



STAGE 1 PRELIMINARY SITE INVESTIGATION - PSI (ENVIRONMENTAL)

**Proposed Development:
Sasanadhaja
Buddhist Temple
53 Dwyer Road
Bringelly NSW 2556**

Lot 66 DP 27550

Prepared for:
Sasanadhaja Buddhist
Association Incorporated

(Report ID : EBG-02552.Stage1.PSI.08.16)

August 2016

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APPENDIX A : LOCALITY PLANS AND PHOTOGRAPHS

- Figure 1 (02552-F01) – Site Location
- Figure 2 (02552-F02) - Site Boundaries
- Photographs

APPENDIX B: HISTORICAL TITLE INFORMATION AND OTHER DOCUMENTATION

Abbreviations	
As	Arsenic
B(a)P	Benzo (a) pyrene (a component of PAHs)
BTEX	Benzene, Toluene, Ethylbenzene, Xylene
BH	Borehole
Cd	Cadmium
Cr	Chromium
EPA (NSW)	Environmental Protection Agency (NSW)
DECCW(NSW)	Dept. Environment, Climate Change & Water (NSW)
Hg	Mercury
MAH	Mono Aromatic Hydrocarbons
NEHF	National Environment Health Forum
Ni	Nickel
OCPs	Organochlorin pesticides
OPPs	Organophosphate Pesticides
PCBs	Poly Cyclic Biphenyls
PAH	Polycyclic Aromatic Hydrocarbons
Pb	Lead
PID	Photo Ionisation Detector
QA/QC	Quality Assurance and Quality Control
RAP	Remedial Action Plan
RPD	Relative Percentage Difference
TCLP	Toxicity Characteristics Leaching Procedure
TRH	Total Recoverable Hydrocarbons
UST	Underground storage tank
VOCs	Volatile Organic Compounds

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Investigation & Reporting conducted by:	Michael Edwards MAppSc, MAIG, RPGeo No.10093 Registered Professional Geoscientist Environmental/Engineering Geoscientist	Signed: 
Issued		29 August 2016

EXECUTIVE SUMMARY

ES-1. Investigations

This survey was authorized by VT Architects on behalf of the owners. The on-site inspection was conducted on 3 August 2016. The block of 28,900 square metres is currently a small acreage 'hobby farm', with a main residence, cottage and associated sheds.

The subsurface geology is typical of the area with weathered shales at between 0.5m to 1.0m. Underlying the Bringelly/Ashfield shales is the Hawkesbury Sandstone. The site has an elevation of between 105 mAHD (east boundary) to 92 mAHD (west boundary). The topography suggests that the surface water would flow west towards numerous dams and Duncans Creek.

Title & Air Photo Summary:

- The property was part of a larger pastureland and owned by graziers up until 1961.
- Suspected to be sub-divided into smaller lots (5-10 acres / 3-5 Ha) around 1961. Bought by a salesman in 1961 and sold that same year.
- Privately owned as a small allotment since 1961.
- The residence and sheds suspected to be built around the 1970s or 80s.

ES-2. Discussion

Points taken into consideration to enable recommendations:

- The seven-step DQO process (defined in Section 2) as outlined in the *Guidelines for the National Environment Protection (Assessment of Site Contamination) Measure (NEPM)*, (1999 amended 2013) and *EPA NSW Site Auditor Scheme* (2nd Edition – April 2006) was employed to assess the property in regard to contamination of the soil.
- The title search and historical aerial photos show no evidence the property has been used for any industrial activity that may have had an impact on the soil with respect to chemical contamination.
- There was no evidence uncovered during the site visit / inspection that the land has been used for industrial use or any other significant contaminating activity.
- Chemical and/or waste storage tanks were not located or are suspected to be located on the site.
- No significant staining or odours were identified during the inspection.
- The Department of Water & Conservation Acid Sulphate Soils Risk Maps do not cover the area. It is our opinion that acid sulfate soils shall not be an issue affecting the site.

- The site is not listed on the EPA NSW Contaminated Lands database.
- The exact nature of the sub-surface soil is not known, however considering the past landuse and the size of the property, it is considered unlikely that imported fill has been transported onto the property.
- The majority of the surface is typical pasture grass with scattered trees. All vegetation appear to be healthy with no signs of stress or discolouration.
- It is suspected that the small cottage and some associated buildings and sheds are clad in asbestos cement sheeting (See Recommendation #1 below). Broken pieces of asbestos cement sheeting were not observed on the ground surface.

ES-3 Recommendation

Considering the above points it is the opinion of EBG that a Detailed Stage 2 Environmental Site Assessment as defined in the EPA NSW Guidelines for Consultants Reporting on Contaminated Sites Nov 1997, is not considered necessary.

EBG considers the land shall be suitable for the proposed development providing the following recommendations are undertaken.

Recommendation #1: Hazardous Materials Report of Existing Building/s

It is a requirement of the NSW *Occupational Health and Safety Act, 2000* and NSW *Occupational Health and Safety Regulation, 2001* that a hazardous materials audit be conducted on any buildings prior to demolition.

The HMA shall report on the asbestos materials located, synthetic mineral fibre (SMF), PCBs in light fittings, lead content in ceiling space dust and lead content paintwork

An assessment of the condition of the hazardous materials shall be included, with particular emphasis on the relevant *Codes of Practice* and WorkCover NSW requirements.

Recommendation #2: Imported, Exported & Excavation Soils

a) Excavated Soil Removed From Site (exported):

All soils removed from the property must first be classified as per the *EPA NSW Waste Classification Guidelines - Part 1 : Classifying Waste* (Nov 2014) prior to disposal.

b) Imported Soil:

Any imported fill shall be sampled prior to importation and shall conform to VENM (virgin excavated natural material) as per *Waste Classification Guidelines (Part 1 : Classifying Waste – NSW EPA (November 2014))*

c) General Excavations:

If during any development excavation, any visual staining or unidentified odour is encountered, work should cease within the area until it has been assessed by a qualified environmental professional.

SECTION 1: INTRODUCTION

1.1 Authorization

This survey was authorized by VT Architects on behalf of the owners. The on-site inspection was conducted on 3 August 2016.

1.2 Scope of Work - Consultants Brief

EBG Environmental was requested to carry out a Stage 1 (Preliminary) Environmental Survey on the property. The scope of the survey entailed:

- Identify all past and present potentially contaminating activities where possible.
- Assessment of site history available within the records and available aerial photographs where applicable.
- Site visit to assess site activities past and present.
- A search of historical title information at the Land and Property Information, Macquarie Street, Sydney, to assess prior ownership and potential for contamination.
- A review of the available geological, topological maps and acid sulphate soils maps.
- A search for any notices relating to the potential for site contamination as issued by the EPA NSW and WorkCover NSW.

To accomplish the above, the following bodies were contacted:

- Historical Property Title Searches - Land and Property Information via Environmental Legal Searches
- WorkCover NSW - Dangerous goods licences
- Dial Before You Dig - investigation of underground facilities
- Department of Lands (at Land and Property Information - Macquarie Street) - Air Photos
- Sydney Water - underground water facilities
- Department of Environment & Climate Change – Contaminated Land Database

Following the research and site visit, recommendations were made regarding the potential for the surface or soil sub surface to have elevated contaminants and if so the need for remediation or further investigations.

1.3 Limitations of the Report

Within the guidelines set down for this survey, every effort has been made to give an accurate assessment of the property identified in this document. EBG Environmental does not accept any responsibility for any contamination that may exist in the area now or in the future. EBG Environmental accepts no liability for the use of this document by any other person other than the client. This report must not be produced except in full and must not be amended in any way. This report is based on current and historical information available at the time of writing.

