



**Sydney
Environmental**
Group

Stage 1 - Preliminary Site Investigation

171-179 Great North Road & 1A – 1B Henry Street, Five Dock NSW

Traders in Purple

Report No: 1874-PSI-01-231122.v2f

Report Date: 20 November 2023




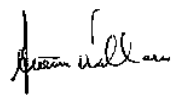
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EXECUTIVE SUMMARY

Sydney Environmental Group Pty Ltd (SE) was engaged by Traders in Purple Pty Ltd to undertake a Preliminary Site Investigation for the subject site located at 171-179 Great North Road & 1A – 1B Henry Street, Five Dock NSW (refer **Figure 1** with the 'site' boundaries outlined in **Figure 2**).

SE has the following project appreciation:

- The site covers an area of approximately 4076 m²;
- The site is understood to be proposed for redevelopment consisting of mixed use, with retention of existing heritage buildings. Key elements of the redevelopment include:
 - Demolition of existing buildings and structures on site, with the exception of St Alban's Anglican Church, St Alban's Anglican Church Rectory and St Alban's Church Shops,
 - Construction of two x 20 storey mixed use buildings with four storey podium levels to accommodate:
 - Ground floor Retail, Community/ Church facilities;
 - Commercial and Community/ Church facilities – level 1;
 - Residential, Church facilities – level 2-3;
 - Residential – levels 4-19;
 - Podium level common and outdoor spaces (NW tower only);
 - Rooftop common enclosed & outdoor space (SE tower only);
 - Rooftop plant & lift overruns (both towers); and
 - Basement level car parking for Church, residents, commercial, Childcare and retail use and associated services, plant, storage, etc.
- Construction of a new 4 storey building to the rear of St Alban's Church Shops to accommodate a future childcare centre that includes the former shop building on 2 levels to the street.
- Construction of a new Hall behind St Alban's Church Rectory on East Street, with two levels of church facilities over.
- Creation of new publicly accessible open space and through site link within the site linking Henry Street with the new Metro Station;
- Creation of a new forecourt area (covered, but not fully enclosed) in front of St Alban's Church along East Street;
- Restoration, maintenance and renovation works of existing St Alban's Church, Rectory and Shops; and
- A contamination assessment of the site is required by the client as part of a planning proposal to Council.

The objectives of this project were to:

- Assess the potential for contamination to be present on the site as a result of past and current land use activities;
- Provide advice on whether the site would be suitable (in the context of land contamination) for the proposed future land use setting; and
- Provide recommendations for further investigation, management and/or remediation (if warranted).

The scope of works undertaken to address the investigation objectives, included:

- A desktop review of relevant information pertaining to the site;
- A site walkover to understand current site conditions; and
- Data assessment and reporting.

Based on SE's assessment of the desktop review information and fieldwork data, in the context of the proposed redevelopment, SE makes the following conclusions:

- Two (2) Potential Areas of Environmental Concern (AECs) have been identified for the site, albeit are considered to be low risk and would not preclude any future redevelopment of the site;
- Based on the assessments undertaken as part of this investigation, SE has concluded that the site is generally considered suitable for the ongoing land-use and the proposed redevelopment subject to a targeted detailed site investigation (DSI) consisting of intrusive sampling of identified fill materials within the site.

Based on these conclusions, SE makes the following recommendations:

- A targeted detailed site investigation of the areas of potential fill and historical demolition is warranted to fully characterise any potential soil contamination;
- An Acid Sulfate Soil Assessment is to be undertaken should excavation works be proposed within the site;
- A Pre-Demolition Hazardous Building Materials Survey should be carried out prior to any proposed demolition works;
- Following removal of hazardous building materials (if identified) and subsequent demolition of the building portions, a clearance inspection should be carried out by an appropriately qualified occupational hygienist / NSW LAA;
- Any soils proposed for excavation and disposal off-site should be done so with the appropriate waste classification, and in accordance with relevant NSW EPA Waste Classification Guidelines (2014); and
- Records of the transport and disposal of any materials off-site should be maintained.

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ABBREVIATIONS

AHD	Australian Height Datum
ANZECC	Australian and New Zealand Environment and Conservation Council
AST	Aboveground storage tank
Bgs	Below ground surface
BTEX	Benzene, Toluene, Ethylbenzene, Xylene
Btoc	Below top of casing
CoC	Chain of Custody
CSM	Conceptual Site Model
DSI	Detailed Site Investigation
EIL	Ecological Investigation Level
EPA	Environment Protection Authority
HIL	Health Investigation Levels
HSL	Health Screening Levels
LOR	[Laboratory] Limit of reporting
NATA	National Association of Testing Laboratories
N/A	Not applicable
ND	Not detected
NEPC	National Environment Protection Council
NEPM	National Environment Protection Measure
NSW EPA	NSW Environment Protection Authority
OCP	Organochlorine Pesticide
OPP	Organophosphorus Pesticide
PAH	Polycyclic aromatic hydrocarbon
PCB	Polychlorinated biphenyl
PID	Photo-ionisation detector
PSI	Preliminary Site Investigation
QA/QC	Quality assurance/Quality control
RPD	Relative percentage difference
SAQP	Sampling Analysis and Quality Plan
SE	Sydney Environmental Group Pty Ltd
SVOC	Semi-volatile organic compound
TPH	Total petroleum hydrocarbon
UST	Underground storage tank
VOC	Volatile organic carbon



1. INTRODUCTION

1.1. Background

Sydney Environmental Group Pty Ltd (SE) was engaged by Traders in Purple Pty Ltd to undertake a Preliminary Site Investigation for the subject site located at 171-179 Great North Road & 1A – 1B Henry Street, Five Dock NSW (refer **Figure 1** with the 'site' boundaries outlined in **Figure 2**).

SE has the following project appreciation:

- The site covers an area of approximately 4076 m²;
- The site is understood to be proposed for redevelopment consisting of mixed use, with retention of existing heritage buildings. Key elements of the redevelopment include:
 - Demolition of existing buildings and structures on site, with the exception of St Alban's Anglican Church, St Alban's Anglican Church Rectory and St Alban's Church Shops,
 - Construction of two x 20 storey mixed use buildings with four storey podium levels to accommodate:
 - Ground floor Retail, Community/ Church facilities;
 - Commercial and Community/ Church facilities – level 1;
 - Residential, Church facilities – level 2-3;
 - Residential – levels 4-19;
 - Rooftop common enclosed & outdoor space (SE tower only);
 - Rooftop plant & lift overruns (both towers); and
 - Basement level car parking for Church, residents, commercial, Childcare and retail use and associated services, plant, storage, etc.
- Construction of a new 4 storey building to the rear of St Alban's Church Shops to accommodate a future childcare centre that includes the former shop building on 2 levels to the street.
- Construction of a new Hall behind St Alban's Church Rectory on East Street, with two levels of church facilities over.
- Creation of new publicly accessible open space and through site link within the site linking Henry Street with the new Metro Station;
- Creation of a new forecourt area (covered, but not fully enclosed) in front of St Alban's Church along East Street; and
- A contamination assessment of the site is required by the client as part of a planning proposal to Council.

1.2. Objectives

The objectives of this project were to:

- Assess the potential for contamination to be present on the site as a result of past and current land use activities;
- Provide advice on whether the site would be suitable (in the context of land contamination) for the proposed future land use setting; and
- Provide recommendations for further investigation, management and/or remediation (if warranted).

1.3. Scope of Work

SE undertook the following scope of works to address the project objective:

- A desktop review of relevant information pertaining to the site;
- A site walkover to understand current site conditions; and
- Data assessment and reporting.

2. SITE IDENTIFICATION

The site identification details and associated information are presented in **Table 2.1**.

Table 2.1. Site Identification Information

Attribute	Description
Street Address	171-179 Great North Road & 1A – 1B Henry Street, Five Dock NSW
Lot and Deposited Plan (DP)	Lot 1 DP 1258912 & Lots 4-9 DP 17324
Geographical Coordinates	33°52'00.5"S 151°07'46.4"E
Site Area	4,076 m ²
Local Government Area (LGA)	City of Canada Bay Council
Parish	Concord
County	Cumberland
Zoning	B4 Mixed Use (Canada Bay Local Environmental Plan 2013)

The locality of the site is set out in **Figure 1**.

The general layout and boundary of the site is set out in **Figure 2**.

3. GEOLOGY, ACID SULFATE SOILS, TOPOGRAPHY AND HYDROGEOLOGY

Regional geology, topography, soil landscape and hydrogeological information are presented in **Table 3.1**.

Table 3.1. Regional Setting Information

Attribute	Description
Geology	A review of the Environment NSW 'eSpade V2.1' web application (environment.nsw.gov.au/eSpade2WebApp, accessed 22 November 2022), indicated that the site is likely to be underlain by Middle Triassic aged Wiannamatta group Ashfield Shale consisting of laminite and dark grey siltstone, Bringelly Shale which consists of shale with occasional calcareous claystone, laminite and infrequent coal, and Minchinbury Sandstone consisting of fine to medium-grained quartz lithic sandstone.
Acid Sulfate Soils (ASS)	<p>A review of the Environment NSW 'eSpade V2.1' web application (environment.nsw.gov.au/eSpade2WebApp, accessed 22 November 2022), indicates that the site lies in an area mapped as 'No Known Occurrence' with respect to acid sulfate soils. This infers that land management activities are not likely to be affected by acid sulfate soil materials.</p> <p>The Canada Bay Local Environmental Plan 2013 identifies the site to fall within a Class 5 Acid Sulfate rating requiring further assessment if the site is within 500 m of Class 1, 2, 3 or 4 acid sulfate containing land.</p> <p>Further assessment of acid sulfate soils in the context of this investigation is considered warranted by SE due to its proximity to Class 2 land to the north-west of the site.</p>
Topography	<p>Generally, the local landscape consists of greatly undulating rises on Wianamatta Group shale with local relief of 10-30 m and slopes generally >5% but occasionally up to 10%.</p> <p>The site topography slopes upward toward the south-western corner. SE understands that the site is located at an elevation approximately 15 m to 19m Australian Height Datum (AHD).</p>
Hydrology & Hydrogeology	<p>Surface water proximal to the site include Canada Bay, located approximately 850 m north-west of the site, and Iron Cove, located approximately 1500 m east of the site.</p> <p>Based on distances to the nearest surface water course and the site topography, groundwater flow in the vicinity of the site is considered likely to be towards the north-west.</p> <p>A review of the NSW Office of Water Groundwater database undertaken on 22 November 2022 indicated there were no features registered within a 500 m radius of the site.</p>

A copy of the NSW Office of Water search record is presented in **Appendix A**.

