



# JBS&G

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Uniting Care

Preliminary Site Investigation  
Birrell St Planning Proposal  
Birrell St, Waverley NSW

28 May 2020

58774/129147 (Rev 0)  
JBS&G Australia Pty Ltd

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## Abbreviations

Term	Definition
ACM	Asbestos Containing Material
AEC	Area of Environmental Concern
AHD	Australian Height Datum
bgs	Below Ground Surface
BTEX	Benzene, Toluene, Ethylbenzene and Xylenes
CLM Act	Contaminated Land Management Act 1997
COPC	Contaminant of Potential Concern
CSM	Conceptual Site Model
DP	Deposited Plan
EPA	NSW Environment Protection Authority
EPL	Environment Protection Licence
ha	Hectare
JBS&G	JBS&G Australia Pty Ltd
LEP	Local Environmental Plan
NEPC	National Environment Protection Council
NEPM	National Environment Protection Measure
OCPs	Organochlorine Pesticides
OEH	Office of Environment and Heritage
PAHs	Polycyclic Aromatic Hydrocarbons
PCB	Polychlorinated Biphenyls
PFAS	Per- and Poly-Fluoroalkyl Substances
POEO Act	Protection of the Environment Operations Act 1997
PSI	Preliminary Site Investigation
TRH	Total Recoverable Hydrocarbons

## Executive Summary

JBS&G Australia Pty Ltd (JBS&G) was engaged by Uniting Care (the client) to conduct a Preliminary Site Investigation (PSI) for residential properties located adjacent to the Waverley War Memorial Hospital, Birrell Street, Waverley NSW (the site). The site is formally identified as comprising Lot 1 DP312247, Lot 1 DP1115332, Lot 1 and 2 DP515904, Lot A and B DP437866, Lot 1 DP961790, Lot 11 DP667554, Lot 3 and 4 DP520982 and Lot 2 DP212655 and comprises a total site area of approximately 0.34 hectares.

The PSI is required to facilitate a planning proposal for the site (Birrell Street Planning Proposal) for the development of aged care / community care uses.

The scope of work completed comprised a desktop review of readily available site history and site condition records to identify areas of environmental concern (AECs) and associated contaminants of potential concern (COPCs), and the completion of a limited site inspection from Birrell Street by an appropriately qualified and experienced JBS&G environmental consultant on 29 April 2020.

A limited site inspection was undertaken from Birrell Street by an appropriately qualified and experienced JBS&G environmental consultant on 29 April 2020. The site contained six residential buildings. With the exception of 99 Birrell Street which was a standalone building, all buildings were duplexes. The eastern site boundary dissected one of the duplex residential buildings (i.e. site boundary aligned with the lot boundary between Lots 1 and 2 DP212655). The residential buildings were all single level and of brick construction. Areas of the buildings that were visible from Birrell Street appeared to be in good condition however, some damaged sheeting (potentially comprising asbestos containing materials) was observed on the façade of 117 Birrell Street (**Photo 1, Appendix A**). No asbestos containing material (ACM) was observed on the ground surface at this location. No staining, odours, ACM or other indicators of potential contamination were observed during the site inspection.

From the review of historical information, the currently existing residential buildings have been constructed since prior to 1930.

Based on the findings of the investigation, and subject to the limitations in **Section 6**, the following conclusions were made:

- Review of site history indicates the site has only been utilised for residential purposes;
- Based on an assessment of the site history, environmental setting, and limited site inspection, potentially contaminating activities were identified as shallow fill used to raise the surface levels, hazardous building material impacts to shallow soils, and garden sheds and associated limited chemical storage; and
- The assessment did not identify the potential for gross or widespread contamination on the site.

In the absence of gross or widespread contamination, the requirement of the DUAP (1998) Planning Guidelines are considered to have been satisfied, provided measures are in place to ensure the potential for contamination and the suitability of the land for any proposed use area assessed once detailed proposal are made.

It is recommended that a detailed site inspection of the rear of the properties with limited and targeted soil sampling be undertaken upon submission of a DA for redevelopment of the site, to assess the suitability of the land and where required provide recommendations for management/remediation to make the land suitable.

## 1. Introduction

JBS&G Australia Pty Ltd (JBS&G) was engaged by Uniting Care (the client) to conduct a Preliminary Site Investigation (PSI) for residential properties located adjacent to the Waverley War Memorial Hospital, Birrell Street, Waverley NSW (the site). The site is formally identified as comprising Lot 1 DP312247, Lot 1 DP1115332, Lot 1 and 2 DP515904, Lot A and B DP437866, Lot 1 DP961790, Lot 11 DP667554, Lot 3 and 4 DP520982 and Lot 2 DP212655 and comprises a total site area of approximately 0.34 hectares.

The PSI is required to facilitate a planning proposal for the site (Birrell Street Planning Proposal) for the development of aged care / community care uses.

The investigation was completed in accordance with the guidelines approved by the NSW Environment Protection Authority (EPA) including the *National Environment Protection (Assessment of Site Contamination) Measure 1999* (ASC NEPM), as amended 2013, National Environment Protection Council (NEPC 2013).

### 1.1 Objectives

The objective of the assessment was to identify if potential contamination risk exists for the proposed land use and to draw preliminary conclusions on the suitability of the land for the proposed land uses.

### 1.2 Scope of Work

The investigation has been developed in accordance with guidelines made or approved by the NSW Environment Protection Authority (EPA) and relevant Australian Standards. The scope of work comprised the following:

- Desktop review of readily available site history and site condition records to identify areas of environmental concern (AECs) and associated contaminants of potential concern (COPCs);
- Review of environmental investigations completed on the adjacent site;
- Compilation of historical aerial photographs, council planning certificates, current and historical land title records, Office of Environment and Heritage (OEH) heritage records, EPA notifications, EPA contaminated land records, and review licensed groundwater data;
- Completion of a limited site inspection from Birrell St of the six properties; and
- Preparation of a PSI report in general accordance with relevant EPA guidelines.

## 2. Site Condition and Surrounding Environment

### 2.1 Site Identification

The site location is shown on **Figure 1**. The site layout and associated cadastral boundaries are shown on **Figure 2**. The site details are summarised in **Table 2.1** and described in detail in the following sections. Photographs of the site are included in **Appendix A**.

**Table 2.1 Summary Site Details**

<b>Lot/Deposited Plan (DP)</b>	Lot 1 DP312247, Lot 1 DP1115332, Lot 1 and 2 DP515904, Lot A and B DP437866, Lot 1 DP961790, Lot 11 DP667554, Lot 3 and 4 DP520982 and Lot 1 and 2 DP212655
<b>Address</b>	99, 101, 103, 105, 107, 109, 111, 113, 115, and 117 Birrell St, Waverley NSW
<b>Local Government Authority</b>	Waverley Council
<b>Approximate MGA Coordinates (GDA 94 MGA 56)</b>	E: 338420 N: 6247930
<b>Site Zoning</b>	R3 – Medium Density Residential under the Waverley Local Environmental Plan (LEP) 2012
<b>Current Use</b>	Residential
<b>Previous Use</b>	Residential
<b>Site Area</b>	Approximately 0.34 hectares

### 2.2 Site Description

A limited site inspection was undertaken from Birrell Street by an appropriately qualified and experienced JBS&G environmental consultant on 29 April 2020. Detailed inspections of the backyard areas of the residential properties could not be completed within the project timeframe due to the notification period required to obtain permission from the landowners. Photographs taken during the site inspection are presented in **Appendix A**.

The site contained six residential buildings. With the exception of 99 Birrell St, which was a standalone building, all buildings were duplexes. The eastern site boundary dissected one of the duplex residential buildings (i.e. site boundary aligned with the lot boundary between Lots 1 and 2 DP212655). The site sloped down to the south and west. The residential buildings were all single level of brick construction. The properties typically contained a small carport with driveway access onto Birrell Street. The front yards of each property generally comprised small garden areas, with grass and/or concrete/pavement driveways.

Areas of the buildings that were visible from Birrell Street appeared to be in good condition, however, some damaged sheeting (potentially comprising asbestos containing materials) was observed on the façade of 117 Birrell Street (**Photo 1, Appendix A**). No asbestos containing material (ACM) was observed on the ground surface at this location.

No staining, odours, ACM or other indicators of potential contamination were observed during the site inspection.

### 2.3 Surrounding Land-use

Surrounding land-uses at the time of site inspection are generally described as:

- North: The site is bound by Birrell Street. Medium density residential properties are located further north, beyond Birrell Street; and
- South, East and West: Uniting Care Ware Memorial Hospital.

### 2.4 Topography

Review of topographic information obtained from Google Earth Pro (Google Earth 2020<sup>1</sup>) indicated that the site elevation ranged from 93 to 95 m Australian Height Datum (AHD). The site gently

<sup>1</sup> Google Earth Pro, accessed 27 April 2020, (Google Earth, 2020)

slopes down to the south and west. The regional topography slopes gently down to the southwest towards Willow Pond, located approximately 1.1 km from the site. Land to the east of the site slopes gently down to the southwest towards the Tasman Sea, located approximately 1.7 km from the site.

## 2.5 Geology and Soils

A review of the Sydney 1:100 000 Geological Series Sheet (DMR 1966<sup>2</sup>) indicated that the site and surrounds are underlain by Hawkesbury Sandstone comprising cross-bedded to massive quartz sandstone with mudstone lenses.

Reference to the online ESPADE 2.0 tool hosted by the NSW Office of Environment and Heritage (OEH 2020<sup>3</sup>) indicates that the site is present within the Newport Aeolian Soil Landscape Group. The typical Newport landscape is characterised by gently undulating plains to rolling rises of Holocene sands mantling other soil materials or bedrock. Newport soils are shallow, well sorted Silaceous sands, overlying moderately deep buried sands including Yellow Podzolic Soils with sandy topsoils on crests and gentle slopes; deep podsols on steep slopes, lower slopes and in depressions. Limitations of soil in the Newport group are the very high soil erosion hazard, localised steep slopes, very low soil fertility and non-cohesive topsoils.

Review of a contamination assessment (JBS&G 2017<sup>4</sup>) of the adjacent property indicates that fill material was typically encountered from the ground surface to 0.3 to 1.1 m below ground surface (bgs) and was underlain by fine to medium grained sand.

## 2.6 Hydrology

A review of SIX Maps<sup>5</sup> indicated that the closest downgradient water body to the site was Willow Pond located approximately 1.2 km southwest of the site.

Infiltration of precipitation is expected to be minimal in sealed areas of the site, but is likely to occur in vegetated or grassed areas of the site. Surface water accumulating after heavy or prolonged rainfall is likely to drain towards the southwest in line with local topography, or be collected within the onsite stormwater infrastructure and directed into the local stormwater system on Birrell Street

## 2.7 Hydrogeology

A search of registered groundwater borehole information was undertaken on the Water NSW<sup>6</sup> website and results are included as **Appendix B**. A total of three registered bores were located within a 500 m radius of the site, and their relevant information is summarised below

GW115134 to GW115136 were located approximately 200 m to the south of the site. All bores were registered for monitoring purposes and installed to depth between 0.8 m to 10 m bgs into sandstone rock. No information regarding water depth and quality was provided.

Based on local topography, groundwater flow on the site and to the west and south is anticipated to be to the southwest towards Willow Pond, which is located within the Botany Sands aquifer, while the regional groundwater flow to the east will be sandstone bedrock at a significant depth below ground surface is likely to be to the east towards the coast.

<sup>2</sup> Penrith 1:250 000 Geological Series Sheet SI/56-05, 3<sup>rd</sup> edition, Department of Mineral Resources 1966 (DMR 1966)

<sup>3</sup> ESPADE 2.0. NSW Office of Environment and heritage, accessed 27 April 2020 (OEH 2020)

<sup>4</sup> Phase 1 Environmental Site Assessment, War Memorial Hospital, 125 Birrell Street, Waverley, NSW 2024, 12 April 2017, 51594/104024 (Rev 0), JBS&G Australia Pty Ltd (JBS&G 2017)

<sup>5</sup> Six Maps website, <https://maps.six.nsw.gov.au/> accessed 30 March 2020

<sup>6</sup> Water NSW website, <https://realtimedata.waternsw.com.au/> accessed 30 March 2020

## 2.8 Meteorology

A review of average climate data for the nearest relevant Bureau of Meteorology monitoring location (Sydney, Observatory Hill<sup>7</sup>), indicates the site is located within the following meteorological setting:

- Average minimum temperatures vary from 8.1 °C in July to 18.9 °C in February;
- Average maximum temperatures vary from 16.4 °C in July to 26.0 °C in January;
- The average annual rainfall is approximately 1213 mm; and
- Monthly rainfall varies from 68.1 mm in September to 133.5 mm in June, with the wettest periods occurring on average in January and June.

## 2.9 Environmental Site Assessment on Adjacent Property (JBS&G 2017)

JBS&G completed an Environmental Site Assessment (ESA) for the proposed redevelopment and expansion of the existing War Memorial Hospital, located adjacent to the southern boundary of the site. The scope of work comprised a desktop review and limited soil investigation, evaluation of existing soil data against current NEPC (2013) guidance and preparation of an updated ESA.

Based on the findings of the assessment the following conclusions were provided:

- *Lead concentrations in fill material in some areas of the site have been identified to represent a potentially unacceptable risk to human receptors under the proposed land use scenario and copper and zinc concentrations in fill material have been identified to represent a potentially unacceptable risk to ecological receptors.*
- *PAHs including carcinogenic PAHs (as BaP TEQ) concentrations in fill material in some areas of the site have been identified to represent a potentially unacceptable risk to human receptors under the proposed land use scenario and B(a)P concentrations in fill material in some areas of the site represents a potentially unacceptable risk to ecological receptors.*
- *Concentrations of remaining COPCs, including asbestos, were identified at soil sampling locations to be present at concentrations less than the adopted site assessment criteria.*
- *Whilst areas of near surface fill material have been identified at the site as being impacted with heavy metals and PAHs to varying extent as a result of past land uses, the scale and extent of the identified impact is not such that common remediation and/or management techniques could not render the site suitable for the future proposed uses. As such, the potential for contamination to occur at the site is considered not to represent a significant barrier to future development of the site.*

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<sup>7</sup> Commonwealth of Australia, 2013 Bureau of Meteorology, <http://www.bom.gov.au/climate/data/stations>, accessed by JBS&G on 27 April 2020

### 3. Summary Site History

#### 3.1 Office of Environment & Heritage Records

A search of the NSW EPA database was undertaken for the site and immediate surrounding properties. EPA records are provided in **Appendix C**. The search was undertaken through the following public registers:

- NSW *Protection of the Environment Operations Act 1997* (POEO Act) public register of licence, applications and notices (maintained under Section 308 of the POEO Act). The search returned two records relating to a licence and a variation to the licence held by South Eastern Sydney, an Illawarra Area Health Service located at 125 Birrell St, Waverley, for hazardous, industrial or Group A waste generation or storage.
- NSW EPA contaminated land public register of record of notices (under Section 58 of the *Contaminated Land Management Act 1997* (CLM Act));
  - No notices have been issued under the CLM Act for the site or surrounding area.
- NSW contaminated sites notified to the EPA (under Section 60 of the CLM Act); and
  - The site or land immediately surrounding the site do not appear on the EPA contaminated land register or list of sites notified to EPA.
- NSW EPA Government per- and poly-fluoroalkyl substances (PFAS) Investigation Program.
  - The site and surrounding area were not listed on the NSW Government PFAS Investigation program.

#### 3.2 Australian and NSW Heritage Register

A search of the Australian Heritage database did not identify any heritage listed items at the site or in the immediate surrounding area.

A search of the NSW Heritage database identified an item listed by the State Government Agency located at 240 Birrell Street Waverley (St. Mary's Anglican Church and Pipe Organ) located approximately 200 m to the East of the site.

The information obtained from Australian Heritage Trust and NSW Heritage searches are included in **Appendix D**.

#### 3.3 Section 10.7 Planning Certificate Search

Section 10.7 (2) and (5) Planning certificates were obtained from Waverley Council (**Appendix E**) for representative Lots on the site:

- Lot 1 DP1115332 and Lot 1 DP312247 (99 Birrell St, Waverley);
- Lot 1 DP515904 (103 Birrell St, Waverley); and
- Lot 2 DP212655 (117 Birrell St, Waverley).

The planning certificates included the following pertinent information regarding the site.

The section regarding '*Council and other public authority policies on hazard risk restrictions*' indicates that the land is not affected by a policy that restricts development because of contaminated / potentially contaminated land. This policy is implemented when zoning or land use changes are proposed on lands that have previously been used for certain purposes. This policy is not a statement on the contamination status of the land.

Under the *Contaminated Land Management Act 1997* and *Contaminated Land Management Amendment Act 2008*, it was reported that the following information is available to Council:

- The land is not significantly contaminated land;
- The land is not subject to a management order;
- The land is not subject to an approved voluntary management proposal;
- The land is not subject to an ongoing maintenance order; and
- The land is not subject of a site audit statement.

In addition, the land is not restricted by development controls relating to the likelihood of landslip, bushfire, tidal inundation, subsidence, acid sulfate soils or flooding. There were no critical habitats, conservation areas or items of environmental heritage noted.

### 3.4 Aerial Photographs

Historical aerial photographs provided by the Land and Property Information Division of the Department of Finances, Services and Innovation and Nearmap were reviewed for this assessment (**Appendix F**). The aerial photograph review identified the following features in relation to historical use of the site and surrounding areas:

- 1930 The six residential properties currently existing at the site appeared to have already been constructed.
- The central portion of the War Memorial Hospital appears to be predominantly vacant land with some larger buildings within the eastern portion and what appear to be residential buildings within the western portion.
- 1951 The site and surrounding land appeared similar to the 1930 aerial image.
- A large building appeared to be constructed within the southeast portion of the War Memorial Hospital. Previously cleared land along Bronte Road appeared to have been developed for medium density residential use consistent with the buildings remaining in this area to the current day.
- 1961 The site and surrounding land appeared largely unchanged from the 1951 aerial image.
- 1970 The site and surrounding land appeared similar to the 1961 aerial image.
- The vegetation within the central portion of the War Memorial Hospital appeared to have been cleared.
- 1978 The site and surrounding land appeared similar to the 1970 aerial image.
- The residential properties within the western portion of the War Memorial Hospital had been redeveloped and replaced with the current existing aged care facility building.
- 1986 The site and surrounding land appeared similar to the 1978 aerial image.
- A tennis court has been constructed within the War Memorial Hospital immediately adjacent to the southeast of the site.
- 1994 The site and surrounding land appeared similar to the 1978 aerial image.
- 2020 The site and surrounding land appeared similar to the 2004 aerial image. A shed like building or covered area appeared to have been constructed within the backyard of Lot 11 DP667554 and a and an awning appeared to have been constructed at the rear of the building located within Lot 1 DP1115332.

### 3.5 Historical Title Review

Historical title review was completed for four representative lots including Lot 1 DP1115322, Lots 1 and 2 DP515904 and Lot 2 DP212655. A summary of historical titles and a copies of the historical title documentation obtained for the site is provided in **Appendix G**.

#### Lot 1 DP1115322 (99 Birrell Street)

In 1925 the land was owned by Bessie Hipsley, a married woman and was transferred to Betty Hipsley, a Spinster in 1941. In 1951 the land was transferred to Francesco Lagudi, a Greengrocer and was then transferred to Carmella Lagudi in 1963. The land was transferred to Sonia Elias, a married woman in 1968 and was transferred to Tomas and Cecelia Rodriquez (factory employee and married woman) in 1979. The land was transferred to Cecelia Rodriquez in 2009 who is the current registered land owner.

#### Lot 2 DP515904 (101 Birrell Street)

In 1917 the land was owned by George Ireland, a Moulder and transferred to George Ireland Junior, an Oxy Welder in 1948. In 1964 the land was transferred to Keith Ireland and Ronald Ireland, and accountant and sheet metal worker respectively. In 1965 the land was transferred to Grasett Investment Pty Ltd and then transferred to Joseph and Eileen Palmada, a Clerk and married woman in 1975. In 1990 the land was transferred to Peter Murrant, who is the current registered land owner.

#### Lot 1 DP515904 (103 Birrell Street)

In 1917 the land was owned by George Ireland, a Moulder and transferred to George Ireland Junior, an Oxy Welder in 1948. In 1964 the land was transferred to Keith Ireland and Ronald Ireland, and accountant and sheet metal worker respectively. In 1965 the land was transferred to Malcom and Mary Mason, a Laundry Manager and a married woman. In 1968 the land was transferred to Julian and Susan Tamasi, a Foreman and a married woman and to The Methodist Trust Association in 1971. Later in 1971 the land was transferred to the Methodist Church (NSW) Property Trust (now The Uniting Church in Australia Property Trust [NSW]). In 1998 the land was transferred to Louis Cell and Kathleen Fogarty and then to Gavin and Jessica Kawalsky in 2007. In 2019 the land was transferred to The Uniting Church in Australia Property Trust (NSW), who is the current registered land owner.

#### Lot 1 DP515904 (103 Birrell Street)

In 1918 the land was owned by George Inman, an Engineer and was transferred to Maud Inman, a widow in 1949. In 1955 the land was transferred to Dorothy Inman, a Spinster and then to Alexander and Ruth Flemming, Real Estate Agent and a married woman in 1964. In 1974 the land was transferred to Lupo and Ida Guerrera, a Labourer and a married woman and then to Giuseppe and Graziella Di Dio, a Concrete Worker and a married woman in 1979. In 1986 the land was transferred to Giuseppe Di Dio and then to Reginald and Janice McDonald in 1994. In 2012 the land was transferred to Janice McDonald and to Damien McDonald in 2017, the current registered land owner.

### 3.6 Integrity Assessment and Summary of Site History

From the review of historical information, the site has historically comprised of the currently existing residential buildings, with only minor additions (sheds, carports, awnings etc.) between 1978 and 2020. Review of historical land titles indicates the properties have largely been owned by individual, which likely used the properties for residential purposes.

Based on the range of sources and the general consistency of the historical information, as well as historical aerial photographs, it is considered that the historical assessment has an acceptable level of accuracy with respect to the potentially contaminating activities historically occurring at the site.

## 4. Conceptual Site Model (CSM)

### 4.1 Potential Areas of Environmental Concern

Based on the site history review and observations made during the JBS&G inspection, areas of environmental concern have been identified and are presented in **Table 4.1**.

**Table 4.1: Areas of Environmental Concern and Associated Contaminants of Potential Concern**

Area of Environmental Concern (AEC)	Primary Contaminants of Potential Concern (COPC)
Potential shallow fill used to raise site levels	Heavy metals (arsenic, cadmium, chromium, copper, mercury, lead, nickel, zinc), total recoverable hydrocarbons (TRH), benzene, toluene, ethylbenzene and xylene (BTEX), polycyclic aromatic hydrocarbons (PAHs), organochlorine pesticides (OCPs), polychlorinated biphenyl (PCBs) and asbestos
Potential for hazardous material impacts to shallow soils associated with current buildings	Lead and asbestos
Garden sheds storage areas within backyards	Heavy metals, TRH/BTEX, PAHs, OCP/OPP and PCBs

### 4.2 Potentially Contaminated Media

Potentially contaminated media present at the site includes:

- Fill material;
- Underlying natural soils;
- Groundwater; and
- Soil Vapour.

Fill material may have been imported to the site from unknown sources to create the current ground surface levels, and as such is identified as a potentially contaminated medium.

In addition, surface soils (whether fill material or natural soils) are a potentially contaminated medium based on the potential presence for hazardous building materials (i.e. asbestos and lead based paint) which may have deteriorated and impacted on surface soils over time.

Based on the potential leachability of the contaminants within surface soils and fill material, and the historical site use, vertical migration of contamination from the fill material or surface soil into the underlying soils may have occurred where surface soils or fill is found to be significantly impacted.

The potential for groundwater to be a contaminated medium is low based on the historical use of the site for residential purposes and the absence of any storage of large volumes of petrol and other chemicals at the site. However, the potential for groundwater to be contaminated is dependent upon the mobility of soil contamination identified at the site.

The potential for surface water to be a contaminated medium is low based on the absence of surface water on the site, and the absence of significant sources of potential contamination identified.

Similar to groundwater, should soil impacts be identified, the potential for soil vapour as a contaminated media may require further consideration.

### 4.3 Potential for Migration from Site

Contaminants generally migrate from site AECs via a combination of windblown dusts, rainwater infiltration, groundwater migration, vapour convection/diffusion 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); and
- The site topography, geology, hydrology and hydrogeology.

The potential contaminants of concern identified as part of the site history review and site inspection are potentially present in solid form (e.g. heavy metals, asbestos etc.) or liquid form (e.g. TRH, pesticides).

The potential for wind-blown dust is considered to be low due to site surfaces being covered with buildings, hardstand or grass.

The potential for contaminants to migrate via surface water runoff is low due to the absence of any significant source of contamination identified, the sealed nature of a large portion of the site and the absence of a permanent water body across the site.

The potential for migration of contaminants via groundwater is low based on the absence of significant potential sources of contamination identified at the site. However, in the event that significant soil contamination is identified, the potential for groundwater contamination will need to be reassessed.

#### **4.4 Receptors**

Potential receptors of environmental impact within the site which will need to be addressed with respect to potential risks to current and/or future site user include:

- Existing and/or future site occupants;
- Maintenance / construction workers, including subsurface works;
- Existing and/or future users/occupants of the adjoining properties should contamination migrate from the site; and
- The freshwater ecosystem of Willow Pond located hydro-geologically downgradient of the site.

#### **4.5 Preferential Pathways**

For the purpose of this assessment, preferential pathways have been identified as natural and/or man-made pathways that result in the preferential migration of COPC as either solid (sediments, dust etc) or less likely as a liquid (surface water).

Man-made preferential pathways are likely present throughout the site, generally associated with areas of previously disturbed surface soils or potential fill material, and soils surrounding stormwater/sewer infrastructure at the site. These are anticipated to have a higher permeability than the underlying natural soils.

## 5. Conclusions and Recommendations

Based on the findings of the investigation, and subject to the limitations in **Section 6**, the following conclusions were made:

- Review of site history indicates the site has only been utilised for residential purposes;
- Based on an assessment of the site history, environmental setting, and limited site inspection, potentially contaminating activities were identified as shallow fill used to raise the surface levels, hazardous building material impacts to shallow soils, and garden sheds and associated limited chemical storage; and
- The assessment did not identify the potential for gross or widespread contamination on the site.

In the absence of gross or widespread contamination, the requirement of the DUAP (1998) Planning Guidelines are considered to have been satisfied, provided measures are in place to ensure the potential for contamination and the suitability of the land for any proposed use area assessed once detailed proposal are made.

It is recommended that a detailed site inspection of the rear of the properties with limited and targeted soil sampling be undertaken upon submission of a DA for redevelopment of the site, to assess the suitability of the land and where required provide recommendations for management/remediation to make the land suitable.

## 6. Limitations

This report has been prepared for use by the client who has commissioned the works in accordance with the project brief only and has been based in part on information obtained from the client and other parties.

The advice herein relates only to this project and all results conclusions and recommendations made should be reviewed by a competent person with experience in environmental investigations, before being used for any other purpose.

JBS&G accepts no liability for use or interpretation by any person or body other than the client who commissioned the works. This report should not be reproduced without prior approval by the client or amended in any way without prior approval by JBS&G, and should not be relied upon by other parties, who should make their own enquiries.