SECTION 2: DATA QUALITY OBJECTIVES (DQO)

2.1 Outline of DQO Process

The Guidelines for the *National Environment Protection (Assessment of Site Contamination) Measure (NEPM)*, (1999 amended 2013) and *EPA NSW Site Auditor Scheme* (2nd Edition – April 2006) describes the DQO process thus:

The process used to define the type, quantity and quality of data needed to support decisions relating to the environmental condition of the site. The DQOs provide a systematic approach for defining the criteria that a data collection design should satisfy, including when, where and how to collect samples or measurements; determination of tolerable decision error rates; and the number of samples or measurements that should be collected.

The DQOs are achieved by employing a seven-step process:

Step	Section
1 Define the Problem	Section 2.2
2 Identify the Problem	1.2 Scope of Work - Consultants Brief Section 2.3 3.3 Topography & Hydrogeology 3.7 Site Title History Sect. 4.0 Site Inspection
3 Identify the Inputs to the Decision	Section 2.4
4 Define the Study Boundaries	1.2 Scope of Work - Consultants Brief Section 2.5 3.1 Site Identification 3.3 Topography & Hydrogeology 3.9 Title and Air Photo Discussion Sect. 4.0 Site Inspection
5 Develop a Decision Rule	Section 2.6 Sect. 6: Discussion & Recommendations
6 Specify Limits of Decision Errors	Section 2.7: Data Quality Indicators
7 Optimise the Design for Obtaining Data	Section 2.8

2.2 Step 1 - Define the Problem

The problem is the potential for the site to have been contaminated by historical activities. These may be at levels in excess of those permissible for residential land use.

See also: 1.2 Consultants Brief

2.3 Step 2 - Identify the Inputs to the Decision

The primary decision statement that this RAP shall attempt to resolve is:

How can the contamination be identified in the report and as defined by EPA NSW Guidelines for the NSW Site Auditor Scheme (2nd Edition – April 2006), be managed or remediated so that it does not pose an unacceptable risk for the proposed residential land use.

See also:

3.3 Topography & Hydrogeology
3.7 Site Title History
Sect. 4.0 Site Inspection

2.4 Step 3 – Identify the Inputs to the Decision

The primary inputs used to assess the potential contamination were:

- Define the site boundaries by the use of survey maps and site inspection.
- Review of the site history and site conditions, including the geology, hydrogeology and topography.
- Assessing contamination identified with the Stage 1 or 2 reports to facilitate the remediation procedures.
- Using appropriate soil sampling procedures to ensure correct representative data.
- Using correct analytical methods (NATA etc) with quantitation limits below the site assessment criteria.

See also:

1.2 Scope of Work - Consultants Brief

2.5 Step 4 – Define the Study Boundaries

The boundaries of the site are documented in *3.1 Site Identification*.

See also:

3.1 Site Identification
3.3 Topography & Hydrogeology
Sect. 4.0 Site Inspection
3.9 Title and Air Photo Discussion

2.6 Step 5 – Develop a Decision Rule

The purpose of this step is to define the parameter of interest, specify the action level and combine the outputs of the previous steps into an “if, then.....” decision rule that defines the conditions that would cause the decision maker to choose alternative actions.

The following decisions rules may be applied:

- Comparison of the results of the validation samples to the criteria (ie: ‘**If** the results are above criteria **then** extra remediation may be necessary’)
- **If** field QA/QC samples (blanks, spikes etc) are found to contain chemicals of concern **then** further action extra sampling, investigation of procedure shall be undertaken.
- **If** the laboratory QA/QC samples (matrix spikes, reagent blanks) fall outside the acceptance criteria (See 2.7 - DQI) **then** the laboratory shall be contacted and/or the samples shall be re-analysed.

See also: *Section 6: Discussion & Recommendations*

2.7 Step 6 –Specify Acceptable Limits on Decision Errors – Data Quality Indicators (DQIs)

The project DQIs address 'Step 6', and have been established to set acceptance limits on field and laboratory data collected as part of the investigation:

DQI	Field	Laboratory	Acceptance Limits
Accuracy	Procedures standard Rinsate blanks	Analysis of: Rinsate blanks Matrix spike Lab control sample Lab duplicate <5xPQL Lab duplicate >5xPQL	As per Envirolab Procedures Not detect 70 to 130% 70 to 130% Any RPD is acceptable 0-50% RPD is acceptable
Precision	Standard procedures appropriate to job and applied Collection of split (Inter-lab) duplicate and field (Intra-lab) duplicate	Analysis of: Field (Intra-lab) duplicate Split (Inter-lab) duplicate	0-50% RPD is acceptable 0-50% RPD is acceptable
Represent- ativeness	Correct material sampled as per RAP or ESA All material needing to be sampled was sampled	All samples analysed in accordance with 'Chain of Custody'	
Compara- bility	Correct sampling protocol applied Sampler appropriately trained Similar climate conditions	Standard procedures used for all labs Similar analytical methods employed by all labs involved	As per NATA requirements As per EBG and DECCW requirements
Complete- ness	All critical locations sampled Samples collected from surface or depth where appropriate	All samples analysed according to procedures Correct methods employed Correct PQLs employed Chain of custody requirements acted upon Lab holding times appropriate	As per appropriate regulations and guidelines

- PQLs – Practical Quantitation Limits
- RPD – Relative Percentage Difference
- RAP – Remediation Action Plan

2.8 Step 7 - Optimise the Design for Obtaining Data

EPA (2006) - *Identify the most resource-effective sampling and analysis design for general data that are expected to satisfy the DQOs.*

See : Section 6: Discussion & Recommendations

SECTION 3: SITE INFORMATION

3.1 Site Identification

Suburb/LGA	Street Address	Lot. No.	Deposited Plan No. (DP)	Area (m ²)
Suburb: Bringelly LGA: Liverpool Parish: Bringelly County: Cumberland	53 Dwyer Road Bringelly NSW	66	27550	28,900

3.2 Soil Landscape & Geology

Underlying the natural agricultural topsoils are the Bringelly / Ashfield Shale and the Hawkesbury Sandstone of the Middle Triassic Wianamatta Group. It is estimated that the lithological boundary of the shale and sandstone would be 80-100 metres beneath the surface.

The Bringelly/Ashfield Shale is a grey well-banded, laminated rock common to the south and west of Sydney Harbour. The strata is characterised by lacustrine deposits at the base grading up to prodelta and delta (marine) fronts.

The Hawkesbury Sandstone stratigraphically underlies the Bringelly/Ashfield Shale. The Hawkesbury Sandstone comprises medium to coarse- grained sandstone with minor shale and laminate lenses. This sandstone is of fluvial origin with limited lacustrine and wind induced deposition, with numerous braided alluvial channel fills.

(Sydney, Geological Map of NSW, 1:100 000 Geological Series Sheet 9130, Edition 1, NSW Dept. of Mineral Resources, 1983).

The site is situated within the Cumberland Lowlands. The Cumberland Lowlands is an extensive low lying plain characterised by gently undulating ridges and low hills. It is mainly flat with occasional terranes and levees providing low relief. Slopes in the area are generally <5% (Bannerman & Hazelton. 1990).

The Luddenham Soil Landscape consists of undulating low hills on Wianamatta Group shales. Soils in this type of geology are typically shallow to moderately deep topsoils existing as a friable dark brown loam. These overlie medium reddish brown silty to heavy clay (Hazelton & Bannerman 1990: 64).

Soils are generally deep and have a high clay content. The dominant shallow soils of this landscape consist of a dark brown sandy loam which occurs as topsoil and a brown apedal sandy clay loam which occurs below. This is generally underlain by a brown sandy clay with up to 20% ironstone nodules and a high chroma clay with up to 90% stones (Bannerman & Hazelton 1990: 82). Very little natural vegetation survives on this soil landscape, with most areas having been cleared and used for small farms. Topsoils have a low erodibility due to their flat grade and low organic content (Bannerman & Hazelton 1990: 82, 84).

