



SEEC

Stage 1 Contamination Assessment

**Lot 1, DP 940895, No. 600 West Parade
Buxton, NSW**

Prepared by:

Liam O'Rourke
SEEC Reference: 17000198-CA-01

2nd November 2017



SEEC

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Document Certification

This report has been developed based on agreed requirements as understood by SEEC at the time of investigation. It applies only to a specific task on the nominated lands. Other interpretations should not be made, including changes in scale or application to other projects.

Any recommendations contained in this report are based on an honest appraisal of the opportunities and constraints that existed at the site at the time of investigation, subject to the limited scope and resources available. Within the confines of the above statements and to the best of my knowledge, this report does not contain any incomplete or misleading information.

Liam O'Rourke
Environmental Scientist
SEEC
2nd November 2017

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EXECUTIVE SUMMARY

Strategic Environmental and Engineering Consulting (SEEC) have been commissioned by Stuart Farmer owner of Lot 1 DP 940895, to prepare this *Stage 1 Preliminary Contamination Assessment*. It is required to accompany an application to subdivide Lot 1, DP 940895, No. 600 West Parade, into four new rural residential lots of no less than 4,000 m².

There is no known historical evidence that suggests potentially-contaminating activities were carried out on this property.

Proposed Lot 52 contains a metal clad dwelling and associated sheds which will likely remain. As the existing dwelling and sheds could have building materials incorporating asbestos, their demolition would be managed by a licensed asbestos contractor if the owner decides to remove them in the future. Other than this, the site is considered to have a very low risk of contamination.

1 Scope of Work

The aim of this *Stage 1 Preliminary Contamination Assessment* is to:

- Identify any past and present potentially-contaminating activities;
- Identify potential contamination types;
- Discuss the site condition;
- Provide a preliminary assessment of site contamination; and
- Assess the need for further investigation(s).

This Assessment has been undertaken and documented following the requirements set out in *Guidelines for Consultants Reporting on Contaminated Sites* (NSW EPA, 2000).



Figure 1 - Site Location (approx.)

2 Site Identification

The site is identified as Lot 1 DP 940895, No. 600 West Parade, Buxton.

3 Proposed Development

It is proposed to subdivide Lot 1 DP 940895 into four new rural residential lots no less than 4,000 m² in area. Lot 50 would be accessed from William St while Lots 51, 52 and 53 would be accessed from Johnson St. (Figure 2).

4 Site History

4.1 Sources of information

A summary of the site's history has been compiled below. This information has been sourced from:

- Historical aerial photography (1970, 1979 and 1994) sourced from the NSW Government: *Land and Property Information* (A division of the Department of Finance and Services).
- Recent (2009 and 2016) aerial photography available from Google Earth.
- Historical Land Titles sourced from the NSW Government: *Land and Property Information* (A division of the Department of Finance and Services).
- Section 149 Certificate
- Discussion with the current owners.

4.2 Documented History

4.2.1 Aerial Photography

Figures 3 to 7 contain extracts from aerial photographs taken in 1970, 1979, 1994, 2009 and 2016. Most photographs were supplied by the NSW Government: *Land and Property Information* (a division of the Department of Finance and Services). The 2009 and 2016 aerial photographs are from Google Earth ©.

Inspection of these photographs shows:

- 1970 – The site is predominantly covered with trees and shrubs. There are two existing sheds/dwellings located in the north eastern portion of the site. The site does not appear to be actively used for market gardening or agriculture; there are no associated sheds.
- 1979 – Most of the site is the same as 1970 but a new shed has been built in the middle portion of the site. The site is not being actively used for market gardening or any other significant commercial activity. Surrounding lands are similar in nature. Some trees appear to have been removed from the western end, while the eastern portion looks more overgrown than 1970.
- 1994 – The site is unchanged from 1979; trees and shrubs continue to grow over much of the site.
- 2009 – The site is over grown with trees and shrubs. Surrounding lands are similar in nature with possible agricultural grazing to the north.

- 2016 – The site has been cleared of all trees and shrubs. The existing dwelling in the north eastern most portion of the site appears to have been removed.

4.2.2 Land Ownership

The subject site is currently owned by Stuart Farmer who bought the property in May 2014. Mr. Farmer's occupation is a boilermaker. Before that:

- Edgar (teacher) and Linda Aavik bought the property in 1961.
- Allan John Byrne (draper) and Edward Marchmont Hassall (farmer) bought the property in 1940 (approx.).
- James Henry Hudder (manufacturer) and William Craig (accountant) bought the property in 1919.
- William Parnell owned the property prior to that and appears to be the person who subdivided it from a larger parcel of land.

(Historical Titles can be found in Appendix 1)

4.2.3 Section 149 Certificate

The Section 149 Certificate does not identify the land to be at any known risk – *“because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk”*.

