



Edwards Blasche Group Pty Ltd ABN 54 085 829 250
Environmental Geoscience
Occupational Hygiene
Technical Consultants



STAGE 1 PRELIMINARY (ENVIRONMENTAL) SITE INVESTIGATION (PSI)

**Proposed Development
St Edmund's College
60 Burns Road
Wahroonga NSW 2076**

Lot 1 & 6 in DP 19875

Prepared for:
St Edmund's College

(Report ID : EBG-02811.Stage1.PSI.11.19)

27 November 2019

This document has been prepared by EBG for the specific use at the above address. This document or any part thereof shall not be used at any other site, works or by any company or party not associated with the above works.

© ALL RIGHTS RESERVED BY THE AUTHOR

UNAUTHORISED REPRODUCTION OR COPYING STRICTLY PROHIBITED

CONTENTS

EXECUTIVE SUMMARY	5
SECTION 1: INTRODUCTION	8
1.1 Authorization	8
1.2 Scope of Work - Consultants Brief.....	8
1.3 Limitations of the Report	9
SECTION 2: PHYSICAL & SITE INFORMATION	10
2.1 Site Identification	10
2.2 Soil Landscape & Geology	10
2.3 Topography and Hydrogeology.....	11
2.4 Acid Sulfate Soil Risk	11
2.5 Zoned Land Use	12
2.6 Dryland Salinity	13
2.7 SafeWork NSW Site Search (Dangerous Goods on Premises)	13
2.8 Site Title History	13
2.9 EPA PFAS Investigation Program.....	14
2.10 Historical Air Photos	15
2.11 Title, Business and Air Photo Discussion	16
2.12 EPA NSW Contaminated Land Database	16
2.13 Proposed Development.....	16
2.14 LGA (Ku-Ring-Gai Council) Section 149 Certificate	16
SECTION 3: SITE INSPECTION	18
3.1 Building Condition, Current Occupier and Use	18
3.2 Surrounding Land Use	18
3.3 Surface Condition and Vegetation	18
3.4 Underground Tanks and Associated Services	18
3.5 Fill Material	18
3.6 Chemical and Waste Storage.....	18
SECTION 4: CONCEPTUAL SITE MODEL	19
4.1 Potential Receptors	19
4.2 Potential Sources and Contaminants of Concern	19
4.3 Potentially Affected Media (PCM).....	19
4.4 Potential Exposure Pathways.....	20
4.5 Human and Ecological Receptors	20
4.6 Assessment of Data Gaps	20
SECTION 5: DATA QUALITY OBJECTIVES (DQO) & ASSESSMENT	21
5.1 Outline of DQO Process	21
5.2 Step 1 - Define the Problem	22
5.3 Step 2 - Identify the Decisions	22
5.4 Step 3 – Identify the Inputs to the Decision	22
5.5 Step 4 – Define the Study Boundaries	23
5.6 Step 5 – Develop a Decision Rule	23
5.7 Step 6 – Specify Acceptable Limits on Decision Errors – Data Quality Indicators (DQIs)	24
5.8 Step 7 - Optimise the Design for Obtaining Data.....	24

SECTION 6: DISCUSSION & CONCLUSION	25
6.1 Discussion	25
6.2 Recommendations	26
6.2.1 Suitability of the Site for the Proposed Development	26
6.2.2 Condition #1: Hazardous Materials Audit on Buildings.....	26
6.2.3 Condition #2: Excavation Upper Fill / Soil Removal – Classification Requirements	27
6.2.4 Condition #3: Imported Soil - VENM	27
SECTION 7. REFERENCES AND LEGISLATION.....	29





ATTACHMENTS:

APPENDIX A : LOCALITY PLANS AND PHOTOGRAPHS

- FIGURE 1 (02811-F01) – SITE LOCATION
- FIGURE 2 (02811-F02) - SITE BOUNDARIES
- PHOTOGRAPHS

APPENDIX B: HISTORICAL TITLE INFORMATION AND OTHER DOCUMENTATION

Abbreviations	
ACM	Asbestos Cement Material
mAHD	metres Australian Height Datum
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
PCM	Potentially Contaminated Media
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

Distribution:	PDF Copies to: 1. St Edmund's College 2. Midson 3. Glendenning Szoboszlay Architects
Investigation & Reporting conducted by: Michael Edwards <i>RPGeo CEnvP (CL Specialist)</i> Registered Professional Geoscientist (No.10093) Certified Environmental Practitioner – Contaminated Land Specialist (No.0832) Licensed Asbestos Assessor (WorkCover NSW Lic No. LAA001125) ENVIRONMENTAL & ENGINEERING GEOLOGIST	Signed: 
  	Issued 27 November 2019

EXECUTIVE SUMMARY

ES-1 Background

This investigation was authorized by Midson on behalf of the clients, St Edmund's College. The on-site inspection was conducted on 20 November 2019. This report relates to Lot 1 & Lot 6 in DP 19875. The property is located on the 194 metre AHD map contour on undulating land falling gently towards the southeast. The surface water would follow the topography and flow southeast to Lovers Jump Creek that then flows north to Cowan Creek.

ES-2 Discussion

Points taken into consideration to enable recommendations:

- The seven-step DQO process (defined in Section 2) as outlined in the Health Based Soil Investigation Levels (HBSILs) listed in the *National Environment Protection (Assessment of Site Contamination) Measure (NEPM)* – Schedule B2 (1999 amended 2013) 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 significant industrial activity that may have had an impact on the soil with respect to chemical contamination.
- The site was original part of a large residential block described as 'Midhope'. Subdivision of this original property (Vol 1265 Fol. 1265 & Vol 1184 Fol. 175) into six separate lots (Lots 1-6 DP 19875) occurred in 1940. 'Midhope' the original residence, was sited on the largest block, 1 Lot 1.
- The properties (Lots 1 & 6) were purchased by St Vincent De Paul (1950), Christian Brothers (1975) the Edmund Rice Education Australia (2017). It is presumed that in each case the site was used for education purposes or similar.
- The site is not listed on the EPA NSW Contaminated Lands database.
- No chemicals were located or are suspected to be located on the site (other than common cleaning and hardware items).
- No significant staining or odours were identified during the inspection.
- The matters as prescribed by Section 59(2) of the Contaminated Lands Management Act 1997 (documented in the Section 149 Planning Certificate) do NOT indicate that the land is contaminated, or under any orders or notices issued by the EPA NSW.
- The NSW Environment Protection Authority (EPA) is undertaking an investigation program to assess the legacy of *per- and poly- fluoroalkyl substances (PFAS) use across NSW. The site is not part of the PFAS investigation program.

- All buildings are in use and in good condition. The site occupies a total area of 0.8 hectares. The footprint of the buildings and associated structures occupy approximately 50% of the site.
- There is no indication that significant amounts of fill have been imported onto the block.
- All vegetation appears to be healthy with no signs of stress or discolouration.
- The development proposal is to construct extra classrooms and multi-purpose areas within the present school grounds.
- The site is not within a potential acid sulfate soil (ASS) zone. It is our opinion that PASS (potential acid sulfate soils) shall not be an issue affecting the site.

ES-2 Recommendations

ES-2.1 Suitability of the Site for the Proposed Development

EBG considers the investigation as detailed within this report, adequate to form the opinion that significant historical site contaminating activities have not impacted the site.

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 (2011) and SEPP 55, is not considered necessary.

EBG considers the land is suitable for the proposed development (construction of new buildings on site).

NOTE: The recommendation/s above are given in the understanding that the 'conditions' below are undertaken where appropriate:

ES-2.2 Condition #1: Hazardous Materials Audit on Buildings

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 (including fencelines) prior to demolition (or major refurbishment). 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. The HMA shall report on the identified asbestos materials, synthetic mineral fibre (SMF), PCBs in light fittings, lead content in ceiling space dust and lead content in 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.

ES-2.3 Condition #2: Excavation Upper Fill / Soil Removal – Classification Requirements

Fill 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. The soil sampling regime shall follow EPA NSW Sampling Design Guidelines September 1995. See Section 6.2.3

ES-2.4 Condition #3: Imported Soil - VENM

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). See Section 6.2.4.

SECTION 1: INTRODUCTION

1.1 Authorization

This investigation was authorized by Midson on behalf of the clients, St Edmund's College.

The on-site inspection was conducted on 20 November 2019.

