmental Plan 2011* or *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. All other building work does require the Council's approval.

Should you require any information or advice for any building work that you propose to undertake please contact the Council's Customer Service Centre on 9562 1666.

Foster & Foster Pty Limited

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GPO Box 980 Sydney 2001

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Jacqui Dunford
AECOM Australia Pty Ltd
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QVB Post Office
Sydney NSW 1230

CERTIFICATE STATUS

Our Reference **F77421**

Status as at **11/05/2015**

All certificates delivered

Your Ref **60327128_1.01**
Your Client **Allan J Heasma**
Property **455 Princes Highway, Sydenham**
LGA and Title **MARRICKVILLE, Lot 12 DP843296**

Certificates Enclosed ** Council Sect 149 (2)
Section 149 (5) add.info

** Please check that enclosed certificates contain correct details including title(s) and property description.

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Date: 08/05/2015

APPLICANT

FOSTER & FOSTER PTY LTD
DX 208 SYDNEY

PROPERTY

455-463 Princes Highway
SYDENHAM NSW 2044
Lot 12 DP 843296

PROPERTY NO.

31654

REFERENCE

F77421

In accordance with the requirements of section 149 of the Environmental Planning and Assessment Act 1979, the following prescribed matters relate to the land at the date of this certificate.

ITEM 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.

1. The following environmental planning instruments apply to the land:

- Marrickville Local Environmental Plan 2011
- S.E.P.P. No. 19 Bushland in Urban Areas
- S.E.P.P. No. 21 Caravan Parks
- S.E.P.P. No. 30 Intensive Agricultures
- S.E.P.P. No. 32 Urban Consolidation (Redevelopment of Urban Land)
- S.E.P.P. No. 33 Hazardous and Offensive Development
- S.E.P.P. No. 50 Canal Estates
- S.E.P.P. No. 53 Transitional Provisions
- S.E.P.P. No. 55 Remediation of Land
- S.E.P.P. No. 62 Sustainable Aquaculture
- S.E.P.P. No. 64 Advertising and Signage
- S.E.P.P. No. 65 Design Quality of Residential Flat Development
- S.E.P.P. (Housing for Seniors or People with a Disability) 2004
- S.E.P.P. (Building Sustainability Index: BASIX) 2004
- S.E.P.P. (Major Development) 2005

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- S.E.P.P. (Mining, Petroleum Production and Extractive Industries) 2007
- S.E.P.P. (Miscellaneous Consent Provisions) 2007
- S.E.P.P. (Infrastructure) 2007
- S.E.P.P. (Exempt and Complying Development Codes) 2008
- S.E.P.P. (Affordable Rental Housing) 2009

Any enquiries regarding these State Planning Policies should be directed to the Department of Planning on: 1300 305 695 or 02 9228 6333. Information can also be obtained from the Department's website at <http://www.planning.nsw.gov.au>

- (1) 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 Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

2. The following proposed environmental planning instruments apply to the land:

- Draft Marrickville Local Environmental Plan 2011 Amendment No. 2

Any enquiries regarding Draft Marrickville Local Environmental Plan 2011 Amendment No.2 should be directed to Marrickville Council on (02) 9335 2222.

- (2) The name of each development control plan that applies to the carrying out of development on the land.

3. The following development controls plan (D.C.P) apply to the land:

- Marrickville Development Control Plan 2011

ITEM 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,

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- (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,
- (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,
- (f) whether the land includes or comprises critical habitat,
- (g) whether the land is in a conservation area (however described),
- (h) whether an item of environmental heritage (however described) is situated on the land.

* Note: The relevant current environmental planning instrument is Marrickville Local Environmental Plan 2011

** Note: The relevant proposed environmental planning instrument is Draft Marrickville Local Environmental Plan 2011 Amendment No. 2

Item 2 (a), (b), (c) & (d) – Zoning and Land use table

CURRENT ENVIRONMENTAL PLANNING INSTRUMENT:

MARRICKVILLE LOCAL ENVIRONMENTAL PLAN 2011

IN2 - Light Industrial

1 Objectives of zone

- To provide a wide range of light industrial, warehouse and related land uses.
- To encourage employment opportunities and to support the viability of centres.
- To minimise any adverse effect of industry on other land uses.
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.
- To support and protect industrial land for industrial uses.
- To provide business and office premises for the purposes of certain art, technology, production and design sectors.
- To enable a purpose-built dwelling house to be used in certain circumstances as a dwelling house.

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2 Permitted without consent

Home occupations

3 Permitted with consent

Depots; Dwelling houses; Garden centres; Hardware and building supplies; Hospitals; Industrial training facilities; Intensive plant agriculture; Kiosks; Landscaping material supplies; Light industries; Markets; Neighbourhood shops; Plant nurseries; Roads; Sewage reticulation systems; Take away food and drink premises; Vehicle sales or hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Eco-tourist facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Health services facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industries; Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Passenger transport facilities; Port facilities; Public administration buildings; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Residential accommodation; Restricted premises; Retail premises; Rural industries; Sewerage systems; Tourist and visitor accommodation; Vehicle body repair workshops; Waste or resource management facilities; Water recreation structures; Water supply systems; Wholesale supplies

PROPOSED ENVIRONMENTAL PLANNING INSTRUMENT:

DRAFT MARRICKVILLE LOCAL ENVIRONMENTAL PLAN 2011 AMENDMENT No. 2

There are NO proposed changes to the current Marrickville Local Environmental Plan 2011 to this land(s) for this item.

Item 2 (e) – Minimum land dimensions

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CURRENT ENVIRONMENTAL PLANNING INSTRUMENT:

MARRICKVILLE LOCAL ENVIRONMENTAL PLAN 2011

There are NO minimum land dimensions for the erection of a dwelling house on the land. All applications for the erection of a dwelling house will be assessed in accordance with the Environmental Planning and Assessment Act, 1979.

PROPOSED ENVIRONMENTAL PLANNING INSTRUMENT:

**DRAFT MARRICKVILLE LOCAL ENVIRONMENTAL PLAN 2011 AMENDMENT
No. 2**

There are NO proposed changes to the current Marrickville Local Environmental Plan 2011 for this land(s) for this item.

Item 2 (f) – Critical habitat

CURRENT ENVIRONMENTAL PLANNING INSTRUMENT:

MARRICKVILLE LOCAL ENVIRONMENTAL PLAN 2011

The land DOES NOT include or comprise critical habitat.

PROPOSED ENVIRONMENTAL PLANNING INSTRUMENT:

**DRAFT MARRICKVILLE LOCAL ENVIRONMENTAL PLAN 2011 AMENDMENT
No. 2**

There are NO proposed changes to the current Marrickville Local Environmental Plan 2011 for this land(s) for this item.

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Item 2 (g) – Conservation Area

CURRENT ENVIRONMENTAL PLANNING INSTRUMENT:

MARRICKVILLE LOCAL ENVIRONMENTAL PLAN 2011

The land IS NOT within a heritage conservation area referred to in Schedule 5 of Marrickville Local Environmental Plan 2011

PROPOSED ENVIRONMENTAL PLANNING INSTRUMENT:

**DRAFT MARRICKVILLE LOCAL ENVIRONMENTAL PLAN 2011 AMENDMENT
No. 2**

There are NO proposed changes to the current Marrickville Local Environmental Plan 2011 to this land(s) for this item.

Item 2 (h) – Heritage Item

CURRENT ENVIRONMENTAL PLANNING INSTRUMENT:

MARRICKVILLE LOCAL ENVIRONMENTAL PLAN 2011

An item of environmental heritage IS NOT situated on the land under Marrickville Local Environmental Plan 2011

PROPOSED ENVIRONMENTAL PLANNING INSTRUMENT:

**DRAFT MARRICKVILLE LOCAL ENVIRONMENTAL PLAN 2011 AMENDMENT
No. 2**

There are NO proposed changes to the current Marrickville Local Environmental Plan 2011 to this land(s) for this item.

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ITEM 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 land IS NOT land to which State Environmental Planning Policy (Sydney Region Growth Centres) 2006 applies.

ITEM 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.

Please note: The following land-based affectations may affect only part of the land parcel: ANEF25+, Acid Sulfate Soils, Heritage Item (Local and State), Heritage Conservation Area, Heritage Interim Order, Foreshore Building Line and Land Reserved for Acquisition. Please check the planning maps to determine the extent of the affectation(s) to establish if Complying Development is allowed on part of the land parcel.

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General Housing Code

No. Complying Development under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 may not be carried out on this land.

The land is excluded land identified as being within ANEF 25 or higher, unless the development is for the erection of ancillary development

Commercial and Industrial (New Buildings and Additions) Code

Yes. Complying Development under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 may be carried out on this land subject to an assessment of compliance with the requirements of the SEPP.

Housing Alterations Code

Yes. Complying Development under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 may be carried out on this land subject to an assessment of compliance with the requirements of the SEPP.

General Development Code

Yes. Complying Development under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 may be carried out on this land subject to an assessment of compliance with the requirements of the SEPP.

Commercial and Industrial Alterations Code

Yes. Complying Development under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 may be carried out on this land subject to an assessment of compliance with the requirements of the SEPP.

Subdivisions Code

Yes. Complying Development under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 may be carried out on this land subject to an assessment of compliance with the requirements of the SEPP.

Demolitions Code

Yes. Complying Development under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 may be carried out on this land subject to an assessment of compliance with the requirements of the SEPP.

Fire Safety Code

Yes. Complying Development under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 may be carried out on this land subject to an assessment of compliance with the requirements of the SEPP.

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ITEM 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 Services, Technology and Administration.

No.

ITEM 4A

Certain information relating to beaches and coasts

(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.

NO order has been made under Part 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

Council HAS NOT been notified under Section 55X of the Coastal Protection Act 1979.

(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.

Not Applicable

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ITEM 4B

Annual charges under Local Government Act 1993 for coastal protection services that relate to the 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).

The land IS NOT subject to any annual charges under Section 496B of the Local Government Act 1993.

ITEM 5

Mine subsidence

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

No.

ITEM 6

Road widening and road realignment

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

- (a) Division 2 of Part 3 of the Roads Act 1993, or
- (b) any environmental planning instrument, or
- (c) any resolution of the council.

The land IS NOT affected by a road widening or road realignment under:

- (i) Part 3 Division 2 of the Roads Act 1993
- (ii) any environmental planning instrument; or
- (iii) any resolution of the Council

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ITEM 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, or
- (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 land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

- Council HAS adopted by resolution and in accordance with S.72 of the Environmental Planning & Assessment Act, 1979 a development control plan incorporating Council's policy on contaminated land. The Plan has been prepared substantially in accordance with State Environmental Planning Policy No. 55, and the Contaminated Land Planning Guidelines. This policy may affect development of land:

- (a) which is affected by contamination;
- (b) which has been used for certain purposes;
- (c) in respect of which there is not sufficient information about contamination;
- (d) which is proposed to be used for certain purposes;
- (e) in other circumstances contained in the development control plan and policy;

and in some cases may restrict the development of land.

- The land IS identified as being subject to acid sulfate soil risk under clause 6.2 of Marrickville Local Environmental Plan 2011. Development on land that is subject to acid sulphate soil risk requires development consent and the preparation of an acid sulphate soils management plan subject to a preliminary assessment of the proposed works prepared in accordance with the Acid Sulfate Soils Manual. Development consent is not required where the works involve the disturbance of less than 1 tonne of soil or are not likely to lower the watertable.
- Council HAS NOT by resolution (aside from the matters raised in the above item(s)) adopted a policy to restrict the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulfate soils or any other risk (other than flooding).
- Council HAS received no notification of the type described in item 7(b) from a public authority of a policy adopted by that authority that restricts the development of the land because of land slip, bushfire, tidal inundation, subsidence, acid sulfate soils or any other risk (other than flooding).

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ITEM 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.

CURRENT ENVIRONMENTAL PLANNING INSTRUMENT:

MARRICKVILLE LOCAL ENVIRONMENTAL PLAN 2011

No.

PROPOSED ENVIRONMENTAL PLANNING INSTRUMENT:

DRAFT MARRICKVILLE LOCAL ENVIRONMENTAL PLAN 2011 AMENDMENT No. 2

There are NO proposed changes to the current Marrickville Local Environmental Plan 2011 to this land(s) for this item.

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

CURRENT ENVIRONMENTAL PLANNING INSTRUMENT:

MARRICKVILLE LOCAL ENVIRONMENTAL PLAN 2011

No.

PROPOSED ENVIRONMENTAL PLANNING INSTRUMENT:

DRAFT MARRICKVILLE LOCAL ENVIRONMENTAL PLAN 2011 AMENDMENT No. 2

There are NO proposed changes to the current Marrickville Local Environmental Plan 2011 to this land(s) for this item.

PLANNING CERTIFICATE UNDER SECTION 149 OF THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979.

Cert. No: PC201500782

Page No: 13 of 19

- (3) Words and expressions in this clause have the same meaning as in the instrument set out in the Schedule to the Standard Instrument (Local Environmental Plan) Order 2006.

ITEM 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.

CURRENT ENVIRONMENTAL PLANNING INSTRUMENT:

MARRICKVILLE LOCAL ENVIRONMENTAL PLAN 2011

The land IS NOT reserved, in part or whole, for acquisition by a public authority, as referred to in section 27 of the Act, under:

- (i) any environmental planning instrument
- (ii) deemed environmental planning instrument; or
- (iii) draft environmental planning instrument

PROPOSED ENVIRONMENTAL PLANNING INSTRUMENT:

DRAFT MARRICKVILLE LOCAL ENVIRONMENTAL PLAN 2011 AMENDMENT No. 2

There are NO proposed changes to the current Marrickville Local Environmental Plan 2011 to this land(s) for this item.

ITEM 9

Contributions plans

The name of each contributions plan applying to the land.

- Marrickville Section 94/94A Contributions Plan 2004.
- Marrickville Section 94/94A Contributions Plan 2014.

PLANNING CERTIFICATE UNDER SECTION 149 OF THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979.

Cert. No: PC201500782

Page No: 14 of 19

ITEM 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.

The land IS NOT biodiversity certified land (within the meaning of Part 7AA of the Threatened Species Conservation Act 1995).

ITEM 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 Director-General of the Department of Environment, Climate Change and Water).

The land IS NOT land to which a biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995 relates.

ITEM 11

Bush fire prone land

If any of the land is bush fire 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 bush fire prone land.

ITEM 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).

No.

PLANNING CERTIFICATE UNDER SECTION 149 OF THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979.

Cert. No: PC201500782

Page No: 15 of 19

ITEM 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 the council has been notified of the order).

No.

ITEM 14

Directions under Part 3A

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

No.

ITEM 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 of Planning, 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.

Item 15(a)

There IS NOT a current site compatibility certificate (seniors housing) relating to the land

PLANNING CERTIFICATE UNDER SECTION 149 OF THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979.

Cert. No: PC201500782

Page No: 16 of 19

Item 15(b)

There ARE NO applicable 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

ITEM 16

Site compatibility certificate 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, the statement is to include:

- (a) the period for which the certificate is valid, and
- (b) that a copy may be obtained from the head office of the Department of Planning.

There IS NOT a current site compatibility certificate (infrastructure) relating to the land

ITEM 17

Site compatibility certificate and conditions affecting 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 of Planning.
- (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.

Item 17(1)

There IS NOT a current site compatibility certificate (affordable rental housing) relating to the land

Item 17(2)

There ARE NO applicable 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

**PLANNING CERTIFICATE UNDER SECTION 149 OF THE ENVIRONMENTAL PLANNING &
ASSESSMENT ACT, 1979.**

Cert. No: PC201500782

Page No: 17 of 19

ITEM 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.

Nil.

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

Not applicable.

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

Not Applicable.

ITEM 19

Site verification certificates

(1) A statement of whether there is a current site verification certificate, of which 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 Director-General'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 the *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*.

b) the date on which the certificate ceases to be current (if any), and

c) that a copy may be obtained from the head office of the Department of Planning and Infrastructure

Not applicable.

PLANNING CERTIFICATE UNDER SECTION 149 OF THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979.

Cert. No: PC201500782

Page No: 18 of 19

OTHER ITEMS (i)

Section 23 exemption or Section 24 authorisation

Whether an exemption under Section 23 or an authorisation under section 24 of the *Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009* No 1 has been issued by the Co-ordinator General in relation to the land.

An exemption under Section 23 or an authorisation under Section 24 of the Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009 No 1 HAS NOT been issued by the Co-ordinator General in relation to the land.

OTHER ITEMS (ii)

Matters arising under the Contaminated Land Management Act 1997

Section 59(2) of the *Contaminated Land Management Act 1997* prescribes the following additional matters that are 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,

No.

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

No.

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

No.

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

No.

**PLANNING CERTIFICATE UNDER SECTION 149 OF THE ENVIRONMENTAL PLANNING &
ASSESSMENT ACT, 1979.**

Cert. No: PC201500782

Page No: 19 of 19

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

No.

Information provided in this planning certificate is in accordance with the matters prescribed under Schedule 4 of the Environmental Planning and Assessment Regulation 2000.

Council draws your attention to Section 149 (6) which states that a Council shall not incur any liability in respect of any advice provided in good faith pursuant to subsection (5).

This is the end of the Certificate as prescribed under section 149(2) of the Environmental Planning and Assessment Act 1979.

Please contact the Planning Services Section for further information about any instruments or affectations referred to in the Certificate.



MARCUS ROWAN
MANAGER, PLANNING SERVICES

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Appendix F

Historical Certificates of Title

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ADVANCE LEGAL SEARCHERS PTY LTD

(ACN 147 943 842)
ABN 82 147 943 842

P.O. Box 149
Yagoona NSW 2199

Telephone: +612 9644 1679
Mobile: 0412 169 809
Facsimile: +612 8076 3026
Email: alsearch@optusnet.com.au

12th May, 2015

AECOM AUSTRALIA PTY LTD

PO Box Q410,
QVB PO,
SYDNEY, NSW 1230

Attention: Jacqui Dunford,

**RE: 27 – 31 Garema Circuit,
Kingsgrove
Project No. 60327128_1.01**

Current Search

Folio Identifier CP/SP37275 (title attached)
Strata Plan 37275 (plan attached)
Dated 08th May, 2015
Registered Proprietor:
THE OWNERS – STRATA PLAN No 37275

Title Tree
Lot CP SP 37275

Folio Identifier CP/SP 37275

Folio Identifier 1/626566

Certificate of Title Volume 14879 Folio 184

See Notes (a), (b) & (c)

(a)

(b)

(c)

CTVol 13852 Folio 222

CTVol 13852 Folio 223

CTVol 13852 Folio 224

Certificate of Title Volume 13446 Folio 219

Certificate of Title Volume 13346 Folio 25

Certificate of Title Volume 13051 Folio 183

Certificate of Title Volume 12328 Folio 55

Certificate of Title Volume 5180 Folio 172

PA 33923

Conveyance Book 1833 No 127

Conveyance Book 1217 No 38

Conveyance Book 1021 No 106

Summary of proprietor(s) Lot CP SP 37275

Year	Proprietor
	(Lot CP SP 37275)
1990 – todate	The Owners – Strata Plan 37275
	(Lot 1 DP 626566)
1988 – 1990	Burney Nominees Pty Limited
	(Lot 1 DP 626566 – CTVol 14879 Fol 184)
1982 – 1988	Burney Nominees Pty Limited
(1982 – 1988)	<i>(various leases shown on CTVol 14879 Fol 184)</i>

See Notes (a), (b) & (c)

Note (a)

	(Lot 23 DP 258888 – CTVol 13852 Fol 222)
1980 – 1982	Burney Nominees Pty Limited
1979 – 1980	Kalang Pty Limited
	(Lot 10 DP 255155 – CTVol 13446 Fol 219)
1977 – 1979	Kalang Pty Limited
	(Lot 2 DP 589623 – CTVol 13346 Fol 25)
1977 – 1977	Kalang Pty Limited
	(Lot 31 DP 251772 – CTVol 13051 Fol 183)
1976 – 1977	Kalang Pty Limited
	(Lot 2 DP 563998 – CTVol 12328 Fol 55)
1973 – 1976	Kalang Pty Limited
1973 – 1973	Speare's Brick & Pipe Works Pty Limited
	(Part Portion 104 Parish St George – Area 45 Acres 3 Roods 19 Perches – CTVol 5180 Fol 172)
1940 – 1973	Speare's Brick & Pipe Works Pty Limited
	(Part Portion 104 Parish St George – Area 45 Acres 3 Roods 19 Perches – Conv Bk 1833 No 127)
1938 – 1940	Speare's Brick & Pipe Works Pty Limited
	(Part Portion 104 Parish St George – Area 57 Acres – Conv Bk 1217 No 38)
1920 – 1938	The Council of the Municipality of Canterbury
	(Part Portion 104 Parish St George – Area 57 Acres – Conv Bk 1021 No 106)
1913 – 1920	B and R Fertilizers Limited

Note (b)

	(Lot 24 DP 258888 – CTVol 13852 Fol 223)
1980 – 2014	Burney Nominees Pty Limited
1979 – 1980	Kalang Pty Limited
	(Lot 10 DP 255155 – CTVol 13446 Fol 219)
1977 – 1979	Kalang Pty Limited
	(Lot 2 DP 589623 – CTVol 13346 Fol 25)
1977 – 1977	Kalang Pty Limited
	(Lot 31 DP 251772 – CTVol 13051 Fol 183)
1976 – 1977	Kalang Pty Limited
	(Lot 2 DP 563998 – CTVol 12328 Fol 55)
1973 – 1976	Kalang Pty Limited
1973 – 1973	Spear's Brick & Pipe Works Pty Limited
	(Part Portion 104 Parish St George – Area 45 Acres 3 Roods 19 Perches – CTVol 5180 Fol 172)
1940 – 1973	Speare's Brick & Pipe Works Pty Limited
	(Part Portion 104 Parish St George – Area 45 Acres 3 Roods 19 Perches – Conv Bk 1833 No 127)
1938 – 1940	Speare's Brick & Pipe Works Pty Limited
	(Part Portion 104 Parish St George – Area 57 Acres – Conv Bk 1217 No 38)
1920 – 1938	The Council of the Municipality of Canterbury
	(Part Portion 104 Parish St George – Area 57 Acres – Conv Bk 1021 No 106)
1913 – 1920	B and R Fertilizers Limited

Note (c)

	(Lot 25 DP 258888 – CTVol 13852 Fol 224)
1980 – 2014	Burney Nominees Pty Limited
1979 – 1980	Kalang Pty Limited
	(Lot 10 DP 255155 – CTVol 13446 Fol 219)
1977 – 1979	Kalang Pty Limited
	(Lot 2 DP 589623 – CTVol 13346 Fol 25)
1977 – 1977	Kalang Pty Limited
	(Lot 31 DP 251772 – CTVol 13051 Fol 183)
1976 – 1977	Kalang Pty Limited
	(Lot 2 DP 563998 – CTVol 12328 Fol 55)
1973 – 1976	Kalang Pty Limited
1973 – 1973	Spear's Brick & Pipe Works Pty Limited
	(Part Portion 104 Parish St George – Area 45 Acres 3 Roods 19 Perches – CTVol 5180 Fol 172)
1940 – 1973	Speare's Brick & Pipe Works Pty Limited
	(Part Portion 104 Parish St George – Area 45 Acres 3 Roods 19 Perches – Conv Bk 1833 No 127)
1938 – 1940	Speare's Brick & Pipe Works Pty Limited
	(Part Portion 104 Parish St George – Area 57 Acres – Conv Bk 1217 No 38)
1920 – 1938	The Council of the Municipality of Canterbury
	(Part Portion 104 Parish St George – Area 57 Acres – Conv Bk 1021 No 106)
1913 – 1920	B and R Fertilizers Limited

COUNCIL'S CERTIFICATE

The Council of the City of Canterbury, being of CANTEBURY, having considered the requirements of the Strata Title Act 1972 and the requirements of the Strata Title Regulations 1972, and being satisfied that the requirements of the Act and Regulations have been complied with, approves of the proposed

strata plan

as shown on the plan

as shown on the plan

Date 21 May 1985

Subdivision No. 8952

Signature of Council Clerk

Complete, or where applicable

SURVEYOR'S CERTIFICATE

1. WILLIAM LAWRENCE REIN
COLWELL LACROIX & REIN-104 BAHURST ST. SYDNEY
a surveyor registered under the Surveyors Act, 1929, hereby certify that:-

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

"I, the Surveyor, do hereby certify that the boundaries shown on the accompanying floor plan are correct in accordance with the requirements of the Surveyors Act, 1929, and the regulations made thereunder."

(5) the survey information provided by the accompanying location plan is accurate

Signature: *William Lawrence Rein*

Date: 19 May 1985

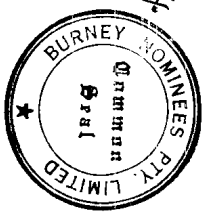
* Delete if inapplicable

* State whether dealing or plan, and quote registered number.

This is sheet 1 of my Plan in 2 sheets.

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

THE COMMON SEAL OF BUANEY NOMINEES PTY. LIMITED WAS HEREONTO AFFIXED BY THE AUTHORITY OF THE DIRECTORS IN THE PRESENCE OF



Secretary
Director

SIGNED FOR AND ON BEHALF OF
PARTNERSHIP PACIFIC LIMITED
by *Donald Ian Cook*
and GEOFFREY JAMES AUGHTON
its duly constituted Attorneys

Manager, Legal
Corporate Banking Division
C. D. A. H.

PLAN OF SUBDIVISION OF LOT 1 IN D.P. 626566



STRATA PLAN 37275

Mun./Shire : CANTERBURY Locality : KINGSGROVE

Parish : ST. GEORGE County : CUMBERLAND

Reduction Ratio 1: 500 Lengths are in metres

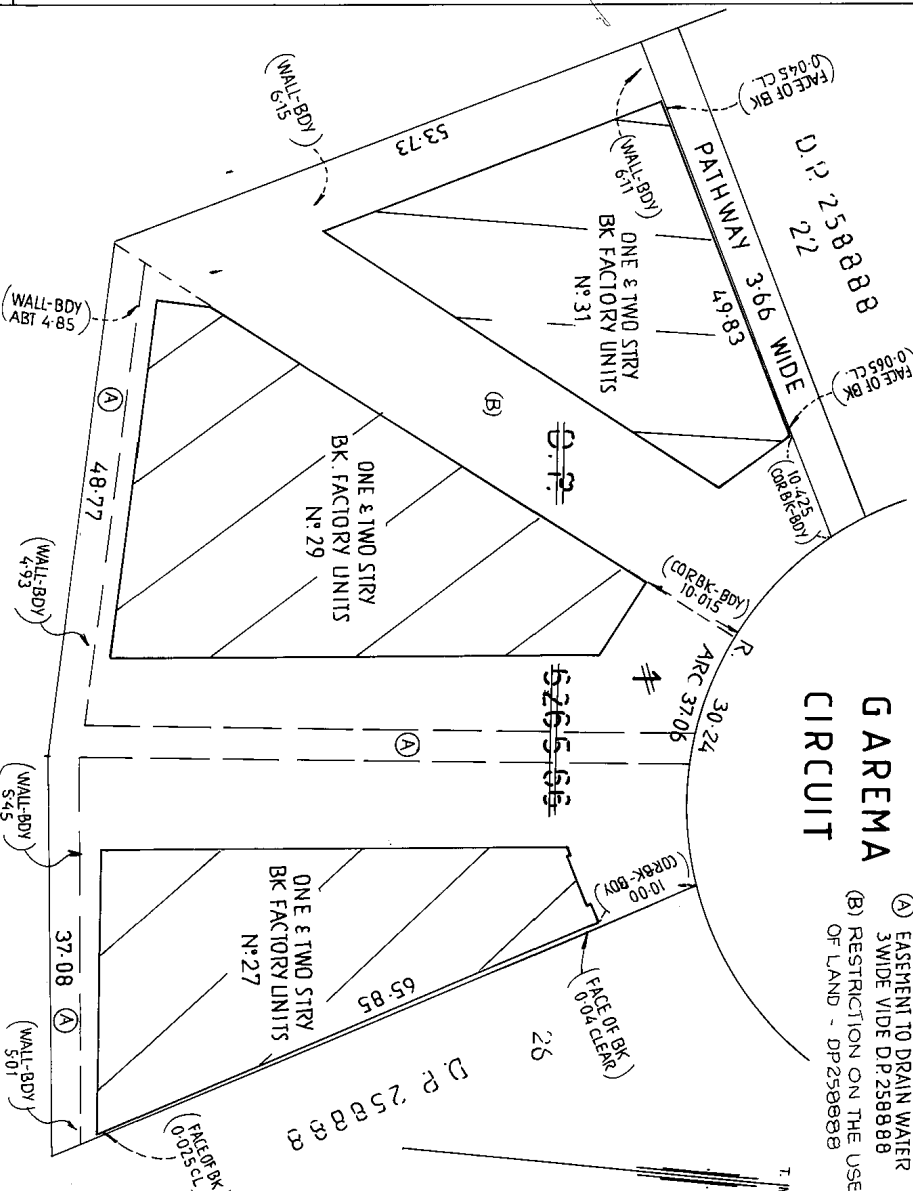


Registered: 7-8-1990
C.A.: N2 8952 OF 21-5-1985
Purpose: STRATA PLAN
Ref. Map: U 0037-34 #
Last Plan: DP 626566

Name of, and *address for service of notices on, the body corporate
*Address required on original strata plan only.
"THE PROPRIETORS" STRATA PLAN N2 37275
N2 27-31 GAREMA CIRCUIT, KINGSGROVE N.S.W 2208

GAREMA CIRCUIT

(A) EASEMENT TO DRAIN WATER 3 WIDE WIDE DP 258888
(B) RESTRICTION ON THE USE OF LAND - DP 258888



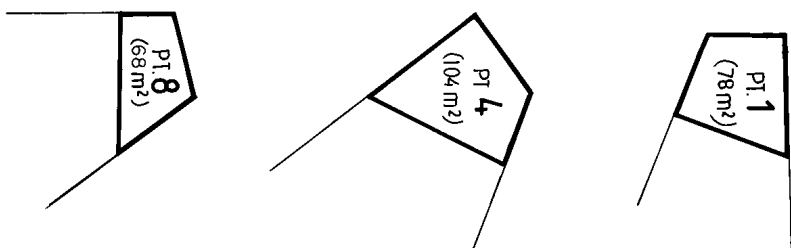
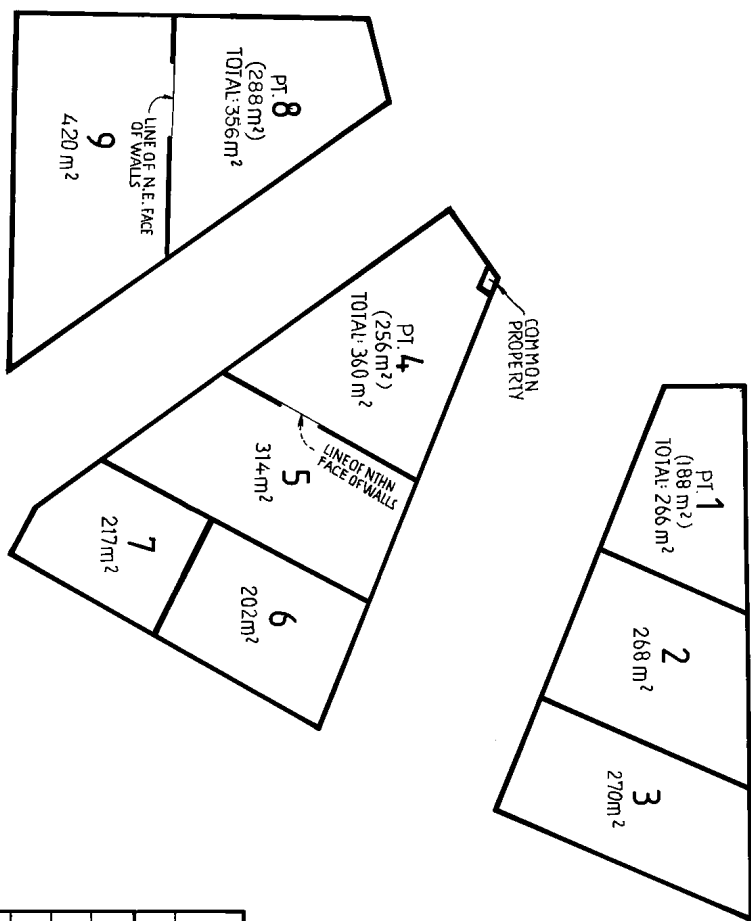
Plan Drawing only to appear in this space

SURVEYOR'S REFERENCE: G 260 / 1 / 8530

Plan Drawing only to appear in this space

Plan Drawing only to appear in this space

STRATA PLAN 37275

FIRST FLOORSGROUND FLOORS

AREAS ARE APPROXIMATE ONLY

SCHEDULE OF UNIT ENTITLEMENT	
LOT NO.	UNIT ENTITLEMENT
1	27
2	27
3	27
4	36
5	31
6	20
7	21
8	35
9	42
AGGREGATE	266

Reduction Ratio 1: 500

Lengths are in metres

Registered Surveyor

19.4.85

Council Clerk

ADVANCE LEGAL SEARCHERS PTY LTD

(ACN 147 943 842)
ABN 82 147 943 842

P.O. Box 149
Yagoona NSW 2199

Telephone: +612 9644 1679
Mobile: 0412 169 809
Facsimile: +612 8076 3026
Email: alsearch@optusnet.com.au

12th May, 2015

AECOM AUSTRALIA PTY LTD

PO Box Q410,
QVB PO,
SYDNEY, NSW 1230

Attention: Jacqui Dunford,

RE:

**32 Commercial Road,
Kingsgrove
Project No. 60327128_1.01**

Current Search

Folio Identifier 2/566805 (title attached)
DP 566805 (plan attached)
Dated 08th May, 2015
Registered Proprietor:
**MAREA DOROTHY REED
IAIN GEOFFREY REED**

Title Tree
Lot 2 DP 566805

Folio Identifier 2/566805

Certificate of Title Volume 12590 Folio 1

See Notes (a), (b), (c) & (d)

(a)

CTVol 9529 Folio 138

CTVol 6193 Folio 152

(ai)

CTVol 4436 Folio 99

CTVol 2079 Folio 118

(aii)

CTVol 4510 Folio 118

CTVol 4098 Folio 22

CTVol 3714 Folio 153

CTVol 2764 Folio's 117 & 118

CTVol 2348 Folio 84

(b)

CTVol 10192 Folio 47

CTVol 3991 Folio 168

CTVol 2229 Folio 149

(c)

CTVol 8302 Folio 233

CTVol 7986 Folio 150

**See Notes (ci), (cii), (ciii),
(civ), (cv) & (cvi)**

(d)

CTVol 9226 Folio 178

CTVol 6612 Folio 199

PA 37577

Conveyance Bk 2145 No 185

Conveyance Bk 1013 No 273

(ci)

CTVol 5353 Folio 192

Certificate of Title Volume 4373 Folio 32

Certificate of Title Volume 3991 Folio 168

Certificate of Title Volume 2229 Folio 149

(cii)

CTVol 5352 Folio 37

(ciii)

CTVol 4388 Folio 198

Certificate of Title Volume 4373 Folio 32

Certificate of Title Volume 3991 Folio 168

Certificate of Title Volume 2229 Folio 149

(civ)

CTVol 5325 Folio 205

(cv)

CTVol 7454 Folio 194

(cvi)

CTVol 6733 Folio 25

CTVol 4266 Folio 96

CTVol 4098 Folio 22

CTVol 3714 Folio 153

CTVol 2764 Folio's 117 & 118

CTVol 2348 Folio 84

Summary of proprietor(s) Lot 2 DP 566805

Year	Proprietor
	(Lot 2 DP 566805)
2014 – todate	Marea Dorothy Reed Iain Geoffrey Reed
2005 – 2014	Yuen Chuen Wong Choi Wan Sit
1997 – 2005	Newstar Plant Pty Limited
1988 – 1997	McIlwraith McEacharn Limited
(1988 – todate)	(various leases shown on Historical Folio 2/566805)
	(Lot 2 DP 566805 – CTVol 12590 Fol 2)
1979 – 1988	McIlwraith McEacharn Limited
1974 – 1979	Associated Steamships Pty Limited

See Notes (a), (b), (c) & (d)

Note (a)

	(Lot 2 DP 218039 – CTVol 9529 Fol 138)
1974 – 1974	Associated Steamships Pty Limited Jerliaus Limited
1974 – 1974	Associated Steamships Pty Limited Lanaus Limited
1973 – 1974	Lanaus Limited
1972 – 1973	Girin Limited
1965 – 1972	Giris Pty Limited
1964 – 1965	Refrigeration Products Properties Pty Limited
1963 – 1964	Lamson Paragon Limited
	(Lots A & B DP 326440 & Lot 25 DP 15441 – CTVol 6193 Fol 152)
1950 – 1963	Lamson Paragon Limited

See Notes (ai) & (aia)

Note (ai)

	(Lot A DP 326440 – Area 4 Acres 1 Rood 16 Perches – CTVol 4436 Fol 99)
1938 – 1950	Mabel Constance Rodgers, widow William James Baldock, solicitor
1930 – 1938	Sydney Hoyland Rodgers, dental surgeon
	(Lot 83 DP 4620 – Area 5 Acres 1 Rood 26 Perches – CTVol 2079 Fol 118)
1921 – 1930	John Tersich, orchardist
1916 – 1921	Nicholas Hand, blacksmith
1910 – 1916	NSW Realty Co Limited

Note (aii)

	(Lot 25 DP 15441 – Area 34 ¼ Perches – CTVol 4510 Fol 118)
1938 – 1950	Mabel Constance Rodgers, widow William James Baldock, solicitor
1931 – 1938	Sydney Hoyland Rodgers, dental surgeon
	(Lot 92 and part Lots 88 to 91 DP 4620 – Area 8 Acres 2 Rood 32 Perches – CTVol 4098 Fol 22)
1928 – 1931	Florence May Calvin, wife of builder
	(Lot 92 DP 4620 – Area 6 Acres 3 Roods 36 Perches – CTVol 3714 Fol 153)
1925 – 1928	Fred. A. Mashman Limited
	(Lot 92 DP 4620 – Area 6 Acres 3 Roods 36 Perches – CTVol 2764 Fol's 117 & 118)
1922 – 1925	Alexander Buchanan, market gardener
1917 – 1922	James Cuthbertson Buchanan, plumber Alexander Buchanan, market gardener
	(Lot 92 DP 4620 – Area 6 Acres 3 Roods 36 Perches – CTVol 2348 Fol 84)
1912 – 1917	William McDougall, laundryman

Note (b)

	(Lot 18 DP 16307 – CTVol 10192 Fol 47)
1974 – 1974	Associated Steamships Pty Limited Girin Limited
1974 – 1974	Associated Steamships Pty Limited The Council of the Municipality of Hurstville
1965 – 1974	The Council of the Municipality of Hurstville
	(Part Lot 93 DP 4620 – Area 3 Acres 3 Roods 8 ¼ Perches – CTVol 3991 Fol 168)
1959 – 1965	Her Most Gracious Majesty Queen Elizabeth the second
1929 – 1959	Eric Eldridge Tebbutt, agent
1929 – 1929	Henry Stewart Herbert Cropp
1927 – 1929	John Edward Stewart, engineer
	(Lot 93 DP 4620 – Area 6 Acres 3 Roods 26 Perches – CTVol 2229 Fol 149)
1918 – 1927	Emily Stewart, widow
1917 – 1918	James Hocking, farmer
1912 – 1917	William Henry Flegg, dealer

Note (c)

	(Lot Z DP 417978 – Area 2 Roods – CTVol 8302 Fol 233)
1969 – 1974	Associated Steamships Pty Limited
1961 – 1969	Tyree Holdings Pty Limited
	(Lot Z DP 417978 and other lands – Area 3 Acres 0 Roods 21 ½ Perches – CTVol 7986 Fol 150)
1960 – 1961	Tyree Holdings Pty Limited

See Notes (ci), (cii), (ciii), (civ), (cv) & (cvi)

Note (ci)

	(Lot 9 DP 16307 – Area 19 ¾ Perches – CTVol 5353 Fol 192)
1960 – 1960	Tyree Holdings Pty Limited
1948 – 1960	The Council of the Municipality of Hurstville
1942 – 1948	Mary Lillian Clay, spinster
	(Lots 3 to 15 DP 16307 – CTVol 4373 Fol 32)
1930 – 1942	Eric Eldridge Tebbutt, agent
	(Part Lot 93 DP 4620 – Area 3 Acres 3 Roods 8 ¼ Perches – CTVol 3991 Fol 168)
1929 – 1930	Eric Eldridge Tebbutt, agent
1929 – 1929	Henry Stewart Herbert Cropp
1927 – 1929	John Edward Stewart, engineer
	(Lot 93 DP 4620 – Area 6 Acres 3 Roods 26 Perches – CTVol 2229 Fol 149)
1918 – 1927	Emily Stewart, widow
1917 – 1918	James Hocking, farmer
1912 – 1917	William Henry Flegg, dealer

Note (cii)

	(Lot 8 DP 16307 – Area 19 ½ Perches – CTVol 5352 Fol 37)
1948 – 1960	The Council of the Municipality of Hurstville
1942 – 1948	Noel Edward Ireson, mill spinner Violet Bessie Ireson
	(Lots 3 to 15 DP 16307 – CTVol 4373 Fol 32)
1930 – 1942	Eric Eldridge Tebbutt, agent
	(Part Lot 93 DP 4620 – Area 3 Acres 3 Roods 8 ¼ Perches – CTVol 3991 Fol 168)
1929 – 1930	Eric Eldridge Tebbutt, agent
1929 – 1929	Henry Stewart Herbert Cropp
1927 – 1929	John Edward Stewart, engineer
	(Lot 93 DP 4620 – Area 6 Acres 3 Roods 26 Perches – CTVol 2229 Fol 149)
1918 – 1927	Emily Stewart, widow
1917 – 1918	James Hocking, farmer
1912 – 1917	William Henry Flegg, dealer

Note (ciii)

	(Lot 7 DP 16307 – Area 19 ½ Perches – CTVol 4388 Fol 198)
1948 – 1960	The Council of the Municipality of Hurstville
1941 – 1948	James Eastwood, builder
1930 – 1941	Herbert Wilson, engineer
	(Lots 3 to 15 DP 16307 – CTVol 4373 Fol 32)
1930 – 1930	Eric Eldridge Tebbutt, agent
	(Part Lot 93 DP 4620 – Area 3 Acres 3 Roods 8 ¼ Perches – CTVol 3991 Fol 168)
1929 – 1930	Eric Eldridge Tebbutt, agent
1929 – 1929	Henry Stewart Herbert Cropp
1927 – 1929	John Edward Stewart, engineer
	(Lot 93 DP 4620 – Area 6 Acres 3 Roods 26 Perches – CTVol 2229 Fol 149)
1918 – 1927	Emily Stewart, widow
1917 – 1918	James Hocking, farmer
1912 – 1917	William Henry Flegg, dealer

Note (civ)

	(Lot 10 DP 16307 – Area 19 ½ Perches – CTVol 5325 Fol 205)
1948 – 1960	The Council of the Municipality of Hurstville
1944 – 1948	James Campbell Telford, dyehouse assistant
1942 – 1944	John Roddan, contractor Irene Edith Rodden
	(Lots 3 to 15 DP 16307 – CTVol 4373 Fol 32)
1930 – 1942	Eric Eldridge Tebbutt, agent
	(Part Lot 93 DP 4620 – Area 3 Acres 3 Roods 8 ¼ Perches – CTVol 3991 Fol 168)
1929 – 1930	Eric Eldridge Tebbutt, agent
1929 – 1929	Henry Stewart Herbert Cropp
1927 – 1929	John Edward Stewart, engineer
	(Lot 93 DP 4620 – Area 6 Acres 3 Roods 26 Perches – CTVol 2229 Fol 149)
1918 – 1927	Emily Stewart, widow
1917 – 1918	James Hocking, farmer
1912 – 1917	William Henry Flegg, dealer

Note (cv)

	(Grant of Unnecessary Roads – Parish St George – Area 1 Rood 2 Roods 15 ¼ Perches – CTVol 7454 Fol 194)
1958 – 1960	The Council of the Municipality of Hurstville

Note (cvi)

	(Lot 26 DP 15441 – Area 30 ¼ Perches – CTVol 6733 Fol 25)
1953 – 1960	The Council of the Municipality of Hurstville
	(Lots 23, 24 & 26 DP 15441 – CTVol 4266 Fol 96)
1947 – 1953	James Eastwood, builder
1929 – 1947	John Don Eagleson, traffic inspector of railways
	(Lot 92 and part Lots 88 to 91 DP 4620 – Area 8 Acres 2 Rood 32 Perches – CTVol 4098 Fol 22)
1928 – 1929	Florence May Calvin, wife of builder
	(Lot 92 DP 4620 – Area 6 Acres 3 Roods 36 Perches – CTVol 3714 Fol 153)
1925 – 1928	Fred. A. Mashman Limited
	(Lot 92 DP 4620 – Area 6 Acres 3 Roods 36 Perches – CTVol 2764 Fol's 117 & 118)
1922 – 1925	Alexander Buchanan, market gardener
1917 – 1922	James Cuthbertson Buchanan, plumber Alexander Buchanan, market gardener
	(Lot 92 DP 4620 – Area 6 Acres 3 Roods 36 Perches – CTVol 2348 Fol 84)
1912 – 1917	William McDougall, laundryman

Note (d)

	(Lot 4 DP 212289 – CTVol 9226 Fol 178)
1969 – 1974	Associated Steamships Pty Limited
1965 – 1969	Tyree Holdings Pty Limited
1962 – 1965	Washington H. Soul Pattinson and Company Limited
	(Part Portion 104 Parish St George – Area 8 Acres 2 Roods 5 ½ Perches – CTVol 6612 Fol 199)
1961 – 1962	Washington H. Soul Pattinson and Company Limited
1953 – 1961	Chemical Holdings Pty Limited
	(Part Portion 104 Parish St George – Area 8 Acres 2 Roods 5 ½ Perches – Conv Bk 2145 No 185)
1950 – 1953	Chemical Holdings Pty Limited
1941 – 1950	John Quinton Johnston, executor Frederick Shaw, executor John Johnston, estate
	(Part Portion 104 Parish St George – Area 8 Acres 2 Roods 5 ½ Perches – Conv Bk 1013 No 273)
1913 – 1941	John Johnston, dairyman

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

SUBJECT: PROSECUTION. S.16.146



OFFICE USE ONLY

D. P. 566805 (E)

Registered:  16-2-97

NO 7996 of 15.6.1972 (CANTEARINI
C.A.: NO 72/25 of 3.5.1973 (HURSTVI

The System:
TORRENS

Purpose: SUBDIVISION

Ref. Mac:
HURSTVILLE SH
CANTERBURY

D.P. 16307* D.P. 218
1851 Pl... D.P. 407032 — (D.P. 16

PLAN

OF SUBDIVISION OF LOT
D.P.218039 LOT 4 D.P.2122

LOT 18 D.P. 16307 & LAND PA

Reduction Ratio 1: 500

Lengths are in metres.

Gift
HURSTVILLE

Locality: KINGS GROVE

Parish: St. George

County: CONWY

(Delete if inapplicable).

9 Maher St, Hurstville

[illegible]

17. ACCORDANCE WITH
PACIFIC REGULATION, 1932, AND WAS COMPLETED
10th 1932

Signature: *G. A. Wright*

*Strike out either 11 or 12. Insert date

Panel: for use only for statements of intent to dedicate public roads or to create p.d..

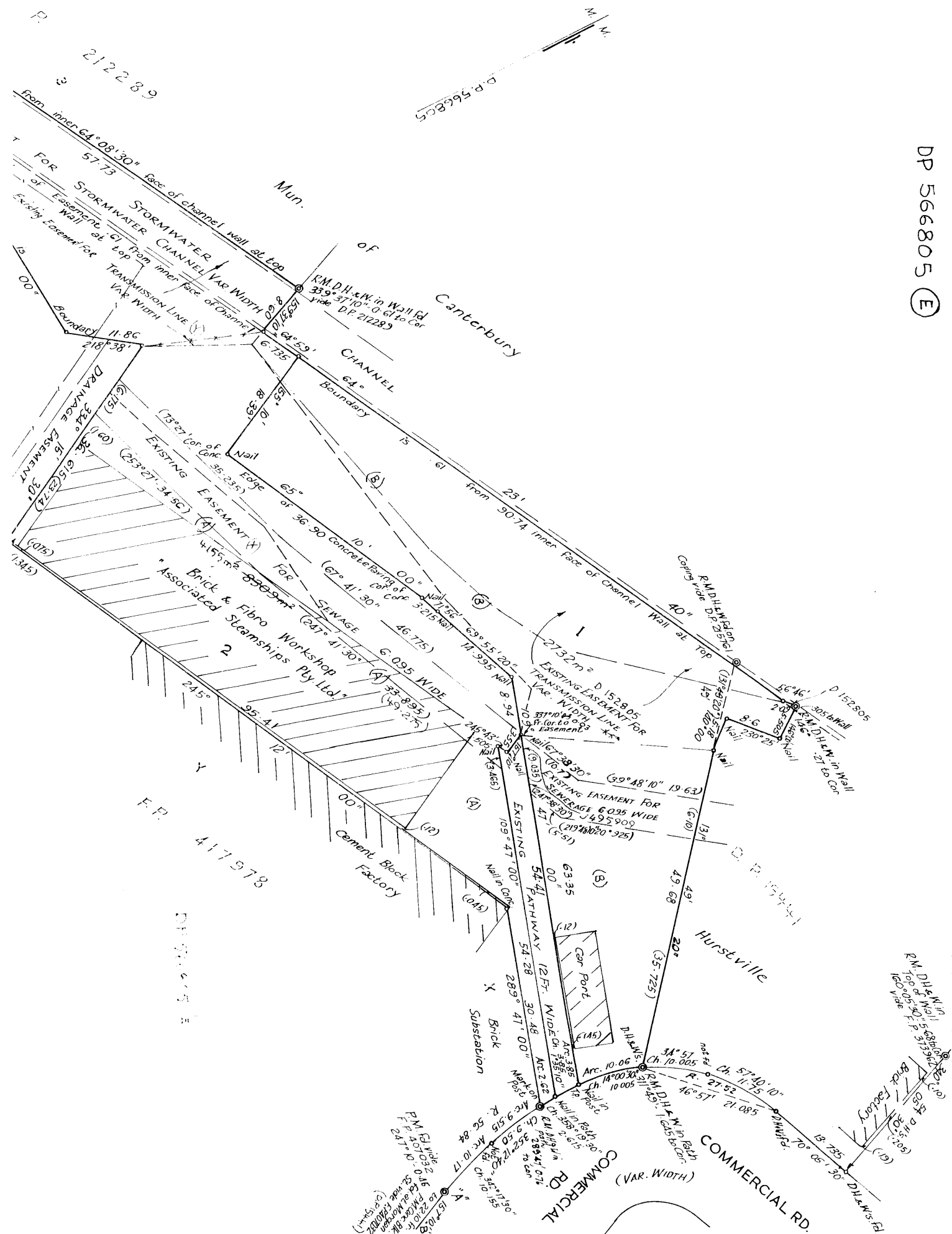
as to user:

UNREVIEWED REFERENCE. 5.16.146

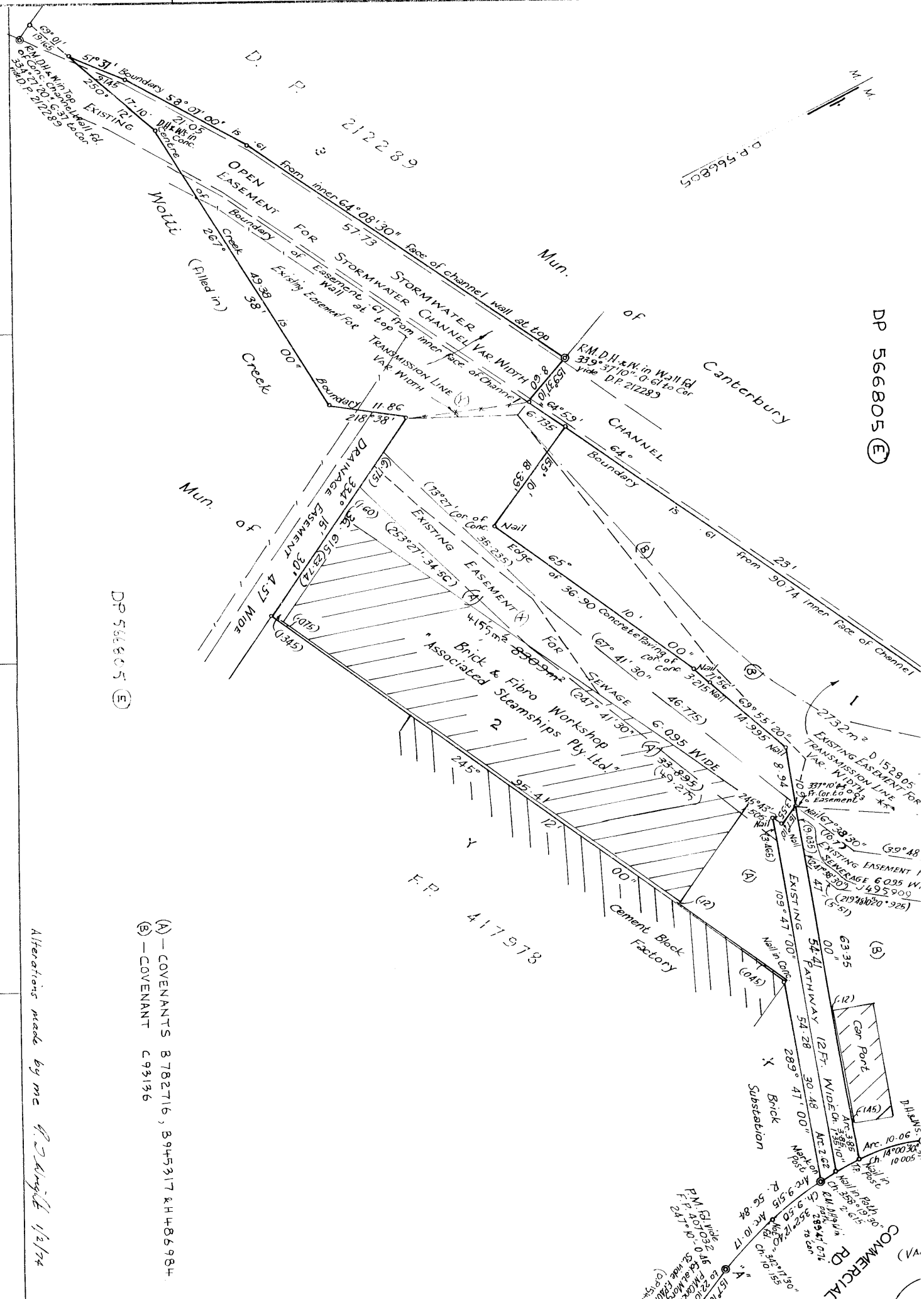


DP 566805 (E)

Plan Drawing only to appear in this space



Register	C.A. N
Title SY	N
Purpose	PLAN
Ref. Map	OF :
Last Plan	D.P.
PLAN	LOT 2
COMP	LOT 1
Reduction	Reduction
Mun./St	Locality
City	County
Parish	Parish
Signature	Signature
Supervisor	Supervisor
Strike	Strike
Panel	Panel
to dec	to dec
as to u	as to u



DP 566805 (E)

D-9566807 (M)

(A) — COVENANTS B 782716, B945317 & H48698+
(B) — COVENANT C 93136

Alterations made by me G. J. Wright 1/2/74

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ADVANCE LEGAL SEARCHERS PTY LTD

(ACN 147 943 842)
ABN 82 147 943 842

P.O. Box 149
Yagoona NSW 2199

Telephone: +612 9644 1679
Mobile: 0412 169 809
Facsimile: +612 8076 3026
Email: alsearch@optusnet.com.au

12th May, 2015

AECOM AUSTRALIA PTY LTD

PO Box Q410,
QVB PO,
SYDNEY, NSW 1230

Attention: Jacqui Dunford,

RE: **30A Commercial Road,**
Kingsgrove
Project No. 60327128_1.01

Current Search

Folio Identifier 1/566805 (title attached)
DP 566805 (plan attached)
Dated 08th May, 2015
Registered Proprietor:
MILAGROS ENCABO

Title Tree
Lot 1 DP 566805

Folio Identifier 1/566805

Certificate of Title Volume 12590 Folio 1

(a)

CTVol 9529 Folio 138

CTVol 6193 Folio 152

(ai)

CTVol 4436 Folio 99

CTVol 2079 Folio 118

(aii)

CTVol 4510 Folio 118

CTVol 4098 Folio 22

CTVol 3714 Folio 153

CTVol 2764 Folio's 117 & 118

CTVol 2348 Folio 84

(b)

CTVol 10192 Folio 47

CTVol 3991 Folio 168

CTVol 2229 Folio 149

Summary of proprietor(s) Lot 1 DP 566805

Year	Proprietor
	(Lot 1 DP 566805)
2010 – todate	Milagros Encabo
2010 – 2010	Ilidio Costa
2000 – 2010	Kevork Georges Catherine Georges
(1993 – todate)	<i>(various current leases and sub-leases shown on Folio Identifier 1/566805)</i>
1988 – 2000	Utilux Pty Limited
(1988 – todate)	<i>(various leases and sub-leases shown on Historical Folio 1/566805)</i>
	(Lot 1 DP 566805 – CTVol 12590 Fol 1)
1987 – 1988	Utilux Pty Limited
1976 – 1987	Jeriaus Limited
1974 – 1976	Girin Limited Jerliaus Limited

See Notes (a) & (b)

Note (a)

	(Lot 2 DP 218039 – CTVol 9529 Fol 138)
1974 – 1974	Associated Steamships Pty Limited Jerliaus Limited
1974 – 1974	Associated Steamships Pty Limited Lanaus Limited
1973 – 1974	Lanaus Limited
1972 – 1973	Girin Limited
1965 – 1972	Giris Pty Limited
1964 – 1965	Refrigeration Products Properties Pty Limited
1963 – 1964	Lamson Paragon Limited
	(Lots A & B DP 326440 & Lot 25 DP 15441 – CTVol 6193 Fol 152)
1950 – 1963	Lamson Paragon Limited

See Notes (ai) & (aia)

Note (ai)

	(Lot A DP 326440 – Area 4 Acres 1 Rood 16 Perches – CTVol 4436 Fol 99)
1938 – 1950	Mabel Constance Rodgers, widow William James Baldock, solicitor
1930 – 1938	Sydney Hoyland Rodgers, dental surgeon
	(Lot 83 DP 4620 – Area 5 Acres 1 Rood 26 Perches – CTVol 2079 Fol 118)
1921 – 1930	John Tersich, orchardist
1916 – 1921	Nicholas Hand, blacksmith
1910 – 1916	NSW Realty Co Limited

Note (aia)

	(Lot 25 DP 15441 – Area 34 ¼ Perches – CTVol 4510 Fol 118)
1938 – 1950	Mabel Constance Rodgers, widow William James Baldock, solicitor
1931 – 1938	Sydney Hoyland Rodgers, dental surgeon
	(Lot 92 and part Lots 88 to 91 DP 4620 – Area 8 Acres 2 Rood 32 Perches – CTVol 4098 Fol 22)
1928 – 1931	Florence May Calvin, wife of builder
	(Lot 92 DP 4620 – Area 6 Acres 3 Roods 36 Perches – CTVol 3714 Fol 153)
1925 – 1928	Fred. A. Mashman Limited
	(Lot 92 DP 4620 – Area 6 Acres 3 Roods 36 Perches – CTVol 2764 Fol's 117 & 118)
1922 – 1925	Alexander Buchanan, market gardener
1917 – 1922	James Cuthbertson Buchanan, plumber Alexander Buchanan, market gardener
	(Lot 92 DP 4620 – Area 6 Acres 3 Roods 36 Perches – CTVol 2348 Fol 84)
1912 – 1917	William McDougall, laundryman

Note (b)

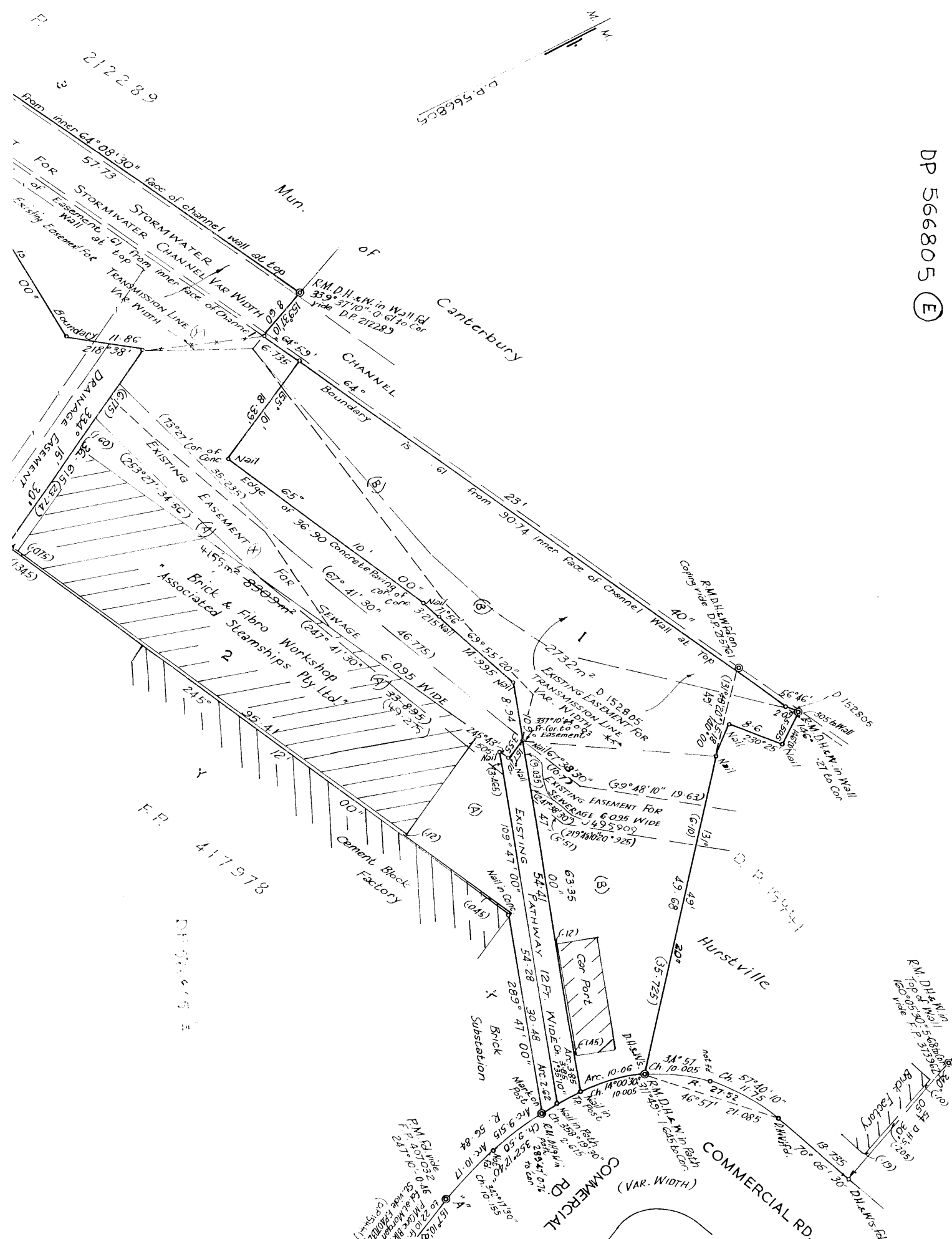
	(Lot 18 DP 16307 – CTVol 10192 Fol 47)
1974 – 1974	Associated Steamships Pty Limited Girin Limited
1974 – 1974	Associated Steamships Pty Limited The Council of the Municipality of Hurstville
1965 – 1974	The Council of the Municipality of Hurstville
	(Part Lot 93 DP 4620 – Area 3 Acres 3 Roods 8 ¼ Perches – CTVol 3991 Fol 168)
1959 – 1965	Her Most Gracious Majesty Queen Elizabeth the second
1929 – 1959	Eric Eldridge Tebbutt, agent
1929 – 1929	Henry Stewart Herbert Cropp
1927 – 1929	John Edward Stewart, engineer
	(Lot 93 DP 4620 – Area 6 Acres 3 Roods 26 Perches – CTVol 2229 Fol 149)
1918 – 1927	Emily Stewart, widow
1917 – 1918	James Hocking, farmer
1912 – 1917	William Henry Flegg, dealer

[illegible][illegible]

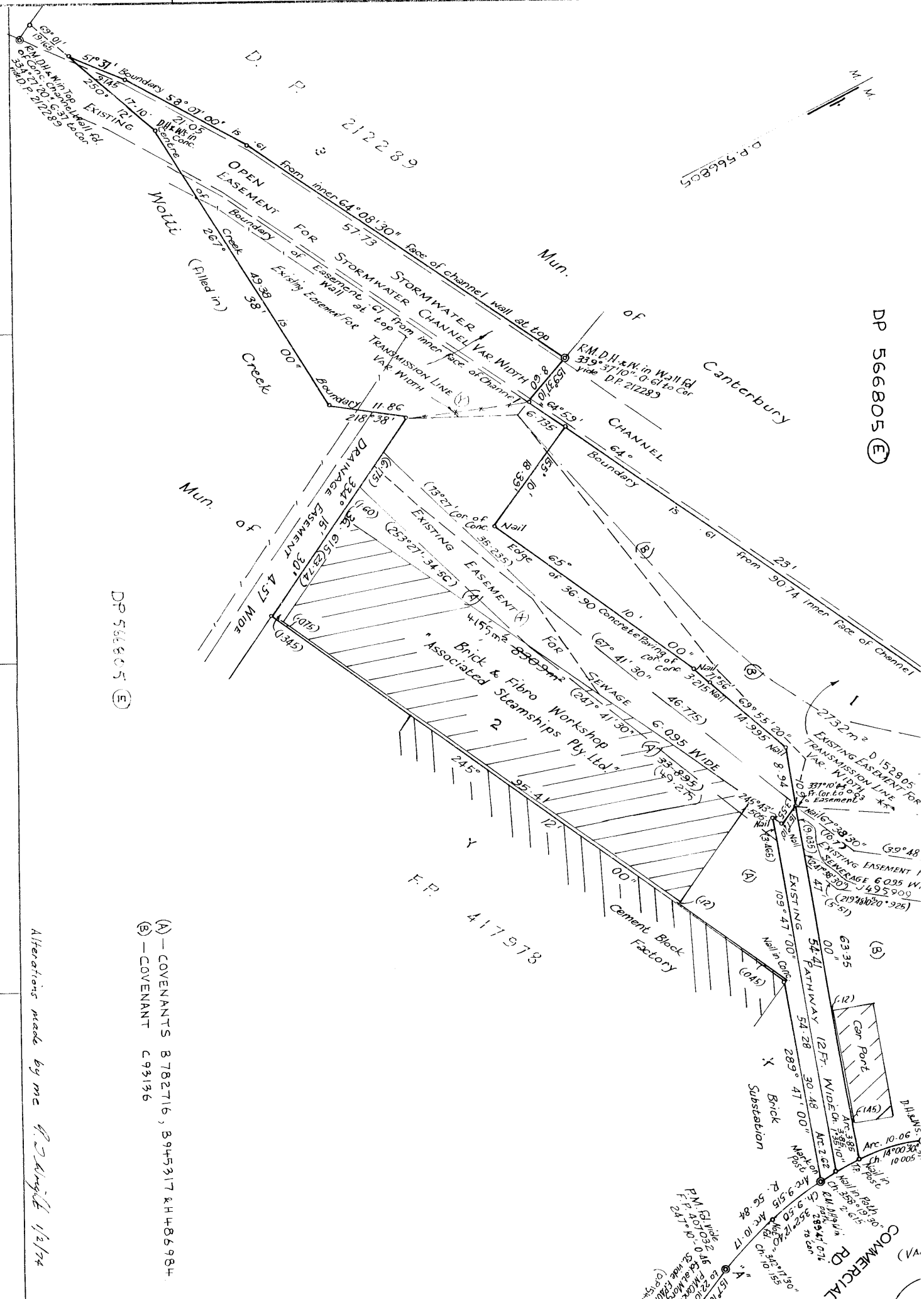
Iterations made by me 4th - 12th Aug 1974

D P 566805 (E)	Registered: <i>15-16-7-1974</i>	C.A. No 72/25 of 3.5.1973 (HURSTVILLE) No 7996 of 15.6.1972 (CANTERBURY)	Title System: TORRENS Purpose: SUBDIVISION
PLAN OF SUBDIVISION OF LOT 2 D.P. 218039 LOT 4 D.P. 212289 LOT 2 ~~HURSTVILLE~~ D.P. 210732 LOT 18 D.P. 16307 & ~~LAND~~ PART OF LAND COMPRISED IN CTVOL 2147 FOL. 82. Reduction Ratio 1: 500 Lengths are in metres.		Mtn./Smt. CANTERBURY City HURSTVILLE Locality: KINGSGROVE Parish: ST. GEORGE County: CUMBERLAND	
This is a statement of information to be [C] filled in (mandatory) or [] filled in (optional)			
I, <u><i>Peter Terence Wright</i></u> of <u><i>3 Morden St., Hurstville</i></u> do hereby certify that the survey registered in this instrument, namely, certifies that the survey registered in this instrument was made in accordance with the Survey Regulation, 1933, and was completed on <u><i>15th January, 1973</i></u>			
Signature: <u><i>P. T. Wright</i></u> Surveyor registered under the Surveyors Act, 1926 as amended Since the date of entry 11 or 12, (insert date of Survey)			
Form for use only for statements of intention to create a public roads or to create a public res- tricted area, containing a reservation, easement or restriction to be used.			

Plan Drawing only to appear in this space



Register	C.A. N N
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DP 566805 (E)

D-9566807 (M)

(A) — COVENANTS B 782716, B945317 & H48698+
(B) — COVENANT C 93136

Alterations made by me
R. Wright 1/2/74

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ADVANCE LEGAL SEARCHERS PTY LTD

(ACN 147 943 842)
ABN 82 147 943 842

P.O. Box 149
Yagoona NSW 2199

Telephone: +612 9644 1679
Mobile: 0412 169 809
Facsimile: +612 8076 3026
Email: alsearch@optusnet.com.au

12th May, 2015

AECOM AUSTRALIA PTY LTD

PO Box Q410,
QVB PO,
SYDNEY, NSW 1230

Attention: Jacqui Dunford,

**RE: Kingsgrove Avenue Reserve,
Kingsgrove
Project No. 60327128_1.01**

Current Search

Folio Identifier 5/1069225 (title attached)
DP 1069225 (plan attached)
Dated 08th May, 2015
Registered Proprietor:
ROCKDALE CITY COUNCIL

Title Tree
Lot 5 DP 1069225

Folio Identifier 5/1069225

Government Gazette 07th December 1956 Folio 3593

CTVol 4920 Folio's 208 & 210

Certificate of Title Volume 3013 Folio 3

Certificate of Title Volume 2691 Folio 94

Summary of proprietor(s)
Lot 5 DP 1069225

Year	Proprietor
	(Lot 5 DP 1069225)
2008 – todate	Rockdale City Council
2005 – 2008	The Housing Commission of New South Wales
	(Part Lot 30 of Kingsgrove Estate – Area 4 Acres 2 Roods 19 ½ Perches – CTVol 4920 Fol's 208 & 210)
1946 – 2005	The Housing Commission of New South Wales
1938 – 1946	Robert Samuel Cowan, poultry farmer Ernest John Cowan, judge's tipstaff
	(Lot 30 of Kingsgrove Estate – Area 16 Acres 0 Roods 35 ¼ Perches – CTVol 3013 Fol 3)
1920 – 1938	Robert Samuel Cowan, poultry farmer Ernest John Cowan, judge's tipstaff
	(Lot 30 of Kingsgrove Estate – Area 16 Acres 0 Roods 35 ¼ Perches – CTVol 2691 Fol 94)
1916 – 1920	Catherine Hannah Traynor, wife of grazier

SIGNATURES AND SEALS ONLY.

EXECUTED FOR THE ROADS AND TRAFFIC AUTHORITY, NSW BY ITS DELEGATE DAVID SHAFROD PURSUANT TO BOOK 4 394 No.422

SEE SIGNATURES FORM
MANAGER, PROPERTY SERVICES

FOR
SIGNATURES
AND SEALS SEE
SIGNATURES
FORM

THIS PLAN IS EXEMPT FROM SUBDIVISION CERTIFICATION PURSUANT TO A DECISION BETWEEN DUAL RTA AND LPI NSW SEE LPI 17/06 (CENTRE) - LAND IN THIS PLAN COMPREHENSIVE ONLY ROAD OR ROAD AND RESIDUE

SEE SIGNATURES FORM

AUTHORISED OFFICER
ROADS AND TRAFFIC AUTHORITY NSW

Department of Lands Approval
In approving this plan, the Department of Lands certifies that all necessary approvals in regard to the location of the land shown herein have been given.