(Section 149 Certificate can be found in Appendix 2)



Figure 3 - 1970



Figure 4 - 1979



Figure 5 - 1994



Figure 6 - 2009

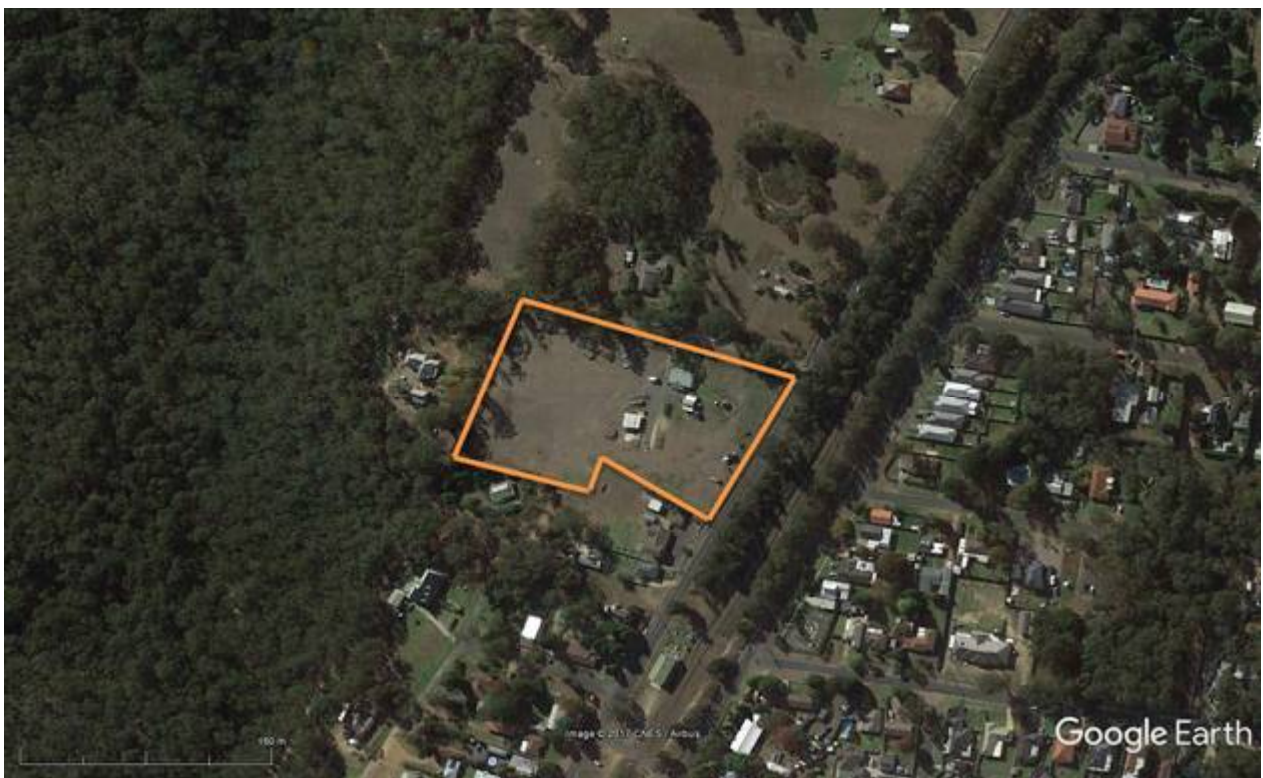


Figure 7 - 2016

4.3 Verbal History

An interview was conducted with Mr. Stuart Farmer, current owner, on 26th September 2017. Mr. Farmer has owned the property since May 2014 (three years). In that time activities have been mostly limited to clearing of vegetation and storage of tools and equipment. Mr. Farmer currently leases the property to his father Ronnie who restores old horse carriages.

Mr. Farmer is currently using the existing sheds and shipping containers for storage (**Figure 11, 12 & 14**). At the time of inspection there was also an old truck, two truck tray bodies, a tractor, a boat and other trailers stored onsite (**Figure 16**).

Mr. Farmer states that no significant quantities of chemicals or fuels are, or have been, stored on site since his ownership.

5 Adjacent Land Uses

5.1 Past

The historical photographs show the surrounding lands have always been of a similar nature to the subject site and there have not been any significant commercial activities on them.

5.2 Present

At the time of inspection (September, 2017) the subject site and the surrounding lands were rural residential in character and there were no significant agricultural or horticultural activities on the site or nearby.

6 Site Condition and Environment

6.1 General Conditions

At the time of our site inspection the site was occupied by one existing dwelling and associated sheds, yards and shipping containers (**Figure 8**). The remainder of the site was vacant. All the development is concentrated in the middle portion of the site on proposed Lot 52; the western and eastern portions were vacant and covered with mulch and/or seeded grass (**Figures 9 & 10**).

There is an existing steel clad dwelling in the middle portion of the site which is accessed from Johnson St. Slightly south of the dwelling is a three-bay metal shed with a water tank on the northern side. At the time of inspection there were also two shipping containers located further east of the shed which are used for storage. There was a newly-constructed steel frame shed on a slab on-ground footing in the middle portion of the site, adjacent to the southern boundary and another shed on a concrete slab used for storage to north of the new shed and west of the house.

Overall the site was in good condition. There were no obvious signs of odours or areas of discolouration or unusual seepage, and no signs of drums or containers that could have held contaminants (other than in small containers). The sheds were intact and mostly held tools and equipment. The owner says they have not stored or used significant amounts of pesticides or stored any fuel on the site (other than in small containers).

Site photographs are presented in Figures 9 to 16.

