



# PLANNING CERTIFICATE

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Date of Certificate 8 February 2013  
Certificate No 31029  
Assessment No 12133  
Receipt No 3035945  
Amount 133.00

Randwick City Council  
a sense of community

ENAUHOD 04414AB

Coffey Environments Australia Pty Ltd  
LEVEL 19 CITADEL TOWER  
799 Pacific Hwy  
CHATSWOOD NSW 2067

## Description of land

Address:

**330 Anzac Parade, KENSINGTON NSW 2033**

Property Description:

**LOT 1 DP 510271 MAIN CAMPUS & DP 1038595 EAST**

**LOT 3 DP 1104617 DOWN CAMPUS, LOT 1 DP 522797 NEW COLLEGE, LOT 2 DP 522797 WARRANE COLLEGE, LOT 4 DP 553914 SUBJ TO DE SHALOM COLLEGE, Cumberland**

In accordance with the requirements of Section 149 of the Environmental Planning and Assessment Act 1979 (as amended), the following prescribed matters relate to the land at the date of this certificate.

## INFORMATION PROVIDED UNDER SECTION 149 (2)

### 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.
- (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).
- (3) The name of each development control plan that applies to the carrying out of development on the land.
- (4) In this clause, proposed environmental planning instrument includes a planning proposal for a LEP or a draft environmental planning instrument

### Response

- (1) Randwick Local Environmental Plan 1998 (Consolidation) gazetted on 15 January 2010, and relevant State Environmental Planning Policies (SEPPs) applies to the land. Refer to Attachment **A**.
- (2) Refer to Attachment **B**
- (3) Refer to Attachment **C**
- (4) Refer to Attachment **B**

### 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)

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- (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,
- (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.

### Response

(a) **Zone No. 5** (Special Uses Zone) in Randwick Local Environmental Plan 1998 (Consolidation)

(b) & (c) & (d) Refer to Attachment **D**.

(e) Under the Randwick Local Environmental Plan 1998 (Consolidation) there are no dimensions applying in relation to the erection of a dwelling house on the land (for 5).

(a1) **Zone SP2** (Infrastructure) in draft Randwick Local Environmental Plan 2012

(b1) & (c1) & (d1) Refer to Attachment **D**.

(e1) Under the draft Randwick Local Environmental Plan 2012 there are no minimum land dimensions for the erection of a dwelling-house.

(f) The land DOES NOT include or comprise a critical habitat area under the Threatened Species Conservation Act 1995.

(g) The land **IS** located in a heritage conservation area under the Randwick Local Environmental Plan 1998 (Consolidation).

(h) The land IS NOT listed as a heritage item under the Randwick Local Environmental Plan 1998 (Consolidation).

The land IS NOT listed on the State Heritage Register under Heritage Act 1977.

### **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,

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*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).*

### Response

The land is NOT within any zone (however described) under this planning policy.

### 3 Complying Development

- (1) 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.
- (2) If complying development may not be carried on that land of the provisions of clauses 1.17A(c) and (d) and 1.19 of that Policy, the reasons why it may not be carried out under that clause.

### Response

#### General Housing Code

- (2) Complying development under the General Housing Code **MAY NOT** be carried out on the land. The land is:
- Land within a **heritage conservation area** or a draft heritage conservation area (**Unless the development is for a detached outbuilding or swimming pool**)

#### Housing Alterations Code

- (1) Complying development under the Housing Alterations Code MAY be carried out on the land.

#### General Commercial and Industrial Code

- (1) Complying development under the General Commercial and Industrial Code MAY be carried out on the land.

#### Subdivisions Code

- (1) Complying development under the Subdivisions Code MAY be carried out on the land.

#### General Development Code

- (1) Complying development under the General Development Code MAY be carried out on the land.

#### Demolition Code

- (1) Complying development under the Demolition Code MAY be carried out on the land.

A copy of the Codes SEPP is available at [www.planning.nsw.gov.au](http://www.planning.nsw.gov.au). For further information please call the Department of Planning and Infrastructure's Information Centre on Freecall 1300 305 695 or 02 9228 6333.

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**Note: To be complying development, the development must meet the General requirements set out in clause 1.18 of the Codes SEPP. Development must also meet all development standards set out in the relevant code.**

## **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.*

### **Response**

Council HAS NOT been notified by the Department that the land is affected by the operation of section 38 or 39 of the Coastal Protection Act 1979.

### **4a Information relating to beaches and coasts**

- (1) *Whether an order has been made under Part 4D of the Coastal Protection Act 1979 in relation to emergency 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.*
- (2)
  - (a) *Whether the council has been notified under section 55X of the Coastal Protection Act 1979 that emergency 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.*
- (3) *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.*

### **Response**

- (1) An order HAS NOT been made under Part 4D of the *Coastal Protection Act 1979* in relation to emergency coastal protection works.
- (2)
  - (a) The council HAS NOT been notified under section 55X of the *Coastal Protection Act 1979* that emergency coastal protection works have been placed on the land.
  - (b) Not applicable
- (3) Not applicable.

### **4b Annual charges for coastal protection services under Local Government Act 1993**

*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).*

### **Response**



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(a) Not applicable.

### **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.*

#### **Response**

The land IS NOT proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

### **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.

#### **Response**

(a) The land IS NOT affected by any road widening or road realignment under Division 2 of Part 3 of the Roads Act 1993.

(b) The land IS NOT affected by any road widening or road realignment under the provisions of Randwick Local Environmental Plan 1998 (Consolidation).

(c) The land IS NOT affected by any resolution of the Council for any road widening or road realignment.

### **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, (other than flooding), tidal inundation, subsidence, acid sulphate soils or any other risk.

#### **Response**

(a) The land IS affected by a policy adopted by the Council as follows:

Contaminated Land Policy. This policy does not specifically identify the subject land (or any other land) as contaminated. The policy does, however, apply to all land in the City of Randwick. The policy requires Council to consider the possibility of land contamination and its implications for any proposed or permissible future uses of the land, including all rezoning, subdivision and development applications. This policy will restrict development of land:

- (1) which is affected by contamination; or
- (2) which has been used for certain purposes; or
- (3) in respect of which there is not sufficient information about contamination; or

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- (4) which is proposed to be used for certain purposes; or
- (5) in other circumstances contained in the policy.

