PRELIMINARY SITE INVESTIGATION
PREPARED FOR
SHINE MOTOR CORPORATION PTY LTD
8 NOONAN ROAD, INGLEBURN NSW 2565

Prepared for: Shine Motor Corporation Pty Ltd

Prepared by: Francesco Faustino, Environmental Scientist
R T Benbow, Principal Consultant

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ENVIRONMENTAL

Engineering a Sustainable Future for Our Environment

Head Office: 27 Sherwood Street, Northmead NSW 2152 AUSTRALIA
Tel: 61 2 9896 0399
Email: admin@benbowenviro.com.au
Visit our website: www.benbowenviro.com.au

DOCUMENT CONTROL

Prepared by:	Position:	Signature:	Date:
Francesco Faustino	Environmental Scientist		12 September 2024

Reviewed by:	Position:	Signature:	Date:
Damien Thomas	Senior Environmental Scientist		12 September 2024

Approved by:	Position:	Signature:	Date:
R T Benbow	Principal Consultant		12 September 2024

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Benbow ENVIRONMENTAL
A.B.N. 17 160 013 641

Head Office:
27 Sherwood Street Northmead NSW 2152 Australia
P.O. Box 687 Parramatta NSW 2124 Australia
Telephone: +61 2 9896 0399
E-mail: admin@benbowenviro.com.au
Visit our Website at www.benbowenviro.com.au

EXECUTIVE SUMMARY

Benbow Environmental (BE) was engaged by Shine Motor Corporation to prepare a Preliminary Site Investigation (PSI) report for 8 Noonan Road, Ingleburn NSW 2565.

This report has been prepared in accordance with the *Consultants Reporting on Contaminated Land; Contaminated Land Guidelines (NSW EPA 2020)* and *The National Environment Protection (Assessment of Site Contamination) Measure 1999* (the ASC NEPM) *amended 2013*. A review of all available relevant, current and historical documents has been carried out in order to gain a comprehensive understanding of the history of the site.

A conceptual site model has been developed for the site indicating the potential sources of contamination, contaminants of concern, potentially impacted media and exposure pathways for human and environmental receptors.

The potential for site contamination exists, due to historical and current site activities. The potential contaminants and risks are as follows:

- Moderate risk of surface water contamination from sediments stemming from external uncovered/unsorted scrap metal stockpiles and sawdust used to soak up vehicle oils entering the stormwater system;
- Low-moderate risk of contamination associated with decanting of oil in the mechanical building (this area requires bunding);
- Low-moderate risk of soil/groundwater contamination from oil spills seeping through compromised hardstand;
- Moderate risk of contamination from externally stored vehicles leaking oils that lead into the stormwater system during rain events;
- Moderate-high risk of contamination of oils into groundwater/soils through potentially compromised underground pits beneath mechanical area;
- Medium risk of potential contamination of soils and groundwater, from historical site operations due to possible leaks from an underground fuel tank (location currently unknown); and
- Medium risk of an explosion from a potential disturbance of an underground tank containing fuel and or vapour.

Of primary concern for potential contamination stems from:

- An subterranean pit beneath the mechanical area which captures decanted oil from end-of life vehicles; and
- A potential UST likely beneath the hardstand near the mechanical workshop, previously used to fill vehicles on site.

Contamination of the environment through the pit system and UST is uncertain. Further investigation regarding these and their potential environmental impacts is recommended.

A detailed site investigation (DSI) is considered warranted to determine if contamination of the Site's soils has occurred due to historical site activities, especially from the oil collection pit area and from the potential UST. Use of ground penetrating radar is recommended to help locate the UST, most likely located beneath the Site's western handstand area.

Francesco Faustino
Environmental Scientist

R T Benbow
Principal Consultant

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1. INTRODUCTION

Benbow Environmental (BE) was engaged by Shine Motor Corporation Ptd Ltd to prepare a Preliminary Site Investigation (PSI) report for 8 Noonan Road, Ingleburn NSW 2565 (legally known as Lot 25; DP809258).

This report has been prepared in accordance with the *Consultants Reporting on Contaminated Land; Contaminated Land Guidelines (NSW EPA 2020)* and *The National Environment Protection (Assessment of Site Contamination) Measure 1999* (the ASC NEPM) *amended 2013*.

A review of all available relevant, current and historical documents has been carried out in order to gain a comprehensive understanding of the history of the site.

1.1 SCOPE OF WORK

The scope of this PSI is as follows:

- Review site history including:
  - Land Titles search;
  - Obtain and examine Council records;
  - Examine historical aerial photographs of the site and surrounding area;
  - NSW EPA Records;
- Undertake a site inspection to identify any potential contaminants and areas impacted by contamination;
- Identify potential contamination and areas of potential contamination from an interpretation of the currently available information;
  - Determine the potential pathways contaminants may take to reach subsoil and groundwater;
- Identify if a Detailed Site Investigation is warranted; and
- Provide recommendations in relation to additional investigations if any are considered necessary.

1.2 RELEVANT LEGISLATION AND GUIDELINES

The PSI has been carried out in accordance with the following relevant NSW EPA or NSW EPA recognised guidelines:

- Consultants Reporting on Contaminated Land: Contaminated Land Guidelines (NSW EPA, April 2020);
- Guidelines for the NSW Site Auditor Scheme (3rd Edition) (NSW EPA, October 2017);
- Contaminated Land Management Act 1997; and
- NEPM Assessment of Site Contamination (NEPM, 1999) amended 2013.

1.3 ASSESSMENT OF ISSUES

This PSI provides an assessment of the following issues:

- Hazardous materials (asbestos, lead-based paints, radioactive materials, chemicals/fuels etc);
- Structures/storage areas;

- Air emissions of pollutants;
- Soil, surface water and/or groundwater pollution;
- Pesticide and herbicide usage and/or contamination;
- Electromagnetic fields;
- Wastewater treatment;
- Potable water sources;
- Waste disposal; and
- Dams/ponds.

2. SITE IDENTIFICATION

Site identification information and land use is summarised in Table 2-1.

Table 2-1: Site Identification

Lot and DP Numbers	Lot 25; DP809258
Site Address	8 Noonan Road, Ingleburn NSW 2565
Approximate Site Area (ha)	0.3 ha
Local Government Area	City of Campbelltown
Parish of	Minto
County of	Cumberland
Current Land Zoning	E4 – *General Industrial*
Latitude; Longitude	-33.989003; 150.862721.
Geocentric Datum	GDA94 - Geographic

The regional context of the site is presented below in Figure 2-1. An aerial image of the site displaying the lot boundary is shown in Figure 2-2. The local areas land use zoning is presented in Figure 2-3.

Figure 2-1: Regional context of the Site

Source: Six Maps (2014)

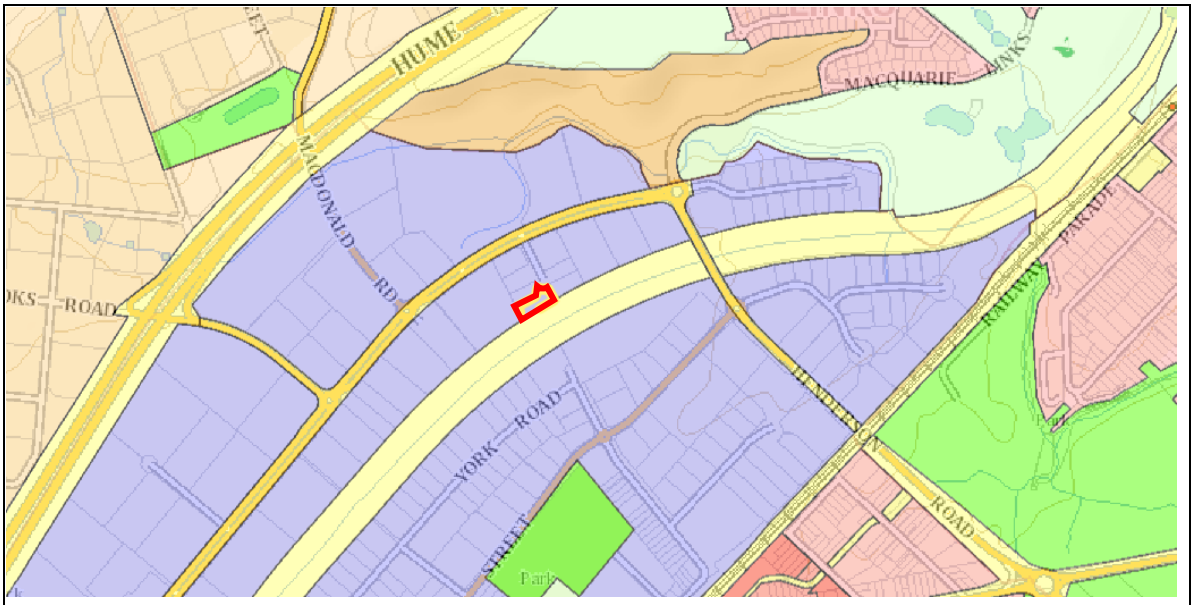
↑N Not to scale	**LEGEND** Site Cadastral Boundary	Benbow Environmental 25-27 Sherwood Street, Northmead NSW 2152

Figure 2-2: Aerial Image of the Site

Source: Six Maps (2014)

↑N Not to scale	**LEGEND** Site Cadastral Boundary	Benbow Environmental 25-27 Sherwood Street, Northmead NSW 2152

Figure 2-3: The Site and Surrounding Land Zones



Source: ePlanning Spatial Viewer (2024)

LEGEND

Site Cadastral Boundary

- E3 - Productivity Support
- E4 - General Industrial
- E5 - Heavy Industrial
- EM - Employment
- EP - Employment
- ENP - Environment Protection
- ENT - Enterprise
- ENZ - Environment and Recreation

N

Not to scale

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2.1 CURRENT USE

The Site currently operates as a scrap metal recycling facility. Materials from commercial and residential developments are brought to the site, where materials are sorted and consolidated based on type of material and processing requirements.

The primary business activity of the proposed development is the collection and re-sale of scrap metal. The development is proposed to have an annual throughput of approximately 4,800 tonnes (reflecting averages of approximately 92 tonnes per week). This material is sourced from both local businesses including other scrap metal facilities and the general public, who deliver it to the site.

Most materials received on site are pre-sorted and simply then baled and stored/consolidated with the same type of material until the appropriate quantity is acquired for export. Mixed metal waste received on site is sorted and stockpiled, either for immediate re-sale or for minor on-site processing (i.e. stripping insulation from wiring or baling) prior to re-sale. The bulk of the scrap metal delivered to site is proposed to be re-sold for recycling, with only a small component unable to be re-sold (primarily PVC insulation from wiring).

3. REGIONAL AND LOCAL GEOLOGY, HYDROLOGY AND CLIMATE

3.1 GEOLOGY AND SOIL CLASSIFICATION

The *CSIRO eSpade interactive web portal* provides the following information for the regional area's geology and soil landscape. It is important to note that these descriptions are *predicted* landscape and soil characteristics for the Site, as based on soil mapping surveys from the local area.

The soil landscape for the site is mapped as *South Creek* (sc).

3.1.1 South Creek (sc)

Soil Landscape (sc):

The soil landscape comprises the present active floodplain of many drainage networks of the Cumberland Plain. This includes the South Creek, Eastern Creek, Ricabys Creek and Prospect Creek systems. Typical profiles and landscape can be seen on South Creek between Bringelly Road and Elizabeth Drive.

This is a dynamic soil landscape; there are many areas and deposition. Streambank erosion and sheet erosion of floodplains are common. In depositional phases streams may be partially or completely blocked by sedimentation or vegetation bars.

Soils (sc):

Often very deep layered sediments over bedrock or relict soils. Where pedogenesis has occurred, Structured Plastic Clays (Uf6.13) or Structured Loams (Umo6.1) in and immediately adjacent to drainage lines; Red and Yellow Podzolic Soils (Dr5.11, Dy2.41, Dr2.21) are most common terraces with small areas of Structured Grey Clays (Gn5.54) leached clays (Uf4.42) and Yellow Solodic Soils (Dy4.42, Dy5.23).

Topsoil (sc):

Sc1 – Brown apedal single-grained loam (A Horizon): This is a brown sandy loam to sandy clay loam with generally apedal single-grained structure and porous earthy fabric.

Colours range from dull reddish brown to dull yellowish brown. This material is usually moderately acid (pH 5.5) but varies from strongly acidic (pH 4.5) to slightly acidic (pH 6.5). Small (2-6 mm) angular or rounded gravels may occur. Roots are abundant in surface layers, charcoal and other inclusions do not occur.

Sc2 – Dull brown clay loam (A Horizon): Hard setting dull brown clay loam to fine sandy clay loam, usually with apedal massive structure and porous earthy fabric.

Occasionally, weak structure occurs with small rough-faced subangular blocky peds. Colour is usually dull brown but has a range from greyish brown to yellowish brown (pH: 5.5 – 7.0).

Subsoil (sc):

Sc3 – Bright Brown Clay (B Horizon): Bright brown light to medium clay with strongly pedal structure and dense smooth-faced ped fabric.

Occasionally, this material contains sufficient fines to reach the texture grade of sandy clay. Peds are smooth-faced angular blocky or polyhedral and 20-50 mm in size. This material is generally whole-coloured ranging from reddish brown to bright yellowish brown. Mottles, when they do occur, are grey and occupy up to 15% of the volume of the material. Roots are only present where this material occurs as topsoil. There is no charcoal but small subrounded or subangular gravels may make up to 50% of the volume. Soil pH ranges from strongly acidic to mildly acidic (pH 3.0 – 6.0).