Signature: _____
Date: _____
File Number: _____
Office: _____

Subdivision Certificate
I hereby certify that the provisions of s.10(1) of the Environmental Planning and Assessment Act 1979 have been satisfied in relation to the proposed
(insert "subdivision" or "new road")
set out herein

Consent Authority
Date of Endorsement: _____
Accreditation No.: _____
Subdivision Certificate No.: _____
Title No.: _____
Date: _____
Deeds and/or is inapplicable

SURVEYORS (PRACTICE) REGULATION 2001 CLAUSE 3(2)			
MARK	EASTING	NORTHING	ZONE CLASS ORDER
S.S.M. 112898	325 265.842	6 243 392.113	56 B 2
S.S.M. 112899	325 023.352	6 243 394.249	56 B 2
S.S.M. 112900	324 923.348	6 243 398.238	56 B 2
S.S.M. 112980	325 046.074	6 243 174.052	56 B 2
P.M. 32712			

SOURCE: LAND & PROPERTY INFORMATION DATE: NOVEMBER 2003
COMBINED SCALE FACTOR 0.999974

(C) AA07986 EASEMENT FOR TRANSMISSION LINE
3.8 WIDE, 6 WIDE & VARIABLE WIDTH (DP 1049629)
(G) MU5913 EASEMENT FOR SEWERAGE (DP 540032)
(H) G256240 EASEMENT (V4920 F20, F208)
(N) D36499 - COVENANT
(N) C78703 - COVENANT
(N) D43669 - COVENANT
(P) RESERVATION & CONDITIONS IN CROWN GRANT

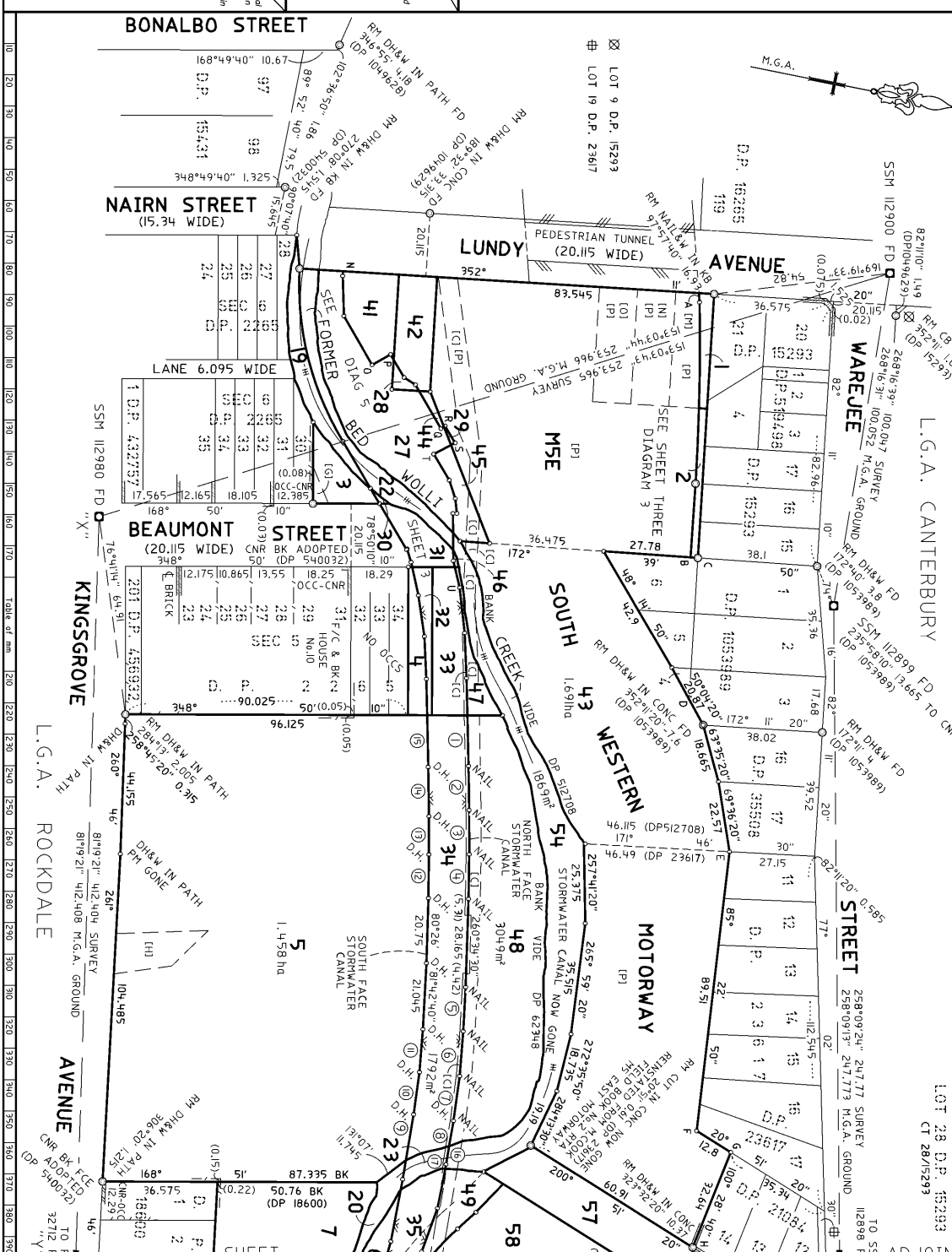
LOTS 5, 34 & 48
RESERVE FOR PUBLIC RECREATION
GOV.GAZ. 7/12/1956 F393
PART LOT 30 D.P. 933742
CT V4920 F208 & 210

LOT 54
CT 30/5293, CT V851 F69, CT V862 F59,
AC 5863132, CT V152708, CT V4920 F208 & F210
AC 6728-227, CT V440 F170,
CONV No.58 BOOK 56, CONV No.592 BOOK 1907

LOT 24 D.P. 15293
CT 24/15293
LOT 26 D.P. 15293
CT 26/15293
LOT 27 D.P. 15293
CT 27/15293
LOT 28 D.P. 15293
CT 28/15293

SHORT LINE TABLE			
No.	BEARING	DIST	NO. BEARING
1	257°21'40"	16.05	10 86°29'
2	257°52'10"	14.1	11 87°16'30"
3	258°34'10"	14.06	12 79°18'
4	259°34'20"	14.6	13 78°39'40"
5	261°46'	14.295	14 77°54'50"
6	263°07'30"	14.295	15 77°26'20"
7	266°30'40"	14.38	16 268°24'30"
8	268°24'30"	8.2	17 269°10'
9	88°14'20"	14.7	

LOT 35 TO 47 D.P. 21084
LOT 20 D.P. 23617
AUTO CONSOL 6728-227
LOT 1 D.P. 552708
CT V152708
PART LOT 22 D.P. 15293
PART CT 22/15293
LOT 23 D.P. 15293
CT 23/15293
LOT 24 D.P. 15293
CT 24/15293
LOT 26 D.P. 15293
CT 26/15293
LOT 27 D.P. 15293
CT 27/15293
LOT 28 D.P. 15293
CT 28/15293



ADJOINS

Plan Drawing only to appear in this space

e-plan

*OFFICE USE ONLY

DP1069225

Registered: 26-7-2004
Title System: TORRENS, OLD SYSTEM
Purpose: ROADS ACT, 1993

Ref. Map: U0837-13
Lost Plan: DP19081 & OTHERS

PLAN OF LAND TO BE ACQUIRED
FOR THE PURPOSES OF THE
ROAD ACT, 1993

L.G.A.: CANTERBURY CITY & ROCKDALE CITY
Locality: KINGS GROVE
Parish: ST. GEORGE
County: CUMBERLAND

This is sheet 1 of my plan in 4 sheets
(Delete if inapplicable)

Survey Regulation, 2001
1. DOLGAS LACHAN MACLEIN
DEPOSITED WITH AND PARTNERS
11/19-23 BRIDGE STREET, PYMBLE NSW
A survey required under the Surveying Act 2002, hereby
certifies that the survey represented in this plan is accurate,
correct and was completed on 28/01/2004.
This survey relates to: LOTS 1 TO 70 INCLUSIVE.
AND CONNECTIONS
(Where applicable, the land actually surveyed or specified only land
shown in the plan that is not the subject of the survey)
(General)
SEE SIGNATURES FORM
Name: _____
Date: _____
Type: _____

Plans used in preparation of survey/development:
D.P. 1 5593, 1543 (18600, 19081, 19466, 20017)
2004, 2093, 23617, 27019, 35508, 42348,
44923, 16705, 20218, 39630, 43976, 43271,
44923, 42705, 44918, 44923, 43976, 43271,
10975-3000, R21270 603
RTA FBK No.: 6005 078 FPO031

PANEL FOR USE ONLY for statements of
public reserves, drainage reserves, easements,
restrictions on the use of land or positive
covenants.
LOTS 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

ACCESS WILL BE RESTRICTED
ACROSS THE BOUNDARIES OF A/C
S/1, S/2, S/3, S/4, S/5, S/6, S/7, S/8, S/9, S/10, S/11, S/12, S/13, S/14, S/15, S/16, S/17, S/18, S/19, S/20, S/21, S/22, S/23, S/24, S/25, S/26, S/27, S/28, S/29, S/30, S/31, S/32, S/33, S/34, S/35, S/36, S/37, S/38, S/39, S/40, S/41, S/42, S/43, S/44, S/45, S/46, S/47, S/48, S/49, S/50, S/51, S/52, S/53, S/54, S/55, S/56, S/57, S/58, S/59, S/60, S/61, S/62, S/63, S/64, S/65, S/66, S/67, S/68, S/69, S/70, S/71, S/72, S/73, S/74, S/75, S/76, S/77, S/78, S/79, S/80, S/81, S/82, S/83, S/84, S/85, S/86, S/87, S/88, S/89, S/90, S/91, S/92, S/93, S/94, S/95, S/96, S/97, S/98, S/99, S/100, S/101, S/102, S/103, S/104, S/105, S/106, S/107, S/108, S/109, S/110, S/111, S/112, S/113, S/114, S/115, S/116, S/117, S/118, S/119, S/120, S/121, S/122, S/123, S/124, S/125, S/126, S/127, S/128, S/129, S/130, S/131, S/132, S/133, S/134, S/135, S/136, S/137, S/138, S/139, S/140, S/141, S/142, S/143, S/144, S/145, S/146, S/147, S/148, S/149, S/150, S/151, S/152, S/153, S/154, S/155, S/156, S/157, S/158, S/159, S/160, S/161, S/162, S/163, S/164, S/165, S/166, S/167, S/168, S/169, S/170, S/171, S/172, S/173, S/174, S/175, S/176, S/177, S/178, S/179, S/180, S/181, S/182, S/183, S/184, S/185, S/186, S/187, S/188, S/189, S/190, S/191, S/192, S/193, S/194, S/195, S/196, S/197, S/198, S/199, S/200, S/201, S/202, S/203, S/204, S/205, S/206, S/207, S/208, S/209, S/210, S/211, S/212, S/213, S/214, S/215, S/216, S/217, S/218, S/219, S/220, S/221, S/222, S/223, S/224, S/225, S/226, S/227, S/228, S/229, S/230, S/231, S/232, S/233, S/234, S/235, S/236, S/237, S/238, S/239, S/240, S/241, S/242, S/243, S/244, S/245, S/246, S/247, S/248, S/249, S/250, S/251, S/252, S/253, S/254, S/255, S/256, S/257, S/258, S/259, S/260, S/261, S/262, S/263, S/264, S/265, S/266, S/267, S/268, S/269, S/270, S/271, S/272, S/273, S/274, S/275, S/276, S/277, S/278, S/279, S/280, S/281, S/282, S/283, S/284, S/285, S/286, S/287, S/288, S/289, S/290, S/291, S/292, S/293, S/294, S/295, S/296, S/297, S/298, S/299, S/300, S/301, S/302, S/303, S/304, S/305, S/306, S/307, S/308, S/309, S/310, S/311, S/312, S/313, S/314, S/315, S/316, S/317, S/318, S/319, S/320, S/321, S/322, S/323, S/324, S/325, S/326, S/327, S/328, S/329, S/330, S/331, S/332, S/333, S/334, S/335, S/336, S/337, S/338, S/339, S/340, S/341, S/342, S/343, S/344, S/345, S/346, S/347, S/348, S/349, S/350, S/351, S/352, S/353, S/354, S/355, S/356, S/357, S/358, S/359, S/360, S/361, S/362, S/363, S/364, S/365, S/366, S/367, S/368, S/369, S/370, S/371, S/372, S/373, S/374, S/375, S/376, S/377, S/378, S/379, S/380, S/381, S/382, S/383, S/384, S/385, S/386, S/387, S/388, S/389, S/390, S/391, S/392, S/393, S/394, S/395, S/396, S/397, S/398, S/399, S/400, S/401, S/402, S/403, S/404, S/405, S/406, S/407, S/408, S/409, S/410, S/411, S/412, S/413, S/414, S/415, S/416, S/417, S/418, S/419, S/420, S/421, S/422, S/423, S/424, S/425, S/426, S/427, S/428, S/429, S/430, S/431, S/432, S/433, S/434, S/435, S/436, S/437, S/438, S/439, S/440, S/441, S/442, S/443, S/444, S/445, S/446, S/447, S/448, S/449, S/450, S/451, S/452, S/453, S/454, S/455, S/456, S/457, S/458, S/459, S/460, S/461, S/462, S/463, S/464, S/465, S/466, S/467, S/468, S/469, S/470, S/471, S/472, S/473, S/474, S/475, S/476, S/477, S/478, S/479, S/480, S/481, S/482, S/483, S/484, S/485, S/486, S/487, S/488, S/489, S/490, S/491, S/492, S/493, S/494, S/495, S/496, S/497, S/498, S/499, S/500, S/501, S/502, S/503, S/504, S/505, S/506, S/507, S/508, S/509, S/510, S/511, S/512, S/513, S/514, S/515, S/516, S/517, S/518, S/519, S/520, S/521, S/522, S/523, S/524, S/525, S/526, S/527, S/528, S/529, S/530, S/531, S/532, S/533, S/534, S/535, S/536, S/537, S/538, S/539, S/540, S/541, S/542, S/543, S/544, S/545, S/546, S/547, S/548, S/549, S/550, S/551, S/552, S/553, S/554, S/555, S/556, S/557, S/558, S/559, S/560, S/561, S/562, S/563, S/564, S/565, S/566, S/567, S/568, S/569, S/570, S/571, S/572, S/573, S/574, S/575, S/576, S/577, S/578, S/579, S/580, S/581, S/582, S/583, S/584, S/585, S/586, S/587, S/588, S/589, S/590, S/591, S/592, S/593, S/594, S/595, S/596, S/597, S/598, S/599, S/600, S/601, S/602, S/603, S/604, S/605, S/606, S/607, S/608, S/609, S/610, S/611, S/612, S/613, S/614, S/615, S/616, S/617, S/618, S/619, S/620, S/621, S/622, S/623, S/624, S/625, S/626, S/627, S/628, S/629, S/6

DP1069225

Registered: 26-7-2004

This is sheet 3 of my plan in 4 sheets dated 28/01/2004

SEE SIGNATURES FORM

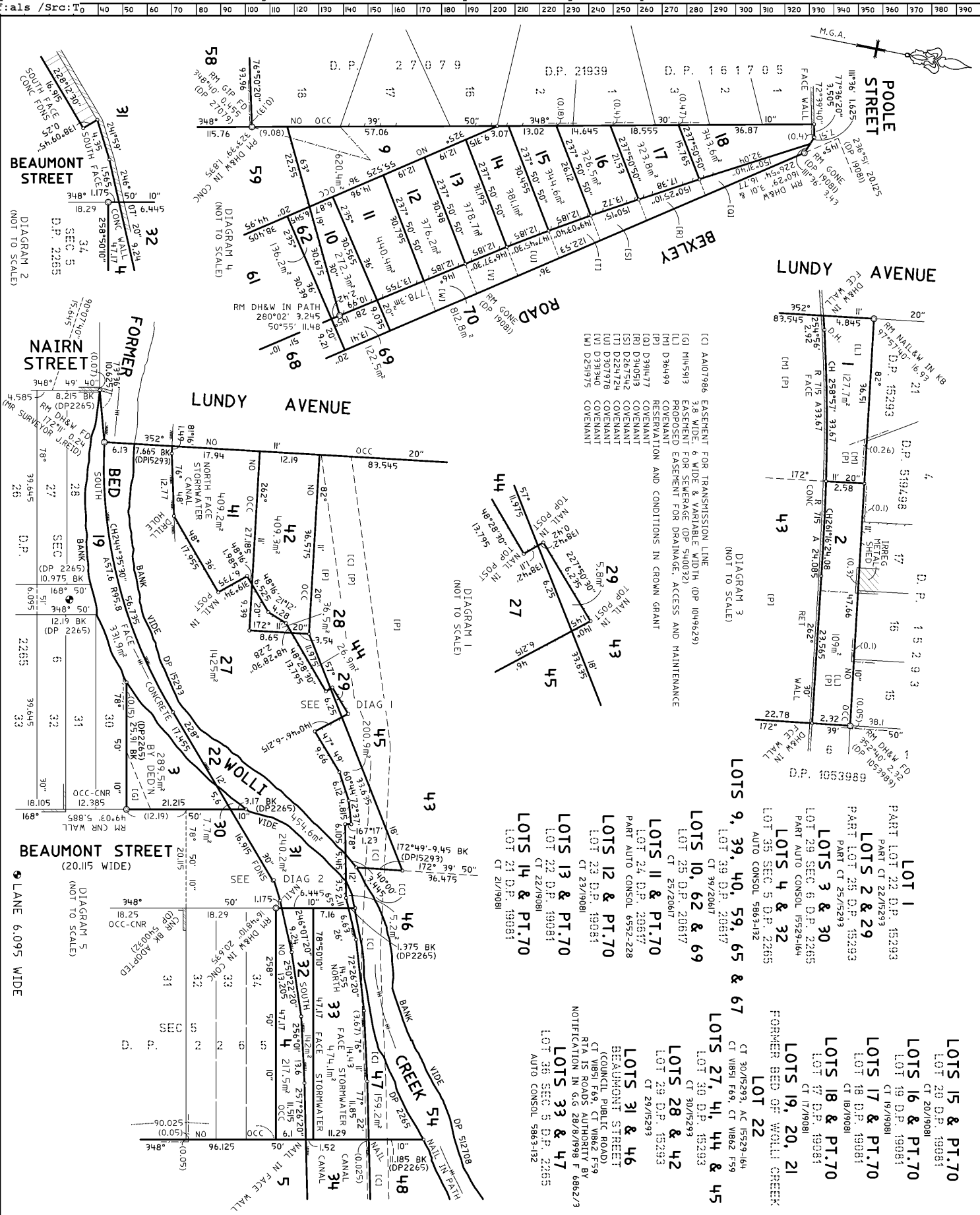
Surveyor registered under Surveyors Act, 2002

This is sheet 3 of my plan in 4 sheets dated 28/01/2004

Authorised Person/General Manager/Assistant

L.G.A.: CANTERBURY CITY & ROCKDALE CITY
Locality: KINGSGROVE
Parish: ST. GEORGE
County: CUMBERLAND

For use where space is insufficient in any panel on Plan Form 2



DP1069225

Registered: 26-7-2004

This is sheet 4 of my plan in 4 sheets dated 28/01/2004

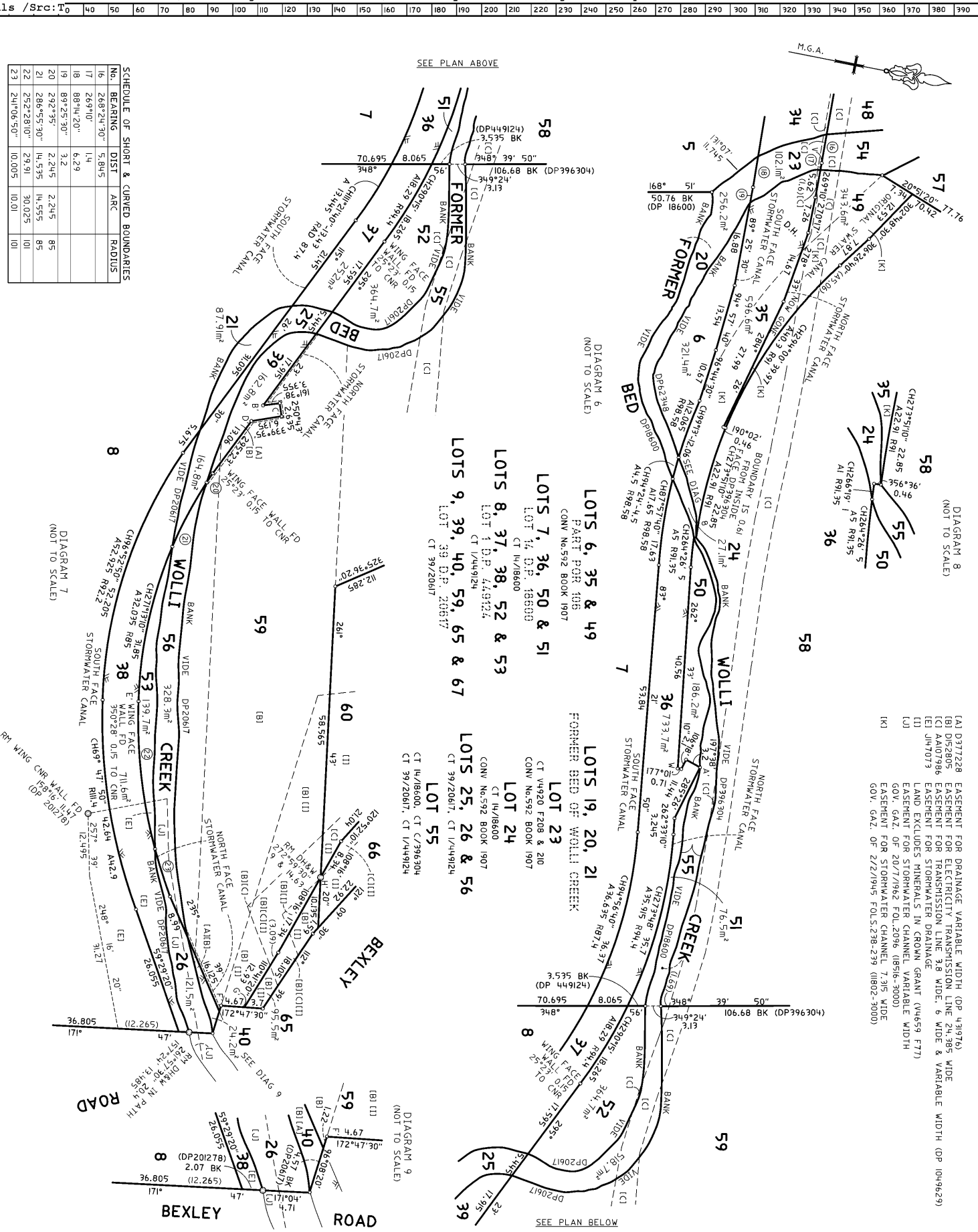
SEE SIGNATURES FORM

Surveyor registered under Surveyors Act, 2002
This is sheet 4 of my plan of 3 sheets covered by subdivision certificate No. 1069225

Authorised Person/General Manager/Assisted Carline

L.G.A. : CANTERBURY CITY & ROCKDALE CITY
Locality: KINGS GROVE
Parish: ST. GEORGE
County: CUMBERLAND

For use where space is insufficient in any panel on Plan Form 2



**PLAN OF LAND TO BE ACQUIRED FOR THE
PURPOSES OF THE ROADS ACT, 1993.**

DP1069225

Registered:

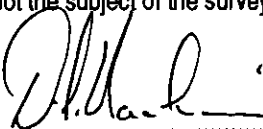


26-7-2004

Surveying Regulation 2001

I, DOUGLAS LACHLAN MACLEAN
of DEGORTARDI SMITH AND PARTNERS
11/19-23 BRIDGE STREET, PYMBLE, NSW
a surveyor registered under the *Surveying Act 2002*, certify that the
survey represented in this plan is accurate, has been made in
accordance with the *Surveying Regulation 2001* and was completed
on: 28/01/2004

The survey relates to LOTS 1-70 INCLUSIVE AND CONNECTIONS
(specify the land actually surveyed or specify any land shown in the
plan that is not the subject of the survey)

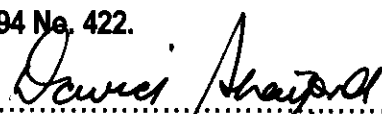
Signature  Dated: 26/05/04
Surveyor registered under the *Surveying Act 2002*

Datum Line: "X" (SHEET 1) - "Y" (SHEET 2)

Type: Urban

**SIGNATURES, SEALS and STATEMENTS of intention
to dedicate public roads or to create public reserves
and drainage reserves.**

**EXECUTED FOR THE ROADS AND TRAFFIC
AUTHORITY, NSW BY ITS DELEGATE DAVID
SHATFORD PURSUANT TO DELEGATION
BOOK 4394 No. 422.**


MANAGER, PROPERTY SERVICES

Department of Lands Approval

I.....in approving this plan certify
(Authorised Officer)

that all necessary approvals in regard to the allocation of the land
shown hereon have been given

Signature:.....
Date:.....
File Number:.....
Office:.....

Subdivision Certificate

I certify that the provisions of s.109J of the Environmental Planning
and Assessment Act 1979 have been satisfied in relation to:

the proposed..... set out herein
(insert 'subdivision' or 'new road')

* Authorised Person/General Manager/Accredited Certifier

Consent Authority:
Date of Endorsement:
Accreditation no:
Subdivision Certificate no:
File no:

Note:

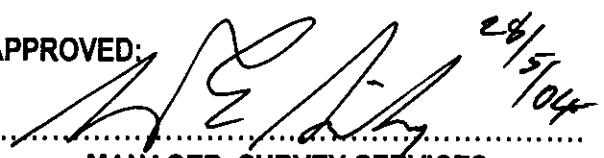
When the plan is to be lodged electronically in Land and Property
Information, it should include a signature in an electronic or digital
format approved by the Registrar-General.

* Delete whichever is inapplicable.

**THIS PLAN IS EXEMPT FROM SUBDIVISION
CERTIFICATION PURSUANT TO A DECISION
BETWEEN DUAP, RTA & LPI NSW - SEE 1997
M6 (Item 2). LAND IN THIS PLAN COMPRISES
ONLY ROAD OR ROAD AND RESIDUE.**


AUTHORISED OFFICER
ROADS AND TRAFFIC AUTHORITY, NSW

APPROVED:


MANAGER, SURVEY SERVICES
OPERATIONS
ROADS AND TRAFFIC AUTHORITY, NSW

Use PLAN FORM 6A for additional
certificates, signatures and seals

ADVANCE LEGAL SEARCHERS PTY LTD

(ACN 147 943 842)
ABN 82 147 943 842

P.O. Box 149
Yagoona NSW 2199

Telephone: +612 9644 1679
Mobile: 0412 169 809
Facsimile: +612 8076 3026
Email: alsearch@optusnet.com.au

12th May, 2015

AECOM AUSTRALIA PTY LTD

PO Box Q410,
QVB PO,
SYDNEY, NSW 1230

Attention: Jacqui Dunford,

**RE: M5 Linear Park, Bexley Road,
Bexley North
Project No. 60327128_1.01**

Note 1:	Lot 9	DP 1069225	(page 1)
Note 2:	Lot 10	DP 1069225	(page 4)
Note 3:	Lot 11	DP 1069225	(page 6)
Note 4:	Lot 12	DP 1069225	(page 8)
Note 5:	Lot 13	DP 1069225	(page 10)
Note 6:	Lot 14	DP 1069225	(page 12)
Note 7:	Lot 15	DP 1069225	(page 14)
Note 8:	Lot 16	DP 1069225	(page 17)
Note 9:	Lot 17	DP 1069225	(page 19)
Note 10:	Lot 18	DP 1069225	(page 21)

Note 1:

Current Search

Folio Identifier 9/1069225 (title attached)

DP 1069225 (plan attached)

Dated 08th May, 2015

Registered Proprietor:

ROADS AND TRAFFIC AUTHORITY OF NEW SOUTH WALES

Title Tree
Lot 9 DP 1069225

Folio Identifier 9/1069225

Folio Identifier 39/20617

Certificate of Title Volume 5807 Folio 216

Certificate of Title Volume 4900 Folio 151

Certificate of Title Volume 4753 Folio's 176 to 178

Certificate of Title Volume 4264 Folio's 202 to 204

Certificate of Title Volume 3040 Folio 99

Certificate of Title Volume 2256 Folio's 242 & 243

Summary of proprietor(s) Lot 9 DP 1069225

Year	Proprietor
	(Lot 9 DP 1069225)
2006 – todate	Roads and Traffic Authority of New South Wales
2005 – 2006	The Council of the Municipality of Canterbury
	(Lot 39 DP 20617)
1989 – 2005	The Council of the Municipality of Canterbury
	(Lot 39 DP 20617 – CTVol 5807 Fol 216)
1948 – 1989	The Council of the Municipality of Canterbury
	(Part Portion 107 Parish St George – Area 11 Acres 3 Roods 7 ½ Perches – CTVol 4900 Fol 151)
1938 – 1948	Clemton Pty Limited
	(Part Portion 107 Parish St George – Area 12 Acres 2 Roods 26 ½ Perches – CTVol 4753 Fol's 176 to 178)
1937 – 1938	Clemton Pty Limited
1936 – 1937	George Lionel Barker, company manager Isabella Dunlop Lane, wife of solicitor Eastbourne Pty Limited
	(Lots 13 & 14 DP 175645 & part Portion 107 Parish St George – Area 15 Acres 0 Roods 22 Perches – CTVol 4264 Fol's 202, 203 & 204)
1929 – 1936	Pearl Harriett Colwell, wife of surveyor Mildred Newton Brown, wife of property agent Isabella Dunlop Lane, wife of solicitor
	(Part Portion 107 Parish St George – Area 20 Acres 1 Roods 25 ½ Perches – CTVol 3040 Fol 99)
1920 – 1929	Douglas James Frost, draftsman
	(Portion 107 Parish St George – Area 28 Acres 1 Roods 20 Perches – CTVol 2256 Fol's 242 & 243)
1912 – 1920	Douglas James Frost, draftsman James Granter, surveyor

Note 2:

Current Search

Folio Identifier 10/1069225 (title attached)

DP 1069225 (plan attached)

Dated 08th May, 2015

Registered Proprietor:

ROADS AND TRAFFIC AUTHORITY OF NEW SOUTH WALES

Title Tree
Lot 10 DP 1069225

Folio Identifier 10/1069225

Folio Identifier 25/20617

Certificate of Title Volume 6060 Folio 173

Certificate of Title Volume 5951 Folio 186

Certificate of Title Volume 4900 Folio 151

Certificate of Title Volume 4753 Folio's 176 to 178

Certificate of Title Volume 4264 Folio's 202 to 204

Certificate of Title Volume 3040 Folio 99

Certificate of Title Volume 2256 Folio's 242 & 243

Summary of proprietor(s) Lot 10 DP 1069225

Year	Proprietor
	(Lot 10 DP 1069225)
2005 – todate	Roads and Traffic Authority of New South Wales
	(Lot 25 DP 20617)
1989 – 2005	The Council of the Municipality of Canterbury
1953 – 1959	The Cumberland County Council
1949 – 1953	William Maurice Vandewater Julia Agnes Vandewater
	(Lots 24 to 38 DP 20617 and other lands – Area 3 Acres 1 Rood 13 ¾ Perches – CTVol 5951 Fol 186)
1949 – 1949	Claver John Hillard, salesman
	(Part Portion 107 Parish St George – Area 11 Acres 3 Roods 7 ½ Perches – CTVol 4900 Fol 151)
1938 – 1949	Clemton Pty Limited
	(Part Portion 107 Parish St George – Area 12 Acres 2 Roods 26 ½ Perches – CTVol 4753 Fol's 176 to 178)
1937 – 1938	Clemton Pty Limited
1936 – 1937	George Lionel Barker, company manager Isabella Dunlop Lane, wife of solicitor Eastbourne Pty Limited
	(Lots 13 & 14 DP 175645 & part Portion 107 Parish St George – Area 15 Acres 0 Roods 22 Perches – CTVol 4264 Fol's 202, 203 & 204)
1929 – 1936	Pearl Harriett Colwell, wife of surveyor Mildred Newton Brown, wife of property agent Isabella Dunlop Lane, wife of solicitor
	(Part Portion 107 Parish St George – Area 20 Acres 1 Roods 25 ½ Perches – CTVol 3040 Fol 99)
1920 – 1929	Douglas James Frost, draftsman
	(Portion 107 Parish St George – Area 28 Acres 1 Roods 20 Perches – CTVol 2256 Fol's 242 & 243)
1912 – 1920	Douglas James Frost, draftsman James Granter, surveyor

Note 3:

Current Search

Folio Identifier 11/1069225 (title attached)

DP 1069225 (plan attached)

Dated 08th May, 2015

Registered Proprietor:

ROADS AND TRAFFIC AUTHORITY OF NEW SOUTH WALES

Title Tree

Lot 11 DP 1069225

Folio Identifier 11/1069225

Folio Identifier Auto Consol 6552-228

Certificate of Title Volume 6552 Folio 228

Certificate of Title Volume 5951 Folio 186

Certificate of Title Volume 4900 Folio 151

Certificate of Title Volume 4753 Folio's 176 to 178

Certificate of Title Volume 4264 Folio's 202 to 204

Certificate of Title Volume 3040 Folio 99

Certificate of Title Volume 2256 Folio's 242 & 243

Summary of proprietor(s) Lot 11 DP 1069225

Year	Proprietor
	(Lot 11 DP 1069225)
2004 – todate	Roads and Traffic Authority of New South Wales
	(Lots 24, 26, 29 to 31 DP 20617 – A/C 6552-228)
1993 – 2004	Roads and Traffic Authority of New South Wales
	(Lots 24, 26, 29 to 31 DP 20617 – Area 2 Roods 19 Perches - CTVol 6552 Fol 228)
1958 – 1993	The Commissioner for Main Roads
1952 – 1958	The Cumberland County Council
	(Lots 24 to 38 DP 20617 and other lands – Area 3 Acres 1 Rood 13 ¾ Perches – CTVol 5951 Fol 186)
1949 – 1952	Claver John Hillard, salesman
	(Part Portion 107 Parish St George – Area 11 Acres 3 Roods 7 ½ Perches – CTVol 4900 Fol 151)
1938 – 1949	Clemton Pty Limited
	(Part Portion 107 Parish St George – Area 12 Acres 2 Roods 26 ½ Perches – CTVol 4753 Fol's 176 to 178)
1937 – 1938	Clemton Pty Limited
1936 – 1937	George Lionel Barker, company manager Isabella Dunlop Lane, wife of solicitor Eastbourne Pty Limited
	(Lots 13 & 14 DP 175645 & part Portion 107 Parish St George – Area 15 Acres 0 Roods 22 Perches – CTVol 4264 Fol's 202, 203 & 204)
1929 – 1936	Pearl Harriett Colwell, wife of surveyor Mildred Newton Brown, wife of property agent Isabella Dunlop Lane, wife of solicitor
	(Part Portion 107 Parish St George – Area 20 Acres 1 Roods 25 ½ Perches – CTVol 3040 Fol 99)
1920 – 1929	Douglas James Frost, draftsman
	(Portion 107 Parish St George – Area 28 Acres 1 Roods 20 Perches – CTVol 2256 Fol's 242 & 243)
1912 – 1920	Douglas James Frost, draftsman James Granter, surveyor

Note 4:

Current Search

Folio Identifier 12/1069225 (title attached)

DP 1069225 (plan attached)

Dated 08th May, 2015

Registered Proprietor:

ROADS AND TRAFFIC AUTHORITY OF NEW SOUTH WALES

Title Tree

Lot 12 DP 1069225

Folio Identifier 12/1069225

Folio Identifier 23/19081

Certificate of Title Volume 5410 Folio 214

Certificate of Title Volume 4900 Folio 151

Certificate of Title Volume 4753 Folio's 176 to 178

Certificate of Title Volume 4264 Folio's 202 to 204

Certificate of Title Volume 3040 Folio 99

Certificate of Title Volume 2256 Folio's 242 & 243

Summary of proprietor(s) Lot 12 DP 1069225

Year	Proprietor
	(Lot 12 DP 1069225)
2004 – todate	Roads and Traffic Authority of New South Wales
	(Lot 23 DP 19081)
1998 – 2004	Roads and Traffic Authority of New South Wales
1989 – 1998	Francesco Distefano Sebastiana Distefano
	(Lot 23 DP 19081 – Area 19 Perches – CTVol 5410 Fol 214)
1984 – 1989	Francesco Distefano Sebastiana Distefano
1972 – 1982	Francesco Distefano Sebastiana Distefano
1949 – 1972	William Craven, French polisher Mary Frances Craven
1947 – 1949	Noel Jacob Naylor, clerk Harrie Eunice Naylor
1944 – 1947	Harrie Eunice Naylor, married woman
	(Part Portion 107 Parish St George – Area 11 Acres 3 Roods 7 ½ Perches – CTVol 4900 Fol 151)
1938 – 1944	Clemton Pty Limited
	(Part Portion 107 Parish St George – Area 12 Acres 2 Roods 26 ½ Perches – CTVol 4753 Fol's 176 to 178)
1937 – 1938	Clemton Pty Limited
1936 – 1937	George Lionel Barker, company manager Isabella Dunlop Lane, wife of solicitor Eastbourne Pty Limited
	(Lots 13 & 14 DP 175645 & part Portion 107 Parish St George – Area 15 Acres 0 Roods 22 Perches – CTVol 4264 Fol's 202, 203 & 204)
1929 – 1936	Pearl Harriett Colwell, wife of surveyor Mildred Newton Brown, wife of property agent Isabella Dunlop Lane, wife of solicitor
	(Part Portion 107 Parish St George – Area 20 Acres 1 Roods 25 ½ Perches – CTVol 3040 Fol 99)
1920 – 1929	Douglas James Frost, draftsman
	(Portion 107 Parish St George – Area 28 Acres 1 Roods 20 Perches – CTVol 2256 Fol's 242 & 243)
1912 – 1920	Douglas James Frost, draftsman James Granter, surveyor

Note 5:

Current Search

Folio Identifier 13/1069225 (title attached)

DP 1069225 (plan attached)

Dated 08th May, 2015

Registered Proprietor:

ROADS AND TRAFFIC AUTHORITY OF NEW SOUTH WALES

Title Tree

Lot 13 DP 1069225

Folio Identifier 13/1069225

Folio Identifier 22/19081

Certificate of Title Volume 5469 Folio 218

Certificate of Title Volume 4900 Folio 151

Certificate of Title Volume 4753 Folio's 176 to 178

Certificate of Title Volume 4264 Folio's 202 to 204

Certificate of Title Volume 3040 Folio 99

Certificate of Title Volume 2256 Folio's 242 & 243

Summary of proprietor(s) Lot 13 DP 1069225

Year	Proprietor
	(Lot 13 DP 1069225)
2004 – todate	Roads and Traffic Authority of New South Wales
	(Lot 22 DP 19081)
1998 – 2004	Roads and Traffic Authority of New South Wales
1996 – 1998	Therese McElroy Marcia Gabriel Michele Spiteri Rosemary Clarke
1989 – 1996	Rose Clarke
	(Lot 22 DP 19081 – Area 19 Perches – CTVol 5469 Fol 218)
1988 – 1989	Rose Clarke
1949 – 1988	Geoffrey James Clarke, printer
1945 – 1949	Florence Ann Booth, wife of electrician
	(Part Portion 107 Parish St George – Area 11 Acres 3 Roods 7 ½ Perches – CTVol 4900 Fol 151)
1938 – 1945	Clemton Pty Limited
	(Part Portion 107 Parish St George – Area 12 Acres 2 Roods 26 ½ Perches – CTVol 4753 Fol's 176 to 178)
1937 – 1938	Clemton Pty Limited
1936 – 1937	George Lionel Barker, company manager Isabella Dunlop Lane, wife of solicitor Eastbourne Pty Limited
	(Lots 13 & 14 DP 175645 & part Portion 107 Parish St George – Area 15 Acres 0 Roods 22 Perches – CTVol 4264 Fol's 202, 203 & 204)
1929 – 1936	Pearl Harriett Colwell, wife of surveyor Mildred Newton Brown, wife of property agent Isabella Dunlop Lane, wife of solicitor
	(Part Portion 107 Parish St George – Area 20 Acres 1 Roods 25 ½ Perches – CTVol 3040 Fol 99)
1920 – 1929	Douglas James Frost, draftsman
	(Portion 107 Parish St George – Area 28 Acres 1 Roods 20 Perches – CTVol 2256 Fol's 242 & 243)
1912 – 1920	Douglas James Frost, draftsman James Granter, surveyor

Note 6:

Current Search

Folio Identifier 14/1069225 (title attached)

DP 1069225 (plan attached)

Dated 08th May, 2015

Registered Proprietor:

ROADS AND TRAFFIC AUTHORITY OF NEW SOUTH WALES

Title Tree

Lot 14 DP 1069225

Folio Identifier 14/1069225

Folio Identifier 21/19081

Certificate of Title Volume 5472 Folio 152

Certificate of Title Volume 4900 Folio 151

Certificate of Title Volume 4753 Folio's 176 to 178

Certificate of Title Volume 4264 Folio's 202 to 204

Certificate of Title Volume 3040 Folio 99

Certificate of Title Volume 2256 Folio's 242 & 243

Summary of proprietor(s) Lot 14 DP 1069225

Year	Proprietor
	(Lot 14 DP 1069225)
2004 – todate	Roads and Traffic Authority of New South Wales
	(Lot 21 DP 19081)
1998 – 2004	Roads and Traffic Authority of New South Wales
1997 – 1998	Leslie Reparszky Ilona Reparszky
	(Lot 21 DP 19081 – Area 19 Perches – CTVol 5469 Fol 218)
1987 – 1997	Leslie Reparszky Ilona Reparszky
1962 – 1987	Ronald Malcolm Ingram, paymaster Muriel Rose Ingram
1947 – 1962	Herbert Raymond Beavan, plumber
1945 – 1947	John Alfred Leggo, joiner
	(Part Portion 107 Parish St George – Area 11 Acres 3 Roods 7 ½ Perches – CTVol 4900 Fol 151)
1938 – 1945	Clemton Pty Limited
	(Part Portion 107 Parish St George – Area 12 Acres 2 Roods 26 ½ Perches – CTVol 4753 Fol's 176 to 178)
1937 – 1938	Clemton Pty Limited
1936 – 1937	George Lionel Barker, company manager Isabella Dunlop Lane, wife of solicitor Eastbourne Pty Limited
	(Lots 13 & 14 DP 175645 & part Portion 107 Parish St George – Area 15 Acres 0 Roods 22 Perches – CTVol 4264 Fol's 202, 203 & 204)
1929 – 1936	Pearl Harriett Colwell, wife of surveyor Mildred Newton Brown, wife of property agent Isabella Dunlop Lane, wife of solicitor
	(Part Portion 107 Parish St George – Area 20 Acres 1 Roods 25 ½ Perches – CTVol 3040 Fol 99)
1920 – 1929	Douglas James Frost, draftsman
	(Portion 107 Parish St George – Area 28 Acres 1 Roods 20 Perches – CTVol 2256 Fol's 242 & 243)
1912 – 1920	Douglas James Frost, draftsman James Granter, surveyor

Note 7:

Current Search

Folio Identifier 15/1069225 (title attached)

DP 1069225 (plan attached)

Dated 08th May, 2015

Registered Proprietor:

ROADS AND TRAFFIC AUTHORITY OF NEW SOUTH WALES

Title Tree

Lot 15 DP 1069225

Folio Identifier 15/1069225

Folio Identifier 20/19081

Certificate of Title Volume 12660 Folio 242

Certificate of Title Volume 5392 Folio 124

Certificate of Title Volume 4900 Folio 151

Certificate of Title Volume 4753 Folio's 176 to 178

Certificate of Title Volume 4264 Folio's 202 to 204

Certificate of Title Volume 3040 Folio 99

Certificate of Title Volume 2256 Folio's 242 & 243

Summary of proprietor(s) Lot 15 DP 1069225

Year	Proprietor
	(Lot 15 DP 1069225)
2004 – todate	Roads and Traffic Authority of New South Wales
	(Lot 20 DP 19081)
1998 – 2004	Roads and Traffic Authority of New South Wales
1989 – 1998	Wai Wah Kwok Fook Wah Kwok
	(Lot 20 DP 19081 – CTVol 12660 Fol 242)
1988 – 1989	Wai Wah Kwok Fook Wah Kwok
1974 – 1988	Eugene Henry William Goulding, warehouseman Jessie Christina Goulding
	(Lot 20 DP 19081 – Area 17 ½ Perches – CTVol 5392 Fol 124)
1966 – 1974	Eugene Henry William Goulding, warehouseman Jessie Christina Goulding
1960 – 1966	Harold Robert Hanby Slater, salesmanager Elaine Slater
1954 – 1960	Dorothy Mary Moss, married woman Alan Lindsay Moss, member of RAN
1948 – 1954	Arthur Edward Davis, fitter engineer Frances Phoebe Davis
1943 – 1948	William John Jones, commission agent Vida Caroline Jones
	(Part Portion 107 Parish St George – Area 11 Acres 3 Roods 7 ½ Perches – CTVol 4900 Fol 151)
1938 – 1945	Clemton Pty Limited
	(Part Portion 107 Parish St George – Area 12 Acres 2 Roods 26 ½ Perches – CTVol 4753 Fol's 176 to 178)
1937 – 1938	Clemton Pty Limited
1936 – 1937	George Lionel Barker, company manager Isabella Dunlop Lane, wife of solicitor Eastbourne Pty Limited
	(Lots 13 & 14 DP 175645 & part Portion 107 Parish St George – Area 15 Acres 0 Roods 22 Perches – CTVol 4264 Fol's 202, 203 & 204)
1929 – 1936	Pearl Harriett Colwell, wife of surveyor Mildred Newton Brown, wife of property agent Isabella Dunlop Lane, wife of solicitor

Cont.

Cont.

	(Part Portion 107 Parish St George – Area 20 Acres 1 Roods 25 ½ Perches – CTVol 3040 Fol 99)
1920 – 1929	Douglas James Frost, draftsman
	(Portion 107 Parish St George – Area 28 Acres 1 Roods 20 Perches – CTVol 2256 Fol's 242 & 243)
1912 – 1920	Douglas James Frost, draftsman James Granter, surveyor

Note 8:

Current Search

Folio Identifier 16/1069225 (title attached)

DP 1069225 (plan attached)

Dated 08th May, 2015

Registered Proprietor:

ROADS AND TRAFFIC AUTHORITY OF NEW SOUTH WALES

Title Tree

Lot 16 DP 1069225

Folio Identifier 16/1069225

Folio Identifier 19/19081

Certificate of Title Volume 5422 Folio 164

Certificate of Title Volume 4900 Folio 151

Certificate of Title Volume 4753 Folio's 176 to 178

Certificate of Title Volume 4264 Folio's 202 to 204

Certificate of Title Volume 3040 Folio 99

Certificate of Title Volume 2256 Folio's 242 & 243

Summary of proprietor(s) Lot 16 DP 1069225

Year	Proprietor
	(Lot 15 DP 1069225)
2004 – todate	Roads and Traffic Authority of New South Wales
	(Lot 19 DP 19081)
1998 – 2004	Roads and Traffic Authority of New South Wales
1989 – 1998	Michaele Moscato, labourer Caterina Moscato
	(Lot 19 DP 19081 – Area 16 ½ Perches – CTVol 5422 Fol 164)
1969 – 1989	Michaele Moscato, labourer Caterina Moscato
1969 – 1969	Kenneth Joseph Williams, caretaker
1944 – 1969	Margaret Patricia Williams, wife of tramway employee
	(Part Portion 107 Parish St George – Area 11 Acres 3 Roods 7 ½ Perches – CTVol 4900 Fol 151)
1938 – 1944	Clemton Pty Limited
	(Part Portion 107 Parish St George – Area 12 Acres 2 Roods 26 ½ Perches – CTVol 4753 Fol's 176 to 178)
1937 – 1938	Clemton Pty Limited
1936 – 1937	George Lionel Barker, company manager Isabella Dunlop Lane, wife of solicitor Eastbourne Pty Limited
	(Lots 13 & 14 DP 175645 & part Portion 107 Parish St George – Area 15 Acres 0 Roods 22 Perches – CTVol 4264 Fol's 202, 203 & 204)
1929 – 1936	Pearl Harriett Colwell, wife of surveyor Mildred Newton Brown, wife of property agent Isabella Dunlop Lane, wife of solicitor
	(Part Portion 107 Parish St George – Area 20 Acres 1 Roods 25 ½ Perches – CTVol 3040 Fol 99)
1920 – 1929	Douglas James Frost, draftsman
	(Portion 107 Parish St George – Area 28 Acres 1 Roods 20 Perches – CTVol 2256 Fol's 242 & 243)
1912 – 1920	Douglas James Frost, draftsman James Granter, surveyor

Note 9:

Current Search

Folio Identifier 17/1069225 (title attached)

DP 1069225 (plan attached)

Dated 08th May, 2015

Registered Proprietor:

ROADS AND TRAFFIC AUTHORITY OF NEW SOUTH WALES

Title Tree
Lot 17 DP 1069225

Folio Identifier 17/1069225

Folio Identifier 18/19081

Certificate of Title Volume 5476 Folio 23

Certificate of Title Volume 4900 Folio 151

Certificate of Title Volume 4753 Folio's 176 to 178

Certificate of Title Volume 4264 Folio's 202 to 204

Certificate of Title Volume 3040 Folio 99

Certificate of Title Volume 2256 Folio's 242 & 243

Summary of proprietor(s) Lot 17 DP 1069225

Year	Proprietor
	(Lot 17 DP 1069225)
2004 – todate	Roads and Traffic Authority of New South Wales
	(Lot 18 DP 19081)
1999 – 2004	Roads and Traffic Authority of New South Wales
1994 – 1999	Kam Wai Chan Choi Po Lin Chan
1991 – 1994	Rose Winton McGavin
1989 – 1991	George Thomas McGavin, building construction supervisor Rose Winto McGavin, married woman
	(Lot 18 DP 19081 – Area 16 ½ Perches – CTVol 5476 Fol 23)
1965 – 1989	George Thomas McGavin, building construction supervisor Rose Winto McGavin, married woman
1964 – 1964	Alexander David Bain, engineer Joseph Arthur Langton, engineer Mort O'Brien, engineer Dennis Arthur Deer, engineer Henry William Whitton, engineer
1961 – 1964	Alexander David Bain, engineer Norman Harold Fairless, engineer Joseph Arthur Langton, engineer Mort O'Brien, engineer Dennis Arthur Deer, engineer
1961 - 1961	Alexander David Bain, engineer Norman Harold Fairless, engineer Joseph Arthur Langton, engineer Mort O'Brien, engineer
1946 – 1961	Ernest Lance Turton, carpenter & joiner
1945 – 1946	James Norman Brooks, boilermaker
	(Part Portion 107 Parish St George – Area 11 Acres 3 Roods 7 ½ Perches – CTVol 4900 Fol 151)
1938 – 1945	Clemton Pty Limited
	(Part Portion 107 Parish St George – Area 12 Acres 2 Roods 26 ½ Perches – CTVol 4753 Fol's 176 to 178)
1937 – 1938	Clemton Pty Limited
1936 – 1937	George Lionel Barker, company manager Isabella Dunlop Lane, wife of solicitor Eastbourne Pty Limited

Cont.

Cont.

	(Lots 13 & 14 DP 175645 & part Portion 107 Parish St George – Area 15 Acres 0 Roods 22 Perches – CTVol 4264 Fol's 202, 203 & 204)
1929 – 1936	Pearl Harriett Colwell, wife of surveyor Mildred Newton Brown, wife of property agent Isabella Dunlop Lane, wife of solicitor
	(Part Portion 107 Parish St George – Area 20 Acres 1 Roods 25 ½ Perches – CTVol 3040 Fol 99)
1920 – 1929	Douglas James Frost, draftsman
	(Portion 107 Parish St George – Area 28 Acres 1 Roods 20 Perches – CTVol 2256 Fol's 242 & 243)
1912 – 1920	Douglas James Frost, draftsman James Granter, surveyor

Note 10:

Current Search

Folio Identifier 18/1069225 (title attached)

DP 1069225 (plan attached)

Dated 08th May, 2015

Registered Proprietor:

ROADS AND TRAFFIC AUTHORITY OF NEW SOUTH WALES

Title Tree
Lot 18 DP 1069225

Folio Identifier 18/1069225

Folio Identifier 17/19081

Certificate of Title Volume 5516 Folio 103

Summary of proprietor(s)
Lot 18 DP 1069225

Year	Proprietor
	(Lot 18 DP 1069225)
2004 – todate	Roads and Traffic Authority of New South Wales
	(Lot 17 DP 19081)
1999 – 2004	Roads and Traffic Authority of New South Wales
1998 – 1999	Cesar Valente Quintal Maria Isalina Quintal Noronha
1996 – 1998	Francis Patrick Townsend Joan Noeline Townsend
1989 – 1996	
	(Lot 17 DP 19081 – CTVol)

SIGNATURES AND SEALS ONLY.

EXECUTED FOR THE ROADS AND TRAFFIC AUTHORITY, NSW BY ITS DELEGATE DAVID SHAFROD PURSUANT TO BOOK 4 394 No.422

SEE SIGNATURES FORM
MANAGER, PROPERTY SERVICES

FOR
SIGNATURES
AND SEALS SEE
SIGNATURES
FORM

THIS PLAN IS EXEMPT FROM SUBDIVISION CERTIFICATION PURSUANT TO A DECISION BETWEEN DULAC RTA AND LPT NSW SEE LPT 276 (CENTRE) - LAND IN THIS PLAN COMPREHENS ONLY ROAD OR ROAD AND RESIDUE

SEE SIGNATURES FORM

AUTHORISED OFFICER
ROADS AND TRAFFIC AUTHORITY NSW

Department of Lands Approval
In approving this plan, the Department of Lands certifies that all necessary approvals in regard to the location of the land shown herein have been given.

Signature: _____
Date: _____
File Number: _____
Office: _____

Subdivision Certificate
I hereby certify that the provisions of a DOLA of the Environmental Planning and Assessment Act 1979 have been satisfied in relation to the proposed
(insert "subdivision" or "new road")
set out herein

Consent Authority
Date of Endorsement: _____
Accreditation No.: _____
Subdivision Certificate No.: _____
Title No.: _____
Date: _____
Deeds and/or is inapplicable

SURVEYORS (PRACTICE) REGULATION 2001 CLAUSE 3(2)				
MARK	EASTING	NORTHING	ZONE	CLASS ORDER
S.S.M. 112898	325 265.842	6 243 392.113	56	B 2
S.S.M. 112899	325 023.352	6 243 394.249	56	B 2
S.S.M. 112900	324 923.348	6 243 398.238	56	B 2
S.S.M. 112980	325 346.074	6 243 174.052	56	B 2
P.M. 32712				

SOURCE: LAND & PROPERTY INFORMATION DATE: NOVEMBER 2003
COMBINED SCALE FACTOR 0.999974

(C) AA07986 EASEMENT FOR TRANSMISSION LINE
3.8 WIDE, 6 WIDE & VARIABLE WIDTH (DP 1049629)
(G) MU5913 EASEMENT FOR SEWERAGE (DP 540032)
(H) G256240 EASEMENT (V4920 F20, F208)
(N) D36499 - COVENANT
(N) C78703 - COVENANT
(N) D43669 - COVENANT
(P) RESERVATION & CONDITIONS IN CROWN GRANT

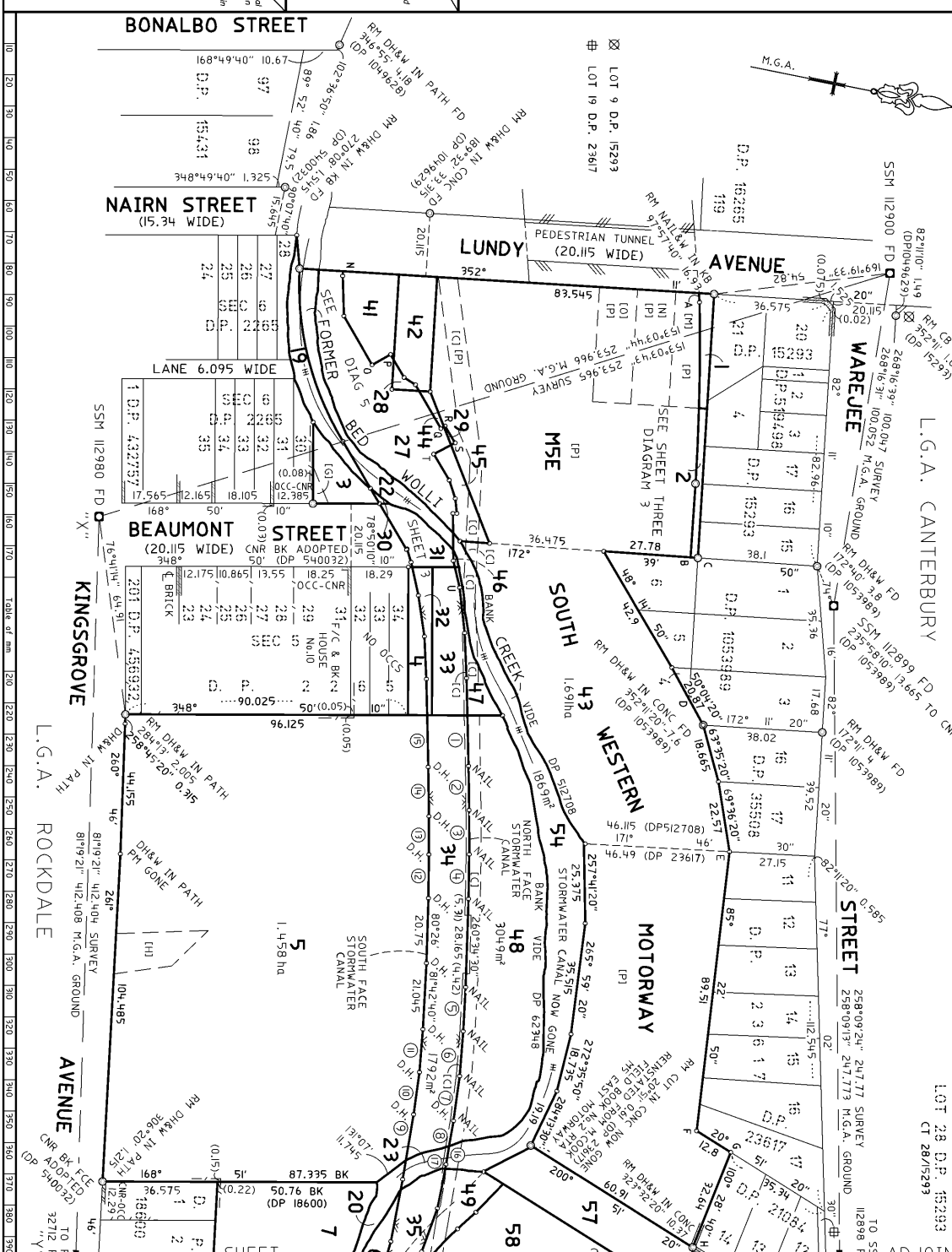
LOTS 5, 34 & 48
RESERVE FOR PUBLIC RECREATION
GOV.GAZ. 7/12/1956 F393
PART LOT 30 D.P. 933742
CT V4920 F208 & 210

LOT 54
CT 30/15293, CT V851 F69, CT V862 F59,
AC 5863132, CT V152708, CT V4920 F208 & F210
AC 6728-227, CT V440 F170,
CONV No.58 BOOK 56, CONV No.592 BOOK 1907

LOT 24 D.P. 15293
CT 24/15293
LOT 26 D.P. 15293
CT 26/15293
LOT 27 D.P. 15293
CT 27/15293
LOT 28 D.P. 15293
CT 28/15293

SHORT LINE TABLE			
No.	BEARING	DIST	NO. BEARING
1	257°21'40"	16.05	10 86°29'
2	257°52'10"	14.1	11 87°16'30"
3	258°34'10"	14.06	12 79°18'
4	259°34'20"	14.6	13 78°39'40"
5	261°46'	14.215	14 77°54'50"
6	263°07'30"	14.295	15 77°26'20"
7	266°30'40"	14.38	16 268°24'30"
8	268°24'30"	8.2	17 269°10'
9	88°14'20"	14.7	

LOT 35 TO 47 D.P. 21084
LOT 20 D.P. 23617
AUTO CONSOL 6728-227
LOT 1 D.P. 552708
CT V152708
PART LOT 22 D.P. 15293
PART CT 22/15293
LOT 23 D.P. 15293
CT 23/15293
LOT 24 D.P. 15293
CT 24/15293
LOT 26 D.P. 15293
CT 26/15293
LOT 27 D.P. 15293
CT 27/15293
LOT 28 D.P. 15293
CT 28/15293



ADJOINS

DP1069225

Registered: 26-7-2004
Title System: TORRENS, OLD SYSTEM
Purpose: ROADS ACT, 1993

Ref. Map: U0837-13
Lost Plan: DP19081 & OTHERS

PLAN OF LAND TO BE ACQUIRED
FOR THE PURPOSES OF THE
ROAD ACT, 1993

L.G.A.: & CANTERBURY CITY
Locality: KINGS GROVE
Parish: ST. GEORGE
County: CUMBERLAND

This is sheet 1 of my plan in 4 sheets
(Delete if inapplicable)

Survey Regulation, 2001
DOUGLAS LACHLAN MACLENN
DEPUTY REGISTRAR
11/19-23 BRIDGE STREET, PYMBLE NSW
A survey required under the Surveying Act 2002, hereby
certifies that the survey represented in this plan is accurate,
correct and was completed on 28/01/2004.
This survey relates to: LOTS 1 TO 70 INCLUSIVE
AND CONNECTIONS
(Delete if inapplicable)
(Where applicable the land actually surveyed or specified only land
shown in the plan that is not the subject of the survey)
(General)
SEE SIGNATURES FORM
Name: _____
Date: _____
Type: _____

Plans used in preparation of survey/development
D.P. 1 55293, 1543 18600, 19081, 19466, 20017,
20048, 20193, 22671, 27019, 35508, 42348,
44923, 161705, 202178, 398304, 43976, 432757,
44923, 442705, 449189, 449032, 43976, 432757,
10975-3000, R21270 603
RTA FBK No.: 6005 078 FPO031

PANEL FOR USE ONLY for statements of
public reserves, drainage reserves, easements,
restrictions on the use of land or positive
covenants.
LOTS 4, 5, 8, 6, DP 1053989 TOGETHER
WITH LOTS 41 TO 64 INCLUSIVE ARE
REQUIRED FOR FREEWAY UNDER
SECTION 48 OF THE ROADS ACT,
1993.

ACCESS WILL BE RESTRICTED
ACROSS THE BOUNDARIES OF A.C.
ENTERPRISES, L.L.N. 617,017,018,
S.L.U.N. 617,018, 617,019, 617,020,
S.L.U.N. 617,021, 617,022, 617,023, 617,024,
617,025, 617,026, 617,027, 617,028, 617,029,
617,030, 617,031, 617,032, 617,033, 617,034,
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- (A) D377228 EASEMENT FOR DRAINAGE VARIABLE WIDTH (DP 43976)
- (B) D352805 EASEMENT FOR ELECTRICITY TRANSMISSION LINE
- (C) A407986 EASEMENT FOR TRANSMISSION LINE
- (D) D3827 EASEMENT FOR SEWERAGE 4.875 WIDE (10871-3000)
- (E) J447073 EASEMENT FOR STORMWATER DRAINAGE
- (F) B24264 LAND EXCLUDES MINERALS IN GRON GRANT (V4659 F77)
- (G) EASEMENT FOR STORMWATER CHANNEL VARIABLE WIDTH
- (H) GOV. GAZ. OF 20/7/1962 FOL.20798 (1856-3000)
- (I) EASEMENT FOR STORMWATER CHANNEL 7.35 WIDE
- (J) GOV. GAZ. OF 2/2/1945 FOL.238-239 (1802-3000)
- (K) LOT 16, D.P. 668742
- (L) LOT 19, D.P. 23617

ADJOINS

WAREJEE STREET

FLAT ROCK (15.085 WIDE) ROAD

JONES AVENUE

POOLE STREET

DOUGLAS STREET

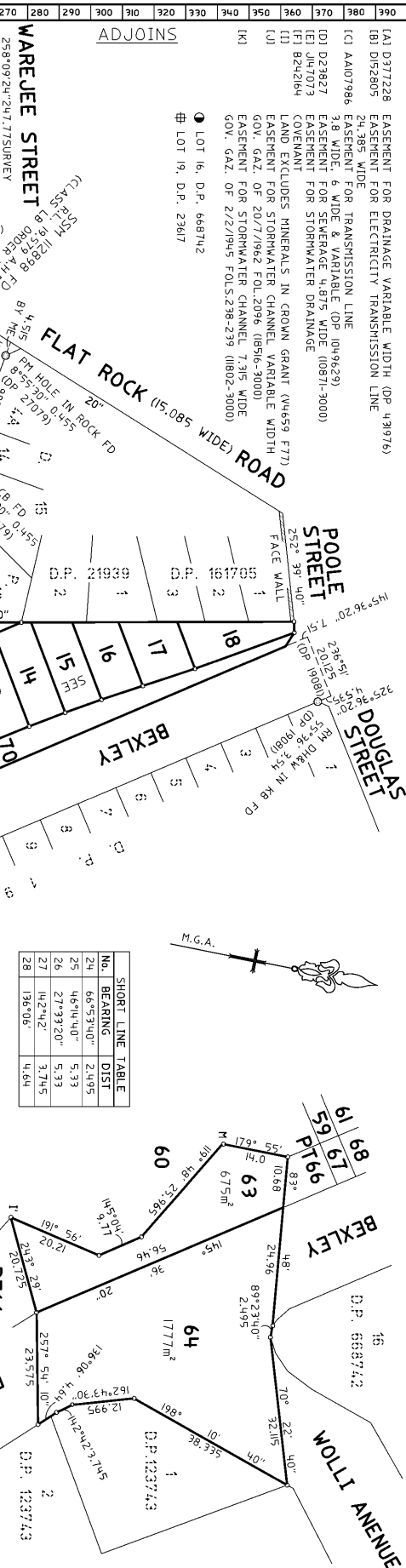
BEXLEY

WOLLI AVENUE

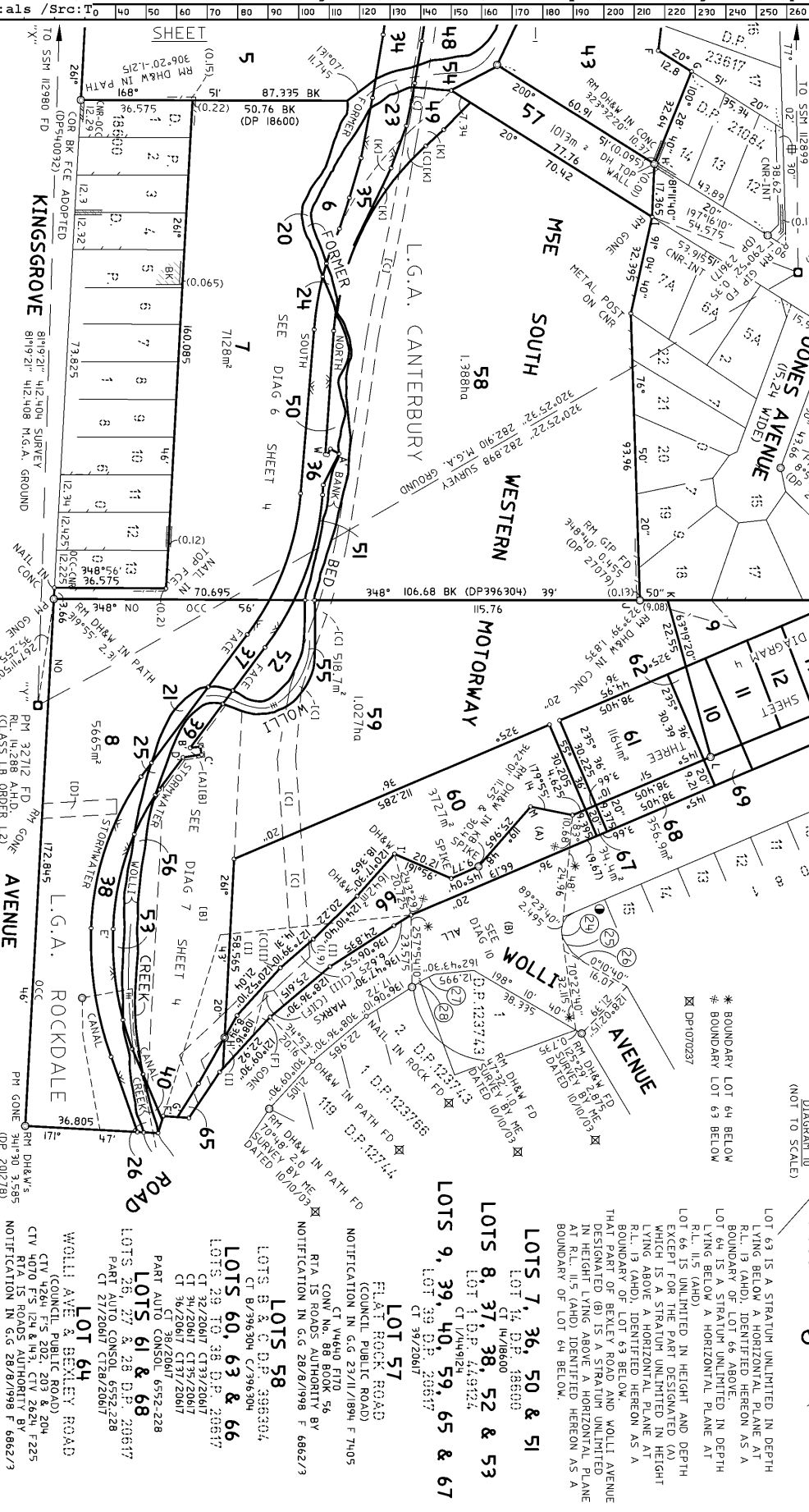
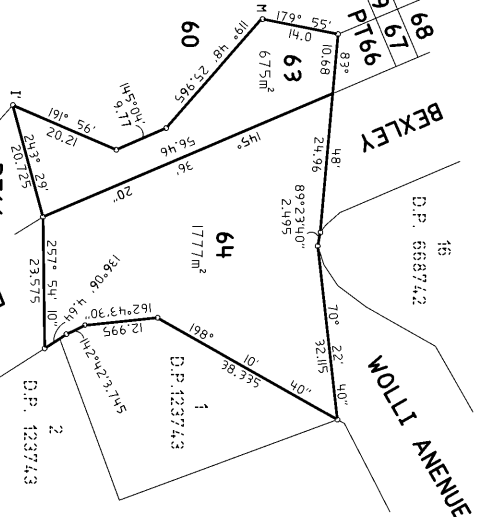
ROCKDALE AVENUE

KINGS GROVE

WOLLIE AVE & BEXLEY ROAD



No.	BEARING	DIST
24	66°53'40"	2.495
25	46°14'40"	5.333
26	27°39'20"	5.333
27	142°44'2"	3.745
28	136°06'	4.641



No.	BEARING	DIST
24	66°53'40"	2.495
25	46°14'40"	5.333
26	27°39'20"	5.333
27	142°44'2"	3.745
28	136°06'	4.641



DP1069225	Registered: 26-7-2004	SEE SIGNATURES FORM	Surgeon registered under Surgeons Act, 2002
This is sheet 2 of my plan of sheets covered by subdivision certificate No. 28/01/2004			
Authorised Person/General Manager/Assisted Cariler			
L.G.A. : CANTERBURY CITY & ROCKDALE CITY			
Locality: KINGS GROVE			
Parish: ST. GEORGE			
County: CUMBERLAND			
For use where space is insufficient in my panel on Plan Form 2			
Reduction Ratio 1:1000			
SURVEYOR'S REFERENCE : 298520P/1 39371			

DP1069225

Registered: 26-7-2004

This is sheet 3 of my plan in 4 sheets dated 28/01/2004

SEE SIGNATURES FORM

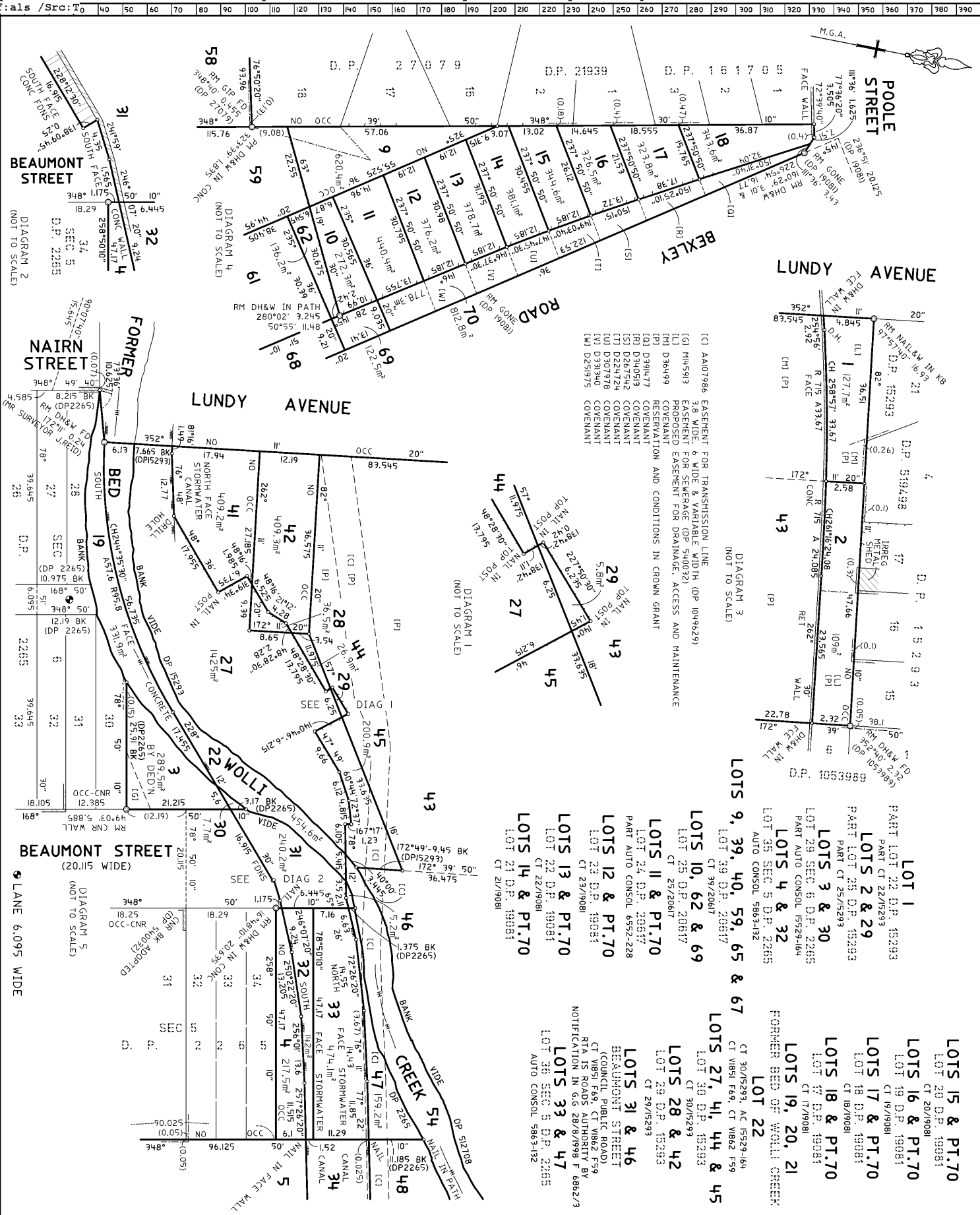
Surveyor registered under Surveyors Act, 2002

This is sheet 3 of my plan in 4 sheets dated 28/01/2004

Authorised Person/General Manager/Assistant

L.G.A.: CANTERBURY CITY & ROCKDALE CITY
Locality: KINGSGROVE
Parish: ST. GEORGE
County: CUMBERLAND

For use where space is insufficient in my plan on Plan Form 2



DP1069225

Registered: 26-7-2004

This is sheet 4 of my plan in 4 sheets dated 28/01/2004

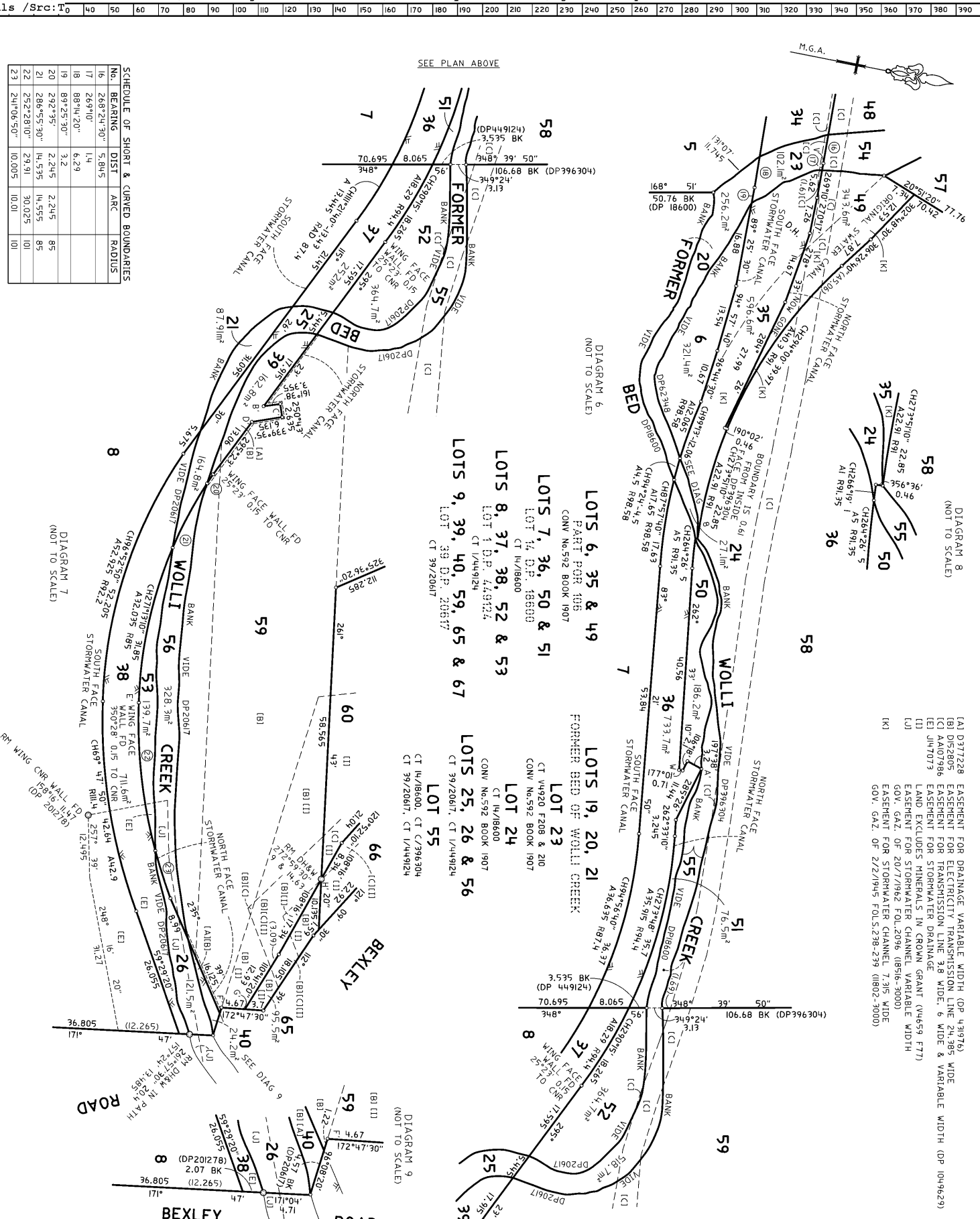
SEE SIGNATURES FORM

Surveyor registered under Surveyors Act, 2002
This is sheet 4 of my plan of 3 sheets covered by subdivision certificate No. 1069225

Authorised Person/General Manager/Accountant/Clerk

L.G.A.: CANTERBURY CITY & ROCKDALE CITY
Locality: KINGS GROVE
Parish: ST. GEORGE
County: CUMBERLAND

For use where space is insufficient in any panel on Plan Form 2



**PLAN OF LAND TO BE ACQUIRED FOR THE
PURPOSES OF THE ROADS ACT, 1993.**

DP1069225

Registered:

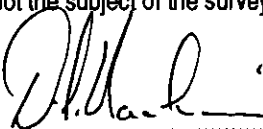


26-7-2004

Surveying Regulation 2001

I, DOUGLAS LACHLAN MACLEAN
of DEGORTARDI SMITH AND PARTNERS
11/19-23 BRIDGE STREET, PYMBLE, NSW
a surveyor registered under the *Surveying Act 2002*, certify that the
survey represented in this plan is accurate, has been made in
accordance with the *Surveying Regulation 2001* and was completed
on: 28/01/2004

The survey relates to LOTS 1-70 INCLUSIVE AND CONNECTIONS
(specify the land actually surveyed or specify any land shown in the
plan that is not the subject of the survey)

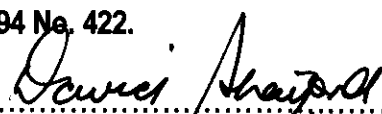
Signature  Dated: 26/05/04
Surveyor registered under the *Surveying Act 2002*

Datum Line: "X" (SHEET 1) - "Y" (SHEET 2)

Type: Urban

**SIGNATURES, SEALS and STATEMENTS of intention
to dedicate public roads or to create public reserves
and drainage reserves.**

**EXECUTED FOR THE ROADS AND TRAFFIC
AUTHORITY, NSW BY ITS DELEGATE DAVID
SHATFORD PURSUANT TO DELEGATION
BOOK 4394 No. 422.**


MANAGER, PROPERTY SERVICES

Department of Lands Approval

I.....in approving this plan certify
(Authorised Officer)

that all necessary approvals in regard to the allocation of the land
shown hereon have been given

Signature:.....
Date:.....
File Number:.....
Office:.....

Subdivision Certificate

I certify that the provisions of s.109J of the Environmental Planning
and Assessment Act 1979 have been satisfied in relation to:

the proposed..... set out herein
(insert 'subdivision' or 'new road')

* Authorised Person/General Manager/Accredited Certifier

Consent Authority:
Date of Endorsement:
Accreditation no:
Subdivision Certificate no:
File no:

Note:

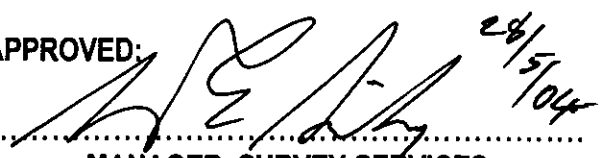
When the plan is to be lodged electronically in Land and Property
Information, it should include a signature in an electronic or digital
format approved by the Registrar-General.

* Delete whichever is inapplicable.

