

APPENDIX 9

Phase 1 preliminary site contamination investigation (Getex)



**PHASE 1 PRELIMINARY SITE
CONTAMINATION INVESTIGATION**

**7-15 Randle Street
SURRY HILLS NSW 2010**



PHASE 1 PRELIMINARY SITE CONTAMINATION INVESTIGATION

CLIENT: Hanave Pty Ltd

SITE: 7-15 Randle Street
SURRY HILLS NSW 2010

REPORT NUMBER: 9458.01.PSCA

DATE OF REPORT: 8th March 2016

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1. EXECUTIVE SUMMARY

GETEX PTY LTD was engaged by Hanave Pty Ltd to undertake a Preliminary Site Contamination Investigation for 7-15 Randle Street, SURRY HILLS NSW 2010 (the Site). The purpose of this investigation was to determine the suitability of the Site, with respect to below ground contamination, for a proposed development comprising a six storey hotel with restaurant, café and bar within the basement.

The scope of the investigation was limited to:

- A limited site surface walkover inspection;
- A review of site history documentation including:
 - o Section 149 (Parts 2 and 5) Certificate;
 - o Land title ownership records;
 - o Aerial photographs;
 - o Local geology, hydrology and hydrogeology records;
 - o Below Ground Utilities Search;
 - o Local Council Property Files;
 - o Acid Sulfate Soil Risk Maps;
 - o WorkCover NSW Stored Chemical Information Database; and
 - o EPA Public Registers.
- Prepare a report outlining the findings of the investigation including a preliminary assessment of the suitability of the Site for the proposed development with respect to below ground contamination based on the results of the investigation.

The land title search revealed that the Site has been owned or occupied by a clothing and sign manufacturers. A review of council records revealed the Site had been used for textile clothing, printing and light engineering factories, and a photographic studio/darkroom.

The review of the aerial photographs revealed that the Site has contained multi-storey buildings since 1930 and no major changes have occurred on the Site. The Central railway station has also been present north-west of the Site since pre 1930.

A review of the EPA records identified that the Site had no licenses, notifications, offences or listings under the Protection of the Environment Operations Act 1997 and no matters which apply under the Contaminated Land Management Act (CLM Act) 1997. However the property north of the Site (1-5 Randle Street) had a former POEO licence related to Hazardous Industrial or Group A Waste Generation or Storage (up to 10T).

During the site walkover inspection performed on the 1st of March 2016 the Site was identified as three multi-storey buildings covering the entirety of the Site. The building's switch room was identified within the basement of building 7-13 Randle Street.

A review of the Section 149 (2 and 5) certificates issued by City of Sydney Council indicated that the land is not declared to be significantly contaminated land under the Contaminated Land Management Act 1997.

As a result of the findings from the site historical review and walkover inspection, the following table is a summary of potential contamination issues

Source	Contaminants	Location	Affected Media
Historical ownership and/or occupation by textile clothing, decorator, printing and light engineering factories, photographic studio/darkroom and medical clinic adjacent north of the Site	TPH, BTEX, Metals, PAHs, Phenols, Acids, Chlorinated Hydrocarbons, OCPs	Entire Site	Surface soil; Underlying natural soils and bedrock; Groundwater (dependant on depth and ground profile / pathway to contamination source).
Nearby railway lands and line junction	TPH, BTEX, Metals, PAHs, Phenols, Pesticides	North-west of the Site	Surface soil; Underlying natural soils and bedrock; Groundwater (dependant on depth and ground profile / pathway to contamination source).
Potentially contaminated fill	TPH, BTEX, Metals, PAHs, Pesticides	Lots 5 and 6 DP 78903 and 15 Randle Street	Surface soil/ fill; Underlying natural soils and bedrock; Groundwater (dependant on depth and ground profile / pathway to contamination source).
Basement switch room	PCBs, Metals	North-east corner of basement within Lot 1 DP 538913	Surface soil; Underlying natural soils and bedrock; Groundwater (dependant on depth and ground profile / pathway to contamination source).
Environmental fallout due to traffic and industrial emissions	Lead	Entire Site	Top Soil

Within the Scope and Limitations made for the purpose of the investigation, it is the opinion of the Consultant that the findings of the investigation present the several possible sources of contamination noted above.

Although there is potential for the site to contain below ground contamination, it is not possible to determine conclusively if there is current below ground contamination without a

more detailed assessment involving the collection and chemical analysis of soil samples (and potentially groundwater, if encountered) including for those chemical constituents listed above. Therefore it is recommended by the consultant that a *Phase 2 Contamination Investigation* be undertaken to confirm the extent of contamination (if any).

The aim of a *Phase 2 Contamination Investigation* is to provide comprehensive information on:

1. Issues raised in the *Phase 1 Preliminary Contamination Investigation*;
2. The type, extent and level of contamination (if any);
3. Potential contaminant dispersal (if any);
4. Potential effects of contaminants (if any) on human health and the environment; and
5. The adequacy and completeness of all information available to be used in further decision making.

The proposed development application is to construct a six storey hotel with restaurant, café and bar within the basement.

The extent and magnitude of contamination (if any) is currently unknown and the Phase 2 will assist in determining if the below ground material contains contamination which may affect the suitability of the Site for the proposed use.

It is the opinion of the consultant that the site would be suitable for the proposed development provided:

- A Phase 2 Contamination Investigation is completed.
- Where the Phase 2 investigation identifies that remediation is required, then the remediation is to be undertaken in accordance with a Remedial Action Plan (RAP) developed and implemented in accordance with the relevant regulatory requirements.
- Once remediation works are completed a validation assessment is to be undertaken in accordance with the relevant regulatory requirements to confirm if the Site is suitable for construction/demolition activities associated with the proposed development application with regards to the contamination identified in the Phase 2 investigation.

This Executive Summary should be read in conjunction with all sections of this report.

2. SCOPE

GETEX PTY LTD was engaged by Hanave Pty Ltd to undertake a Preliminary Site Contamination Investigation for 7-15 Randle Street, SURRY HILLS NSW 2010 (the Site). The purpose of this investigation was to determine the suitability of the Site, with respect to below ground contamination, for a proposed development comprising a six storey hotel with restaurant, café and bar within the basement.

The scope of the investigation was limited to:

- A limited site surface walkover inspection;
- A review of site history documentation including:
 - o Section 149 (Parts 2 and 5) Certificate;
 - o Land title ownership records;
 - o Aerial photographs;
 - o Local geology, hydrology and hydrogeology records;
 - o Below Ground Utilities Search;
 - o Local Council Property Files;
 - o Acid Sulfate Soil Risk Maps;
 - o WorkCover NSW Stored Chemical Information Database; and
 - o EPA Public Registers.
- Prepare a report outlining the findings of the investigation including a preliminary assessment of the suitability of the Site for the proposed development with respect to below ground contamination based on the results of the investigation.

3. LIMITATIONS

The investigation conducted was limited in scope. The area considered in the investigation was limited to 7-15 Randle Street, SURRY HILLS NSW 2010 (the Site).

No part of this investigation included the collection and/or analysis of soil or ground water samples or the assessment of soil or ground water quality on site. The investigation involved the inspection/review of a limited number of locations/materials at the time of inspection which may or may not identify/intercept any contamination, potential contamination or issues of concern if present. Furthermore conditions on site may also change over time subsequent to the GETEX PTY LTD assessment.

As such, although all work is performed to a professional and diligent standard, the potential variance between the practical limitations of the scope of work undertaken, the cost of our services, all possible issues of concern, and any loss or damages which may be associated with our work are such that we cannot warrant that all issues of concern/contamination or potential contamination have been identified. We therefore limit any potential liability associated with our work to the cost of our services.

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4. SITE IDENTIFICATION

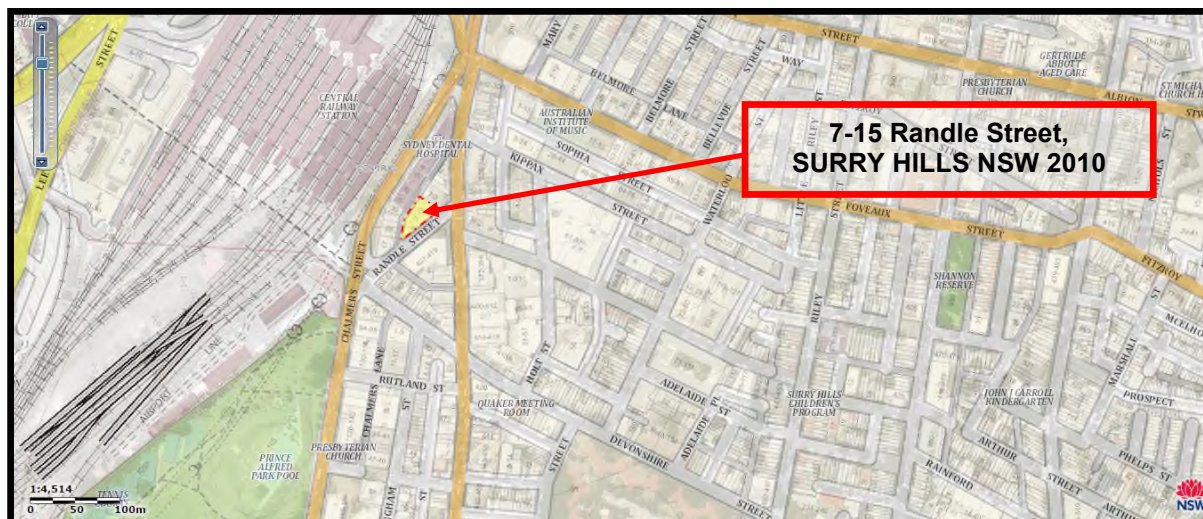
The investigation area of this assessment is 7-15 Randle Street, SURRY HILLS NSW 2010 (the Site), which is located within the Parish of Alexandria, County of Cumberland (refer to DP Plans in Appendix IX). The local government authority is City of Sydney Council. City of Sydney Council zoned the Site as B4 – Mixed Use within the Sydney Local Environment Plan (2012).

The site identification details are summarised in the following table.

Site Address:	7-15 Randle Street, SURRY HILLS NSW 2010
Lot & Deposited Plan:	Lots 5 & 6 DP 78903 Lot 1 DP 538913 Lot 1 DP 74545
Current Land Use:	Two mixed commercial buildings with ground floor retail
Proposed Land Use:	Six storey hotel with a restaurant, café and bar within the basement
Local Government Authority:	City of Sydney Council
Geographical Location (MGA56):	Easting: 334250 Northing: 6249144 (approximately)
Site Investigation Area:	Approximately 423.6m ²

Table 4-1: Site Identification Details

Refer to Figure 1 for the general location of the Site.



*Aerial image derived under license from Land and Property Information NSW and is indicative of on-ground locations only.

Figure 1. Site Locality Map

5. DESCRIPTION OF SITE AND SURROUNDING ENVIRONMENT

A limited surface walkover inspection of the Site and surrounding area was conducted on the 1st of March 2016. The Site is also identified Lots 5 & 6 DP 78903, Lot 1 DP 538913 and Lot 1 DP 74545. The Site is made up of three multi-storey buildings covering the entirety of the Site.

The Site is located in a mixed use high density residential and commercial area. The Site is surrounded by multi-storey offices and apartments.

5.1 Lots 5 & 6 DP 78903

Identified as the north-east, 3 storey building of 7-13 Randle Street. Lots 5 & 6 DP 78903 are currently occupied by a karaoke bar on the ground floor, electronic/board gaming studio on Level 1 and multiple rooms used for offices/professions on Level 2.

The building covers the entirety of the Lots. There was no identified basement.

No underground storage tanks were identified onsite. No olfactory indications of contamination were noted during the inspection. In addition no visible signs of contamination such as unnatural discoloration or hydro-carbon related stains were present on ground surfaces.

5.2 Lot 1 DP 538913

Identified as the south-west, 6 storey building of 7-13 Randle Street. Lot 1 DP 538913 is currently occupied by offices and vacant floors with a small clothing warehouse and sale studio on the 4th floor and photography studio on the 5th floor. No darkroom was identified within the photography studio.

The building covers the entirety of the Lot and had brick external walls, timber floors and a metal roof.

The building contained a basement with a cement floor. The basement appeared to be a former carpark however was currently used as a storage area for household goods (Photograph 1, Appendix II). Within the north-east corner was the building's switch room (Photograph 2, Appendix II). The walls and ceiling within the basement were fibre cement potentially containing asbestos.

No underground storage tanks were identified onsite. No olfactory indications of contamination were noted during the inspection. In addition no visible signs of contamination such as unnatural discoloration or hydro-carbon related stains were present on ground surfaces.