3.3 Topography and Hydrogeology

The Warragamba 9030-3S (2nd Edition) 1:25,000 Topographic Map was consulted. The property is located on Dwyer Road. This is a major rural road that connects Greendale Road at 120 metres AHD to The Northern Road at around 80 metres AHD. Dwyer Road generally runs along a low ridge with rural properties fanning out either side of its length.

The site has an elevation of 105 metres AHD at Dwyer Road and around 92 metres AHD at the rear of the property (west).

The land falls away to the west toward Duncans Creek that flows north / north west into a number of billabongs, the largest located one kilometre to the northwest of the site.

3.4 Acid Sulfate Soil Risk

The Department of Water & Conservation Acid Sulphate Soils Risk Maps do not cover the area. It is our opinion that acid sulfate soils shall not be an issue affecting the site.

3.5 Zoned Land Use

The land is currently within the Liverpool Local Environmental Plan 2008 as:

- 'R5 Large Lot Residential'.

It is understood that there shall not be an application to change this zoning.

3.6 WorkCover NSW

A search of the Stored Chemical Information Database (SCID) and the microfiche records held by WorkCover in August 2016, had NOT located records pertaining to the site located at 53 Dwyer Rd, Bringelly (See WorkCover NSW letter dated 18 August 2016 – Ref: D16/654224 in Appendix C).

3.7 Site Title History

SUMMARY OF PROPRIETORS

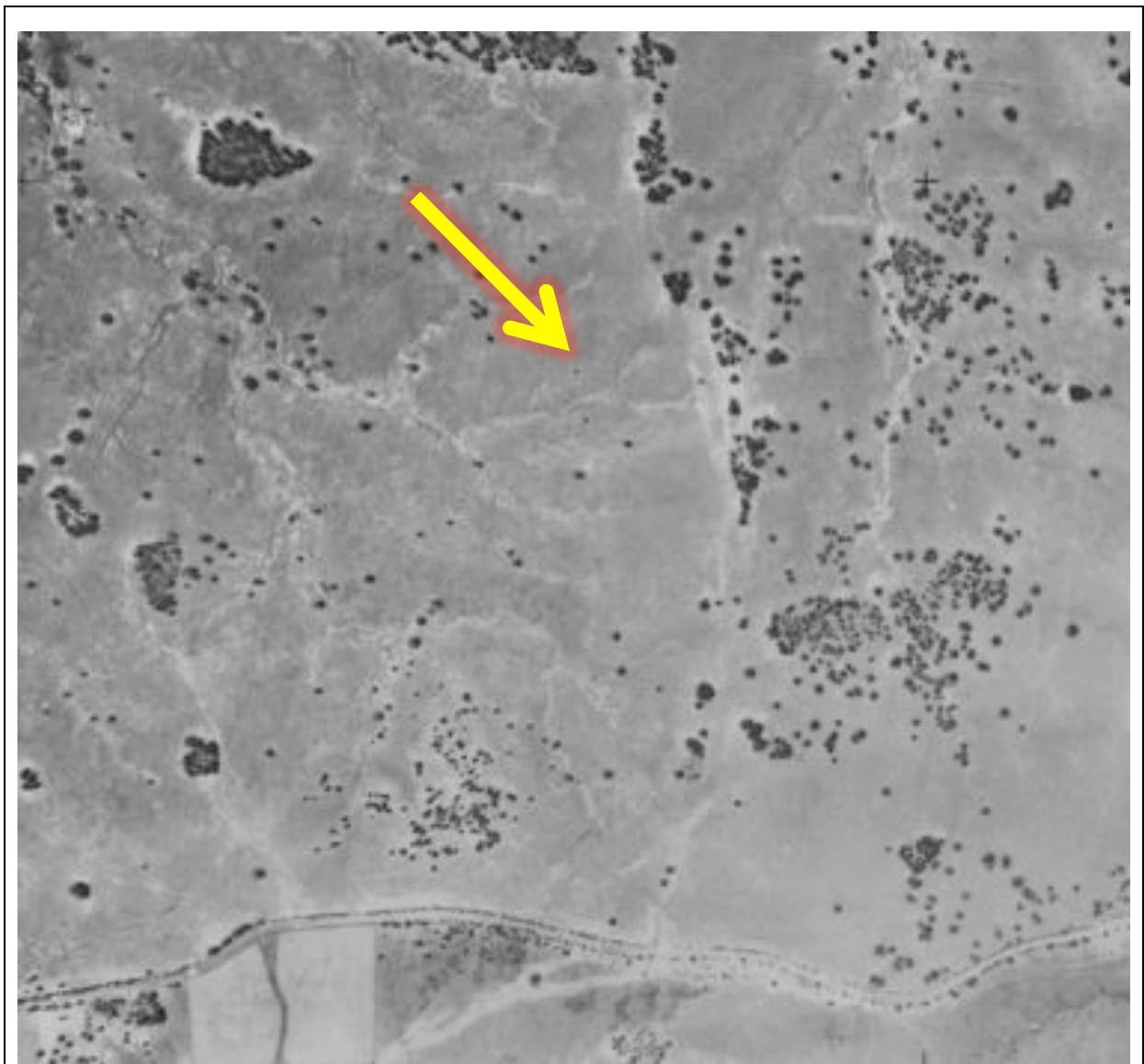
Lot 66 DP 27550

Year	Proprietor	Source
2014-To Date	Sasanadhaja Buddhist Association Incorporated	Current Certificate of Title*, Document A1414811
1980-2014	William John Hahn (building foreman), Lynette Maree Hahn (his wife)	Document A1414811, Vol. 9003 Fol. 162
1969-1980	Arthur Leslie Weeden (taxi proprietor), Fleeta Oskon Weeden (his wife)	Vol. 9003 Fol. 162
1961-1969	Ronald Victor Richardson (glass merchant), Doreen Richardson (his wife)	Vol. 9003 Fol. 162
1961	James Con Harris (salesman)	Vol. 9003 Fol. 162, Vol. 7614 Fol. 159
1956-1961	William Francis Dwyer (grazier)	Vol. 7614 Fol. 159, Vol. 7258 Fol. 55, Vol. 6177 Fol. 176, Vol. 6177 Fol. 177
1949-1956	Clemment Keith Hill (grazier), James Clement Hill (grazier)	Vol. 6177 Fol. 176, Vol. 6177 Fol. 177, Vol. 4437 Fol. 53
1932-1949	Dorothy Blanche Maiden (widow), George Maiden (stadium agent)	Vol. 4437 Fol. 53
1927-1932	George Maiden (grazier)	Vol. 4437 Fol. 53 Book 1540 No. 14
1902-1927	John Thomas Colburn Mayne the elder (grazier)	Book 1540 No. 14 Book 715 No. 1