4. SITE HISTORY AND LAND USE

4.1. Land Titles

A search of historical land title ownership was undertaken by Infotrack Pty Ltd. The results of which indicated that the land had been owned by Church of England Property Trust Diocese of Sydney, now the Anglican Church Property Trust Diocese of Sydney (refer to **Table 4.1.1**).

Table 4.1.1 Land Titles Records Summary

Date of Acquisition (Term Held)	Registered Proprietor/s and Occupations	Reference to Title at Acquisition and Sale
11.12.1929 (1929 to Date)	Church of England Property Trust Diocese of Sydney Now Anglican Church Property Trust Diocese of Sydney	Book 1585 No. 948 Then D/158552 Now 1/1258912

The following easement was reported for the site:

- 01.09.2022 (AS170466): Proposed acquisition pursuant to Section 11 Land Acquisition (Just Terms Compensation) Act 1991 affecting the land and/or interest set out in AS170466.

There were no leases reported for this site.

Based on the land title ownership search, SE conclude that there is a low to moderate potential for land contaminating activities to have been undertaken on the site. Further assessment of these potential land contaminating activities, in the context of other historical information identified during this investigation and site walkover observations, is not considered warranted. A site walkover was carried out as part of this investigation.

A copy of the land title search record is presented in **Appendix B**.

4.2. Aerial Imagery

A review of selected historical aerial imagery of the site was undertaken. Observations made of the imagery considered relevant to this investigation, are presented in **Table 4.2.1** below.

A copy of the historical aerals is presented in **Appendix C**.

Table 4.2.1 Aerial Imagery Observations

Image Date	Site Features	Surrounding Land Use Settings
1943	Construction of the Church located on the centre of the site was completed prior to 1943. Semi-circular garden and driveway located along the east of the site. Two (2) dwellings located within the north-western corner of the site. One (1) large building is located north of the driveway.	Construction of dense residential housing to the North, South, East and West of the site completed prior to 1943.
1955	No significant changes observed.	No significant change to surrounding land uses.
1970	One (1) large structure has appeared north of the church.	No significant change to surrounding land uses.
1975	No significant changes observed.	Terraced houses to the south and east of the site demolished and commercial buildings constructed.

Image Date	Site Features	Surrounding Land Use Settings
1986	One (1) smaller structure has appeared immediately north large structure observed in 1970.	No significant change to surrounding land uses.
1994	Small extension to the smaller structure observed in 1986..	No significant change to surrounding land uses.
2005	Structure has appeared immediately west of the large building in the eastern portion of the site.	Development of commercial buildings to the south of the site, sealed parking lot constructed.
2015	Large shade has appeared within the northern portion of the site, immediately north of the structure observed in 2005.	No significant change to surrounding land uses.
2022	No significant changes observed.	Redevelopment works occurring to the south of the site.

The aerial imagery review indicated a low potential for land contaminating activities to have occurred on the site.

4.3. Anecdotal Information

There was no anecdotal information provided to SE as part of this project.

4.4. Incidents or Complaints History

There were no incident reports or complaints history provided to SE as part of this project.

4.5. Previous Contamination Assessments

There were no previous contamination assessments provided to SE during the investigation.

5. REGULATORY RECORDS

5.1. NSW EPA CLM Act Record of Notices

A search of the publicly available online NSW EPA CLM Act Record of Notices was completed on 22 November 2022. The results indicated that the site was not the subject of any notifications under Section 58 of the *Contaminated Land Management Act 1997*.

A copy of the CLM Act Record of Notices search record is presented in **Appendix D**.

5.2. NSW EPA POEO Act Register of Licences, Applications and Notices

A search of the publicly available online NSW EPA Record of Notices was completed on 22 November 2022. The results indicated that the site was not the subject of any licences, applications, notices, audits or pollution studies or reduction programs under Section 308 of the *Protection of the Environment Operations Act 1997*.

A copy of the POEO Act Register of Licences, Applications and Notices search record is presented in **Appendix D**.

5.3. NSW EPA CLM Act Register of Notified Sites

A search of the publicly available online register of sites notified to the NSW EPA under Section 60 of the *Contaminated Land Management Act 1997*, was undertaken on 22 November 2022. The results did not indicate any sites requiring regulation (within 500 m of the site) under Section 60 of the *Contaminated Land Management Act 1997* with the exception of 231-235 Great North Road, Five Dock NSW (7-Eleven Five Dock Service Station) located 180 m north of the site and 47 Ramsay Street, Five Dock NSW (Caltex Five Dock Service Station) located 315 m south of the site. Both sites are currently not required to be regulated under the CLM Act 1997.

A copy of the NSW EPA CLM ACT Register of Notified Sites is presented in **Appendix D**.

5.4. Section 10.7 Planning Certificate

A copy of the planning certificate issued for the site under Section 10.7 of the Environmental Planning and Assessment Act was reviewed. The certificate indicated that, within the meaning of the Contaminated Land Management Act, the site was not:

- Significantly contaminated land;
- Subject to a management order;
- The subject of an approved voluntary management proposal;
- Subject to an ongoing maintenance order; or
- The subject of a site audit statement.

A copy of the planning certificate is presented in **Appendix E**.

5.5. SafeWork NSW Stored Chemical Information Database (SCID)

A review of historical aerial imagery and historical land title ownership records for the site including observations made during the site walkover did not indicate a significant potential for licensable quantities of dangerous goods to have been historically stored on the site. SE considers that further assessment of storage of licensable quantities of dangerous goods on the site is not warranted. A search of Safe Work NSW stored chemical information database (SCID) was not undertaken for the site.

6. SITE WALKOVER

A site walkover was undertaken on the 22 November 2022 by Isabelle Figatowski, a suitably experienced environmental consultant representing SE. The purpose of the site walkover was to make observations of land use activities on the site, and on properties immediately adjacent to the site.

6.1. Current Land Use Activity

The land use setting at the site appeared to be St Albans Anglican Church, two (2) residential properties, Sunshine Early Learning Centre and Caffè Te Ria. The site was observed to contain hardstand across the majority of the site in the form of a driveway, carpark and footpaths.

Access was not provided to the Early Learning Centre or the two (2) residential properties during the time of the site walkover.

6.2. Buildings and General Infrastructure

There were multiple buildings and infrastructure observed within the investigation area associated with St Alban's Church, the residential properties and the Early Learning Centre.



Figure 6.2.1 View of St Alban's Church, as viewed facing north-west.



Figure 6.2.2 View of the Parish Centre, as observed facing east.

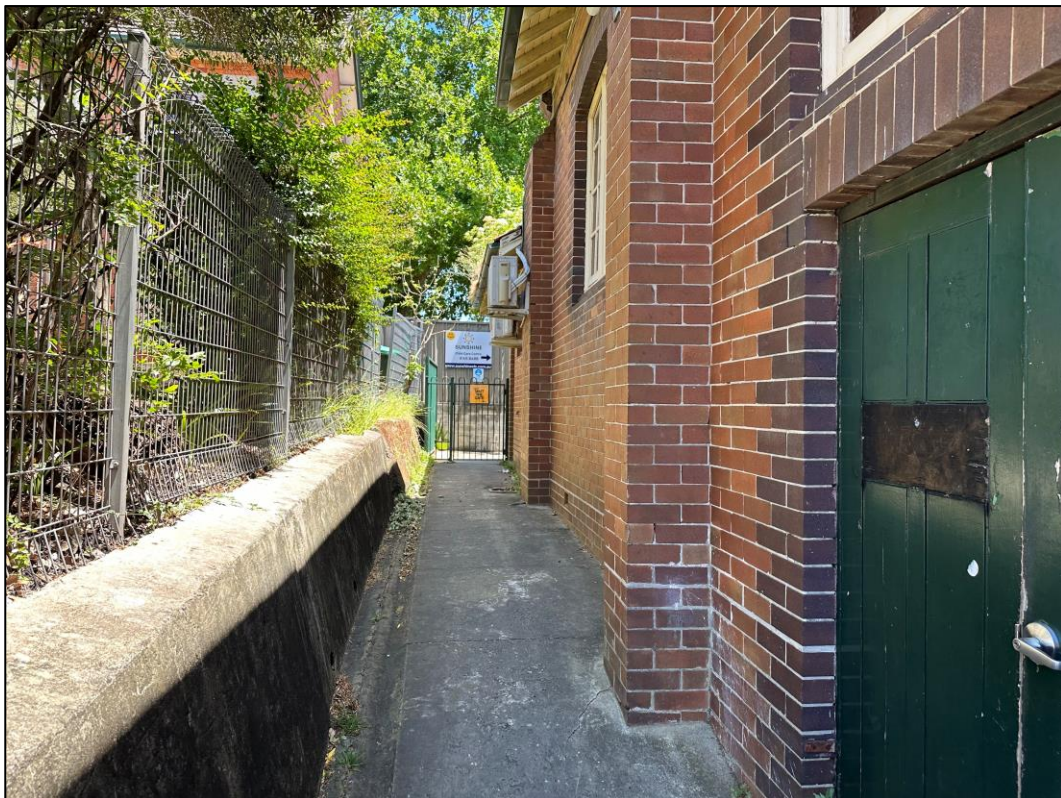


Figure 6.2.3 View of entry to the Early Learning Centre, as observed facing north-west.



Figure 6.2.4 View the two (2) residential properties, as observed facing south-west.

6.3. Boundary Fencing

The site was not observed to have any boundary fencing that would prevent access to the general public. Fencing was observed along the boundaries of the Early Learning Centre.

6.4. Adjacent Land Use Activities

Observations made during the site walkover indicated the following land use activities adjacent to the site:

- North - Henry Street followed by commercial and high-density residential;
- East - Great North Road followed by commercial buildings;
- West - East Street followed by Low-Density Residential; and
- South - Construction site.

6.5. Odours and Staining

There was no olfactory or visual evidence of contamination observed on the site, during the site walkover.

6.6. Chemical Storage

There was no visual evidence of chemical storage on site.

6.7. Underground and Aboveground Storage Tanks

No aboveground or underground storage tanks were observed during the site walkover.

6.8. Fill Material

There were no areas of significant filling observed within the site. Landscaped areas were observed across the site and fill materials are presumed to have been used within the site as part of site levelling works.



Figure 6.8.1 Landscaped area observed immediately east of the Parish Centre, as observed facing north-east.