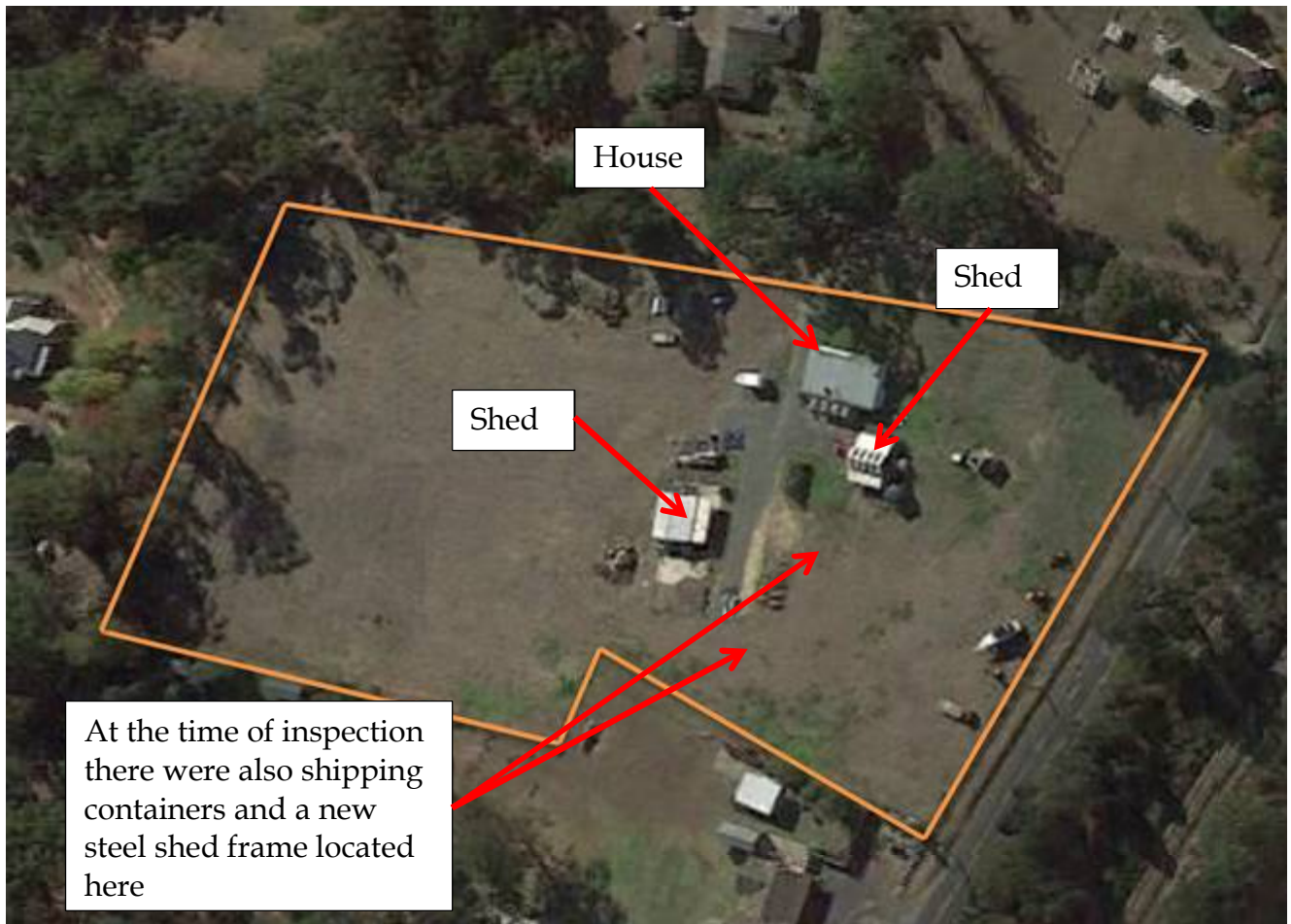


Figure 8 - Plan of developed portion of site



Figure 9 – Typical conditions looking west over proposed Lots 50 and 51



Figure 10 – Typical Conditions looking west over proposed Lots 50 and 51



Figure 11 - Three-bay metal shed with water tank



Figure 12 - Two shipping containers south of the three-bay metal shed.



Figure 13 – Newly constructed metal shed on concrete slab footing



Figure 14 – Storage shed



Figure 15 – On the corner of Johnson St and West Parade looking west from proposed Lot 53 towards the development area in Lot 52



Figure 16 – Looking north from West Parade. Note mulch and seeded ground surface

6.2 Fill

No areas of fill were observed during the site inspection.

6.3 Drainage

There is a slight ridge running through proposed Lot 52. East of proposed Lot 52 drains east towards West Parade by sheet flow, west of proposed Lot 52 drains west by sheet flow. There are no dams or drainage depressions affecting this site.

6.4 Soils and Geology

Soil Landscape mapping by DLWC/SCA (2002) identifies the site is on the Lucas Heights Soil Landscape. The Lucas Heights Soil Landscape is a residual soil landscape formed on shale and sandstone. Topography consists of predominately level plain to gently undulating rises on the Mittagong Formation. Soils typically comprise of loose, greyish sandy loam topsoil over pedal, yellowish brown clay or weakly pedal clayey sand.

7 Contamination Assessment

7.1 Assessment of the Data

The continuity of available data is good; there is good coverage of aerial photography for the site and its surrounds. The level of detail obtained from the available photography is considered satisfactory.