3.8 Historical Air Photos & Maps with Discussion

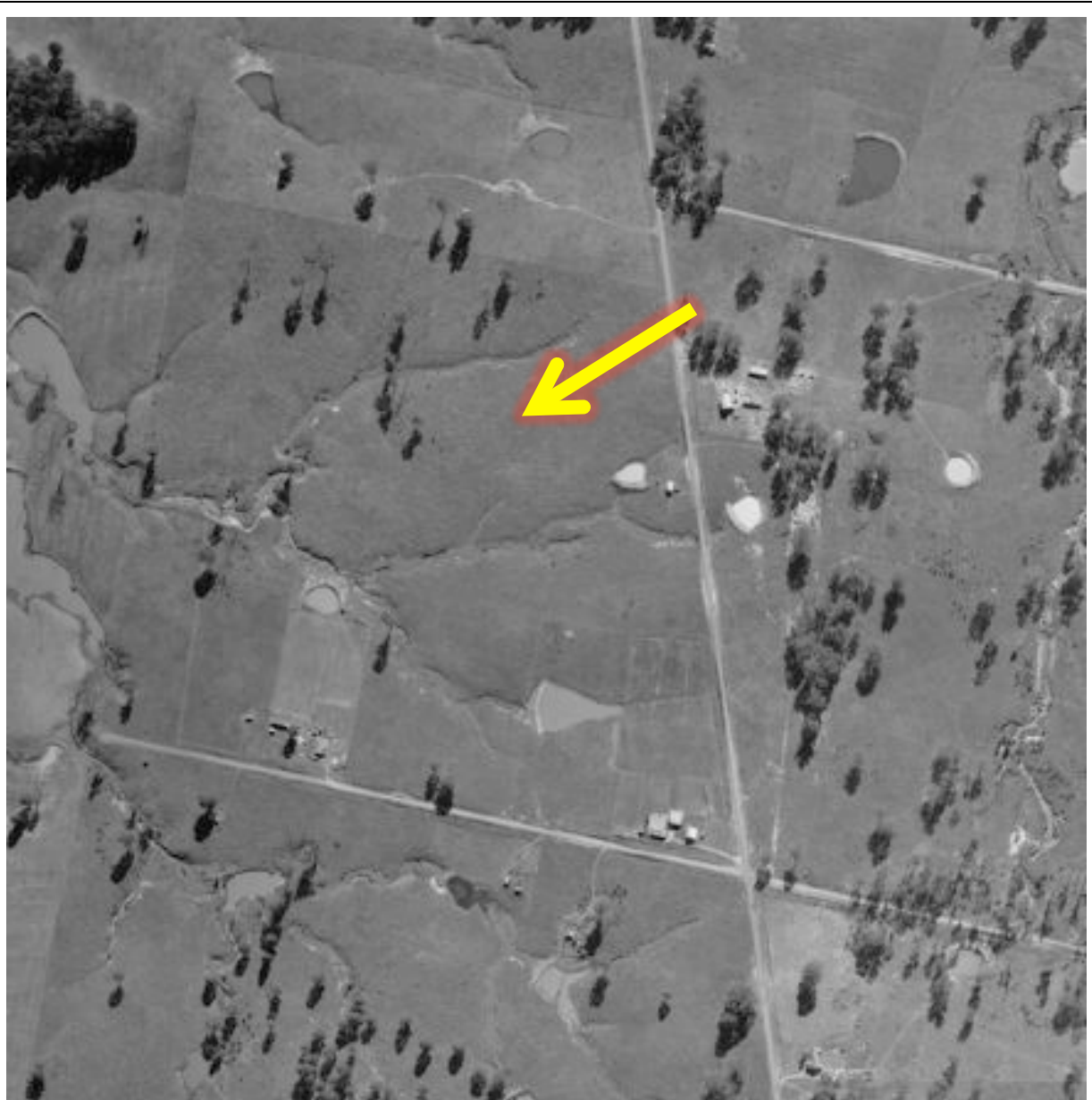
An inspection of available aerial photographs was undertaken.

3.8.1 Closeup 1947 Aerial Photo



1947 Aerial Photo: The property is part of a larger agricultural pastoral holding. Greendale Road runs east to west at the bottom of the picture. A section of tilled land to the south of Greendale Road. No structures located on the land or within a one kilometres radius of the property in question.

3.8.2 Closeup 1961 Aerial Photo



1961 Aerial Photo: Smaller allotments than in 1947 photo. No structures on the site. Some residences and agricultural sheds within the surrounding properties. Findley Road runs east to west at the bottom of the picture.

3.8.3 Closeup 1986 Aerial Photo



1986 Aerial Photo: Smaller allotments along Dwyer and Findley Roads clearly visible. A residence, small sheds and two dams located on site. Numerous residences and agricultural sheds within the surrounding properties. Findley Road runs east to west at the bottom of the picture.

3.8.4 Closeup 2009 Aerial Photo



2009 Aerial Photo: The residence, small sheds and two dams clearly located on site similar to 1986. Numerous residences and agricultural sheds within the surrounding properties. Findley Road runs east to west at the bottom of the picture.

3.8.5 Closeup Present Aerial Photo



Closeup – Present day Near Map Aerial Photo.

3.9 Title and Air Photo Discussion

Summary:

- The property was part of a larger pastureland and owned by graziers up until 1961.
- Suspected to be sub-divided into smaller lots (5-10 acres / 3-5 Ha) around 1961.
Bought by a salesman in 1961 and sold that same year.
- Privately owned as a small allotment since 1961.
- The residence and sheds suspected to be built around the 1970s.

3.10 EPA NSW Contaminated Land Database

A search of the OE&H contaminated land database was carried out via the internet for the LGA of Liverpool. The site in question was not listed.

Suburb	Address	Site Name	Notices related to this site
CHIPPING NORTON	85-107 Alfred STREET	Former ACR	3 current
MOOREBANK	(a) 1 Bapaume ROAD	ABB Australia Pty Ltd	1 current and 8 former

3.11 Proposed Development

It is proposed to construct:

- A Buddhist temple;
- Community hall;
- Pagoda
- 5 retreat lodgings
- Associated car parking;
- Retention of the existing dwelling;
- Conversion of the existing dam to a feature pond.

3.12 LGA (Liverpool City Council) Section 149 Certificate #1020

Subsidence

The land is not affected by a policy adopted by the Council, or any other public authority and notified to the council for the express purpose of its adoption being referred to in a planning certificate that restricts the development of the land because of the likelihood of subsidence.

Acid Sulphate Soil

The land is not affected by a policy adopted by the Council, or any other public authority and notified to the council for the express purpose of its adoption being referred to in a planning certificate that restricts the development of the land because of the likelihood of acid sulfate soil.

Other Risks

The land is not affected by a policy adopted by the Council, or any other public authority and notified to the council for the express purpose of its adoption being referred to in a planning certificate that restricts the development of the land because of the likelihood of any other risk.

Coastal Protection Act 1979

There has been no notification from the Department of Public that the land is subject to the operation of Section 38 or 39 of the Coastal Protection Act, 1979.

Mine Subsidence

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

Council & Public Authority Policies on Hazard Risk Restrictions

The land is not affected by a policy adopted by Council or any Public Authority that restricts the land because of the likelihood of land slip, bushfire, flooding, tidal inundation, subsidence, acid sulfate soils or any other risk.

Flood Related Development Controls

Development on the site is not subject to flood related development controls.

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

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

Not Applicable

(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,

Not Applicable

(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,

Not Applicable

(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,

Not Applicable

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

Not Applicable

SECTION 4: SITE INSPECTION

A site inspection was carried out on 3 August 2016.

4.1 Building Condition, Current Occupier and Use

All buildings (except for small 'chicken' shed) are located at the top (east boundary) of the property facing Dwyer Road. The buildings include:

- Main residential home with associated sunrooms and annexes;
- Small 'granny cottage' on northern boundary;
- Numerous small garden and farm sheds located at the rear of the residence;
- (A small 'chicken' shed is located a quarter of the property length from the road, on the northern boundary)

The block is currently used for 'hobby farm' use. No animals were located on site at the present time. No indication the property has been used as a market garden (no old garden bed wind rows etc).

4.2 Surrounding Land Use

North: Small acreage with residence, sheds and dam.

East: Dwyer Road and small acreage on opposite side of road.

South: Adjacent small acreage with residence, sheds and dam. The property contains a number of large sheds and a large tipper with trailer was located next to a large shed. It is suspected that the truck is garaged on the site. Two above ground (suspected) fuel tanks were located adjacent to one of the metal sheds. These were in good condition. No hydrocarbon impact along fence or within the investigation property (53 Dwyer Road).

West: Small acreage with a number of dams.

