

# **80 Betty Cuthbert Drive, Lidcombe Master Plan**

Stage 1 - Preliminary Contamination and Acid  
Sulfate Soils Investigation Report

Planning Proposal

04 August 2021  
Confidential



## Issue and revision record

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# 1 Introduction

Mott MacDonald has been engaged by Property and Development NSW (PDNSW), to conduct a Stage 1 - Preliminary Contamination and Acid Sulfate Soils Investigation to guide the planning proposal for rezoning of 80 Betty Cuthbert Drive, Lidcombe (the Project). The investigation will be used to identify opportunities, constraints and risks to be considered as part of the delivery of the project.

## 1.1 Regional context

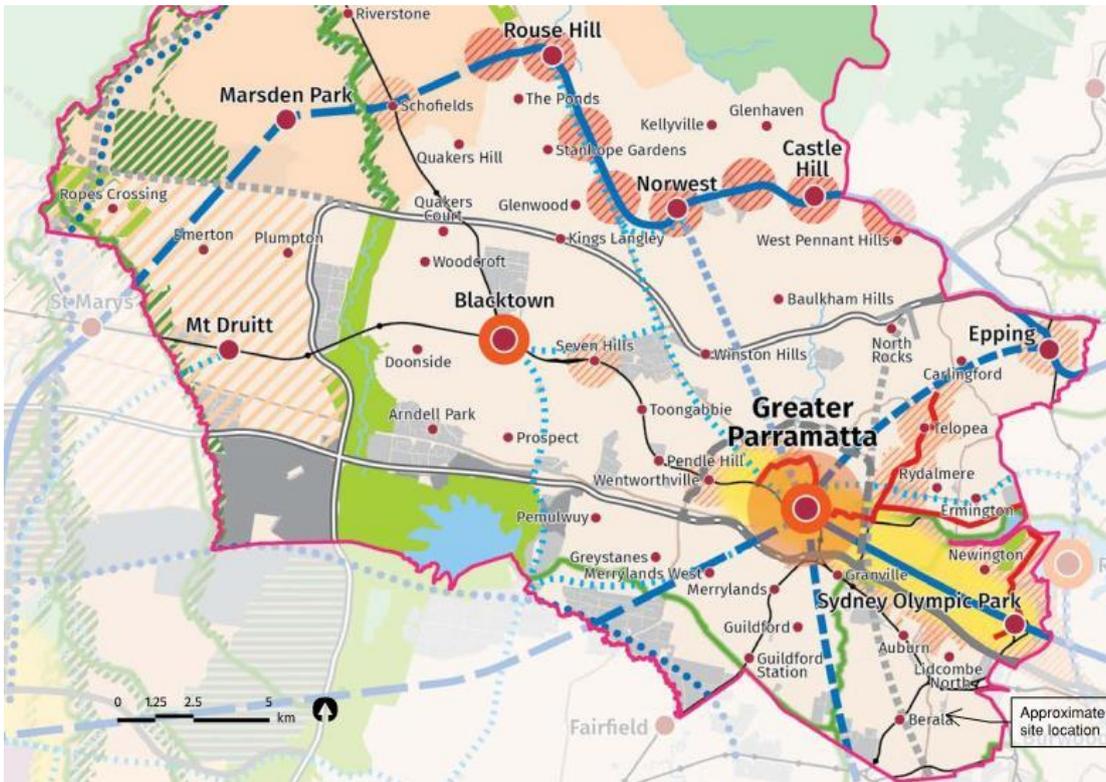
The site is located within the suburb of Lidcombe, approximately 15km west of Sydney CBD and within the Cumberland local government area. The closest major interchange station is Lidcombe Station, 1.5km north of the site, and Berala Station is the nearest station, 1.2km west of the site. The site is surrounded by a mixture of land uses and facilities, with residential land to the north, east and south, an educational site to the south east and the Carnarvon Golf Course to the west.

In March 2018, the NSW Government released the Greater Sydney Region Plan which outlined a vision of three cities; a western parkland city, a central river city and an eastern harbour city. The study area lies within the Central City District as shown in Figure 1-1 over-page. It is within close proximity to Lidcombe North and Berala local centres, which have been identified for urban renewal.

## 1.2 Study area

The project site is located at 80 Betty Cuthbert Drive, Lidcombe (Figure 1-2). It has a primary frontage to Joseph Street between Georges Avenue to the north and Botanica Drive to the south. The site is approximately 5.8ha in area. It is currently occupied by Multiple Sclerosis Limited (MSL); existing development of the site includes a 1970's circa 4,300sqm brick building that provides office space, treatment facilities and respite care facilities to support the operations of MSL. The existing MSL facilities are positioned at the high point of the site and cover approximately 12% of the site area. The remainder of the site is unused, consisting of amenity grassland with scattered trees. Existing vehicle access to the site is via the intersection of Joseph St and Botanica Drive. The existing access route then enters the site on the southern side via Betty Cuthbert Drive with an existing internal road continuing to the centre of the site where the MSL facility currently lies.

**Figure 1-1: Central city plan**



Source: Central City District Plan, Greater Sydney Commission (2018)

**Figure 1-2: Site overview**



Source: Google Earth (2018)

### 1.3 Proposed development

In 2017, DPIE prepared a master plan for the site which allocated land for a future educational establishment, health facility and for residential use. The masterplan has been developed with key stakeholders, Department of Education (DE) and Multiple Sclerosis Limited (MSL). The future educational establishment will be developed by the DE and the health facility by MSL.

The future educational establishment will be located on a 1.85 ha parcel in the central western portion of the site. The education establishment, for the purpose of this assessment, has been assumed as a 1,000 student primary school, to accommodate a maximum capacity scenario for development of that land. It should be noted that this is an assumption made for this assessment and the establishment may be a different type of school.

A 0.95 ha site adjacent Joseph Street will be used for a new health facility, and the surplus land (approx. 1.78 ha) will be rezoned to medium density residential land (excluding road and drainage areas) and divested. The concept indicative layout plan (ILP) is shown in Figure 1-3.

Figure 1-3: Proposed master plan



Source: Urbis - 80 Betty Cuthbert Drive, Lidcombe – Indicative Layout Plan (02 August 2021)

## 1.4 Purpose of report

The purpose of this Stage 1 – Preliminary Contamination Investigation is:

- Review of the site’s potential for site contamination resulting from current or previous land uses.
- Summary of key issues that may present liabilities or constraints on future development to inform the Planning Proposal with respect to proposed land-uses.
- Recommendations for further investigation to assist with quantifying the risks and constraints for future development.

## 1.5 Scope of works

As part of this Stage 1 - Preliminary Contamination Investigation, Mott MacDonald has undertaken the following tasks:

- Review of the project’s environmental setting, with reference to published maps and the Office of Water’s monitoring well database
- Review relevant published topographical, geological and hydrological data
- Review of the acid sulfate soils map and provisions in the relevant local environment plans
- Review of historical aerial photographs
- Review of Section 149 planning certificates of major parcels of land within the investigation area
- Search of the NSW Environmental Protection Authority (EPA) public register for contamination
- Search of the NSW EPA’s Protection of Environment Operations Act 1997 licence database to identify high risk land uses
- Review of historical title deeds records of a sample of land units to review historic changes in land use that could indicate a risk of contamination
- Site walkover inspection of accessible areas to assess current land use and to make observations on current conditions including identification and mapping of potential areas of environmental concern (AECs)
- Assess the potential for contamination, based on site history, a review of previous investigations and any observations made during a site inspection of accessible areas
- Provide maps that categorise sites in relation to their level of known contamination
- Provide recommendations for mitigation measures and other considerations in relation to proposed land uses
- Provide recommendations for further investigations, if required.

## 1.6 Investigation guidelines

The scope of works and methodology adopted for this contamination investigation were generally based on the guidance provided in the following documents:

- ANZECC/NHMRC (1992). Australian and New Zealand Guidelines for the Investigation and Management of Contaminated Sites
- NEPC (1999), National Environment Protection (Investigation of Site Contamination) Measure, December 1999 (ASC NEPM) as amended in 2013
- NSW Environmental Protection Authority (1997). Guidelines for Consultants Reporting on Contaminated Sites.

## 1.7 Site contamination investigation framework

Soil and groundwater contamination has the potential to impact adversely on human health and the environment. For a significant or identifiable risk to be present, there must be an exposure pathway. The exposure pathway comprises the following three components:

- The source, which is the presence of a substance that may cause harm;
- The receptor, which is the presence of an ecological or human receiver that might be harmed at an exposure point;
- The pathway, which is the existence of a means or mechanism of exposing a receptor to the source.

In the absence of a plausible exposure pathway there would be minimal risk. Therefore, the presence of 'something measurable', e.g., volumes of a chemical or presence of asbestos does not necessarily imply that there would be measurable human harm. For an impact to occur it is necessary to have a significant source of contamination, an appropriate or effective pathway for this to be presented to a receptor, and the receptor must have a negative response to this exposure.

The nature and importance of sources, receptors and exposure pathways will vary with every site, situation, intended end use and environmental setting. Management measures, design considerations and land use planning decisions can be implemented to reduce the risks associated with site contamination.

For the project, the contamination risk considerations include:

- The potential impact to workers during redevelopment works, including demolition of existing structures, disturbance of surface and near surface soils, excavation of basements and service trenches, landscaping activities and potential interception of shallow groundwater
- The potential impact to residents (particularly children and the elderly) from residual contamination, including the ingestion of soil in unsealed back yards, consumption of home-grown vegetables and poultry, or soil vapours
- The potential impact to the public, including contact with soil in public reserves and other public open spaces

## 1.8 State Environmental Planning Policy No 55 - Remediation of Land

State Environmental Planning Policy No 55 - Remediation of Land (SEPP 55) provides for a state-wide planning approach to the remediation of contaminated land. It aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment as per *Clause 2*:

### 2 - Object of this Policy

- a. by specifying when consent is required, and when it is not required, for a remediation work*
- b. by specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular*
- c. by requiring that a remediation work meet certain standards and notification requirements*

With regard to rezoning of land the following provisions are required as per *Clause 6*:

### 6 - Contamination and remediation to be considered in zoning or rezoning proposal

1. *In preparing an environmental planning instrument, a planning authority is not to include in a particular zone (within the meaning of the instrument) any land specified in subclause (4) if the inclusion of the land in that zone would permit a change of use of the land, unless:*
  - a. *the planning authority has considered whether the land is contaminated, and*
  - b. *if the land is contaminated, the planning authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and*
  - c. *if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning authority is satisfied that the land will be so remediated before the land is used for that purpose.*

*Note - In order to satisfy itself as to paragraph (c), the planning authority may need to include certain provisions in the environmental planning instrument.*

2. *Before including land of a class identified in subclause (4) in a particular zone, the planning authority is to obtain and have regard to a report specifying the findings of a preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines.*
3. *If a person has requested the planning authority to include land of a class identified in subclause (4) in a particular zone, the planning authority may require the person to furnish the report referred to in subclause (2).*
4. *The following classes of land are identified for the purposes of this clause:*
  - a. *land that is within an investigation area,*
  - b. *land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,*
  - c. *to the extent to which it is proposed to carry out development on it for residential, educational, recreational or childcare purposes, or for the purposes of a hospital—land*
    - i. *in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and*
    - ii. *on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).*
5. *In this clause, planning authority has the same meaning as it has in section 145A of the Act.”*