5.3 Lots 1 DP 74545

Identified as the 6 storey building of 15 Randle Street. Lot 1 DP 74545 is currently occupied by a small art gallery on the ground floor and offices on the above levels.

The building covers the entirety of the Lot. There was no identified basement.

No underground storage tanks were identified onsite. No olfactory indications of contamination were noted during the inspection. In addition no visible signs of contamination such as unnatural discoloration or hydro-carbon related stains were present on ground surfaces.

5.4 Surrounding Area

The lands immediately surrounding the Site are occupied by multi-storey apartments and office buildings (Photographs 3-5, Appendix II).

Approximately 50m west is the train station, Central.

5.5 Proposed Development

The proposed development application is to construct a six storey hotel with restaurant, café and bar within the basement.

6. TOPOGRAPHY, GEOLOGY, HYDROLOGY AND HYDROGEOLOGY

6.1 Topography

Both 7 Randle and 15 Randle have undergone filling activities to create level grounds while 11-13 Randle grades down towards in a western direction. The surrounding area has a slight grade down towards the north-west.

6.2 Geology

The Soil Landscapes of the Sydney 1:100,000 Sheet maps show the site to be within an area of the Residual Blacktown Soil Landscape and Aeolian Tuggerah Soil Landscape.

The Residual Blacktown Soil Landscape is characterised by gently undulating rises on Wianamatta Group shales and Hawkesbury shale. Local relief is up to 30m with slopes usually <5%. The landscape contains broad rounded crests and ridges with gently inclined slopes. Native vegetation is cleared eucalypt woodland and tall open-forest (wet sclerophyll forests). Soils are shallow to moderately deep (<100cm) with red and brown podzolic soil on crests, upper slopes and well-drained areas, yellow podzolic soils and soloths on lower slopes and in areas of poor drainage. Landscape limitations include moderately reactive highly plastic subsoil, low soil fertility and poor soil drainage.

The Aeolian Tuggerah Soil Landscape is characterized by gently undulating to rolling coastal dunefields. Local relief is up to 20 m with slope gradients generally 1-10% but occasionally up to 35%. The landscape contains north-south oriented dunes with convex narrow crests, moderately inclined slopes and broad gently inclined concave swales. Soils are deep (>200cm) Podzols on dunes and Podzols/Humus Podzol on swales. Landscape limitations include extreme wind erosion hazard, non-cohesive, highly permeable soil, very low soil fertility, localised flooding and permanently high watertables.

(Chapman, G.A. and Murphy, C.L., 1989)

6.3 Hydrology

During the Site walkover there was no natural drainage lines or water reservoirs observed. The Site is completely covered by hardstand.

Within the site, precipitation is expected to run to the edge of the Site into stormwater drainage on Randle Street and Randle Lane.

6.4 Hydrogeology

Registered groundwater bore information obtained from the NSW Office of Water are included in Appendix VII. There were no registered bores located within a 500m radius of the Site

Based on the available geological and hydro-geological information it is anticipated that groundwater may be encountered at the soil-rock interface and towards the base of

overlying units as a result of subsurface water movement during and following wet weather and is expected to flow towards the north-west due to the topography of the area surrounding the Site and the closest natural receptor being Cockle Bay. The permanent groundwater table is anticipated to occur within the underlying bedrock, within zones of relatively higher permeability or associated with inconsistencies in the bedrock (faults, joints, weathered zones, etc).

No apparent on-site use of groundwater was observed during the Site assessment.

7. SITE HISTORY

7.1 Land Titles Search

A land titles search was conducted by Advanced Legal Search Pty Limited for 7-15 Randle Street, SURRY HILLS NSW 2010. The search identified Lots 5 & 6 DP 78903, Lot 1 DP 538913 and Lot 1 DP 74545. The land titles search for the above mentioned Lots is summarised in the following tables.

Year	Proprietor
	(Lots 5 and 6 DP 78903 – A/C 11269-128)
1999 – to date	Hanave Pty Limited
(2013 – to date)	(current lease to Liew and Ding Dong Dang Pty Ltd of Ground Floor 7 Randle St Surry Hills)
1996 – 1999	Hanave Investment Company Proprietary Limited
(1996 – to date)	(various leases shown on Historical Folio A/C 11269-128)
	(Lots 5 and 6 DP 78903 – CTVol 11269 Fol 128)
1979 – 1996	Hanave Investment Company Proprietary Limited
1978 – 1979	Hanave Investments Pty Limited
1970 – 1978	B.B. & B. Pty Limited
	(Lots 5 and 6 and part Lot 1 Section 2 of Central Railways Subdivision – Area 15 ½ Perches – CTVol 7488 Fol 198)
1958 – 1970	B.B. & B. Pty Limited
1958 – 1958	R.C.Henderson Limited
(1958 – 1970)	(various leases relating to clothing manufacturing shown on CTVol 7488 Fol 198)
	(Lots 5 and 6 Section 2 of Central Railways Subdivision – Area 11 ½ Perches – CTVol 4373 Fol 119)
1930 – 1958	R.C.Henderson Limited
	(Lots 5 and 6 Section 2 of Central Railways Subdivision – Area 11 ½ Perches – Conv Bk 1483 No 5)
1927 – 1930	R.C.Henderson Limited
	(Lots 5 and 6 Section 2 of Central Railways Subdivision – Area 11 ½ Perches – Conv Bk 1416 No 615)
1926 – 1927	Cosmas Nicholas Cassinaty, fruiterer Keriakos Nicholas Cassinaty, fruiterer
	(Lots 5 and 6 Section 2 of Central Railways Subdivision – Area 11 ½ Perches – Conv Bk 1306 No 889)
1923 – 1926	John Stewart Maynard, hotelkeeper
	(Lots 5 and 6 Section 2 of Central Railways Subdivision – Area 11 ½ Perches – Conv Bk 1277 No 912)
1922 – 1923	Thomas George Murray, grazier
	(Lots 5 and 6 Section 2 of Central Railways Subdivision – Area 11 ½ Perches – Conv Bk 1188 No 206)
1920 – 1922	Taylor & Adams Limited
	(Lots 5 and 6 Section 2 of Central Railways Subdivision – Area 11 ½ Perches – Conv Bk 830 No 292)
1907 – 1920	George Soo Hoo Ten, clerk in the holy orders

Table 7-1: Summary of Land Titles Search Lots 5 & 6 DP 78903

Year	Proprietor
	(Lot 1 DP 538913)
1999 – to date	Hanave Pty Limited
1988 – 1999	Hanave Investment Company Proprietary Limited
<i>(1988 – to date)</i>	<i>(various leases shown on Historical Folio 1/538913)</i>
	(Lot 1 DP 538913 – CTVol 11417 Fol 145)
1979 – 1988	Hanave Investment Company Proprietary Limited
1978 – 1979	Hanave Investments Pty Limited
1970 – 1978	B.B. & B. Pty Limited
<i>(1970 – 1988)</i>	<i>(various leases shown on CTVol 11417 Fol 145)</i>
	(Lots 2 to 4 & part Lot 1 Section 2 Central Railway subdivision – Conv Book 2407 No 911)
1957 – 1970	B.B. & B. Pty Limited
<i>(1957 – 1970)</i>	<i>(various leases shown in Primary Application)</i>
	(Lots 2 to 4 & part Lot 1 Section 2 Central Railway subdivision – Conv Book 1360 No 520)
1924 – 1957	R.C Henderson (Pty) Limited
1910 – 1924	Charles Alfred Henderson, esquire
<i>(1913 – 1924)</i>	<i>(lease to R.C Henderson (Pty) Limited)</i>

Table 7-2: Summary of Land Titles Search Lot 1 DP 538913

Year	Proprietor
	(Lot 1 DP 74545)
2002 – to date	Rosselli Investments Pty Limited
<i>(2011 – to date)</i>	<i>(current lease to Netstrategies Pty Ltd of level 4, 15 Randle Street, Surry Hills)</i>
1991 – 2002	The Royal Society for the Prevention of Cruelty to Animals, New South Wales
	(Part Lot 1 Section 2 of Central Railway Station Subdivision – CTVol 9921 Fol 239)
1966 – 1991	The Royal Society for the Prevention of Cruelty to Animals, New South Wales
1965 – 1966	Mercantile Constructions Pty Limited
<i>(1965 – 1991)</i>	<i>(various leases shown on CTVol 9921 Fol 239)</i>
	(Lots 5 and 6 and part Lot 1 Section 2 of Central Railways Subdivision – Area 15 ½ Perches – CTVol 7488 Fol 198)
1958 – 1965	B.B. & B. Pty Limited
1958 – 1958	R.C.Henderson Limited
<i>(1958 – 1970)</i>	<i>(various leases relating to clothing manufacturing shown on CTVol 7488 Fol 198)</i>
	(Part Lot 1 Section 2 of Central Railways Subdivision – CTVol 3494 Fol 60)
1944 – 1958	R.C.Henderson (Pty) Limited
<i>(1923 – 1931)</i>	<i>(lease to Francis Charles Carter, sign manufacturer)</i>
1923 – 1944	Charles Adolphus de Kantzow, gentleman
	(Part Lot 1 Section 2 of Central Railways Subdivision – Conv Bk 1271 No 970)
1922 – 1923	Charles Adolphus de Kantzow, gentleman
	(Part Lot 1 Section 2 of Central Railways Subdivision – Conv Bk 1261 No 595)

Year	Proprietor
1922 – 1922	Albert Edwin Orange, decorator
1918 – 1922	Robert Sinclair, executor James Sinclair, estate
	(Part Lot 1 Section 2 of Central Railways Subdivision – Conv Bk 964 No 384)
1912 – 1918	James Sinclair, manufacturer

Table 7-3: Summary of Land Titles Search Lot 1 DP 74545

7.2 Aerial Photographs

The NSW Land and Property Information provided six historical photographs for viewing. These photographs were for the years 1930, 1943, 1951, 1986, 1999 and 2014. The aerial photographs are presented in Appendix IV. The inspection of the aerial photographs are summarised in Table 7-4.

Year	Summary
1930	The aerial photograph is in black and white. The Site is unknown due to a mark on the photograph. The road layout is as it appears today. Buildings occupy the immediate surroundings. Central train station is present west of the Site.
1943	The aerial photograph is in black and white. Discernible details of the Site are clearer. Building 7-13 appears to be present. It is unclear if a building is present at 15 Randle Street. The surrounding area has been further developed.
1951	The aerial photo is in black and white. Discernible details of the Site are clearer. Building is present at 15 Randle Street. Details of the Site and the surrounding area appear to be generally unchanged however Chalmers Street was undergoing major excavations.
1986	The aerial photo is in colour. Discernible details of the Site are clearer. The Site appears the same. The property north of the Site is a vacant block of land. The buildings east of the Site are gone and now have become one large building. Chalmers Street is completed and looks as it does today.
1999	The aerial photo is in colour. The roof structures appear to have changed on the Site. The property north of the Site is now a multi-storey building as it appears today. The surrounding area appears to be unchanged however the property east of Elizabeth Street, east of the Site, has been demolished and in the process of excavation works.
2014	The aerial photo is in colour. The roof of 15 Randle Street appears changed. The property west of the Site appears to be demolished and is undergoing construction. The remaining surrounding area appears unchanged.

Table 7-4: Summary of Aerial Photograph Inspection

7.3 EPA Records

A search of the EPA public register under the Protection of the Environment Operations Act 1997 was undertaken. The search results are presented in Appendix VI.

The search identified that, for the Site there were:

- No prevention, clean-up or prohibition notices; and
- No transfer, variation, suspension, surrender or revocation of an environment protection license (EPL).

A search was undertaken of the EPA public contaminated land registers. The search results are presented in Appendix VI. The search did not identify any notices issued for the Site under the Contaminated Land Management Act (CLM Act) 1997, however it did identify notices issued for immediate surroundings of the Site. The property north of the Site (1-5 Randle Street) had a former POEO licence for The Preterm Foundation for Hazardous, Industrial or Group A Waste Generation or Storage (up to 10T).

7.4 Council Records

City of Sydney Council was requested to make available for review property documentation held which may provide information pertinent to the ground contamination status of the Site (Refer to Appendix VIII).

Council files were made available for review on the 1st of March 2016, these files included:

- DA 759/78;
- D/2012/352;
- D2004/01172;
- D/2014/1470;
- D/2010/1166;
- 11-02-0187;
- 44-81-0851;
- 44-80-0018;
- Z89-00126;
- Y01-02326;
- Z94-00552;
- DA950/65;
- DA84/47;
- DA6033/56;
- DA665/57; and
- 1922 Construction Plans.