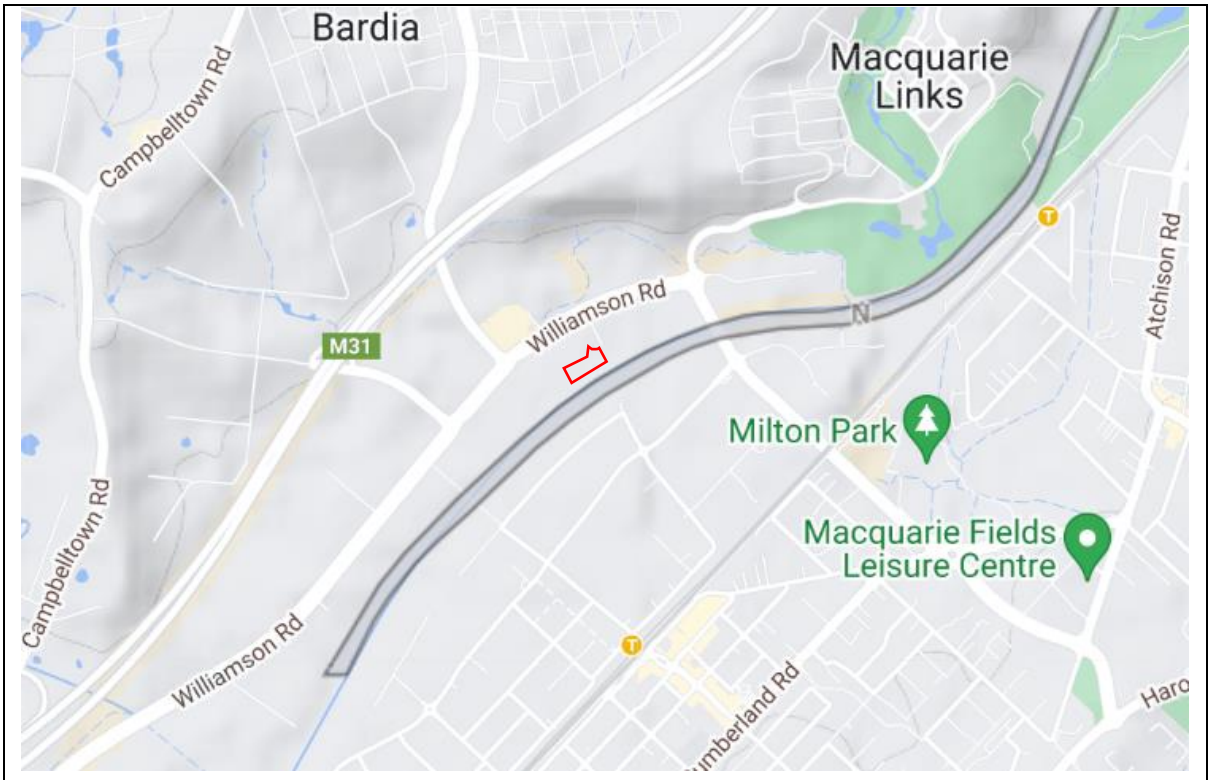
Limitations (sc)*:*

- High erodibility (sc1);
- High erodibility (localised (sc2);
- Hard setting surface (sc2);
- Strongly acidic (sc2);
- Low fertility (sc2);
- Shrink-swell potential (localised (sc3);
- Stoniness (localised (sc3);
- Very high erodibility (sc3);
- Saline (sc3); and
- Low fertility (sc3).

3.2 ACID SULFATE SOILS (ASS)

The CSIRO eSpade interactive web portal shows the subject site is not located on land that is at risk from acid sulfate soil (ASS), thus the site has *very low* risk from ASS (see Figure 3-1below).

Figure 3-1: eSpade Acid Sulfate Soil Risk Mapping



Source: CSIRO eSpade

↑N
Not to scale

LEGEND

Site cadastral boundary

- Hm: High probability, bottom sediments
- H0: High probability at/near ground surface
- H1: High probability <1 m below ground surface
- H2: High probability 1-3 m below ground surface
- H4: High probability >3 m below ground surface
- Lm: Low probability, bottom sediments
- L0: Low probability at/near ground surface
- L1: Low probability <1 m below ground surface
- L2: Low probability 1-3 m below ground surface
- L4: Low probability >3 m below ground surface
- N: No known occurrence
- NB: No known occurrence, beach
- X0: Disturbed terrain, elevation <1 m AHD
- X1: Disturbed terrain, elevation 1-2 m AHD
- X2: Disturbed terrain, elevation 2-4 m AHD
- X4: Disturbed terrain, elevation >4 m AHD

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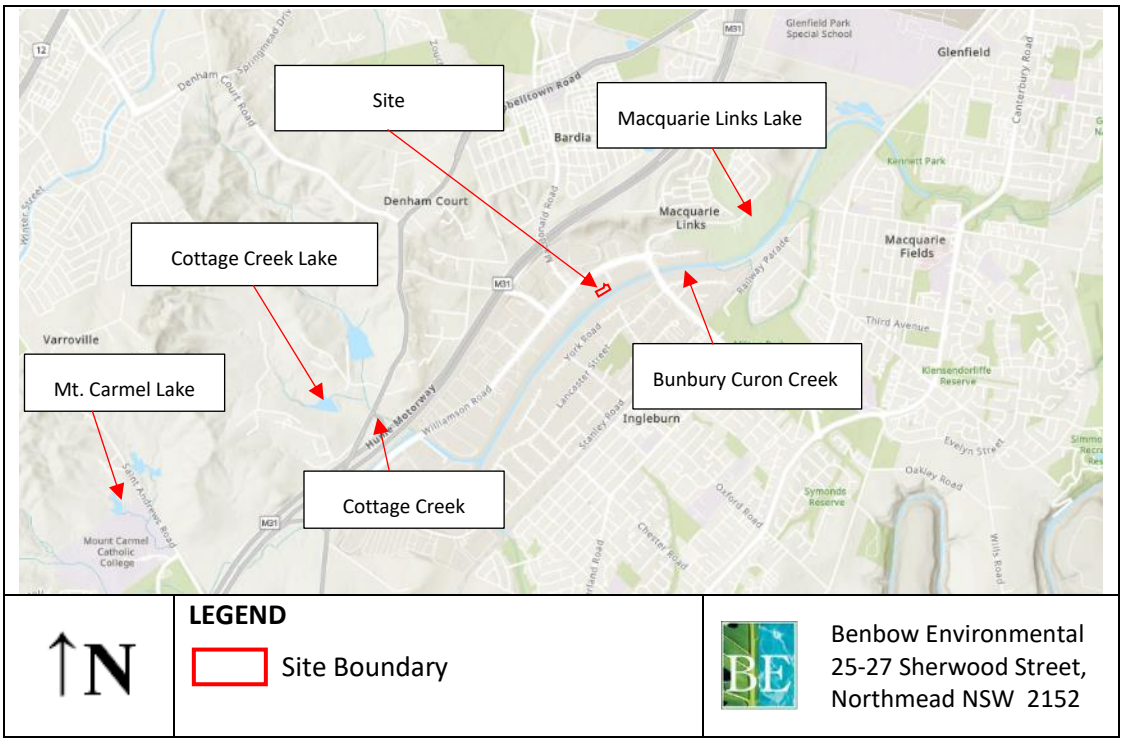
ASS occur predominantly on coastal lowlands, with elevations generally below 5 m Australian Height Datum (AHD). The presence of ASS generally indicates potential risks to surface and or groundwater quality, soil strength, stability, habitat character and agricultural productivity on

adjoining lands, as well as presenting challenges for the design and maintenance of infrastructure in acid sulfate environments.

3.3 SURFACE AND LOCAL HYDROGEOLOGY

The Site does not contain any water bodies (see below Figure 3-2). The closest permanent water body is Bunbury Curon Creek which runs southwest along the southern boundary of the site. Various waterbodies associated with Cottage Creek are situated approximately 2.3 km southwest of the site. Macquarie Links Lake is situated approximately 1 km northeast of the site.

Figure 3-2: Location of the Nearest Waterbodies to the Site



3.3.1 Groundwater Bore Search

A search was undertaken to identify registered groundwater bores located within a 250 m radius from the site's centre, using the *Australian Groundwater Explorer* by the *Australian Bureau of Meteorology* and the *Groundwater Monitoring Overview Map* by the NSW Office of Water.

According to these resources, there are zero (0) groundwater monitoring bores within 250 m of the subject site.

3.3.2 Flood Risk

The 10.7 Planning Certificate states the following in ***Item 9 - Flood Related Development Controls***:

(1) All or part of the land is within the flood planning areas and it is subject to flood related development controls.
(2) The land is not subject to flood related development controls as a result of all or part of it being between the flood planning area and the probable maximum flood (PMF).

3.4 OTHER NATURAL RISKS

3.4.1 Bushfire Prone Land

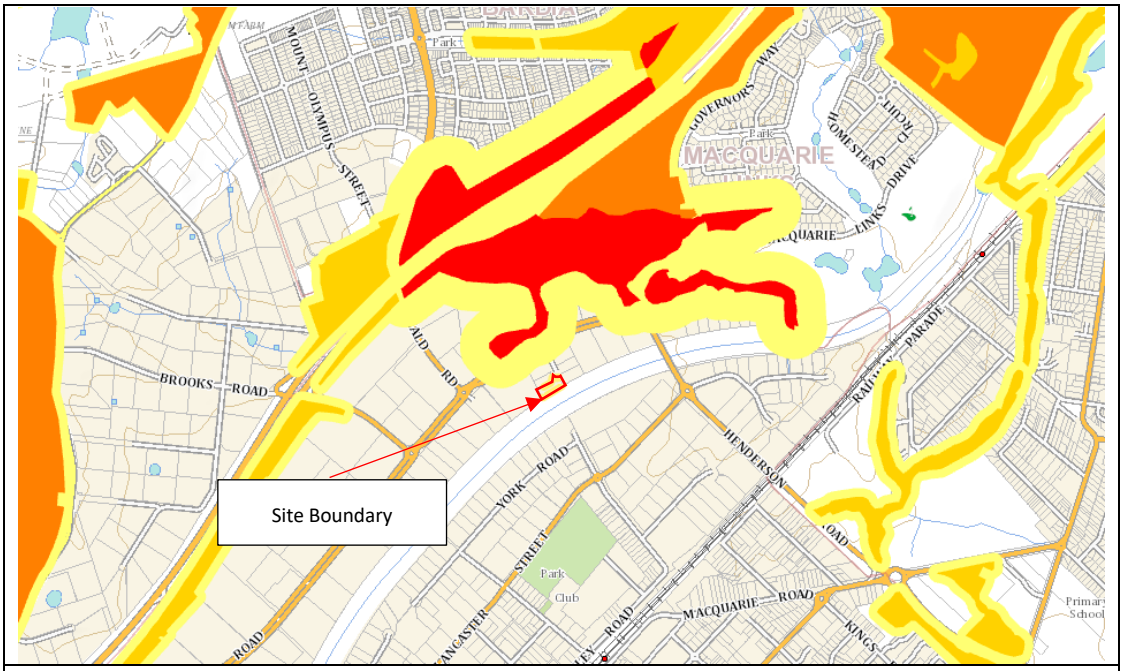
Section 146 of the Environmental Planning and Assessment Act 1979 (EP&A Act) requires councils, where a Bush Fire Risk Management Plan applies, to record a bush fire prone land map after consulting with the Commissioner of the NSW RFS. Complying development is permitted on bush fire prone land, for the lower risk bush fire attack levels (Australian Standard 3959 BAL levels 12.5, 19, and 29). Such development is required to meet development standards complying with *Planning for Bush Fire Protection 2006*. Maps can be viewed online either through SEED or the NSW ePlanning Spatial viewer.

The 10.7 Planning Certificate states the following in ***Item 11 – Bush Fire Prone Land***:

None of the land subject of this certificate has been identified as bush fire prone land on the Cambelltown City Council – Bush Fire Prone Land Map that has been certified for the purposes of section 10.3(2) of the Act.

The online map from the NSW ePlanning spatial viewer identifies the site is not within an area of bushfire risk (Figure 3-3).

Figure 3-3: Bushfire Prone Land Map



Source: NSW Planning Portal Spatial Viewer

LEGEND

Site cadastral boundary

Vegetation Category 1

Vegetation Category 2

Vegetation Category 3

Vegetation Buffer

↑N

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3.4.2 Salinity

Salinity causes damage to urban infrastructure such as roads, buildings, paving, service utilities as well as impacting vegetation such as trees or grassed areas. Symptoms of urban salinity include:

- Bare patches in lawns/sporting fields;
- Rising damp in buildings;
- Salt crusting on bricks or concrete;
- Continual fracturing of road surfaces; and
- Constant damp areas.

Information from the NSW Governments Sharing and Enabling Environmental Data (SEED) portal indicates the site has a low risk of soil salinity.

3.5 LOCAL CLIMATE

The closest BOM weather station to the Site is at Holsworthy Aerodrome AWS (066161), which is approximately 8.1 km east of the site.

See Table 2-1 below for a summary of the climate data from Holsworthy Aerodrome AWS.

Table 3-1: Summary of the Climate Statistics (2023)

Holsworthy Aerodrome AWS (066161)	
Annual Mean Maximum Temperature (°C)	24.1
Annual Mean Minimum Temperature (°C)	11.7
Highest Average Temperature (°C)	28.5
Hottest Month	February
Coldest Month	June/July
Annual Average Rainfall (mm)	616.2

4. SITE HISTORY

The objective of the site history review is to ensure that there are no gaps in the information obtained which is relied upon to document the activities conducted at the site.

A review of the site history was carried out and comprised the following:

- Review of current and historical land title search;
- Review of historical aerial photographs;
- Review of NSW EPA records;
- Review of Campbelltown Council records; and
- Review of Section 10.7 planning certificate.

4.1 TITLE SEARCH

A title search was undertaken on 09/08/2024 for the land holding at Lot 25; DP809258. These are presented in Attachment 1.

For this land holding there are two (2) notifications:

1 Easement(s) affecting the part(s) shown so burdened in the title diagram created by:
   a. DP809258 – To drain water 4 wide; and
   b. DP809258 – For underground mains 1 wide.

2 AT158912 Lease to Shine Motor Corporation Pty Ltd Expires: 30/04/2033

4.2 HISTORICAL TITLE SEARCH

A Historical Land Title Search was conducted for the land holdings at Lot 25; DP809258. The Historical Land Title Search documents have been included in Attachment 4.

The findings are presented in Table 4-1 below.

Table 4-1: Historical Land Title Findings

Recorded	Number	Type of Instrument	C.T. Issue
18/7/1991	DP809258	Deposition Plan	Folio Created; Edition 1
15/11/1995	O690971	Transfer	Edition 2
12/3/1998	3851570	Notice of Death	Edition 3
17/7/1998	5134300	Lease	Edition 4
4/11/1999	6318088	Lease	Edition 5
30/6/2003	9744469	Lease	Edition 6
6/7/2006	AC438371	Lease	Edition 7
28/5/2010	AF522892	Lease	Edition 8
3/6/2010	AF536799	Department Dealing	Edition 9
10/7/2014	AI607897	Lease	Edition 10
27/6/2018	AN455667	Lease	Edition 11

Table 4-1: Historical Land Title Findings

Recorded	Number	Type of Instrument	C.T. Issue
11/4/2023	AS992500	Change of Name	Edition 12
10/6/2023	AT158912	Lease	Edition 13

4.3 AERIAL PHOTOGRAPHS

Aerial photographs obtained from the NSW Department of Lands and Google Earth for the following years, were reviewed to describe the site features and surrounding areas at various timelines:

- 1947;
- 1965;
- 1975;
- 1978;
- 1984;
- 1998;
- 2004;
- 2013; and
- 2024.