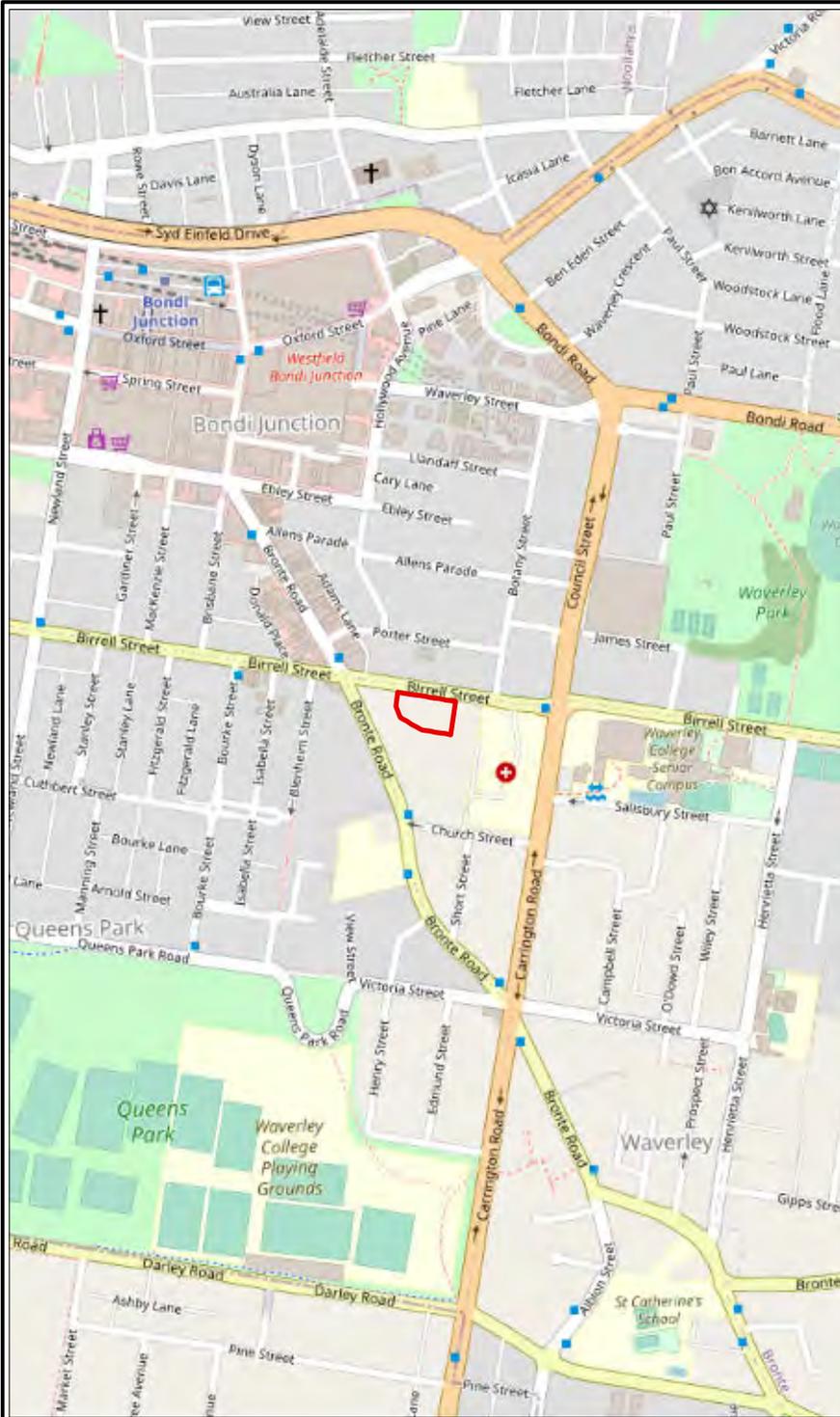
Sampling and chemical analysis of environmental media is based on appropriate guidance documents made and approved by the relevant regulatory authorities. Conclusions arising from the review and assessment of environmental data are based on the sampling and analysis considered appropriate based on the regulatory requirements.

Limited sampling and laboratory analyses were undertaken as part of the investigations undertaken, as described herein. Ground conditions between sampling locations and media may vary, and this should be considered when extrapolating between sampling points. Chemical analytes are based on the information detailed in the site history. Further chemicals or categories of chemicals may exist at the site, which were not identified in the site history and which may not be expected at the site.

Changes to the subsurface conditions may occur subsequent to the investigations described herein, through natural processes or through the intentional or accidental addition of contaminants. The conclusions and recommendations reached in this report are based on the information obtained at the time of the investigations.

This report does not provide a complete assessment of the environmental status of the site, and it is limited to the scope defined herein. Should information become available regarding conditions at the site including previously unknown sources of contamination, JBS&G reserves the right to review the report in the context of the additional information.

## Figures

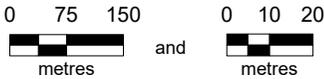


**Legend**  
 Approximate Site Boundary



Job No: 58774  
 Client: Uniting Care  
 Version: R01 Rev A    Date 28/05/2020  
 Drawn By: JA    Checked By: AB

Scale 1:10,000 and 1:1,750 

  
 0 75 150    0 10 20  
 metres    and    metres

Coord. Sys. GDA 1994 MGA Zone 56

**99 - 117 Birrell Street  
 Waverly, NSW**

**SITE LOCATION**

**FIGURE 1**



**Legend**  
 Approximate Site Boundary



Job No: 58774  
 Client: Uniting Care  
 Version: R01 Rev A    Date 28/05/2020  
 Drawn By: JA    Checked By: AB

Scale 1:500   
  
 metres

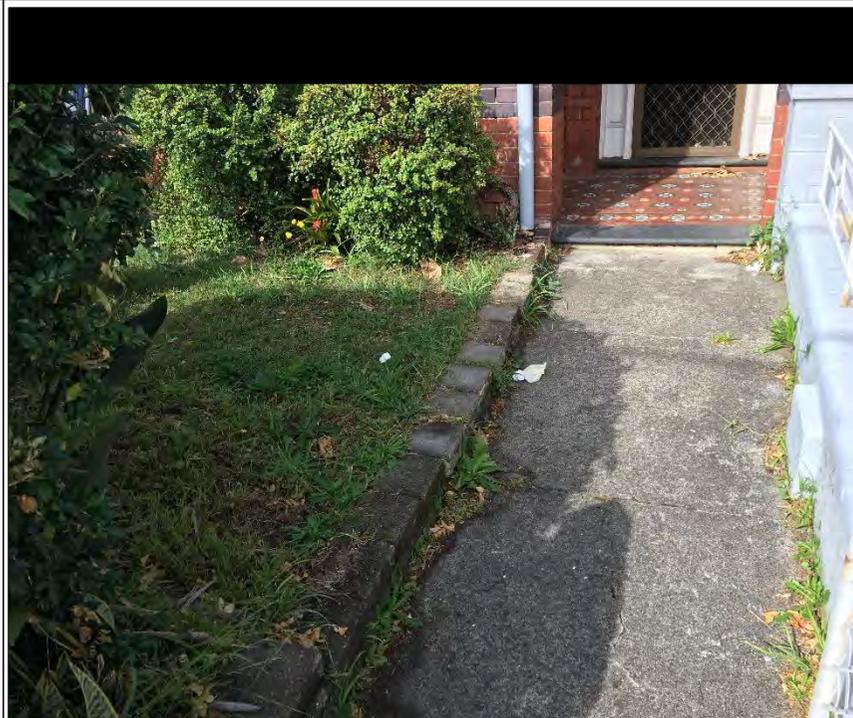
Coord. Sys. GDA 1994 MGA Zone 56  
**99 - 117 Birrell Street  
 Waverly, NSW**

**SITE LAYOUT**

**FIGURE 2**

## Appendix A Photographic Log

**PHOTO 1: DAMAGED FAÇADE OF 117 BIRRELL ST**



Job No: 58774

Client: Uniting Care

Version: 01

Date: 29 April 2020

Drawn By: AB

Checked By: AB

Not to Scale

Coord. Sys n/a

**Birrell St, Waverley NSW**

**APPENDIX F**

**PHOTO 4: VIEW OF PROPERTIES LOOKING WEST ALONG BIRRELL ST**



## Appendix B Registered Groundwater Bores

Results

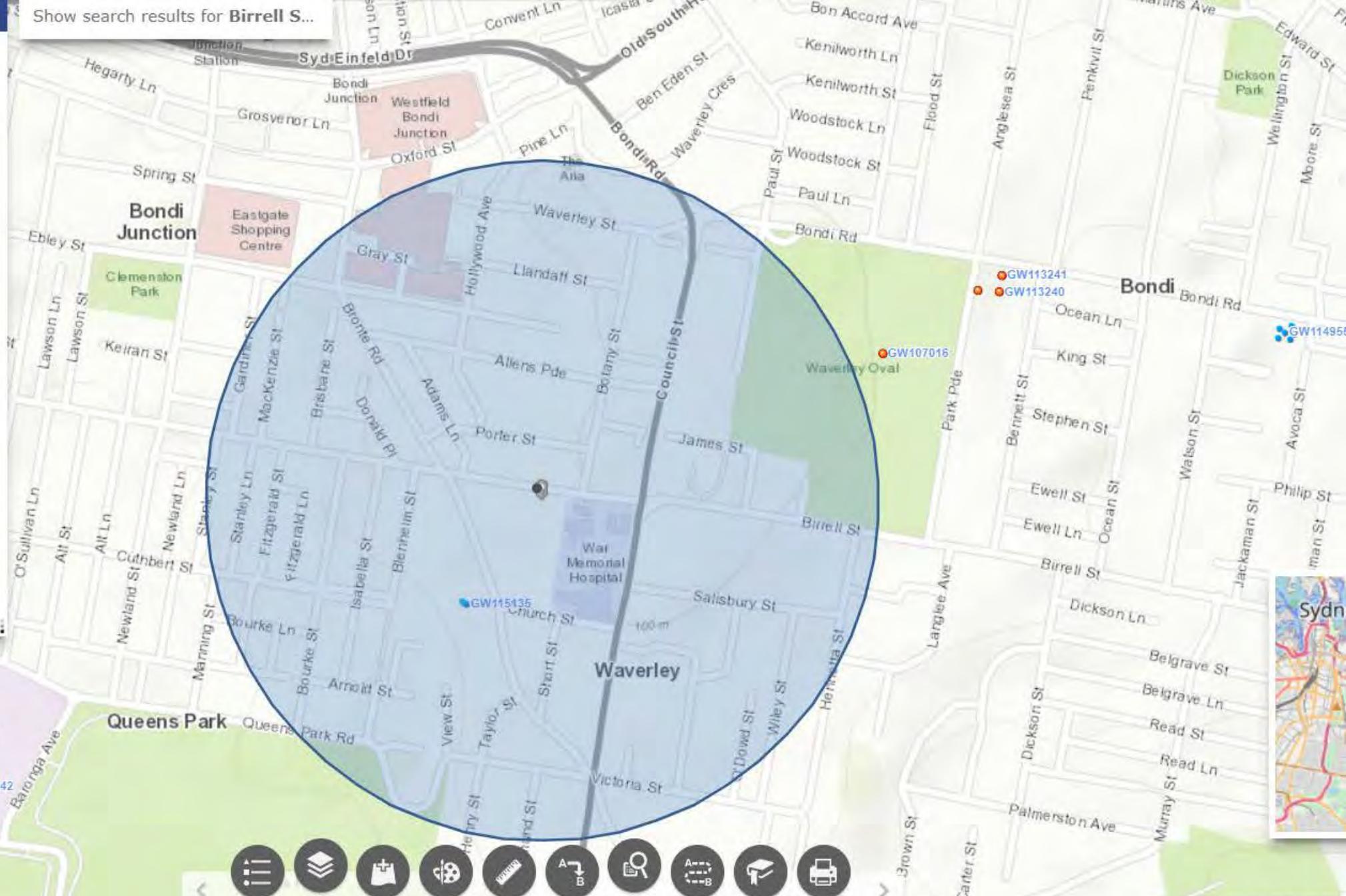
(NSW, 2019)

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meters

(NSW, 2019) \_Q



# WaterNSW

## Work Summary

GW115135

Licence:

Licence Status:

Authorised  
Purpose(s):  
Intended Purpose(s): MONITORING BORE

Work Type: Bore

Work Status: Equipped

Construct.Method:

Owner Type: Private

Commenced Date:

Completion Date: 30/05/2011

Final Depth: 10.00 m

Drilled Depth: 10.00 m

Contractor Name: Terratest

Driller: Unkown Unknown

Assistant Driller:

Property:

Standing Water Level

(m):

GWMA:

Salinity Description:

GW Zone:

Yield (L/s):

### Site Details

Site Chosen

By:

County  
Form A: CUMBERLAND  
Licensed:

Parish  
ALEXANDRI

Cadastre  
1//232825

Region: 10 - Sydney South Coast

CMA Map:

River Basin: - Unknown

Grid Zone:

Scale:

Area/District:

Elevation: 0.00 m (A.H.D.)

Northing: 6247788.000

Latitude: 33°53'52.4"S

Elevation Unknown

Easting: 338334.000

Longitude: 151°15'05.7"E

Source:

GS Map: -

MGA Zone: 56

Coordinate Unknown  
Source:

### Construction

Negative depths indicate Above Ground Level; C-Cemented; SL-Slot Length; A-Aperture; GS-Grain Size; Q-Quantity; PL-Placement of Gravel Pack; PC-Pressure Cemented; S-Sump; CE-Centralisers

Hole	Pipe	Component	Type	From (m)	To (m)	Outside Diameter (mm)	Inside Diameter (mm)	Interval	Details
1		Hole	Hole	0.00	10.00	100			Unknown
1	1	Casing	Pvc Class 18	0.00	0.00	50			
1	1	Opening	Screen	0.00	0.00	50		0	PVC Class 18

## Drillers Log

From (m)	To (m)	Thickness (m)	Drillers Description	Geological Material	Comments
0.00	0.10	0.10	ASPHALT	Ash	
0.10	2.00	1.90	FILL SAND DARK BROWN FINE GRAINED	Fill	
2.00	2.80	0.80	SAND BROWN , WEATHERED SANDSTONE	Sand and clay bands	
2.80	5.20	2.40	SANDSTONE TAN, TRACE ORANGE	Sandstone	
5.20	6.60	1.40	SANDSTONE ORANGE	Sandstone	
6.60	8.10	1.50	SANDSTONE LIGHT BROWN AND TAN	Sandstone	
8.10	9.60	1.50	SANDSTONE LIGHT BROWN AND LIGHT GREY	Sandstone	
9.60	10.00	0.40	SANDSTONE BROWN AND GREY	Sandstone	

## Remarks

30/05/2011: Form A Remarks:  
Coordinates base on map interpretation.

\*\*\* End of GW115135 \*\*\*

Warning To Clients: This raw data has been supplied to the WaterNSW by drillers, licensees and other sources. WaterNSW does not verify the accuracy of this data. The data is presented for use by you at your own risk. You should consider verifying this data before relying on it. Professional hydrogeological advice should

# WaterNSW Work Summary

**GW115136**

**Licence:**

**Licence Status:**

**Authorised**

**Purpose(s):**

**Intended Purpose(s):** MONITORING BORE

**Work Type:** Bore

**Work Status:** Equipped

**Construct.Method:**

**Owner Type:** Private

**Commenced Date:**

**Completion Date:** 14/04/2011

**Final Depth:** 0.80 m

**Drilled Depth:** 0.80 m

**Contractor Name:** Terratest

**Driller:** Unkown Unknown

**Assistant Driller:**

Property: Standing Water Level  
 (m):  
 GWMA: Salinity Description:  
 GW Zone: Yield (L/s):

## Site Details

Site Chosen  
 By:

County: CUMBERLAND  
 Parish: ALEXANDRI  
 Cadastre: 1//232825  
 Form A: Licensed:

Region: 10 - Sydney South Coast  
 River Basin: - Unknown  
 Area/District: CMA Map:  
 Grid Zone: Scale:

Elevation: 0.00 m (A.H.D.)  
 Elevation Unknown  
 Source: Northing: 6247793.000  
 Easting: 338328.000  
 Latitude: 33°53'52.3"S  
 Longitude: 151°15'05.4"E

GS Map: - MGA Zone: 56  
 Coordinate Unknown  
 Source:

## Construction

Negative depths indicate Above Ground Level; C-Cemented; SL-Slot Length; A-Aperture; GS-Grain Size; Q-Quantity; PL-Placement of Gravel Pack; PC-Pressure Cemented; S-Sump; CE-Centralisers

Hole	Pipe	Component	Type	From (m)	To (m)	Outside Diameter (mm)	Inside Diameter (mm)	Interval	Details
1		Hole	Hole	0.00	0.80	50			Unknown

## Drillers Log

From (m)	To (m)	Thickness (m)	Drillers Description	Geological Material	Comments
0.00	0.20	0.20	CONCRETE	Conglomerate	
0.20	0.80	0.60	CRUSHED SANDSTONE PALE BROWN/ORANGE	Calcarenite	

## Remarks

14/04/2011: Form A Remarks:  
 Coordinates based on map interpretation.

\*\*\* End of GW115136 \*\*\*

Warning To Clients: This raw data has been supplied to the WaterNSW by drillers, licensees and other sources. WaterNSW does not verify the accuracy of this data. The data is presented for use by you at your own risk. You should consider verifying this data before relying on it. Professional hydrogeological advice should be sought in i

# WaterNSW

## Work Summary

GW115134

Licence: 10BL604644

Licence Status: ACTIVE

Authorised Purpose(s): MONITORING BORE  
Intended Purpose(s): MONITORING BORE

Work Type: Bore

Work Status: Equipped

Construct.Method:

Owner Type: Private

Commenced Date:

Completion Date: 10/04/2011

Final Depth: 4.80 m

Drilled Depth: 4.80 m

Contractor Name: Terratest

Driller: Unkown Unknown

Assistant Driller:

Property: WAVERLEY POLICE  
STATION 149a Bronte Rd  
QUEENS PARK 2022 NSW

Standing Water Level  
(m):

GWMA: -  
GW Zone: -

Salinity Description:  
Yield (L/s):

### Site Details

Site Chosen  
By:

	<b>County</b>	<b>Parish</b>	<b>Cadastre</b>
<b>Form A:</b>	CUMBERLAND	ALEXANDRI	1//232825
<b>Licensed:</b>	CUMBERLAND	ALEXANDRIA	Whole Lot 1//232825

Region: 10 - Sydney South  
Coast

CMA Map:

River Basin: - Unknown

Grid Zone:

Scale:

Area/District:

Elevation: 0.00 m (A.H.D.)

Northing: 6247790.000

Latitude: 33°53'52.4"S

Elevation Unknown

Easting: 338329.000

Longitude: 151°15'05.5"E

Source:

GS Map: -

MGA Zone: 56

Coordinate Unknown  
Source:

### Construction

Negative depths indicate Above Ground Level; C-Cemented; SL-Slot Length; A-Aperture; GS-Grain Size; Q-Quantity; PL-Placement of Gravel Pack; PC-Pressure Cemented; S-Sump; CE-Centralisers

Hole	Pipe	Component	Type	From (m)	To (m)	Outside Diameter (mm)	Inside Diameter (mm)	Interval	Details
1		Hole	Hole	0.00	4.80	100			Unknown
1	1	Casing	Pvc Class 18	0.00	0.00	50			

1	1	Opening	Screen	0.00	0.00	50		0	PVC Class 18
---	---	---------	--------	------	------	----	--	---	--------------

## Drillers Log

From (m)	To (m)	Thickness (m)	Drillers Description	Geological Material	Comments
0.00	0.20	0.20	CONCRETE	Conglomerate	
0.20	1.00	0.80	SAND DARK BROWN	Sand and clay bands	
1.00	1.90	0.90	SAND LIGHT BROWN	Sand and clay bands	
1.90	4.80	2.90	SANDSTONE BEDROCK	Sandstone	

## Remarks

---

10/04/2011: Form A Remarks:  
Coordinates based on map interpretation.

**\*\*\* End of GW115134 \*\*\***

**Warning To Clients:** This raw data has been supplied to the WaterNSW by drillers, licensees and other sources. WaterNSW does not verify the accuracy of this data. The data is presented for use by you at your own risk. You should consider verifying this data before relying on it. Professional hydrogeological advice should be sought in interpreting and using this data.

## Appendix C EPA Records

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

# Search results

Your search for: LGA: WAVERLEY COUNCIL

did not find any records in our database.

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

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

[Search Again](#)

[Refine Search](#)

### Search TIP

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

... [more search tips](#)

More information about particular sites may be available from:

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

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

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

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

**For business and industry**

27 April 2020

**For local government**

**Contact us**

131 555 (tel:131555)

- Online (<https://yoursay.epa.nsw.gov.au/epa-website-feedback>)
- [info@epa.nsw.gov.au](mailto:info@epa.nsw.gov.au) (<mailto:info@epa.nsw.gov.au>)
- EPA Office Locations (<https://www.epa.nsw.gov.au/about-us/contact-us/locations>)

[Accessibility](https://www.epa.nsw.gov.au/about-us/contact-us/website-service-standards/help-index) (<https://www.epa.nsw.gov.au/about-us/contact-us/website-service-standards/help-index>)

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<https://www.facebook.com/epa.nsw>

<https://www.youtube.com/channel/UC...>

Find us on

# Environment Protection Licence

Licence - 6370



## Licence Details

Number:	6370
Anniversary Date:	22-October
Review Due Date:	24-Mar-2010

## Licensee

SOUTH EASTERN SYDNEY AND ILLAWARRA AREA HEALTH SERVICE  
125 BIRRELL STREET  
WAVERLEY NSW 2024

## Licence Type

Premises

## Premises

WAR MEMORIAL HOSPITAL WAVERLEY  
125 BIRRELL STREET  
WAVERLEY NSW 2024

## 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

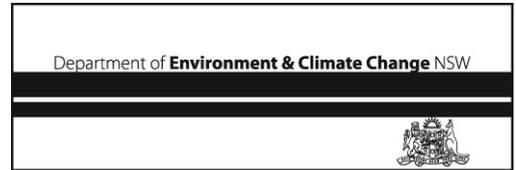
Licence - 6370



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# Environment Protection Licence

Licence - 6370



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## 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 - 6370



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:

**SOUTH EASTERN SYDNEY AND ILLAWARRA AREA  
HEALTH SERVICE  
125 BIRRELL STREET  
WAVERLEY NSW 2024**

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-

# Environment Protection Licence

Licence - 6370



based activity classification and the scale of the operation.

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.

# Environment Protection Licence

Licence - 6370



## A2 Premises to which this licence applies

A2.1 The licence applies to the following premises:

<b>Premises Details</b>
<b>WAR MEMORIAL HOSPITAL WAVERLEY</b>
<b>125 BIRRELL STREET</b>
<b>WAVERLEY</b>
<b>NSW</b>
<b>2024</b>
<b>DP 2,4,5,6,7 PT99//4993, 1//172133, B//317831, 1//567694, 3//667555, 1//948186, 99DP4993</b>

## 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

# Environment Protection Licence

Licence - 6370



P1.1 Not applicable.

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.

# Environment Protection Licence

Licence - 6370



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.

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 Potentially offensive odour

L7.1 No condition of this licence identifies a potentially offensive odour for the purposes of section 129 of the Protection of the Environment Operations Act 1997.

Note: Section 129 of the Protection of the Environment Operations Act 1997, provides that the licensee must not cause or permit the emission of any offensive odour from the premises but provides a defence if the emission is identified in the relevant environment protection licence as a potentially offensive odour and the odour was emitted in accordance with the conditions of a licence directed at minimising odour.

## 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:

- (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 3 months of the date of the issue of the licence, the licensee must develop, or update, an emergency response plan which documents the procedures to deal with all types of incidents (eg spill, explosions or fire) that may occur at the premises or outside of the premises (eg 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

# Environment Protection Licence

Licence - 6370



- 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 06.8 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 06.3, 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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- (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

## O7 Clinical and related Wastes

O7.1 The licensee must ensure that the handling, labelling, containment and storage of clinical wastes are carried out in accordance with the Waste Management Guidelines for Health Care Facilities, 1998, issued by the NSW Department of Health.

O7.2 Without limiting to O7.1, the licensee must ensure that:

- (a) clinical wastes are stored or contained in a weather proof secure location isolated from any other wastes, and that the storage area is maintained in a condition which presents no threat to the environment.
- (b) the storage area for clinical wastes contains all necessary equipment required to clean and disinfect the area in case of spillage.
- (c) bagged clinical wastes are stored and transported in rigid containers which are leak proof, shatter proof, washable and have securely fitting lids to prevent spills at all times.
- (e) bags and containers used for storage and transport of clinical wastes are colour coded and clearly marked with the wording Clinical Wastes along with biological hazard symbol in accordance with the requirements of the Waste Management Guidelines for Health Care Facilities, 1998, issued by the NSW Department of Health.
- (f) containers used for clinical waste which are to be reused must be thoroughly cleansed and disinfected with hospital strength disinfectant before being reused.
- (g) where second hand containers are used, all other irrelevant markings must be obliterated.

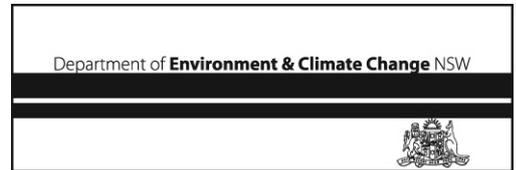
## O8 Sharps Waste

O8.1 In addition to O7.1, the licensee must ensure that:

- (a) sharps are segregated by the use of enclosed rigid impenetrable containers, which comply with Australian Standards AS/NZS 4031-1992 (non-reusable containers) and 4261-1994

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(reusable containers) before disposal in waste bags labelled Clinical Wastes along with appropriate biohazard symbol.

- (b) sharps contaminated by any residual cytotoxic drug are segregated by the use of enclosed rigid impenetrable containers, which comply with Australian Standards AS/NZS 4031-1992 (non-reusable containers) and 4261-1994 (reusable containers) before disposal in cytotoxic waste bags labelled Cytotoxic Wastes along with appropriate biohazard symbol.
- (c) sharps are transported in rigid impenetrable containers which are leakproof, shockproof and have securely fitting lids and which comply with Australian Standard AS/NZS 3816-1998, Management of Clinical and Related Wastes.

## O9 Cytotoxic Waste

O9.1 In addition to O7.1 and O7.2, the licensee must ensure that:

cytotoxic wastes are disposed of at a high temperature incinerator approved by the EPA or a method approved by the EPA and by the NSW Department of Health.

## 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.

## **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.

M6.2 Not applicable.

## 6 Reporting conditions

### R1 Annual return documents

#### What documents must an Annual Return contain?

- R1.1 The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:
- (a) a Statement of Compliance; and
  - (b) a Monitoring and Complaints Summary.
- A copy of the form in which the Annual Return must be supplied to the EPA accompanies this licence. Before the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.

#### Period covered by Annual Return

R1.2 An Annual Return must be prepared in respect of each reporting period, except as provided below.

Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.

- R1.3 Where this licence is transferred from the licensee to a new licensee:
- (a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and
  - (b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.

Note: An application to transfer a licence must be made in the approved form for this purpose.

- R1.4 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:
- (a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
  - (b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.

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## Deadline for Annual Return

R1.5 The Annual Return for the reporting period must be supplied to the EPA by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').

## Notification where actual load can not be calculated

R1.6 Not applicable.

## Licensee must retain copy of Annual Return

R1.7 The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.

## Certifying of Statement of Compliance and signing of Monitoring and Complaints Summary

R1.8 Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:  
(a) the licence holder; or  
(b) by a person approved in writing by the EPA to sign on behalf of the licence holder.

R1.9 A person who has been given written approval to certify a certificate of compliance under a licence issued under the Pollution Control Act 1970 is taken to be approved for the purpose of this condition until the date of first review of this licence.

## R2 Notification of environmental harm

Note: The licensee or its employees must notify the EPA of incidents causing or threatening material harm to the environment as soon as practicable after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.

R2.1 Notifications must be made by telephoning the EPA's Pollution Line service on 131 555.

R2.2 The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.

## R3 Written report

R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:  
(a) where this licence applies to premises, an event has occurred at the premises; or  
(b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence,  
and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.

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- R3.2 The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.
- R3.3 The request may require a report which includes any or all of the following information:
- (a) the cause, time and duration of the event;
  - (b) the type, volume and concentration of every pollutant discharged as a result of the event;
  - (c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;
  - (d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
  - (e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
  - (f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
  - (g) any other relevant matters.
- R3.4 The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.

## R4 Regular reporting of transportation of certain wastes within NSW

- R4.1 Conditions R4.2 to R4.5 apply to the transport of hazardous and/or industrial and/or Group A waste within NSW.

### Regular reporting

- R4.2 The licensee must supply to the EPA, for each transporter that transported waste from the licensees premises, the information as set out in Appendix 2, table 1.
- R4.3 The licensee must supply to the EPA, for each destination within NSW which received waste from the licensee, the information as set out in Appendix 2, table 2.

### Reporting periods

- R4.4 Reports to the EPA in accordance with R4.2 and R4.3 shall be supplied on or before:
- (a) 30 April for the reporting of information relating to wastes transported from the premises between 1 January and 31 March of that year;
  - (b) 31 July for the reporting of information relating to wastes transported from the premises between 1 April and 30 June of that year;
  - (c) 31 October for the reporting of information relating to wastes transported from the premises between 1 July and 30 September of that year;
  - (d) 31 January for the reporting of information relating to wastes transported from the premises between 1 October and 31 December of the previous year.

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## Nil reports

R4.5 If waste has not been transported from the premises in any reporting period as set out in R4.4 the EPA must be advised in writing by the licensee, by the dates referred to in R4.4 in lieu of reporting as required in R4.2 and R4.3.

## R5 Regular reporting of interstate movements of controlled wastes

R5.1 Conditions R5.2 to R5.5 apply to the movement 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.

## Regular reporting

R5.2 The licensee must supply to the EPA, for each transporter that transported waste from the premises to a destination in another participating State or Territory, the information as set out in Appendix 2, table 3.

## Reporting periods

R5.3 Reports to the EPA in accordance with R5.2 shall be supplied on or before:

- 30 April for the reporting of information relating to wastes transported from the premises between 1 January and 31 March of that year;
- 31 July for the reporting of information relating to wastes transported from the premises between 1 April and 30 June of that year;
- 31 October for the reporting of information relating to wastes transported from the premises between 1 July and 30 September of that year;
- 31 January for the reporting of information relating to wastes transported from the premises between 1 October and 31 December of the previous year.

## Nil reports

R5.4 If waste has not been transported from the premises in any reporting period as set out in R5.3, the EPA must be advised in writing by the licensee, by the dates referred to in R5.3 in lieu of reporting as defined in R5.2.

## Interstate transport of controlled wastes

R5.5 The licensee must comply with the requirements of the NEPM.