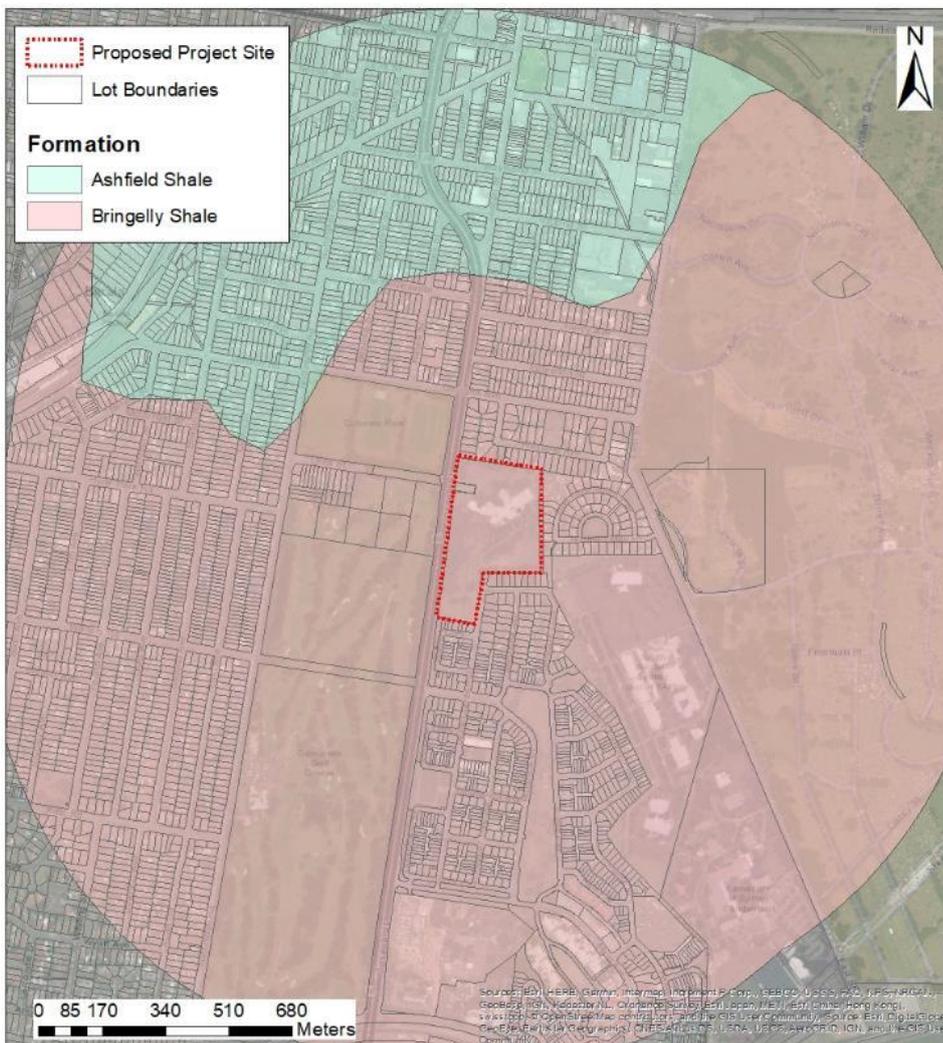
## 2.2 Regional soils and geology

The regional geology and hydrogeological characteristics of the area are summarised below.

### 2.2.1 Geology

The 1:100,000 Geology of Sydney Map (Geological Survey of NSW, 1983) indicates the regional geology (in which the project site lies) is Ashfield shale and Bringelly shale, both of which were formed in the Middle Triassic (Mesozoic period). Ashfield shale is a black to dark-gray shale and laminite of the Wianamatta group. Bringelly shale is a shale, carbonaceous claystone, laminate with fine to medium-grained lithic sandstone and rare coal also of the Wianamatta group. The project site sits within the Bringelly shale geological formation (Figure 2-2).

**Figure 2-2: Regional geology**



Source: NSW Department of Planning and Environment (Resource and Geoscience, 2019)

### 2.2.2 Soil landscape characteristics

As shown in Figure 2-3, a search using the eSPADE website (undertaken on 18 March 2019) identified that the project site is underlain by the Blacktown soil landscape unit. The landscape unit includes Ashfield shale,



### 2.3 Topography and surface water features

Figure 2-4 shows the topography of the project site. The site topography falls away from the high point (37m) in the middle of the site; where the existing MSL building is located. The lowest point (32m) of the site is in the south west.

There is a single on-site stormwater detention (OSD) basin at the low point of the site (refer Figure 2-4). This collects flows from the southern half of the site.

**Figure 2-4: Topography and surface water**



### 2.4 Groundwater

The project site lies within the Bankstown hydrogeological landscape. Characteristics of this landscape were obtained through the NSW Office of Environment and Heritage eSPADE website. The hydrogeological landscape is characterised by low hills and rises on Triassic shale and sandstone within the Sydney Basin. It is an area of moderate to high rainfall (over 800mm per year). Groundwater systems are local with short to intermediate flow lengths and are loosely defined by topographic catchments. Water quality within these systems is brackish to saline. Water table depths are intermediate (between 2m and 6m).

In the project site, the general hydrogeology consists of porous, extensive aquifers of low to moderate productivity (National Centre for Groundwater Research and Training 2014<sup>1</sup>).

A Lidcombe contamination assessment conducted by Sullivan Environmental Sciences in 2016<sup>2</sup> determined that the groundwater in the area, at the time of monitoring, was approximately 2.0 - 2.8 metres below the ground surface and the groundwater flow direction was in a northerly direction.

No groundwater monitoring bores were identified in the vicinity of the project site by undertaking an online search using the Department of Primary Industries (Water) and Water NSW databases. A single groundwater abstraction licence is held at a site 850m to the north of the project site.

## 2.5 Section 149 planning certificates

Section 149 certificates are legal planning documents issued by Cumberland Council in accordance with the requirements of section 10.7(2) of the *Environmental Planning and Assessment Act 1979*. The certificates place restrictions and requirements on development for specific parcels of land.

### 2.5.1 Methodology

Mott MacDonald reviewed the planning certificate for the project site (Lot 74 DP 1141724 and 475 DP 45747) for the following clauses, which, if present, could indicate the presence of contamination or acid sulfate soils:

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

- *Clause 1.19(5)d.. Land that is significantly contaminated land within the meaning of the Contaminated Land Management Act 1997. (Applies only to the Commercial and Industrial (New Buildings and Additions) Code;*
- *Clause 1.19(1)c or 1.19(5)c. Has been identified as being on an Acid Sulfate Soils Map as being Class 1 or Class 2.*

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

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

(21) *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:*

- c. The land to which the certificate relates is / is not declared to be significantly contaminated land within the meaning of that act as at the date when the certificate is issued.*
- d. The land to which the certificate relates is / is not subject to a management order within the meaning of that act as at the date when the certificate is issued.*
- e. The land to which the certificate relates is / is not the subject of an approved voluntary management proposal within the meaning of that act at the date the certificate is issued.*
- f. The land to which the certificate relates is / is not the subject of an ongoing maintenance order within the meaning of that act as at the date when the certificate is issued.*

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<sup>1</sup> Harrington N and Cook P (2014) Groundwater in Australia, National Centre for Groundwater Research and Training, Australia

<sup>2</sup> Sullivan Environmental Sciences (2016) Phase 2 Contamination Assessment report

- g. *The land to which the certificate relates has / has not identified the subject of a site audit statement within the meaning of that act, a copy of which has been provided to Council.*

The reviewed certificate is provided in Appendix A for reference.

## 2.5.2 Review results

The planning certificate did not include reference to contamination under the *General Housing Code & Commercial and Industrial (New Buildings and Additions) Code*.

The planning certificate refers to the Auburn Local Environmental Plan 2010 for the status of the site with regards to acid sulfate soils. A review of this data source is provided in Section 2.2.3 of this report. The review concluded the project site was unlikely to contain acid sulfate soils.

The planning certificate confirmed:

- The land is not significantly contaminated land (or part of the land) within the meaning of the *Contaminated Lands Management Act 1997* at the date when the certificate is issued.
- The land is not subject to a management order within the meaning of the *Contaminated Lands Management Act 1997* at the date when the certificate is issued.
- The land is not subject on an approved voluntary management proposal within the meaning of the *Contaminated Lands Management Act 1997* at the date when the certificate is issued.
- The land is not subject to an ongoing maintenance order within the meaning of the *Contaminated Lands Management Act 1997* at the date when the certificate is issued.
- The land is subject to a site audit statement within the meaning of the *Contaminated Lands Management Act 1997*.

## 2.6 NSW EPA contaminated land public record database

The NSW EPA contaminated land public record is a searchable database of:

- Orders made under Part 3 of the *Contaminated Land Management Act 1997* (CLM Act)
- Approved voluntary management proposals under the CLM Act that have not been fully carried out and where the approval of the EPA has not been revoked
- Site audit statements provided to the EPA under section 53B of the CLM Act that relate to significantly contaminated land
- Where practicable, copies of anything formerly required to be part of the public record
- Actions taken by EPA under section 35 or 36 of the *Environmentally Hazardous Chemicals Act 1985* (EHC Act)
- Notices (actions taken by the EPA as written notices).

An online search for the NSW EPA contaminated land record database was undertaken on the 20 March 2019 for records that lie within or near (1km) to the project site. The search yielded no records within 1km of the site. Evidence of this search is provided in Appendix B.

## 2.7 NSW EPA POEO public register

The NSW EPA *Protection of Environment Operations Act 1997* (POEO) public register under Section 308 of the POEO Act records the following:

- Environment protection licences
- Applications for new licences and to transfer or vary existing licences

- Environment protection and noise control notices
- Penalty notices issued by the EPA
- Convictions in prosecutions under the POEO Act
- The results of civil proceedings
- Licence review information
- Exemptions from the provisions of the POEO Act or regulations
- Approvals granted under clause 9 of the POEO (Control of Burning) Regulation
- Approvals granted under clause 7A of the POEO (Clean Air) Regulation
- Audits required to be undertaken in relation to a licence
- Pollution studies required by a condition of a licence
- Pollution reduction programs required by a condition of a licence
- Penalty notice issued in relation to a premise.

An online search of the public register database was undertaken on the 20 March 2019 for records that lie within or near (within 1km) to the site. The search indicated that there were no properties within 1km of the site that are on the NSW EPA POEO register. Evidence of this search is provided in Appendix C.

## 2.8 Hazardous chemical database - SafeWork NSW

SafeWork NSW maintains a database of hazardous chemicals (under schedule 11 of *Work Health and Safety Regulations 2017*) that are stored, handled or processed on premises. The site visit and desktop review did not identify any premises where a search of this database would provide useful insight, therefore a search of the database was not carried out.

## 2.9 DPI&E report

Mott MacDonald was provided with a memorandum Initial Contamination Assessment report (Environmental Service Group, 2018) for the project site from DPI&E dated 23 November 2018. The initial assessment involved the review of the NSW EPA online database and online satellite imagery to study the potential for contamination at the site. The assessment concluded that the site had a moderate risk of contamination from chemicals of concern due to its use as a hospital.

## 2.10 Historical research

### 2.10.1 Aerial maps

Historic aerial maps were sourced from the Department of Finance, Services and Innovation of the NSW Government on 01 April 2019. A summary of the obvious changes within the area are presented in Table 2-1. The aerial photos reviewed are provided in Appendix D.

**Table 2-1: Key changes within the project site and surrounding land**

| Year | Observations  |
|------|---|
| 1943 | <p><b>Project site</b> – The land is undeveloped apart from a building in the north-western corner of the site. The deposited plan (DP45747) for the building identifies it as mainly of brick construction, but with fibrous cement sheets, which was historically reinforced with asbestos.</p> <p><b>Surrounding land</b> – The surrounding land is undeveloped except for a building immediately south of the site.</p> |
| 1955 | <p><b>Project site</b> – There was no additional development within the project site.</p> <p><b>Surrounding land</b> – A residential development has been built bordering the site to north. Several large buildings are located to the south west of the project site.</p>   |
| 1965 | <p><b>Project site</b> – There was no additional development within the project site during 1955-1965.</p>  |

| Year | Observations  |
|------|---|
|      | <b>Surrounding land</b> – There are few obvious changes between 1955 and 1965, apart from a small increase in the number of large buildings to the south-west of the project site and development started on the golf course to the west.   |
| 1975 | <b>Project site</b> – The site is still undeveloped. The largest change is additional trees along the western property border.<br><b>Surround land</b> - Between 1965 and 1975 there was again an increase in development to the south west of the project site, including a large building at the south-west corner of the project site. Development of the golf course progressed to the west of the project site.  |
| 1986 | <b>Project site</b> – Between 1975 and 1986 the dwelling in the north-west corner was removed and a large building was erected on the northern end of the project site. A road was built running south to connect to other buildings outside the project site. There was also an increase in trees surrounding the building and property border<br><b>Surrounding land</b> – Another large building has been built to the south-west of the project site, along with more roads and a roundabout south of the project site. |
| 1994 | <b>Project site</b> – There was no real change in development within the project site between 1986 and 1994.<br><b>Surrounding land</b> – The key change to the surrounding land is the development of a NSW TAFE complex made up of eight buildings and parking lots to the south west of the site.  |
| 2004 | <b>Project site</b> – There is no obvious change on the project site between 1994 and 2004.<br><b>Surrounding land</b> – The most obvious change between 1994-2004 was the residential development to the north-east of the project site. A large building was built just south of the residential development, north of the existing industrial complex.   |

Source: NSW Government Department of Finance, Services and Innovation (accessed 2019)

### 2.10.2 Review of historic title deed records

The project site includes two deposited plans (DP), as shown in Figure 2-5:

- Lot 74 DP 1141724
- Lot 475 DP 45747

The historic title deeds for the two DPs were purchased from Advance Legal Searches.