**THIS PLAN IS EXEMPT FROM SUBDIVISION
CERTIFICATION PURSUANT TO A DECISION
BETWEEN DUAP, RTA & LPI NSW - SEE 1997
M6 (Item 2). LAND IN THIS PLAN COMPRISES
ONLY ROAD OR ROAD AND RESIDUE.**


AUTHORISED OFFICER
ROADS AND TRAFFIC AUTHORITY, NSW

APPROVED:


MANAGER, SURVEY SERVICES
OPERATIONS
ROADS AND TRAFFIC AUTHORITY, NSW

Use PLAN FORM 6A for additional
certificates, signatures and seals

ADVANCE LEGAL SEARCHERS PTY LTD

(ACN 147 943 842)
ABN 82 147 943 842

P.O. Box 149
Yagoona NSW 2199

Telephone: +612 9644 1679
Mobile: 0412 169 809
Facsimile: +612 8076 3026
Email: alsearch@optusnet.com.au

12th May, 2015

AECOM AUSTRALIA PTY LTD

PO Box Q410,
QVB PO,
SYDNEY, NSW 1230

Attention: Jacqui Dunford,

**RE: 19 Marsh Street,
Arncliffe
Project No. 60327128_1.01**

Note 1:	Lot 1	DP 329283	(page 1)
Note 2:	Lot 1	DP 108492	(page 4)
Note 3:	Lot 11	DP 570900	(page 7)
Note 4:	Lot 14	DP 213314	(page 10)

Note 1:

Current Search

Folio Identifier 1/329283 (title attached)
DP 329283 (plan attached)
Dated 08th May, 2015
Registered Proprietor:
THE COMMISSIONER FOR MAIN ROADS

Title Tree
Lot 1 DP 329283

Folio Identifier 1/329283

Certificate of Title Volume 4610 Folio 45

(a)	(b)	(c)
CTVol 4461 Folio 91	CTVol 4570 Folio 121	CTVol 4499 Folio 148
CTVol 638 Folio 195	Govt Gaz 7 th June 1929	CTVol 928 Folio 222
*****	*****	*****

Summary of proprietor(s)
Lot 1 DP 329283

Year	Proprietor
	(Lot 1 DP 329283)
1988 – todate	The Commissioner for Main Roads
	(Lot 1 DP 329283 – Area 5 Acres 1 Rood – CTVol 4610 Fol 45)
1970 – 1988	The Commissioner for Main Roads
1969 – 1970	The State Planning Authority of New South Wales
<i>(1961 – 1968)</i>	<i>(lease to Tung War, market gardener)</i>
1933 – 1969	Vera Corby Tasker, wife of market gardener
1933 – 1933	Wilfred Cambria Allen, estate agent

See Notes (a), (b) & (c)

Note (a)

	(Part Lot 7 DP 17382 and other lands – Area 3 Acres 1 Rood 15 ½ Perches – CTVol 4461 Fol 91)
1930 – 1933	The Metropolitan Water Sewerage and Drainage Board
1930 – 1930	The Minister for Public Works
	(Part Portion 246 Parish St George – Area 43 Acres 2 Roods 33 ¾ Perches – CTVol 638 Fol 195)
1888 – 1930	The Minister for Public Works

Note (b)

	(Part Marsh Street, Parish St George – Area 2 Roods 5 ½ Perches – CTVol 4570 Fol 121)
1933 – 1933	The Metropolitan Water Sewerage and Drainage Board
	(Part Marsh Street, Parish St George – Area 2 Roods 5 ½ Perches – Government Gazette 7th June 1929 Fol's 2384 & 2385)
1929 – 1933	The Minister for Public Works
	(Part Marsh Street, Parish St George)
Prior – 1929	Crown Road

Note (c)

	(Part Portion 147 Parish St George and other lands – Area 457 Acres 3 Roods 7 Perches – CTVol 4499 Fol 148)
1931 – 1933	The Metropolitan Water Sewerage and Drainage Board
	(Part Portion 147 Parish St George – Area 14 Acres 2 Roods – CTVol 928 Fol 222)
1930 – 1931	The Metropolitan Water Sewerage and Drainage Board
1890 – 1930	The Minister for Public Works

Note 2:

Current Search

Folio Identifier 1/108492 (title attached)

DP 108492 (plan attached)

Dated 08th May, 2015

Registered Proprietor:

THE COUNCIL OF THE MUNICIPALITY OF ROCKDALE

Title Tree
Lot 1 DP 108492

Folio Identifier 1/108492

Certificate of Title Volume 7470 Folio 193

Certificate of Title Volume 6580 Folio 173

Certificate of Title Volume 5030 Folio 125

Certificate of Title Volume 4610 Folio 46

(a)

(b)

(c)

CTVol 4461 Folio 91

CTVol 4570 Folio 121

CTVol 4499 Folio 148

CTVol 638 Folio 195

Govt Gaz 7th June 1929

CTVol 928 Folio 222

Summary of proprietor(s) Lot 1 DP 108492

Year	Proprietor
	(Lot 1 DP 108492)
1988 – todate	The Council of the Municipality of Rockdale
	(Lot 1 DP 108492 – Area 29 Acres 3 Roods 20 $\frac{3}{4}$ Perches – CTVol 7470 Fol 193)
1958 – 1988	The Council of the Municipality of Rockdale
1957 – 1958	The Cumberland County Council
1957 – 1957	George Soren Bang, managing law clerk
	(Part Portions 147 & 229 Parish St George – Area 56 Acres 2 Roods 15 Perches – CTVol 6580 Fol 173)
1952 – 1957	The Commonwealth of Australia
	(Part Portions 147 & 229 Parish St George – Area 53 Acres 0 Roods 24 $\frac{1}{4}$ Perches – CTVol 5030 Fol 125)
1939 – 1952	Wilfred Cambria Allen, estate agent
	(Part Portions 147 & 229 Parish St George – Area 56 Acres 2 Roods 15 Perches – CTVol 4610 Fol 46)
1933 – 1939	Wilfred Cambria Allen, estate agent

See Notes (a), (b) & (c)

Note (a)

	(Part Lot 7 DP 17382 and other lands – Area 3 Acres 1 Rood 15 $\frac{1}{2}$ Perches – CTVol 4461 Fol 91)
1930 – 1933	The Metropolitan Water Sewerage and Drainage Board
1930 – 1930	The Minister for Public Works
	(Part Portion 246 Parish St George – Area 43 Acres 2 Roods 33 $\frac{3}{4}$ Perches – CTVol 638 Fol 195)
1888 – 1930	The Minister for Public Works

Note (b)

	(Part Marsh Street, Parish St George – Area 2 Roods 5 ½ Perches – CTVol 4570 Fol 121)
1933 – 1933	The Metropolitan Water Sewerage and Drainage Board
	(Part Marsh Street, Parish St George – Area 2 Roods 5 ½ Perches – Government Gazette 7th June 1929 Fol's 2384 & 2385)
1929 – 1933	The Minister for Public Works
	(Part Marsh Street, Parish St George)
Prior – 1929	Crown Road

Note (c)

	(Part Portion 147 Parish St George and other lands – Area 457 Acres 3 Roods 7 Perches – CTVol 4499 Fol 148)
1931 – 1933	The Metropolitan Water Sewerage and Drainage Board
	(Part Portion 147 Parish St George – Area 14 Acres 2 Roods – CTVol 928 Fol 222)
1930 – 1931	The Metropolitan Water Sewerage and Drainage Board
1890 – 1930	The Minister for Public Works

Note 3:

Current Search

Folio Identifier 11/570900 (title attached)
DP 570900 (plan attached)
Dated 08th May, 2015
Registered Proprietor:
KOGARAH GOLF CLUB LIMITED

Title Tree Lot 11 DP 570900

Folio Identifier 11/570900

Certificate of Title Volume 12716 Folio 223

Certificate of Title Volume 9304 Folio 203

(a)

(b)

CTVol 6580 Folio 173

Commonwealth Government
Gazette 11th September 1947 Folio 2650

CTVol 5030 Folio 125

Conveyance Book 1266 No 356

CTVol 4610 Folio 46

CTVol 4499 Folio 148

CTVol 928 Folio 222

Summary of proprietor(s)

Lot 11 DP 570900

Year	Proprietor
	(Lot 11 DP 570900)
1988 – todate	Kogarah Golf Club Limited
	(Lot 11 DP 570900 – CTVol 12716 Fol 223)
1975 – 1988	Kogarah Golf Club Limited
	(Lot 15 DP 213314 – CTVol 9304 Fol 203)
1972 – 1975	Kogarah Golf Club Limited
1968 – 1972	The Commonwealth of Australia

See Notes (a) & (b)

Note (a)

	(Part Portions 147 & 229 Parish St George – Area 56 Acres 2 Roods 15 Perches – CTVol 6580 Fol 173)
1952 – 1957	The Commonwealth of Australia
	(Part Portions 147 & 229 Parish St George – Area 53 Acres 0 Roods 24 ¼ Perches – CTVol 5030 Fol 125)
1939 – 1952	Wilfred Cambria Allen, estate agent
	(Part Portions 147 & 229 Parish St George – Area 56 Acres 2 Roods 15 Perches – CTVol 4610 Fol 46)
1933 – 1939	Wilfred Cambria Allen, estate agent
	(Part Portion 147 Parish St George and other lands – Area 457 Acres 3 Roods 7 Perches – CTVol 4499 Fol 148)
1931 – 1933	The Metropolitan Water Sewerage and Drainage Board
	(Part Portion 147 Parish St George – Area 14 Acres 2 Roods – CTVol 928 Fol 222)
1930 – 1931	The Metropolitan Water Sewerage and Drainage Board
1890 – 1930	The Minister for Public Works

Note (b)

	(Part Portions 149 Parish St George – Commonwealth Govt Gaz 11th Sept 1947 Fol 2650)
1947 – 1957	The Commonwealth of Australia
	(Part Portions 149 Parish St George – Area 45 Acres – Conv Bk 1266 No 356)
1922 – 1947	The Boonie Doon Golf Club Limited

Note 4:

Current Search

Folio Identifier 14/213314 (title attached)

DP 213314 (plan attached)

Dated 08th May, 2015

Registered Proprietor:

KOGARAH CITY COUNCIL

Title Tree Lot 14 DP 213314

Folio Identifier 14/213314

CA 137422

Conveyance Book 2446 No 263

Commonwealth Government
Gazette 11th September 1947 Folio 2650

Conveyance Book 1266 No 356

Summary of proprietor(s)

Lot 14 DP 213314

Year	Proprietor
	(Lot 14 DP 213314)
1988 – todate	Kogarah City Council
	(Land in DP 109791 – Conv Bk 2446 No 263)
1957 – 1988	The Council of the Municipality of Rockdale
	(Part Portions 149 Parish St George – Commonwealth Govt Gaz 11th Sept 1947 Fol 2650)
1947 – 1957	The Commonwealth of Australia
	(Part Portions 149 Parish St George – Area 45 Acres – Conv Bk 1266 No 356)
1922 – 1947	The Boonie Doon Golf Club Limited

Municipality of Rockdale
Shire of

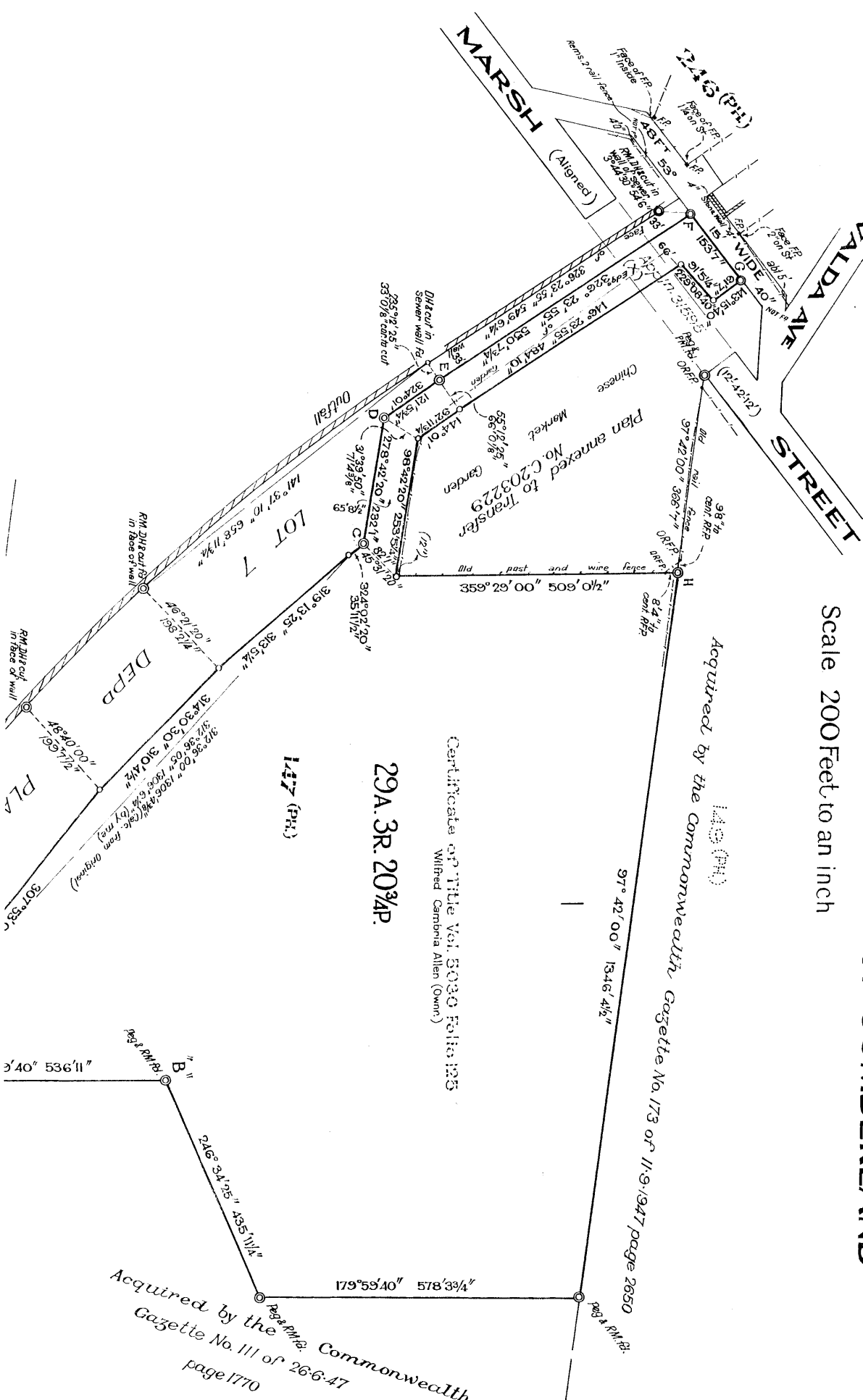
F 539934

PLAN

of part of Portions 147(PH) 229(PH) & 246(PH)
and part of R.P. Application No. 31595 (formerly part of Marsh Street)
being part of land comprised in C.T. Vol. 5030 Fol. 125

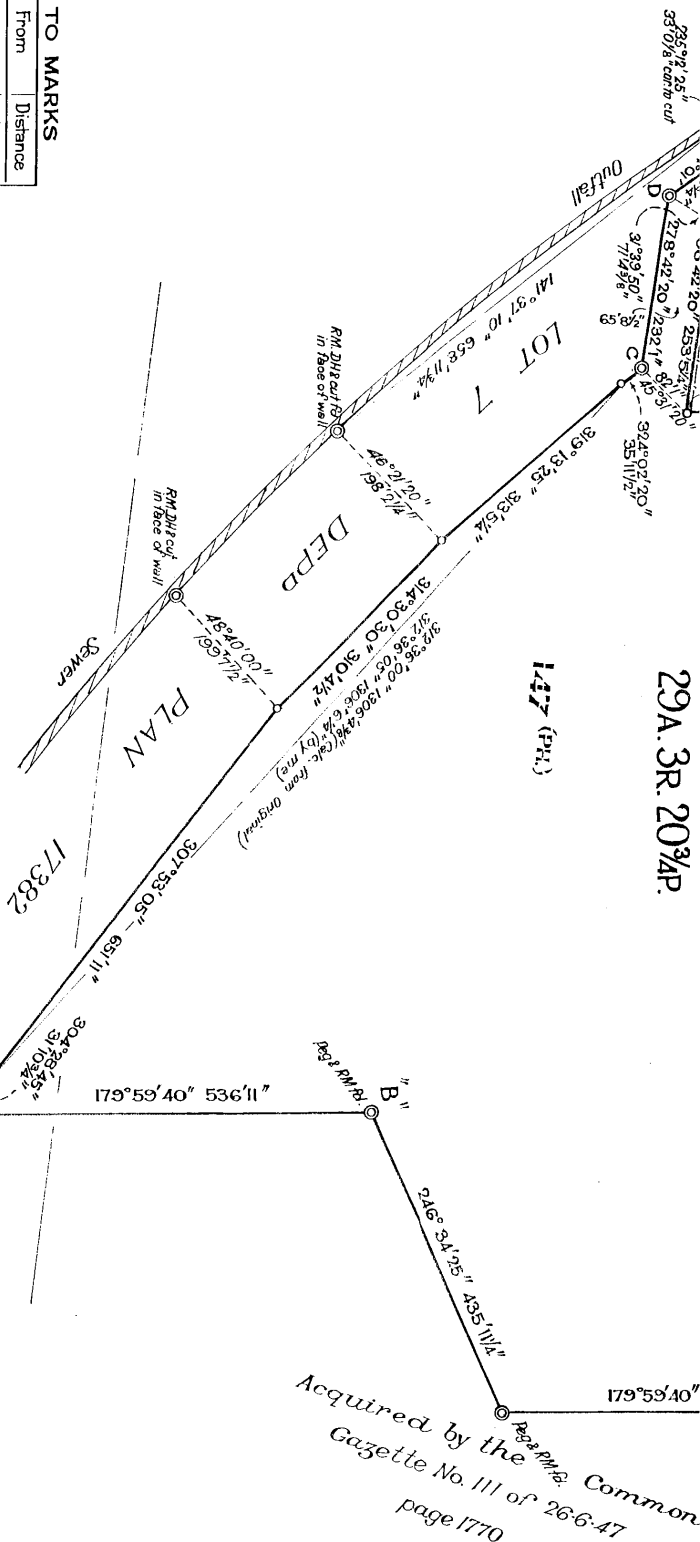
PARISH OF ST GEORGE
COUNTY OF CUMBERLAND

Scale 200 Feet to an inch



29A.3R.20 3/4P.

147' (PH.)



Cor.	Bearing	From	Distance
C	225° 31' 20"	Gal. Iron Pipe	1' 10 1/2"
D	211° 39' 50"	Gal. Iron Pipe	1' 7 1/2"
E	235° 12' 25"	Gal. Iron Pipe	1' 6"
F	146° 24' 00"	Gal. Iron Pipe	1' 6"
G	143° 15' 40"	Gal. Iron Pipe	1' 6"
H	301° 35' 00"	Gal. Iron Pipe	5' 0"

REFERENCE TO MARKS

(X). LAND EXCLUDES MINERALS (SEC. 141 PUBLIC WORKS ACT, 1912)

16649 L.

Subscribed and declared before me at Sydney
this 4th day of August A.D. 1956.

D.P. 108492 (E)

(Signature) *George Frederick Moor*

Surveyor registered under the Surveyors Act, 1923.

Date of Survey June 1950

I, George Frederick Moor of the Department of the Interior Sydney NSW, a Surveyor registered under the Surveyors Act, 1923, do hereby solemnly and sincerely declare (a) that all boundaries and measurements shown on this plan are correct, (b) that all survey marks found and relevant physical objects on or adjacent to the boundaries are correctly represented, (c) that all physical objects indicated actually exist in the portions shown, (d) that the whole of the material facts in relation to the land are correctly represented, (e) that the survey represented in this plan has been made in accordance with the Survey Practice Regulations, 1933 (1) by me (or under my supervision) the absence and extent of which was ascertained by the Survey Practice Regulations, 1933, and was completed on 26th June 1950, and the reference marks have been placed as shown hereon.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Oaths Act, 1900

Acquired by Commonweath
Gaz. No. 173 of 11.9.1947
page 2660

Acquired by the
Gazette No. 111 of 26-6-47
page 1770



CONVERSION TABLE ADDED IN
DEPARTMENT OF LANDS

DP 108492		
FEET INCHES		METRES
-	1	0.025
-	1 1/4	0.032
-	4	0.102
1	-	0.305
1	1 1/4	0.337
1	6	0.457
1	7 1/2	0.495
1	10 1/2	0.572
4	-	1.219
5	-	1.524
6	7 1/4	2.013
8	4	2.540
10	-	3.048
12	-	3.658
17	7 1/2	5.372
20	-	6.096
31	10 3/4	9.722
33	-	10.058
33	0 1/8	10.062
35	11 1/2	10.960
36	-	10.973
42	-	12.802
48	-	14.630
54	6	16.612
61	7	18.771
65	8 1/2	20.028
66	-	20.117
71	4 1/4	21.749
71	4 3/8	21.752
81	1	24.714
91	5 1/4	27.070
92	11 3/4	28.340
108	-	30.480
121	5 3/4	37.027
153	7	46.812
198	2 1/4	60.408
199	7 1/2	60.846
232	1	70.739
253	5 1/4	77.248
253	5 3/4	77.260
284	2 1/4	86.620
310	4 1/2	94.602
310	5 3/4	94.634
313	5 1/4	95.536
313	5 3/4	95.548
366	7	111.735
435	11 1/4	132.874
484	10	147.777
509	0 1/2	155.156
536	11	163.652
549	6 1/4	157.494
550	7 3/4	167.837
578	3 3/4	176.270



CONVERSION TABLE ADDED IN
DEPARTMENT OF LANDS

DP 108492 CONTINUED		
FEET INCHES		METRES
651	11	198.704
658	11 3/4	200.857
1346	4 1/2	410.375
1346	5 3/4	410.407
15358	1 1/4	4681.150
AC RD P		HA
29	3 20 3/4	12.09

Municipality of Rockdale
Sheet of

PLAN

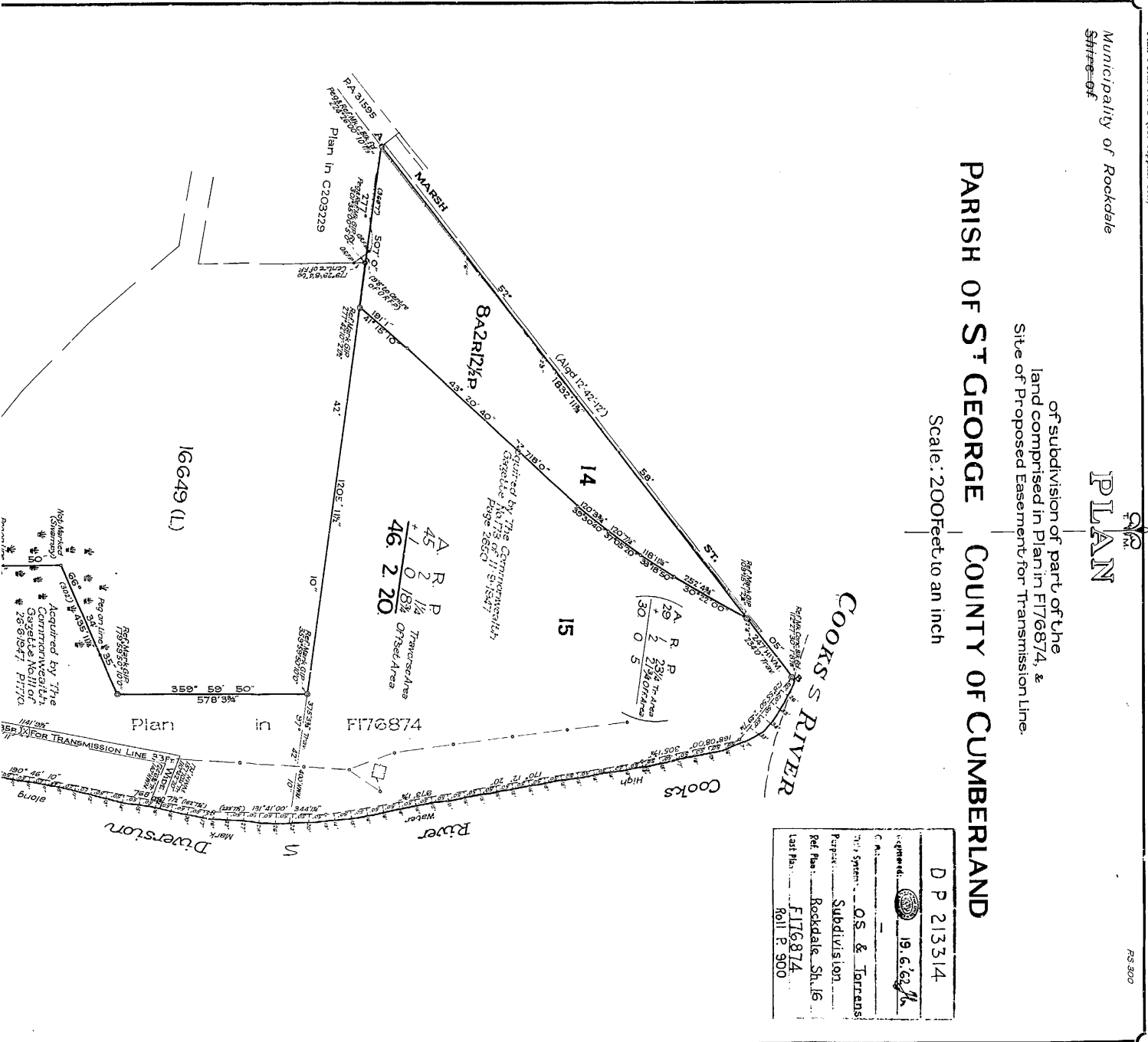
of subdivision of part of the
land comprised in Plan in F176874, &
Site of Proposed Easement for Transmission Line.

PARISH OF ST GEORGE COUNTY OF CUMBERLAND

Scale: 200 Feet to an inch

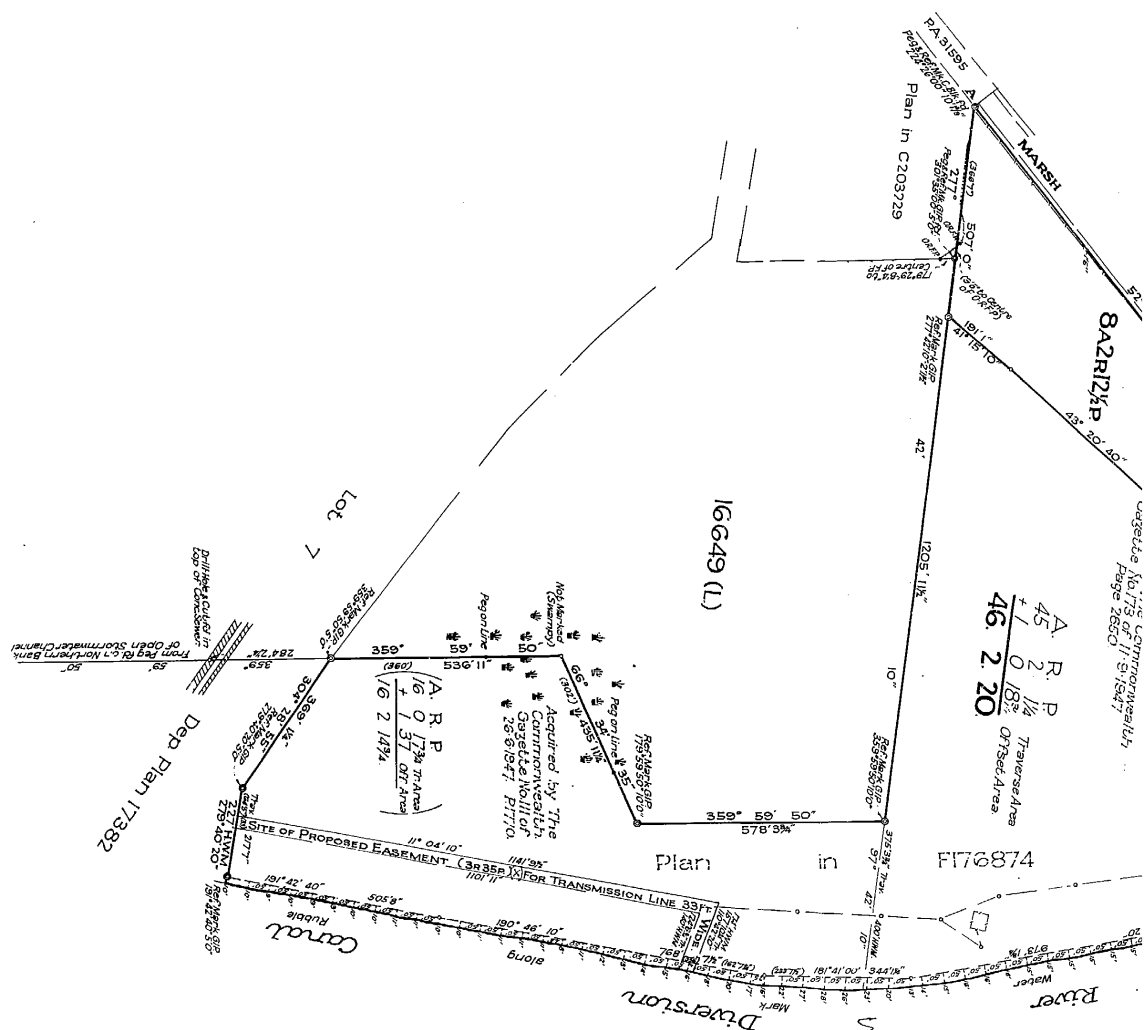
D P 213314
19.6.62
C. A. S. & Tarrans
Subdivision
Ref. Plan: Rockdale, Sh. 16
Last Plan: F176874
Roll P. 900

CONVERSION TABLE ADDED IN REGISTER GENERAL'S DEPARTMENT D P 213314	
FEET INCHES	METRES
1 2 1/4	0.362
1 6	0.457
1 8 7/8	0.550
2 -	0.610
2 1 1/2	0.648
2 4	0.711
2 5	0.838
3 -	1.016
3 1/4	1.124
3 1/2	1.152
3 3/4	1.254
4 -	1.524
4 1/4	2.134
4 1/2	2.436
4 3/4	2.540
5 -	2.743
5 1/4	2.946
5 1/2	3.048
5 3/4	3.083
6 -	3.353
6 1/4	3.457
6 1/2	3.658
6 3/4	3.962
7 -	4.267
7 1/4	4.572
7 1/2	4.877
7 3/4	5.182
8 -	5.486
8 1/4	5.791
8 1/2	6.096
8 3/4	6.400
9 -	7.315
9 1/4	7.620
9 1/2	7.925
9 3/4	8.230
10 -	8.534
10 1/4	10.058
10 1/2	10.211
10 3/4	10.363
11 -	10.668
11 1/4	12.802
11 1/2	13.411
11 3/4	13.440
12 -	13.716
12 1/4	14.021
12 1/2	14.326
12 3/4	14.631
13 -	14.936
13 1/4	15.241
13 1/2	15.546
13 3/4	15.851
14 -	16.156
14 1/4	16.461
14 1/2	16.766
14 3/4	17.071
15 -	17.376
15 1/4	17.681
15 1/2	17.986
15 3/4	18.291
16 -	18.596
16 1/4	18.901
16 1/2	19.206
16 3/4	19.511
17 -	19.816
17 1/4	20.121
17 1/2	20.426
17 3/4	20.731
18 -	21.036
18 1/4	21.341
18 1/2	21.646
18 3/4	21.951
19 -	22.256
19 1/4	22.561
19 1/2	22.866
19 3/4	23.171
20 -	23.476
20 1/4	23.781
20 1/2	24.086
20 3/4	24.391
21 -	24.696
21 1/4	25.001
21 1/2	25.306
21 3/4	25.611
22 -	25.916
22 1/4	26.221
22 1/2	26.526
22 3/4	26.831
23 -	27.136
23 1/4	27.441
23 1/2	27.746
23 3/4	28.051
24 -	28.356
24 1/4	28.661
24 1/2	28.966
24 3/4	29.271
25 -	29.576
25 1/4	29.881
25 1/2	30.186
25 3/4	30.491
26 -	30.796
26 1/4	31.101
26 1/2	31.406
26 3/4	31.711
27 -	32.016
27 1/4	32.321
27 1/2	32.626
27 3/4	32.931
28 -	33.236
28 1/4	33.541
28 1/2	33.846
28 3/4	34.151
29 -	34.456
29 1/4	34.761
29 1/2	35.066
29 3/4	35.371
30 -	35.676
30 1/4	35.981
30 1/2	36.286
30 3/4	36.591
31 -	36.896
31 1/4	37.201
31 1/2	37.506
31 3/4	37.811
32 -	38.116
32 1/4	38.421
32 1/2	38.726
32 3/4	39.031
33 -	39.336
33 1/4	39.641
33 1/2	39.946
33 3/4	40.251
34 -	40.556
34 1/4	40.861
34 1/2	41.166
34 3/4	41.471
35 -	41.776
35 1/4	42.081
35 1/2	42.386
35 3/4	42.691
36 -	42.996
36 1/4	43.301
36 1/2	43.606
36 3/4	43.911
37 -	44.216
37 1/4	44.521
37 1/2	44.826
37 3/4	45.131
38 -	45.436
38 1/4	45.741
38 1/2	46.046
38 3/4	46.351
39 -	46.656
39 1/4	46.961
39 1/2	47.266
39 3/4	47.571
40 -	47.876
40 1/4	48.181
40 1/2	48.486
40 3/4	48.791
41 -	49.096
41 1/4	49.401
41 1/2	49.706
41 3/4	50.011
42 -	50.316
42 1/4	50.621
42 1/2	50.926
42 3/4	51.231
43 -	51.536
43 1/4	51.841
43 1/2	52.146
43 3/4	52.451
44 -	52.756
44 1/4	53.061
44 1/2	53.366
44 3/4	53.671
45 -	53.976
45 1/4	54.281
45 1/2	54.586
45 3/4	54.891
46 -	55.196
46 1/4	55.501
46 1/2	55.806
46 3/4	56.111
47 -	56.416
47 1/4	56.721
47 1/2	57.026
47 3/4	57.331
48 -	57.636
48 1/4	57.941
48 1/2	58.246
48 3/4	58.551
49 -	58.856
49 1/4	59.161
49 1/2	59.466
49 3/4	59.771
50 -	60.076
50 1/4	60.381
50 1/2	60.686
50 3/4	60.991
51 -	61.296
51 1/4	61.601
51 1/2	61.906
51 3/4	62.211
52 -	62.516
52 1/4	62.821
52 1/2	63.126
52 3/4	63.431
53 -	63.736
53 1/4	64.041
53 1/2	64.346
53 3/4	64.651
54 -	64.956
54 1/4	65.261
54 1/2	65.566
54 3/4	65.871
55 -	66.176
55 1/4	66.481
55 1/2	66.786
55 3/4	67.091
56 -	67.396
56 1/4	67.701
56 1/2	68.006
56 3/4	68.311
57 -	68.616
57 1/4	68.921
57 1/2	69.226
57 3/4	69.531
58 -	69.836
58 1/4	70.141
58 1/2	70.446
58 3/4	70.751
59 -	71.056
59 1/4	71.361
59 1/2	71.666
59 3/4	71.971
60 -	72.276
60 1/4	72.581
60 1/2	72.886
60 3/4	73.191
61 -	73.496
61 1/4	73.801
61 1/2	74.106
61 3/4	74.411
62 -	74.716
62 1/4	75.021
62 1/2	75.326
62 3/4	75.631
63 -	75.936
63 1/4	76.241
63 1/2	76.546
63 3/4	76.851
64 -	77.156
64 1/4	77.461
64 1/2	77.766
64 3/4	78.071
65 -	78.376
65 1/4	78.681
65 1/2	78.986
65 3/4	79.291
66 -	79.596
66 1/4	79.901
66 1/2	80.206
66 3/4	80.511
67 -	80.816
67 1/4	81.121
67 1/2	81.426
67 3/4	81.731
68 -	82.036
68 1/4	82.341
68 1/2	82.646
68 3/4	82.951
69 -	83.256
69 1/4	83.561
69 1/2	83.866
69 3/4	84.171
70 -	84.476
70 1/4	84.781
70 1/2	85.086
70 3/4	85.391
71 -	85.696
71 1/4	86.001
71 1/2	86.306
71 3/4	86.611
72 -	86.916
72 1/4	87.221
72 1/2	87.526
72 3/4	87.831
73 -	88.136
73 1/4	88.441
73 1/2	88.746
73 3/4	89.051
74 -	89.356
74 1/4	89.661
74 1/2	89.966
74 3/4	90.271
75 -	90.576
75 1/4	90.881
75 1/2	91.186
75 3/4	91.491
76 -	91.796
76 1/4	92.101
76 1/2	92.406
76 3/4	92.711
77 -	93.016
77 1/4	93.321
77 1/2	93.626
77 3/4	93.931
78 -	94.236
78 1/4	94.541
78 1/2	94.846
78 3/4	95.151
79 -	95.456
79 1/4	95.761
79 1/2	96.066
79 3/4	96.371
80 -	96.676
80 1/4	96.981
80 1/2	97.286
80 3/4	97.591
81 -	97.896
81 1/4	98.201
81 1/2	98.506
81 3/4	98.811
82 -	99.116
82 1/4	99.421
82 1/2	99.726
82 3/4	100.031
83 -	100.336
83 1/4	100.641
83 1/2	100.946
83 3/4	101.251
84 -	101.556
84 1/4	101.861
84 1/2	102.166
84 3/4	102.471
85 -	102.776
85 1/4	103.081
85 1/2	103.386
85 3/4	103.691
86 -	103.996
86 1/4	104.301
86 1/2	104.606
86 3/4	104.911
87 -	105.216
87 1/4	105.521
87 1/2	105.826
87 3/4	106.131
88 -	106.436
88 1/4	106.741
88 1/2	107.046
88 3/4	107.351
89 -	107.656
89 1/4	107.961
89 1/2	108.266
89 3/4	108.571
90 -	108.876
90 1/4	109.181
90 1/2	109.486
90 3/4	109.791
91 -	110.096
91 1/4	110.401
91 1/2	110.706
91 3/4	111.011
92 -	111.316
92 1/4	111.621
92 1/2	111.926
92 3/4	112.231
93 -	112.536
93 1/4	112.841
93 1/2	113.146
93 3/4	113.451
94 -	113.756
94 1/4	114.061
94 1/2	114.366
94 3/4	114.671
95 -	114.976
95 1/4	115.281
95 1/2	115.586
95 3/4	115.891
96 -	116.196
96 1/4	116.501
96 1/2	116.806
96 3/4	117.111
97 -	117.416
97 1/4	117.721
97 1/2	118.026
97 3/4	118.331
98 -	118.636
98 1/4	118.941
98 1/2	119.246
98 3/4	119.551
99 -	119.856
99 1/4	120.161
99 1/2	120.466
99 3/4	120.771
100 -	121.076



I, the undersigned, Registrar General for New South Wales, certify that this negative is a photograph made as a permanent record of a document in my custody this 12th day of April, 1977.

CONVERSION TABLE ADDED IN REGISTER GENERAL'S DEPARTMENT		DP 213314 CONTINUED	
FEET	INCHES	METERS	
1101	1	335.664	
1144	9 1/2	348.018	
1305	11 1/2	367.576	
1352	13 3/4	380.692	
5827	-	1953.190	
AC RD	P	SO N	
-	1 37	1596	
-	2 21 3/4	2574	
6 1	- 10 3/4	4551	
AC RD	P	HA	
6 2	15 1/2	3.471	
16	11 3/4	6.52	
16 2	13 3/4	6.705	
29 1	2 1/4	1.115	
35 2	1	1.4	
46 2	20	16.67	



by David Richard Ridd, of the Dept. of the Interior, Secretary's office, reflected under the Stampers' Act, 1924-46, as hereby subject and intended to be covered by the following conditions and covenants, to wit: (1) that all boundaries and measurement points on this map are correct; (2) that all survey marks and relevant physical objects on or adjacent to the boundaries are correctly represented; (3) that the natural objects indicated actually exist; (4) that the survey was made in accordance with the laws of the United States, and in accordance with the Surveyors' Manual, 1933-71; by one () James H. Ridd, a duly qualified and licensed surveyor, and that the survey was conducted on 1978-04-19/1976 and was completed on 1978-04-19/1976.

And I state this system accurately corresponds with the same to be true, and by virtue of the provision of the Oath Act, 1905.

1978-04-19

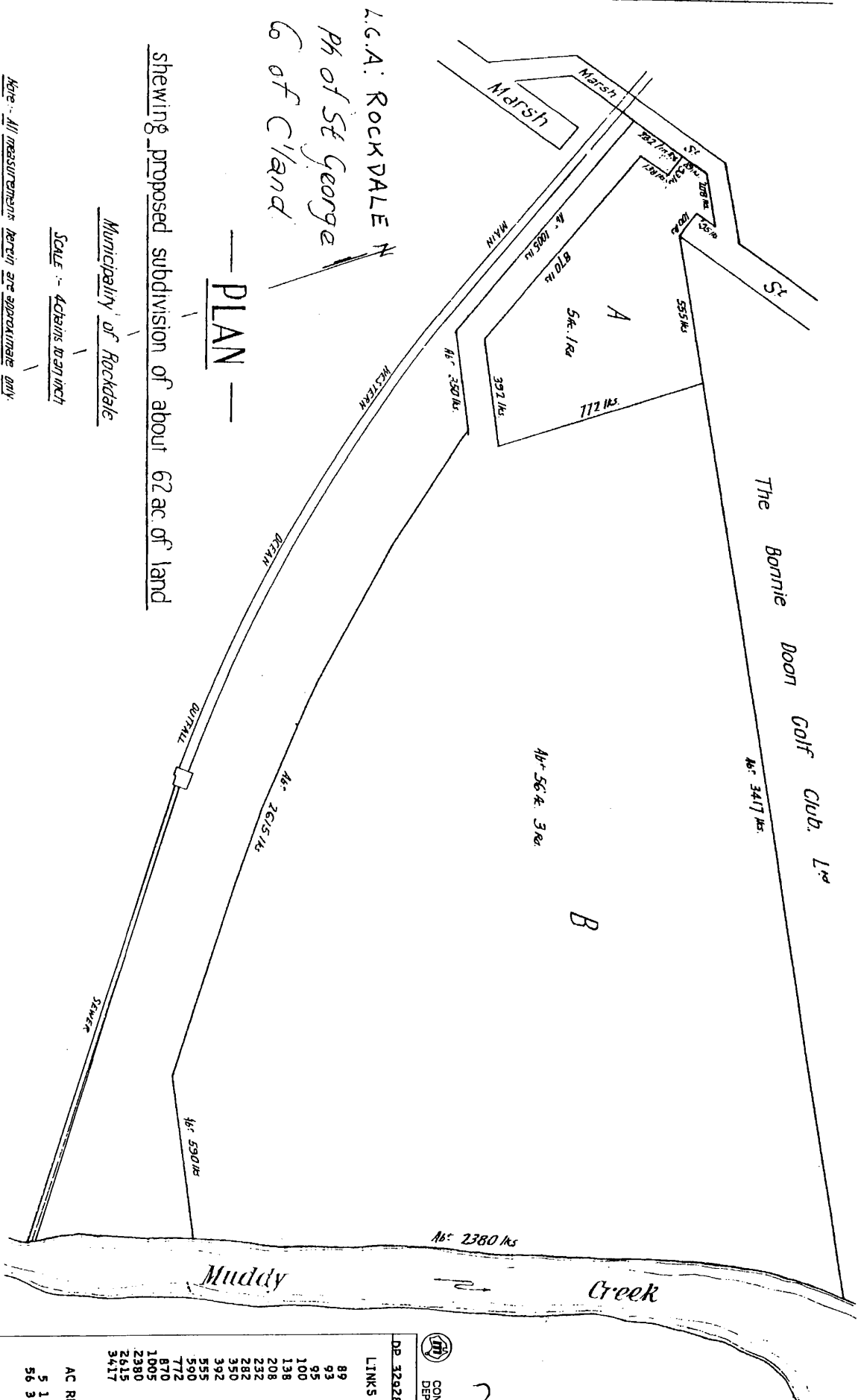
Subscribed and declared before me at Sydney
this 7th. day of September A.D. 1854

Datum line of Azimuth A-B

DEPT OF INTERIOR
NEG. 10367 NEW.

I, Bruce Richard Davies, Registrar General for New South Wales, certify that this negative is a photograph made as a permanent record of a document in my custody this 12th day of April, 1977.

2



L.C.A. ROCKDALE N
Ph of St George
6 of Cland

— PLAN —

shewing proposed subdivision of about 62 ac. of land

Municipality of Rockdale

SCALE - 4 chains to an inch

Note - All measurements herein are approximate only.

M P S (R.P.)
No 29283

CHA No 96/ of 23-8-1933

John Weingerth & Sons
Surveyors
10 Castlereagh St
Sydney.



CONVERSION TABLE ADDED IN
DEPARTMENT OF LANDS

DP 329283 SH 1/2

LINKS	METRES
89	17.904
93	18.709
95	19.111
100	20.117
138	27.761
208	41.843
232	46.571
282	56.129
350	70.409
392	78.858
555	111.648
590	118.689
772	155.302
870	175.016
1005	202.174
2380	478.780
2615	526.054
3417	687.391

AC RD P	HA
5 1 -	2.124
56 3 -	22.97

C203229 Plan B of 2 plans.

Plan Form No. A (for transfers, leases etc.)

Municipality of Rockdale
Shire of

PLAN

F.P. 329283 sh2/2

of part of land in C.T. Vol. 4461 Fol. 91, Vol. 4499 Fol. 148 and Vol. 4570 Fol. 121

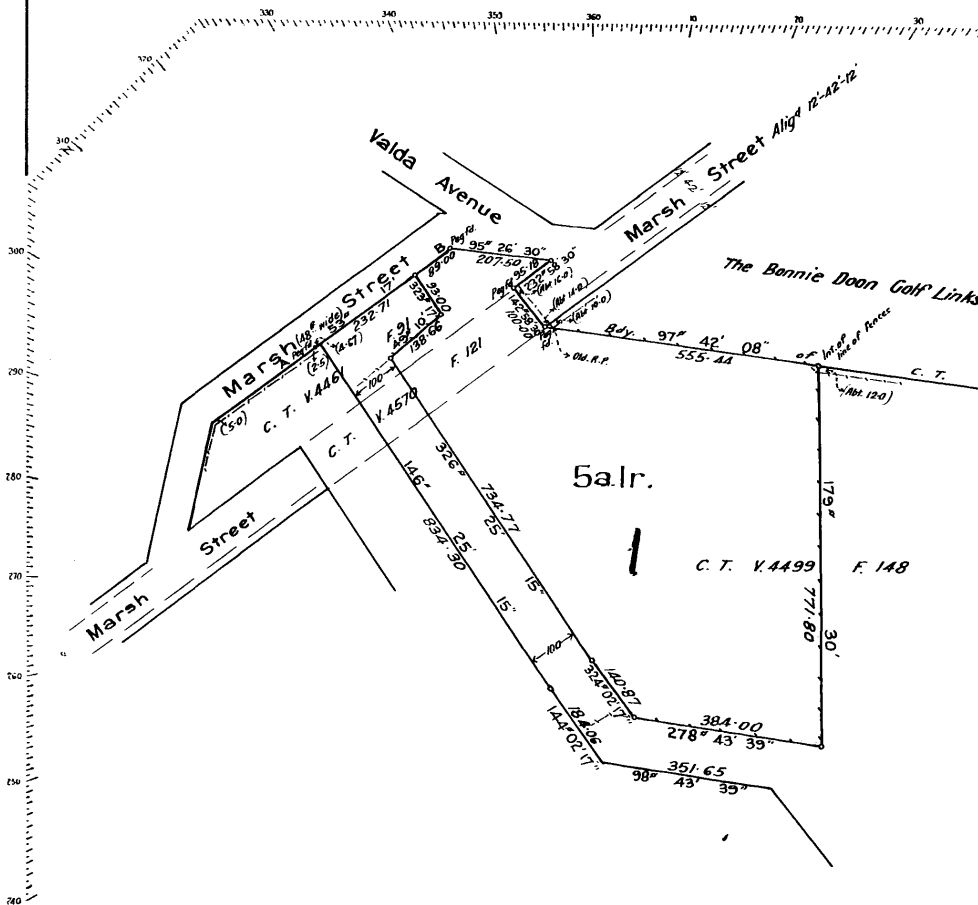
Parish of St. George - County of Cumberland

Scale 3 Chains to an inch

MPS(RP)29283.

CONVERSION TABLE ADDED IN DEPARTMENT OF LANDS		
DP 329283 SH 2/2		
FEET INCHES	METRES	
10 -	3.048	
12 -	3.658	
42 -	12.802	
48 -	14.630	
LINKS	METRES	
2.5	0.503	
4.67	0.939	
5	1.006	
12	2.414	
14	2.816	
16	3.219	
89	17.904	
93	18.709	
95.18	19.147	
100	20.117	
138.66	27.894	
140.87	28.339	
184.06	37.027	
207.5	41.742	
232.71	46.814	
351.65	70.741	
384	77.249	
555.44	111.737	
734.77	147.812	
771.8	155.261	
834.3	167.834	
18406	3702.698	
20750	4174.236	
55544	11173.675	
AC RD P	HA	
5 1 -	2.124	

This margin to be left free from notation



C/A No 961 of 23-8-1933

INLAND REVENUE OF COUNCIL'S
FEDERAL SET DRAINING

I, Delman Francis Weingarth, of Sydney,
a surveyor registered under the Surveyors Act, 1929,
do hereby solemnly and sincerely declare (a) that all boundaries and measurements shown on
this plan are correct, (b) that all survey marks found and relevant physical objects on
or adjacent to the boundaries are correctly represented, (c) that all physical objects
indicated actually exist in the positions shown, (d) that the whole of the material facts
in relation to the land are correctly represented, (e) that the survey has been made
* by me, and I make this solemn declaration conscientiously
believing the same to be true, and by virtue of the provisions of the Oaths Act, 1900.

Subscribed and declared before me at Sydney
this 29th day of December A.D. 1933

A.L. Butler J.P.

D. Weingarth
Licensed Surveyor
Surveyor, registered under Surveyors Act, 1929.
Date of Survey April, 1932, and May, 1933.

Datum line of Azimuth A.B.

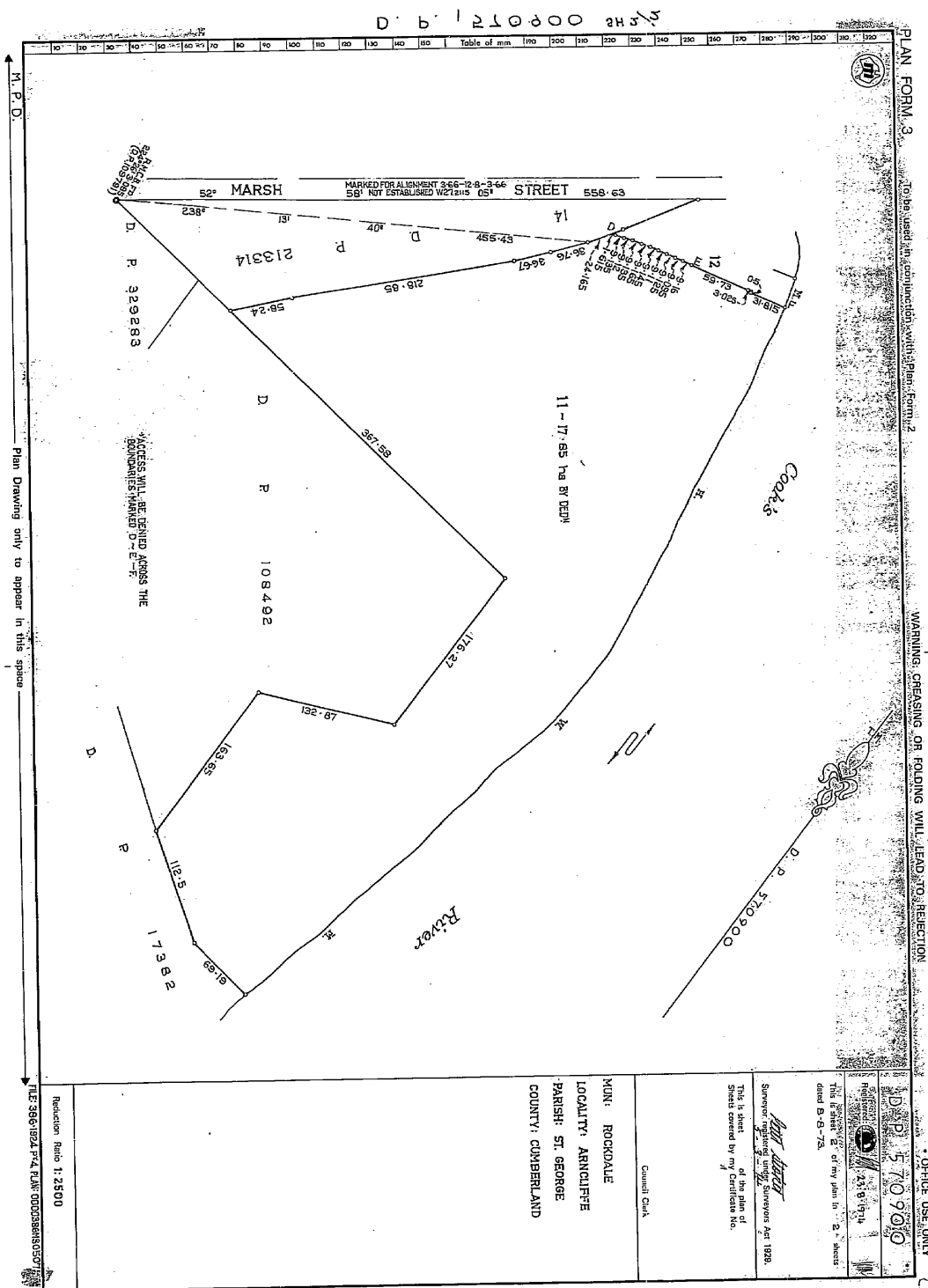
Reid & Co., 56 Hunter St., Sydney

* by me or under my immediate supervision

7432

to a plan having been handed
Signature of parties to be made in this margin
25-1-34
This is the plan marked "B" referred to in
C 203229 Dated
No

B 822 P 6
100 3/4



ADVANCE LEGAL SEARCHERS PTY LTD

(ACN 147 943 842)
ABN 82 147 943 842

P.O. Box 149
Yagoona NSW 2199

Telephone: +612 9644 1679
Mobile: 0412 169 809
Facsimile: +612 8076 3026
Email: alsearch@optusnet.com.au

12th May, 2015

AECOM AUSTRALIA PTY LTD

PO Box Q410,
QVB PO,
SYDNEY, NSW 1230

Attention: Jacqui Dunford,

**RE: 455 – 466 Prince Highway,
(Corner Railway Road)
Sydenham
Project No. 60327128_1.01**

Current Search

Folio Identifier 12/843296 (title attached)
DP 843296 (plan attached)
Dated 08th May, 2015
Registered Proprietor:
ALLAN J. HEASMAN (HOLDINGS) PTY LIMITED

Title Tree

Lot 12 DP 843296

Folio Identifier 12/843296

See Notes (a), (b), (c), (d) & (e)

(a)	(b)	(c)
F/I 17/750	F/I 1/940975	F/I 1/943915
CTVol 2999 Folio 216	CTVol 13330 Folio 222	CTVol 2390 Folio 226
*****	CTVol 2375 Folio 93	*****

(d)	(e)	
Folio Identifier 1/943915	CTVol 11303 Folio 20	
CTVol 13842 Folio 224	CTVol 2434 Folio 63	
CTVol 2420 Folio 84	*****	

Summary of proprietor(s)

Lot 12 DP 843296

Year	Proprietor
	(Lot 12 DP 843296)
1994 – todate	Allan J. Heasman (Holdings) Pty Limited

See Notes (a), (b), (c), (d) & (e)

Note (a)

	(Lot 17 DP 750)
1994 – 1994	Allan J. Heasman (Holdings) Pty Limited
1990 – 1994	(Lot 17 DP 750 – Area 18 ¼ Perches – CTVol 2999 Fol 216)
1984 – 1990	Allan J. Heasman Pty Limited
(1979 – 1989)	<i>(leases to Allan J. Heasman Pty Limited)</i>
(1956 – 1979)	<i>(leases to Alan J. Heasman, engineer)</i>
1953 – 1984	The Commissioner for Government Transport
(1951 – 1956)	<i>(lease to Simon Niewiazski & Eugenia Bravdo, industrial chemist)</i>
1941 – 1953	The Commissioner for Road Transport and Tramways
1919 – 1941	Minister for Public Works for State of New South Wales

Note (b)

	(Lot 1 DP 940975)
1988 – 1994	Allan J. Heasman (Holdings) Pty Limited
	(Lot 1 DP 940975 – CTVol 13330 Fol 222)
1987 – 1988	Allan J. Heasman (Holdings) Pty Limited
1978 – 1987	Luka Vucic, cleaner Borka Vucic
1977 – 1978	Blagoya Naricevski Milica Naricevski
	(Part Lot 20 DP 750 – Area 7 ½ Perches – CTVol 2375 Fol 93)
1976 – 1977	Blagoya Naricevski Milica Naricevski
1975 – 1976	Kenneth Edward Hayward, engineer
1975 – 1975	Kenneth Edward Hayward, engineer Douglas James Hayward, gentleman
1954 – 1975	Rose Helen Hayward, widow
1923 – 1954	Robert Edward Hayward, butcher
1922 – 1923	John Kenneth Cameron, estate agent
1918 – 1922	Florence Ellen Gleeson, wife of letter carrier
1915 – 1918	William Wallace McLeod, gentleman
1913 – 1915	John Roche, magnesium worker

Note (c)

	(Lot 1 DP 942116)
1988 – 1994	Allan J. Heasman (Holdings) Pty Limited
	(Part Lots 19 & 20 DP 750 – Area 7 ½ Perches – CTVol 2390 Fol 226)
1985 – 1988	Allan J. Heasman (Holdings) Pty Limited
1964 – 1985	May Agnes Kielly, spinster
1949 – 1964	Roza Mary Kiely, spinster May Agnes Kiely, spinster
1921 – 1949	Ethel Evelyn Mottie, bootmaker
1913 – 1921	Elizabeth Mary Maud Jillett, married woman
1913 – 1913	Henrie Thomas Jillett, pastoralist

Note (d)

	(Lot 1 DP 943915)
1994 – 1994	Allan J. Heasman (Holdings) Pty Limited
1988 – 1994	Allan J. Heasman Pty Limited
	(Lot 1 DP 943915 – CTVol 13842 Fol 224)
1979 – 1988	Allan J. Heasman Pty Limited
	(Part Lot 18 DP 750 – Area 8 ½ Perches – CTVol 2420 Fol 84)
1979 – 1979	Allan J. Heasman Pty Limited
1971 – 1979	John Attard, labourer Lynn Roberta Florence Attard
1969 – 1971	George Sklavounos, glass blower Anna Sklavounos
1967 – 1969	Peninsular Securities Pty Limited
1949 – 1967	J Herbert Yates Kid Company Pty Limited
1949 – 1949	Perpetual Trustee Company (Limited)
1913 – 1949	Catherine McIntyre, spinster

Note (e)

	(Part Lots 18 & 19 DP 750 – CTVol 11303 Fol 20)
1994 – 1994	Allan J. Heasman (Holdings) Pty Limited
1984 – 1994	Allan J. Heasman Pty Limited
1978 – 1984	Antonios Karras, labourer Stathoula Karras
1971 – 1978	Nikolos Kataoulis, labourer Elebthoria Kataoulis
1970 – 1971	Chris Mourtzakis Anna Mourtzakis
	(Part Lots 18 & 19 DP 750 – Area 7 ½ Perches – CTVol 2434 Fol 63)
1968 – 1970	Dennis Varakis, fitter Aspa Varakis
1960 – 1968	Herbert Gates Investments Pty Limited
1960 – 1960	Public Trustee
1925 – 1960	John Joseph Ryan, tally clerk
1920 – 1925	Anne William Moran, wife of prospector
1915 – 1920	Alfred Joseph Morgan, solicitor
1914 – 1915	William Neil, engine driver Isabella Neil

The Commission of
Alan J. HERSHMAN (Hudson) presiding
April, 2001 528 632
was hereinafter attacked by
Authority of the General of
Directors in the presence of



DeWitt
Secretary

Hayes
Director

ESTATE BANKING, CREDIT
under CHARTERED BANKING
under POWER OF ATTORNEY
Wm. Wood
ADMINISTRATOR
TO THE WILLING
WITNESSES
STEPHEN JOHN PRICE
LOCAL OFFICE OF ALABAMA

Crown Lands Office Approval

PLAN APPROVED **Authorised Officer**

Land District

Paper No **pages**

Field Book

Council Clerk's Certificate

(a) The requirements of the local Government Act, 1973 (other than the requirement for the registration of plans), and
 (b) the requirements of Part I, Section 6 of the Water Resources Development Act 1980, shall apply to the water resource development project.

have been complied with by the applicant in relation to the proposed consolidated lot

Insert "new road", "subdivision" or "consolidated lot" as set out therein

Subdivision No. 22/94

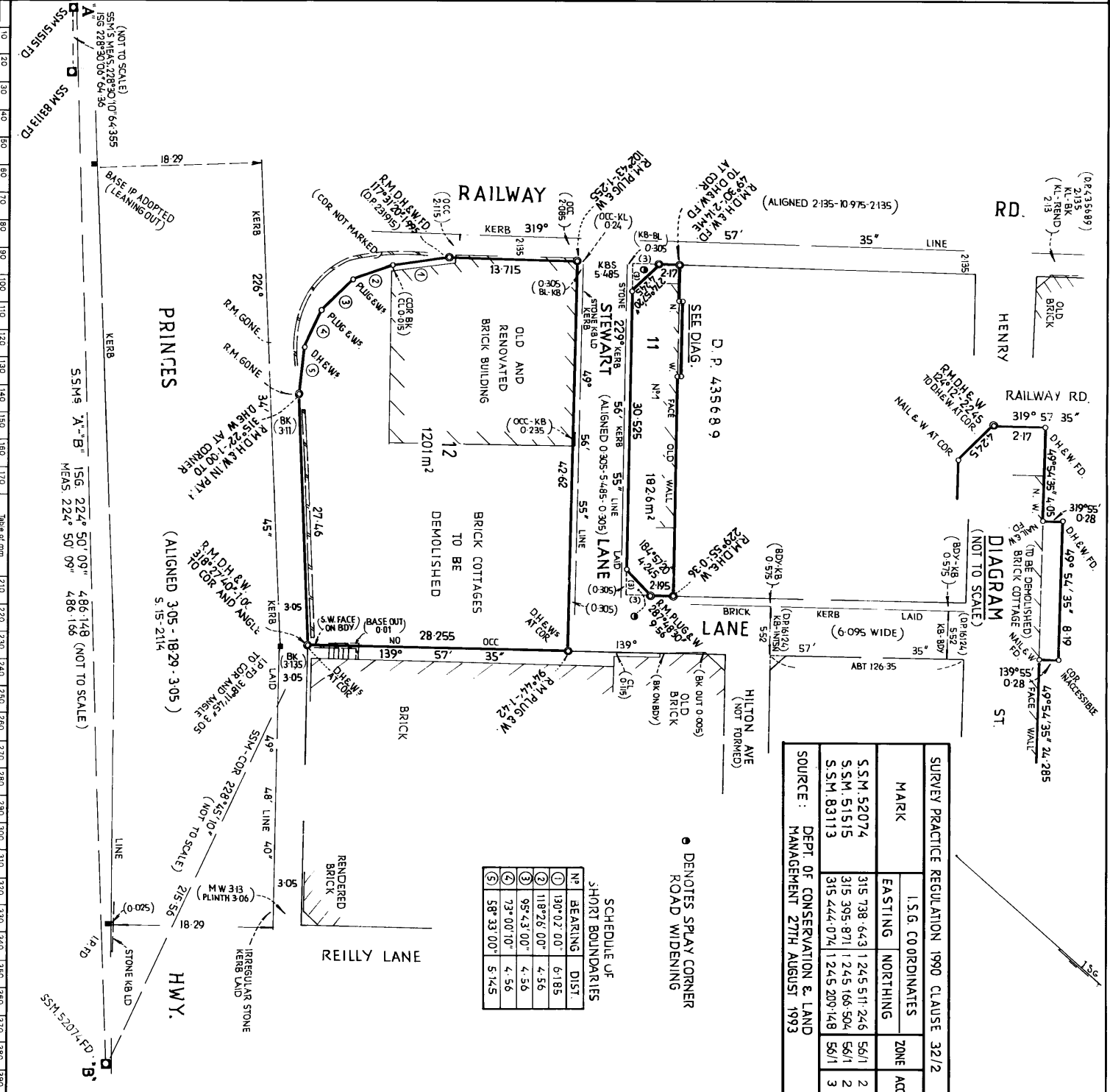
Date 29/8/94

(Signature) *[Handwritten Signature]*

Accepted by A/Chief Engineer, Mombasa

1 *This part of the certificate to be deleted where the application is
2 made by a consolidated firm for the opening of a new road or where the
3 road is to be subdivided wholly outside the area of operation of the
4 Metropolitan Water, Sewerage and Drainage Board and the Hunter
5 Water Corporation Ltd.
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Plan Drawing only to appear in this space



SURVEY PRACTICE REGULATION 1990 CLAUSE 32/2				
MARK	I.S.G. COORDINATES		ZONE	ACC.
	EASTING	NORTHING		
S.S.M. 52074	315 738.643	1 245 511.246	56/1	2
S.S.M. 51515	315 395.871	1 245 165.504	56/1	2
S.S.M. 83113	315 444.074	1 245 209.148	56/1	3

SOURCE : DEPT. OF CONSERVATION & LAND MANAGEMENT 27TH AUGUST 1993

Nº	BEARING	DIST.
①	130° 02' 00"	6.185
②	118° 26' 00"	4.56
③	95° 43' 00"	4.56
④	73° 00' 10"	4.56
⑤	58° 33' 00"	5.145

***OFFICE USE ONLY**

DP 843296

Registered:  74-10-1994

C.A. No. 22/94 OF 29/8/1994

IOKENE

СТ. 107.1

last Plan: DP750, DP9

PLAN OF CONSOLIDATION OF

17/750 VOL 11303 FOL 20) LOT 1
DP 943915 LOT 1 DP 942116

U.S. DIST. CT. S.D. N.Y. VOL. 2820 FOL. 77)

LGA

City _____

Parish: PETERSHAM

County: CUMBERLAND

(Delete if inapplicable)

HILL & BLUME P/L (ACN 000 721 004)

surveyor registered under the Surveyors Act 1929, hereby certify that the survey represented in this plan is accurate, in

8-5-93
17
990 and was completed on

(Signature) _____

Surveyor registered and

Plans used in preparation of survey/compilation.

D.P. 435689 D.P. 750
D.P. 16124 D.P. 943915

S 15-2114

attention to dedicate public roads or to create public reserves, drainage reserves, easement

IT IS INTENDED TO DEDICATE
COVENANTS.

THE SPLENDID CORNER ROAD
WIDENING TO THE PUBLIC AS

Appendix G

NSW EPA and NPI Records

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Healthy Environment, Healthy Community, Healthy Business

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

Search results

Your search for: LGA: Botany Bay City Council

Matched 68 notices
relating to 20 sites.

[Search Again](#)
[Refine Search](#)

Suburb	Address	Site Name	Notices related to this site
Banksmeadow	Port Feeder Road	Mobil Banksmeadow Terminal	1 former
Banksmeadow	1801 Botany Road	Olympic/Springvale Drain	1 current
Banksmeadow	Refer to notice	Orica Botany	13 current and 1 former
Banksmeadow	McPherson and Nant Streets	Section of ICI Southlands	3 current
Botany	49-61 Stephens Road	Nuplex	3 current
Eastlakes	10-12 Evans Avenue	Adjacent to Former Shell Service Station	2 former
Eastlakes	281 Gardeners Road	Adjacent to Former Shell Service Station	2 former
Eastlakes	1-5 Longworth Avenue	Affected By Former Shell Service Station	2 former
Eastlakes	Evans Avenue	Bridgett Tight Reserve	2 former
Eastlakes	Evans Avenue	Eastlakes Reserve	4 former
Eastlakes	279 Gardeners Road	Former Shell Service Station	2 former
Eastlakes	14 Evans Avenue	Land Adjacent to Former Shell Service Station	4 former
Eastlakes	102 Maloney Street (Corner King Street)	Mobil Eastlakes	2 current
Mascot	Off Coward Street	Alexandra Canal	2 current
Mascot	336-348 King Street	Metal Galvaniser	5 current and 2 former
Mascot	25-29 Ricketty Street	Pioneer Plating Works	1 current
Mascot	754 Botany Road	Shell Mascot	6 current
Matraville	16-20 Beauchamp Road	Orica Botany (formerly ICI)	5 current and 6 former
Pagewood	cnr Page and Holloway Streets	Former Email Site	4 current and 3 former
Rosebery	395 Gardeners Road	Rosebery Service Station	6 former

Connect

Feedback

Web support
Public comments

Page 1 of 1

28 April 2015

FILE COPY

Our Reference : Agreement No. 26033#3347
File No. HO3268

ENVIRONMENT PROTECTION AUTHORITY (EPA)

**VOLUNTARY REMEDIATION PROPOSAL:
EPA AGREEMENT**

SECTION 26 CONTAMINATED LAND MANAGEMENT ACT 1997

Service: By hand delivery in person.

To:

**Pioneer Plating Works Pty Ltd
7 Wesley Street
ELANORA HEIGHTS NSW 2101
ACN 000 040 924**

**Malouf's Trading Pty Ltd
29 Church Avenue
MASCOT NSW 2020
ACN 000 408 524**

(referred to in this agreement as "the proponent").

Date:

20 February 2003

Land:

The land to which this agreement relates is land known as former Pioneer Plating Works, part Lot K in DP356471 and Lot B in DP 399409, at 25-29 Ricketty Street, Mascot NSW,

(referred to in this agreement as "the site", a site location plan is shown at Attachment 1.)

Contamination:

The Environment Protection Authority (EPA) has determined that the soils (including fill material) and groundwater at the site are contaminated by the following substances in such a way as to present a significant risk of harm.

- total petroleum hydrocarbons (TPHs);
- benzene, toluene, ethyl benzene and xylene (BTEX);
- total cyanide; and
- heavy metals including cadmium, chromium (III and VI), copper, nickel and zinc.

(referred to in this agreement as "the contaminants".)

Background

The contaminants have been introduced to the site from past activities at this site, and through the importation of contaminated fill. The contaminants are or may be exposed across the surface of the site and are impacting on groundwater beneath the site.

The proponent has furnished the EPA with a Voluntary Remediation Proposal to remediate the site, in accordance with section 26 of the Contaminated Land Management Act 1997 ("the Act").

The Remediation Proposal (the "proposal") is set out in the following documents:

- a report titled *Remediation Action Plan: 25-29 Ricketty Street, Mascot. Prepared for Pioneer Plating Works Pty Ltd, (RAP)* prepared by Consulting Earth Scientists, dated 15 February 2002, (a copy of front page and index are included at Attachment 2);
- a letter from Consulting Earth Scientists dated 16 May 2002, prepared by Dr Michael Petrozzi, written in response to a request from the EPA regarding clarification of the RAP and the provision of further information, (Attachment 3);
- a fax from Minter Ellison dated 12 February 2003 containing a proposed remediation program prepared by Consulting Earth Scientists (Attachment 4).

Objectives:

The objectives of the Proposal include:

- prevention of off-site migration of contaminants via groundwater, surface runoff, dust and/or surface soil erosion;
- prevention of human exposure to the contaminants at the site;
- prevention of any residual contamination impacting upon the environment in the vicinity of the site;
- minimisation of the potential for any contaminated groundwater to migrate off-site; and
- ensuring that the remediation of the site is appropriate for the intended use of the site (commercial/industrial).

Principal Features of the Proposal:

- The principal features of the Proposal include the decommissioning and demolition and/or removal of the plant and associated infrastructure, and removal of the contaminated soil/fill at the site. This is to be achieved through completing Tasks 1 to 8 defined in the RAP within the remediation program outlined in Attachment 4.
- Monitoring of groundwater at boundary wells BH107, BH108, BH109, BH110 and the proposed well to be located between the western site boundary and BH103, or any other wells that may, from time to time, come to replace these wells. Sampling and analysis of groundwater from the 5 wells (or their replacements) for the contaminants must be conducted at least every 3 months for the first 12 months following completion of soil validation (Task 7) to demonstrate that

there is no off-site migration of contaminated groundwater. Should this monitoring indicate that the groundwater is still impacted by residual contamination at this site, the consultant must undertake such activities (as recommended by the site auditor), to ensure that there is no further off-site migration of contaminated groundwater. If warranted, the consultant may propose a modified groundwater monitoring regime after the first year of monitoring, in consultation with the auditor.

- All works and sampling undertaken, and reports prepared must be consistent with Guidelines made or approved by the EPA under section 105 of the CLM Act (a list of these Guidelines is appended at Attachment 5).
- The proponents must engage a site auditor, accredited under the CLM Act, to review all available environmental reports that have been commissioned on the site and provide to the EPA:
 - a summary site audit report (SSAR) which addresses the adequacy of the remediation undertaken, in accordance with the proposal, and if necessary, identifies any deficiencies; and
 - a site audit statement (SAS) which states whether or not the land is suitable for the intended land use (commercial/industrial).
- The proponents must provide to the EPA:
 - a report that interprets the results of the first 12 months monitoring of the five boundary wells; and
 - a report for any subsequent remediation of the site and/or monitoring of the boundary wells if the monitoring results indicate that groundwater is still impacted by residual contamination on the site.

The proponent must provide the SSAR and SAS within 12 weeks of the completion of the remediation, and any subsequent relevant documentation, including reports on further groundwater monitoring, to the EPA within 6 weeks of the final review by the auditor and no later than 12 weeks following the completion of the monitoring.

EPA Agreement

The EPA is satisfied that:

- (i) the terms of the proposal are appropriate;
- (ii) in accordance with section 26(2) of the Act, the owner of the land and the person responsible for the contamination of the land have been identified and have been given a reasonable opportunity to participate in the formulation and carrying out of the proposal; and
- (iii) in accordance with Part 3 of the Act, the EPA agrees that it will not issue a remediation order against the proponent with respect to any remediation of the site that falls within the proposal, if it is carried out in accordance with the proposal.

Lifetime of this Agreement

This agreement commences on the date upon which it is signed on behalf of the EPA, (which is the date set out on the first page of the agreement), and will run until the EPA is satisfied that all the Objectives of the Proposal have been met.

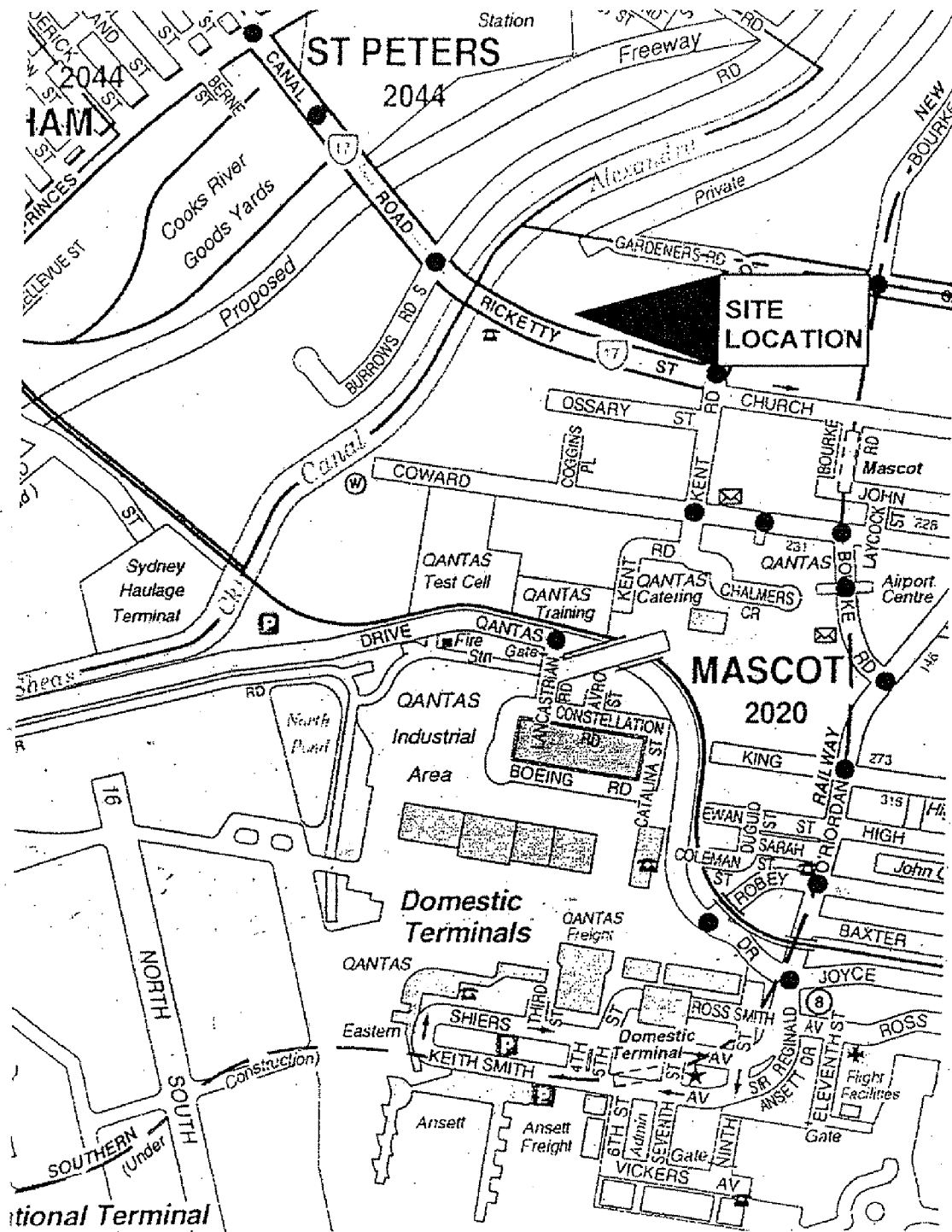
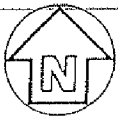


CAROLYN STRANGE
A/Director Contaminated Sites
ENVIRONMENT PROTECTION AUTHORITY

Attachment 1	location map
Attachment 2	copy of front page and index from RAP
Attachment 3	letter from Consulting Earth Scientists dated 16 May 2002
Attachment 4	fax from Minter Ellison dated 12 February 2003
Attachment 5	list of Guidelines made or approved under s.105 of the CLM Act

NOTE:

1. The EPA is not prevented by this agreement from making a remediation order against persons (including public authorities) with whom it has made no such agreement (whether or not they were originally parties to the proposal).
2. The EPA is not prevented by this agreement from making a remediation order against the proponent as an appropriate person (as defined in the Act) if, in the opinion of the EPA, the terms of the proposal are not carried out.
3. Section 58 of the Act requires the EPA to maintain a public record of certain matters. Notification of the making of this agreement will be included in the public record.
4. Section 59 of the Act requires the EPA to notify the relevant local council of the making of this agreement and when the terms of the agreement have been fulfilled. The council is required to note on any certificate issued pursuant to section 149(2) Environmental Planning and Assessment Act 1979 with respect to the land that the land is subject to a voluntary agreement until the council receives EPA notification that the terms have been fulfilled.



TITLE
Figure 1: Location map. 25-29 Ricketty St, Mascot.
Pioneer Plating Works Pty Ltd.

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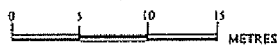
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CONSULTING
EARTH
1/111 Moore St, Leichhardt NSW 2040
(02) 8585 4888 (ph) (02) 9550 9666 (fax)

DATE
24/12/01

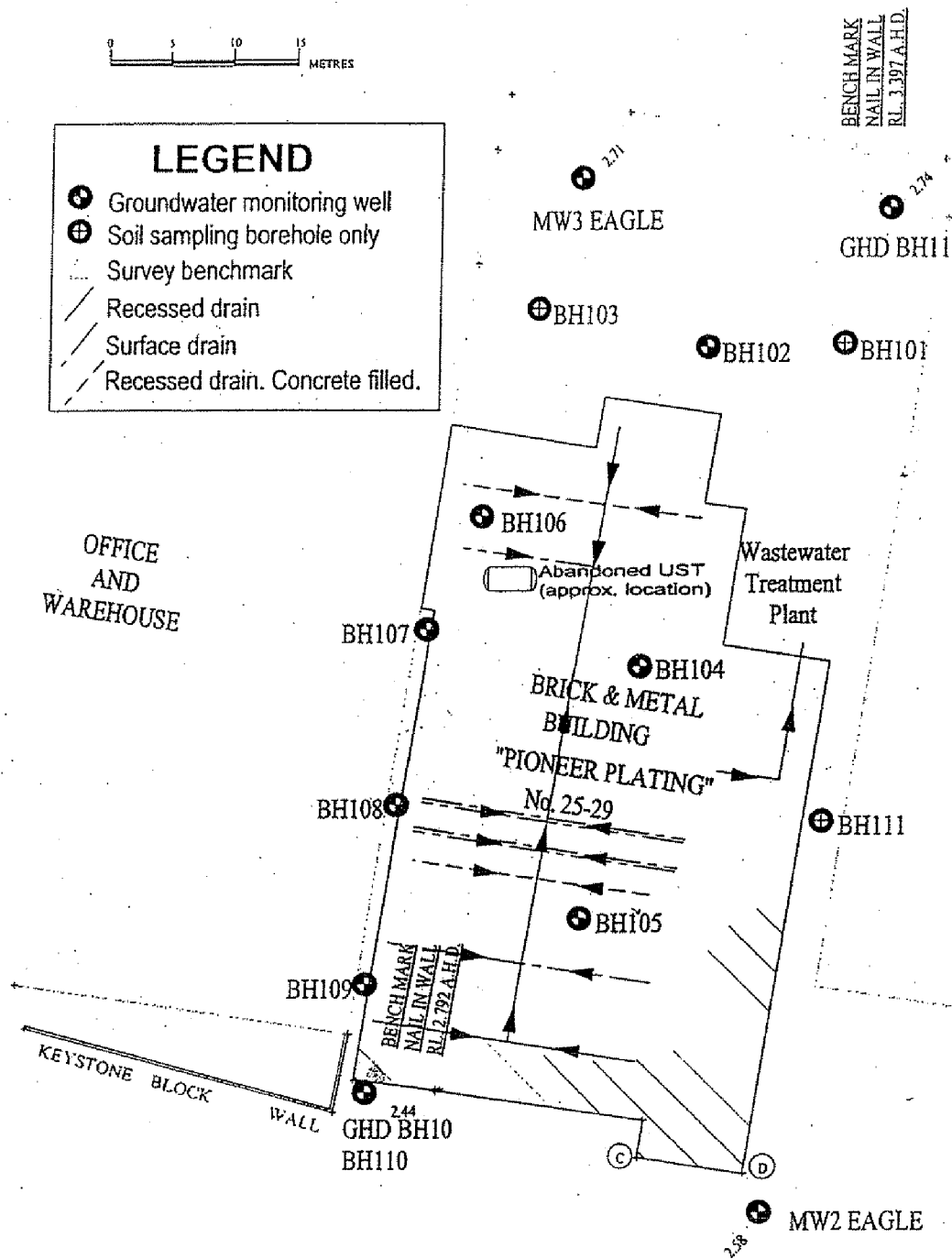
Prepared by
Petrozzi

Checked by
Farrar



LEGEND

- ⊕ Groundwater monitoring well
- ⊕ Soil sampling borehole only
- △ Survey benchmark
- Recessed drain
- Surface drain
- Recessed drain. Concrete filled.