4.3 Surface Condition and Vegetation

The block slopes very gently to the west with an elevation of around 105 mAHD at Dwyer Road to 92 mAHD along the rear western boundary. The site is predominately covered with pasture grass and scattered native (gum) trees. The house is surrounded with a number of native and introduced trees and scrubs. All vegetation appears to be in good condition with no stress (potentially caused by contamination impact) identified.

The slope of the land forms a water catchment area with intermittent creeks and gullies clearly visible in the historical photos particularly 1961. The creek/gully can still be seen between the dam and residence in the recent air photos. These creeks and gullies fed dams located to the immediate west of the property which in turn supplied Duncans Creek.

Minor amounts of scattered building debris (timber and bricks etc) located along the northern boundary near the 'chicken' sheds. No asbestos pieces on the soil surface located during the site inspection.

4.4 Underground Tanks and Chemical or Waste Storage Facilities

Underground tanks were not located during the inspection and are not suspected.

4.5 Fill Material

The exact nature of the sub-surface material is not known, however considering the past landuse and the size of the property, it is considered unlikely that imported fill has been transported onto the property.

SECTION 5: AREAS OF ENVIRONMENTAL CONCERN

5.1 Potential Receptors

The site inspection revealed a number of potential receptors for off site migration of potential contamination:

- Adjacent properties.
- Adjacent dams.
- Duncans Creek

5.2 Potential Sources and Contaminants of Concern

Historical Activity	Contaminating Activity	Contaminants of Concern	Likelihood
Vacant land agricultural	Illegal dumping	Rubbish, asbestos	Unlikely (no evidence in the history or site inspection)
Fill material	Imported fill	Ash or building waste	Unlikely – not located during inspection and not suspected on a property this size.
Industrial activity	General works	General industrial waste (metals, hydrocarbons)	Unlikely (no indication the site has been used for this purpose)

Abbreviations	
Heavy metals	As (Arsenic), Cd (Cadmium), Co (Cobalt), Cu (Copper), Cr (Chromium), Pb (lead), Ni (Nickel), Hg (Mercury), Ti (Titanium), Zn (Zinc)
PAHs	Polycyclic Aromatic Hydrocarbons
VOCs	Volatile Organic Compounds
BTEX	Benzene, Toluene, Ethylbenzene, Xylene
TRH	Total Recoverable Hydrocarbons
PCBs	Polychlorinated Biphenyls

SECTION 6: DISCUSSION & RECOMMENDATIONS

6.1 Discussion

Points taken into consideration to enable recommendations:

- The seven-step DQO process (defined in Section 2) as outlined in the *Guidelines for the National Environment Protection (Assessment of Site Contamination) Measure (NEPM), (1999 amended 2013) and EPA NSW Site Auditor Scheme* (2nd Edition – April 2006) was employed to assess the property in regard to contamination of the soil.
- The title search and historical aerial photos show no evidence the property has been used for any industrial activity that may have had an impact on the soil with respect to chemical contamination.
- There was no evidence uncovered during the site visit / investigation that the land has been used for industrial use or any other significant contaminating activity.
- Chemical and/or waste storage tanks were not located or are suspected to be located on the site.
- No significant staining or odours were identified during the inspection.
- The Department of Water & Conservation Acid Sulphate Soils Risk Maps do not cover the area. It is our opinion that acid sulfate soils shall not be an issue affecting the site.
- The site is not listed on the EPA NSW Contaminated Lands database.
- The exact nature of the sub-surface soil is not known, however considering the past landuse and the size of the property, it is considered unlikely that imported fill has been transported onto the property.
- The majority of the surface is typical pasture grass with scattered trees. All vegetation appear to be healthy with no signs of stress or discolouration.
- It is suspected that the small cottage and some associated buildings and sheds are clad in asbestos cement sheeting (See Recommendation #1 below). Broken pieces of asbestos cement sheeting were not observed on the ground surface.

6.2 Recommendation

Considering the above points it is the opinion of EBG that a Detailed Stage 2 Environmental Site Assessment as defined in the EPA NSW Guidelines for Consultants Reporting on Contaminated Sites Nov 1997, is not considered necessary.

EBG considers the land shall be suitable for the proposed development providing the following recommendations are undertaken.

Recommendation #1: Hazardous Materials Report of Existing Building/s

It is a requirement of the NSW *Occupational Health and Safety Act, 2000* and NSW *Occupational Health and Safety Regulation, 2001* that a hazardous materials audit be conducted on any buildings prior to demolition.

The HMA shall report on the:

- asbestos materials located
- synthetic mineral fibre (SMF)
- PCBs in light fittings
- lead content in ceiling space dust
- lead content paintwork

An assessment of the condition of the hazardous materials shall be included, with particular emphasis on the relevant *Codes of Practice* and WorkCover NSW requirements.

Recommendation #2: Imported, Exported & Excavation Soils

a) Excavated Soil to be Removed From Site (exported):

All soils removed from the property must first be classified as per the *EPA NSW Waste Classification Guidelines - Part 1 : Classifying Waste* (Nov 2014) prior to disposal.

b) Imported Soil:

Any imported fill shall be sampled prior to importation and shall conform to VENM (virgin excavated natural material) as per *EPA NSW Waste Classification Guidelines - Part 1 : Classifying Waste* (Nov 2014)).

c) General Excavations:

If during any development excavation, any visual staining or unidentified odour is encountered, work should cease within the area until it has been assessed by a qualified environmental professional.