## General conditions

### G1 Copy of licence kept at the premises

- G1.1 A copy of this licence must be kept at the premises to which the licence applies.
- G1.2 The licence must be produced to any authorised officer of the EPA who asks to see it.
- G1.3 The licence must be available for inspection by any employee or agent of the licensee working at the premises.

## Pollution studies and reduction programs

- U1.1 Not applicable.

## Special conditions

- E1.1 Not applicable.

## Appendices

### APPENDIX 1

#### WASTE DESCRIPTIONS AND CORRESPONDING WASTE CODES

The waste descriptions and waste codes shown below must be used to identify hazardous, industrial and Group A wastes on the waste data form for movements of those wastes within NSW, and to identify controlled wastes on the waste transport certificate for those wastes moved between NSW and other States and Territories. The waste codes must also be used to identify wastes when reporting the information required in the Tables in Appendix 2.

Description	Waste Code	Description	Waste Code
Acidic solutions or acids in solid form	B100	Organohalogen compounds - other than substances referred to in this list	M160
Animal effluent and residues (abattoir effluent, poultry and fish processing)	K100	Perchlorates	D340

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wastes)			
Antimony; antimony compounds	D170	Phenols, phenol compounds including chlorophenols	M150
Arsenic; arsenic compounds	D130	Phosphorus compounds excluding mineral phosphates	D360
Asbestos	N220	Polychlorinated dibenzo-furan (any congener)	M170
Barium compounds (excluding barium sulphate)	D290	Polychlorinated dibenzo-p-dioxin (any congener)	M180
Basic solutions or bases in solid form	C100	Residues from industrial waste treatment/disposal operations	T190
Beryllium; beryllium compounds	D160	Selenium; selenium compounds	D240
Boron compounds	D310	Sewage sludge and residues including nightsoil and septic tank sludge	K130
Cadmium; cadmium compounds	D150	Soils contaminated with a controlled waste	N120
Ceramic-based fibres with physico-chemical characteristics similar to those of asbestos	N230	Surface active agents (surfactants), containing principally organic constituents and which may contain metals and inorganic materials	M250
Chlorates	D350	Tannery wastes (including leather dust, ash, sludges and flours)	K140
Chromium compounds (hexavalent and trivalent)	D140	Tellurium; tellurium compounds	D250
Clinical and related wastes	R100	Thallium; thallium compounds	D180
Cobalt compounds	D200	Triethylamine catalysts for setting foundry sands	M230
Containers and drums which are contaminated with residues of substances referred to in this list	N100	Tyres	T140
Copper compounds	D190	Vanadium compounds	D270
Cyanides (inorganic)	A130	Waste chemical substances arising from research and development or teaching activities including those which are not identified and/or are new and whose effects on human health and/or the environment are not known	T100
Cyanides (organic)	M210	Waste containing peroxides other than hydrogen peroxide	E100
Encapsulated, chemically-fixed, solidified or polymerised wastes	N160	Waste from heat treatment and tempering operations containing cyanides	A110
Ethers	G100	Waste from manufacture, formulation and use of wood-preserving chemicals	H170
Filter cake	N190	Waste from the production, formulation and use of biocides and phytopharmaceuticals	H100
Fire debris and fire washwaters	N140	Waste from the production, formulation and use of inks, dyes, pigments, paints, lacquers and varnish	F100
Fly ash	N150	Waste from the production, formulation and use of organic solvents	G160
Grease trap waste	K110	Waste from the production, formulation and use of photographic chemicals and processing materials	T120
Halogenated organic solvents	G150	Waste from the production, formulation and use of resins, latex, plasticisers, glues and adhesives	F110
Highly odorous organic chemicals (including mercaptans and acrylates)	M260	Waste from the production and preparation of pharmaceutical products	R140
Inorganic fluorine compounds excluding calcium fluoride	D110	Waste mineral oils unfit for their original intended use	J100
Inorganic sulfides	D330	Waste oil/water, hydrocarbons/water mixtures or emulsions	J120
Isocyanate compounds	M220	Waste pharmaceuticals, drugs and medicines	R120
Lead; lead compounds	D220	Waste resulting from surface treatment of metals and plastics	A100
Mercury; mercury compounds	D120	Waste tarry residues arising from refining, distillation, and any pyrolytic treatment	J160
Metal carbonyls	D100	Waste substances and articles containing or contaminated with polychlorinated biphenyls, polychlorinated naphthalenes, polychlorinated terphenyls and/or polybrominated biphenyls	M100
Nickel compounds	D210	Wool scouring wastes	K190
Non toxic salts	D300	Zinc compounds	D230
Organic phosphorous compounds	H110		
Organic solvents excluding halogenated solvents	G110		

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**APPENDIX 2****Table 1**

[Table 1 refers to the regular reporting requirements in R4.2. Its purpose is to provide information on the total amount of waste moved by each transporter from waste activities in NSW.]

1. The licensee must provide a copy of the information in the following table for each transporter used by the licensee in the reporting period.

<b>Waste Activities Table 1: Waste Movements By Transporter and Waste Category</b>		
<b>Name of Licensed Waste Activity:</b>		<b>Waste Activity Licence No.:</b>
<b>Reporting Period:</b>		<b>ANZSIC Code for Waste Activity:</b>
<b>Name of Transporter:</b>		<b>Licence No. of Transporter</b>
<b>Waste class</b>	<b>Waste Code</b>	<b>Amount of Waste Transported in Reporting Period (tonnes)</b>
<i>Hazardous Non-Liquid Waste</i>	<i>Code for each waste of this class</i>	<i>Total Weight for waste of each code</i>
Hazardous Liquid Waste	Code	Weight
	Code	Weight
Industrial Non-Liquid Waste	Code	Weight
	Code	Weight
Group A Liquid Waste	Code	Weight

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	<i>Code</i>	<i>Weight</i>
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*[NOTES: **Waste code** refers to the codes listed in Appendix 1 of this licence and entered on the waste transport certificates.*

***Waste class** refers to the classification of waste in accordance with Appendix 1 of the Protection of the Environment Operations Act 1997 and its regulations.*

***ANZSIC code** means the Australian and New Zealand Standard Industrial Classification code published by the Australian Bureau of Statistics.]*

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**Table 2:**

[Table 2 refers to the reporting requirements in R4.3. Its purpose is to provide information on the total amount of waste sent to each destination within NSW. Cross referencing by ANZSIC code provides data on which types of industry are sending wastes to disposal and treatment facilities.]

1. The licensee must provide a copy of the information in the following table for each destination within NSW used by the licensee in the reporting period for the purposes of the receipt of controlled waste.

Waste Activities Table 2: Waste Movements By Destination (within NSW) and Waste Category		
<b>Name of Licensed Waste Activity:</b>		<b>Waste Activity Licence No.:</b>
<b>Reporting Period:</b>		<b>ANZSIC Code for Waste Activity</b>
<b>Destination:</b>		
<b>Waste class</b>	<b>Waste Code</b>	<b>Amount of Waste Transported in Reporting Period (tonnes)</b>
<i>Hazardous Non-Liquid Wastes</i>	<i>Code for each waste of this class</i>	<i>Total Weight for waste of each code</i>
	<i>Code</i>	<i>Weight</i>
<i>Industrial Non-Liquid Wastes</i>	<i>Code</i>	<i>Weight</i>
	<i>Code</i>	<i>Weight</i>
<i>Hazardous Liquid Wastes</i>	<i>Code</i>	<i>Weight</i>
	<i>Code</i>	<i>Weight</i>
<i>Group A Liquid Wastes</i>	<i>Code</i>	<i>Weight</i>

# Environment Protection Licence

Licence - 6370



## NOTES:

**Waste code** refers to the codes listed in Appendix 1 of this licence and entered on waste data forms.

**Waste class** refers to the classification of waste in accordance with Schedule 1 of the Protection of the Environment Operations Act 1997 and its regulations.

**ANZSIC code** means the Australian and New Zealand Standard Industrial Classification code published by the Australian Bureau of Statistics.

## Table 3:

[Table 3 refers to the regular reporting requirements in R5.2. Its purpose is to provide information on the total amounts of controlled wastes sent from NSW licensed waste activities to other States and Territories. Cross-referencing by ANZSIC code allows data on which types of industries are sending wastes interstate.]

1. The licensee must provide a copy of the information in the following table for each destination outside NSW used by the licensee in the reporting period for the purposes of the receipt of controlled waste.

Waste Activities Table 3: Controlled Waste Movements By Interstate Destination and Waste Category		
Name of Licensed Waste Activity:		Waste Activity Licence No.:
Reporting Period:		ANZSIC Code Waste Activity:
Destination State or Territory:		Destination Facility
Waste class	Waste Code	Amount of Waste Transported in Reporting Period (tonnes)
<i>Hazardous Non-Liquid Waste</i>	<i>Code for each waste of this type</i>	<i>Total Weight for waste of this code</i>
	<i>Code</i>	<i>Weight</i>
Industrial Non-Liquid Waste	<i>Code</i>	<i>Weight</i>
	<i>Code</i>	<i>Weight</i>
Hazardous Liquid Waste	<i>Code</i>	<i>Weight</i>
	<i>Code</i>	<i>Weight</i>
Group A Liquid Waste	<i>Code</i>	<i>Weight</i>

# Environment Protection Licence

Licence - 6370



	<i>Code</i>	<i>Weight</i>
Other Types of Waste (eg Group B and C Liquid Wastes, Used Tyres)		

[NOTES: **Waste code** refers to the codes listed in Appendix 1 of this licence and entered on the waste transport certificates.

**Waste class** refers to the classification of waste in accordance with Appendix 1 of the Protection of the Environment Operations Act 1997 and its regulations.

**ANZSIC code** means the Australian and New Zealand Standard Industrial Classification code published by the Australian Bureau of Statistics.]

## Dictionary

### Model Licence Dictionary

In this licence, unless the contrary is indicated, the terms below have the following meanings:

<b>Agency</b>	A body or bodies of a participating State or a participating Territory which that State or Territory has nominated for the purposes of the NEPM.
<b>Chemical control order (CCO)</b>	An order under sections 22 and 23 of the Environmentally Hazardous Chemicals Act 1985.
<b>Consignee</b>	The person to whom the waste is dispatched, and includes: <ul style="list-style-type: none"> <li>(a) in the case of a waste facility that is licensed - the occupier;</li> <li>(b) in the case of a person carrying on mobile waste processing that is licensed - the person operating the mobile place;</li> <li>(c) in the case of a place that can be otherwise lawfully be used as a waste facility for that waste - the owner or occupier of that place.</li> </ul>
<b>Consignment</b>	One or more shipments of a specified waste dispatched to a particular destination.
<b>Consignment authorisation</b>	An approval which includes a unique identifier granted by an agency, or a facility delegated by an agency, in the jurisdiction of destination to allow the movement of controlled waste.
<b>Controlled waste</b>	Any waste included in List 1 of Schedule A of the NEPM, provided that the waste possesses one or more of the characteristics in List 2, of Schedule A of the NEPM.
<b>Date of dispatch</b>	The date on which a load of waste is removed from the premises.
<b>Destination</b>	Where hazardous, industrial or Group A wastes are transported within NSW, the place described in the waste data form as the destination for the waste.  Where controlled wastes are transported between NSW and another participating State or Territory, the place described in Part 3 of the waste transport certificate as the facility receiving the waste.
<b>Facility</b>	A place where controlled wastes are received.

# Environment Protection Licence



Licence - 6370

<b>Facility Operator</b>	A person in charge of a facility.
<b>Jurisdiction of destination</b>	In relation to a particular consignment of waste means the State or Territory in which the facility is located to which the waste is intended to be transported.
<b>Load</b>	The amount of a consignment of waste placed on a vehicle for any single dispatch from the premises at which it was generated or stored.
<b>Load number</b>	A consecutive number identifying each load of waste within a consignment and starting with 1 for the first load of each consignment. One or more loads may make up a consignment.
<b>NEPM</b>	The National Environment Protection (Movement of Controlled Wastes between States and Territories) Measure 1998.
<b>Non-liquid waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997.
<b>Participating State or Territory</b>	A State or Territory that is <p>(a) a party to the Intergovernmental Agreement on the Environment made on 1 May 1992 between the Commonwealth, the States, the Australian Capital Territory, the Northern Territory and the Australian Local Government Association, a copy of which is set out in the Schedule to the Commonwealth Act; and</p> <p>(b) in which an Act that corresponds to the National Environment Protection Council Act 1994 of the Commonwealth is in force in accordance with the Agreement.</p>
<b>Recycling of waste</b>	The processing of waste into a similar non-waste product.
<b>Regulation</b>	The Protection of the Environment Operations (Waste) Regulation 1996.
<b>Transporter</b>	A person responsible for moving controlled wastes either from one participating State or Territory to another or through participating States or Territories.
<b>Waste activity</b>	An activity, whether required to be licensed or not, carried on for business or other commercial purposes, that involves the generating or storage of any of the following waste classes: <p>(a) hazardous waste,</p> <p>(b) industrial waste,</p> <p>(c) Group A waste.</p>
<b>Waste class</b>	Means either hazardous, industrial or Group A waste.
<b>Waste data form</b>	A certificate in the form approved by the EPA.
<b>Waste guidelines</b>	The document called " <i>Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes</i> " issued by the EPA and in force as at 1 July 1999.
<b>Waste producer</b>	Means the licensee.
<b>Waste transport certificate</b>	A certificate in the form approved by the EPA as fulfilling the requirements of Schedule B of the National Environment Protection (Movement of Controlled Wastes between States and Territories) Measure 1998.



## General Dictionary

In this licence, unless the contrary is indicated, the terms below have the following meanings:

<b>3DGM [in relation to a concentration limit]</b>	Means the three day geometric mean, which is calculated by multiplying the results of the analysis of three samples collected on consecutive days and then taking the cubed root of that amount. Where one or more of the samples is zero or below the detection limit for the analysis, then 1 or the detection limit respectively should be used in place of those samples
<b>Act</b>	Means the Protection of the Environment Operations Act 1997
<b>activity</b>	Means a scheduled or non-scheduled activity within the meaning of the Protection of the Environment Operations Act 1997
<b>actual load</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 1998
<b>AM</b>	Together with a number, means an ambient air monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
<b>AMG</b>	Australian Map Grid
<b>anniversary date</b>	The anniversary date is the anniversary each year of the date of issue of the licence. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
<b>annual return</b>	Is defined in R1.1
<b>Approved Methods Publication</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 1998
<b>assessable pollutants</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 1998
<b>BOD</b>	Means biochemical oxygen demand
<b>CEM</b>	Together with a number, means a continuous emission monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
<b>COD</b>	Means chemical oxygen demand
<b>composite sample</b>	Unless otherwise specifically approved in writing by the EPA, a sample consisting of 24 individual samples collected at hourly intervals and each having an equivalent volume.
<b>cond.</b>	Means conductivity
<b>environment</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>environment protection legislation</b>	Has the same meaning as in the Protection of the Environment Administration Act 1991
<b>EPA</b>	Means Environment Protection Authority of New South Wales.
<b>fee-based activity classification</b>	Means the numbered short descriptions in Schedule 1 of the Protection of the Environment Operations (General) Regulation 1998.
<b>flow weighted composite sample</b>	Means a sample whose composites are sized in proportion to the flow at each composites time of collection.
<b>grab sample</b>	Means a single sample taken at a point at a single time

# Environment Protection Licence



Licence - 6370

<b>hazardous waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>industrial waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>inert waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>licensee</b>	Means the licence holder described at the front of this licence
<b>load calculation protocol</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 1998
<b>local authority</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>material harm</b>	Has the same meaning as in section 147 Protection of the Environment Operations Act 1997
<b>MBAS</b>	Means methylene blue active substances
<b>Minister</b>	Means the Minister administering the Protection of the Environment Operations Act 1997
<b>mobile plant</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>motor vehicle</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>O&amp;G</b>	Means oil and grease
<b>percentile [in relation to a concentration limit of a sample]</b>	Means that percentage [eg.50%] of the number of samples taken that must meet the concentration limit specified in the licence for that pollutant over a specified period of time. In this licence, the specified period of time is the Reporting Period unless otherwise stated in this licence.
<b>plant</b>	Includes all plant within the meaning of the Protection of the Environment Operations Act 1997 as well as motor vehicles.
<b>pollution of waters [or water pollution]</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>premises</b>	Means the premises described in condition A2.1
<b>public authority</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>regional office</b>	Means the relevant EPA office referred to in the Contacting the EPA document accompanying this licence
<b>reporting period</b>	For the purposes of this licence, the reporting period means the period of 12 months after the issue of the licence, and each subsequent period of 12 months. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
<b>reprocessing of waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>scheduled activity</b>	Means an activity listed in Schedule 1 of the Protection of the Environment Operations Act 1997
<b>solid waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>TM</b>	Together with a number, means a test method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
<b>treatment of waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997

# Environment Protection Licence



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<b>TSP</b>	Means total suspended particles
<b>TSS</b>	Means total suspended solids
<b>Type 1 substance</b>	Means the elements antimony, arsenic, cadmium, lead or mercury or any compound containing one or more of those elements
<b>Type 2 substance</b>	Means the elements beryllium, chromium, cobalt, manganese, nickel, selenium, tin or vanadium or any compound containing one or more of those elements
<b>utilisation area</b>	Means any area shown as a utilisation area on a map submitted with the application for this licence
<b>waste</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>waste code</b>	Means the waste codes listed in Appendix 5 of the EPA document A Guide to Licensing Part B.
<b>waste type</b>	Means Group A, Group B, Group C, inert, solid, industrial or hazardous waste

Mr Tim Gilbert

Environment Protection Authority

(By Delegation)

Date of this edition - 18-Apr-2005

## End Notes

- 1 Licence varied by notice 1044609, issued on 24-Mar-2005, which came into effect on 18-Apr-2005.

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

## Licence summary

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### Summary Licence No: 6370

[View this licence](#) (PDF document 202 kb)

**Licence holder:** SOUTH EASTERN SYDNEY AND ILLAWARRA AREA HEALTH SERVICE  
**Trading as:** ST GEORGE HOSPITAL  
**Premises:** WAR MEMORIAL HOSPITAL WAVERLEY  
 125 BIRRELL STREET, WAVERLEY, NSW, 2024  
**LGA:** WAVERLEY **Catchment:** Sydney Coast & Georges River  
**Administrative fee:** \$380.00  
**Licence status:** No\_longer\_in\_force  
**Activity type:** Hazardous, Industrial or Group A Waste Generation or Storage  
**Licence review:** Complete date 24 Mar 2005  
 Complete date 01 Jul 2002  
 Due date 24 Mar 2010  
**Pollution incident management plan:** No

### Notices

Number	Issue date	Notice type
<a href="#">1044609</a>	24 Mar 2005	s.58 Licence Variation

### Annual Returns

Start date	End date	Date received	Non-compliance	LBL data
22-Oct-2006	21-Oct-2007	17-Dec-2007	No	Not available
22-Oct-2005	21-Oct-2006	11-Dec-2006		Not available
22-Oct-2004	21-Oct-2005	21-Nov-2005	No	Not available
22-Oct-2003	21-Oct-2004	17-Nov-2004	No	Not available
22-Oct-2002	21-Oct-2003	19-Dec-2003	No	Not available
22-Oct-2001	21-Oct-2002	06-Dec-2002	No	Not available
22-Oct-2000	21-Oct-2001	18-Dec-2001	No	Not available
22-Oct-1999	21-Oct-2000	06-Dec-2000	No	Not available

**For business and industry**

**For local government**

**Contact us**

131 555 (tel:131555)

- Online (<https://yoursay.epa.nsw.gov.au/epa-website-feedback>)
- [info@epa.nsw.gov.au](mailto:info@epa.nsw.gov.au) (<mailto:info@epa.nsw.gov.au>)
- EPA Office Locations (<https://www.epa.nsw.gov.au/about-us/contact-us/locations>)

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## Licence Variation

### Section 58(5) Protection of the Environment Operations Act 1997



SOUTH EASTERN SYDNEY AND ILLAWARRA AREA HEALTH SERVICE,  
ABN 78 390 886 131,  
125 BIRRELL STREET,  
WAVERLEY NSW 2024

Attention: Mr. IAN PATERSON

Notice Number 1044609  
File Number 501871  
Date 24-Mar-2005

### NOTICE OF VARIATION OF LICENCE NO. 6370

#### BACKGROUND

- A. SOUTH EASTERN SYDNEY AND ILLAWARRA AREA HEALTH SERVICE **t/as** ("the licensee") is the holder of Environment Protection Licence No. 6370 ("the licence") issued under the *Protection of the Environment Operations Act 1997* ("the Act"). The licence authorises the carrying out of Scheduled Activity - Premises Based at 125 BIRRELL STREET, WAVERLEY, NSW.
- B. Licence varied as an outcome of the licence review conducted by the EPA under section 78 of the POEO Act 1997.

#### VARIATION OF LICENCE NO. 6370

1. By this notice the EPA varies licence No. 6370 as set out in the Appendix. The Appendix is a copy of the provisions of the licence which are varied by this notice, marked with the variations that are made to them.
2. The variations to the licence are indicated in the following way:
  - if a strike through mark appears through any word or other text (eg. **Solids or**) this indicates that the word or other text is deleted from the licence by this notice; and
  - if a double underline appears under any word or other text (eg. **must be treated**) this indicates that the word or other text is added to the licence by this notice.
3. Except as provided by section 84(2) of the Act, the variations to the licence by this notice begin to operate at the expiry of the period of 21 days after you receive notice of the variations, unless another date is specified in this notice.
4. Section 84(2) of the Act provides that a variation to a licence does not operate:

## Licence Variation

### Section 58(5) Protection of the Environment Operations Act 1997



- until the expiry of the period of 21 days after you are given notice of the decision to vary the licence is given to the; or
- if an appeal against the decision is lodged within that period, until the Land and Environment Court confirms the decision or the appeal is withdrawn; or
- until you notify the EPA in writing that no appeal is to be made against the decision to vary the licence,

whichever first occurs.

.....

Mr Steve Beaman  
Manager  
Sydney Waste  
(by Delegation)

#### INFORMATION ABOUT THIS NOTICE

- Section 287 of the Act enables appeals to be made in connection with decisions about licences within 21 days after you are given notice of the decision.
- Details provided in this notice will be available on the EPA's Public Register in accordance with section 308 of the Act.
- This notice is issued under section 58(5) of the Act .

Environment Protection Authority

# Environment Protection Licence

Section 55 Protection of the Environment Operations Act 1997

- ◆ Licence number: 6370
- ◆ File number: 501871
- ◆ Licence Anniversary Date: 22-October
- ◆ Review date not later than 01-Jul-2005 23-Mar-

## Licence Type

Premises

## Licensee

SOUTH EASTERN SYDNEY AND ILLAWARRA AREA HEALTH SERVICE

125 BIRRELL STREET

WAVERLEY NSW 2024

## Licensed Premises

WAR MEMORIAL HOSPITAL WAVERLEY

125 BIRRELL STREET

WAVERLEY NSW 2024

## Fee Based Activity

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

## Scale

0 - 10 T

## EPA Region

Sydney Region Waste

Level 7, 79 George Street 59-61 Goulburn Street

PARRAMATTA NSW 2150 SYDNEY NSW 2000

Phone: 02 9995 5000

Fax: 02 9995 6900 5999

PO Box 668 PARRAMATTA PO Box A290 SYDNEY SOUTH

NSW 2124 1232

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## Information about this licence

### Dictionary

The licence contains a dictionary, which defines terms used in the licence. It is found at the end of the 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).
- Report incidents causing or threatening material environmental harm to the environment, as set out in Part 5.7 of the Act.

### Transfer of licence

Transfer of the licence to another person may be requested by the licensee using the form for this purpose available from the EPA.

### Variation of licence conditions

Variations to the conditions of this licence may be requested by the licensee using the form for this purpose available from the EPA. The EPA may also vary a 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 3 years after the issue of the licence, as

set out in Part 3.6 of the Act. You will receive advance notice of the licence review. For licences held immediately before 1 July 1999, the first review will take place before 1 July 2002.

## Fees and annual return to be sent to the EPA

The licence requires you to forward to the EPA an Annual Return, comprising a Statement of Compliance and a summary of any monitoring required by the licence (including the recording of complaints).

The Annual Return must be submitted within 60 days after the end of each reporting period. Where a licence is transferred, surrendered or revoked, a special reporting period applies.

For each licence fee period you must pay:

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

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

See condition R1 and the accompanying form regarding the Annual Return requirements.

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

## 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

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.

Licence anniversary date

22-October

This licence is issued to

<b>SOUTH EASTERN SYDNEY AND ILLAWARRA AREA HEALTH SERVICE 125 BIRRELL STREET WAVERLEY NSW 2024</b>
--

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.

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.

## A2 Premises to which this licence applies

A2.1 The licence applies to the following premises:

<b>Premises Details</b>
<b>WAR MEMORIAL HOSPITAL WAVERLEY</b>
<b>125 BIRRELL STREET</b>
<b>WAVERLEY</b>
<b>NSW</b>
<b>2024</b>
<del>DP 567694 VOL 3352 &amp; 12784 FOLIO 132 &amp; 20 DP</del>
<del>2,4,5,6,7 PT99//4993, 1//172133, B//317831,</del>
<del>1//567694, 3//667555, 1//948186, 99DP4993</del>

## 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:

- 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
- 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.

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.

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. IR100

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 Potentially offensive odour

L7.1 No condition of this licence identifies a potentially offensive odour for the purposes of section 129 of the Protection of the Environment Operations Act 1997.

Note: Section 129 of the Protection of the Environment Operations Act 1997, provides that the licensee must not cause or permit the emission of any offensive odour from the premises but provides a defence if the emission is identified in the relevant environment protection licence as a potentially offensive odour and the odour was emitted in accordance with the conditions of a licence directed at minimising odour.

# 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:

- (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 3 months of the date of the issue of the licence, the licensee must develop, or update, an emergency response plan which documents the procedures to deal with all types of incidents (eg spill, explosions or fire) that may occur at the premises or outside of the premises (eg 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**

O5.4 To obtain a consignment authorisation number as required by O5.3 (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.

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;
- (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 participating State or Territory through which the waste is transported.

O6.6 The licensee must:

- 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
- 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 06.8 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 06.3, 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;  
(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

## O7 Clinical and related Wastes

O7.1 The licensee must ensure that the handling, labelling, containment and storage of clinical wastes are carried out in accordance with the Waste Management Guidelines for Health Care Facilities, 1998, issued by the NSW Department of Health.

O7.2 Without limiting to O7.1, the licensee must ensure that:

- (a) clinical wastes are stored or contained in a weather proof secure location isolated from any other wastes, and that the storage area is maintained in a condition which presents no threat to the environment.
- (b) the storage area for clinical wastes contains all necessary equipment required to clean and disinfect the area in case of spillage.
- (c) ~~no radioactive substance as defined by the Radiation Control Act, 1990 is mixed or stored with any of the clinical wastes;~~
- (d) bagged clinical wastes are stored and transported in rigid containers which are leak proof, shatter proof, washable and have securely fitting lids to prevent spills at all times.
- (e) bags and containers used for storage and transport of clinical wastes are colour coded and clearly marked with the wording Clinical Wastes along with biological hazard symbol in accordance with the requirements of the Waste Management Guidelines for Health Care Facilities, 1998, issued by the NSW Department of Health.
- (f) containers used for clinical waste which are to be reused must be thoroughly cleansed and disinfected with hospital strength disinfectant before being reused.
- (g) where second hand containers are used, all other irrelevant markings must be obliterated.

## O8 Sharps Waste

O8.1 In addition to O7.1, the licensee must ensure that:

- (a) sharps are segregated by the use of enclosed rigid impenetrable containers, which comply with Australian Standards AS/NZS 4031-1992 (non-reusable containers) and 4261-1994 (reusable containers) before disposal in waste bags labelled Clinical Wastes along with appropriate biohazard symbol.
- (b) sharps contaminated by any residual cytotoxic drug are segregated by the use of enclosed rigid impenetrable containers, which comply with Australian Standards AS/NZS 4031-1992 (non-reusable containers) and 4261-1994 (reusable containers) before disposal in cytotoxic waste bags labelled Cytotoxic Wastes along with appropriate biohazard symbol.

- (c) sharps are transported in rigid impenetrable containers which are leakproof, shockproof and have securely fitting lids and which comply with Australian Standard AS/NZS 3816-1998, Management of Clinical and Related Wastes.

## O9 Cytotoxic Waste

- O9.1 In addition to O7.1 and O7.2, the licensee must ensure that:

cytotoxic wastes are disposed of at a high temperature incinerator approved by the EPA or a method approved by the EPA and by the NSW Department of Health.

# 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.

#### **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.
- M6.2 Not applicable.

## 6 Reporting conditions

### R1 Annual return documents

#### What documents must an Annual Return contain?

- R1.1 The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:
- (a) a Statement of Compliance; and
  - (b) a Monitoring and Complaints Summary.
- A copy of the form in which the Annual Return must be supplied to the EPA accompanies this licence. Before the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.

#### Period covered by Annual Return

- R1.2 An Annual Return must be prepared in respect of each reporting period, except as provided below.

Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.

- R1.3 Where this licence is transferred from the licensee to a new licensee,
- (a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and
  - (b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.

Note: An application to transfer a licence must be made in the approved form for this purpose.

- R1.4 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on
- (a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
  - (b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.

#### Deadline for Annual Return

- R1.5 The Annual Return for the reporting period must be supplied to the EPA by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').

#### Notification where actual load can not be calculated

- R1.6 Not applicable.

#### Licensee must retain copy of Annual Return

- R1.7 The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.

### **Certifying of Statement of Compliance and Signing of Monitoring and Complaints Summary**

- R1.8 Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:
- (a) the licence holder; or
  - (b) by a person approved in writing by the EPA to sign on behalf of the licence holder.
- R1.9 A person who has been given written approval to certify a certificate of compliance under a licence issued under the Pollution Control Act 1970 is taken to be approved for the purpose of this condition until the date of first review of this licence.

## **R2 Notification of environmental harm**

Note: The licensee or its employees must notify the EPA of incidents causing or threatening material harm to the environment as soon as practicable after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.

- R2.1 Notifications must be made by telephoning the EPA's Pollution Line service on 131 555.
- R2.2 The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.

## **R3 Written report**

- R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:
- (a) where this licence applies to premises, an event has occurred at the premises; or
  - (b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence,
- and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.
- R3.2 The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.
- R3.3 The request may require a report which includes any or all of the following information:
- (a) the cause, time and duration of the event;
  - (b) the type, volume and concentration of every pollutant discharged as a result of the event;
  - (c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event; and
  - (d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
  - (e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;

- (f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event;
- (g) any other relevant matters.

R3.4 The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.

#### **R4 Regular reporting of transportation of certain wastes within NSW**

R4.1 Conditions R4.2 to R4.5 apply to the transport of hazardous and/or industrial and/or Group A waste within NSW.

##### **Regular reporting**

R4.2 The licensee must supply to the EPA, for each transporter that transported waste from the licensee's premises, the information as set out in Appendix 2, table 1.

R4.3 The licensee must supply to the EPA, for each destination within NSW which received waste from the licensee, the information as set out in Appendix 2, table 2.

##### **Reporting periods**

R4.4 Reports to the EPA in accordance with R4.2 and R4.3 shall be supplied on or before:

- (a) 30 April for the reporting of information relating to wastes transported from the premises between 1 January and 31 March of that year;
- (b) 31 July for the reporting of information relating to wastes transported from the premises between 1 April and 30 June of that year;
- (c) 31 October for the reporting of information relating to wastes transported from the premises between 1 July and 30 September of that year;
- (d) 31 January for the reporting of information relating to wastes transported from the premises between 1 October and 31 December of the previous year.

##### **Nil reports**

R4.5 If waste has not been transported from the premises in any reporting period as set out in R4.4 the EPA must be advised in writing by the licensee, by the dates referred to in R4.4 in lieu of reporting as required in R4.2 and R4.3.

#### **R5 Regular reporting of interstate movements of controlled wastes**

R5.1 Conditions R5.2 to R5.5 apply to the movement 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.

## Regular reporting

R5.2 The licensee must supply to the EPA, for each transporter that transported waste from the premises to a destination in another participating State or Territory, the information as set out in Appendix 2, table 3.

## Reporting periods

R5.3 Reports to the EPA in accordance with R5.2 shall be supplied on or before:

- 30 April for the reporting of information relating to wastes transported from the premises between 1 January and 31 March of that year;
- 31 July for the reporting of information relating to wastes transported from the premises between 1 April and 30 June of that year;
- 31 October for the reporting of information relating to wastes transported from the premises between 1 July and 30 September of that year;
- 31 January for the reporting of information relating to wastes transported from the premises between 1 October and 31 December of the previous year.

## Nil reports

R5.4 If waste has not been transported from the premises in any reporting period as set out in R5.3, the EPA must be advised in writing by the licensee, by the dates referred to in R5.3 in lieu of reporting as defined in R5.2.

## Interstate transport of controlled wastes

R5.5 The licensee must comply with the requirements of the NEPM.

# General conditions

## G1 Copy of licence kept at the premises

G1.1 A copy of this licence must be kept at the premises to which the licence applies.

G1.2 The licence must be produced to any authorised officer of the EPA who asks to see it.

G1.3 The licence must be available for inspection by any employee or agent of the licensee working at the premises.

# Pollution studies and reduction programs

**U1** Not applicable.

## Special conditions

**E1.1** Not applicable. ~~E1~~ Not applicable.

## Appendices

### APPENDIX 1

#### WASTE DESCRIPTIONS AND CORRESPONDING WASTE CODES

The waste descriptions and waste codes shown below must be used to identify hazardous, industrial and Group A wastes on the waste data form for movements of those wastes within NSW, and to identify controlled wastes on the waste transport certificate for those wastes moved between NSW and other States and Territories. The waste codes must also be used to identify wastes when reporting the information required in the Tables in Appendix 2.

Description	Waste Code	Description	Waste Code
Acidic solutions or acids in solid form	B100	Organohalogen compounds - other than substances referred to in this list	M160
Animal effluent and residues (abattoir effluent, poultry and fish processing wastes)	K100	Perchlorates	D340
Antimony; antimony compounds	D170	Phenols, phenol compounds including chlorophenols	M150
Arsenic; arsenic compounds	D130	Phosphorus compounds excluding mineral phosphates	D360
Asbestos	N220	Polychlorinated dibenzo-furan (any congener)	M170
Barium compounds (excluding barium sulphate)	D290	Polychlorinated dibenzo-p-dioxin (any congener)	M180
Basic solutions or bases in solid form	C100	Residues from industrial waste treatment/disposal operations	T190
Beryllium; beryllium compounds	D160	Selenium; selenium compounds	D240
Boron compounds	D310	Sewage sludge and residues including nightsoil and septic tank sludge	K130
Cadmium; cadmium compounds	D150	Soils contaminated with a controlled waste	N120
Ceramic-based fibres with physico-chemical characteristics similar to those of asbestos	N230	Surface active agents (surfactants), containing principally organic constituents and which may contain metals and inorganic materials	M250
Chlorates	D350	Tannery wastes (including leather dust, ash, sludges and flours)	K140
Chromium compounds (hexavalent and trivalent)	D140	Tellurium; tellurium compounds	D250
Clinical and related wastes	R100	Thallium; thallium compounds	D180
Cobalt compounds	D200	Triethylamine catalysts for setting foundry sands	M230
Containers and drums which are contaminated with residues of substances referred to in this list	N100	Tyres	T140

Copper compounds	D190	Vanadium compounds	D270
Cyanides (inorganic)	A130	Waste chemical substances arising from research and development or teaching activities including those which are not identified and/or are new and whose effects on human health and/or the environment are not known	T100
Cyanides (organic)	M210	Waste containing peroxides other than hydrogen peroxide	E100
Encapsulated, chemically-fixed, solidified or polymerised wastes	N160	Waste from heat treatment and tempering operations containing cyanides	A110
Ethers	G100	Waste from manufacture, formulation and use of wood-preserving chemicals	H170
Filter cake	N190	Waste from the production, formulation and use of biocides and phytopharmaceuticals	H100
Fire debris and fire washwaters	N140	Waste from the production, formulation and use of inks, dyes, pigments, paints, lacquers and varnish	F100
Fly ash	N150	Waste from the production, formulation and use of organic solvents	G160
Grease trap waste	K110	Waste from the production, formulation and use of photographic chemicals and processing materials	T120
Halogenated organic solvents	G150	Waste from the production, formulation and use of resins, latex, plasticisers, glues and adhesives	F110
Highly odorous organic chemicals (including mercaptans and acrylates)	M260	Waste from the production and preparation of pharmaceutical products	R140
Inorganic fluorine compounds excluding calcium fluoride	D110	Waste mineral oils unfit for their original intended use	J100
Inorganic sulfides	D330	Waste oil/water, hydrocarbons/water mixtures or emulsions	J120
Isocyanate compounds	M220	Waste pharmaceuticals, drugs and medicines	R120
Lead; lead compounds	D220	Waste resulting from surface treatment of metals and plastics	A100
Mercury; mercury compounds	D120	Waste tarry residues arising from refining, distillation, and any pyrolytic treatment	J160
Metal carbonyls	D100	Waste substances and articles containing or contaminated with polychlorinated biphenyls, polychlorinated naphthalenes, polychlorinated terphenyls and/or polybrominated biphenyls	M100
Nickel compounds	D210		
Non toxic salts	D300		
Organic phosphorous compounds	H110		
Organic solvents excluding halogenated solvents	G110	Wool scouring wastes	K190
		Zinc compounds	D230

## APPENDIX 2

Table 1

[Table 1 refers to the regular reporting requirements in R4.2. Its purpose is to provide information on the total amount of waste moved by each transporter from waste activities in NSW.]

1. The licensee must provide a copy of the information in the following table for each transporter used by the licensee in the reporting period.

Waste Activities Table 1: Waste Movements By Transporter and Waste Category			
Name of Licensed Waste Activity:		Waste Activity Licence No.:	
Reporting Period:		ANZSIC Code for Waste Activity:	
Name of Transporter:		Licence No. of Transporter	
<b>Waste class</b>	<b>Waste Code</b>	<b>Amount of Waste Transported in Reporting Period (tonnes)</b>	
<i>Hazardous Non-Liquid Waste</i>	<i>Code for each waste of this class</i>	<i>Total Weight for waste of each code</i>	
Hazardous Liquid Waste	<i>Code</i>	<i>Weight</i>	
	<i>Code</i>	<i>Weight</i>	
Industrial Non-Liquid Waste	<i>Code</i>	<i>Weight</i>	
	<i>Code</i>	<i>Weight</i>	
Group A Liquid Waste	<i>Code</i>	<i>Weight</i>	

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	Code	Weight
--	------	--------

[NOTES: **Waste code** refers to the codes listed in Appendix 1 of this licence and entered on the waste transport certificates.

**Waste class** refers to the classification of waste in accordance with Appendix 1 of the Protection of the Environment Operations Act 1997 and its regulations.

**ANZSIC code** means the Australian and New Zealand Standard Industrial Classification code published by the Australian Bureau of Statistics.]

**Table 2:**

[Table 2 refers to the reporting requirements in R4.3. Its purpose is to provide information on the total amount of waste sent to each destination within NSW. Cross referencing by ANZSIC code provides data on which types of industry are sending wastes to disposal and treatment facilities.]

1. The licensee must provide a copy of the information in the following table for each destination within NSW used by the licensee in the reporting period for the purposes of the receipt of controlled waste.

<b>Waste Activities Table 2: Waste Movements By Destination (within NSW) and Waste Category</b>			
<b>Name of Licensed Waste Activity:</b>		<b>Waste Activity Licence No.:</b>	
<b>Reporting Period:</b>		<b>ANZSIC Code for Waste Activity</b>	
<b>Destination:</b>			
<b>Waste class</b>	<b>Waste Code</b>	<b>Amount of Waste Transported in Reporting Period (tonnes)</b>	
<i>Hazardous Non-Liquid Wastes</i>	<i>Code for each waste of this class</i>	<i>Total Weight for waste of each code</i>	
	-----	-----	
	<i>Code</i>	<i>Weight</i>	
Industrial Non-Liquid Wastes	<i>Code</i>	<i>Weight</i>	
	-----	-----	
	<i>Code</i>	<i>Weight</i>	
Hazardous Liquid Wastes	<i>Code</i>	<i>Weight</i>	
	-----	-----	
	<i>Code</i>	<i>Weight</i>	
Group A Liquid Wastes	<i>Code</i>	<i>Weight</i>	
	-----	-----	

NOTES:

**Waste code** refers to the codes listed in Appendix 1 of this licence and entered on waste data forms.

**Waste class** refers to the classification of waste in accordance with Schedule 1 of the Protection of the Environment Operations Act 1997 and its regulations.

**ANZSIC code** means the Australian and New Zealand Standard Industrial Classification code published by the Australian Bureau of Statistics.

**Table 3:**

[Table 3 refers to the regular reporting requirements in R5.2. Its purpose is to provide information on the total amounts of controlled wastes sent from NSW licensed waste activities to other States and Territories. Cross-referencing by ANZSIC code allows data on which types of industries are sending wastes interstate.]

1. The licensee must provide a copy of the information in the following table for each destination outside NSW used by the licensee in the reporting period for the purposes of the receipt of controlled waste.

<b>Waste Activities Table 3:</b>			
<b>Controlled Waste Movements By Interstate Destination and Waste Category</b>			
<b>Name of Licensed Waste Activity:</b>		<b>Waste Activity Licence No.:</b>	
<b>Reporting Period:</b>		<b>ANZSIC Code Waste Activity:</b>	
<b>Destination State or Territory:</b>		<b>Destination Facility</b>	
<b>Waste class</b>	<b>Waste Code</b>	<b>Amount of Waste Transported in Reporting Period (tonnes)</b>	
<i>Hazardous Non-Liquid Waste</i>	<i>Code for each waste of this type</i>	<i>Total Weight for waste of this code</i>	
		-----	
	<i>Code</i>	<i>Weight</i>	
Industrial Non-Liquid Waste	<i>Code</i>	<i>Weight</i>	
		-----	
	<i>Code</i>	<i>Weight</i>	
Hazardous Liquid Waste	<i>Code</i>	<i>Weight</i>	
		-----	
	<i>Code</i>	<i>Weight</i>	
Group A Liquid Waste	<i>Code</i>	<i>Weight</i>	
		-----	

Other Types of Waste (eg Group B and C Liquid Wastes, Used Tyres)	Code	Weight
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[NOTES: **Waste code** refers to the codes listed in Appendix 1 of this licence and entered on the waste transport certificates.

**Waste class** refers to the classification of waste in accordance with Appendix 1 of the Protection of the Environment Operations Act 1997 and its regulations.

**ANZSIC code** means the Australian and New Zealand Standard Industrial Classification code published by the Australian Bureau of Statistics.]

## Dictionary

### Model Licence Dictionary

In this licence, unless the contrary is indicated, the terms below have the following meanings:

<b>Agency</b>	A body or bodies of a participating State or a participating Territory which that State or Territory has nominated for the purposes of the NEPM.
<b>Chemical control order (CCO)</b>	An order under sections 22 and 23 of the Environmentally Hazardous Chemicals Act 1985.
<b>Consignee</b>	The person to whom the waste is dispatched, and includes: <ul style="list-style-type: none"> <li>(a) in the case of a waste facility that is licensed - the occupier;</li> <li>(b) in the case of a person carrying on mobile waste processing that is licensed - the person operating the mobile place;</li> <li>(c) in the case of a place that can be otherwise lawfully be used as a waste facility for that waste - the owner or occupier of that place.</li> </ul>
<b>Consignment</b>	One or more shipments of a specified waste dispatched to a particular destination.
<b>Consignment authorisation</b>	An approval which includes a unique identifier granted by an agency, or a facility delegated by an agency, in the jurisdiction of destination to allow the movement of controlled waste.
<b>Controlled waste</b>	Any waste included in List 1 of Schedule A of the NEPM, provided that the waste possesses one or more of the characteristics in List 2, of Schedule A of the NEPM.
<b>Date of dispatch</b>	The date on which a load of waste is removed from the premises.
<b>Destination</b>	Where hazardous, industrial or Group A wastes are transported within NSW, the place described in the waste data form as the destination for the waste.  Where controlled wastes are transported between NSW and another participating State or Territory, the place described in Part 3 of the waste transport certificate as the facility receiving the waste.
<b>Facility</b>	A place where controlled wastes are received.
<b>Facility Operator</b>	A person in charge of a facility.
<b>Jurisdiction of destination</b>	In relation to a particular consignment of waste means the State or Territory in which the facility is located to which the waste is intended to be transported.

<b>Load</b>	The amount of a consignment of waste placed on a vehicle for any single dispatch from the premises at which it was generated or stored.
<b>Load number</b>	A consecutive number identifying each load of waste within a consignment and starting with 1 for the first load of each consignment. One or more loads may make up a consignment.
<b>NEPM</b>	The National Environment Protection (Movement of Controlled Wastes between States and Territories) Measure 1998.
<b>Non-liquid waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997.
<b>Participating State or Territory</b>	<p>A State or Territory that is</p> <p>(a) a party to the Intergovernmental Agreement on the Environment made on 1 May 1992 between the Commonwealth, the States, the Australian Capital Territory, the Northern Territory and the Australian Local Government Association, a copy of which is set out in the Schedule to the Commonwealth Act; and</p> <p>(b) in which an Act that corresponds to the National Environment Protection Council Act 1994 of the Commonwealth is in force in accordance with the Agreement.</p>
<b>Recycling of waste</b>	The processing of waste into a similar non-waste product.
<b>Regulation</b>	The Protection of the Environment Operations (Waste) Regulation 1996.
<b>Transporter</b>	A person responsible for moving controlled wastes either from one participating State or Territory to another or through participating States or Territories.
<b>Waste activity</b>	<p>An activity, whether required to be licensed or not, carried on for business or other commercial purposes, that involves the generating or storage of any of the following waste classes:</p> <p>(a) hazardous waste,</p> <p>(b) industrial waste,</p> <p>(c) Group A waste.</p>
<b>Waste class</b>	Means either hazardous, industrial or Group A waste.
<b>Waste data form</b>	A certificate in the form approved by the EPA.
<b>Waste guidelines</b>	The document called " <i>Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes</i> " issued by the EPA and in force as at 1 July 1999.
<b>Waste producer</b>	Means the licensee.
<b>Waste transport certificate</b>	A certificate in the form approved by the EPA as fulfilling the requirements of Schedule B of the National Environment Protection (Movement of Controlled Wastes between States and Territories) Measure 1998.

## General Dictionary

In this licence, unless the contrary is indicated, the terms below have the following meanings:

<b>3DGM [in relation to a concentration limit]</b>	Means the three day geometric mean, which is calculated by multiplying the results of the analysis of three samples collected on consecutive days and then taking the cubed root of that amount. Where one or more of the samples is zero or below the detection limit for the analysis, then 1 or the detection limit respectively should be used in place of those samples
<b>Act</b>	Means the Protection of the Environment Operations Act 1997
<b>activity</b>	Means a scheduled or non-scheduled activity within the meaning of the Protection of the Environment Operations Act 1997
<b>actual load</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 1998
<b>AMG</b>	Australian Map Grid
<b>anniversary date</b>	The anniversary date is the anniversary each year of the date of issue of the licence. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
<b>annual return</b>	Is defined in R1.1
<b>Approved Methods Publication</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 1998
<b>assessable pollutants</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 1998
<b>BOD</b>	Means biochemical oxygen demand
<b>COD</b>	Means chemical oxygen demand
<b>composite sample</b>	Unless otherwise specifically approved in writing by the EPA, a sample consisting of 24 individual samples collected at hourly intervals and each having an equivalent volume.
<b>cond.</b>	Means conductivity
<b>environment</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>environment protection legislation</b>	Has the same meaning as in the Protection of the Environment Administration Act 1991
<b>EPA</b>	Means Environment Protection Authority of New South Wales.
<b>fee-based activity classification</b>	Means the numbered short descriptions in Schedule 1 of the Protection of the Environment Operations (General) Regulation 1998.
<b>flow weighted composite sample</b>	Means a sample whose composites are sized in proportion to the flow at each composites time of collection.
<b>grab sample</b>	Means a single sample taken at a point at a single time
<b>hazardous waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>industrial waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>inert waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>licensee</b>	Means the licence holder described at the front of this licence
<b>load calculation protocol</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 1998

<b>local authority</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>material harm</b>	Has the same meaning as in section 147 Protection of the Environment Operations Act 1997
<b>MBAS</b>	Means methylene blue active substances
<b>Minister</b>	Means the Minister administering the Protection of the Environment Operations Act 1997
<b>mobile plant</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>motor vehicle</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>O&amp;G</b>	Means oil and grease
<b>percentile [in relation to a concentration limit of a sample]</b>	Means that percentage [eg.50%] of the number of samples taken that must meet the concentration limit specified in the licence for that pollutant over a specified period of time. In this licence, the specified period of time is the Reporting Period unless otherwise stated in this licence.
<b>plant</b>	Includes all plant within the meaning of the Protection of the Environment Operations Act 1997 as well as motor vehicles.
<b>pollution of waters [or water pollution]</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>premises</b>	Means the premises described in condition A2.1
<b>public authority</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>regional office</b>	Means the relevant EPA office referred to in the Contacting the EPA document accompanying this licence
<b>reporting period</b>	For the purposes of this licence, the reporting period means the period of 12 months after the issue of the licence, and each subsequent period of 12 months. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
<b>reprocessing of waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>scheduled activity</b>	Means an activity listed in Schedule 1 of the Protection of the Environment Operations Act 1997
<b>solid waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>treatment of waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>TSP</b>	Means total suspended particles
<b>TSS</b>	Means total suspended solids
<b>utilisation area</b>	Means any area shown as a utilisation area on a map submitted with the application for this licence
<b>waste</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>waste code</b>	Means the waste codes listed in Appendix 5 of the EPA document A Guide to Licensing Part B.
<b>waste type</b>	Means Group A, Group B, Group C, inert, solid, industrial or hazardous waste

Mr Tim Gilbert

Principal Officer  
Environment Protection Authority

(By Delegation)

03-Feb-2000

**Licence Variation**

**Section 58(5) Protection of the Environment Operations Act 1997**

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**End Notes**

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549	WAUCHOPE	Former Shell Depot	56-64 High STREET	Other Petroleum	Regulation under CLM Act not required	-31.45804845	152.7314151
550	WAUCHOPE	Wauchope Service Station	57 High STREET	Service Station	Regulation under CLM Act not required	-31.45737022	152.7305018
551	WAUCHOPE	Former Timber Treatment Site	Blackbutt DRIVE	Other Industry	Regulation under CLM Act not required	-31.46575645	152.7228555
552	WAUCHOPE	Shell Coles Express Service Station	64 High STREET	Service Station	Regulation under CLM Act not required	-31.45764495	152.7315975
553	WAUCHOPE	Wauchope Public Primary School	2 Waugh STREET	Unclassified	Regulation under CLM Act not required	-31.4556387	152.7295455
554	WAVERTON	SRA Land	95 Bay ROAD	Unclassified	Contamination formerly regulated under the CLM Act	-33.83716728	151.1969497
555	WAVERTON	Berry's Bay Woodley's Marina	1 Balls Head DRIVE	Other Industry	Contamination formerly regulated under the POEO Act	-33.84441851	151.1947433
556	WAVERTON	Oyster Cove AGL	2 King STREET	Gasworks	Ongoing maintenance required to manage residual contamination (CLM Act)	-33.83637995	151.193541
557	WEE JASPER	Wee Jasper Tavern	6499 Wee Jasper ROAD	Other Industry	Regulation under CLM Act not required	-35.110374	148.679405

## Appendix D Heritage Records

## Search Results

### No results found.

Enter at least one search criterion.

[Search Hints](#)

<input type="button" value="Search"/> <input type="button" value="Reset form"/>	
Place name	
<input type="text"/>	
Street name	
<input type="text" value="Birrell Street"/>	
Town or suburb	State
<input type="text" value="Waverley"/>	<input style="border: none; background-color: #f0f0f0; padding: 2px;" type="text" value="New South Wales"/> ▼
Country	
<input type="text" value="AU"/>	

### Advanced search options

List	
<input style="border: none; background-color: #f0f0f0; padding: 2px;" type="text" value="All Lists"/> ▼	
<i>Different lists will provide different status and class options</i>	
Local Government Area	Place ID number
<input type="text"/>	<input type="text"/>
<a href="#">Legal status</a>	Class
<input style="border: none; background-color: #f0f0f0; padding: 2px;" type="text" value="--All--"/> ▼	<input style="border: none; background-color: #f0f0f0; padding: 2px;" type="text" value="--All--"/> ▼
Keyword Search	
<input type="text"/>	
<input checked="" type="checkbox"/> Description	<input checked="" type="checkbox"/> Statement of Significance
	<input checked="" type="checkbox"/> Place history
<a href="#">Latitude/Longitude</a>	
<p>N</p> <p>Latitude 1</p> <p>Longitude 1 <input type="text"/> S      Longitude 2</p> <p>W <input type="text"/> E      Latitude 2 <input type="text"/> E E</p> <p style="text-align: center;"><input type="text"/> S</p> <p>S</p>	
<input type="radio"/> Wholly within region <input checked="" type="radio"/> Wholly or partially within region	
<i>Longitude coordinates should be entered as ddd.mm.ss</i>	
<i>Latitude coordinates should be entered as dd.mm.ss</i>	
Map Ref No	
<input type="text"/>	
<i>1:100,000 eg 2357</i>	
<i>1:250,000 eg SF-50-01</i>	

### Search Hints

- Not all fields need to be filled in. The fewer you fill in the more results you will get.
- If you cannot find a place, check spelling and try alternative names. Reduce the number of words that you include and use fewer fields.
- The Local Government field used on its own will provide a comprehensive list of places in an area.

**Report Produced: Mon Apr 27 14:52:19 2020**

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# St. Mary's Anglican Church and Pipe Organ

## Item details

<b>Name of item:</b>	St. Mary's Anglican Church and Pipe Organ
<b>Other name/s:</b>	Gern Pipe Organ
<b>Type of item:</b>	Built
<b>Group/Collection:</b>	Religion
<b>Category:</b>	Church
<b>Location:</b>	Lat: -33.8962104614 Long: 151.2551034270
<b>Primary address:</b>	240 Birrell Street, Waverley, NSW 2024
<b>Parish:</b>	Alexandria
<b>County:</b>	Cumberland
<b>Local govt. area:</b>	Waverley
<b>Local Aboriginal Land Council:</b>	La Perouse

## Property description

Lot/Volume Code	Lot/Volume Number	Section Number	Plan/Folio Code	Plan/Folio Number
LOT	1		DP	813589

## All addresses

Street Address	Suburb/town	LGA	Parish	County	Type
240 Birrell Street	Waverley	Waverley	Alexandria	Cumberland	Primary Address

## Owner/s

Organisation Name	Owner Category	Date Ownership Updated
Waverley Anglican Parish	Religious Organisation	

## Description

<b>Designer/Maker:</b>	Edmund Blacket
<b>Builder/Maker:</b>	A. Gern (pipe organ)
<b>Construction years:</b>	1863-1864
<b>Physical</b>	Grounds:

**description:**

Sited on the highest point in Waverley the group is a visually prominent feature of the streetscape, derived mainly from the stone church and wide frontage to Birrell and Council Streets (Edwards Planning, 2015, 5).

Grey sandstone wall along Birrell Street frontage (possibly c.1925) together with mature landscape elements (Canary Island date palms) are significant visible elements. Existing plantings fronting Birrell Street provide a dense visual screen (ibid, 2015).

Church and hall are set in attractive garden surrounds.

It appears little of the original landscape features remain from the Victorian period. Possibly the driveway layout is original (now concreted). An impressive grey sandstone wall along Birrell Street frontage exists, possibly from c.1925. The bank of hydrangea (*H. macrophylla* cv.) shrubs along the southern wall of the church probably dates from the same period. There are mature Canary island date palms (*Phoenix canariensis*), near the adjacent former Church Hall and within the grounds. These are notable landscape elements to about 13m high, dating probably from c.1920 (LEP, 1996).

Other mature plantings include Lord Howe Island palm (*Howea fosteriana*), low hedging of box (*Buxus* sp.), (Stuart Read, pers.comm., 24/7/2015).

The central lawn is of buffalo grass. Traditional central and edge bordering flower beds punctuate the lawn (ibid, 1996).

A columbium (c.1970) exists on the north side of the church, screened by a mature cypress (*Cupressus* sp.) possibly from c.1920 (ibid, 1996).

Interwoven by circulation pathways and established landscaped grounds. Generally characterised by formal manicured gardens with a number of mature plantings (Edwards Planning, 2015, 5).

**Built Elements:****Church:**

One of Edmund Blackett's earlier churches. Both modest and attractive, and essentially intact. Impressive stone church in Ecclesiastical Gothic style. Long nave with chancel, vestry and two side porches. Dressed sandstone with concrete tiled roof (originally shingled). Paired lancet windows between buttresses. Stained glass with label moulds over. Good belfry above western parapet gable (LEP, 1996).

**Hall (now St. Mary's Child Care Centre)(c.1900s)**

Federation Gothic style hall, rectangular of dark face brick construction with a hipped roof form clad in terracotta tiles, partially-concealed behind a series of rendered masonry battlements. Has a series of entry points on the southern and eastern elevations. The western elevation has a skillion lean-to awning providing cover to mechanical and electrical plant equipment. Largely intact exterior although evidence of previous alterations and additions, retains a high degree of architectural embellishment. External walls are divided into three sections: lower portion to the rendered masonry window sills is face brick, the central portion is rendered masonry with face brick lancet-shaped window openings and a face brick upper portion to ceiling level, before being finished with a series of rendered masonry battlements. Original windows and doors are typically of timber joinery (Edwards Planning, 2015, 4).

**Rectory (c.1930s)**

Masonry construction (Edwards Planning, 2015, 4).