The Council HAS NOT adopted by resolution a policy that restricts the development of the subject land by reason of the likelihood of land slip, bush fire, tidal inundation subsidence or any other risk, (other than flooding).

(b) The land IS NOT affected by a policy adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the council that restricts the development of the land because of the likelihood of land slip, bushfire, (other than flooding), tidal inundation, subsidence, acid sulphate soils or any other risk.

## **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.*
- (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.*

### **Response**

(1) Development on the land subject of this planning certificate for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings IS NOT subject to flood related development controls (provided that such development is permissible on the land with or without development consent).

(2) Development on the land subject of this planning certificate for purposes other than dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings IS NOT subject to flood related development controls (provided that such development is permissible on the land with or without development consent).

(3) The expressions "dwelling houses", "dual occupancies", "multi dwelling housing" and "residential flat buildings" as used in clauses (1) and (2) above have the same meanings as in the instrument set out in the Schedule to the Standard Instrument (local Environmental Plans) Order 2006 but do not include development for the purposes of group homes or seniors housing.

## **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.*

### **Response**

The land IS NOT affected by any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 that 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 contributions plan applying to the land.*

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### Response

Section 94A Development Contributions Plan (effective July 2012)

#### **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.*

### Response

The land is NOT biodiversity certified land (within the meaning of Part 7AA 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).*

### Response

The land IS NOT land to which a biobanking agreement relates.

#### **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.*

### Response

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).*

### Response

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 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).*

### Response

The land IS NOT land to which an order under Trees (Disputes Between Neighbours) Act 2006 applies

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### **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.*

#### **Response**

There IS NOT a direction by the Minister under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument does not have effect.

### **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 (of which the council is aware), issued under clause 25 of that Policy 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.*

#### **Response**

(a) The land IS NOT subject to a current site compatibility certificate (of which the council is aware) issued under clause 25 of the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

### **16 Site compatibility certificates for infrastructure**

*A statement of whether there is a valid site compatibility certificate (of which the council is aware), issued under clause 19 of State Environmental Planning Policy (Infrastructure) 2007 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.*

#### **Response**

The land IS NOT subject to a valid site compatibility certificate (of which the Council is aware), issued under clause 19 of State Environmental Planning Policy (Infrastructure) 2007.

### **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.*



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- (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.

## Response

The land IS NOT subject to a valid site compatibility certificate (of which the council is aware) for affordable rental housing.

## Contaminated Land Management Act 1997

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

- (a) 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.

## Response on Note

- (a) The land IS NOT significantly contaminated land within the meaning of the Contaminated Land Management Act 1997.
- (b) The land IS NOT subject to a management order within the meaning of the Contaminated Land Management Act 1997.
- (c) The land IS NOT the subject of an approved voluntary management proposal within the meaning of the Contaminated Land Management Act 1997.
- (d) The land IS the subject to an ongoing maintenance order within the meaning of the Contaminated Land Management Act 1997.
- (e) Council **HAS** received a copy of a site audit statement, within the meaning of the Contaminated Land Management Act 1997, for this land.

**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.

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## INFORMATION PROVIDED UNDER SECTION 149(5)

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### Additional Relevant Matters

At the date of this certificate, the following relevant matters affecting the land are provided in good faith in accordance with the requirements of 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) of the Act which states that a Council shall not incur any liability in respect of any advice provided in good faith pursuant to subsection 149 (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.

### Council resolutions to prepare draft Local Environmental Plans and draft Development Control Plans

Refer to Attachment **E** for advice on Council resolutions under the Environmental Planning and Assessment Act 1979 (as amended) to prepare draft Local Environmental Plans or Planning Proposals and draft Development Control Plans

### Development Consents since 1 July 1991

Development consent(s) **HAS** been granted with respect to the subject land since 1 July 1991.

### Tree Preservation Orders

The land **IS** affected by a Tree Preservation Order made under clause 28 of Randwick Local Environmental Plan 1998 (Consolidation).

### Foreshore Scenic Protection Areas

The land **IS NOT** within a Foreshore Scenic Protection Area as identified in Randwick Local Environmental Plan 1998 (Consolidation) and draft Randwick Local Environmental Plan 2012.

### Foreshore Building Line

The land **IS NOT** subject to a Foreshore Building Line that restricts development on the land.

### Boarding Houses

The land **IS NOT** affected by clause 34 of Randwick Local Environmental Plan 1998 (Consolidation) applying to a building or place used for the purposes of a boarding house.

### Licences Under The Water Act 1912

The Property **IS** within the ground water extraction embargo area or the water shortage zone declared under the Water Act 1912 (see attachment).

### Aircraft Noise (ANEF)

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This property IS NOT affected by aircraft noise levels as measured by the Australian Noise Exposure Forecast (ANEF) identified by Sydney Airport Corporation Limited (SACL), endorsed by Air Services Australia (ASA).

### Flood Studies

The Council does NOT hold any recent flood study or definitive flood level data relating to the land subject of this certificate. Council is progressively studying all drainage catchments within the Randwick local government area and information relating to the flood risk of land within the Council's area will be updated as the studies are undertaken.