Within the council records it was noted that approval was granted for the following uses:

- 15 Randle Street:
 - o As a private hotel before 1946;
 - o Use premises as offices and professional rooms in 1957;
 - o Use premises for offices in 1965; and
 - o Ground floor as an art gallery in 2012.
- 7-13 Randle Street:
 - o Use premises as textile clothing, printing and light engineering factories and showrooms, warehouses and offices in 1956;
 - o 2nd floor as a gymnasium in 1979;

- o 2nd floor as a photographic studio/darkroom in 1980 (ceased in 1984);
- o Ground floor as a furniture showroom and sales in 1981;
- o Ground floor as architects offices in 1987;
- o 4th floor as a garment cutting room in 1989;
- o Ground floor as a musical recording studio in 1994 (this was to become Ding Dong Dang Karaoke) and
- o 1st floor as a dance studio in 2010.

Within the council records it was noted that 15 Randle Street was constructed around 1922 as a three (3) storey building with an additional fourth (4th) storey. This building then underwent refurbishment and construction of two (2) additional storeys between 2006 and 2008.

In 1947 approval for a new amenities block was granted for 15 Randle Street.

The council records also contained documents relating to the approval for 1-5 Randle Street to construct the seven (7) storey residential apartment in 1995 that now resides north of the Site.

7.5 Section 149 Certificate

A review of the Section 149 (2 and 5) certificates issued by City of Sydney Council indicates that the land is not declared to be significantly contaminated land or other matters under the Contaminated Land Management Act 1997 (Refer to Appendix III).

7.6 WorkCover NSW Records

WorkCover NSW undertook a search for information on licenses to keep dangerous goods for the site. The search of the Stored Chemical Information Database and the microfiche records did not locate any records pertaining to the Site (refer to Appendix V).

7.7 Underground Utilities Search

An online search for utilities located within the site was conducted and is summarised in Table 7-5, below. Asset owners AARNet, Ausgrid, City of Sydney Council, Jemena, NextGen, Optus, RMS, Sydney Trains, Sydney Water, Telstra, Transport for NSW and Vocus provided information on their utilities (refer to Appendix X – Below Ground Utilities Search).

Asset Owner	Utility Type	Utility Location
AARNet	No Asset Affected	N/A
Ausgrid	Transmission Cables	Running adjacent the south-east boundary and entering the Site at 15 Randle Street and Lot 6
City of Sydney Council	Stormwater Conduit	Southern corner of the south-east boundary of 15 Randle Street
Jemena	32mm Nylon inserted into 4 inch Cast Iron Main	Running adjacent the south-east boundary

Asset Owner	Utility Type	Utility Location
NextGen	No Assets Affected	N/A
Optus	No Assets Affected	N/A
RMS	No Assets Affected	N/A
Sydney Trains	High Voltage Cable	Running along Randle Street
Sydney Water Corporation	250mm Cast Iron Cement Lined water main	Running along Randle Street
	225mm Salt Glazed Ware sewer main	Running along Randle Street and Randle Lane
Telstra	Multiple Conduits	Running along Randle Street and Randle Lane
	Conduit	Intersecting south-east to north-west of Lot 1 DP538913
	Multiple Conduits	Entering the Site from multiple locations along the south-east boundary
Transport for NSW	No Assets Affected	N/A
Vocus	No Assets Affected	N/A

Table 7-5: Below Ground Utilities Search

7.8 Assessment of Historical Information Integrity

The site history assessment has been obtained from a variety of resources including government records from the NSW land titles office, council records, historical aerial photographs, WorkCover NSW, Utilities Providers, NSW Office of Water and NSW EPA. The veracity of the information from the obtained sources is considered to be high. The site history assessment is generally considered to be of high integrity with respect to the historical use of the Site.

8. CONCEPTUAL SITE MODEL

The following sections detail a conceptual site model which has been developed in relation to the potential origin, impact and migration of contaminants. This model has been developed for the Site based on the findings of the site history review and walkover inspection.

8.1 Sources of Potential Contaminants

The following table lists potential contaminants based on site activities and conditions identified during the site historical review and walkover inspection (refer to Sections 5 to 7).

Source	Location	Potential Contaminants
Historical ownership and/or occupation by textile clothing, decorator, printing and light engineering factories, photographic studio/darkroom and medical clinic adjacent north of the Site	Entire Site	Total Petroleum Hydrocarbons (TPH), Benzene Toluene Ethyl-Benzene Xylene (BTEX), Metals, Polycyclic Aromatic Hydrocarbons (PAHs), Phenols, Acids, Chlorinated Hydrocarbons, Organochlorine Pesticides (OCPs)
Nearby railway lands and line junction	North-west of the Site	TPH, BTEX, Metals, PAHs, Phenols, Pesticides
Potentially contaminated fill	Lots 5 and 6 DP 78903 and 15 Randle Street	TPH, BTEX, Metals, PAHs, Pesticides
Basement switch room	North-east corner of basement within Lot 1 DP 538913	Polycyclic Biphenyl's (PCBs), Metals
Environmental fallout due to traffic and industrial emissions	Entire Site	Lead

Table 8-1: Potential Contaminants

8.2 Potentially Contaminated Media

Potentially contaminated media present at the Site may include:

- Topsoil/Fill Material;
- Natural Soils and/or Bedrock; and
- Groundwater.

The desktop assessment and walkover inspection has identified historical ownership and/or occupation of the Site by textile clothing, decorator, printing and light engineering factories, and photographic studio/darkroom as well as nearby medical clinic, railway lands and line

junction. Further to this a basement switch room was identified on the Site. During such activities application, spillage and/or leakage of chemicals associated with these activities may have resulted in localised impacts at the ground surface. The proximity of the Site to major road corridors and Sydney CBD has also been indicated as a potential source of contamination due to emissions and industrial fallout. There is also the potential for potentially contaminated material to be imported onsite as the Site walkover identified historical fill activities on the Site in order to establish Site levels. Based on this, topsoil and fill material has been identified as a potentially contaminated media.

Based on the potential mobility of contaminants and their associated potential leachability through the soil profile, vertical migration of the contaminants from the surface into the underlying natural soils/bedrock may have occurred. As a result, the natural soils and underlying bedrock are also considered to be potentially contaminated media.

Groundwater is expected at depth in natural soil or likely bedrock however the depth is currently unknown. Therefore groundwater is potentially impacted by the current and former Site and neighbouring site activities. The likelihood of groundwater contamination is generally considered low (as groundwater is expected at depth/within bedrock) however this is dependent on the depth of groundwater, the subsurface profile/bedrock depth and the extent/pathway of any actual contamination.

8.3 Potential for Migration

Contaminants generally migrate from Site via a combination of windblown dusts, rainwater infiltration, groundwater migration and surface water runoff. The potential for contaminants to migrate is a combination of:

- The nature of the contaminants (solid/liquid and mobility characteristics);
- The extent of the contaminants (isolated or widespread);
- The location of the contaminants (surface soils or at depth);
- The site topography, geology, hydrology and hydrogeology;
- The adjacent properties; and
- Underground utility corridors.

The potential contaminants identified as part of the Site history review and Site inspection are generally in either a solid form (e.g. metals, etc) or liquid form (e.g. hydrocarbons, etc).

Contaminants migration along the underground utility corridors within the Site has a potential to occur given the location of the utility corridor traversing south-east to north-west of Lot 1 DP538913 and multiple entrances along the south-east boundary and the potential contaminants.

The Site hardstand surface has reduced the dust and water erosion potential of the Site. As such, provided the hardstand is maintained, the potential for the migration of contaminants via surface water runoff or from windblown dust from the Site is anticipated to be low.

The potential for rainwater infiltration to occur at the Site was low given the impermeable surface. However, there is potential for rainwater infiltration via onsite drains and stormwater pathways.

The potential sources of contamination are likely to be present above or within topsoil / natural soil material above the bedrock. Groundwater is expected to be at depth and within

the bedrock. It is therefore considered that the groundwater is likely to have a lower potential to facilitate the migration of contaminants due to the expected depth of groundwater and the limited mobility of groundwater through the bedrock profiles, with higher mobility confined to faults in the bedrock (if present).

8.4 Conceptual Site Model Summary

The following table provides a summary of the conceptual site model detailed in the previous sections and includes potential contaminant origin, impact, migration and receptor's exposure pathways.

Source	Contaminants	Location	Affected Media	Migration Potential	Current Receptors	Current Exposure Pathway	Future Potential Receptors	Future Potential Exposure Pathway
Historical ownership and/or occupation by textile clothing, decorator, printing and light engineering factories, photographic studio/darkroom and medical clinic adjacent north of the Site	TPH, BTEX, Metals, PAHs, Phenols, Acids, Chlorinated Hydrocarbons, OCPs	Entire Site	Surface soil; Underlying natural soils and bedrock; Groundwater (dependant on depth and ground profile / pathway to contamination source).	Surface water and dust - low potential; Vertical migration; Along conduits; Groundwater (dependant on depth and ground profile / pathway to contamination source).	Site Occupants.	Inhalation of potentially contaminated soil; Vapour Inhalation.	Site Occupants; Neighbouring properties; Construction workers.	Skin contact with potentially contaminated soil; Inhalation of potentially contaminated soil; Vapour Inhalation; Ingestion of potentially contaminated soil.
Nearby railway lands and line junction	TPH, BTEX, Metals, PAHs, Phenols, Pesticides	North-west of the Site	Surface soil; Underlying natural soils and bedrock; Groundwater (dependant on depth and ground profile / pathway to contamination source).	Surface water and dust - low potential; Vertical migration; Along conduits; Groundwater (dependant on depth and ground profile / pathway to contamination source).	Site Occupants.	Inhalation of potentially contaminated soil; Vapour Inhalation.	Site Occupants; Neighbouring properties; Construction workers.	Skin contact with potentially contaminated soil; Inhalation of potentially contaminated soil; Vapour Inhalation; Ingestion of potentially contaminated soil.

Source	Contaminants	Location	Affected Media	Migration Potential	Current Receptors	Current Exposure Pathway	Future Potential Receptors	Future Potential Exposure Pathway
Potentially contaminated fill	TPH, BTEX, Heavy Metals, PAHs, Pesticides	Lots 5 and 6 DP 78903 and 15 Randle Street	Surface soil/ fill; Underlying natural soils and bedrock; Groundwater (dependant on depth and ground profile / pathway to contamination source).	Surface water and dust - low potential; Vertical/horizontal migration, Groundwater (dependant on depth and ground profile / pathway to contamination source).	Site Occupants	Inhalation of potentially contaminated soil; Vapour Inhalation.	Site Occupants; Neighbouring properties; Construction workers.	Skin contact with potentially contaminated soil; Inhalation of potentially contaminated soil; Vapour Inhalation; Ingestion of potentially contaminated soil.
Basement switch room	PCBs, Metals	North-east corner of basement within Lot 1 DP 538913	Surface soil; Underlying natural soils and bedrock; Groundwater (dependant on depth and ground profile / pathway to contamination source).	Surface water and dust - low potential; Vertical migration; Along conduits; Groundwater (dependant on depth and ground profile / pathway to contamination source).	Site Occupants	Skin contact with potentially contaminated soil; Ingestion of potentially contaminated soil.	Site Occupants; Construction workers.	Skin contact with potentially contaminated soil; Ingestion of potentially contaminated soil.

Source	Contaminants	Location	Affected Media	Migration Potential	Current Receptors	Current Exposure Pathway	Future Potential Receptors	Future Potential Exposure Pathway
Environmental fallout due to traffic and industrial emissions	Lead	Entire Site	Top Soil	Surface water and dust - low potential; Vertical migration.	Site Occupants	Skin contact with potentially contaminated soil; Ingestion of potentially contaminated soil.	Site Occupants; Neighbouring properties; Construction workers.	Skin contact with potentially contaminated soil; Ingestion of potentially contaminated soil.

Table 8-2: Conceptual Site Model Summary

9. CONCLUSIONS AND RECOMMENDATIONS

The current assessment relied upon the visual inspection of the current site condition and a review of available site history. As no intrusive sampling and analysis was undertaken as part of the current assessment, no detailed comments can be made on the condition of the sub surface soils.

Due to past and present site and neighbouring activities including the:

- Occupation of the Site by textile clothing, decorator, printing and light engineering factories, photographic studio/darkroom and medical clinic adjacent north of the Site;
- Occupation of nearby railway lands and line junction;
- Potentially contaminated fill material;
- Basement switch room; and
- Environmental fallout due to traffic and industrial emissions,

the potential below ground contaminants are considered to include:

- Total Recoverable Hydrocarbons (TRH);
- Benzene, Toluene, Ethyl Benzene, Xylene (BTEX);
- Polycyclic Aromatic Hydrocarbons (PAHs);
- Metals;
- Chlorinated Hydrocarbons;
- Phenols;
- Polycyclic Biphenyls;
- Pesticides; and
- Acids.