6.9. Wastes

There was no evidence of widespread storage of waste within the site.

6.10. Asbestos Containing Materials

There was no visual evidence of potential asbestos containing materials (ACM) on the surface of the site.

6.11. Phytotoxicity

There was no visual evidence observed to suggest significant or widespread phytotoxic impact (in the form of dieback or plant stress) in the vegetation at the site. Similar observations were made of visible vegetation on land adjacent to the site.

6.12. Surface Water and Site Drainage

Visual observations made in the context of site drainage during the walkover, indicated that drainage mechanisms on the site are likely to include:

- Infiltration into underlying soils, where soil permeability permits

6.13. Adjacent Receptors

Adjacent ecological receptors included Canada Bay, located approximately 850 m north-west of the site, and Iron Cove, located approximately 1500 m east of the site.

The closest sensitive human receptors are current and future onsite residential land users, and those on neighbouring sites.

7. DATA INTEGRITY ASSESSMENT

SE has relied on the following sources of data while undertaking this investigation:

- Australian Soil Resource Information System;
- Council Resources;
- Department of Land and Water Conservation;
- Department of Primary Industries – Water;
- Google Earth;
- National Environment Protection Council;
- Nearmap;
- NSW Environment Protection Authority (EPA);
- NSW Land and Property Information;
- SE field observations during the site walkover; and
- Water NSW.

Based on SE's experience and professional judgement, the data obtained from the sources relied upon, is considered to be adequately precise, accurate, representative, complete and comparable within the objectives of this investigation and for the purpose of drawing conclusions regarding land contamination risks at the site.

8. PRELIMINARY CONCEPTUAL SITE MODEL

8.1. Areas of Environmental Concern

The site history data collected and site walkover observations made were assessed within the objectives of this investigation and in the context of the proposed development works. That assessment identified areas of environmental concern (AEC) and contaminants of potential concern (COPC) which have the potential to be present on site. The AEC and associated COPC identified are presented in **Table 8.1** below.

Table 8.1. AEC and COPC

ID	Area of Environmental Concern	Land Use Activity	Contaminants of Potential Concern
AEC01	Fill soil materials across the site footprint	Uncontrolled filling / demolition	Metals, PAH, TRH, BTEX, OCPs, PCBs, Asbestos
AEC02	On-site Structures	Hazardous building materials	Asbestos, Lead, SMF & PCB

The potential contamination pathways are considered to be as follows:

- Inhalation/ingestion of contaminants released in dust during redevelopment by site workers;
- Direct contact, ingestion or inhalation of soil and water by future site inhabitants;
- Migration of contaminants within surface and groundwater to neighbouring properties and water bodies; and
- Permeation of hydrocarbons / organic contamination into underground service pits on site.

Relevant potential receptors are considered to include:

- Onsite construction and maintenance workers;
- Third parties during construction (adjacent site users and adjacent residents);
- Onsite flora and fauna;
- Groundwater and surface water;
- Future residents/end users; and
- Neighbouring residential land users.

8.2. Land Use Setting

SE understands that the site is currently utilised as St Albans Anglican Church, two (2) residential dwellings and Sunshine Early Learning Centre.

As the proposed future site use is proposed to remain as low-density residential, SE considers it reasonable to adopt the 'HIL C – Open Space' per guidance provided in Section 2.2 of Schedule B (1) of the National Environment Protection Measure (Assessment of Site Contamination) 2013 (NEPM ASC 2013), in order to conservatively assess the site for any future proposed land use as well as the current land use. HIL C includes developed open space such as parks, playgrounds, playing fields (e.g. ovals), secondary schools and footpaths.

8.3. Human Health - Direct Contact

It is considered that a direct contact exposure pathway may exist and be achieved by inhalation/ingestion of dust during any future development works by site workers. There also poses the risk of direct contact, ingestion or inhalation of soil contaminants by future site occupants.

Based on the site history and site walkover, there was a low to moderate potential for fill materials to be present within the site. As such, SE considers that further assessment, in the form of intrusive sampling for direct contact exposure risks is warranted.

8.4. Human Health - Inhalation / Vapour Intrusion

In order for a potentially unacceptable inhalation / vapour intrusion human health exposure risk to exist, a primary vapour source (e.g. underground storage tank) or secondary vapour source (e.g. significantly contaminated soil or groundwater) would typically need to be present.

The historical evidence reviewed indicated a very low likelihood for a potential primary source to be present immediately adjacent the site.

Based on the site history and site walkover, SE conservatively considers that further assessment of Inhalation / vapour intrusion risks is warranted.

8.5. Aesthetics

Section 3.7 of Schedule B (1) NEPM ASC 2013 advises that there are no specific numeric aesthetic guidelines, however site assessment requires a balanced consideration of the quantity, type and distribution of foreign material or odours in relation to the specific land use and its sensitivity.

Based on the site history and site walkover, SE considers further assessment of aesthetic exposure risks as warranted due to the potential for asbestos containing materials to be present at the site.

8.6. Management Limits for Petroleum Hydrocarbon Compounds

NEPM 2013 notes that there are a number of policy considerations which reflect the nature and properties of petroleum hydrocarbons:

- Formation of observable light non-aqueous phase liquids (LNAPL);
- Fire and explosive hazards; and
- Effects on buried infrastructure (e.g. penetration of or damage to, in-ground services by hydrocarbons).

Section 2.9 of Schedule B (1) NEPM ASC 2013 includes 'management limits' to avoid or minimise these potential effects. Application of the management limits requires consideration of site-specific factors such as the depth of building basements and services and depth to groundwater, to determine the maximum depth to which the limits should apply. Section 2.9 of Schedule B (1) NEPM ASC 2013 also notes that management limits may have less relevance at operating industrial sites which have no or limited sensitive receptors in the area of potential impact, and when management limits are exceeded, further site-specific assessment and management may enable any identified risk to be addressed.

Based on the site history and site walkover, SE considers that further assessment of petroleum hydrocarbon exposure risks is not warranted.

8.7. Ecological Health – Terrestrial Ecosystems

Section 3.4.2 of Schedule B (1) NEPM ASC 2013 suggests that a pragmatic risk-based approach be taken in applying ecological investigation levels and ecological screening levels in residential and commercial/ industrial land use settings.

While consideration to ecological health was undertaken during the background / desktop study and site walkover carried out during the investigation. Based on the low to moderate potential for land-contaminating activities to have taken place, SE considers that further assessment of terrestrial ecosystems exposure risks is warranted.

9. CONCLUSIONS AND RECOMMENDATIONS

Based on SE's assessment of the desktop review information and fieldwork data, in the context of the proposed redevelopment, SE makes the following conclusions:

- Two (2) Potential Areas of Environmental Concern (AECs) have been identified for the site, albeit are considered to be low risk and would not preclude any future redevelopment of the site; and
- Based on the assessments undertaken as part of this investigation, SE has concluded that the site is generally considered suitable for the proposed redevelopment, subject to a targeted detailed site investigation (DSI) consisting of intrusive sampling of identified fill materials within the site.

Based on these conclusions, SE makes the following recommendations:

- A targeted detailed site investigation of the areas of potential fill and historical demolition is warranted to fully characterise any potential soil contamination;
- An Acid Sulfate Soil Assessment is to be undertaken should excavation works be proposed within the site;
- A Pre-Demolition Hazardous Building Materials Survey should be carried out prior to any proposed demolition works;
- Following removal of hazardous building materials (if identified) and subsequent demolition of the building portions, a clearance inspection should be carried out by an appropriately qualified occupational hygienist / NSW LAA;
- Any soils proposed for excavation and disposal off-site should be done so with the appropriate waste classification, and in accordance with relevant NSW EPA Waste Classification Guidelines (2014); and
- Records of the transport and disposal of any materials off-site should be maintained.

This report, including its conclusions and recommendations, must be read in conjunction with the limitations presented in **Section 10**.

10. STATEMENT OF LIMITATIONS

The findings presented in this report are based on specific searches of relevant, government historical databases and anecdotal information that were made available during the course of this investigation. To the best of our knowledge, these observations represent a reasonable interpretation of the general condition of the site at the time of report completion.

This report has been prepared solely for the use of the client to whom it is addressed and no other party is entitled to rely on its findings.

No warranties are made as to the information provided in this report. All conclusions and recommendations made in this report are of the professional opinions of personnel involved with the project and while normal checking of the accuracy of data has been conducted, any circumstances outside the scope of this report or which are not made known to personnel and which may impact on those opinions is not the responsibility of Sydney Environmental Group Pty Ltd. Should information become available regarding conditions at the site including previously unknown sources of contamination, SE reserves the right to review the report in the context of the additional information.

This report must be reviewed in its entirety and in conjunction with the objectives, scope and terms applicable to SE's engagement. The report must not be used for any purpose other than the purpose specified at the time SE was engaged to prepare the report.

Logs, figures, and drawings are generated for this report based on individual SE consultant interpretations of nominated data, as well as observations made at the time site walkover/s were completed.

Data and/or information presented in this report must not be redrawn for its inclusion in other reports, plans or documents, nor should that data and/or information be separated from this report in any way.

Should additional information that may impact on the findings of this report be encountered or site conditions change, SE reserves the right to review and amend this report.

11. REFERENCES

National Environment Protection Council (NEPC) 1999a, 'Schedule B(1) Guideline on Investigation Levels for Soil and Groundwater, National Environment Protection (Assessment of Site Contamination) Measure (NEPM) as amended in May 2013'.

National Environment Protection Council (NEPC) 1999b, 'Schedule B(2) Guideline on Site Characterisation, National Environment Protection (Assessment of Site Contamination) Measure (NEPM) as amended in May 2013'.

NSW Environmental Protection Agency 2017, '*Contaminated Sites: Guidelines for the NSW Site Auditor Scheme (3rd edition)*'.

NSW Environmental Protection Agency 2022, '*Sampling Design Guidelines*'.