**Zoran Curcic**  
**Planning Research Officer**

Per:..... Date:08-Feb-2013

### Attachments

ATTACHMENT A	
Name of each environmental planning instrument that applies to the carrying out of development on the land	
<b>Relevant State Environmental Planning Policy (SEPP)</b>	
SEPP No. 1 - Development Standards	
SEPP No. 19 - Bushland in Urban Areas	
SEPP No. 32 - Urban Consolidation (Redevelopment of Urban Land)	
SEPP No. 33 - Hazardous and Offensive Development	
SEPP No. 55 - Remediation of Land	
SEPP No. 64 - Advertising and Signage	
SEPP No. 65 - Design Quality of Residential Flat Development	
SEPP No. 70 - Affordable Housing	
SEPP No. 71 - Coastal Protection	
SEPP - (Housing for Seniors or People with a Disability) 2004	
SEPP - BASIX (Building Sustainability Index) 2004	
SEPP - (Major Development) 2005	
SEPP - (Mining, Petroleum Production and Extractive Industries ) 2007	
SEPP - (Temporary Structures) 2007	
SEPP - (Infrastructure) 2007	
SEPP - (Exempt and Complying Development Codes) 2008	
SEPP - (Affordable Rental Housing) 2009	
SEPP - (State and Regional Development) 2011	
<b>Note: Any questions regarding State Environmental Planning Policies and Regional Environmental Plans should also be directed to the Department of Planning &amp; Infrastructure (02) 9228 6111 or <a href="http://www.planning.nsw.gov.au">www.planning.nsw.gov.au</a>. Updated 14 December 2011</b>	
<b>Local Environmental Plan (LEP)</b>	
<b>Randwick LEP 1998 (Consolidation)</b>	
<b>Note : See Attachment B below regarding Randwick Local Environmental Plan 2012 Commencement 15 February 2013</b>	
Amendment No. and Subject Land	Purpose
Randwick LEP 1998 (Consolidation) Amendment No 41 Gazetted 15 January 2010	To update and consolidate Randwick LEP 1998 and previous amendments

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Randwick LEP 1998 (Consolidation) Amendment No 42 Gazetted 13 August 2010 64-66 Minneapolis Crescent, Maroubra (Lot 102 DP 855181) and 3/90-98 King Street, Randwick (Lot 3 SP 75411)	Reclassification of land from community to operational lands to facilitate Randwick City Council's affordable housing program.
Randwick LEP 1998 (Consolidation) Amendment No 43 Gazetted 30 March 2012	To rezone of the western part of Malabar Headland from primarily residential to National Park.
Randwick LEP 1998 (Consolidation) Amendment No 44 Gazetted 9 December 2011	To clarify that semi-detached dwellings fall under definition of 'dwelling house' and not 'attached dual occupancy' or 'multi unit housing'.

Updated 01 February 2013

<b>ATTACHMENT B</b> <b>Name of each proposed environmental planning instrument that applies to the carrying out of development on the land</b>	
<b>Name</b>	<b>Purpose</b>
Draft Randwick Local Environmental Plan 2012 <b>Note: Randwick Local Environmental Plan 2012 was gazetted on 1 February 2013 and formally commences on 15 February 2013. Repealing the current Randwick Local Environmental Plan 1998 (Consolidation)</b>	Comprehensive local environmental plan prepared consistent with the Standard Instrument (Local Environmental Plans) Order 2006
<b>Note: Draft Local Environmental Plan that is subject to community consultation or that has been placed on public exhibition under the Environmental Planning and Assessment Act, 1979.</b>	

Updated 01 February 2013

<b>ATTACHMENT C</b> <b>Name of each Development Control Plan that applies to the carrying out of development on the land</b>	
<b>Name of DCP and Effective Date</b>	<b>Purpose of DCP</b>
Development Control Plan No. 6 Land bounded by Kemmis Street, Frenchmans Road and Clovelly Road, Randwick 20 June 1986	Redevelopment controls: height, floor space ratio, design guidelines.
Development Control Plan No. 8 Military Road & Bunnerong Road, Matraville 25 March 1987	Industrial development: access, landscaping, setbacks.
Development Control Plan No. 13 Bunnerong Power Station, Matraville 11 March 1990	Heritage Gardens, landscaped buffer zones, bushland, access restrictions.
Development Control Plan No. 16 Kingsford Commercial Centre 7 May 1996	Comprehensive DCP for commercial centre.
Development Control Plan No. 18 Randwick Bus Depot, cnr King & Dangar Streets, Randwick 14 July 1993 (amended 6 June 1995)	Comprehensive redevelopment controls.
Development Control Plan No. 21 Amusement Centres 2 May 1995	Requirements for installation of amusement machines.
Development Control Plan No. 22	Comprehensive DCP for The Spot commercial centre.



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The Spot & surrounds 24 October 1995	
Outdoor Advertising 4 August 1998	Guidelines and controls for outdoor advertising throughout the City of Randwick.
Parking 24 December 1998	Standards, guidelines and design parameters for parking, car parks and vehicle manoeuvring and access.
Randwick Junction Business Centre 18 February 1999.	Guidelines and controls for development in the Randwick Junction business centre. The centre is also a Heritage Conservation Area.
Eastern Suburbs Memorial Park 3 February 2000	Guidelines and controls for development of the Memorial Park. (LEP Amendment No. 11)
Multi -unit Housing 20 December 2002.	Guidelines and controls for all multi-unit housing in the Residential 2B and 2C zones.
Dwelling Houses and Dual Occupancy 20 December 2002	Guidelines and controls for development for dwelling houses in all Residential zones and for Attached Dual Occupancy in the Residential 2A Zone.
Maroubra Beach Commercial Precinct 26 May 2000	Guidelines and controls for development in the Maroubra Beach Commercial Precinct. Supplements Randwick LEP Amendment No.1
Backpacker Accommodation 26 May 2000	Guidelines and controls for the establishment of backpacker accommodation.
Kensington Town Centre (2002) 22 January 2003	Guidelines and controls for development in the Kensington Town Centre.
Public Notification of Development Proposals 25 February 2003	Requirements for notifying the public about all development proposals, including master plans, lodged with Council.
Defence site Kingsford 21 May 2003	Guidelines and controls for the Department of Defence land -Kingsford (corner block between Bundock, Avoca and Holmes Street)
Maroubra Junction Town Centre 18 May 2004	Guidelines and controls for development in the Maroubra Junction Town Centre
Footpath Dining and Trading 27 July 2004	Guidelines for objectives & performance criteria for outdoor dining and trading activities on public footpaths, & associated public access.
Prince Henry Hospital Site -Little Bay 8 December 2004	Guidelines and controls for the re development to the former Prince Henry Hospital Site at Little Bay.
Matraville Town Centre 29 August 2006	Guidelines and controls to provide design and objectives and action plans for future improvements to occur in the public areas of Matraville Town Centre
Royal Randwick Racecourse 8 May 2007	This DCP contains planning provisions for land uses and development within the Royal Randwick Racecourse.
University of New South Wales- Kensington Campus 16 April 2007	The DCP contains detailed planning provisions for land uses and development within the UNSW Kensington Campus.
Telecommunications and Radio-communications 1 October 2007	Provides controls and guidelines for the site, design and installation of telecommunication and radio-communication facilities that require development consent
Exempt and Complying Development 15 January 2008	Detailed requirements for exempt and complying development
<b>Adopted Master Plans/Now a Deemed DCP</b>	
NIL	NIL

Updated 21 February 2012

### ATTACHMENT D

# PLANNING CERTIFICATE

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979



Date of Certificate 8 February 2013

Certificate No 31029

Assessment No 12133

Receipt No 3035945

Amount 133.00

## Zone No 5 (Special Uses Zone) under Randwick Local Environmental Plan(Consolidation)1998

1) The objectives of Zone No. 5 are:

- a) to accommodate development by public authorities on publicly owned land, and
- b) to accommodate development for educational, religious public transport or similar purposes on both publicly and privately owned land, and
- c) to enable associated and ancillary development, and
- d) to allow for a range of community uses to be provided to serve the needs of residents, workers and visitors, and
- e) to allow for the redevelopment of land no longer required for a special use.