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
- 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 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: PHYSICAL & SITE INFORMATION

2.1 Site Identification

ADDRESS	60 Burns Road, Wahroonga NSW 2076
LOCAL GOVERNMENT AUTHORITY	Ku-Ring-Gai
LOT & DEPOSITED PLAN	Lot 1 & 6 of DP 19875
PARISH	Gordon
COUNTY	Cumberland
COUNCIL LAND ZONING	SP2 - Infrastructure (Educational Establishment)
SITE AREA	Approx 0.8 Ha

2.2 Soil Landscape & Geology

Soils Landscapes Data Source : NSW Office of Environment and Heritage. Creative Commons 3.0 © Commonwealth of Australia:

<http://creativecommons.org/licenses/by/3.0/au/deed.en>

The site is characterised by the 'Glenorie' soil landscape which occurs north of the Parramatta River.

- Landscape: Undulating to rolling low hills on Wianamatta Group shales. Local relief 50-80 m, slopes 5-20%. Narrow ridges, hillcrests and valleys. Extensively cleared tall open-forest (wet sclerophyll forest).
- Soils: Shallow to moderately deep (<100 cm) Red Podzolic Soils on crests, moderately deep (70-150cm) Red and Brown Podzolic Soils on upper slopes., deep (>200 cm) Yellow Podzolic Soils on lower slopes.

Sydney – Soil Landscape Series – Sheet 9130 (4th Edition) – DECCW NSW (*Soil Landscapes of the Sydney 1:100 000 sheet*, Chapman, G.A and Murphy, C.L (1989). Soil Conservation Service of NSW, Sydney).

2.3 Topography and Hydrogeology

The property is located on the 194 metre AHD map contour on undulating land falling gently towards the southeast. The surface water would follow the topography and flow southeast to Lovers Jump Creek that then flows north to Cowan Creek.

A registered groundwater bore is located 970 metres south of the site (GW106518).

Groundwater Bore No.	GW106518
Licence No	10BL164098
Owner Type	Private
Purpose	Domestic
Standing water Level	42.0 m
Date Completed	23/09/2004
Bore Depth	150.00 metres
Driller's Log	
	0.00m-0.50m soil 0.50m-3.00m clay 3.00m-21.00m shale 21.00m-72.00m sandstone, white 72.00m-84.00m sandstone, shale 84.00m-102.00m sandstone 102.00m-109.00m shale, hard 109.00m-127.00m sandstone, shale 127.00m-132.00m sandstone, quartz 132.00m-147.00m sandstone, shale bands 147.00m-150.00m sandstone, shale

2.4 Acid Sulfate Soil Risk

The Acid Sulfate Data Source Accessed 07/10/2016: NSW Crown Copyright - Planning and Environment - Creative Commons 3.0 (© Commonwealth of Australia) was consulted.

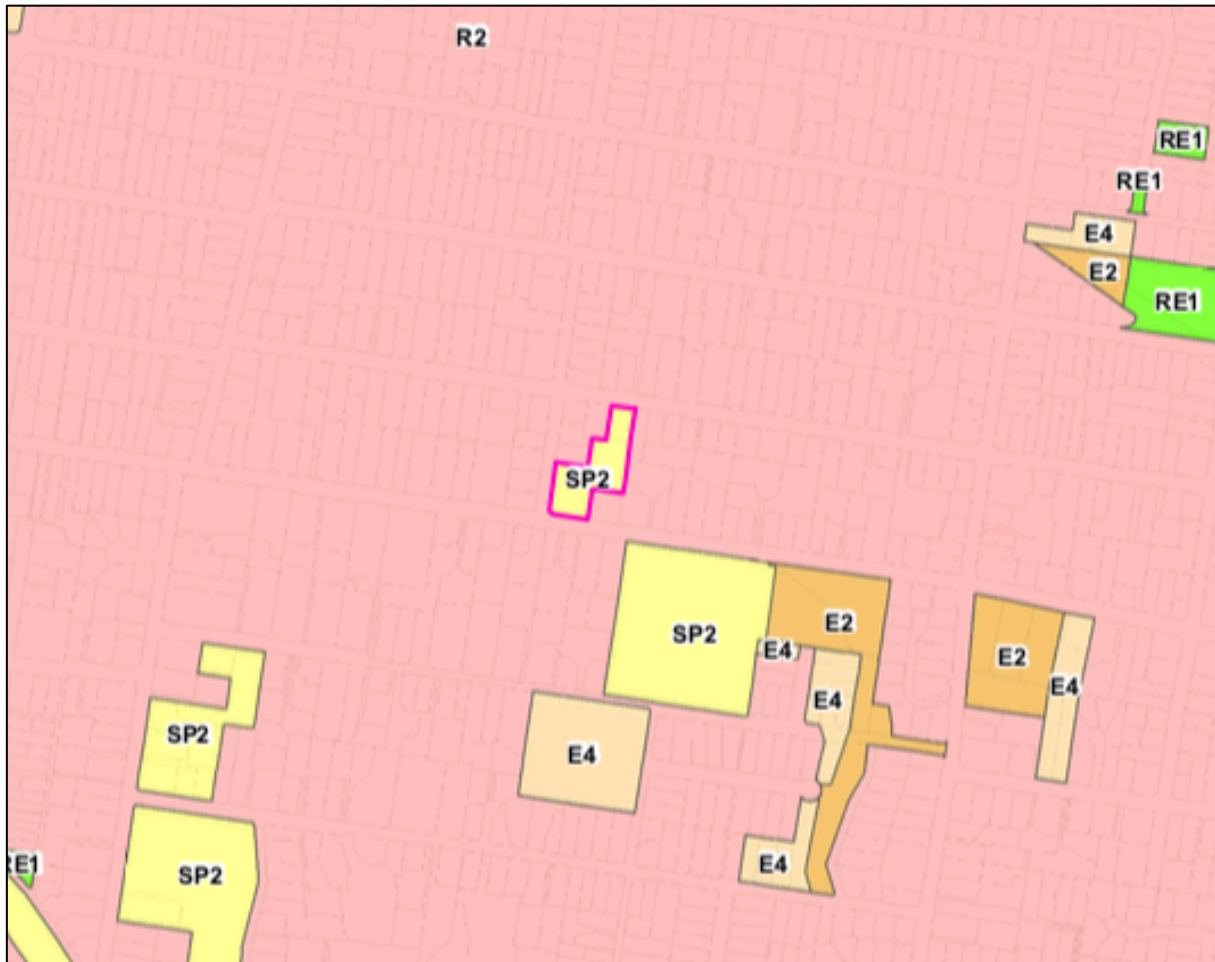
Soil Class	Description	LEP
5	Works within 500 metres of adjacent Class 1, 2, 3, or 4 land that is below 5 metres AHD and by which the watertable is likely to be lowered below 1 metre AHD on adjacent Class 1, 2, 3 or 4 land, present an environmental risk	Ku-ring-gai Local Environmental Plan 2015

The onsite ASS is class 5. It is our opinion that PASS (potential acid sulfate soils) shall not be an issue affecting the site.

2.5 Zoned Land Use

Ku-Ring-Gai Local Environmental Plan 2015: The site is within the:

- SP2 Infrastructure (Educational Establishment)



2.6 Dryland Salinity

Salinity is not expected to be an issue affecting the development.

2.7 SafeWork NSW Site Search (Dangerous Goods on Premises)

The site has been used as a school since around 1950. Prior to the construction of the school, the site was residential. As such, a search of the Stored Chemical Information Database (SCID) and the microfiche records held by Safework NSW was not carried out.