Notes:

1. Eagle and GHD wells surveyed by Bee & Lethbridge (20/8/2001).
2. CES wells surveyed by Bee & Lethbridge 17/12/2001.
3. Wells surveyed to top of PVC casing.
4. Location of soil sampling boreholes BH101, BH103 and BH111 approximately only.

SSM 59271
 RL 2.471 A.H.D.

TITLE
 Figure 2: Site plan showing proposed borehole
 and monitoring well location. 25-29 Ricketty St
 Mascot Pioneer Plating Works Pty Ltd

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CONSULTING
 EARTH 1/111 Moore St, Leichhardt NSW 2040
 100 555 1223 / 100 555 0555 (fax)

DATE
 30/11/2001

Prepared by
 Petrozzi

Checked by
 Lukic

Environment Protection Authority**Remediation order****Section 23 of the Contaminated Land Management Act 1997**

HO3137
23013/ Area # 3125

Service: By Registered Mail to Registered Office and Principal Place of Business

Toscam Holdings Pty Ltd (ACN 000 128 512)
(previously Mascot Galvanising Holdings Pty Ltd)
C/o Mathews Tire Service
Corner Fifth & Ninth Avenues
CAMPSIE NSW 2194

Attention: Peter Chandler Warren - Director

Background

- A. On 24 January 2000 the Environment Protection Authority ("EPA") declared the land at 336-348 King Street Mascot, NSW, being Lots 15-17 DP9142, Lot A DP407002, Lot 1 DP387285, Lot B DP310256, Lot C DP348169, Lot F DP396672, Lot M DP356032, Lot A DP341081 and Lot D DP370269 ("the site") as a remediation site.
- B. The site has been found to be contaminated with zinc, lead and chromium in the soil and groundwater ("the contaminants"), in such a way as to present a significant risk of harm. The groundwater at the site, which is migrating off-site, has a low pH as a direct result of acidic galvanizing processes previously carried out on the site.
- C. The EPA has considered the matters in s.9 of the Contaminated Land Management Act ("the Act") and found that the site presents a significant risk of harm because
- there is a significant risk that harm is being caused to the fresh and marine water biota that is in contact with the contaminated groundwater;
 - there is potential for harm to be caused to humans from the use or consumption of the contaminated groundwater; and
 - the use of the groundwater is restricted from any beneficial use due to its contaminated state.
- D. The EPA has considered all submissions made under Division 3 of Part 3 of the Act as to whether an order should be made.
- E. There are no other persons who are required to be served with a copy of this order for the purposes of s.23(4) of the Act.
- F. On 17 October 2001, the EPA issued a remediation order (CH5709/#23002) under section 21 of the Act, directing Toscam Holdings Pty Ltd (ACN 000 128 512) ("the Company"), being a person having principal responsibility for the contamination referred to above, to prepare a remedial action plan to the satisfaction of the EPA detailing the measures to be taken by the Company to remove the significant risk of harm that is currently posed by:
- (a) the contaminants migrating through groundwater from the site; and
 - (b) the potential human exposure to the contaminants at the site.
- G. The EPA received the following documents from Fletcher Projects on behalf of the Company:
1. A remedial action plan titled "*Remedial Action Plan Former Mascot Galvanising Site 342 King Street Mascot NSW 2020*" prepared by IT Environmental dated 17 December 2001;

and

2. A report titled "*Summary Site Audit Report, Review of Remedial Action Plan for Former Mascot Galvanising Site 342 King Street, Mascot*" by Bill Ryall of Contamination Management Pty Ltd dated 18 January 2002 in his capacity as a site auditor.

By this order, the EPA orders the Company, being a person having principal responsibility for the contamination referred to above, to do the following:

Definitions for the purposes of this order

1. RAP means the document referred to in clause G1 above, as amended in accordance with the recommendations of the site auditor's RAP report and any variations approved by the EPA under this order.
2. Site auditor's RAP report means the document referred to in clause G2 above.
3. Remediation works means remediation option 9 referred to in parts 5.6 and 5.7 of the RAP and described by the short descriptions in items 12 – 23 of *Figure 24* in the RAP.
4. Remediation outcomes means the outcomes specified in condition 17 of this order.

Engage a site auditor accredited under the Act

5. The Company must engage a site auditor accredited under the Act to audit the remediation and validation works conducted on the site under this order. The outcome of the audit must be a summary site audit report and a site audit statement certifying whether the tasks identified in the RAP have been successfully conducted and whether the site is no longer contaminated in such a way as to pose a significant risk of harm.
6. **Within 3 weeks of the date of this order**, the Company must inform the EPA in writing of the name of the site auditor engaged for the purposes of condition 5.

Ensure the levels of contaminants in the groundwater leaving the site are within the limits imposed by the Court

7. The Company must ensure that the levels of contaminants in the groundwater at the site boundary are kept within the limits imposed by the Order dated 18 December 1998 made by the Supreme Court of New South Wales in the matter of Qantas Airways Ltd v Mascot Galvanising Works P/L (No.3610 of 1996) as amended by the Court up until the date of this order ("the limits").
8. The Company must prepare and submit a monitoring report to the EPA **every two months** on whether the levels of contaminants in the groundwater at the site boundary were within the limits referred to in condition 7 throughout the two months period immediately preceding the date of the report. The report must be reviewed by the site auditor. The Company must obtain written comments from the site auditor on whether he or she agrees with the conclusions in the monitoring report.
9. The Company must submit the first monitoring report to the EPA **within two months of the date of this order**. The Company must ensure that the site auditor's comments on any report referred to in condition 8 are submitted to the EPA **as soon as practicable after the relevant report is submitted to the EPA**.

Implement the RAP

10. Subject to condition 11, the Company must carry out the additional investigations, pilot study, site preparation, remediation works and site validation plan detailed in the RAP in accordance with the RAP and the conditions of this order.

Variations to the RAP

11. If the Company wishes to make any variations to the RAP or remediation works, the proposed variations must be submitted to the EPA for approval with a written endorsement by the site

auditor. If the EPA approves the variation of the RAP or the remediation works, the Company must carry out the activities referred to in condition 10 in accordance with the approved variations.

Carry out the additional investigations and pilot tests

12. Following completion of the additional investigations and pilot tests described in parts 5.4 and 5.5 of the RAP, the Company must prepare a written report detailing the results of the additional investigation and pilot tests. The report must also identify how the concentrations of the contaminants in groundwater entering the site have been further defined as a result of the additional investigations.
13. The report referred to in condition 12 must be submitted to the EPA and to the site auditor engaged for the purposes of compliance with this order within **six weeks of the date of this order**.

Carry out the remediation works

14. The Company must prepare technical specifications for the remediation in accordance with the recommendations of the site auditor's RAP report and in consultation with the site auditor. The technical specifications must be submitted to the site auditor for written endorsement of their suitability for the purposes of the RAP.
15. **Within 8 weeks of the date of this order**, the Company must provide the EPA with a copy of the site auditor's written endorsement of the suitability of the technical specifications for the purposes of the RAP.
16. Until condition 15 has been fulfilled, the Company must **not** carry out or permit any further disturbance of the site soil and/or the site groundwater other than for the purposes of carrying out the additional investigations and pilot tests under condition 12.
17. The remediation works must achieve the following outcomes:
 - The concentrations of the contaminants in the groundwater leaving the site are reduced to levels not higher than the background concentrations of the respective contaminants in the groundwater entering the site (as determined by sampling from upgradient monitoring wells, the depth, number and location of which must be approved by the site auditor);
 - The acidity levels of the groundwater leaving the site are reduced to levels not higher than the background acidity level of the groundwater entering the site; and
 - On the completion of the remediation, the site is longer contaminated in such a way as to present a significant risk of harm.
18. The Company must prepare and submit to the EPA a progress report **every two months** summarizing the progress of the remediation works in the 2 months period immediately preceding the date of the report. The first progress report must be submitted to the EPA **within 60 days of the date of this order**.
19. The remediation works must be completed **within 8 months of the date of this order**.
20. **Within 14 days of the completion of the remediation works**, the Company must report to the EPA in writing, supported by a written confirmation from the site auditor, that the remediation works have been completed according to the requirements of the RAP.

Validate the remediation works

21. The Company must validate the remediation works in accordance with the site validation plan detailed in the RAP.
22. The Company must prepare a site validation report on whether the required remediation outcomes have been achieved.
23. The Company must arrange for the validation report to be reviewed by the site auditor and ensure that the auditor prepares a site audit statement and a site audit summary report certifying whether or not the remediation outcomes have been achieved.

24. The validation report, the site audit statement and the site audit summary report must be submitted to the EPA **within 10 months of the date of this order**.

General requirements for reports

25. All reports required by this order must be consistent with the guidelines made or approved by the NSW EPA under s.105 of the Act (see attached list).
26. All reports and documents referred to above which are required to be provided to the EPA must be submitted to:

Director Contaminated Sites
Environment Protection Authority
PO Box A290
SYDNEY SOUTH NSW 1232

(signed)

CAROLYN STRANGE
Director Contaminated Sites
Environment Protection Authority
(by Delegation)

Date: 20 August 2003

Attachment: List of Guidelines

NOTE:

Relationship to other regulatory instrument

This order does not derogate from the provisions of any relevant environmental planning instruments which may control the land on which the land is located or provisions of any other environmental protection legislation administered by the EPA.

Failure to comply with this Order

It is an offence to fail to comply with a remediation order. Heavy penalty may be imposed if you are convicted by the Land and Environment Court.

Information recorded by the EPA

Section 58 of the Contaminated Land Management Act 1997 requires the EPA to maintain a public record. A copy of this remediation order will be included in the public record.

Information recorded by councils

Section 59 of the Act requires the EPA to notify the relevant local council as soon as practicable after an order is made. The council is then required to note on its planning certificate issued pursuant to s.149 (2) of the Environmental Planning and Assessment Act that the land is currently subject to an investigation order. The EPA is required to notify council as soon as practicable when the order is no longer in force and the notation on the s.149 (2) certificate is removed

Guidelines made or approved by the EPA under section 105 of the Contaminated Land Management Act 1997

Guidelines made by the EPA

- *Contaminated Sites: Guidelines for Assessing Service Station Sites*, December 1994.
- *Contaminated Sites: Guidelines for the Vertical Mixing of Soil on Former Broad-Acre Agricultural Land*, January 1995.
- *Contaminated Sites: Sampling Design Guidelines*, September 1995.
- *Contaminated Sites: Guidelines for Assessing Banana Plantation Sites*, October 1997.
- *Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites*, November 1997.
- *Contaminated Sites: Guidelines for the NSW Site Auditor Scheme*, June 1998.
- *Contaminated Sites: Guidelines on Significant Risk of Harm from Contaminated Land and the Duty to Report*, April 1999.

Guidelines approved by the EPA

- *Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites*, published by Australian and New Zealand Environment and Conservation Council and the National Health and Medical Research Council (NHMRC), January 1992.
- *Australian Water Quality Guidelines for Fresh and Marine Waters*, Australian and New Zealand Environment and Conservation Council, November 1992, which are only approved for the purposes of contaminated site assessment, investigation, remediation and site auditing under the Contaminated Land Management Act (or other relevant legislation) commenced before September 2001.
- *Australian and New Zealand Guidelines for Fresh and Marine Water Quality*. Australian and New Zealand Environment and Conservation Council and Agriculture and Resource Management Council of Australia and New Zealand, Paper No 4, October 2000.

National Environmental Health Forum monographs

- *Composite Sampling*, by Lock, W. H., National Environmental Health Forum Monographs, Soil Series No.3, 1996, SA Health Commission, Adelaide.

National Environment Protection Council publications

National Environment Protection (Assessment of Site Contamination) Measure 1999

- The Measure includes a policy framework for the assessment of site contamination, Schedule A and Schedule B.

(I) Schedule A

- *Recommended General Process for the Assessment of Site Contamination*.

(II) Schedule B -Guidelines

(1) Guideline on Investigation Levels for Soil and Groundwater

(2) Guideline on Data Collection, Sample Design and Reporting

(3) Guideline on Laboratory Analysis of Potentially Contaminated Soils

(4) Guideline on Health Risk Assessment Methodology

(5) Guideline on Ecological Risk Assessment

(6) Guideline on Risk Based Assessment of Groundwater Contamination

(7a) Guideline on Health-Based Investigation Levels

(7b) Guideline on Exposure Scenarios and Exposure Settings

(8) *Guideline on Community Consultation and Risk Communication*

(9) *Guideline on Protection of Health and the Environment During the Assessment of Site Contamination*

(10) *Guideline on Competencies & Acceptance of Environmental Auditors and Related Professionals*

Other documents

- *Guidelines for the Assessment and Clean Up of Cattle Tick Dip Sites for Residential Purposes*, NSW Agriculture and CMPS&F Environmental, February 1996.
- *Australian Drinking Water Guidelines*, NHMRC & Agriculture and Resource Management Council of Australia and New Zealand, 1996.

14 August 2002

Environment Protection Authority**Remediation order****Section 23 of the Contaminated Land Management Act 1997**

CH5709
23002/ Area # 3125

Service: By Registered Mail to Registered Office and Principal Place of Business

Toscam Holdings Pty Ltd (ACN 000 128 512)
(previously Mascot Galvanising Holdings Pty Ltd)
342 King Street
MASCOT NSW 2020

Attention: Peter Chandler Warren - Director

Background

- A. On 24 January 2000 the Environment Protection Authority ("EPA") declared the land at 336-348 King Street Mascot, NSW being Lots 15-17 DP9142, Lot A DP407002, Lot 1 DP387285, Lot B DP310256, Lot C DP348169, Lot F DP396672, Lot M DP356032, Lot A DP341081 and Lot D DP370269 ("the site") as a remediation site.
- B. The site has been found to be contaminated with zinc, lead and chromium in soil and groundwater and low pH in the groundwater ("the contaminants") in such a way as to present a significant risk of harm.

The EPA has considered the matters in s.9 of the Contaminated Land Management Act ("the Act") and found that the site presents a significant risk of harm because

- there is harm being caused to the fresh and marine water biota that is in contact with the contaminated groundwater
- there is potential for harm to be caused to humans from the use or consumption of the contaminated groundwater
- the use of the groundwater is restricted from any beneficial use due to its contaminated state.

- C. The EPA has considered all submissions made as to whether an order should be made.
- D. There are no other persons who are required to be served with a copy of this order for the purposes of s.23(4) of the Act.

By this order, the EPA orders Toscam Holdings Pty Ltd of ACN 000 128 512 ("the company") being a person having principal responsibility for the contamination referred to above to do the following:

Preparation of a Remedial Action Plan

1. The Company must engage an appropriately qualified and experienced contaminated land consultant to prepare a remedial action plan (RAP) to the satisfaction of the EPA detailing the measures to be taken by the Company to remove the significant risk of harm that is currently posed by
 - (a) the contaminants migrating through groundwater from the site; and
 - (b) the potential human exposure to the contaminants at the site.
2. The RAP must be prepared in accordance with the EPA publication titled *Guidelines for Consultants Reporting on Contaminated Sites*, dated November 1997, as it relates to remedial action plans. In particular, the RAP must include the following details:

- (a) A remediation strategy that is consistent with the guidelines made or approved by the NSW EPA under s.105 of the Act (see attached);
- (b) Discussion of the extent of remediation required;
- (c) Discussion of possible remedial options and how the risk will be reduced;
- (d) Rationale for the selection of recommended option;
- (e) Detailed planning supported by technical specifications for the implementation of the selected remedial strategy;
- (f) Detailed planning supported by technical specifications for the treatment and lawful disposal of any contaminated materials that have levels of contamination not meeting the remediation goal for that contaminant;
- (g) The field and laboratory quality assurance and quality control for sampling and chemical analysis;
- (h) Contingency plan if the selected remedial strategy fails;
- (i) Site management plan during remediation;
- (j) Proposed testing to validate the site after remediation; and
- (k) A time table for the implementation of the RAP.

3. The RAP must be consistent with

- (a) the guidelines made or approved by the EPA under s.105 of the Act.
- (b) the Order dated 18 December 1998 made by the Supreme Court of New South Wales Sydney Registry Equity Division in the matter QANTAS Airways Ltd v Mascot Galvanising Works P/L (No.3610 of1996) as amended by the Court up until the date of this order.

Engagement of a site auditor

4. The Company must engage a site auditor accredited under the Act to provide a site audit of the RAP required by this notice. The summary site audit prepared by the site auditor may
- (a) include recommendations about changes to the RAP that will ensure the RAP will meet the requirements identified in conditions 1-3, or
 - (b) be accompanied by such other plan as the site auditor may submit which the auditor considers would meet the requirements of conditions 1-3.

Report to the EPA

5. The Company must provide to the Contaminated Sites Section of the EPA in writing
- (a) the names of the consultant and the site auditor engaged to prepare and to provide a site audit, respectively, of the RAP by **16 November 2001**; and
 - (b) the RAP prepared by the consultant in accordance with this notice, together with the summary site audit report and site audit statement prepared by the site auditor in relation to the RAP by **18 December 2001**.

Signed by

JILL GALLAGHER
A/Director Contaminated Sites
Environment Protection Authority
(by Delegation)
Date: 17 October 2001

NOTE:

Relationship to other regulatory instrument

This order does not derogate from the provisions of any relevant environmental planning instruments which may control the land on which the land is located or provisions of any other environmental protection legislation administered by the EPA.

Implementation of RAP or other plan

The EPA intends to issue a subsequent remediation order to Toscam Holdings P/L to require remediation of the site within a reasonable timeframe. Section 23(2) provides that such an order may adopt, with or without modification, a plan submitted in accordance with a previous remediation order or, at the discretion of the EPA, a plan recommended by the EPA or submitted by a site auditor accredited under Part 4.

Failure to comply with this Order

It is an offence to fail to comply with a remediation order. Heavy penalty may be imposed if you are convicted by the Land and Environment Court.

Information recorded by the EPA

Section 58 of the Contaminated Land Management Act 1997 requires the EPA to maintain a public record. A copy of this remediation order will be included in the public record.

Information recorded by councils

Section 59 of the Act requires the EPA to notify the relevant local council as soon as practicable after an order is made. The council is then required to note on its planning certificate issued pursuant to s.149 (2) of the Environmental Planning and Assessment Act that the land is currently subject to an investigation order. The EPA is required to notify council as soon as practicable when the order is no longer in force and the notation on the s.149 (2) certificate is removed

GUIDELINES MADE OR APPROVED BY THE EPA UNDER SECTION 105 OF THE CONTAMINATED LAND MANAGEMENT ACT 1997

As at September 2001

Guidelines made by the EPA

Contaminated Sites. Guidelines for Assessing Service Station Sites, December 94.
Contaminated Sites. Guidelines for the Vertical Mixing of Soil on Former Broad-Acre Agricultural Land, January 95.
Contaminated Sites. Sampling Design Guidelines, September 95.
Contaminated Sites. Guidelines for Assessing Banana Plantation Sites, October 97.
Contaminated Sites. Guidelines for Consultants Reporting on Contaminated Sites, November 97.
Contaminated Sites. Guidelines for NSW Site Auditor Scheme, June 98.
Contaminated Sites. Guidelines on Significant Risk of Harm from Contaminated Land and the Duty to Report, April 99.

Guidelines approved by the EPA

Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites, published by ANZECC and the National Health and Medical Research Council (NHMRC), January 1992.
Australian Water Quality Guidelines for Fresh and Marine Waters. ANZECC, November 1992, which are only approved for the purposes of contaminated site assessment, investigation, remediation and site auditing under the Contaminated Land Management Act (or other relevant legislation) commenced before September 2001.
Australian and New Zealand Guidelines for Fresh and Marine Water Quality. ANZECC and ARMCANZ, October 2000.

NATIONAL ENVIRONMENTAL HEALTH FORUM MONOGRAPHS

Composite Sampling, by Lock, W. H., National Environmental Health Forum Monographs, Soil Series No.3, 1996, SA Health Commission, Adelaide.

NATIONAL ENVIRONMENT PROTECTION COUNCIL PUBLICATIONS

National Environment Protection (Assessment of Site Contamination) Measure 1999

The Measure includes a policy framework for the assessment of site contamination, Schedule A and Schedule B.

(I) SCHEDULE A

Recommended General Process for the Assessment of Site Contamination.

(II) SCHEDULE B -GUIDELINES

- (1) *Guideline on Investigation Levels for Soil and Groundwater*
- (2) *Guideline on Data Collection, Sample Design and Reporting*
- (3) *Guideline on Laboratory Analysis of Potentially Contaminated Soils*
- (4) *Guideline on Health Risk Assessment Methodology*
- (5) *Guideline on Ecological Risk Assessment*
- (6) *Guideline on Risk Based Assessment of Groundwater Contamination*
- (7A) *Guideline on Health-Based Investigation Levels*
- (7B) *Guideline on Exposure Scenarios and Exposure Settings*
- (8) *Guideline on Community Consultation and Risk Communication*
- (9) *Guideline on Protection of Health and the Environment During the Assessment of Site Contamination*
- (10) *Guideline on Competencies and Acceptance of Environmental Auditors and Related Professionals*

OTHER DOCUMENTS

Guidelines for the Assessment and Cleanup of Cattle Tick Dip Sites for Residential Purposes, NSW Agriculture and CMPS&F Environmental, February 1996.
Guidelines for Drinking Water Quality in Australia. NHMRC & Australian Water Resources Council, 1996.

Environment Protection Authority

Declaration of remediation site

Section 21 of the Contaminated Land Management Act 1997

Declaration Number 21002

The EPA declares the following land to be a remediation site under the Contaminated Land Management Act 1997 ("the Act"):

1. Land to which this declaration applies ("the site")

Land located at 336-348 King Street, Mascot, NSW, 2020

Property references:

Lot 15 DP9142, Lots 16-17 DP9142, Lot A DP407002, Lot 1 DP387285, Lot B DP310256, Lot C DP348169, Lot F DP396672, Lot M DP356032, Lot A DP341081 and Lot D DP370269.

2. Nature of the substances causing the contamination:

- Zinc, lead and chromium in soil and groundwater
- Low pH of the groundwater.

3. Nature of harm that the substance may cause:

The EPA has considered the matters in s.9 of the Act and found that:

- The high concentrations of zinc, lead and chromium in soil and groundwater and the high acidity levels of groundwater would not be expected to occur naturally at this site.
- Applicable guidance levels, particularly for zinc and acidic water, have been markedly exceeded.
- Zinc is persistent, phytotoxic, and toxic to aquatic ecosystems.
- Groundwater contaminated with elevated levels of zinc and of low pH is migrating off-site causing contamination of the local groundwater which ultimately discharges into Botany Bay.

The EPA has found the site is contaminated with zinc and has a low pH in such a way as to present a significant risk of harm to the groundwater system. There is a significant risk that:

- Harm is being caused to the fresh and marine water biota that is in contact with the contaminated groundwater.
- Harm may be caused to humans from the increased risk associated with the use or consumption of the contaminated groundwater.
- Use of the groundwater is restricted from any beneficial use due to its contaminated state.

4. Further action under the Act

The making of this declaration does not prevent the carrying out of a voluntary remediation of the site and any person may submit a voluntary remediation proposal for the site to the EPA. If the proposal satisfies the requirements of s.26 of the Act, the EPA may agree not to issue a remediation order to the person or persons bringing the proposal.

5. Submissions invited

The EPA advises that the public may make written submissions to the EPA on:

- Whether the EPA should issue a remediation order in relation to the site or
- Any other matter concerning the site.

Submissions should be made in writing to:

Manager Contaminated Sites
Environment Protection Authority
PO Box A290
SYDNEY SOUTH NSW 1232
or faxed to: 02 9995 5999

by not later than 25 February 2000.

(signed Cathy Dyer 24.01.2000)

CATHY DYER

**Manager Contaminated Sites
Environment Protection Authority**
(by delegation)

Date: 24 JAN 2000

NOTE:

Remediation order may follow

If remediation of the site or part of the site is required, the EPA may issue a remediation order under s.23 of the Act.

Variation/Revocation

This declaration remains in force until it is otherwise varied or revoked. A declaration may only be revoked when the EPA does not have reasonable grounds to believe that land is contaminated in such a way as to present a significant risk of harm (s.44 of the Act).

Information recorded by the EPA

S.58 of the Contaminated Land Management Act 1997 requires the EPA to maintain a public record. A copy of this remediation declaration will be included in the public record.

Information recorded by councils

S.59 of the Act requires the EPA to give a copy of this declaration to the relevant local council. The council is then required to note on its planning certificate issued pursuant to s.149 (2) of the Environmental Planning and Assessment Act that the land is currently within a declaration area. The EPA is required to notify council as soon as practicable when the declaration is no longer in force and the notation on the s.149 (2) certificate is removed.

Environment Protection Authority**Revocation of notice**

(Section 35 of the Environmentally Hazardous Chemicals Act 1985)

Notice Number 552; Area Number UB 3125

(Name Withheld)
Director, Toscam Holdings Pty Ltd
(previously Mascot Galvanising (Holdings) Pty Ltd)
C/o Mathews Tyre Service
Corner Fifth & Ninth Avenues
CAMPSIE NSW 2194

REGISTERED POST

BACKGROUND

- A. Mascot Galvanising (Holdings) Pty Ltd (now Toscam Holdings Pty Ltd) is the owner and occupier of premises located at 342 King Street, Mascot 2020 ("the premises"). The land is currently being remediated;
- B. The premises were found to be contaminated due to the use and storage of chemicals and chemical wastes associated with the galvanising of metals;
- C. Notice No. 435 pursuant to section 35 of the *Environmentally Hazardous Chemicals Act 1985* (EHC Act) was issued to Mascot Galvanising (Holdings) Pty Ltd on 13 January 1997;
- D. On 8 July 1999 contamination at the premises was determined to present a significant risk of harm as assessed under section 9 of the *Contaminated Land Management Act 1997* (CLM Act);
- E. On 24 January 2000 the premises were declared a remediation site under section 21 of the CLM Act;
- F. On 17 October 2001, the EPA issued remediation order No. 23002 under section 23 of the Act, directing Toscam Holdings Pty Ltd to prepare a remedial action plan to the satisfaction of the EPA;
- G. On 20 August 2003, the EPA issued a second remediation order (Order No. 23013) under section 23 of the Act, directing Toscam Holdings Pty Ltd to carry out the remediation work;
- H. Notice No. 435 is to be revoked as the premises are now regulated under the CLM Act.

DECISION TO REVOKE NOTICE

1. In accordance with section 35 of the EHC Act, as continued in force by Schedule 2 of the CLM Act, the Environment Protection Authority hereby revokes the following notice:

EHC Act Notice Number	Issue Date
435	13 January 1997

2. The revocation of a notice under the EHC Act does not affect any duty you may have under the CLM Act or the *Protection of the Environment Operations Act 1997*.

[Signed]

NIALL JOHNSTON
Acting Manager Contaminated Sites
Department of Environment and Climate Change

Date: 17 August 2007

NOTE:**Information recorded by the EPA**

Section 58 of the *Contaminated Land Management Act 1997* requires the EPA to maintain a public record. A copy of this revocation notice will be included in the public record.

Information recorded by councils

Section 59 of the *Contaminated Land Management Act 1997* requires the EPA to inform the relevant local council that the order referred to above has ceased to be in force. In light of this information the council may choose to modify the relevant information on its planning certificate for the land concerned, issued pursuant to s.149 of the *Environmental Planning and Assessment Act 1979*.

Relationship to other regulatory instruments

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

BY REGISTERED POST

The Managing Director
Mascot Galvanising (Holdings) Pty Ltd
342 King Street
MASCOT NSW 2020

Section 35 Notice #435/3125

13 JAN 1997

Contact: Craig Blundell

ENVIRONMENTALLY HAZARDOUS CHEMICALS ACT 1985
NOTICE UNDER SECTION 35

WHEREAS:-

- A. Mascot Galvanising (Holdings) Pty Limited (ACN 000 128 512) is the occupier of premises located at 342 King St, Mascot, New South Wales 2020 (Folio Identifiers 15/9142, Auto Consol 7635-113, F/396672, M/356032, A/341081, D/370269) ("the premises").
- B. The premises have been used for the carrying on of a prescribed activity, namely the act of using and storing chemicals and chemical wastes associated with the galvanising of metals.
- C. The chemicals or chemical wastes referred to in paragraph B above include heavy metals (zinc, cadmium, copper, lead, manganese, nickel, and tin), liquid wastes (waste acid, waste acid rinse water, waste quench water, waste caustic rinse solution), and solid wastes (zinc ash/splatter, sodium dichromate sludge, caustic sludge, rinse water sludges, oily residues).
- D. The Environment Protection Authority ("EPA") believes that the premises have become contaminated by reason of the carrying on of the prescribed activity referred to in paragraph B above. This belief is based on a meeting between ERM Mitchell McCotter, Mascot Galvanising (Holdings) Pty Ltd and the EPA on 3 December 1996, and a report entitled "Expanded Soil and Groundwater Contamination Assessment" ("the report"), prepared by ERM Mitchell McCotter in relation to the premises, and submitted to the EPA on 8 November 1996.
- E. The nature of the contamination of the premises is described in the report, and includes soil and groundwater contamination by the heavy metals referred to in paragraph C above.
- F. A Notice under section 27A (1) of the Clean Waters Act 1970 was served on Mascot Galvanising (Holdings) Pty Ltd on 11 December 1996 (EPA reference: 500625/D03/Not. Nos. 003606) requiring certain measures to be taken in relation to remediation of contaminated groundwater on the site.

TAKE NOTICE THAT:-

In accordance with the powers vested in the EPA by the provisions of section 35 of the Environmentally Hazardous Chemicals Act 1985, the EPA directs Mascot Galvanising

(Holdings) Pty Lid, as occupier of the premises, to do the following:

1. By 11 March 1997, provide to the EPA Manager - Contaminated Sites a report detailing a plan for remediation of contaminated soil on the premises. The plan must include the following:-
 - (a) suitable strategies to prevent:
 - soil contamination on the premises posing a risk to human health and the environment; and
 - existing soil contamination on the premises from contributing to the contamination of groundwater on or in the vicinity of the premises.
 - (b) a sampling, monitoring and reporting program
 - (c) a remediation validation program
 - (d) a timetable and action plan for site remediation.
2. The report referred to in paragraph 1 above may be prepared and presented in conjunction with the report prepared as a requirement of the section 27A Notice referred to in paragraph F above.

NEIL SHEPHERD

Director- General

(signed) 13 JAN 1997

CATHY DYER

Manager Contaminated Sites

(by delegation)

cc: Regional Manager, Inner Sydney
The General Manager Botany Bay City Council
Register of Section 35 Notices
EPA Legal Branch

Environment Protection Authority

Remediation order

Section 23 of the Contaminated Land Management Act 1997

No. 23017

Service: By Registered Mail to Registered Office and Principal Place of Business

Toscam Holdings Pty Ltd (ACN 000 128 512)
(previously Mascot Galvanising Holdings Pty Ltd)
C/o Mathews Tyre Service
Corner Fifth & Ninth Avenues
CAMPSIE NSW 2194

Attention: Director

Background

- A. On 24 January 2000 the Environment Protection Authority ("EPA") declared the land at 336-348 King Street Mascot, NSW, being Lots 15-17 DP9142, Lot A DP407002, Lot 1 DP387285, Lot B DP310256, Lot C DP348169, Lot F DP396672, Lot M DP356032, Lot A DP341081 and Lot D DP370269 ("the site") as a remediation site.
- B. The site has been found to be contaminated with zinc, lead and chromium in the soil and groundwater ("the contaminants"), in such a way as to present a significant risk of harm. The groundwater at the site, which is migrating off-site, has a low pH as a direct result of acidic galvanizing processes previously carried out on the site.
- C. The EPA has considered the matters in s.9 of the Contaminated Land Management Act ("the Act") and found that the site presents a significant risk of harm because
- there is a significant risk that harm is being caused to the fresh and marine water biota that is in contact with the contaminated groundwater;
 - there is potential for harm to be caused to humans from the use or consumption of the contaminated groundwater; and
 - the use of the groundwater is restricted from any beneficial use due to its contaminated state.
- D. The EPA has considered all submissions made under Division 3 of Part 3 of the Act as to whether this order should be made.
- E. There are no other persons who are required to be served with a copy of this order for the purposes of s.23(4) of the Act.
- F. On 17 October 2001, the EPA issued the first remediation order (CH5709/#23002) under section 23 of the Act, directing Toscam Holdings Pty Ltd (ACN 000 128 512) ("the Company"), being a person having principal responsibility for the contamination referred to above, to prepare a remedial action plan to the satisfaction of the EPA detailing the measures to be taken by the Company to remove the significant risk of harm that is currently posed by:
- (a) the contaminants migrating through groundwater from the site; and
 - (b) the potential human exposure to the contaminants at the site.
- G. The EPA received the following documents from Fletcher Projects on behalf of the Company:
1. A remedial action plan titled "*Remedial Action Plan Former Mascot Galvanising Site 342*"

King Street Mascot NSW 2020" prepared by IT Environmental dated 17 December 2001; and

2. A report titled "*Summary Site Audit Report, Review of Remedial Action Plan for Former Mascot Galvanising Site 342 King Street, Mascot*" by Bill Ryall of Contamination Management Pty Ltd dated 18 January 2002 in his capacity as a site auditor.
- H. On 20 August 2003, the EPA issued a second remediation order (Order No. 23013) under section 23 of the Act, directing the Company to carry out the remediation work within the timeframe specified in that order.
- I. On 28 October 2003, the EPA wrote to the Company indicating that some of the tasks required to be carried out by Order No.23013 had not been carried out within the specified timeframe.
- J. On 11 November 2003, the EPA received a proposal from Responsive Environmental Solutions on behalf of the Company detailing additional investigative works that were considered to be required before the site remediation could proceed. The lead time for the additional works was estimated to be 3 months.
- K. Section 44 of the Act empowers the EPA to vary an order by a subsequent order. On 5 January 2004, the EPA issued a third remediation order (Order No. 23014) amending Order No. 23013 in such a way as to provide additional time to the Company for
- obtaining the site auditor's endorsement of the technical specifications;
 - the completion of the remediation works; and
 - submitting to the EPA the necessary reports.
- L. On 20 February 2004, the EPA received a report titled "*Former Mascot Galvanising, 342 King Street Mascot NSW – Supplementary Investigation Report February 2004*" by Responsive Environmental Solutions. This report indicated the complex nature of the groundwater contamination on the site. The EPA was made aware that further works would be required before the technical specifications for the remediation of the site could be produced.
- M. The draft technical specifications were submitted to the EPA on 5 April 2004. The EPA requires, as specified in Order No.23013, the technical specifications to be endorsed by the site auditor before site remediation can proceed.
- N. The EPA understands that the site auditor's comments on the draft technical specifications were provided to Responsive Environmental Solutions on 19 May 2004.
- O. On 23 July 2004, Responsive Environmental Solutions advised the EPA that the technical specifications will incorporate comments made by the site auditor and will be finalised by 7 August 2004 for the auditor's endorsement.
- P. On 28 July 2004, the EPA received a revised timetable from Responsive Environmental Solutions on behalf of the Company titled "*Mascot Remediation Work Plan and Proposed Schedule as of 26 July 2004*".
- Q. The EPA is satisfied with the revised timetable.

Section 44 of the Act empowers the EPA to vary an order by a subsequent order. By this order, the EPA varies remediation order No. 23013, as varied by remediation order No. 23014, in the following manner.

Extension of time for site auditor's endorsement of the technical specifications

1. Replace the words "**By 27 February 2004**" in the first sentence of Clause 15 of remediation order No. 23013 with "**By 30 August 2004**".

Extension of time for the completion of the remediation works

2. Replace Clause 19 of remediation order No. 23013 with the following:

19. The remediation works must be carried out in accordance with the timetable that was provided to the EPA by Responsive Environmental Solutions on behalf of the Company on 28 July 2004. The timetable is contained in a document titled "*Mascot Remediation Work Plan and Proposed Schedule as of 26 July 2004*".
- 19A The excavation and the treatment of the soil/fill material contaminated with high levels of zinc and/or low pH, which has been the source of the contamination to the groundwater, must be completed by 31 May 2005.
- 19B The EPA anticipates that active groundwater remediation will be required in order to achieve the environmental outcomes that are specified in Clause 17. Unless otherwise agreed by the EPA in writing, a groundwater treatment and containment system aimed at achieving the environmental outcomes specified in Clause 17 must be in place and in operation by 31 May 2005.

Extension of time for providing the EPA with the necessary reports

3. Replace the words "**by 22 October 2004**" in Clause 24 of remediation order No. 23013 with "**by 30 June 2005**".

[SIGNED]

CAROLYN STRANGE
Director Contaminated Sites
Department of Environment and Conservation
(by Delegation)

Date: 17 August 2004

NOTE:

Relationship to other regulatory instrument

This order does not derogate from the provisions of any relevant environmental planning instruments which may control the land on which the land is located or provisions of any other environmental protection legislation administered by the EPA.

Failure to comply with this Order

It is an offence to fail to comply with a remediation order. Heavy penalty may be imposed if you are convicted by the Land and Environment Court.

Information recorded by the EPA

Section 58 of the Contaminated Land Management Act 1997 requires the EPA to maintain a public record. A copy of this remediation order will be included in the public record.

Information recorded by councils

Section 59 of the Act requires the EPA to notify the relevant local council as soon as practicable after an order is made. The council is then required to note on its planning certificate issued pursuant to s.149 (2) of the Environmental Planning and Assessment Act that the land is currently subject to an investigation order. The EPA is required to notify council as soon as practicable when the order is no longer in force and the notation on the s.149 (2) certificate is removed.

Environment Protection Authority**Remediation order**

Section 23 of the Contaminated Land Management Act 1997

HO3137

Notice 23014 / Area # 3125

Service: By Registered Mail to Registered Office and Principal Place of Business

Toscam Holdings Pty Ltd (ACN 000 128 512)
(previously Mascot Galvanising Holdings Pty Ltd)
C/o Mathews Tire Service
Corner Fifth & Ninth Avenues
CAMPSIE NSW 2194

Attention: Peter Chandler Warren - Director

Background

- A. On 24 January 2000 the Environment Protection Authority ("EPA") declared the land at 336-348 King Street Mascot, NSW, being Lots 15-17 DP9142, Lot A DP407002, Lot 1 DP387285, Lot B DP310256, Lot C DP348169, Lot F DP396672, Lot M DP356032, Lot A DP341081 and Lot D DP370269 ("the site") as a remediation site.
- B. The site has been found to be contaminated with zinc, lead and chromium in the soil and groundwater ("the contaminants"), in such a way as to present a significant risk of harm. The groundwater at the site, which is migrating off-site, has a low pH as a direct result of acidic galvanizing processes previously carried out on the site.
- C. The EPA has considered the matters in s.9 of the Contaminated Land Management Act ("the Act") and found that the site presents a significant risk of harm because
- there is a significant risk that harm is being caused to the fresh and marine water biota that is in contact with the contaminated groundwater;
 - there is potential for harm to be caused to humans from the use or consumption of the contaminated groundwater; and
 - the use of the groundwater is restricted from any beneficial use due to its contaminated state.
- D. The EPA has considered all submissions made under Division 3 of Part 3 of the Act as to whether this order should be made.
- E. There are no other persons who are required to be served with a copy of this order for the purposes of s.23(4) of the Act.
- F. On 17 October 2001, the EPA issued the first remediation order (CH5709/#23002) under section 23 of the Act, directing Toscam Holdings Pty Ltd (ACN 000 128 512) ("the Company"), being a person having principal responsibility for the contamination referred to above, to prepare a remedial action plan to the satisfaction of the EPA detailing the measures to be taken by the Company to remove the significant risk of harm that is currently posed by:
- (a) the contaminants migrating through groundwater from the site; and
 - (b) the potential human exposure to the contaminants at the site.
- G. The EPA received the following documents from Fletcher Projects on behalf of the Company:
1. A remedial action plan titled "*Remedial Action Plan Former Mascot Galvanising Site 342 King Street Mascot NSW 2020*" prepared by IT Environmental dated 17 December 2001;

and

2. A report titled "*Summary Site Audit Report, Review of Remedial Action Plan for Former Mascot Galvanising Site 342 King Street, Mascot*" by Bill Ryall of Contamination Management Pty Ltd dated 18 January 2002 in his capacity as a site auditor.
- H. On 20 August 2003, the EPA issued a second remediation order (Order No. 23013) under section 23 of the Act, directing the Company to carry out the remediation work within the timeframe specified in that order.
- I. On 28 October 2003, the EPA wrote to the Company indicating that some of the tasks required to be carried out by Order No.23013 had not been carried out within the specified timeframe.
- J. On 11 November 2003, the EPA received a proposal from Responsive Environmental Solutions on behalf of the Company detailing additional investigative works that were considered to be required before the site remediation could proceed. The lead time for the additional works is estimated to be 3 months.
- K. The EPA is satisfied with the proposal from Responsive Environmental Solutions.

Section 44 of the Act empowers the EPA to vary an order by a subsequent order. By this order, the EPA varies remediation order No. 23013 in the following manner:

Extension of time for site auditor's endorsement of the technical specifications

1. Replace the words "**Within 8 weeks of the date of this order**" in the first sentence of Clause 15 of remediation order No. 23013 with "**By 27 February 2004**".

Extension of time for the completion of the remediation works

2. Replace Clause 19 of remediation order No. 23013 with the following:

19. The remediation works must be carried out in accordance with the following timetable:

- A. The excavation and the treatment of the soil/fill material contaminated with high levels of zinc and/or low pH, which has been the source of the contamination to the groundwater, must be completed by 22 August 2004.
- B. The EPA anticipates that active groundwater remediation will be required in order to achieve the environmental outcomes that are specified in Clause 17 of Order No.23013. Unless agreed otherwise by the EPA in writing, a groundwater treatment and containment system aimed to achieve the environmental outcomes specified in Clause 17 must be in place and in operation by 22 August 2004.

Extension of time for providing the EPA with the necessary reports

3. Replace the words "**within 10 months of the date of this order**" in Clause 24 of the remediation order No. 23013 with "**by 22 October 2004**".

[signed]

CAROLYN STRANGE
Director Contaminated Sites
Department of Environment and Conservation
(by Delegation)

Date: 5 January 2004

NOTE:

Relationship to other regulatory instruments

This order does not derogate from the provisions of any relevant environmental planning instruments which may control the land on which the land is located or provisions of any other environmental protection legislation administered by the EPA.

Failure to comply with this Order

It is an offence to fail to comply with a remediation order. Heavy penalty may be imposed if you are convicted by the Land and Environment Court.

Information recorded by the EPA

Section 58 of the Contaminated Land Management Act 1997 requires the EPA to maintain a public record. A copy of this remediation order will be included in the public record.

Information recorded by councils

Section 59 of the Act requires the EPA to notify the relevant local council as soon as practicable after an order is made. The council is then required to note on its planning certificate issued pursuant to s.149 (2) of the Environmental Planning and Assessment Act that the land is currently subject to an investigation order. The EPA is required to notify council as soon as practicable when the order is no longer in force and the notation on the s.149 (2) certificate is removed

Environment Protection Authority**Notice of completion of approved voluntary management proposal**

(Section 44 of the Contaminated Land Management Act 1997)

Notice Number 20124413, Area Number 3273

Rosebery Service Station Pty Ltd
395 Gardeners Road
ROSEBERY NSW 2018

The Environment Protection Authority ("the EPA")* approved a voluntary management proposal (no. 20101713) from Rosebery Service Station Pty Ltd ("the proponent") in relation to the land to which this notice applies.

Pursuant to section 44 of the *Contaminated Land Management Act 1997* the EPA gives the proponent notice that it is satisfied that the terms of the proposal have been carried out in accordance with its approval to that proposal.

Land to which this notice applies

Description	Address
Lot 1 in DP 75748	Rosebery Service Station at 395 Gardeners Road, Rosebery 2018.

[Signed]

NIALL JOHNSTON
Manager Contaminated Sites
Environment Protection Authority

Date: 1 May 2012

NOTE:**Information recorded by the EPA**

Section 58 of the Contaminated Land Management Act 1997 requires the EPA to maintain a public record. A copy of this notice will be included in the public record.

Information recorded by councils

Section 59 of the Act requires the EPA to give a copy of this notice to the relevant local council. The council may then make appropriate consequential modifications to the planning certificate issued in relation to the land to which this notice applies pursuant to s.149 of the *Environmental Planning and Assessment Act 1979*.

Relationship to other regulatory instrument

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

Previous regulatory instrument

As of 1 July 2009, all current declarations for investigation area or declarations for remediation sites are taken to be declarations for significantly contaminated land, all current orders for investigation area and orders for remediation site are taken to be management orders and all current voluntary investigation and remediation agreements are taken to be voluntary management proposals.

Environment Protection Authority (EPA)

NOTICE OF APPROVAL OF VOLUNTARY MANAGEMENT PROPOSAL

(Section 17 of the Contaminated Land Management Act 1997)

Approval No.: 20121704

Approval Date: 1/5/2012

Area No.: 3273

The approved proposal consists of this approval document and the attached proposal, which comprises three Parts: Part 1 – Preliminary Details; Part 2 – Undertakings; and Part 3 – Performance Schedule.

Proponent: Rosebery Service Station Pty Ltd

Site: Rosebery Service Station at 395 Gardeners Road, Rosebery

Proposal Date: 16 April 2012

BACKGROUND

The EPA is satisfied that the terms of the proposal, as modified by the conditions of this approval, are appropriate.

For the purposes of section 17(4) of the *Contaminated Land Management Act 1997* (CLM Act), the EPA is satisfied that the proponent has taken all reasonable steps to identify and find every owner and notional owner of the land and every person responsible for significant contamination of the land and given those parties identified an opportunity to participate in the formulation and carrying out of the proposal on reasonable terms.

The contents of Part 1, Part 2 and Part 3 of the attached proposal form part of the terms of the approved proposal.

For the purposes of section 9(1) of the CLM Act, the EPA has had regard to the principles of ecologically sustainable development in assessing and approving this Voluntary Management Proposal and has also sought the implementation of those principles in the management of the site under this approved proposal.

APPROVAL AND CONDITIONS

The EPA approves the proposal subject to the following conditions. These conditions form part of the terms of the approved proposal.

1. Each feature and milestone of the proposal is to be completed by the date specified in the proposal. Failure to satisfactorily complete any component by the due date for that feature or milestone may be taken as a failure to carry out the terms of the proposal for the purposes of section 17(6) of the CLM Act.
2. Make available for inspection by any person, free of charge, and provide a copy to any person for a reasonable fee, any document required to be prepared and submitted to the EPA under this voluntary management proposal. It is not necessary to disclose:

- (i) any information contained in those documents that relates to any manufacturing or other industrial or commercial secrets or working processes; or
 - (ii) any personal information, within the meaning of the *Privacy and Personal Information Protection Act 1998*.
3. The first groundwater monitoring event needs to include the sampling of monitoring well MW12. Should the results for MW12 from this round of sampling identify any petroleum hydrocarbon concentrations, then MW12 will need to be sampled and analysed on a more frequent basis (i.e. quarterly) and further investigation on the extent of the groundwater plume may be required. A minimum of three sampling events for MW12 will need to be carried out (2012, 2013 and 2014) for all parameters (i.e. petroleum hydrocarbon concentrations, natural monitored attenuation and physical parameters).
4. Where this proposal requires the proponent or any other person to give a document to the EPA, that document may be given to the EPA:
- a. By delivering the document by hand to Level 14, 59 Goulburn Street, Sydney, NSW 2000.
 - b. By posting the document to the Manager Contaminated Sites, PO Box A290 Sydney South, NSW 1232.
 - c. By faxing the document to the Manager Contaminated Sites on (02) 9995 5930
 - d. By emailing the document to contlandmgnt@environment.nsw.gov.au

ADDITIONAL INFORMATION

5. The EPA may still exercise any powers it has under the CLM Act, or any other legislation, in relation to the site.
6. The EPA may require the proponent to pay all or any costs incurred by the EPA in connection with any one or more of the following:
- a. Assessing and settling the terms of the approved voluntary management proposal;
 - b. Monitoring action under the approved voluntary management proposal;
 - c. Seeking the compliance of the proponent with the approved voluntary management proposal;
 - d. ~~Any other matter associated with, or incidental to, the matters set out in 4.a. to 4.c. above~~

Signed:

Nbuc 1/5/2012

Manager Contaminated Sites
Environment Protection Authority

VOLUNTARY MANAGEMENT PROPOSAL UNDER THE CONTAMINATED LAND MANAGEMENT ACT 1997

Part 1

Preliminary Details

1. Proponent's Details

(a) Rosebery Service Station

If a registered company, company name:
Trading as: Rosebery Service Station Pty Limited
ACN: 190 980 718 75

Phone: (02) 9667 2059
Fax: (02) 9667 2347

(b) Who the EPA should contact with technical enquiries about the proposal

Employer/Company: Geo_Logix Pty Ltd

Phone (business): (02) 9979 1722

Fax: (02) 9979 1222

Proponent:

Site:

Proposal Date:

2. Site to which proposal applies

The site to which the proposal applies (the site) includes:

Source Site - Rosebery Service Station located at 395 Gardeners Road, Rosebery, NSW in Lot 1, DP75748; and

3. The contamination

Soil and/or groundwater are contaminated with substances and the contamination is significant enough to warrant regulation under the *Contaminated Land Management Act 1997*. The substances of concern ("the contaminants") are:

Total Petroleum Hydrocarbons
Benzene
Toluene
Ethylbenzene
Xylenes

Petroleum impacted groundwater has been identified beneath Rosebery Service Station and 397 – 399 Gardeners Road, approximately 2.7 metres below surface. The extent of petroleum impact to groundwater is defined in all directions except upgradient (northeast) and cross gradient (northwest) as a result of logistical constraints, being a four lane major traffic thoroughfare Gardeners Road.

Investigations undertaken under the previous VMP dated 14 May 2010 (VMP Approval# 20101713) indicates petroleum had leaked from an underground storage tank. The source of the leak was stopped immediately. Investigations of soil, groundwater and soil vapour on the affected sites indicates petroleum impact to soil and/or groundwater is not presenting a risk of harm to human health or the environment.

RSS has two USTs which are no longer being used. Those USTs are to be decommissioned in accordance with the *Protection of Environment Operations (Underground Petroleum Storage Systems) Regulation 2008* (UPSS Regulations).

4. The management proposal

The management proposal ("the proposal") comprises:

- a) the information provided within this document;
- b) the actions, works and other components set out in the following documents:

Geo_Logix (March 2011) *Remediation Action Plan – Rosebery Service Station, 395 Gardeners Road, Rosebery, NSW.*

Geo_Logix (September 2011) *RAP Addendum Information Request Letter, Rosebery Service Station, 395 Gardeners Road, Rosebery, NSW.*

- c) the undertakings set out in Part 2 of this document; and
- d) the performance schedule set out in Part 3 of this document.

Proponent:

Site:

Proposal Date:

Part 2

Undertakings Included in Voluntary Management Proposal

THE PROPOSAL INCLUDES THE FOLLOWING UNDERTAKINGS:

General

1. All works or activities carried out in connection with the proposal, including sampling and preparation of associated reports ("the activities"), will be carried out in accordance with applicable provisions of *State Environmental Planning Policy 55 – Remediation of Land* and any requirements imposed under it in relation to the activities.
2. All matters listed as relevant to a remediation action plan by the EPA's *Guidelines for Consultants Reporting on Contaminated Sites* (1997) will be taken into account in the carrying out of the activities.
3. All the activities will be carried out consistently with guidelines made or approved under section 105 of the CLM Act.
(See <http://www.environment.nsw.gov.au/clm/guidelines.htm>)
4. All the activities will be carried out in compliance with applicable NSW environmental legislation, and in particular:
 - i) All the activities, including:
 - (1) the processing, handling, movement and storage of materials and substances used to carry out the activities; and
 - (2) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activitieswill be carried out in a competent manner;
 - ii) All plant and equipment installed at the site or used in connection with the activities:
 - (1) will be maintained in a proper and efficient condition; and
 - (2) will be operated in a proper and efficient manner.
5. All the activities at the site will be carried out in a manner that prevents or minimises the emission of dust, odour and noise from the site.
6. Waste generated or stored at the Site will be assessed and classified in accordance with DECC's *Waste Classification Guidelines Part 1: Classifying Waste*.
(See <http://www.environment.nsw.gov.au/waste/envguidlns/index.htm>)
7. All waste transported from the Site that is required by the *Protection of the Environment (Waste) Regulation 2005* to be tracked must be tracked using DECC's on-line tracking system or an alternative tracking system approved in writing by DECC.
(See <http://www.environment.nsw.gov.au/waste/wastetracking.htm>)
8. The proponent will make:
 - (1) this voluntary management proposal;
 - (2) all documents referred to in this voluntary management proposal; and

Proponent:

Site:

Proposal Date:

(3) any documents required to be prepared under this voluntary management proposal,

available to the public free of charge.

9. The proponent consents to the EPA placing all of the documents listed in paragraph 8 on its public website.

10. The proponent will:

- i) prior to the implementation of the proposal provide for the EPA's approval a strategy for communicating about that implementation, particularly the actual management works, with members of the public who are likely to have a real interest in or be affected by that implementation; and
- ii) implement the strategy as approved in writing by the EPA.

Monitoring, Record Keeping & Reporting

11. At least until the EPA has notified the proponent that the EPA no longer considers that the contamination is significant enough to warrant regulation under the *Contaminated Land Management Act 1997*, record and retain all monitoring data and information and provide this record to the EPA at any reasonable time if so requested by the EPA and as specifically provided under the proposal.

12. The EPA will be informed in writing within 7 days of the proponent becoming aware of information or data indicating a material change:

- a) in conditions at the site, or
- b) in its surrounding environment,

which could adversely affect the prospects of successful management of the site or result in harm to the environment.

13. The EPA will be informed in writing within 7 days of the proponent becoming aware of any failure, either by the proponent or any other person, to comply with any term of the proposal.

14. The EPA will be informed in writing as soon as practicable of any notification by the proponent, its employees or its agents to an appropriate regulatory authority other than the EPA of any pollution incident at the site within the meaning of the *Protection of the Environment Operations Act 1997*.

(See <http://www.environment.nsw.gov.au/licensing/dutytonotify.htm>)

Performance Schedule

15. The performance schedule which is in Part 3 of this document will be adhered to.

Proponent:

Site:

Proposal Date:

Part 3

Performance Schedule

1. Objectives of the proposal

The main objectives of the RAP are to achieve the following outcomes within the timeframes specified in the proposal:

- O1. Remediate the dissolved phase groundwater plume using a combination of sulfate/oxygen injection and Monitored Natural Attenuation (MNA. Remediation of groundwater to such levels as needed to protect human and environment which may be defined by risk assessment, or, remediation to default levels at or below the assessment criteria outlined in the National Health and Medical Research Council (2008) *Guidelines for Managing Risks in Recreational Water*.
- O2. Conduct groundwater monitoring to demonstrate a downward trend in contaminant concentrations;
- O3. Assess the risks to human health and the environment posed by any residual contamination detected at the completion of the remediation works and monitoring outlined in this proposal.

2. Principal features of the proposal

The principal features of VMP include, but are not limited to:

a. Remediation

- P1. The core of the dissolved phase groundwater plume is anaerobic. Sulfate (electron acceptor) will be injected in the core of the plume to enhance and maintain sulphate reducing microbes for anaerobic metabolism of petroleum hydrocarbons. The sulphate solution will be added to each well (MW2, MW3, MW4 and MW11) over 3 events spaced 2 months apart.
- P2. At the margins of the plume (MW1, MW7, MW10, MW9) where conditions are aerobic, Oxygen Releasing Compound (ORC) socks will be installed in wells to maintain dissolved oxygen levels for aerobic microbial degradation should dissolved petroleum hydrocarbons migrate during remediation.
- P3. The installation of a downgradient groundwater monitoring well (MW12) located on Sutherland Street.
- P4. Underground storage tanks T4 a former 2,200L PULP tank, and UST T1 a former 2,500L ULP, will be decommissioned in-situ by foam filling in accordance with UPSS Regulations.
- P.5 Tank 2 will be reassessed to determine suitability for reuse. Should any repairs be made to the tank and/or associated lines, then an integrity test will be undertaken to confirm the tanks suitability to operate.

Proponent:

Site:

Proposal Date:

b. Monitoring

- P6. Implement a groundwater monitoring program to assess whether groundwater concentrations are continuing to decrease. The proposed monitoring program is tabulated below, a site map is attached.

Well ID	Frequency	#Events	Analysis	NAP	Physical Parameters
MW2, MW3, MW4, MW7, MW9, MW10, MW11	3 monthly	8	√	√	√
MW1, MW6, MW8,	6 monthly	4	√	√	√
MW12	Annually				

First event, third event, sixth event and ninth event – all wells

Analysis – TPH, BTEX

Natural Attenuation Parameters (NAP) – Methane, Carbon dioxide (free), Ferrous Iron, Nitrate, Sulphate, Sulfide, Total Alkalinity as CaCO₃.

Physical Parameters – Temp, pH, Redox, Dissolved Oxygen, Conductivity

c. Contingency Plan

- P7. If the remediation works contemplated by this proposal do not meet the stated objectives, the implementation of further measures may be required to address the residual contamination present on the adjacent residential property. Any further works would need to be assessed and considered appropriate by the EPA prior to implementation and would be documented in a separate VMP.

Proponent:

Site:

Proposal Date:

3. Key milestones for investigation, remediation and other actions

All works set out in the proposal must be completed by the deadlines specified below:

Works	Deadline
P.1 Injection of remedial solution and installation of ORC socks	Commence by June 2012 followed up by additional rounds in August and October 2012
P.2. Installation and sampling of groundwater monitoring well MW12 along Sutherland Street	Completed by June 2012
P.3 Decommission USTs T1, T4 and further integrity testing of the operational tank system	Completed by June 2012
P.4 Groundwater Monitoring	Completed by: June, September, December 2012 March, June, Sept, Dec 2013 March 2014

The EPA must be provided with the following reports by the deadlines specified below:

Report	Deadline
R.1 Report detailing the decommissioning of the USTs and follow up integrity testing	Completed by June 2012
R.2 Letter report detailing the findings of the follow groundwater well installation and testing	Completed July 2012
R.3 Quarterly groundwater monitoring letter report: i. detailing monitoring methodology; ii. detailing schedule and volume of remedial solution added to groundwater; iii. brief summary of results.	Completed 6 weeks after sampling date
R.4 Groundwater Remediation Evaluation Report i. detailing remedial methodology; ii. results of remediation; iii. statistical analysis of analytical trends; iv. review results against Site Conceptual Model; v. Recommendations	Complete two months after last monitoring event – March 2014

All deadlines for capital works and reporting are subject to a reasonable access agreement between Rosebery Service Station Pty Ltd and adjacent property owner Swanwick Pty Ltd

Proponent:

Site:

Proposal Date:

Signature of proponent

This application for approval of this voluntary management proposal may only be signed by a person(s) with the legal authority to sign it. The various ways in which the application may be signed, and the people who may sign the application, are set out in the categories below.

Please tick (✓) the box next to the category that describes how this application is being signed.

If the proponent is:	The application must be signed and certified by one of the following:
an individual	☐ the individual.
a company	☐ the common seal being affixed in accordance with the <i>Corporations Act 2001</i> , or ☒ two directors, or ☐ a director and a company secretary, or ☐ if a proprietary company that has a sole director who is also the sole company secretary – by that director.
a public authority other than a council	☐ the chief executive officer of the public authority, or ☐ by a person delegated to sign on the public authority's behalf in accordance with its legislation (Please note: a copy of the relevant instrument of delegation must be attached to this application).
a local council	☐ the general manager in accordance with s.377 of the <i>Local Government Act 1993</i> ('LG Act'), or ☐ the seal of the council being affixed in a manner authorised under the LG Act.

I/We (the proponent):

- **apply for approval of the voluntary management proposal set out in this proposal and in any documents referred to in Part 1.4 of this proposal**
- **declare that the information in this proposal form (including any attachment or document referred to in Part 1.4 of this proposal) is not false or misleading.**

Proponent:

Site:

Proposal Date:

Extension of the deadlines under the approved VMP for Rosebery Service Station at 395 Gardeners Road, Rosebery (No. 20101713)

Works	Deadline (all works to be completed by)
M.1 UPSS Integrity Testing. Where a failure is detected actions will be undertaken to repair or decommission the affected tanks and/or lines.	April 2010
M.2 Investigate onsite and offsite soil and groundwater contamination	15 October 2010
M.3 Indoor air quality of the adjacent residential properties: i. Qualitative air study. ii. Air quality sampling. iii. Inspection by a qualified ventilation specialist. iv. If required, install a vapour mitigation system. v. Develop a long-term indoor air monitoring plan. vi. Implement the ongoing air quality sampling.	11 June 2010 16 October 2010 Not required under VMP Not required under VMP Not required under VMP Not required under VMP
M.4 Prepare a RAP for the Phase 2 of works	18 March 2011

Report	Deadline (all works to be completed by)
R.1 A letter report detailing results of UPSS Integrity test.	11 June 2010
R.2 A report detailing the findings of the onsite and offsite soil and groundwater investigation the CSM	28 November 2010
R.3 Indoor air quality of the adjacent residential properties: i. A letter report detailing qualitative air study. ii. A letter report outlining the findings of the air quality sampling. iii. A letter report detailing recommendations of ventilation contractors. iv. A letter report detailing the construction and the ongoing operation of the vapour mitigation system. v. A long-term indoor air quality plan. vi. Reporting required under the long-term indoor air monitoring plan.	11 June 2010 28 November 2010 Not required under VMP Not required under VMP Not required under VMP Not required under VMP
R.4 RAP for the Phase 2 VMP	18 March 2011

NOTICE OF APPROVAL OF VOLUNTARY MANAGEMENT PROPOSAL

(Section 17 of the Contaminated Land Management Act 1997)

Approval No.: 20101713

Approval Date: 4 June 2010

Area No.: 3273

The approved proposal consists of this approval document and the attached proposal, which comprises three Parts: Part 1 – Preliminary Details; Part 2 – Undertakings; and Part 3 – Performance Schedule.

Proponent: Rosebery Service Station Pty Limited

Site: Rosebery Service Station at 395 Gardeners Road, Rosebery, 2018

Proposal Date: 14 May 2010

BACKGROUND

The EPA is satisfied that the terms of the proposal, as modified by the conditions of this approval, are appropriate.

For the purposes of section 17(4) of the *Contaminated Land Management Act 1997* (CLM Act), the EPA is satisfied that the proponent has taken all reasonable steps to identify and find every owner and notional owner of the land and every person responsible for significant contamination of the land and given those parties identified an opportunity to participate in the formulation and carrying out of the proposal on reasonable terms.

The contents of Part 1, Part 2 and Part 3 of the attached proposal form part of the terms of the approved proposal.

APPROVAL AND CONDITIONS

The EPA approves the proposal subject to the following conditions. These conditions form part of the terms of the approved proposal.

1. The proponent cannot recover contributions under Part 3 Division 6 of the CLM Act.
2. The proposed dates for the offsite investigation and remedial work are conditional to access being provided by the owner of the adjacent residential property.
3. Each feature and milestone of the proposal is to be completed by the date specified in the proposal. Failure to satisfactorily complete any component by the due date for that feature or milestone may be taken as a failure to carry out the terms of the proposal for the purposes of section 17(6) of the CLM Act.
4. All reports provided to the EPA will need to be prepared in accordance with *EPA (2000) Guidelines for consultants reporting on contaminated sites*. The proponent will demonstrate completion of each milestone (M1-M4) by providing the following documents to the EPA:

M1. Underground Petroleum Storage System (UPSS)

- a. Letter report detailing the methodology and findings of the UPSS integrity testing of all tanks and lines.
- b. Any repairs and/or decommissioning of existing UPSS should be undertaken in accordance with DECC (2008) *Guidelines for Implementing (Underground Petroleum Storage System) Regulation 2008*, industry best practice and the appropriate Australian Standards. The proponent can demonstrate fulfilment of this condition by:

- producing validation report in accordance with DECC (2008) *Guidelines for implementing (Underground Petroleum Storage System) Regulation 2008* for any tank and/or line removal.
- providing documentation to demonstrate that impacted soil has been classified and disposed off in accordance with DECC (2008) *Waste Classification Guidelines*.
- providing documentation to demonstrate that the backfill material is suitable for site use.
- demonstrating that there are no further ongoing contamination sources.

M2. A report detailing the findings of the onsite and offsite soil, soil gas and groundwater contamination investigation in accordance with industry best practice having regard to *DEC (2007) Guidelines for the assessment and management of groundwater contamination*.

M3. All reports prepared for the indoor air quality assessment of the adjacent residential units should be in accordance with industry best practice having regard to Davis GB, Wright J and Patterson BM, 2009 *Field Assessment of vapours*, CRC CARE Technical Report no.13, CRC for Contamination Assessment and Remediation of the Environment, Adelaide, Australia.

M4. A remedial action plan in accordance with industry best practice having regard to EPA (2000) *Guidelines for consultants reporting on contaminated sites*.

5. The proponent will make all documents referred to in, and required to be prepared under, the voluntary management proposal available to the public free of charge, unless the proponent identifies commercial-in-confidence or private/personal information (including information relating to a third party) within those documents. In these cases, the proponent will remove such information from the documents to make the documents suitable for public release.
6. Where this proposal requires the proponent or any other person to give a document to the EPA, that document may be given to the EPA:
 - a. By delivering the document by hand to Level 14, 59 Goulburn Street, Sydney, NSW 2000.
 - b. By posting the document to the Manager Contaminated Sites, PO Box A290 Sydney South, NSW 1232.
 - c. By faxing the document to the Manager Contaminated Sites on (02) 9995 5930
 - d. By emailing the document to contlandmgnt@environment.nsw.gov.au

ADDITIONAL INFORMATION

7. The EPA may still exercise any powers it has under the CLM Act, or any other legislation, in relation to the site.
8. The EPA may require the proponent to pay all or any costs incurred by the EPA in connection with any one or more of the following:
 - a. Assessing and settling the terms of the approved voluntary management proposal;
 - b. Monitoring action under the approved voluntary management proposal;
 - c. Seeking the compliance of the proponent with the approved voluntary management proposal;
 - d. Any other matter associated with, or incidental to, the matters set out in 4.a. to 4.c. above

Signed:

 4/6/2010

Niall Johnston
Manager Contaminated Sites
Department of Environment, Climate Change and Water (NSW)

VOLUNTARY MANAGEMENT PROPOSAL UNDER THE CONTAMINATED LAND MANAGEMENT ACT 1997

Part 1 Preliminary Details

1. Proponent's Details

(a) Rosebery Service Station

If a registered company, company name:
Trading as: Rosebery Service Station Pty Limited
ACN: 190 980 718 75

Phone: (02) 9667 2059
Fax: (02) 9667 2347

Postal address: 395 Gardeners Road, Rosebery 2018
Postcode: 2018

(b) Who the EPA should contact with technical enquiries about the proposal

Name: Mr David Gregory
Employer/Company: Geo_Logix Pty Ltd
Position title: Principal Geologist
Type of business: Environmental consultant
Phone (business): (02) 9979 1722
Phone (after hours): 0401 307 890
Fax: (02) 9979 1222
Email: dgregory@geo-logix.com.au

Proponent:
Site: ROSEBERY SERVICE STATION PTY LTD
Proposal Date: 14-5-10

2. Site to which proposal applies

The site to which the proposal applies (the site) is identified as the Rosebery Service Station located at 395 Gardeners Road, Rosebery, NSW in Lot 1, DP75748. In addition to the site the proposal addressed the investigation and management of off-site contamination within the adjoining properties identified as _____ and _____ Gardeners Road, Rosebery.

3. The contamination

Soil and/or groundwater and/or surface water at the site are contaminated with substances and the contamination is significant enough to warrant regulation under the *Contaminated Land Management Act 1997*. The substances of concern ("the contaminants") are:

Total Petroleum Hydrocarbons

Benzene

Toluene

Ethylbenzene

Xylenes

Petroleum impacted groundwater has been identified beneath Rosebery Service Station approximately 2.7 metres below surface. With the exception of the southern property boundary the extent of the petroleum impact to groundwater is undefined onsite and offsite. Petroleum impact to groundwater was identified at the western property boundary.

The adjacent property on the western site boundary is mixed residential / commercial use. Two ground floor residential units, _____ and _____, occur on the adjacent property. Botany Bay Council received a complaint from the occupants of _____ in early 2009 and from the occupants of _____ in June 2009. An indoor air sample collected within _____ in June 2009 identified elevated indoor air concentrations of petroleum hydrocarbon compounds. In October 2009 an indoor air sample was collected in _____; however the detected concentrations were considered to be acceptable.

Neighbouring residences within a 200m radius of the site are utilising groundwater from groundwater bores. A survey of houses within closest proximity to the site did not report anything unusual regarding bore water.

4. The management proposal

The management proposal ("the proposal") comprises:

- a) the information provided within this document;
- b) the actions, works and other components set out in the following documents:

Geo_Logix (May 2010) *Contamination Investigation Workplan – 395, 397 and 399 Gardeners Road, Rosebery, NSW*.

- c) the undertakings set out in Part 2 of this document; and
- d) the performance schedule set out in Part 3 of this document.

Proponent:

Site: *ROSEBERY SERVICE STATION PTY LTD*

Proposal Date: *14-5-10*

Part 2

Undertakings Included in Voluntary Management Proposal

THE PROPOSAL INCLUDES THE FOLLOWING UNDERTAKINGS:

General

1. All works or activities carried out in connection with the proposal, including sampling and preparation of associated reports ("the activities"), will be carried out in accordance with applicable provisions of *State Environmental Planning Policy 55 – Remediation of Land* and any requirements imposed under it in relation to the activities.
2. All matters listed as relevant to a remediation action plan by the EPA's *Guidelines for Consultants Reporting on Contaminated Sites* (1997) will be taken into account in the carrying out of the activities.
3. All the activities will be carried out consistently with guidelines made or approved under section 105 of the CLM Act.
(See <http://www.environment.nsw.gov.au/clm/guidelines.htm>)
4. All the activities will be carried out in compliance with applicable NSW environmental legislation, and in particular:
 - i) All the activities, including:
 - (1) the processing, handling, movement and storage of materials and substances used to carry out the activities; and
 - (2) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activitieswill be carried out in a competent manner;
 - ii) All plant and equipment installed at the site or used in connection with the activities:
 - (1) will be maintained in a proper and efficient condition; and
 - (2) will be operated in a proper and efficient manner.
5. All the activities at the site will be carried out in a manner that prevents or minimises the emission of dust, odour and noise from the site.
6. Waste generated or stored at the Site will be assessed and classified in accordance with DECC's *Waste Classification Guidelines Part 1: Classifying Waste*.
(See <http://www.environment.nsw.gov.au/waste/envguidlns/index.htm>)
7. All waste transported from the Site that is required by the *Protection of the Environment (Waste) Regulation 2005* to be tracked must be tracked using DECC's on-line tracking system or an alternative tracking system approved in writing by DECC.
(See <http://www.environment.nsw.gov.au/waste/wastetracking.htm>)
8. The proponent will make:
 - (1) this voluntary management proposal;
 - (2) all documents referred to in this voluntary management proposal; and
 - (3) any documents required to be prepared under this voluntary management

Proponent:

Site: ROSEBERY SERVICE STATION PTY LTD

Proposal Date: 14-5-10.

proposal,
available to the public free of charge.

9. The proponent consents to the EPA placing all of the documents listed in paragraph 8 on its public website.

10. The proponent will:

- i) prior to the implementation of the proposal provide for the EPA's approval a strategy for communicating about that implementation, particularly the actual management works, with members of the public who are likely to have a real interest in or be affected by that implementation; and
- ii) implement the strategy as approved in writing by the EPA.

Monitoring, Record Keeping & Reporting

11. At least until the EPA has notified the proponent that the EPA no longer considers that the contamination is significant enough to warrant regulation under the *Contaminated Land Management Act 1997*, record and retain all monitoring data and information and provide this record to the EPA at any reasonable time if so requested by the EPA and as specifically provided under the proposal.

12. The EPA will be informed in writing within 7 days of the proponent becoming aware of information or data indicating a material change:

- a) in conditions at the site, or
- b) in its surrounding environment,

which could adversely affect the prospects of successful management of the site or result in harm to the environment.

13. The EPA will be informed in writing within 7 days of the proponent becoming aware of any failure, either by the proponent or any other person, to comply with any term of the proposal.

14. The EPA will be informed in writing as soon as practicable of any notification by the proponent, its employees or its agents to an appropriate regulatory authority other than the EPA of any pollution incident at the site within the meaning of the *Protection of the Environment Operations Act 1997*.

(See <http://www.environment.nsw.gov.au/licensing/dutytonotify.htm>).

Performance Schedule

15. The performance schedule which is in Part 3 of this document will be adhered to.

Proponent

Site: ROSEBURY SERVICE STATION

Proposal Date: 14-5-10

Part 3

Performance Schedule

1. Objectives of the proposal

The main objectives of Phase 1 are to achieve the following outcomes within the timeframes specified in the proposal:

- O1. Assess the integrity of the used and disused underground petroleum storage system (UPSS) and undertake repairs to stop all leaks.
- O2. Delineate the extent of petroleum impact to groundwater onsite and offsite and assess risk to groundwater users;
- O3. Assess the air quality of the adjacent residential units. If it cannot be demonstrated that the soil and groundwater contamination is not the source of the vapours in the adjacent residential property, then measures will be implemented to mitigate any identified vapour intrusion risks.
- O4. Develop a remedial action plan (RAP).

2. Principal features of the proposal

The principal features of Phase 1 include, but are not limited to:

P1. UPSS Integrity testing

Undertake UPSS Integrity Testing of the all used and disused tanks and lines. If a failure is detected actions will be undertaken to repair or decommission the affected tanks and/or lines. A letter report will be prepared for all stakeholders outlining the results of the UPSS Integrity Testing.

P2. Investigate onsite and offsite soil , soil gas and groundwater contamination

Undertake an investigation onsite and offsite to define the extent and magnitude of petroleum impact to soil and groundwater. Perform soil gas sampling and analysis on adjacent property to evaluate potential for vapour intrusion. A conceptual site model (CSM) will be prepared to define site characteristics, such as contamination status, receptor profiles and physical properties of the environmental media which control contaminant fate and transport. The CSM will identify and evaluate those exposure pathways by which groundwater contamination may impact upon human health and the environment.

P3. Indoor air quality of the adjacent residential properties

The indoor air quality of the adjacent residential properties will be assessed and mitigated by undertaking the following measures:

- i. Undertake a qualitative air study of _____ and _____ with a PID and gas meter to define source areas, assess crawl space and building entry points (i.e. ventilation system associated with the service station site) and identify other potential sources of VOCs. A letter report will be prepared detailing results of the qualitative air survey.
- ii. Undertake a round of indoor air quality sampling using active methods such as USEPA TO15 and TO17 of the air quality of _____ and _____. To make a comparison with the previous indoor air results, during the 24 hour sampling event:

Proponent:

Site: *ROSEBURY SERVICE STATION*

Proposal Date: *14-5-10*

- all windows and doors should be closed;
- the occupants should not use any household cleaning products (disinfectants, bleaches, spray cleaners, automatic timer release fragrant or insect killers, fly or insect sprays or polishers); and
- if any occupant or visitor to the property is a smoker they should not smoke within the unit.

The finding of this round of air quality sampling will be presented in a letter report.

- iii. Engage a qualified ventilation specialist to investigate mitigation options for the vapours present in and Gardeners Road. A letter report will be prepared detailing recommendations of ventilation contractors.
- iv. If it cannot be demonstrated that the soil and groundwater contamination is not the source of the vapours in the adjacent residential property, then a vapour mitigation system will need to be installed. Based on approval from the land owner of the adjacent residential property; a contractor will be commissioned to install a vapour mitigation system to render it suitable for residential occupation.
- v. Develop a long-term indoor air monitoring plan to assess the air quality in the units and establish the effectiveness of the installed vapour mitigation system. The long-term air monitoring plan will be subject to approval from the department and access granted by the land owner.
- vi. Undertake the required air quality sampling and reporting in the long-term indoor air monitoring plan.

P4. Developing a Phase 2 RAP

Based on the outcomes of the Phase 1 voluntary management proposal, prepare a RAP to form the basis for a Phase 2 voluntary management proposal. The Phase 2 RAP will include but not be limited to additional investigations, monitoring, remediation and management of the identified contamination.

3. Key milestones for investigation, remediation and other actions

All works set out in the proposal must be completed by the deadlines specified below:

Works	Deadline
M.1 UPSS Integrity Testing. Where a failure is detected actions will be undertaken to repair or decommission the affected tanks and/or lines.	Completed
M.2 Investigate onsite and offsite soil and groundwater contamination	Completed by 9 June 2010
M.3 Indoor air quality of the adjacent residential properties: i. Qualitative air study. ii. Air quality sampling. iii. Inspection by a qualified ventilation specialist. iv. If required, install a vapour mitigation system. v. Develop a long-term indoor air monitoring plan. vi. Implement the ongoing air quality sampling.	All works need to be completed by: Completed 9 June 2010 Completed 20 September 2010 19 August 2010 Subject to requirements outlined in the long-term air monitoring plan

Proponent:

Site: *ROSEBURY SERVICE STATION*

Proposal Date: *14-5-10*

M.4 Prepare a RAP for the Phase 2 of works	Completed by 30 October 2010

4. Reporting requirements and timeframe for submission of reports

The EPA must be provided with the following reports by the deadlines specified below:

Report	Deadline
R.1 A letter report detailing results of UPSS Integrity test.	Completed by 28 May 2010
R.2 A report detailing the findings of the onsite and offsite soil and groundwater investigation the CSM	Completed by 9 July 2010
R.3 Indoor air quality of the adjacent residential properties:	All works need to be completed by:
i. A letter report detailing qualitative air study.	28 May 2010
ii. A letter report outlining the findings of the air quality sampling.	30 June 2010
iii. A letter report detailing recommendations of ventilation contractors.	28 May 2010
iv. A letter report detailing the construction and the ongoing operation of the vapour mitigation system.	19 August 2010
v. A long-term indoor air quality plan.	19 August 2010
vi. Reporting required under the long-term indoor air monitoring plan.	Subject to requirements outlined in the long-term air monitoring plan
R.4 RAP for the Phase 2 VMP	Completed by 30 October 2010

All deadlines for works and reporting are subject to there being a reasonable access agreement between Rosebery Service Station Pty Ltd and adjacent property owner which permits access for both the soil and groundwater investigation and the air quality works. Works will not be undertaken unless the adjacent property owner grants access for both the soil and groundwater investigation and the air quality works.