2) Development for the purpose of the following does not require development consent:

Bushfire Hazard reduction	Recreation
Public Utility undertakings	Roads

3) Development for the purpose of the following requires development consent:

Animal establishments	Bed and breakfast accommodation
Boarding houses	Car parks
Cemeteries	Child care centres
Clubs	Communication facilities
Community facilities	Dwellings
Dwelling houses	Earthworks
Educational establishments	Health consulting rooms
Helicopter landing sites	Home activities
Hospitals	Markets
Multi-unit housing	Outdoor advertising
Penitentiaries	Places of worship
Plant nurseries	Public transport
Recreation facilities	Restaurants

4) Any development not included in subclause (2) or (3) is prohibited.

Updated 15 January 2010

## ATTACHMENT D

### Zone SP2 Infrastructure under Draft Randwick Local Environmental Plan 2012

#### 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.
- To facilitate development that will not adversely affect the amenity of nearby and adjoining development.
- To protect and provide for land used for community purposes.

#### 1 Permitted without consent

Home occupations; Recreation areas

#### 2 Permitted with consent

# PLANNING CERTIFICATE

## ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979



Date of Certificate 8 February 2013  
Certificate No 31029  
Assessment No 12133  
Receipt No 3035945  
Amount 133.00

The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose; Environmental protection works; Flood mitigation works; Roads

### 3 Prohibited

Any development not specified in item 2 or 3

Updated 21 February 2012

#### ATTACHMENT E

**Name of proposed environmental planning instrument, that includes a planning proposal for a LEP or a draft environmental planning instrument and draft Development Control Plans**

DETAILS OF RESOLUTION	DATE OF RESOLUTION
Planning proposal: Rezoning of Newmarket site bounded with Barker, Jane, Young and Botany Streets, Randwick	27 July 2010
Draft Randwick Comprehensive DCP applying city wide	27 November 2012

**Note: Draft Local Environmental Plans that have yet to be placed on Community Consultation or public exhibition under the Environmental Planning and Assessment Act, 1979.**

Updated 11 December 2012

#### OTHER ATTACHMENTS (note: if applicable)

##### Managing groundwater in the Botany Sands Aquifer\*

##### Who manages groundwater?

The NSW Government through the Department of Water & Energy is responsible for the management of groundwater resources in NSW.

##### What is the Botany Sands Aquifer?

The botany Sands Aquifer is a large volume of underground water present in the sandy ground surrounding Botany Bay. The aquifer is highly vulnerable to contamination due to the permeability of the sands, and the generally shallow water table. Any contamination from land use activity that escapes or is spilled onto the ground is likely to accumulate in the earth and leach into the groundwater.

##### How is the NSW Government managing the aquifer?

While only a small proportion of the aquifer area is known to be contaminated the NSW government has taken a precautionary approach to ensure public health is not put at risk from exposure to potentially contaminated groundwater. As follows:

- Since August 2003 DNR has operated an embargo on the acceptance of new licence applications to extract groundwater. See the groundwater embargo area map.
- In August 2006 DNR divided part of this area into four management zones. See groundwater management zone map:
  - Zone 1 extraction exclusion all bore water use.
  - Zone 2, 3, & 4 Ban on domestic bore water use.
  - Zone 2, 3, & 4 industrial users must test their bore water annually and provide the results to the NSW Government.

##### More Information

Department of Environment, Climate Change and Water (NSW Office of Water)  
t: (02) 8281 7777 website [www.water.nsw.gov.au](http://www.water.nsw.gov.au)

# PLANNING CERTIFICATE

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979



**Date of Certificate 8 February 2013**  
**Certificate No 31029**  
**Assessment No 12133**  
**Receipt No 3035945**  
**Amount 133.00**

## Health Risks

Residents concerned about possible health risks from previous exposure to groundwater in zones 1, 2, 3, 4 are encouraged to contact South Eastern Sydney Illawarra Public Health Unit on 02 9382 8333, or write to the Director, Public Health Unit, Locked Bag 88, Randwick NSW 2031.