2.8 Site Title History

SUMMARY OF PROPRIETORS - Lot 1 DP 19875	
YEAR	PROPRIETOR
27.08.1897 (1897 to 1943)	Isabella Murdoch (Married Woman) (& Her deceased estate)
	As regards the part numbered (2) on the attached Cadastral Records Enquiry Report
17.08.1902 (1902 to 1943)	James Anderson Murdoch (Hatter & Mercer) (& His deceased estate)
	Search continued as regards the whole of Lot 1 D.P. 19875
20.08.1943 (1943 to 1950)	William Sydney Jackson (Optician)
12.04.1950 (1950 to 1975)	The Trustees of the Superior Council of Australia of the Society of St Vincent De Paul
02.01.1975 (1975 to 2017)	Trustees of the Christian Brothers
22.12.2017 (2017 to date)	# Trustees of Edmund Rice Education Australia

SUMMARY OF PROPRIETORS - Lot 6 DP 19875	
YEAR	PROPRIETOR
17.08.1902 (1902 to 1944)	James Anderson Murdoch (Hatter & Mercer) (& His deceased estate)
07.12.1944 (1944 to 1950)	Clyde Guthrie Mckechnie (Pastoral Inspector)
15.12.1950 (1950 to 1975)	The Trustees of the Superior Council of Australia of the Society of St Vincent De Paul
02.01.1975 (1975 to 2017)	Trustees of the Christian Brothers
22.12.2017 (2017 to date)	# Trustees of Edmund Rice Education Australia

2.9 EPA PFAS Investigation Program

The NSW Environment Protection Authority (EPA) is undertaking an investigation program to assess the legacy of *per- and poly- fluoroalkyl substances (PFAS) use across NSW.

PFAS are a group of chemicals that include perfluorooctane sulfonate (PFOS) and perfluorooctanoic acid (PFOA). They have many specialty applications and are widely used in a range of products in Australia and internationally.

PFAS are an emerging contaminant, which means that their ecological and/or human health effects are unclear. The EPA is investigating to better understand the extent of PFAS use and contamination in NSW. This will enable the EPA to be better prepared to respond if any health and environmental impacts become known.

The site was not located within the PFAS Investigation Zone.

2.10 Historical Air Photos

1943 AIR PHOTO

Large private residence 'Midhope' is located in the south west corner with a small house slightly to the east of the main house. The area to the north to Braeside Street is vacant.



1961 AIR PHOTO

The site is now owned by Society of St Vincent De Paul. The building suspected to be used as a school



2.11 Title, Business and Air Photo Discussion

Data Sources: Historical Aerials: © Land and Property Information (a division of the Department of Finance and Services)

1887 - 1950	Both parcels of land are privately owned.
1940	Original residence described as 'Midhope'. Subdivision of original property Vol 1265 Fol. 1265 & Vol 1184 Fol. 175 into six separate lots (Lots 1-6 DP 19875). The largest being Lot 1 that still encompasses the original residence.
1950	Both Lot 1 and Lot 6 are purchased by The Trustees of the Superior Council of Australia of the Society of St Vincent De Paul
1975	Both Lot 1 and Lot 6 are purchased by the Trustees of the Christian Brothers
2017	Both Lot 1 and Lot 6 are purchased by the Trustees of Edmund Rice Education Australia

2.12 EPA NSW Contaminated Land Database

A search of the OE&H contaminated land database was carried out via the internet for the LGA. Five sites from the NSW EPA Contaminated Land list within the LGA of Ku-Ring-Gai were listed. The site in question was not listed.

2.13 Proposed Development

The development proposal is to construct extra classrooms and multi-purpose areas within the present school grounds.

2.14 LGA (Ku-Ring-Gai Council) Planning Certificate 10.7

Ku-Ring-Gai Council - *Planning Certificate Under Section 10.7 Environmental Planning and Assessment Act 1979 (Cert No: ePC3356/19)* – Date 11 November 2019. Matters arising under Section 59(2) of the Contaminated Lands Management Act 1997 prescribes the following matters that are to be specified in a Planning 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 not subject to a site audit statement within the meaning of the Contaminated Lands Management Act 1997.

SECTION 3: SITE INSPECTION

A site inspection was carried out on 20 November 2019.

3.1 Building Condition, Current Occupier and Use

The site consists of two lots, identified as Lot 1 and Lot 6 in DP 19875. The building/s consist of permanent classrooms and associated school infrastructure. All buildings are in use and in good condition. The site occupies a total area of approximately 0.8 hectares. The footprint of the buildings and associated structures occupy approximately 50% of the site.

3.2 Surrounding Land Use

- North: The play area of the school bounds Braeside Street then residential.
- West: Wahroonga Avenue then residential.
- South: Burns Road then residential.
- East: Residential.

3.3 Surface Condition and Vegetation

Heavy traffic areas are either concrete hardstand or artificial turf. The remaining parts of the site not occupied by buildings are play areas with trees scattered over the property. The vegetation appears to be in good condition with no areas of stress located. No odours or hydrocarbon style staining were located.

3.4 Underground Tanks and Associated Services

No underground tanks were located during the inspection.

3.5 Fill Material

The exact nature of the sub-surface material is not known. However the site appears to be built into level land. The land levels seem to be consistent with the natural levels of the surrounding area. There is no indication that significant amounts of fill has been imported onto the block

3.6 Chemical and Waste Storage

No waste storage tanks were located during the inspection

SECTION 4: CONCEPTUAL SITE MODEL

4.1 Potential Receptors

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

- Adjacent residential properties.
- Turiban Reserve (250m to southeast)
- Lovers Jump Creek (1.2km to south east)

4.2 Potential Sources and Contaminants of Concern

HISTORICAL ACTIVITY	CONTAMINATING ACTIVITY	CONTAMINANTS OF CONCERN	LIKELIHOOD
Larger block (Residence 'Midhope') prior to sub-division in 1940	Fill	Rubbish	Unlikely – the property was part of a larger residential holding.
Fill material during building activities	Imported fill	Ash or building waste	Unlikely – the site appears to follow the natural elevation for the regional area.
Commercial Buildings (School)	Use of asbestos or lead paint	Asbestos, lead	Possible – but this is common to all older buildings and identified and dealt with prior to demolition.
Historical commercial activity	Industrial usage	Chemicals, hydrocarbons.	Unlikely – no evidence the site has been impacted by this activity.

4.3 Potentially Affected Media (PCM)

The potentially contaminated media on site are:

- Soil/Fill material – not suspected on site.
- Groundwater – not suspected.

4.4 Potential Exposure Pathways

PATHWAY	CONTAMINANTS	LIKELIHOOD
Airborne contaminant particles	Heavy metals, volatile components	Unlikely – no PCM located
Dermal contact	Heavy metals, hydrocarbons etc	Unlikely – no PCM located
Airborne vapours	Volatile contaminants	Unlikely – no PCM located

4.5 Human and Ecological Receptors

TYPE	RECEPTORS	LIKELIHOOD
HUMAN	Current and future occupants and landholders	Unlikely
	Construction and maintenance workers particularly involved in potential excavation works	Unlikely – the material shall be sampled for waste classification prior to any major excavation works
	Adjoining residential and commercial properties	Unlikely
ECOLOGICAL	Turiban Reserve	0.25 km from site – Unlikely – no PCM located
	Adjacent residential	Unlikely – no PCM located
	Adjacent gardens, trees and scrubs	Unlikely – no PCM located

4.6 Assessment of Data Gaps

DATA GAPS	COMMENTS
Status of soil with respect to fill material under concrete and buildings	Significant quantities of imported fill not considered likely. Historical contaminating activities not identified.
Groundwater sampling	Not considered an issue. It is assumed that groundwater would be at some depth. Groundwater encountered during in-excavation should be assessed if identified.

SECTION 5: DATA QUALITY OBJECTIVES (DQO) & ASSESSMENT

5.1 Outline of DQO Process

The EPA NSW *Guidelines for the 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:

Table 1

	STEP	SECTION
1	Define the Problem	Section 5.1 1.2 Consultants Brief & Scope of Works
2	Identify the Decisions	Section 5.2 Sections 2 : Physical & Site Info Section 2.13: Proposed Development Section 2.10: Title, Business & Air Photo Discussion Section 4: Conceptual Site Model
3	Identify the Inputs to the Decision	Section 5.3 2.3 Topography & Hydrogeology 2.7 Site Title History Sect. 3.0 Site Inspection
4	Define the Study Boundaries	Section 5.4 2.1 Site Identification 2.2 Soil Landscape & Geology 2.3 Topography & Hydrogeology
5	Develop a Decision Rule	Section 5.5 Section 2.13: Proposed Development
6	Specify Limits of Decision Errors	Section 5.6 Section 4: Data Quality Objectives (DQO) & Assessment
7	Optimise the Design for Obtaining Data	Section 5.7

5.2 Step 1 - Define the Problem

As there is a possibility that the past land uses may have impacted on the sub-soil, a Stage 2 soil and groundwater sampling programme and analysis was carried out.