Proponent:

Site: ROSEBERY SERVICE STATION PTY LTD

Proposal Date: 14-5-10.

Signature of proponent

This application for approval of this voluntary management proposal may only be signed by a person(s) with the legal authority to sign it. The various ways in which the application may be signed, and the people who may sign the application, are set out in the categories below.

Please tick (✓) the box next to the category that describes how this application is being signed.

If the proponent is:		The application must be signed and certified by one of the following:
an individual	☐	the individual.
a company	☐ ☒ ☐ ☐	the common seal being affixed in accordance with the <i>Corporations Act 2001</i> , or two directors, or a director and a company secretary, or if a proprietary company that has a sole director who is also the sole company secretary – by that director.
a public authority other than a council	☐ ☐	the chief executive officer of the public authority, or by a person delegated to sign on the public authority's behalf in accordance with its legislation (Please note: a copy of the relevant instrument of delegation must be attached to this application).
a local council	☐ ☐	the general manager in accordance with s.377 of the <i>Local Government Act 1993</i> ('LG Act'), or the seal of the council being affixed in a manner authorised under the LG Act.

I/We (the proponent):

- **apply for approval of the voluntary management proposal set out in this proposal and in any documents referred to in Part 1.4 of this proposal**
- **declare that the information in this proposal form (including any attachment or document referred to in Part 1.4 of this proposal) is not false or misleading.**

Signed by the Proponent on 14 May 2010

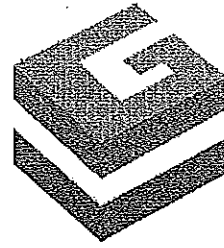
Seal (if signing under seal):

Proponent:

Site: *ROSEBERRY SERVICE STATION*

Proposal Date: *24-5-10*

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GEO_LOGIX
Environmental Consultants

CONTAMINATION INVESTIGATION WORKPLAN

**395, 397 and 399 Gardeners Road,
Rosebery, NSW**

Prepared for Rosebery Service Station Pty Ltd,
May 2010

Ref: 0901098VMPCIWFinalV1_31May10

GEO_LOGIX PTY LTD

ABN 86 116 892 938

Building Q2, Level 3
Suite 2309, 4 Daydream Street
Warriewood NSW 2102

Phone 02 9979 1722

Fax 02 9979 1222

Email info@geo-logix.com.au

Web www.geo-logix.com.au

DOCUMENT CONTROL

Contamination Investigation Workplan

395, 397 – 399 Gardeners Road, Rosebery, NSW

PREPARED FOR

Rosebery Service Station Pty Ltd.
395 Gardeners Road,
Rosebery, NSW 2018

Report reference: 0901098VMPCIWFinalV1_31May10

Date: 31st May 2010

DISTRIBUTION AND REVISION REGISTER

Revision Number	Date	Description	Recipient	Deliverables
1	10/02/2010	Draft Report 0901098VMPCIWDraftV1_Feb10		1 Electronic Copy
2	18/02/2010	Draft Report 0901098VMPCIWDraftV2_Feb17		1 Electronic Copy
3	18/03/10	Final Report 0901098VMPCIWFinalV3_16March		1 Electronic Copy
4	18/05/10	Draft Report 0901098VMPCIWDraftV4_19May10		1 Electronic Copy
5	31/05/10	Final Report 0901098VMPCIWFinalV1_31May10		1 Electronic Copy

Issued by: Geo-Logix Pty Ltd

Prepared by David Gregory

BSc (Hons), R.G. MEIANZ, CEnvP # 139

Principal Geologist, Director



GEO LOGIX

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1.0 DEFINITIONS

CBB – City of Botany Bay

CIW – Contamination Investigation Workplan

CLM Act – Contaminated Land Management Act 1997

DECCW – Department of Environment Climate Change and Water Contaminated Sites Section

GHD – GHD Australia Pty Ltd

RSS – Rosebery Service Station Pty Ltd

UPSS – Underground Petroleum Storage Systems

VMP – Voluntary Management Proposal as defined under Section 17 Contaminated Land Management Act 1997

2.0 INTRODUCTION

Geo-Logix Pty Ltd (Geo-Logix) was engaged by Rosebery Service Station Pty Ltd (RSS) to prepare a CIW for 395, 397 and 399 Gardeners Road, Rosebery NSW (Subject Sites).

RSS intends to undertake voluntary management of significantly contaminated land as defined under Section 17 of the CLM Act.

2.1 VMP Objective

The objective of the VMP is to investigate the extent of petroleum impact to soil and groundwater under the subject sites and to evaluate whether its presence presents an unacceptable risk to human health and the environment.

The CIW defines the rationale and methodology of proposed works under the VMP submitted to DECCW on Friday 14th May 2010. The general investigation objectives as defined in the VMP include;

- Assess the integrity of the used and disused UPSS and implement measures to stop all leaks;
- Delineate the extent of petroleum impact to groundwater onsite and offsite and assess the risk to groundwater users;
- Assess the air quality of the adjacent residential units. If it cannot be demonstrated that the soil and groundwater contamination is not the source of the vapours in the adjacent residential property, then measures will be implemented to mitigate any identified vapour intrusion risks;

- Develop a remedial action plan.

3.0 SITE INFORMATION ROSEBERY SERVICE STATION

3.1 Site Description

The site is located at the corner of Harris Street and Gardeners Road, Rosebery, NSW (Figure 1).

The site is a rectangular land parcel approximately 195m² in area. A small two story building onsite consists of a mechanics workshop with two hydraulic hoists and a small pay station. The upper floor of the building is a residential dwelling and is accessed via a separate stairway facing Gardeners Road (Figure 2). The site is concrete paved with vehicular access via Harris Street.

The site is bordered by the following properties;

- North – Gardeners Road and residential properties beyond;
- East – Harris Street with commercial and residential properties beyond;
- South – The building abuts commercial offices located on property owned by
- West – The building abuts a mixed commercial (drycleaner) / residential building also located on the property owned by

3.2 UPSS Infrastructure

The UPSS at the site consists of the following.

Table 1 – RSS UPSS Infrastructure:

TANK ID	SIZE (L)	DATE INSTALLED	TYPE / PRODUCT	STATUS
T1	2,500	Pre-1974	ULP	Stopped in March 2009, reconciliation discrepancy (suspect loss)
T2	23,000	Late 1970s	ULP	Stopped 6 th February 2010, failed integrity test (water ingress)
T3	4,500	Pre-1974	Diesel	Active
T4	4,500	Pre-1974	ULP	Stopped June 2009 to reduce ongoing SIRA cost
T5	14,000	Pre-1974	PULP	Active
T6	4,500	Pre-1974	WO	Active



GEO LOGIX

4.0 SITE INFORMATION 397-399 GARDENERS ROAD

4.1 Site Description

The property 397 – 399 Gardeners Road is an L shaped parcel of land approximately 630m² in area. The site contains two buildings, a mixed commercial / residential building fronting Gardeners Road, and a commercial building facing Harris Street (Figure 3). The building facing Gardeners Road abuts against the western building wall of RSS, while the commercial building facing Harris Street abuts against the southern building wall of RSS. At the rear of both buildings is an asphalt car park.

The ground floor and front half of the building facing Gardeners Road is operated as a drycleaner. At the rear of the drycleaner are two apartments, and Gardeners Road. The units have a small kitchen which opens into the lounge room. The lounge room leads to a stairway which accesses the second floor living quarters consisting of three small bedrooms and a single bathroom. The two northern most bedrooms directly lie above the commercial drycleaner.

The stairway wall of both units is a common wall between the units and drycleaner. An upstairs bedroom wall is common between the two apartments. At ground level the apartments are separated by a concrete corridor which leads to the back entrance of the drycleaner. The lounge room and upstairs bathroom windows of both units open into the corridor.

5.0 SITE CHARACTERISTICS

5.1 Topography

Topography is generally flat. There is a very slight grade towards the southwest.

5.2 Geology

The 1:250,000 Geological Series Sheet describes the underlying geology as Quaternary alluvium comprised of gravel, sand, silt and clay. Recent intrusive investigation undertaken by GHD (2009) identified homogeneous, fine – medium, poorly graded sand to a depth of approximately 6 meters below grade (mbg).

5.3 Hydrogeology

At the time of GHD intrusive investigation, September 2009, groundwater was encountered approximately 2.7mbg. Groundwater elevation survey indicates groundwater to be flowing towards the southwest at a gradient of 0.004. An estimation of seepage velocity has not been undertaken at this stage.

5.4 Surface Water

There is no surface water within a one kilometre radius of the site.

5.5 Groundwater Use

In September 2009 GHD undertook a search of registered groundwater bores within 200m radius of the site. Seventeen domestic bores were identified; three are located down hydraulic gradient of RSS. Bore locations are presented in Figure 4, details of the registered bores are summarised in Table 2;

Table 2 – Summary of Registered Groundwater Bores (GHD 2009):

NAME	DEPTH OF WELL (M)	RELATIVE LOCATION AND DIRECTION FROM RSS	USE	STATUS
GW024244	3.0	330m SW	Domestic	Unknown
GW105150	5.0	270m SSW	Domestic	Unknown
GW073477	5.0	270m SSW	Domestic	Unknown
GW042179	24	290m NNW	Domestic	Unknown
GW100852	6.1	180m NW	Domestic	Unknown
GW023500	5.4	100m NW	Domestic	Unknown
GW072993	48.77	Upgradient (a)	Domestic	Unknown
GW023162	4.8	115m ENE	Domestic	Unknown
GW023967	2.7	340m ENE	Domestic	Unknown
GW023561	5.4	170m ENE	Domestic	Unknown
GW023968	4.5	170m ENE	Domestic	Unknown
GW100575	5.0	240m ESE	Domestic	Unknown
GW101161	5.4	Upgradient (a)	Domestic	Unknown
GW101231	7.0	260m ENE	Domestic	Unknown
GW100945	7.1	265m ENE	Domestic	Unknown
GW103193	6.7	310m NE	Domestic	Unknown
GW100997	8.24	310m NE	Domestic	Unknown
GW101813	8.54	330m NE	Domestic	Unknown

(a) Well log missing from GHD Report

5.6 Neighbourhood Bore Search

In early August 2009 a Senior Environmental Health Officer for City of Botany Bay (CBB) conducted a bore survey of residential properties in the immediate vicinity of RSS, the first ten houses along Harris Street and Southerland Street.



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6.0 ENVIRONMENTAL HISTORY

The history of events has been based on information provided by others, namely DECCW, CBB, and GHD.

6.1 Initial Contamination Complaint

In January 2009, the resident of Gardeners Road placed an odour complaint with CBB. On the 22nd May 2009, DECCW received an odour complaint from the same resident. DECCW undertook a site inspection with CBB on 27th May 2009, and NSW Health undertook an inspection in June 2009. During inspection it was apparent that a strong odour, described as similar to waste oil, was noted within the unit.



In June 2009 CBB received an odour complaint from the occupants of _____ Gardeners Road.

On 10-11 June 2009, DECCW collected a time integrated (24hr) indoor air sample from under the stairwell of _____. The results of analysis indicated the presence of elevated concentrations of petroleum compounds in indoor air. Benzene was reported in indoor air at a concentration of 113 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$). Other non petroleum compounds reported in indoor air included Perchloroethylene a dry cleaning chemical.

Based on the results DECCW concluded RSS was the most likely source of contamination. RSS was issued a Cleanup Notice under the Protection of Environment Operations Act on the 13th August 2009 to undertake a contamination investigation of the site.

On 22-23rd of October DECCW undertook a similar air survey at _____ collecting a time integrated air sample within the stairwell area. The results of the survey did not identify petroleum compounds in indoor air in excess of background concentrations typically encountered in outdoor air within Sydney Metro region.

6.2 Subsurface Investigation RSS

To comply with the Clean Up Notice RSS engaged GHD to undertake a contamination investigation of the service station. The GHD investigation consisted of:

- Installation of three groundwater wells;
- Collection and analysis of soil and groundwater samples for petroleum hydrocarbons;
- Installation of three vapour sampling wells along the western wall of RSS which abuts against _____.

The results of investigation did not identify any area of gross soil contamination. Soil samples collected at 3mbg adjacent to UST T1 did report elevated concentrations of petroleum at the capillary fringe. Considering the homogeneous nature of the soil laterally extensive soil contamination is not expected.

Groundwater investigation indicated groundwater is impacted with petroleum. The greatest concentrations of petroleum in groundwater were detected in well MW-3 located adjacent to UST T1. Concentrations of petroleum in groundwater were elevated (8.5mg/L TPH C6-C9, 18mg/L TPH C10-C14, 0.12 mg/L benzene) however well below effective solubility limits indicative of gross contamination.

Concentrations of dissolved petroleum in well MW-2, which was located approximately 14m downgradient within RSS workshop and adjacent to _____, were lower for TPH and similar for aromatic compounds Benzene, Toluene, Ethylbenzene, Xylenes. The concentrations of petroleum reported in groundwater from well MW-2 are not high enough to generate volatile vapours at odour threshold concentrations. GHD field data certainly supports such conclusion as field screening (PID) of soil 1mbg from bore MW-2 did not report anomalous levels of volatile compounds (PID-1ppm) and the field scientist described soil 1mbg as having no odour or staining. Similar observations were noted at the suspected source location UST T1.

In addition to installation and sampling of groundwater, GHD installed three vapour wells to depth of 1.5mbg along the wall adjacent to _____. The wells comprised 25mm diameter slotted PVC, screened between 1.5mbg and 0.5mbg. A PID was used every 30 seconds for a period of ten minutes to assess levels of volatile compounds within the well. Volatile compounds were recorded in the well at elevated levels. The survey is not depth discriminate and does not differentiate volatile vapours that exist in soil greater than 1mbg from volatile vapours that may exist in soil < 1mbg. GHD bore logs indicate volatile vapours do not exist in soil at depths less than 1mbg.



Based on the preliminary nature and results of investigation the source of the petroleum detected in an indoor air sample at [redacted] is inconclusive and warrants further investigation.

7.0 INVESTIGATION WORKPLAN

The data collected to date is insufficient to conclude the origin of the odours experienced by the occupant of [redacted] and those regulators whom have experienced the odours first hand. As such, further investigation is required.

7.1 Data Quality Objectives

The objective of site investigation works is to ascertain the integrity of UPSS at RSS and assess the potential impacts to human health/environment presented by the presence of petroleum in soil and groundwater identified beneath RSS.

To achieve the objective, Geo-Logix has adopted the seven step Data Quality Objective (DQO) process as described in AS 4482.1-1997, US EPA (2000) and DEC (2006).

Step 1: State the problem.

- Petroleum impacted soil and groundwater has been identified beneath RSS. Tenants of [redacted], adjacent to RSS have made complaints regarding petrol odours in indoor air. DECCW has collected indoor air samples from [redacted] and [redacted] and detected elevated concentrations of petroleum in indoor air from [redacted]. Petroleum originating from RSS may be impacting upon indoor air quality of the adjacent residential units.
- Petroleum impacted groundwater originating from RSS may have migrated offsite and impacted upon downgradient groundwater bore users.

Step 2: Identify the decision.

- Has petroleum originating from RSS migrated offsite beneath the adjacent property?
- Are concentration of petroleum in soil, groundwater and soil gas beneath the adjacent property sufficient to potentially present a vapour intrusion health risk to adjacent residents of [redacted] and [redacted]?
- Are petroleum compounds present in indoor air of [redacted] at concentrations above background concentrations for Sydney Metro area?
- What is the hydrogeology and extent of petroleum impact to groundwater?

Step 3: Identify inputs into the decision.

- UPSS Integrity testing to locate the origin of petroleum impact;
- Collection of soil and groundwater data onsite and offsite on adjacent property;
- Collection of soil gas data beneath adjacent residential units;
- Collection of indoor air data within adjacent residential units.

Step 4: Define the boundaries of the site.

The study area is defined as RSS property (395 Gardeners Road), the adjacent property and Tramway Avenue to depth which intersects the shallow unconfined aquifer.

Step 5: Develop a decision rule.

- The presence of petroleum contamination beneath adjacent land, either in soil, groundwater or soil gas at concentrations sufficiently high enough to conclude petroleum odours are originating from subsurface contamination; and
- Presence of elevated concentrations of petroleum in groundwater beneath Tramway Avenue.

Step 6: Specify acceptable limits on decision errors.

This is achieved by defining the QA/QC acceptance criteria. These procedures have been described under each investigation methodology.

Step 7: Optimize the design for obtaining data.

This has been achieved by reviewing previous investigation reports, defining likely geology, hydrogeology and consideration of logistical constraints.

7.2 UPSS Assessment

RSS will engage a certified petroleum contractor to undertake integrity testing on all UPSS. Subject to the findings of the integrity testing RSS will consider its obligations under the Protection of Environment Operations (UPSS) Regulations 2008 as referenced in the *Guidelines for Implementing the Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2008* (DECCW, 2009) to either rectify or decommission UPSS that fail testing.

Holdpoint

7.1.1 A letter report will be provided to all stakeholders detailing the results of UPSS integrity tests and proposed actions to rectify any failed UPSS.

8.0 SOIL, SOIL VAPOUR & GROUNDWATER INVESTIGATION

Additional subsurface investigation is required to assess the long term risks posed by petroleum impacted soil, groundwater and soil gas. Characterisation is iterative and critical for successful risk management and/or remediation.

Current information is considered insufficient to address key criteria required for successful site management/remediation. In particular additional data is required to address the following pertinent questions;

- Are odours and petroleum compounds detected in indoor air at _____ and _____ originating from impacted soil/groundwater, other routes of building entry such as utilities, or other sources unrelated to RSS UPSS?
- What is the extent and magnitude of petroleum impact to groundwater on the northern side of RSS in the location which would directly flow beneath _____



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- Does petroleum impacted soil, soil vapour and groundwater exist beneath and if so at what concentrations?
- What is the downgradient extent of petroleum impact to groundwater and does it present a risk to downgradient bore users?
- What is the hydrogeological regime and how will it influence contaminant flow velocity, rate of contaminant attenuation, and remediation/management approach?

8.1 Groundwater Investigation

To address these questions Geo-Logix proposes the installation of eight additional groundwater wells. The rationale behind the proposed well locations is provided in Table 5, proposed well locations are presented in Figure 6.

Table 5 – Proposed Groundwater Investigation

WELL ID	RATIONALE	ANTICIPATED OUTCOMES
Well MW-4 - located on the northern property boundary of RSS.	• Assess lateral extent and magnitude of petroleum impact to groundwater on RSS which directly flows beneath	• Define severity of contamination on RSS property; • Define significance with respect to impacts upon neighbouring property
Well MW-5 - located in Tramway Avenue	• Assess groundwater quality in Tramway Avenue, downgradient of RSS in direction of bore users	• Define presence or absence of petroleum impact to groundwater in proximity to neighbouring bore users.
Well MW-6 - located in Tramway Avenue	• Assess groundwater quality in Tramway Avenue, downgradient of RSS in direction of bore users	• Define presence or absence of petroleum impact to groundwater in proximity to neighbouring bore users.
Well MW-7, located in front of Unit 1/397	• Establish concentrations of contaminants in groundwater beneath • Suitable long term location to monitor risk to occupants of should Groundwater/Indoor Air exposure path exist. • Located along plume centreline, required for trend analysis, fate & transport analysis and model	• Define severity of contamination in groundwater directly beneath • Provide data for Tier 1 Screening Groundwater/Indoor Air exposure assessment • Identify requirement for further investigation of Groundwater/Indoor Air exposure path.



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WELL ID	RATIONALE	ANTICIPATED OUTCOMES
	- calibration. - Can be paired with soil gas samples to correlate groundwater contamination with soil gas levels and indoor air levels	
Well MW-8 – located at the central eastern boundary of the car park	Assess the downgradient southern extent of groundwater plume.	- Define the spatial characteristics of the plume towards the southwest (down-cross gradient) - Define the risk to adjacent residents and users of bore water.
Well MW-9 – Located at the central western boundary of the car park	- Assess downgradient extent of plume; - Located along plume centreline, required for trend analysis, fate and transport analysis and model calibration.	- Evaluate downgradient extent and magnitude of contaminant plume. - Define the risk to adjacent residents and users of bore water.
Well MW-10 - located in front of	- Determine if groundwater beneath and potentially neighbouring property is impacted with petroleum; - Suitable long term location to monitor risk to occupants of should Groundwater/Indoor Air exposure path exist. - Can be paired with soil gas samples to correlate groundwater contamination with soil gas levels and indoor air levels	- Determine the presence or absence of petroleum in groundwater beneath - Provide data for Tier 1 Screening Groundwater/Indoor Air exposure assessment - Identify requirement for further investigation of Groundwater/Indoor Air exposure path
Well MW-11 - located in corridor between	- Determine the presence / absence of contamination in groundwater flowing beneath lounge rooms of both units - Assess the northern extent	- Define severity of contamination in groundwater flowing beneath - Provide data for Tier 1 Screening



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WELL ID	RATIONALE	ANTICIPATED OUTCOMES
	of groundwater impact on property. • Suitable long term location to monitor risk to occupants of units should Groundwater/Indoor Air exposure path exist. • Will be paired with two depth discrete, permanent soil vapour probes.	Groundwater/Indoor Air exposure assessment • Identify requirement for further investigation of Groundwater/Indoor Air exposure path. • Correlation with soil gas and determination of vapour attenuation factor

All wells will be installed by a licensed driller in accordance with the *Minimum Construction Requirements for Water Bores in Australia, Land and Water Biodiversity Committee, September 2004*. The wells will be constructed of 50mm PVC casing with a slotted screen located approximately 4.0 to 1.5 mbg. The bore annulus above the screen and filter pack will be sealed with bentonite and completed with a grout slurry. The wells will be finished to grade with a traffic rated gastic cover.

Wells will be developed on the day of installation by surge and purge method. No less than 48 hours after installation the wells will be surveyed and sampled. Top of casing elevation will be surveyed to an arbitrary datum to establish groundwater elevation and flow direction. All groundwater wells, including previously installed wells (GHD), will be sampled by Low Flow Sampling Method in accordance with *US EPA Groundwater Issue Low Flow Groundwater Sampling Procedures, April 1996*.

Groundwater will be analysed for the following contaminants of potential concern (COPC):

- Total Petroleum Hydrocarbons;
- Methyl tert butyl ether (MTBE);
- Benzene, Toluene, Ethylbenzene, Xylenes;
- Dissolved lead.

Quality control samples will include one duplicate per 10 samples, one triplicate sample per 20 samples, a trip spike and rinsate sample from sampling equipment.

8.2 Hydrogeological Testing

During groundwater sampling Geo-Logix propose to undertake two slug tests along the suspected plume centreline on existing well MW-3 and proposed well MW-7. The objective of the slug tests is to establish site specific groundwater and contaminant flow velocity.

Slug testing will be performed in accordance with ASTM D4044 - 96(2008) Standard Test Method for (Field Procedure) for Instantaneous Change in Head (Slug) Tests for Determining Hydraulic Properties of Aquifer. Slug test data will be solved using computer software Aqtesolve (TM).

8.3 Soil Investigation

During well installation the following will be undertaken;

- Soils will be logged in accordance with Unified Soil Classification System;
- Soil samples will be collected every meter for screening with a PID;
- A minimum of one soil sample per bore will be collected for analysis of COPC. Soil samples will be collected in accordance with methodologies outlined in AS4482.2-1999 Guide to the sampling and investigation of potentially contaminated soils, Part 2 Volatile Substances.

Quality control samples will include one duplicate per 10 samples, one triplicate sample per 20 samples, a trip spike and rinse sample from sampling equipment.

8.4 Soil Vapour Sampling

During well installation it is proposed to install two depth discrete soil vapour probes adjacent to well MW-11 to sample soil gas for volatile organic compounds. The objective of the investigation is to assess the following:

- Determine the concentration of petroleum in soil gas near groundwater (1.5 mbg);
- Determine the subslab petroleum gas concentration between the two residential units;

If required the data can be used to estimate petroleum vapour attenuation rate and back-calculate site specific groundwater cleanup goals protective of vapour intrusion risks.

The methodology for investigation will be conducted in general accordance with the ASTM Guide D5314-92 (2001) "Standard Guide for Soil Gas Monitoring in the Vadose Zone" and the USEPA "OSWER Draft Guidance for Evaluating the Vapour Intrusion to Indoor Air Pathway from Groundwater and Soils (Subsurface Vapour Intrusion Guidance)". The proposed methodology includes;

- Drill one soil bore adjacent to well MW-11 (pathway between units) down to 1.5mbg and install permanent-vapour well;
- Drill another soil bore adjacent to well MW-11 to install a permanent sub concrete slab (0.25mbg) vapour well;
- All wells will be constructed by inserting 1/4" Teflon tubing in the bores. The tubing will be perforated (screen) for 10mm at its base for the deeper probe and 5-10mm for the shallow probe. Actual screen length in shallow well will be considered based on thickness of backfill beneath slab and to reduce potential for atmospheric breakthrough when sampling;
- Boreholes will be completed by backfilling the bore annulus with coarse sand up to 20mm above the screen in deeper well and to the base of the concrete slab in the subslab well. The remainder of the bore will be backfilled with hydrated bentonite chips followed by thick grout slurry in deeper well to base of concrete slab. The Teflon sample tubing will be screwed into a brass fitting, plugged and set into the concrete. The backfill sand will be analysed for VOCs prior to use onsite to confirm it is inert.
- Once in place both vapour wells will be purged of air equal to one well volume.

It is proposed to collect soil vapour samples on the same day groundwater and indoor air quality samples are collected so the data can be used for correlation.

The methodology for sampling and analysis includes the following;

- Vapour samples will be collected no less than 24 hours after installation.
- "Type 2 Air Toxics" thermal desorption sampling tubes will be used for sampling. The thermal desorption sampling tubes are individually desorbed and analysed prior to sampling to confirm they were not contaminated with the compounds of interest and are capable of achieving the desired detection limits.
- Samples will be collected by screwing a male brass fitting into the female fitting of the vapour well which is set in the concrete slab. The female fitting is connected to the thermal desorption tube which in turn is connected at the other end to an air sampling pump. Vapour samples are collected from the sample point directly into the sorbent sampling tubes. Samples are drawn into the sample tube using an SKC constant flow air-sampling pump, low flow adapter and rotameter to measure and maintain a sample flowrate of 100ml/min. The sampling period will be accurately recorded to enable the calculation of the sample volume collected on each of the sorbent sampling tubes.
- The potential for atmospheric breakthrough and sample line leakage to occur during sampling will be assessed by placing a rag saturated with isopropyl alcohol within immediate proximity of the sample port during sample collection. Sampling will be performed under a shroud (plastic sheeting or container) so atmospheric air immediately surrounding the sample port will be tainted with isopropyl alcohol vapour. The lab will be requested to analyse for the presence of isopropyl alcohol for sample leak assessment.
- Samples will be collected in distributed volume pairs and include 200ml, 500ml, and backup carbon tube sample if concentrations of soil gas are elevated;
- Quality control will include analysis of both volume pairs (duplicates). A Trip Blank will be included with the batch of sampling tubes prepared and taken to site and returned along with the samples for analysis.
- All analysis will be conducted in accordance with US EPA Method TO17.

There are no soil gas screening levels in Australia at present. Assessment of all the data including groundwater, soil and indoor air may be necessary to qualify / quantify vapour intrusion risk. The necessity for further investigation / modelling / risk assessment will be assessed once the data is collated.

8.5 Investigation / Conceptual Site Model Report

On completion of proposed field works Geo-Logix will prepare an Investigation / Conceptual Model report defining the methodology and results of investigations. The report will be prepared in general accordance with;

- NSW EPA Guidelines for Consultants Reporting on Contaminated Sites; and
- National Environment Protection (Assessment of Site Contamination) Measure 1999

The results of investigation will be used to develop a Conceptual Site Model (CSM). The CSM will define site characteristics, such as contamination status, receptor profiles and physical properties of the environmental media which control contaminant fate and transport. The CSM will facilitate the identification of data and information gaps and will be considered to be the primary planning tool to support the decision making process in the management of site contamination.

9.0 INDOOR AIR STUDY

It is understood the resident of _____ has been relocated and the unit is now vacant. _____ is occupied and although the occupant had made an initial odour complaint in June 2009, there has been no subsequent complaint since then. That said initial investigation of both units is warranted to ensure indoor air quality does not pose an unacceptable health risk to existing and future tenants.

The proposed assessment methodology is presented below:

Table 4 – Indoor Air Assessment

TASK	OBJECTIVE	ANTICIPATED OUTCOMES
BUILDING INSPECTION		
Inspect building with ventilation contractor and vapour barrier contractor	Assess the feasibility of installation, logistical constraints, suitability to mitigate vapours over short and long term, define any aesthetic issues, establish cost and timing for installation	Define possible mitigation systems if required.
Inspect building to undertake Indoor Air Quality Building Survey	- Assess indoor air and crawl space with PID and Gas Meter; - Complete building survey forms; - Locate potential source areas; - Define extraneous sources of VOCs indoors and outdoors; - Establish quantitative sampling methodology	
Perform one round of Active Air Sampling	Undertake a round of 24hr active indoor air sampling using EPA Method TO14a of	Determine concentration of petroleum compounds within indoor air of



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The proposed methodology for assessment of indoor air quality is in accordance with guidance provided in Massachusetts Department of Environmental Protection Indoor Air Sampling and Evaluation Guide (2002). Geo-Logix proposes to collect an indoor air sample using Summa Canisters over a period of 24 hours in both units for analysis by US EPA Method TO14a. One air sample in each unit will be collected in duplicate pairs for quality control purposes. The sample procedure is presented below:

- Sample canisters will be placed in the normal breathing zone 1 to 1.5 meters above the floor in the lowest inhabited area of the units (loungerooms);
- One sample will be collected in each unit beneath the stairwell in the area considered to be represent the highest indoor air concentrations (based observations and qualitative works conducted to date);
- All windows and doors will be closed during the 24hr sampling period (exception will be as it is inhabited) to represent worst case scenario;
- Tenants will be asked to refrain from using household products which may contain hydrocarbon compounds. Examples may include disinfectant, bleaches, spray cleaners, automatic timer release fragrant or insect killers, fly or insect sprays or polshers;
- Tenants and any visitors will be asked to refrain from smoking indoors during the period of the test.

In consideration of other site data the results of the testing will be used to assess the need for the following (as per VMP):

- Installation of vapour mitigation system; and
- Development of a long term indoor air quality sampling program.

Holdpoints

9.1.1 – Geo-Logix will prepare a brief letter report outlining the findings of the qualitative air quality inspection and ventilation contractors building inspection findings for stakeholder consideration.

9.1.2 – Geo-Logix will provide stakeholders a brief letter report detailing the outcome of the Indoor air sampling.

10.0 REMEDIATION ACTION PLAN

Based on the outcomes of the investigative work Geo-Logix will prepare a remediation action plan to form the basis for a Phase 2 VMP. The Phase 2 VMP will include but not limited to additional investigations, monitoring, remediation and management of the identified contamination.

11.0 RELEVANT GUIDELINES

Environmental works and reporting will be undertaken with regards to the following reference guidelines:

- Guidelines for Assessing Service Station Sites, NSW EPA December 1994.
- Guidelines for Consultants Reporting on Contaminated Sites, NSW EPA September 2000.
- Guidelines for the NSW Auditor Scheme, NSW DECC, 2nd Edit, April 2006.

- Guidelines for the Assessment and Management of Groundwater Contamination, NSW DECC March 2007.
- Guidelines on the Duty to Report Contamination under the Contaminated Land Management Act 1997, NSW DECCW June 2009.
- Australian and New Zealand Guidelines for Fresh and Marine Water Quality, Australian and New Zealand Environment and Conservation Council and Agriculture and Resource Management Council of Australia and New Zealand, Paper No 4, October 2000.
- National Environment Protection (Assessment of Site Contamination) Measure 1999
- Australian Drinking Water Guidelines, NHMRC & Natural Resource Management Ministerial Council of Australia and New Zealand, 2004.\
- Guidelines for Implementing the Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2008
- Waste Classification Guidelines, NSW DECCW 2009

12.0 PROPOSED SCHEDULE

The proposed works schedule as defined by the VMP is presented below.

Table 6: Proposed Works Schedule for VMP

CAPITAL WORKS	BY DATE	REPORTING	DATE
UPSS Integrity Testing	Complete	Letter Report	25/5/10
Soil, soil vapour, groundwater investigation	9/6/10	Investigation CSM Report	9/7/10
Indoor Air Assessment			
• Qualitative assessment	Complete	Letter Report	28/5/10
• Active Sampling	9/6/10	Letter Report	30/6/10
• Install Vapour Mitigation System (if required)	20/9/10	Vapour Mitigation Proposal	19/8/10
		Long Term Indoor Air Quality Monitoring Plan	19/8/10
		Remediation Action Plan	30/10/10

All deadlines for works and reporting are subject to there being reasonable access agreement between Rosebery Service Station P/L and adjacent property owner which permits access for both soil and groundwater investigation and air quality works. Works will not be undertaken unless the adjacent property owner grants access for both the soil and groundwater investigation and the air quality works.



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12.1 Limitations

The schedule of works is subject to satisfactory agreement of the VMP by stakeholders and conditions of property access, which at the time of reporting were still being negotiated.

The time schedule will be prorated from the initiation date of 14th May 2010 to the date of an agreed workable access agreement between RSS and

13.0 REFERENCES

ASTM D4044 - 96(2008) Standard Test Method for (Field Procedure) for Instantaneous Change in Head (Slug) Tests for Determining Hydraulic Properties of Aquifer.

ASTM D5314-92 Standard guide for soil gas monitoring in the vadose zone (reapproved 2001).

Australian Standard 4897 (2008); The design, installation and operation of underground petroleum storage systems.

Australian and New Zealand Guidelines for Fresh and Marine Water Quality, Australian and New Zealand Environment and Conservation Council and Agriculture and Resource Management Council of Australia and New Zealand, Paper No 4, October 2000.

Australian Drinking Water Guidelines, NHMRC & Natural Resource Management Ministerial Council of Australia and New Zealand, 2004.

Contaminated Land Management Act 1997

GHD 2009, Report for Rosebery Service Station, Stage 2 Investigation, October 2009.

Guidelines for Assessing Service Station Sites, NSW EPA December 1994.

Guidelines for Consultants Reporting on Contaminated Sites, NSW EPA September 2000.

Guidelines for the NSW Auditor Scheme, NSW DECC, 2nd Edit, April 2006.

Guidelines for the Assessment and Management of Groundwater Contamination, NSW DECC March 2007.

Guidelines on the Duty to Report Contamination under the Contaminated Land Management Act 1997, NSW DECCW June 2009.

Massachusetts Department of Environment Protection, Indoor air sampling and evaluation guide, WSC Policy#02-430, 2002.

Minimum Construction Requirements for Water Bores in Australia, Land and Water Biodiversity Committee, September 2004.

National Environment Protection (Assessment of Site Contamination) Measure 1999

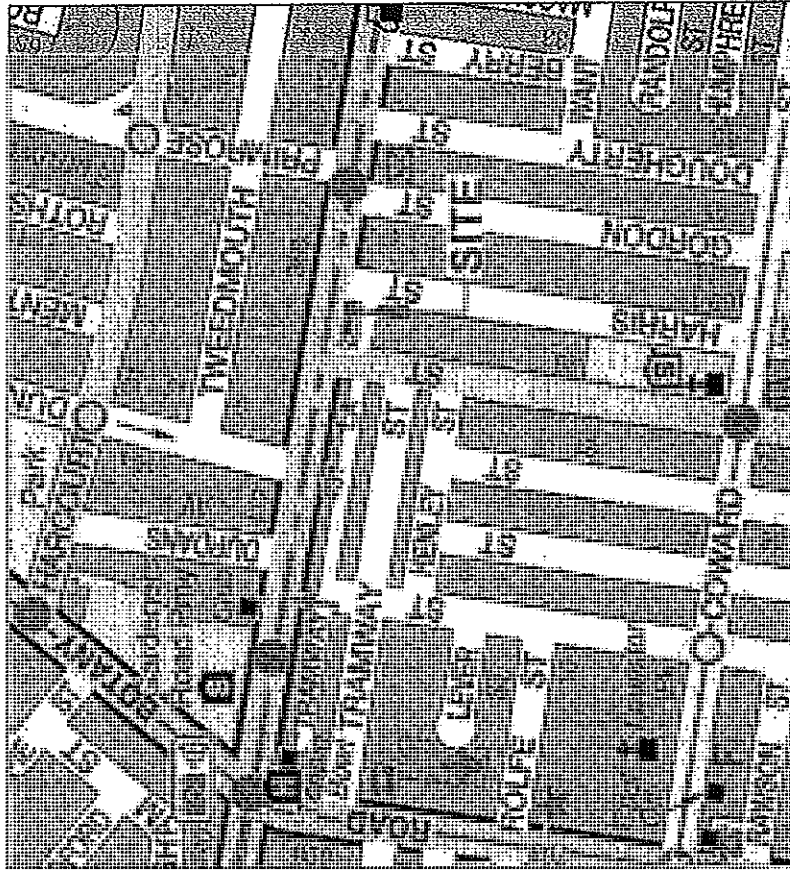
US EPA Groundwater Issue Low Flow Groundwater Sampling Procedures, April 1996.

US EPA 2002, Draft guidance for evaluating the vapour intrusion to indoor air pathway from groundwater and soils, US EPA, Office of Solid Waste and Emergency Response, Pennsylvania Ave, Washington D.C.

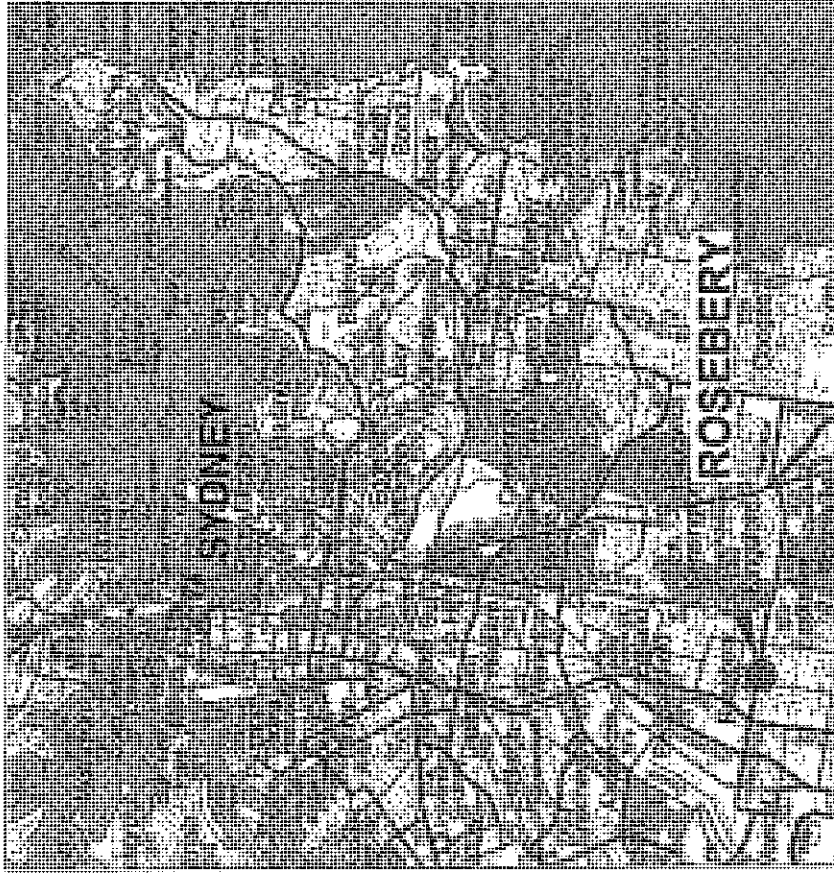


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FIGURES

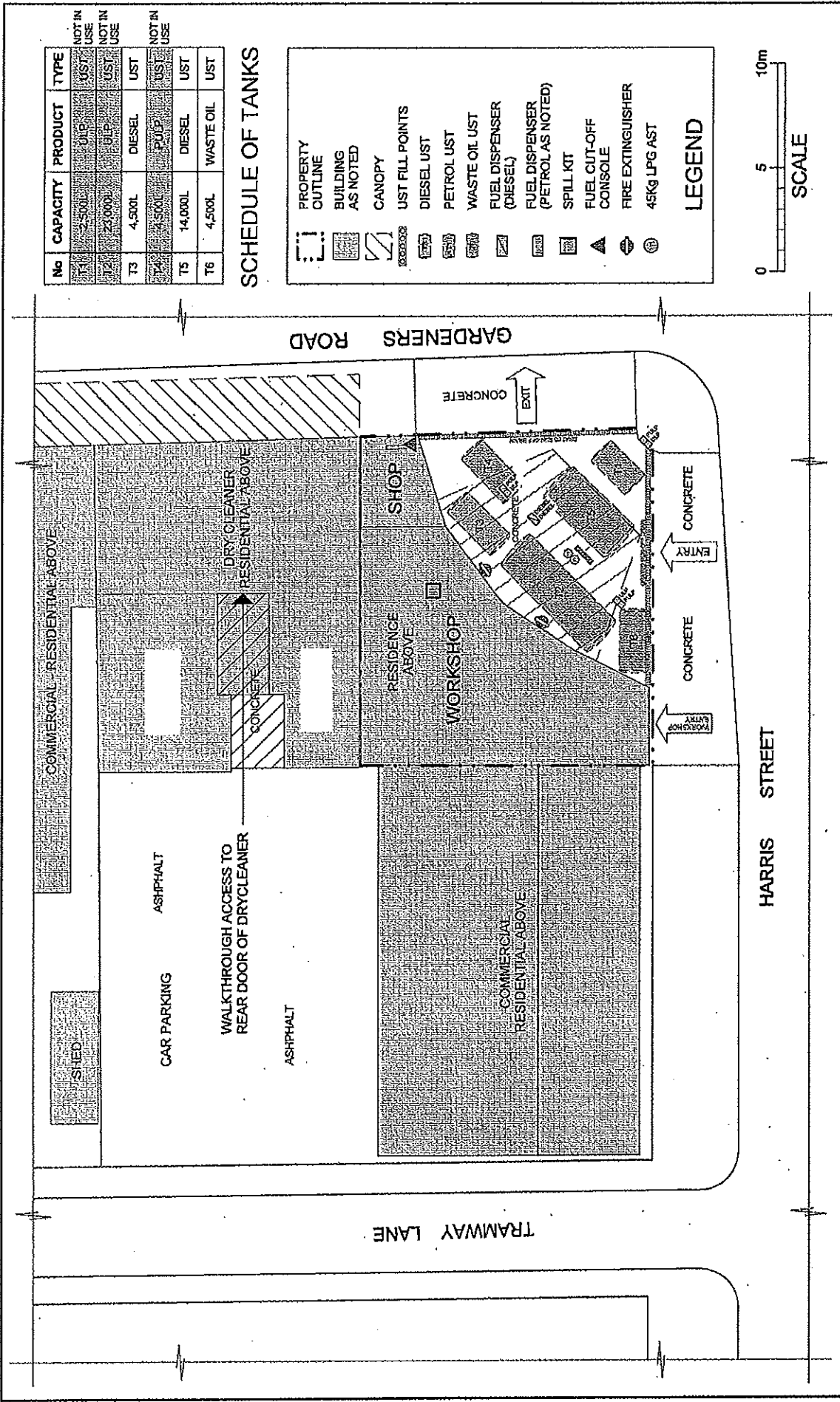


PART MAP ROSEBERY



PART MAP SYDNEY

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No	CAPACITY	PRODUCT	TYPE
T1	2,500L	ULP	UST
T2	23,000L	ULP	UST
T3	4,500L	DIESEL	UST
T4	4,500L	P.O.P	UST
T5	14,000L	DIESEL	UST
T6	4,500L	WASTE OIL	UST

SCHEDULE OF TANKS

LEGEND

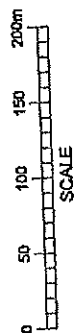
- PROPERTY OUTLINE
- BUILDING AS NOTED
- CANOPY
- UST FILL POINTS
- DIESEL UST
- PETROL UST
- WASTE OIL UST
- FUEL DISPENSER (DIESEL)
- FUEL DISPENSER (PETROL AS NOTED)
- SPILL KIT
- FUEL CUT-OFF CONSOLE
- FIRE EXTINGUISHER
- 45kg LPG AST



GEO-LOGIX PTY LTD UNIT 2303, 4 DAYDREAM STREET WARRENWOOD NSW 2102 Ph: (02) 8879 1722 Fax: (02) 9879 1222		DRAWN: J.E.D. CHECKED: D.G. APPROVED: D.G. DATE: 11/02/2010		SITE MAP 395-399 GARDENERS ROAD ROSEBERY SERVICE STATION 395 GARDENERS ROAD, ROSEBERY NSW 2018	
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ISSUE	DATE	AMENDMENTS	DRAWN	CHECKED	
01		ORIGINAL ISSUE			

No.	NAME
R1	GW100852
R2	GW103183
R3	GW100897
R4	GW042179
R5	GW100945
R6	GW101813
R7	GW023967
R8	GW023500
R9	GW023162
R10	GW023968
R11	GW023561
R12	GW101231
R13	GW100575
R14	GW024244
R15	GW105150
R16	GW073477

SCHEDULE OF
REGISTERED GW WELLS



 GEO-LOGIX PTY LTD UNIT 2208, 4 DAYDREAM STREET WARRENEWOOD NSW 2102 Ph: (02) 9979 1722 Fax: (02) 9979 1222		CHECKED: D.G. APPROVED: D.G. DATE: 11/02/2010		PROJECT No. 0901098 SHEET SIZE: A4	BORE LOCATION MAP ROSEBERRY SERVICE STATION 395 GARDENERS ROAD, ROSEBERRY NSW 2018	FIGURE 4
		DRAWN: J.E.D. DATE: 11/02/2010		REV: 01		
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ISSUE 01	DATE	AMENDMENTS	DRAWN	CHECKED		



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Warriewood NSW 2102

Phone 02 9979 1722

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Environmental • Technical • Project Management • Risk Advice

Note: On 27 January 2015 the Environment Protection Authority issued [notice No. 20154404](#) to end this declaration.

Environment Protection Authority

Declaration of significantly contaminated land

(Section 11 of the Contaminated Land Management Act 1997)

Declaration Number 20091110; Area Number 3273

The Environment Protection Authority (EPA) declares the following land to be significantly contaminated land under the Contaminated Land Management Act 1997 ("the Act"):

1. Land to which this declaration applies ("the site")

This declaration applies to 395 Gardeners Road Rosebery, NSW 2018 (described as Lot 1 in DP 75748), in the local government area of City of Botany Bay Council. A [map](#) of the site is available for inspection at the offices of the Department of the Environment, Climate Change and Water, Level 15, 59 Goulburn Street, Sydney, NSW.

2. Nature of contamination affecting the site:

The EPA has found that the site is contaminated with the following substances ("the contaminants"):

- Total Petroleum Hydrocarbons (TPH); and
- Benzene, Toluene, Ethyl benzene and Xylenes (BTEX).

In particular the EPA has found:

- Elevated concentrations of TPH and BTEX compounds in groundwater on-site; and
- Elevated concentrations of BTEX within the indoor air of the adjacent residential apartment.

3. Nature of harm that the contaminants may cause:

The EPA has considered the matters in s.12 of the Act and has determined that the land is contaminated and that the contamination is significant enough to warrant regulation under the Act. Particularly, the EPA has determined that the contamination has degraded the environment (soil, groundwater and air) and has the potential to affect human health.

4. Further action under the Act

The making of this declaration does not prevent the carrying out of voluntary management of the site and any person may submit a voluntary management proposal for the site to the EPA. If the proposal satisfies the requirements of s.17 of the Act, the EPA may agree not to issue a management order to the person or persons bringing the proposal.

5. Submissions invited

The public may make written submissions to the EPA on:

- Whether the EPA should issue a management order in relation to the site; or
- Any other matter concerning the site.

Submissions should be made in writing to:

Manager Contaminated Sites
Department of Environment, Climate Change and Water
PO Box A290
SYDNEY SOUTH NSW 1232

or faxed to 02 9995 5930

by no later than 15 February 2010

[Signed]

NIALL JOHNSTON
Manager Contaminated Sites
Department of Environment, Climate Change and Water

Date: 15 January 2010

NOTE:

Management order may follow

If management of the site or part of the site is required, the EPA may issue a management order under s.14 of the Act.

Amendment/Repeal

This declaration may be amended or repealed. It remains in force until it is otherwise amended or repealed. The subsequent declaration must state the reasons for the amendment or repeal (s.44 of the Act).

Information recorded by the EPA

Section 58 of the Act requires the EPA to maintain a public record. A copy of this significantly contaminated land declaration will be included in the public record.

Information recorded by councils

Section 59 of the Act requires the EPA to give a copy of this declaration to the relevant local council. The council is then required to note on its planning certificate issued pursuant to s.149 (2) of the Environmental Planning and Assessment Act that the land is declared significantly contaminated land. The EPA is required to notify council as soon as practicable when the declaration is no longer in force and the notation on the s.149 (2) certificate is no longer required.

Relationship to other regulatory instrument

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

Environment Protection Authority**Notice to end significantly contaminated land declaration**

(Section 44 of the Contaminated Land Management Act 1997)

Notice Number 20154404; Area Number 3273

Background

The land to which this notice applies was declared as "significantly contaminated land" ([declaration No. 20091110](#)) by the Environment Protection Authority (EPA) and has been the subject of an EPA approved voluntary management proposal. The management actions under the approved proposal have been completed and the results have been made available to the EPA.

Repeal of declaration

Having reviewed the results of the management actions, the EPA is satisfied that it no longer has reason to believe that contamination of the land to which this notice applies is significant enough to warrant regulation under the *Contaminated Land Management Act 1997* (CLM Act).

Pursuant to section 44 of the CLM Act, the declaration of significantly contaminated land No. 20091110, dated 15 January 2010, ceases to be in force on the date on which this notice is signed in so far as the Declaration applies to the land to which this notice applies.

Land to which this notice applies

Description	Address
Lot 1 in DP 75748	Rosebery Service Station at 395 Gardeners Road, Rosebery 2018

[Signed]

NIALL JOHNSTON
Manager Contaminated Sites
Environment Protection Authority

Date: 27 January 2015

NOTE:**Information recorded by the EPA**

Section 58 of the CLM Act requires the EPA to maintain a public record. A copy of this notice will be included in the public record.

Information recorded by councils

Section 59 of the CLM Act requires the EPA to give a copy of this notice to the relevant local council. The council may then make appropriate consequential modifications to the planning certificate issued in relation to the land to which this notice applies pursuant to s149 of the *Environmental Planning and Assessment Act 1979*.

Relationship to other regulatory instrument

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

Previous regulatory instrument

As of 1 July 2009, all current declarations of investigation area and declarations of remediation site are taken to be declarations of significantly contaminated land, all current investigation orders and remediation orders are taken to be management orders and all current agreed voluntary investigation proposals and agreed voluntary remediation proposals are taken to be approved voluntary management proposal.

Environment Protection Authority**Notice of completion of approved voluntary management proposal**

(Section 44 of the Contaminated Land Management Act 1997)

Notice Number 20154403; Area Number 3273

Rosebery Service Station Pty Ltd
395 Gardeners Road
Rosebery, NSW 2018

Background

The Environment Protection Authority (EPA) approved the following voluntary management proposal (VMP) under the *Contaminated Land Management Act 1997* (CLM Act) in relation to the remediation of the Rosebery Service Station.

EPA Approved Voluntary Management Proposals

EPA Approval of VMP	Proponent	Land to which VMP Applies
No.20121704 01 May 2012	Rosebery Service Station Pty Ltd	395 Gardeners Road, Rosebery

The proponent carried out management actions under the approved proposal. This management has been completed and the results have been made available to the EPA.

Completion of approved VMP

Pursuant to sections 44 and 17(7) of the CLM Act, the voluntary management proposal as listed above, ceases to be an approved proposal as the EPA is satisfied that the terms of the proposal on the land to which this notice applies have been carried out.

Land to which this notice applies

Description	Address
Lot 1 in DP 75748	Rosebery Service Station at 395 Gardeners Road, Rosebery 2018.

[Signed]

NIALL JOHNSTON
Manager Contaminated Sites
Environment Protection Authority

Date: 27 January 2015

NOTE:**Information recorded by the EPA**

Section 58 of the CLM Act requires the EPA to maintain a public record. A copy of this notice will be included in the public record.

Information recorded by councils

Section 59 of the CLM Act requires the EPA to give a copy of this notice to the relevant local council. The council may then make appropriate consequential modifications to the planning certificate issued in relation to the land to which this notice applies pursuant to s149 of the *Environmental Planning and Assessment Act 1979*.

Relationship to other regulatory instrument

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

Previous regulatory instrument

As of 1 July 2009, all current declarations of investigation area and declarations of remediation site are taken to be declarations of significantly contaminated land, all current investigation orders and remediation orders are taken to be management orders and all current agreed voluntary investigation proposals and agreed voluntary remediation proposals are taken to be approved voluntary management proposals

Department of Environment, Climate Change and Water NSW

Section 44 Contaminated Land Management Act 1997

Amendment Notice

The Shell Company of Australia Limited
Gate 5, Durham Street
ROSEHILL NSW 2142

BY REGISTERED POST

Attention: Chris Ellis

Notice Number 20094405
File Number FIL10/7505
Date 5 January 2011

AMENDMENT OF NOTICE OF APPROVED VOLUNTARY MANAGEMENT PROPOSAL NO. 26068 SECTION 44 OF THE CONTAMINATED LAND MANAGEMENT ACT 1997

BACKGROUND

- A. The Environment Protection Authority ("EPA") is part of the Department of Environment, Climate Change and Water.
- B. On 30 December 2004, the EPA agreed to a voluntary remediation proposal put forward by Shell Company of Australia Limited under the *Contaminated Land Management Act 1997* ("the Act") for particular land at Mascot.
- C. As a result of the commencement of Schedule 1 [61] to the *Contaminated Land Management Amendment Act 2008* on 1 July 2009, all references in that agreement and proposal to:
 - (i) the voluntary remediation proposal are taken to be references to an approved voluntary management proposal; and
 - (ii) a party to the voluntary remediation proposal are taken to be references to an approved party.All references in the approval and proposal should now be read in accordance with those changes.
- D. As a result of those changes, the agreement and proposal are now taken to be Approved Voluntary Management Proposal No. 26068.
- E. The EPA has since amended that approved proposal on numerous occasions. Those changes have been incorporated into the approved proposal.
- F. It has recently come to the EPA's attention that the approved proposal does not specifically list all of the lots to which the approved proposal applies.
- G. The approved proposal identifies the land to which it applies by reference to a map. The land identified in that map includes a number of lots. However, only one of those lots is specifically listed in the approved proposal.
- H. The EPA intends to amend the approved proposal to clearly list the lots to which it applies.

AMENDMENT OF NOTICE OF APPROVED VOLUNTARY MANAGEMENT PROPOSAL NO. 26068

1. By this notice, I, Niall Johnston, amend the Notice of Approved Voluntary Management Proposal No. 26068 ("Approved VMP") as set out in the Appendix. The Appendix contains a copy of the provisions of the Approved VMP marked with the amendments that are made to it by this notice.

2. The amendments to the Approved VMP are indicated in the following way:

- if a strike through mark appears through any word or other text (eg. ~~Solids or~~) this indicates that the word or other text is deleted from the Approved VMP by this notice; and
- if a underline appears under any word or other text (eg. must be treated) this indicates that the word or other text is added to the Approved VMP by this notice.

[Signed]

.....

Niall Johnston

Manager, Contaminated Sites

(by Delegation)

INFORMATION ABOUT THIS NOTICE

- This notice is issued under section 44 of the Act.
- Details provided in this notice, along with an updated version of the Approved VMP, will be available on the EPA's Record of Contaminated Land Notices:

<http://www.environment.nsw.gov.au/clmapp/aboutregister.aspx> in accordance with section 58 of the Act.

When this notice begins to operate

- The amendments to the Approved VMP specified in this notice will begin to operate immediately from the date of this notice.

Section 44 Contaminated Land Management Act 1997

Amendment Notice – Appendix

Our Reference: HO7906#HOF48119

Agreement No.: 26068

ENVIRONMENT PROTECTION AUTHORITY (EPA)

VOLUNTARY REMEDIATION PROPOSAL: EPA AGREEMENT

SECTION 26 CONTAMINATED LAND MANAGEMENT ACT 1997 (“the Act”)

Service: By Registered Post to Place of Business

To: The Shell Company of Australia Limited (ABN 46004610459)
Durham Street
ROSEHILL NSW 2142

Attn: Ms Toni Newell

(referred to in this agreement as “the proponent”)

Date: 30 December 2004

Land: 754 Botany Road, Mascot

The land to which this voluntary agreement relates (referred to in this agreement as ‘the site’) is described as Lot 4 in Deposited Plan 14834, Lot 5 in Deposited Plan 14834, Lot A in Deposited Plan 438865, Lot B in Deposited Plan 438865, Lot 1 in Deposited Plan 336107 and Lot 1 in Deposited Plan 656406 (together commonly known as 754 Botany Road i.e. the service station site at corner of Botany Road and Hughes Avenue, Mascot) and the adjoining impacted areas at Burch Lane in the local government area of Botany Bay City Council. The red line marked on the attached map by URS titled *Groundwater Analytical Summary, Type 1 Analytes*, outlines the site.

Contamination:

Groundwater at the site is contaminated with total petroleum hydrocarbons (TPH) in the fractions C₆-C₉ (including benzene, toluene, ethylbenzene and xylene) that are referred to in this agreement as “the contaminants”.

In particular, the EPA has found that:

1. significant petroleum hydrocarbon contamination including separate phase petroleum hydrocarbon is present in the groundwater on the site; and
2. dissolved phase petroleum hydrocarbon contamination extends beyond the western site boundary under Burch Lane.

A map of the extent of the plume is attached.

BACKGROUND:

The proponent has furnished the EPA with a Remedial Action Plan (RAP) for the remediation of the site. The RAP is set out in the report titled *Remedial Action Plan for Coles Express Mascot, corner Botany Road and Hughes Avenue, Mascot, New South Wales*, prepared by Environmental & Earth Sciences and dated September 2004. The RAP, as supplemented by this agreement, is referred to in this agreement as "the proposal".

The RAP sets out the following benchmarks to be attained:

1. petroleum hydrocarbons meet the beneficial use of the aquifer (recreational/aesthetic);
2. secondary source reduction is undertaken to assist mobilisation of the hydrocarbon plume; and
3. phase separated hydrocarbons are reduced and removed to ensure immobilisation of the petroleum plume.

OBJECTIVES:

The overall objectives of this agreement are to achieve the following outcomes:

1. the site is remediated so that the contaminants do not pose a significant risk of harm to human health or the environment; and
2. the site is remediated so that it is suitable for commercial/industrial use as specified in the document *Guidelines for the NSW Auditor Scheme EPA (1998)* (at Column 4 page 30).

PRINCIPAL FEATURES OF THE PROPOSAL:

The principal features of the proposal include, but are not limited to:

1. A trial remediation period of 3 months: The trial will involve the installation of product recovery and nutrient/oxidant injection trenches at the service station and the installation of nutrient/oxidant injection wells at the impacted areas of Burch Lane. The works will be undertaken to evaluate the effectiveness of this remedial strategy.
2. Upon completion of the trial period, development of a two dimensional analytical model to refine the remedial system and evaluate the duration of full-scale remediation of the phase separated hydrocarbon and the dissolved phase hydrocarbon plume.
3. After development of the analytical model, preparation of a final remediation proposal for the site to ensure that the objectives stated in this agreement will be achieved.
4. If the results of the trial under the remedial action plan indicate that the environmental objectives and benchmarks listed under the heading 'Background' and 'Objectives' cannot be achieved, the EPA will require one or more alternative remediation options to be provided to it as part of the final proposal. Reports on progress of the trial must be provided in writing to the auditor for review every two months with the first report due to the auditor 2 months from the date of grant of development consent so that the effectiveness of the trial can be assessed.
5. Submission of the final remediation proposal to an accredited site auditor for review and comment on all aspects of the proposal.
6. Incorporation of the auditor's comment into the final remediation proposal.
7. Submission of the final remediation proposal to the EPA for its consideration within 5 months of the date of grant of development consent for the remediation works. The final remediation proposal must discuss each of the report headings listed in the publication *Guidelines for Consultants Reporting on Contaminated Sites*, EPA (1997), that are applicable to remediation.

General:

The proponent must:

- ensure that all site works comply with SEPP 55 and any Council requirements and take into account any of the relevant issues listed under the heading "Remedial action plan" on page 16 of the *Guidelines for Consultants Reporting on Contaminated Sites*, EPA (1997); and
- ensure that all works and sampling undertaken and reports prepared under this agreement are consistent with Guidelines made or approved by the EPA under section 105 of the Act (a list of these Guidelines is attached).

EPA AGREEMENT:

The EPA is satisfied that the terms of the proposal as defined by this agreement are appropriate, and, notes for the purposes of section 26(3) of the Act, that the proponent has undertaken in writing to the EPA not to recover contributions under Part 3, Division 6 of the Act in respect of the remediation carried out under the proposal.

The EPA agrees with the terms of the proposal, and will not issue a remediation order against the proponent in

accordance with the provisions of Part 3 of the Act if the remediation is carried out in accordance with the proposal.

LIFETIME OF THE AGREEMENT:

This agreement commences on the date upon which it is signed on behalf of the EPA (which is the date set out on the first page of the agreement). The trial remediation must be completed within 5 months of the date of grant of development consent for the proposed remedial work but not later than 1 April 2006. A further agreement for the complementation of the final remediation proposal will be considered at that time.

[Signed]

NIALL JOHNSTON
Acting Director Contaminated Sites
Department of Environment and Conservation
(by Delegation)

Attachment 1 List of approved Guidelines under s.105 of the CLM Act
Attachment 2 Site map

NOTE:

The EPA is not prevented by this Agreement from making a remediation order against persons (including public authorities) with whom it has made no such Agreement (whether or not they were originally parties to the proposal).

The EPA is not prevented by this Agreement from making a remediation order against the proponent as an appropriate person (as defined in the Act) if, in the opinion of the EPA, the terms of the proposal are not carried out.

Section 58 of the Act requires the EPA to maintain a public record of certain matters. Notification of the making of this Agreement will be included in the public record.

Section 59 of the Act requires the EPA to notify the relevant local council of the making of this Agreement and when the terms of the Agreement have been fulfilled. The council is required to note on any certificate issued pursuant to section 149(2) Environmental Planning and Assessment Act 1979 with respect to the land that the land is subject to a voluntary agreement until the council receives EPA notification that the terms have been fulfilled.

Guidelines made or approved by the EPA under section 105 of the Contaminated Land Management Act 1997

11 November 2003

Guidelines made by the EPA

- *Contaminated Sites: Guidelines for Assessing Service Station Sites*, December 1994.
- *Contaminated Sites: Guidelines for the Vertical Mixing of Soil on Former Broad-Acre Agricultural Land*, January 1995.
- *Contaminated Sites: Sampling Design Guidelines*, September 1995.
- *Contaminated Sites: Guidelines for Assessing Banana Plantation Sites*, October 1997.
- *Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites*, November 1997.
- *Contaminated Sites: Guidelines for the NSW Site Auditor Scheme*, June 1998.
- *Contaminated Sites: Guidelines on Significant Risk of Harm from Contaminated Land and the Duty to Report*, April 1999.

Guidelines approved by the EPA

Australian and New Zealand Environment and Conservation Council

- *Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites*, published by Australian and New Zealand Environment and Conservation Council and the National Health and Medical Research Council (NHMRC), January 1992.
- *Australian Water Quality Guidelines for Fresh and Marine Waters*, Australian and New Zealand Environment and Conservation Council, November 1992, which are only approved for the purposes of contaminated site assessment, investigation, remediation and site auditing under the Contaminated Land Management Act (or other relevant legislation) commenced before September 2001.
- *Australian and New Zealand Guidelines for Fresh and Marine Water Quality*. Australian and New Zealand Environment and Conservation Council and Agriculture and Resource Management Council of Australia and New Zealand, Paper No 4, October 2000.

EnHealth (formerly National Environmental Health Forum monographs)

- *Composite Sampling*, by Lock, W. H., National Environmental Health Forum Monographs, Soil Series No.3, 1996, SA Health Commission, Adelaide.
- *Environmental Health Risk Assessment: Guidelines for assessing human health risks from environmental hazards*, Department of Health and Ageing and EnHealth Council, Commonwealth of Australia, June 2002.

National Environment Protection Council publications

National Environment Protection (Assessment of Site Contamination) Measure 1999

- The Measure includes a policy framework for the assessment of site contamination, Schedule A and Schedule B.

(I) Schedule A

- *Recommended General Process for the Assessment of Site Contamination*.

(II) Schedule B -Guidelines

- (1) *Guideline on Investigation Levels for Soil and Groundwater*
- (2) *Guideline on Data Collection, Sample Design and Reporting*
- (3) *Guideline on Laboratory Analysis of Potentially Contaminated Soils*
- (4) *Guideline on Health Risk Assessment Methodology*
- (5) *Guideline on Ecological Risk Assessment*
- (6) *Guideline on Risk Based Assessment of Groundwater Contamination*
- (7a) *Guideline on Health-Based Investigation Levels*
- (7b) *Guideline on Exposure Scenarios and Exposure Settings*
- (8) *Guideline on Community Consultation and Risk Communication*
- (9) *Guideline on Protection of Health and the Environment During the Assessment of Site Contamination*
- (10) *Guideline on Competencies & Acceptance of Environmental Auditors and Related Professionals*

Other documents

- *Guidelines for the Assessment and Clean Up of Cattle Tick Dip Sites for Residential Purposes*, NSW Agriculture and CMPS&F Environmental, February 1996.
- *Australian Drinking Water Guidelines*, NHMRC & Agriculture and Resource Management Council of Australia and New Zealand, 1996.

Note: On 5 January 2011 in [notice No. 20094404](#) the EPA amended this declaration.

Contaminated Land Management Act 1997, Section 21

Declaration of Remediation Site Declaration Number 21067

The EPA declares the following land to be a remediation site under the *Contaminated Land Management Act 1997* ("the Act"):

1. Land to which this declaration applies ("the site"):

Lot 4 in Deposited Plan 14834, which is the service station site at 754 Botany Road (corner of Botany Road and Hughes Avenue) Mascot and impacted areas at Burch Lane, in the local government area of Botany Bay City Council.

A map of the site is available for inspection at the offices of the Department of Environment and Conservation located at Level 15, 59-61 Goulburn Street, Sydney.

2. Nature of the substance causing the contamination:

Total petroleum hydrocarbons (TPH) in the fractions C₆-C₉, (including benzene, toluene, ethylbenzene and xylene).

3. Nature of harm that the substance may cause:

The EPA has considered the matters in section 9 of the Act and found that the site is contaminated with the contaminants listed above in such a way as to present a significant risk of harm to human health and the environment.

In particular, the EPA has found that:

1. significant petroleum hydrocarbon contamination including separate phase petroleum hydrocarbon is present in the groundwater on the site;
2. dissolved phase petroleum hydrocarbon contamination extends beyond the western site boundary under Burch Lane; and
3. potential health risks exist for on-site and off-site workers who have direct contact (ingestion or dermal contact) with contaminated soil and groundwater.

4. Further action under the Act

The making of this declaration does not prevent the carrying out of a voluntary remediation of the site and any person may submit a voluntary remediation proposal for the site to the EPA. If the proposal satisfies the requirements of section 26 of the Act, the EPA may agree not to issue a remediation order to the person or persons bringing the proposal.

5. Submissions invited

The EPA advises that the public may make written submissions to the EPA on:

- Whether the EPA should issue a remediation order in relation to the site or
- Any other matter concerning the site.

Submissions should be made in writing to:

Director Contaminated Sites
Department of Environment and Conservation
PO Box A290
SYDNEY SOUTH NSW 1232

or faxed to: 02 9995 5930

by not later than **4 weeks from the date of this notice.**

[SIGNED]

CAROLYN STRANGE
Director Contaminated Sites
Department of Environment and Conservation
Environment Protection Authority
(by Delegation)

Date: 31 August 2004

NOTE:

Remediation order may follow

If remediation of the site or part of the site is required, the EPA may issue a remediation order under s.23 of the Act.

Variation/Revocation

This declaration remains in force until it is otherwise varied or revoked. A declaration may only be revoked when the EPA does not have reasonable grounds to believe that land is contaminated in such a way as to present a significant risk of harm (s.44 of the Act).

Information recorded by the EPA

S.58 of the Contaminated Land Management Act 1997 requires the EPA to maintain a public record. A copy of this remediation declaration will be included in the public record.

Information recorded by councils

S.59 of the Act requires the EPA to give a copy of this declaration to the relevant local council. The council is then required to note on its planning certificate issued pursuant to s.149 (2) of the Environmental Planning and Assessment Act that the land is currently an area covered by a declaration issued under the Act. The EPA is required to notify council as soon as practicable when the declaration is no longer in force and the notation on the s.149 (2) certificate is removed.

Department of Environment, Climate Change and Water NSW

Section 44 Contaminated Land Management Act 1997

Amendment Notice

The Shell Company of Australia Limited
Gate 5, Durham Street
ROSEHILL NSW 2142

BY REGISTERED POST

Attention: Chris Ellis

Notice Number 20094404
File Number FIL10/7505
Date 5 January 2011

AMENDMENT OF NOTICE OF DECLARATION OF SIGNIFICANTLY CONTAMINATED LAND NO. 21067

SECTION 44 OF THE CONTAMINATED LAND MANAGEMENT ACT 1997

BACKGROUND

- A. The Environment Protection Authority ("EPA") is part of the Department of Environment, Climate Change and Water.
- B. On 31 August 2004, the EPA issued Notice of Declaration of Remediation Site No. 21067 under the *Contaminated Land Management Act 1997* ("the Act").
- C. As a result of the commencement of Schedule 1 [61] to the *Contaminated Land Management Amendment Act 2008* on 1 July 2009, all references in that notice to:
 - (i) a "remediation site" are taken to be references to "significantly contaminated land"; and
 - (ii) land being contaminated in such a way as to present a significant risk of harm are taken to be references to contamination that the EPA considers significant enough to warrant regulation under Division 2 of Part 3 of the Act.

All references in that notice should now be read in accordance with those changes.

- D. As a result of those changes, the notice is now taken to be Notice of Declaration of Significantly Contaminated Land No. 21067.
- E. It has recently come to the EPA's attention that the notice does not specifically list all of the lots to which the notice applies.
- F. The notice identifies the land to which it applies by reference to a map. The land identified in that map includes a number of lots. However, only one of those lots is specifically listed in the notice.
- G. The EPA intends to amend the notice to clearly list the lots to which it applies.

AMENDMENT OF NOTICE OF DECLARATION OF SIGNIFICANTLY CONTAMINATED LAND NO. 21067

1. By this notice, I, Niall Johnston, amend the Notice of Declaration of Significantly Contaminated Land No. 21067 ("Declaration Notice") as set out in the Appendix. The Appendix contains a copy of the provisions of the Declaration Notice marked with the variations that are made to it by this notice.
2. The variations to the Declaration Notice are indicated in the following way:
 - if a strike through mark appears through any word or other text (eg. ~~Solids~~ or) this indicates that the word or other text is deleted from the Declaration Notice by this notice; and
 - if a underline appears under any word or other text (eg. must be treated) this indicates that the word or other text is added to the Declaration Notice by this notice.

[Signed]

.....

Niall Johnston

Manager, Contaminated Sites

(by Delegation)

INFORMATION ABOUT THIS NOTICE

- This notice is issued under section 44 of the Act.
- Details provided in this notice, along with an updated version of the Declaration Notice, will be available on the EPA's Record of Contaminated Land Notices:

<http://www.environment.nsw.gov.au/clmapp/aboutregister.aspx> in accordance with section 58 of the Act.

When this notice begins to operate

- The variations to the Declaration Notice specified in this notice will begin to operate immediately from the date of this notice.

Section 44 Contaminated Land Management Act 1997

Amendment Notice – Appendix

Contaminated Land Management Act 1997, Section 21

Declaration of Remediation Site
Declaration Number 21067

The EPA declares the following land to be a remediation site under the *Contaminated Land Management Act 1997* ("the Act"):

1. Land to which this declaration applies ("the site"):

Lot 4 in Deposited Plan 14834, Lot 5 in Deposited Plan 14834, Lot A in Deposited Plan 438865, Lot B in Deposited Plan 438865, Lot 1 in Deposited Plan 336107 and Lot 1 in Deposited Plan 656406 which is (together known as the service station site at 754 Botany Road (corner of Botany Road and Hughes Avenue) Mascot), and impacted areas at Burch Lane, in the local government area of Botany Bay City Council.

A map of the site is available for inspection at the offices of the Department of Environment and Conservation located at Level 15, 59-61 Goulburn Street, Sydney.

2. Nature of the substance causing the contamination:

Total petroleum hydrocarbons (TPH) in the fractions C₆-C₉, (including benzene, toluene, ethylbenzene and xylene).

3. Nature of harm that the substance may cause:

The EPA has considered the matters in section 9 of the Act and found that the site is contaminated with the contaminants listed above in such a way as to present a significant risk of harm to human health and the environment.

In particular, the EPA has found that:

1. significant petroleum hydrocarbon contamination including separate phase petroleum hydrocarbon is present in the groundwater on the site;
2. dissolved phase petroleum hydrocarbon contamination extends beyond the western site boundary under Burch Lane; and
3. potential health risks exist for on-site and off-site workers who have direct contact (ingestion or dermal contact) with contaminated soil and groundwater.

4. Further action under the Act

The making of this declaration does not prevent the carrying out of a voluntary remediation of the site and any person may submit a voluntary remediation proposal for the site to the EPA. If the proposal satisfies the requirements of section 26 of the Act, the EPA may agree not to issue a remediation order to the person or persons bringing the proposal.

5. Submissions invited

The EPA advises that the public may make written submissions to the EPA on:

- Whether the EPA should issue a remediation order in relation to the site or
- Any other matter concerning the site.

Submissions should be made in writing to:

Director Contaminated Sites
Department of Environment and Conservation
PO Box A290
SYDNEY SOUTH NSW 1232

or faxed to: 02 9995 5930

by not later than **4 weeks from the date of this notice.**

[SIGNED]

CAROLYN STRANGE
Director Contaminated Sites
Department of Environment and Conservation
(by Delegation)

Date: 31 August 2004

NOTE:

Remediation order may follow

If remediation of the site or part of the site is required, the EPA may issue a remediation order under s.23 of the Act.

Variation/Revocation

This declaration remains in force until it is otherwise varied or revoked. A declaration may only be revoked when the EPA does not have reasonable grounds to believe that land is contaminated in such a way as to present a significant risk of harm (s.44 of the Act).

Information recorded by the EPA

S.58 of the Contaminated Land Management Act 1997 requires the EPA to maintain a public record. A copy of this remediation declaration will be included in the public record.

Information recorded by councils

S.59 of the Act requires the EPA to give a copy of this declaration to the relevant local council. The council is then required to note on its planning certificate issued pursuant to s.149 (2) of the Environmental Planning and Assessment Act that the land is currently an area covered by a declaration issued under the Act. The EPA is required to notify council as soon as practicable when the declaration is no longer in force and the notation on the s.149 (2) certificate is removed.

AGREEMENT NOT TO ISSUE ORDER DURING COMPLIANCE WITH A VOLUNTARY PROPOSAL

(Section 26 of the Contaminated Land Management Act 1997)

Agreement No.: 26096

Agreement Date: 28/3/2008

Area No.: 3192

This agreement relates to the attached proposal, which comprises three Parts: Part 1 – Preliminary Details; Part 2 – Undertakings; and Part 3 – Performance Schedule.

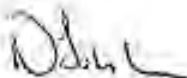
Proponent: Shell Company of Australia Ltd

Site: Shell Coles Express, 754 Botany Road Mascot NSW

Proposal Date:

1. The EPA is satisfied that the terms of the proposal are appropriate.
2. The EPA notes for the purposes of section 26 of the *Contaminated Land Management Act 1997* (CLM Act) that the proponent has undertaken in writing to the EPA not to recover contributions under Part 3, Division 6 of the CLM Act in respect of implementation of the proposal.
3. The EPA agrees, in accordance with the provisions of Part 3 of the CLM Act, that it will not issue a remediation order against the proponent if and for so long as the proposal is complied with.
4. The EPA may issue a remediation order against the proponent in accordance with the CLM Act if the EPA is not satisfied that the proposal is being or has been complied with.
5. The EPA is not prevented by this agreement from making a remediation order against persons (whether or not they were originally parties to the proposal and including public authorities) other than the proponent.
6. The EPA is not prevented by this agreement from exercising its powers under the *Protection of the Environment Operations Act 1997* in relation to activities conducted in association with or under the proposal.
7. Each component of the proposal, as described in the proposal is to be completed by the date specified in the proposal. Failure to satisfactorily complete any component by the due date for that component may be taken as a failure to carry out the terms of the proposal for the purposes of section 27 of the CLM Act.
8. This agreement takes effect on the "Agreement Date" specified above and continues in effect subject to satisfactory performance and progress with implementation of the proposal.

Signed:



A/Manager Contaminated Sites

Department of Environment and Climate Change (NSW)

VOLUNTARY REMEDIATION PROPOSAL UNDER CONTAMINATED LAND MANAGEMENT ACT 1997

Part 1

Preliminary Details

1. Proponent's Details

If a registered company, company name: The Shell Company of Australia Ltd Shell
Trading as: Shell
ABN:46004610459
Phone: 02 9897 8268
Fax: 02 9897 8373
Postal address: PO Box 63 Parramatta NSW
Postcode: 2124
EPA licence number (if applicable): Not Applicable

(c) Who the EPA should contact with technical enquiries about the proposal

Employer/Company: Shell Company of Australia
Position title: Project Manager (Environment)
Type of business: Environmental Services, Shell
Phone (business): 9897 8268
Fax: 9897 8373

Proponent: Shell Company of Australia

Site: Shell Coles Express Mascot, 764 Botany Road Mascot NSW

Proposal Date: 28 September 2007

2. Site to which proposal applies

The site to which the proposal applies ("the site") is: Shell Coles Express Mascot.

The land to which this voluntary agreement relates (referred to in this agreement as "the site") is described as Lot 4 in Deposited Plan 14834 (commonly known as 754 Botany Road Mascot, is the service station site at corner of Botany road and Hughes Avenue, Mascot) and the adjoining impacted areas at Burch Lane in the local government area of Botany Bay City Council. The red line marked on the attached map by URS Australia Pty Ltd titled Site Layout Plan outlines the site.

3. The contamination

Groundwater at the site is contaminated with substances in such a way as to present a significant risk of harm. The substances of concern ("the contaminants") include: total petroleum hydrocarbons (TPH) in fractions C₆-C₉, and benzene, toluene, ethylbenzene and xylene (BTEX).