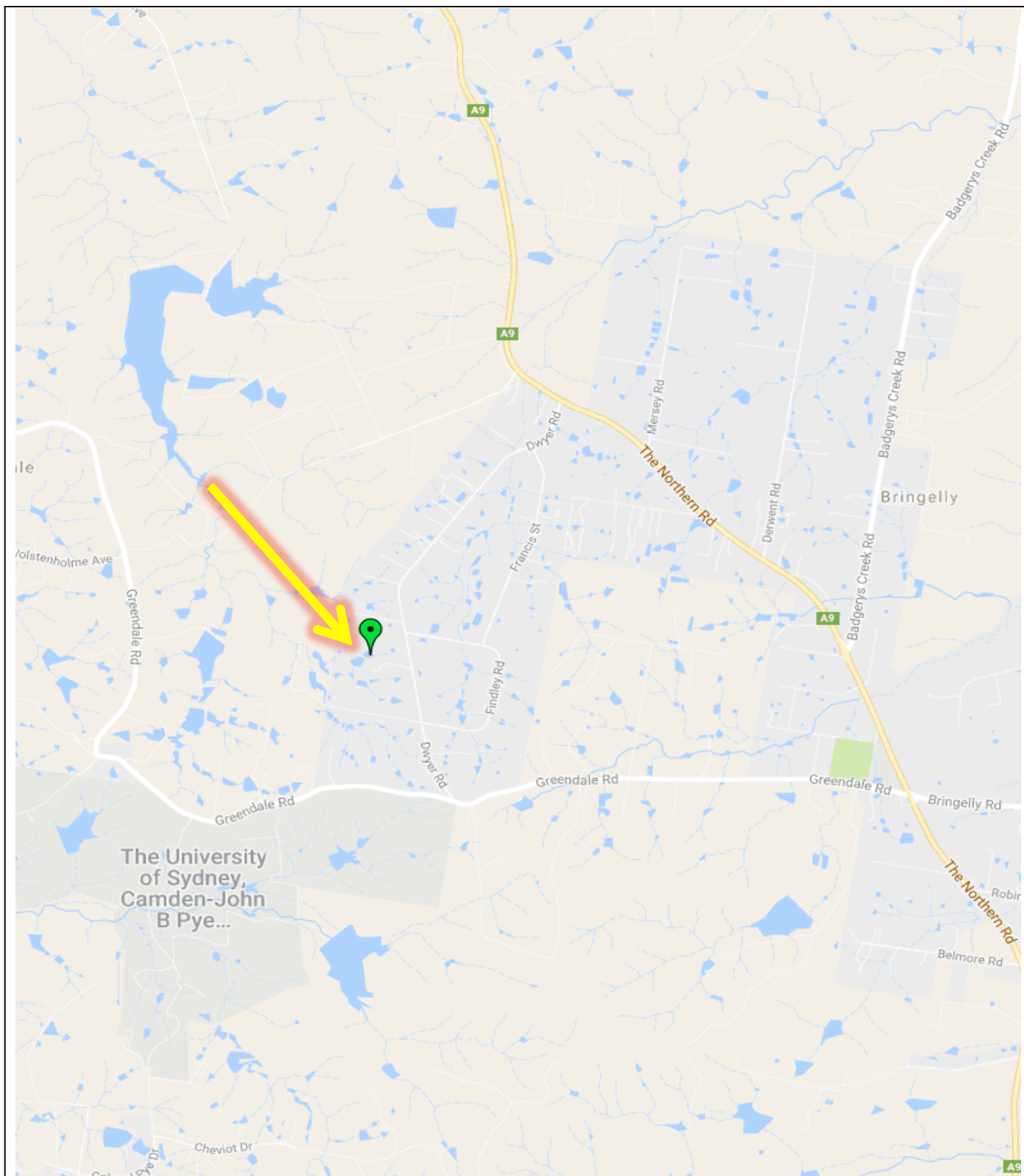
SECTION 7. REFERENCES AND LEGISLATION

- *Warragamba 9030-3S (2nd Edition) 1:25,000 Topographic Map: Land & Property Information* 2001.
- Sydney, Geological Map of NSW, 1:100 000 Geological Series Sheet 9130, Edition 1, NSW Dept. of Mineral Resources, 1983.
- *National Environment Protection (Assessment of Site Contamination) Measure (NEPM)*, (1999 amended 2013).
- *EPA NSW Waste Classification Guidelines - Part 1 : Classifying Waste* (Nov 2014)
- *NSW Contaminated Land Management Act* 2008 No.11.
- *Managing Land Contamination – Planning Guidelines SEPP 55 – Remediation of Land* – Dept. of Urban Affairs & Planning and EPA NSW 1998.
- *Guideline on Investigation Levels for Soil & Groundwater : Schedule B1 – National Environment Protection Measure (NEPM)* (1999 amended 2013).
- *Australian and New Zealand Guidelines from the Protection of Aquatic Organisms – 95% Protection of Species for Fresh and Marine Water* (ANZECC 2000).
- *Virgin excavated natural material and Waste Classification Guidelines (Part 1 : Classifying Waste* – Department of Environment & Climate Change NSW (December 2009).
- *EPA NSW Sampling Design Guidelines* September 1995.
- *Virgin excavated natural material (DECC 2008/447) Fact Sheet* 2008.
- *DEC NSW Guidelines for Assessing Former Orchards & Market Gardens* June 2005.
- *EPA NSW Guidelines for Consultants Reporting on Contaminated Sites* 1997 Reprinted August 2011
- *Work Health and Safety Act 2011 (WHS Act)*
- *Work Health and Safety Regulation 2011 (WHS Regulation)*

APPENDIX A :

LOCALITY PLANS AND PHOTOGRAPHS

- FIGURE 1 (02552-F01) – SITE LOCATION
- FIGURE 2 (02552-F02) - SITE BOUNDARIES
 - PHOTOGRAPHS



LEGEND:



– SITE LOCATION



EBG
Environmental Geoscience

FIG NO.	FIGURE NO. 1 : 02552-F01	LOCATION	PROPOSED DEVELOPMENT – BUDDHIST TEMPLE: 53 DWYER ROAD, BRINGELLY NSW 2556
SOURCE	NEARMAP - IMAGERY 2016 CNES / ASTRIUM, DIGITALGLOBE	CLIENT	S.S.SANADHAJA BUDDHIST ASSOC. INC.
DRAWN	M.E	PROJECT	STAGE 1 – PRELIMINARY SITE INVESTIGATION
APPROVED	M.E	TITLE	SITE LOCATION



LEGEND:



– SITE LOCATION



EBG
Environmental Geoscience

FIG NO.	FIGURE NO. 2 : 02552-F02	LOCATION	PROPOSED DEVELOPMENT – BUDDHIST TEMPLE: 53 DWYER ROAD, BRINGELLY NSW 2556
SOURCE	NEARMAP - IMAGERY 2016 CNES / ASTRIUM, DIGITALGLOBE	CLIENT	S.S.SANADHAJA BUDDHIST ASSOC. INC.
DRAWN	M.E	PROJECT	STAGE 1 – PRELIMINARY SITE INVESTIGATION
APPROVED	M.E	TITLE	SITE BOUNDARIES

APPENDIX A - PHOTOGRAPHS : Stage 1 PSI : 53 Dwyer Rd, Bringelly (EBG-02552.Stage1.PSI.08.16)



APPENDIX B:
HISTORICAL TITLE INFORMATION
AND OTHER DOCUMENTATION



SafeWork NSW

SafeWork NSW

92-100 Donnison Street, Gosford, NSW, 2250

Locked Bag 2906, Lisarow, NSW, 2252 |

Customer Service Centre **13 10 50**

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

Our Ref: D16/654224
Your ref: Michael Edwards

18 August 2016

Attention: Michael Edwards
EBG Environmental
PO BOX 284
Annandale NSW 2038

Dear Mr Edwards,

RE SITE: 53 Dwyer Rd Bringelly NSW

I refer to your site search request received by SafeWork NSW on 11 August 2016 requesting information on Storage of Hazardous Chemicals for the above site.

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

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

Yours sincerely,


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

16 August 2016

Edwards Blätsche Group Pty Ltd
 PO Box 284
 Annandale NSW 2038 AUSTRALIA

Attention: Mr Michael Edwards

RE: Lot 66 DP 27550, 53 Dwyer Road, Bringelly, NSW
Your Ref:

SUMMARY OF PROPRIETORS

Lot 66 DP 27550

Year	Proprietor	Source
2014-To Date	Sasanadhaja Buddhist Association Incorporated	Current Certificate of Title*, Document A1414811
1980-2014	William John Hahn (building foreman), Lynette Maree Hahn (his wife)	Document A1414811, Vol. 9003 Fol. 162
1969-1980	Arthur Leslie Weeden (taxi proprietor), Fleeta Oskon Weeden (his wife)	Vol. 9003 Fol. 162
1961-1969	Ronald Victor Richardson (glass merchant), Doreen Richardson (his wife)	Vol. 9003 Fol. 162
1961	James Con Harris (salesman)	Vol. 9003 Fol. 162, Vol. 7614 Fol. 159
1956-1961	William Francis Dwyer (grazier)	Vol. 7614 Fol. 159, Vol. 7258 Fol. 55, Vol. 6177 Fol. 176, Vol. 6177 Fol. 177

* Document sighted but not purchased



Environmental Legal Searches

Environmental
Management
Group Pty Ltd

ACN 108 771 482
ABN 76 784 207 704

MOBILE: 0422 406 909, 0404 069 995
EMAIL: search@elsearches.com.au
WEB: www.elsearches.com.au

SUMMARY OF PROPRIETORS

Lot 66 DP 27550 (continued)

Year	Proprietor	Source
1949-1956	Clemment Keith Hill (grazier), James Clement Hill (grazier)	Vol. 6177 Fol. 176, Vol. 6177 Fol. 177, Vol. 4437 Fol. 53
1932-1949	Dorothy Blanche Maiden (widow), George Maiden (stadium agent)	Vol. 4437 Fol. 53
1927-1932	George Maiden (grazier)	Vol. 4437 Fol. 53 Book 1540 No. 14
1902-1927	John Thomas Colburn Mayne the elder (grazier)	Book 1540 No. 14 Book 715 No. 1