The historical aerial photographs have been included as Attachment 2. The approx. site boundaries are shown on the photographs. A summary of the review is presented in Table 4-2.

Table 4-2: Summary of Historical Aerial Photographs

Year	Site	Surrounding Areas
1947	Road runs through boundary of site. East of road open and grassy (undeveloped) with no structures. West of road cleared with no structures. Vegetation/trees visible scattered around SE boundary.	Early residential areas established to the north and east of the site. Rudimentary roadways developed to the west of the site. Large undeveloped plots of land surrounding the site, particularly to the northeast. Vegetative barrier accompanying a creek flowing from the east to west found north of the site.
1965	No significant changes to site.	Expansion of residential areas to the north, south and east. Alterations to creek and establishments of lakes/ponds to the north and west of the site. Demarcation and lot boundaries throughout the previously undeveloped open space to the northeast and west. – likely industrial and agricultural in nature.

Table 4-2: Summary of Historical Aerial Photographs

Year	Site	Surrounding Areas
1975	No significant changes to site.	Further expansion of residential areas to the north, south and east of the site. Development of major roadway to the north of the site (Hume motorway). Industrial developments expansion to the south of the site. Iterative works on roadways to the west of the site.
1978	Land cleared throughout site – open soil/surface exposed. Road still present running through site.	Significant land clearing occurred across open areas surrounding the site, particularly in the southwest of the site. Considerable residential expansion to the south of the site. Creeks and vegetative barriers cleared in sections to make way for developments of infrastructure. Concrete stormwater pathway developed to the south of the site.
1991	Grass has grown/established on site. Road that intersected site no longer exists. Connection to newly constructed Noonan Road to NE of site detailed.	Industrial area surrounding site has developed further. Expansion of residential areas NW and SE of site. Land cleared for future infrastructure and industry.
1998	Site fully developed. Hardstand driveway from Noonan Road has been implemented, along with hardstand across the entire lot. Multiple structures have been erected, including metal structure to the west with an awning, a large concrete structure in the central north of the site and two smaller structures joined near the entrance on Noonan Road. These described structures are the residing structures at the time of this report.	Considerable development of industrial area surrounding the stie and along Hume motorway. Much of previous creek and vegetation cleared for developments. Some infrastructure built around natural forested areas. Expansion of residential areas. Developments underway in previously open areas to the northeast of the site.
2004	No notable changes to the site. Hardstand utilised for various stored goods in external storage areas on the southern, western and eastern boundary.	Expansion of residential areas to the northeast of the site. Expansion of residential areas southwest of the site.
2013	No notable changes to the site.	Minor expansion of residential and industrial areas.
2024	No notable changes to the site. Considerably more usage of external storage areas with	Minor expansion/alteration of residential and industrial areas surrounding site.

4.4 NSW EPA Records

4.4.1 CLM Act 1997

The NSW EPA publishes records of contaminated sites under Section 58 of the Contaminated Land Management (CLM) Act 1997. The notices relate to investigation and/or remediation of site contamination considered to pose a significant risk of harm under the definition in the CLM Act. However, it should be noted that the EPA record of Notices for Contaminated Land does not provide a record of all contaminated land in NSW.

A search of the EPA database was made on the 29/07/2024 which revealed that the subject site is not listed.

4.4.2 Notified Sites

The EPA publishes a list of contaminated land notified under section 60 of the Contaminated Land Management Act 1997 (CLM Act). These have been assessed by the EPA as being contaminated but may not always require regulation under the CLM Act. The EPA publishes an updated list most months.

A search was made on the 29/07/2024 using the most recent publication (8th July 2024) which returned two (2) notices for sites within Ingleburn NSW. The list of sites and associated details can be found in Table 4-3 below. No listed locations are likely to pose a risk to the subject site.

Table 4-3: Notified Sites Published by the EPA
(Ingleburn NSW)

Site Name	Address	Activity	Management Classification	Distance from Subject Site
7-Eleven Ingleburn	72 Cumberland Road, corner Oxford Road	Service Station	Regulation Under CLM Act Not Required	1,367 m Southeast
85 Williamson Road	85 Wiliamson Road, Ingleburn	Landfill	Under Assessment	360 m East

4.4.3 POEO Register

The NSW EPA publishes records under the Protection of the Environmental Operations (POEO) Act 1997 (as amended 2011). Records include licences, applications, notices served, and penalties issued.

A search of the POEO Register conducted on the 29/07/2024 for the suburb of Ingleburn, revealed that the subject site was not listed.

4.5 Hazardous Chemicals Registry

Business that store, handle, or process Schedule 11 hazardous chemicals (dangerous goods) that exceed the quantities specified in NSW legislation, are required to be licenced for such use and storage and must notify Safe Work NSW. This information is held on file

in Safe Works' *Stored Chemical Information Database* (SCID). The database also includes abandoned tanks (storage tanks no longer used or in service).

History regarding the hazardous chemical registry for the site was not available.

4.6 SITE PRODUCT SPILL AND LOSS HISTORY

History regarding the sites product spill and loss history was not available.

4.7 PREVIOUS SITE INVESTIGATIONS

No previous investigations are known to have been performed at the site.

4.8 CAMPBELLTOWN COUNCIL

4.8.1 Past Consents

Information from Campbelltown City Council regarding past, refused and approved development applications were unable to be obtained for this study.

However, utilising Campbelltown City Council DA tracker for the premises enabled us to review previously conducted reports for the site, which filled some gaps in knowledge of the site history.

The following information was obtained from a Stormwater Assessment conducted by *SLR Consulting Australia Pty Ltd* in 2022 for the site at 8 Noonan Road, Ingleburn:

- Use of premises as storage and truck/car wash - *Lodged 1/03/2001*;
- Use of premises as storage and maintenance of construction hire equipment – *Lodged 18/07/2006*;
- Use of premises for motor vehicle repair and associated truck wash – *Lodged 19/04/2010*; and
- Use of existing warehouse as a metal scrap and recycling yard – *Lodged 15/03/2017*.

4.8.2 Section 10.7 (2 & 5) Planning Certificate

Planning certificates under section 10.7 (2 and 5) of the Environmental Planning and Assessment Act 1979 were obtained from Campbelltown City Council on 09/08/2024 for the land holdings as detailed below:

- **Address:** 8 Noonan Road, Ingleburn NSW 2565;
- **Description:** Lot 25, DP 809258;
- **Receipt No.**: 6291036;
- **Application No.**: 202402907; and
- **Issue Date:** 18 July 2024.

The Planning Certificate states the following in ***Item 10 – Council and Other Public Authority Policies on Hazard Risk Restrictions****:*

Council has adopted by resolution a policy on contaminated land which may restrict the development of the land subject of this certificate. This policy is implemented when zoning or land

use changes are proposed on lands which have previously been used for certain purposes. Council records do not have sufficient information about previous use of this land to determine whether the land is contaminated. Consideration of Council's adopted policy and the application of provisions under relevant State legislation is warranted.

Planning certificates are included as Attachment 3.

5. SITE CONDITION AND SURROUNDING ENVIRONMENT

5.1 SITE DESCRIPTION

The total site area is approximately 2,824 m^2, with the industrial aspects of the site encompassing 578 m^2 of this space (approx. 20%). The flooring of the entire site is concrete hardstand.

The primary aspects of the facility are as follows:

- Industrial metal workspace (housing the bailer, and two (2) container storage rooms);
- Workspace Mezzanine (housing an elevated platform, office space, two (2) stacked container rooms);
- Compressor and pump area;
- Mechanical area (covered by awning);
- Office building A (One (1) level - reception, kitchen, amenities, office);
- Office building B (Two (2) levels - office and general storage); and
- External storage areas along the southern and western boundary.

There is one (1) gated vehicle access point from Noonan Road at the northeastern aspect of the site with a concrete driveway. The access gate is connected to metal fencing that stretches across the northeastern aspect of the site. Metal picket fencing stretches across the southern, western and eastern boundaries of the site. The northern boundary of the site is blocked off by a concrete/metal structures of Lot 24 that share the boundary.

There are seven (7) stormwater pits found throughout the external areas of the site. A drainage easement runs along the eastern aspect of the site, leading into Bunbury Curran Creek to the south of the site.

5.2 DESCRIPTION OF SURROUNDING AREA

The land zoning of the immediate areas surrounding the site are E4 – *General* Industrial and SP2 Drainage - *Infrastructure*. Large areas to the south and southeast of the site are zoned as R2 – *Low Density Residential,* R3 – *Medium Density Residential* and R4 - *High Density Residential.*

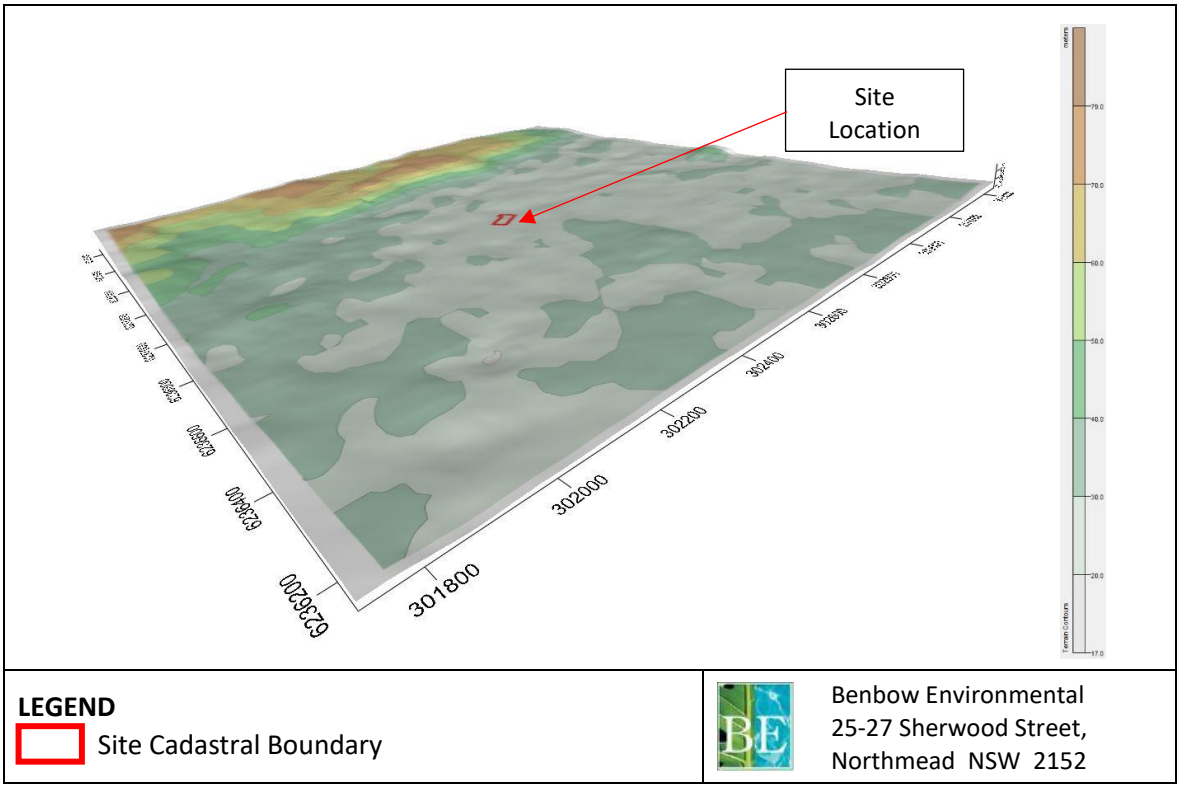
The land uses currently surrounding the site are as follows:

- **North:** *Hex Masonry* – Stone cutter;
- **East:** *South West Containers* – Shipping container supplier;
- **South**: Bunbury Curran Creek; and
- **West:** *Sonoco Consumer Packaging* – Packaging Supply Store.

5.3 LOCAL TOPOGRAPHY

A three-dimensional view of the local topography surrounding the site has been provided below in Figure 5-1 with the terrain/vertical axis exaggerated by a factor of 1.
Figure 5-2 with the terrain/vertical axis exaggerated by a factor of 5. It should be noted that this figure approximates the actual terrain, based on information that has been digitised from local contour maps.

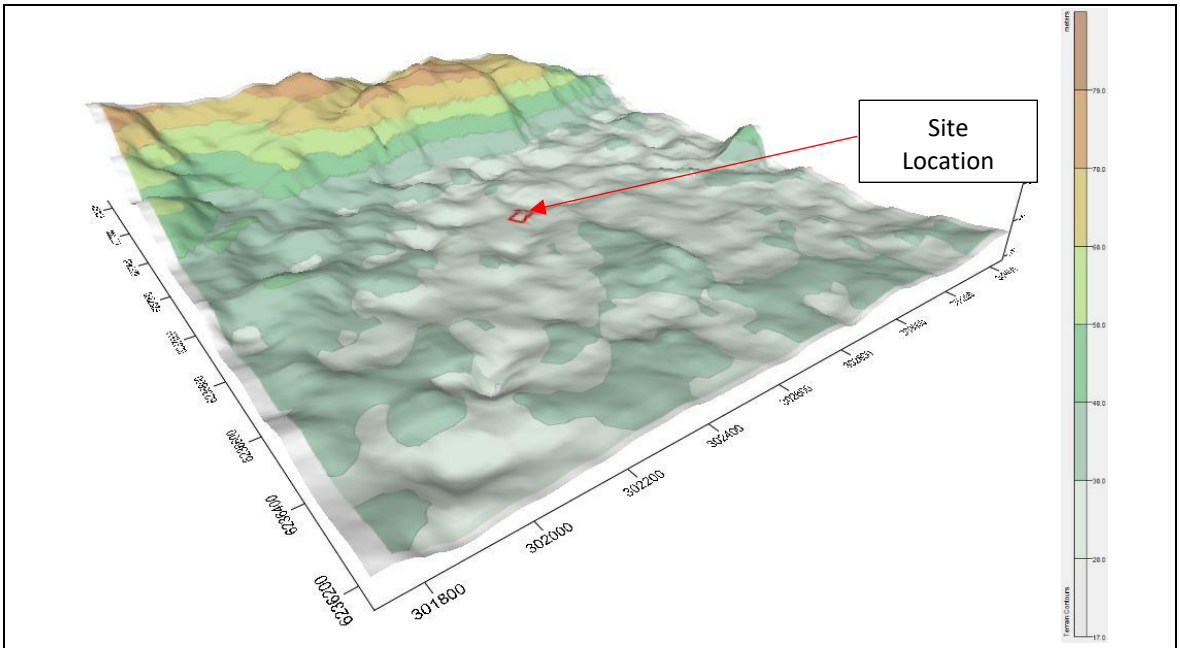
Figure 5-1: Local Topography with a Vertical Exaggeration Factor of 1.