4. The remediation proposal

The remediation proposal ("the proposal") comprises:

- a) the information set out above;
- b) the actions, works and other components set out in the following documents:
 - URS (January 2002): Mascot Shell Serve, Preliminary Investigation and Environmental Site Assessment, NSW;
 - URS (July 2002): Shell Mascot Self Serve, B705, Soil and Groundwater Data Report, Corner Botany Road and Hughes Avenue, Mascot, NSW;
 - URS (December 2002): Shell Mascot Self Serve, Soil and Groundwater Data Report, Corner Botany Road and Hughes Avenue, Mascot, NSW;
 - URS (August 2003): Corner Botany Road and Hughes Avenue, Mascot, NSW Corner Botany Road and Hughes Avenue, Mascot, NSW;
 - IT Environmental (March 2006): Revised Remediation Action Plan, Shell Coles Express Mascot (B705) Corner of Botany Road and Hughes Avenue Mascot, NSW;
 - IT Environmental (February 2006): Soil and Groundwater Pilot Trials, Shell Coles Express Mascot (B705) Corner of Botany Road and Hughes Avenue Mascot, NSW;
 - IT Environmental (February 2006): Soil and Groundwater Pilot Trials, Shell Coles Express Mascot (B705) Corner of Botany Road and Hughes Avenue Mascot, NSW;
 - IT Environmental, (July 2006): Groundwater Monitoring Report, Shell Coles Express Mascot (B705) Corner of Botany Road and Hughes Avenue Mascot, NSW;
 - Coffey Environments (September 2006): Groundwater monitoring Report, Shell Coles Express Mascot (B705) Corner of Botany Road and Hughes Avenue Mascot, NSW;

Proponent: Shell Company of Australia

Site: Shell Coles Express Mascot, 754 Botany Road Mascot NSW

Proposal Date: 26 September 2007

- Coffey Environmental; (March 2007), Groundwater monitoring Report, Coles Express Mascot, Corner Botany Road and Hughes Avenue, Mascot, NSW.
- c) the undertakings set out in Part 2 of this document; and
- d) the performance schedule set out in Part 3 of this document.

Proponent's signature:

Signed by the proponent 26 September 2007

Proponent: Shell Company of Australia

Site: Shell Coles Express Mascot, 754 Botany Road Mascot NSW

Proposal Date: 26 September 2007

Part 2

Undertakings Included in Voluntary Remediation Proposal

Explanatory Note:

Before the EPA can agree with one or more parties to a voluntary investigation or remediation proposal not to issue orders against them under section 17 or 23 of the Contaminated Land Management Act 1997, it has a statutory obligation to satisfy itself that the terms of the proposal submitted to it under section 19 or 26 are appropriate. In addition to including an appropriate investigation or remedial action plan, to be acceptable to the EPA a proposal must include the undertakings set out below. These undertakings are important. They must be complied with in order for the EPA to be satisfied that the terms of the proposal have been carried out.

THE PROPOSAL INCLUDES THE FOLLOWING UNDERTAKINGS:

General

1. All activities carried out in connection with the proposal including sampling and preparation of associated reports ("the activities") will be carried out in accordance with applicable provisions of *State Environmental Planning Policy 55 – Remediation of Land* and any requirements imposed under it in relation to the works.
2. All matters listed as relevant to a remediation action plan by the EPA's *Guidelines for Consultants Reporting on Contaminated Sites* (1997) will be taken into account in the carrying out of the activities.
3. All the activities will be carried out consistently with guidelines made or approved under section 105 of the CLM Act.
(See <http://www.environment.nsw.gov.au/clm/guidelines.htm>)
4. All the activities will be carried out in compliance with applicable NSW environmental legislation, and in particular:
 - i) All the activities, including:
 - (1) the processing, handling, movement and storage of materials and substances used to carry out the activities; and
 - (2) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activitieswill be carried out in a competent manner;
 - ii) All plant and equipment installed at the site or used in connection with the activities:
 - (1) will be maintained in a proper and efficient condition; and
 - (2) will be operated in a proper and efficient manner.
5. All the activities at the site will be carried out in a manner that prevents or minimises the emission of dust, odour and noise from the site.
6. Waste generated or stored at the site will be assessed, classified and managed in accordance with the EPA's *Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes*.
(See <http://www.environment.nsw.gov.au/waste/envguidlns/index.htm>)
7. All hazardous, industrial, Group A or controlled waste generated by the activities at

Proponent: Shell Company of Australia

Site: Shell Coles Express Mascot, 764 Botany Road Mascot NSW

Proposal Date: 26 September 2007

the site and which is to be transported from the site will be tracked in accordance with the *Protection of the Environment (Waste) Regulation 2005* and any licence under the *Protection of the Environment Operations Act 1997* in relation to the activities.

(See <http://www.environment.nsw.gov.au/waste/wastetracking.htm>)

8. The proponent will, and acknowledges that the EPA may, make all documents and information relating to the activities available to the public free of charge.
9. The proponent will:
 - i) prior to the implementation of the proposal provide for the EPA's approval a strategy for communicating about that implementation, particularly the actual remediation works, with members of the public who are likely to have a real interest in or be affected by that implementation and
 - ii) implement the strategy as approved by the EPA.

Monitoring, Record Keeping & Reporting

10. At least until the EPA has notified the proponent that the EPA no longer considers that the contamination poses a significant risk of harm, record and retain all monitoring data and information and provide this record to the EPA at any reasonable time if so requested by the EPA and as specifically provided under the proposal.

[Note: Specific details of monitoring and data reporting requirements, requirements for progress reports, etc are to be set out in the performance schedule in Part 3 of this document.]

11. The EPA will be informed in writing within 7 days of the proponent becoming aware of information or data indicating a material change in conditions at the site or in its surrounding environment which could adversely affect the prospects of successful investigation or remediation of the site or result in harm to the environment.
12. The EPA will be informed in writing within 7 days of the proponent becoming aware of any failure, either by the proponent or any other person, to comply with any component or aspect of the proposal.
13. The EPA will be informed in writing as soon as practicable of any notification by the proponent, its employees or its agents to an appropriate regulatory authority other than the EPA of any pollution incident at the site within the meaning of the *Protection of the Environment Operations Act 1997*.

(See <http://www.environment.nsw.gov.au/licensing/dutytonotify.htm>)

Performance Schedule

14. The performance schedule which is in Part 3 of this document will be adhered to.

Proponent's signature:

Signed by the proponent 26 September 2007

Proponent: Shell Company of Australia

Site: Shell Coles Express Mascot, 754 Botany Road Mascot NSW

Proposal Date: 26 September 2007

Part 3

PERFORMANCE SCHEDULE

1. Objectives of the proposal

The overall objective of this proposal is to ensure that the hydrocarbon contamination identified in soil and groundwater, underlying both the Shell Coles Express service station and adjoining Burch Lane, does not pose a significant risk of harm to human health and/or the environment.

In order to meet the overall objective, the construction of a groundwater remediation system is proposed, in accordance to the NSW DEC and auditor approved *Revised Remediation Action Plan (RAP)*, *Shell Coles Express Mascot (B705) Corner of Botany Road and Hughes Avenue Mascot NSW*, IT Environmental (now Coffey Environments), 28 March 2006, to meet the following objectives:

- O1. Undertake secondary hydrocarbon source reduction to assist with the immobilisation of the hydrocarbon plume including the removal of recoverable phase Separated Hydrocarbon (PSH); and
- O2. Petroleum hydrocarbon concentrations are to be reduced and maintained to a level below the groundwater guidelines applicable for beneficial use (recreational / aesthetic) to the Botany Sands Aquifer at offsite locations.

2. Principal features of the proposal

The primary method of remediation proposed for the site is in-situ air sparge coupled with soil vapour extraction (SVE) technology with the principal features of the proposed system, but not limited to, the following:

a. Community Consultation

- P1. Conduct community consultation by informing the affected landowners and occupiers of surrounding residents of the proposed remediation works.

b. Capital Works

- P2. Installation of a remediation system based on insitu air sparge (AS) coupled with soil vapour extraction (SVE) incorporating three (3) onsite vertical 50 mm diameter air sparging wells and seven on and offsite vertical 50 mm soil vapour extraction wells.
- P3. Installation of four off site soil vapour monitoring pods within adjoining residential properties, pending residents approval, or alternatively adjacent to residential properties on council owned land.

c. Remediation

- P4. Operation of the AS-SVE system to remove phase separated hydrocarbons, dissolved phase hydrocarbon contamination in groundwater, and hydrocarbons in the vapour phase to levels developed and outlined in the Revised Remediation Action Plan.

Proponent: Shell Company of Australia

Site: Shell Coles Express Mascot, 754 Botany Road Mascot NSW

Proposal Date: 26 September 2007

d. Monitoring

- P5. Conduct quarterly groundwater monitoring to assess the effectiveness of the remediation system and/or the condition of groundwater both on and off the site;
- P6. On commissioning of the remediation system, conduct monthly operation and maintenance of the remediation system to monitor progress of the system and to ensure compliance with vapour emission specifications;
- P7. Subject to resident approval to the extent required, conduct weekly vapour monitoring of surrounding residential properties to monitor risks, if any, to any offsite residents and or workers for first 8 weeks after system commissioning. If levels are consistently recorded below laboratory detection limits, review of frequency of monitoring to monthly or as reasonably directed by the NSW DEC.
- P8. Conduct quarterly reviews of the AS-SVE remediation system data, separate phase petroleum hydrocarbon recovery and monitoring data to assess the effectiveness of the remediation system and as required adjust/modify the system to enhance removal of separate phase hydrocarbon to the extent practicable or as reasonably directed by the NSW DEC.
- P9. Conduct annual review of the remediation system to assess progress of system performance in reducing hydrocarbon levels in both soil and water to levels developed and outlined in the Revised Remediation Action Plan.

3. **Reporting requirements and timeframe for submission of reports**

The proponent must engage a site auditor, accredited under the CLM Act, to review the below reports, together with any relevant material from previous environmental reports that have been commissioned in relation to the site, and provide the following reports to the EPA within 12 weeks of the completion of the remediation, including:

A site audit statement and audit report that reviews the reports provided by the proponent in relation to the agreement and comments on the adequacy of the remediation undertaken, whether the remediation system should remain operating, the appropriateness of any long term remediation goals proposed (if applicable) and provides any other relevant recommendations about the ongoing remediation.

Report	Deadline
R1. Remediation System Performance Commissioning Report	Final commissioning report within 12 weeks of commissioning of the system.
R1. Remediation System Performance Reports at quarterly intervals to include results and discussion of: • Measurements of hydrocarbon recovery (PSH groundwater and vapour) • Effectiveness in hydrocarbon recovery system; and • System operation statistics.	Within 12 weeks of the works being completed (first report depending on the approvals from government agencies to proceed with remediation works.
R2. Site Wide Groundwater Monitoring Reports at quarterly	Provide final complete reports within 12 weeks of each

Proponent: **Shell Company of Australia**

Site: **Shell Coles Express Mascot, 754 Botany Road Mascot NSW**

Proposal Date: **26 September 2007**

intervals to include results and discussion of: - Gauging of groundwater levels from 23 onsite and offsite groundwater monitoring wells including MW1 to MW4, MW7, MW9, MW10 to MW14, MW16 to MW18, MW24 to MW29, MW31 and MW33; and - Groundwater sampling, on selected wells, in accordance with the previous VRA including MW4, MW7, MW9, MW12 to MW14, MW18, MW24 to MW29, MW31 and MW33.	sampling event.

Key milestones for investigation, remediation and other actions

All works set out in the proposal will be completed by the deadlines specified below:

Works	Deadline
T1 Community Consultation P1	20 August 2007
T2. Capital Works P2 and P3	30 September 2007 to approximately 12 November 2007 subject to receiving all approvals from relevant government agencies. (Council approval currently pending)
T3 Remediation System Commissioning	31 December 2007

It is envisaged that remediation will be run for approximately 2 to 3 years, depending on the effectiveness of the system.

Proponent's signature:

Signed by the proponent 26 September 2007

Proponent: Shell Company of Australia

Site: Shell Coles Express Mascot, 754 Botany Road Mascot NSW

Proposal Date: 26 September 2007

DESIGNED BY	APPROVED BY
DRAWN BY	CHECKED BY
DATE	DATE
PROJECT	STATUS
PROJECT NO.	FINAL
PROJECT NAME	
PROJECT LOCATION	
PROJECT SCALE	
PROJECT DATE	
PROJECT TIME	
PROJECT COST	
PROJECT OWNER	
PROJECT CONTACT	
PROJECT PHONE	
PROJECT FAX	
PROJECT EMAIL	
PROJECT WEBSITE	
PROJECT ADDRESS	
PROJECT CITY	
PROJECT STATE	
PROJECT ZIP	
PROJECT COUNTY	
PROJECT COUNTRY	
PROJECT REGION	
PROJECT CLIMATE	
PROJECT ELEVATION	
PROJECT AREA	
PROJECT PERIMETER	
PROJECT VOLUME	
PROJECT WEIGHT	
PROJECT LENGTH	
PROJECT WIDTH	
PROJECT HEIGHT	
PROJECT DEPTH	
PROJECT DIAMETER	
PROJECT RADIUS	
PROJECT ANGLE	
PROJECT AREA	
PROJECT VOLUME	
PROJECT WEIGHT	
PROJECT LENGTH	
PROJECT WIDTH	
PROJECT HEIGHT	
PROJECT DEPTH	
PROJECT DIAMETER	
PROJECT RADIUS	
PROJECT ANGLE	

LEGEND

- MONITORING WELL LOCATIONS
- SOIL ROSE LOCATIONS
- INVERTED CIRCUMFERENCE FLOW DIRECTION
- RUMP
- SINKER LINE
- SITE TOPOGRAPHY
- MINOR SURFACE STANDING



CONFIDENTIAL

HUGHES AVENUE

BURCH LANE

RESIDENTIAL

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Our Reference : HO7906#HOF48110
Agreement No. : 26068

ENVIRONMENT PROTECTION AUTHORITY (EPA)

VOLUNTARY REMEDIATION PROPOSAL: EPA AGREEMENT

SECTION 26 CONTAMINATED LAND MANAGEMENT ACT 1997 ("the Act")

Service: By Registered Post to Place of Business

To: The Shell Company of Australia Limited (ABN 46004610459)
Durham Street
ROSEHILL NSW 2142

(referred to in this agreement as "the proponent")

Date:

Land: 754 Botany Road, Mascot

The land to which this voluntary agreement relates (referred to in this agreement as 'the site') is described as Lot 4 in Deposited Plan 14834 (commonly known as 754 Botany Road i.e. the service station site at corner of Botany Road and Hughes Avenue, Mascot) and the adjoining impacted areas at Burch Lane in the local government area of Botany Bay City Council. The red line marked on the attached map by URS titled *Groundwater Analytical Summary, Type 1 Analytes*, outlines the site.

Contamination:

Groundwater at the site is contaminated with total petroleum hydrocarbons (TPH) in the fractions C₆-C₉ (including benzene, toluene, ethylbenzene and xylene) that are referred to in this agreement as "the contaminants".

In particular, the EPA has found that:

1. significant petroleum hydrocarbon contamination including separate phase petroleum hydrocarbon is present in the groundwater on the site; and
2. dissolved phase petroleum hydrocarbon contamination extends beyond the western site boundary under Burch Lane.

A map of the extent of the plume is attached.

BACKGROUND:

The proponent has furnished the EPA with a Remedial Action Plan (RAP) for the remediation of the site. The RAP is set out in the report titled *Remedial Action Plan for Coles Express Mascot, corner Botany Road and Hughes Avenue, Mascot, New South Wales*, prepared by Environmental & Earth Sciences and dated September 2004. The RAP, as supplemented by this agreement, is referred to in this agreement as "the proposal".

The RAP sets out the following benchmarks to be attained:

1. petroleum hydrocarbons meet the beneficial use of the aquifer (recreational/aesthetic);
2. secondary source reduction is undertaken to assist mobilisation of the hydrocarbon plume; and
3. phase separated hydrocarbons are reduced and removed to ensure immobilisation of the petroleum plume.

OBJECTIVES:

The overall objectives of this agreement are to achieve the following outcomes:

1. the site is remediated so that the contaminants do not pose a significant risk of harm to human health or the environment; and
2. the site is remediated so that it is suitable for commercial/industrial use as specified in the document *Guidelines for the NSW Auditor Scheme EPA (1998)* (at Column 4 page 30).

PRINCIPAL FEATURES OF THE PROPOSAL:

The principal features of the proposal include, but are not limited to:

1. A trial remediation period of 3 months: The trial will involve the installation of product recovery and nutrient/oxidant injection trenches at the service station and the installation of nutrient/oxidant injection wells at the impacted areas of Burch Lane. The works will be undertaken to evaluate the effectiveness of this remedial strategy.
2. Upon completion of the trial period, development of a two dimensional analytical model to refine the remedial system and evaluate the duration of full-scale remediation of the phase separated hydrocarbon and the dissolved phase hydrocarbon plume.
3. After development of the analytical model, preparation of a final remediation proposal for the site to ensure that the objectives stated in this agreement will be achieved.
4. If the results of the trial under the remedial action plan indicate that the environmental objectives and benchmarks listed under the heading 'Background' and 'Objectives' cannot be achieved, the EPA will require one or more alternative remediation options to be provided to it as part of the final proposal. Reports on progress of the trial must be provided in writing to the auditor for review every two months with the first report due to the auditor 2 months from the date of grant of development consent so that the effectiveness of the trial can be assessed.
5. Submission of the final remediation proposal to an accredited site auditor for review and comment on all aspects of the proposal.
6. Incorporation of the auditor's comment into the final remediation proposal.

7. Submission of the final remediation proposal to the EPA for its consideration within 5 months of the date of grant of development consent for the remediation works. The final remediation proposal must discuss each of the report headings listed in the publication *Guidelines for Consultants Reporting on Contaminated Sites*, EPA (1997), that are applicable to remediation.

General:

The proponent must:

- ensure that all site works comply with SEPP 55 and any Council requirements and take into account any of the relevant issues listed under the heading "Remedial action plan" on page 16 of the *Guidelines for Consultants Reporting on Contaminated Sites*, EPA (1997); and
- ensure that all works and sampling undertaken and reports prepared under this agreement are consistent with Guidelines made or approved by the EPA under section 105 of the Act (a list of these Guidelines is attached).

EPA AGREEMENT:

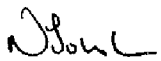
The EPA is satisfied that the terms of the proposal as defined by this agreement are appropriate, and, notes for the purposes of section 26(3) of the Act, that the proponent has undertaken in writing to the EPA not to recover contributions under Part 3, Division 6 of the Act in respect of the remediation carried out under the proposal.

The EPA agrees with the terms of the proposal, and will not issue a remediation order against the proponent in accordance with the provisions of Part 3 of the Act if the remediation is carried out in accordance with the proposal.

LIFETIME OF THE AGREEMENT:

This agreement commences on the date upon which it is signed on behalf of the EPA (which is the date set out on the first page of the agreement). The trial remediation must be completed within 5 months of the date of grant of development consent for the proposed remedial work but not later than 31 May 2005. A further agreement for the complementation of the final remediation proposal will be considered at that time.

Signed

 30/12/2004

NIALL JOHNSTON
Acting Director Contaminated Sites
Department of Environment and Conservation
(by Delegation)

Attachment 1 List of approved Guidelines under s.105 of the CLM Act
Attachment 2 Site map

NOTE:

The EPA is not prevented by this Agreement from making a remediation order against persons (including public authorities) with whom it has made no such Agreement (whether or not they were originally parties to the proposal).

The EPA is not prevented by this Agreement from making a remediation order against the proponent as an appropriate person (as defined in the Act) if, in the opinion of the EPA, the terms of the proposal are not carried out.

Section 58 of the Act requires the EPA to maintain a public record of certain matters. Notification of the making of this Agreement will be included in the public record.

Section 59 of the Act requires the EPA to notify the relevant local council of the making of this Agreement and when the terms of the Agreement have been fulfilled. The council is required to note on any certificate issued pursuant to section 149(2) Environmental Planning and Assessment Act 1979 with respect to the land that the land is subject to a voluntary agreement until the council receives EPA notification that the terms have been fulfilled.

Guidelines made or approved by the EPA under section 105 of the Contaminated Land Management Act 1997

11 November 2003

Guidelines made by the EPA

- *Contaminated Sites: Guidelines for Assessing Service Station Sites*, December 1994.
- *Contaminated Sites: Guidelines for the Vertical Mixing of Soil on Former Broad-Acre Agricultural Land*, January 1995.
- *Contaminated Sites: Sampling Design Guidelines*, September 1995.
- *Contaminated Sites: Guidelines for Assessing Banana Plantation Sites*, October 1997.
- *Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites*, November 1997.
- *Contaminated Sites: Guidelines for the NSW Site Auditor Scheme*, June 1998.
- *Contaminated Sites: Guidelines on Significant Risk of Harm from Contaminated Land and the Duty to Report*, April 1999.

Guidelines approved by the EPA

Australian and New Zealand Environment and Conservation Council

- *Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites*, published by Australian and New Zealand Environment and Conservation Council and the National Health and Medical Research Council (NHMRC), January 1992.
- *Australian Water Quality Guidelines for Fresh and Marine Waters*, Australian and New Zealand Environment and Conservation Council, November 1992, which are only approved for the purposes of contaminated site assessment, investigation, remediation and site auditing under the Contaminated Land Management Act (or other relevant legislation) commenced before September 2001.
- *Australian and New Zealand Guidelines for Fresh and Marine Water Quality*. Australian and New Zealand Environment and Conservation Council and Agriculture and Resource Management Council of Australia and New Zealand, Paper No 4, October 2000.

EnHealth (formerly National Environmental Health Forum monographs)

- *Composite Sampling*, by Lock, W. H., National Environmental Health Forum Monographs, Soil Series No.3, 1996, SA Health Commission, Adelaide.
- *Environmental Health Risk Assessment: Guidelines for assessing human health risks from environmental hazards*, Department of Health and Ageing and EnHealth Council, Commonwealth of Australia, June 2002.

National Environment Protection Council publications

National Environment Protection (Assessment of Site Contamination) Measure 1999

- The Measure includes a policy framework for the assessment of site contamination, Schedule A and Schedule B.

(I) Schedule A

- *Recommended General Process for the Assessment of Site Contamination*.

(II) Schedule B -Guidelines

(1) *Guideline on Investigation Levels for Soil and Groundwater*

(2) *Guideline on Data Collection, Sample Design and Reporting*

(3) *Guideline on Laboratory Analysis of Potentially Contaminated Soils*

(4) *Guideline on Health Risk Assessment Methodology*

(5) *Guideline on Ecological Risk Assessment*

(6) *Guideline on Risk Based Assessment of Groundwater Contamination*

(7a) *Guideline on Health-Based Investigation Levels*

(7b) *Guideline on Exposure Scenarios and Exposure Settings*

(8) *Guideline on Community Consultation and Risk Communication*

(9) *Guideline on Protection of Health and the Environment During the Assessment of Site Contamination*

(10) *Guideline on Competencies & Acceptance of Environmental Auditors and Related Professionals*

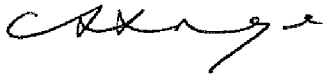
Other documents

- *Guidelines for the Assessment and Clean Up of Cattle Tick Dip Sites for Residential Purposes*, NSW Agriculture and CMPS&F Environmental, February 1996.
- *Australian Drinking Water Guidelines*, NHMRC & Agriculture and Resource Management Council of Australia and New Zealand, 1996.

**Addendum to Voluntary Remediation Proposal:
Environment Protection Authority Agreement No. 26068**

The voluntary remediation agreement dated 30 December 2004 is amended as follows to include a revised completion date for the remediation works.

The clause of the agreement which is headed "Lifetime of the Agreement" is amended by the omission of "31 May 2005" and its replacement by "31 August 2005".



CAROLYN STRANGE
Director Contaminated Sites
Department of Environment and Conservation

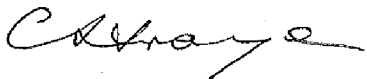
Date:

3 MAY 2005

**Voluntary Remediation Proposal:
Amendment of Environment Protection Authority Agreement No. 26068**

Voluntary remediation agreement no. 26068 dated 30 December 2004 is amended as follows to include a revised completion date for the remediation works.

The clause of the agreement which is headed "Lifetime of the Agreement" is amended by the omission of "30 November 2005" and its replacement by "1 April 2006".



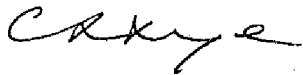
CAROLYN STRANGE
Director Contaminated Sites
Department of Environment and Conservation
Date:

16 NOV 2005

**Addendum to Voluntary Remediation Proposal:
Environment Protection Authority Agreement No. 26068**

The voluntary remediation agreement dated 30 December 2004 is amended as follows to include a revised completion date for the remediation works.

The clause of the agreement which is headed "Lifetime of the Agreement" is amended by the omission of "31 August 2005" and its replacement by "30 November 2005".



CAROLYN STRANGE
Director Contaminated Sites
Department of Environment and Conservation

Date: 12 SEP 2005

Department of Environment, Climate Change and Water NSW

Section 44 Contaminated Land Management Act 1997

Amendment Notice

The Shell Company of Australia Limited
Gate 5, Durham Street
ROSEHILL NSW 2142

BY REGISTERED POST

Attention: Chris Ellis

Notice Number 20094406
File Number FIL10/7505
Date 5 January 2011

AMENDMENT OF NOTICE OF APPROVED VOLUNTARY MANAGEMENT PROPOSAL NO. 26096 SECTION 44 OF THE CONTAMINATED LAND MANAGEMENT ACT 1997

BACKGROUND

- A. The Environment Protection Authority ("EPA") is part of the Department of Environment, Climate Change and Water.
- B. On 28 March 2008, the EPA agreed to a voluntary remediation proposal put forward by Shell Company of Australia Limited under the *Contaminated Land Management Act 1997* ("the Act") for particular land at Mascot.
- C. As a result of the commencement of Schedule 1 [61] to the *Contaminated Land Management Amendment Act 2008* on 1 July 2009, all references in that agreement and proposal to:
- (i) the voluntary remediation proposal are taken to be references to an approved voluntary management proposal; and
 - (ii) a party to the voluntary remediation proposal are taken to be references to an approved party.
- All references in the approval and proposal should now be read in accordance with those changes.
- D. As a result of those changes, the agreement and proposal are now taken to be Approved Voluntary Management Proposal No. 26096.
- E. It has recently come to the EPA's attention that the approved proposal does not specifically list all of the lots to which the approved proposal applies.
- F. The approved proposal identifies the land to which it applies by reference to a map. The land identified in that map includes a number of lots. However, only one of those lots is specifically listed in the approved proposal.
- G. The EPA intends to amend the approved proposal to clearly list the lots to which it applies.

AMENDMENT OF NOTICE OF APPROVED VOLUNTARY MANAGEMENT PROPOSAL NO. 26096

1. By this notice, I, Niall Johnston, amend the Notice of Approved Voluntary Management Proposal No. 26096 ("Approved VMP") as set out in the Appendix. The Appendix contains a copy of the provisions of the Approved VMP marked with the amendments that are made to it by this notice.
2. The amendments to the Approved VMP are indicated in the following way:
 - if a strike through mark appears through any word or other text (eg. ~~Solid~~ or ~~or~~) this indicates that the

word or other text is deleted from the Approved VMP by this notice; and

- if a underline appears under any word or other text (eg. must be treated) this indicates that the word or other text is added to the Approved VMP by this notice.

[Signed]

.....

Niall Johnston

Manager, Contaminated Sites

(by Delegation)

INFORMATION ABOUT THIS NOTICE

- This notice is issued under section 44 of the Act.
- Details provided in this notice, along with an updated version of the Approved VMP, will be available on the EPA's Record of Contaminated Land Notices:

<http://www.environment.nsw.gov.au/clmapp/aboutregister.aspx> in accordance with section 58 of the Act.

When this notice begins to operate

- The amendments to the Approved VMP specified in this notice will begin to operate immediately from the date of this notice.

Section 44 Contaminated Land Management Act 1997

Amendment Notice – Appendix

Environment Protection Authority (EPA)

AGREEMENT NOT TO ISSUE ORDER DURING COMPLIANCE WITH A VOLUNTARY PROPOSAL

(Section 26 of the Contaminated Land Management Act 1997)

Agreement No.: 26096

Agreement Date: 28 March 2008

Area No.: 3192

This agreement relates to the attached proposal, which comprises three Parts: Part 1 – Preliminary Details; Part 2 – Undertakings; and Part 3 – Performance Schedule.

Proponent: Shell Company of Australia Ltd

Site: Lot 4 in Deposited Plan 14834, Lot 5 in Deposited Plan 14834, Lot A in Deposited Plan 438865, Lot B in Deposited Plan 438865, Lot 1 in Deposited Plan 336107 and Lot 1 in Deposited Plan 656406 (together known as Shell Coles Express, 754 Botany Road Mascot NSW) and impacted areas at Burch Lane Mascot

Proposal Date:

1. The EPA is satisfied that the terms of the proposal are appropriate.
2. The EPA notes for the purposes of section 26 of the *Contaminated Land Management Act 1997* (CLM Act) that the proponent has undertaken in writing to the EPA not to recover contributions under Part 3, Division

6 of the CLM Act in respect of implementation of the proposal.

3. The EPA agrees, in accordance with the provisions of Part 3 of the CLM Act, that it will not issue a remediation order against the proponent if and for so long as the proposal is complied with.
4. The EPA may issue a remediation order against the proponent in accordance with the CLM Act if the EPA is not satisfied that the proposal is being or has been complied with.
5. The EPA is not prevented by this agreement from making a remediation order against persons (whether or not they were originally parties to the proposal and including public authorities) other than the proponent.
6. The EPA is not prevented by this agreement from exercising its powers under the *Protection of the Environment Operations Act 1997* in relation to activities conducted in association with or under the proposal.
7. Each component of the proposal, as described in the proposal is to be completed by the date specified in the proposal. Failure to satisfactorily complete any component by the due date for that component may be taken as a failure to carry out the terms of the proposal for the purposes of section 27 of the CLM Act.
8. This agreement takes effect on the "Agreement Date" specified above and continues in effect subject to satisfactory performance and progress with implementation of the proposal.

[Signed]

A/Manager Contaminated Sites
Department of Environment and Climate Change (NSW)

Note: On 21 March 2012 Sydney Water provided an [update on actions required under this Order](#).

Environment Protection Authority

Remediation order

Section 23 of the Contaminated Land Management Act 1997

HO1833
23004/ Area #3151

Service: By Registered Mail to Registered Office and Principal Place of Business

Sydney Water Corporation (ABN)
115-123 Bathurst Street
SYDNEY NSW 2000

Attention: Managing Director

Background

- A. On 25 August 2000 the Environment Protection Authority ("EPA") declared the bed sediments of the Alexandra Canal between Huntley Street, Alexandria and the junction of Alexandra Canal with the Cooks River at Mascot, being Lot 1 DP 532493, Lot 1 DP749404 and Lot 3 DP878489 ("the site") within the local government areas of Botany Bay, Marrickville and South Sydney as a remediation site.
- B. The bed sediments at the site have been found to be contaminated with chlorinated hydrocarbons including organochlorine pesticides (chlordane, total DDT and dieldrin), polychlorinated biphenyls (PCBs) and metals ("the contaminants") in such a way as to present a significant risk of harm to human health and the environment.
- C. The EPA has considered the matters in s.9 of the Contaminated Land Management Act ("the Act") and found that the contamination at the site presents a significant risk of harm because
 - Harm is being caused to the benthic biota that is in contact with the contaminants in the sediments;
 - Harm may be caused to humans from the increased risk associated with the consumption of contaminated fish; and
 - Disturbance of the sediments would mobilise the contaminants and hence increase the risk of harm.
- D. The EPA has considered all submissions made as to whether an order should be made.
- E. There are no other persons who are required to be served with a copy of this order for the purposes of s.24(3) of the Act.

Action required by this order

By this order, the EPA orders Sydney Water Corporation ("Sydney Water"), being the owner of the site, to do the following:

1. Sydney Water must refrain from carrying out, or from causing, permitting or allowing its agents, contractors, licensees or lessees from carrying out, any works or activities on the bed sediments of the site that would result in the disturbance, or further disturbance, of the bed sediments except as provided by this Order.

Examples of the types of works or activities that may come within the scope of this Order include construction and maintenance work relating to dredging activities or boating facilities (such as piers, wharves, slipways or marinas).

2. Prior to the conduct of works or activities coming within the terms of requirement 1, Sydney Water must prepare and submit for the EPA's approval a written plan directed at minimising the disturbance and migration of contaminated sediments at the site. The EPA may approve the plan or aspects of the plan as submitted or approve the plan subject to a requirement that additional mitigation measures must be implemented.

This provision is waived for emergency works that are required to protect the safety or property of persons involved in the emergency (eg repairs to collapsed canal wall during flood). In this case the EPA must be notified of the situation and the actions being undertaken.

3. Any works or activities the subject of an approved plan must be performed in accordance with the plan.
4. The plan submitted to the EPA for its approval must be prepared in accordance with the EPA publication titled *Guidelines for Consultants Reporting on Contaminated Sites*, dated November 1997, as it relates to investigation and or remedial action plans.
5. Sydney Water must also, as far as reasonable, ensure that other persons who may carry out works or activities on the bed sediments of the site are made aware of this Order and are advised not to do anything inconsistent with the Order. Without limiting what Sydney Water is required to do to comply with this requirement, it must
 - a) develop and implement an information campaign to alert people near the site to the requirements of this Order;
 - b) erect signs along the length of the canal at 1 kilometre intervals to alert users of the canal about the requirements of this Order;
 - c) liaise with and provide information to relevant councils about the

requirements of this Order.

6. A copy of the documentation recording the information campaign must be provided to the EPA by (date to be inserted).

[SIGNED]

CAROLYN STRANGE

Director Contaminated Sites

Department of Environment and Conservation

(by Delegation)

Date: 10 May 2004

NOTE:

Relationship to other regulatory instruments

This Order does not affect the requirement to comply with the provisions of any applicable environmental planning instruments, pollution reduction programs or the provisions of any other environmental protection legislation administered by the EPA.

Failure to comply with this Order

It is an offence to fail to comply with a remediation order. Heavy penalties may be imposed if you are convicted of this offence by the Land and Environment Court.

Information recorded by the EPA

Section 58 of the Contaminated Land Management Act 1997 requires the EPA to maintain a public record. A copy of this remediation order will be included in the public record.

Information recorded by councils

Section 59 of the Act requires the EPA to notify the relevant local council as soon as practicable after an order is made. The council is then required to note on its planning certificate issued pursuant to s.149(2) of the Environmental Planning and Assessment Act that the land is currently subject to a remediation order. The EPA is required to notify council as soon as practicable when the order is no longer in force and the notation on the s.149(2) certificate can be removed.

Guidelines made by the EPA

- Contaminated Sites: [Guidelines for Assessing Service Station Sites](#), December 1994
- Contaminated Sites: [Guidelines for the vertical mixing of soil on former broad-acre agricultural land](#), January 1995 (vertmix.pdf, 149kb, requires [acrobat reader](#))
- Contaminated Sites: *Sampling Design Guidelines*, September 1995
- Contaminated Sites: [Guidelines for Assessing Banana Plantation Sites](#), October 1997
- Contaminated Sites: *Guidelines for Consultants Reporting on Contaminated Sites*, November 1997
- Contaminated Sites: *Guidelines for the NSW site auditor scheme*, June 1998
- Contaminated Sites: [Guidelines on Significant Risk of Harm from Contaminated Land and the Duty to Report](#), April 1999 (sroh.pdf, 164kb, requires [acrobat reader](#))

Note: All references in the EPA's contaminated sites guidelines to the *Australian Water Quality Guidelines for Fresh and Marine Waters* (ANZECC, November 1992) are replaced as of 6 September 2001 by references to the *Australian and New Zealand Guidelines for Fresh and Marine Water Quality* (ANZECC and ARMCANZ, October 2000), subject to the same terms.

Guidelines approved by the EPA ANZECC publications

- *Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites*, published by Australian and New Zealand Environment and Conservation Council (ANZECC) and the National Health and Medical Research Council (NHMRC), January 1992
- *Australian Water Quality Guidelines for Fresh and Marine Waters*, Australian and New Zealand Environment and Conservation Council (ANZECC), November 1992, which are only approved for the purposes of contaminated site assessment, investigation, remediation and site auditing under the Contaminated Land Management Act (or other relevant legislation) commenced before September 2001
- *Australian and New Zealand Guidelines for Fresh and Marine Water Quality*, Australian and New Zealand Environment and Conservation Council and Agriculture and Resource Management Council of Australia and New Zealand, Paper No 4, October 2000

EnHealth publications (formerly National Environmental Health Forum monographs)

- *Composite Sampling*, by Lock, W. H., National Environmental Health Forum Monographs, Soil Series No.3, 1996, SA Health Commission, Adelaide
- *Environmental Health Risk Assessment: Guidelines for assessing human health risks from environmental hazards*, Department of Health and Ageing and EnHealth Council, Commonwealth of Australia, June 2002

National Environment Protection Council publications

- *National Environment Protection (Assessment of Site Contamination) Measure 1999*

The Measure consists of a policy framework for the assessment of site contamination, Schedule A (*Recommended General Process for the Assessment of Site Contamination*) and Schedule B (*Guidelines*). Schedule B guidelines include:

B(1) *Guideline on Investigation Levels for Soil and Groundwater*

B(2) *Guideline on Data Collection, Sample Design and Reporting*

B(3) *Guideline on Laboratory Analysis of Potentially Contaminated Soils*

B(4) *Guideline on Health Risk Assessment Methodology*

B(5) *Guideline on Ecological Risk Assessment*

B(6) *Guideline on Risk Based Assessment of Groundwater Contamination*

B(7a) *Guideline on Health-Based Investigation Levels*

B(7b) *Guideline on Exposure Scenarios and Exposure Settings*

B(8) *Guideline on Community Consultation and Risk Communication*

B(9) *Guideline on Protection of Health and the Environment During the Assessment of Site Contamination*

B(10) *Guideline on Competencies & Acceptance of Environmental Auditors and Related Professionals*

Other documents

- *Guidelines for the Assessment and Clean Up of Cattle Tick Dip Sites for Residential Purposes*, NSW Agriculture and CMPS&F Environmental, February 1996
- *Australian Drinking Water Guidelines*, NHMRC & Agriculture and Resource Management Council of Australia and New Zealand, 1996

Environment Protection Authority

Declaration of remediation site

Section 21 of the Contaminated Land Management Act 1997

Declaration Number 21008 / Area # 3151

The Environment Protection Authority (EPA) declares the following land to be a remediation site under the Contaminated Land Management Act 1997 ("the Act"):

1. Land to which this declaration applies ("the site")

The bed of the Alexandra Canal between Huntley Street, Alexandria and the junction of Alexandra Canal with the Cooks River at Mascot, being Lot 1 DP 532493, Lot 1 DP749404 and Lot 3 DP878489 within the local government areas of Botany Bay, Marrickville and South Sydney .

2. Nature of the substances causing the contamination ("the contaminants"):

Chlorinated hydrocarbons including organochlorine pesticides (chlordane, total DDT and dieldrin), polychlorinated biphenyls (PCBs) and metals in the bed sediments of the Canal.

3. Nature of harm that the substance may cause:

The EPA has considered the matters in s.9 of the Act and found that:

- The contaminants would not be expected to occur naturally at this site or in the elevated concentrations found;
- Environmental harm has occurred and there is a lack of benthic (sediment dwelling) biota at the site;
- The concentration of PCBs present in fish taken from the canal exceed the maximum residue levels as set by the National Food Authority;
- Concentrations of the contaminants in fish tissue and sediments greatly exceed applicable guidelines;
- PCBs, organochlorine pesticides and lead are classifiable as human carcinogens;
- PCBs and organochlorine pesticides have bioaccumulated in fish tissue and therefore there is a potential for tissue concentrations of these chemicals to increase as the chemical is transferred from one trophic level to the next (i.e. biomagnification);
- Changes in the approved use of the land around the canal increases the risk of harm;
- There are indications that off-site migration of the contaminants has occurred into the Cooks River. Further off site migration into Botany Bay is possible; and
- Disturbance of the sediments through use of the canal would mobilise the contaminants and hence increase the risk of harm.

The EPA has found that the site is contaminated with chlorinated hydrocarbons and metals in such a way as to present a significant risk of harm to human health and the environment. There is a significant risk that:

- Harm is being caused to the benthic biota that is in contact with the contaminants in the sediments;
- Harm may be caused to humans from the increased risk associated with the consumption of contaminated fish; and
- Disturbance of the sediments would mobilise the contaminants and hence increase the risk of harm.

4. Further action under the Act

The making of this declaration does not prevent the carrying out of a voluntary remediation of the site and any person may submit a voluntary remediation proposal for the site to the EPA. If the proposal satisfies the requirements of s.26 of the Act, the EPA may agree not to issue a remediation order to the person or persons bringing the proposal.

5. Submissions invited

The EPA advises that the public may make written submissions to the EPA on:

- Whether the EPA should issue a remediation order in relation to the site or
- Any other matter concerning the site.

Submissions should be made in writing to:

Director Contaminated Sites
Environment Protection Authority
PO Box A290
SYDNEY SOUTH NSW 1232
or faxed to: 02 9995 5999

by not later than **22 September 2000**.

(signed 25 August 2000)

CATHY DYER

Director Contaminated Sites

ENVIRONMENT PROTECTION AUTHORITY

(by Delegation)

Date: 25 August 2000

NOTE:

Remediation order may follow

If remediation of the site or part of the site is required, the EPA may issue a remediation order under s.23 of the Act.

Variation/Revocation

This declaration remains in force until it is otherwise varied or revoked. A declaration may only be revoked when the EPA does not have reasonable grounds to believe that land is contaminated in such a way as to present a significant risk of harm (s.44 of the Act).

Information recorded by the EPA

S.58 of the Contaminated Land Management Act 1997 requires the EPA to maintain a public record. A copy of this remediation declaration will be included in the public record.

Information recorded by councils

S.59 of the Act requires the EPA to give a copy of this declaration to the relevant local council. The council is then required to note on its planning certificate issued pursuant to s.149 (2) of the Environmental Planning and Assessment Act that the land is currently within a declaration area. The EPA is required to notify council as soon as practicable when the declaration is no longer in force and the notation on the s.149 certificate removed.



Healthy Environment, Healthy Community, Healthy Business

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Search results

Your search for: LGA: Marrickville Council

Matched 13 notices
relating to 5 sites.

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Suburb	Address	Site Name	Notices related to this site
Camperdown	Ross Street, Salisbury Lane and Cardigan Lane	O'Dea Reserve (Former Landfill)	1 former
Marrickville	22-28 Carrington Road	TRW Marrickville	1 current and 1 former
St Peters	53 Barwon Park Road	Former Drum Reconditioning Facility	2 current
Tempe	Off Swamp Road	Alexandra Canal	2 current
Tempe	Swamp Road and other lots	Tempe Tip	5 current and 1 former

Page 1 of 1

29 April 2015

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Environment Protection Authority

Maintenance of remediation notice

Sections 28 of the Contaminated Land Management Act 1997

REGISTERED MAIL

"Name withheld"

Gem Fashion Group Australia Pty Ltd
10 Carrington Rd
MARRICKVILLE NSW 2204

Notice Number: 28030

Area Number: 3167

This notice is issued under Section 28 of the Contaminated Land Management Act 1997 to the "recipient", Gem Fashion Group Australia Pty Ltd (ACN 001 973 100).

It requires the "recipient", as the owner of the land referred to below, to maintain remediation action on that land in accordance with the requirements set out in this notice.

1. Land to which this notice applies ("the land")

This notice applies to the land located at 22-28 Carrington Road, Marrickville NSW, being Lot 13-21/11 in DP 1551, Lot 23-42/11 in DP 1551, Lot 7-10/11 in DP 1551, Lot 5-7 in DP 131023, Lot 1 in DP 201474, Lot A in DP 332661, Lot B in DP 332661, Lot B in DP 340589, Lot 1 in DP 430308, Lot 1 in DP 511827, Lot 1 in DP 572029, Lot 1 in DP 702138, and Lot 547 in DP 752049.

2. Commencement of maintenance of remediation

This notice takes effect on the date it is issued and continues in force until it is otherwise varied or revoked.

3. Maintenance requirements

The Environment Protection Authority (EPA) requires the recipient of this notice to comply with the Environmental Management Plan (EMP) titled:

"Former TRW Facility 22-28 Carrington Road, Marrickville, Environmental Management Plan"
prepared by Environmental Resources Management Pty Ltd (April 2006).

The EMP has been prepared to establish procedures and practices for the ongoing environmental management of the site. The procedures are aimed at ensuring that the hydrocarbon contaminated soil and groundwater located at depth at some places on the site does not pose a risk and the site remains safe for ongoing commercial/industrial users.

The EMP provides guidance to builders and contractors and other site workers who may access the soil beneath the building and specifically addresses the need to prevent disturbance of the deeper soils and groundwater and sets out procedures during future commercial/industrial development of the site.

4. Notification of change of owner/occupier

At least 30 days prior to the recipient selling, transferring, leasing or otherwise relinquishing

ownership or occupation of the land or any part of the land, the recipient must give written notification of this to the EPA and provide the EPA with the name and contact details of the prospective owner or occupier.

[Signed]

NIALL JOHNSTON
Acting Manager Contaminated Sites
Department of Environment and Conservation
(by Delegation)

DATE: 6 October 2006

NOTE:

Breaches of this Notice

A person who fails to comply with a notice issued under section 28 of the Act is guilty of an offence. Heavy penalties may be imposed where a person fails to comply with directions given in a notice issued under section 28 of the Act.

Information recorded by EPA

Section 58 of the Contaminated Land Management Act 1997 and clause 6 of the Contaminated Land Management Regulation 1998 requires the EPA to maintain a public record. A copy of this notice will be included in the public record.

FILE COPY

Our Reference : Agreement No. 26014#3167
File No. HO2693

ENVIRONMENT PROTECTION AUTHORITY (EPA)

**VOLUNTARY REMEDIATION PROPOSAL:
EPA AGREEMENT**

14 SEP 2002

SECTION 26 CONTAMINATED LAND MANAGEMENT ACT 1997

Service: By Registered Mail to Place of Business

To:

TRW Australia Holdings Ltd

ABN: 28 000 280 491

(referred to in this agreement as "the proponent")

c/- Environmental Resources Management Australia Pty Ltd ("ERM")

ABN: 12 002 773 248

Building C, 33 Saunders Street

PYRMONT NSW 2009

Date:

LAND

- The land to which this agreement relates is:
 - the area located at 22-28 Carrington Road, NSW, which consists of the following Lots (referred to in this agreement as "the site" and a detailed description of which is included as Attachment 1):
 - Lots 7 to 10, Section 11, in DP 1551;
 - Lots 13 to 21, section 11, in DP 1551;
 - Lots 23 to 42, Section 11, in DP 1551;
 - Lot 1 in DP 121668;
 - Lots 5 to 7 in DP 131023;
 - Lot 1 in DP 201474;
 - Lots A and B in DP332661;
 - Lot B in DP340589;
 - Lot 1 in DP430308;
 - Lot 1 in DP 511827;
 - Lot 1 in DP572029;
 - Lot 1 in DP702138;
 - Lot 547 in DP752049;
 - the land referred to in Deed of Conveyance Book 1892 No. 987;
 - the land referred to in Deed of Conveyance Book 2835 No. 644; and

Environment Protection Authority

PO Box A290 Sydney South NSW 1232 Australia

Telephone 61 2 9995 5000

Facsimile 61 2 9995 5999

www.epa.nsw.gov.au

59-61 Goulburn Street Sydney NSW 2000 N:\Regulatory Units\26 voluntary remed agreements\Marrickville TRW s26.doc

- the area owned by the State Rail Authority (SRA) bounded by 22 to 28 Carrington Road and the drainage canal adjacent to the Cronulla Railway Line between Renwick Street and Richardson Street, Marrickville (referred to in this agreement as "the SRA land").
- The location and layout of the site and the SRA land is shown in Figures 1 and 2 of Attachment 1.

CONTAMINATION

Soils and groundwater at the site are contaminated with a range of contaminants, including:

- Total Petroleum Hydrocarbons (TPH);
- Polycyclic Aromatic Hydrocarbons (PAHs);
- Inorganics (arsenic, cadmium, chromium, copper, lead, mercury, nickel and zinc); and
- Volatile Halogenated Compounds (VHCs).

Soils and groundwater at the SRA land are contaminated with a range of contaminants, including:

- Total Petroleum Hydrocarbons (TPH); and
- Polycyclic Aromatic Hydrocarbons (PAHs).

BACKGROUND

ERM on behalf of the proponent has prepared the following reports outlining the environmental status of the site and the SRA land:

- Environmental Due Diligence Audit (ERM 1998);
- Environmental Site Assessment (ERM 1999);
- Additional Soil and Groundwater Assessment (ERM 1999);
- Soil and Groundwater Quality Summary Report (ERM 2000);
- Fate and Transport Model for Contaminants of Concern at TRW Marrickville Facility (ERM 2000); and
- Additional Delineation of VHCs and PAHs (ERM 2000).

ERM on behalf of the proponent has prepared the following documents outlining the proposal to remediate the site and the SRA land ("the proposal").

- Former TRW Steering and Suspension Australia Site, Marrickville NSW - Remedial Action Plan" Report - No. 100057RP2fd by ERM dated October 2000.
- Letter from ERM dated 11 December 2000 containing the timetable for remedial works and the environmental outcomes that will be achieved.
- Voluntary Remediation Proposal Addendum, TRW Marrickville Site by ERM dated 27 June 2001;
- Revised Voluntary Remediation Proposal Addendum, TRW Marrickville Site by ERM dated 9 July 2001; and
- Update on Remediation Activities, "Remedial Action Plan, Former TRW Steering and Suspension Facility, Marrickville" dated 12 October 2001.

A copy of the title and contents pages of the first document, a copy of the covering letter and first page of the second document and copies of the whole of the third, fourth and fifth of document are provided in Attachment 2.

OBJECTIVES

The objectives of the proposal are to achieve the following outcomes within the timeframes as specified in this agreement:

Soil

- For the SRA land:
 - removal and off-site disposal of soil which contains contaminants at concentrations in excess of *National Environmental Protection (Assessment of Site Contamination) Measure 1999, Table 5-A Health Investigation Levels, 'F' Commercial Industrial Use*

and the *Guidelines for Assessing Service Station Sites, Table 3 – Threshold Concentrations for sensitive land use - soils* (NSW EPA 1994); and

- installation of a barrier wall to contain contaminated soils that remain in situ on the site.

2. For the site:

- removal and disposal of an underground storage tank (UST) and any associated TPH impacted soils;
- where possible, removal and off-site disposal of soil which contains contaminants at concentrations in excess of *National Environmental Protection (Assessment of Site Contamination) Measure 1999, Table 5-A Health Investigation Levels, 'F' Commercial Industrial Use* and the *Guidelines for Assessing Service Station Sites, Table 3 – Threshold Concentrations for sensitive land use - soils* (NSW EPA 1994); and
- where soil removal is not possible and remains in-situ due to the presence of structures, the conduct of a residual contamination impact assessment (see below) to determine whether the residual contamination remaining in situ poses a significant risk of harm to human health or the environment.

Groundwater

1. For the SRA land, removal and disposal of soil which contains contaminants such that groundwater on this land meets the relevant criteria in the *Australian and New Zealand Guidelines for Fresh and Marine Water Quality* (ANZECC/ARMCANZ 1992) and *Guidelines for Assessing Service Station Sites* (NSW EPA 1994).
2. For the site:
 - extraction of free-phase TPH from groundwater;
 - removal of a UST and associated TPH impacted soil; and
 - where possible, removal and disposal of contaminated soil that has the potential to impact on groundwater.
3. Installation of monitoring wells to replace those removed during soil excavation activities.
4. Ongoing monitoring to assess the potential for migration of contaminants in groundwater beyond the boundary of the site at concentrations in excess of *Australian and New Zealand Guidelines for Fresh and Marine Water Quality* (ANZECC/ARMCANZ 1992) and *Guidelines for Assessing Service Station Sites* (NSW EPA 1994).

Soil and Groundwater

1. Evaluation of the need for additional remediation measures to ensure:
 - that the site and the SRA land is suitable for ongoing commercial/industrial use;
 - that the level of contaminants in groundwater meet the relevant criteria in the *Australian and New Zealand Guidelines for Fresh and Marine Water Quality* (ANZECC/ARMCANZ 1992) and *Guidelines for Assessing Service Station Sites* (NSW EPA 1994) for the protection of aquatic ecosystems at the site boundary;
 - that the site and the SRA land do not pose a significant risk of harm to human health or the environment;
 - and the implementation of such necessary measures.
2. Ensuring that:
 - the site and the SRA land are suitable for ongoing commercial/industrial use;
 - for the SRA land, the level of contaminants in groundwater meet the relevant criteria in the *Australian and New Zealand Guidelines for Fresh and Marine Water Quality* (ANZECC/ARMCANZ 1992) and *Guidelines for Assessing Service Station Sites* (NSW EPA 1994) for the protection of aquatic ecosystems;
 - for the site, the level of contaminants in groundwater meet the relevant criteria in the *Australian and New Zealand Guidelines for Fresh and Marine Water Quality* (ANZECC/ARMCANZ 1992) and *Guidelines for Assessing Service Station Sites* (NSW EPA 1994) for the protection of aquatic ecosystems at the site boundary; and
 - the site and the SRA land do not pose a significant risk of harm to human health or the environment.

3. Preparation of a final report in the form of a site audit statement and summary site audit report by a site auditor accredited under the Contaminated Land Management Act 1997 ("CLM Act") determining whether the site is suitable for commercial/industrial use.

PRINCIPAL FEATURES OF THE PROPOSAL

The EPA's agreement to the proposal is subject to the following conditions.

1. Soil

A. Excavation and Removal of Underground Storage Tank ("UST") and associated Contaminated Soils (to be completed by 31 January 2002)

- The soil around the UST ("the tankpit"), shown as "Tank to be removed" in Figure 3 of Attachment 1, must be excavated and the UST must be removed and disposed of at an appropriate facility.
- The walls of the tankpit excavation and any soil remaining in the tankpit excavation must be assessed and validated in accordance with the *Sampling Design Guidelines* (NSW EPA 1995), *Guidelines for the NSW Auditor Scheme* (NSW EPA 1998), *National Environmental Protection (Assessment of Site Contamination) Measure 1999, Table 5-A Health Investigation Levels, 'F' Commercial Industrial Use* and the *Guidelines for Assessing Service Station Sites, Table 3 – Threshold Concentrations for sensitive land use – soils* (NSW EPA 1994).
- Soils removed from the tankpit excavation must be assessed and validated in accordance with the *Sampling Design Guidelines* (NSW EPA 1995), *Guidelines for the NSW Auditor Scheme* (NSW EPA 1998), *National Environmental Protection (Assessment of Site Contamination) Measure 1999, Table 5-A Health Investigation Levels, 'F' Commercial Industrial Use* and the *Guidelines for Assessing Service Station Sites, Table 3 – Threshold Concentrations for sensitive land use – soils* (NSW EPA 1994).
- Soil assessed to satisfy the criteria for commercial/industrial sites and that will not contaminate groundwater such that the concentrations of contaminants exceed relevant criteria at the site boundary can be placed back in the tank pit excavation.
- Soil assessed as not satisfying these criteria must be disposed of off-site (at an appropriate waste facility), in accordance with the *Environmental Guidelines: Assessment, Classification & Management of Liquid & Non-liquid Wastes* (NSW EPA 1999).
- Fill material to be imported to backfill the tankpit excavation must be sampled in accordance with the *Sampling Design Guidelines* (NSW EPA 1995), *Guidelines for the NSW Auditor Scheme* (NSW EPA 1998), *National Environmental Protection (Assessment of Site Contamination) Measure 1999, Table 5-A Health Investigation Levels, 'F' Commercial Industrial Use* and the *Guidelines for Assessing Service Station Sites, Table 3 – Threshold Concentrations for sensitive land use – soils* (NSW EPA 1994) prior to placement in the excavation.

B. Excavation and Disposal of Contaminated Soil in Southern Portion of the Site and the SRA land (to be completed by 28 February 2002)

- The areas highlighted in Figure 4 of Attachment 1 must be excavated for off-site disposal in accordance with the following procedures.
- Excavation must be conducted until groundwater is encountered, or until soil assessment and validation indicates that excavation to additional depths is not required.
- Soils removed from the excavations must be assessed and validated in accordance with the *Sampling Design Guidelines* (NSW EPA 1995), *Guidelines for the NSW Auditor Scheme* (NSW EPA 1998), *National Environmental Protection (Assessment of Site Contamination) Measure 1999, Table 5-A Health Investigation Levels, 'F' Commercial Industrial Use* and *Guidelines for Assessing Service Station Sites, Table 3 – Threshold Concentrations for sensitive land use – soils* (NSW EPA 1994).

- Soil assessed to satisfy the criteria for commercial/industrial use and that will not contaminate groundwater such that the concentrations of contaminants exceed relevant criteria at the site boundary or on the SRA land can be placed back in the excavations.
- Soil assessed as not satisfying the criteria for commercial/industrial use must be disposed directly to a waste facility that may lawfully receive that material, in accordance with the *Environmental Guidelines: Assessment, Classification & Management of Liquid & Non-liquid Wastes* (NSW EPA 1999) and the Protection of the Environment Operations Act 1997 ("POEO Act").
- Soil sampling for the purposes of assessment and validation must be conducted at the boundaries of the excavation areas in accordance with the *Sampling Design Guidelines* (NSW EPA 1995), *Guidelines for the NSW Auditor Scheme* (NSW EPA 1998), *National Environmental Protection (Assessment of Site Contamination) Measure 1999, Table 5-A Health Investigation Levels, 'F' Commercial Industrial Use* and the *Guidelines for Assessing Service Station Sites, Table 3 – Threshold Concentrations for sensitive land use – soils* (NSW EPA 1994).
- If the areas to be excavated are confined by structures and site boundaries that prevent excavation in the vicinity of those structures and beyond those site boundaries, and concentrations at the outer limits of the excavation that has been possible exceed relevant guidelines, a residual contamination impact assessment (as described below) must be used to evaluate the residual concentrations and need for additional remedial activities.
- Fill material to be imported to backfill the excavations must be sampled in accordance with the *Sampling Design Guidelines* (NSW EPA 1995), *Guidelines for the NSW Auditor Scheme* (NSW EPA 1998), *National Environmental Protection (Assessment of Site Contamination) Measure 1999, Table 5-A Health Investigation Levels, 'F' Commercial Industrial Use* and the *Guidelines for Assessing Service Station Sites, Table 3 – Threshold Concentrations for sensitive land use – soils* (NSW EPA 1994) prior to placement in the excavations.

C. Barrier Wall Installation Along Southeastern Portion of the Site (to be completed by 28 February 2002)

- Following the completion of excavation activities along the canal, a barrier wall must be installed along the eastern property boundary in Figure 5.
- The barrier wall must be designed and installed to contain impacted soil that will remain in situ beneath structures in the southern portion of the site.

D. Residual Contamination Impact Assessment and Reporting (to be completed by 31 March 2002)

- Following completion of the soil excavation activities and the installation of the barrier wall (see 1B and 1C above), the proponent must:
 - conduct a residual contamination impact assessment consisting of a logical, systematic assessment to identify the following matters:
 - the toxicity of any contaminants of concern remaining on the site;
 - the mobility of these contaminants;
 - any sensitive receptors which may be exposed to these contaminants;
 - any exposure pathways to these sensitive receptors; and
 - prepare a report setting out the results of the above assessment; and
 - engage a site auditor accredited under the Contaminated Land Management Act ("CLM Act") to review the adequacy of the residual contamination impact assessment report; and
 - incorporate the site auditor's recommendations into the residual contamination impact assessment report; and
 - notify the EPA of any exceptions to the above such as unexpected contamination encountered.

E. Additional Soil Remediation Strategy (to be completed by 30 April 2002)

- If the residual contamination impact assessment indicates that the site and/or the SRA land is not suitable for commercial or industrial use, or that a significant risk of harm may still be present, the proponent must:
 - evaluate strategies for addressing the remaining soil contamination issues;
 - prepare an additional soil remediation strategy which details the:
 - concentrations of contamination remaining;
 - proposed remediation strategy and time frame for its implementation; and
 - anticipated timeframe for it to reduce the concentration of contaminants to below relevant criteria as stated in this Voluntary Remediation Agreement;
 - engage a site auditor accredited under the CLM Act to review the adequacy of the additional soil remediation strategy; and
 - incorporate the site auditor's recommendations into the additional soil remediation strategy.

2. Groundwater

A. Remediation of Free-Phase TPH in Groundwater on the site (ongoing through 2002)

- Existing monitoring wells MW7 and MW15 as indicated on Figure 6 of Attachment 1, and any other wells as may be necessary must be used to extract phase separated hydrocarbons (PSH) from the subsurface.
- The PSH must be recovered by installation of skimmer pumps at these monitoring well locations.
- Liquids removed at these locations can be temporarily stored on-site prior to disposal at a lawful off-site waste facility.
- Periodic pumping of these wells must continue until PSH has been reduced to non-detectable levels at these well locations.

B. Monitoring Well Installation (to be completed by 31 January 2002)

- Following the completion of excavation activities as set out in 1B along the drainage canal and installation of the barrier wall, at least two additional monitoring wells must be installed between the barrier wall and the drainage canal as indicated in Figure 6 of Attachment 1.
- These additional wells must be used to monitor off-site contaminant concentrations as part of the groundwater monitoring program described below.

C. Groundwater Monitoring Program (ongoing through 2002)

- Following completion of the soil remediation and barrier wall installation activities, a groundwater monitoring program must be instituted at the site to monitor contaminant concentrations in groundwater at the site.
- The proposed groundwater monitoring well network is shown in Figure 6 of Attachment 1 with the analytical program presented in Table 1.
- The program must be conducted on a quarterly basis for 12 months at the end of which time the frequency of analysis and analytical requirements will be re-evaluated by the EPA.
- The program must be used to monitor the contaminants in groundwater at the site and assess whether contaminants are or have the potential to migrate off-site at concentrations in excess of *Australian and New Zealand Guidelines for Fresh and Marine Water Quality* (ANZECC/ARMCANZ 1992 and *Guidelines for Assessing Service Station Sites* (NSW EPA 1994).

D. Interim Groundwater Reporting (to be completed by 28 February 2003)

- The proponent must:
 - prepare an interim groundwater monitoring report containing:
 - the results of the groundwater monitoring program (both a summary and a copy of the full laboratory results);
 - a clear indication as to whether or not any of the contaminants are continuing to, or have the potential to exceed the relevant criteria as stated in this VRA; and
 - a comprehensive rationale for any conclusions regarding whether or not any of the contaminants are continuing to, or have the potential to exceed the relevant criteria;
 - engage a site auditor accredited under the CLM Act to review the interim groundwater monitoring report; and
 - incorporate the site auditor's recommendations into the interim groundwater monitoring report.
 - notify the EPA of any exceptions to the above such as unexpected contamination encountered.

E. Additional Groundwater and/or Remediation Strategy Reports (to be completed by 28 February 2003)

- If the results of the groundwater monitoring program indicate that contaminant concentrations are, or have the potential to migrate off the site or the SRA site, at concentrations in excess of Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZECC/ARMCANZ 1992) and Guidelines for Assessing Service Station Sites (NSW EPA 1994) the proponent must:
 - continue the groundwater monitoring program;
 - evaluate strategies for addressing the remaining groundwater issues; and
 - prepare an additional:
 - groundwater monitoring strategy report, which includes but is not limited to:
 - an assessment of the need for additional monitoring wells;
 - an assessment for the need for any other measures which may be required to further determine the nature and extent of any remaining or potential contamination;
 - details of a proposed additional groundwater monitoring strategy; and
 - the anticipated timeframe for the implementation of the additional groundwater monitoring strategy; and/or
 - remediation strategy report which details a:
 - proposed remediation strategy and the timeframe for its implementation; and
 - the anticipated timeframe for the remediation strategy to reduce the concentration of contaminants to below relevant criteria; and
 - engage a site auditor accredited under the CLM Act to review the groundwater monitoring strategy report and/or the remediation strategy report required above; and
 - incorporate the site auditor's recommendations into the groundwater monitoring strategy report and/or the remediation strategy report required above; and
 - notify the EPA of any exceptions to the above such as unexpected contamination encountered.

3. Environmental Management Plan (to be completed 31 March 2002)

- The proponent must prepare an environmental management plan for on-going management of the site and the SRA land which will:
 - either be user friendly and in plain English, or include a user friendly plain English operations manual; and
 - specify procedures for managing ongoing facility operations as they may relate to environmental impacts remaining at the site including procedures to be followed for any

activities that may have the potential to create an exposure pathway to contaminants in the subsurface that will remain on-site such as excavation activities that:

- may be required in the future within contaminated soils; or
- that could breach the barrier wall installed at the site and the SRA land.

4. Final Report (to be completed 28 February 2003)

- Once all the tasks specified above have been successfully completed to the satisfaction of the accredited auditor, and the:
 - contaminated soil has either been:
 - remediated so that it satisfies the criteria in the *Guidelines for the NSW Auditor Scheme* (NSW EPA 1998), the *National Environmental Protection (Assessment of Site Contamination) Measure 1999, Table 5-A Health Investigation Levels, 'F' Commercial Industrial Use* and the *Guidelines for Assessing Service Station Sites, Table 3 – Threshold Concentrations for sensitive land use – soils* (NSW EPA 1994); and/or
 - the residual contamination impact assessment demonstrates that any residual contamination does not give rise to a significant risk of harm; and
 - groundwater has been remediated such that contaminants meet the relevant criteria specified in *Australian and New Zealand Guidelines for Fresh and Marine Water Quality* (ANZECC/ARMCANZ 1992) and *Guidelines for Assessing Service Station Sites* (NSW EPA 1994) at the site boundary and the SRA land;the proponent must prepare a site validation report in accordance with the *Guidelines for Consultants Reporting on Contaminated Sites* (NSW EPA 1997).
- The site validation report must discuss:
 - soil and groundwater contamination at the site and the SRA land under each of the report headings listed in *Guidelines for Consultants Reporting on Contaminated Sites* (NSW EPA 1997) that are applicable to validation and ongoing site monitoring; and
 - the efficacy of the environmental management plan.
- The proponent must engage a site auditor accredited under the CLM Act to:
 - review the site validation report; and prepare a site audit statement and summary site audit report in accordance with the *Guidelines for the NSW Site Auditor Scheme* (NSW EPA 1998) containing the auditor's recommendations on the site validation report.
- The proponent must incorporate the site auditor's recommendations into the site validation report.
- The proponent must provide the following documents to the EPA by 31 March 2003:
 - the site validation report, which has been reviewed by the site auditor and has had the auditor's recommendations incorporated into it; and
 - a copy of the site audit statement and summary site audit report by the site auditor. The site audit statement and site audit summary report must include details of the auditor's recommendations on the site validation report, and must state whether the site:
 - is suitable for commercial/industrial use; and
 - is contaminated in such a way as to pose a significant risk of harm to human health or the environment.
 - the residual risk impact assessment; and
 - if applicable, the additional soil remediation strategy; and
 - the interim groundwater monitoring report.

GENERAL

- The proposal must be carried out in accordance with *State Environmental Planning Policy No. 55 – Remediation of Land* and any Council requirements and in a manner that takes into account all relevant issues listed under Remediation Action Plan on page 16 of *Guidelines for Consultants Reporting on Contaminated Sites* (NSW EPA 1997).
- The proposal must also be carried out in accordance with all Guidelines made or approved by the EPA under section 105 of the CLM Act (a list of these Guidelines is attached).
- All reports and plans required by the agreement must be reviewed by a site auditor accredited under the CLM Act, and a summary site audit report outlining any deficiencies in and providing

any recommendations which the auditor considers necessary and a site audit statement will be submitted together with the consultant's reports or plans to the EPA.

EPA AGREEMENT:

The EPA is satisfied that the terms of the proposal are appropriate; and notes, for the purposes of section 26(3) of the CLM Act, that the proponent has undertaken in writing to the EPA not to recover contributions under Part 3, Division 6 of the CLM Act in respect of the remediation carried out under the proposal.

The EPA agrees with the proposal, and agrees with the proponent that it will not issue a remediation order against the proponent, with respect to the remediation covered by this agreement, in accordance with the provisions of Part 3 of the CLM Act, if the remediation is carried out in accordance with the proposal.

LIFETIME OF THE AGREEMENT:

This agreement commences from the date upon which it is signed on behalf of the EPA (which is the date set out on the first page of the agreement) and all of the features of the proposal as listed above are to be completed by 31 March 2003. A further agreement for further remediation works will be considered at that time.

CSA 4/9/02

CAROLYN STRANGE
A/Director Contaminated Sites
ENVIRONMENT PROTECTION AUTHORITY
(by Delegation)

NOTE:

1. The EPA is not prevented by this agreement from making a remediation order against persons (including public authorities) with whom it has made no such agreement (whether or not they were originally parties to the proposal).
2. The EPA is not prevented by this agreement from making a remediation order against the proponent as an appropriate person (as defined in the Act) if, in the opinion of the EPA, the terms of the proposal are not carried out.
3. Section 58 of the Act requires the EPA to maintain a public record of certain matters. Notification of the making of this agreement will be included in the public record.
4. Section 59 of the Act requires the EPA to notify the relevant local council of the making of this agreement and when the terms of the agreement have been fulfilled. The council is required to note on any certificate issued pursuant to section 149(2) of the Environmental Planning and Assessment Act 1979 with respect to the land that the land is subject to a voluntary agreement until the council receives EPA notification that the terms have been fulfilled.
5. The entering into an agreement does not confer a defence for the purposes of section 122 of the Protection of the Environment Operations Act 1997.

GUIDELINES MADE OR APPROVED BY THE EPA UNDER SECTION 105 OF THE CONTAMINATED LAND MANAGEMENT ACT 1997

As at September 2001

Guidelines made by the EPA

Contaminated Sites. Guidelines for Assessing Service Station Sites, December 1994.
Contaminated Sites. Guidelines for the Vertical Mixing of Soil on Former Broad-Acre Agricultural Land, January 1995.
Contaminated Sites. Sampling Design Guidelines, September 1995.
Contaminated Sites. Guidelines for Assessing Banana Plantation Sites, October 1997.
Contaminated Sites. Guidelines for Consultants Reporting on Contaminated Sites, November 1997.
Contaminated Sites. Guidelines for the NSW Site Auditor Scheme, July 1998.
Contaminated Sites. Guidelines on Significant Risk of Harm from Contaminated Land and the Duty to Report, April 1999.

Guidelines approved by the EPA

Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites, published by ANZECC and the National Health and Medical Research Council (NHMRC), January 1992.

Australian Water Quality Guidelines for Fresh and Marine Waters. ANZECC, November 1992, which are only approved for the purposes of contaminated site assessment, investigation, remediation and site auditing under the Contaminated Land Management Act (or other relevant legislation) commenced before September 2001.

Australian and New Zealand Guidelines for Fresh and Marine Water Quality. ANZECC and ARMCANZ, October 2000.

NATIONAL ENVIRONMENTAL HEALTH FORUM MONOGRAPHS

Composite Sampling, by Lock, W. H., National Environmental Health Forum Monographs, Soil Series No.3, 1996, SA Health Commission, Adelaide.

NATIONAL ENVIRONMENT PROTECTION COUNCIL PUBLICATIONS

National Environment Protection (Assessment of Site Contamination) Measure 1999

The Measure includes a policy framework for the assessment of site contamination, Schedule A and Schedule B.

(I) SCHEDULE A

Recommended General Process for the Assessment of Site Contamination.

(II) SCHEDULE B -GUIDELINES

- (1) *Guideline on Investigation Levels for Soil and Groundwater*
- (2) *Guideline on Data Collection, Sample Design and Reporting*
- (3) *Guideline on Laboratory Analysis of Potentially Contaminated Soils*
- (4) *Guideline on Health Risk Assessment Methodology*
- (5) *Guideline on Ecological Risk Assessment*
- (6) *Guideline on Risk Based Assessment of Groundwater Contamination*
- (7A) *Guideline on Health-Based Investigation Levels*
- (7B) *Guideline on Exposure Scenarios and Exposure Settings*
- (8) *Guideline on Community Consultation and Risk Communication*
- (9) *Guideline on Protection of Health and the Environment During the Assessment of Site Contamination*
- (10) *Guideline on Competencies and Acceptance of Environmental Auditors and Related Professionals*

OTHER DOCUMENTS

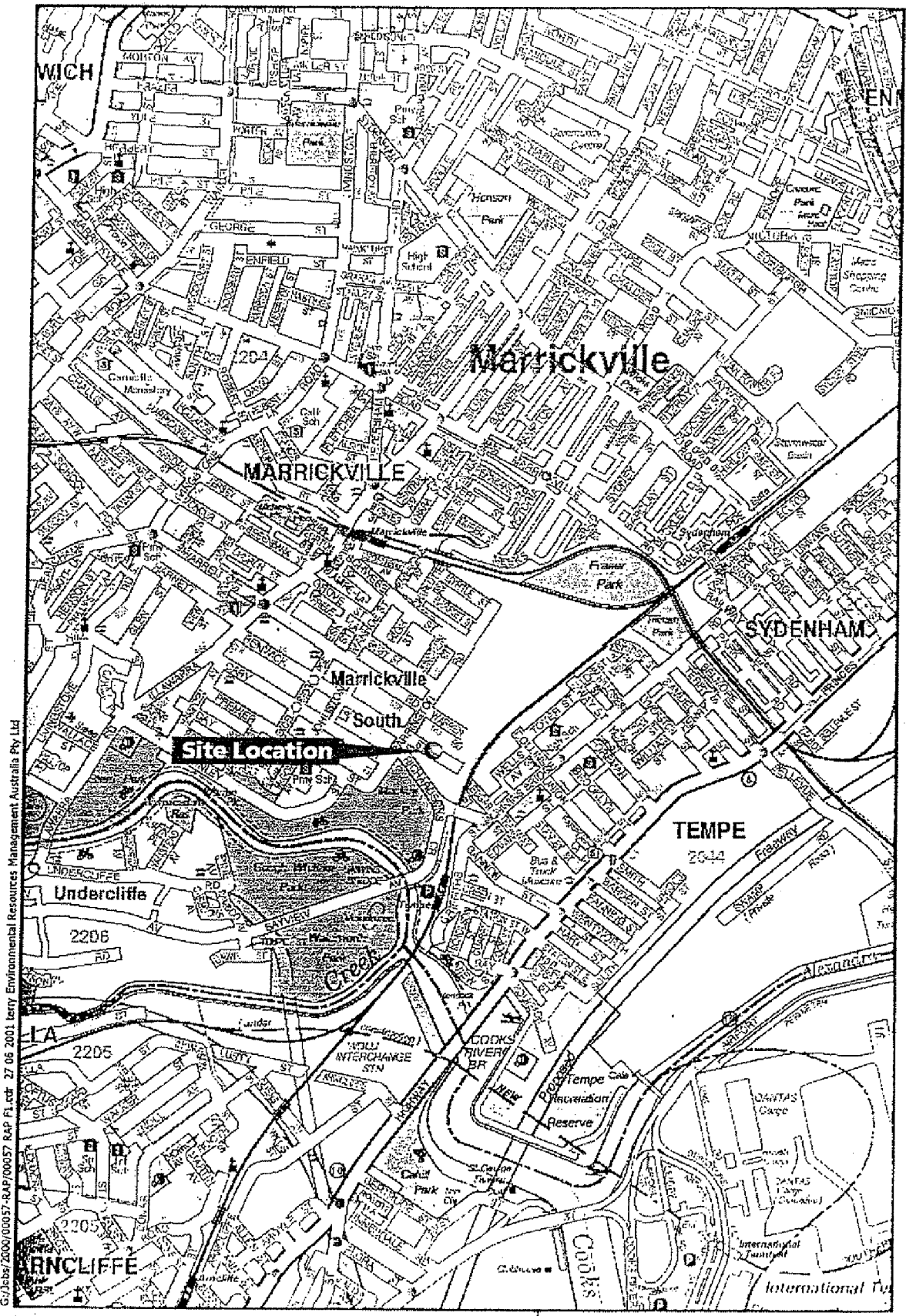
Environmental Guidelines: Assessment, Classification & Management of Liquid & Non-liquid Wastes, NSW EPA, 1999

Guidelines for the Assessment and Cleanup of Cattle Tick Dip Sites for Residential Purposes, NSW Agriculture and CMPS&F Environmental, February 1996.

Guidelines for Drinking Water Quality in Australia. NHMRC & Australian Water Resources Council, 1996.

Attachment 1: Detailed description of the land

All that piece or parcels of land known as 22-28 Carrington Road Marrickville situated in the Parish of Petersham, County of Cumberland, Municipality of Marrickville, being lots 7 to 10 Section 11 DP 1551, lots 13 to 21 Section 11 DP 1551, lots 23 to 42 Section 11 DP 1551, lot 1 DP 121668, lots 5 to 7 DP 131023, lot 1 DP 201474, lots A and B DP 332661, lot B DP 340589, lot 1 DP 430308, lot 1 DP 511827, lot 547 DP 752049, and lots contained in Book 1892 No 987 and Book 2835 No 644 COMMENCING at the north western corner of lot 5 DP 131023 thence bounded on the north east by the northern boundaries of lots 25 to 31 Section 11 DP 1551 and lot 5 DP 131023 to the north eastern corner of lot 31 Section 11 DP 1551 thence bounded on the north west by a line across Warren Road from the north eastern corner of lot 31 Section 11 DP 1551 to a point on the northern boundary of Warren Road 5.59 metres east from the south western corner of lot B DP 340589 thence bounded on the south east by part of the southern boundary of lot B DP 340589 to the south western corner of lot B DP 340589 thence bounded on the north west by the western boundary of lot B DP 340589 thence bounded on the south east by part of the northern boundary of lot A DP 340589 for a distance of 29.23 metres westerly from the north eastern corner of lot A DP 340589 to a point on the northern boundary of lot A DP 340589 thence bounded by part of the north western side of a stormwater channel bearing 66 degrees 46 minutes 61.47 metres thence bounded on the north east and north west by part of the south western boundary and by a south eastern boundary of the land in DP 81128 bearing respectively 125 degrees 37 minutes 50 seconds 29.20 metres and 83 degrees 14 minutes 51.02 metres thence bounded on the north by a fenced line bearing 99 degrees 32 minutes 40 seconds for 10.70 metres thence bounded on the east by a part of the western boundary of State Rail Authority (assumed) bearing 189 degrees 28 minutes 50 seconds distant 110.37 metres and bearing 198 degrees 00 minutes 20 seconds distant 22.52 metres to the north eastern side of a one foot reserve in DP 430308 thence bounded on the east again by a line across Warren Street and by the western boundary of lot 1 in DP 201474 bearing 198 degrees 00 minutes 20 seconds distant 78.97 metres to the south eastern corner of lot 1 in DP 201474 thence bounded on the south by the northern alignment of Renwick Street and by the southern boundaries of lot 1 in DP 201474, lot 547 in 752049, lots 7 to 24 Section 11 DP 1551 and lot 6 DP 131023 to the south western corner of lot 6 DP 131023 thence bounded on the west by the western boundaries of lots 5 and 6 DP 131023 to the point of COMMENCEMENT and together with all that piece or parcels of land known as 22-28 Carrington Road Marrickville, situated in the Parish of Petersham, County of Cumberland, Municipality of Marrickville, being lot 1 DP 572029 and lot 1 DP 702138 COMMENCING at the north eastern corner of lot 1 DP 572029 thence bounded on the east by part of the western boundary of State Rail Authority and by the eastern boundaries of lot 1 DP 572029 and lot 1 DP 702138 to the south eastern corner of lot 1 DP 702138 thence bounded on the south by the northern alignment of Richardson Street and by the south western boundary of lot 1 DP 702138 thence bounded on the north by the southern most northern boundary of lot 1 DP 572029 thence on the west by the western boundary of lot 1 DP 572029 thence bounded on the north by part of the southern alignment of Renwick Street and by the north boundary of lot 1 DP 772029 to the point of COMMENCEMENT, the aforesaid measurements being more or less and shown on plan attached prepared by ERM Contaminated Site Solutions dated 16/12/1999 and outlined. The plan is for diagrammatic purposes only and is subject to verification.