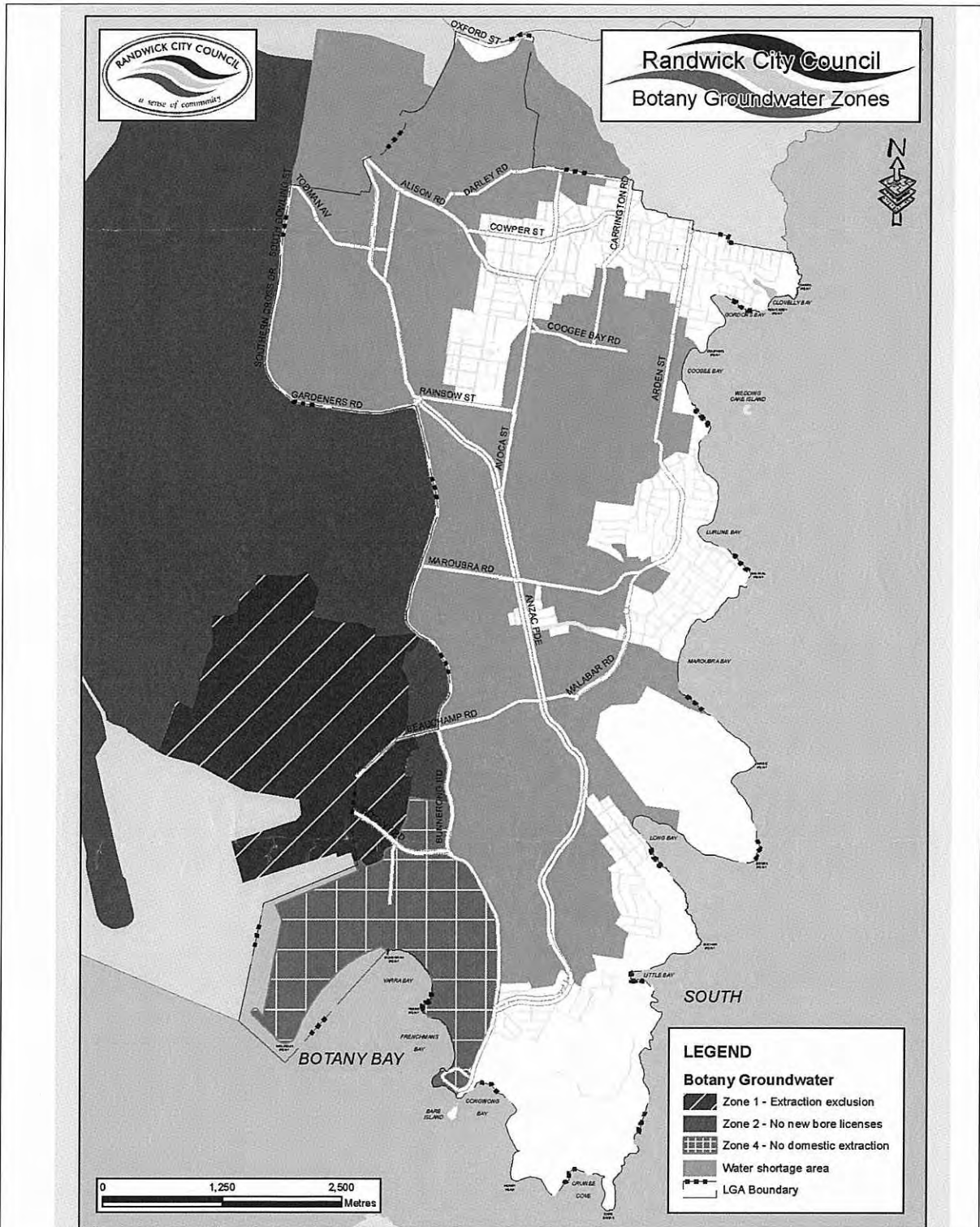


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ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979



Date of Certificate 8 February 2013  
Certificate No 31029  
Assessment No 12133  
Receipt No 3035945  
Amount 133.00



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ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979



Date of Certificate 8 February 2013  
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## **Appendix G – NSW EPA Search Records**



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## Search results

Your search for: **Notices** with the following criteria

**Notice type** - s.91 Clean Up Notice  
**Suburb** - KENSINGTON

returned 0 result

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## Search results

Your search for: **Notices** with the following criteria

**Notice type** - s.92 Clean Up Notice  
**Suburb** - KENSINGTON

returned 0 result

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## Search results

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

**Suburb - KENSINGTON**

returned 3 results

[Export to excel](#)

1 of 1 Pages

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<u>Number</u>	<u>Name</u>	<u>Location</u>	<u>Type</u>	<u>Status</u>	<u>Issued date</u>
<a href="#">11415</a>	DENWIL PTY LIMITED	Level 1, 91 Anzac Parade, KENSINGTON, NSW 2033	POEO licence	Surrendered	16 Oct 2001
<a href="#">1038443</a>	DENWIL PTY LIMITED	Level 1, 91 Anzac Parade, KENSINGTON, NSW 2033	s.58 Licence	Issued	07 Jul 2004
<a href="#">5906</a>	LEIGHTON CONTRACTORS PTY LIMITED	FROM CAHILL EXPRESSWAY, WOOLLOOMOOLOO TO LINK ROAD,, KENSINGTON, NSW 2033	POEO licence	Surrendered	30 Mar 2000

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## Notice summary

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### Summary of Notice No: 1038443

[View report](#) (PDF document 930 kb)

**Organisation:** DENWIL PTY LIMITED  
**Location:** Accord Diagnostics  
Level 1, 91 Anzac Parade, KENSINGTON, NSW, 2033  
**LGA:** RANDWICK  
**Catchment:** Sydney Coast & Georges River  
**Issue date:** 07 Jul 2004  
**Notice type:** s.58 Licence Variation

### Licence

<u>Number</u>	<u>Name</u>	<u>Licence status</u>
<a href="#">11415</a>	DENWIL PTY LIMITED	Surrendered

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## Licence summary

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### Summary Licence No: 11415

[View this licence](#) (PDF document 195 kb)

**Licence holder:** DENWIL PTY LIMITED  
**Trading as:** ACCORD DIAGNOSTICS  
**Premises:** Accord Diagnostics  
 Level 1, 91 Anzac Parade, KENSINGTON, NSW, 2033  
**LGA:** RANDWICK **Catchment:** Sydney Coast & Georges River  
**Administrative fee:** \$760.00  
**Licence status:** Surrendered  
**Activity type:** Hazardous, Industrial or Group A Waste Generation or Storage  
**Licence review:** Complete date 07 Jul 2004  
 Due date 07 Jul 2007  
**Pollution incident management plan:** No

### Applications

<u>Number</u>	<u>Application type</u>	<u>Current status</u>	<u>Date received</u>
<a href="#">1050717</a>	s.80 Surrender of a Licence	Issued	05 Jul 2005

### Notices

<u>Number</u>	<u>Issue date</u>	<u>Notice type</u>
<a href="#">1038443</a>	07 Jul 2004	s.58 Licence Variation
<a href="#">1050717</a>	16 Aug 2005	s.80 Surrender of a Licence

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### Annual Returns

<u>Start date</u>	<u>End date</u>	<u>Date received</u>	<u>Non-compliance</u>	<u>LBL data</u>	
16-Oct-2004	09-Sep-2005				<a href="#">Download Annual Return Form</a>
16-Oct-2003	15-Oct-2004	28-Oct-2004	No	Not available	
16-Oct-2002	15-Oct-2003	02-Dec-2003	No	Not available	
16-Oct-2001	15-Oct-2002	12-Dec-2002	No	Not available	