**Physical condition and/or Archaeological potential:**

Essentially intact (2014)

**Date condition updated:**24 Jul 15**Modifications and dates:**

It appears little of the original landscape features remain from the Victorian period. Possibly the driveway layout is original (now concreted). An impressive grey sandstone wall along Birrell Street frontage exists, possibly from c.1925. The bank of hydrangea (*H. macrophylla* cv.) shrubs along the southern wall of the church probably dates from the same period. There are mature Canary island palms (*Phoenix canariensis*), near adjacent former Church Hall and within grounds. These are notable landscape elements to about 13m high, dating probably from c.1920.

The central lawn is of buffalo grass. Traditional central and edge bordering flower beds punctuate the lawn.

A columbium (c.1970) exists on the north side of the church, screened by a mature cypress possibly from c.1920 (LEP, 1996).

**Further information:**

Generally in good condition (LEP, 1996)

**Current use:**

church and yard

**Former use:**

Aboriginal land, farm estate

## History

**Historical notes:**

Aboriginal Sydney:

When Captain Arthur Phillip and the First Fleet landed, first in Botany Bay and then in Port Jackson (Sydney Harbour), in January 1788, he was met by people who had lived on this land for many thousands of years. At least 1,500 people lived in the area between Botany Bay and Broken Bay and the intermediate coast (Attenbrow, n.d.)

There were two main languages spoken in the Sydney region - Darug and Tharawal. The Darug language had two main dialects - one spoken along the coast and the other in the hinterland (west of present-day Parramatta). Tharawal was spoken to the south of Botany Bay and as far west as the Georges River and possibly Camden (ibid, n.d.)

People belonged to small groups (territorial clans) through which they were spiritually related to specific tracts of land - these clans included the Gadigal, Wanngal, Gamaragal, Wallumedegal and Boromedegal. The suffix 'gal' denotes 'people of', thus, for example, the Gadigal were the people of Gadi (also spelled Cadigal and Cadi respectively) (ibid, n.d.).

The 'district of Gadi' was reported to have stretched from South Head west to 'the cove adjoining this settlement' (Darling Harbour) - an area that would have included Centennial, Moore and Queens Parks. Watkin Tench referred to the Gadigal as 'those who reside in the bay of Cadi'. The 'bay of Cadi' is probably Kutti, the Aboriginal place name recorded for present-day Watsons Bay, and the present name of a small beach in the bay (ibid, n.d.).

The Centennial Parklands Conservation Management Plan contains the following report that provides in depth detail of the pre-colonial history of the lands that are present day Centennial Parklands, which is where the text on this page comes from: Pre-colonial Aboriginal land and resource use in Centennial, Moore and Queens Parks - assessment of historical and archaeological evidence for Centennial Parklands Conservation Management

Plan (ibid, n.d.).

Waverley:

Waverley the suburb's name comes from the book title by Sir Walter Scott, famed Scottish author and poet. It was given thus by Barnett Levey (or Levy, 1798-1837) who came to Sydney in the 1820s to visit his brother. Seeing how prosperous the city was he settled and set up business in George Street as a general merchant. He was influential in bringing theatre to Australia, establishing the Theatre Royal in part of his building off George Street. In 1831 he was granted a 60 acre piece of land in the area of today's Waverley, bounded by (now Old) South Head Road, Birrell Street, Hollywood Avenue and Paul Street. He built a substantial two storey home on (Old) South Head Road in 1827, naming it Waverley House after the novel of that name.

In 1837 Waverley House was taken over for a Catholic school or orphanage. It was demolished in the early 20th century (Pollen & Healy, 1988, 266).

In 1857 a small stone church was built in Church Street Waverley for the local Anglican congregation (this is now the site of St. Clare's College (LEP, 1996). It was soon found to be inadequate and the construction of the present building commenced with the laying of its foundation stone on June 6th, 1863 (<http://www.stmaryswaverley.org.au/styled-13/styled-3/index.html>). It was built on a 0.4 hectare site donated by T.D. Edwards, that was part of original grant to B Levey (LEP, 1996).

The building was consecrated on May 19th, 1864 by Bishop Barker. The church was built by W Bailey. The original design envisaged a tower and spire, which were never built (LEP, 1996).

Porches and the organ chamber were added in 1872 (LEP, 1996). In the 1870s it was extended by 17ft. to its present size. The church was designed in the Early English Gothic style by Edmund Blacket, a prominent Victorian Architect. The stained glass windows are some of the earliest to be made in the colony, the two in the first bay of the south wall of the nave being the earliest windows to be commissioned in N.S.W. (<http://www.stmaryswaverley.org.au/styled-13/styled-3/index.html>).

In 1888 the pipe organ was added (LEP, 1996).

The Church is listed on the Register of the National Estate, Waverley Local Environmental Plan and the NSW State Heritage Register and extensive restoration to the fabric of the building has taken place since the 1980s.

In 1993 a gallery was added and the organ relocated (<http://www.stmaryswaverley.org.au/styled-13/styled-3/index.html>).

### Historic themes

Australian theme (abbrev)	New South Wales theme	Local theme
1. Environment- Tracing the evolution of a continent's special environments	Environment - naturally evolved-Activities associated with the physical surroundings that support human life and influence or shape human cultures.	Gardens-

1. Environment- Tracing the evolution of a continent's special environments	Environment - naturally evolved-Activities associated with the physical surroundings that support human life and influence or shape human cultures.	Other open space-
1. Environment- Tracing the evolution of a continent's special environments	Environment - naturally evolved-Activities associated with the physical surroundings that support human life and influence or shape human cultures.	Changing the environment-
1. Environment- Tracing the evolution of a continent's special environments	Environment - naturally evolved-Activities associated with the physical surroundings that support human life and influence or shape human cultures.	Cultural - Coasts and coastal features supporting human activities-
1. Environment- Tracing the evolution of a continent's special environments	Environment - naturally evolved-Activities associated with the physical surroundings that support human life and influence or shape human cultures.	Introduce cultural planting-
3. Economy- Developing local, regional and national economies	Environment - cultural landscape-Activities associated with the interactions between humans, human societies and the shaping of their physical surroundings	Developing local, regional and national economies- National Theme 3
3. Economy- Developing local, regional and national economies	Environment - cultural landscape-Activities associated with the interactions between humans, human societies and the shaping of their physical surroundings	Creating environments evocative of the 'old country'-
3. Economy- Developing local, regional and national economies	Environment - cultural landscape-Activities associated with the interactions between humans, human societies and the shaping of their physical surroundings	Landscapes of institutions - productive and ornamental-
3. Economy- Developing local, regional and national economies	Environment - cultural landscape-Activities associated with the interactions between humans, human societies and the shaping of their physical surroundings	Landscapes and parklands of distinctive styles-
3. Economy- Developing local, regional and	Environment - cultural landscape-Activities associated with the interactions between humans, human societies and the shaping of their physical	Landscapes of passive recreation-

national economies	surroundings	
3. Economy- Developing local, regional and national economies	Environment - cultural landscape-Activities associated with the interactions between humans, human societies and the shaping of their physical surroundings	Landscapes demonstrating styles in landscape design-
3. Economy- Developing local, regional and national economies	Events-Activities and processes that mark the consequences of natural and cultural occurrences	Developing local landmarks-
4. Settlement-Building settlements, towns and cities	Land tenure-Activities and processes for identifying forms of ownership and occupancy of land and water, both Aboriginal and non-Aboriginal	Alienating Crown Lands for religious purposes-
4. Settlement-Building settlements, towns and cities	Land tenure-Activities and processes for identifying forms of ownership and occupancy of land and water, both Aboriginal and non-Aboriginal	Changing land uses - from rural to suburban-
4. Settlement-Building settlements, towns and cities	Land tenure-Activities and processes for identifying forms of ownership and occupancy of land and water, both Aboriginal and non-Aboriginal	Suburban Centres-
4. Settlement-Building settlements, towns and cities	Towns, suburbs and villages-Activities associated with creating, planning and managing urban functions, landscapes and lifestyles in towns, suburbs and villages	Developing suburbia-
7. Governing- Governing	Government and Administration-Activities associated with the governance of local areas, regions, the State and the nation, and the administration of public programs - includes both principled and corrupt activities.	State government-
7. Governing- Governing	Government and Administration-Activities associated with the governance of local areas, regions, the State and the nation, and the administration of public programs - includes both principled and corrupt activities.	Developing roles for government - administration of land-
7. Governing- Governing	Government and Administration-Activities associated with the governance of local areas, regions, the State and the nation, and the administration of public programs - includes both principled and corrupt activities.	Developing roles for government - conserving cultural and natural heritage-
8.	Creative endeavour-Activities associated with the production and	

Culture-Developing cultural institutions and ways of life	performance of literary, artistic, architectural and other imaginative, interpretive or inventive works; and/or associated with the production and expression of cultural phenomena; and/or environments that have inspired such creative activities.	Landscaping - Victorian period-
8. Culture-Developing cultural institutions and ways of life	Creative endeavour-Activities associated with the production and performance of literary, artistic, architectural and other imaginative, interpretive or inventive works; and/or associated with the production and expression of cultural phenomena; and/or environments that have inspired such creative activities.	Architectural styles and periods - Victorian Gothic Revival-
8. Culture-Developing cultural institutions and ways of life	Creative endeavour-Activities associated with the production and performance of literary, artistic, architectural and other imaginative, interpretive or inventive works; and/or associated with the production and expression of cultural phenomena; and/or environments that have inspired such creative activities.	Patronising artistic endeavours-
8. Culture-Developing cultural institutions and ways of life	Creative endeavour-Activities associated with the production and performance of literary, artistic, architectural and other imaginative, interpretive or inventive works; and/or associated with the production and expression of cultural phenomena; and/or environments that have inspired such creative activities.	Interior design styles and periods - Victorian-
8. Culture-Developing cultural institutions and ways of life	Creative endeavour-Activities associated with the production and performance of literary, artistic, architectural and other imaginative, interpretive or inventive works; and/or associated with the production and expression of cultural phenomena; and/or environments that have inspired such creative activities.	Interior design styles and periods - Edwardian-
8. Culture-Developing cultural institutions and ways of life	Creative endeavour-Activities associated with the production and performance of literary, artistic, architectural and other imaginative, interpretive or inventive works; and/or associated with the production and expression of cultural phenomena; and/or environments that have inspired such creative activities.	Architectural styles and periods - Victorian (mid)-
8. Culture-Developing cultural institutions and ways of life	Creative endeavour-Activities associated with the production and performance of literary, artistic, architectural and other imaginative, interpretive or inventive works; and/or associated with the production and expression of cultural phenomena; and/or environments that have inspired such creative activities.	Landscaping - Federation period-
8. Culture-Developing cultural institutions and ways of life	Creative endeavour-Activities associated with the production and performance of literary, artistic, architectural and other imaginative, interpretive or inventive works; and/or associated with the production and expression of cultural phenomena; and/or environments that have inspired such creative activities.	Adaptation of overseas design for local use-
8. Culture-Developing cultural institutions and ways of life	Creative endeavour-Activities associated with the production and performance of literary, artistic, architectural and other imaginative, interpretive or inventive works; and/or associated with the production and expression of cultural phenomena; and/or environments that have inspired such creative activities.	Designing making and showing stained and coloured glass-
8. Culture-Developing cultural institutions and ways of life	Creative endeavour-Activities associated with the production and performance of literary, artistic, architectural and other imaginative, interpretive or inventive works; and/or associated with the production and expression of cultural phenomena; and/or environments that have inspired such creative activities.	Designing and marking grave furnishings and ornamentation-

8. Culture-Developing cultural institutions and ways of life	Creative endeavour-Activities associated with the production and performance of literary, artistic, architectural and other imaginative, interpretive or inventive works; and/or associated with the production and expression of cultural phenomena; and/or environments that have inspired such creative activities.	Designing in an exemplary architectural style-
8. Culture-Developing cultural institutions and ways of life	Creative endeavour-Activities associated with the production and performance of literary, artistic, architectural and other imaginative, interpretive or inventive works; and/or associated with the production and expression of cultural phenomena; and/or environments that have inspired such creative activities.	Designing structures to emphasise their important roles-
8. Culture-Developing cultural institutions and ways of life	Creative endeavour-Activities associated with the production and performance of literary, artistic, architectural and other imaginative, interpretive or inventive works; and/or associated with the production and expression of cultural phenomena; and/or environments that have inspired such creative activities.	Creating works of art-
8. Culture-Developing cultural institutions and ways of life	Creative endeavour-Activities associated with the production and performance of literary, artistic, architectural and other imaginative, interpretive or inventive works; and/or associated with the production and expression of cultural phenomena; and/or environments that have inspired such creative activities.	Designing making and using ecclesiastical furniture-
8. Culture-Developing cultural institutions and ways of life	Creative endeavour-Activities associated with the production and performance of literary, artistic, architectural and other imaginative, interpretive or inventive works; and/or associated with the production and expression of cultural phenomena; and/or environments that have inspired such creative activities.	work of stonemasons-
8. Culture-Developing cultural institutions and ways of life	Creative endeavour-Activities associated with the production and performance of literary, artistic, architectural and other imaginative, interpretive or inventive works; and/or associated with the production and expression of cultural phenomena; and/or environments that have inspired such creative activities.	Architectural styles and periods - Federation Gothic Revival-
8. Culture-Developing cultural institutions and ways of life	Domestic life-Activities associated with creating, maintaining, living in and working around houses and institutions.	Ways of life 1850-1900-
8. Culture-Developing cultural institutions and ways of life	Domestic life-Activities associated with creating, maintaining, living in and working around houses and institutions.	Ways of life 1900-1950-
8. Culture-Developing cultural institutions and ways of life	Domestic life-Activities associated with creating, maintaining, living in and working around houses and institutions.	Ways of life 1950-2000-
8. Culture-Developing cultural institutions and ways of life	Domestic life-Activities associated with creating, maintaining, living in and working around houses and institutions.	Ornamental Garden-

8. Culture-Developing cultural institutions and ways of life	Domestic life-Activities associated with creating, maintaining, living in and working around houses and institutions.	Living in suburbia-
8. Culture-Developing cultural institutions and ways of life	Leisure-Activities associated with recreation and relaxation	Outdoor relief-
8. Culture-Developing cultural institutions and ways of life	Leisure-Activities associated with recreation and relaxation	Going to church-
8. Culture-Developing cultural institutions and ways of life	Leisure-Activities associated with recreation and relaxation	Activities associated with relaxation and recreation-
8. Culture-Developing cultural institutions and ways of life	Leisure-Activities associated with recreation and relaxation	Developing collections of items-
8. Culture-Developing cultural institutions and ways of life	Leisure-Activities associated with recreation and relaxation	Visiting heritage places-
8. Culture-Developing cultural institutions and ways of life	Leisure-Activities associated with recreation and relaxation	Gathering at landmark places to socialise-
8. Culture-Developing cultural institutions and ways of life	worship Religion-Activities associated with particular systems of faith and	Religious worship-
8. Culture-Developing cultural institutions and ways of life	worship Religion-Activities associated with particular systems of faith and	parsonage, manse, vicarage-
8. Culture-Developing cultural institutions and ways of life	worship Religion-Activities associated with particular systems of faith and	Church-

8. Culture-Developing cultural institutions and ways of life	worship	Religion-Activities associated with particular systems of faith and	Sunday School venue-
8. Culture-Developing cultural institutions and ways of life	worship	Religion-Activities associated with particular systems of faith and	Burials and associated religious rituals and places-
8. Culture-Developing cultural institutions and ways of life	worship	Religion-Activities associated with particular systems of faith and	Glebe or church lands to support priest-
8. Culture-Developing cultural institutions and ways of life	worship	Religion-Activities associated with particular systems of faith and	Practising Anglicanism-
8. Culture-Developing cultural institutions and ways of life	worship	Religion-Activities associated with particular systems of faith and	Providing halls and other community facilities-
8. Culture-Developing cultural institutions and ways of life	worship	Religion-Activities associated with particular systems of faith and	Adaptive new use-
8. Culture-Developing cultural institutions and ways of life	worship	Religion-Activities associated with particular systems of faith and	church hall-
8. Culture-Developing cultural institutions and ways of life		Social institutions-Activities and organisational arrangements for the provision of social activities	Community volunteering-
8. Culture-Developing cultural institutions and ways of life		Social institutions-Activities and organisational arrangements for the provision of social activities	Providing charity-
8. Culture-Developing cultural institutions and ways of life		Social institutions-Activities and organisational arrangements for the provision of social activities	Places of informal community gatherings-
8.		Social institutions-Activities and organisational arrangements for the	

Culture-Developing cultural institutions and ways of life	provision of social activities	Belonging to an institution for self improvement-
9. Phases of Life-Marking the phases of life	Persons-Activities of, and associations with, identifiable individuals, families and communal groups	Associations with Edmund Blacket, Government Architect-
9. Phases of Life-Marking the phases of life	Persons-Activities of, and associations with, identifiable individuals, families and communal groups	Associations with Bishop Thomas, Anglican Bishop of Goulburn-

## Assessment of significance

<b>SHR Criteria a)</b> [Historical significance]	One of Edmund Blacket's earlier churches. Of considerable historical interest. One of the oldest buildings in the Waverley Council area, and notable for its association with Bishop Barker and important local families. Sited on the highest point in Waverley and set in attractive garden surrounds.
<b>SHR Criteria b)</b> [Associative significance]	Notable for its association with Bishop Barker and important local families
<b>SHR Criteria c)</b> [Aesthetic significance]	Architectural and aesthetic;value for its design, siting, on the highest point in Waverley and streetscape/landscape value, set in attractive garden surrounds.
<b>SHR Criteria d)</b> [Social significance]	Cultural and social values
<b>SHR Criteria f)</b> [Rarity]	Rarity value for its age, design and intactness
<b>SHR Criteria g)</b> [Representativeness]	representative example of a Gothic Revival church design by Edmund Blacket
<b>Assessment criteria:</b>	Items are assessed against the  <b>State Heritage Register (SHR) Criteria</b> to determine the level of significance. Refer to the Listings below for the level of statutory protection.

## Recommended management:

### Recommendations

Management Category	Description	Date Updated
Recommended Management	Produce a Conservation Management Plan (CMP)	
Recommended Management	Prepare a maintenance schedule or guidelines	
Recommended Management	Carry out interpretation, promotion and/or education	

### Procedures /Exemptions

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Section of act	Description	Title	Comments	Action date
57(2)	Exemption to allow work	Heritage Act	<p style="text-align: center;">maintenance</p> <p>Order Under Section 57(2) to exempt the following activities from Section 57(1):</p> <p>*Change of use;</p> <p>(1) Maintenance of any item on the site, where maintenance means the continuous protective care of existing material.</p> <p>(2) Operation of the columbarium in its existing location.</p>	Jan 30 1987
57(2)	Exemption to allow work	Standard Exemptions	<p style="text-align: center;">SCHEDULE OF STANDARD EXEMPTIONS</p> <p>HERITAGE ACT 1977</p> <p>Notice of Order Under Section 57 (2) of the Heritage Act 1977</p> <p>I, the Minister for Planning, pursuant to subsection 57(2) of the Heritage Act 1977, on the recommendation of the Heritage Council of New South Wales, do by this Order:</p> <p>1. revoke the Schedule of Exemptions to subsection 57(1) of the Heritage Act made under subsection 57(2) and published in the Government Gazette on 22 February 2008; and</p> <p>2. grant standard exemptions from subsection 57(1) of the Heritage Act 1977, described in the Schedule attached.</p> <p>FRANK SARTOR</p> <p>Minister for Planning</p> <p>Sydney, 11 July 2008</p> <p>To view the schedule click on the Standard Exemptions for Works Requiring Heritage Council Approval link below.</p>	Sep 5 2008

 **Standard exemptions** for works requiring Heritage Council approval

## Listings

Heritage Listing	Listing Title	Listing Number	Gazette Date	Gazette Number	Gazette Page
Heritage Act - State Heritage Register		00160	02 Apr 99	27	1546
Heritage Act - Permanent Conservation Order - former		00160	30 Jan 87	20	0510

Local Environmental Plan	Waverley LEP		06 Dec 96		
Heritage study		L31/0038			

## Study details

Title	Year	Number	Author	Inspected by	Guidelines used
Waverley Heritage Study	1990		Perumal Murphy P/L		N o

## References, internet links & images

Type	Author	Year	Title	Internet Links
Written	Attenbrow, Val		A pre-colonial history	<a href="#">View details!</a>
Written	Pollen, Frances & Healy, Gerald	1988	'Waverley' suburb entry in "The Book of Sydney Suburbs"	
Written	St.Mary's Anglican Church, Waverley	2014	Parish History, in 'About Us'	<a href="#">View details!</a>

Note: internet links may be to web pages, documents or images.



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## Data source

The information for this entry comes from the following source:

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## **Appendix E Section 10.7 Planning Certificates**

# PLANNING CERTIFICATE

## UNDER SECTION 10.7 (2&5) ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979



W A V E R L E Y  
C O U N C I L

Page No: 1

Online Services  
Waverley Council

Cert. No.43838  
Date: 23 April 2020  
Receipt No. 2214890  
Your reference: 58774:39340

Property location      **99 Birrell Street, WAVERLEY NSW 2024**

Parcel description:    **Lot 1 DP 1115332, Lot 1 DP 312247**

Owner:                    **Mrs C Rodriguez**  
  
                                  **99 Birrell St**  
                                  **WAVERLEY NSW 2024**

[The next page is page 2]

**Waverley Council** | ABN: 12 502 583 608

PO Box 9, Bondi Junction NSW 1355 | DX 12006 Bondi Junction

PHONE **9083 8000** | FAX **9387 1820**

EMAIL [waver@waverley.nsw.gov.au](mailto:waver@waverley.nsw.gov.au) | WEB [www.waverley.nsw.gov.au](http://www.waverley.nsw.gov.au)

**PLANNING CERTIFICATE UNDER  
SECTION 10.7 (2&5) ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

The information in this certificate is provided under section 10.7(2) Environmental Planning & Assessment Act 1979 and the Environmental Planning & Assessment Regulation 2000, specifically Schedule 4.

The Council warns that:

- other authorities may hold information in respect of the land to which this certificate relates;
- the Council's records may not be complete or accurate in respect of the land; and
- the absence of a reference to any matter affecting the land does not imply that the land is not affected by any matter not referred to in this certificate.

Further information about this certificate may be available from Council's Duty Planner.

**ITEM 1**

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**Names of relevant planning instruments and DCPs**

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

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

Waverley Local Environmental Plan 2012 *as published on the NSW Legislation website ([www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au)) and updated from time to time.*

- SEPP No. 19 Bushland in Urban Areas
- SEPP No. 33 Hazardous and Offensive Development
- SEPP No. 50 Canal Estates
- SEPP No. 55 Remediation of Land
- SEPP No. 64 Advertising and Signage
- SEPP No. 65 Design Quality of Residential Flat Development
- SEPP No. 70 Affordable Housing (Revised Schemes)
- SEPP (Affordable Rental Housing) 2009
- SEPP (Building Sustainability Index: BASIX) 2004
- SEPP (Coastal Management) 2018
- SEPP (Educational Establishments and Child Care Facilities) 2017
- SEPP (Exempt and Complying Development Codes) 2008
- SEPP (Housing for Seniors or People with a Disability) 2004
- SEPP (Infrastructure) 2007
- SEPP (State and Regional Development) 2011
- SEPP (State Significant Precincts) 2005
- SEPP (Vegetation in Non-Rural Areas) 2017
- SREP (Sydney Harbour Catchment) 2005

Any enquiries regarding these SEPPs should be directed to the Department of Planning and Environment on: **1300 305 695** or <http://www.planning.nsw.gov.au>

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

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SECTION 10.7 (2&5) ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

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

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

- Draft Waverley Local Strategic Planning Statement.
- 
- Infrastructure SEPP (Review)
- SEPP 64 (Advertising and Signage) Amendment

Note: Any enquiries regarding these SEPPs should be directed to the Department of Planning and Environment on: **1300 305 695** or <http://www.planning.nsw.gov.au>

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

The following development control plan (DCP) applies to the land:

- Waverley Development Control Plan 2012 (WDCP 2012)

*Please note the WDCP 2012 is amended from time to time. It is the responsibility of the applicant to ensure that the correct version is applied.*

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

## **ITEM 2**

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

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

- (a) the identity of the zone, whether by reference to a name (such as “Residential Zone” or “Heritage Area”) or by reference to a number (such as “Zone No 2(a)”)
- (b) the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent,
- (c) the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,
- (d) the purposes for which the instrument provides that development is prohibited within the zone,

Waverley Local Environmental Plan 2012 *as published on the NSW Legislation website ([www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au)) and updated from time to time.*

#### **Zone R3 Medium Density Residential**

##### **1 Objectives of zone**

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential

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environment.

- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

2 Permitted without consent

Home occupations.

3 Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facility; Community facilities; Group homes; Home industries; Kiosks; Markets; Multi dwelling housing; Neighbourhood shops; Places of public worship; Respite day care centres; Roads; Seniors housing; Any other development not specified in item 2 or 4.

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Public administration buildings; Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Restricted premises; Rural industries; Rural workers' dwellings; Service stations; Sewage treatment plants; Sex services premises; Shop top housing; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities; Wholesale supplies.

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

The land is **not** subject to any development standards that fix minimum land dimensions for the erection of a dwelling house.

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

The land does **not** comprise critical habitat.

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

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The land is **not** within a Heritage Conservation Area.

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

The land does **not** contain an Item of Environmental Heritage.

**ITEM 2A**

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

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

- (a) Part 3 of the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the 2006 SEPP), or
- (b) A Precinct Plan (within the meaning of the 2006 SEPP), or
- (c) A proposed Precinct Plan that is or has been the subject of community consultation or on public exhibition under the Act,

the particulars referred to in clause 2(a)-(h) in relation to that land (with a reference to “the instrument” in any of those paragraphs being read as a reference to Part 3 of the 2006 SEPP, or the Precinct Plan or proposed Precinct Plan, as the case requires).

The land is **not** subject to the State Environmental Planning Policy (Sydney Region Growth Centres) 2006.

**ITEM 3**

**Complying development**

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

Housing Code

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

Rural Housing Code

There are no lands within the Waverley Council area that are affected by this Code.

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Low Rise Medium Density Housing Code

Complying development under the Low Rise Medium Density Housing Code **may** be carried out on the land.

Greenfield Housing Code

There are no lands within the Waverley Council area that are affected by this Code.

Housing Alterations Code

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

General Development Code

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

Commercial and Industrial Alterations Code

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

Commercial and Industrial (New Buildings and Additions) Code

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

Container Recycling Facilities Code

Complying development under the Container Recycling Facilities Code **may** be carried out on the land.

Subdivisions Code

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

Demolition Code

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

Fire Safety Code

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

Disclaimer: If a restriction applies to the land, the restriction may not apply to all of the land. Council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.

**PLANNING CERTIFICATE UNDER  
SECTION 10.7 (2&5) ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

Complying development may be able to be carried out on the land provided it meets the requirements and standards of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

**ITEM 4, 4A (Repealed)**

**ITEM 4B**

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

In relation to a coastal council - whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

**No.**

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.

**ITEM 5**

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**Mine subsidence**

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

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

**ITEM 6**

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**Road widening and road realignment**

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

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

The land is **not** affected by any road widening or road realignment under Division 2 of Part 3 of the Roads Act 1993, or any environmental planning instrument or any resolution of the Council.

**ITEM 7**

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**Council and other public authority policies on hazard risk restrictions**

Whether or not the land is affected by a policy:

- (a) adopted by the council, or

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- (b) adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the council,

that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

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

**ITEM 7A**

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**Flood related development controls information**

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

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

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

The land is **not** subject to flood related development controls.

- (3) Words and expressions in this clause have the same meanings as in the Standard Instrument.

**ITEM 8**

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**Land reserved for acquisition**

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

The land is **not** affected by any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 that provides for the acquisition of the land by a public authority, as referred to in section 27 of the Act.

## ITEM 9

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### Contributions plans

The name of each contributions plan applying to the land.

Waverley Council Development Contribution Plan 2006

*Please note the Development Contribution Plan is amended from time to time. It is the responsibility of the applicant to ensure that the correct version is applied.*

## ITEM 9A

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### Biodiversity certified land

If the land is biodiversity certified land under Part 8 of the *Biodiversity Conservation Act 2016*, a statement to that effect.

**Note.** Biodiversity certified land includes land certified under Part 7AA of the *Threatened Species Conservation Act 1995* that is taken to be certified under Part 8 of the *Biodiversity Conservation Act 2016*.

The land is **not** biodiversity certified land under Part 8 of the *Biodiversity Conservation Act 2016*.

## ITEM 10

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### Biodiversity stewardship sites

If the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the *Biodiversity Conservation Act 2016*, a statement to that effect (but only if the council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage).

**Note.** Biodiversity stewardship agreements include biobanking agreements under Part 7A of the *Threatened Species Conservation Act 1995* that are taken to be biodiversity stewardship agreements under Part 5 of the *Biodiversity Conservation Act 2016*.

Council has **not** been notified of any biodiversity stewardship agreement under Part 5 of the *Biodiversity Conservation Act 2016* relating to the land.