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Figure 1

Site Location

Scale: 1:50,000 and is based on the 1:50,000 scale map of the area.

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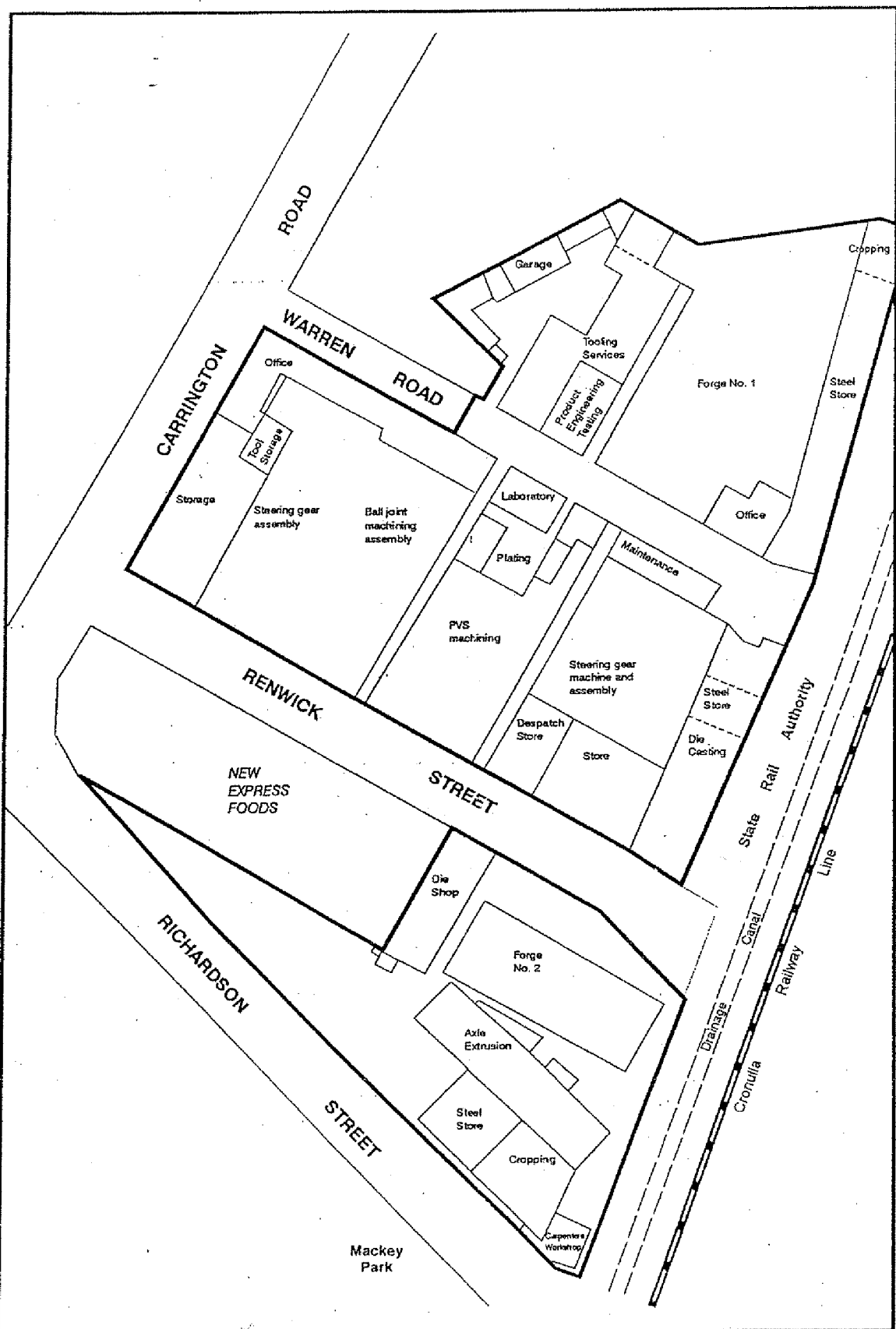


Figure 2

Site Layout

FRW Steering and suspension Australia
22-28 Carrington Road, Marrickville

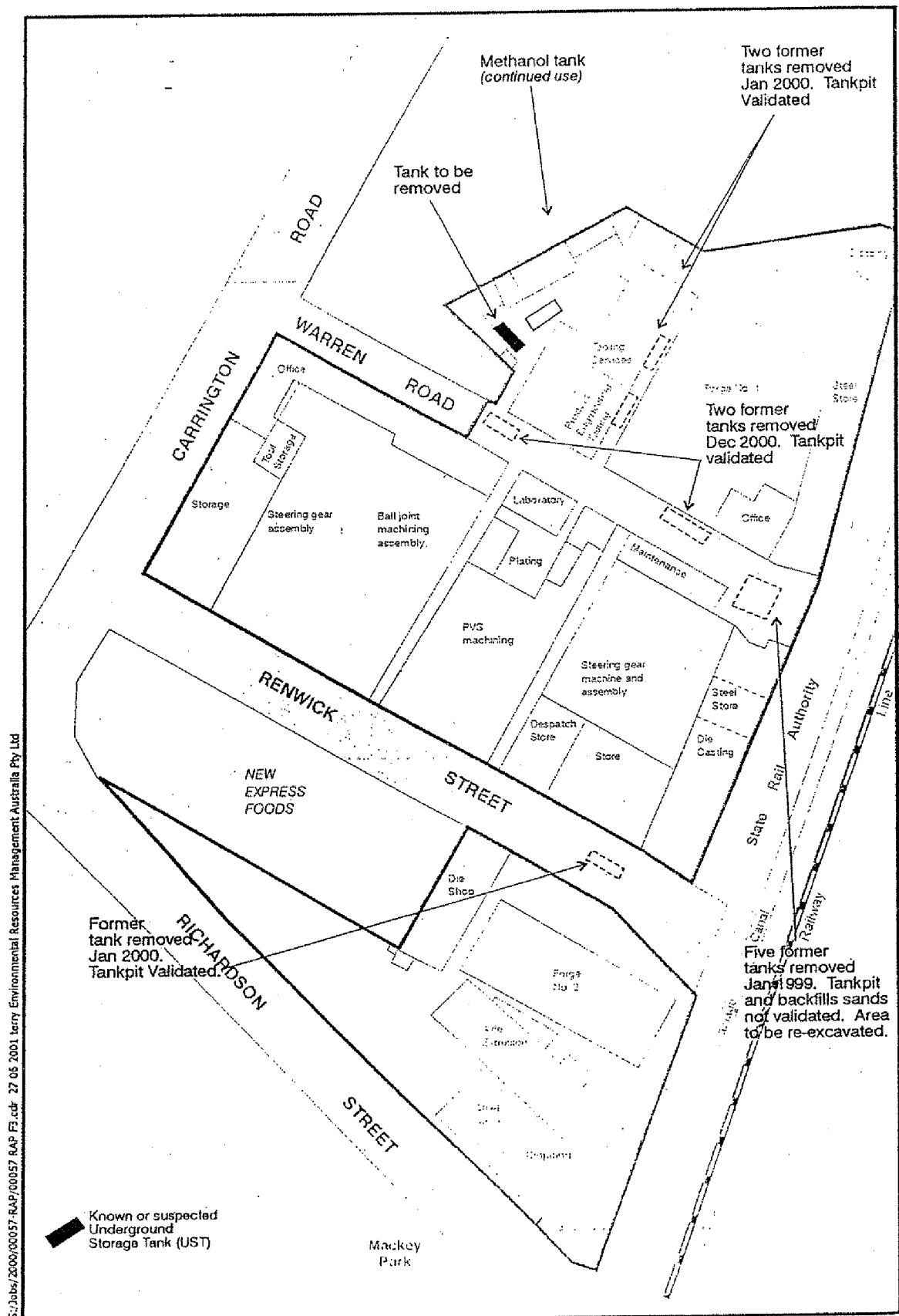
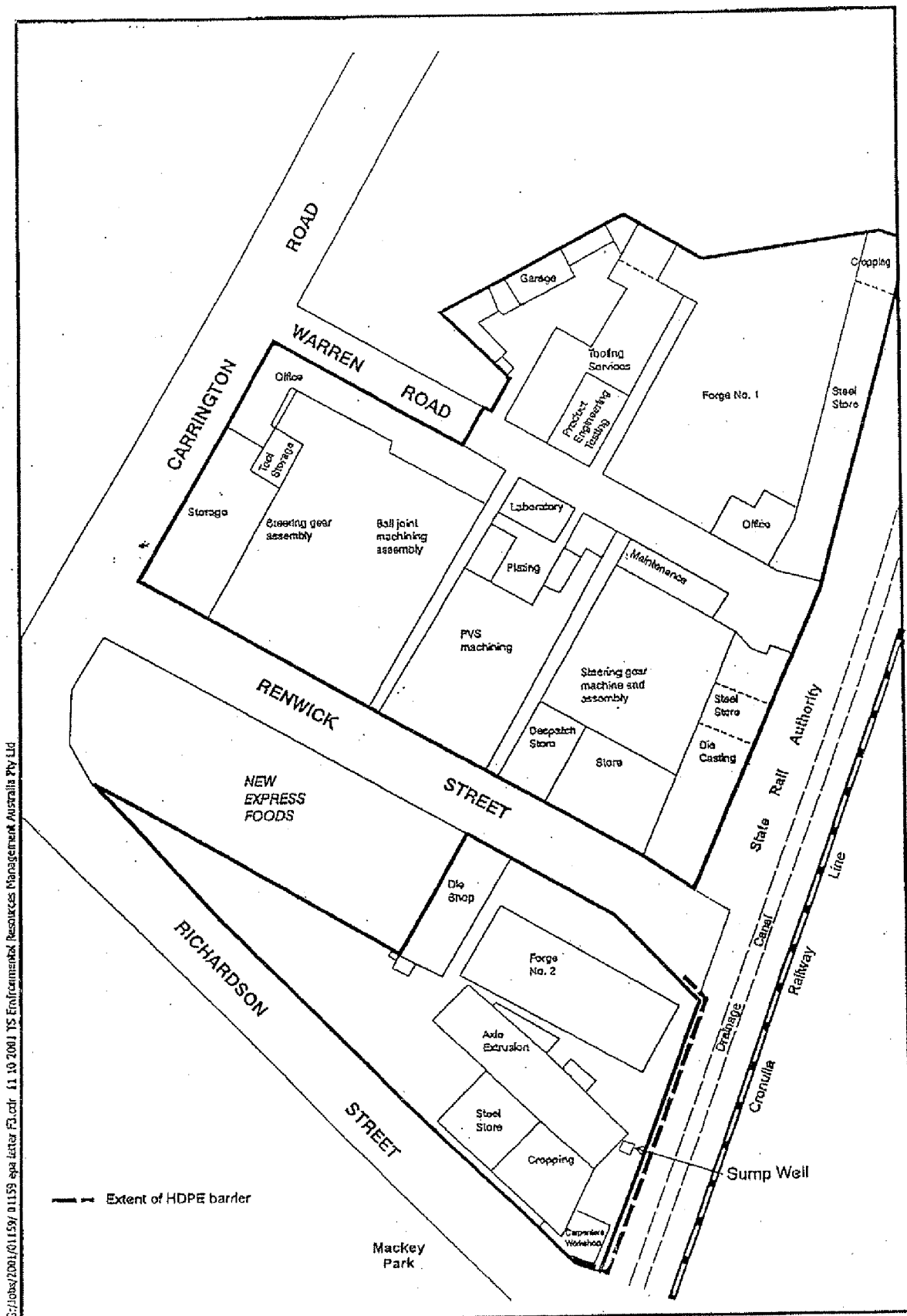


Figure 3

Removal of UST's

FRW Steering and suspension Australia
22-28 Carrington Road, Marrickville
New South Wales 2122



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0 15m

Approximate only

Figure 5 Proposed New Location of HDPE Liner

TW Steering and Suspension Australia
23-28 Carrington Road, Marrickville
Remedial Action Plan

Table 1

ANALYTICAL PROGRAM FOR QUARTERLY GROUNDWATER
MONITORING

Monitoring Well	Major Cation & Anions	TPH	Dissolved Metals	PAHs	VHCs
MW1	✓		✓		
MW2	✓	✓	✓		
MW3	✓	✓	✓		
MW4	✓	✓	✓	✓	
MW5	✓	✓	✓		✓
MW6	✓	✓	✓	✓	
MW7	✓	✓	✓		
MW8	✓		✓		
MW9	✓	✓	✓		
MW10	✓		✓		✓
MW11	✓	✓	✓	✓	
MW12	✓		✓		
MW13	✓		✓		
MW14	✓	✓	✓	✓	✓
MW15	✓	✓	✓	✓	✓
MW16	✓		✓		✓
MW17	✓		✓		
MW18	✓		✓		
MW19S	✓	✓	✓	✓	
MW19D	✓	✓	✓	✓	
MW20	✓		✓		
MW21	✓	✓	✓		
MW22S	✓		✓		
MW22D	✓		✓		
MW23	✓		✓		
MW24	✓		✓		
MW25	✓	✓	✓	✓	✓
MW26	✓	✓	✓	✓	✓
MW27	✓	✓	✓	✓	✓
MW28	✓	✓	✓	✓	✓
MW29	✓	✓	✓	✓	✓

Note: The EPA amended this declaration in notice [No. 20124408](#) on 15 May 2012.

Environment Protection Authority

Declaration of remediation site

(Section 21 of the Contaminated Land Management Act 1997)

Declaration Number 21094; Area Number 3234

The Environment Protection Authority (EPA) declares the following land to be a remediation site under the Contaminated Land Management Act 1997 ("the Act"):

1. Land to which this declaration applies ("the site")

The site to which this declaration relates is described as Lot 1 in Deposited Plan 223531 – 15 Campbell St, St Peters in the Marrickville Council local government area. The site is currently vacant.

2. Nature of contamination affecting the site:

The EPA believes that soil on the site is contaminated with the following substances: polycyclic aromatic hydrocarbons (PAHs); total petroleum hydrocarbons (TPH), benzene, toluene, ethylene and xylene (BTEX).

The EPA also believes that groundwater on the site is contaminated with naphthalene and TPHs.

3. Nature of harm that the contaminants may cause:

The EPA has considered the matters in s.9 of the Act and for the following reasons has determined that the site is contaminated in such a way as to present a significant risk of harm to the environment and human health.

- PAHs, TPHs and BTEX are present in the soil on the site at levels significantly exceeding guideline levels for sensitive land use.
- Naphthalene is present in groundwater on the site at levels above the relevant trigger values for the protection of aquatic ecosystems. TPHs are also present in groundwater at significant concentrations.
- The contaminants include substances classified as carcinogens and substances toxic to plants and aquatic organisms.
- It is likely that contaminated groundwater on the site is migrating off-site towards Alexandria Canal which flows into Botany Bay.

4. Further action under the Act

The making of this declaration does not prevent the carrying out of a voluntary remediation of the site and any person may submit a voluntary remediation proposal for the site to the EPA. If the proposal satisfies the requirements of s.26 of the Act, the EPA may agree not to issue a remediation order to the person or persons bringing the proposal.

5. Submissions invited

The public may make written submissions to the EPA on:

- Whether the EPA should issue a remediation order in relation to the site; or
- Any other matter concerning the site.

Submissions should be made in writing to:

Manager Contaminated Sites
Department of Environment and Conservation
PO Box A290
SYDNEY SOUTH NSW 1232

or faxed to 02 9995 5930

by not later than 29 September 2006

[signed]

NIALL JOHNSTON

A/Manager Contaminated Sites

Department of Environment and Conservation

Date: 5 September 2006

NOTE:

Remediation order may follow

If remediation of the site or part of the site is required, the EPA may issue a remediation order under s.23 of the Act.

Variation/Revocation

This declaration may be varied by subsequent declarations. It remains in force until it is otherwise revoked. A declaration may only be revoked when the EPA does not have reasonable grounds to believe that land is contaminated in such a way as to present a significant risk of harm (s.44 of the Act).

Information recorded by the EPA

Section 58 of the Contaminated Land Management Act 1997 requires the EPA to maintain a public record. A copy of this remediation declaration will be included in the public record.

Information recorded by councils

Section 59 of the Act requires the EPA to give a copy of this declaration to the relevant local council. The council is then required to note on its planning certificate issued pursuant to s.149 (2) of the Environmental Planning and Assessment Act that the land is currently within a remediation site. The EPA is required to notify council as soon as practicable when the declaration is no longer in force and the notation on the s.149 (2) certificate is no longer required.

Relationship to other regulatory instrument

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

Environment Protection Authority**Notice to amend significantly contaminated land declaration**

(Section 44 of the Contaminated Land Management Act 1997)

Notice Number 20124408; Area Number 3234

Background

The land to which this notice applies was declared as “significantly contaminated land” (declaration no.21094 by the Environment Protection Authority (“the EPA”)). It has been brought to the attention of the EPA that the street address identified on the declaration does not refer to the intended parcel of land, nor the Lot and Deposited Plan details.

Amendment

Having considered the declaration, the parcel identifiers and the address details the EPA is satisfied that the current address noted on the declaration, i.e. 15 Campbell Street, St Peters does not reflect the intended parcel of land.

Pursuant to section 44 of the *Contaminated Land Management Act 1997*, Declaration of significantly contaminated land number 21094, dated 5 September 2006, gazetted on 8 September 2006 shall now refer to 53 Barwon Park Road, St Peters as the correct street address for the parcel of land known as Lot 1 in Deposited Plan 223531.

Land to which this notice applies

Description	Address
Lot 1 in DP 223531	53 Barwon Park Road, St Peters NSW (not 15 Campbell Street, St Peters NSW)

[Signed]

JOHN COFFEY
A/Manager Contaminated Sites
Environment Protection Authority

Date: 15 May 2012

NOTE:**Information recorded by the EPA**

Section 58 of the Contaminated Land Management Act 1997 requires the EPA to maintain a public record. A copy of this notice will be included in the public record.

Information recorded by councils

Section 59 of the Act requires the EPA to give a copy of this notice to the relevant local council. The council may then make appropriate consequential modifications to the planning certificate issued in relation to the land to which this notice applies pursuant to s.149 of the *Environmental Planning and Assessment Act 1979*.

Relationship to other regulatory instrument

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

Previous regulatory instrument

As of 1 July 2009, all current declarations for investigation area or declarations for remediation sites are taken to be declarations for significantly contaminated land, all current orders for investigation area and orders for remediation site are taken to be management orders and all current voluntary investigation and remediation agreements are taken to be voluntary management proposals.

Environment Protection Authority

Declaration of remediation site

Section 21 of the Contaminated Land Management Act 1997

Declaration Number 21008 / Area # 3151

The Environment Protection Authority (EPA) declares the following land to be a remediation site under the Contaminated Land Management Act 1997 ("the Act"):

1. Land to which this declaration applies ("the site")

The bed of the Alexandra Canal between Huntley Street, Alexandria and the junction of Alexandra Canal with the Cooks River at Mascot, being Lot 1 DP 532493, Lot 1 DP749404 and Lot 3 DP878489 within the local government areas of Botany Bay, Marrickville and South Sydney .

2. Nature of the substances causing the contamination ("the contaminants"):

Chlorinated hydrocarbons including organochlorine pesticides (chlordane, total DDT and dieldrin), polychlorinated biphenyls (PCBs) and metals in the bed sediments of the Canal.

3. Nature of harm that the substance may cause:

The EPA has considered the matters in s.9 of the Act and found that:

- The contaminants would not be expected to occur naturally at this site or in the elevated concentrations found;
- Environmental harm has occurred and there is a lack of benthic (sediment dwelling) biota at the site;
- The concentration of PCBs present in fish taken from the canal exceed the maximum residue levels as set by the National Food Authority;
- Concentrations of the contaminants in fish tissue and sediments greatly exceed applicable guidelines;
- PCBs, organochlorine pesticides and lead are classifiable as human carcinogens;
- PCBs and organochlorine pesticides have bioaccumulated in fish tissue and therefore there is a potential for tissue concentrations of these chemicals to increase as the chemical is transferred from one trophic level to the next (i.e. biomagnification);
- Changes in the approved use of the land around the canal increases the risk of harm;
- There are indications that off-site migration of the contaminants has occurred into the Cooks River. Further off site migration into Botany Bay is possible; and
- Disturbance of the sediments through use of the canal would mobilise the contaminants and hence increase the risk of harm.

The EPA has found that the site is contaminated with chlorinated hydrocarbons and metals in such a way as to present a significant risk of harm to human health and the environment. There is a significant risk that:

- Harm is being caused to the benthic biota that is in contact with the contaminants in the sediments;
- Harm may be caused to humans from the increased risk associated with the consumption of contaminated fish; and
- Disturbance of the sediments would mobilise the contaminants and hence increase the risk of harm.

4. Further action under the Act

The making of this declaration does not prevent the carrying out of a voluntary remediation of the site and any person may submit a voluntary remediation proposal for the site to the EPA. If the proposal satisfies the requirements of s.26 of the Act, the EPA may agree not to issue a remediation order to the person or persons bringing the proposal.

5. Submissions invited

The EPA advises that the public may make written submissions to the EPA on:

- Whether the EPA should issue a remediation order in relation to the site or
- Any other matter concerning the site.

Submissions should be made in writing to:

Director Contaminated Sites
Environment Protection Authority
PO Box A290
SYDNEY SOUTH NSW 1232
or faxed to: 02 9995 5999

by not later than **22 September 2000**.

(signed 25 August 2000)

CATHY DYER

Director Contaminated Sites

ENVIRONMENT PROTECTION AUTHORITY

(by Delegation)

Date: 25 August 2000

NOTE:

Remediation order may follow

If remediation of the site or part of the site is required, the EPA may issue a remediation order under s.23 of the Act.

Variation/Revocation

This declaration remains in force until it is otherwise varied or revoked. A declaration may only be revoked when the EPA does not have reasonable grounds to believe that land is contaminated in such a way as to present a significant risk of harm (s.44 of the Act).

Information recorded by the EPA

S.58 of the Contaminated Land Management Act 1997 requires the EPA to maintain a public record. A copy of this remediation declaration will be included in the public record.

Information recorded by councils

S.59 of the Act requires the EPA to give a copy of this declaration to the relevant local council. The council is then required to note on its planning certificate issued pursuant to s.149 (2) of the Environmental Planning and Assessment Act that the land is currently within a declaration area. The EPA is required to notify council as soon as practicable when the declaration is no longer in force and the notation on the s.149 certificate removed.

Note: On 21 March 2012 Sydney Water provided an [update on actions required under this Order](#).

Environment Protection Authority

Remediation order

Section 23 of the Contaminated Land Management Act 1997

HO1833
23004/ Area #3151

Service: By Registered Mail to Registered Office and Principal Place of Business

Sydney Water Corporation (ABN)
115-123 Bathurst Street
SYDNEY NSW 2000

Attention: Managing Director

Background

- A. On 25 August 2000 the Environment Protection Authority ("EPA") declared the bed sediments of the Alexandra Canal between Huntley Street, Alexandria and the junction of Alexandra Canal with the Cooks River at Mascot, being Lot 1 DP 532493, Lot 1 DP749404 and Lot 3 DP878489 ("the site") within the local government areas of Botany Bay, Marrickville and South Sydney as a remediation site.
- B. The bed sediments at the site have been found to be contaminated with chlorinated hydrocarbons including organochlorine pesticides (chlordane, total DDT and dieldrin), polychlorinated biphenyls (PCBs) and metals ("the contaminants") in such a way as to present a significant risk of harm to human health and the environment.
- C. The EPA has considered the matters in s.9 of the Contaminated Land Management Act ("the Act") and found that the contamination at the site presents a significant risk of harm because
 - Harm is being caused to the benthic biota that is in contact with the contaminants in the sediments;
 - Harm may be caused to humans from the increased risk associated with the consumption of contaminated fish; and
 - Disturbance of the sediments would mobilise the contaminants and hence increase the risk of harm.
- D. The EPA has considered all submissions made as to whether an order should be made.
- E. There are no other persons who are required to be served with a copy of this order for the purposes of s.24(3) of the Act.

Action required by this order

By this order, the EPA orders Sydney Water Corporation ("Sydney Water"), being the owner of the site, to do the following:

1. Sydney Water must refrain from carrying out, or from causing, permitting or allowing its agents, contractors, licensees or lessees from carrying out, any works or activities on the bed sediments of the site that would result in the disturbance, or further disturbance, of the bed sediments except as provided by this Order.

Examples of the types of works or activities that may come within the scope of this Order include construction and maintenance work relating to dredging activities or boating facilities (such as piers, wharves, slipways or marinas).

2. Prior to the conduct of works or activities coming within the terms of requirement 1, Sydney Water must prepare and submit for the EPA's approval a written plan directed at minimising the disturbance and migration of contaminated sediments at the site. The EPA may approve the plan or aspects of the plan as submitted or approve the plan subject to a requirement that additional mitigation measures must be implemented.

This provision is waived for emergency works that are required to protect the safety or property of persons involved in the emergency (eg repairs to collapsed canal wall during flood). In this case the EPA must be notified of the situation and the actions being undertaken.

3. Any works or activities the subject of an approved plan must be performed in accordance with the plan.
4. The plan submitted to the EPA for its approval must be prepared in accordance with the EPA publication titled *Guidelines for Consultants Reporting on Contaminated Sites*, dated November 1997, as it relates to investigation and or remedial action plans.
5. Sydney Water must also, as far as reasonable, ensure that other persons who may carry out works or activities on the bed sediments of the site are made aware of this Order and are advised not to do anything inconsistent with the Order. Without limiting what Sydney Water is required to do to comply with this requirement, it must
 - a) develop and implement an information campaign to alert people near the site to the requirements of this Order;
 - b) erect signs along the length of the canal at 1 kilometre intervals to alert users of the canal about the requirements of this Order;
 - c) liaise with and provide information to relevant councils about the

requirements of this Order.

6. A copy of the documentation recording the information campaign must be provided to the EPA by (date to be inserted).

[SIGNED]

CAROLYN STRANGE

Director Contaminated Sites

Department of Environment and Conservation

(by Delegation)

Date: 10 May 2004

NOTE:

Relationship to other regulatory instruments

This Order does not affect the requirement to comply with the provisions of any applicable environmental planning instruments, pollution reduction programs or the provisions of any other environmental protection legislation administered by the EPA.

Failure to comply with this Order

It is an offence to fail to comply with a remediation order. Heavy penalties may be imposed if you are convicted of this offence by the Land and Environment Court.

Information recorded by the EPA

Section 58 of the Contaminated Land Management Act 1997 requires the EPA to maintain a public record. A copy of this remediation order will be included in the public record.

Information recorded by councils

Section 59 of the Act requires the EPA to notify the relevant local council as soon as practicable after an order is made. The council is then required to note on its planning certificate issued pursuant to s.149(2) of the Environmental Planning and Assessment Act that the land is currently subject to a remediation order. The EPA is required to notify council as soon as practicable when the order is no longer in force and the notation on the s.149(2) certificate can be removed.

Guidelines made by the EPA

- Contaminated Sites: [Guidelines for Assessing Service Station Sites](#), December 1994
- Contaminated Sites: [Guidelines for the vertical mixing of soil on former broad-acre agricultural land](#), January 1995 (vertmix.pdf, 149kb, requires [acrobat reader](#))
- Contaminated Sites: *Sampling Design Guidelines*, September 1995
- Contaminated Sites: [Guidelines for Assessing Banana Plantation Sites](#), October 1997
- Contaminated Sites: *Guidelines for Consultants Reporting on Contaminated Sites*, November 1997
- Contaminated Sites: *Guidelines for the NSW site auditor scheme*, June 1998
- Contaminated Sites: [Guidelines on Significant Risk of Harm from Contaminated Land and the Duty to Report](#), April 1999 (sroh.pdf, 164kb, requires [acrobat reader](#))

Note: All references in the EPA's contaminated sites guidelines to the *Australian Water Quality Guidelines for Fresh and Marine Waters* (ANZECC, November 1992) are replaced as of 6 September 2001 by references to the *Australian and New Zealand Guidelines for Fresh and Marine Water Quality* (ANZECC and ARMCANZ, October 2000), subject to the same terms.

Guidelines approved by the EPA ANZECC publications

- *Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites*, published by Australian and New Zealand Environment and Conservation Council (ANZECC) and the National Health and Medical Research Council (NHMRC), January 1992
- *Australian Water Quality Guidelines for Fresh and Marine Waters*, Australian and New Zealand Environment and Conservation Council (ANZECC), November 1992, which are only approved for the purposes of contaminated site assessment, investigation, remediation and site auditing under the Contaminated Land Management Act (or other relevant legislation) commenced before September 2001
- *Australian and New Zealand Guidelines for Fresh and Marine Water Quality*, Australian and New Zealand Environment and Conservation Council and Agriculture and Resource Management Council of Australia and New Zealand, Paper No 4, October 2000

EnHealth publications (formerly National Environmental Health Forum monographs)

- *Composite Sampling*, by Lock, W. H., National Environmental Health Forum Monographs, Soil Series No.3, 1996, SA Health Commission, Adelaide
- *Environmental Health Risk Assessment: Guidelines for assessing human health risks from environmental hazards*, Department of Health and Ageing and EnHealth Council, Commonwealth of Australia, June 2002

National Environment Protection Council publications

- *National Environment Protection (Assessment of Site Contamination) Measure 1999*

The Measure consists of a policy framework for the assessment of site contamination, Schedule A (*Recommended General Process for the Assessment of Site Contamination*) and Schedule B (*Guidelines*). Schedule B guidelines include:

B(1) *Guideline on Investigation Levels for Soil and Groundwater*

B(2) *Guideline on Data Collection, Sample Design and Reporting*

B(3) *Guideline on Laboratory Analysis of Potentially Contaminated Soils*

B(4) *Guideline on Health Risk Assessment Methodology*

B(5) *Guideline on Ecological Risk Assessment*

B(6) *Guideline on Risk Based Assessment of Groundwater Contamination*

B(7a) *Guideline on Health-Based Investigation Levels*

B(7b) *Guideline on Exposure Scenarios and Exposure Settings*

B(8) *Guideline on Community Consultation and Risk Communication*

B(9) *Guideline on Protection of Health and the Environment During the Assessment of Site Contamination*

B(10) *Guideline on Competencies & Acceptance of Environmental Auditors and Related Professionals*

Other documents

- *Guidelines for the Assessment and Clean Up of Cattle Tick Dip Sites for Residential Purposes*, NSW Agriculture and CMPS&F Environmental, February 1996
- *Australian Drinking Water Guidelines*, NHMRC & Agriculture and Resource Management Council of Australia and New Zealand, 1996

(b) ~~is not suitable for any beneficial use due to risk of harm from contamination.~~

✓ (Comments):

- *The Auditor recommends that the proposed leachate management system is implemented.*

am accredited by the NSW Environment Protection Authority under *the Contaminated Land Management Act 1997* as a Site Auditor.

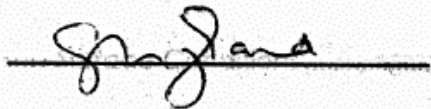
Accreditation Number: 9808

I certify that:

- (a) I have personally examined and am familiar with the information contained in this statement, including the reports and information referred to in this statement, and
- (b) This statement is, to the best of my knowledge, true, accurate and complete, and
- (c) On the basis of my inquiries made to those individuals immediately responsible for making the reports, and obtaining the information, referred to in this statement, those reports and that information are, to the best of my knowledge, true, accurate and complete.

I am aware that there are penalties for wilfully submitting false, inaccurate or incomplete information.

Signed:



Date:

30/8/2004

Forward to:

Manager, Contaminated Sites Section
NSW Environment Protection Authority
PO Box A290
SYDNEY SOUTH NSW 1232

Phone: 02 9995 5614

Fax: 02 9995 5999

- "Project Quality Management Plan (QMP) for Tempe Lands Remediation Works Leachate Control System", dated 22 March 2004 by Austress
- "Tempe Lands Remediation Works – Quality Control Plan Soil Bentonite Cut-off Wall", dated 1 April 2004 by Austress
- "Tempe Lands Remediation Works Leachate Control Systems – Design Mix Testing Method Statement Soil Bentonite Cut-off Wall", dated 2 April 2004 by Austress
- "Tempe Lands Remediation Works Leachate Control Systems – Work Plan Soil Bentonite Cut-off Wall", dated 5 April 2004 by Austress
- "Tempe Lands Remediation Works – Laboratory Testing Soil Bentonite Cut-Off Wall", dated 5 April 2004 by Austress
- Extract titled Section 6 – Scope of Work, from "Tempe Lands Remediation Contract No. WC203, Leachate Treatment Plant", dated 23 April 2004, by Marrickville Council
- Extracts from "Tempe Lands Remediation and Development Contract No. WC203 – Design and Construction of a Leachate Treatment Plant" (General Overview, Schedules 4, 6, and 12), dated May 2004 by NanoChem
- Extracts from 'Council Meeting 04/04 15 June 2004, GM 43 – Tempe Lands Remediation & Redevelopment – Tenders for Leachate Treatment System (XC 203)' (File Ref: 12700-04), dated 15 June 2004 by Marrickville Council
- 'Tender Panel Report - Marrickville Council Tender 05/04 – Tempe Lands Remediation and Development WC203, Leachate Treatment Plant' dated 30 June 2004 by LSM Projects
- 'Tempe Lands Remediation Works – Leachate Control Systems. Technical Report Test Box Trial', dated 1 July 2004 by Austress
- Facsimile Re: Tempe Lands – Comment on Box Test Results, dated 2 August 2004 by Coffey
- Facsimile Re: Tempe Lands – Comment on Box Test Results, re-issued version dated 6 August 2004 by Coffey
- 'Response to Question from James Hayward Tender No. 5/04 Contract Number WC 203', undated, by NanoChem

Other information reviewed:

Not applicable

Consultancy(ies) who conducted the site investigation(s) and/or remediation:

- *Douglas Partners*
- *Coffey Geosciences Pty Ltd (Coffey)*
- *Austress Freyssinet (Austress)*
- *NanoChem Pty Ltd*

Title(s) of report(s) reviewed:

- *"Voluntary Remediation Proposal: EPA Agreement, Section 26 Contaminated Land Management Act 1997" (the VRA), dated 19 March 2003, issued by the NSW Environment Protection Authority (EPA) to Marrickville Council*
- *Draft "Tempe Lands Remediation and Development Groundwater Report", dated 17 April 2003, by Coffey*
- *"Remediation and Development of Tempe Lands Reference 164CSA001 Draft Geotechnical Investigations Report", dated 17 April 2003, by Coffey*
- *Draft "Tempe Lands Remediation and Development Groundwater/Leachate and Fill Quality Report", dated 17 April 2003, by Coffey*
- *"Tempe Lands Remediation and Development Groundwater Report", dated 12 May 2003, by Coffey*
- *"Remediation and Development of Tempe Lands Reference 164CSA001 Report on Groundwater/Leachate and Fill Quality", dated 12 May 2003, by Coffey*
- *Draft "Remediation and Development of Tempe Lands Reference 164CSA001 Remedial Action Plan", dated 3 June 2003, by Coffey*
- *Draft "Remediation and Development of Tempe Lands Reference 164CSA001, Remedial Action Plan", dated 19 August 2003, by Coffey*
- *"Tempe Lands – Discussion of Leachate Generation and Pumping", dated 20 August 2003, by Coffey*
- *Final "Remediation and Development of Tempe Lands Reference 164CSA001, Remedial Action Plan", dated 4 September 2003, by Coffey*
- *"Tempe Lands Remediation and Development, Contract No. WC201, Leachate Control System", dated 5 September 2003, by Marrickville Council*
- *Final Draft "Remediation and Development of Tempe Lands Reference 164CSA001 Report on Fill Quality/Soil Gas Investigation Areas 1A and 1B, Tempe NSW", dated 21 November 2003, by Coffey*
- *"Literature Review and Options Review – Tempe Lands – Tempe, NSW", dated January 2004, by Australian Wetlands in conjunction with LSM Projects*
- *"Overall System Concept Design - Soil Bentonite Wall System", dated 10 February 2004, by Austress*
- *Letter report Re: "Tempe Lands Remediation and Redevelopment Austress Freyssinet Addendum to Overall System Concept Design", dated 11 March 2004 by LSM Projects*

Environment Protection Authority**Remediation order****Section 23 of the Contaminated Land Management Act 1997**

CH8411
23003/Area #3157

Service: By Registered Mail to Principal Place of Business

Marrickville Council (ABN 52 659 768 527)
2-14 Fisher Street
PETERSHAM NSW 2049

Attention: Peter Black – General Manager

A. On 28 July 2000 the Environment Protection Authority declared the following land at Tempe Tip, Tempe ("the land") as a remediation site:

<u>Lot No.</u>	<u>DP No.</u>
1	62963
1	124394
8 Sec 20	57638
7	63236
3	662867
1	124399
C	385209
F	385210
A	382059
40	746918
3	261958
The road known as Swamp Road	
723	48012
725	48012
19	825649
20	825649
2	869306

B. Leachate generated by the waste buried at the site has contaminated the land in such a way as to pose a significant risk of harm.

The EPA has considered the matters in s.9 of the Contaminated Land Management Act ("the Act") and found that the site presents a significant risk of harm because

- harm is being caused to fresh water biota in contact with the contaminated groundwater
- harm is being caused to water quality in Alexandra Canal as a receiving body of the contaminated groundwater
- the site is a source of ongoing contamination to Alexandra Canal.

C. The EPA has considered all submissions made as to whether an order should be made.

D. There are no other persons who are required to be served with a copy of this order for the purposes of s.24(3) of the Act.

By this notice, the EPA orders Marrickville Council ("the Council") being a person having principal responsibility for the contamination referred to above to do the following:

Preparation of a remedial action plan

1. The Council must engage an appropriately qualified and experienced contaminated land consultant to prepare a remedial action plan (RAP) to the satisfaction of the EPA detailing the measures to be taken by Council to remove the significant risk of harm that is currently posed by the contaminants migrating through groundwater into the Alexandra Canal.
2. The RAP must be prepared in accordance with the EPA publication titled *Guidelines for Consultants Reporting on Contaminated Sites*, dated November 1997, as it relates to remedial action plans. In particular, the RAP must include the following details:
 - (a) Remediation goals for soil and groundwater, consistent with the guidelines made or approved by the NSW EPA under s.105 of the Act (attached);
 - (b) Discussion of the extent of remediation required;
 - (c) Discussion of possible remedial options and how the risk will be reduced;
 - (d) Rationale for the selection of recommended option;
 - (e) Detailed planning supported by technical specifications for the implementation of the selected remedial strategy;
 - (f) The field and laboratory quality assurance and quality control plan for sampling and chemical analysis;
 - (g) Contingency plan if the selected remedial strategy fails;
 - (h) Site management plan during remediation;
 - (i) Proposed testing to validate the effectiveness of the remediation; and
 - (j) A time table for key milestones of the implementation of the RAP.
3. The RAP must be consistent with the guidelines made or approved by the EPA under s.105 of the Act.

Engagement of a site auditor

4. Council must engage a site auditor accredited under the Act to audit the RAP (consistent with section 47(1)(b)(iv)). The summary site audit prepared by the site auditor may
 - (a) include recommendations about changes to the RAP that will ensure the RAP will meet the requirements identified in conditions 1-3, or
 - (b) be accompanied by such other plan as the site auditor may submit which the auditor considers would meet the requirements of conditions 1-3.

Report to the EPA

5. Council must provide to the Contaminated Sites Section of the EPA in writing
 - (a) by **31 August 2001** the name of the site auditor engaged to provide a site audit; and
 - (b) by **30 November 2001** the RAP prepared by a consultant in accordance with this notice, together with the summary site audit report and site audit statement prepared by the site auditor in relation to the RAP.

(signed)

LISA CORBYN
Director General
Environment Protection Authority

Date: 22 March 2001

NOTE:

Relationship to other regulatory instrument

This order does not derogate from the provisions of any relevant environmental planning instruments which may control the land on which the land is located or provisions of any other environmental protection legislation administered by the EPA.

Implementation of RAP or other plan

The EPA may issue a subsequent remediation order to Council to require remediation of the site within a reasonable timeframe. Section 23(2) provides that such an order may adopt, with or without modification, a plan submitted in accordance with a previous remediation order or, at the discretion of the EPA, a plan recommended by the EPA or submitted by a site auditor accredited under Part 4.

Failure to comply with this Order

It is an offence to fail to comply with a remediation order. Heavy penalty may be imposed if you are convicted by the Land and Environment Court.

Information recorded by the EPA

Section 58 of the Contaminated Land Management Act 1997 requires the EPA to maintain a public record. A copy of this remediation order will be included in the public record.

Information recorded by councils

Section 59 of the Act requires the EPA to notify the relevant local council as soon as practicable after an order is made. The council is then required to note on its planning certificate issued pursuant to s.149 (2) of the Environmental Planning and Assessment Act that the land is currently subject to an investigation order. The EPA is required to notify council as soon as practicable when the order is no longer in force and the notation on the s.149 (2) certificate is removed.

GUIDELINES MADE OR APPROVED BY THE EPA UNDER SECTION 105 OF THE CONTAMINATED LAND MANAGEMENT ACT 1997

Guidelines made by the EPA

Contaminated Sites. Guidelines for Assessing Service Station Sites, December 94.

Contaminated Sites. Guidelines for the Vertical Mixing of Soil on Former Broad-Acre Agricultural Land, January 95.

Contaminated Sites. Sampling Design Guidelines, September 95.

Contaminated Sites. Guidelines for Assessing Banana Plantation Sites, October 97.

Contaminated Sites. Guidelines for Consultants Reporting on Contaminated Sites, November 97.

Contaminated Sites. Guidelines for NSW Site Auditor Scheme, June 98.

Contaminated Sites. Guidelines on Significant Risk of Harm from Contaminated Land and the Duty to Report, April 99.

Guidelines approved by the EPA

Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites, published by ANZECC and the National Health and Medical Research Council (NHMRC), January 1992.

Australian Water Quality Guidelines for Fresh and Marine Waters. ANZECC, November 1992.

NATIONAL ENVIRONMENTAL HEALTH FORUM MONOGRAPHS

Composite Sampling, by Lock, W. H., National Environmental Health Forum Monographs, Soil Series No.3, 1996, SA Health Commission, Adelaide.

NATIONAL ENVIRONMENT PROTECTION COUNCIL PUBLICATIONS

National Environment Protection (Assessment of Site Contamination) Measure 1999

The Measure includes a policy framework for the assessment of site contamination, Schedule A and Schedule B.

(I) SCHEDULE A

Recommended General Process for the Assessment of Site Contamination.

(II) SCHEDULE B -GUIDELINES

(1) *Guideline on Investigation Levels for Soil and Groundwater*

(2) *Guideline on Data Collection, Sample Design and Reporting*

(3) *Guideline on Laboratory Analysis of Potentially Contaminated Soils*

(4) *Guideline on Health Risk Assessment Methodology*

(5) *Guideline on Ecological Risk Assessment*

(6) *Guideline on Risk Based Assessment of Groundwater Contamination*

(7A) *Guideline on Health-Based Investigation Levels*

(7B) *Guideline on Exposure Scenarios and Exposure Settings*

(8) *Guideline on Community Consultation and Risk Communication*

(9) *Guideline on Protection of Health and the Environment During the Assessment of Site Contamination*

(10) *Guideline on Competencies and Acceptance of Environmental Auditors and Related Professionals*

OTHER DOCUMENTS

Guidelines for the Assessment and Cleanup of Cattle Tick Dip Sites for Residential Purposes, NSW Agriculture and CMPS&F Environmental, February 1996.

Guidelines for Drinking Water Quality in Australia. NHMRC & Australian Water Resources Council, 1996.

Environment Protection Authority**Declaration of remediation site**

Section 21 of the Contaminated Land Management Act 1997

Declaration Number 21005

The EPA declares the following land to be a remediation site under the Contaminated Land Management Act 1997 ("the Act"):

Land to which this declaration applies ("the site")

Tempe Tip, Tempe, comprised of the following allotments:

Lot No.	DP No.
1	62963
1	124394
8 Sec 20	57638
7	63236
3	662867
1	124399
C	385209
F	385210
A	382059
40	746918
3	261958
The road known as Swamp Road	
723	48012
725	48012
19	825649
20	825649
2	869306

Nature of the substances causing the contamination:

Leachate generated by the waste buried at the site.

Nature of harm that the substance may cause:

The EPA has considered the matters in s.9 of the Act and found that:

- Leachate is migrating off site towards the adjoining Alexandra Canal via groundwater flow, causing the Canal to be further contaminated.
- Applicable guidance levels, particular for ammonia in water, have been markedly exceeded.
- Ammonia is acutely toxic to freshwater organism at elevated concentrations.

The EPA has found the site is contaminated with chemicals typically associated with landfill leachate and particularly ammonia in such a way as to present a significant risk of harm to the groundwater system and the adjoining Alexandra Canal. There is a significant risk that:

- Harm is being caused to the fresh water biota in contact with the contaminated groundwater.
- Harm is being caused to water quality in Alexandra Canal as a receiving body of the contaminated groundwater.
- The site is a source of on-going contamination to Alexandra Canal.

Further action under the Act

The making of this declaration does not prevent the carrying out of a voluntary remediation of the site and any person may submit a voluntary remediation proposal for the site to the EPA. If the proposal satisfies the requirements of s.26 of the Act, the EPA may agree not to issue a remediation order to the person or persons bringing the proposal.

Submissions invited

The EPA advises that the public may make written submissions to the EPA on:

- Whether the EPA should issue a remediation order in relation to the site or
- Any other matter concerning the site.

Submissions should be made in writing to:

Director Contaminated Sites
Environment Protection Authority
PO Box A290
SYDNEY SOUTH NSW 1232

or faxed to: 02 9995 5999

by not later than 18 August 2000.

(signed by)

NEIL SHEPHERD

Director General

Environment Protection Authority

Date: 25 July 2000

NOTE:

Remediation order may follow

If remediation of the site or part of the site is required, the EPA may issue a remediation order under s.23 of the Act.

Variation/Revocation

This declaration remains in force until it is otherwise varied or revoked. A declaration may only be revoked when the EPA does not have reasonable grounds to believe that land is contaminated in such a way as to present a significant risk of harm (s.44 of the Act).

Information recorded by the EPA

S.58 of the Contaminated Land Management Act 1997 requires the EPA to maintain a public record. A copy of this remediation declaration will be included in the public record.

Information recorded by councils

S.59 of the Act requires the EPA to give a copy of this declaration to the relevant local council. The council is then required to note on its planning certificate issued pursuant to s.149 (2) of the Environmental Planning and Assessment Act that the land is currently within a declaration area. The EPA is required to notify council as soon as practicable when the declaration is no longer in force and the notation on the s.149 (2) certificate is removed.

SITE AUDIT STATEMENT



A site audit statement summarises the findings of a site audit. For full details of the site auditor's findings, evaluations and conclusions, refer to the associated site audit report.

This form was approved under the Contaminated Land Management Act 1997 on 21 February 2005. For more information about completing this form, go to Part IV.

PART I: Site audit identification

Site audit statement no. GN 35C

This site audit is a **statutory audit/non-statutory audit*** within the meaning of the Contaminated Land Management Act 1997.

Site auditor details (as accredited under the Contaminated Land Management Act 1997)

Name: Graeme Nyland Company: Environ Australia Pty Ltd
Address: Level 5, 60 Miller St (PO Box 560)
North Sydney NSW Postcode: 2060
Phone: 02 9954 8100 Fax: 02 9954 8150

Site details

Address: Bellevue Street, Tempe NSW Postcode: 2044

Property description (attach a list if several properties are included in the site audit)

Lot 1 DP 62963	Lot C DP 385209	Lot 19 DP 825649
Lot 1 DP 124394	Lot F DP 385210	Lot 20 DP 825649
Lot 8 Sec 20 DP 57638	Lot A DP 382059	Lot 2 DP 869306
Lot 7 DP 63236	Lot 40 DP 746918	Lot 723 DP 48012
Lot 6 Sec 20 DP 57638	Lot 3 DP 261958	
Lot 1 DP 124399	Lot 725 DP 48012	

Local Government Area: Marrickville Council

Area of site (e.g. hectares): 40 ha (approximately)

Current zoning: Arterial roads and arterial roads widening.

To the best of my knowledge, the site **is/is not*** the subject of a declaration, order, agreement or notice under the Contaminated Land Management Act 1997 or the Environmentally Hazardous Chemicals Act 1985.

Declaration/Order/Agreement/Notice* no(s):

- Voluntary Remediation Agreement No. 26050

Area No 3157

Site audit commissioned by

Name: Anthony Fazio

Company: Marrickville Council

Address: 2-14 Fisher Street, Petersham

Postcode: NSW 2049

Phone: 02 9935 2222

Fax: 02 9335 2029

Name and phone number of contact person (if different from above)

- Peter Twomey of Tenix Projects, Phone: 02 8908 7400

Purpose of site audit

☐ ~~A. To determine land use suitability (please specify intended use(s))~~

OR

☐ ~~B(i) To determine the nature and extent of contamination, and/or~~

☐ ~~B(ii) To determine the appropriateness of an **investigation/remedial action/management plan***, and/or~~

☐ ~~B(iii) To determine if the land can be made suitable for a particular use or uses by implementation of a specified **remedial action plan/management plan*** (please specify intended use(s))~~

- Audit related to remediation carried out in order to secure compliance with a voluntary remediation agreement, as contemplated in Section 47 (1) (a) of the ACT

Information sources for site audit

Consultancy(ies) which conducted the site investigation(s) and/or remediation

- Douglas Partners
- Coffey Geosciences Pty Ltd (Coffey)
- Austress Freyssinet (Austress)

Title(s) of report(s) reviewed:

Reports reviewed for previous Site Audit Reports and interim advice letters were referenced in those reports. Additional reports reviewed to prepare this Site Audit Statement are:

- "Tempe Lands Remediation – Cut-off Wall Validation Report", dated 16 December 2004 by Coffey.
- "Response to Comments Regarding Coffey's Tempe Lands Remediation – Cut-off Wall Validation Report" dated 23 March 2005 by Coffey.
- "Tempe Lands Remediation – Cut-off Wall Validation Report" dated 29 April 2005 by Coffey.

- "Tempe Lands Remediation – Cut-off Wall Validation Report", dated 18 August 2005 by Coffey.

Other information reviewed (including previous site audit reports and statements relating to the site)

- "Summary Site Audit Report Remedial Action Plan Tempe Lands, Tempe and Site Audit Statement", audit number GN 35, dated 26 November 2001, by Environ Australia Pty Ltd (Environ).
- Letter Re: "Remedial Action Plan, Remediation and Development of Tempe Lands", dated 7 October 2003, Interim Advice Letter, by Environ.
- "Summary Site Audit Report – Tempe Lands Remediation Project, Appropriateness of Detailed Design, and Site Audit Statement", audit number GN 35B, dated August 2004, by Environ.

Site audit report

Title: Site Audit Report – Tempe Lands Remediation Project Site Validation

Report no. GN 35C

Date: September 2005

PART II: Auditor's findings

Please complete either Section A or Section B, **not both**. (*Strike out the irrelevant section.*)

Use Section A where site investigation and/or remediation has been completed and a conclusion can be drawn on the suitability of land use(s).

Use Section B where the audit is to determine the nature and extent of contamination and/or the appropriateness of an investigation or remedial action or management plan and/or whether the site can be made suitable for a specified land use or uses subject to the successful implementation of a remedial action or management plan.

Section-A

☐ I certify that, in my opinion, the site is **SUITABLE** for the following use(s) (tick all appropriate uses and strike out those not applicable):

- ☐ Residential, including substantial vegetable garden and poultry
- ☐ Residential, including substantial vegetable garden, excluding poultry
- ☐ Residential with accessible soil, including garden (minimal home-grown produce contributing less than 10% fruit and vegetable intake), excluding poultry
- ☐ Day care centre, preschool, primary school
- ☐ Residential with minimal opportunity for soil access, including units
- ☐ Secondary school
- ☐ Park, recreational open space, playing field
- ☐ Commercial/industrial
- ☐ Other (please specify)

subject to compliance with the following environmental management plan (insert title, date and author of plan) in light of contamination remaining on the site:

.....

.....

.....

OR

☐ I certify that, in my opinion, the site is **NOT SUITABLE** for any use due to the risk of harm from contamination.

Overall comments

.....

.....

Section B

Purpose of the plan¹ which is the subject of the audit

I certify that, in my opinion:

- ☐ the nature and extent of the contamination HAS/HAS NOT* been appropriately determined

AND/OR

- ☐ the investigation/remedial action plan/management plan* IS/IS NOT* appropriate for the purpose stated above

AND/OR

- ☐ the site CAN BE MADE SUITABLE for the following uses (tick all appropriate uses and strike out those not applicable):

- ☐ Residential, including substantial vegetable garden and poultry
- ☐ Residential, including substantial vegetable garden, excluding poultry
- ☐ Residential with accessible soil, including garden (minimal home-grown produce contributing less than 10% fruit and vegetable intake), excluding poultry
- ☐ Day care centre, preschool, primary school
- ☐ Residential with minimal opportunity for soil access, including units
- ☐ Secondary school
- ☐ Park, recreational open space, playing field
- ☐ Commercial/industrial
- ☐ Other (please specify)

if the site is remediated/managed* in accordance with the following remedial action plan/management plan* (insert title, date and author of plan)

subject to compliance with the following condition(s):

¹ For simplicity, this statement uses the term 'plan' to refer to both plans and reports.

Overall comments

The Auditor concludes that:

- The outstanding principal features of the proposal (VRP) have been conducted in that the leachate collection and treatment system has been installed and monitoring of the performance has been carried out. ✓

With respect to the objectives of the VRA, the Auditor concludes that:

- The soil bentonite cut-off wall has been demonstrated to have been installed generally in accordance with the quality control plan. ✓
- The post construction monitoring of piezometers indicates that groundwater flow through the wall has been very substantially reduced. ✓
- The collection system has been successful in collecting substantial quantities of leachate, therefore preventing it from flowing into Alexandra Canal. ✓
- The leachate treatment plant has been successful in reducing the ammonia concentration in the leachate to levels suitable for irrigation. ✓

The Auditor notes that Tenix Projects has prepared a comprehensive schedule of ongoing requirements for the site. This includes requirements for monitoring of piezometric levels and of effluent quality as well as operations and maintenance items.

The Auditor recommends that a detailed monitoring program is developed and implemented. Initially it should include the following elements:

- Documentation of data quality objectives and quality plans.
- Measurement of leachate extraction rates and groundwater levels, at least until design levels are achieved in the internal piezometers.
- Continued measurement of tidal fluctuation in internal piezometers for a period of time to ensure that tidal influence does not increase.
- Verification of continued reliable performance of the ammonia analyser prior to running of the plant in automatic mode.
- Correlation of the performance of the plant with regeneration cycles to establish confidence limits for the plant operation.
- Monitoring of leachate quality with respect to salt content and of trends in soil salinity to ensure that irrigation with treated leachate remains viable.
- Evaluation and revision of the monitoring program after a period of approximately six months of satisfactory operation.

PART III: Auditor's declaration

I am accredited as a site auditor by the NSW Environment Protection Authority under the *Contaminated Land Management Act 1997* (Accreditation No. 9808).

I certify that:

- I have completed the site audit free of any conflicts of interest as defined in the *Contaminated Land Management Act 1997*, and
- with due regard to relevant laws and guidelines, I have examined and am familiar with the reports and information referred to in Part I of this site audit, and
- on the basis of inquiries I have made of those individuals immediately responsible for making those reports and obtaining the information referred to in this statement, those reports and that information are, to the best of my knowledge, true, accurate and complete, and
- this statement is, to the best of my knowledge, true, accurate and complete.

I am aware that there are penalties under the *Contaminated Land Management Act 1997* for wilfully making false or misleading statements.

Signed



Date

27/9/2005

NSW Environment Protection Authority

SITE AUDIT STATEMENT

Schedule 1, Form 2 (Contaminated Land Management Regulation 1998)



SITE AUDITOR (accredited under the Contaminated Land Management Act 1997):



Name: Mr Graeme Nyland
Company: ENVIRON Australia Pty Ltd
Address: Level 5, 60 Miller Street
NORTH SYDNEY NSW 2060

Phone: 02 9954 8100
Fax: 02 9954 8150
Accred. No: 9808

107 17782

SITE AUDIT STATEMENT NO: GN-35

SITE DETAILS:

Address: Bellevue Street, Tempe Postcode: 2044

Lot and DP number:

Lot 1, DP 62963	Lot C, DP 385209	Lot 19, DP 825649
Lot 1, DP 124394	Lot F, DP 385210	Lot 20, DP 825649
Lot 8 Sec 20, DP 57638	Lot A, DP 382059	Lot 2, DP 86930
Lot 7, DP 63236	Lot 40, DP 746918	Lot 723, DP 48012
Lot 3, DP 662867	Lot 3, DP 261958	& "Swamp Road"
Lot 1, DP 124399	Lot 725, DP 48012	

Local government area: Marrickville Council

SITE AUDIT REQUESTED BY:

Name: Anthony Fazio
Company: Marrickville Council
Address: 2-14 Fisher Street, Petersham
Phone: 02 93352222
Postcode: 2049
Fax: 02 93352029
Name of contact person (if different from above):

Consultancy(ies) who conducted the site investigation(s) and/or remediation:

Waste Service NSW

Title(s) of report(s) reviewed:

- "Remediation Action Plan Tempe Tip" November 1998, by Waste Service NSW

Other information reviewed:

- "Local Environmental Study for Remnant Country Road Reservation Land at Tempe/St. Peters" by Smyth Planning, March 2001;
- "Drainage and Water Quality Report" by Forbes Rigby, Mar. 2001;
- "Contaminated Land Report" by Coffeys, March 2001;
- "Tempe Tip Remediation Advice on Capping Design" by Woodward Clyde, February 1999;
- "Flora and Fauna Assessment" by Biosphere Environmental Consultants, Oct. 2000;
- "Tempe Tip Remediation & Temporary Use" by Perram & Partners, Dec. 1998;
- "Report on Geotechnical and Contamination Investigation - Addendum - Groundwater Chemical Analysis Report" by Douglas Partners, Dec 1998;
- "Report on Preliminary Contamination Assessment" by Douglas Partners, Dec. 1998;
- "Report on Geotechnical and Contamination Investigation" by Douglas Partners, Nov. 1998;
- "Future User & Occupational Risks Relevant to Remediation of the Former Tempe Tip Site" by Smith Environmental, Nov. 1998; and
- "Draft Alexandra Canal - Masterplan" by Allen Jack & Cottier, Dec. 2000.



Summary Site Audit Report

Title: "Summary Site Audit Report Remedial Action Plan Tempe Lands, Tempe" for Marrickville Council

Date : 26 November 2001

I have completed a site audit (as defined in the *Contaminated Land Management Act 1997*) and reviewed the reports and information referred to above with due regard to relevant laws and guidelines. I certify that the site (tick all appropriate boxes):

(a) is suitable for the following use(s):

- ☐ residential, including substantial vegetable garden and poultry;
- ☐ residential, including substantial vegetable garden excluding poultry;
- ☐ residential with accessible soil, including garden (minimal home-grown produce contributing less than 10% fruit and vegetable intake) excluding poultry;
- ☐ residential with minimal opportunity for soil access, including units;
- ☐ daycare centre, preschool, primary school;
- ☐ secondary school;
- ☐ park, recreational open space, playing field;
- ☐ commercial/industrial use;
- ☒ other (please specify): Audit conducted to determine the suitability and appropriateness of a plan of remediation

subject to:

- ☐ condition(s) (please specify):

(b) is not suitable for any beneficial use due to risk of harm from contamination.

- ☐ (comments):

I am accredited by the NSW Environment Protection Authority under *the Contaminated Land Management Act 1997* as a Site Auditor.

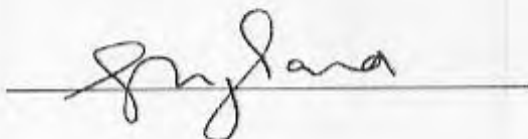
Accreditation Number: 9808

I certify that:

- (a) I have personally examined and am familiar with the information contained in this statement, including the reports and information referred to in this statement, and
- (b) This statement is, to the best of my knowledge, true, accurate and complete, and
- (c) On the basis of my inquiries made to those individuals immediately responsible for making the reports, and obtaining the information, referred to in this statement, those reports and that information are, to the best of my knowledge, true, accurate and complete.

I am aware that there are penalties for willfully submitting false, inaccurate or incomplete information.

Signed:



Date:

26/11/01

Forward to:

Manager, Contaminated Sites Section
NSW Environment Protection Authority
PO Box A290
SYDNEY SOUTH NSW 1232

Phone: 02 9995 5614

Fax: 02 9995 5999

Our Reference : Agreement No. 26050
File No. HO2018

ENVIRONMENT PROTECTION AUTHORITY (EPA)

**VOLUNTARY REMEDIATION PROPOSAL:
EPA AGREEMENT**

SECTION 26 CONTAMINATED LAND MANAGEMENT ACT 1997

Service: By Registered Mail

To:

**Marrickville Council
2-14 Fisher Street
PETERSHAM NSW 2049**
(referred to in this agreement as "the proponent").

Date:

Land:

The land to which this agreement relates is land known as
the former Tempe Tip comprising the following parcels of land:

<u>Lot No.</u>	<u>DP No.</u>
1	62963
1	124394
8 Sec 20	57638
7	63236
3	662867
1	124399
C	385209
F	385210
A	382059
40	746918
3	261958
The road known as Swamp Road	
723	48012
725	48012
19	825649
20	825649
2	869306

(referred to in this agreement as "the site" - a site plan is shown at
Attachment 1.)

Contamination:

Leachate generated by the waste buried at the site has contaminated the land in such a way as to pose a significant risk of harm. The contaminant of concern in the leachate is primarily ammonia.

(referred to in this agreement as "the contamination").

Background:

The proponent has furnished the EPA with a voluntary remediation proposal supported by a remedial action plan that has been reviewed by a site auditor accredited under the Contaminated Land Management Act 1997 ("the Act").

The voluntary remediation proposal ("the Proposal") is set out in the following documents:

- "Remedial Action Plan Tempe Tip, November 1998" by Waste Service NSW;
- "Summary Site Audit Report Remedial Action Plan, Tempe Land, Tempe, November 2001" by Graeme Nyland, the site auditor;
- "Voluntary Remediation Proposal – Tempe Lands, Tempe" by Marrickville Council in a submission dated 24 October 2002.;
- a letter from Marrickville Council dated 12 December 2002 providing the EPA with the commencement date and the completion date of the proposed remediation.

Objectives:

The objective for the proposed remediation is to ensure that the water quality of Alexandra Canal is not adversely impacted by the leachate originating from the site.

Principal Features of the Proposal:

Construction and operation of a leachate management system that consists of a cut-off wall, leachate drain, rising main, pump wells and treatment system. The principal features of the proposal are outlined below:

- Determine the depth from the ground surface to low permeability barriers along the proposed alignment of the cutoff wall. This is required to establish the toe of the cutoff wall;
- Determine the strength and permeability of subsoil along Alexandra Canal. This is to provide design parameter for the wall;
- Characterise leachate flow paths. This is to enable the cutoff wall and leachate drain locations, lengths and depths to be determined.
- Confirm leachate quality and quantity. This is to determine the risk to Alexandra Canal and to provide leachate treatment design parameters;
- Determine the engineering performance requirements for the leachate collection and treatment system having considered the quality and quantity of leachate that is being discharged into Alexandra Canal. This is to ensure the leachate collection and treatment system is effective in accomplishing the objectives of the agreement and allow a monitoring system of the performance of the leachate collection and treatment system to be designed;
- Produce a detailed design of a leachate collection and treatment system to meet these performance objectives. The detailed design is to be completed by 30 November 2003;
- Installation of the system as designed, to be completed by 30 June 2004;
- Monitoring of the performance of the leachate collection and treatment system to ensure that the performance objectives are met.

Reporting

- The proponent must prepare a written summary report of the detailed design of the leachate management system. The summary report must be reviewed by a site auditor accredited under the Act. The summary report and site audit statement commenting on the appropriateness of the detailed design must be provided to the EPA by 30 November 2003.
- The proponent must prepare a site validation report that is prepared by a suitably qualified consultant. The report is to discuss, in the context of the contamination at the site and the objectives of the proposal, each of the report headings listed in the publication *Guidelines for Consultants Reporting on Contaminated Sites*, EPA 1997, that are applicable to validation; and
- The site validation report must be reviewed by a site auditor accredited under the Act. The site auditor must prepare a site audit statement and summary site audit report, certifying whether or not:
 - the features under the heading of "Principal Features of the Proposal" have been successfully conducted; and
 - the objective under the heading of "Objectives" has been met.
- The proponent's site validation report and the site audit statement must be provided to the EPA by 30 June 2004.

General

- All site works must comply with SEPP 55 and any Council requirements and take into account any of the relevant issues listed under Remediation Action Plan on page 16 of the EPA (1997) *Guidelines for Consultants Reporting on Contaminated Sites*.
- All works and sampling undertaken and reports prepared must be consistent with Guidelines made or approved by the EPA under section 105 of the Act (a list of these Guidelines is provided in Attachment 2).

EPA Agreement

- The EPA is satisfied that the terms of the proposal are appropriate.
- The EPA has not identified any person other than the proponent to be responsible for contamination of the site.
- The EPA received a written confirmation from the proponent that Sydney Airports Corporation Limited, the owner of the parcels of land of part Lot 2 DP869306 and Lots 723 and 725 DP48012, agrees in principle to any proposal to limit the flow of leachate into Alexandra Canal by the construction of a leachate management system.

In accordance with Part 3 of the Act, the EPA agrees that it will not issue a remediation order against the proponent with respect to any remediation of the site that falls within the proposal, if it is carried out in accordance with the voluntary remediation proposal.

Lifetime of this Agreement

This agreement commences from the date upon which it is signed on behalf of the EPA, (which is the date set out on the first page of the agreement), and will run until 30 June 2004. All of the remediation works and reporting as listed above are to be completed within this time period.

Carlyne 19/3/03

CAROLYN STRANGE
A/Director Contaminated Sites
ENVIRONMENT PROTECTION AUTHORITY

Attachment 1 Site Plan
Attachment 2 List of approved Guidelines under s.105 of the CLM Act

NOTE:

1. The EPA is not prevented by this agreement from making a remediation order against persons (including public authorities) with whom it has made no such agreement (whether or not they were originally parties to the proposal).
2. The EPA is not prevented by this agreement from making a remediation order against the proponent as an appropriate person (as defined in the Act) if, in the opinion of the EPA, the terms of the proposal are not carried out.
3. Section 58 of the Act requires the EPA to maintain a public record of certain matters. Notification of the making of this agreement will be included in the public record.
4. Section 59 of the Act requires the EPA to notify the relevant local council of the making of this agreement and when the terms of the agreement have been fulfilled. The council is required to note on any certificate issued pursuant to section 149(2) Environmental Planning and Assessment Act 1979 with respect to the land that the land is subject to a voluntary agreement until the council receives EPA notification that the terms have been fulfilled.

Attachment 2

GUIDELINES MADE OR APPROVED BY THE EPA UNDER SECTION 105 OF THE CONTAMINATED LAND MANAGEMENT ACT 1997

Guidelines made by the EPA

Contaminated Sites. Guidelines for Assessing Service Station Sites, December 94.

Contaminated Sites. Guidelines for the Vertical Mixing of Soil on Former Broad-Acre Agricultural Land, January 95.

Contaminated Sites. Sampling Design Guidelines, September 95.

Contaminated Sites. Guidelines for Assessing Banana Plantation Sites, October 97.

Contaminated Sites. Guidelines for Consultants Reporting on Contaminated Sites, November 97.

Contaminated Sites. Guidelines for NSW Site Auditor Scheme, June 98.

Contaminated Sites. Guidelines on Significant Risk of Harm from Contaminated Land and the Duty to Report, April 99.

Guidelines approved by the EPA

Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites, published by ANZECC and the National Health and Medical Research Council (NHMRC), January 1992.

Australian Water Quality Guidelines for Fresh and Marine Waters. ANZECC, November 1992.

NATIONAL ENVIRONMENTAL HEALTH FORUM MONOGRAPHS

Composite Sampling, by Lock, W. H., National Environmental Health Forum Monographs, Soil Series No.3, 1996, SA Health Commission, Adelaide.

NATIONAL ENVIRONMENT PROTECTION COUNCIL PUBLICATIONS

National Environment Protection (Assessment of Site Contamination) Measure 1999

The Measure includes a policy framework for the assessment of site contamination, Schedule A and Schedule B.

(I) SCHEDULE A

Recommended General Process for the Assessment of Site Contamination.

(II) SCHEDULE B -GUIDELINES

- (1) Guideline on Investigation Levels for Soil and Groundwater*
- (2) Guideline on Data Collection, Sample Design and Reporting*
- (3) Guideline on Laboratory Analysis of Potentially Contaminated Soils*
- (4) Guideline on Health Risk Assessment Methodology*
- (5) Guideline on Ecological Risk Assessment*
- (6) Guideline on Risk Based Assessment of Groundwater Contamination*
- (7A) Guideline on Health-Based Investigation Levels*
- (7B) Guideline on Exposure Scenarios and Exposure Settings*
- (8) Guideline on Community Consultation and Risk Communication*
- (9) Guideline on Protection of Health and the Environment During the Assessment of Site Contamination*
- (10) Guideline on Competencies and Acceptance of Environmental Auditors and Related Professionals*

OTHER DOCUMENTS

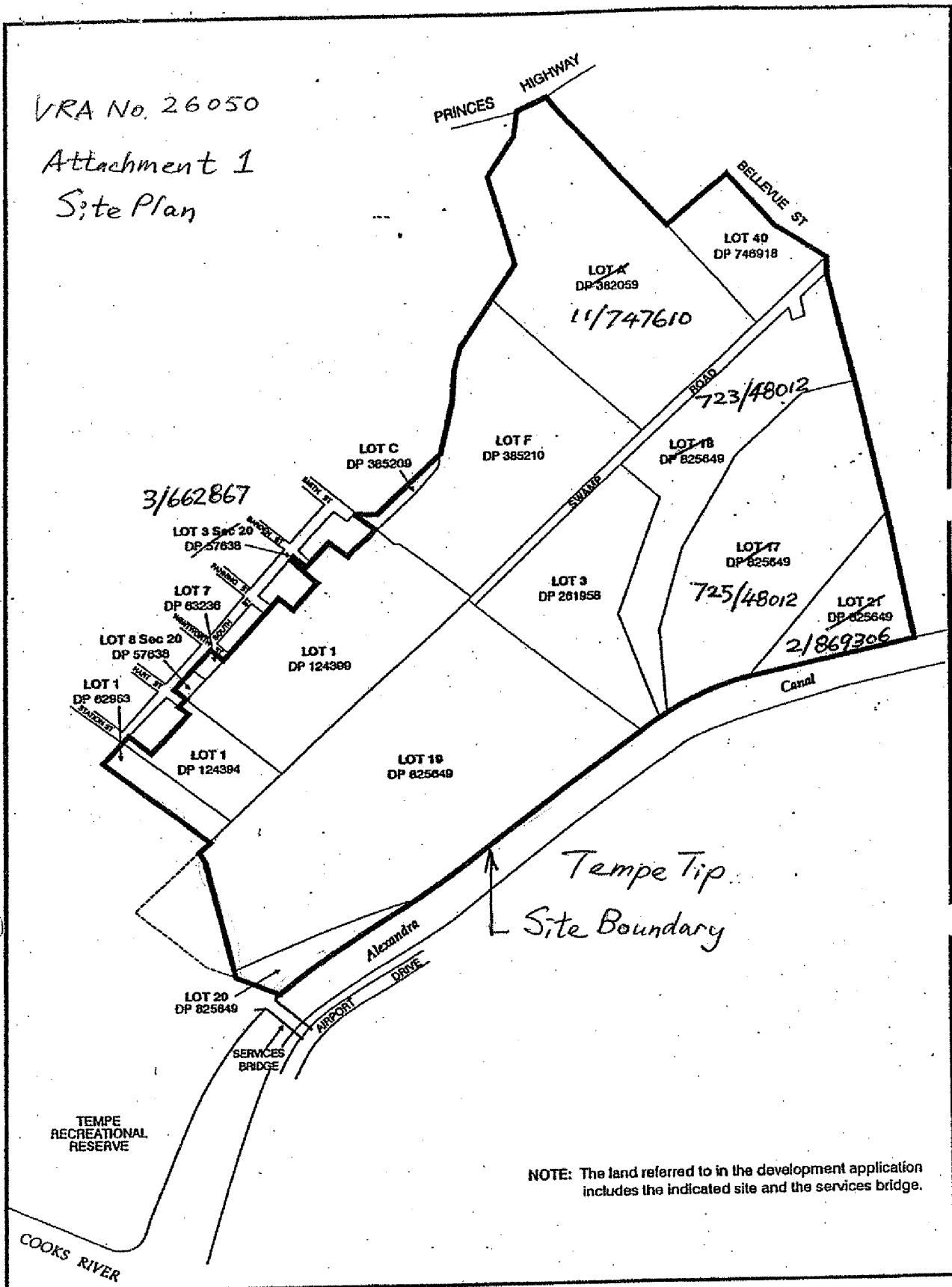
Guidelines for the Assessment and Cleanup of Cattle Tick Dip Sites for Residential Purposes, NSW Agriculture and CMPS&F Environmental, February 1996.

Guidelines for Drinking Water Quality in Australia. NHMRC & Australian Water Resources Council, 1996.

VRA No. 26050

Attachment 1

Site Plan



NOTE: The land referred to in the development application includes the indicated site and the services bridge.

Cadastral Boundaries



0 100m

**Tempe Tip
Addendum to Voluntary Remediation Proposal:
Environment Protection Authority Agreement No. 26050**

The voluntary remediation agreement dated 19 March 2003 is amended as follows to extend the completion date of the remediation works.

The second last dot point under The Principal Features of the Proposal is amended to read:

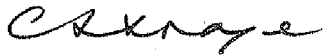
- Installation of the system as designed, to be completed by 31 December 2004.

The last dot point under Reporting is amended to read:

- The proponent's site validation report and the site audit statement must be provided to the EPA by 28 February 2005.

Lifetime of this Agreement is amended to read:

This agreement commences from the date upon which it is signed on behalf of the EPA, (which is the date set out on the first page of the agreement), and will run until 28 February 2005. All of the remediation works and reporting as listed above are to be completed within this time period.



**CAROLYN STRANGE
Director Contaminated Sites
Department of Environment and Conservation***

Date: **23 JUL 2004**

*** The Environment Protection Authority is part of the Department of Environment and Conservation**

Summary Site Audit Report

Title: *Tempe Lands Remediation Project - Appropriateness of Detailed Design*

Date: *August 2004*

I have completed a site audit (as defined in the *Contaminated Land Management Act 1997*) and reviewed the reports and information referred to above with due regard to relevant laws and guidelines. I certify that the site (tick all appropriate boxes):

(a) is suitable for the following use(s):

- ☐ Residential, including substantial vegetable garden and poultry;
- ☐ Residential, including substantial vegetable garden excluding poultry;
- ☐ Residential with accessible soil, including garden (minimal home grown produce contributing less than 40% fruit and vegetable intake) excluding poultry;
- ☐ Residential with minimal opportunity for soil access, including units;
- ☐ Daycare centre, preschool, primary school;
- ☐ Secondary school;
- ☐ Park, recreational open space, playing field;
- ☐ Commercial/industrial use;
- ☒ Other (please specify):

Audit conducted to comply with a requirement of a voluntary remedial proposal, i.e. an audit under Section 47(2)(a1) of the CLM Act.

The Auditor concludes that:

- Sufficient investigation has been conducted to allow for design of the leachate management system. This has included determination of the depth from ground surface to low permeability barriers along the proposed alignment of the cut off wall, and further assessment of leachate quality and quantity.
- Construction of the leachate collection system including a cut off wall is to be conducted under a design and construct performance specification. The specified performance is considered by the Auditor to be appropriate to achieve the objective of the VRA.
- The tender for construction of the leachate collection system was won by Austress, who will construct a soil-bentonite wall. They did not produce a summary report of the detailed design, but did produce various items of documentation. Their design essentially relies on their experience in constructing SBWs. No detailed case studies or long term performance data was presented.
- Austress conducted pre-construction testing to verify the permeability of the wall under laboratory conditions. A field test that was required under the contract was not entirely successful.
- Austress proposed field control procedures that in the Auditor's opinion are practical and appropriate.
- In the Auditor's opinion, a post construction validation strategy is necessary because laboratory testing is not entirely satisfactory for simulating field conditions, and no long term performance data has been presented.
- The validation strategy presented by the proponent, which considers changes in tidal fluctuation pre and post construction, is considered by the Auditor to be appropriate. The Auditor accepts that it is not possible to set definitive action levels prior to construction.
- The leachate treatment system will also be constructed under a performance specification. A design report has not been produced. The treatment method proposed is relatively new, using an ion-exchange process. The process as described appears to be appropriate.
- There appears to be suitable contingencies for the risks of failure in the leachate management system.

subject to:

- ☐ Condition(s) (please specify):

NSW Environment Protection Authority

SITE AUDIT STATEMENT

Schedule 1, Form 2 (Contaminated Land Management Regulation 1998)

SITE AUDITOR (accredited under the *Contaminated Land Management Act 1997*):

Name:	Mr Graeme Nyland	Phone:	02 9954 8100
Company:	ENVIRON Australia Pty Ltd	Fax:	02 9954 8150
Address:	Level 5, 60 Miller Street	Accred. No:	9808
	NORTH SYDNEY NSW 2060		

SITE AUDIT STATEMENT NO: GN 35 B

SITE DETAILS:

Address: Bellevue Street, Tempe NSW **Postcode:** 2044

Lot and DP number:

Lot 1 DP 62963	Lot C DP 385209	Lot 19 DP 825649
Lot 1 DP 124394	Lot F DP 385210	Lot 20 DP 825649
Lot 8 Sec 20 DP 57638	Lot A DP 382059	Lot 2 DP 86930
Lot 7 DP 63236	Lot 40 DP 746918	Lot 723 DP 8012
Lot 3 DP 662867	Lot 3 DP 261958	Road known as
Lot 1 DP 124399	Lot 725 DP 8012	"Swamp Road"

Local government area: Marrickville Council

SITE AUDIT REQUESTED BY:

Name:	Anthony Fazio		
Company:	Marrickville Council		
Address:	2-14 Fisher Street, Petersham NSW	Postcode:	2049
Phone:	02 9335 2222	Fax:	02 9335 2029

Name of contact person (if different from above):

Peter Twomey, LSM Projects (Project Manager for Council)



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Search results

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Matched 9 notices
relating to 4 sites.

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Suburb	Address	Site Name	Notices related to this site
Brighton-le-sands	General Holmes Drive	Cook Park	6 former
Brighton-le-sands	2 General Holmes Drive	Shell Service Station	4 former
Sans Souci	368 Rocky Point Road	7 Eleven Service Station, Ramsgate	1 current
Turrella	61 Turrella Street	Solvent Recycler and Distributor	2 current

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Environment Protection Authority**Declaration of significantly contaminated land**

(Section 11 of the Contaminated Land Management Act 1997)

Declaration Number 20101114; Area Number 3251

The Environment Protection Authority (EPA) declares the following land to be significantly contaminated land under the Contaminated Land Management Act 1997 ("the Act"):

1. Land to which this declaration applies ("the site")

This declaration applies to 61 Turrella Street, Turrella, NSW 2205 (described as Lot 1 in Deposited Plan 563180), in the local government area of Rockdale City Council. A map of the site is available for inspection at the offices of NSW Office of Environment and Heritage, Department of Premier and Cabinet, Level 15, 59 Goulburn Street, Sydney, NSW.