7.2 Risk Assessment

7.2.1 Existing Structures

The existing houses and their associated outbuildings vary in construction materials. All structures are to remain. It is possible that some of the building materials in some of the structures contain bonded asbestos. If the decision is made to remove some or all of the existing structures it could become exposed and bonded asbestos (if present) could become frayed during demolition of buildings.

Given the age of the existing dwelling, it is likely that organochlorine pesticides were used under the slabs for termite protection. If the house remains this is not an issue but, if it were to be removed, contaminated soils could be exposed at the surface.

7.3 Stage 1 Recommendations and Conclusion

7.3.1 Past Activities

No past activities have been observed or recorded that would suggest potentially-contaminating activities have occurred.

7.3.2 Existing Structures

All existing structures on proposed Lot 52 are to remain. However, if a decision is made to remove the existing two-bedroom dwelling it would be inspected by a qualified asbestos contractor who, if asbestos is identified, will appropriately demolish and remove the material. The soil under the footprint of the dwelling would also be tested for the presence of organochlorine pesticides.

7.3.3 Conclusion

No known potentially-contaminating past activities have been identified on this site and so the risk of contamination is considered low. If localised contamination were found (e.g. if the existing house was removed) then it could be readily remediated and so it would not preclude the subdivision.

8 References

NSW Environment Protection Agency (EPA) (2000). *Guidelines for Consultants Reporting on Contaminated Sites*, NSW Environment Protection Agency, Sydney.

9 Appendix

9.1 Appendix 1 – Historical Titles (Most recent to oldest)

See over page.


Reg:RS13010 /Doc:CT 08303-101 CT /Rev:11-Aug-2012 /Ste:OK-OK /Prt:12-Oct-2017 12:10 /Seq:1 of 4
Ref: /Src:U

202

New South Wales

[CERTIFICATE OF TITLE]

Primary Apps No.
Reference to Last Title
Vol. 2376 Fol. 248



JOINT TENANCY
REGISTER BOOK
Vol. **E303** Fol. **101**
No. 8862302
CANCELLED (W)
On issue of new Fol 1/940895

201 Issued on Transmission Application


S GRM

ALLAN JOHN BYRNE of Queensbeyan, Draper and EDWARD MARCHEMONT BASSALL of Buxton, Farmer, are now the proprietors of an Estate in Fee Simple as joint tenants,
subject nevertheless to the reservations and conditions, if any, contained in the Grant hereinafter referred to, and also subject to such encumbrances, liens, and interests as are notified hereon, in That piece of land at Buxton in the Shire of Wollondilly Parish of Courttish and County of Camden shown in the plan hereon and also shown in plan lodged with Transfer No. A29819 being part of Portion 136 granted on 17th August 1901 by Crown Grant Volume 1373 Folio 26.
EXCEPTING THEREOUT the Minerals reserved by the Crown Grant.

In witness whereof I have hereunto signed my name and affixed my Seal, this Twentieth day of September, 1961

Signed in the presence of *W. R. Jones*

Janetson
Registrar-General.



Scale 200 feet to one inch

NotIFICATION REFERRED TO

Edgar Edward Davis of Buxton, Art Teacher and Linda Davis his wife are
now the registered proprietors of the land within described, as joint tenants
See TRANSFER No. H162303 dated 31st May 1961
Entered 19th October 1961
Janetson
REGISTRAR GENERAL

H162304 MORTGAGE dated 24th March 1961
to *Edgar Edward Davis, Horace Hingray Holloway and William Rowland Davis*
Entered 16th September 1961
Janetson
REGISTRAR GENERAL

MORTGAGE No. H. 86296
See L. 58915 Entered 26th October 1961
Janetson
REGISTRAR GENERAL

No. L. 796924 MORTGAGE dated 27th February 1970
to *Wollondilly Building Co-operative Society Limited*
Entered 30th April 1970
Janetson
REGISTRAR GENERAL

COMPUTER FOR NO FURTHER DEALINGS TO BE REGISTERED.

70733332

429915 DP940895 R
448011 DP940895 R

Req:R513294 /Doc:CT 02376-248 CT /Rev:30-Jul-2012 /Sts:OK.OK /Prt:12-Oct-2017 12:27 /Seq:1 of 2
Ref: /Src:U

CERTIFICATE OF TITLE.

(C.)

New South Wales.



REGISTER BOOK

Vol. 2376 Post. 248

CANCELLED

James Henry Hudder of Accomack, Virginia, Freeborn, married

Instrument of Transfer from European Games Board

13. A system is more the property of an object or for people?

subject nevertheless to the reservations and conditions, if any, contained in the Grant hereinafter referred to, and also subject to such encumbrances, liens, and interests as are notified herein, in that piece of land situated at Green

in the State of New York, Parish of Cowardin, and County of Orleans

containing *Four words six and one quarter pounds* or thereabouts as shown on the Four Four and Three eight and one half shown on Four amount to the best judgement of Joseph A. 1994.

Every part of England, Scotland and the British ships of the Royal Navy dependent on the Department.

of South originally granted to William Hancock by James Grant dated the nineteenth day of August 1764. Hancock never received said land and it is in the land. His Office Library, Volume 17.