NSW Environmental Protection Agency 2020, '*Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites*'

WA Department of Health 2021, '*Guidelines for the Assessment, Remediation and Management of Asbestos-Contaminated Sites in Western Australia*'

Department of Environment and Climate Change NSW 2009, '*Managing Dry Cleaning Waste for a Safer Environment*'

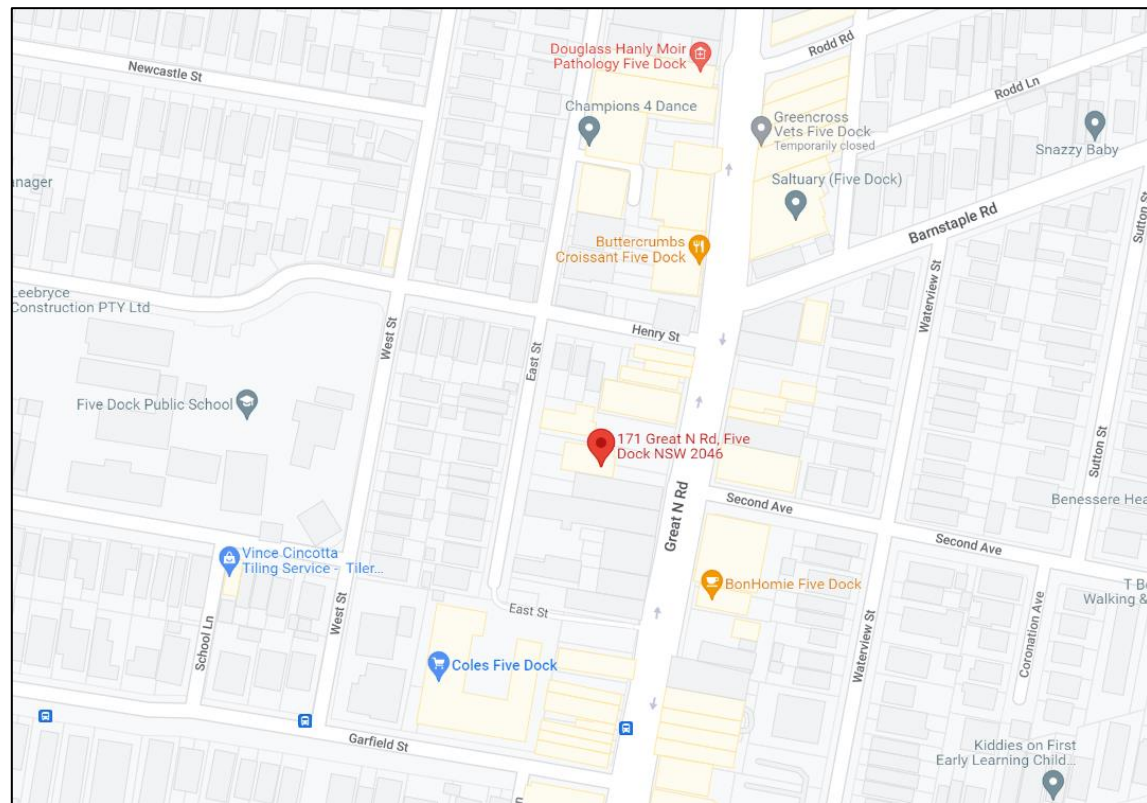
Standards Australia. 2005. 'AS 4482.1. *Guide to the Sampling and Investigation of Potentially Contaminated Soil. Part 1: Non-volatile and Semi-volatile Compounds.*'

Standards Australia. 1999. 'AS 4482.2. *Guide to the Sampling and Investigation of Potentially Contaminated Soil Part 2: Volatile Compounds.*'


Standards Australia. 1998. 'AS/NZS 5667.11:1998. *Water Quality – Sampling. Part 11: Guidance on Sampling of Groundwater.*'


Standards Australia. 1998. 'AS/NZS 5667.1:1998. *Water Quality – Sampling. Part 1: Guidance on the Design of Sampling Programs, Sampling Techniques and the Preservation and Handling of Samples.*'

FIGURES





LEGEND

 Site Boundary


 Inaccessible Areas during the site walkover


LEGEND

 Site Boundary

 Inaccessible Areas during the site walkover

LEGEND

 Site Boundary

 Inaccessible Areas during the site walkover



**Sydney
Environmental
Group**

Site Layout

Client Name:	Traders in Purple Pty Ltd
---------------------	---------------------------

Project Name:	Stage 1 Preliminary Site Investigation
----------------------	--

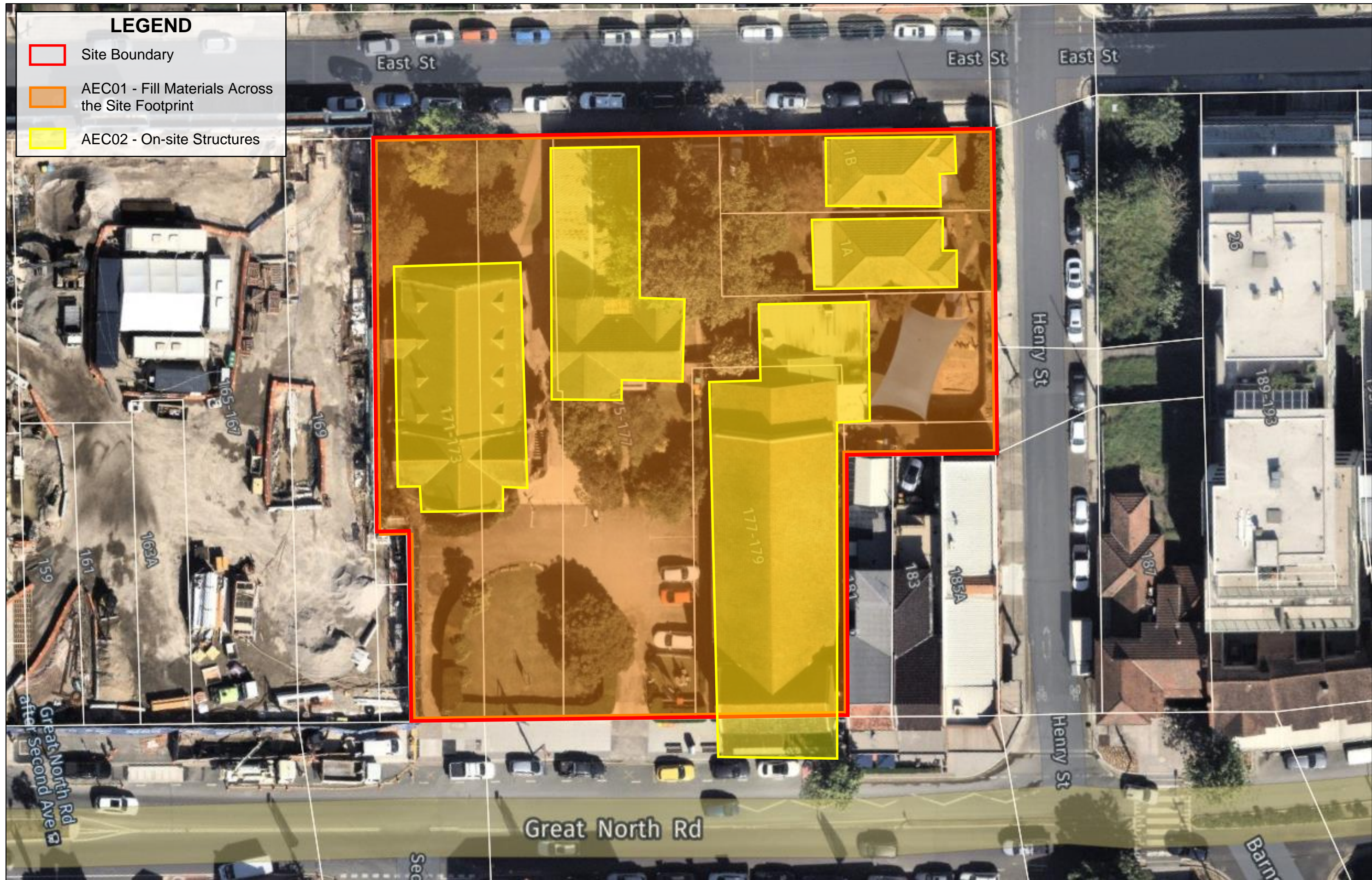
Project Location:	171-179 Great North Road & 1A – 1B Henry Street, Five Dock NSW
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Figure Number:	2
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Figure Date:	20 November 2023
---------------------	-------------------------

Report Number:	1870-PSI-01-231122.v2f
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LEGEND

- Site Boundary
- AEC01 - Fill Materials Across the Site Footprint
- AEC02 - On-site Structures

Areas of Environmental Concern

Client Name:	Traders in Purple Pty Ltd
Project Name:	Stage 1 Preliminary Site Investigation
Project Location:	171-179 Great North Road & 1A – 1B Henry Street, Five Dock NSW



Figure Number:	3
Figure Date:	20 November 2023
Report Number:	1870-PSI-01-231122.v2f