**Figure 2-5: Historic title deeds assessed**



Source: Advanced Legal Searches (accessed 2019)

Lot 74 DP 1141724 is owned by the State of New South Wales and was formed from two lots in 2010: Lot 474 DP 45747 and Lot 27 DP 1086687.

- Lot 474 DP 45747 was owned by State of New South Wales 2009-2010, and then Crown Land since 1908. Between 1908 and 2009 the DP was a designated hospital and asylum site.
- Lot 27 DP 1086687 was Crown Land and designated as a hospital and asylum from 1908 to 1998. After which it was owned by the State of New South Wales (1998-1999), Olympic Co-ordination Authority (1999-2004), Sydney Olympic Park Authority (2004-2006), and Australand Industrial No16 Pty - the developer of the residential area to the south of the site - most recently (2006-2010). From 1998 to 2010 the lot and DP number changed on three occasions, presumably due to changes in the extent of the lot.

Lot 475 DP 45747 was owned by Crown Land from 1908 to 2009 and designated as a hospital and asylum site. Since 2009 it has been owned by the State of New South Wales.

There is nothing on the historical title deeds to suggest there is a risk of contamination at the project site.

### 3 Site inspection

Jonny Steele, senior environmental consultant from Mott MacDonald conducted an inspection of the project site on 7 March 2019 to identify areas of potential or actual contamination. The site inspection comprised of a walk-through of the site to identify evidence of contamination and potential sources of contamination from current land uses. It should be noted that access to the MSL was not permitted.

The majority of the site is undeveloped, consisting of amenity grassland with scattered trees. There is a small detention pond in the south west, adjacent to the A6 road. The existing MSL building and car park dominate the high ground of the site. Two roads link the car park with the external road network, one of which is not redundant due to the development of land to the south of the site.

No evidence of contamination was evident during the site visit.

Two subterranean septic tanks were identified, as shown in Figure 3-1. No information is available on the status or condition of the tanks. There is potential for land contamination as a result of untreated sewage seeping from the tanks.

There were no obvious sources of potential contamination noted other than the car park; hydrocarbon fluids from cars could escape and cause localised ground contamination or minor contamination of the storm water system.

**Figure 3-1: Septic tanks**



Key: Yellow rings indicate the approximate location of the septic tanks

## 4 Summary of findings and recommendations

### 4.1 Summary of study findings

#### 4.1.1 Acid sulfate soil risk

**4.1.2 The Auburn LEP 2010 classifies the site as class 5. Class 5 land is the least onerous designation where acid sulfate soils are considered unlikely. The consideration of acid sulfate soils is only necessary, and development consent required, for works that are below 5 m within 500 m of adjacent class 1-4 land and by which the water table is likely to be lowered below 1 m on adjacent class 1-4 land. There are no class 1-4 soils within 1 km of the project site. This precludes a consent requirement for the project. Contamination**

No evidence of contamination has been identified at the site. No potential sources of contamination have been noted other than hydrocarbon runoff from the car park and two subterranean septic tanks; there is potential for land contamination as a result of untreated sewage seeping from the tanks.

Apart from a small building in the north west corner, the site was undeveloped until the 1980s when the current MSL site was built. A review of the historical title deeds for the site identified nothing to suggest there is a risk of historical contamination. The current 149 planning certificates confirm the absence of contamination. An online search for the NSW EPA contaminated land record database and the NSW EPA POEO public register database yielded no records to suggest the presence of contamination on the site.

A DPI&E-provided initial contamination assessment report (Environmental Service Group, 2018) concluded that the site had a moderate risk of contamination from chemicals of concern due to its use as a hospital. The activities of the MSL building are unlikely to require hazardous substances. The site visit did not identify any potential sources of contamination from the building, although no access to the building was permitted.

The evidence to date suggests the potential for contamination of the site is low, although there are a number of knowledge gaps which could constitute contamination of the site:

- It is not clear what happened to the demolition waste from the removal of the building that was located in the north west of the project site; the building included asbestos-containing fibrous cement boards. The risk is that the waste was buried onsite.
- The contamination status of the fill used during construction of the MSL building in the late 1970s / early 1980s is unknown
- There is potential for land and groundwater contamination as a result of untreated sewage seeping from the two septic tanks located within the site

### 4.2 Recommendations

If no additional desk-based data can be found to address the knowledge gaps, targeted invasive soil sampling should be undertaken prior to development of the site to confirm the presence or absence of contamination.

## 5 Disclaimer

Mott MacDonald has prepared this report based on generally accepted practices and standards in operation at the time that it was prepared. No other warranty is made as to the professional advice included in this report. All parties should satisfy themselves that the scope of work conducted and reported herein meets their specific needs before relying on this document.

Mott MacDonald believes that its opinions have been developed according to the professional standard of care for the environmental consulting profession at the date of this document. That standard of care may change as new methods and practices of exploration, testing, analysis and remediation develop in the future, which may produce different results.

The studied environmental conditions are created by natural processes and human activity, and as such may change over time e.g. groundwater levels may rise or fall and contamination may migrate. This report therefore presents a point in time investigation of the BRC area, and as such can only be valid for the time at which the investigation was undertaken.

The methodology adopted and the sources of information used are outlined in this report. Mott MacDonald has limited its investigation to the scope agreed for this contract and as a result there is a limit to the conclusions that could be reached. Additional sampling and analysis would provide further insight and could produce different results and/or opinions. Mott MacDonald has made no independent verification of the desk-based information used beyond the agreed scope of works and assumes no responsibility for any inaccuracies or omissions.

This report does not include the investigation or consideration of hazardous building materials, including asbestos. Such materials should be assessed and managed by a qualified and licensed assessor/contractor.

# Appendices

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## **A. Section 149 planning certificates**



CUMBERLAND  
COUNCIL

G Mott MACDONALD  
LEVEL 10, 383 Kent Street  
SYDNEY NSW 2000

Certificate No: 32904  
Receipt No: 1433987  
Date: 27 March 2019  
Your Reference: 405675:35593

## PLANNING CERTIFICATE

Issued under Section 10.7(2) (5) of the  
*Environmental Planning and Assessment Act, 1979*

---

### PROPERTY DETAILS

**Address:** 80 Betty Cuthbert Drive, LIDCOMBE NSW 2141

**Legal Description:** Lot 74 DP 1141724, 475 DP 45747

**Owner(s) Name (as recorded by Council):**

Crown Lands  
C/- Department of Primary Industry - Lands  
PO Box 2185  
DANGAR NSW 2309

In accordance with the requirements of Section 10.7(2) of the *Environmental Planning and Assessment Act, 1979* (as amended), the following prescribed matters relate to the land at the date of this certificate.

Note: The information contained in Planning Certificates issued for a lot within Strata-Titled development relates to the land the development is situated on.

---

## 1. Names of Relevant Planning Instruments and DCPs

*The name of:*

- (a) *each environmental planning instrument that applies to the carrying out of development on the land.*
- (b) *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 has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).*
- (c) *each development control plan that applies to the carrying out of development on the land.*

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

- |   |   |
|---|---|
| 1(a) State Environmental Planning Policy        | (Miscellaneous Consent Provisions) 2007                       |
| Auburn Local Environmental Plan 2010 as amended |   |
| Sydney Regional Environmental Plan              | (Sydney Harbour Catchment) 2005                               |
| State Environmental Planning Policy No. 19      | Bushland in Urban Areas                                       |
| State Environmental Planning Policy No. 21      | Caravan Parks   |
| State Environmental Planning Policy No. 30      | Intensive Agriculture   |
| State Environmental Planning Policy No. 32      | Urban Consolidation (Redevelopment of Urban Land)             |
| State Environmental Planning Policy No. 33      | Hazardous and Offensive Development                           |
| State Environmental Planning Policy No. 50      | Canal Estate Development                                      |
| State Environmental Planning Policy No. 55      | Remediation of Land   |
| State Environmental Planning Policy No. 62      | Sustainable Aquaculture                                       |
| State Environmental Planning Policy No. 64      | Advertising and Signage                                       |
| State Environmental Planning Policy No. 65      | Design Quality of Residential Flat Development (Amendment 3)  |
| State Environmental Planning Policy No. 70      | Affordable Housing (Revised Schemes)                          |
| State Environmental Planning Policy             | (Affordable Rental Housing) 2009                              |
| State Environmental Planning Policy             | Building Sustainability Index: BASIX 2004                     |
| State Environmental Planning Policy             | (State Significant Precincts) 2005                            |
| State Environmental Planning Policy             | (Exempt and Complying Development Codes) 2008                 |
| State Environmental Planning Policy             | (Infrastructure) 2007   |
| State Environmental Planning Policy             | (Educational Establishments and Child Care Facilities) 2017   |
| State Environmental Planning Policy             | (Vegetation in Non-Rural Areas) 2017                          |
| State Environmental Planning Policy             | (Mining, Petroleum Production and Extractive Industries) 2007 |
| State Environmental Planning Policy             | (Housing for Seniors or People with a Disability) 2004        |
| State Environmental Planning Policy             | (State and Regional Development) 2011                         |
- 1(b) Draft State Environmental Planning Policy (Competition) 2010
- 1(c) Auburn Development Control Plan 2010.

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## 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 purpose for which the plan or instrument provides that development may be carried out within the zone without the need for development consent,*
- (c) *the purposes for which the plan or instrument provides that development may not be carried out within the zone except with development consent,*

- (d) *the purposes for which the plan or instrument provides that development is prohibited within the zone,*
- (e) *whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed,*
- (f) *whether the land includes or comprises critical habitat,*
- (g) *whether the land is in a conservation area (however described),*
- (h) *whether an item of environmental heritage (however described) is situated on the land.*

(a) Zone SP2- Infrastructure (Hospital) (Auburn Local Environmental Plan 2010)

(b) Under the provisions of the Auburn Local Environmental Plan 2010, development for the purpose of the following may be carried out within the zone WITHOUT DEVELOPMENT CONSENT:

- the provisions specified under Part 2 Permitted or Prohibited Development of the Auburn Local Environmental Plan 2010, there may be certain provisions carried out without development consent.
- the provisions specified under uses permitted without consent under the Land Use Table - Zone SP2 Infrastructure of the Auburn Local Environmental Plan 2010.
- the provisions listed under exempt development which satisfies the criteria for exempt development relevant to the applicable zone under Part 3 Exempt and Complying Development of the Auburn Local Environmental Plan 2010.
- the provisions specified under Part 5 Miscellaneous Provisions of the Auburn Local Environmental Plan 2010, there may be certain provisions carried out without development consent.
- the provisions specified under Part 6 Additional Local Provisions of the Auburn Local Environmental Plan 2010, there may be certain provisions carried out without development consent.