## ITEM 10A

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### Native vegetation clearing set asides

If the land contains a set aside area under section 60ZC of the *Local Land Services Act 2013*, a statement to that effect (but only if the council has been notified of the existence of the set aside area by Local Land Services or it is registered in the public register under that section).

Council has **not** been notified of the existence of any set aside area by Local Land Services.

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**ITEM 11**

**Bush fire prone land**

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

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

The land is **not** bush fire prone land (as defined in the Act).

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**ITEM 12**

**Property vegetation plans**

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

Council has **not** been notified of any property vegetation plans under the *Native Vegetation Act 2003* applying to the land.

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**ITEM 13**

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

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

**No.**

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**ITEM 14**

**Directions under Part 3A**

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

There is **no** direction under Part 3A.

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**ITEM 15**

**Site compatibility certificates and conditions for seniors housing**

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

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

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(ii) that a copy may be obtained from the head office of the Department, and Council is **not** aware of any Site Compatibility Certificate (Seniors Housing) for this property.

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

Council is **not** aware of any Site Compatibility Certificate (Seniors Housing) for this property.

**ITEM 16**

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**Site compatibility certificates for infrastructure, school or TAFE establishments**

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

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

Council is **not** aware of a site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments).

**ITEM 17**

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

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

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

Council has **not** been notified of any site compatibility certificate and condition for affordable rental housing.

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

Council has **not** been notified of any site compatibility certificate and condition for affordable rental housing.

## ITEM 18

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### Paper subdivision information

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

Council is **not** aware of any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot.

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

There is **no** subdivision order applying to the land.

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

## ITEM 19

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### Site verification certificates

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

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

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

- (b) the date on which the certificate ceases to be current (if any), and  
(c) that a copy may be obtained from the head office of the Department.

Council has **not** been notified of any site verification certificates.

## ITEM 20

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### Loose-fill asbestos insulation

If the land includes any residential premises (within the meaning of Division 1A of Part 8 of the *Home Building Act 1989*) that are listed on the register that is required to be maintained under that Division, a statement to that effect

Council has **not** been notified of a residential dwelling erected on this land containing loose-fill asbestos ceiling insulation. Contact NSW Fair Trading for more information.

## ITEM 21

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### Affected building notices and building product rectification orders

- (1) A statement of whether there is any affected building notice of which the council is aware that is in force in respect of the land.

Council is **not** aware of any affected building notice that is in force in respect of the land.

- (2) A statement of:

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- (a) whether there is any building product rectification order of which the council is aware that is in force in respect of the land and has not been fully complied with, and

Council is **not** aware of any building product rectification order that is in force in respect of the land and has not been fully complied with.

- (b) whether any notice of intention to make a building product rectification order of which the council is aware has been given in respect of the land and is outstanding.

Council is **not** aware of any notice of intention to make a building product rectification order in respect of the land and is outstanding.

- (3) In this clause:

**affected building notice** has the same meaning as in Part 4 of the *Building Products (Safety) Act 2017*.

**building product rectification order** has the same meaning as in the *Building Products (Safety) Act 2017*.

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

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

**No.**

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

**No.**

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

**No.**

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

**No.**

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

**No.**

Additional information may be provided under section 10.7(5) of the Environmental Planning & Assessment Act 1979. The provision of any such additional information in this certificate is in good faith and subject to section 10.7(6) of the Environmental Planning & Assessment Act 1979.

- BOARDING HOUSES: State Environmental Planning Policy (Affordable Rental Housing) 2009 (ARHSEPP) includes provisions for Boarding Houses. The ARHSEPP is to be consulted if it is intended to demolish, alter or add to, or change the fabric or furnish of a boarding house or to change its use.
- The site is identified on the Waverley Local Environmental Plan 2012 Lot Size Map, and is subject to Clause 4.1 Minimum subdivision lot size of the Waverley Local Environmental Plan 2012. The minimum lot size for the subject site is 325 sqm.

▪ View recent Development Applications relating to the land via the Development Application Tracking Tool available at Council's website [Track a Development Application.](#)

Further information about this certificate may be available from Council's Duty Planner.

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.....  
**Ross McLeod**  
**GENERAL MANAGER**

# PLANNING CERTIFICATE

## UNDER SECTION 10.7 (2&5) ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979



WAVERLEY  
COUNCIL

Page No: 1

Online Services  
Waverley Council

Cert. No.43839  
Date: 23 April 2020  
Receipt No. 2214890  
Your reference: 58774:39340

Property location      **103 Birrell Street, WAVERLEY NSW 2024**  
Parcel description:    **Lot 1 DP 515904**  
  
Owner:                    **The Uniting Church in Aust Property Trust (NSW)**  
  
                                  **PO Box A2178**  
                                  **SYDNEY SOUTH NSW 1235**

[The next page is page 2]

**Waverley Council** | ABN: 12 502 583 608

PO Box 9, Bondi Junction NSW 1355 | DX 12006 Bondi Junction

PHONE **9083 8000** | FAX **9387 1820**

EMAIL [waver@waverley.nsw.gov.au](mailto:waver@waverley.nsw.gov.au) | WEB [www.waverley.nsw.gov.au](http://www.waverley.nsw.gov.au)

**PLANNING CERTIFICATE UNDER  
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The information in this certificate is provided under section 10.7(2) Environmental Planning & Assessment Act 1979 and the Environmental Planning & Assessment Regulation 2000, specifically Schedule 4.

The Council warns that:

- other authorities may hold information in respect of the land to which this certificate relates;
- the Council's records may not be complete or accurate in respect of the land; and
- the absence of a reference to any matter affecting the land does not imply that the land is not affected by any matter not referred to in this certificate.

Further information about this certificate may be available from Council's Duty Planner.

**ITEM 1**

---

**Names of relevant planning instruments and DCPs**

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

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

Waverley Local Environmental Plan 2012 *as published on the NSW Legislation website ([www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au)) and updated from time to time.*

- SEPP No. 19 Bushland in Urban Areas
- SEPP No. 33 Hazardous and Offensive Development
- SEPP No. 50 Canal Estates
- SEPP No. 55 Remediation of Land
- SEPP No. 64 Advertising and Signage
- SEPP No. 65 Design Quality of Residential Flat Development
- SEPP No. 70 Affordable Housing (Revised Schemes)
- SEPP (Affordable Rental Housing) 2009
- SEPP (Building Sustainability Index: BASIX) 2004
- SEPP (Coastal Management) 2018
- SEPP (Educational Establishments and Child Care Facilities) 2017
- SEPP (Exempt and Complying Development Codes) 2008
- SEPP (Housing for Seniors or People with a Disability) 2004
- SEPP (Infrastructure) 2007
- SEPP (State and Regional Development) 2011
- SEPP (State Significant Precincts) 2005
- SEPP (Vegetation in Non-Rural Areas) 2017
- SREP (Sydney Harbour Catchment) 2005

Any enquiries regarding these SEPPs should be directed to the Department of Planning and Environment on: **1300 305 695** or <http://www.planning.nsw.gov.au>

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

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

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

- Draft Waverley Local Strategic Planning Statement.
- 
- Infrastructure SEPP (Review)
- SEPP 64 (Advertising and Signage) Amendment

Note: Any enquiries regarding these SEPPs should be directed to the Department of Planning and Environment on: **1300 305 695** or <http://www.planning.nsw.gov.au>

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

The following development control plan (DCP) applies to the land:

- Waverley Development Control Plan 2012 (WDCP 2012)

*Please note the WDCP 2012 is amended from time to time. It is the responsibility of the applicant to ensure that the correct version is applied.*

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

## **ITEM 2**

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

---

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

- (a) the identity of the zone, whether by reference to a name (such as “Residential Zone” or “Heritage Area”) or by reference to a number (such as “Zone No 2(a)”)
- (b) the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent,
- (c) the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,
- (d) the purposes for which the instrument provides that development is prohibited within the zone,

Waverley Local Environmental Plan 2012 *as published on the NSW Legislation website ([www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au)) and updated from time to time.*

#### **Zone R3 Medium Density Residential**

##### **1 Objectives of zone**

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential

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environment.

- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

2 Permitted without consent

Home occupations.

3 Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facility; Community facilities; Group homes; Home industries; Kiosks; Markets; Multi dwelling housing; Neighbourhood shops; Places of public worship; Respite day care centres; Roads; Seniors housing; Any other development not specified in item 2 or 4.

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Public administration buildings; Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Restricted premises; Rural industries; Rural workers' dwellings; Service stations; Sewage treatment plants; Sex services premises; Shop top housing; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities; Wholesale supplies.

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

The land is **not** subject to any development standards that fix minimum land dimensions for the erection of a dwelling house.

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

The land does **not** comprise critical habitat.

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

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The land is **not** within a Heritage Conservation Area.

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

The land does **not** contain an Item of Environmental Heritage.

**ITEM 2A**

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

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

- (a) Part 3 of the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the 2006 SEPP), or
- (b) A Precinct Plan (within the meaning of the 2006 SEPP), or
- (c) A proposed Precinct Plan that is or has been the subject of community consultation or on public exhibition under the Act,

the particulars referred to in clause 2(a)-(h) in relation to that land (with a reference to “the instrument” in any of those paragraphs being read as a reference to Part 3 of the 2006 SEPP, or the Precinct Plan or proposed Precinct Plan, as the case requires).

The land is **not** subject to the State Environmental Planning Policy (Sydney Region Growth Centres) 2006.

**ITEM 3**

**Complying development**

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

Housing Code

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

Rural Housing Code

There are no lands within the Waverley Council area that are affected by this Code.

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Low Rise Medium Density Housing Code

Complying development under the Low Rise Medium Density Housing Code **may** be carried out on the land.

Greenfield Housing Code

There are no lands within the Waverley Council area that are affected by this Code.

Housing Alterations Code

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

General Development Code

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

Commercial and Industrial Alterations Code

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

Commercial and Industrial (New Buildings and Additions) Code

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

Container Recycling Facilities Code

Complying development under the Container Recycling Facilities Code **may** be carried out on the land.

Subdivisions Code

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

Demolition Code

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

Fire Safety Code

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

Disclaimer: If a restriction applies to the land, the restriction may not apply to all of the land. Council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.

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Complying development may be able to be carried out on the land provided it meets the requirements and standards of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

**ITEM 4, 4A (Repealed)**

**ITEM 4B**

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

In relation to a coastal council - whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

**No.**

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.

**ITEM 5**

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**Mine subsidence**

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

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

**ITEM 6**

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**Road widening and road realignment**

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

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

The land is **not** affected by any road widening or road realignment under Division 2 of Part 3 of the Roads Act 1993, or any environmental planning instrument or any resolution of the Council.

**ITEM 7**

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**Council and other public authority policies on hazard risk restrictions**

Whether or not the land is affected by a policy:

- (a) adopted by the council, or

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SECTION 10.7 (2&5) ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

- (b) adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the council,

that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

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

**ITEM 7A**

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**Flood related development controls information**

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

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

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

The land is **not** subject to flood related development controls.

- (3) Words and expressions in this clause have the same meanings as in the Standard Instrument.

**ITEM 8**

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**Land reserved for acquisition**

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

The land is **not** affected by any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 that provides for the acquisition of the land by a public authority, as referred to in section 27 of the Act.

## ITEM 9

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### Contributions plans

The name of each contributions plan applying to the land.

Waverley Council Development Contribution Plan 2006

*Please note the Development Contribution Plan is amended from time to time. It is the responsibility of the applicant to ensure that the correct version is applied.*

## ITEM 9A

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### Biodiversity certified land

If the land is biodiversity certified land under Part 8 of the *Biodiversity Conservation Act 2016*, a statement to that effect.

**Note.** Biodiversity certified land includes land certified under Part 7AA of the *Threatened Species Conservation Act 1995* that is taken to be certified under Part 8 of the *Biodiversity Conservation Act 2016*.

The land is **not** biodiversity certified land under Part 8 of the *Biodiversity Conservation Act 2016*.

## ITEM 10

---

### Biodiversity stewardship sites

If the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the *Biodiversity Conservation Act 2016*, a statement to that effect (but only if the council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage).

**Note.** Biodiversity stewardship agreements include biobanking agreements under Part 7A of the *Threatened Species Conservation Act 1995* that are taken to be biodiversity stewardship agreements under Part 5 of the *Biodiversity Conservation Act 2016*.

Council has **not** been notified of any biodiversity stewardship agreement under Part 5 of the *Biodiversity Conservation Act 2016* relating to the land.

## ITEM 10A

---

### Native vegetation clearing set asides

If the land contains a set aside area under section 60ZC of the *Local Land Services Act 2013*, a statement to that effect (but only if the council has been notified of the existence of the set aside area by Local Land Services or it is registered in the public register under that section).

Council has **not** been notified of the existence of any set aside area by Local Land Services.

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**ITEM 11**

**Bush fire prone land**

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

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

The land is **not** bush fire prone land (as defined in the Act).

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**ITEM 12**

**Property vegetation plans**

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

Council has **not** been notified of any property vegetation plans under the *Native Vegetation Act 2003* applying to the land.

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**ITEM 13**

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

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

**No.**

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**ITEM 14**

**Directions under Part 3A**

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

There is **no** direction under Part 3A.

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**ITEM 15**

**Site compatibility certificates and conditions for seniors housing**

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

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

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(ii) that a copy may be obtained from the head office of the Department, and Council is **not** aware of any Site Compatibility Certificate (Seniors Housing) for this property.

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

Council is **not** aware of any Site Compatibility Certificate (Seniors Housing) for this property.

**ITEM 16**

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**Site compatibility certificates for infrastructure, school or TAFE establishments**

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

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

Council is **not** aware of a site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments).

**ITEM 17**

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

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

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

Council has **not** been notified of any site compatibility certificate and condition for affordable rental housing.

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

Council has **not** been notified of any site compatibility certificate and condition for affordable rental housing.

## ITEM 18

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### Paper subdivision information

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

Council is **not** aware of any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot.

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

There is **no** subdivision order applying to the land.

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

## ITEM 19

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### Site verification certificates

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

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

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

- (b) the date on which the certificate ceases to be current (if any), and  
(c) that a copy may be obtained from the head office of the Department.

Council has **not** been notified of any site verification certificates.

## ITEM 20

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### Loose-fill asbestos insulation

If the land includes any residential premises (within the meaning of Division 1A of Part 8 of the *Home Building Act 1989*) that are listed on the register that is required to be maintained under that Division, a statement to that effect

Council has **not** been notified of a residential dwelling erected on this land containing loose-fill asbestos ceiling insulation. Contact NSW Fair Trading for more information.

## ITEM 21

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### Affected building notices and building product rectification orders

- (1) A statement of whether there is any affected building notice of which the council is aware that is in force in respect of the land.

Council is **not** aware of any affected building notice that is in force in respect of the land.

- (2) A statement of:

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- (a) whether there is any building product rectification order of which the council is aware that is in force in respect of the land and has not been fully complied with, and

Council is **not** aware of any building product rectification order that is in force in respect of the land and has not been fully complied with.

- (b) whether any notice of intention to make a building product rectification order of which the council is aware has been given in respect of the land and is outstanding.

Council is **not** aware of any notice of intention to make a building product rectification order in respect of the land and is outstanding.

- (3) In this clause:

**affected building notice** has the same meaning as in Part 4 of the *Building Products (Safety) Act 2017*.

**building product rectification order** has the same meaning as in the *Building Products (Safety) Act 2017*.

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

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

**No.**

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

**No.**

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

**No.**

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

**No.**

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

**No.**

Additional information may be provided under section 10.7(5) of the Environmental Planning & Assessment Act 1979. The provision of any such additional information in this certificate is in good faith and subject to section 10.7(6) of the Environmental Planning & Assessment Act 1979.

- BOARDING HOUSES: State Environmental Planning Policy (Affordable Rental Housing) 2009 (ARHSEPP) includes provisions for Boarding Houses. The ARHSEPP is to be consulted if it is intended to demolish, alter or add to, or change the fabric or furnish of a boarding house or to change its use.
- The site is identified on the Waverley Local Environmental Plan 2012 Lot Size Map, and is subject to Clause 4.1 Minimum subdivision lot size of the Waverley Local Environmental Plan 2012. The minimum lot size for the subject site is 325 sqm.

▪ View recent Development Applications relating to the land via the Development Application Tracking Tool available at Council's website [Track a Development Application.](#)

Further information about this certificate may be available from Council's Duty Planner.

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.....  
**Ross McLeod**  
**GENERAL MANAGER**

# PLANNING CERTIFICATE

## UNDER SECTION 10.7 (2&5) ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979



W A V E R L E Y  
C O U N C I L

Page No: 1

Online Services  
Waverley Council

Cert. No.43840  
Date: 23 April 2020  
Receipt No. 2214890  
Your reference: 58774:39340

Property location      **117 Birrell Street, WAVERLEY NSW 2024**

Parcel description:    **Lot 2 DP 212655**

Owner:                    **Mr D R McDonald**  
  
                                  **117 Birrell St**  
                                  **WAVERLEY NSW 2024**

[The next page is page 2]

**Waverley Council** | ABN: 12 502 583 608

PO Box 9, Bondi Junction NSW 1355 | DX 12006 Bondi Junction

PHONE **9083 8000** | FAX **9387 1820**

EMAIL [waver@waverley.nsw.gov.au](mailto:waver@waverley.nsw.gov.au) | WEB [www.waverley.nsw.gov.au](http://www.waverley.nsw.gov.au)

**PLANNING CERTIFICATE UNDER  
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The information in this certificate is provided under section 10.7(2) Environmental Planning & Assessment Act 1979 and the Environmental Planning & Assessment Regulation 2000, specifically Schedule 4.

The Council warns that:

- other authorities may hold information in respect of the land to which this certificate relates;
- the Council's records may not be complete or accurate in respect of the land; and
- the absence of a reference to any matter affecting the land does not imply that the land is not affected by any matter not referred to in this certificate.

Further information about this certificate may be available from Council's Duty Planner.

**ITEM 1**

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**Names of relevant planning instruments and DCPs**

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

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

Waverley Local Environmental Plan 2012 *as published on the NSW Legislation website ([www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au)) and updated from time to time.*

- SEPP No. 19 Bushland in Urban Areas
- SEPP No. 33 Hazardous and Offensive Development
- SEPP No. 50 Canal Estates
- SEPP No. 55 Remediation of Land
- SEPP No. 64 Advertising and Signage
- SEPP No. 65 Design Quality of Residential Flat Development
- SEPP No. 70 Affordable Housing (Revised Schemes)
- SEPP (Affordable Rental Housing) 2009
- SEPP (Building Sustainability Index: BASIX) 2004
- SEPP (Coastal Management) 2018
- SEPP (Educational Establishments and Child Care Facilities) 2017
- SEPP (Exempt and Complying Development Codes) 2008
- SEPP (Housing for Seniors or People with a Disability) 2004
- SEPP (Infrastructure) 2007
- SEPP (State and Regional Development) 2011
- SEPP (State Significant Precincts) 2005
- SEPP (Vegetation in Non-Rural Areas) 2017
- SREP (Sydney Harbour Catchment) 2005

Any enquiries regarding these SEPPs should be directed to the Department of Planning and Environment on: **1300 305 695** or <http://www.planning.nsw.gov.au>

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

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

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

- Draft Waverley Local Strategic Planning Statement.
- 
- Infrastructure SEPP (Review)
- SEPP 64 (Advertising and Signage) Amendment

Note: Any enquiries regarding these SEPPs should be directed to the Department of Planning and Environment on: **1300 305 695** or <http://www.planning.nsw.gov.au>

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

The following development control plan (DCP) applies to the land:

- Waverley Development Control Plan 2012 (WDCP 2012)

*Please note the WDCP 2012 is amended from time to time. It is the responsibility of the applicant to ensure that the correct version is applied.*

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

## **ITEM 2**

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

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

- (a) the identity of the zone, whether by reference to a name (such as “Residential Zone” or “Heritage Area”) or by reference to a number (such as “Zone No 2(a)”)
- (b) the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent,
- (c) the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,
- (d) the purposes for which the instrument provides that development is prohibited within the zone,

Waverley Local Environmental Plan 2012 *as published on the NSW Legislation website ([www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au)) and updated from time to time.*

#### **Zone R3 Medium Density Residential**

##### **1 Objectives of zone**

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential

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environment.

- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

2 Permitted without consent

Home occupations.

3 Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facility; Community facilities; Group homes; Home industries; Kiosks; Markets; Multi dwelling housing; Neighbourhood shops; Places of public worship; Respite day care centres; Roads; Seniors housing; Any other development not specified in item 2 or 4.

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Public administration buildings; Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Restricted premises; Rural industries; Rural workers' dwellings; Service stations; Sewage treatment plants; Sex services premises; Shop top housing; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities; Wholesale supplies.

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

The land is **not** subject to any development standards that fix minimum land dimensions for the erection of a dwelling house.

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

The land does **not** comprise critical habitat.

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

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The land is **not** within a Heritage Conservation Area.

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

The land does **not** contain an Item of Environmental Heritage.

**ITEM 2A**

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

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

- (a) Part 3 of the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the 2006 SEPP), or
- (b) A Precinct Plan (within the meaning of the 2006 SEPP), or
- (c) A proposed Precinct Plan that is or has been the subject of community consultation or on public exhibition under the Act,

the particulars referred to in clause 2(a)-(h) in relation to that land (with a reference to “the instrument” in any of those paragraphs being read as a reference to Part 3 of the 2006 SEPP, or the Precinct Plan or proposed Precinct Plan, as the case requires).

The land is **not** subject to the State Environmental Planning Policy (Sydney Region Growth Centres) 2006.

**ITEM 3**

**Complying development**

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

Housing Code

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

Rural Housing Code

There are no lands within the Waverley Council area that are affected by this Code.

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Low Rise Medium Density Housing Code

Complying development under the Low Rise Medium Density Housing Code **may** be carried out on the land.

Greenfield Housing Code

There are no lands within the Waverley Council area that are affected by this Code.

Housing Alterations Code

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

General Development Code

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

Commercial and Industrial Alterations Code

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

Commercial and Industrial (New Buildings and Additions) Code

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

Container Recycling Facilities Code

Complying development under the Container Recycling Facilities Code **may** be carried out on the land.

Subdivisions Code

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

Demolition Code

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

Fire Safety Code

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

Disclaimer: If a restriction applies to the land, the restriction may not apply to all of the land. Council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.

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Complying development may be able to be carried out on the land provided it meets the requirements and standards of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

**ITEM 4, 4A (Repealed)**

**ITEM 4B**

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

In relation to a coastal council - whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

**No.**

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.

**ITEM 5**

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**Mine subsidence**

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

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

**ITEM 6**

---

**Road widening and road realignment**

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

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

The land is **not** affected by any road widening or road realignment under Division 2 of Part 3 of the Roads Act 1993, or any environmental planning instrument or any resolution of the Council.

**ITEM 7**

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**Council and other public authority policies on hazard risk restrictions**

Whether or not the land is affected by a policy:

- (a) adopted by the council, or

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- (b) adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the council,

that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

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

**ITEM 7A**

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**Flood related development controls information**

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

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

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

The land is **not** subject to flood related development controls.

- (3) Words and expressions in this clause have the same meanings as in the Standard Instrument.

**ITEM 8**

---

**Land reserved for acquisition**

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

The land is **not** affected by any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 that provides for the acquisition of the land by a public authority, as referred to in section 27 of the Act.

## ITEM 9

---

### Contributions plans

The name of each contributions plan applying to the land.

Waverley Council Development Contribution Plan 2006

*Please note the Development Contribution Plan is amended from time to time. It is the responsibility of the applicant to ensure that the correct version is applied.*

## ITEM 9A

---

### Biodiversity certified land

If the land is biodiversity certified land under Part 8 of the *Biodiversity Conservation Act 2016*, a statement to that effect.

**Note.** Biodiversity certified land includes land certified under Part 7AA of the *Threatened Species Conservation Act 1995* that is taken to be certified under Part 8 of the *Biodiversity Conservation Act 2016*.

The land is **not** biodiversity certified land under Part 8 of the *Biodiversity Conservation Act 2016*.

## ITEM 10

---

### Biodiversity stewardship sites

If the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the *Biodiversity Conservation Act 2016*, a statement to that effect (but only if the council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage).

**Note.** Biodiversity stewardship agreements include biobanking agreements under Part 7A of the *Threatened Species Conservation Act 1995* that are taken to be biodiversity stewardship agreements under Part 5 of the *Biodiversity Conservation Act 2016*.

Council has **not** been notified of any biodiversity stewardship agreement under Part 5 of the *Biodiversity Conservation Act 2016* relating to the land.

## ITEM 10A

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### Native vegetation clearing set asides

If the land contains a set aside area under section 60ZC of the *Local Land Services Act 2013*, a statement to that effect (but only if the council has been notified of the existence of the set aside area by Local Land Services or it is registered in the public register under that section).

Council has **not** been notified of the existence of any set aside area by Local Land Services.

#### ITEM 11

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##### **Bush fire prone land**

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

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

The land is **not** bush fire prone land (as defined in the Act).

#### ITEM 12

---

##### **Property vegetation plans**

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

Council has **not** been notified of any property vegetation plans under the *Native Vegetation Act 2003* applying to the land.

#### ITEM 13

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##### **Orders under Trees (Disputes Between Neighbours) Act 2006**

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

**No.**

#### ITEM 14

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##### **Directions under Part 3A**

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

There is **no** direction under Part 3A.

#### ITEM 15

---

##### **Site compatibility certificates and conditions for seniors housing**

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

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

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(ii) that a copy may be obtained from the head office of the Department, and Council is **not** aware of any Site Compatibility Certificate (Seniors Housing) for this property.

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

Council is **not** aware of any Site Compatibility Certificate (Seniors Housing) for this property.

**ITEM 16**

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**Site compatibility certificates for infrastructure, school or TAFE establishments**

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

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

Council is **not** aware of a site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments).

**ITEM 17**

---

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

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

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

Council has **not** been notified of any site compatibility certificate and condition for affordable rental housing.

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

Council has **not** been notified of any site compatibility certificate and condition for affordable rental housing.

## ITEM 18

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### Paper subdivision information

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

Council is **not** aware of any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot.

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

There is **no** subdivision order applying to the land.

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

## ITEM 19

---

### Site verification certificates

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

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

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

- (b) the date on which the certificate ceases to be current (if any), and  
(c) that a copy may be obtained from the head office of the Department.

Council has **not** been notified of any site verification certificates.

## ITEM 20

---

### Loose-fill asbestos insulation

If the land includes any residential premises (within the meaning of Division 1A of Part 8 of the *Home Building Act 1989*) that are listed on the register that is required to be maintained under that Division, a statement to that effect

Council has **not** been notified of a residential dwelling erected on this land containing loose-fill asbestos ceiling insulation. Contact NSW Fair Trading for more information.

## ITEM 21

---

### Affected building notices and building product rectification orders

- (1) A statement of whether there is any affected building notice of which the council is aware that is in force in respect of the land.

Council is **not** aware of any affected building notice that is in force in respect of the land.

- (2) A statement of:

**PLANNING CERTIFICATE UNDER  
SECTION 10.7 (2&5) ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

- (a) whether there is any building product rectification order of which the council is aware that is in force in respect of the land and has not been fully complied with, and

Council is **not** aware of any building product rectification order that is in force in respect of the land and has not been fully complied with.

- (b) whether any notice of intention to make a building product rectification order of which the council is aware has been given in respect of the land and is outstanding.

Council is **not** aware of any notice of intention to make a building product rectification order in respect of the land and is outstanding.

- (3) In this clause:

**affected building notice** has the same meaning as in Part 4 of the *Building Products (Safety) Act 2017*.

**building product rectification order** has the same meaning as in the *Building Products (Safety) Act 2017*.

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

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

**No.**

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

**No.**

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

**No.**

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

**No.**

**PLANNING CERTIFICATE UNDER  
SECTION 10.7 (2&5) ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

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

**No.**

Additional information may be provided under section 10.7(5) of the Environmental Planning & Assessment Act 1979. The provision of any such additional information in this certificate is in good faith and subject to section 10.7(6) of the Environmental Planning & Assessment Act 1979.

- BOARDING HOUSES: State Environmental Planning Policy (Affordable Rental Housing) 2009 (ARHSEPP) includes provisions for Boarding Houses. The ARHSEPP is to be consulted if it is intended to demolish, alter or add to, or change the fabric or furnish of a boarding house or to change its use.
- The site is identified on the Waverley Local Environmental Plan 2012 Lot Size Map, and is subject to Clause 4.1 Minimum subdivision lot size of the Waverley Local Environmental Plan 2012. The minimum lot size for the subject site is 325 sqm.

▪ View recent Development Applications relating to the land via the Development Application Tracking Tool available at Council's website [Track a Development Application.](#)

Further information about this certificate may be available from Council's Duty Planner.