**Sydney
Environmental**
Group

APPENDIX A

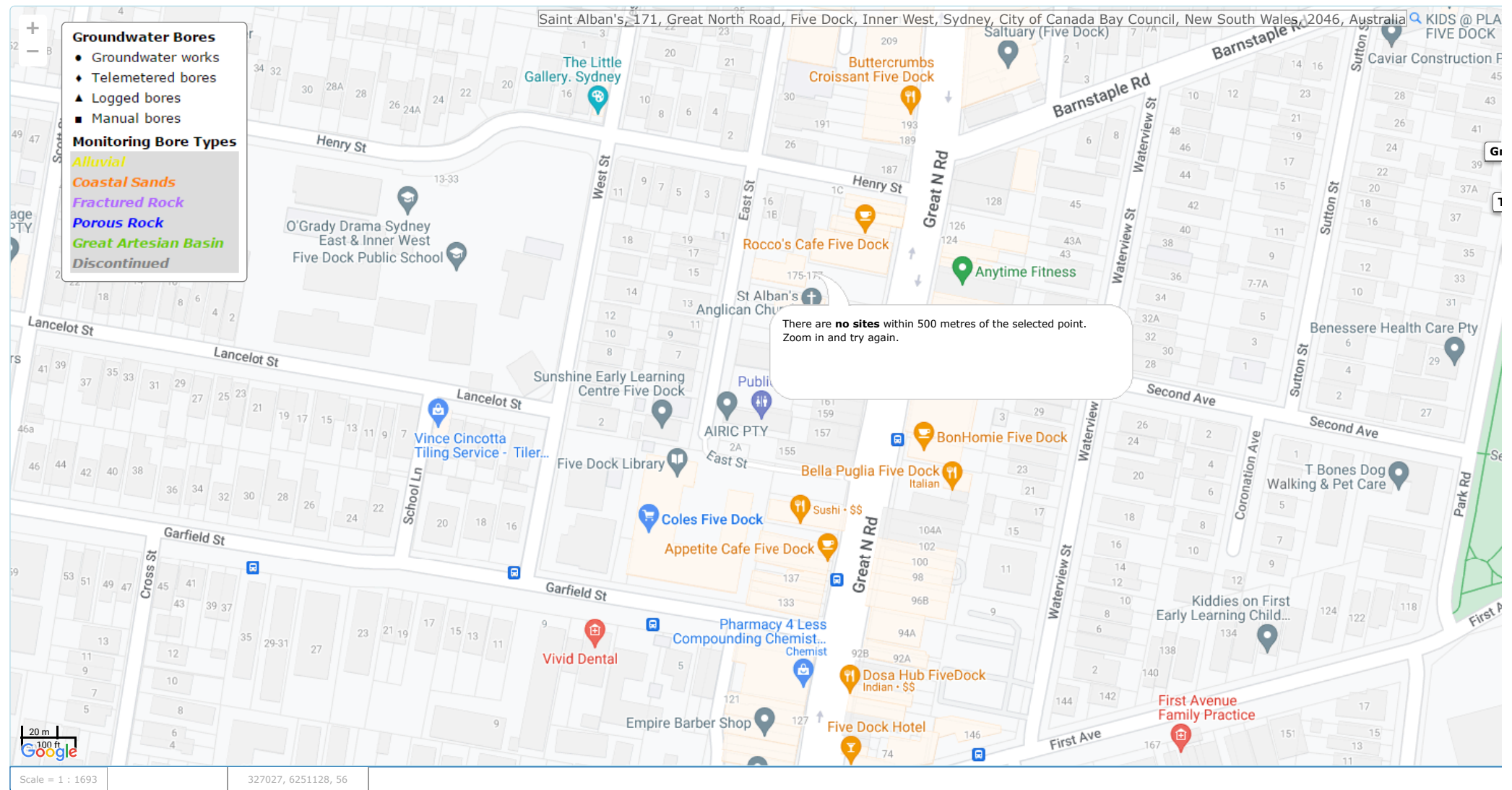
GROUNDWATER

ALL GROUNDWATER MAP

[bookmark this page](#)

All data times are Eastern Standard Time

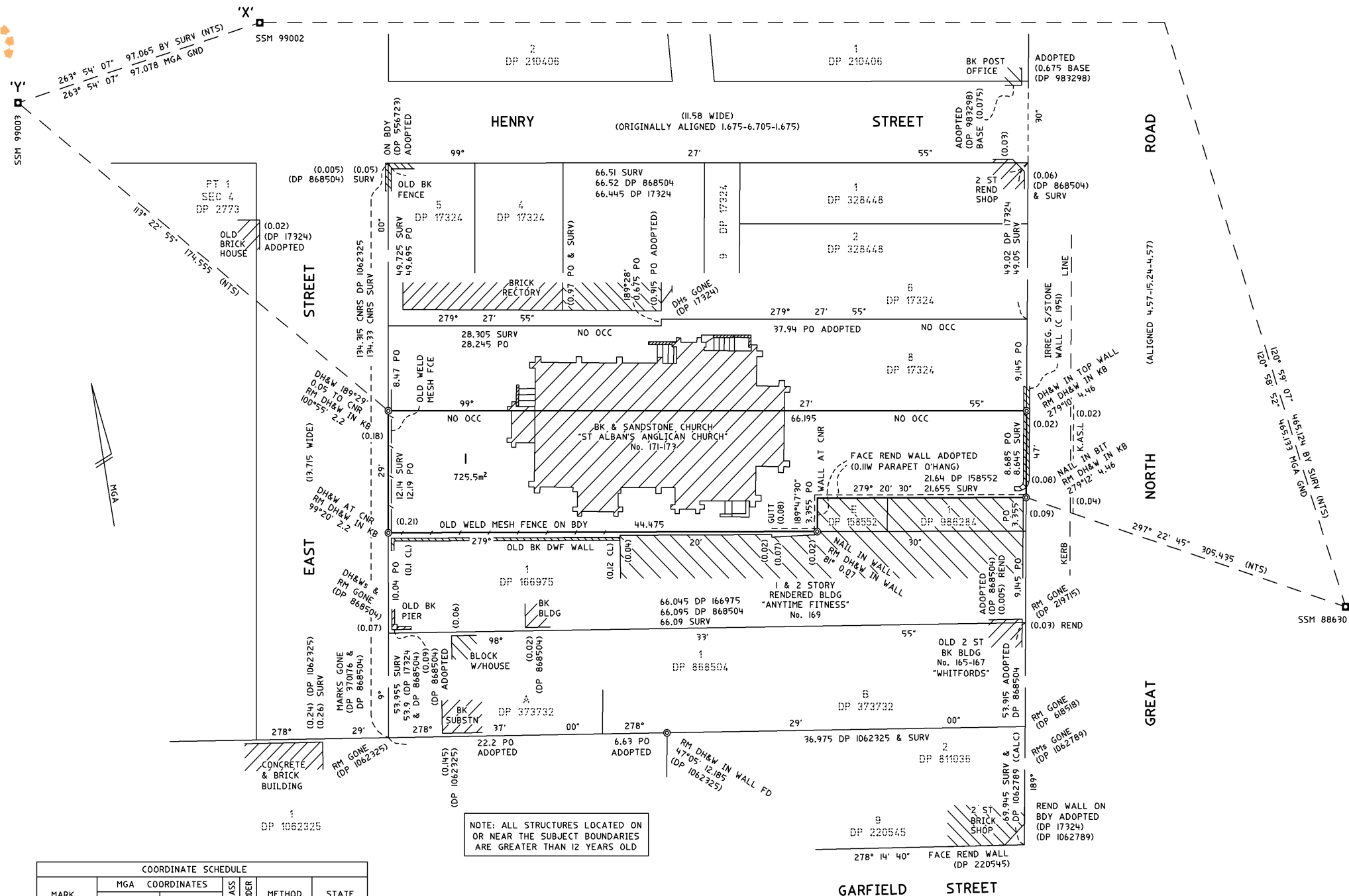
Map Info



APPENDIX B

LAND TITLES





COORDINATE SCHEDULE					
MARK	MGA COORDINATES		CLASS	ORDER	METHOD
	EASTING	NORTHING			
SSM 88630	327284.267	6250856.165	D	4	SCIMS FOUND
SSM 99002	326885.506	6251095.586	C	3	SCIMS FOUND
SSM 99003	326788.981	6251085.274	B	2	SCIMS FOUND
COMBINED SCALE FACTOR: 0.999963			MGA ZONE: 56		
DATE OF SCIMS COORDINATES: 24/10/2019			MGA DATUM: GDA94		



Surveyor: STUART N de NETT
 STUART de NETT P/L
 PO BOX 490, GYMEA NSW 2227
 Date of survey: 24/10/2019
 Surveyor's Ref: 11805


PLAN OF REDEFINITION OF LOT D IN DP 158552

LGA: CANADA BAY
 Locality: FIVE DOCK
 Subdivision No: _____
 Lengths are in metres. Reduction Ratio: 1:250

Registered:
 31-1-2020

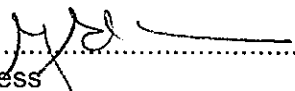
DP1258912

PLAN FORM 6 (2017)	DEPOSITED PLAN ADMINISTRATION SHEET	Sheet 1 of 2 sheet(s)												
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>Registered:  31-1-2020</p> <p>Title System: TORRENS</p> </div> <div style="width: 45%; text-align: right;"> <p>Office Use Only</p> <h1 style="margin: 0;">DP1258912</h1> </div> </div>		<p>Office Use Only</p>												
<p>PLAN OF REDEFINITION OF LOT D IN DP 158552</p>		<p>LGA: CANADA BAY</p> <p>Locality: FIVE DOCK</p> <p>Parish: CONCORD</p> <p>County: CUMBERLAND</p>												
<p style="text-align: center;">Survey Certificate</p> <p>I, STUART N de NETT of STUART de NETT PTY LTD, PO BOX 490, GYMEA NSW 2227 a surveyor registered under the <i>Surveying and Spatial Information Act 2002</i>, certify that:</p> <p>*(a) The land shown in the plan was surveyed in accordance with the <i>Surveying and Spatial Information Regulation 2017</i>, is accurate and the survey was completed on 24 October 2019.</p> <p>*(b) The part of the land shown in the plan (*being/*excluding**) was surveyed in accordance with the <i>Surveying and Spatial Information Regulation 2017</i>, the part surveyed is accurate and the survey was completed on, the part not surveyed was compiled in accordance with that Regulation, or</p> <p>*(c) The land shown in this plan was compiled in accordance with the <i>Surveying and Spatial Information Regulation 2017</i>.</p> <p>Datum Line: 'X' – 'Y'</p> <p>Type: *Urban/*Rural</p> <p>The terrain is *Level-Undulating / *Steep-Mountainous.</p> <p>Signature:  Dated: <u>6/11/2019</u></p> <p>Surveyor Identification No: 914 Surveyor registered under the <i>Surveying and Spatial Information Act 2002</i></p> <p><small>*Strike out inappropriate words. **Specify the land actually surveyed or specify any land shown in the plan that is not the subject of the survey.</small></p>		<p style="text-align: center;">Crown Lands NSW/Western Lands Office Approval</p> <p>I, (Authorised Officer) in approving this plan certify that all necessary approvals in regard to the allocation of the land shown herein have been given.</p> <p>Signature:</p> <p>Date:</p> <p>File Number:</p> <p>Office:</p>												
<p style="text-align: center;">Subdivision Certificate</p> <p>I, *Authorised Person/*General Manager/*Accredited Certifier, certify that the provisions of s.109J of the <i>Environmental Planning and Assessment Act 1979</i> have been satisfied in relation to the proposed subdivision, new road or reserve set out herein.</p> <p>Signature:</p> <p>Accreditation number:</p> <p>Consent Authority:</p> <p>Date of endorsement:</p> <p>Subdivision Certificate number:</p> <p>File number:</p> <p><small>*Strike through if inapplicable.</small></p>														
<p>Plans used in the preparation of survey/compilation.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">DP 17324</td> <td style="width: 50%;">DP 868504</td> </tr> <tr> <td>DP 158552</td> <td>DP 983298</td> </tr> <tr> <td>DP 166975</td> <td>DP 986284</td> </tr> <tr> <td>DP 220545</td> <td>DP 1062325</td> </tr> <tr> <td>DP 556723</td> <td>DP 1062789</td> </tr> <tr> <td>DP 709033</td> <td>DP 1178785</td> </tr> </table>		DP 17324	DP 868504	DP 158552	DP 983298	DP 166975	DP 986284	DP 220545	DP 1062325	DP 556723	DP 1062789	DP 709033	DP 1178785	<p>Statements of intention to dedicate public roads, create public reserves and drainage reserves, acquire/resume land.</p>
DP 17324	DP 868504													
DP 158552	DP 983298													
DP 166975	DP 986284													
DP 220545	DP 1062325													
DP 556723	DP 1062789													
DP 709033	DP 1178785													
<p>Surveyor's Reference: 11805</p>		<p>Signatures, Seals and Section 88B Statements should appear on PLAN FORM 6A</p>												