Is witness whereof, I have hereunto signed my name and affixed my Seal, this fourth day of

one thousand nine hundred and *flourish*

Signed the 24 day of June 1912

in the presence of

Deputy Registrar General

NOTIFICATION REFERRED TO:

Amongst the contributions sent to the Society to defray the quest above referred to are the following Resolutions of the Society :-

Depress. Angustior Gould.

No. 224120 MORTGAGE dated 21 May 1917
from the said James Studden to
Philip James Robinson of
Woolahda Station Officer.

Produced Pursuant to Protective Order in Case No. 03-1-00000-00000 and
 entered _____ 191
 at _____ s' Place in the _____ Room
Not Reliance
 RECEIVED GENERAL


Source - DOD® 10 in. box

Reg:R513294 /Doc:CT 02376-248 CT /Rev:30-Jul-2012 /Sts:OK.OK /Prt:12-Oct-2017 12:27 /Seq:2 of 2
Ref: /Src:U

No. A 29521 MORTGAGE dated 28 May 1913
from the said James Henry Pludden to
Robert Greenup Brodie of
Highway Somerset, Traveller.
Produced and entered 28 May 1913 at 10 o'clock in the afternoon
at 101 
Notkeliauls
REGISTRAR GENERAL


No. A 29522 MORTGAGE dated 28 May 1913
from the said James Henry Pludden to
Robert Greenup Brodie of
Highway Somerset, Traveller.
Produced and entered 28 May 1913 at 10 o'clock in the afternoon
at 101 
Notkeliauls
REGISTRAR GENERAL

No. A 29523 MORTGAGE dated 28 May 1913
from the said James Henry Pludden to
Robert Greenup Brodie of
Highway Somerset, Traveller.
Produced and entered 28 May 1913 at 10 o'clock in the afternoon
at 101 
Notkeliauls
REGISTRAR GENERAL

No. A 29524 DISCHARGE of within Mortgage
No. A 29521 dated 28 May 1913
Produced 28 May 1913 and entered 28 May 1913
at 10 o'clock in the afternoon
at 101 
Notkeliauls
REGISTRAR GENERAL

No. A 29525 DISCHARGE of within Mortgage
No. A 29522 dated 28 May 1913
Produced 28 May 1913 and entered 28 May 1913
at 10 o'clock in the afternoon
at 101 
Notkeliauls
REGISTRAR GENERAL

No. A 29526 DISCHARGE of within Mortgage
No. A 29523 dated 28 May 1913
Produced 28 May 1913 and entered 28 May 1913
at 10 o'clock in the afternoon
at 101 
Notkeliauls
REGISTRAR GENERAL

No. A 29527 MORTGAGE dated 28 May 1913
from the said James Henry Pludden to
Robert Greenup Brodie of
Highway Somerset, Traveller.
Produced and entered 28 May 1913 at 10 o'clock in the afternoon
at 101 
Notkeliauls
REGISTRAR GENERAL

No. A 29528 DISCHARGE of within Mortgage
No. A 29524 dated 28 May 1913
Produced 28 May 1913 and entered 28 May 1913
at 10 o'clock in the afternoon
at 101 
Notkeliauls
REGISTRAR GENERAL

No. A 29529 TRANSFER dated 28 November 1917
from the said James Henry Pludden to
William Henry of Sydney, Traveller.
Produced and entered 28 November 1917 at 10 o'clock in the afternoon
at 101 
Notkeliauls
REGISTRAR GENERAL

No. A 29530 APPLICATION BY TRANSMISSION
Capital Trusts Company Limited
Produced and entered 28 November 1917 at 10 o'clock in the afternoon
at 101 
Notkeliauls
REGISTRAR GENERAL

No. A 29531 OVEAT dated 28 November 1917
by the Registrar General. Produced and entered
28 November 1917 at 10 o'clock in the afternoon
at 101 
Notkeliauls
REGISTRAR GENERAL

The within Oveat No. A 29531 is hereby withdrawn
Dated 30 August 1940
W. W. Ellis
REGISTRAR GENERAL

No. C 29532 TRANSFER dated 28 August 1940
from the said William Henry of Sydney, Traveller.
Charles Baker
Produced 28 August 1940 and entered 28 August 1940
at 10 o'clock in the afternoon
at 101 
W. W. Ellis
REGISTRAR GENERAL

No. C 29533 MORTGAGE dated 28 August 1940
from the said William Henry of Sydney, Traveller.
Charles Baker
Produced 28 August 1940 and entered 28 August 1940
at 10 o'clock in the afternoon
at 101 
W. W. Ellis
REGISTRAR GENERAL

No. D 29534 DISCHARGE of within Mortgage
No. C 29533 dated 28 August 1940
Produced and entered 28 August 1940 at 10 o'clock in the afternoon
at 101 
J. H. Ellis
REGISTRAR GENERAL

No. D 29535 DISCHARGE of within Mortgage
No. D 29534 dated 28 August 1940
Produced and entered 28 August 1940 at 10 o'clock in the afternoon
at 101 
J. H. Ellis
REGISTRAR GENERAL

Ref: /Src:U



Req:R513295 /Doc:CT 01373-026 CT /Rev:01-Aug-2012 /Sts:OK.OK /Prt:12-Oct-2017 12:27 /Seq:2 of 2
Ref: /Src:U

RECORDED and ENROLLED in the Registrar General's Office, at Sydney, in New South
Wales, this 18th day of September 1901

B. H. H. H.
Deputy Registrar General.

NO 33455 TRANSFER MADE 27 December 1901
FROM THE SHIP NAMED *William Parmenter*
TO *Barrett Cross Buxton & Co*
CROSS MASTER OF SHIP

(REGISTERED & ENROLLED) 20 December 1901
AT 10 BUXTON IN THE *port* HIGH

THIS DOCK IS CONTAINED AND CONTIGUOUS TO TEN ACRE
Vol. 6243... 11

(Revenue) *W. H. H. H.*
Deputy Registrar General.