---



.....  
**Ross McLeod**  
**GENERAL MANAGER**

## Appendix F Historical Aerial Photographs



**Legend**

 Approximate Site Boundary



Job No: 58774

Client: Uniting Care

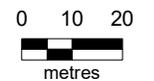
Version: Misc

Date 28/05/2020

Drawn By: JA

Checked By: AB

Scale 1:1,500



Coord. Sys. GDA 1994 MGA Zone 56

**99 - 117 Birrell Street  
Waverly, NSW**

**HISTOICAL AERIAL - 1930**

**HISTORICAL AERIAL**



**Legend**

 Approximate Site Boundary



Job No: 58774

Client: Uniting Care

Version: Misc

Date 28/05/2020

Drawn By: JA

Checked By: AB

Scale 1:1,500



0 10 20



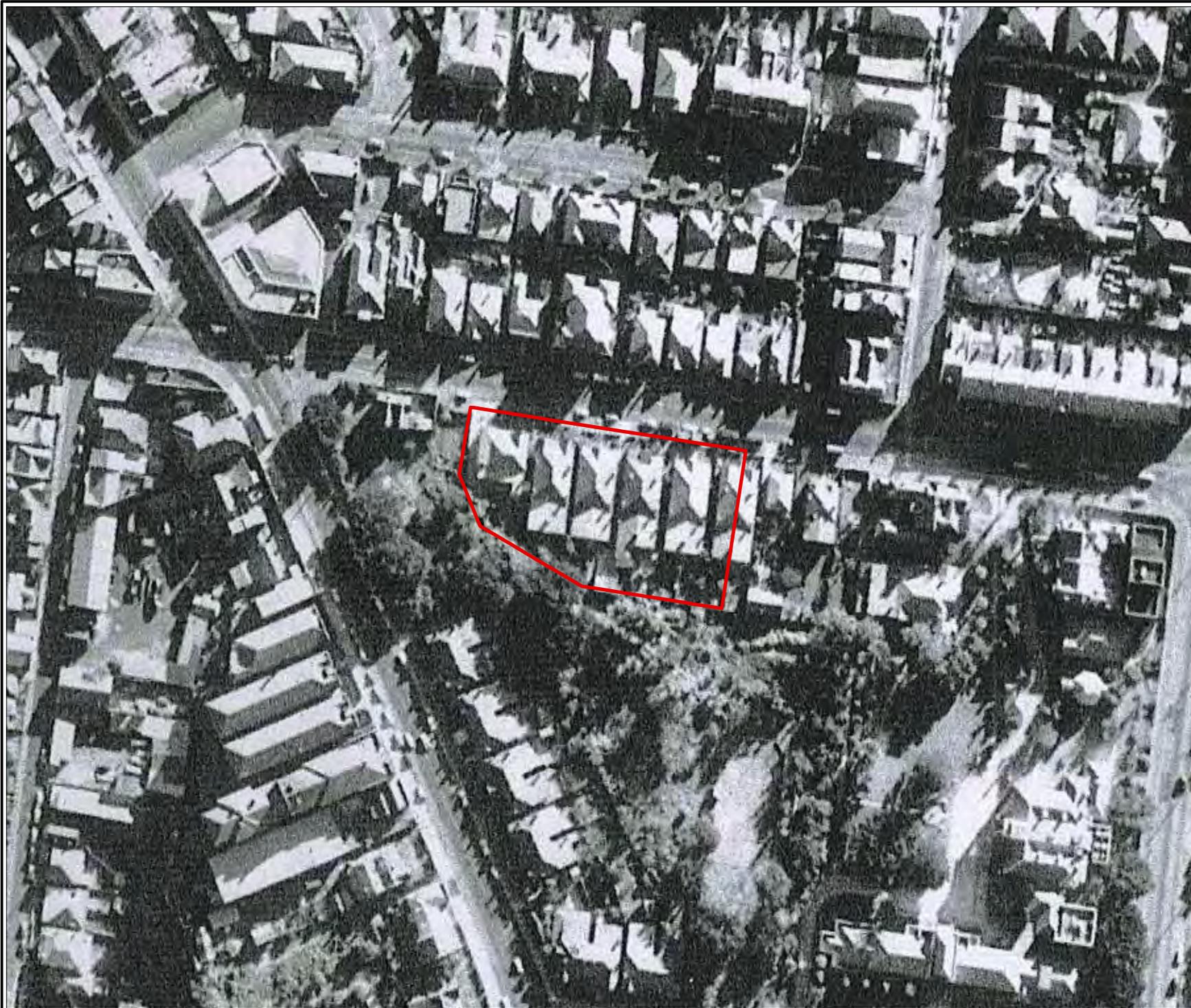
metres

Coord. Sys. GDA 1994 MGA Zone 56

**99 - 117 Birrell Street  
Waverly, NSW**

**HISTOICAL AERIAL - 1951**

**HISTORICAL AERIAL**



**Legend**

 Approximate Site Boundary



Job No: 58774

Client: Uniting Care

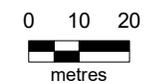
Version: Misc

Date 28/05/2020

Drawn By: JA

Checked By: AB

Scale 1:1,500



Coord. Sys. GDA 1994 MGA Zone 56

**99 - 117 Birrell Street  
Waverly, NSW**

**HISTOICAL AERIAL - 1961**

**HISTORICAL AERIAL**



**Legend**

 Approximate Site Boundary



Job No: 58774

Client: Uniting Care

Version: Misc

Date 28/05/2020

Drawn By: JA

Checked By: AB

Scale 1:1,500



0 10 20



metres

Coord. Sys. GDA 1994 MGA Zone 56

**99 - 117 Birrell Street  
Waverly, NSW**

**HISTOICAL AERIAL - 1970**

**HISTORICAL AERIAL**



**Legend**

 Approximate Site Boundary



Job No: 58774

Client: Uniting Care

Version: Misc

Date 28/05/2020

Drawn By: JA

Checked By: AB

Scale 1:1,500



0 10 20



metres

Coord. Sys. GDA 1994 MGA Zone 56

**99 - 117 Birrell Street  
Waverly, NSW**

**HISTOICAL AERIAL - 1978**

**HISTORICAL AERIAL**



**Legend**

 Approximate Site Boundary



Job No: 58774

Client: Uniting Care

Version: Misc

Date 28/05/2020

Drawn By: JA

Checked By: AB

Scale 1:1,500



0 10 20



metres

Coord. Sys. GDA 1994 MGA Zone 56

**99 - 117 Birrell Street  
Waverly, NSW**

**HISTOICAL AERIAL - 1986**

**HISTORICAL AERIAL**



**Legend**

 Approximate Site Boundary



Job No: 58774

Client: Uniting Care

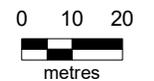
Version: Misc

Date 28/05/2020

Drawn By: JA

Checked By: AB

Scale 1:1,500



Coord. Sys. GDA 1994 MGA Zone 56

**99 - 117 Birrell Street  
Waverly, NSW**

**HISTOICAL AERIAL - 1994**

**HISTORICAL AERIAL**



**Legend**

 Approximate Site Boundary



Job No: 58774

Client: Uniting Care

Version: Misc

Date 28/05/2020

Drawn By: JA

Checked By: AB

Scale 1:1,500



0 10 20



metres

Coord. Sys. GDA 1994 MGA Zone 56

**99 - 117 Birrell Street  
Waverly, NSW**

**HISTOICAL AERIAL - 2004**

**HISTORICAL AERIAL**



**Legend**  
 Approximate Site Boundary

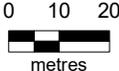


Job No: 58774

Client: Uniting Care

Version: Misc	Date 28/05/2020
Drawn By: JA	Checked By: AB

Scale 1:1,500 

  
metres

Coord. Sys. GDA 1994 MGA Zone 56

**99 - 117 Birrell Street  
Waverly, NSW**

**HISTOICAL AERIAL - 2020**

**HISTORICAL AERIAL**

## Appendix G Historical Land Title Records



ABN: 36 092 724 251  
 Ph: 02 9099 7400  
 (Ph: 0412 199 304)

Level 14, 135 King Street, Sydney  
 Sydney 2000  
 GPO Box 4103 Sydney NSW 2001  
 DX 967 Sydney

**Summary of Owners Report**

**Address: - 99, 103 & 117 Birrell Street, Waverley**

**Description: - Lot 1 D.P. 1115322, Lots 1 & 2 D.P. 515904 & Lot 2 D.P. 212655**

**As regards 99 Birrell Street – Lot 1 D.P 1115322**

<b><u>Date of Acquisition and term held</u></b>	<b><u>Registered Proprietor(s) &amp; Occupations where available</u></b>	<b><u>Reference to Title at Acquisition and sale</u></b>
31.07.1925 (1925 to 1941)	Bessie Irene Hipsley (Married Woman)	Vol 3758 Fol 19
19.06.1941 (1941 to 1951)	Betty Vickery Hipsley (Spinster)	Vol 3758 Fol 19
10.01.1951 (1951 to 1963)	Francesco Lagudi (Greengrocer)	Vol 3758 Fol 19
15.11.1963 (1963 to 1969)	Carmella Lagudi (Home Duties)	Vol 3758 Fol 19
29.07.1969 (1969 to 1979)	Sonia Elias (Married Woman)	Vol 3758 Fol 19
03.10.1979 (1979 to 2009)	Tomas Rodriguez (Factory Employee) Cecelia Rodriguez (Married Woman)	Vol 3758 Fol 19 Now 1/1115332
24.02.2009 (2009 to date)	Cecelia Rodriguez (Widow)	1/1115332 Now Auto Consol 3758-19

**# Denotes current registered proprietor**

**Leases & Easements: - NIL**

**As regards 101 Birrell Street – Lot 2 D.P 515904**

<b><u>Date of Acquisition and term held</u></b>	<b><u>Registered Proprietor(s) &amp; Occupations where available</u></b>	<b><u>Reference to Title at Acquisition and sale</u></b>
10.10.1917 (1917 to 1948)	George William Ireland (Moulder)	Vol 2309 Fol 184
16.04.1948 (1948 to 1964)	George William Ireland, Junior (Oxy Welder) (Transmission Application not investigated)	Vol 2309 Fol 184
28.05.1964 (1964 to 1965)	Keith Walter Ireland (Accountant) Ronald Edwin Ireland (Sheet Metal Worker) (Section 94 Application not investigated)	Vol 2309 Fol 184 Now Vol 10145 Fol 167
25.10.1965 (1965 to 1975)	Grasett Investments Pty Limited	Vol 10145 Fol 167
24.02.1975 (1975 to 1990)	Joseph Harold Palmada (Clerk) Eileen Muriel Palmada (Married Woman)	Vol 10145 Fol 167 Now 2/515904



ABN: 36 092 724 251  
 Ph: 02 9099 7400  
 (Ph: 0412 199 304)

Level 14, 135 King Street, Sydney  
 Sydney 2000  
 GPO Box 4103 Sydney NSW 2001  
 DX 967 Sydney

Continued as regards 101 Birrell Street – Lot 2 D.P 515904

<u>Date of Acquisition and term held</u>	<u>Registered Proprietor(s) &amp; Occupations where available</u>	<u>Reference to Title at Acquisition and sale</u>
19.12.1990 (1990 to date)	# Peter Jon Murrant	2/515904

**# Denotes current registered proprietor**

**Leases: - NIL**

**Easements: -**

- 06.09.1965 (K 145978) Cross Easements for Support

As regards 103 Birrell Street – Lot 1 D.P 515904

<u>Date of Acquisition and term held</u>	<u>Registered Proprietor(s) &amp; Occupations where available</u>	<u>Reference to Title at Acquisition and sale</u>
10.10.1917 (1917 to 1948)	George William Ireland (Moulder)	Vol 2309 Fol 184
16.04.1948 (1948 to 1964)	George William Ireland, Junior (Oxy Welder) (Transmission Application not investigated)	Vol 2309 Fol 184
28.05.1964 (1964 to 1965)	Keith Walter Ireland (Accountant) Ronald Edwin Ireland (Sheet Metal Worker) (Section 94 Application not investigated)	Vol 2309 Fol 184 Now Vol 10145 Fol 166
06.09.1965 (1965 to 1968)	Malcolm Bernard Mason (Laundry Manager) Mary Bernadette Mason (Married Woman)	Vol 10145 Fol 166
16.02.1968 (1968 to 1970)	Julian John Tamasi (Foreman) Susan Tamasi (Married Woman)	Vol 10145 Fol 166
23.12.1971 (1971 to 1971)	The Methodist Trust Association	Vol 10145 Fol 166
23.12.1971 (1971 to 1998)	Methodist Church (NSW) Property Trust Now The Uniting Church in Australia Property Trust (NSW)	Vol 10145 Fol 166 Now 1/515904
02.11.1998 (1998 to 2007)	Louis Francis Vella Kathleen Ann Fogarty	1/515904
05.10.2007 (2007 to 2010)	Gavin Anthony Kawalsky Jessica Anne Kawalsky	1/515904
03.12.2010 (2010 to date)	# The Uniting Church in Australia Property Trust (NSW)	1/515904

**# Denotes current registered proprietor**

**Leases: - NIL**

**Easements: -**

- 06.09.1965 (K 145978) Cross Easements for Support



ABN: 36 092 724 251  
Ph: 02 9099 7400  
(Ph: 0412 199 304)

Level 14, 135 King Street, Sydney  
Sydney 2000  
GPO Box 4103 Sydney NSW 2001  
DX 967 Sydney

**As regards 117 Birrell Street – Lot 2 D.P. 212655**

<b><u>Date of Acquisition and term held</u></b>	<b><u>Registered Proprietor(s) &amp; Occupations where available</u></b>	<b><u>Reference to Title at Acquisition and sale</u></b>
28.10.1918 (1918 to 1949)	George Sydney Inman (Engineer)	Vol 2309 Fol 181
02.05.1949 (1949 to 1955)	Maud Ann May Inman (Widow) (Transmission Application not investigated)	Vol 2309 Fol 181
16.06.1955 (1955 to 1962)	Dorothy Maud Inman (Spinster) (Transmission Application not investigated)	Vol 2309 Fol 181 Now Vol 9312 Fol 102
02.04.1962 (1962 to 1964)	Alexander Kenneth Fleming (Real Estate Agent) Ruth Alice Fleming (Married Woman)	Vol 9312 Fol 102
18.03.1964 (1964 to 1974)	Angelo Oppedisano (Metal Polisher) Ciccina Oppedisano (Married Woman)	Vol 9312 Fol 102
31.01.1974 (1974 to 1979)	Lupo Guerrera (Labourer) Ida Guerrera (Married Woman)	Vol 9312 Fol 102
30.01.1979 (1979 to 1986)	Giuseppe Di Dio (Concrete Worker) Graziella Di Dio (Married Woman)	Vol 9312 Fol 102
06.05.1986 (1986 to 1994)	Giuseppe Di Dio (Concrete Worker)	Vol 9312 Fol 102 Now 2/212655
11.02.1994 (1994 to 2002)	Reginald McDonald Janice Ila McDonald	2/212655
20.12.2002 (2002 to 2017)	Janice Ila McDonald	2/212655
19.06.2017 (2017 to date)	# Damien Ralph McDonald	2/212655

**# Denotes current registered proprietor**

**Leases: - NIL**

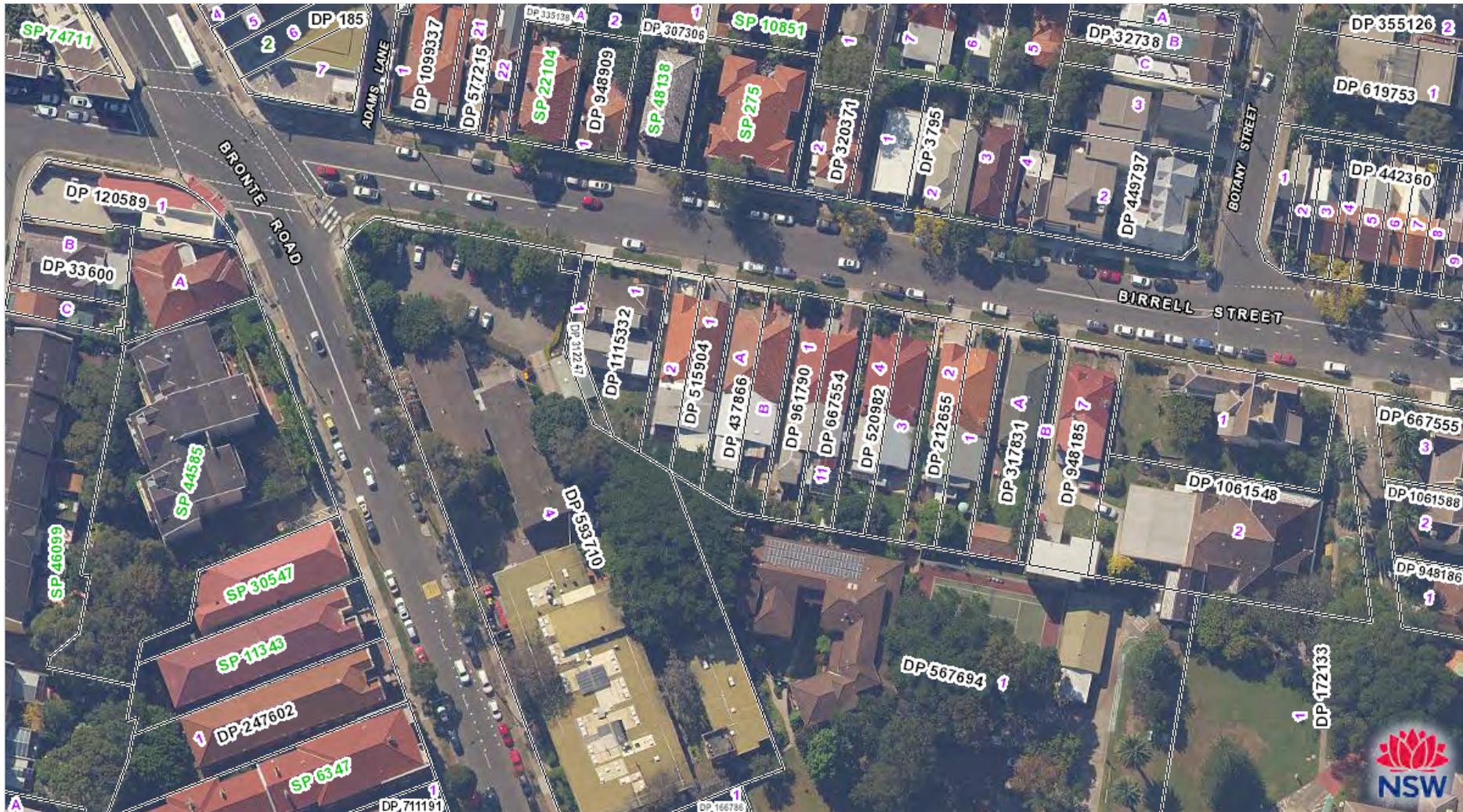
**Easements: -**

- 28.11.1962 (J 553999) Cross Easements for Support

---

Yours Sincerely  
Mark Groll  
28 April 2020

W



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SEARCH DATE

28/4/2020 11:17AM

FOLIO: 1/1115332

First Title(s): OLD SYSTEM  
Prior Title(s): VOL 3758 FOL 19

Recorded	Number	Type of Instrument	C.T. Issue
3/7/2007	DP1115332	DEPOSITED PLAN	FOLIO CREATED CT NOT ISSUED
		LINK FOLIO: VOL 3758 FOL 19	
24/2/2009	AE518796	NOTICE OF DEATH	EDITION 1
15/8/2012	AH71503	LINK FOLIO: DELETED DEPARTMENTAL DEALING	
16/8/2012	AH177588	DEPARTMENTAL DEALING	
16/8/2012	AH177624	UNNECESSARY - DEPARTMENTAL DEALING	
16/8/2012	AH177760	CONVERTED TO AUTO CONSOL 3758-19	CONSOL CREATED CT NOT ISSUED

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



NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

28/4/2020 11:18AM

FOLIO: AUTO CONSOL 3758-19

Recorded	Number	Type of Instrument	C.T. Issue
16/8/2012	AH177624	UNNECESSARY - DEPARTMENTAL DEALING	
16/8/2012	AH177760	CONSOL HISTORY RECORD CREATED FOR AUTO CONSOL 3758-19	EDITION 1

PARCELS IN CONSOL ARE:  
1/312247, 1/1115332.

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



FOLIO: AUTO CONSOL 3758-19

SEARCH DATE	TIME	EDITION NO	DATE
28/4/2020	11:14 AM	1	16/8/2012

LAND

LAND DESCRIBED IN SCHEDULE OF PARCELS  
AT WAVERLEY  
LOCAL GOVERNMENT AREA WAVERLEY  
PARISH OF ALEXANDRIA COUNTY OF CUMBERLAND  
TITLE DIAGRAM SEE SCHEDULE OF PARCELS

FIRST SCHEDULE

CELIA RODRIGUEZ

SECOND SCHEDULE (7 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 A153727 RIGHT OF DRAINAGE APPURTENANT TO LOT 1 IN DP 1115332 AFFECTING THE WHOLE OF LOT 1 IN DP312247
- 3 A153727 RIGHT OF DRAINAGE AFFECTING THE WHOLE OF LOT 1 IN DP312247
- 4 A153728 RIGHT OF DRAINAGE APPURTENANT TO LOT 1 IN DP 1115332 AFFECTING THE WHOLE OF LOT 1 IN DP312247
- 5 A153728 RIGHT OF DRAINAGE AFFECTING THE WHOLE OF LOT 1 IN DP312247
- 6 A153729 RIGHT OF DRAINAGE APPURTENANT TO LOT 1 IN DP 1115332 AFFECTING THE WHOLE OF LOT 1 IN DP312247
- 7 A153729 RIGHT OF DRAINAGE AFFECTING THE WHOLE OF LOT 1 IN DP312247

NOTATIONS

UNREGISTERED DEALINGS: NIL

SCHEDULE OF PARCELS

LOT 1 IN DP312247  
LOT 1 IN DP1115332

TITLE DIAGRAM

DP312247  
DP1115332.

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

**CERTIFICATE OF TITLE**  
**PROPERTY, 1900, as amended.**

10145167

NEW SOUTH WALES

Application No. 9778

Prior Title Volume 2309 Folio 184

Vol. 20145 Fol. 101

1st Edition issued 21-10-1965



EH

**CANCELLED**

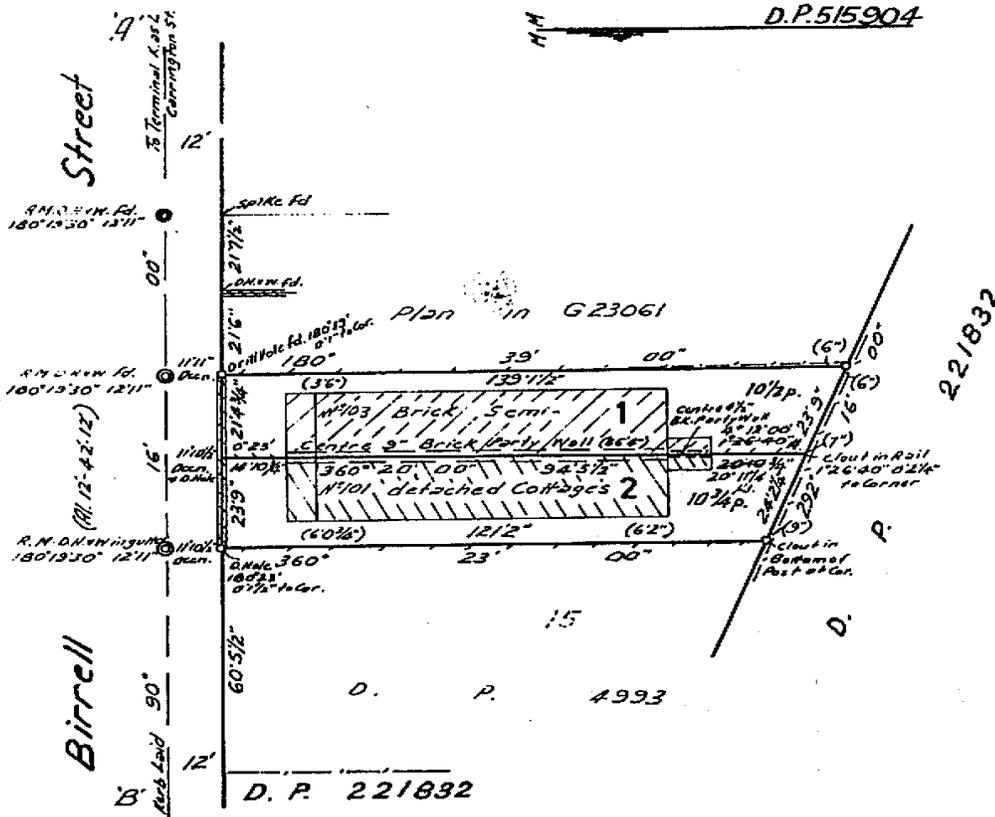
I certify that the person described in the First Schedule is the registered proprietor of the mentioned estate in the land within described subject nevertheless to such exceptions encumbrances and interests as are shown in the Second Schedule.

Witness *J. Charles*

*Jawatson*  
Registrar General.



PLAN SHOWING LOCATION OF LAND



ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 2 in Deposited Plan 515904 at Waverley in the Municipality of Waverley Parish of Alexandria and County of Cumberland being part of 8 acres granted to Lewis Gordon on 5-4-1840.

FIRST SCHEDULE (continued overleaf)

~~KEITH WALTER IRELAND, of [unclear]bury, Accountant and RONALD EDWIN IRELAND, of Brighton-le-Sands, Sheet Metal Worker, as Joint Tenants.~~

*Jawatson*  
Registrar General.

SECOND SCHEDULE (continued overleaf)

- 1. Reservations and conditions, if any, contained in the Crown Grant above referred to.
- 2. Caveat No. J653804 by the Registrar General. Entered 28-5-1964. Withdrawn K285507

*Jawatson*  
Registrar General.

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

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

(Page 1) Vol. 10145 Fol. 167

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR	INSTRUMENT			ENTERED	Signature of Registrar General
	NATURE	NUMBER	DATE		
<i>Grant Investments Pty Limited</i> Joseph Harold Palmada, of Waverley, Clerk and Eileen Muriel Palmada, his wife, as joint tenants.	<i>Transfer</i> Transfer	<i>KR285507</i> P207105	<i>25-10-1965</i> 24-2-1975	<i>1-4-1966</i> 8-4-1975	<i>J. Watson</i> <i>J. Watson</i>

SEE AUTO FOLIO  
CANCELLED

*Report 506*  
*K115978*  
*Head Not'n*  
*ACT*  
*P207105*  
*6 m*  
*V613366*  
*X156418 m*

SECOND SCHEDULE (continued)

NATURE	INSTRUMENT		PARTICULARS	ENTERED	Signature of Registrar General	CANCELLATION	
	NUMBER	DATE					
<i>Transfer</i>	<i>K115978</i>	<i>6-9-1965</i>	<i>Cross easements (Sec. 181B, Conveyancing Act. (1919) affecting party wall shown on the common boundary of Lots 1 and 2 in the plan hereon.</i>				
<i>Mortgage</i>	<i>KR285508</i>	<i>28-1-1966</i>	<i>to Courtney Winifred Hooke of Dee Why, Clarendon and Marie Charlotte Wilkins of Cessnock, Married Woman</i>	<i>8-1-1966</i>	<i>J. Watson</i>		
<i>Mortgage</i>	<i>P207106</i>	<i>16-1-1975</i>	<i>to Commonwealth Savings Bank of Australia.</i>	<i>8-4-1975</i>	<i>J. Watson</i>	<i>Discharged</i>	<i>K1738147</i>
<i>M</i> <i>X156418</i>	<i>Mortgage</i>		<i>to Kevin Llanuall Heness George Robert Hanna and Jack Jack Oliver Kimble as joint tenants. Registered 27-10-1987.</i>			<i>Discharged</i>	<i>V613366</i>

Vol. 10145 Fol. 167

EC

M

(Page 2 of 2 pages)



SEARCH DATE

28/4/2020 11:28AM

FOLIO: 2/515904

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

Prior Title(s): VOL 10145 FOL 167

Recorded	Number	Type of Instrument	C.T. Issue
-----	-----	-----	-----
28/3/1988		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
30/6/1988		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
19/12/1990	Z394223	APPLICATION	
19/12/1990	Z394224	DISCHARGE OF MORTGAGE	
19/12/1990	Z394225	TRANSFER	
19/12/1990	Z394226	MORTGAGE	EDITION 1
24/6/2002	8706983	DISCHARGE OF MORTGAGE	
24/6/2002	8706984	MORTGAGE	EDITION 2
20/11/2014	AJ50514	DISCHARGE OF MORTGAGE	EDITION 3
21/8/2017	AM660833	MORTGAGE	EDITION 4 CORD ISSUED

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



FOLIO: 2/515904

SEARCH DATE	TIME	EDITION NO	DATE
28/4/2020	11:14 AM	4	21/8/2017

NO CERTIFICATE OF TITLE HAS ISSUED FOR THE CURRENT EDITION OF THIS FOLIO.  
CONTROL OF THE RIGHT TO DEAL IS HELD BY WESTPAC BANKING CORPORATION.