NOTE: The certificate provides zoning information for the land that is the subject of this certificate only. The applicant must refer to the Auburn Local Environmental Plan 2010 and associated maps in order to determine detailed provisions for above when carrying out development without consent under the applicable zone. The Auburn Local Environmental Plan 2010 written instrument and maps are available on the New South Wales legislation website at [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au).

(c) Under the provisions of the Auburn Local Environmental Plan 2010, development for the purpose of the following may be carried out within the zone WITH DEVELOPMENT CONSENT:

- the provisions specified under Part 2 Permitted or Prohibited Development of the Auburn Local Environmental Plan 2010, there may be certain provisions which may be carried out with development consent.
- the provisions specified under objectives of the zone of the Land Use Table - Zone SP2 Infrastructure of the Auburn Local Environmental Plan 2010, the consent authority may not grant development consent to the carrying out of development within the applicable zone unless the consent authority is of the opinion that the carrying out of the development is consistent with the objectives of the zone.
- the provisions listed under uses permitted with consent in the Land Use Table - Zone SP2 Infrastructure of the Auburn Local Environmental Plan 2010.
- the provisions listed under complying development which satisfies the criteria for complying development relevant to the applicable zone under Part 3 Exempt and Complying Development of the Auburn Local Environmental Plan 2010.
- the provisions specified under Part 5 Miscellaneous Provisions of the Auburn Local Environmental Plan 2010, there may be certain provisions carried out with development consent.

- the provisions specified under Part 6 Additional Local Provisions of the Auburn Local Environmental Plan 2010, there may be certain provisions carried out with development consent.

NOTE: The certificate provides zoning information for the land that is the subject of this certificate only. The applicant must refer to the Auburn Local Environmental Plan 2010 and associated maps in order to determine detailed provisions for above when carrying out development with consent under the applicable zone. The Auburn Local Environmental Plan 2010 written instrument and maps are available on the New South Wales legislation website at [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au).

- (d) Development for a purpose that is listed as being 'Prohibited' for the applicable zone is currently included under Part 2 Permitted or Prohibited Development and the Land Use Table of the Auburn Local Environmental Plan 2010.

NOTE: The certificate provides zoning information for the land that is the subject of this certificate only. The applicant must refer to the Auburn Local Environmental Plan 2010 and associated maps in order to determine detailed provisions for prohibited development under the applicable zone. The Auburn Local Environmental Plan 2010 written instrument and maps are available on the New South Wales legislation website at [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au).

- (e) There are no development standards applying to this land that fix a minimum land dimension for the erection of a dwelling-house.
- (f) The land does not include or comprise critical habitat.
- (g) The land is not located within a heritage conservation area under the provisions of Auburn Local Environmental Plan 2010.
- (h) The land has not been identified as containing an item of environmental heritage significance under the Auburn Local Environmental Plan 2010.

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### 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.*

#### General Housing Code

- (1) or (2) The land is not excluded from State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 under the clauses 1.17A (1), (c) to (e), (2), (3), (4), 1.18 (1) (c3) and 1.19. Complying development may be carried out on the land if the land is in an applicable land use zone and it meets the relevant land based requirements for complying development under this SEPP.

#### Rural Housing Code

- (1) or (2) The land is not affected by the Rural Housing code.

#### Housing Alterations Code and Industrial Alterations Code

- (1) or (2) The land is not excluded from State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 under the clauses 1.17A (1), (c) to (e), (2), (3), (4), 1.18 (1) (c3) and 1.19. Complying development may be carried out on the land if the

land is in an applicable land use zone and it meets the relevant land based requirements for complying development under this SEPP.

### **General Development Code**

- (1) or (2) The land is not excluded from State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 under the clauses 1.17A (1), (c) to (e), (2), (3), (4), 1.18 (1) (c3) and 1.19. Complying development may be carried out on the land if the land is in an applicable land use zone and it meets the relevant land based requirements for complying development under this SEPP.

### **Commercial and Industrial (New Buildings and Additions) Code**

- (1) or (2) The land is not excluded from State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 under the clauses 1.17A (1), (c) to (e), (2), (3), (4), 1.18 (1) (c3) and 1.19. Complying development may be carried out on the land if the land is in an applicable land use zone and it meets the relevant land based requirements for complying development under this SEPP.

### **Subdivisions Code**

- (1) or (2) The land is not excluded from State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 under the clauses 1.17A (1), (c) to (e), (2), (3), (4), 1.18 (1) (c3) and 1.19. Complying development may be carried out on the land if the land is in an applicable land use zone and it meets the relevant land based requirements for complying development under this SEPP.

### **Demolition Code**

- (1) or (2) The land is not excluded from State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 under the clauses 1.17A (1), (c) to (e), (2), (3), (4), 1.18 (1) (c3) and 1.19. Complying development may be carried out on the land if the land is in an applicable land use zone and it meets the relevant land based requirements for complying development under this SEPP.

### **Fire Services Code**

- (1) or (2) The land is not excluded from State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 under the clauses 1.17A (1), (c) to (e), (2), (3), (4), 1.18 (1) (c3) and 1.19. Complying development may be carried out on the land if the land is in an applicable land use zone and it meets the relevant land based requirements for complying development under this SEPP.
- (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.*
- (3) Council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land when a land based restriction applies to the land, but it may not apply to all of the land.

---

### **4 and 4a – Repealed.**

### **4b Annual charges under *Local Government Act 1993* for coastal protection services that relate to existing coastal protection works**

*In relation to a coastal council—whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local*

*Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).*

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

4b. The land is currently not affected by provisions included under this part.

---

## 5. Mine Subsidence

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

The land is not located in an area proclaimed to be a mine subsidence district within the meaning of Section 15 of the Mine Subsidence Compensation Act, 1961.

---

## 6. Road Widening and Road Realignment

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

- (a) *Division 2 of Part 3 of the Roads Act, 1993, or*
  - (b) *Any Environmental Planning Instrument, or*
  - (c) *Any resolution of the Council.*
- (a) The land is not affected by any road widening or road realignment under Division 2 of Part 3 of the Roads Act 1993.
  - (b) The land is not affected by any road widening or road realignment under any Environmental Planning Instrument.
  - (c) The land is not affected by any road widening or road realignment under a Council resolution.

---

## 7. Council and other public authority policies on Hazard Risk Restriction

*Whether or not the land is affected by a policy:*

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

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

- (a) Land is affected by relevant acid sulphate soil classes 1 to 5 (high to low probability of acid sulphate soils being present) under Auburn Local Environmental Plan 2010. To determine the relevant acid sulphate soils class for the land, the applicant should refer to Council's Acid Sulphate Soils Map - Auburn Local Environmental Plan 2010 which is available on the New South Wales legislation website at [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au).

The land is not affected by a flood control lot under the Auburn Local Environmental Plan 2010.

- (b) Council has been notified by Parramatta City Council that the following Flood Management Studies have been carried out and adopted. They are:
  1. Duck River Flood Study Parramatta City Council – Final Flood Study Report (September 2006)
  2. Lower Parramatta River Flood Plain Risk Management Study – Draft February 2003

For more detailed information and enquiries regarding the above flood studies and affected areas please contact Council's Works and Services Department, Engineering Division.

Council has been notified that the Department of Planning has adopted the *New South Wales Coastal Planning Guideline: Adapting to Sea Level Rise (August 2010)*. The guideline can be viewed at [www.planning.nsw.gov.au](http://www.planning.nsw.gov.au).

The applicant should also refer to projected sea level rise low, medium and high scenario maps on [http://www.ozcoasts.org.au/climate/Map\\_images/Sydney/mapLevel2.jsp](http://www.ozcoasts.org.au/climate/Map_images/Sydney/mapLevel2.jsp) for further information.

## **7a Flood related Development Controls Information**

- (1) *Whether or not the development on that land or part of the land for the purposes of dwellings, 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.*

If development on the land or part of the land for above purposes is affected by a flood control lot under Auburn Local Environmental Plan 2010, the applicant should refer to Council's Stormwater Drainage Part - Auburn Development Control Plan 2010 on the New South Wales legislation website at [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au).

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

If development on the land or part of the land under Auburn Local Environmental Plan 2010 for any other purposes is subject to flood related development controls, the applicant should refer to Council's Stormwater Drainage Part of the Auburn Development Control Plan 2010 available on the New South Wales legislation website at [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au).

- (3) *Words and expressions in this clause have the same meanings as in the standard instrument set out in the Standard Instrument (Local Environmental Plans) Order 2006.*

Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the Standard Instrument (Local Environmental Plans) Order 2006.

---

## **8. Land Reserved for Acquisition**

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

The land is not affected by the Auburn Local Environmental Plan 2010 - Land Reservation Acquisition Map for the purposes of acquisition under the Act.

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## **9. Contributions Plans**

*The name of each Contributions Plan applying to the land:*

Auburn Development Contributions Plan 2007

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## **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.*

The land is not biodiversity certified land within the meaning of the above Act.

---

**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).*

The land is not a biodiversity stewardship site under the above Act.

---

**10A. Native vegetation clearing set asides**

*If the land contains a set aside 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 the set aside area by Local Land Services or it is registered in the public register under that section.*

---

**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 bushfire prone land under the Act.

---

**12. Property Vegetation Plans**

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

The land is not affected by a Property Vegetation Plan under the *Native Vegetation Act, 2003*.

---

**13. Orders under the Trees (Disputes Between Neighbours) Act 2006**

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

The land is not affected by an order issued under the *Trees (Disputes between Neighbours) Act 2006*.

---

**14. Directions under Part 3A (Environmental Planning and Assessment Act 1979)**

*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 are no ministerial directions in force under section 75P (2) (c1) of the *Environmental Planning and Assessment Act 1979*.

---

## 15. Site compatibility certificates and conditions for seniors housing

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

- (a) *a statement of whether there is a current site compatibility certificate (seniors housing), of which the Council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:*
  - (i) *the period for which the certificate is current, and*
  - (ii) *that a copy may be obtained from the head office of the Department, and*
- (b) *a statement setting out any terms of a kind referred to in clause 18 (2) of that Policy that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.*

(a) & (b) The land is not subject to a site compatibility certificate.

---

## 16. Site Compatibility Certificates for Infrastructure, schools 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.*

(a) & (b) There is no site compatibility certificate issued for infrastructure, schools or TAFE establishments in respect of the land.

---

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

(1) & (2) There is no current site compatibility certificate (affordable rental housing) of which council is aware or 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 has been imposed as a condition of consent to a development application for the land.

---

## 18. Paper Subdivision Information

- (1) *The name of any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot.*
- (2) *The date of any subdivision order that applies to the land.*
- (3) *Words and expressions used in this clause have the same meaning as they have in Part 16C of this Regulation.*

(1), (2) & (3) The land is not affected by a proposed or adopted development plan by Council or a subdivision order.

---

## 19. Site Verification Certificates

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

(a) the matter certified by the certificate, and

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

(b) the date on which the certificate ceases to be current (if any), and

(c) that a copy may be obtained from the head office of the Department.

(a), (b) & (c) There is no site verification certificate on the land.

---

## 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 is not aware of any land being affected.

---

## 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.

(2) A statement of:

(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

(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.

(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.

Council is not aware of the land being affected.

---

### Note:

Section 59(2) of the Contaminated Lands Management Act 1997 prescribes the following matters that are to be specified in a Planning Certificate:

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

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

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

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

- e) *That the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act – if a copy of such a statement has been provided any time to the local authority issuing the certificate.*
- (a) The land is not significantly contaminated land (or part of the land) within the meaning of the *Contaminated Lands Management Act 1997* at the date when the certificate is issued.
- (b) The land is not subject to a management order within the meaning of the *Contaminated Lands Management Act 1997* at the date when the certificate is issued.
- (c) The land is not the subject of an approved voluntary management proposal within the meaning of the *Contaminated Lands Management Act 1997* at the date when the certificate is issued.
- (d) The land is not subject to an ongoing maintenance order within the meaning of the *Contaminated Lands Management Act 1997* at the date when the certificate is issued.
- (e) The land is subject to a site audit statement within the meaning of the *Contaminated Lands Management Act 1997*.