Within the Scope and Limitations made for the purpose of the investigation, it is the opinion of the Consultant that the findings of the investigation present the several possible sources of contamination noted above.

Although there is potential for the site to contain below ground contamination, it is not possible to determine conclusively if there is current below ground contamination without a more detailed assessment involving the collection and chemical analysis of soil samples (and potentially groundwater, if encountered) including for those chemical constituents listed above. Therefore it is recommended by the consultant that a *Phase 2 Contamination Investigation* be undertaken to confirm the extent of contamination (if any).

The aim of a *Phase 2 Contamination Investigation* is to provide comprehensive information on:

1. Issues raised in the *Phase 1 Preliminary Contamination Investigation*;
2. The type, extent and level of contamination (if any);
3. Potential contaminant dispersal (if any);
4. Potential effects of contaminants (if any) on human health and the environment; and
5. The adequacy and completeness of all information available to be used in further decision making.

The proposed development application is to construct a six storey hotel with restaurant, café and bar within the basement.

The extent and magnitude of contamination (if any) is currently unknown and the Phase 2 will assist in determining if the below ground material contains contamination which may affect the suitability of the Site for the proposed use.

It is the opinion of the consultant that the site would be suitable for the proposed development provided:

- A Phase 2 Contamination Investigation is completed.
- Where the Phase 2 investigation identifies that remediation is required, then the remediation is to be undertaken in accordance with a Remedial Action Plan (RAP) developed and implemented in accordance with the relevant regulatory requirements.
- Once remediation works are completed a validation assessment is to be undertaken in accordance with the relevant regulatory requirements to confirm if the Site is suitable for construction/demolition activities associated with the proposed development application with regards to the contamination identified in the Phase 2 investigation.

10. REFERENCES

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

New South Wales Office of Water, NSW Government, Groundwater Data, accessed 16 February 2016, <http://allwaterdata.water.nsw.gov.au/water.stm>



APPENDIX I

SITE MAP

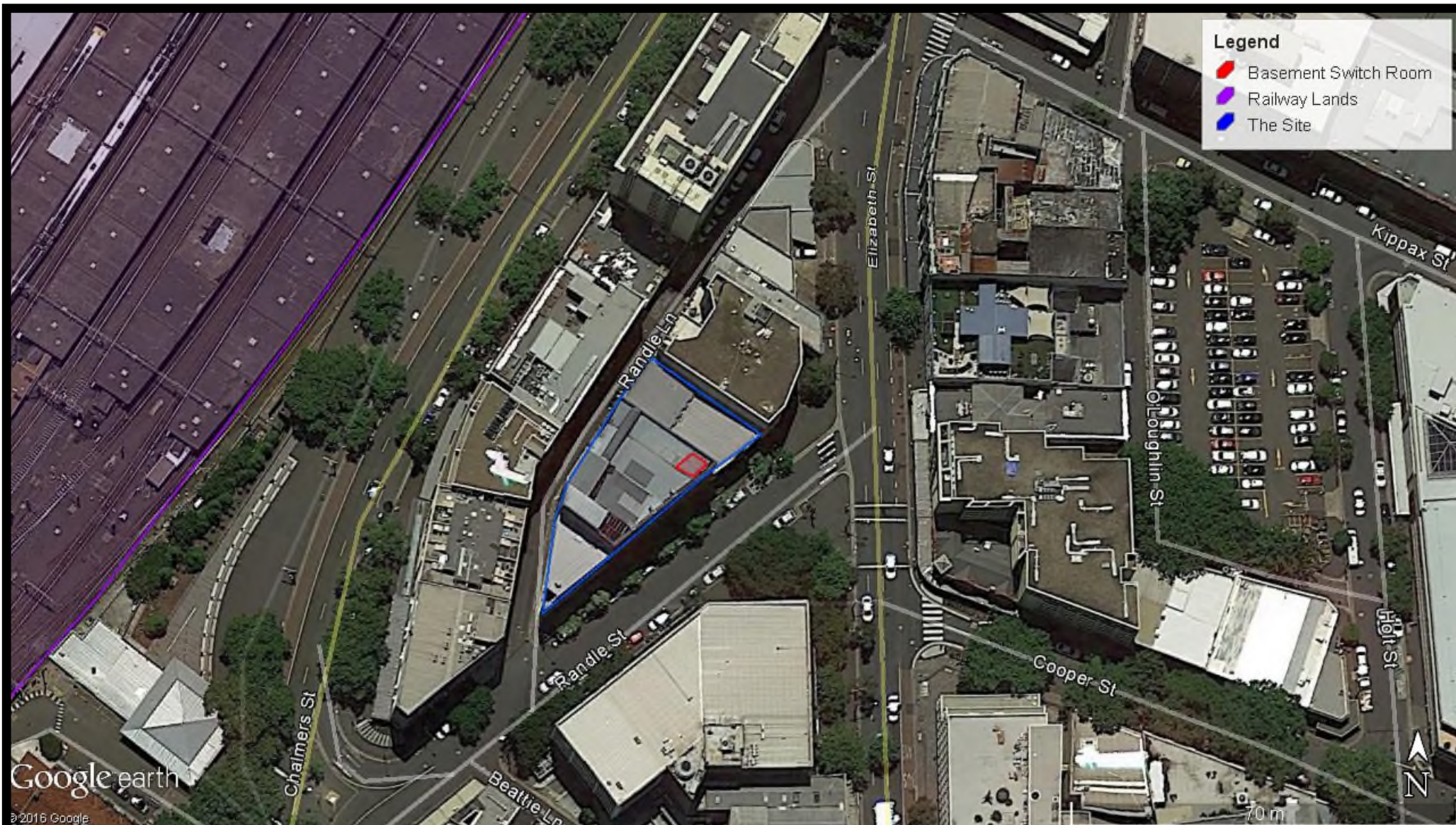


Figure 2 – Site Map

7-15 Randle Street, SURRY HILLS NSW

**Aerial image derived from Google Earth and is indicative of on-ground locations only*





APPENDIX II

SITE PHOTOGRAPHS



Photograph 1

Basement carpark/storage area as viewed from the south-west.



Photograph 4

North-east property as viewed from the east.



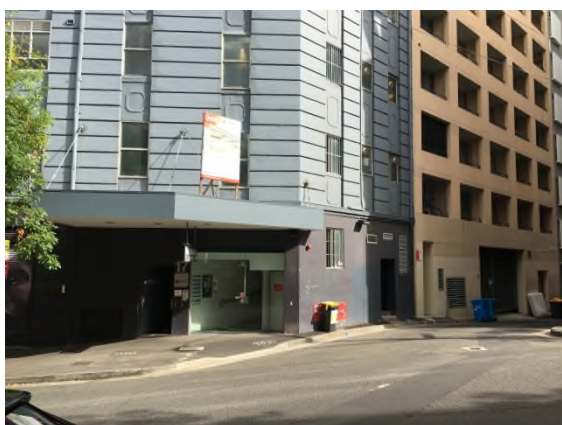
Photograph 2

Basement switch-room in the north-east corner.



Photograph 5

Randle Street and property east of the Site as viewed from the north-west.



Photograph 3

South-west property as viewed from the east.



APPENDIX III

PLANNING CERTIFICATES

City of Sydney
Town Hall House
456 Kent Street
Sydney NSW 2000

Telephone +61 2 9265 9333
Fax +61 2 9265 9222
council@cityofsydney.nsw.gov.au
GPO Box 1591 Sydney NSW 2001
cityofsydney.nsw.gov.au



GETEX PTY LTD
SUITE 2.02
BUILDING 2 35 Waterloo Rd
MACQUARIE PARK NSW 2113

PLANNING CERTIFICATE

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

Applicant:	GETEX PTY LTD
Applicant's reference:	9458
Address of property:	15 Randle Street , SURRY HILLS NSW 2010
Owner:	ROSSELLI INVESTMENTS PTY LTD
Description of land:	Lot 1 DP 74545
Certificate No.:	2016300728
Certificate Date:	15/02/16
Receipt No:	43315
Fee:	\$80.00
Paid:	12/02/16

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

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

CERTIFICATE ENQUIRIES:

Ph: 9265 9333
Fax: 9265 9415

city of villages

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

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

DEVELOPMENT CONTROLS

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

ZONING

Zone B4 Mixed Use (Sydney Local Environmental Plan 2012)

1 Objectives of zone

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To ensure uses support the viability of centres.

2 Permitted without consent

Home occupations

3 Permitted with consent

Boarding houses; Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Seniors housing; Shop top housing; Any other development not specified in item 2 or 4

4 Prohibited

Extractive industries; Heavy industrial storage establishments; Heavy industries

PROPOSED ZONING

This property is not affected by a draft zone.

LOCAL PLANNING CONTROLS

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

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

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

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

correcting errors, refining definitions, correcting descriptions, removing barriers and updating details.

PLANNING PROPOSAL – Heritage Floor Space Amendments to Sydney Local Environmental Plan 2012

The purpose of the planning proposal is to implement amendments to Sydney LEP 2012 that will improve the operation of the Heritage Floor Space (HFS) scheme in Central Sydney.

HERITAGE

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

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

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

STATE PLANNING INSTRUMENTS

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

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

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

State Environmental Planning Policy No. 32 – Urban Consolidation

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

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

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

State Environmental Planning Policy No. 55 – Remediation of Land

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

State Environmental Planning Policy No. 64 – Advertising and Signage

This policy aims to ensure that signage (including advertising):

Is compatible with the desired amenity and visual character of an area, and

- Provides effective communications in suitable locations, and
- Is of a high quality design and finish.

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

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

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

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

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

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

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

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

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

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

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

State Environmental Planning Policy (Major Development) 2005

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

NB: This SEPP also contains exempt & complying provisions

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

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

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

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

State Environmental Planning Policy (Infrastructure) 2007

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

NB: This SEPP also contains exempt & complying provisions

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

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

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

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

State Environmental Planning Policy (Affordable Rental Housing) 2009

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

State Environmental Planning Policy (Urban Renewal) 2010

The aims of this Policy are as follows:

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

State Environmental Planning Policy (State and Regional Development) 2011

The aims of this Policy are as follows:

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

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

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

This plan has the following aims with respect to the Sydney Harbour Catchment:

to ensure that the catchment, foreshores, waterways and islands of Sydney Harbour are recognised, protected and maintained: as outstanding natural asset, and as a public asset of national and heritage significance, for existing and future generations; to ensure a healthy, sustainable environment on land and water; to achieve a high quality urban environment; to ensure a prosperous working waterfront and an effective transport corridor, to encourage a culturally rich and vibrant place for people; to ensure accessibility to and along Sydney Harbour and its foreshores; to ensure the protection, maintenance and rehabilitation of watercourses, wetlands, riparian lands, remnant vegetation and ecological connectivity, to provide a consolidated, simplified and updated legislative framework for future planning.

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

(3) Complying Development

- (1) The extent to which the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18(1)(c3) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.
- (2) The extent to which complying development may not be carried out on that land because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18(1)(c3) and 1.19 of that Policy and the reasons why it may not be carried out under those clauses.
- (3) If the council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land, a statement that a restriction applies to the land, but it may not apply to all of the land, and that council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.

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

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

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

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

Housing Alterations Code

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

Commercial and Industrial Alterations Code

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

Subdivisions Code

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

Rural Housing Code

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

General Development Code

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

Demolition Code

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

(4) Coastal Protection Act, 1979

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

(4A) Certain information relating to beaches and coasts

(1) In relation to a coastal council an order has **not** been made under Part 4D of the coastal Protection Act 1979 in relation to temporary coastal protection works (within the meaning of that Act) on the land (or on public land adjacent to that land).

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

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

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

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

(5) Mine Subsidence District

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

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

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

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

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

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

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

(7A) Flood related development controls information.

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

(8) Land reserved for acquisition

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

(9) Contribution plans

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

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

(9A) Biodiversity certified land

The land has not been certified as biodiversity certified land.

(10) Biobanking Agreement

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

(11) Bush fire prone land

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

(12) Property vegetation plans

Not Applicable.

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

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

(14) Directions under Part 3A

Not Applicable.

(15) Site compatibility certificates and conditions for seniors housing

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

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

(16) Site compatibility certificates for infrastructure

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

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

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

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

(18) Paper subdivision information

Not Applicable.