LEGEND
Site Cadastral Boundary

Benbow Environmental
25-27 Sherwood Street,
Northmead NSW 2152

Figure 5-2: Local Topography with a Vertical Exaggeration Factor of 5.



LEGEND
Site Cadastral Boundary

Benbow Environmental
25-27 Sherwood Street,
Northmead NSW 2152

5.4 SITE WALKOVER – PHOTOGRAPHIC SECTION

A site walkover was carried out on Tuesday the 10th of July 2024 to verify the site's current condition, identify potential contamination sources, pathways and any discernible evidence of contamination. This section presents the findings of the walkover, accompanied by photographs taken during the site visit.

Photograph 1: View of Noonan Road Cul-de-sac from Site entrance (viewer facing north).

Photograph 2: Office building A (right) and B (left) (viewer facing west).

Photograph 3: Northeastern aspect of the facility. Office building A, access gateway, and storage container visible. Multiple skip bin/storage vessels visible along northern gateway.

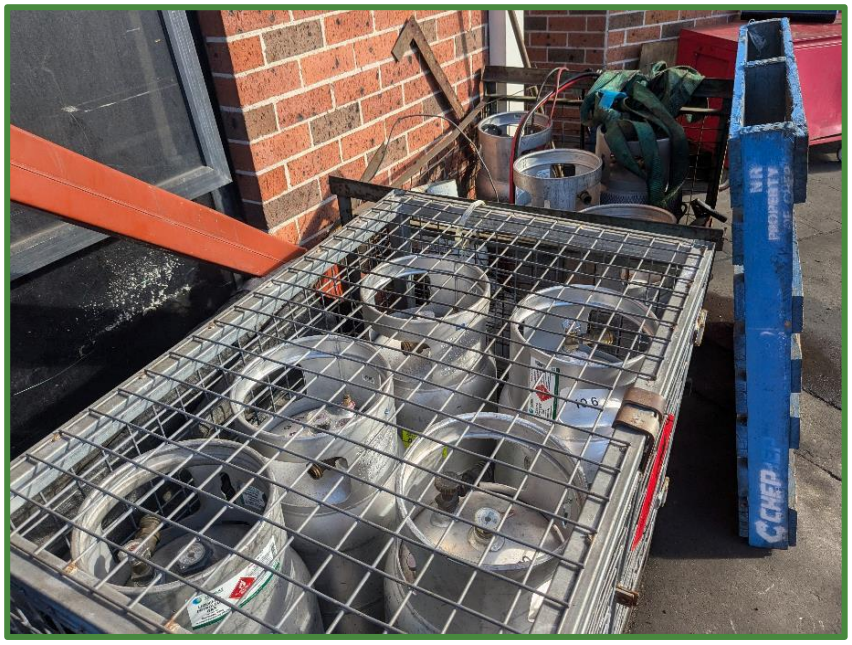
Photograph 4: Front access gate and metal fence line (right). Skip bin with recyclable materials (left) (viewer facing northwest).

Photograph 5: Hardstand along entrance driveway. Sand/sawdust used to contain/prevent mobility of spillage visible. Various stored skip bins visible in background (viewer facing northwest).

Photograph 6: Hardstand along driveway entry, visibly warn from use (viewer facing southwest).

Photograph 7: Close up of various bins along northern boundary of site next to office complex. Skip bin with wiring visible (viewer facing north).

Photograph 8: LPG gas cylinder storage cell containing five (5) tanks along wall of office building. Five (5) extra tanks are observed to the right in another unroofed containment area (viewer facing north).



Photograph 9: Empty shipping container at the Site's northeastern aspect. Mostly empty. Pallets, skip bins and IBCs visible in background (viewer facing S).

Photograph 9: Stormwater drain behind storage container. Floor littered with various metal/plastic debris and not obviously maintained. Pallets and skip bin visible in background (viewer facing East).

Photograph 10: CAT Excavator stored on the eastern boundary of the site (behind storage container). Skip bin with various metal waste, and a disused water coolant system visible (viewer facing East).

Photograph 11: Eastern corner aspect of the site. Temporary storage of various materials in corner of facility (water cooler, heater, bedframe, drawers, wheels, paper, cardboard etc.) (viewer facing East).

Photograph 12: Scrap metal skip bins along southern boundary of site. Empty IBC with various components stored on top (viewer facing South).

Photograph 13: Skip bins with various metal wastes stored. Pallet with radiators stacked visible in centre. Excavator and container visible in background (viewer facing East).

Photograph 14: Hardstand along southern aspect of site. Wall of metal works warehouse to left. Forklift visible to right. Storage container visible in background (viewer facing northeast).

Photograph 15: Various external metal storage along southern boundary of site. Awning of mechanical area visible (right). Second excavator visible in background (viewer facing southwest).

Photograph 16: External stockpile of various metal waste along southern boundary of site (viewer facing South).

Photograph 17: Significantly worn pallets with radiators along southern boundary. Skip bins with various metal waste in background.

Photograph 18: Stockpile of metal materials stored on floor along southern aspect of facility. Skip bin with sorted wire visible. Skip bin with stripped car components visible (left). Stained red empty IBC visible. Stacked baled metal materials visible (right) (viewer facing South).

Photograph 19: Storage of stacked and baled metal materials (viewer facing southwest).

Photograph 20: Further storage of metal materials within skip bins and on hardstand along southern boundary of site. Copper cables visible within skip bin (right).

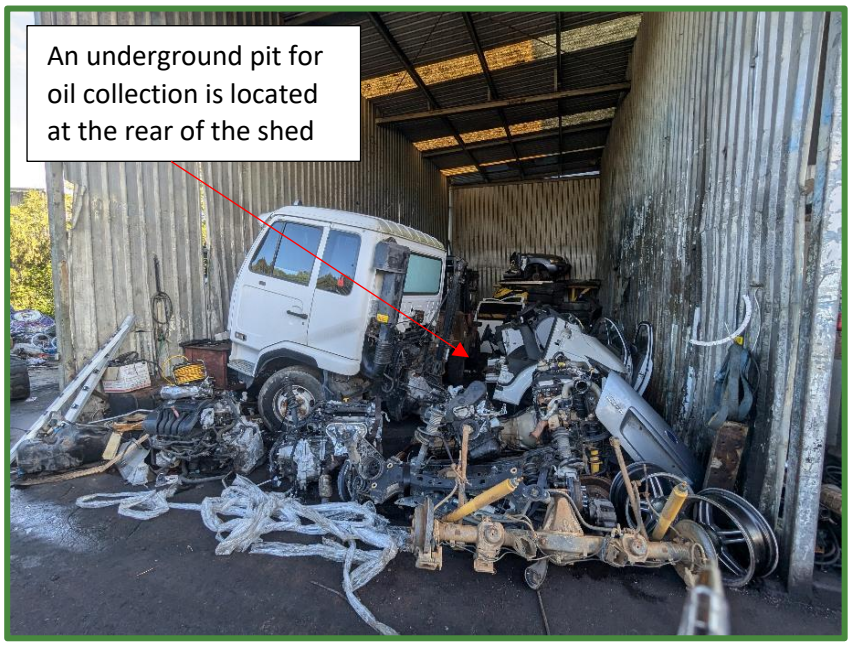
Photograph 21: External aluminium stockpile in Site's southwest aspect. Forklift visible (viewer facing southwest).

Photograph 22: Disused forklift in Site's southwest aspect. Aluminium stockpile on LHS of image. Wiring from stockpile is visible to the right (viewer facing West).

Photograph 23: Sorted wire stockpile in western aspect of site. Second CAT loader visible (right). Wheel stockpile visible in background (viewer facing W).

Photograph 24: Wheel stockpile in NW aspect of site. Three (3) IBCs against wall of adjoining building. Stripped car parts visible against steel wall of mechanical area. Forklift visible in background (viewer facing NW).

Photograph 25: The Mechanical area in the Site's western area. Various stripped car parts throughout area (car bodies, truck cab, axel, engines, doors etc.). Rubber tyres stored in back (viewer facing northeast).



Photograph 26: Remains of an abandoned petrol bowser. The Water/oil separator pump system is located in the narrow room directly behind the aluminium fence. (viewer facing North).

***Note**: Information regarding the use of this bowser to fuel vehicles during past site usage, along with the location of the fuel tank (presumably underground) was not able to be procured during our visit.*

Photograph 27: Earthing cables that were located a few metres west of the bowser. These are attached to tanker trucks during refuelling to prevent discharge of static electricity causing a potential fire.

Photograph 28: The pit used to collect waste oil from engines. The pit is covered by a steel plate with slits to allow the oil to collect in the bucket located beneath.

Photograph 29: Left access roller door of metal workshop area. Sorted copper storage visible (left). Steel storage stockpile visible (right). Baler visible (back right) viewer (viewer facing NE).

Photograph 30: Central aspect of metalworks building. Firefighting equipment visible affixed to external wall (viewer facing NW).

Photograph 31: Metal baler within metalworks building (not operational during visit). Note probable loss of hydraulic oil beneath the baler. An aluminium stockpile is visible in background. Hydraulic pump is visible to the right. Sand across floor visible along western wall of building (viewer facing southwest).

Photograph 32: Northwestern corner of the metalworks building. Note the open drain. This collects fluids along the building's northern boundary. Storage cabinet in corner (contents unknown).

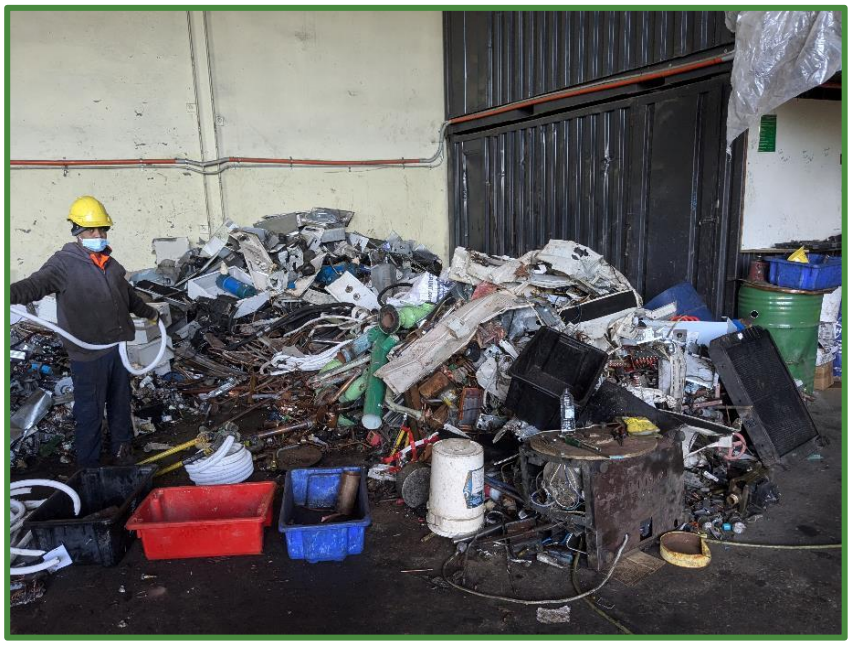
Photograph 33: Various metal and plastic wastes caught in drainage system of metalworks building (underneath grate).

Photograph 34: Steel stockpile in centre of metal works building. Two (2) empty IBCs visible. Wire stripper visible in background. Large bag of sorted metal material visible (facing West).

Photograph 35: Bin of stripped copper within metal works building (facing northeast).

Photograph 36: Sorted plastics area sourced from stripped wires and other scrap metal goods. Plastics are sent to landfill (facing E).

Photograph 37: Stockpile of unsorted metal products in corer of metal works building (facing NE).



Photograph 38: Lead-acid batteries stored on pallet within metal works building. Batteries are sent for off-site for recycling (viewer facing SE).

Photograph 39: Bag containing metal fines and gloves.

Photograph 40: Steel drum housing sorted metal components.

Photograph 41: Steel drum housing sorted unstripped cables. Barrel with sorted copper wire visible in background.

Photograph 42: Mezzanine area within metal works building. Four (4) container rooms utilised for storage are visible. Unsorted metal is visible in background (viewer facing N).

5.5 POTENTIAL CONTAMINATION ISSUES

A PSI involves obtaining a thorough understanding of the site history as best as possible with the available documents. Based on the available information collected for the site, an assessment of the Site's potential contamination issues has been carried out. Details are presented in the following sections.

5.5.1 Hazardous Materials

Depending on the history and use of a property, hazardous materials may be present in structures or stockpiled materials on site. Hazardous materials include asbestos containing materials (ACM), lead-based paints, radioactive materials, chemicals/fuels and other potentially contaminating materials that may pose a hazard to human health or the environment.

5.5.2 Asbestos Containing Materials (ACM)

Asbestos Containing Materials (ACM) were used extensively in NSW in all types of construction between the 1920s and late 1980s, when ACM began to be phased out in favour of asbestos-free products. However, the total ban on ACM use did not come into force until 31st December 2003.

Building constructed before 1985 almost certainty contain ACM, while those built between 1985 and 2003 may contain ACM. Areas within buildings where ACM is often found includes: the eaves, internal and external wall cladding, ceilings, downpipes and guttering and particularly in internal wet areas such as bathrooms, laundries and kitchens. Sheeting is often hidden beneath wall tiles. This list is not exhaustive.

Review of historical aerial imagery identifies that the buildings within the site were constructed somewhere between 1991 and 1998, which is within the period of time NSW was phasing out asbestos in construction materials. However, following on from the site inspection it has been determined that the structures within the facility are of metal and brick materials with no ACM present.

A Hazardous Materials Management Register report was conducted by *JMB Environmental Consulting Pty Ltd* in May of 2022 by a qualified surveyor. It is noted that the survey scope was limited as only non-destructive sampling was carried out. The recommendations of the JMB report are that a destructive sampling survey should be conducted to identify the presence of ACM or any other hazardous material.

As such, the risk from asbestos material to the site is considered as low-moderate.

5.5.3 Lead Based Paints

A Hazardous Materials Assessment Registry was undertaken by JMB Consulting in 2022. Five paint samples ('scrapes') were collected from surfaces within the Site's buildings and sent for laboratory analysis. The results revealed painted surfaces within the buildings contain very low levels of lead. It should be noted, however, although low the levels are *above* the 2021 Australian Standard for maximum allowable lead in paint of <0.009% by weight. Levels within the paint samples returned lead content between 0.009% to 0.3% with the highest found in navy blue colour surfaces used on the warehouse staircase and storage containers.