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### **Section 10.7(5) Information**

In accordance with the requirements of Section 10.7(5) of the *Environmental Planning and Assessment Act, 1979* (as amended), the following additional information is provided about the land to which this certificate applies.

**Note:** In accordance with Section 10.7(6) of the *Environmental Planning and Assessment Act, 1979* (as amended), Council will not incur any liability for the following additional information, which is provided in good faith. The absence of any matter affecting the land does not imply that the land is not affected by any matter not referred to in this Certificate.

The NSW Scientific Committee, established by the Threatened Species Conservation Act, 1995 has made a Preliminary Determination to support a proposal to list the Cumberland Plain Woodland in the Sydney Basin Bioregion as a Critically Endangered Ecological Community on Part 2 of Schedule 1A of the Act and to omit reference to Cumberland Plain Woodland from Part 3 of Schedule 1 (Endangered Ecological Communities) of the Act.



**Hamish McNulty**  
**GENERAL MANAGER**

**Per: Monica Cologna**  
**Manager, Strategic Planning - PLANNING**

## **B. EPA contaminated land record search**

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

## Search results

Your search for: LGA: Auburn City Council

Matched 49 notices relating to 11 sites.

[Search Again](#) [Refine Search](#)

| Suburb              | Address                  | Site Name   | Notices related to this site |
|---------------------|--------------------------|---|------------------------------|
| AUBURN              | Jamieson STREET          | <a href="#">Department of Corrective Services land adjacent to the former Auburn Landfill</a> | 1 former                     |
| AUBURN              | 9 Short STREET           | <a href="#">Former Ajax chemical factory</a>  | 2 former                     |
| HOME BUSH BAY       | No specific Street OTHER | <a href="#">Homebush Bay General Area</a>   | 2 former                     |
| HOME BUSH BAY       | 25 Bennelong ROAD        | <a href="#">Timber Treatment Plant</a>  | 4 former                     |
| SILVERWATER         | 54-58 Derby STREET       | <a href="#">Storage Facility</a>  | 2 current                    |
| SYDNEY OLYMPIC PARK | Bicentennial DRIVE       | <a href="#">Bicentennial Park</a>   | 1 current and 2 former       |
| SYDNEY OLYMPIC PARK | Jamieson STREET          | <a href="#">Blaxland Common Landfill</a>  | 1 current and 3 former       |
| SYDNEY OLYMPIC PARK | Sarah Durack AVENUE      | <a href="#">Former Golf Driving Range Landfill</a>  | 1 current and 6 former       |
| SYDNEY OLYMPIC PARK | Kevin Coombes AVENUE     | <a href="#">Kronos Hill Landfill</a>  | 1 current and 13 former      |
| SYDNEY OLYMPIC PARK | Newington ROAD           | <a href="#">Wilson Park (Former oil gas plant site)</a>                                       | 1 current and 9 former       |
| SYDNEY OLYMPIC PARK | Hill ROAD                | <a href="#">Woo-la-ra Landfill</a>  | 1 current and 4 former       |

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20 March 2019

## **C. NSW EPA POEO public register search**

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| Number                  | Name                               | Location                                   | Type                                  | Status             | Issued date |
|-------------------------|------------------------------------|--|---------------------------------------|--------------------|-------------|
| <a href="#">6203</a>    | A1 HARD CHROME PTY LTD             | 14 WETHERILL STREET,<br>LIDCOMBE, NSW 2141 | POEO licence                          | No longer in force | 19 Jan 2000 |
| <a href="#">1044571</a> | A1 HARD CHROME PTY LTD             | 14 WETHERILL STREET,<br>LIDCOMBE, NSW 2141 | s.58 Licence<br>Variation             | Issued             | 16 Feb 2005 |
| <a href="#">1573749</a> | Con Constanti                      | 134 John Street ,<br>LIDCOMBE,<br>NSW 2141 | s.91 Clean Up<br>Notice               | Issued             | 30 Jan 2019 |
| <a href="#">1577507</a> | Con Constanti                      | 134 John Street ,<br>LIDCOMBE,<br>NSW 2141 | s.110 Variation of<br>Clean Up Notice | Issued             | 26 Mar 2019 |
| <a href="#">5604</a>    | HOLCIM (AUSTRALIA) PTY LTD         | LOT 2 BIRNIE AVENUE,<br>LIDCOMBE, NSW 2141 | POEO licence                          | No longer in force | 08 Dec 1999 |
| <a href="#">1008890</a> | HOLCIM (AUSTRALIA) PTY LTD         | LOT 2 BIRNIE AVENUE,<br>LIDCOMBE, NSW 2141 | s.58 Licence<br>Variation             | Issued             | 06 Aug 2001 |
| <a href="#">1552768</a> | HOLCIM (AUSTRALIA) PTY LTD         | 40 Birnie Avenue,<br>LIDCOMBE,<br>NSW 2141 | s.91 Clean Up<br>Notice               | Issued             | 04 Jun 2017 |
| <a href="#">1167</a>    | LION-BEER, SPIRITS & WINE PTY LTD  | 29 NYRANG STREET,<br>LIDCOMBE, NSW 2141    | POEO licence                          | Issued             | 09 May 2000 |
| <a href="#">1021928</a> | LION-BEER, SPIRITS & WINE PTY LTD  | 29 NYRANG STREET,<br>LIDCOMBE, NSW 2141    | s.58 Licence<br>Variation             | Issued             | 14 Apr 2003 |
| <a href="#">1036773</a> | LION-BEER, SPIRITS & WINE PTY LTD  | 29 NYRANG STREET,<br>LIDCOMBE, NSW 2141    | s.58 Licence<br>Variation             | Issued             | 12 Jul 2004 |
| <a href="#">1097961</a> | LION-BEER, SPIRITS & WINE PTY LTD  | 29 NYRANG STREET,<br>LIDCOMBE, NSW 2141    | s.58 Licence<br>Variation             | Issued             | 04 Mar 2009 |
| <a href="#">1099023</a> | LION-BEER, SPIRITS & WINE PTY LTD  | 29 NYRANG STREET,<br>LIDCOMBE, NSW 2141    | s.58 Licence<br>Variation             | Issued             | 30 Mar 2009 |
| <a href="#">1502501</a> | LION-BEER, SPIRITS & WINE PTY LTD  | 29 NYRANG STREET,<br>LIDCOMBE, NSW 2141    | s.58 Licence<br>Variation             | Issued             | 07 Dec 2011 |
| <a href="#">1503601</a> | LION-BEER, SPIRITS & WINE PTY LTD  | 29 NYRANG STREET,<br>LIDCOMBE, NSW 2141    | s.58 Licence<br>Variation             | Issued             | 06 Feb 2012 |
| <a href="#">1510817</a> | LION-BEER, SPIRITS & WINE PTY LTD  | 29 NYRANG STREET,<br>LIDCOMBE, NSW 2141    | s.58 Licence<br>Variation             | Issued             | 16 Apr 2013 |
| <a href="#">1520031</a> | LION-BEER, SPIRITS & WINE PTY LTD  | 29 NYRANG STREET,<br>LIDCOMBE, NSW 2141    | s.58 Licence<br>Variation             | Issued             | 24 Feb 2014 |
| <a href="#">1529741</a> | LION-BEER, SPIRITS & WINE PTY LTD  | 29 NYRANG STREET,<br>LIDCOMBE, NSW 2141    | s.58 Licence<br>Variation             | Issued             | 23 Apr 2015 |
| <a href="#">1537162</a> | LION-BEER, SPIRITS & WINE PTY LTD  | 29 NYRANG STREET,<br>LIDCOMBE, NSW 2141    | s.58 Licence<br>Variation             | Issued             | 15 Jan 2016 |
| <a href="#">1912</a>    | OFFSET ALPINE PRINTING PTY LIMITED | 42 BOOREA STREET,<br>LIDCOMBE, NSW 2141    | POEO licence                          | No longer in force | 10 Jan 2000 |
| <a href="#">1027990</a> | OFFSET ALPINE PRINTING PTY LIMITED | 42 BOOREA STREET,<br>LIDCOMBE, NSW 2141    | s.58 Licence<br>Variation             | Issued             | 17 Jun 2003 |

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08 April 2019

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| Number                     | Name                               | Location                             | Type                                 | Status             | Issued date |
|----------------------------|------------------------------------|--------------------------------------|--------------------------------------|--------------------|-------------|
| <a href="#">1044784</a>    | OFFSET ALPINE PRINTING PTY LIMITED | 42 BOOREA STREET, LIDCOMBE, NSW 2141 | s.58 Licence Variation               | Issued             | 02 Apr 2005 |
| <a href="#">1059552</a>    | OFFSET ALPINE PRINTING PTY LIMITED | 42 BOOREA STREET, LIDCOMBE, NSW 2141 | s.58 Licence Variation               | Issued             | 23 May 2006 |
| <a href="#">1067232</a>    | OFFSET ALPINE PRINTING PTY LIMITED | 42 BOOREA STREET, LIDCOMBE, NSW 2141 | s.58 Licence Variation               | Issued             | 22 Dec 2006 |
| <a href="#">3085777384</a> | PARMALAT AUSTRALIA PTY LTD         | LOT 1 BIRNIE AVE, LIDCOMBE, NSW 2141 | Penalty Notice                       | Withdrawn          |             |
| <a href="#">2108</a>       | PARMALAT AUSTRALIA PTY LTD         | LOT 1 BIRNIE AVE, LIDCOMBE, NSW 2141 | POEO licence                         | Issued             | 13 Mar 2000 |
| <a href="#">1011452</a>    | PARMALAT AUSTRALIA PTY LTD         | LOT 1 BIRNIE AVE, LIDCOMBE, NSW 2141 | s.58 Licence Variation               | Issued             | 02 Nov 2001 |
| <a href="#">1021604</a>    | PARMALAT AUSTRALIA PTY LTD         | LOT 1 BIRNIE AVE, LIDCOMBE, NSW 2141 | s.58 Licence Variation               | Issued             | 09 Apr 2003 |
| <a href="#">1089935</a>    | PARMALAT AUSTRALIA PTY LTD         | LOT 1 BIRNIE AVE, LIDCOMBE, NSW 2141 | s.58 Licence Variation               | Issued             | 03 Sep 2008 |
| <a href="#">3085768043</a> | PARMALAT AUSTRALIA PTY LTD         | LOT 1 BIRNIE AVE, LIDCOMBE, NSW 2141 | Penalty Notice                       | Issued             | 19 Feb 2013 |
| <a href="#">1517203</a>    | PARMALAT AUSTRALIA PTY LTD         | LOT 1 BIRNIE AVE, LIDCOMBE, NSW 2141 | s.58 Licence Variation               | Issued             | 03 Oct 2013 |
| <a href="#">1525448</a>    | PARMALAT AUSTRALIA PTY LTD         | LOT 1 BIRNIE AVE, LIDCOMBE, NSW 2141 | s.58 Licence Variation               | Issued             | 08 Oct 2014 |
| <a href="#">1525545</a>    | PARMALAT AUSTRALIA PTY LTD         | LOT 1 BIRNIE AVE, LIDCOMBE, NSW 2141 | s.58 Licence Variation               | Issued             | 13 Oct 2014 |
| <a href="#">1529985</a>    | PARMALAT AUSTRALIA PTY LTD         | LOT 1 BIRNIE AVE, LIDCOMBE, NSW 2141 | s.96 Prevention Notice               | Issued             | 23 Apr 2015 |
| <a href="#">1530304</a>    | PARMALAT AUSTRALIA PTY LTD         | LOT 1 BIRNIE AVE, LIDCOMBE, NSW 2141 | s.110 Variation of Prevention Notice | Issued             | 30 Apr 2015 |
| <a href="#">3085777393</a> | PARMALAT AUSTRALIA PTY LTD         | LOT 1 BIRNIE AVE, LIDCOMBE, NSW 2141 | Penalty Notice                       | Issued             | 21 Aug 2015 |
| <a href="#">3085777411</a> | PARMALAT AUSTRALIA PTY LTD         | LOT 1 BIRNIE AVE, LIDCOMBE, NSW 2141 | Penalty Notice                       | Issued             | 21 Aug 2015 |
| <a href="#">1534044</a>    | PARMALAT AUSTRALIA PTY LTD         | LOT 1 BIRNIE AVE, LIDCOMBE, NSW 2141 | s.58 Licence Variation               | Issued             | 02 Dec 2015 |
| <a href="#">1537446</a>    | PARMALAT AUSTRALIA PTY LTD         | LOT 1 BIRNIE AVE, LIDCOMBE, NSW 2141 | s.58 Licence Variation               | Issued             | 25 Jan 2016 |
| <a href="#">1540604</a>    | PARMALAT AUSTRALIA PTY LTD         | LOT 1 BIRNIE AVE, LIDCOMBE, NSW 2141 | s.58 Licence Variation               | Issued             | 18 Jul 2016 |
| <a href="#">12390</a>      | RAIL CORPORATION NEW SOUTH WALES   | Bachell Avenue, LIDCOMBE, NSW 2141   | POEO licence                         | No longer in force | 15 Dec 2005 |