Order for
Bal 10/1/16

9.2 Appendix 2 – Section 149 Certificate

See over page.

PLANNING CERTIFICATE UNDER SECTION 149(2) & (5) ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979

APPLICANT: Strategic Environmental & Engineering Consulting
(SEEC) Pty Ltd
reception@seec.com.au

Planning Certificate No.: 20171603
Receipt No.: 938108
Issue Date: 28 September 2017
Applicant's Reference: 17000198
Property No.: 13248

DESCRIPTION OF PROPERTY

Address: 600 West Parade BUXTON 2571
Land Description: Lot: 1 DP: 940895

Notes:

The following prescribed matters may apply to the land to which this certificate relates.

Where this certificate refers to a specific allotment (or allotments) within a strata plan, the certificate is issued for the whole of the land within the strata plan, not just the specific allotment(s) referred to, and any information contained in the certificate may relate to the whole, or any part, of the strata plan.

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

Information provided in this certificate should be interpreted in conjunction with the relevant plans, policies and documents held at Council. In order to obtain copies of these documents you may purchase them from Council's Administration Centre at 62-64 Menangle Street, Picton or view free of charge on Council's Website www.wollondilly.nsw.gov.au.

1. NAMES OF RELEVANT PLANNING INSTRUMENTS AND DCPS

- (1) The name of each environmental planning instrument that applies to the carrying out of development on the land.
- (2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).
- (3) The name of each development control plan that applies to the carrying out of development on the land.
- (4) In this clause, proposed environmental planning instrument includes a planning proposal for a LEP or a draft environmental planning instrument.

ENVIRONMENTAL PLANNING INSTRUMENTS

Wollondilly Local Environmental Plan 2011.

Sydney Regional Environmental Plan No 9 Extractive Industries (No 2 - 1995)

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

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

State Environmental Planning Policy No 21 - Caravan Parks

State Environmental Planning Policy No 30 - Intensive Agriculture

State Environmental Planning Policy No 33 - Hazardous and Offensive Development

State Environmental Planning Policy No 44 - Koala Habitat Protection
(Note: Excludes land dedicated or reserved as National Park)

State Environmental Planning Policy No 50 - Canal Estate Development

State Environmental Planning Policy No 55 - Remediation of Land

State Environmental Planning Policy No 64 - Advertising and Signage

State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development

State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007

State Environmental Planning Policy (Infrastructure) 2007

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

State Environmental Planning Policy No 62 - Sustainable Aquaculture

State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011

State Environmental Planning Policy (State and Regional Development) 2011

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

State Environmental Planning Policy (State Significant Precincts) 2005

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

PROPOSED ENVIRONMENTAL PLANNING INSTRUMENTS

Planning Proposal - Draft Wollondilly Local Environmental Plan 2011 (Boundary Adjustment and Minimum Lot Size for Community Title Land)

Planning Proposal - Draft Wollondilly Local Environmental Plan 2011 (Dual Occupancies in Rural Zones and Disposal and Management of Sewerage)

Draft State Environmental Planning Policy (Competition) 2010

DEVELOPMENT CONTROL PLANS

Wollondilly Development Control Plan 2016

2. ZONING AND LAND USE UNDER RELEVANT LEPS

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

WOLLONDILLY LOCAL ENVIRONMENTAL PLAN 2011

- (a) the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No 2 (a)"),

Zone RU1 Primary Production

- (b) the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent:

Extensive agriculture; Home occupations and development listed in Schedule 2 of Wollondilly Local Environmental Plan 2011 provided it meets the criteria in that schedule

- (c) the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,

Agriculture; Air transport facilities; Animal boarding or training establishments; Bed and breakfast accommodation; Cellar door premises; Cemeteries; Community facilities; Crematoria; Depots; Dwelling houses; Environmental facilities; Environmental protection works; Extractive industries; Farm buildings; Farm stay accommodation; Flood mitigation works; Forestry; Funeral homes; Group homes; Home-based child care; Home businesses; Home industries; Home occupations (sex services); Information and education facilities; Intensive livestock agriculture; Intensive plant agriculture; Landscaping material supplies; Open cut mining; Places of public worship; Plant nurseries; Recreation areas; Research stations; Roads; Roadside stalls; Rural industries; Rural supplies; Rural workers dwellings; Secondary dwellings; Signage; Transport depots; Truck depots; Veterinary hospitals; Water recreation structures; Water supply systems

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

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

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

A dwelling house cannot be erected on any lot created under clause 4.2 of Wollondilly Local Environmental Plan 2011. That is, a dwelling house cannot be erected on lots less than the minimum allotment size for subdivision which have only been created for the purpose of primary production.