See:

- *Sections 2 : Physical & Site Info*
- *Section 2.13: Proposed Development*
- *Section 2.10: Title, Business & Air Photo Discussion*
- *Section 4: Conceptual Site Model*

5.3 Step 2 - Identify the Decisions

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

Analysed samples taken from the property shall be assessed against the maximum criteria from the landuse as defined by National Environment Protection (Assessment of Site Contamination) Measure (NEPM) 1999 (Amended 2013) for Residential A Landuse. By using the results and guidelines the consultant shall make a decision if the property is suitable for the proposed landuse, and if not, the appropriate management or remediation necessary to achieve this end.

See:

- *2.3 Topography & Hydrogeology*
- *2.7 Site Title History*
- *Sect. 3.0 Site Inspection*

5.4 Step 3 – Identify the Inputs to the Decision

The primary inputs used to assess the 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 Phase 2 report 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:

- 2.1 Site Identification
- 2.2 Geology, Hydrogeology & Topography

5.5 Step 4 – Define the Study Boundaries

The boundaries of the site are documented in 2.1 *Site Identification*. The sub surface study boundaries within the above site boundary shall be within the fill down to natural material.

See:

- Section 2.13: Proposed Development
- 2.2 Soil Landscape & Geology
- 2.3 Topography & Hydrogeology

5.6 Step 5 – Develop a Decision Rule

The purpose of this step was 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.

5.7 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 (Note: No soil sampling and analysis undertaken).

Table 2

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
Representativeness	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'	
Comparability	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
Completeness	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 – Remedial Action Plan

5.8 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.*

SECTION 6: DISCUSSION & CONCLUSION

6.1 Discussion

Points taken into consideration to enable recommendations:

- The seven-step DQO process (defined in Section 2) as outlined in the Health Based Soil Investigation Levels (HBSILs) listed in the *National Environment Protection (Assessment of Site Contamination) Measure (NEPM)* – Schedule B2 (1999 amended 2013) 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 significant industrial activity that may have had an impact on the soil with respect to chemical contamination.
- The site was original part of a large residential block described as ‘Midhope’. Subdivision of this original property (Vol 1265 Fol. 1265 & Vol 1184 Fol. 175) into six separate lots (Lots 1-6 DP 19875) occurred in 1940. ‘Midhope’ the original residence, is sited on the largest block, Lot 1.
- The properties (Lots 1 & 6) were purchased by St Vincent De Paul (1950), Christian Brothers (1975) the Edmund Rice Education Australia (2017). It is presumed that in each case the site was used for education purposes or similar.
- The site is not listed on the EPA NSW Contaminated Lands database.
- No chemicals were located or are suspected to be located on the site (other than common cleaning and hardware items).
- No significant staining or odours were identified during the inspection.
- The matters as prescribed by Section 59(2) of the Contaminated Lands Management Act 1997 (documented in the Section 149 Planning Certificate) do NOT indicate that the land is contaminated, or under any orders or notices issued by the EPA NSW.
- The NSW Environment Protection Authority (EPA) is undertaking an investigation program to assess the legacy of *per- and poly- fluoroalkyl substances (PFAS) use across NSW. The site is not part of the PFAS investigation program.
- All buildings are in use and in good condition. The site occupies a total area of 0.8 hectares. The footprint of the buildings and associated structures occupy approximately 50% of the site.

- There is no indication that significant amounts of fill have been imported onto the block.
- All vegetation appears to be healthy with no signs of stress or discolouration.
- The development proposal is to construct extra classrooms and multi-purpose areas within the present school grounds.
- The site is not within a potential acid sulfate soil (ASS) zone. It is our opinion that PASS (potential acid sulfate soils) shall not be an issue affecting the site.

6.2 Recommendations

6.2.1 Suitability of the Site for the Proposed Development

EBG considers the investigation as detailed within this report, adequate to form the opinion that significant historical site contaminating activities have not impacted the site.

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 (2011) and SEPP 55, is not considered necessary.

EBG considers the land is suitable for the proposed development (construction of new buildings on site).

NOTE: The recommendation/s above are given in the understanding that the '**conditions**' below are undertaken where appropriate:

6.2.2 Condition #1: Hazardous Materials Audit on Buildings

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 (including fencelines) prior to demolition (or major refurbishment). 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. The HMA shall report on the identified asbestos materials, synthetic mineral fibre (SMF), PCBs in light fittings, lead content in ceiling space dust and lead content in 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.

6.2.3 Condition #2: Excavation Upper Fill / Soil Removal – Classification Requirements

Fill 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. The soil sampling regime shall follow EPA NSW Sampling Design Guidelines September 1995.

Classification samples of the soil shall be taken by the Environmental Consultant from in situ prior to excavation or from within the stored stockpile as per the requirements below:

Sampling of Stockpiled Material*	
Quantity (tonnes)	Number of samples
<500	3
500 – 1,000	4
1,000 – 2,000	5
2,000 – 3,000	7
3,000 – 4,000	10

In Situ Sampling at surface*			
Size of <i>in situ</i> Area (m ²)	Number of systematic sampling points recommended	Distance between two sampling points (m)	Diameter of the hot spot that can be detected with 95% confidence (m)
500	5	10.0	11.8
1000	6	12.9	15.2
2000	7	16.9	19.9
3000	9	18.2	21.5
4000	11	19.1	22.5
5000	13	19.6	23.1
6000	15	20.0	23.6
7000	17	20.3	23.9
8000	19	20.5	24.2
9000	20	21.2	25.0
10,000	21	21.8	25.7

*NOTE: The sampling frequency is based on Table 4 of the *Protection of the Environment Operations (Waste) Regulation 2012 – General Exemption Under Part 6, Clause 51 and 51A* – EPA NSW – *The excavated natural material order 2014* and EPA NSW Sampling Design Guidelines September 1995.

6.2.4 Condition #3: Imported Soil - VENM

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).

- **VENM with Documentation:** Backfill material shall be (virgin) excavated natural material (VENM) sourced from a reputable soil / landscaping supplier or excavation

contractor. This shall be accompanied by suitable documentation verifying the material is VENM. The documentation shall be provided by a suitably qualified Environmental or Engineering Consultant.

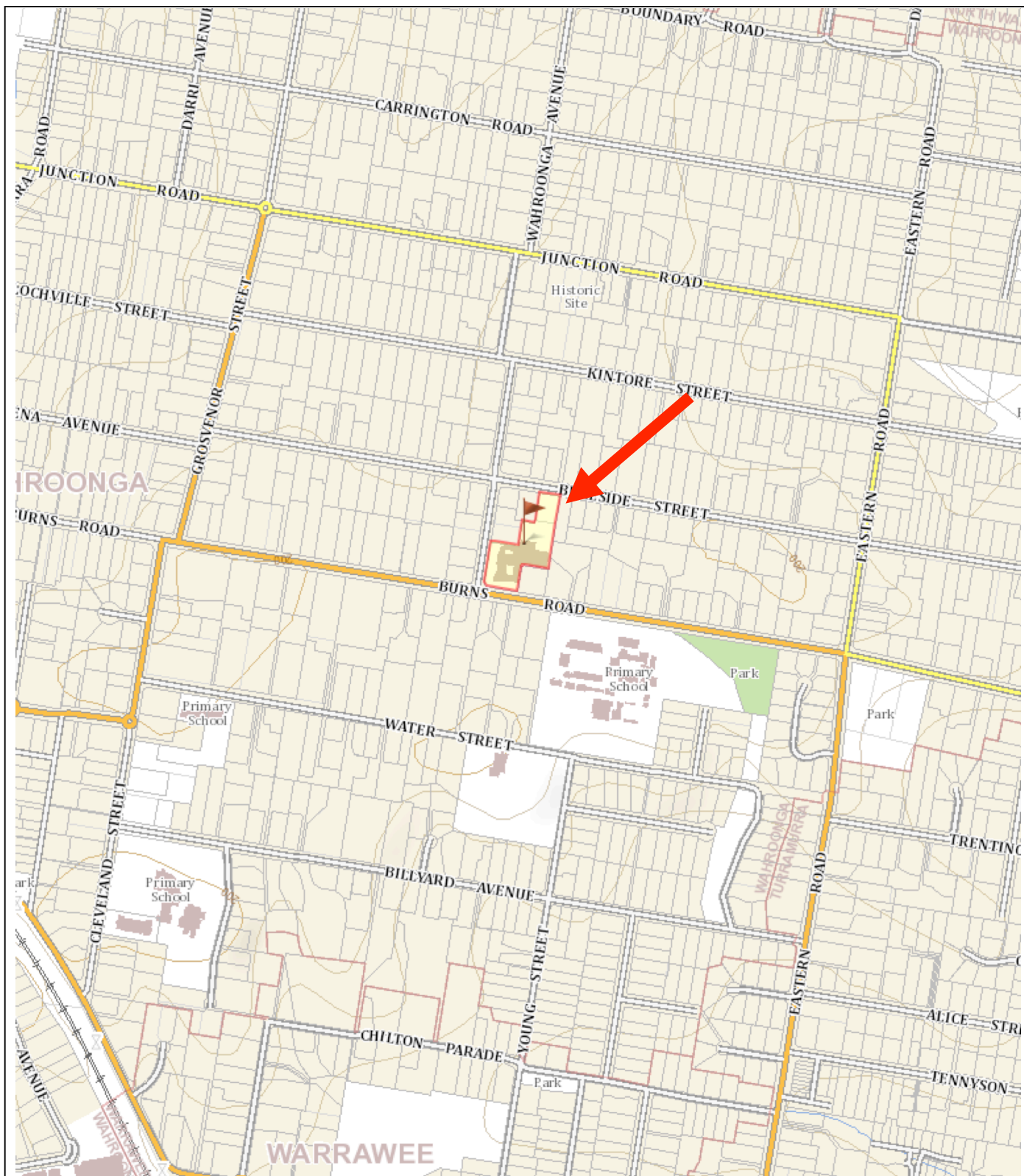
- **VENM without Documentation:** Backfill material without suitable VENM documentation shall be validated using a frequency of one (1) sample for every twenty five cubic metres (25m³). Each discrete sample analysed shall consist of a composite of these 5 sub-samples collected and mixed in a stainless steel tray. Each sample shall be analysed for the full suite of analytes listed in the EPA Waste Classification Guidelines, Part 1: Classifying Waste (DEC 2014) (Waste Classification Guidelines).