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| Number                     | Name                             | Location                             | Type                   | Status             | Issued date |
|----------------------------|----------------------------------|--------------------------------------|------------------------|--------------------|-------------|
| <a href="#">1058873</a>    | RAIL CORPORATION NEW SOUTH WALES | Bachell Avenue, LIDCOMBE, NSW 2141   | s.58 Licence Variation | Issued             | 09 May 2006 |
| <a href="#">2179</a>       | SAINT-GOBAIN ABRASIVES PTY LTD   | 25 NYRANG STREET, LIDCOMBE, NSW 2141 | POEO licence           | No longer in force | 17 Jan 2000 |
| <a href="#">1044018</a>    | SAINT-GOBAIN ABRASIVES PTY LTD   | 25 NYRANG STREET, LIDCOMBE, NSW 2141 | s.58 Licence Variation | Issued             | 27 Jan 2005 |
| <a href="#">3085776376</a> | SYDNEY TRAINS                    | Bachell Avenue, LIDCOMBE, NSW 2141   | Penalty Notice         | Withdrawn          |             |
| <a href="#">3085776403</a> | SYDNEY TRAINS                    | Bachell Avenue, LIDCOMBE, NSW 2141   | Penalty Notice         | Issued             | 02 Apr 2015 |

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08 April 2019

## **D. Historical aerial photographs**

D.1 1943



D.2 1955



**D.3 1965**



D.4 1975



D.5 1986



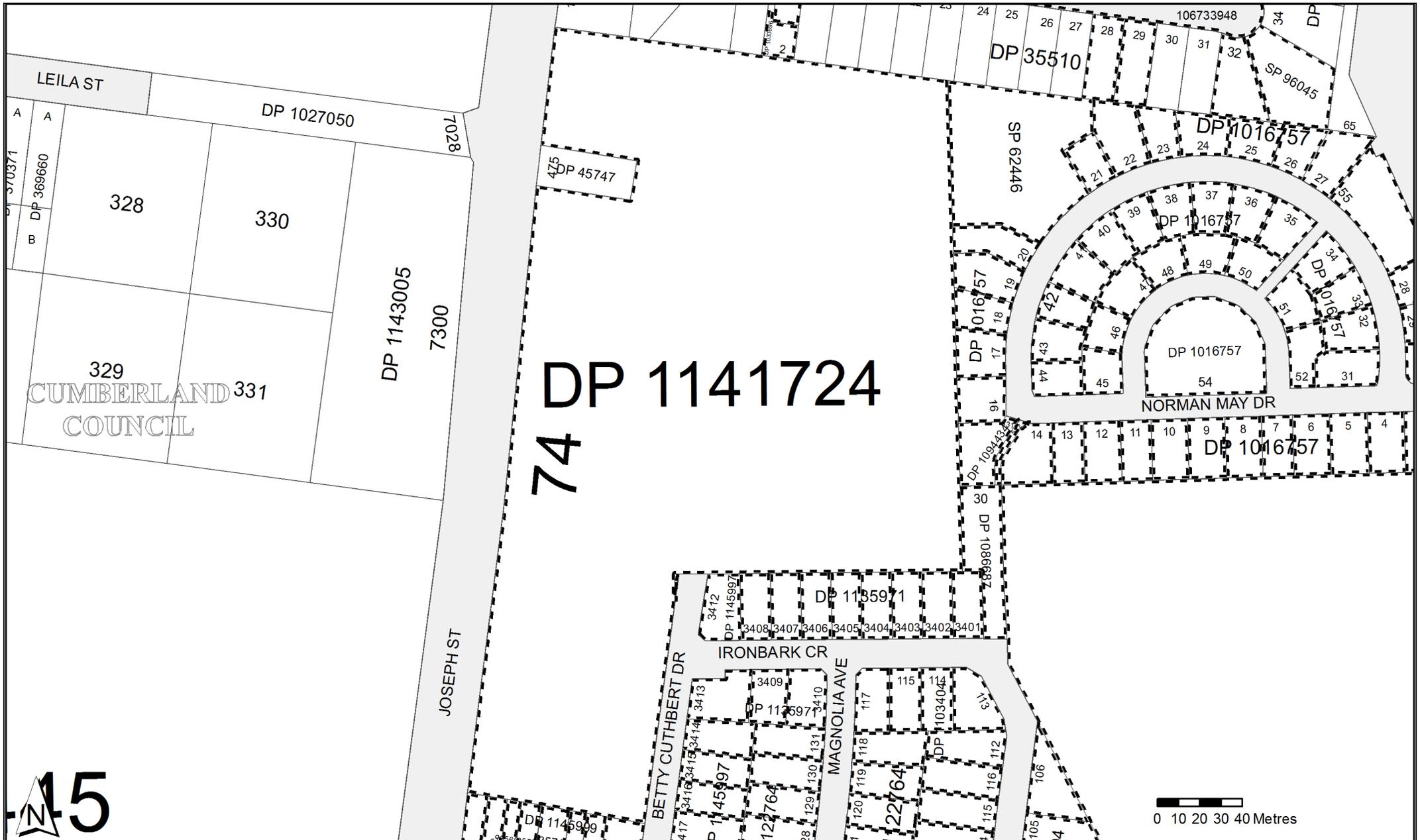
D.6 1994



D.7 2004



## **E. Historic title deed**



|   | Status        | Surv/Comp    | Purpose  |
|---|---------------|--------------|--|
| DP35510   |               |              |  |
| Lot(s): 28, 29  |               |              |  |
|  DP1245886   | PRE-ALLOCATED | UNAVAILABLE  | CONSOLIDATION  |
| Lot(s): 32  |               |              |  |
|  DP1242279   | REGISTERED    | SURVEY       | REDEFINITION   |
| Lot(s): 35  |               |              |  |
|  DP1234486   | PRE-ALLOCATED | UNAVAILABLE  | CONSOLIDATION  |
| DP48289   |               |              |  |
| Lot(s): 489   |               |              |  |
|  DP1016757   | REGISTERED    | SURVEY       | SUBDIVISION  |
|  DP1080957   | REGISTERED    | SURVEY       | LEASE  |
|  DP1097870   | REGISTERED    | COMPILATION  | EASEMENT   |
|  DP1131656   | REGISTERED    | SURVEY       | EASEMENT   |
| DP1016757   |               |              |  |
| Lot(s): 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 54, 55 |               |              |  |
|  DP876565  | HISTORICAL    | SURVEY       | RESUMPTION OR ACQUISITION  |
| DP1029770   |               |              |  |
| Lot(s): 508   |               |              |  |
|  NSW GAZ.  | 29-06-2001    | Folio : 5057 | CHANGE OF TRUST PURSUANT TO NECROPOLIS ACT, 1901; ADDITIONAL LAND PURSUANT TO NECROPOLIS ACT, 1901 |
|  NSW GAZ.  | 29-06-2001    | Folio : 5057 | NECROPOLIS ACT, 1901 AFFECTING LOTS 508-511 DP1029770  |
| DP1033696   |               |              |  |
| Lot(s): 1, 2  |               |              |  |
|  DP35510   | HISTORICAL    | SURVEY       | UNRESEARCHED   |
| DP1086687   |               |              |  |
| Lot(s): 30  |               |              |  |
|  DP876565  | HISTORICAL    | SURVEY       | RESUMPTION OR ACQUISITION  |
|  DP1016757   | HISTORICAL    | SURVEY       | SUBDIVISION  |
|  DP1074086   | HISTORICAL    | SURVEY       | SUBDIVISION  |
|  DP1097870   | REGISTERED    | COMPILATION  | EASEMENT   |
|  DP1103404   | REGISTERED    | SURVEY       | SUBDIVISION  |
| DP1094434   |               |              |  |
| Lot(s): 532   |               |              |  |
|  DP1116962   | REGISTERED    | COMPILATION  | EASEMENT   |
| Lot(s): 531, 532  |               |              |  |
|  DP876565  | HISTORICAL    | SURVEY       | RESUMPTION OR ACQUISITION  |
|  DP1016757   | HISTORICAL    | SURVEY       | SUBDIVISION  |
| DP1103404   |               |              |  |
| Lot(s): 105, 106, 112, 113, 114, 115  |               |              |  |
|  DP876565  | HISTORICAL    | SURVEY       | RESUMPTION OR ACQUISITION  |
|  DP1016757   | HISTORICAL    | SURVEY       | SUBDIVISION  |
|  DP1074086   | HISTORICAL    | SURVEY       | SUBDIVISION  |
|  DP1086687   | HISTORICAL    | SURVEY       | SUBDIVISION  |
| DP1122764   |               |              |  |
| Lot(s): 114, 115, 116, 117, 118, 119, 120, 121, 128, 129, 130, 131  |               |              |  |
|  DP876565  | HISTORICAL    | SURVEY       | RESUMPTION OR ACQUISITION  |
|  DP1016757   | HISTORICAL    | SURVEY       | SUBDIVISION  |
|  DP1074086   | HISTORICAL    | SURVEY       | SUBDIVISION  |
|  DP1086687   | HISTORICAL    | SURVEY       | SUBDIVISION  |
|  DP1103404   | HISTORICAL    | SURVEY       | SUBDIVISION  |

**Caution:** This information is provided as a searching aid only. Whilst every endeavour is made to ensure that current map, plan and titling information is accurately reflected, the Registrar General cannot guarantee the information provided. For **ALL ACTIVITY PRIOR TO SEPTEMBER 2002** you must refer to the RGs Charting and Reference Maps.