Reference must be made to clause 4.2 of Wollondilly Local Environmental Plan 2011 and the Lot Size Map for further information.

Wollondilly Local Environmental Plan 2011 Clause 4.2A and the Minimum Lot Size Map sets the minimum land dimensions for the erection of a dwelling house on this land as follows:

Development consent for the purposes of the erection of a dwelling house may only be granted if no dwelling house has been erected on the land (unless the application is to replace the existing dwelling-house) and;

- (a) the lot is at least the minimum lot size specified for that land by the Lot Size Map being 40 hectares; or
- (b) the lot was created before this Plan commenced and on which a dwelling house was permissible immediately before that commencement; or
- (c) the lot resulted from a subdivision for which development consent (or equivalent) was granted before this Plan commenced and on which the erection of a dwelling house would have been permissible if the plan of subdivision has been registered before that commencement.

Reference must be made to Clause 4.2A of Wollondilly Local Environmental Plan 2011 and the Lot Size Map for further information.

(f) whether the land includes or comprises critical habitat,

None known

(g) whether the land is in a conservation area (however described),

The land is not located within a Heritage Conservation Area as provided by clause 5.10 and Schedule 5 of Wollondilly Local Environmental Plan 2011.

(h) whether an item of environmental heritage (however described) is situated on the land.

The land does not contain an item of environmental heritage as provided by clause 5.10 and Schedule 5 of Wollondilly Local Environmental Plan 2011.

Planning Proposal - Draft Wollondilly Local Environmental Plan 2011 (Dual Occupancies in Rural Zones and Disposal and Management of Sewerage)

(a) the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No 2 (a)"),

Planning Proposal - Draft Wollondilly Local Environmental Plan 2011 (Dual Occupancies in Rural Zones and Disposal and Management of Sewerage) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

(b) the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent:

Planning Proposal - Draft Wollondilly Local Environmental Plan 2011 (Dual Occupancies in Rural Zones and Disposal and Management of Sewerage) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

(c) the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,

Planning Proposal - Draft Wollondilly Local Environmental Plan 2011 (Dual Occupancies in Rural Zones and Disposal and Management of Sewerage) proposes to include Dual Occupancies (attached) as permissible with consent in rural zones.

(d) the purposes for which the instrument provides that development is prohibited within the zone,

Planning Proposal - Draft Wollondilly Local Environmental Plan 2011 (Dual Occupancies in Rural Zones and Disposal and Management of Sewerage) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

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

Planning Proposal - Draft Wollondilly Local Environmental Plan 2011 (Dual Occupancies in Rural Zones and Disposal and Management of Sewerage) 2011 does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

- (f) whether the land includes or comprises critical habitat,

None known

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

Planning Proposal - Draft Wollondilly Local Environmental Plan 2011 (Dual Occupancies in Rural Zones and Disposal and Management of Sewerage) does not propose any changes to the existing Heritage Conservation Areas under Wollondilly Local Environmental Plan 2011.

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

Planning Proposal - Draft Wollondilly Local Environmental Plan 2011 (Dual Occupancies in Rural Zones and Disposal and Management of Sewerage) does not propose any changes to any items of environmental heritage (however described) under Wollondilly Local Environmental Plan 2011.

Planning Proposal - Draft Wollondilly Local Environmental Plan 2011 (Boundary Adjustment and Minimum Lot Size for Community Title Land)

- (a) the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No 2 (a)"),

Planning Proposal - Draft Wollondilly Local Environmental Plan 2011 (Boundary Adjustment and Minimum Lot Size for Community Title Land) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

- (b) the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent:

Planning Proposal - Draft Wollondilly Local Environmental Plan 2011 (Boundary Adjustment and Minimum Lot Size for Community Title Land) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

- (c) the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,

Planning Proposal - Draft Wollondilly Local Environmental Plan 2011 (Boundary Adjustment and Minimum Lot Size for Community Title Land) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

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

Planning Proposal - Draft Wollondilly Local Environmental Plan 2011 (Boundary Adjustment and Minimum Lot Size for Community Title Land) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

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

Planning Proposal - Draft Wollondilly Local Environmental Plan 2011 (Boundary Adjustment and Minimum Lot Size for Community Title Land) does not propose any changes to the existing zone under Wollondilly Local Environmental Plan 2011.

- (f) whether the land includes or comprises critical habitat,

None known

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

Planning Proposal - Draft Wollondilly Local Environmental Plan 2011 (Boundary Adjustment and Minimum Lot Size for Community Title Land) does not propose any changes to the existing Heritage Conservation Areas under Wollondilly Local Environmental Plan 2011.

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

Planning Proposal - Draft Wollondilly Local Environmental Plan (Boundary Adjustment and Minimum Lot Size for Community Title Land) does not propose any changes to any items of environmental heritage (however described) under Wollondilly Local Environmental Plan 2011.

2A. ZONING AND LAND USE UNDER STATE ENVIRONMENTAL PLANNING POLICY (SYDNEY REGION GROWTH CENTRES) 2006

Whether the land is within any zone (however described) under:

- (a) Part 3 of the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the 2006 SEPP), or
- (b) a Precinct Plan (within the meaning of the 2006 SEPP), or
- (c) a proposed Precinct Plan that is or has been the subject of community consultation or on public exhibition under the Act, the particulars referred to in clause 2 (a)–(h) in relation to that land (with a reference to “the instrument” in any of those paragraphs being read as a reference to Part 3 of the 2006 SEPP, or the Precinct Plan or proposed Precinct Plan, as the case requires).