SECTION 7. REFERENCES AND LEGISLATION

- *Soils Landscapes Data Source : NSW Office of Environment and Heritage*
- *Property Boundaries & Topographic Data: Land and Property Information 2017*
- *National Environment Protection (Assessment of Site Contamination) Measure (NEPM) – Schedule B2 (1999 amended 2013)*
- *SEPP 55 – State Environmental Planning Policy No. 55.*
- *EPA NSW Waste Classification Guidelines (Part 1 : Classifying Waste - (Nov 2014).*
- *EPA NSW Guidelines for the NSW Site Auditor Scheme (2nd Edition – April 2006).*
- *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) April 2011.*
- *Australian and New Zealand Guidelines from the Protection of Aquatic Organisms – 95% Protection of Species for Fresh and Marine Water (ANZECC 2000).*
- *EPA NSW Sampling Design Guidelines September 1995.*
- *EPA NSW Guidelines for Assessing Service Station Sites December 1994.*
- *Virgin excavated natural material (DECC 2008/447) Fact Sheet 2008.*
- *DEC NSW Guidelines for Assessing Former Orchards & Market Gardens June 2005.*
- *OEH NSW Guidelines for Consultants Reporting on Contaminated Sites 1997, 2000. Reprinted August 2011.*

APPENDIX A : LOCALITY PLANS AND PHOTOGRAPHS

- FIGURE 1 (02811-F01) – SITE LOCATION
- FIGURE 2 (02811-F02) - SITE BOUNDARIES
 - PHOTOGRAPHS



LEGEND:



- SITE LOCATION



FIG NO.	FIGURE NO. 1 : 02811-F01	LOCATION	60 BURNS ROAD WAHROONGA NSW 2076
SOURCE	NEARMAP - IMAGERY 2016 CNES / ASTRIUM, DIGITALGLOBE	CLIENT	ST EDMUND'S COLLEGE
DRAWN	M.E	PROJECT	STAGE 1 PRELIMINARY SITE INVESTIGATION
APPROVED	M.E	TITLE	SITE LOCATION



LEGEND:



SITE BOUNDARIES



EBG
Environmental Geoscience

FIG NO.	FIGURE NO. 2 : 02811-F02	LOCATION	60 BURNS ROAD WAHROONGA NSW 2076
SOURCE	NEARMAP - IMAGERY 2016 CNES / ASTRIUM, DIGITALGLOBE	CLIENT	ST EDMUND'S COLLEGE
DRAWN	M.E	PROJECT	STAGE 1 PRELIMINARY SITE INVESTIGATION
APPROVED	M.E	TITLE	SITE BOUNDARIES

APPENDIX A: PHOTOGRAPHS

Stage 1 DSI : St Edmund's College, 60 Burns Road, Wahroonga NSW 2076
(EBG-02811.Stage1.PSI.11.19)

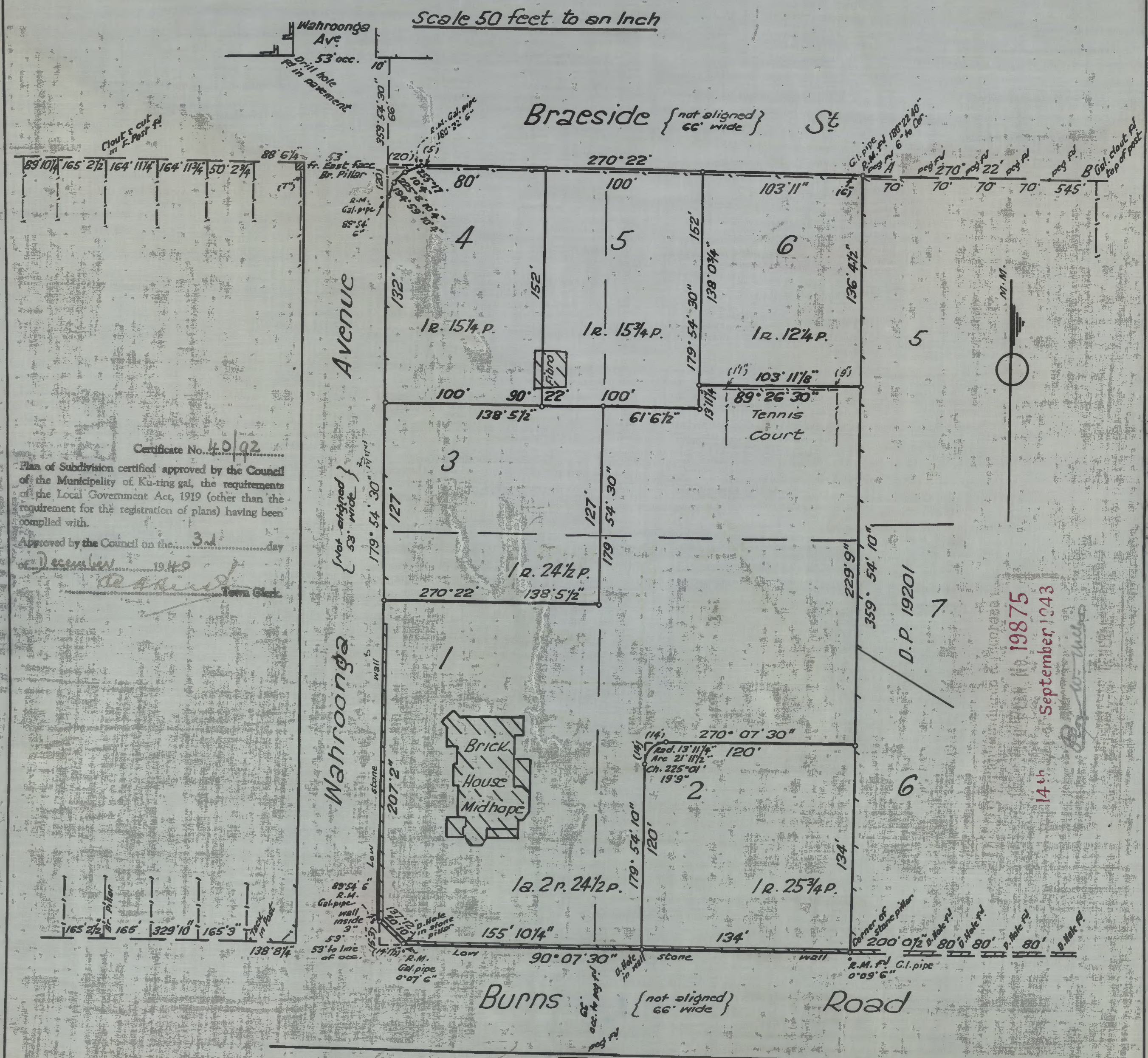


APPENDIX B:
HISTORICAL TITLE INFORMATION
AND OTHER DOCUMENTATION



Mun. of Ku-ring-gai
C971796 (Sub. Plan)
-Plan-
of the subdivision of the lands comprised in C.T's Vol. 1265 Fol. 92 & Vol. 1184 Fol. 175
Parish of Gordon County of Cumberland.