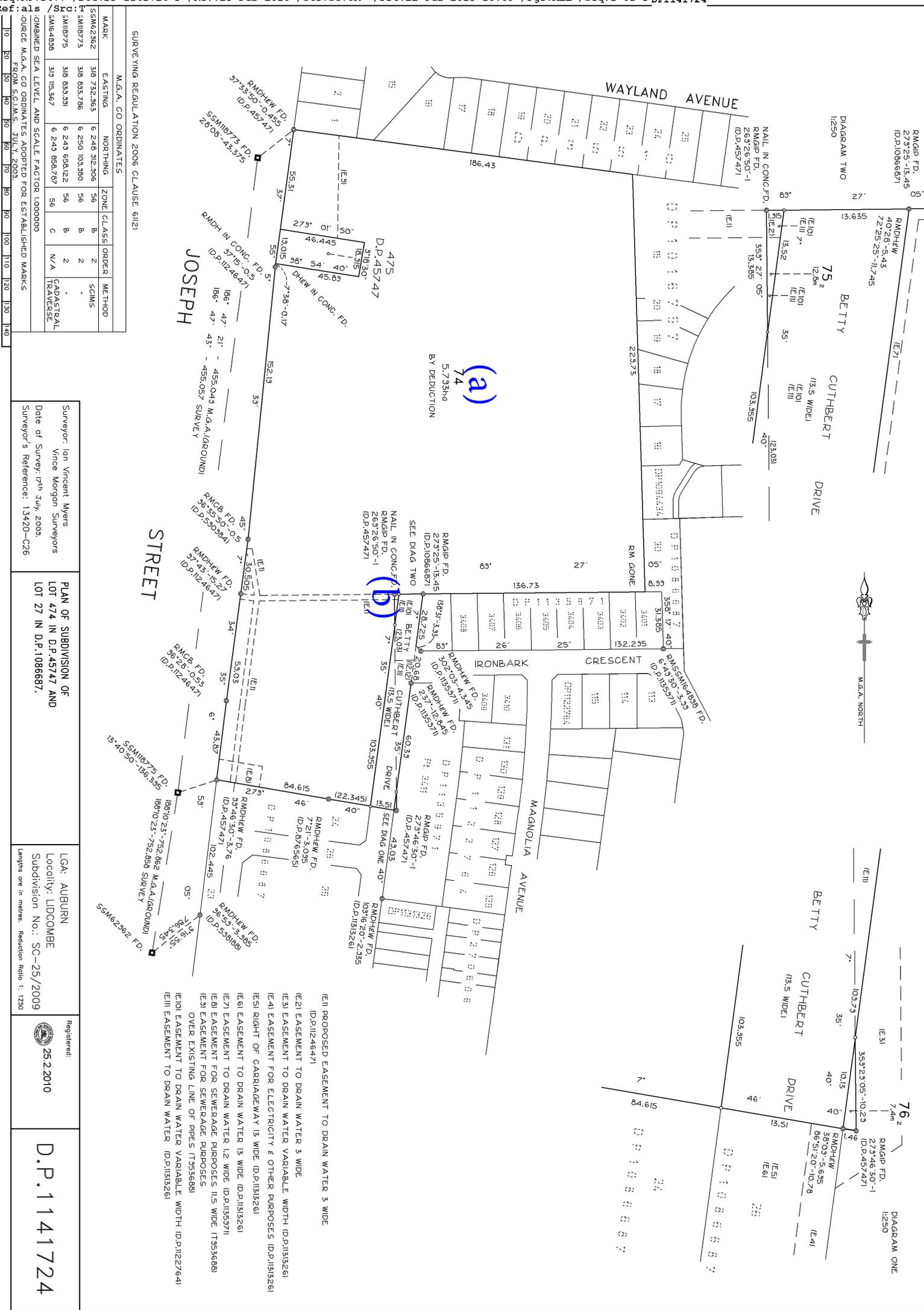
|   | Status  | Surv/Comp         | Purpose                   |
|---|---|-------------------|---------------------------|
| DP1135971   |   |                   |                           |
| Lot(s): 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3409, 3410                  |   |                   |                           |
|    | DP876565  | HISTORICAL SURVEY | RESUMPTION OR ACQUISITION |
|    | DP1016757   | HISTORICAL SURVEY | SUBDIVISION               |
|    | DP1074086   | HISTORICAL SURVEY | SUBDIVISION               |
|    | DP1086687   | HISTORICAL SURVEY | SUBDIVISION               |
|    | DP1103404   | HISTORICAL SURVEY | SUBDIVISION               |
|    | DP1122764   | HISTORICAL SURVEY | SUBDIVISION               |
| DP1141724   |   |                   |                           |
| Lot(s): 74, 75  |   |                   |                           |
|    | DP876565  | HISTORICAL SURVEY | RESUMPTION OR ACQUISITION |
|    | DP1016757   | HISTORICAL SURVEY | SUBDIVISION               |
|    | DP1074086   | HISTORICAL SURVEY | SUBDIVISION               |
|    | DP1086687   | HISTORICAL SURVEY | SUBDIVISION               |
| Lot(s): 74  |   |                   |                           |
|    | DP45747   | HISTORICAL SURVEY | CROWN FOLIO CREATION      |
|    | DP1124647   | REGISTERED SURVEY | EASEMENT                  |
| DP1145997   |   |                   |                           |
| Lot(s): 3417  |   |                   |                           |
|    | DP45747   | HISTORICAL SURVEY | CROWN FOLIO CREATION      |
|    | DP1141724   | HISTORICAL SURVEY | SUBDIVISION               |
| Lot(s): 3412, 3413, 3414, 3415, 3416, 3417  |   |                   |                           |
|    | DP876565  | HISTORICAL SURVEY | RESUMPTION OR ACQUISITION |
|    | DP1016757   | HISTORICAL SURVEY | SUBDIVISION               |
|    | DP1074086   | HISTORICAL SURVEY | SUBDIVISION               |
|   | DP1086687   | HISTORICAL SURVEY | SUBDIVISION               |
|  | DP1103404   | HISTORICAL SURVEY | SUBDIVISION               |
|  | DP1122764   | HISTORICAL SURVEY | SUBDIVISION               |
|  | DP1135971   | HISTORICAL SURVEY | SUBDIVISION               |
| DP1145998   |   |                   |                           |
| Lot(s): 3549  |   |                   |                           |
|  | DP876565  | HISTORICAL SURVEY | RESUMPTION OR ACQUISITION |
|  | DP1016757   | HISTORICAL SURVEY | SUBDIVISION               |
|  | DP1074086   | HISTORICAL SURVEY | SUBDIVISION               |
|  | DP1086687   | HISTORICAL SURVEY | SUBDIVISION               |
| DP1145999   |   |                   |                           |
| Lot(s): 3568, 3569, 3570, 3571, 3572, 3573, 3574                                    |   |                   |                           |
|  | DP876565  | HISTORICAL SURVEY | RESUMPTION OR ACQUISITION |
|  | DP1016757   | HISTORICAL SURVEY | SUBDIVISION               |
|  | DP1074086   | HISTORICAL SURVEY | SUBDIVISION               |
|  | DP1086687   | HISTORICAL SURVEY | SUBDIVISION               |
|  | DP1145998   | HISTORICAL SURVEY | SUBDIVISION               |
| SP62446   |   |                   |                           |
|  | DP876565  | HISTORICAL SURVEY | RESUMPTION OR ACQUISITION |
|  | DP1016757   | HISTORICAL SURVEY | SUBDIVISION               |
| SP96045   |   |                   |                           |
|  | DP35510   | HISTORICAL SURVEY | UNRESEARCHED              |
|  | DP1242279   | HISTORICAL SURVEY | REDEFINITION              |
| Road  |   |                   |                           |
| Polygon Id(s): 106733948  |   |                   |                           |
|  | EX-SUR 51/11 DP982934   |                   |                           |
| Surveyed  |   |                   |                           |
| Polygon Id(s): 104384763  |   |                   |                           |
|  | PART OF ROOKWOOD CEMETERY CROWN RESERVE NO. 500918. FEE IS CROWN LAND. TITLE CREATION WILL AWAIT INVESTIGATION BY CROWN LANDS DIVISION NEWCASTLE AND THE REGISTRATION OF THE APPROPRIATE DEPOSITED PLAN |                   |                           |

**Caution:** This information is provided as a searching aid only. Whilst every endeavour is made to ensure that current map, plan and titling information is accurately reflected, the Registrar General cannot guarantee the information provided. For **ALL ACTIVITY PRIOR TO SEPTEMBER 2002** you must refer to the RGs Charting and Reference Maps.

| Plan      | Surv/Comp    | Purpose               |
|-----------|--------------|-----------------------|
| DP35510   | SURVEY       | UNRESEARCHED          |
| DP45747   | SURVEY       | CROWN FOLIO CREATION  |
| DP48289   | SURVEY       | CROWN FOLIO CREATION  |
| DP93915   | COMPILATION  | DEPARTMENTAL          |
| DP369660  | COMPILATION  | UNRESEARCHED          |
| DP369661  | COMPILATION  | UNRESEARCHED          |
| DP370371  | COMPILATION  | UNRESEARCHED          |
| DP752036  | COMPILATION  | CROWN ADMIN NO.       |
| DP1016757 | SURVEY       | SUBDIVISION           |
| DP1027050 | COMPILATION  | DEPARTMENTAL          |
| DP1029770 | SURVEY       | CROWN FOLIO CREATION  |
| DP1033696 | SURVEY       | SUBDIVISION           |
| DP1086687 | SURVEY       | SUBDIVISION           |
| DP1094434 | SURVEY       | SUBDIVISION           |
| DP1103404 | SURVEY       | SUBDIVISION           |
| DP1122764 | SURVEY       | SUBDIVISION           |
| DP1135971 | SURVEY       | SUBDIVISION           |
| DP1135971 | UNRESEARCHED | SUBDIVISION           |
| DP1141724 | SURVEY       | SUBDIVISION           |
| DP1141724 | UNRESEARCHED | SUBDIVISION           |
| DP1143005 | COMPILATION  | CROWN LAND CONVERSION |
| DP1145997 | SURVEY       | SUBDIVISION           |
| DP1145997 | UNRESEARCHED | SUBDIVISION           |
| DP1145998 | SURVEY       | SUBDIVISION           |
| DP1145998 | UNRESEARCHED | SUBDIVISION           |
| DP1145999 | SURVEY       | SUBDIVISION           |
| DP1145999 | UNRESEARCHED | SUBDIVISION           |
| SP62446   | COMPILATION  | STRATA PLAN           |
| SP96045   | COMPILATION  | STRATA PLAN           |
| SP96045   | UNRESEARCHED | STRATA PLAN           |

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| MARK     | EASTING     | NORTHING      | ZONE | CLASS | ORDER | METHOD |
|----------|-------------|---------------|------|-------|-------|--------|
| SSM62362 | 310 732.953 | 6 249 312.306 | B    | Z     | 2     | SCIMS  |
| SM18775  | 310 933.736 | 6 250 103.380 | B    | Z     | 2     | SCIMS  |
| SM18775  | 310 933.331 | 6 249 650.122 | B    | Z     | 2     | SCIMS  |
| SM64838  | 310 115.567 | 6 249 858.797 | C    | N/A   | 1     | SCIMS  |

COMBINED SEA LEVEL AND SCALE FACTOR 1.000000  
 SOURCE M.G.A. CO ORDINATES ADOPTED FOR ESTABLISHED MARKS  
 FROM SCIMS, JULY 2003

Surveyor: Ian Vincent Myers  
 Vince Morgan Surveyors  
 Date of Survey: 17th July, 2003  
 Surveyor's Reference: 13420-C26

PLAN OF SUBDIVISION OF  
 LOT 474 IN D.P. 45747 AND  
 LOT 27 IN D.P. 1086687.

LG: AUBURN  
 Locality: LIDCOMBE  
 Subdivision No.: SC-25/2009  
 Lengths are in metres. Reduction Ratio 1: 1250

Registered:  
 28.2.2010  
 D.P. 1141724

- (E1) PROPOSED EASEMENT TO DRAIN WATER 3 WIDE (D.P.11246471)
- (E2) EASEMENT TO DRAIN WATER 3 WIDE
- (E3) EASEMENT TO DRAIN WATER VARIABLE WIDTH (D.P.1135261)
- (E4) EASEMENT FOR ELECTRICITY & OTHER PURPOSES (D.P.1135261)
- (E5) RIGHT OF CARRIAGEWAY 1.5 WIDE (D.P.1135261)
- (E6) EASEMENT TO DRAIN WATER 1.5 WIDE (D.P.1135261)
- (E7) EASEMENT TO DRAIN WATER 1.2 WIDE (D.P.1135971)
- (E8) EASEMENT FOR SEWERAGE PURPOSES (1.5 WIDE) (T1353688)
- (E9) EASEMENT FOR SEWERAGE PURPOSES OVER EXISTING LINE OF PIPES (T1353688)
- (E10) EASEMENT TO DRAIN WATER VARIABLE WIDTH (D.P.1122764)
- (E11) EASEMENT TO DRAIN WATER (D.P.1135261)

DEPOSITED PLAN ADMINISTRATION SHEET

Sheet 1 of 2 sheets

SIGNATURES AND SEALS AND STATEMENTS of intention to dedicate public roads or to create public reserves, drainage reserves, easements, restrictions on the use of land or positive covenants.

IT IS INTENDED TO DEDICATE THE EXTENSION OF BETTY CUTHBERT DRIVE TO THE PUBLIC AS PUBLIC ROAD.