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## Licence summary

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### Summary Licence No: 5906

[View this licence](#) (PDF document 158 kb)

**Licence holder:** LEIGHTON CONTRACTORS PTY LIMITED  
**Premises:** EASTERN DISTRIBUTOR PROJECT  
FROM CAHILL EXPRESSWAY, WOOLLOOMOOLOO TO LINK ROAD,,  
KENSINGTON, NSW, 2033  
**LGA:** SYDNEY **Catchment:** Sydney Coast & Georges River  
**Administrative fee:** \$5,650.00  
**Licence status:** Surrendered  
**Activity type:** Road construction  
**Licence review:** Complete date 02 Apr 2002  
Due date 01 Jul 2002  
**Pollution incident management plan:** No

### Applications

<u>Number</u>	<u>Application type</u>	<u>Current status</u>	<u>Date received</u>
<a href="#">1013246</a>	s.80 Surrender of a Licence	Issued	15 Nov 2000

### Notices

<u>Number</u>	<u>Issue date</u>	<u>Notice type</u>
<a href="#">1013246</a>	17 Jan 2002	s.80 Surrender of a Licence

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### Annual Returns

<u>Start date</u>	<u>End date</u>	<u>Date received</u>	<u>Non-compliance</u>	<u>LBL data</u>
27-Aug-2001	11-Feb-2002	20-May-2002	No	Not available
27-Aug-2000	26-Aug-2001	20-May-2002	No	Not available
27-Aug-1999	26-Aug-2000	13-Sep-2000	No	Not available



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## Search results

Your search for: LGA: Randwick City Council

Matched 31 notices  
relating to 6 sites.

[Search Again](#)

[Refine Search](#)

Suburb	Address	Site Name	Notices related to this site
MATRAVILLE	Bunnerong/Military ROADS	<a href="#">Ampol Matraville Refinery</a>	9 former
MATRAVILLE	Bumbarah Point ROAD	<a href="#">Bunnerong Power Station</a>	5 former
MATRAVILLE	133 -149 Beauchamp ROAD	<a href="#">Former Golden Fleece Terminal No1</a>	7 former
MATRAVILLE	151 Beauchamp ROAD	<a href="#">Former Golden Fleece Terminal No2</a>	2 former
RANDWICK	128 Barker STREET	<a href="#">7 Eleven Service Station</a>	6 current and 3 former
RANDWICK	33-37 Carrington ROAD	<a href="#">United Clovelly Service Station</a>	1 current

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## Site and notice details

Your search for: LGA: Randwick City Council 31 notices on 6 sites were matched.

[Return to list of search results](#)

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[Refine Search](#)

### Area No: 3327

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

**Site:** United Clovelly Service Station

**Address:** 33-37 Carrington ROAD, RANDWICK

**LGA:** Randwick City Council

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

(Map) where available, maps show the part of the site affected by the notice

\*notice matched search criteria

Notice recipient	Notice type & number	Status	Date
Not Applicable	Declaration of Significantly Contaminated Land <a href="#">20131111</a>	Current	Issued 20 Nov 2014

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## Site and notice details

Your search for: LGA: Randwick City Council 31 notices on 6 sites were matched.

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### Area No: 3217

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

**Site:** Former Golden Fleece Terminal No2**Address:** 151 Beauchamp ROAD, MATRAVILLE**LGA:** Randwick City Council**Occupier:** Multiple occupants**Owner:** Multiple owners

SP 58342

### Notices relating to this site (0 current and 2 former)

(Map) where available, maps show the part of the site affected by the notice

\*notice matched search criteria

Notice recipient	Notice type & number	Status	Date
Not Applicable	Amendment or Repeal of Order or Notice <a href="#">20104406</a>	Former	Issued 01 Apr 2011
Not Applicable	Declaration of Investigation Area <a href="#">15035</a>	Former	Issued 17 Jan 2006 Repealed 01 Apr 2011

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## Site and notice details

Your search for: LGA: Randwick City Council 31 notices on 6 sites were matched.

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### Area No: 3232

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

**Site:** Former Golden Fleece Terminal No1

**Address:** 133 -149 Beauchamp ROAD, MATRAVILLE

**LGA:** Randwick City Council

**Owner:** Multiple owners

Lot 267 DP 752015

Lot 268 DP 752015

### Notices relating to this site (0 current and 7 former)

(Map) where available, maps show the part of the site affected by the notice

\*notice matched search criteria

Notice recipient	Notice type & number	Status	Date
Not Applicable	Amendment or Repeal of Order or Notice <a href="#">20104406</a>	Former	Issued 01 Apr 2011
Not Applicable	Amendment or Repeal of Order or Notice <a href="#">20094408</a>	Former	Issued 26 Nov 2009
Leighton Properties Pty Limited	Site Audit Statements <a href="#">153b</a>	Former	Issued 12 Dec 2008
Leighton Properties Pty Limited	Notice for Maintaining Remediation <a href="#">28029-2</a>	Former	Issued 12 Sep 2007 Repealed 26 Nov 2009
Grocon Pty Limited	Notice for Maintaining Remediation <a href="#">28029</a>	Former	Issued 15 Mar 2007 Invalid 13 Jun 2007
Grocon Pty Limited	Agreed Voluntary Remediation Proposal <a href="#">26092</a>	Former	Issued 08 Nov 2006 Completed 12 Jan 2007
Not Applicable	Declaration of Investigation Area <a href="#">15035</a>	Former	Issued 17 Jan 2006 Repealed 01 Apr 2011

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## Site and notice details

Your search for: LGA: Randwick City Council 31 notices on 6 sites were matched.