Historically, paint containing lead was found to be very durable for protecting surfaces from the effects of weathering. Some paints in Australia *before* 1969 contained 50% lead (or more) by weight. In 1969 the Australian Uniform Paint Standard was amended with allowable lead levels reduced to 1%. This was due to the serious health risks lead poses. Over the subsequent 50 years, levels have been gradually reducing (0.25% in 1992, 0.01% in 1997 and 0.009% in 2021).

The risk arises when weathered or old lead-based paint flakes or crumbles, it releases lead dust into the air and onto the ground. External lead-painted surfaces can contaminate soils below, either from the paint crumbling or from when the paint was first applied with any drips or spills falling onto uncovered soils. Dust containing lead can accumulate in ceiling spaces, wall cavities or under carpet. Lead can enter the body if contaminated soil or dust is accidently inhaled or swallowed. Additionally, according to the Australian Standards, dust generated from paint containing lead as low as 0.25% from dry sanding or abrasive cleaning, contains sufficient lead content to produce levels exceeding health and occupational exposure limits. Children are particularly at risk.

Potentially, paint containing lead may be present on scrap metal that the facility processes, although it would be expected to be only minor.

It is recommended that Shine monitor the condition of the Site's painted surfaces and alert the landlord if the paint becomes flaky. Chemical removal of the navy blue coloured paint should be undertaken prior to any recoating.

Thus, the risk from lead-based paints at the site is considered moderate.

5.5.4 Polychlorinated Biphenyls (PCBs)

PCBs pose a risk to human health and the environment and are part of a broader group of banned chemicals termed POPs (Persistent Organic Pollutants). This group includes DDT and some PFAS chemicals.

POPs are toxic to living organisms and do not readily break down in the environment. They accumulate within plants and animals and are found in higher concentrations up the food chain. Since POPs remain in the environment for very long periods of time, historical spillage on soils, for example, can still pose a health risk decades later.

Historically, PCBs were used as coolants and lubricants in electrical components (such as transformers and capacitors), hydraulic fluids, additives in paint, sealants and caulking compounds and other uses. Legacy equipment potentially containing PCBs today include old electrical transformers, old electrical equipment, and fluorescent lighting fixtures. Australia banned the importation of PCBs in 1975, with equipment containing PCBs being banned in 1986.

As the site has an occupational history of dismantling and scrapping vehicles, there is potential for PCBs to be present from the scrapping of older vehicles. These potential PCBs may have been present in the electrical components (capacitors, ballasts), hydraulic fluids, gaskets, paints and lubricants/oils. Despite this, no evidence of PCBs from any current operations were evident during site visit, and hardstand in this area was intact. However, it is noted that the mechanical area is not bunded giving the potential contaminants the capacity to migrate into the surrounding environment if present.

Thus, the risk of PCB contamination at the site is considered low within the mechanical area.

5.5.5 Structures / Storage Areas

The structures currently on site are as follows:

- Two (2) office/admin buildings;
- One (1) metal structure with awning (mechanical area);
- One (1) large concrete/brick structure for metal works/sorting operations; and
- External storage areas along the southern, eastern and western boundary of the site.

The entire site is sealed concrete hardstand of varying quality.

LPG gas canisters are securely stored within cages at the front of the administration buildings.

Lead-acid batteries were stored in minor quantities on pallets in the sorting building. It is recommended that these batteries are stored within a bunded area to minimise potential contamination risk.

5.5.6 Air Emissions of Pollutants

The site does not currently produce any dust, air emissions or odours.

5.5.7 Soil, Surface Water and/or Groundwater Pollution

The use of water on site is exclusively for office/staff amenities use, with no operational activities involving water.

The site is mostly covered in concrete hardstand, with exposed soil present on the eastern boundary due to the stormwater easement. It was noted during our site visit that some areas of hardstand are worn or cracked from repetitive vehicle use, primarily at the Site's entrance from Noonan Road. Overall, the hardstand's condition is considered as good.

No bulk oil is stored on stie. The storage of minor quantities of oil from vehicle decanting process are stored in the mechanical area before being collected by a contractor. It is noted that the mechanical area is not bunded, leading to the potential for spills in this area to escape into the environment through the stormwater system.

Sediment was observed across the hardstand throughout the facility to control vehicle oil spills. During rain events, these sediments which highly likely contain petroleum oils, would be collected by stormwater and enter into the Site's stormwater drains and exit into Bunbury Creek, below the Site.

One (1) underground pit is contained beneath the mechanical area that captures oil drained from vehicle parts and engines. If the integrity of the pit is not regularly and properly maintained, contamination from motor oils may occur finding pathways through cracks/seams to enter the environment (soils/groundwater). Contamination of the environment through the pit system is uncertain. Further investigation regarding these pits and their potential environmental impacts is recommended.

The remnants of a non-operational fuel bowser is located between the mechanical workshop and the large sorting warehouse. From discussions with Shine Motor representatives, no information about its previous use was transferred regarding the bowsers and was assumed to be something to do with the oil-water separator. The location of a fuel storage tank was not able to be discerned during the site visit, primarily due to the many surface obstructions. Aerial photography does not suggest an above ground storage tank, thus it is expected an underground storage tank (UST) was previously used and is still present beneath the hardstand.

The historical use and storage of fuels at the site during previous operations poses a high risk of environmental contamination to groundwater, surface water and soils. This contamination may occur through loss of integrity of UST, or its associated underground pipes, leading to fuel leaking into the soil and entering groundwater beneath the site. Further, as the site is not bunded, historical spills that may have occurred during vehicle refuelling could have entered the stormwater or into soils from gaps in the hardstand.

Further investigation regarding the location of the UST and its potential environmental contamination is highly recommended.

5.5.8 Pesticide and Herbicide Usage and/or Contamination

Historically, chlorohydrocarbon pesticides (DDT, dieldrin, chlordane, heptachlor, aldrin etc.) were used extensively in Australia during the 1960s and 1970s. Due to their harmful effects on human health and the environment, they were systematically banned from the 1970s with DDT totally banned in 1987.

These compounds persist in the environment, often for decades since they are slow to naturally degrade and can accumulate in the food chain. Historical contamination typically occurs with heavy and long-term pesticide use, leaks and spills during storage and handling, and improper disposal practises. Land-use changes can be an historical reason for urban sources of pesticide or herbicide contamination when former agricultural land, once located on a city fringe, becomes rezoned for residential or industrial use.

Through historical imagery analysis, there is no identifiable evidence of the site being used for agricultural purposes.

Thus, the risk of pesticide/herbicide contamination on site is considered low.

5.5.9 Wastewater Treatment System

Not relevant to this site.

5.5.10 Potable Water Source

The site is connected to mains water supply.

5.5.11 Waste Disposal

Ferrous and non-ferrous metal waste is processed and stored on site, along with the temporary storage of gas cylinders (LPG), tyres (small amount within mechanical area) and minor quantities of waste oil.

The ferrous and non-ferrous metals are processed using simple sorting, separating and bailing techniques. They are then sent off from site in baled form for further recycling (re-sale) when required.

The metals are processed securely onsite and are kept in forms that are not prone to migration into the environment (i.e. not in liquid, powdered form). It is however possible that oxidisation processes on ferrous metals may lead to contamination. Thus, the risk of contamination is minimal.

Lead-acid batteries are not accepted at the site, however they occasionally find their way in. When identified, they are securely stored on pallets and sent off-site for recycling. It is noted that these pallets are not currently bunded. In future, lead acid batteries should be stored in a bunded area to minimise risk of environmental contamination.

General waste and recyclables are stored within skip bins that are collected by a commercial contractor approx. three (3) times per week.

5.5.12 Dams and Ponds

No streams, dams or ponds are located on site.

5.5.13 Data Gaps

- There are gaps regarding the sites past consents; and
- There are gaps regarding the site's chemical storage registry.

5.5.14 Summary of Potential Contamination

The potential for site contamination to have occurred from historical or current site activities exists. Potential contaminants and potential risks are as follows:

- Moderate risk of surface water contamination from sediments stemming from external uncovered/unsorted scrap metal stockpiles and sawdust used to soak up vehicle oils entering the stormwater system;
- Low-moderate risk of contamination associated with decanting of oil in the mechanical building (this area requires bunding);
- Low-moderate risk of soil/groundwater contamination from oil spills seeping through compromised hardstand;
- Moderate risk of contamination from externally stored vehicles leaking oils that lead into the stormwater system during rain events;
- Moderate-high risk of contamination of oils into groundwater/soils through potentially compromised underground pits beneath mechanical area;
- Medium risk of potential contamination of soils and groundwater, from historical site operations due to possible leaks from an underground fuel tank (location currently unknown); and
- Medium risk of an explosion from an underground tank if tank still contains fuel vapour and is disturbed.

Of primary concern for potential contamination stems from:

- The one (1) underground pit beneath the mechanical area which decanted oils from end-of life vehicles; and
- An historical petroleum storage tank, likely positioned beneath the hardstand alongside the mechanical workshop. There is a possibility that the tank may have been located aboveground.

If the integrity of the pits are not regularly and properly maintained, contamination from motor oils can occur finding pathways through cracks/seams to enter the environment (soils/groundwater). This is also the case for the UST.

Contamination of the environment through the pit system and UST is uncertain. Further investigation regarding these and their potential environmental impacts is highly recommended.

A detailed site investigation (DSI) is considered warranted to assess whether potential contamination of the Site's soils or groundwater has occurred due to the Site's historical activities, and to establish the existence or otherwise of a fuel storage tank, either located below or above ground.

6. CONCEPTUAL SITE MODEL

A conceptual site model (CSM) has been prepared in accordance with the National Environment Protection (Assessment of Site Contamination) Measure as amended in 2013.

The CSM is a representation of site-related information regarding contamination sources, receptors and exposure pathways between those sources and receptors.

The CSM is presented in Table 6-1 below.

Table 6-1: Conceptual Site Model

Potential Primary Sources of Contamination	Primary Release Mechanism	Potentially Impacted Media	Contaminants of Potential Concern	Potential Receptors		Exposure Pathways		Risk of Contamination
				Human	Environment	Human	Environment	
Metal Wastes	Disturbance of materials	Soil; Surface water; Groundwater	Heavy metals; Hydrocarbons; BTEX	Persons on site, neighbouring premises if contamination migrates off site	Soil; Waterway; native habitats	Dermal contact, ingestion	Soil; groundwater; surface water	Low - Moderate
Use and Storage of Hazardous Materials	Spills/leaks	Soil; Surface water; Groundwater	Heavy metals; Hydrocarbons; BTEX	Persons on site, neighbouring premises if contamination migrates off site	Soil; Waterway; native habitats	Dermal contact, inhalation of dust and vapour	Soil; groundwater; surface water	Low - Moderate
Vehicles/machinery Stored Externally	Spills/leaks; corrosion	Soil; Surface water; Groundwater	Hydrocarbons; BTEX	Persons on site, neighbouring premises if contamination migrates off site	Soil; Waterway; native habitats	Dermal contact, inhalation of dust and vapour	Soil; groundwater; surface water	Low - Moderate
Sediments/Fluids on External Hardstand	Disturbance of material, rainfall (stormwater drains)	Soil; Surface water; Groundwater	TSS, Heavy Metals, Hydrocarbons	Persons on site, neighbouring premises if contamination migrates off site	Soil; Waterway; native habitats	Dermal contact, ingestion	Soil; groundwater; surface water	Moderate - High
Sub-Surface Pit	Oil leaks through compromised underground pit	Soil, groundwater	Hydrocarbons; BTEX	Neighbouring premises if contamination migrates off site	Soil; Waterway; native habitats	Dermal contact, ingestion	Soil, Groundwater	Moderate - High
Underground Storage Tank Leak	Fuel and vapour leaks through compromised UST	Soil, groundwater	Hydrocarbons, BTEX	Neighbouring premises if contamination migrates off site	Soil; Waterway; native habitats	Dermal contact, ingestion	Soil; groundwater; surface water	High

7. CONCLUSION AND RECOMMENDATION

Benbow Environmental (BE) was engaged by Shine Motor Corporation to prepare a Preliminary Site Investigation (PSI) report for 8 Noonan Road, Ingleburn NSW 2565.

The potential for site contamination to have occurred from historical or current site activities exists. Potential contaminants and potential risks are as follows:

- Moderate risk of surface water contamination from sediments stemming from external uncovered/unsorted scrap metal stockpiles and sawdust used to soak up vehicle oils entering the stormwater system;
- Low-moderate risk of contamination associated with decanting of oil in the mechanical building (this area requires bunding);
- Low-moderate risk of soil/groundwater contamination from oil spills seeping through compromised hardstand;
- Moderate risk of contamination from externally stored vehicles leaking oils that lead into the stormwater system during rain events;
- Moderate-high risk of contamination of oils into groundwater/soils through potentially compromised underground pits beneath mechanical area;
- Medium risk of potential contamination of soils and groundwater, from historical site operations due to possible leaks from an underground fuel tank (location currently unknown); and
- Medium risk of an explosion from a potential disturbance of an underground tank containing fuel and or vapour.

Integrity of the oil collection pit and an UST must be regularly checked and properly maintained, as contaminates from these can find pathways through cracks/seams in the hardstand and enter into the soils beneath the Site.

Contamination of the Site's soils due to leaks from the pit system and potential UST is uncertain. Further investigation regarding these and their potential environmental impacts is recommended.

A detailed site investigation (DSI) is considered warranted to determine if contamination of the Site's soils has occurred due to historical site activities. Scanning of the Site's far western handstand area is recommended as the most likely location of the UST.

This concludes the Preliminary Site Investigation.

F. Faustino R T Benbow

Francesco Faustino
Environmental Scientist

R T Benbow
Principal Consultant

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9. LIMITATIONS

Our services for this project are carried out in accordance with our current professional standards for site assessment investigations. No guarantees are either expressed or implied.

This report has been prepared solely for the use of *Shine Motor Corporation Pty Ltd*, as per our agreement for providing environmental services. Only *Shine Motor Corporation Pty Ltd* is entitled to rely upon the findings in the report within the scope of work described in this report. Otherwise, no responsibility is accepted for the use of any part of the report by another in any other context or for any other purpose.

Although all due care has been taken in the preparation of this study, no warranty is given, nor liability accepted (except that otherwise required by law) in relation to any of the information contained within this document. We accept no responsibility for the accuracy of any data or information provided to us by *Shine Motor Corporation Pty Ltd* for the purposes of preparing this report.

Any opinions and judgements expressed herein, which are based on our understanding and interpretation of current regulatory standards, should not be construed as legal advice.