Scale 50 feet to an Inch



Certificate No. 40192
Plan of Subdivision certified approved by the Council
of the Municipality of Ku-ring-gai, the requirements
of the Local Government Act, 1919 (other than the
requirement for the registration of plans) having been
complied with.
Approved by the Council on the 3rd day
of December 1940
T. J. Clark, Town Clerk.

I, Frank Maxwell Mason, of Sydney, a surveyor registered under the
Surveyors Act 1929 do hereby solemnly and sincerely declare (a) that
all boundaries and measurements shown on this plan are correct (b)
that all survey marks found and relevant physical objects on or adjacent
to the boundaries are correctly represented (c) that all physical objects
indicated actually exist in the positions shown (d) that the whole of the
material facts in relation to the land are correctly represented (e) that
the survey represented in this plan has been made in accordance
with the Survey Practice Regulations 1929 by me and was
completed on the 29th November 1940 and (f) that Reference Marks
have been placed as shown hereon.

And I make this solemn declaration conscientiously believing
the same to be true and by virtue of the provisions of the
Oaths Act, 1900.

Subscribed and declared before me
at Sydney this 16th day of June 1943

The splayed corners of Lots 1 & 4 are
intended to be dedicated to the public.
Any restriction on any lot will be
embodied in the transfer of the same.

Datum line of Azimuth AB.



LAND
REGISTRY
SERVICES

Historical Title



NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

19/11/2019 9:22PM

FOLIO: 1/19875

First Title(s): SEE PRIOR TITLE(S)
Prior Title(s): VOL 5401 FOL 129

Recorded	Number	Type of Instrument	C.T. Issue
18/12/1988		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
11/7/1989		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
22/12/2017	AM994312	TRANSFER WITHOUT MONETARY CONSIDERATION	EDITION 1

*** END OF SEARCH ***

wahroonga 60 burns

PRINTED ON 19/11/2019



FOLIO: 1/19875

SEARCH DATE	TIME	EDITION NO	DATE
-----	----	-----	----
19/11/2019	9:21 PM	1	22/12/2017

LAND

LOT 1 IN DEPOSITED PLAN 19875
AT WAHROONGA
LOCAL GOVERNMENT AREA KU-RING-GAI
PARISH OF GORDON COUNTY OF CUMBERLAND
TITLE DIAGRAM DP19875

FIRST SCHEDULE

TRUSTEES OF EDMUND RICE EDUCATION AUSTRALIA (TZ AM994312)

SECOND SCHEDULE (1 NOTIFICATION)

1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***



LAND
REGISTRY
SERVICES

Historical Title



NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

19/11/2019 9:22PM

FOLIO: 6/19875

First Title(s): SEE PRIOR TITLE(S)
Prior Title(s): VOL 5476 FOL 116

Recorded -----	Number -----	Type of Instrument -----	C.T. Issue -----
18/12/1988		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
12/7/1989		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
22/12/2017	AM994312	TRANSFER WITHOUT MONETARY CONSIDERATION	EDITION 1

*** END OF SEARCH ***

wahroonga 60 burns

PRINTED ON 19/11/2019

InfoTrack an approved NSW Information Broker hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with Section 96B(2) of the Real Property Act 1900.

Copyright © Office of the Registrar-General 2019

Received: 19/11/2019 21:21:58



FOLIO: 6/19875

SEARCH DATE	TIME	EDITION NO	DATE
-----	----	-----	----
19/11/2019	9:21 PM	1	22/12/2017

LAND

LOT 6 IN DEPOSITED PLAN 19875
LOCAL GOVERNMENT AREA KU-RING-GAI
PARISH OF GORDON COUNTY OF CUMBERLAND
TITLE DIAGRAM DP19875

FIRST SCHEDULE

TRUSTEES OF EDMUND RICE EDUCATION AUSTRALIA (TZ AM994312)

SECOND SCHEDULE (2 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 D340368 COVENANT

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***



ABN: 36 092 724 251
Ph: 02 9099 7400
(Ph: 0412 199 304)

Level 14, 135 King Street, Sydney
Sydney 2000
GPO Box 4103 Sydney NSW 2001
DX 967 Sydney

Report

LRS NSW

Sydney

Address: - 60 Burns Road, Wahroonga

Description: - Lots 1 & 6 D.P. 19875

As regards Lot 1 D.P. 19875

<u>Date of Acquisition and term held</u>	<u>Registered Proprietor(s) & Occupations where available</u>	<u>Reference to Title at Acquisition and sale</u>
	As regards the part numbered (1) on the attached Cadastral Records Enquiry Report	
27.08.1897 (1897 to 1943)	Isabella Murdoch (Married Woman) (& Her deceased estate)	Vol 1184 Fol 175
	As regards the part numbered (2) on the attached Cadastral Records Enquiry Report	
17.08.1902 (1902 to 1943)	James Anderson Murdoch (Hatter & Mercer) (& His deceased estate)	Vol 1265 Fol 92
	<u>Search continued as regards the whole of Lot 1 D.P. 19875</u>	
20.08.1943 (1943 to 1950)	William Sydney Jackson (Optician)	Vol 1184 Fol 175 & Vol 1265 Fol 92 Now Vol 5401 Fol 129
12.04.1950 (1950 to 1975)	The Trustees of the Superior Council of Australia of the Society of St Vincent De Paul	Vol 5401 Fol 129
02.01.1975 (1975 to 2017)	Trustees of the Christian Brothers	Vol 5401 Fol 129 Now 1/19875
22.12.2017 (2017 to date)	# Trustees of Edmund Rice Education Australia	1/19875

Denotes current registered proprietor

Leases and Easements: - NIL

Search for Lot 6 D.P. 19875 is located on Page 2



ABN: 36 092 724 251
Ph: 02 9099 7400
(Ph: 0412 199 304)

Level 14, 135 King Street, Sydney
Sydney 2000
GPO Box 4103 Sydney NSW 2001
DX 967 Sydney

As regards Lot 6 D.P. 19875

<u>Date of Acquisition and term held</u>	<u>Registered Proprietor(s) & Occupations where available</u>	<u>Reference to Title at Acquisition and sale</u>
17.08.1902 (1902 to 1944)	James Anderson Murdoch (Hatter & Mercer) (& His deceased estate)	Vol 1265 Fol 92
07.12.1944 (1944 to 1950)	Clyde Guthrie McKechnie (Pastoral Inspector)	Vol 1265 Fol 92 Now Vol 5476 Fol 116
15.12.1950 (1950 to 1975)	The Trustees of the Superior Council of Australia of the Society of St Vincent De Paul	Vol 5476 Fol 116
02.01.1975 (1975 to 2017)	Trustees of the Christian Brothers	Vol 5476 Fol 116 Now 6/19875
22.12.2017 (2017 to date)	# Trustees of Edmund Rice Education Australia	6/19875

Denotes current registered proprietor

Leases and Easements: - NIL

Yours Sincerely,
Mark Groll
19 November 2019

PLANNING CERTIFICATE

818 Pacific Highway, Gordon NSW 2072
Locked Bag 1006, Gordon NSW 2072
T 02 9424 0000 F 02 9424 0001
DX 8703 Gordon TTY 02 9424 0875
E kmc@kmc.nsw.gov.au
W www.kmc.nsw.gov.au
ABN 86 408 856 411



UNDER SECTION 10.7 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

PROPERTY DETAILS

Address: 60 Burns Road WAHROONGA NSW 2076

Lot Description: Lot 1 DP 19875, Lot 6 DP 19875

CERTIFICATE DETAILS

Certificate No: ePC3356/19 **Certificate Date:** 11/11/2019

Certificate Type: Section 10.7(2) & (5)

APPLICANT DETAILS

REF: 20547A - KC

Dfp Planning Pty Ltd
11 Dartford Road
THORNLEIGH NSW 2120

BACKGROUND INFORMATION

This certificate provides information on how a property (such as land, a house, a commercial building, etc.) may be used and the limits on its development. The certificate contains information Council is aware of through its records and environmental plans with data supplied by the State Government. The details contained in this certificate are limited to that required by Section 10.7 of the Environmental Planning and Assessment Act.