(19) Site verification certificates

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

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

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

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

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

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

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

PLANNING CERTIFICATE SECTION 149(2) INFORMATION:

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

**PLANNING CERTIFICATE UNDER SECTION 149 (5) OF THE ENVIRONMENTAL
PLANNING AND ASSESSMENT ACT, 1979**

PLANNING CERTIFICATE SECTION 149 (5) ADVICE is current as at 12:00 noon two working days prior to the date of issue of this certificate. The following matters have been considered & details provided where information exists: easements in favour of council; parking permit scheme; heritage floor space restrictions; low-rental residential building; foreshore building line; tree preservation order.

Contaminated Land Potential:

Council records do not have sufficient information about the uses (including previous uses) of the land which is the subject of this section 149 certificate to confirm that the land has not been used for a purpose which would be likely to have contaminated the land. Parties should make their own enquiries as to whether the land may be contaminated.

Hazard Risk Restriction:

The City of Sydney Local Environmental Plan 2012 incorporates Acid Sulfate soil maps. Development on the land identified in those maps should have regard to Division 4 clause 7.16 of the LEP.

Construction Noise and View Loss Advice:

Intending purchasers are advised that the subject property may be affected by construction noise and loss or diminution of views as a result of surrounding development.

City of Sydney Tree Preservation Order 2004 (TPO)

This order applies to all land where South Sydney Local Environmental Plan 1998 applies and the City of Sydney Council or the Central Sydney Planning Committee is the relevant consent authority under the *Environmental Planning & Assessment Act 1979*. Contact Council's Contract and Asset Management section for more information.

Outstanding Notice & Order information

In relation to this property, there **is not** an outstanding Order or Notice of Intention to issue an Order relating to Fire Safety (being an Order or Notice of Intention to issue an Order of type 6, 10, 11 under Section 121B of the Environmental Planning and Assessment Act, 1979). Further information about the Order or Notice of Intention to issue an Order may be obtained by applying for a certificate under Section 121ZP of the Environmental Planning and Assessment Act and Section 735A of the Local Government Act.

In relation to this property, there **is not** an outstanding Order or Notice of Intention to issue an Order (being an Order or Notice of Intention to issue an Order of a type other than relating to fire safety). Further information about the Order or Notice of Intention to issue an Order may be obtained by applying for a certificate under Section 121ZP of the Environmental Planning and Assessment Act and Section 735A of the Local Government Act.

Residential & Visitor Parking Permit Schemes

The City of Sydney co-ordinates a Resident Permit Parking Scheme and a Visitor Permit Parking scheme. This property may be restricted from participating in either scheme. Eligibility may change after the date of this certificate, as parking supply and other traffic demands change. For more information contact Council's call centre on 9265 9333.

ADVICE FROM OTHER BODIES

Sydney Ports Corporation Advice

Some land in the City of Sydney located in the vicinity of the White Bay, Glebe Island and Darling Harbour ports may be affected by noise from port operations.

Advice provided in accordance with planning certificate section 149 (5) is supplied in good faith. Council accepts no liability for the validity of the advice given. (see section 149 (6) of the Environmental Planning and Assessment Act, 1979).

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

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

General Enquiries :

Telephone: 02 9265 9333

Facsimile: 02 9265 9415

Town Hall House

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

Glebe Customer Service Centre

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

Neighbourhood Service Centre Kings Cross

50 Darlinghurst Road,
Potts Point
9am – 5pm, Monday – Friday
9am – 12pm, Saturday

Neighbourhood Service Centre Redfern

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

Green Square Customer Service Centre

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

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

Sydney Harbour Foreshore Authority (former Sydney Cove Authority and Darling Harbour Authority),
Level 6,
66 Harrington Street,
The Rocks.

Department of Planning & Infrastructure Information Centre

23-33 Bridge Street,
Sydney NSW 2000

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

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

End of Document

GETEX PTY LTD
SUITE 2.02
BUILDING 2 35 Waterloo Rd
MACQUARIE PARK NSW 2113

PLANNING CERTIFICATE

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

Applicant:	GETEX PTY LTD
Applicant's reference:	9458
Address of property:	7-13 Randle Street , SURRY HILLS NSW 2010
Owner:	HANAVE PTY LIMITED
Description of land:	Lot 1 DP 538913, Lot 5 DP 78903, Lot 6 DP 78903
Certificate No.:	2016300726
Certificate Date:	15/02/16
Receipt No:	43315
Fee:	\$80.00
Paid:	12/02/16

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



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

CERTIFICATE ENQUIRIES:

Ph: 9265 9333
Fax: 9265 9415

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

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

DEVELOPMENT CONTROLS

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

ZONING

Zone B4 Mixed Use (Sydney Local Environmental Plan 2012)

1 Objectives of zone

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To ensure uses support the viability of centres.

2 Permitted without consent

Home occupations

3 Permitted with consent

Boarding houses; Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Seniors housing; Shop top housing; Any other development not specified in item 2 or 4

4 Prohibited

Extractive industries; Heavy industrial storage establishments; Heavy industries

PROPOSED ZONING

This property is not affected by a draft zone.

LOCAL PLANNING CONTROLS

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

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

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

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

correcting errors, refining definitions, correcting descriptions, removing barriers and updating details.

PLANNING PROPOSAL – Heritage Floor Space Amendments to Sydney Local Environmental Plan 2012

The purpose of the planning proposal is to implement amendments to Sydney LEP 2012 that will improve the operation of the Heritage Floor Space (HFS) scheme in Central Sydney.

HERITAGE

Item of Environmental Heritage

(Sydney Local Environmental Plan 2012)

This property has been listed as an Item of Environmental Heritage

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

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

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

STATE PLANNING INSTRUMENTS

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

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

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

State Environmental Planning Policy No. 32 – Urban Consolidation

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

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

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

State Environmental Planning Policy No. 55 – Remediation of Land

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

State Environmental Planning Policy No. 64 – Advertising and Signage

This policy aims to ensure that signage (including advertising):

Is compatible with the desired amenity and visual character of an area, and

- Provides effective communications in suitable locations, and
- Is of a high quality design and finish.

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

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

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

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

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

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

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

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

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

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

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

State Environmental Planning Policy (Major Development) 2005

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

NB: This SEPP also contains exempt & complying provisions

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

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

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

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

State Environmental Planning Policy (Infrastructure) 2007

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

NB: This SEPP also contains exempt & complying provisions

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

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

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

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

State Environmental Planning Policy (Affordable Rental Housing) 2009

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

State Environmental Planning Policy (Urban Renewal) 2010

The aims of this Policy are as follows:

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

State Environmental Planning Policy (State and Regional Development) 2011

The aims of this Policy are as follows:

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

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

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

This plan has the following aims with respect to the Sydney Harbour Catchment:

to ensure that the catchment, foreshores, waterways and islands of Sydney Harbour are recognised, protected and maintained: as outstanding natural asset, and as a public asset of national and heritage significance, for existing and future generations; to ensure a healthy, sustainable environment on land and water; to achieve a high quality urban environment; to ensure a prosperous working waterfront and an effective transport corridor, to encourage a culturally rich and vibrant place for people; to ensure accessibility to and along Sydney Harbour and its foreshores; to ensure the protection, maintenance and rehabilitation of watercourses, wetlands, riparian lands, remnant vegetation and ecological connectivity, to provide a consolidated, simplified and updated legislative framework for future planning.

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

(3) Complying Development

- (1) The extent to which the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18(1)(c3) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.
- (2) The extent to which complying development may not be carried out on that land because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18(1)(c3) and 1.19 of that Policy and the reasons why it may not be carried out under those clauses.
- (3) If the council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land, a statement that a restriction applies to the land, but it may not apply to all of the land, and that council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.

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

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

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

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

Housing Alterations Code

Complying development under the Housing Alterations Code **may not** be carried out on the land.

Reason why:

Refer to 1.17A & 1.18 (1) (c3) State Environmental Planning Policy (Except and Complying Development Codes) 2008:

clause 1.17A(d) or 1.18 (1) (c3) applies

Commercial and Industrial Alterations Code

Complying development under the Commercial and Industrial Alterations Code **may not** be carried out on the land.

Reason why:

Refer to 1.17A & 1.18 (1) (c3) State Environmental Planning Policy (Except and Complying Development Codes) 2008:

clause 1.17A(d) or 1.18 (1) (c3) applies

Subdivisions Code

Complying development under the Subdivisions Code **may not** be carried out on the land.

Reason why:

Refer to 1.17A & 1.18 (1) (c3) State Environmental Planning Policy (Except and Complying Development Codes) 2008:

clause 1.17A(d) or 1.18 (1) (c3) applies

Rural Housing Code

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

General Development Code

Complying development under the General Development Code **may not** be carried out on the land.

Reason why:

Refer to 1.17A & 1.18 (1) (c3) State Environmental Planning Policy (Except and Complying Development Codes) 2008:

clause 1.17A(d) or 1.18 (1) (c3) applies

Demolition Code

Complying development under the Demolition Code **may not** be carried out on the land.

Reason why:

Refer to 1.17A & 1.18 (1) (c3) State Environmental Planning Policy (Except and Complying Development Codes) 2008:

clause 1.17A(d) or 1.18 (1) (c3) applies

(4) Coastal Protection Act, 1979

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

(4A) Certain information relating to beaches and coasts

(1) In relation to a coastal council an order has **not** been made under Part 4D of the coastal Protection Act 1979 in relation to temporary coastal protection works (within the meaning of that Act) on the land (or on public land adjacent to that land).

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

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

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

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

(5) Mine Subsidence District

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

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

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

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

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

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

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

(7A) Flood related development controls information.

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

(8) Land reserved for acquisition

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

(9) Contribution plans

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

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

(9A) Biodiversity certified land

The land has not been certified as biodiversity certified land.

(10) Biobanking Agreement

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

(11) Bush fire prone land

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

(12) Property vegetation plans

Not Applicable.

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

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

(14) Directions under Part 3A

Not Applicable.

(15) Site compatibility certificates and conditions for seniors housing

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

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

(16) Site compatibility certificates for infrastructure

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

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

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

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

(18) Paper subdivision information

Not Applicable.

(19) Site verification certificates

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

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

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

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

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

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

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

PLANNING CERTIFICATE SECTION 149(2) INFORMATION:

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

**PLANNING CERTIFICATE UNDER SECTION 149 (5) OF THE ENVIRONMENTAL
PLANNING AND ASSESSMENT ACT, 1979**

PLANNING CERTIFICATE SECTION 149 (5) ADVICE is current as at 12:00 noon two working days prior to the date of issue of this certificate. The following matters have been considered & details provided where information exists: easements in favour of council; parking permit scheme; heritage floor space restrictions; low-rental residential building; foreshore building line; tree preservation order.

Contaminated Land Potential:

Council records do not have sufficient information about the uses (including previous uses) of the land which is the subject of this section 149 certificate to confirm that the land has not been used for a purpose which would be likely to have contaminated the land. Parties should make their own enquiries as to whether the land may be contaminated.

Hazard Risk Restriction:

The City of Sydney Local Environmental Plan 2012 incorporates Acid Sulfate soil maps. Development on the land identified in those maps should have regard to Division 4 clause 7.16 of the LEP.

Construction Noise and View Loss Advice:

Intending purchasers are advised that the subject property may be affected by construction noise and loss or diminution of views as a result of surrounding development.

City of Sydney Tree Preservation Order 2004 (TPO)

This order applies to all land where South Sydney Local Environmental Plan 1998 applies and the City of Sydney Council or the Central Sydney Planning Committee is the relevant consent authority under the *Environmental Planning & Assessment Act 1979*. Contact Council's Contract and Asset Management section for more information.

Outstanding Notice & Order information

In relation to this property, there **is not** an outstanding Order or Notice of Intention to issue an Order relating to Fire Safety (being an Order or Notice of Intention to issue an Order of type 6, 10, 11 under Section 121B of the Environmental Planning and Assessment Act, 1979). Further information about the Order or Notice of Intention to issue an Order may be obtained by applying for a certificate under Section 121ZP of the Environmental Planning and Assessment Act and Section 735A of the Local Government Act.

In relation to this property, there **is not** an outstanding Order or Notice of Intention to issue an Order (being an Order or Notice of Intention to issue an Order of a type other than relating to fire safety). Further information about the Order or Notice of Intention to issue an Order may be obtained by applying for a certificate under Section 121ZP of the Environmental Planning and Assessment Act and Section 735A of the Local Government Act.

Residential & Visitor Parking Permit Schemes

The City of Sydney co-ordinates a Resident Permit Parking Scheme and a Visitor Permit Parking scheme. This property may be restricted from participating in either scheme. Eligibility may change after the date of this certificate, as parking supply and other traffic demands change. For more information contact Council's call centre on 9265 9333.