ATTACHMENTS

Attachment 1: Land Titles

NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 25/809258

SEARCH DATE	TIME	EDITION NO	DATE
9/8/2024	2:07 PM	13	10/6/2023

LAND

LOT 25 IN DEPOSITED PLAN 809258
AT INGLEBURN
LOCAL GOVERNMENT AREA CAMPBELLTOWN
PARISH OF MINTO COUNTY OF CUMBERLAND
TITLE DIAGRAM DP809258

FIRST SCHEDULE

CATERINA SEVERINO (CN AS992500)

SECOND SCHEDULE (2 NOTIFICATIONS)

1 EASEMENT(S) AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM CREATED BY:
DP809258 -TO DRAIN WATER 4 WIDE
DP809258 -FOR UNDERGROUND MAINS 1 WIDE
2 AT158912 LEASE TO SHINE MOTOR CORPORATION PTY LTD EXPIRES: 30/4/2033.

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

Attachment 2: Historical Aerial Photographs

Photograph 1: 8 Noonan Road, Ingleburn – Regional - 1947

Photograph 2: 8 Noonan Road, Ingleburn – Close - 1947

Photograph 3: 8 Noonan Road, Ingleburn – Regional - 1965

Photograph 4: 8 Noonan Road, Ingleburn – Close - 1965

Photograph 5: 8 Noonan Road, Ingleburn – Regional - 1975

Photograph 6: 8 Noonan Road, Ingleburn – Close - 1975

Photograph 7: 8 Noonan Road, Ingleburn – Regional - 1978

Photograph 8: 8 Noonan Road, Ingleburn – Close - 1978

Photograph 9: 8 Noonan Road, Ingleburn – Regional - 1991

Photograph 10: 8 Noonan Road, Ingleburn – Close - 1991

Photograph 11: 8 Noonan Road, Ingleburn – Regional - 1998

Photograph 12: 8 Noonan Road, Ingleburn – Close - 1998

Photograph 13: 8 Noonan Road, Ingleburn – Regional - 2004

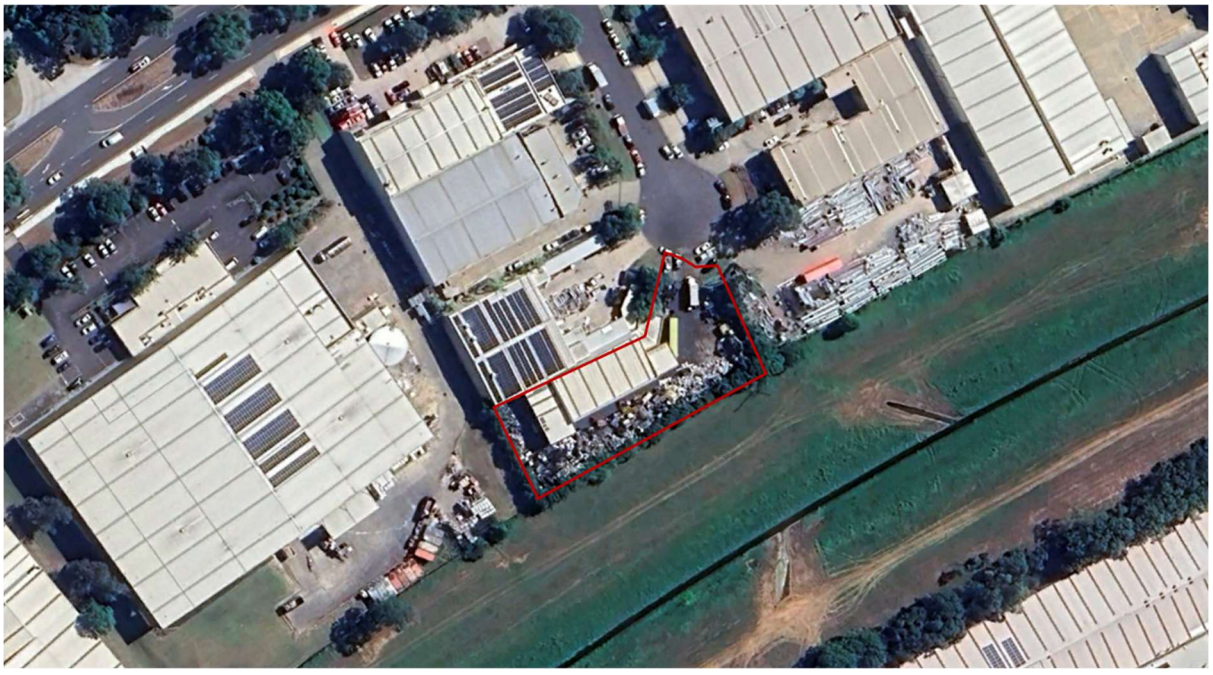
Photograph 14: 8 Noonan Road, Ingleburn – Close - 2004

Photograph 15: 8 Noonan Road, Ingleburn – Regional - 2013

Photograph 16: 8 Noonan Road, Ingleburn – Close - 2013

Photograph 17: 8 Noonan Road, Ingleburn – Regional - 2024

Photograph 18: 8 Noonan Road, Ingleburn – Close - 2024



Attachment 3: Section 10.7 (2&5) Certificate

CAMPBELLTOWN CITY COUNCIL

Issue Date: 18 July 2024
Application Number: 202402907
Receipt Number: 6291036

Benbow Environmental Pty Ltd
PO Box 687
PARRAMATTA NSW 2124

Your Reference: 241071

PLANNING CERTIFICATE UNDER SECTION 10.7
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Section 10.7 Planning Certificate phone enquiries: (02) 4645 4560.

Property Address: 8 Noonan Road
INGLEBURN NSW 2565

Property Description: **Lot 25 DP 809258**

As at the date of issue, the following matters apply to the land subject of this certificate:

INFORMATION PROVIDED UNDER SECTION 10.7(2) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (the Act)

ITEM 1 – Names of relevant planning instruments and development control plans

Planning Instrument: Campbelltown LEP 2015
Effect: E4 General Industrial

(1) The following environmental planning instruments apply to the carrying out of development on the land subject of this certificate:

Local environmental plan (LEP)

Campbelltown LEP 2015

For further information about the local environmental plan, contact Council's City Development team on (02) 4645 4608.

State environmental planning policies (SEPPs)

SEPP (Primary Production) 2021
SEPP (Resources and Energy) 2021
SEPP (Resilience and Hazards) 2021

SEPP (Industry and Employment) 2021
SEPP (Transport and Infrastructure) 2021
SEPP (Planning Systems) 2021
SEPP (Biodiversity and Conservation) 2021
SEPP (Exempt and Complying Development Codes) 2008
SEPP (Building Sustainability Index: BASIX) 2004
SEPP (Housing) 2021
SEPP No.65 – Design Quality of Residential Apartment Development

For further information about these State environmental planning policies, contact the Department of Planning and Environment (www.planning.nsw.gov.au).

(1) The following proposed environmental planning instruments, which are or have been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified Council that the making of the proposed instrument has been deferred indefinately or has not been approved), will apply to the carrying out of development on the land subject of this certificate:

Draft local environmental plans (LEPs)

An amendment to Clause 4.4 of Campbelltown LEP 2015 has been exhibited. For more information, please visit Council's website and search 'Clause 4.4 Floor Space Ratio'.

For further information about these draft local environmental plans, contact Council's City Development team on (02) 4645 4608.

Draft State environmental planning policies (SEPPs)

None

For further information about these draft State environmental planning policies, contact the Department of Planning and Environment (www.planning.nsw.gov.au).

(3) The following development control plans (DCPs) apply to the carrying out of development on the land subject of this certificate:

Campbelltown (Sustainable City) DCP 2015

For further information about these development control plans, contact Council's City Development team on (02) 4645 4608. Please note that the names of any draft development control plans that apply to the land subject of this certificate, that have been placed on exhibiton by Council but have not yet come into effect, are provided as advice under section 10.7(5) of the Act**.**

ITEM 2 – Zoning and land use under relevant planning instruments

(a) The following zone(s) apply to the land subject of this certificate:

E4 General Industrial

Detailed information on the land zone mapping is available at the NSW Department of Planning and Environment's ePlanning Spatial Viewer, accessible via the NSW Planning Portal.

(b) The purposes for which the plan provides that development may be carried out without the need for development consent, may not be carried out except with development consent and is prohibited are detailed in the land use table for each zone. Reference should be made to either Attachment 1 to this certificate or the appropriate section of the plan.

(c) Clause 2.5 and Schedule 1 of the planning instrument allows for additional permitted uses with development consent on particular land. Please check the plan schedule.

(d) Any development standards applying to the land subject of this certificate that fix minimum land dimensions for the erection of a dwelling-house and, if so, the minimum land dimensions so fixed are detailed in the relevant section of the plan or instrument. Reference should be made to either Attachment 2 to this certificate or the appropriate section(s) of the plan. In addition, certain Council development control plans may impose minimum development standards for the creation of allotments and/or minimum site area and dimensions for the erection of a dwelling-house.

(e) The land is not in an area of outstanding biodiversity value under the Biodiversity Conservation Act 2016.

(f) The land subject of this certificate is not in a conservation area (however described).

(g) No item of environmental heritage (however described) is situated on the land subject of this certificate.

***Note**: An item of environmental heritage, namely Aboriginal heritage, listed on the Aboriginal Heritage Information Management System (AHIMS), may be situated on the land. The Department of Planning maintains the AHIMS.*

ITEM 3 – Contribution plans

The following contribution plan(s) apply to the land subject of this certificate:

Campbelltown Local Infrastructure Contributions Plan 2018 (Amendment 1)

For further information about these contribution plans, contact Council's City Development team on (02) 4645 4608.

The State Government's 'Housing and Productivity Contribution' may also apply to particular developments on the land. For more information, visit www.planning.nsw.gov.au and search for 'Housing and Productivity Contribution'.

ITEM 4 – Complying development

(1) Complying development may be carried out on the land subject of this certificate under each of the following codes for complying development, to the extent shown, 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:

Housing Code – on all of the land

Housing Alterations Code – on all of the land

Commercial and Industrial Alterations Code – on all of the land

Subdivisions Code – on all of the land

Rural Housing Code – on all of the land

General Development Code – on all of the land

Demolition Code – on all of the land

Commercial and Industrial (New Buildings and Additions) Code – on all of the land

Fire Safety Code – on all of the land

Low Rise Housing Diversity Code – on all of the land

Container Recycling Facilities Code – on all of the land

Please note that reference should also be made to the relevant parts of this policy for the general requirements for complying development and to the relevant codes for complying development which may also include provisions relating to zoning, lot size etc.

(1) Complying development may not be carried out on the land subject of this certificate under each of the following codes for complying development, to the extent shown and for the reason(s) stated, 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:

Greenfield Housing Code – on any part of the land
(Note: the Greenfield Housing Code only applies within the Greenfield Housing Code Area)

Note: *This information needs to be read in conjunction with the whole of the State environment planning policy. If an identification, restriction or characteristic of land referred to above is not located on or does not comprise, the whole of the relevant land, complying development may be carried out on any part of the land not so identified, restricted or characterised.*

Note: *Information regarding whether the property is affected by flood related development controls or is bushfire prone land is identified in other sections of this certificate. If your property is identified as being impacted by bushfire or flooding, a specific technical assessment of these issues will be required as part of any complying development certificate application under the State environment planning policy, or a development application for any other type of development requiring consent from Council.*

Note: *Despite any references above advising that complying development may be undertaken on the land, certain Complying Development may be precluded from occurring on the land due to requirements contained in the remainder of* State Environment Planning Policy (Exempt and Complying Development Codes) 2008*. It is necessary to review the State environment planning policy in detail to ensure that specific types of complying development may be undertaken on the land.*

ITEM 5 – Exempt development

(1) Exempt development may be carried out on land under the following exempt development codes:

- Division 1 General Code
- Division 2 Advertising and Signage Code
- Division 3 Temporary Uses and Structures Code

There is no land within the Campbelltown City Council local government area identified:

- 1.16 (b1) as a declared area of outstanding biodiversity value under the *Biodiversity Conservation Act 2016* or declared critical habitat under Part 7A of the *Fisheries Management Act 1994*, and

- 1.16(b2) as, or part of, a wilderness area (within the meaning of *Wilderness Act 1987*), and
- 1.16(d) described or otherwise identified on a map specified in Schedule 4 – Land excluded from the General Exempt Development Code.
- 1.16A within 18 kilometres of Siding Spring Observatory

(2) Clause 1.16(1)(c) specifies that exempt development must not be carried out on land that is, or on which there is, an item that is listed on the State Heritage Register under the *Heritage Act 1977*, or that is subject to an interim heritage order under that Act.

(3) Campbelltown City Council does not have sufficient information to ascertain whether the land has a restriction applying to it that may not apply to all of the land.

Campbelltown City Council does not have sufficient information to ascertain whether the land is listed on the State Heritage Register under the *Heritage Act 1977*, or subject to an interim heritage order under that Act.

Note: *Despite any references above advising that exempt development may be undertaken on the land, certain Exempt Development may be precluded from occurring on the land due to requirements contained in the remainder of* State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. It is necessary to review the State Environmental Planning Policy in detail to ensure that specific types of exempt development may be undertaken on the land.*

(4) If the exempt development codes are varied, under that Policy, clause 1.12, in relation to the land.

There are no variations to the exempt development codes within the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* that apply in the Campbelltown City Council local government area.

ITEM 6 – Affected building notices and building product rectification orders

The Council is not aware that an affected building notice or building product rectification order is in force on the land that has not been fully complied with.

The Council is not aware that a notice of intention to make a building product rectification order given in relation to the land is outstanding

Note: *In this item, affected building notice has the same meaning as in the* Building Products (Safety) Act 2017*, Part 4. Building product rectification order has the same meaning as in the* Building Products (Safety) Act 2017*.*

ITEM 7 – Land reserved for acquisition

No environmental planning instrument, deemed environmental planning instrument or draft environmental planning instrument applying to the land subject of this certificate provides for the acquisition of this land by a public authority, as referred to in section 3.15 of the Act.

ITEM 8 – Road widening and road realignment

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

ITEM 9 – Flood related development controls

(1) All or part of the land is within the flood planning area and it is subject to flood related development controls.

(2) The land is not subject to flood related development controls as a result of all or part of it being between the flood planning area and the probable maximum flood.

(3) In this clause -

flood planning area has the same meaning as in the Floodplain Development Manual.

Floodplain Development Manual means the Floodplain Development Manual (ISBN 0 7347 5476 0) published by the NSW Government in April 2005.

probable maximum flood has the same meaning as in the Floodplain Development Manual.

Please note that some additional information regarding flooding and flood related development controls may be provided as advice under section 10.7(5) of the Act.