**THE FOLLOWING INFORMATION IS ISSUED UNDER SECTION 10.7(2)
OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

**MATTERS AFFECTING THE LAND AS PRESCRIBED BY SCHEDULE 4 –
ENVIRONMENTAL PLANNING & ASSESSMENT ACT REGULATION, 2000.**

1. Names of relevant planning instruments and development control plans

(1) *Which environmental planning instruments apply to the carrying out of development on this land?*

Ku-ring-gai Local Environmental Plan 2015 as published on the NSW Legislation Website on 5 March 2015.

Sydney Regional Environmental Plan No.20 - Hawkesbury Nepean River.

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

State Environmental Planning Policy No.21 - Caravan Parks

State Environmental Planning Policy No.33 - Hazardous & Offensive Development.

State Environmental Planning Policy No.44 - Koala Habitat Protection.

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.

State Environmental Planning Policy No.70 - Affordable Housing (Revised Schemes).

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

State Environmental Planning Policy (State Significant Precincts) 2005.

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

State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007.

State Environmental Planning Policy (Infrastructure) 2007.

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

State Environmental Planning Policy (Affordable Rental Housing) 2009.

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017.

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017.

State Environmental Planning Policy (Coastal Management) 2018.

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

(2) *Which proposed environmental planning instruments apply to the carrying out of development on this land?* (Including planning proposals and proposed environmental planning instruments that are or have been the subject of community consultation or on public exhibition under the E. P. & A. Act).

Planning Proposal Number PP_2018_KURIN_005_00 to consolidate Ku-ring-gai's local environmental planning instruments, the Local Environmental Plan (Local Centres) 2012, Ku-ring-gai Local Environmental Plan 2015 and Ku-ring-gai Planning Scheme Ordinance, into a single local environmental plan.

(3) Which development control plans apply to the carrying out of development on this land?

Ku-ring-gai Development Control Plan

***SPECIAL NOTE:** A development control plan adds further detail to local environmental plans and may address issues such as building design, car parking, landscaping etc. Copies of the Plans are available from Council.*

2. Zoning and land use under relevant local environmental plans (other than a SEPP or proposed SEPP)

(a) What is the zoning of this property and the relevant environmental planning instrument?

Aquaculture; SP2 Infrastructure - Educational Establishment under the provisions of Ku-ring-gai Local Environmental Plan 2015.

(b) What does not require development consent under the above environmental planning instrument?

Nil.

Note: Please refer to the provisions for Exempt and Complying Development as described in Part 3 of Ku-ring-gai Local Environmental Plan 2015.

(c) What does require development consent under the above environmental planning instrument?

Educational establishment, including any development that is ordinarily incidental or ancillary to development for that purpose; Environmental protection works; Flood mitigation works; Recreation areas; Roads.

(d) What is prohibited under the above environmental planning instrument?

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

(e) What is the proposed zoning of this property and the relevant proposed environmental planning instrument?

Not applicable. There are no proposed environmental planning instruments that relate to this matter.

(f) What does not require development consent under the above proposed environmental planning instrument?

Not applicable. There are no proposed environmental planning instruments that relate to this matter.

(g) What does require development consent under the above proposed environmental planning instrument?

Not applicable. There are no proposed environmental planning instruments that relate to this matter.

(h) What is prohibited under the above proposed environmental planning instrument?

Not applicable. There are no proposed environmental planning instruments that relate to this matter.

(i) Do any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land?

There are no provisions in Ku-ring-gai Local Environmental Plan 2015 that regulate minimum dimension sizes for the erection of a dwelling house on this property.

(j) Does the land include or comprise critical habitat?

No.

(k) Is the land in a conservation area?

Yes.

This property is within a Heritage Conservation Area under the provisions of Ku-ring-gai Local Environmental Plan 2015.

SPECIAL NOTE: A conservation area is a place of historic and aesthetic value to the community. It contains a number of elements of significance, such as a historic subdivision layout, a pattern of building "footprints" within each street block, buildings of historic and architectural importance, road alignments, trees, gutters and kerb edges which all combine to create a sense of place that is worth keeping. Council's Heritage Planner can provide you with more information on this matter.

(l) Is an item of environmental heritage situated on the land?

Yes.

This property is listed as a Heritage Item under the provisions of Ku-ring-gai Local Environmental Plan 2015.

SPECIAL NOTE: You are advised that the consent authority may, before granting consent to any development: (a) on land on which a heritage item is located, or (b) on land that is within a heritage conservation area, or (c) on land that is within the vicinity of land referred to in paragraph (a) or (b), require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

3. Complying development

The extent to which the land is land on which complying development may or may not 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 and if complying development may not be carried out on that land the reason why it may not be carried out under those clauses?

(Special Note: It is your responsibility to ensure that you comply with any other general requirements of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Failure to do so may mean that a Complying Development Certificate issued under the provisions of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 is invalid).

Container Recycling Facilities Code

Complying development under the Container Recycling Facilities Code **may not** be carried out on the land. The land is affected by the following general exemptions and/or land based exclusions:

- ☐ The land is land that comprises, or on which there is, a heritage item.

Commercial and Industrial Alterations Code

Complying development under the Commercial and Industrial Alterations Code **may not** be carried out on the land. The land is affected by the following general exemptions and/or land based exclusions:

- ☐ The land is land that comprises, or on which there is, a heritage item.

Commercial and Industrial (New Buildings and Additions) Code

Complying development under the Commercial and Industrial (New Buildings and Additions) Code **may not** be carried out on the land. The land is affected by the following general exemptions and/or land based exclusions:

- ☐ The land is land within a heritage conservation area. However, this exclusion does not apply if the development is for a detached outbuilding or swimming pool.
- ☐ The land is land that comprises, or on which there is, a heritage item.

Demolition Code

Complying development under the Demolition Code **may not** be carried out on the land. The land is affected by the following general exemptions and/or land based exclusions:

- ☐ The land is land that comprises, or on which there is, a heritage item.

Fire Safety Code

Complying development under the Fire Safety Code **may not** be carried out on the land. The land is affected by the following general exemptions and/or land based exclusions:

- ☐ The land is land that comprises, or on which there is, a heritage item.

General Development Code

Complying development under the General Development Code **may not** be carried out on the land. The land is affected by the following general exemptions and/or land based exclusions:

- ☐ The land is land that comprises, or on which there is, a heritage item.

Housing Code

Complying development under the Housing Code **may not** be carried out on the land. The land is affected by the following general exemptions and/or land based exclusions:

- ☐ The land is land within a heritage conservation area. However, this exclusion does not apply if the development is for a detached outbuilding or swimming pool.
- ☐ The land is land that comprises, or on which there is, a heritage item.

Housing Alterations Code

Complying development under the Housing Alterations Code **may not** be carried out on the land. The land is affected by the following general exemptions and/or land based exclusions:

- ☐ The land is land that comprises, or on which there is, a heritage item.

Low Rise Medium Density Housing Code

Complying development under the Low Rise Medium Density Housing Code **may not** be carried out on the land. The land is affected by the following general exemptions and/or land based exclusions:

- ☐ The land is land within a heritage conservation area. However, this exclusion does not apply if the development is for a detached outbuilding or swimming pool.
- ☐ The land is land that comprises, or on which there is, a heritage item.

Subdivision Code

Complying development under the Subdivision Code **may not** be carried out on the land. The land is affected by the following general exemptions and/or land based exclusions:

- ☐ The land is land that comprises, or on which there is, a heritage item.

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

Not applicable. This matter does not apply to land within Ku-ring-gai Local Government Area.

5. Mine subsidence

Is the land proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961?

No. Council has not been notified that the land is subject to such a proclamation.

6. Road widening and road realignment

Is the land affected by any road widening or road realignment under the Roads Act, any environmental planning instrument or any resolution of council?

No.