PLAN FORM 6A (2017)	DEPOSITED PLAN ADMINISTRATION SHEET	Sheet 2 of 2 sheet(s)
Registered:  31-1-2020	Office Use Only	Office Use Only
PLAN OF REDEFINITION OF LOT D IN DP 158552	DP1258912	
Subdivision Certificate number:	This sheet is for the provision of the following information as required: <ul style="list-style-type: none">• A schedule of lots and addresses - See 60(c) <i>SSI Regulation 2017</i>• Statements of intention to create and release affecting interests in accordance with section 88B <i>Conveyancing Act 1919</i>• Signatures and seals- see 195D <i>Conveyancing Act 1919</i>• Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets.	
Date of Endorsement:		

Executions

Signed for and on behalf of **ANGLICAN CHURCH PROPERTY TRUST DIOCESE OF SYDNEY**
by its attorneys under Power of Attorney Number ~~6455~~ 108 Book 4726
in the presence of:

Witness 

Name C. Ellem

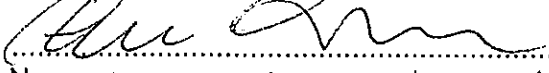
Witness 

Name C. Ellem

Attorney 

Name SCOTT LINCOLN
Manager of Trust

Attorney STEVE LUCAS

Name 
Senior Legal Counsel, SDS

Lot No.	Sub-Address No.	Address No.	Road Name	Road Type	Locality Name
10		171-173	Great North	Road	Five Dock

If space is insufficient use additional annexure sheet

Surveyor's Reference: 11805



LAND
REGISTRY
SERVICES

Historical Title



NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

21/11/2022 5:44PM

FOLIO: D/158552

First Title(s): OLD SYSTEM

Prior Title(s): CA57604

Recorded	Number	Type of Instrument	C.T. Issue
22/4/1993	CA57604	CONVERSION ACTION	FOLIO CREATED EDITION 1
27/3/2001	7408114	DEPARTMENTAL DEALING	
15/4/2016	AK359379	DEPARTMENTAL DEALING	
31/1/2020	DP1258912	DEPOSITED PLAN	FOLIO CANCELLED

*** END OF SEARCH ***



SEARCH DATE

21/11/2022 5:44PM

FOLIO: 1/1258912

First Title(s): OLD SYSTEM

Prior Title(s): D/158552

Recorded	Number	Type of Instrument	C.T. Issue
31/1/2020	DP1258912	DEPOSITED PLAN	FOLIO CREATED EDITION 1
14/2/2022	AR415845	REJECTED - REQUEST	
14/7/2022	DP1286001	DEPOSITED PLAN	EDITION 2
1/9/2022	AR881803	REJECTED - REQUEST	
1/9/2022	AS170466	REQUEST	EDITION 3

*** END OF SEARCH ***



FOLIO: 1/1258912

SEARCH DATE	TIME	EDITION NO	DATE
21/11/2022	5:41 PM	3	1/9/2022

LAND

LOT 1 IN DEPOSITED PLAN 1258912

AT FIVE DOCK

LOCAL GOVERNMENT AREA CANADA BAY

PARISH OF CONCORD COUNTY OF CUMBERLAND

TITLE DIAGRAM DP1258912

FIRST SCHEDULE

ANGLICAN CHURCH PROPERTY TRUST DIOCESE OF SYDNEY

SECOND SCHEDULE (2 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 AS170466 PROPOSED ACQUISITION PURSUANT TO SECTION 11 LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991 AFFECTING THE LAND AND/OR INTEREST SET OUT IN AS170466

NOTATIONS

DP1286001 PLAN OF ACQUISITION OF EASEMENT FOR RAILWAY PURPOSES
(SUBSURFACE STRATUM)

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

APPENDIX C

HISTORICAL AERIAL IMAGERY

Historical Aerial Imagery



Historical Aerial C1. 1943 aerial image of subject site.



Historical Aerial C2. 1955 aerial image of subject site.



Historical Aerial C3. 1970 aerial image of subject site.



Historical Aerial C4. 1975 aerial image of subject site.



Historical Aerial C5. 1986 aerial image of subject site.



Historical Aerial C6. 1994 aerial image of subject site.



Historical Aerial C7. 2005 aerial image of subject site.



Historical Aerial C8. 2015 aerial image of subject site



Historical Aerial C9. 2022 aerial image of subject site

APPENDIX D

CONTAMINATED LANDS DATABASE SEARCH

Search results

Refine Search

Search TIP

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

- ... [more search tips](#)

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

23 November 2022

 [authority-
\(https://twitter.com/NSW-EPA\)](https://twitter.com/NSW-EPA)
 <https://www.youtube.com/channel/UC>

Find us on

[Home](#) [Public registers](#) [POEO Public Register](#) [Licences, applications and notices search](#)

Search results

Your search for: **General Search** with the following criteria

Suburb - FIVE DOCK

returned 2 results

[Export to excel](#)

1 of 1 Pages

Search Again

Number	Name	Location	Type	Status	Issued date
303	VISY PACKAGING PTY. LTD.	53-75 QUEENS ROAD, FIVE DOCK, NSW 2046	POEO licence	Surrendered	17 Jan 2000
1032772	VISY PACKAGING PTY. LTD.	53-75 QUEENS ROAD, FIVE DOCK, NSW 2046	s.80 Surrender of a Licence	Issued	27 Nov 2003

23 November 2022

For business and industry ^

For local government ^

Contact us

131 555 (tel:131555)

Online (<https://www.epa.nsw.gov.au/about-us/contact-us/feedback>)

info@epa.nsw.gov.au (mailto:info@epa.nsw.gov.au)

EPA Office Locations (<https://www.epa.nsw.gov.au/about-us/contact-us/locations>)

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

Disclaimer (<https://www.epa.nsw.gov.au/about-us/contact-us/website-service-standards/disclaimer>)

Privacy (<https://www.epa.nsw.gov.au/about-us/contact-us/website-service-standards/privacy>)

Copyright (<https://www.epa.nsw.gov.au/about-us/contact-us/website-service-standards/copyright>)

 [in \(https://au.linkedin.com/company/nsw-environment-protection-authority-epa\)](https://au.linkedin.com/company/nsw-environment-protection-authority-epa)
 [yt \(https://www.youtube.com/channel/UCp2aYt1p1wvN5Wt_EpA\)](https://www.youtube.com/channel/UCp2aYt1p1wvN5Wt_EpA)

Find us on

EVANS HEAD	Evans Head Residential subdivision	Bounded by Currajong, Woodburn, Carrabeen Streets and Tuckeroo CRESCENT	Unclassified	Regulation under CLM Act not required	-29.1080969	153.4243577
EVELEIGH	Macdonaldtown Triangle	Burren STREET	Gasworks	Contamination being managed via the planning process (EP&A Act)	-33.89803492	151.186059
EVELEIGH	Australian Technology Park	Henderson ROAD	Other Industry	Regulation under CLM Act not required	-33.89634136	151.1944915
FAIRFIELD	Endeavour Energy Fairfield Zone Substation	22 Hedges STREET	Other Industry	Regulation under CLM Act not required	-33.86133019	150.9555899
FAIRFIELD EAST	Speedway-Branded Service Station Fairfield	251 The Horsley DRIVE	Service Station	Regulation under CLM Act not required	-33.8711661	150.9630077
FAIRFIELD HEIGHTS	7-Eleven Fairfield Heights	234 Hamilton (Cnr The Boulevard) ROAD	Service Station	Regulation under CLM Act not required	-33.87208474	150.9373134
FAIRY MEADOW	Caltex Fuel Depot and adjoining land	46 Montague STREET	Service Station	Contamination formerly regulated under the CLM Act	-34.40050499	150.8953125
FAIRY MEADOW	Woolworths Petrol Service Station	47 Princes HIGHWAY	Service Station	Regulation under CLM Act not required	-34.39399705	150.8925369
FAIRY MEADOW	Deynal (Seeman)	51-59 Princes HIGHWAY	Service Station	Regulation under CLM Act not required	-34.39437085	150.8924666
FARLEY	Farley Wastewater Treatment Works	Owlpen LANE	Other Industry	Regulation under CLM Act not required	-32.74431314	151.5194217
FASSIFERN	Newstan Colliery	Fassifern ROAD	Other Industry	Regulation under CLM Act not required	-32.97942521	151.5660046
FASSIFERN	Former Arsenic Smelter	Fassifern ROAD	Other Industry	Regulation under CLM Act not required	-32.99649819	151.5618283
FEDERAL	Federal General Store	3-6 Federal DRIVE	Service Station	Contamination formerly regulated under the CLM Act	-28.65190728	153.4552976
FENNELL BAY	Fennell Bay Public School	2 Bay ROAD	Unclassified	Under assessment	-32.99152231	151.6014923
FERN BAY	Former service station	37 Fullerton (1006 Nelson Bay Road) STREET	Service Station	Regulation under CLM Act not required	-32.87245004	151.7939904
FIVE DOCK	7-Eleven Five Dock Service Station	231-235 Great North ROAD	Service Station	Regulation under CLM Act not required	-33.86488376	151.130002