**SUBJECT TO\***

PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT 1919-1964 AS AMENDED IT IS INTENDED TO CREATE:-

1. EASEMENT TO DRAIN WATER 3 WIDE (E2)

\* 1. EASEMENT TO DRAIN WATER VARIABLE WIDTH (E3) (D.P.1122764)

2. EASEMENT TO DRAIN WATER OVER WHOLE LOT (E11) (D.P.1131326)

Use PLAN FORM 6A

for additional certificates, signatures, seals and statements

Crown Lands NSW/Western Lands Office Approval

I, John Filocamo in approving this plan certify  
 Authorised Officer

that all necessary approvals in regard to the allocation of the land shown hereon have been given.

Signature John Filocamo

Date: 23/12/09

File No: MN 83R10 Vol 3

Office: Sydney Region

Subdivision Certificate

I certify that the provisions of s. 109J of the Environmental Planning and Assessment Act 1979 have been satisfied in relation to the proposed NEW ROAD set out herein

(Insert 'subdivision' or 'new road')

\*Authorised Person General Manager/Accredited Certifier

Consent Authority AUBURN CITY COUNCIL

Date of endorsement 27 JANUARY 2009

Accreditation No. ....

Subdivision Certificate No. SC-25/2009

File No. SC025/09 & OA963/08

When the plan is to be lodged electronically in the Land Titles Office, it should include a signature in an electronic or digital format approved by the Registrar General.

\*Delete whichever is inapplicable.

D.P.1141724

Registered:  25.2.2010

Title System: TORRENS

Purpose: SUBDIVISION

PLAN OF SUBDIVISION OF LOT 474 IN D.P.45747 AND LOT 27 IN D.P.1086687.

L G A: AUBURN

Suburb: LIDCOMBE

Parish: LIBERTY PLAINS

County: CUMBERLAND

Survey Certificate

Surveying Regulation 2006

I, IAN VINCENT MYERS of VINCE MORGAN SURVEYORS PTY.LTD. Ph.47215293. Fax.47312821 email: imyers@vmsurvey.com.au a land surveyor registered under the Surveying Act, 2002, certify that the survey represented in this plan is accurate, and has been made in accordance with the Surveying Regulation, 2006 and was completed on 17<sup>th</sup> July, 2009.

the survey relates to Lots 74, 75 & 76 (part of Lot 74 is compiled) (here specify the land actually surveyed, or specify any land shown in the plan that is not the subject of the survey)

(Signature) I. Myers Dated 17<sup>th</sup> July, 2009.

Land Surveyor registered under the Surveying Act, 2002.

Orientation: SSM118775 TO SSM62962 Type: Urban

Plans used in preparation of survey.

- D.P.1074086
- D.P.45747
- D.P.1086687
- D.P.1103404

(If insufficient space use Plan Form 6A annexure sheet)

SURVEYOR'S REFERENCE: 13420-C26

\*OFFICE USE ONLY

DEPOSITED PLAN ADMINISTRATION SHEET

Sheet 2 of 2 sheets

PLAN OF SUBDIVISION OF  
LOT 474 IN D.P.45747 AND  
LOT 27 IN D.P.1086687.

D.P.1141724

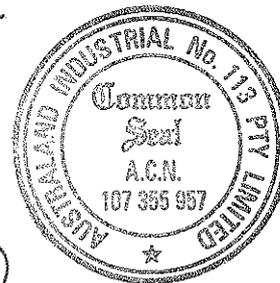
Registered:  25.2.2010

Subdivision Certificate No.: SC - 25/2009

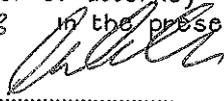
Date of Endorsement: 27 JANUARY 2009

Executed on behalf of BOS International  
(Australia) Limited ABN 23 066 601 250  
by its Attorney under power of attorney  
registered book 4467 no. 58 in the presence of:

AUSTRALAND INDUSTRIAL NO. 113 PTY LTD  
COMMONS SEAL







Witness

Attorney

MICHAEL FRANCO

Costa Nicodemou

Print Name

Print Name

Level 27 45 Clarence St

Sydney NSW 2000

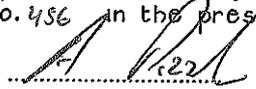
Address of Witness



MARK IVAN GLEESON  
DIRECTOR

Executed on behalf of Australand Industrial  
No. 16 Pty. Ltd. ABN 64 097 928 713  
by its Attorney under power of attorney  
registered book 4572 no. 456 in the presence of:





Witness

Attorney

SEAN TIMMONY

A. PIZZOLATO

Print Name

Print Name

Level 3, 10 Macleay St

Rhodes NSW 2138

Address of Witness



SECRETARY

SERENA NG



John Filocamo  
Program Manager  
Land Administration  
SYDNEY REGION  
CROWN LANDS DIVISION



By delegation pursuant to section  
150 of the Crown Lands Act 1989  
and with authority under Section 131  
of the Real Property Act 1900 from  
the Minister administering the Crown  
Lands Act 1989 on behalf of  
the State of New South Wales.

\*OFFICE USE ONLY



NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 74/1141724

| SEARCH DATE | TIME     | EDITION NO | DATE |
|-------------|----------|------------|------|
| 26/3/2019   | 12:52 PM | -          | -    |

CERTIFICATE OF TITLE HAS NOT ISSUED

LAND

LOT 74 IN DEPOSITED PLAN 1141724  
AT LIDCOMBE  
LOCAL GOVERNMENT AREA CUMBERLAND  
PARISH OF LIBERTY PLAINS COUNTY OF CUMBERLAND  
TITLE DIAGRAM DP1141724

FIRST SCHEDULE

THE STATE OF NEW SOUTH WALES

SECOND SCHEDULE (4 NOTIFICATIONS)

- \* 1 THE LAND IS A RESERVE WITHIN THE MEANING OF PART 5 OF THE CROWN LANDS ACT 1989 AND THERE ARE RESTRICTIONS ON TRANSFER AND OTHER DEALINGS IN THE LAND UNDER THAT ACT, WHICH MAY REQUIRE CONSENT OF THE MINISTER.
- \* 2 LIMITED TITLE. LIMITATION PURSUANT TO SECTION 28T(4) OF THE REAL PROPERTY ACT, 1900. THE BOUNDARIES OF THE LAND COMPRISED HEREIN HAVE NOT BEEN INVESTIGATED BY THE REGISTRAR GENERAL.
- \* 3 T953688 EASEMENT FOR SEWERAGE PURPOSES OVER EXISTING LINE OF PIPES SHOWN SO BURDENED IN THE TITLE DIAGRAM
- \* 4 T953688 EASEMENT FOR SEWERAGE PURPOSES 11.5 WIDE AFFECTING THE PART SHOWN SO BURDENED IN THE TITLE DIAGRAM

NOTATIONS

UNREGISTERED DEALINGS: NIL

\*\*\* END OF SEARCH \*\*\*

advlegs

PRINTED ON 26/3/2019

Obtained from NSW LRS on 26 March 2019 11:53 AM AEST

\* Any entries preceded by an asterisk do not appear on the current edition of the Certificate of Title. Warning: the information appearing under notations has not been formally recorded in the Register.

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NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 475/45747

| SEARCH DATE | TIME     | EDITION NO | DATE |
|-------------|----------|------------|------|
| 26/3/2019   | 12:52 PM | -          | -    |

CERTIFICATE OF TITLE HAS NOT ISSUED

LAND

LOT 475 IN DEPOSITED PLAN 45747  
AT LIDCOMBE  
LOCAL GOVERNMENT AREA CUMBERLAND  
PARISH OF LIBERTY PLAINS COUNTY OF CUMBERLAND  
TITLE DIAGRAM DP45747

FIRST SCHEDULE

THE STATE OF NEW SOUTH WALES (CA138684)

SECOND SCHEDULE (3 NOTIFICATIONS)

- \* 1 THE LAND IS A RESERVE WITHIN THE MEANING OF PART 5 OF THE CROWN LANDS ACT 1989 AND THERE ARE RESTRICTIONS ON TRANSFER AND OTHER DEALINGS IN THE LAND UNDER THAT ACT, WHICH MAY REQUIRE CONSENT OF THE MINISTER.
- \* 2 LIMITED TITLE. LIMITATION PURSUANT TO SECTION 28T(4) OF THE REAL PROPERTY ACT, 1900. THE BOUNDARIES OF THE LAND COMPRISED HEREIN HAVE NOT BEEN INVESTIGATED BY THE REGISTRAR GENERAL.
- \* 3 T953688 EASEMENT FOR SEWERAGE PURPOSES APPURTENANT TO THE LAND ABOVE DESCRIBED AFFECTING THE EXISTING LINE OF PIPES SHOWN WITHIN LOT 474 IN DP45747

NOTATIONS

UNREGISTERED DEALINGS: NIL

\*\*\* END OF SEARCH \*\*\*

advlegs

PRINTED ON 26/3/2019

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## **F. Contamination study results**



## MEMORANDUM

|  |  |
|--|--|
| To: Jaime Bohm   | From: Pascale Eisenmann                    |
| Position: Project Manager  | Position: Graduate Officer                 |
| Division/Unit: Development and Transactions                                      | Division/Unit: Environmental Service Group |
| Tel:   | Tel:                                       |
| Date: 23/11/2018   |  |
| Subject: Initial Contamination Assessment: 80 Betty Cuthbert Drive, Lidcombe NSW |  |

### Purpose

The purpose of this memorandum is to outline the results of the initial assessment undertaken for 80 Betty Cuthbert Dr, Lidcombe NSW (74/-/DP1141724) and to recommend a way forward to facilitate the divestment of the site.

### Summary

An initial environmental assessment was undertaken by the Environmental Service Group (ESG), which included review of the history and past uses of the site and the surrounds. A review of available NSW EPA records and of available online aerial photographs was also undertaken.

No current or historical activities have been identified which would evidence chemicals of concern (CoCs) being located on site. However, due to a lack of information on historical activities onsite and the current zoning of the site (SP2-Hospital), ESG considers the risk of COC impact to soil or groundwater to be moderate.

A Preliminary Site Investigation (PSI) is recommended prior to divestment.

### Background

The site is located in a predominantly residential area of Lidcombe and is registered as the Multiple Sclerosis Centre, in operation since 1985. The site is directly bounded by Joseph Street to the West, with multiple residential lots to the North, East, and South. The Rookwood Cemetery is located approximately 400m to the East, and a golf course sits directly opposite Joseph Street to the West.

A search of the NSW EPA online data base of records did not identify the site or immediate surrounds as having any contamination records of concern related to the POEO Act or CLM Act or NSW EPA PFAS investigation areas.

Google Earth satellite imagery from 2003 onward were reviewed for the site assessment. No visible changes were apparent on the site and neighbouring properties in the past fifteen years, with the exception of the southern adjacent property. The existing southern building was demolished between 2004 and 2005, before being re-developed into a residential complex in 2009. Signs of water stress were visible in the general area in 2018.

The review of historical aerial photography evidence did not uncover any potential areas of concerns.

**Conclusion**

ESG considers that there is moderate risk of CoC impact to soil and / or groundwater underlying the site as a result of current and / or unknown historical land use.

The assessment did not identify any notices relating to contaminated land on or near the site which may provide an off-site source of contamination.

**Recommendation**

The ESG recommends the following be undertaken:

1. A Preliminary Site Investigation to determine the potential for chemicals of concern being located on the site.

**RECOMMENDED BY:**

Pascale Eisenmann

**Graduate Officer**

**ENVIRONMENT SERVICES GROUP  
PORTFOLIO MANAGEMENT GROUP**

Date: 29/11/2018

**ENDORSED BY:**

David Rohloff

**Environmental Policy Advisor**

**ENVIRONMENT SERVICES GROUP  
PORTFOLIO MANAGEMENT GROUP**

Date:

Note: Chemicals of Concern include relevant organic and inorganic elements and compounds listed in Section 2.3 and Table 1A of Schedule B1 of the National Environment Protection (Assessment of Site Contamination) Measure 1999 (amended 2013)