LAND

LOT 2 IN DEPOSITED PLAN 515904  
AT WAVERLEY  
LOCAL GOVERNMENT AREA WAVERLEY  
PARISH OF ALEXANDRIA COUNTY OF CUMBERLAND  
TITLE DIAGRAM DP515904

FIRST SCHEDULE

PETER JON MURRANT

(T Z394225)

SECOND SCHEDULE (3 NOTIFICATIONS)

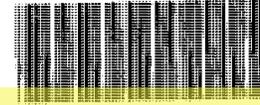
- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 K145978 CROSS EASEMENTS (S.181B CONVEYANCING ACT, 1919)  
AFFECTING PARTY WALL SHOWN ON THE COMMON BOUNDARY OF  
LOTS 1 AND 2 IN DP515904
- 3 AM660833 MORTGAGE TO WESTPAC BANKING CORPORATION

NOTATIONS

UNREGISTERED DEALINGS: NIL

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

**CERTIFICATE OF TITLE**  
**PROPERTY ACT, 1900, as amended.**



10145166

NEW SOUTH WALES

Application No. 9778

Prior Title Volume 2309 Folio 184

Vol. 2309 Fol. 184  
1st Edition issued 21-10-1965



EH

10145  
166  
Fol.

(Page 1) Vol.

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

Witness

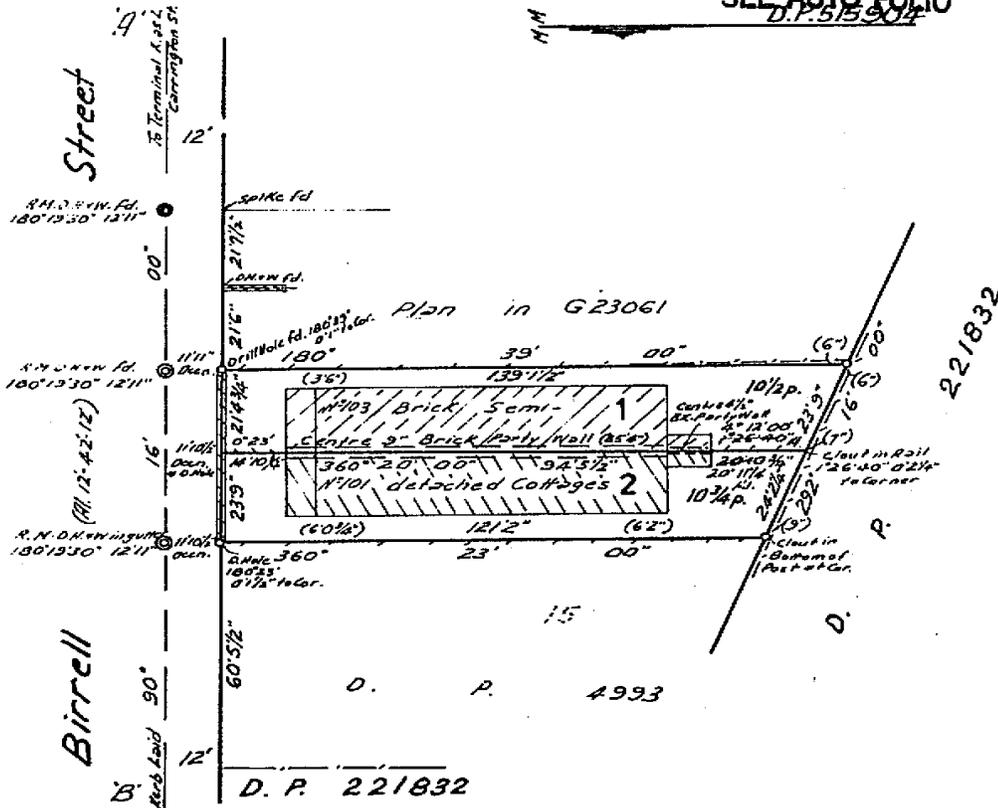
*J. Charles*

**CANCELLED**  
*Jawatson*  
Registrar General.



**PLAN SHOWING LOCATION OF LAND**

SEE AUTO FOLIO  
D.P. 515904



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

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

ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 1 in Deposited Plan 515904 at Waverley in the Municipality of Waverley Parish of Alexandria and County of Cumberland being part of 8 acres granted to Lewis Gordon on 5-4-1840.

FIRST SCHEDULE (continued overleaf)

~~KEITH WALTER IRLAND, of Canterbury, Accountant and RONALD EDWIN IRELAND, of Brighton le Sands, Sheet Metal Worker, Joint Tenants.~~

*Jawatson*  
Registrar General.

SECOND SCHEDULE (continued overleaf)

- 1. Reservations and conditions, if any, contained in the Crown Grant above referred to.
- 2. ~~Caveat No. J65774 by the Registrar General. Entered 28-5-1964. Withdrawn K145978~~

*Jawatson*  
Registrar General.

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR	INSTRUMENT			ENTERED	Signature of Registrar General
	NATURE	NUMBER	DATE		
<i>Malcolm Bernard Mason of Waverley, Laundry Manager</i>	<i>Transfer</i>	<i>K145978</i>	<i>6.9.1965</i>	<i>4.1.1966</i>	<i>J. Jackson</i>
<i>Mason, his wife as joint tenants</i>	<i>Transfer</i>	<i>K960805</i>	<i>16.2.1968</i>	<i>29.2.1968</i>	<i>J. Jackson</i>
<i>Julian John Tamasi of Waverley, Foreman and Susan Tamasi his wife as joint tenants</i>	<i>Transfer</i>	<i>L950300</i>	<i>15.6.1970</i>	<i>14.8.1970</i>	<i>J. Jackson</i>
<i>Adatta Pty Limited</i>	<i>Transfer</i>	<i>M588271</i>	<i>30.12.1971</i>	<i>14.2.1972</i>	<i>J. Jackson</i>
<i>The Methodist Trust Association</i>	<i>Transfer</i>	<i>M588272</i>	<i>23.12.1971</i>	<i>14.2.1972</i>	<i>J. Jackson</i>
<i>Methodist Church (N.S.W.) Property Trust</i>					
<b>CANCELLED</b>					

SEE AUTO FOLIO

SECOND SCHEDULE (continued)

NATURE	INSTRUMENT		PARTICULARS	ENTERED	Signature of Registrar General	CANCELLATION	
	NUMBER	DATE					
<i>Transfer</i>	<i>K145978</i>	<i>6.9.1965</i>	<i>Crave easements (Sec. 1819, Conveyancing Act, 1919) affecting party wall shown on the common boundary of Lots 1 and 2 in the plan hereon.</i>	<i>4.1.1966</i>	<i>J. Jackson</i>		
<i>Mortgage</i>	<i>K960806</i>	<i>20.2.1968</i>	<i>to M.S.W. Permanent Building Society Limited</i>	<i>29.2.1968</i>	<i>J. Jackson</i>	<i>Discharged</i>	<i>L950299</i>
<i>Caveat</i>	<i>L588241</i>	<i>26.4.1964</i>		<i>8.15.1969</i>	<i>J. Jackson</i>	<i>Withdrawn</i>	<i>L950298</i>

Reg: 1983435 / Doc: CT 10145-166 CT / Rev: 17-Feb-2011 / NSW IRS / Pgs: ALL / Prt: 28-Apr-2020 11:31 / Seq: 2 of 2  
 © Office of the Registrar-General / Sec: INFOTRACK / Ref: Waverley Birrell St  
 K145978  
 K960805  
 L588241  
 L950298  
 L950299  
 L950298  
 M588271

Vol. 10145 Fol 106

EC

(Page 2 of 2 pages)



SEARCH DATE

28/4/2020 11:28AM

FOLIO: 1/515904

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

Prior Title(s): VOL 10145 FOL 166

Recorded	Number	Type of Instrument	C.T. Issue
-----	-----	-----	-----
28/3/1988		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
23/6/1988		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
2/11/1998	5365591	TRANSFER	
2/11/1998	5365592	MORTGAGE	EDITION 1
10/9/2007	AD401534	DISCHARGE OF MORTGAGE	
10/9/2007	AD401537	MORTGAGE	EDITION 2
5/10/2007	AD461983	DISCHARGE OF MORTGAGE	
5/10/2007	AD461984	TRANSFER	
5/10/2007	AD461985	MORTGAGE	EDITION 3
16/11/2010	AF880492	CAVEAT	
3/12/2010	AF920264	WITHDRAWAL OF CAVEAT	
3/12/2010	AF920265	DISCHARGE OF MORTGAGE	
3/12/2010	AF920266	TRANSFER	EDITION 4

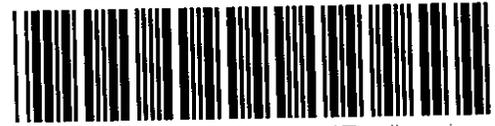
\*\*\* END OF SEARCH \*\*\*

Licence: AUS/0634/96

# TRANSFER

New South Wales  
Real Property Act 1900

## 5365591G



Instructions for filling out this form are available from the Land Titles Office

Office of State Revenue use only

NSW STATE REVENUE  
\$2,000 00/28/98/2300 40 2094 860170  
4502 04 002340577/03

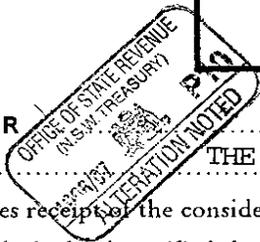
(A) **LAND TRANSFERRED**  
If appropriate, specify the share or part transferred.

Folio Identifier 1/515904

(B) **LODGED BY**

LTO Box <b>23L</b>	Name, Address or DX and Telephone <b>CSB</b> <b>210218606</b>
Reference (15 character maximum):	

(C) **TRANSFEROR**



~~METHODIST CHURCH (NSW) PROPERTY TRUST~~  
THE UNITING CHURCH IN AUSTRALIA PROPERTY TRUST (NSW) *Ⓟ*

(D) acknowledges receipt of the consideration of **\$418,000.00** and as regards the land specified above transfers to the transferee an estate in fee simple.

(E) Encumbrances (if applicable): 1. 2. 3.

(F) **TRANSFEE**

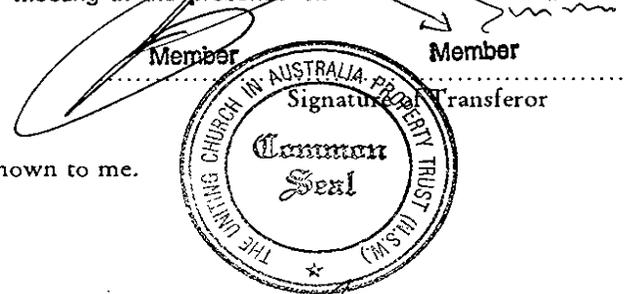
<b>T</b> <b>TS</b> (s/713 LGA)	<b>LOUIS FRANCIS VELLA &amp; KATHLEEN ANN FOGARTY</b>
<b>TW</b> (Sheriff)	<b>TENANCY: JOINT TENANTS</b>

(H) We certify this dealing correct for the purposes of the Real Property Act 1900. DATE **23.10.98**

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

Signature of Witness  
Name of Witness (BLOCK LETTERS)  
Address of Witness

THE COMMON SEAL of THE UNITING CHURCH IN AUSTRALIA PROPERTY TRUST (N.S.W.) was hereunto affixed on the **20th** day of **October** 19**98** pursuant to a resolution of the Trust at a duly convened meeting in the presence of:



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

Signature of Witness  
Name of Witness (BLOCK LETTERS)  
Address of Witness

Solicitor for Signature of Transferee  
**JOSEPH J SIMON**

If signed on the transferee's behalf by a solicitor or licensed conveyancer, show the signatory's full name in block letters.

Evidencia Signatur de: C/M



Form: 01T  
Release: 3.3  
www.lands.nsw.gov.au

# TRANSFER

New South Wales  
Real Property Act 1900

## AD461984A

**PRIVACY NOTE:** Section 31B of the Real Property Act 1900 (RP Act) authorises the Registrar General to collect the information required by this form for the establishment and maintenance of the Real Property Act Register. Section 96B-RP Act requires that the Register is made available to any person for search upon payment of a fee, if any.

### STAMP DUTY

Office of State Revenue use only	Office of State Revenue NSW Treasury Chkd No: 1411509 1431 Duty: <u>2.00</u> Trans No: <u>4574971</u> Assd date: <u>19.09.07</u>
----------------------------------	--

(A) FOLIO OF THE REGISTER

1/515904

(B) LODGED BY

Document Collection Box <u>231</u>	Name, Address or DX, Telephone, and LLPN if any <b>LLPN: 123835G</b> <i>CBS</i>	CODES T TW (Sheriff)
Reference: <u>617282807</u>		

(C) TRANSFEROR

Louis Francis Vella And Kathleen Ann Fogarty

(D) CONSIDERATION The transferor acknowledges receipt of the consideration of \$ 1,001,000.00 and as regards

(E) ESTATE the above folio of the Register transfers to the transferee an estate in fee simple

(F) SHARE TRANSFERRED

(G) Encumbrances (if applicable):

(H) TRANSFEREE

Gavin Anthony Kawalsky and Jessica Anne Kawalsky

(I) TENANCY: Joint Tenants

DATE 19 09 07

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

Certified correct for the purposes of the Real Property Act 1900 by the transferor.

\*  
Signature of witness: *Genevieve Kang*  
Name of witness: Genevieve Kang  
Address of witness: 26 Eglinton Rd  
Glebe 2037

Signature of transferor:  
*L F Vella*  
*KAF X*  
*K Fogarty*  
*KAF X*

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

Signature:

Signatory's name: Catherine Hallgath  
Signatory's capacity: transferee's solicitor

*W*



FOLIO: 1/515904

-----

SEARCH DATE	TIME	EDITION NO	DATE
-----	----	-----	----
28/4/2020	11:14 AM	4	3/12/2010

LAND

-----

LOT 1 IN DEPOSITED PLAN 515904  
AT WAVERLEY  
LOCAL GOVERNMENT AREA WAVERLEY  
PARISH OF ALEXANDRIA COUNTY OF CUMBERLAND  
TITLE DIAGRAM DP515904

FIRST SCHEDULE

-----

THE UNITING CHURCH IN AUSTRALIA PROPERTY TRUST (NSW) (T AF920266)

SECOND SCHEDULE (2 NOTIFICATIONS)

-----

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 K145978 CROSS EASEMENTS (S.181B CONVEYANCING ACT, 1919)  
AFFECTING PARTY WALL SHOWN ON THE COMMON BOUNDARY OF  
LOTS 1 AND 2 IN DP515904

NOTATIONS

-----

UNREGISTERED DEALINGS: NIL

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



09312102

M  
NEW SOUTH WALES  
(For Grant and title reference  
prior to first edition see  
Deposited Plan.)

**CERTIFICATE OF TITLE**  
REGISTRY ACT, 1900, as amended.

Vol. 9312 Fol. 102  
1st Edition issued 14-11-1962.



9312 Fol. 102

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

Witness

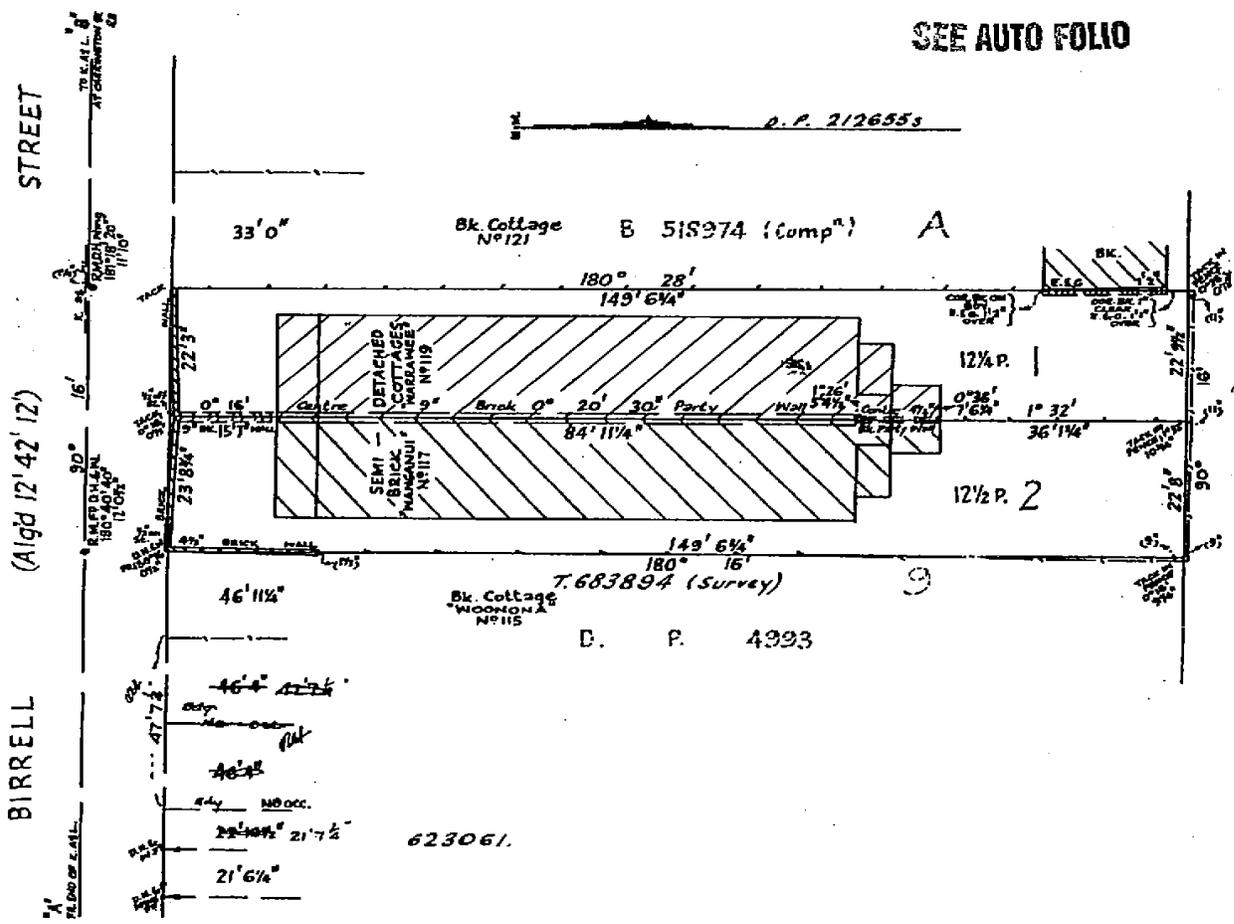
*Whitchley*

~~JANETSON~~  
Registrar-General.



PLAN SHOWING LOCATION OF LAND

SEE AUTO FOLIO



ESTATE AND LAND REFERRED TO.

Estate in Fee Simple in Lot 2 in Deposited Plan 212655s in the Municipality of Waverley Parish of Alexandria and County of Cumberland.

FIRST SCHEDULE (Continued overleaf)

~~DOROTHY MAUD IRMAN~~ Waverley, Spinster

*JANETSON*  
Registrar General.

SECOND SCHEDULE (Continued overleaf)

1. Reservations and conditions, if any, contained in the Crown Grant(s) referred to in the said Deposited Plan.

*JANETSON*  
Registrar General.

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

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

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR	INSTRUMENT			ENTERED	Signature of Registrar-General
	NATURE	NUMBER	DATE		
Alexander Kenneth Fleming of Waverley Real Estate Agent and Ruth Alice Fleming his wife, joint tenants	Transfer	J53999	2.4.1962	28.11.1962	Jamieson
Angelo Appeduro of Waverley, Michel Polcher and Lucina Appeduro, his wife, as joint tenants	Transfer	J609374	18.3.1964	1.4.1964	Jamieson
Rigo Livoreca of Waverley, labourer and Ida Livoreca his wife, joint tenants	Transfer	N199317	31.1.1974	13.2.1974	Jamieson
Giuseppe Di Dio of Waverley, Concrete Worker and Graziella Di Dio his wife as joint tenants	Transfer	R51444		30-1-1979	Jamieson
Giuseppe Di Dio by Notice of Death W168237. Registered 6-5-1986.					
<b>CANCELLED</b>					
<b>SEE AUTO FOLIO</b>					

18/22/218  
 J53999T  
 X  
 J54000M  
 N699317T  
 R51444T  
 -45M  
 R  
 W168236M  
 -700  
 rejected  
 0488  
 W168235  
 37  
 reinstated  
 21.4.86

SECOND SCHEDULE (continued)

INSTRUMENT NUMBER	DATE	PARTICULARS	ENTERED	Signature of Registrar-General	CANCELLATION	
					NATURE	
Transfer J53999P	2.4.1962	Cross easements (Sec. 181B, Conveyancing Act, 1919) affecting party wall shown on the common boundary of Lots 1 and 2 in plan shown DP3212655	28.11.1962	Jamieson		
Mortgage J54000	2.4.1962	To St. George & Grenville Permanent Co. of Australia Building and Investment Society Limited	18.11.1962	Jamieson	Discharged	J609373
Mortgage R51445		to The Commercial Banking Company of Sydney Limited	30-1-1979	Jamieson	Discharged	W168236

Vol. 9312 Fol. 102  
 Req: R983687 / Doc: CT 09312-102 CT / Rev: 09-Feb-2011 / NSW LRS / Pgs: ALL / Ppt: 28-Apr-2020 11:59 / Seq: 2 of 2  
 © Office of the Registrar-General / Src: INFOTRACK / Ref: Waverley Birrell St (Page 2 of 2 pages)



SEARCH DATE

28/4/2020 11:59AM

FOLIO: 2/212655

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

Prior Title(s): VOL 9312 FOL 102

Recorded	Number	Type of Instrument	C.T. Issue
4/6/1987		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
26/5/1988		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
24/1/1994	I969836	APPLICATION FOR REPLACEMENT CERTIFICATE OF TITLE	EDITION 1
11/2/1994	U22258	TRANSFER	EDITION 2
20/12/2002	9237696	NOTICE OF DEATH	EDITION 3
19/6/2017	AM485033	TRANSMISSION APPLICATION (DEVISEE, BENEFICIARY, NEXT OF KIN)	EDITION 4
19/6/2017	AM485034	CAVEAT	

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

RP13



# TRANSFER

Real Property Act, 1900



U  
022258 H



*SL*

①

B

Office of Sta

007\$

£0/00+109100 40 4027 £62191

(A) **LAND TRANSFERRED**

Show no more than 20 References to Title.  
If appropriate, specify the share transferred.

Folio Identifier 2/212655

Parish of Alexandria County of Cumberland

(B) **LODGED BY**

L.T.O. Box

Name, Address or DX and Telephone

James A. Houstacas & Co  
Solicitors  
DX 1420  
Sydney  
Ph: 367 6866  
REFERENCE (max. 15 characters): JH:AD13: MCDONALD

(C) **TRANSFEROR**

GIUSEPPE DI DIO

(D) acknowledges receipt of the consideration of \$297,000.00

and as regards the land specified above transfers to the transferee an estate in fee simple

(E) subject to the following **ENCUMBRANCES** 1. .... 2. .... 3. ....

(F) **TRANSFEEE**



REGINALD McDONALD and JANICE ILA McDONALD

both of 117 Birrell Street, Waverley

as joint tenants/~~tenants in common~~

(H) We certify this dealing correct for the purposes of the Real Property Act, 1900. **DATE OF EXECUTION** .....

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

*[Signature]*  
Signature of Witness

G.K. Barnett  
Name of Witness (BLOCK LETTERS)

*[Signature]*  
Address of Witness

Costantino Livinizzi  
GIUSEPPE DI DIO by his Attorney, under  
Power of Attorney Registered Number  
102 Book 3674

*[Signature]*  
Signature of Transferor

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

Signature of Witness

Name of Witness (BLOCK LETTERS)

Address of Witness

*[Signature]*  
Signature of Transferee

Solicitor for Transferee  
JAMES HOUSTACAS

CHECKED BY (office use only)

35

Form: 03AD  
Release: 2.2

**TRANSMISSIO  
APPLICATION**  
by a Devisee, Benef  
or Next-of-Kin  
New South Wales



**AM485033X**

①

Section 93 Real Property Act

**PRIVACY NOTE:** Section 31B of the Real Property Act 1900 (RP Act) authorises the Registrar General to collect the information required by this form for the establishment and maintenance of the Real Property Act Register. Section 96B RP Act requires that the Register is made available to any person for search upon payment of a fee, if any.

**STAMP DUTY**

Office of State Revenue use only	
(A) <b>TORRENS TITLE</b>	2/212655

(B) **REGISTERED DEALING**

NUMBER	TORRENS TITLE
--------	---------------

(C) **LODGED BY**

DOCUMENT COLLECTION BOX	NAME, ADDRESS OR DX, TELEPHONE, AND CUSTOMER ACCOUNT NUMBER IF ANY	CODE
<b>1W</b>	Moustacas & Co DX 12003 Bondi Junction T. 9387 6866 REFERENCE: AM:ADB:M558	<b>AD</b>

(D) **DECEASED PROPRIETOR**

JANICE ILA MCDONALD

(E) **APPLICANT**

DAMIEN RALPH MCDONALD

**TENANCY:**

(F) The applicant, being entitled as next-of-kin of the deceased registered proprietor (who died on 19-06-2015) pursuant to letters of administration No. 2016/00096713 granted on 20 March 2017 to Saluay Hall

(a certified copy of which is lodged herewith) hereby applies to be registered as proprietor of the estate or interest of the deceased registered proprietor in the abovementioned land

DATE 5 JUNE 2017

(G)

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

Signature:

Signatory's name:

Anthony Moustacas

Signatory's capacity:

solicitor

(H) **CONSENT OF EXECUTOR, ADMINISTRATOR OR TRUSTEE**

I, Saluay Hall, administrator of the estate of the deceased registered proprietor, hereby consent to this application.

Signature of witness:

Signature of administrator:

Name of witness:

GEORGEY PETER MATHESON

Address of witness:

622 WYNNUM RD MORNINGTON

(I) This section is to be completed where a notice of sale is required and the relevant data has been forwarded through eNOS. The applicant's solicitor Anthony Moustacas certifies that the eNOS data relevant to this dealing has been submitted and stored under eNOS ID No. 1328795 Full name: Anthony Moustacas Signature:

\* s117 RP Act requires that you must have known the signatory for more than 12 months or have sighted identifying documentation.

ALL HANDWRITING MUST BE IN BLOCK CAPITALS.

Evidence sighted and returned (office use only):

# STATUTORY DECLARATION

I, Saluay Hall of 126-128 Warriewood Street, Chandler in the State of Queensland, do solemnly and sincerely declare as follows:-

1. I am the Administrator of the Estate and the niece of Janice Ila McDonald deceased registered proprietor of the property known as 117 Birrell Street, Waverley NSW 2024 being the whole of the land in Certificate of Title Folio Identifier 2/212655.
2. Janice Ila McDonald is one and the same person as Janice Ila De Vere McDonald being the Deceased named in Letters of Administration granted to me on 20 March 2017.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Oaths Act, 1900 (as amended).

Subscribed and declared at BRISBANE )  
this 5<sup>th</sup> day of JUNE ) XSM  
two thousand and seventeen )  
before me )

Signature of Declarant

Signature of Witness

**GEOFFREY PETER MATHESON**  
**SOLICITOR**

Name of Witness

Address of Witness

622 WYNNUM RD MORNINGSIDE

WITNESS MUST BE JP / SOLICITOR.

Capacity of Witness

Justice of the Peace (Solicitor)

And as a witness, I certify the following matters concerning the making of this Statutory Declaration:

1. #I saw the face of the deponent  
~~#I did not see the face of the deponent because the deponent was wearing a face covering, but I am satisfied that the deponent had a special justification for not removing the covering~~
2. #I have known the deponent for at least 12 months  
~~#I have confirmed the deponent's identity using the following identification document:~~

OLD DRIVERS LICENCE ~~XXXXXXXXXX~~

Identification document relied on (may be original or certified copy)

OLD MEDICARE CARD ~~XXXXXXXXXX~~



FOLIO: 2/212655

SEARCH DATE	TIME	EDITION NO	DATE
28/4/2020	11:15 AM	4	19/6/2017

LAND

LOT 2 IN DEPOSITED PLAN 212655  
LOCAL GOVERNMENT AREA WAVERLEY  
PARISH OF ALEXANDRIA COUNTY OF CUMBERLAND  
TITLE DIAGRAM DP212655

FIRST SCHEDULE

DAMIEN RALPH MCDONALD (AD AM485033)

SECOND SCHEDULE (3 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 J53999 CROSS EASEMENTS (S.181B CONVEYANCING ACT, 1919)  
AFFECTING PARTY WALL SHOWN ON THE COMMON BOUNDARY OF  
LOTS 1 AND 2 IN DP212655
- \* 3 AM485034 CAVEAT BY SALUAY HALL

NOTATIONS

UNREGISTERED DEALINGS: NIL

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

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0	1 x Electronic Copy	Fiona Logge Via email: <a href="mailto:flogge@uniting.org">flogge@uniting.org</a>	28/05/2020

**Document Status**

Rev No.	Author	Reviewer	Approved for Issue		
		Name	Name	Signature	Date
A	Alex Boardman	John De Martin	<i>Draft for client review</i>		30/04/2020
0	Alex Boardman	John De Martin			28/05/2020