SUMMARY OF LEASE

Lot 66 DP 27550

Lessee	Source
Lease C976437 To Clifford Simeon Woodhouse of Bringelly, grazier Dated: 4/12/1940 Surrender of lease, entered: 27/7/1943	Vol. 4437 Fol. 53
Lease C611098 To Clifford Simeon Woodhouse of Bringelly, grazier Dated: 1/12/1937 Expired by effluxion of time, entered: 14/1/1941	Vol. 4437 Fol. 53
Lease C298014 To Clifford Simeon Woodhouse of Bringelly, grazier Dated: 7/11/1934 Expired by effluxion of time, entered: 14/1/1941	Vol. 4437 Fol. 53
Lease C226869 To Clifford Simeon Woodhouse of Bringelly, grazier Dated: 29/12/1933 Expired by effluxion of time, entered: 7/1/1938	Vol. 4437 Fol. 53
Lease C94275 To Clifford Simeon Woodhouse of Bringelly, grazier Dated: 16/10/1931 Expired by effluxion of time, entered: 20/2/1934	Vol. 4437 Fol. 53

Terms of Conditions & Limitations

1. The client is responsible for payment associated with the search.
2. The client is authorised to use our report subject to settlement of our account. Until the account is settled, the report remains the property of Environmental Legal Searches. If the account is not settled within 30 days of the invoice date, then the authority to use the report may be revoked. Where authority to use the report is revoked, all references to the report should be deleted or rendered inactive until the account is settled.
3. Search was based on **Lot 66 DP 27550** provided by **Mr Michael Edwards**. The street number (if applicable) is for reference only.

The attached cadastral plan **MUST** be checked against the survey plan for the property for correctness.

4. Any details of the lease(s), sub-lease(s) and/or transfer of lease(s) were solely extracted from the records shown on the current certificate(s) of title (title search), documents of lease(s)/ sub-lease(s)/transfer of lease(s), the cancelled certificate(s) of title and/or the old system vendor/purchaser volume(s). The MOST RECENT record may not be available on the day of the searching.
5. Although the search is performed to a professional and diligent standard, we cannot warrant any loss or damages which may be associated with our search. We therefore limit any potential liability associated with our search to the cost of our services.

**PLANNING CERTIFICATE UNDER SECTION 149
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

Ref.: 857- 53 DWYER RD:37193
Ppty: 7517

Cert. No.: 1020
Page No.: 1

Applicant:
VT ARCHITECTS
26 BOLIVIA ST
CABRAMATTA NSW 2166

Receipt No.: 3392487
Receipt Amt.: 133.00
Date: 24-Aug-2016

Property Desc: 53 DWYER ROAD, BRINGELLY NSW 2556
LOT 66 DP 27550

**PRESCRIBED INFORMATION PROVIDED PURSUANT TO
SECTION 149(2) OF THE
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

NOTE: The following information is provided pursuant to Section 149(2) of the Environmental Planning and Assessment Act (EP&A Act) 1979 as prescribed by Schedule 4 of the Environmental Planning and Assessment Regulation (EP&A Regulation) 2000 and is applicable to the subject land as of the date of this certificate.

The Environmental Planning and Assessment Amendment Act 1997 commenced operation on the 1 July 1998. As a consequence of this Act the information contained in this certificate needs to be read in conjunction with the provisions of the Environmental Planning and Assessment (Amendment) Regulation 1998, Environmental Planning and Assessment (Further Amendment) Regulation 1998 and Environmental Planning and Assessment (Savings and Transitional) Regulation, 1998.

(1) Names of relevant planning instruments and DCPs

- (1) The name of each environment planning instrument that applies to the carrying out of Development on the land is/are listed below: -

Local Environmental Plans (LEPs)

Liverpool Local Environmental Plan 2008

State Environmental Planning Policies (SEPPs)

State Environmental Planning Policy No. 1 – Development Standards
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. 33 – Hazardous and Offensive Development
State Environmental Planning Policy No. 44 – Koala Habitat
State Environmental Planning Policy No. 50 – Canal Estate Development
State Environmental Planning Policy No. 55 – Remediation of Land
State Environmental Planning Policy – (Exempt and Complying Development Codes) 2008
State Environmental Planning Policy No. 62 – Sustainable Aquaculture
State Environmental Planning Policy No. 64 – Advertising and Signage
State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development
State Environmental Planning Policy – (Building Sustainability Index: BASIX) 2004
State Environmental Planning Policy No. 70 – Affordable Housing (Revised Schemes)
State Environmental Planning Policy – (Infrastructure) 2007
State Environmental Planning Policy – (Mining, Petroleum Production and Extractive Industries) 2007
State Environmental Planning Policy – (Miscellaneous Consent Provisions) 2007
State Environmental Planning Policy – (Affordable Rental Housing) 2009
State Environmental Planning Policy – (State and Regional Development) 2011

Deemed State Environmental Planning Policies (Deemed SEPPs)

Sydney Regional Environmental Plan No. 20 – Hawkesbury – Nepean River (No. 2 – 1997)

This plan applies to all the land within the Hawkesbury – Nepean River catchment. This plan aims to protect the environment of the Hawkesbury – Nepean River system by ensuring that the impacts of future land uses are considered in regional context. The plan provides specific planning policies and strategies and development controls for specific land use.

- (2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

Draft Local Environmental Plans (LEPs)

Not Applicable

Draft State Environmental Planning Policies (SEPPs)

Draft State Environmental Planning Policy (Competition) 2010

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

Liverpool Development Control Plan 2008 (as amended).

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

2. ZONING AND LAND USE UNDER RELEVANT LOCAL ENVIRONMENTAL PLANS

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

Liverpool Local Environmental Plan 2008

- (a) Name of zone, and the EPI from which the land zoning information is derived.

R5 Large Lot Residential - Liverpool LEP 2008

- (b) The purposes for which development may be carried out within the zone without the need for development consent

Home-based child care; Home occupations

- (c) The purposes for which development may not be carried out within the zone except with development consent
Bed and breakfast accommodation; Building identification signs; Business identification signs; Dual occupancies; Dwelling houses; Educational establishments; Environmental facilities; Environmental protection works; Extensive agriculture; Farm buildings; Flood mitigation works; Helipads; Home businesses; Home industries; Places of public worship; Public administration buildings; Recreation areas; Roads; Veterinary hospitals

- (d) The purposes for which the instrument provides that development is prohibited within the zone.

Any development not specified in item (b) or (c)

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

No development standards applying to the land fix minimum land dimensions for the erection of a dwelling house on the land.

- (f) Whether the land includes or comprises critical habitat

The land does not include or comprise critical habitat.

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

The land is not located in a conservation area.

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

Not item of environmental heritage is situation on the land.

Note: Schedule 1 of the Liverpool Local Environmental Plan 2008 permits certain development which would otherwise be prohibited within a zone. In addition, Clause 7.18 of the Liverpool Local Environmental Plan 2008 may prohibit certain development due to potential for exposure to aircraft noise, despite the zone. Any additional information which may affect the permissibility of development on the land is provided below:

Additional Uses

Nil

2A. Zoning and land use under State Environmental Planning Policy (Sydney Region Growth Centres) 2006

Not Applicable

3. Complying development

- (1) The extent to which the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18(1) (C3) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

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

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

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

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

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

Complying Development under the Commercial and Industrial Alterations Code may be carried out on this land.

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

Complying Development under the Subdivisions Code may be carried out on this land.

Complying Development under the Demolition Code may be carried out on this land.

- (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.

Not Applicable

- (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.

Not Applicable

4. Coastal Protection Act 1979

There has been no notification from the Department of Public Works that the land is subject to the operation of Section 38 or 39 of the Coastal Protection Act, 1979.