FIVE DOCK	Caltex Five Dock Service Station	47 Ramsay Road, corner Fairlight STREET	Service Station	Regulation under CLM Act not required	-33.87002804	151.1301835
FORBES	Former Gasworks	24-26 Union STREET	Gasworks	Contamination currently regulated under CLM Act	-33.37752036	148.0090064
FORBES	BP (Former Mobil) Depot Forbes	3-15 Union STREET	Other Petroleum	Regulation under CLM Act not required	-33.37751977	148.0101422
FORBES	Woolworths (Former Save on Fuel) Service Station	26 Dowling STREET	Service Station	Regulation under CLM Act not required	-33.38148764	148.0109845
FORBES	BP Service Station Forbes	29 Dowling STREET	Service Station	Regulation under CLM Act not required	-33.38121776	148.0100351
FORBES	Former Shell Depot	Stephen STREET	Other Petroleum	Regulation under CLM Act not required	-33.37704755	148.0103001
FORBES	Caltex Service Station Forbes	Parkes ROAD	Service Station	Regulation under CLM Act not required	-33.36333714	148.0223727
FORESTVILLE	BP Service Station, Forestville	632 Warringah ROAD	Service Station	Contamination currently regulated under CLM Act	-33.75997969	151.2142944
FORESTVILLE	Shell Service Station	667 Warringah ROAD	Service Station	Contamination formerly regulated under the CLM Act	-33.76035336	151.2184929
FORRESTERS BEACH	Caltex Service Station	The Entrance Rd Cnr Bellevue ROAD	Service Station	Regulation under CLM Act not required	-33.40057818	151.4687631
FORSTER	Caltex Service Station	16-18 Lake STREET	Service Station	Regulation under CLM Act not required	-32.18306967	152.5162492
FORSTER	Shell (Kneebone's) Service Station	2-6 The Lakes WAY	Service Station	Regulation under CLM Act not required	-32.1946108	152.5145662
FORSTER	Enhance (Former Mobil) Service Station	86-88 Macintosh STREET	Service Station	Regulation under CLM Act not required	-32.19079468	152.5154847
FREDERICKTON	Former Service station	2-4 Great North ROAD	Service Station	Regulation under CLM Act not required	-31.03513998	152.8794105
FRENCHS FOREST	Former BP Service Station	Russell AVENUE	Service Station	Regulation under CLM Act not required	-33.75018093	151.2245005
FRENCHS FOREST	Former 7-Eleven / Mobil Beacon Hill Service Station, Frenchs Forest	312 Warringah ROAD	Service Station	Regulation under CLM Act not required	-33.75129647	151.2469656

APPENDIX E

PLANNING CERTIFICATE

APPLICANT: Miss R Heath
63/45 Huntley Street
ALEXANDRIA NSW 2015

**PLANNING CERTIFICATE - under section 10.7
Environmental Planning and Assessment Act 1979**

Property: 171 Great North Road FIVE DOCK NSW 2046

Title: Lot 1 DP 1258912

Certificate No:	PC2022/3035	Certificate Date:	22/11/2022
Receipt No:	Online Receipt	Certificate Fee:	\$153.00
Land No:	50827	Applicant's Ref:	Rhiannon Heath - 171 Great North Road, Five Dock

IMPORTANT: Please read this certificate carefully.

The information provided in this certificate relates only to the land described above. If you need information about an adjoining property or nearby land, a separate certificate will be required.

All information provided is correct as at the date above. Please note, it is possible for changes to occur within a short time and we recommend you only rely upon a very recent certificate.

Please contact Council's Strategic Planning section for further information about this Planning Certificate.

SECTION 10.7(2)

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

SECTION 1 - Names of relevant planning instruments and development control plans

1. (a) *The following environmental planning instruments apply to the carrying out of development on the land:*

Canada Bay Local Environmental Plan 2013

State Environmental Planning Policy (Biodiversity and Conservation) 2021
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
State Environmental Planning Policy (Housing) 2021
State Environmental Planning Policy (Industry and Employment) 2021
State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development
State Environmental Planning Policy (Planning Systems) 2021
State Environmental Planning Policy (Precincts – Central River City) 2021
State Environmental Planning Policy (Primary Production) 2021
State Environmental Planning Policy (Resilience and Hazards) 2021
State Environmental Planning Policy (Resources and Energy) 2021
State Environmental Planning Policy (Sustainable Buildings) 2022
State Environmental Planning Policy (Transport and Infrastructure) 2021

(b) *The following development control plans apply to the carrying out of development on the land:*

City of Canada Bay Development Control Plan

2. (a) *The following proposed environmental planning instruments apply to the carrying out of development on the land and are, or have been, the subject of community consultation or on public exhibition under the Environmental Planning and Assessment Act 1979:*

Explanation of Intended Effect – Employment Zones Reform Implementation – exhibition
31 May 2022 to 12 July 2022

(b) *The following draft development control plans apply to the carrying out of development on the land and are, or have been, the subject of community consultation or on public exhibition under the Environmental Planning and Assessment Act 1979:*

No draft development control plans apply

Note:

1. A proposed environmental planning instrument or draft development control plan is not listed in subsection 2 if:
 - a) It has been more than 3 years since the end of the public exhibition period, or
 - b) The Planning Secretary has notified council that the making of the proposed instrument has been deferred indefinitely or has not been approved.
 2. In this section a proposed environmental planning instrument means a draft environmental planning instrument and includes a planning proposal for a local environmental plan.
-

SECTION 2 - Zoning and land use under relevant planning instruments

1. (a) *Zoning details in the environmental planning instruments identified in Section 1(1(a)) above:*

Zone B4 Mixed Use

1 Objectives of zone

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.

2 Permitted without consent

Environmental protection works

3 Permitted with consent

Boarding houses; Building identification signs; Business identification signs; Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Light industries; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Seniors housing; Shop top housing; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Correctional centres; Crematoria; Depots; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial training facilities; Industries; Jetties; Moorings; Open cut mining; Recreation facilities (major); Recreation facilities (outdoor); Residential accommodation; Resource recovery facilities; Rural industries; Sewage treatment plants; Signage; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Warehouse or distribution centres; Waste disposal facilities; Water recreation structures; Water supply systems

(b) Additional permitted uses:

No additional uses apply

(c) Are there development standards applying to the land, which fix minimum land dimensions for the erection of a dwelling house on the land, and if so, what are the fixed dimensions?

No fixed minimum land dimensions apply to this land

(d) Is the land in an area of outstanding biodiversity value under the Biodiversity Conservation Act 2016?

No, the land is not in an area of outstanding biodiversity value

(e) Is the land within a conservation area?

No, the land is not within a conservation area

(f) Is there an item of environmental heritage located on the land?

Yes

2. (a) Zoning details in the proposed environmental planning instruments identified in Section 1(2(a)) above:

On 26 April 2023, Business and Industrial zones will be replaced by Employment zones within standard instrument local environmental plans. The Department of Planning and Environment exhibited in May 2022 details of how each Local Environmental Plan that includes a Business or Industrial zone will be amended to include Employment zones. The exhibition detail can be viewed on the Planning Portal (<https://www.planningportal.nsw.gov.au/employment-zones>).

Zone MU1 Mixed Use

1 Objectives of zone

- To encourage a diversity of business, retail, office and light industrial land uses that generate employment opportunities.
- To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.

2 Permitted without consent

Environmental protection works

3 Permitted with consent

Amusement centres; Boarding houses; Building identification signs; Business identification signs; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Home industries; Information and education facilities; Light industries; Local distribution premises; Medical centres; Oyster aquaculture; Passenger transport facilities; Places of public worship; Recreation areas; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Seniors housing; Shop top housing; Tank-based aquaculture; Tourist and visitor accommodation; Vehicle repair stations; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Correctional centres; Crematoria; Depots; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial training facilities; Industries; Jetties; Moorings; Open cut mining; Recreation facilities (major); Recreation facilities (outdoor); Residential accommodation; Resource recovery facilities; Rural industries; Sewage treatment plants; Signage; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Warehouse or distribution centres; Waste disposal facilities; Water recreation structures; Water supply system

(b) Proposed additional permitted uses:

No proposed additional uses apply

(c) Are there proposed development standards applying to the land, which fix minimum land dimensions for the erection of a dwelling house on the land, and if so, what are the fixed minimum dimensions?

No proposed fixed minimum land dimensions apply to the land.

(d) Is the land in a proposed area of outstanding biodiversity value under the Biodiversity Conservation Act 2016?

No, the land is not in a proposed area of outstanding biodiversity value.

(e) Is the land within a proposed heritage conservation area?

No, the land is not within a proposed heritage conservation area

(f) Is there a proposed item of environmental heritage located on the land?

No, there are no proposed heritage items located on the land

SECTION 3 – Contributions plans

1. (a) *The following contributions plans apply to the land*

City of Canada Bay Local Infrastructure Contributions Plan

(b) *The following draft contributions plans apply to the land:-*

No draft contributions plans apply to the land

SECTION 4 – Complying Development

1. *Is the land, land on which complying development may be carried out under 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 (Part 3)

No, to the extent that the land is affected by specific land exemptions listed below. You should consult the relevant local environmental plan maps to determine the extent of affection over the land.

Land that comprises, or on which there is, a heritage item or draft heritage item. Refer to Heritage Maps.

Rural Housing Code (Part 3A)

No, to the extent that the land is affected by specific land exemptions listed below. You should consult the relevant local environmental plan maps to determine the extent of affection over the land.

Land that comprises, or on which there is, a heritage item or draft heritage item. Refer to Heritage Maps.

Low Rise Housing Diversity Code (Part 3B)

No, to the extent that the land is affected by specific land exemptions listed below. You should consult the relevant local environmental plan maps to determine the extent of affection over the land.

Land that comprises, or on which there is, a heritage item or draft heritage item. Refer to Heritage Maps.

Greenfield Housing Code (Part 3C)

No, to the extent that the land is affected by specific land exemptions listed below. You should consult the relevant local environmental plan maps to determine the extent of affection over the land.

Land that comprises, or on which there is, a heritage item or draft heritage item. Refer to Heritage Maps.

Inland Code (Part 3D)

No, to the extent that the land is affected by specific land exemptions listed below. You should consult the relevant local environmental plan maps to determine the extent of affection over the land.

Land that comprises, or on which there is, a heritage item or draft heritage item. Refer to Heritage Maps.

Housing Alterations Code (Part 4)

No, to the extent that the land is affected by specific land exemptions listed below. You should consult the relevant local environmental plan maps to determine the extent of affection over the land.

Land that comprises, or on which there is, a heritage item or draft heritage item. Refer to Heritage Maps.

General Development Code (Part 4A)

No, to the extent that the land is affected by specific land exemptions listed below. You should consult the relevant local environmental plan maps to determine the extent of affection over the land.

Land that comprises, or on which there is, a heritage item or draft heritage item. Refer to Heritage Maps.

Industrial and Business Alterations Code (Part 5)

No, to the extent that the land is affected by specific land exemptions listed below. You should consult the relevant local environmental plan maps to determine the extent of affection over the land.

Land that comprises, or on which there is, a heritage item or draft heritage item. Refer to Heritage Maps.

Industrial and Business Buildings Code (Part 5A)

No, to the extent that the land is affected by specific land exemptions listed below. You should consult the relevant local environmental plan maps to determine the extent of affection over the land.