ITEM 10 – Council and other public authority policies on hazard risk restrictions

(a) Council has adopted a policy with respect to all land within the Campbelltown City local government area with unusual site conditions. This policy restricts the development of land where extensive earthworks and/or filling has been carried out. Land, the development of which is restricted by this policy, has a restriction as to user placed on the title of the land stating the details of any restriction. Building lots can be affected by excessive land gradient, filling, reactive or dispersive soils, overland flow and/or mine subsidence. Buildings, structures or site works may require specific structural design to ensure proper building construction. Consequently, some applications may require the submission of structural design details and geotechnical reports. It is suggested that prior to lodging an application, enquiries be made to Council's City Development team to ascertain any specific requirements.

(b) Council has adopted by resolution the certified Campbelltown LGA Bush Fire Prone Land Map. This map identifies bush fire prone land within the Campbelltown City local government area as defined in section 10.3 of the Act. Where the land subject of this certificate is identified as bush fire prone land, the document entitled "Planning for Bush Fire Protection" prepared by the NSW Rural Fire Service in co-operation with the Department of Planning and dated November 2019 should be consulted with regards to possible restrictions on the development of the land because of the likelihood of bushfire.

(c) The land subject of this certificate is not affected by a policy adopted by Council or adopted by any other public authority and notified to Council for reference in a planning certificate that restricts the development of the land because of the likelihood of tidal inundation.

(d) The land subject of this certificate is not affected by a policy adopted by Council or adopted by any other public authority and notified to Council for reference in a planning certificate that restricts the development of the land because of the likelihood of acid sulphate soils.

(a) Council has adopted by resolution a policy on contaminated land which may restrict the development of the land subject of this certificate. This policy is implemented when zoning or land use changes are proposed on lands which have previously been used for certain purposes. Council records do not have sufficient information about previous use of this

land to determine whether the land is contaminated. Consideration of Council's adopted policy and the application of provisions under relevant State legislation is warranted.

ITEM 11 – Bush fire prone land

None of the land subject of this certificate has been identified as bush fire prone land on the Campbelltown City Council - Bush Fire Prone Land Map that has been certified for the purposes of section 10.3(2) of the Act.

Note: *In accordance with the Environmental Planning and Assessment Act 1979, bush fire prone land, in relation to an area, means land recorded for the time being as bush fire prone land on a bush fire prone land map for the area. This mapping is subject to periodic review.*

Note: *Further details of any applicable restrictions on development of the land associated with Bushfire Prone Land may be obtained by consulting with Council or reviewing the guideline Planning for Bushfire Protection (as amended from time to time) available on the NSW Rural Fire Service website.*

Note: *The identification of land as not being bushfire prone does not mean that the land is not, or may not be, affected by bushfire or that the land will not in the future be subject to bushfire related development controls, as additional data and information regarding the land become available.*

ITEM 12 – Loose-fill asbestos insulation

No residential dwelling erected on the land subject of this certificate has been identified in the Loose-Fill Asbestos Insulation Register as containing loose-fill asbestos ceiling insulation.

For more information visit the NSW Fair Trading website (www.fairtrading.nsw.gov.au/loose-fill-asbestos-insulation).

ITEM 13 – Mine subsidence

The land subject of this certificate is not within a proclaimed Mine Subsidence District within the meaning of the Coal Mine Subsidence Compensation Act 2017.

ITEM 14 – Paper subdivision information

(1) No adopted development plan or development plan that is proposed to be subject to a consent ballot apply to the land subject of this certificate.

(1) No subdivision order applies to the land subject of this certificate.

ITEM 15 – Property vegetation plans

No property vegetation plan applies to the land subject of this certificate.

Please note that the whole of the Campbelltown City local government area is excluded from the operation of the Native Vegetation Act 2003.

ITEM 16 – Biodiversity stewardship sites

The land subject of this certificate is not a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the Biodiversity Conservation Act 2016 (but only in so far as

Council has been notified of the existence of such an agreement by the Chief Executive of the Office of Environment and Heritage).

Please note that 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.

ITEM 17 – Biodiversity certified land

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

Please note that 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.

ITEM 18 – Orders under Trees (Disputes Between Neighbours) Act 2006

No order has been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land subject of this certificate (but only to the extent that Council has been notified of any such orders).

ITEM 19 - Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

The Coastal Management Act 2016 and Local Government Act, section 496B do not apply to land in the Campbelltown City Council local government area.

ITEM 20 – Western Sydney Aerotropolis

Not affected.

ITEM 21 – Development consent conditions for seniors housing

a) No current site compatibility certificate (seniors housing), of which Council is aware, exists in respect of proposed development on the land subject of this certificate.

b) No conditions of consent to a development application, granted after 11 October 2007, of the kind referred to in clause 18(2) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 have been imposed in respect of proposed development on the land subject of this certificate.

ITEM 22 – Site compatibility certificates and development consent conditions for affordable rental housing

(1) No current site compatibility certificate (affordable rental housing), of which Council is aware, exists in respect of proposed development on the land subject of this certificate.

(2) No conditions of consent to a development application of the kind referred to in clause 17(1) or 37(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 have been imposed in respect of proposed development on the land subject of this certificate.

ITEM 23 – Water or sewerage services

Some land may have services provided by private entities under the Water Industry Competition Act 2006 (WIC Act 2006); any outstanding fees or charges owed to these service providers becomes the responsibility of the new owner(s) of the land.

The Independent Pricing and Regulatory Tribunal (IPART) provides information about the areas serviced, or to be serviced, via a register on their website. A statement below indicates whether the land is, or is to be, subject to an alternative servicing arrangement under the WIC Act 2006 as per that register:

This land is not subject to an alternative servicing arrangement under the WIC Act 2006

***Note**: This section does not contain information relating to whether the land is, or is not, connected to Sydney Water's network for the supply of either drinking water or sewage disposal services. For further information about whether your land is connected to Sydney Water's network, we recommend that you contact Sydney Water.*

***Note:** A public water utility may not be the provider of some or all of the services to the land. If a water or sewerage service is provided to the land by a licensee under the Water Industry Competition Act 2006, a contract for the service will be deemed to have been entered into between the licensee and the owner of the land. A register relating to approvals and licences necessary for the provision of water or sewerage services under the Water Industry Competition Act 2006 is maintained by the Independent Pricing and Regulatory Tribunal and provides information about the areas serviced, or to be serviced, under that Act. Purchasers should check the register to understand who will service the property. Outstanding charges for water or sewerage services provided under the Water Industry Competition Act 2006 become the responsibility of the purchaser.*

INFORMATION PROVIDED UNDER SECTION 10.7(5) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

All properties within the Campbelltown City local government area may be affected by flooding caused by overland flow or local topography. Applicants will need to make their own assessment of the risk associated with these matters. For more information, please complete a Stormwater Advice Request Form that is available on Council's website or by contacting Council on 4645 4000.

Council has completed a flood study of the Bow Bowing / Bunbury Curran Creek Catchment, of which this property is a part. The results of this study have improved Council's understanding of flood behaviour in the catchment.

Council has received a copy of the map – "Hydrogeological Landscapes – Overall Salinity Hazard - Western Sydney Study Area" and "Hydrogeological Landscapes – Sydney Metropolitan - Western Study Area" from the New South Wales Office of Environmental Heritage (NSW OEH) This map classifies the land within the Campbelltown City local government area as having salinity. Salinity issues may be of relevance to any development of the land subject of this certificate. For further information use the link: https://www.environment.nsw.gov.au/topics/land-and-soil/soil-degradation/salinity/type-of-salinity-and-their-prevention.

It should be noted that the Commonwealth Department of Infrastructure and Regional Development has released a document titled "Preliminary Flight Paths" purporting to provide preliminary information on jet aircraft flight paths and flight zones for each of the design options for the Second Sydney Airport Proposals. Some of the flight paths and flight zones shown in this document may, if implemented, impact upon the environment in the vicinity of the land subject of this certificate. Further enquiries in respect of this document should be directed initially to the Commonwealth Department of Infrastructure and Regional Development.

The land subject of this certificate does not have a boundary to a controlled access road.

The following draft development control plans (DCPs), that have been placed on exhibition by Council but which have not yet come into effect, apply to the land subject of this certificate:

Draft Campbelltown (Sustainable City) DCP 2015 Amendment No.11

For further information about these draft development control plans, contact Council's Environmental Planning Section on (02) 4645 4608.

Jim Baldwin, per
Director City Development

Attachment 1

Campbelltown Local Environmental Plan 2015

Zone E4 General Industrial

1 Objectives of zone

- To provide a range of industrial, warehouse, logistics and related land uses.
- To ensure the efficient and viable use of land for industrial uses.
- To minimise any adverse effect of industry on other land uses.
- To encourage employment opportunities.
- To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.
- To enable non-industrial land uses that are compatible with and do not detract from industrial and warehouse uses or impact on the viability of existing centres.
- To ensure that any commercial, retail or other non-industrial development is not likely to adversely affect employment generating activities or opportunities.
- To facilitate diverse and sustainable means of access and movement.
- To maximise public transport patronage and encourage walking and cycling.

2 Permitted without consent

Nil

3 Permitted with consent

Animal boarding or training establishments; Boat building and repair facilities; Car parks; Depots; Environmental facilities; Environmental protection works; Flood mitigation works; Freight transport facilities; Garden centres; General industries; Goods repair and reuse premises; Hardware and building supplies; Helipads; Highway service centres; Industrial retail outlets; Industrial training facilities; Kiosks; Landscaping material supplies; Light industries; Local distribution premises; Mortuaries; Neighbourhood shops; Oyster aquaculture; Passenger transport facilities; Places of public worship; Recreation facilities (indoor); Research stations; Roads; Rural industries; Rural supplies; Service stations; Sex services premises; Signage; Specialised retail premises; Storage premises; Take away food and drink premises; Tank-based aquaculture; Timber yards; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Veterinary hospitals; Warehouse or distribution centres; Wholesale supplies

4 Prohibited

Any development not specified in item 2 or 3

NOTE: A copy of the complete written instrument for the Campbelltown Local Environmental Plan 2015 is available on the NSW Legislation website at: http://www.legislation.nsw.gov.au

Attachment 2

Campbelltown Local Environmental Plan 2015

4.1 Minimum subdivision lot size

(1) The objectives of this clause are as follows—

(a) to ensure that the density of development is compatible with the capacity of existing and proposed infrastructure,

(b) to ensure that the density of settlement will be compatible with the objectives of the zone,

(c) to limit the density of settlement in environmentally, scenically or historically sensitive areas,

(d) to ensure lot sizes are compatible with the conservation of natural systems, including waterways, riparian land and groundwater dependent ecosystems,

(e) to facilitate viable agricultural undertakings,

(f) to protect the curtilage of heritage items and heritage conservation areas,

(g) to facilitate a diversity of housing forms.

(2) This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.

(3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.

(4) This clause does not apply in relation to the subdivision of any land—

(a) by the registration of a strata plan or strata plan of subdivision under the *Strata Schemes Development Act 2015*, or

(b) by any kind of subdivision under the *Community Land Development Act 1989*.

(4A) If a lot is a battle-axe lot or other lot with an access handle, the area of the access handle is not to be included in calculating the lot size.

(4B) Despite subclause (3), development consent may be granted for the subdivision of land into lots that do not meet the minimum size shown on the Lot Size Map if the lots are residue lots resulting from the creation of a public road, public open space or other public purpose.

(4C) Despite subclause (3), development consent may be granted for the subdivision of land within Lot 61, DP 752042, Appin Road, Gilead, into lots that do not meet the minimum size shown on the Lot Size Map if—

(a) each lot has a minimum lot size of not less than 375m^2, and

(b) no more than 65 lots have a lot size of less than 450m^2, and

(c) no more than 3 contiguous lots sharing a street frontage have a lot size of less than 450m^2, and

(d) each lot is located not more than 200m from a bus route, community centre or open space area.

4.1AA Minimum subdivision lot size for community title schemes

(1) The objectives of this clause are as follows—

(a) to provide for the proper and orderly development of land,

(b) to ensure that land developed under the *Community Land Development Act 1989* will achieve densities consistent with the objectives of the zone,

(c) to protect the curtilage of heritage items and heritage conservation areas.

(2) This clause applies to a subdivision (being a subdivision that requires development consent) under the *Community Land Development Act 1989* of land in any of the following zones—

(a) Zone RU2 Rural Landscape,

(b) Zone R2 Low Density Residential,

(c) Zone R3 Medium Density Residential,

(d) Zone R5 Large Lot Residential,

(e) Zone C3 Environmental Management,

(f) Zone C4 Environmental Living,

but does not apply to a subdivision by the registration of a strata plan.

(3) The size of any lot resulting from a subdivision of land to which this clause applies (other than any lot comprising association property within the meaning of the *Community Land Development Act 1989*) is not to be less than the minimum size shown on the Lot Size Map in relation to that land.

(4) This clause applies despite clause 4.1.

4.1A (Repealed)

4.1B Minimum subdivision lot sizes for dual occupancies in certain zones

(1) The objectives of this clause are as follows—

(a) to achieve planned residential density in certain zones,

(b) to ensure that lot sizes are consistent with the predominant subdivision pattern of the area and maintain a low density residential character in existing neighbourhoods,

(c) to facilitate development applications seeking concurrent approval for dual occupancy development and subdivision,

(d) to prevent the fragmentation of land.

(2) Despite clause 4.1, development consent may be granted to development for the purpose of a dual occupancy if the development will be on a lot that is at least the minimum size shown on the Lot Size for Dual Occupancy Development Map in relation to that land.

(3) Despite clause 4.1 and subclause (2), development consent may be granted for the subdivision of land in Zone R2 Low Density Residential into lots that are less than the minimum lot size shown on the Lot Size Map in relation to that land if—

(a) there is an existing dual occupancy on the land that was lawfully erected under an environmental planning instrument or there is a development application for the concurrent approval of a dual occupancy and its subdivision into 2 lots, and

(b) the lot size of each resulting lot will be at least 300 square metres, and

(c) the subdivision will not result in more than one principal dwelling on each resulting lot.

4.1C Minimum qualifying site area and lot size for certain residential and centre-based child care facility development in residential zones

(1) The objectives of this clause are as follows—

(a) to achieve planned residential densities in certain zones,

(b) to achieve satisfactory environmental and infrastructure outcomes,

(c) to minimise any adverse impact of development on residential amenity,

(d) to minimise land use conflicts.

(2) Development consent may be granted to development for a purpose specified in the table to this clause on land in a zone listed beside the purpose, if the area of the lot is equal to or greater than the area specified in Column 3 of the table.

(3) Development consent may be granted to the subdivision of land in a zone that is specified in the table to this clause for a purpose listed beside the zone, if the area of the lot to be created is equal to or greater than the area specified in Column 4 of the table.

(4) This clause does not apply to land identified as "Ingleburn Narrow Lots" on the Clause Application Map.