4A Information relating to beaches and coasts

- (1) In relation to a coastal council—whether an order has been made under Part 4D of the Coastal Protection Act 1979 in relation to temporary coastal protection works (within the meaning of that Act) on the land (or on public land adjacent to that land), except where the council is satisfied that such an order has been fully complied with.

Not Applicable

- (2) In relation to a coastal council:
- (a) whether the council has been notified under section 55X of the Coastal Protection Act 1979 that temporary coastal protection works (within the meaning of that Act) have been placed on the land (or on public land adjacent to that land), and
- (b) if works have been so placed, whether the council is satisfied that the works have been removed and the land restored in accordance with that Act.

Not Applicable

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).

Not Applicable

5. Mine Subsidence

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

The land is not a mine subsidence district.

6. Road Widening and Road Realignment

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

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

The land is not affected by any road widening or road realignment.

7. Council and Other Public Authority Policies on Hazard Risk Restrictions

Whether or not the land is affected by a policy:

- (a) adopted by the council, or
- (b) adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the council, that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

Land Slip

The land is not affected by a policy adopted by the Council, or any other public authority and notified to the council for the express purpose of its adoption being referred to in a planning certificate that restricts the development of the land because of the likelihood of land slip.

Bushfire

The land is not affected by a policy adopted by the Council, or any other public authority and notified to the council for the express purpose of its adoption being referred to in a planning certificate which restricts the development of the land because of the likelihood of bushfire.

Tidal Inundation

The land is not affected by a policy adopted by the Council, or any other public authority and notified to the council for the express purpose of its adoption being referred to in a planning certificate that restricts the development of the land because of the likelihood of tidal inundation.

Subsidence

The land is not affected by a policy adopted by the Council, or any other public authority and notified to the council for the express purpose of its adoption being referred to in a planning certificate that restricts the development of the land because of the likelihood of subsidence.

Acid Sulphate Soil

The land is not affected by a policy adopted by the Council, or any other public authority and notified to the council for the express purpose of its adoption being referred to in a planning certificate that restricts the development of the land because of the likelihood of acid sulphate soil.

Other Risks

The land is not affected by a policy adopted by the Council, or any other public authority and notified to the council for the express purpose of its adoption being referred to in a planning certificate that restricts the development of the land because of the likelihood of any other risk.

7A. Flood Related Development Controls Information

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

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

Development on all of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings is not subject to flood related development controls.

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

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

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

8. Land Reserved for Acquisition

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

No environmental planning instrument or proposed environmental planning instrument applying to the land provides for the acquisition of the land by a public authority.

9. Contribution Plans

The name of each contribution plan applying to the land is/are outlined below:

Liverpool Contributions Plan 2008

9A Biodiversity certified land

If the land is biodiversity certified land (within the meaning of Part 7AA of the Threatened Species Conservation Act 1995), a statement to that effect.

The land is not biodiversity certified land within the meaning of Part 7AA of the Threatened Species Conservation Act (1995).

10. Biobanking agreements

If the land is land to which a bio-banking agreement under Part 7A of the Threatened Species Conservation Act 1995 relates, a statement to that effect (but only if the council has been notified of the existence of the agreement by the Director-General of the Department of Environment, Climate Change and Water).

The land is not land to which a bio-banking agreement under part 7A of the *Threatened Species Conservation Act 1995* relates.

11. Bushfire Prone Land

None of the land is bush fire prone land as defined in the Environmental Planning and Assessment Act 1979.

12. Property Vegetation Plans

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

The land is not land to which a property vegetation plan relates, as all land in the Liverpool Local Government Area is excluded from the operation of the *Native Vegetation Act 2003*.

13. Orders under Trees (Disputes between Neighbours) Act 2006

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

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

14. Directions under Part 3A

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

No such direction applies to the land.

15. Site Compatibility Certificates and Conditions for Seniors Housing

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

- (a) a statement of whether there is a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:
 - (i) The period for which the certificate is current, and
 - (ii) That a copy may be obtained from the head office of the Department of Planning

Council is not aware of a current site compatibility certificate (seniors housing) on the land

- (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.

There have been no such terms imposed as a condition of consent to development on the land.

16. Site Compatibility Certificates for Infrastructure

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

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

Council is not aware of a current site compatibility certificate (infrastructure) on 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 for which the certificate is current, and
 - (b) that a copy may be obtained from the head office of the Department of Planning.

Council is not aware of a current site compatibility certificate (affordable rental housing) on the land.

- (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.

There have been no such terms imposed as a condition of consent to development on 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.
No such plan applies to the land.
- (2) The date of any subdivision order that applies to the land.
No subdivision order 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.

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

Council is not aware of a current site verification certificate on the land.

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
Not Applicable
- (c) That a copy may be obtained from the head office of the Department of Planning and Infrastructure.
Not Applicable

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

- (a) That the land to which the certificate relates is significantly contaminated land within the meaning of that Act—if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued
Not Applicable
- (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
Not Applicable

- (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

Not Applicable

- (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

Not Applicable

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

Not Applicable

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

No such exemption or authorisation applies to the land.

20. Loose-fill Asbestos Insulation

Some residential homes located in the Liverpool may have been identified as containing loose-fill asbestos insulation, for example in the roof space. NSW Fair Trading maintains a Register of homes that are affected by loose-fill asbestos insulation.

You should make your own enquiries as to the age of the buildings on the land to which this certificate relates and, if it contains a building constructed prior to 1980, the council strongly recommends that any potential purchaser obtain advice from a licensed asbestos assessor to determine whether loose-fill asbestos is present in any building on the land and, if so, the health risks (if any) this may pose for the building's occupants.

Contact NSW Fair Trading for further information.

**ADDITIONAL INFORMATION PROVIDED PURSUANT TO
SECTION 149(5) OF THE
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979**

1. Threatened Species Conservation Act

It is advisable for any application intending to purchase and/or develop land within the Liverpool Local Government Area to approach Council to ascertain if the requirements of the Threatened Species Act, 1995 are likely to apply to their land.

If the land has native vegetation of any sort (i.e. trees, shrubs, ground covers etc), has recently been cleared or is vacant land, it may have impediments to development under the Threatened Species Act, 1995.

Enquiries should be directed to Council's Infrastructure and Environment Department on 1300 362 170.

2. Tree Preservation Provision

The land is subject to a tree preservation provision.

3. Controlled Access Road

The land does not have a boundary to a controlled access road.

**4. Other Information in Relation to Water
On-Site Sewerage Management System/s**

Council's records indicate that the property may not be connected to Sydney Water's sewerage system.

If the property is not connected and emits any waste water (sewerage) it must have an On-Site Sewerage Management System/s (Septic Tank/s) that is operating satisfactorily. It is the ongoing responsibility of the current owner(s) of the property (at any given time) to ensure that any On-Site Sewerage Management System/s (Septic Tank/s) continually operate in compliance with the relevant provisions of the Local Government Act 1993, and the Protection of the Environment Operations Act 1997 (including regulations made there under).

It is recommended that any applicant intending to purchase the property make enquires to ascertain if the property has an On-Site Sewerage Management System/s (Septic Tank/s) and engage the services of a suitably qualified wastewater engineer or plumber to assess the condition and compliance status of those system/s.

5. Sydney Water Corporation
Nil

6. **Foreshore Building Line**
Nil
7. **Contaminated Land**
Nil
8. **Airport Noise Affection**
Nil
9. **Airport Acquisition**
Nil
10. **Environmentally Significant Land**
Nil
11. **Archaeological Management Plan**
Nil
12. **Unhealthy Building Land Proclamation**
Nil



For further information, please contact
CALL CENTRE – 1300 36 2170

Luke West
Administration Services Coordinator
Liverpool City Council