2. Nature of contamination affecting the site:

The EPA has found that the site is contaminated with the following substances ("the contaminants"):

- Chlorinated solvents (tetrachloroethene, trichloroethene, cis-1,2-dichloroethene and dichloromethane).
- Petroleum hydrocarbons (TPH C₆-C₉ and C₁₀-C₃₆).

3. Nature of harm that the contaminants may cause:

The EPA has considered the matters in s.12 of the Act and for the following reasons has determined that the land is contaminated and that the contamination is significant enough to warrant regulation under the Act:

- Groundwater at the site is contaminated with high concentrations of chlorinated solvents and petroleum hydrocarbons exceeding human health and ecological guideline criteria.
- Contaminated groundwater may be migrating offsite where there is the potential for exposure to occur.

4. Further action under the Act

The making of this declaration does not prevent the carrying out of voluntary management of the site and any person may submit a voluntary management proposal for the site to the EPA. If the proposal satisfies the requirements of s.17 of the Act, the EPA may agree not to issue a management order to the person or persons bringing the proposal.

5. Submissions invited

The public may make written submissions to the EPA on:

- Whether the EPA should issue a management order in relation to the site; or
- Any other matter concerning the site.

Submissions should be made in writing to:

Manager Contaminated Sites
NSW Office of Environment and Heritage
Department of Premier and Cabinet
PO Box A290
SYDNEY SOUTH NSW 1232
or faxed to 02 9995 5930
by not later than 27 August 2011.

[Signed]

NIALL JOHNSTON
Manager Contaminated Sites
NSW Office of Environment and Heritage
Department of Premier and Cabinet

Date: 27 July 2011

NOTE:

Management order may follow

If management of the site or part of the site is required, the EPA may issue a management order under s.14 of the Act.

Amendment/Repeal

This declaration may be amended or repealed. It remains in force until it is otherwise amended or repealed. The subsequent declaration must state the reasons for the amendment or repeal (s.44 of the Act).

Information recorded by the EPA

Section 58 of the Act requires the EPA to maintain a public record. A copy of this significantly contaminated land declaration will be included in the public record.

Information recorded by councils

Section 59 of the Act requires the EPA to give a copy of this declaration to the relevant local council. The council is then required to note on its planning certificate issued pursuant to s.149 (2) of the Environmental Planning and Assessment Act that the land is declared significantly contaminated land. The EPA is required to notify council as soon as practicable when the declaration is no longer in force and the notation on the s.149 (2) certificate is no longer required.

Relationship to other regulatory instrument

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

Environment Protection Authority (EPA)

NOTICE OF APPROVAL OF VOLUNTARY MANAGEMENT PROPOSAL

(Section 17 of the Contaminated Land Management Act 1997)

Approval No.: 20131718

Approval Date: 16 October 2013

Area No.: 3251

The approved proposal consists of this approval document and the attached proposal, which comprises three Parts: Part 1 – Preliminary Details; Part 2 – Undertakings; and Part 3 – Performance Schedule.

Proponent: Tulloch Aust. Pty Ltd

Site: 61 Turrella Street, Turrella, NSW 2205 (described as Lot 1 in Deposited Plan 563180)

Proposal Date: 31 July 2013

BACKGROUND

The EPA is satisfied that the terms of the proposal, as modified by the conditions of this approval, are appropriate.

The contents of Part 1, Part 2 and Part 3 of the attached proposal form part of the terms of the approved proposal.

For the purposes of section 9(1) of the CLM Act, the EPA has had regard to the principles of ecologically sustainable development in assessing and approving this Voluntary Management Proposal and has also sought the implementation of those principles in the management of the site under this approved proposal.

APPROVAL AND CONDITIONS

The EPA approves the proposal subject to the following conditions. These conditions form part of the terms of the approved proposal.

1. Each feature and milestone of the proposal is to be completed by the date specified in the proposal. Failure to satisfactorily complete any component by the due date for that feature or milestone may be taken as a failure to carry out the terms of the proposal for the purposes of section 17(6) of the CLM Act.
2. The Proponent cannot recover contributions under Part 3 Division 6 of the CLM Act.
3. The Proponent must ensure that the excavation works within Warehouse 2 involve the removal of impacted soil to the extent practicable. Note: this will require the enlargement of the proposed excavation area within Warehouse 2.
4. Based on the location of monitoring well MW03 in Warehouse 2, it is assumed that this well will be destroyed during the excavation works. The Proponent must ensure that a

replace well (i.e. recovery well) is installed within the designated excavation area of Warehouse 2.

5. The EPA considers that the validation report (R1) is unlikely to be achieved by the proposed date within the proposal. Therefore the validation report must be provided to the EPA by **31 December 2013**.
6. Available information suggests further groundwater investigations are required prior to the implementation of an active groundwater remediation approach as detailed in P4 of the proposal. Therefore P4 of the proposal must not be implemented until further groundwater information is available and written approval has been provided by the EPA to proceed with this approach.
7. Make available for inspection by any person, free of charge, and provide a copy to any person for a reasonable fee, any document required to be prepared and submitted to the EPA under this voluntary management proposal. It is not necessary to disclose:
 - (i) any information contained in those documents that relates to any manufacturing or other industrial or commercial secrets or working processes; or
 - (ii) any personal information, within the meaning of the *Privacy and Personal Information Protection Act 1998*, contained in those documents.
8. Where this proposal requires the Proponent or any other person to give a document to the EPA, that document may be given to the EPA:
 - a. By delivering the document by hand to Level 14, 59 Goulburn Street, Sydney, NSW 2000.
 - b. By posting the document to the Manager Contaminated Sites, PO Box A290 Sydney South, NSW 1232.
 - c. By faxing the document to the Manager Contaminated Sites on (02) 9995 5930
 - d. By emailing the document to contaminated.sites@epa.nsw.gov.au

ADDITIONAL INFORMATION

9. The EPA may still exercise any powers it has under the CLM Act, or any other legislation, in relation to the site.
10. The EPA may require the proponent to pay all or any costs incurred by the EPA in connection with any one or more of the following:
 - a. Assessing and settling the terms of the approved voluntary management proposal;
 - b. Monitoring action under the approved voluntary management proposal;
 - c. Seeking the compliance of the proponent with the approved voluntary management proposal;
 - d. Any other matter associated with, or incidental to, the matters set out in 10.a. to 10.c. above

Signed: 

16 October 2013

Manager Contaminated Sites
Environment Protection Authority

(by delegation)

VOLUNTARY MANAGEMENT PROPOSAL UNDER THE CONTAMINATED LAND MANAGEMENT ACT 1997

Part 1

Preliminary Details

1. Proponent's Details

(a) Name and contact details

Company name: Tulloch Aust Pty Ltd
ACN: 001 022 411

Phone: 02 9567 6755
Fax: 02 9556 1255

Postal Address: PO Box 160, Arncliffe
Postcode: NSW 2205
EPA licence number: 11304

(b) Who the EPA should contact with technical enquiries about the proposal

Name: Warwick Hayes
Company: Hayes Environmental Consulting Pty Ltd (HEC)
Position title: Director
Type of business: Investigation and remediation of contaminated sites
Phone: 02 9529 3344

Proponent: Tulloch Aust Pty Ltd
Site: 61 Turrella Street, Turrella NSW 2205
Proposal Date: 31 July, 2013

2. Site to which proposal applies

The site to which the proposal applies ("the site") is:

61 Turrella Street, Turrella NSW 2205
Lot 1 in Deposited Plan 563180
Refer to Attachment A for site plans

The site is a trapezoidal shaped block of land, covering an area of 4547m², and is being used for commercial purposes, including the processing, storage and distribution of dry cleaning supplies, laundry powders and other industrial cleaning products. The land has been declared significantly contaminated under Section 11 of the *Contaminated Land Management Act 1997* (Declaration Number 20101114; Area Number 3251) and an Environment Protection Licence under Section 55 of the *Protection of the Environment Operations Act 1997* (Licence 11304) has been issued to Tulloch Aust Pty Ltd.

3. The contamination

Soil and groundwater at the site are contaminated with substances and the contamination is significant enough to warrant regulation under the Contaminated Land Management Act 1997. The substances of concern ("the contaminants") are:

- tetrachloroethene (or perchlorethylene (PCE));
- trichloroethene (TCE);
- cis-1,2-dichloroethene (DCE);
- chloroethene (or vinyl chloride (VC));
- dichloromethane (DCM);
- C₆-C₉ and C₁₀-C₃₆ petroleum hydrocarbons (TPHs); and
- benzene, toluene, ethylbenzene and the xylenes (BTEX).

4. The management proposal

The management proposal ("the proposal") comprises:

- a) the information set out above;
- b) the actions, works and other components set out in the following documents:
 - "Remediation Action Plan for the Washdown Drain in Warehouse 2; 61 Turrella Street, Turrella NSW 2205" (HEC Ref. MP134 AH; dated 12 July, 2013); and
 - "Remediation of the contamination at 61 Turrella Street, Turrella" (EPA Ref. DOC13/6694);
- c) the undertakings set out in Part 2 of this document; and
- d) the performance schedule set out in Part 3 of this document.

Part 2

Undertakings Included in Voluntary Management Proposal

Explanatory Note:

Before the EPA can approve a voluntary management proposal under section 17 of the Contaminated Land Management Act 1997, it has a statutory obligation to satisfy itself that the terms of the proposal (as modified by any conditions to be imposed by the EPA) submitted to it under section 17 are appropriate. In addition to including an appropriate investigation plan, remedial action plan or other plan of management, to be acceptable to the EPA a proposal would usually include the undertakings set out below. These undertakings are important and will form part of the terms of the proposal. If the proposal is approved, they must be complied with in order for the EPA to be satisfied that the terms of the proposal have been carried out.

THE PROPOSAL INCLUDES THE FOLLOWING UNDERTAKINGS:

General

1. All works or activities carried out in connection with the proposal, including sampling and preparation of associated reports ("the activities"), will be carried out in accordance with applicable provisions of *State Environmental Planning Policy 55 – Remediation of Land* and any requirements imposed under it in relation to the activities.
2. All matters listed as relevant to a remediation action plan by the EPA's *Guidelines for Consultants Reporting on Contaminated Sites* (1997) will be taken into account in the carrying out of the activities.
3. All the activities will be carried out consistently with guidelines made or approved under section 105 of the CLM Act.
(See <http://www.environment.nsw.gov.au/clm/guidelines.htm>)
4. All the activities will be carried out in compliance with applicable NSW environmental legislation, and in particular:
 - i) All the activities, including:
 - (1) the processing, handling, movement and storage of materials and substances used to carry out the activities; and
 - (2) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activitieswill be carried out in a competent manner;
 - ii) All plant and equipment installed at the site or used in connection with the activities:
 - (1) will be maintained in a proper and efficient condition; and
 - (2) will be operated in a proper and efficient manner.
5. All the activities at the site will be carried out in a manner that prevents or minimises the emission of dust, odour and noise from the site.
6. Waste generated or stored at the Site will be assessed and classified in accordance with DECCW's *Waste Classification Guidelines Part 1: Classifying Waste*.
(See <http://www.environment.nsw.gov.au/waste/envguidlms/index.htm>)

Proponent: **TULLOCH AUST PTY. LTD.**

Site: **61 TURRELLA STREET, TURRELLA NSW 2205**

Proposal Date: **31 JULY 2013**

7. All waste transported from the Site that is required by the *Protection of the Environment (Waste) Regulation 2005* to be tracked must be tracked using Office of Environment and Heritage (OEHS) on-line tracking system or an alternative tracking system approved in writing by the EPA.

(See <http://www.environment.nsw.gov.au/owt/aboutowl.htm>)

8. The proponent will make this voluntary management proposal available to the public free of charge and consents to the EPA placing this proposal on its public website.
9. The proponent will make all documents referred to in, and required to be prepared under, this voluntary management proposal available to the public free of charge, unless the proponent identifies commercial-in-confidence or private/personal information (including information relating to a third party) within those documents. In these cases, the proponent will remove such information from the documents to make the documents suitable for public release.
10. The proponent will:
- i) prior to the implementation of the proposal provide for the EPA's approval a strategy for communicating about that implementation, particularly the actual management works, with members of the public who are likely to have a real interest in or be affected by that implementation; and
 - ii) implement the strategy as approved in writing by the EPA.

Monitoring, Record Keeping & Reporting

11. At least until the EPA has notified the proponent that the EPA no longer considers that the contamination is significant enough to warrant regulation under the *Contaminated Land Management Act 1997*, record and retain all monitoring data and information and provide this record to the EPA at any reasonable time if so requested by the EPA and as specifically provided under the proposal.

[Note: Specific details of monitoring and data reporting requirements, requirements for progress reports, etc are to be set out in the performance schedule in Part 3 of this document.]

12. The EPA will be informed in writing within 7 days of the proponent becoming aware of information or data indicating a material change:
- a) in conditions at the site, or
 - b) in its surrounding environment,
- which could adversely affect the prospects of successful management of the site or result in harm to the environment.
13. The EPA will be informed in writing within 7 days of the proponent becoming aware of any failure, either by the proponent or any other person, to comply with any term of the proposal.
14. The EPA will be informed in writing as soon as practicable of any notification by the proponent, its employees or its agents to an appropriate regulatory authority other than the EPA of any pollution incident at the site within the meaning of the *Protection of the Environment Operations Act 1997*.

(See <http://www.environment.nsw.gov.au/licensing/dutytonotify.htm>)

Performance Schedule

15. The performance schedule which is in Part 3 of this document will be adhered to.

Proponent: *TULLOCH AUST PTY LTD*
Site: *61 TURRELLA STREET, TURRELLA NSW 2205*
Proposal Date: *31 JULY 2013*

Part 3

Performance Schedule

Explanatory Notes:

The performance schedule required must provide a clear and concise list of:

- key milestones and dates by which they are to be achieved and
- the objectives and principal features of the investigation or remedial action plan.

The performance schedule is very important because it provides a concise set of performance indicators which will be used, along with an evaluation of compliance with the terms in Part 2 of this document, to assess whether or not the terms of the proposal have been carried out.

To be acceptable to the EPA, the performance schedule must include precise, measurable and time-bounded performance indicators. Where it is appropriate for the investigation or other management to be done in stages, performance measures for each stage must be provided. EPA approval of later stages will be dependent on the completion and/or performance of earlier stages being demonstrated to the EPA's satisfaction.

The performance schedule should adhere to the structure set out in the following table.

PART 3 - PERFORMANCE SCHEDULE	
The schedule should concisely set out:	
1. Objectives of the proposal	
2. Principal features of the proposal	
a. Capital works	
b. Investigation and/or Remediation	
c. Monitoring	
3. Reporting requirements and timeframes for submission of reports	
4. Key milestones and deadlines for investigation or remediation activities	

An example of a performance schedule is set out on the next page.

Proponent: TULLOCH AUST PTY LTD
Site: 61 TURRELLA STREET, TURRELLA NSW 2205
Proposal Date: 31 JULY 2013

PERFORMANCE SCHEDULE

1. Objectives of the proposal

The proposal is to undertake the remediation in two (2) phases:

Phase 1: involves the excavation of TPH- and chlorinated hydrocarbon- impacted soil from within the Warehouse 2 wash down drain, with its disposal at an appropriate, EPA-licensed landfill facility.

Phase 2: involves implementing measures to prevent off-site migration of contaminated groundwater, removing separate phase hydrocarbons from the groundwater (if present) and delineating the impact of soil and groundwater contamination at the adjoining properties and the wider environment.

This Schedule relates only to Phase 1. Phase 2 will be implemented upon completion of Phase 1 to the satisfaction of the EPA.

The main objectives of Phase 1 are to achieve the following outcomes within the timeframes specified in the proposal:

- O1. Excavate TPH- and chlorinated hydrocarbon- impacted soil from within the Warehouse 2 wash down drain.
- O2. Close off the drain pipe and reinstate the excavated area with clean materials.
- O3. Commence a water quality monitoring program for the site, utilising the existing groundwater wells and the open culvert in the north western site corner.

2. Principal features of the proposal

The principal features of Phase 1 include, but are not necessarily limited to:

a. Capital works / Remediation

- P1. Remove the surface concrete from the Warehouse 2 wash down drain. The nominated excavation area is approximately 3.5m by 1.8m (*Ref.* Attachment A).
- P2. Excavate TPH- and chlorinated hydrocarbon- impacted soil from within the exposed drain area, with its disposal at an appropriate, EPA-licensed landfill facility. The predicted excavation depth is approximately 3m.
- P3. Skim and pump out light non-aqueous phase liquid (LNAPL) and dense non-aqueous phase liquid (DNAPL) from the pit (if encountered), with its disposal at an appropriate treatment facility.
- P4. Apply an oxygen release compound (ORC) to the wall and base surfaces of the excavated pit, to accelerate the *in situ* chemical oxidation (ISCO) of remaining organic contaminants.
- P5. Permanently seal off the drainage pipe, then reinstate the excavated area with validated, *virgin excavated natural material* (VENM) and a durable catchment tank.

b. Monitoring

- P6. Carry out weekly inspection of separate phase hydrocarbon / groundwater seepage in the open stormwater culvert in the north western site corner. If any hydrocarbons are observed, employ measures (e.g. skimming and pumping) as soon as practicable to prevent pollution of waters.
- P7. Carry out monthly monitoring of separate phase hydrocarbon / groundwater levels in the existing groundwater wells (4) on the site, to assess the effect of removing the contaminated soil from within the Warehouse 2 wash down drain area. If any hydrocarbons are observed, employ measures (e.g. pumping) as soon as practicable to prevent pollution of waters.
- P8. Carry out a quarterly review of the monitoring data, to assess / validate the site wide remediation activities and determine measures to prevent off-site migration of contaminated groundwater (i.e. identify the objectives and principal features of Phase 2 of the Performance Schedule).

3. Key milestones for investigation, remediation and other actions

All works set out in the proposal must be completed by the deadlines specified below:

<i>Works</i>	<i>Deadline</i>
T1. Remediation works Phase 1	31 October, 2013
T2. Investigation (monitoring) works Phase 1	31 January, 2014
T3. Remediation and investigation works Phase 2	31 December, 2015

It is envisaged that the Phase 2 remediation will be undertaken between 1 April, 2014 to 31 December, 2015, if the Phase 2 proposal is approved by the EPA.

4. Reporting requirements and timeframe for submission of reports

The EPA must be provided with the following reports by the deadlines specified below:

<i>Report</i>	<i>Deadline</i>
R1. Validation report following the completion of remediation referred to in P1-P5.	30 November, 2013
R2. Site-wide groundwater monitoring report to include results and discussion of (P6-P8): • weekly inspections of the stormwater culvert; • monthly monitoring of the existing wells; and • the recommended measures for Phase 2.	28 February, 2014
R3. Site-wide groundwater monitoring reports at biannual intervals to include results and discussion of Phase 2 remediation works	30 June, 2014 and 31 December, 2014 30 June, 2015 and 31 January, 2016

Proponent: Tulloch Aust Pty Ltd
Site: 61 Turrella Street, Turrella NSW 2205
Proposal Date: 31 July, 2013

All remedial works, including waste transportation, will be conducted by suitably qualified contractors. The details of all remediation and validation activities will be inspected and reported by an experienced contaminated land consultant. This will enable an accurate account of the remediation and validation program to be documented, as recommended under the DEC (2006) *Guidelines for the NSW Site Auditor Scheme* and the OEH (2011) *Guidelines for Consultants Reporting on Contaminated Sites*.

Waste materials designated for off-site disposal will be transported and disposed to appropriate landfill or treatment facilities, in accordance with the DECC (2009) *Waste Classification Guidelines*.

REFERENCES

DEC (2006) *Guidelines for the NSW Site Auditor Scheme 2nd Edition* (including the *Soil Investigation Levels for Urban Development Sites in NSW*). Department of Environment and Conservation NSW, DEC 2006/121, April 2006.

DEC (2007) *Guidelines for the Assessment and Management of Groundwater Contamination*. Department of Environment and Conservation NSW, DEC 2007/144, March 2007.

DECC (2009) *Waste Classification Guidelines*. Department of Environment and Climate Change New South Wales, DECC 2009/281, July 2009.

DUAP / EPA (1998) *Managing Land Contamination. Planning Guidelines SEPP 55 – Remediation of Land*. NSW Department of Urban Affairs and Planning / Environment Protection Authority of New South Wales, August 1998.

EPA (1999) *Guidelines on Significant Risk of Harm from Contaminated Land and the Duty to Report*. Environment Protection Authority of New South Wales, Contaminated Sites Section, EPA 99/8, April 1999.

NEPC (1999) *National Environmental Protection (Assessment of Site Contamination) Measure 1999*. National Environmental Protection Council, December 1999.

OEH (2011) *Guidelines for Consultants Reporting on Contaminated Sites*. New South Wales Office of Environment and Heritage, OEH 2011/0650, August 2011.

Signature of proponent

This application for approval of this voluntary management proposal may only be signed by a person(s) with the legal authority to sign it. The various ways in which the application may be signed, and the people who may sign the application, are set out in the categories below.

Please tick (✓) the box next to the category that describes how this application is being signed.

If the proponent is:	The application must be signed and certified by one of the following:
an individual	☐ the individual.
a company	☐ the common seal being affixed in accordance with the <i>Corporations Act 2001</i> , or ☐ two directors, or ☐ a director and a company secretary, or ☒ if a proprietary company that has a sole director who is also the sole company secretary – by that director.
a public authority other than a council	☐ the chief executive officer of the public authority, or ☐ by a person delegated to sign on the public authority's behalf in accordance with its legislation (Please note: a copy of the relevant instrument of delegation must be attached to this application).
a local council	☐ the general manager in accordance with s.377 of the <i>Local Government Act 1993</i> ('LG Act'), or ☐ the seal of the council being affixed in a manner authorised under the LG Act.

I/We (the proponent):

- *apply for approval of the voluntary management proposal set out in this proposal and in any documents referred to in Part 1.4 of this proposal*
- *declare that the information in this proposal form (including any attachment or document referred to in Part 1.4 of this proposal) is not false or misleading.*

Signed by the proponent on 31 July 2013

Proponent:

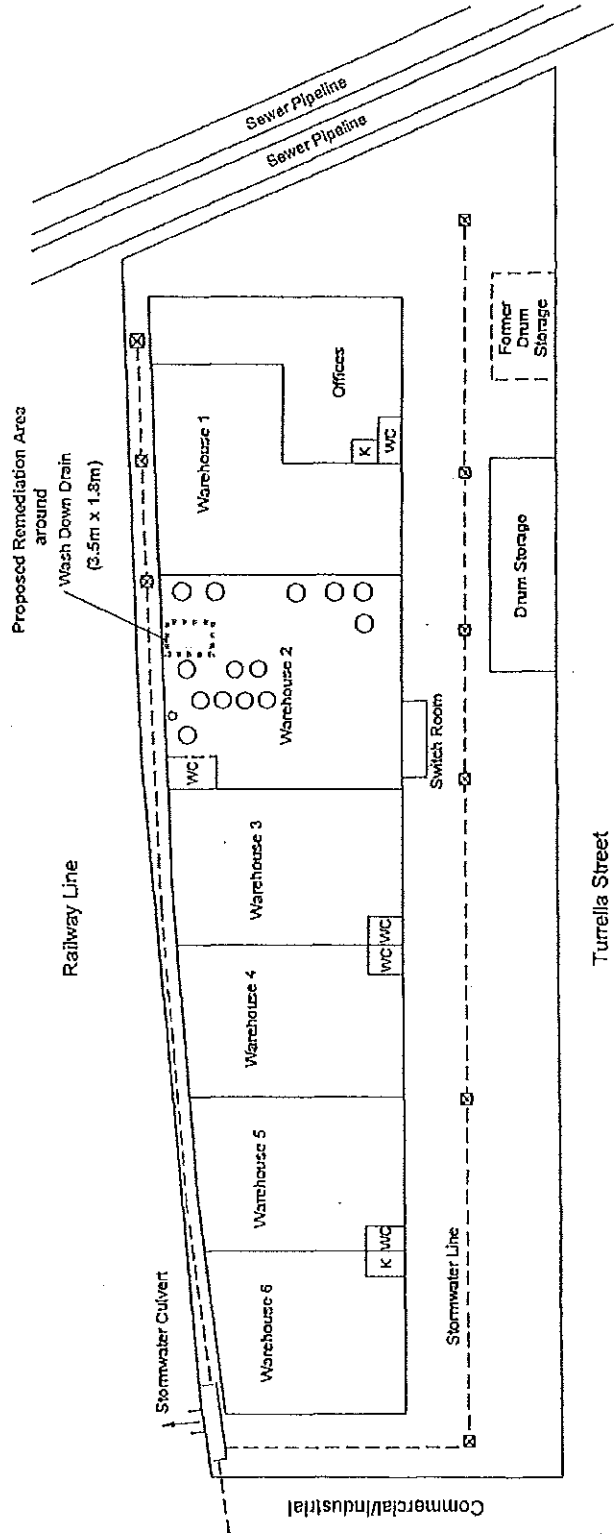
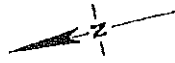
Site:

Proposal Date:

ATTACHMENT A

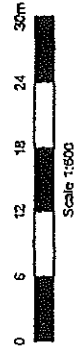
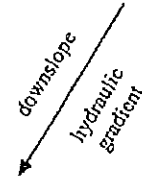
SITE PLANS

Proponent: Tulloch Aust Pty Ltd
Site: 61 Turrella Street, Turrella NSW 2205
Proposal Date: 31 July, 2013



LEGEND

- Above Ground Storage Tank
- WC Water Closet
- K Kitchen
- ☒ Stormwater inlet



Plan 2. Site Plan with Proposed Remediation Area

HEC Project MP134
 Voluntary Management Proposal
 61 Turrella Street, Turrella NSW 2205
 Hayes Environmental Consulting Pty Ltd ABN 32 295 203 367



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Alexandria	Off Huntley Street	Alexandra Canal	2 current
Alexandria	10-24 Ralph Street	Australia Post, Alexandria	1 current
Alexandria	49-59 O'Riordan Street	Cadbury Schweppes Site	1 former
Alexandria	2 Doody Street	Land adjacent to Australia Post, Alexandria	1 current
Eveleigh	Off Burren Street	Macdonaldtown Triangle	2 former
Millers Point	36 Hickson Road	Millers Point Gasworks	2 former
Millers Point	Wharves 5 and 7, Hickson Road	Millers Point Gasworks	2 current and 2 former
Millers Point	Hickson Road	Millers Point Gasworks	2 current and 2 former
Newtown	81 Wilson Street	MBL Service Station	4 former
Newtown	79 Wilson Street	Property Adjacent to MBL Service Station	3 former
Paddington	59 Oxford Street	7 Eleven Service Station, Paddington	1 current
Pymont	Pymont Road	Pymont Power Station	7 former
Waterloo	903-921 Bourke Street	Affected by Lawrence Dry Cleaners	6 current and 2 former
Waterloo	901 Bourke Street	Affected by Lawrence Dry Cleaners	6 current and 2 former
Waterloo	895-899 Bourke Street	Affected by Lawrence Dry Cleaners	6 current and 2 former
Waterloo	207-229 Young Street	Affected by Lawrence Dry Cleaners	6 current and 2 former
Waterloo	887-893 Bourke Street	Lawrence Dry Cleaners	6 current and 2 former

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Environment Protection Authority

Declaration of remediation site

Section 21 of the Contaminated Land Management Act 1997

Declaration Number 21008 / Area # 3151

The Environment Protection Authority (EPA) declares the following land to be a remediation site under the Contaminated Land Management Act 1997 ("the Act"):

1. Land to which this declaration applies ("the site")

The bed of the Alexandra Canal between Huntley Street, Alexandria and the junction of Alexandra Canal with the Cooks River at Mascot, being Lot 1 DP 532493, Lot 1 DP749404 and Lot 3 DP878489 within the local government areas of Botany Bay, Marrickville and South Sydney .

2. Nature of the substances causing the contamination ("the contaminants"):

Chlorinated hydrocarbons including organochlorine pesticides (chlordane, total DDT and dieldrin), polychlorinated biphenyls (PCBs) and metals in the bed sediments of the Canal.

3. Nature of harm that the substance may cause:

The EPA has considered the matters in s.9 of the Act and found that:

- The contaminants would not be expected to occur naturally at this site or in the elevated concentrations found;
- Environmental harm has occurred and there is a lack of benthic (sediment dwelling) biota at the site;
- The concentration of PCBs present in fish taken from the canal exceed the maximum residue levels as set by the National Food Authority;
- Concentrations of the contaminants in fish tissue and sediments greatly exceed applicable guidelines;
- PCBs, organochlorine pesticides and lead are classifiable as human carcinogens;
- PCBs and organochlorine pesticides have bioaccumulated in fish tissue and therefore there is a potential for tissue concentrations of these chemicals to increase as the chemical is transferred from one trophic level to the next (i.e. biomagnification);
- Changes in the approved use of the land around the canal increases the risk of harm;
- There are indications that off-site migration of the contaminants has occurred into the Cooks River. Further off site migration into Botany Bay is possible; and
- Disturbance of the sediments through use of the canal would mobilise the contaminants and hence increase the risk of harm.

The EPA has found that the site is contaminated with chlorinated hydrocarbons and metals in such a way as to present a significant risk of harm to human health and the environment. There is a significant risk that:

- Harm is being caused to the benthic biota that is in contact with the contaminants in the sediments;
- Harm may be caused to humans from the increased risk associated with the consumption of contaminated fish; and
- Disturbance of the sediments would mobilise the contaminants and hence increase the risk of harm.

4. Further action under the Act

The making of this declaration does not prevent the carrying out of a voluntary remediation of the site and any person may submit a voluntary remediation proposal for the site to the EPA. If the proposal satisfies the requirements of s.26 of the Act, the EPA may agree not to issue a remediation order to the person or persons bringing the proposal.

5. Submissions invited

The EPA advises that the public may make written submissions to the EPA on:

- Whether the EPA should issue a remediation order in relation to the site or
- Any other matter concerning the site.

Submissions should be made in writing to:

Director Contaminated Sites
Environment Protection Authority
PO Box A290
SYDNEY SOUTH NSW 1232
or faxed to: 02 9995 5999

by not later than **22 September 2000**.

(signed 25 August 2000)

CATHY DYER

Director Contaminated Sites

ENVIRONMENT PROTECTION AUTHORITY

(by Delegation)

Date: 25 August 2000

NOTE:

Remediation order may follow

If remediation of the site or part of the site is required, the EPA may issue a remediation order under s.23 of the Act.

Variation/Revocation

This declaration remains in force until it is otherwise varied or revoked. A declaration may only be revoked when the EPA does not have reasonable grounds to believe that land is contaminated in such a way as to present a significant risk of harm (s.44 of the Act).

Information recorded by the EPA

S.58 of the Contaminated Land Management Act 1997 requires the EPA to maintain a public record. A copy of this remediation declaration will be included in the public record.

Information recorded by councils

S.59 of the Act requires the EPA to give a copy of this declaration to the relevant local council. The council is then required to note on its planning certificate issued pursuant to s.149 (2) of the Environmental Planning and Assessment Act that the land is currently within a declaration area. The EPA is required to notify council as soon as practicable when the declaration is no longer in force and the notation on the s.149 certificate removed.

Note: On 21 March 2012 Sydney Water provided an [update on actions required under this Order](#).

Environment Protection Authority

Remediation order

Section 23 of the Contaminated Land Management Act 1997

HO1833
23004/ Area #3151

Service: By Registered Mail to Registered Office and Principal Place of Business

Sydney Water Corporation (ABN)
115-123 Bathurst Street
SYDNEY NSW 2000

Attention: Managing Director

Background

- A. On 25 August 2000 the Environment Protection Authority ("EPA") declared the bed sediments of the Alexandra Canal between Huntley Street, Alexandria and the junction of Alexandra Canal with the Cooks River at Mascot, being Lot 1 DP 532493, Lot 1 DP749404 and Lot 3 DP878489 ("the site") within the local government areas of Botany Bay, Marrickville and South Sydney as a remediation site.
- B. The bed sediments at the site have been found to be contaminated with chlorinated hydrocarbons including organochlorine pesticides (chlordane, total DDT and dieldrin), polychlorinated biphenyls (PCBs) and metals ("the contaminants") in such a way as to present a significant risk of harm to human health and the environment.
- C. The EPA has considered the matters in s.9 of the Contaminated Land Management Act ("the Act") and found that the contamination at the site presents a significant risk of harm because
 - Harm is being caused to the benthic biota that is in contact with the contaminants in the sediments;
 - Harm may be caused to humans from the increased risk associated with the consumption of contaminated fish; and
 - Disturbance of the sediments would mobilise the contaminants and hence increase the risk of harm.
- D. The EPA has considered all submissions made as to whether an order should be made.
- E. There are no other persons who are required to be served with a copy of this order for the purposes of s.24(3) of the Act.

Action required by this order

By this order, the EPA orders Sydney Water Corporation ("Sydney Water"), being the owner of the site, to do the following:

1. Sydney Water must refrain from carrying out, or from causing, permitting or allowing its agents, contractors, licensees or lessees from carrying out, any works or activities on the bed sediments of the site that would result in the disturbance, or further disturbance, of the bed sediments except as provided by this Order.

Examples of the types of works or activities that may come within the scope of this Order include construction and maintenance work relating to dredging activities or boating facilities (such as piers, wharves, slipways or marinas).

2. Prior to the conduct of works or activities coming within the terms of requirement 1, Sydney Water must prepare and submit for the EPA's approval a written plan directed at minimising the disturbance and migration of contaminated sediments at the site. The EPA may approve the plan or aspects of the plan as submitted or approve the plan subject to a requirement that additional mitigation measures must be implemented.

This provision is waived for emergency works that are required to protect the safety or property of persons involved in the emergency (eg repairs to collapsed canal wall during flood). In this case the EPA must be notified of the situation and the actions being undertaken.

3. Any works or activities the subject of an approved plan must be performed in accordance with the plan.
4. The plan submitted to the EPA for its approval must be prepared in accordance with the EPA publication titled *Guidelines for Consultants Reporting on Contaminated Sites*, dated November 1997, as it relates to investigation and or remedial action plans.
5. Sydney Water must also, as far as reasonable, ensure that other persons who may carry out works or activities on the bed sediments of the site are made aware of this Order and are advised not to do anything inconsistent with the Order. Without limiting what Sydney Water is required to do to comply with this requirement, it must
 - a) develop and implement an information campaign to alert people near the site to the requirements of this Order;
 - b) erect signs along the length of the canal at 1 kilometre intervals to alert users of the canal about the requirements of this Order;
 - c) liaise with and provide information to relevant councils about the

requirements of this Order.

6. A copy of the documentation recording the information campaign must be provided to the EPA by (date to be inserted).

[SIGNED]

CAROLYN STRANGE
Director Contaminated Sites
Department of Environment and Conservation
(by Delegation)

Date: 10 May 2004

NOTE:

Relationship to other regulatory instruments

This Order does not affect the requirement to comply with the provisions of any applicable environmental planning instruments, pollution reduction programs or the provisions of any other environmental protection legislation administered by the EPA.

Failure to comply with this Order

It is an offence to fail to comply with a remediation order. Heavy penalties may be imposed if you are convicted of this offence by the Land and Environment Court.

Information recorded by the EPA

Section 58 of the Contaminated Land Management Act 1997 requires the EPA to maintain a public record. A copy of this remediation order will be included in the public record.

Information recorded by councils

Section 59 of the Act requires the EPA to notify the relevant local council as soon as practicable after an order is made. The council is then required to note on its planning certificate issued pursuant to s.149(2) of the Environmental Planning and Assessment Act that the land is currently subject to a remediation order. The EPA is required to notify council as soon as practicable when the order is no longer in force and the notation on the s.149(2) certificate can be removed.

Guidelines made by the EPA

- Contaminated Sites: [Guidelines for Assessing Service Station Sites](#), December 1994
- Contaminated Sites: [Guidelines for the vertical mixing of soil on former broad-acre agricultural land](#), January 1995 (vertmix.pdf, 149kb, requires [acrobat reader](#))
- Contaminated Sites: *Sampling Design Guidelines*, September 1995
- Contaminated Sites: [Guidelines for Assessing Banana Plantation Sites](#), October 1997
- Contaminated Sites: *Guidelines for Consultants Reporting on Contaminated Sites*, November 1997
- Contaminated Sites: *Guidelines for the NSW site auditor scheme*, June 1998
- Contaminated Sites: [Guidelines on Significant Risk of Harm from Contaminated Land and the Duty to Report](#), April 1999 (sroh.pdf, 164kb, requires [acrobat reader](#))

Note: All references in the EPA's contaminated sites guidelines to the *Australian Water Quality Guidelines for Fresh and Marine Waters* (ANZECC, November 1992) are replaced as of 6 September 2001 by references to the *Australian and New Zealand Guidelines for Fresh and Marine Water Quality* (ANZECC and ARMCANZ, October 2000), subject to the same terms.

Guidelines approved by the EPA ANZECC publications

- *Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites*, published by Australian and New Zealand Environment and Conservation Council (ANZECC) and the National Health and Medical Research Council (NHMRC), January 1992
- *Australian Water Quality Guidelines for Fresh and Marine Waters*, Australian and New Zealand Environment and Conservation Council (ANZECC), November 1992, which are only approved for the purposes of contaminated site assessment, investigation, remediation and site auditing under the Contaminated Land Management Act (or other relevant legislation) commenced before September 2001
- *Australian and New Zealand Guidelines for Fresh and Marine Water Quality*, Australian and New Zealand Environment and Conservation Council and Agriculture and Resource Management Council of Australia and New Zealand, Paper No 4, October 2000

EnHealth publications (formerly National Environmental Health Forum monographs)

- *Composite Sampling*, by Lock, W. H., National Environmental Health Forum Monographs, Soil Series No.3, 1996, SA Health Commission, Adelaide
- *Environmental Health Risk Assessment: Guidelines for assessing human health risks from environmental hazards*, Department of Health and Ageing and EnHealth Council, Commonwealth of Australia, June 2002

National Environment Protection Council publications

- *National Environment Protection (Assessment of Site Contamination) Measure 1999*

The Measure consists of a policy framework for the assessment of site contamination, Schedule A (*Recommended General Process for the Assessment of Site Contamination*) and Schedule B (*Guidelines*). Schedule B guidelines include:

B(1) *Guideline on Investigation Levels for Soil and Groundwater*

B(2) *Guideline on Data Collection, Sample Design and Reporting*

B(3) *Guideline on Laboratory Analysis of Potentially Contaminated Soils*

B(4) *Guideline on Health Risk Assessment Methodology*

B(5) *Guideline on Ecological Risk Assessment*

B(6) *Guideline on Risk Based Assessment of Groundwater Contamination*

B(7a) *Guideline on Health-Based Investigation Levels*

B(7b) *Guideline on Exposure Scenarios and Exposure Settings*

B(8) *Guideline on Community Consultation and Risk Communication*

B(9) *Guideline on Protection of Health and the Environment During the Assessment of Site Contamination*

B(10) *Guideline on Competencies & Acceptance of Environmental Auditors and Related Professionals*

Other documents

- *Guidelines for the Assessment and Clean Up of Cattle Tick Dip Sites for Residential Purposes*, NSW Agriculture and CMPS&F Environmental, February 1996
- *Australian Drinking Water Guidelines*, NHMRC & Agriculture and Resource Management Council of Australia and New Zealand, 1996

Environment Protection Authority**Declaration of significantly contaminated land**

(Section 11 of the Contaminated Land Management Act 1997)

Declaration Number 20101101; Area Number 3255

The Environment Protection Authority (EPA) declares the following land to be significantly contaminated land under the Contaminated Land Management Act 1997 ("the Act"):

1. Land to which this declaration applies ("the site")

This declaration applies to:

- 10-24 Ralph Street, Alexandria, NSW (Lot 21 in DP600112 and Lot 101 in DP874743); and
- 2 Doody Street, Alexandria, NSW (Lot 4 in DP788131)

in the local government area of Sydney. A map of the site is available for inspection at the offices of the Department of Environment, Climate Change and Water, Level 14, 59 Goulburn Street, Sydney, NSW.

2. Nature of contamination affecting the site:

The EPA has found that the site is contaminated with the following substances ("the contaminants"): High concentrations of Total Petroleum Hydrocarbons (TPHs C6-C36), Naphthalene, Phenol and Aluminium have been found in groundwater samples.

3. Nature of harm that the contaminants may cause:

The EPA has considered the matters in s.12 of the Act and for the following reasons has determined that the land is contaminated and that the contamination is significant enough to warrant regulation under the Act:

A risk to human health may arise should workers who maintain subsurface utilities or future users of the local groundwater be exposed to the contamination.

4. Further action under the Act

The making of this declaration does not prevent the carrying out of voluntary management of the site and any person may submit a voluntary management proposal for the site to the EPA. If the proposal satisfies the requirements of s.17 of the Act, the EPA may agree not to issue a management order to the person or persons bringing the proposal.

5. Submissions invited

The public may make written submissions to the EPA on:

- Whether the EPA should issue a management order in relation to the site; or
- Any other matter concerning the site.

Submissions should be made in writing to:

Manager Contaminated Sites
Department of Environment, Climate Change and Water
PO Box A290
SYDNEY SOUTH NSW 1232

or faxed to 02 9995 5930

by not later than 10 July 2010

[Signed]

NIALL JOHNSTON

FILE COPY

Our Reference : Agreement No. 26034
File No. HO3800

ENVIRONMENT PROTECTION AUTHORITY (EPA)

**VOLUNTARY REMEDIATION PROPOSAL:
EPA AGREEMENT**

SECTION 26 CONTAMINATED LAND MANAGEMENT ACT 1997

Service: By Registered Mail

To:

**Cadbury Schweppes Pty Ltd
Technical Centre 2 Beverage Drive
TULLAMARINE VIC 3043
(referred to in this agreement as "the proponent").**

Date:

Land:

The land to which this agreement relates is land known as the Cadbury Schweppes site, Lot 1 DP800092, at 49-59 O'Riordan Street, Alexandria NSW (referred to in this agreement as "the site" - a site plan is shown at Attachment 1.)

Contamination:

The Environment Protection Authority ("EPA") has determined that the fill material and the groundwater at the site are contaminated in such a way as to present a significant risk of harm. The contaminants at the site of concern are:

- zinc with high leachability in the fill material; and
- zinc and arsenic in the groundwater.

(referred to in this agreement as "the contaminants").

Background:

The contaminated materials were brought in as fill material in the past and are considered to be the source of zinc contamination in the groundwater. Investigations to date however suggest that the arsenic contamination in the groundwater originates from off site.

The proponent has furnished the EPA with a voluntary remediation proposal supported by a remedial action plan that has been reviewed by a site auditor accredited under the Contaminated Land Management Act 1997 ("the Act").

The voluntary remediation proposal ("the Proposal") is set out in submissions to the EPA by URS Australia Pty Ltd ("URS") dated 8 May 2002 (Project Number 27793/010) and by Cadbury Schweppes Australia Ltd ("Cadbury Schweppes") dated 16 August 2002, which include the following documents:

- a report titled "*Remedial Action Plan Cadbury Schweppes Site, 43-47 O'Riordan Street and 49-59 O'Riordan Street, Alexandria, 6 March 2002*" by URS ("the RAP");
- a proposal titled "*Voluntary Remediation Proposal for Cadbury Schweppes Site, 49-59 O'Riordan Street, Alexandria*" by URS;
- a letter from W R Ryall, an accredited site auditor, dated 30 April 2002 endorsing the RAP;
- a letter from URS dated 16 August 2002 with comments on the draft Voluntary Remediation Agreement; and
- a letter from Cadbury Schweppes dated 13 August 2002 confirming that site remediation will be completed prior to the sale of the site and that a site access arrangement is being negotiated between Cadbury Schweppes and the prospective site purchaser to facilitate the on-going monitoring requirements.

Objectives:

The objectives of the proposal are to achieve the following outcomes within the timeframes specified in the proposal:

Soil

1. To the extent practicable remove from the site the soil and fill material which has elevated levels of zinc, copper and lead and is the source of zinc contamination in the groundwater.
2. Ensure that the site is remediated so that it is suitable for the intended on-going commercial or industrial use.

Site areas where remediation is required are shown at Attachment 1.

Groundwater:

3. Remove the source of zinc contamination in the groundwater to the extent practicable (refer to Point 1).
4. Demonstrate that after the source of zinc groundwater contamination has been removed, the concentrations of the zinc contamination in the groundwater leaving the site are reducing and the zinc contamination leaving the site does not pose a significant risk of harm to the environment or to human health.

Principal Features of the Proposal:

Removal of contaminated soil and fill material

- Excavation of the contaminated soil and fill material
 - Classification of the soil into that which is above and that which is below the criteria for Commercial or Industrial use (refer to the health-based investigation levels listed on Column 4 of page 30 of the EPA (1998) *Guidelines for the NSW Auditor Scheme*) to see which soil is to be removed.
- Stabilisation of the contaminated soil and fill material
 - Stabilisation of the contaminated material classified as requiring stabilisation in accordance with the EPA (1999) *Environmental Guidelines: Assessment, Classification & Management of Liquid and Non-Liquid Wastes* prior to its disposal to a landfill that may lawfully receive the material.

- Validation of on-site soil.
 - Validation of material remaining on the site to the extent practicable in accordance with the measures described in the RAP.

Post-remediation groundwater monitoring

- Monitor groundwater by placing new bores or using existing bores at locations and depths as shown on the plan prepared by URS titled "Site Layout and Post Remediation Monitoring Well Locations" (Attachment 2). Existing groundwater monitoring wells to be utilised during the Post Remediation Monitoring program are:
 - Up-gradient boundary wells – MW57, MW22 and MW 114;
 - Wells located along the groundwater flow path of the identified zinc plume – MW110, and MW108; and
 - Down-gradient boundary wells – MW11, MW03 and MW13.
- Collect and analyse groundwater samples from each of the wells described above once every six months on and from the completion of the removal of the contaminated material for a period of 36 months.
- Based on the monitoring results obtained from the above monitoring, the proponent must take an assessment within 36 months from the date of the final removal of the contaminated soil, to determine whether or not the levels of the nominated contaminants in groundwater are reducing.
- Devise and implement alternative remediation strategies if the groundwater contaminant levels do not meet the objectives as described in 4 above. This may include:
 - Extension of the groundwater monitoring period;
 - identification of other contamination sources;
 - remediation of other previously unknown contamination sources; or
 - possible remediation of groundwater with a passive technique such as a limestone barrier wall or some other similar technique.

Reporting

- The proponent must submit to the EPA by **31 December 2002**:
 - a site validation report that is prepared by a suitably qualified consultant. The report is to discuss, in the context of the contamination at the site, each of the report headings listed in the publication *Guidelines for Consultants Reporting on Contaminated Sites*, EPA 1997, that are applicable to validation; and
 - a site audit statement and summary site audit report undertaken by a site auditor accredited under the Act, certifying whether or not:
 - the principal features under the heading of "Removal of contaminated soil and fill material" have been successfully conducted; and
 - the land at Lot 1 DP800092, 49-59 O'Riordan Street, Alexandria is suitable for commercial or industrial landuse.
- The proponent must submit to the EPA within **36 months** of the removal of the contaminated soil and fill material, a summary site audit report undertaken by a site auditor accredited under the Act, certifying whether or not the principal features under the heading of "Post-remediation groundwater monitoring" have been successfully conducted.
- In the event that the groundwater contaminant levels do not meet or are unlikely to meet the objectives as described in 4 above by the end of the 36 months monitoring period, the proponent must submit to the EPA together with the summary site audit report as described in the last dot point a report detailing:
 - the contaminant concentrations in the groundwater measured against ANZECC water quality criteria and/or background;

- the proposed alternative remediation strategy, which may include the extension of the monitoring period if the monitoring data demonstrate that the levels of zinc in the groundwater leaving the site are progressively reducing; and
- the timeframe for its implementation and the anticipated timeframe for it to reduce the concentration of contaminants in the groundwater leaving the site to a level which will not pose a significant risk of harm to human health or the environment.

General

- All site works must comply with SEPP 55 and any Council requirements and take into account any of the relevant issues listed under Remediation Action Plan on page 16 of the EPA (1997) *Guidelines for Consultants Reporting on Contaminated Sites*.
- All works and sampling undertaken and reports prepared must be consistent with Guidelines made or approved by the EPA under section 105 of the Act (a list of these Guidelines is provided in Attachment 3).

EPA Agreement

The EPA is satisfied that:

- (i) the terms of the proposal are appropriate;
- (ii) in accordance with section 26(3) of the Act, the proponent has given an undertaking, in a letter to the EPA dated 24 June 2002, not to recover contributions under Part 3, Division 6 of the Act in respect of the remediation.
- (iii) in accordance with Part 3 of the Act, the EPA agrees that it will not issue a remediation order against the proponent with respect to any remediation of the site that falls within the proposal, if it is carried out in accordance with the voluntary remediation proposal.

Lifetime of this Agreement

This agreement commences from the date upon which it is signed on behalf of the EPA, (which is the date set out on the first page of the agreement), and will run until **31 December 2005**. All of the principal features of the proposal as listed above are to be completed within this time period.

Caroline 27/11/02

CAROLYN STRANGE
A/Director Contaminated Sites
ENVIRONMENT PROTECTION AUTHORITY

Attachment 1	Site Plan
Attachment 2	Monitoring wells location plan
Attachment 3	List of approved Guidelines under s.105 of the CLM Act

NOTE:

1. The EPA is not prevented by this agreement from making a remediation order against persons (including public authorities) with whom it has made no such agreement (whether or not they were originally parties to the proposal).
2. The EPA is not prevented by this agreement from making a remediation order against the proponent as an appropriate person (as defined in the Act) if, in the opinion of the EPA, the terms of the proposal are not carried out.

3. Section 58 of the Act requires the EPA to maintain a public record of certain matters. Notification of the making of this agreement will be included in the public record.
4. Section 59 of the Act requires the EPA to notify the relevant local council of the making of this agreement and when the terms of the agreement have been fulfilled. The council is required to note on any certificate issued pursuant to section 149(2) Environmental Planning and Assessment Act 1979 with respect to the land that the land is subject to a voluntary agreement until the council receives EPA notification that the terms have been fulfilled.

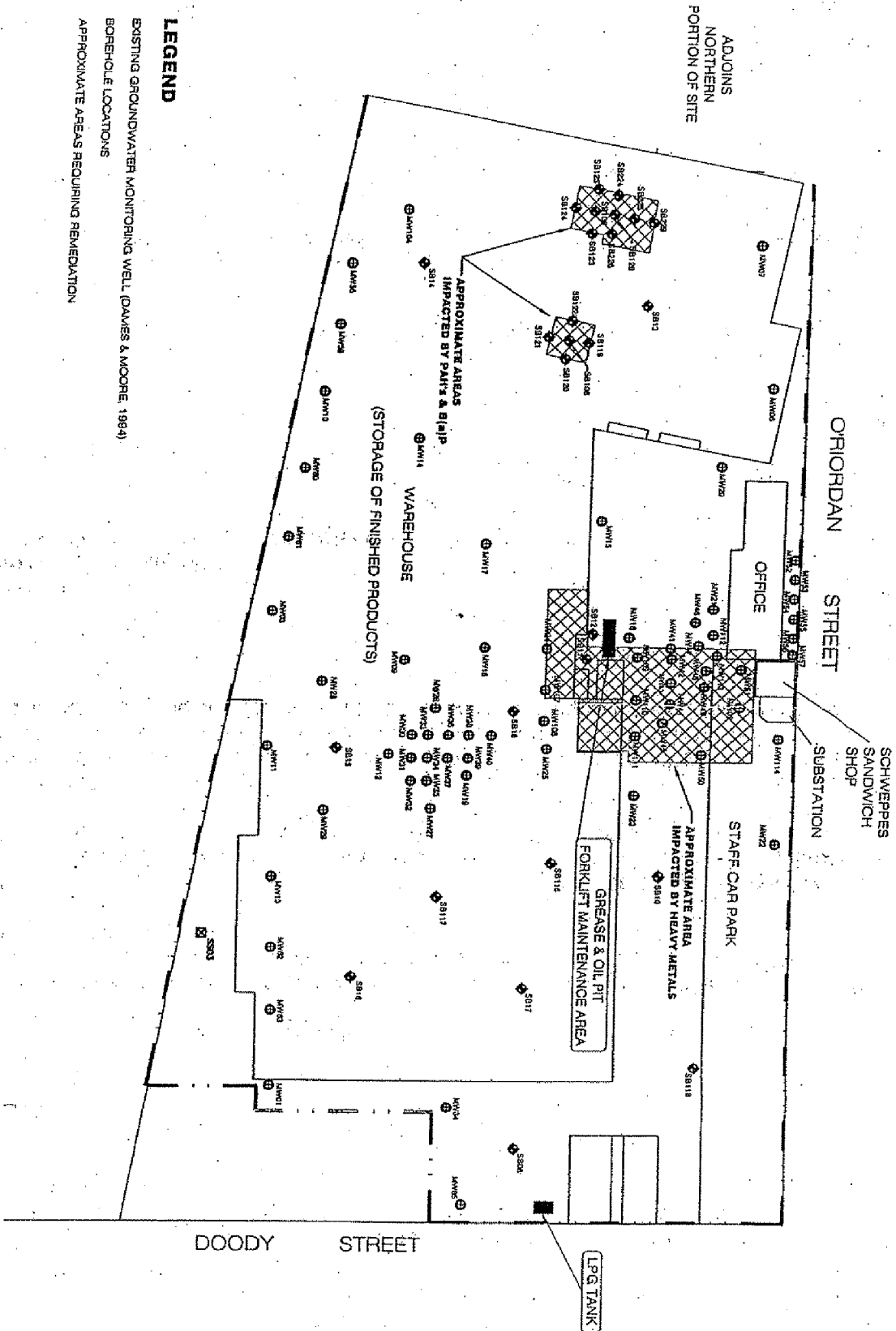


LEGEND

EXISTING GROUNDWATER MONITORING WELL (DAVIES & MOORE, 1994)

BOREHOLE LOCATIONS

APPROXIMATE AREAS REQUIRING REMEDIATION



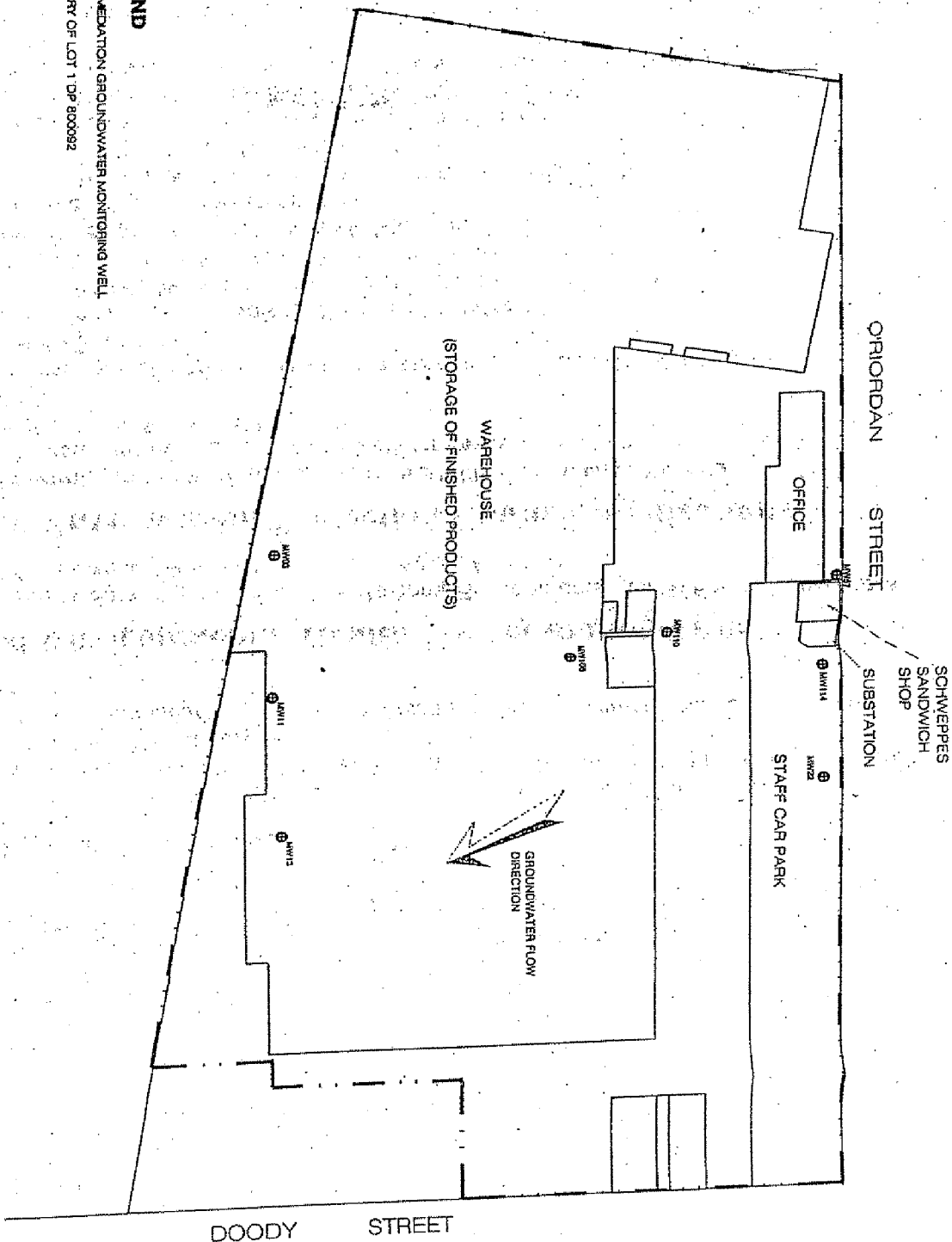
Attachment 1

CLIENT	CADBURY SCHWEPES PTY LTD	PROJECT	APPROXIMATE AREAS OF IDENTIFIED CONTAMINATION
PROJECT	FURTHER ASSESSMENT TO DELINATE CONTAMINATED FILL, ALEXANDRIA SITE, NSW	DESIGNED BY	TPC
DATE	9/12/01	PROJECT	27793.009
DATE	9/12/01	PROJECT	009.009

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- POST REMEDIATION GROUNDWATER MONITORING WELL
 BOUNDARY OF LOT 1 DP 800092

LEGEND



Attachment 2

CLIENT CADBURY SCHWEPES PTY LTD				TITLE SITE LAYOUT AND POST REMEDIATION MONITORING LOCATIONS			
PROJECT VOLUNTARY REMEDIATION AGREEMENT				PROJECT: 27753.009 CADD FILE: 005.DWG			
SCALE 1:1000 (Indirect)				PROJECT: 27753.009 CADD FILE: 005.DWG			
DATE: 21/01/02				PROJECT: 27753.009 CADD FILE: 005.DWG			
STATUS: FINAL				PROJECT: 27753.009 CADD FILE: 005.DWG			
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Attachment 3

Guidelines made or approved by the EPA under section 105 of the *Contaminated Land Management Act 1997*

Guidelines made by the EPA

- *Contaminated Sites. Guidelines for Assessing Service Station Sites*, December 94.
- *Contaminated Sites. Guidelines for the Vertical Mixing of Soil on Former Broad-Acre Agricultural Land*, January 95.
- *Contaminated Sites. Sampling Design Guidelines*, September 95.
- *Contaminated Sites. Guidelines for Assessing Banana Plantation Sites*, October 97.
- *Contaminated Sites. Guidelines for Consultants Reporting on Contaminated Sites*, November 97.
- *Contaminated Sites. Guidelines for NSW Site Auditor Scheme*, June 98.
- *Contaminated Sites. Guidelines on Significant Risk of Harm from Contaminated Land and the Duty to Report*, April 99.

Guidelines approved by the EPA

- *Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites*, published by ANZECC and the National Health and Medical Research Council (NHMRC), January 1992.
- *Australian Water Quality Guidelines for Fresh and Marine Waters*. ANZECC, November 1992.

National Environmental Health Forum monographs

- *Composite Sampling*, by Lock, W. H., National Environmental Health Forum Monographs, Soil Series No.3, 1996, SA Health Commission, Adelaide.

National Environment Protection Council publications

National Environment Protection (Assessment of Site Contamination) Measure 1999

- The Measure includes a policy framework for the assessment of site contamination, Schedule A and Schedule B.

(I) Schedule A

- *Recommended General Process for the Assessment of Site Contamination.*

(II) Schedule B -Guidelines

- (1) *Guideline on Investigation Levels for Soil and Groundwater*
- (2) *Guideline on Data Collection, Sample Design and Reporting*
- (3) *Guideline on Laboratory Analysis of Potentially Contaminated Soils*
- (4) *Guideline on Health Risk Assessment Methodology*
- (5) *Guideline on Ecological Risk Assessment*
- (6) *Guideline on Risk Based Assessment of Groundwater Contamination*
- (7A) *Guideline on Health-Based Investigation Levels*
- (7B) *Guideline on Exposure Scenarios and Exposure Settings*
- (8) *Guideline on Community Consultation and Risk Communication*
- (9) *Guideline on Protection of Health and the Environment During the Assessment of Site Contamination*
- (10) *Guideline on Competencies and Acceptance of Environmental Auditors and Related Professionals*

Environment Protection Authority

Notice of completion of agreed voluntary remediation proposal

(Section 26 of the Contaminated Land Management Act 1997)

Notice Number 26C034; Area Number 3366

Cadbury Schweppes Pty Ltd ACN 004 551 473
636 St Kilda Road
MELBOURNE VIC 3004

Attention: Environment, Health and Safety Manager ANZ

cc. Sydney City Council

The Environment Protection Authority ("the EPA")* agreed (agreement no. 26034) to a voluntary remediation proposal from Cadbury Schweppes Pty Ltd ("the proponent") in relation to the land to which this notice applies.

Pursuant to section 26(5) of the *Contaminated Land Management Act 1997* the EPA gives the proponent notice that it is satisfied that the terms of the proposal have been carried out in accordance with its agreement to that proposal.

Land to which this notice applies

Description	Address
Lot 1 DP800092	49-59 O'Riordan Street, ALEXANDRIA, NSW 2015


JOHN COFFEY
A/Manager Contaminated Sites
Department of Environment and Conservation

24/11/06

Date:

NOTE:

Information recorded by councils

Section 59 of the *Contaminated Land Management Act 1997* requires the EPA to inform the relevant local council of the completion of voluntary remediation proposals to which the EPA agreed under section 26 of the Act. The council may then make appropriate modifications to the planning certificate issued in relation to the land concerned pursuant to section 149 of the *Environmental Planning and Assessment Act 1979*.

*The EPA is part of the Department of Environment and Conservation (NSW)

Manager Contaminated Sites
Department of Environment, Climate Change and Water

Date: 10 June 2010

NOTE:

Management order may follow

If management of the site or part of the site is required, the EPA may issue a management order under s.14 of the Act.

Amendment/Repeal

This declaration may be amended or repealed. It remains in force until it is otherwise amended or repealed. The subsequent declaration must state the reasons for the amendment or repeal (s.44 of the Act).

Information recorded by the EPA

Section 58 of the Act requires the EPA to maintain a public record. A copy of this significantly contaminated land declaration will be included in the public record.

Information recorded by councils

Section 59 of the Act requires the EPA to give a copy of this declaration to the relevant local council. The council is then required to note on its planning certificate issued pursuant to s.149 (2) of the Environmental Planning and Assessment Act that the land is declared significantly contaminated land. The EPA is required to notify council as soon as practicable when the declaration is no longer in force and the notation on the s.149 (2) certificate is no longer required.

Relationship to other regulatory instrument

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

Environment Protection Authority**Declaration of significantly contaminated land**

(Section 11 of the Contaminated Land Management Act 1997)

Declaration Number 20101101; Area Number 3255

The Environment Protection Authority (EPA) declares the following land to be significantly contaminated land under the Contaminated Land Management Act 1997 ("the Act"):

1. Land to which this declaration applies ("the site")

This declaration applies to:

- 10-24 Ralph Street, Alexandria, NSW (Lot 21 in DP600112 and Lot 101 in DP874743); and
- 2 Doody Street, Alexandria, NSW (Lot 4 in DP788131)

in the local government area of Sydney. A map of the site is available for inspection at the offices of the Department of Environment, Climate Change and Water, Level 14, 59 Goulburn Street, Sydney, NSW.

2. Nature of contamination affecting the site:

The EPA has found that the site is contaminated with the following substances ("the contaminants"): High concentrations of Total Petroleum Hydrocarbons (TPHs C6-C36), Naphthalene, Phenol and Aluminium have been found in groundwater samples.

3. Nature of harm that the contaminants may cause:

The EPA has considered the matters in s.12 of the Act and for the following reasons has determined that the land is contaminated and that the contamination is significant enough to warrant regulation under the Act:

A risk to human health may arise should workers who maintain subsurface utilities or future users of the local groundwater be exposed to the contamination.

4. Further action under the Act

The making of this declaration does not prevent the carrying out of voluntary management of the site and any person may submit a voluntary management proposal for the site to the EPA. If the proposal satisfies the requirements of s.17 of the Act, the EPA may agree not to issue a management order to the person or persons bringing the proposal.

5. Submissions invited

The public may make written submissions to the EPA on:

- Whether the EPA should issue a management order in relation to the site; or
- Any other matter concerning the site.

Submissions should be made in writing to:

Manager Contaminated Sites
Department of Environment, Climate Change and Water
PO Box A290
SYDNEY SOUTH NSW 1232

or faxed to 02 9995 5930

by not later than 10 July 2010

[Signed]

NIALL JOHNSTON

Manager Contaminated Sites
Department of Environment, Climate Change and Water

Date: 10 June 2010

NOTE:

Management order may follow

If management of the site or part of the site is required, the EPA may issue a management order under s.14 of the Act.

Amendment/Repeal

This declaration may be amended or repealed. It remains in force until it is otherwise amended or repealed. The subsequent declaration must state the reasons for the amendment or repeal (s.44 of the Act).

Information recorded by the EPA

Section 58 of the Act requires the EPA to maintain a public record. A copy of this significantly contaminated land declaration will be included in the public record.

Information recorded by councils

Section 59 of the Act requires the EPA to give a copy of this declaration to the relevant local council. The council is then required to note on its planning certificate issued pursuant to s.149 (2) of the Environmental Planning and Assessment Act that the land is declared significantly contaminated land. The EPA is required to notify council as soon as practicable when the declaration is no longer in force and the notation on the s.149 (2) certificate is no longer required.

Relationship to other regulatory instrument

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

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- <emission>
    <substance>Zinc and compounds</substance>
    <destination>Air Total</destination>
    <quantity_in_kg>56.969</quantity_in_kg>
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 - <transfer>
 - <substance>Antimony & compounds</substance>
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 - <mandatory_destination>Y</mandatory_destination>
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 - <engineering_calculations_estimation>N</engineering_calculations_estimation>
 - <direct_measurement_estimation>Y</direct_measurement_estimation>
 - <emission_factors_estimation>N</emission_factors_estimation>
 - <approved_alternative_estimation>N</approved_alternative_estimation>
 - </transfer>
 - <transfer>
 - <substance>Arsenic & compounds</substance>
 - <destination>Off-site sewerage</destination>
 - <quantity_in_kg>.516204</quantity_in_kg>
 - <mandatory_destination>Y</mandatory_destination>
 - <mass_balance_estimation>N</mass_balance_estimation>
 - <engineering_calculations_estimation>N</engineering_calculations_estimation>
 - <direct_measurement_estimation>Y</direct_measurement_estimation>
 - <emission_factors_estimation>N</emission_factors_estimation>
 - <approved_alternative_estimation>N</approved_alternative_estimation>
 - </transfer>
 - <transfer>
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 - <destination>Off-site landfill</destination>
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 - <engineering_calculations_estimation>N</engineering_calculations_estimation>
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 - <emission_factors_estimation>N</emission_factors_estimation>
 - <approved_alternative_estimation>N</approved_alternative_estimation>
 - </transfer>
 - <transfer>
 - <substance>Beryllium & compounds</substance>
 - <destination>Off-site landfill</destination>
 - <quantity_in_kg>.096</quantity_in_kg>
 - <mandatory_destination>Y</mandatory_destination>
 - <mass_balance_estimation>N</mass_balance_estimation>
 - <engineering_calculations_estimation>N</engineering_calculations_estimation>
 - <direct_measurement_estimation>Y</direct_measurement_estimation>
 - <emission_factors_estimation>N</emission_factors_estimation>
 - <approved_alternative_estimation>N</approved_alternative_estimation>
 - </transfer>
 - <transfer>
 - <substance>Cadmium & compounds</substance>
 - <destination>Off-site sewerage</destination>
 - <quantity_in_kg>2.794</quantity_in_kg>
 - <mandatory_destination>Y</mandatory_destination>
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- <emission_factors_estimation>N</emission_factors_estimation>
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- <transfer>
 - <substance>Cadmium & compounds</substance>
 - <destination>Off-site landfill</destination>
 - <quantity_in_kg>623.182</quantity_in_kg>
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 - <emission_factors_estimation>N</emission_factors_estimation>
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 - <transfer>
 - <substance>Chromium (III) compounds</substance>
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 - <quantity_in_kg>130.424</quantity_in_kg>
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 - <direct_measurement_estimation>Y</direct_measurement_estimation>
 - <emission_factors_estimation>N</emission_factors_estimation>
 - <approved_alternative_estimation>N</approved_alternative_estimation>
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 - <transfer>
 - <substance>Copper & compounds</substance>
 - <destination>Off-site landfill</destination>
 - <quantity_in_kg>26.521</quantity_in_kg>
 - <mandatory_destination>Y</mandatory_destination>
 - <mass_balance_estimation>N</mass_balance_estimation>
 - <engineering_calculations_estimation>N</engineering_calculations_estimation>
 - <direct_measurement_estimation>Y</direct_measurement_estimation>
 - <emission_factors_estimation>N</emission_factors_estimation>
 - <approved_alternative_estimation>N</approved_alternative_estimation>
 </transfer>
 - <transfer>
 - <substance>Lead & compounds</substance>
 - <destination>Off-site sewerage</destination>
 - <quantity_in_kg>2.938</quantity_in_kg>
 - <mandatory_destination>Y</mandatory_destination>
 - <mass_balance_estimation>N</mass_balance_estimation>
 - <engineering_calculations_estimation>N</engineering_calculations_estimation>
 - <direct_measurement_estimation>Y</direct_measurement_estimation>
 - <emission_factors_estimation>N</emission_factors_estimation>
 - <approved_alternative_estimation>N</approved_alternative_estimation>
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 - <transfer>
 - <substance>Lead & compounds</substance>
 - <destination>Off-site landfill</destination>
 - <quantity_in_kg>242181.229</quantity_in_kg>
 - <mandatory_destination>Y</mandatory_destination>
 - <mass_balance_estimation>N</mass_balance_estimation>


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- <transfer>
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    <approved_alternative_estimation>N</approved_alternative_estimation>
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- <transfer>
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    <destination>On-site immobilisation</destination>
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- <transfer>
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    <destination>Off-site sewerage</destination>
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    <direct_measurement_estimation>Y</direct_measurement_estimation>
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    <approved_alternative_estimation>N</approved_alternative_estimation>
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- <transfer>
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    <destination>Off-site landfill</destination>
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    <engineering_calculations_estimation>N</engineering_calculations_estimation>
    <direct_measurement_estimation>Y</direct_measurement_estimation>
    <emission_factors_estimation>N</emission_factors_estimation>
    <approved_alternative_estimation>N</approved_alternative_estimation>
  </transfer>
</transfers>
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  - <pollution_control_device>
    <device_description>Fabric filter/baghouse</device_description>

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        <year_installed>1980</year_installed>
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    - <pollution_control_device>
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        <year_installed>2013</year_installed>
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    - <pollution_control_device>
        <device_description>Dust monitor</device_description>
        <year_installed>2000</year_installed>
    </pollution_control_device>
    - <pollution_control_device>
        <device_description>Other pollution control equipment</device_description>
        <year_installed>2013</year_installed>
        <comments>Installed new filter bags into the existing baghouse.</comments>
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</pollution_control_devices>
<cleaner_production_activities/>
</report>
</npidata>

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      WALES</registered_business_name>
    <abn>59325778353</abn>
    <sub_threshold>N</sub_threshold>
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    <data_end_date>2014-06-30</data_end_date>
    <first_published_date>2015-03-31</first_published_date>
    <last_updated_date>2015-03-31</last_updated_date>
    <number_of_employees>148</number_of_employees>
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    <jurisdiction_facility_id>696</jurisdiction_facility_id>
    <jurisdiction>NSW</jurisdiction>
    <site_address_street>Way Street</site_address_street>
    <site_address_suburb>Sydenham</site_address_suburb>
    <site_address_state>NSW</site_address_state>
    <site_address_postcode>2204</site_address_postcode>
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    <site_longitude>151.161233</site_longitude>
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    - <anzsic_code>
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      <code>2393</code>
      <name>Railway Rolling Stock Manufacturing and Repair Services</name>
    </anzsic_code>
  </anzsic_codes>
  - <public_contact>
    <position>Environment Professional</position>
    <phone>13 15 00</phone>
    <web_address>www.sydneytrains.info</web_address>
  </public_contact>
  - <emissions>
    - <emission>
      <substance>Cumene (1-methylethylbenzene)</substance>
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      <destination>Air Total</destination>
      <quantity_in_kg>1.439</quantity_in_kg>
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    - <emission>
      <substance>Total Volatile Organic Compounds</substance>
      <destination>Air Total</destination>
      <quantity_in_kg>978.684</quantity_in_kg>
    </emission>
  </emissions>
</npidata>

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- <emission>
 - <substance>Xylenes (individual or mixed isomers)</substance>
 - <destination>Air Total</destination>
 - <quantity_in_kg>5.11</quantity_in_kg>
</emission>
- </emissions>
- <transfers>
 - <transfer>
 - <substance>Ethylbenzene</substance>
 - <destination>Off-site treatment (leading to mandatory destination)</destination>
 - <quantity_in_kg>24.492</quantity_in_kg>
 - <mandatory_destination>Y</mandatory_destination>
 - <mass_balance_estimation>N</mass_balance_estimation>
 - <engineering_calculations_estimation>N</engineering_calculations_estimation>
 - <direct_measurement_estimation>N</direct_measurement_estimation>
 - <emission_factors_estimation>Y</emission_factors_estimation>
 - <approved_alternative_estimation>N</approved_alternative_estimation>
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 - <transfer>
 - <substance>Ethylbenzene</substance>
 - <destination>Off-site sewerage</destination>
 - <quantity_in_kg>.346</quantity_in_kg>
 - <mandatory_destination>Y</mandatory_destination>
 - <mass_balance_estimation>N</mass_balance_estimation>
 - <engineering_calculations_estimation>N</engineering_calculations_estimation>
 - <direct_measurement_estimation>N</direct_measurement_estimation>
 - <emission_factors_estimation>Y</emission_factors_estimation>
 - <approved_alternative_estimation>N</approved_alternative_estimation>
</transfer>
 - <transfer>
 - <substance>Ethylbenzene</substance>
 - <destination>Off-site reprocessing</destination>
 - <quantity_in_kg>22.004</quantity_in_kg>
 - <mandatory_destination>N</mandatory_destination>
 - <mass_balance_estimation>N</mass_balance_estimation>
 - <engineering_calculations_estimation>N</engineering_calculations_estimation>
 - <direct_measurement_estimation>N</direct_measurement_estimation>
 - <emission_factors_estimation>Y</emission_factors_estimation>
 - <approved_alternative_estimation>N</approved_alternative_estimation>
</transfer>
 - <transfer>
 - <substance>Xylenes (individual or mixed isomers)</substance>
 - <destination>Off-site treatment (leading to mandatory destination)</destination>
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 - <mandatory_destination>Y</mandatory_destination>
 - <mass_balance_estimation>N</mass_balance_estimation>
 - <engineering_calculations_estimation>N</engineering_calculations_estimation>
 - <direct_measurement_estimation>N</direct_measurement_estimation>
 - <emission_factors_estimation>Y</emission_factors_estimation>
 - <approved_alternative_estimation>N</approved_alternative_estimation>
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 - <transfer>
 - <substance>Xylenes (individual or mixed isomers)</substance>

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    <engineering_calculations_estimation>N</engineering_calculations_estimation>
    <direct_measurement_estimation>N</direct_measurement_estimation>
    <emission_factors_estimation>Y</emission_factors_estimation>
    <approved_alternative_estimation>N</approved_alternative_estimation>
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- <transfer>
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    <destination>Off-site reprocessing</destination>
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    <engineering_calculations_estimation>N</engineering_calculations_estimation>
    <direct_measurement_estimation>N</direct_measurement_estimation>
    <emission_factors_estimation>Y</emission_factors_estimation>
    <approved_alternative_estimation>N</approved_alternative_estimation>
  </transfer>
</transfers>
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  - <pollution_control_device>
    <device_description>Wastewater treatment</device_description>
    <year_installed>1985</year_installed>
    <comments>Induced air flotation treatment plant with a corrugated plate oil
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</pollution_control_devices>
<cleaner_production_activities/>
</report>
</npidata>

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download.xsd" xmlns:xsi="http://www.w3.org/2001/XMLSchema-instance">
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    <acn>004610459</acn>
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    <last_updated_date>2015-03-31</last_updated_date>
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    <jurisdiction>NSW</jurisdiction>
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    <site_address_suburb>Mascot</site_address_suburb>
    <site_address_state>NSW</site_address_state>
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    <site_latitude>-33.935556</site_latitude>
    <site_longitude>151.168333</site_longitude>
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      <code>3321</code>
      <name>Petroleum Product Wholesaling</name>
    </anzsic_code>
  </anzsic_codes>
  - <public_contact>
    <title>Mr</title>
    <name>Andrew</name>
    <surname>Dedman</surname>
    <position>HSSE Advisor</position>
    <phone>0438 358 756</phone>
    <web_address>www.shell.com.au</web_address>
  </public_contact>
  - <emissions>
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      <destination>Air Point</destination>
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      <substance>Benzene</substance>

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    <destination>Air Total</destination>
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    <emission_factors_estimation>Y</emission_factors_estimation>
    <approved_alternative_estimation>N</approved_alternative_estimation>
  </emission>
- <emission>
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    <destination>Air Fugitive</destination>
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    <destination>Air Point</destination>
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    <emission_factors_estimation>Y</emission_factors_estimation>
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  </emission>
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</pollution_control_devices>
- <cleaner_production_activities>
  - <cleaner_production_activity>
    <activity_description>Improved maintenance scheduling, record keeping, or
    procedures</activity_description>
    <comments>Compliance according with ISO 14001 Certification and
    requirements</comments>
  </cleaner_production_activity>
  - <cleaner_production_activity>
    <activity_description>Installed overflow alarms or automatic shut-off
    valves</activity_description>
    <comments>Visual alarms installed, maintained and controlled.</comments>
  </cleaner_production_activity>
  - <cleaner_production_activity>
    <activity_description>Implemented inspection or monitoring program for
    potential spill or leak sources</activity_description>
    <comments>Regular monitoring and checking is conducted</comments>
  </cleaner_production_activity>
  - <cleaner_production_activity>
    <activity_description>Other modifications / practices</activity_description>
    <comments>Currently working Energy Saving Program</comments>

```

```
</cleaner_production_activity>  
</cleaner_production_activities>  
</report>  
</npidata>
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