Column 1	Column 2	Column 3	Column 4
Semi-detached dwelling	Zone R2 Low Density Residential	700 square metres	300 square metres
Attached dwelling	Zone R2 Low Density Residential	1,000 square metres	300 square metres
Centre-based child care facilities	Zone R2 Low Density Residential or Zone R3 Medium Density Residential	800 square metres	N/A
Residential flat buildings	Zone R4 High Density Residential	1,200 square metres	1,200 square metres

4.1D Minimum lot sizes for certain land uses in certain environment protection zones

(1) The objectives of this clause are as follows—

(a) to allow for certain non-residential land uses,

(b) to minimise any adverse impact on local amenity and the natural environment,

(c) to achieve satisfactory environmental and infrastructure outcomes,

(d) to minimise land use conflicts.

(2) This clause applies to land in the following zones—

(a) Zone C3 Environmental Management,

(b) Zone C4 Environmental Living.

(3) Development consent may be granted to development for a purpose specified in the table to this clause on land in a zone listed beside the purpose, if the area of the lot is equal to or greater than the area specified in the table.

Column 1	Column 2	Column 3
Animal boarding or training establishments	Zone C3 Environmental Management	5 hectares
Educational establishments	Zone C3 Environmental Management or Zone C4 Environmental Living	10 hectares
Places of public worship	Zone C3 Environmental Management	10 hectares

4.1E Exception to minimum lot sizes for certain land in Mount Gilead Urban Release Area

(1) This clause applies to that part of Lot 3, DP 1218887, Appin Road, Gilead that is in Zone RU2 Rural Landscape.

(2) Despite clause 4.1, development consent may be granted to the subdivision of land to which this clause applies to create lots with a size less than the minimum lot size shown on the Lot Size Map in relation to the land if the consent authority is satisfied that the subdivision is for the purpose of facilitating the development of land that is—

(a) in Zone R2 Low Density Residential, and

(b) identified as "Mount Gilead Urban Release Area" on the Urban Release Area Map.

4.1F Exception to minimum lot sizes for certain land in Glenfield

(1) This clause applies to that part of Lot 91, DP 1155962 that is in Zone RU2 Rural Landscape.

(2) Despite clause 4.1, development consent may be granted to the subdivision of land to which this clause applies to create lots with a size less than the minimum lot size shown on the Lot Size Map in relation to the land.

(3) A dwelling cannot be erected on a lot created under this clause.

4.1G Exception to minimum subdivision lot sizes for certain residential development in Maryfields Urban Release Area

(1) The objective of this clause is to provide flexibility in the application of lot size standards for residential development on larger sized lots on land in Zone R3 Medium Density Residential in the Maryfields Urban Release Area.

(2) This clause applies to land in Zone R3 Medium Density Residential and identified as "Maryfields Urban Release Area" on the Urban Release Area Map.

(3) Despite clause 4.1, development consent may be granted for the subdivision of land to which this clause applies on which is lawfully erected a type of residential accommodation if—

(a) the size of each lot to be subdivided is at least 1800 square metres, and

(b) each lot resulting from the subdivision will be at least 225 square metres and will have an erected single dwelling, and

(c) each lot resulting from the subdivision will have a single dwelling that is in existence and for which an occupation certificate was issued before the consent was granted.

4.2 Rural subdivision

(1) The objective of this clause is to provide flexibility in the application of standards for subdivision in rural zones to allow land owners a greater chance to achieve the objectives for development in the relevant zone.

(2) This clause applies to the following rural zones—

(a) Zone RU1 Primary Production,

(b) Zone RU2 Rural Landscape,

(baa) Zone RU3 Forestry,

(c) Zone RU4 Primary Production Small Lots,

(d) Zone RU6 Transition.

Note—

When this Plan was made it did not include all of these zones.

(3) Land in a zone to which this clause applies may, with development consent, be subdivided for the purpose of primary production to create a lot of a size that is less than the minimum size shown on the Lot Size Map in relation to that land.

(4) However, such a lot cannot be created if an existing dwelling would, as the result of the subdivision, be situated on the lot.

(5) A dwelling cannot be erected on such a lot.

Note—

A dwelling includes a rural worker's dwelling (see definition of that term in the Dictionary).

4.2A Erection of dwelling houses or dual occupancies (attached) on land in certain rural and environment protection zones

(1) The objectives of this clause are as follows—

(a) to enable the replacement of lawfully erected dwelling houses and dual occupancies (attached), and the realisation of dwelling entitlements in rural and environment protection zones,

(b) to restrict the extent of residential development in rural and environment protection zones to maintain the existing character,

(c) to recognise the contribution that development density in these zones makes to the landscape and environmental character of those places.

(2) This clause applies to land in the following zones—

(a) Zone RU2 Rural Landscape,

(b) Zone C3 Environmental Management,

(c) Zone C4 Environmental Living.

(3) Development consent must not be granted for the erection of a dwelling house or a dual occupancy (attached) on land to which this clause applies unless the land—

(a) is a lot that has at least the minimum lot size shown on the Lot Size Map in relation to that land, or

(b) is a lot created under this Plan (other than clause 4.2(3)), or

(c) is a lot created under an environmental planning instrument before this Plan commenced and on which the erection of a dwelling house or a dual occupancy (attached) was permissible immediately before that commencement, or

(d) is a lot resulting from a subdivision for which development consent (or its equivalent) was granted before this Plan commenced and on which the erection of a dwelling house or a dual occupancy (attached) would have been permissible if the plan of subdivision had been registered before that commencement, or

(e) is an existing holding, or

(f) would have been a lot or holding referred to in paragraph (a), (b), (c), (d) or (e) had it not been affected by—

(i) a minor realignment of its boundaries that did not create an additional lot, or

(ii) a subdivision creating or widening a public road or public reserve or for another public purpose, or

(iii) a consolidation with an adjoining public road or public reserve or for another public purpose.

Note—

A dwelling cannot be erected on a lot created under clause 9 of *State Environmental Planning Policy (Rural Lands) 2008* or clause 4.2.

(4) Development consent must not be granted under subclause (3) unless—

(a) no dwelling house or dual occupancy (attached) has been erected on the land, and

(b) if a development application has been made for development for the purposes of a dwelling house or dual occupancy (attached) on the land—the application has been refused or it was withdrawn before it was determined, and

(c) if development consent has been granted in relation to such an application—the consent has been surrendered or it has lapsed.

(5) Development consent may be granted for the erection of a dwelling house or a dual occupancy (attached) on land to which this clause applies if there is a lawfully erected dwelling house or dual occupancy (attached) on the land and the dwelling house or dual occupancy (attached) proposed to be erected is intended only to replace the existing dwelling house or dual occupancy (attached).

(6) Development consent may be granted to convert a dwelling house into, or to replace a dwelling house with, a dual occupancy (attached) on land to which this clause applies if no dual occupancy (attached) exists on the land and the dual occupancy (attached) is designed and will be constructed to have the appearance of a single dwelling.

(7) In this clause—

existing holding means land that—

(a) was a holding on the relevant date, and

(b) is a holding at the time the application for development consent referred to in subclause (3) is lodged,

whether or not there has been a change in the ownership of the holding since the relevant date, and includes any other land adjoining that land acquired by the owner since the relevant date.

holding means all adjoining land, even if separated by a road or railway, held by the same person or persons.

relevant date means—

(a) in the case of land to which *Campbelltown (Urban Area) Local Environmental Plan 2002* applied immediately before the commencement of this Plan—

(i) for land identified as "25 February 1977" on the Former LEP and IDO Boundaries Map—25 February 1977, or

(ii) for land identified as "15 July 1977" on the Former LEP and IDO Boundaries Map—15 July 1977, or

(iii) for land identified as "3 November 1978" on the Former LEP and IDO Boundaries Map—3 November 1978, or

(b) in the case of land to which *Campbelltown Local Environmental Plan—District 8 (Central Hills Lands)* applied immediately before the commencement of this Plan—20 September 1974, or

(c) in the case of land to which *Campbelltown Local Environmental Plan No 1* applied immediately before the commencement of this Plan—26 June 1981, or

(d) in the case of land to which *Interim Development Order No 13—City of Campbelltown* applied immediately before the commencement of this Plan—20 September 1974, or

(e) in the case of land to which *Interim Development Order No 15—City of Campbelltown* applied immediately before the commencement of this Plan—27 September 1974, or

(f) in the case of land to which *Interim Development Order No 28—City of Campbelltown* applied immediately before the commencement of this Plan—3 November 1978.

Note—

The owner in whose ownership all the land is at the time the application is lodged need not be the same person as the owner in whose ownership all the land was on the stated date.

4.2B Erection of rural workers' dwellings on land in Zones RU2 and C3

(1) The objectives of this clause are as follows—

(a) to facilitate, on the same land, the provision of adequate accommodation for employees involved in existing agricultural activities, including agricultural produce industries,

(b) to maintain the non-urban landscape and development characters of certain rural and environment protection zones.

(2) This clause applies to land in the following zones—

(a) Zone RU2 Rural Landscape,

(b) Zone C3 Environmental Management.

(3) Development consent must not be granted for the erection of a rural worker's dwelling on land to which this clause applies unless the consent authority is satisfied that—

(a) the development will be on the same lot as an existing lawfully erected dwelling house or dual occupancy (attached), and

(b) the development will not impair the use of the land for agricultural activities, including agricultural produce industries, and

(c) the agricultural activity or agricultural produce industry has an economic capacity to support the ongoing employment of rural workers, and

(d) the development is necessary considering the nature of the existing or proposed agricultural activity or agricultural produce industry occurring on the land or as a result of the remote or isolated location of the land, and

(e) there will be not more than one rural worker's dwelling on the lot, and

(f) the development will be a single storey building with a maximum floor area of 120 square metres or not more than 20% of the floor area of any existing dwelling house on that land, whichever is greater.

4.2C Exceptions to minimum subdivision lot sizes for certain land in Zones RU2 and C3

(1) The objective of this clause is to allow the owners of certain land to which the following environmental planning instruments applied to excise a home-site area from an existing lot (or existing holding) by the means of a subdivision—

(a) *Campbelltown Local Environmental Plan No 1*,

(b) *Interim Development Order No 15—City of Campbelltown*.

(2) Subclause (3) applies to each lot to which *Campbelltown Local Environmental Plan No 1* applied immediately before its repeal that—

(a) was in existence on 26 June 1981, and

(b) is in Zone C3 Environmental Management, and

(c) has an area of at least 10 hectares.

(3) Development consent must not be granted to the subdivision of the land to which this subclause applies unless the proposed subdivision will result in the creation of only 2 lots, each of which must have an area of at least 2 hectares.

(4) Subclause (5) applies to each lot to which *Interim Development Order No 15—City of Campbelltown* applied immediately before its repeal that—

(a) was in existence on 18 July 1973, and

(b) is in Zone RU2 Rural Landscape.

(5) Development consent must not be granted to the subdivision of the land to which this subclause applies unless the smallest lot to be created has an area of at least 2 hectares and is required for the erection of a dwelling house for occupation by—

(a) the person who owned the land on 18 July 1973, or

(b) a relative of that owner, or

(c) a person employed or engaged by that owner in the use of land of the owner adjoining or adjacent to that lot for the purpose of agriculture.

(6) The total number of lots that may be created by the subdivision of land to which subclause (5) applies, whether by one or more subdivisions, must not exceed—

(a) if the land to be subdivided had an area of less than 10 hectares—nil, or

(b) if the land to be subdivided had an area of at least 10 hectares but less than 40 hectares—1, or

(c) if the land to be subdivided had an area of at least 40 hectares but less than 80 hectares—2, or

(d) if the land to be subdivided had an area of at least 80 hectares—3.

4.2D Exceptions to minimum subdivision lot sizes for certain land in Zone C4

(1) The objective of this clause is to permit the subdivision of certain land in the East Edge Scenic Protection Lands Area to create lots of a size that are less than the minimum lot size shown on the Lot Size Map in relation to that land.

(2) This clause applies to land identified as "1 ha" on the Lot Averaging Map.

(3) Despite clause 4.1, development consent may be granted to the subdivision of land to which this clause applies if the subdivision will not create a number of lots that is more than the number resulting from multiplying the total

area of the land being subdivided by the maximum density control number specified on the Lot Averaging Map in relation to that land.

(4) Development consent must not be granted under this clause unless the consent authority is satisfied that—

(a) the pattern of lots created by the subdivision, the provision of access and services and the location of any future buildings on the land will not have a significant detrimental impact on native vegetation, and

(b) each lot to be created by the subdivision contains a suitable land area for—

(i) a dwelling house, and

(ii) an appropriate asset protection zone relating to bush fire hazard, and

(iii) if reticulated sewerage is not available to the lot—on-site sewage treatment, management and disposal, and

(iv) other services related to the use of the land for residential occupation, and

(c) if reticulated sewerage is not available to the lot—a geotechnical assessment demonstrates to the consent authority's satisfaction that the lot can suitably accommodate the on-site treatment, management and disposal of effluent, and

(d) adequate arrangements are in place for the provision of infrastructure to service the needs of development in the locality.

4.2E Subdivision of land in Zone C3

(1) The objective of this clause is to provide flexibility in the application of standards for the subdivision of certain land to allow land owners a greater chance to achieve the objectives for development in the relevant zone.

(2) Land in Zone C3 Environmental Management may, with development consent, be subdivided for the purpose of primary production to create a lot of a size that is less than the minimum size shown on the Lot Size Map in relation to that land.

(3) However, such a lot cannot be created if an existing dwelling would, as the result of the subdivision, be situated on the lot.

(4) A dwelling cannot be erected on a lot created under this clause.

NOTE: A copy of the complete written instrument for the Campbelltown Local Environmental Plan 2015 is available on the NSW Legislation website at: http://www.legislation.nsw.gov.au

NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE
15/7/2024 9:43AM

FOLIO: 25/809258

First Title(s): OLD SYSTEM
Prior Title(s): 14/261274

Recorded	Number	Type of Instrument	C.T. Issue
18/7/1991	DP809258	DEPOSITED PLAN	FOLIO CREATED EDITION 1
15/11/1995	O690971	TRANSFER	EDITION 2
12/3/1998	3851570	NOTICE OF DEATH	EDITION 3
17/7/1998	5134300	LEASE	EDITION 4
4/11/1999	6318088	LEASE	EDITION 5
30/6/2003	9744469	LEASE	EDITION 6
6/7/2006	AC438371	LEASE	EDITION 7
28/5/2010	AF522892	LEASE	EDITION 8
3/6/2010	AF536799	DEPARTMENTAL DEALING	EDITION 9
10/7/2014	AI607897	LEASE	EDITION 10
27/6/2018	AN455667	LEASE	EDITION 11
11/4/2023	AS992500	CHANGE OF NAME	EDITION 12
10/6/2023	AT158912	LEASE	EDITION 13

*** END OF SEARCH ***

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