ADVICE FROM OTHER BODIES

Sydney Ports Corporation Advice

Some land in the City of Sydney located in the vicinity of the White Bay, Glebe Island and Darling Harbour ports may be affected by noise from port operations.

Advice provided in accordance with planning certificate section 149 (5) is supplied in good faith. Council accepts no liability for the validity of the advice given. (see section 149 (6) of the Environmental Planning and Assessment Act, 1979).

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

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

General Enquiries :

Telephone: 02 9265 9333

Facsimile: 02 9265 9415

Town Hall House

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

Glebe Customer Service Centre

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

Neighbourhood Service Centre Kings Cross

50 Darlinghurst Road,
Potts Point
9am – 5pm, Monday – Friday
9am – 12pm, Saturday

Neighbourhood Service Centre Redfern

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

Green Square Customer Service Centre

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

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

Sydney Harbour Foreshore Authority (former Sydney Cove Authority and Darling Harbour Authority),
Level 6,
66 Harrington Street,
The Rocks.

Department of Planning & Infrastructure Information Centre

23-33 Bridge Street,
Sydney NSW 2000

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

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

End of Document



APPENDIX IV

AERIAL PHOTOGRAPHS

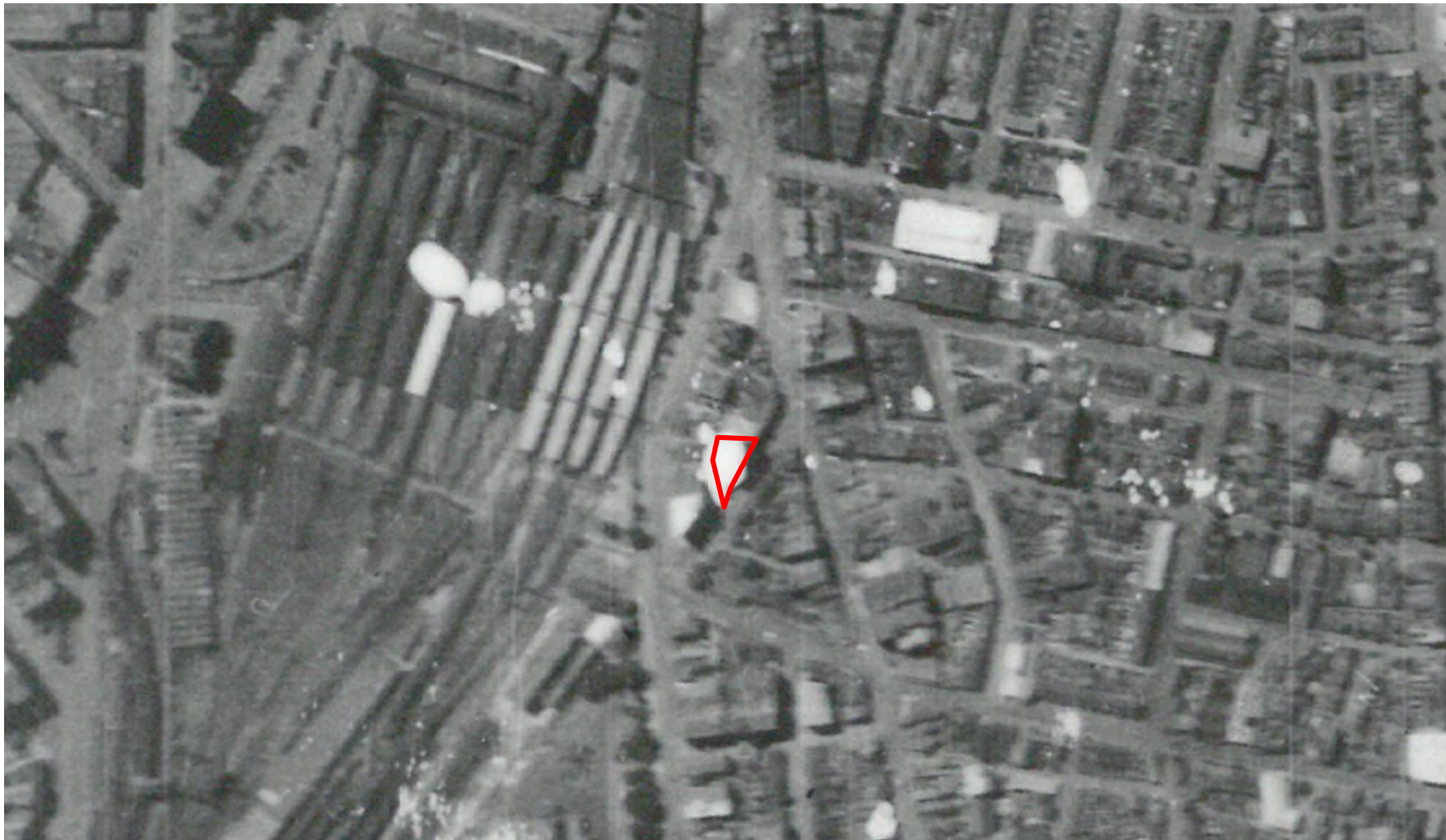


Figure 3: Aerial Photograph.
Map 3422, 06/03/1930



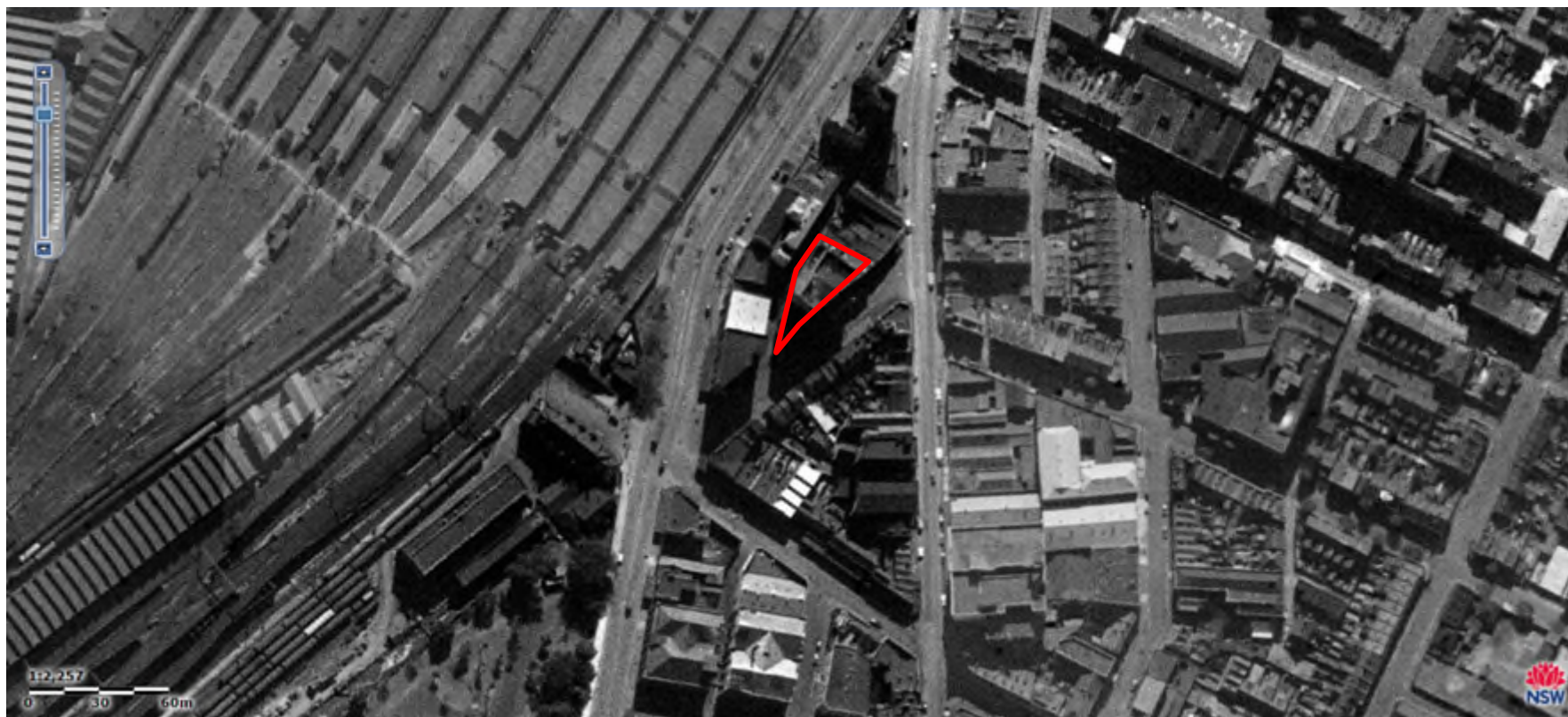


Figure 4: Aerial Photograph.
SIXMaps 1943





Figure 5: Aerial Photograph.
NSW 209/5934, December 1951



Figure 6: Aerial Photograph.
NSW 3542 (M1754), Run 2B, 20/09/86





Figure 7: Aerial Photograph.
NSW 4702 (M2171), Run 6, 04/05/99





Figure 8: Aerial Photograph.
BlockName: Sydney SKM, 6 January 2014



APPENDIX V

WORKCOVER SEARCH DOCUMENTS



SafeWork NSW

SafeWork NSW

92-100 Donnison Street, Gosford, NSW, 2250

Locked Bag 2906, Lisarow, NSW, 2252 |

Customer Service Centre 13 10 50

licensing@safework.nsw.gov.au | www.safework.nsw.gov.au

Our Ref: D16/530623

Your Ref: Justin Thompson-Laing

25 February 2016

Attention: Justin Thompson-Laing
Getex Pty Ltd
Suite 2.02
Building 2
35-41 Waterloo Rd
Macquarie Park NSW 2113

Dear Mr Thompson-Laing,

RE SITE: 7-15 Randle St Surry Hills NSW

I refer to your site search request received by SafeWork NSW on 15 February 2016 requesting information on Storage of Hazardous Chemicals for the above site.

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

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

Yours sincerely,


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



APPENDIX VI

EPA RECORDS SEARCH

List of NSW Contaminated Sites Notified to EPA as of 7 December 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 <i>Protection of the Environment Operations Act 1997</i> . Alternatively, the EPA may require information via a notice issued under s77 of the <i>Contaminated Land Management Act 1997</i> 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 <i>Contaminated Land Management Act 1997</i> 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 <i>Contaminated Land Management Act 1997</i> . 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 <i>Contaminated Land Management Act 1997</i> (CLM Act). Management of the contamination is regulated by the EPA under the CLM Act. Regulatory notices are available on the EPA's Contaminated Land Public Record .
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 <i>Protection of the Environment Operations Act 1997</i> (POEO Act). The EPA's regulatory actions under the POEO Act are available on the POEO public register .
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 <i>Environmental Planning and Assessment Act 1979</i> (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 <i>Contaminated Land Management Act 1997</i> (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 <i>Protection of the Environment Operations Act 1997</i> (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 <i>Environmental Planning and Assessment Act 1979</i> (EP&A Act).
Ongoing maintenance required to manage residual contamination (CLM Act)	The EPA has determined that ongoing maintenance, under the <i>Contaminated Land Management Act 1997</i> (CLM Act), is required to manage the residual contamination. Regulatory notices under the CLM Act are available on the EPA's Contaminated Land Public Record .