Land that comprises, or on which there is, a heritage item or draft heritage item. Refer to Heritage Maps.

Container Recycling Facilities Code (Part 5B)

No, to the extent that the land is affected by specific land exemptions listed below. You

should consult the relevant local environmental plan maps to determine the extent of affection over the land.

Land that comprises, or on which there is, a heritage item or draft heritage item. Refer to Heritage Maps.

Subdivisions Code (Part 6)

No, to the extent that the land is affected by specific land exemptions listed below. You should consult the relevant local environmental plan maps to determine the extent of affection over the land.

Land that comprises, or on which there is, a heritage item or draft heritage item. Refer to Heritage Maps.

Demolition Code (Part 7)

No, to the extent that the land is affected by specific land exemptions listed below. You should consult the relevant local environmental plan maps to determine the extent of affection over the land.

Fire Safety Code (Part 8)

No, to the extent that the land is affected by specific land exemptions listed below. You should consult the relevant local environmental plan maps to determine the extent of affection over the land.

Land that comprises, or on which there is, a heritage item or draft heritage item. Refer to Heritage Maps.

2. **Is there a complying development code variation under clause 1.12 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* that applies to the land?**

No, there are no complying development code variations that apply to the land.

SECTION 5 – Exempt Development

1. ***Is the land, land on which exempt development may be carried out under clauses 1.16(1)(b1) to (d) or 1.16A of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008?***

Outstanding Biodiversity Value

Yes, exempt development may be carried out on the land as it is not a declared area of outstanding biodiversity value under the Biodiversity Conservation Act 2016.

Critical Habitat

Yes, exempt development may be carried out on the land as it is not a declared critical habitat under Part 7A of the Fisheries Management Act 1994.

Wilderness Area

Yes, exempt development may be carried out on the land as it is not a wilderness area, or part of a wilderness area within the meaning of the Wilderness Act 1987.

State Heritage

Yes, exempt development may be carried out on the land as it is not land that is, or on which there is, an item that is listed on the State Heritage Register, or that is subject to an interim heritage order under the Heritage Act 1977.

Land Excluded

Yes, exempt development may be carried out on the land as it is not land described or otherwise identified on a map as land that is excluded from the General Exempt Development Code.

Siding Spring Observatory

Yes, exempt development may be carried out on the land as it is not within 18 kilometres of the Siding Spring Observatory.

2. **Is there an exempt development code variation under clause 1.12 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* that applies to the land?**

No, there are no exempt development code variations that apply to the land.

SECTION 6 – Affected building notices and building product rectification orders

Is council aware that:

1. **An affected building notice is in force in relation to the land?**
No
2. **A building product rectification order in force is in relation to the land that has not been fully complied with?**
No
3. **A notice of intention to make a building product rectification order given in relation to the land that is outstanding?**
No

SECTION 7 - Land reserved for acquisition

Is there an environmental planning instrument, or proposed environmental planning instrument referred to in Section 1 which makes provision in relation to the acquisition of the land by an authority of the State, as referred to in section 3.15 of the Environmental Planning and Assessment Act 1979?

No

SECTION 8 – Road widening and road realignment

Is the land affected by any road widening or road realignment under:

- (a) Division 2 of Part 3 of the Roads Act 1993; or
(b) Any environmental planning instrument; or
(c) Any resolution of the Council?***

No

SECTION 9 – Flood related development controls

- 1. Is the land or part of the land within the flood planning area and subject to flood related development controls.***

Unknown, Council has not undertaken a flood study in this location. Please refer to Council's Planning Controls webpage for more information on Flood Planning.

- 2. Is the land or part of the land between the flood planning area and the probable maximum flood and subject to flood related development controls.***

Unknown, Council has not undertaken a flood study in this location. Please refer to Council's Planning Controls webpage for more information on Flood Planning.

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

- (a) Whether or not any of the land is affected by a policy adopted by the Council that restricts the development of the land because of the likelihood of:-***

- | | | |
|-------|---------------------|-----|
| (i) | land slip | No |
| (ii) | bushfire | No |
| (iii) | tidal inundation | No |
| (iv) | subsidence | No |
| (v) | acid sulphate soils | Yes |

The land is identified as being within Class 5 on the Acid Sulfate Soil Map under the Canada Bay LEP 2013. Works prohibited without Council approval (except as provided by subclause 4 of clause 6.1 of the Canada Bay LEP 2013) include:

- Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.

(vi) contamination Yes

Council has adopted by resolution a policy on contaminated land that applies to all land within the City of Canada Bay. This policy, and the application of provisions under relevant State legislation are to be implemented when zoning or land use changes are proposed on lands which have previously been used for certain purposes. Please note that this statement refers to whether or not Council has a policy regarding contamination and is not a statement on whether the property is affected by contamination or potential contamination. Please refer to Planning Certificate 10.7(2) – Additional Matters and Planning Certificate 10.7(5) for any contamination information that Council is aware of in relation to the land that is the subject of this certificate.

(vii) aircraft noise No

(viii) salinity No

(ix) coastal hazards No

(x) sea level rise No

(b) Whether or not any of the land is affected by a policy adopted by any other public authority and notified to the Council that the policy will be included in a planning certificate issued by the Council that restricts the development of the land because of the likelihood of:-

(i) land slip No

(ii) bushfire No

(iii) tidal inundation No

(iv) subsidence No

(v) acid sulphate soils No

(vi) land contamination No

(vii) aircraft noise No

(viii) salinity No

(ix) coastal hazards No

(x) sea level rise No

SECTION 11 – Bush fire prone land

(a) All of the land is bush fire prone land. No

- | | | |
|------------|---|-----|
| (b) | <i>Some of the land is bush fire prone land.</i> | No |
| (c) | <i>None of the land is bush fire prone land.</i> | Yes |
-

SECTION 12 – Loose – fill asbestos insulation

Has Council been notified that the land includes any residential premises (within the meaning of Division 1A of Part 8 of the Home Building Act 1989) that are listed on the register that is required to be maintained under that Division?

No. Contact NSW Fair Trading for more information.

SECTION 13 – Mine subsidence

Is the land declared to be in a mine subsidence district within the meaning of the Coal Mine Subsidence Compensation Act 2017?

No

SECTION 14 – Paper subdivision information

- 1. *Has a development plan been adopted that applies to the land or that is proposed to be subject to a ballot?***

No

- 2. *Does a subdivision order apply to the land, and if so what is the date of the order?***

No

SECTION 15 – Property vegetation plans

Has Council been notified (by the person or body that approved the plan) of the existence of a property vegetation plan approved under Part 4 of the Native Vegetation Act 2003 (and that continues in force) applying to the land?

No

SECTION 16 – Biodiversity stewardship sites

Has Council been notified by the Biodiversity Conservation Trust that the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the Biodiversity Conservation Act 2016 (including biobanking agreements under Part 7A of the Threatened Species Conservation Act 1995 that are taken to be certified under Part 5 of the Biodiversity Conservation Act 2016)?

No

SECTION 17 - Biodiversity certified land

Is the land biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016 (including 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)?

No

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

Has Council been notified that an order has been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land?

No

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

Has the owner (or any previous owner) of the land consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act)?

No

SECTION 20 – Western Sydney Aerotropolis

Under Chapter 4 of State Environmental Planning Policy (Precincts – Western Parkland City) 2021 is the land:

- (a) *In an ANEF or ANEC contour of 20 or greater, as referred to in that Chapter, section 4.17, or*

No

- (b) *Shown on the Lighting Intensity and Wind Shear Map, or*

No

- (c) *Shown on the Obstacle Limitation Surface Map, or*

No

- (d) *In the “public safety area” on the Public Safety Area Map, or*

No

- (e) *In the “3 kilometre wildlife buffer zone” or the “13 kilometre wildlife buffer zone” on the Wildlife Buffer Zone Map.*

No

SECTION 21 – Development consent conditions for seniors housing

If State Environmental Planning Policy (Housing) 2021, Chapter 3, Part 5 applies to the land, are there any conditions of development consent granted after 11 October 2007 in relation to the land of a kind referred to in clause 88(2)?

No

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

1. *Is there a current site compatibility certificate (under State Environmental Planning Policy (Housing) 2021, or a former site compatibility certificate, of which Council is aware, in relation to proposed development on the land, and if there is a certificate, what is the period for which it is current?*

No

2. *If State Environmental Planning Policy (Housing) 2021, Chapter 2, Part 2, Division 1 or 5 applies to the land, are there any conditions of development consent in relation to the land of a kind referred to in clause 21(1) or 40(1)?*

No

3. *Are there any conditions of a development consent in relation to land that are a kind of referred to in State Environmental Planning Policy (Affordable Rental Housing) 2009, clause 17(1) or 38(1)?*

No

ADDITIONAL MATTERS

In accordance with the requirements of clause 290(1) of the Environmental Planning and Assessment Regulation 2021, the following additional matters relate to the land at the date of this certificate.

Matters arising under the Contaminated Land Management Act 1997

At the date at when this certificate is issued, under section 59(2) of the Contaminated Land Management Act 1997, is:-

- (a) *The land (or part of the land) to which this certificate relates significantly contaminated land?*

No

(b) The land to which this certificate relates subject to a management order?

No

(c) The land to which this certificate relates the subject of an approved voluntary management proposal?

No

(d) The land to which this certificate relates subject to an ongoing maintenance order?

No

(e) The land to which this certificate relates the subject of a site audit statement and a copy of such a statement has been provided to the Council?

No

GENERAL INFORMATION

The absence of any reference to a matter affecting the land shall not imply that the land is not affected by that matter not referred to in this certificate.

Information provided under section 10.7(2) is in accordance with the matters prescribed under schedule 4 of the Environmental Planning and Assessment Regulation 2000 and is provided only to the extent that the Council has been notified by the Department of Public Works or Department of Planning.

When advice in accordance with section 10.7(5) is requested the Council is under no obligation to furnish any advice. If advice is provided Council draws your attention to section 10.7(6) and schedule 6 of the *Environmental Planning and Assessment Act 1979* which have the effect that Council shall not incur any liability in respect of advice provided in good faith pursuant to section 10.7(5), including the furnishing of advice in respect of contaminated land.

Any enquiries regarding State and Regional Environmental Planning Policies should be directed to the Department of Planning at [http:// www.planning.nsw.gov.au](http://www.planning.nsw.gov.au)

Please contact Council's Strategic Planning section for further information about this Planning Certificate.



John Clark
General Manager