7. Council and other public authority policies on hazard risk restrictions.

Is the land affected by a policy adopted by council, or by any other public authority required to be referred to in a planning certificate, that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, contamination, acid sulphate soils or other risk (other than flooding)?

No.

Note: A review of Council's readily available records has been conducted to identify previous land uses that may have caused land contamination. This review did not reveal any reason for contamination of this property. However, prior to urban settlement, sizeable areas of Ku-ring-gai were covered by agricultural and horticultural activities. These uses are listed in the Managing Land Contamination Planning Guidelines as activities that may cause contamination. If you are concerned about possible contamination of the site you should make your own investigations regarding the condition of this property.

7A. Flood related development controls information

Is development on the land or part of the land affected by a policy adopted by council, or by any other public authority required to be referred to in a planning certificate, subject to flood related development controls?

No.

8. Land reserved for acquisition

Do any environmental planning instruments or proposed environmental planning instruments referred to in clause 1 make provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the Act?

No.

9. Contribution plans

Which contribution plans apply if this land is developed?

Ku-ring-gai Contributions Plan 2010.
Ku-ring-gai s94A Contributions Plan 2015.

SPECIAL NOTE: A contribution plan, commonly known as a section 94 plan, outlines the financial costs Council charges if land is developed and Council believes the development will require additional services such as parks, roads etc. Copies of the contribution plans are available from Council.

9A. Biodiversity certified land

Is the land, land that is biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016?

Council has not been notified that the land is biodiversity certified land.

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

10. Biodiversity stewardship sites

Is the land, land that is a biodiversity stewardship site under a biodiversity stewardship agreement under part 5 of the Biodiversity Conservation Act 2016?

Council has not been notified that the land is biodiversity stewardship land.

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

10A. Native vegetation clearing set asides

Is the land, land that contains a set aside area under section 60ZC of the Local Land Services Act 2013?

Council has not been notified that the land contains a set aside area.

11. Bush fire prone land

Is the land bush fire prone land?

No.

SPECIAL NOTE: Bush fire prone land is defined in section 4 of the Environmental Planning and Assessment Act 1979 as meaning "land recorded for the time being as bushfire prone land on a bush fire prone land map for the area". The "area" is the local government area of Ku-ring-gai.

12. Property vegetation plans

Is the land, land to which a property vegetation plan under Native Vegetation Act 2003 applies?

Council has not been notified that the land is subject to an approved property vegetation plan.

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

Is the land, subject to an order under the Tree (Disputes between neighbours) Act 2006 to carry out work in relation to a tree on the land?

Council has not been notified that the land is subject to such an order.

14. Directions under Part 3A

Is the land, land subject to a direction under Part 3A Section 75P(2)(c1) of the Environmental Planning and Assessment Act 1979 No.203?

No.

15. Site Compatibility certificates and conditions for seniors housing

Is there a current site compatibility certificate (seniors housing), of which council is aware, in respect of proposed development on the land issued under clause 24 of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004?

The land is not subject to such a current site compatibility certificate (seniors housing) of which Council is aware.

16. Site Compatibility certificates for infrastructure, schools or TAFE establishments

Is there a valid site compatibility certificate (infrastructure) or site compatibility certificate (schools and TAFE establishments), of which council is aware, in respect of proposed development on the land?

The land is not subject to such a valid site compatibility certificate (infrastructure) of which Council is aware.

17. Site Compatibility certificates and conditions for affordable rental housing

Is there a current site compatibility certificate (affordable rental housing), of which council is aware, in respect of proposed development on the land issued under clause 37 of State Environmental Planning Policy (Affordable Rental Housing) 2009?

The land is not subject to such a current site compatibility certificate (affordable rental housing) of which Council is aware.

18. Paper subdivision information

Is the land, land subject to a development plan adopted by a relevant authority, land proposed to be subject to a consent ballot or land subject to a subdivision order?

Not applicable.

SPECIAL NOTE: Words and expressions used in this item have the same meaning as they have in Part 16C of the Environmental Planning and Assessment Regulation 2000.

19. Site verification certificate

Is there a current site verification certificate, of which council is aware, in respect of the land issued under clause 17C of State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007?

The land is not subject to a current site verification certificate of which Council is aware.

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

20. Loose-fill asbestos insulation

Does the land include 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?

NSW Fair Trading has not provided Council with written confirmation that this property is listed on the Loose-Fill Asbestos Insulation Register.

SPECIAL NOTE: Some residential homes located in the Ku-ring-gai Local Government Area 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.

For further information about the Loose-fill asbestos Public Register contact NSW Fair Trading. Tel: 13 32 20 or www.loosefillasbestos.nsw.gov.au.

21. Affected building notices and building product rectification orders

(1) Is there any affected building notice of which council is aware that is in force in respect of the land?

No.

- (2) ***Is there any building product rectification order of which council is aware that is in force in respect of the land and has not been fully complied with?***

No.

- (3) ***Has any notice of intention to make a building product rectification order of which council is aware has been given in respect of the land and is outstanding?***

No.

SPECIAL NOTE: The terms "affected building notice" and "building product rectification order" have the same meaning as in the Building Products (Safety) Act 2017.

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) ***Is the land to which this certificate relates significantly contaminated land within the meaning of that Act?***

No.

- (b) ***Is the land to which this certificate relates subject to a management order within the meaning of that Act?***

No.

- (c) ***Is the land to which this certificate relates subject to an approved voluntary management proposal within the meaning of that Act?***

No.

- (d) ***Is the land to which this certificate relates subject to an ongoing maintenance order within the meaning of that Act?***

No.

- (e) ***Is the land of which this certificate relates subject to a site audit statement within the meaning of the Act?***

No.

SPECIAL NOTE: If you have any concerns about land contamination beyond the information described in this certificate, you should contact the NSW Environmental Protection Authority. Tel: 131 555 or email info@environment.nsw.gov.au.

THE FOLLOWING INFORMATION IS ISSUED UNDER SECTION 10.7(5) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Land Slip or Subsidence:

Council records do not have sufficient information to indicate land slip or subsidence is likely to restrict development on this land. However, some lots in Ku-ring-gai Local Government Area contain filling and/or road batters which may be subject to settlement and require special consideration in the design of foundations.

Flooding:

Some properties in the Ku-ring-gai Local Government area contain or adjoin natural drainage paths, pipelines, watercourses and depressions. During major rainfall or blockage of the drainage system surface water may affect the site or restrict future development.

SPECIAL NOTE: The Department of Planning and Environment and the Department of Commerce have not indicated any private property which may be affected by flooding of major rivers or creeks in the Ku-ring-gai Local Government Area.

Loose-fill asbestos insulation:

Some residential homes located in the Ku-ring-gai Local Government Area 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.

For further information about the Loose-fill asbestos Public Register please contact NSW Fair Trading. Tel: 13 32 20 or www.loosefillasbestos.nsw.gov.au.

Contamination:

Council records do not have sufficient information relating to any previous uses of this land to confirm that the land has not been used for a purpose which would be likely to have contaminated the land. Parties should make their own enquiries as to whether the land may be contaminated.

Threatened species, populations and ecological communities:

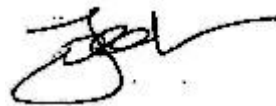
This land may contain threatened species, populations and ecological communities listed under the *Biodiversity Conservation Act 2016 (NSW)* and or the *Environment Protection Biodiversity Conservation Act 1999* (Commonwealth). For more information contact NSW Office of Environment and Heritage Tel: 131 555 or the Australian Government Department of Environment and Energy Tel: 1800 803 772.

This land may contain one or more of the following endangered or critically endangered

ecological communities listed under Schedule 2 of the *Biodiversity Conservation Act 2016* (NSW):

Blue Gum High Forest in the Sydney Basin Bioregion,
Coastal Saltmarsh in the New South Wales North Coast, Sydney Basin and South East
Corner Bioregions,
Coastal Upland Swamp in the Sydney Basin Bioregion,
Duffys Forest Ecological Community in the Sydney Basin Bioregion,
Swamp Oak Floodplain Forest of the New South Wales North Coast, Sydney Basin and
South East Corner Bioregions,
Sydney Turpentine Ironbark Forest.

For more information contact NSW Department of Environment & Heritage. Tel:131 555 or email
info@environment.nsw.gov.au <<mailto:info@environment.nsw.gov.au>>



John McKee
General Manager