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### Area No: 3046

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

**Site:** Bunnerong Power Station

**Address:** Bumborah Point ROAD, MATRAVILLE

**LGA:** Randwick City Council

### Notices relating to this site (0 current and 5 former)

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

Notice recipient	Notice type & number	Status	Date
Pacific Power	EHC Act Revocation Notice <a href="#">306</a>	Former	Issued 02 Oct 1992
Electricity Commission of NSW	Section 35 EHC Act Order <a href="#">242</a>	Former	Issued 10 Apr 1991 Revoked 02 Oct 1992
Electricity Commission of NSW	Section 35 EHC Act Order <a href="#">232</a>	Former	Issued 22 Nov 1990 Revoked 02 Oct 1992
Electricity Commission of NSW	Section 35 EHC Act Order <a href="#">231</a>	Former	Issued 14 Dec 1989 Revoked 02 Oct 1992
Electricity Commission of NSW	Section 35 EHC Act Order <a href="#">124</a>	Former	Issued 16 Mar 1989 Revoked 02 Oct 1992

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## Site and notice details

Your search for: LGA: Randwick City Council 31 notices on 6 sites were matched.

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### Area No: 3257

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

**Site:** 7 Eleven Service Station**Address:** 128 Barker STREET, RANDWICK**LGA:** Randwick City Council**Owner:** R.G Withers Nominees Pty Ltd

### Notices relating to this site (6 current and 3 former)

(Map) where available, maps show the part of the site affected by the notice

\*notice matched search criteria

Notice recipient	Notice type & number	Status	Date
7 Eleven Stores Pty Limited	Amendment or Repeal of Order or Notice <a href="#">20144446</a>	Current	Issued 15 Jan 2015
7 ElevenStores Pty Ltd	Amendment or Repeal of Order or Notice <a href="#">20144406</a>	Current	Issued 31 Jan 2014
7 Eleven Stores Pty Limited	Amendment or Repeal of Order or Notice <a href="#">20134423</a>	Current	Issued 07 Aug 2013
7 Eleven Stores Pty Limited	Amendment or Repeal of Order or Notice <a href="#">20134404</a>	Current	Issued 02 May 2013
7 Eleven Stores Pty Limited	Approved Voluntary Management Proposal <a href="#">20121701</a>	Current	Issued 04 Dec 2012 Amended 15 Jan 2015
Not Applicable	Declaration of Remediation Site <a href="#">21125</a> <a href="#">Map</a>	Current	Issued 01 Dec 2008
7 Eleven Stores Pty Limited	Amendment or Repeal of Order or Notice <a href="#">20124401</a>	Former	Issued 04 Dec 2012
7 Eleven Stores Pty Ltd	Site Audit Statements <a href="#">MGH59</a>	Former	Issued 21 Oct 2011
7 Eleven Stores Pty Limited	Agreed Voluntary Remediation Proposal <a href="#">26119</a>	Former	Issued 20 May 2009 Completed 04 Dec 2012

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## Site and notice details

Your search for: LGA: Randwick City Council 31 notices on 6 sites were matched.

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### Area No: 3044

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

**Site:** Ampol Matraville Refinery

**Address:** Bunnerong/Military ROADS, MATRAVILLE

**LGA:** Randwick City Council

### Notices relating to this site (0 current and 9 former)

(Map) where available, maps show the part of the site affected by the notice

\*notice matched search criteria

Notice recipient	Notice type & number	Status	Date
Ampol Ltd	EHC Act Revocation Notice <a href="#">388</a>	Former	Issued 15 Sep 1994
Ampol Ltd	Section 35 EHC Act Order <a href="#">320</a>	Former	Issued 08 Jul 1993 Revoked 15 Sep 1994
Ampol Ltd	Section 35 EHC Act Order <a href="#">403</a>	Former	Issued 26 Aug 1992 Revoked 08 Jul 1993
Ampol Ltd	Section 35 EHC Act Order <a href="#">196</a>	Former	Issued 17 Dec 1990 Revoked 26 Aug 1992
Ampol Ltd	Section 35 EHC Act Order <a href="#">193</a>	Not in force	Issued 26 Nov 1990 Complied with 26 Aug 1992
Ampol Ltd	Section 35 EHC Act Order <a href="#">183</a>	Not in force	Issued 05 Sep 1990 Complied with 26 Aug 1992
Ampol Ltd	Section 35 EHC Act Order <a href="#">184</a>	Not in force	Issued 05 Sep 1990 Complied with 26 Aug 1992
Ampol Ltd	Section 35 EHC Act Order <a href="#">182</a>	Not in force	Issued 09 Aug 1990 Complied with 26 Aug 1992
Ampol Ltd	Section 35 EHC Act Order <a href="#">142</a>	Not in force	Issued 30 Aug 1989 Complied with 26 Aug 1992

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# List of NSW Contaminated Sites Notified to EPA as of 30 June 2015

## Background

A strategy to systematically assess, prioritise and respond to notifications under Section 60 of the Contaminated Land Management Act 1997 (CLM Act) has been developed by the EPA. This strategy acknowledges the EPA's obligations to make information available to the public under Government Information (Public Access) Act 2009.

When a site is notified to the EPA, it may be accompanied by detailed site reports where the owner has been proactive in addressing the contamination and its source. However, often there is minimal information on the nature or extent of the contamination.

For some notifications, the information indicates the contamination is securely immobilised within the site, such as under a building or carpark, and is not currently causing any offsite consequences to the community or environment. Such sites would still need to be cleaned up, but this could be done in conjunction with any subsequent building or redevelopment of the land. These sites may not require intervention under the CLM Act, but could be dealt with through the planning and development consent process.

Where indications are that the nominated site is causing actual harm to the environment or an unacceptable offsite impact (i.e. it is a "significantly contaminated site"), the EPA would apply the regulatory provisions of the CLM Act to have the responsible polluter and/or landowner investigate and remediate the site.

As such, the sites notified to the EPA and presented in the following table are at various stages of the assessment and/or remediation process. Understanding the nature of the underlying contamination, its implications and implementing a remediation program where required, can take a considerable period of time. The tables provide an indication, in relation to each nominated site, as to the management status of that particular site. Further detailed information may be available from the EPA or the responsible landowner.

The following questions and answers may assist those interested in this issue:

## Frequently asked questions

What is the difference between the "List of NSW Contaminated Sites Notified to the EPA" and the "Contaminated Land: Record of Notices"?

A site will be on the Contaminated Land: Record of Notices only if the EPA has issued a regulatory notice in relation to the site under the Contaminated Land Management Act 1997.