Suburb	Site Name	Address	Contamination Activity Type	Management Class	Latitude	Longitude
ST PETERS	Former Tidyburn Facility	53 Barwon Park ROAD	Chemical Industry	Contamination formerly regulated under the CLM Act	-33.9130091	151.1809912
ST PETERS	Camdenville Park	May STREET	Other Industry	Regulation under CLM Act not required	-33.90911815	151.176951
STRATHFIELD	7-Eleven (former Mobil) Service Station	577 Liverpool ROAD	Service Station	Under assessment	-33.88736091	151.0743474
STROUD	Caltex Service Station	Cowper STREET	Service Station	Under assessment	-32.39092749	151.9563089
SUFFOLK PARK	BP Service Station	207-209 Broken Head ROAD	Service Station	Regulation under CLM Act not required	-28.68800088	153.6083821
SUFFOLK PARK	Suffolk Park dip site	Cnr Broken Head Road & Beech DRIVE	Cattle Dip	Regulation under CLM Act not required	-28.6874242	153.6072824
SURRY HILLS	Woolworths Petrol Surry Hills	475 Cleveland STREET	Service Station	Under assessment	-33.89203644	151.216217
SURRY HILLS	Legion Cabs (Trading) Cooperative	69 - 81 Foveaux STREET	Service Station	Under assessment	-33.88470082	151.2107944
SURRY HILLS	Ausgrid Road Reserve	Mary STREET	Other Industry	Regulation under CLM Act not required	-33.88292195	151.2095176
SUTHERLAND	United Service Station and Sutherland Reservoir	1 to 3 Oxford STREET	Service Station	Contamination currently regulated under CLM Act	-34.029532	151.0579906
SUTHERLAND	7-Eleven Service Station	693 Old Princes HIGHWAY	Service Station	Under assessment	-34.02976735	151.0588789
SUTTON FOREST	Coles Express Sutton Forest West	Hume HIGHWAY	Service Station	Under assessment	-34.60808989	150.2250592
SWANSEA	Caltex Service Station	126 Pacific HIGHWAY	Service Station	Under assessment	-33.08811841	151.6381764
SYDENHAM	SRA Land	117 Railway PARADE	Other Industry	Regulation under CLM Act not required	-33.91560723	151.1656846
SYDENHAM	Sydenham XPT Maintenance Facility	Way STREET	Other Industry	Regulation under CLM Act not required	-33.91698468	151.1614089
SYDNEY	RMS Western Precinct	14A-14E and 16 Hill ROAD	Other Petroleum	Regulation under CLM Act not required	-33.82239777	151.0758664
SYDNEY	Interpro House (OSP 46581)	447 Kent STREET	Other Petroleum	Regulation under CLM Act not required	-33.87225413	151.204761
SYDNEY	Haslams Creek South Area 3	At Kronos Hill, Kevin Coombes AVENUE	Landfill	Contamination formerly regulated under the CLM Act	-33.84113059	151.0602966
SYDNEY	Bicentennial Park	Bicentennial DRIVE	Landfill	Contamination formerly regulated under the CLM Act	-33.84456248	151.0788116
SYDNEY	Former Haslams Creek Landfill	Kronos Hill, Kevin Coombes AVENUE	Landfill	Contamination formerly regulated under the CLM Act	-33.84014442	151.0649521

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

Search results

Your search for: LGA: City of Sydney Council

Matched 34 notices
relating to 11 sites.

[Search Again](#)

[Refine Search](#)

Suburb	Address	Site Name	Notices related to this site
ALEXANDRIA	Off Huntley STREET	Alexandra Canal Sediments	2 current
ALEXANDRIA	10-24 Ralph STREET	Australia Post	1 current
ALEXANDRIA	49-59 O'Riordan STREET	Former Cadbury Schweppes	1 former
EVELEIGH	Burren STREET	Macdonaldtown Triangle	2 former
MILLERS POINT	Berths 5, 6 and 7 (already demolished) and part Hickson ROAD	Former AGL Gasworks	2 current and 3 former
MILLERS POINT	36 Hickson ROAD	Former AGL Gasworks	2 former
NEWTOWN	79 Wilson STREET	Adjacent to Former Service Station	3 former
NEWTOWN	81 Wilson STREET	Former Service Station	4 former
PADDINGTON	59 Oxford STREET	7-Eleven Service Station	1 current
PYRMONT	Pyrmont ROAD	Pyrmont Power Station	7 former
WATERLOO	887-893 Bourke STREET	Lawrence Dry Cleaners	6 current and 2 former

Page 1 of 1

16 February 2016

Connect

Feedback

We
Put

Number	Name	Location	Type	Status	Issued date
1521925	Airport Motorway Limited	Between Mort and Thurlow Street, SURRY HILLS, NSW 2010	s.55 Licence Refusal	Issued	12-May-14
6924	METROPOLITAN ELECTROPLATERS PTY LTD	123 RESERVOIR ROAD, SURRY HILLS, NSW 2010	POEO licence	Surrendered	26-Jun-00
7237	NATIONWIDE NEWS PTY. LIMITED	2 HOLT STREET, SURRY HILLS, NSW 2010	POEO licence	Surrendered	20-Sep-00
7009	PALLOYS PTY LTD	74-84 FOVEAUX STREET, SURRY HILLS, NSW 2010	POEO licence	Surrendered	26-Jun-00
1049628	PALLOYS PTY LTD	74-84 FOVEAUX STREET, SURRY HILLS, NSW 2010	s.58 Licence Variation	Issued	7-Jul-05
12236	THE PRETERM FOUNDATION	1-5 Randle Street, SURRY HILLS, NSW 2010	POEO licence	No longer in force	17-Dec-04

Environment Protection Licence

Licence - 12236

Department of **Environment & Climate Change** NSW

Licence Details

Number:	12236
Anniversary Date:	17-December
Review Due Date:	30-Jul-2012

Licensee

THE PRETERM FOUNDATION
PO BOX 768
SURRY HILLS NSW 2010

Licence Type

Premises

Premises

The Preterm Foundation
1-5 Randle Street
SURRY HILLS NSW 2010

Scheduled Activity

Waste Activities

Fee Based Activity

Hazardous, Industrial or Group A Waste Generation or Storage (73)

Scale

0 - 10 T

Region

Waste Operations
59-61 Goulburn Street
SYDNEY NSW 2000
Phone: 02 9995 5000
Fax: 02 9995 5999

PO Box A290 SYDNEY SOUTH
NSW 1232

Environment Protection Licence

Licence - 12236

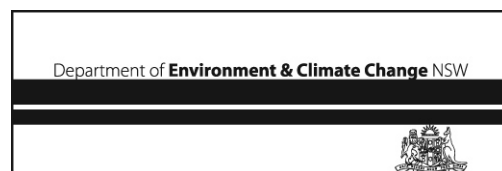
Department of Environment & Climate Change NSW



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Environment Protection Licence

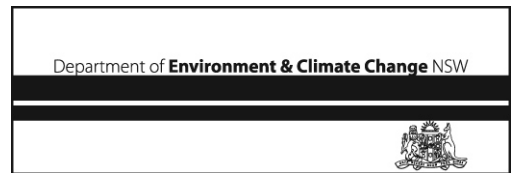
Licence - 12236



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Environment Protection Licence

Licence - 12236



Information about this licence

Dictionary

A definition of terms used in the licence can be found in the dictionary at the end of this licence.

Responsibilities of licensee

Separate to the requirements of this licence, general obligations of licensees are set out in the Protection of the Environment Operations Act 1997 ("the Act") and the Regulations made under the Act. These include obligations to:

- ensure persons associated with you comply with this licence, as set out in section 64 of the Act;
- control the pollution of waters and the pollution of air (see for example sections 120 - 132 of the Act); and
- report incidents causing or threatening material environmental harm to the environment, as set out in Part 5.7 of the Act.

Variation of licence conditions

The licence holder can apply to vary the conditions of this licence. An application form for this purpose is available from the EPA.

The EPA may also vary the conditions of the licence at any time by written notice without an application being made.

Where a licence has been granted in relation to development which was assessed under the Environmental Planning and Assessment Act 1979 in accordance with the procedures applying to integrated development, the EPA may not impose conditions which are inconsistent with the development consent conditions until the licence is first reviewed under Part 3.6 of the Act.

Duration of licence

This licence will remain in force until the licence is surrendered by the licence holder or until it is suspended or revoked by the EPA or the Minister. A licence may only be surrendered with the written approval of the EPA.

Licence review

The Act requires that the EPA review your licence at least every 5 years after the issue of the licence, as set out in Part 3.6 and Schedule 5 of the Act. You will receive advance notice of the licence review.

Fees and annual return to be sent to the EPA

For each licence fee period you must pay:

- an administrative fee; and
- a load-based fee (if applicable).

The EPA publication "A Guide to Licensing" contains information about how to calculate your licence fees.

Environment Protection Licence

Licence - 12236

Department of Environment & Climate Change NSW



The licence requires that an Annual Return, comprising a Statement of Compliance and a summary of any monitoring required by the licence (including the recording of complaints), be submitted to the EPA. The Annual Return must be submitted within 60 days after the end of each reporting period. See condition R1 regarding the Annual Return reporting requirements.

Usually the licence fee period is the same as the reporting period.

Transfer of licence

The licence holder can apply to transfer the licence to another person. An application form for this purpose is available from the EPA.

Public register and access to monitoring data

Part 9.5 of the Act requires the EPA to keep a public register of details and decisions of the EPA in relation to, for example:

- licence applications;
- licence conditions and variations;
- statements of compliance;
- load based licensing information; and
- load reduction agreements.

Under s320 of the Act application can be made to the EPA for access to monitoring data which has been submitted to the EPA by licensees.

This licence is issued to:

THE PRETERM FOUNDATION
PO BOX 768
SURRY HILLS NSW 2010

subject to the conditions which follow.

1 Administrative conditions

A1 What the licence authorises and regulates

A1.1 Not applicable.

A1.2 This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation.

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Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.

Scheduled Activity
Waste Activities

Fee Based Activity	Scale
Hazardous, Industrial or Group A Waste Generation or Storage (73)	0 - 10 T

A1.3 Not applicable.

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A2 Premises to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
The Preterm Foundation
1-5 Randle Street
SURRY HILLS
NSW
2010
43, 51 52 & 56/SP61181

A3 Other activities

A3.1 Not applicable.

A4 Information supplied to the EPA

A4.1 Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence.

In this condition the reference to "the licence application" includes a reference to:

- (a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and
- (b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.

2 Discharges to air and water and applications to land

P1 Location of monitoring/discharge points and areas

P1.1 Not applicable.

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P1.2 Not applicable.

P1.3 Not applicable.

3 Limit conditions

L1 Pollution of waters

L1.1 Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.

L2 Load limits

L2.1 Not applicable.

L2.2 Not applicable.

L3 Concentration limits

L3.1 Not applicable.

L3.2 Not applicable.

L3.3 Not applicable.

L4 Volume and mass limits

L4.1 Not applicable.

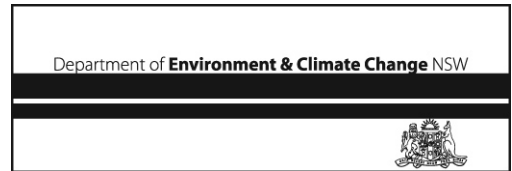
L5 Waste

L5.1 The licensee must not cause, permit or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing or disposal or any waste generated at the premises to be disposed of at the premises, except as expressly permitted by the licence.

L5.2 This condition only applies to the storage, treatment, processing, reprocessing or disposal of waste at the premises if those activities require an environment protection licence.

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- L5.3 Except as provided by any other condition of this licence, only the hazardous and/or industrial and/or Group A waste listed below may be generated and/or stored at the premises.

Clinical and related wastes [R100]

- L5.4 The quantity of hazardous and/or industrial and/or Group A waste generated and/or stored on the premises must not exceed 10 tonnes per year.

L6 Noise Limits

- L6.1 Not applicable.

L7 Polychlorinated Biphenyls (PCBs)

Note: The licensee must comply with the conditions as specified in this licence or where no specific conditions are outlined in this licence, the licensee must comply with the "Chemical Control Order in Relation to Materials and Wastes Containing Polychlorinated Biphenyl, 1997".

L8 Asbestos

Note: The licensee must comply with the conditions as specified in this licence or where no specific conditions are outlined in this licence, the licensee must comply with the Protection of the Environment Operations (Waste) Regulation 1996.

4 Operating conditions

O1 Activities must be carried out in a competent manner

- O1.1 Licensed activities must be carried out in a competent manner.

This includes:

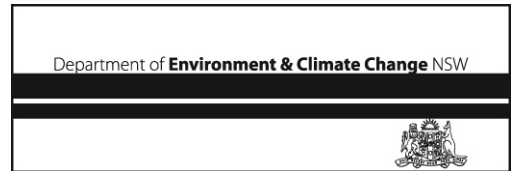
- (a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and
- (b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

O2 Maintenance of plant and equipment

- O2.1 All plant and equipment installed at the premises or used in connection with the licensed activity:

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- (a) must be maintained in a proper and efficient condition; and
- (b) must be operated in a proper and efficient manner.

O3 Emergency response

- O3.1 Within insert time limit 3 months of the date of the issue of this licence, the licensee must develop, or update, an emergency response plan which documents the procedures to deal with all types of incidents (e.g. spill, explosions or fire) that may occur at the premises or outside of the premises (e.g. during transfer) which are likely to cause harm to the environment.

O4 Processes and management

- O4.1 The licensee must ensure that any liquid and/or non liquid waste generated and/or stored at the premises is assessed and classified in accordance with the EPA Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes, in force as at 1 July 1999.
- O4.2 The licensee must ensure that waste identified for recycling is stored separately from other waste.

O5 Monitoring of waste movements within NSW

- O5.1 Conditions O5.2 to O5.16 apply to the movement of the types of hazardous and/or industrial and/or Group A waste as listed in L5.3, within NSW.