The sites appearing on this "List of NSW contaminated sites notified to the EPA" indicate that the notifiers consider that the sites are contaminated and warrant reporting to the EPA. However, the contamination may or may not be significant enough to warrant regulation by the EPA. The EPA needs to review and, if necessary, obtain more information before it can make a determination as to whether the site warrants regulation.

Why my site appears on the list?

Your site appears on the list because of one or more of the following reasons:

- The site owner and/or the person partly or fully responsible for causing the contamination notified to the EPA about the contamination under Section 60 of the Contaminated Land Management Act 1997. In other words, the site owner or the “polluter” believes the site is contaminated.
- The EPA has been notified via other means and is satisfied that the site is or was contaminated.

Does the list contain all contaminated sites in NSW?

No. The list only contains contaminated sites that the EPA is aware of, with regard to its regulatory role under the CLM Act. An absence of a site from the list does not necessarily imply the site is not contaminated.

The EPA relies upon responsible parties to notify contaminated sites.

How are these notified contaminated sites managed by the EPA?

There are different ways that the EPA manages these notified contaminated sites. First, an initial assessment is carried out by the EPA. At the completion of the initial assessment, the EPA may take one or more than one of the following management approaches:

- The contamination warrants the EPA's direct regulatory intervention either under the Contaminated Land Management Act 1997 or the Protection of the Environment Operations Act 1997 (POEO Act), or both. Information about current or past regulatory action on this site can be found on EPA website.
- The contamination with respect to the current use or approved use of the site, as defined under the Contaminated Land Management Act 1997, is not significant enough that it warrants EPA regulation.
- The contamination does not require EPA regulation and can be managed by a planning approval process.
- The contamination is related to an operational Underground Petroleum Storage System, such as a service station or fuel depot. The contamination may be managed under the POEO Act and the Protection of the Environment Operation (Underground Petroleum Storage Systems) Regulation 2008.
- The contamination is being managed under a specifically tailored program operated by another agency (for example the Department of Industry and Investment's Derelict Mines Program).

I am the owner of a site that appears on the list. What should I do?

First of all, you should ensure the current use of the site is compatible with the site contamination. Secondly, if the site is the subject of EPA regulation, make sure you comply with the regulatory requirements, and you have considered your obligations to notify other parties who may be affected.

If you have any concerns, contact us and we may be able to offer you general advice, or direct you to accredited professionals who can assist with specific issues.

I am a prospective buyer of a site that appears on the list. What should I do?

You should seek advice from the vendor to put the contamination issue into perspective. You may need to seek independent expert advice.

The information provided in the list is meant to be indicative only, and a starting point for your own assessment. Site contamination as a legacy of past site uses is not uncommon,



particularly in an urbanised environment. If the contamination on a site is properly remediated or managed, it may not materially impact upon the intended future use of the site. However, each site needs to be considered in context.

## List of NSW Contaminated Sites Notified to the EPA

### Disclaimer

The EPA has taken all reasonable care to ensure that the information in the list of contaminated sites notified to the EPA (the list) is complete and correct. The EPA does not, however, warrant or represent that the list is free from errors or omissions or that it is exhaustive.

The EPA may, without notice, change any or all of the information in the list at any time.

You should obtain independent advice before you make any decision based on the information in the list.

The list is made available on the understanding that the EPA, its servants and agents, to the extent permitted by law, accept no responsibility for any damage, cost, loss or expense incurred by you as a result of:

1. any information in the list; or
2. any error, omission or misrepresentation in the list; or
3. any malfunction or failure to function of the list;
4. without limiting (2) or (3) above, any delay, failure or error in recording, displaying or updating information.

Site Status	Explanation
Under assessment	The contamination is being assessed by the EPA to determine whether regulation is required. The EPA may require further information to complete the assessment. For example, the completion of management actions regulated under the planning process or Protection of the Environment Operations Act 1997. Alternatively, the EPA may require information via a notice issued under s77 of the Contaminated Land Management Act 1997 or issue a Preliminary Investigation Order.
Regulation under CLM Act not required	The EPA has completed an assessment of the contamination and decided that regulation under the Contaminated Land Management Act 1997 is not required.
Regulation being finalised	The EPA has completed an assessment of the contamination and decided that the contamination is significant enough to warrant regulation under the Contaminated Land Management Act 1997. A regulatory approach is being finalised.

Contamination currently regulated under CLM Act	The EPA has completed an assessment of the contamination and decided that the contamination is significant enough to warrant regulation under the Contaminated Land Management Act 1997 (CLM Act). Management of the contamination is regulated by the EPA under the CLM Act. Regulatory notices are available on the EPA's <a href="#">Contaminated Land Public Record</a> .
Contamination currently regulated under POEO Act	The EPA has completed an assessment of the contamination and decided that the contamination is significant enough to warrant regulation. Management of the contamination is regulated under the Protection of the Environment Operations Act 1997 (POEO Act). The EPA's regulatory actions under the POEO Act are available on the <a href="#">POEO public register</a> .
Contamination being managed via the planning process (EP&A Act)	The EPA has completed an assessment of the contamination and decided that the contamination is significant enough to warrant regulation. The contamination of this site is managed by the consent authority under the Environmental Planning and Assessment Act 1979 (EP&A Act) planning approval process, with EPA involvement as necessary to ensure significant contamination is adequately addressed. The consent authority is typically a local council or the Department of Planning and Environment.
Contamination formerly regulated under the CLM Act	The EPA has determined that the contamination is no longer significant enough to warrant regulation under the Contaminated Land Management Act 1997 (CLM Act). The contamination was addressed under the CLM Act.
Contamination formerly regulated under the POEO Act	The EPA has determined that the contamination is no longer significant enough to warrant regulation. The contamination was addressed under the Protection of the Environment Operations Act 1997 (POEO Act).
Contamination was addressed via the planning process (EP&A Act)	The EPA has determined that the contamination is no longer significant enough to warrant regulation. The contamination was addressed by the appropriate consent authority via the planning process under the Environmental Planning and Assessment Act 1979 (EP&A Act).
Ongoing maintenance required to manage residual contamination (CLM Act)	The EPA has determined that ongoing maintenance, under the Contaminated Land Management Act 1997 (CLM Act), is required to manage the residual contamination. Regulatory notices under the CLM Act are available on the EPA's <a href="#">Contaminated Land Public Record</a> .