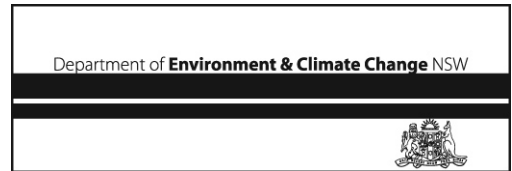
Prerequisites for waste movements

- O5.2 If the waste is transported from the premises, the licensee must ensure that the waste is transported:
- (a) to a place which has been licensed by the EPA to issue consignment authorisation numbers; and
 - (b) to a place that can otherwise lawfully accept that class of waste.
- O5.3 If the waste is transported from the premises, the licensee must;
- (a) obtain a consignment authorisation number from the consignee;
 - (b) complete an approved waste data form in relation to the consigned waste in accordance with the instructions on the form and to the extent required, and give a copy of the form to the person transporting the waste;
 - (c) ensure that the waste data form:
 - (i) is completed accurately, and
 - (ii) is retained for a period of not less than 4 years from the time the form was completed, and
 - (iii) is made available for inspection by an authorised officer on request;
 - (d) ensure, if the waste is of such an amount as to require the person transporting it to be licensed, that the person transporting the waste is licensed.

Application for a consignment authorisation number

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- O5.4 To obtain a consignment authorisation number as required by 05.3 (a), the licensee must apply in writing to the consignee. An application must include the following information:
- (a) a statement identifying the classification of the waste in accordance with the requirements of condition 04.1;
 - (b) copies of all information used to classify the waste;
 - (c) an estimate of the amount of waste to which the application applies;
 - (d) whether the consignment will consist a single load or multiple loads;
 - (e) an estimate of the total period required for transportation of the consignment;
 - (f) the date of dispatch of at least the first load in the consignment.

Note: The licensee may nominate the dates of dispatch of as many loads as is feasible. This should be discussed with the consignee and will depend on the predictability of the rate of generation of the waste and the likelihood of the need for amendments to the dates nominated. If the waste is predictable, a schedule may be able to be submitted for the entire consignment, however if it is unpredictable, the date of only one future load may be able to be determined at a time (see also 05.9 about amending notified dates).

Note: The requirement for a written application for a consignment authorisation number does not preclude preliminary contact to obtain quotes and/or advice. Such preliminary contact does not require the formal provision of the above information that need only be supplied in the formal application.

- O5.5 Once an application for a consignment authorisation number, as set out in 05.4 has been submitted, the licensee must not submit an application for the same consignment to another consignee until notification is received concerning the outcome of the application.

Notification of dates of dispatch of the second and subsequent loads in a consignment.

- O5.6 The licensee must provide the consignee with written notification of the date of dispatch of each load of waste.
- O5.7 The notification referred to in 05.6 must be received by consignee no later than the date of arrival of the preceding load at the destination.

Notification of a final load in a consignment.

- O5.8 Unless the movement of an entire consignment of waste occurs in a single load, by the time the final load in a consignment is accepted at the destination, the licensee must have informed the consignee in writing, that no further loads are to be dispatched under that consignment authorisation number.

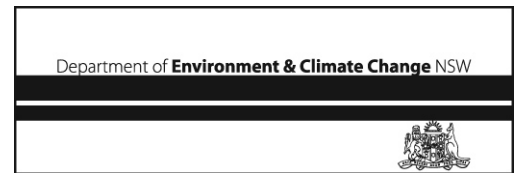
Note: The notifications referred to in conditions 05.6 and 05.8 may be attached to the waste data form of the preceding load.

Amendments to the nominated date(s) of dispatch

- O5.9 If the date of dispatch for a load of waste is changed, the licensee must give written notification of this to the consignee and nominate a revised date of dispatch.

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O5.10 A notification referred to in 05.9 must occur on or before the date of delivery as previously nominated.

Note: More than one amendment to dates of dispatch may occur.

Cancellation of consignment authorisations

O5.11 If the licensee determines that the delivery of a consignment of waste is to be discontinued for any reason, the consignee must be notified in writing before the nominated date of dispatch of the next expected load.

Notification of delayed delivery by transporter

O5.12 If the licensee receives written notification from a transporter who removed waste from the premises specifying a revised date of delivery to the destination which is more than 7 days after the date of dispatch, the licensee must note and record that date.

Record keeping

O5.13 The licensee must record and retain all information related to each consignment of waste.

Note: This includes waste data forms and copies of other documents such as notifications of revised delivery dates, regular and other reports, etc.

O5.14 The records referred to in 05.13 must be kept so that:

- (a) all records relating to individual consignment authorisation numbers are kept physically together;
- (b) consignments transported by each transporter can be readily identified and accessed; and
- (c) consignments sent to each destination can readily be identified and accessed.

Note: The licensee must keep all information for at least 4 years.

Exception reporting

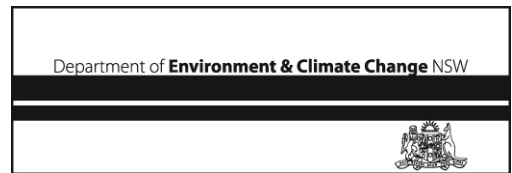
O5.15 The licensee must notify the EPA, in writing, within 48 hours of becoming aware of any suspected breaches of the Act, the Protection of the Environment Operations (Waste) Regulation 1996 or this licence.

O5.16 The licensee must notify the EPA in writing within 48 hours of becoming aware of any of the following:

- (a) the refusal by a person to whom the licensee has applied for a consignment authorisation number in accordance with 05.4 to issue such a number;
- (b) the refusal of a transporter to transport waste after arriving at the licensee's premises for the purposes of transporting that waste;
- (c) a transporter who transports, or attempts to transport, waste without a waste data form completed to the extent required;
- (d) the refusal of a consignee to accept waste from the licensee;

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- (e) the failure of the licensee to receive written confirmation of receipt of waste from a consignee within 21 days of dispatch, or where a transporter has provided written notification of a revised date of delivery as set out in 05.12 within 21 days of that date;
- (f) the notification by a transporter of a revised date of delivery which is more than 90 days after the date of dispatch of the waste.

Note: The EPA should be notified of exception reports by sending a facsimile to:

Manager, Hazardous Waste Regulation

NSW Environment Protection Authority

O6 Monitoring of interstate movements of controlled wastes

O6.1 Conditions O6.2 to O6.11 apply to the movement of the types of hazardous and/or industrial and/or Group A waste as listed in L5.3, into and out of NSW.

Note: The requirements of the NEPM apply to the interstate movement of any of the wastes listed in Appendix 1 of this licence.

Classification of controlled waste

O6.2 The licensee must accurately identify the waste, in accordance with 04.1, and determine if the waste is a controlled waste within the meaning of the NEPM.

Note: The waste producer must check with the agency in the State or Territory of destination to determine whether waste is classified as a controlled waste under the NEPM. Unless advised otherwise by the agency of the State or Territory of destination, any waste included in Appendix 1 of this licence is a controlled waste for the purposes of the NEPM.

Application for a consignment authorisation

O6.3 If the waste is transported from the premises to another participating State or Territory, the licensee must comply with all conditions attached to the consignment authorisation issued by an agency or a facility delegated by an agency in the destination State or Territory.

Note: The waste producer is required by the Protection of the Environment Operations (Waste) Regulation 1996 to obtain, prior to the waste being dispatched, a consignment authorisation from an agency, or a facility delegated by an agency, in the destination State or territory to allow the movement of controlled waste.

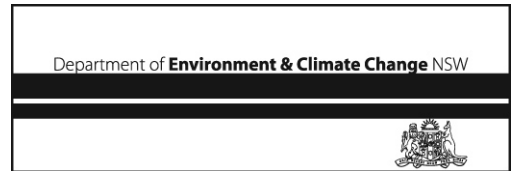
Waste movements

O6.4 If the waste is transported from the premises to another participating State or Territory, the licensee must ensure that the waste is transported to a place that can lawfully be used as a waste facility for that waste.

O6.5 The licensee must ensure that the waste transporter is licensed as required by the agency of each

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participating State or Territory through which the waste is transported.

O6.6 The licensee must:

- (a) retain a copy of the waste transport certificate for the waste for a period of not less than 4 years from the time the form was completed, and
- (b) make the copy of the waste transport certificate available for inspection by an authorised officer on request.

Note: The waste producer is required by the Protection of the Environment Operations (Waste) Regulation 1996 to complete a waste transport certificate for the waste. This should be done in accordance with the instructions printed on the certificate and the required copy of the waste transport certificate should be forwarded to the agency in the State of destination.

Notification of delayed delivery by transporter

O6.7 If the licensee receives written notification from the transporter who removed waste from the licensee's premises specifying a revised date of delivery to the destination which is more than 7 days after the date of dispatch, the licensee must note and record that date.

Record keeping

O6.8 The licensee must record and retain all information related to each consignment of waste.

Note: This includes the waste transport certificates and copies of other documents such as consignment authorisations issued by an agency in the destination State or Territory, notifications of revised delivery dates by transporters, regular and other reports, etc.

O6.9 The records referred to in O6.8 must be kept so that:

- (a) all records relating to each consignment authorisation are kept physically together;
- (b) consignments transported by each transporter can be readily identified and accessed, and
- (c) consignments sent to each destination can readily be identified and accessed.

Note: The licensee must keep all information for at least 4 years.

Exception reporting

O6.10 The licensee must notify the EPA in writing within 48 hours of becoming aware of a suspected breach of the Act, the Protection of the Environment Operations (Waste) Regulation 1996 or this licence.

O6.11 The licensee must notify the EPA in writing within 48 hours of becoming aware of any of the following:

- (a) the refusal by an agency, or facility delegated by an agency, in participating State or Territory to whom the licensee has applied for a consignment authorisation in accordance with O6.3, to issue such an authorisation;
- (b) the refusal of a transporter to transport waste after arriving at the licensee's premises for the purposes of transporting that waste to another participating State or Territory to the extent required;

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Department of Environment & Climate Change NSW



- (c) a transporter who transports, or attempts to transport, waste to another participating State or Territory without a waste transport certificate completed to the extent required;
- (d) the refusal of a destination in another participating State or Territory to accept from the licensee waste for which a consignment authorisation has been issued;
- (e) the failure of the licensee to receive written confirmation of receipt of waste from a destination in another participating State or Territory within 28 days of dispatch.

Note: The EPA should be notified of exception reports by sending a facsimile to:

Manager, Hazardous Waste Regulation
NSW Environment Protection Authority

5 Monitoring and recording conditions

M1 Monitoring records

- M1.1 The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.
- M1.2 All records required to be kept by this licence must be:
 - (a) in a legible form, or in a form that can readily be reduced to a legible form;
 - (b) kept for at least 4 years after the monitoring or event to which they relate took place; and
 - (c) produced in a legible form to any authorised officer of the EPA who asks to see them.
- M1.3 The following records must be kept in respect of any samples required to be collected for the purposes of this licence:
 - (a) the date(s) on which the sample was taken;
 - (b) the time(s) at which the sample was collected;
 - (c) the point at which the sample was taken; and
 - (d) the name of the person who collected the sample.

M2 Requirement to monitor concentration of pollutants discharged

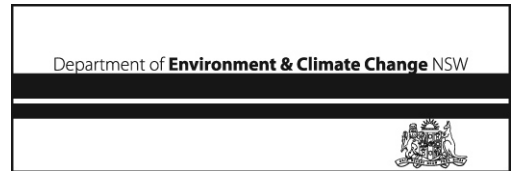
- M2.1 Not applicable.

M3 Testing methods - concentration limits

- M3.1 Not applicable.
- M3.2 Not applicable.

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M4 Recording of pollution complaints

- M4.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.
- M4.2 The record must include details of the following:
- (a) the date and time of the complaint;
 - (b) the method by which the complaint was made;
 - (c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
 - (d) the nature of the complaint;
 - (e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
 - (f) if no action was taken by the licensee, the reasons why no action was taken.
- M4.3 The record of a complaint must be kept for at least 4 years after the complaint was made.
- M4.4 The record must be produced to any authorised officer of the EPA who asks to see them.

M5 Telephone complaints line

- M5.1 The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.
- M5.2 The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.
- M5.3 Conditions M5.1 and M5.2 do not apply until 3 months after:
- (a) the date of the issue of this licence or
 - (b) if this licence is a replacement licence within the meaning of the Protection of the Environment Operations (Savings and Transitional) Regulation 1998, the date on which a copy of the licence was served on the licensee under clause 10 of that regulation.

M6 Requirement to monitor volume or mass

- M6.1 Not applicable.

6 Reporting conditions