The land is not within a Growth Centre.

3. COMPLYING DEVELOPMENT

- (1) Whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.
- (2) If complying development may not be carried out on that land because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of that Policy, the reasons why it may not be carried out under that clause.
- (3) If the council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land, a statement that a restriction applies to the land, but it may not apply to all of the land, and that council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.

THE HOUSING CODE

Complying development under the Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 MAY NOT be carried out on any of the land. The land is identified in an environmental planning instrument as unsewered land wholly within a Drinking Water Catchment.

Complying development under the Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 MAY NOT be carried out on any of the land. The land is wholly declared to be a special area under the Water NSW Act 2014.

THE RURAL HOUSING CODE

Complying development under the Rural Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 MAY NOT be carried out on any of the land. The land is wholly identified in an environmental planning instrument as unsewered land within a Drinking Water Catchment.

Complying development under the Rural Housing Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 MAY NOT be carried out on any of the land. The land is wholly declared to be a special area under the Water NSW Act 2014.

THE HOUSING ALTERATIONS CODE

Complying development under the Housing Alterations Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 MAY NOT be carried out on any of the land. The land is identified in an environmental planning instrument as unsewered land wholly within a Drinking Water Catchment.

THE GENERAL DEVELOPMENT CODE

Complying development MAY be carried out on the land under the General Development Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE COMMERCIAL AND INDUSTRIAL ALTERATIONS CODE

Complying development MAY be carried out on the land under the Commercial and Industrial Alterations Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE COMMERCIAL AND INDUSTRIAL (NEW BUILDINGS AND ADDITIONS) CODE

Complying development under the Commercial and Industrial (New Buildings and Additions) Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 MAY NOT be carried out on any of the land. The land is identified in an environmental planning instrument as unsewered land wholly within a Drinking Water Catchment.

THE CONTAINER RECYCLING FACILITIES CODE

Complying development MAY be carried out on the land under the Container Recycling Facilities Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE SUBDIVISIONS CODE

Complying development MAY be carried out on the land under the Subdivisions Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE DEMOLITION CODE

Complying development MAY be carried out on the land under the Demolition Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

THE FIRE SAFETY CODE

Complying development MAY be carried out on the land under the Fire Safety Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

4. COASTAL PROTECTION

Whether or not the land is affected by the operation of section 38 or 39 of the *Coastal Protection Act* 1979, but only to the extent that the council has been notified by the Department of Services, Technology and Administration.

No

4A. CERTAIN INFORMATION RELATING TO BEACHES AND COASTS

This clause is not applicable to the Wollondilly Local Government Area.

4B. ANNUAL CHARGES UNDER LOCAL GOVERNMENT ACT 1993 FOR COASTAL PROTECTION SERVICES THAT RELATE TO EXISTING COASTAL PROTECTION WORKS

This clause is not applicable to the Wollondilly Local Government Area.

5. MINE SUBSIDENCE

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

The land is not in a Mine Subsidence District.

6. ROAD WIDENING AND ROAD REALIGNMENT

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

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

No

7. COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS

Whether or not the land is affected by a policy:

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

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

No

7A. FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION

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

No

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

No

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

8. LAND RESERVED FOR ACQUISITION

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

Wollondilly Local Environmental Plan 2011 does not provide for the acquisition of the subject land by a public authority as referred to in section 27 of the Act.

Planning Proposal - Draft Wollondilly Local Environmental Plan 2011 does not provide for the acquisition of the subject land by a public authority as referred to in section 27 of the Act.

9. CONTRIBUTIONS PLANS

The name of each contributions plan applying to the land.

Wollondilly Development Contribution Plan 2011 applies to the land.

9A. BIODIVERSITY CERTIFIED LAND

If the land is biodiversity certified land under Part 8 of the *Biodiversity Conservation Act 2016*, a statement to that effect.

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

The land is not biodiversity certified land (under Part 7AA of the *Threatened Species Conservation Act 1995* that is taken to be certified under Part 8 of the *Biodiversity Conservation Act 2016*).

10. BIODIVERSITY STEWARDSHIP SITES

If the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the *Biodiversity Conservation Act 2016*, a statement to that effect (but only if the council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage).

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

Council has not been notified of the existence of any biodiversity stewardship agreements or biobanking agreements by the Chief Executive of the Office of Environment and Heritage under the *Threatened Species Conservation Act 1995* for this land.

10A. NATIVE VEGETATION CLEARING SET ASIDES

If the land contains a set aside area under section 60ZC of the *Local Land Services Act 2013*, a statement to that effect (but only if the council has been notified of the existence of the set aside area by Local Land Services or it is registered in the public register under that section).

Council has not been notified of the existence of any set aside areas by Local Land Services. Council has not been notified of the existence of a set aside area under section 60ZC of the *Local Land Services Act 2013* by the Local Land Services. The land is not registered in the public register as a set aside area under section 60ZC of the *Local Land Services Act 2013*.

11. BUSH FIRE PRONE LAND

If any of the land is bush fire prone land (as defined in the Act), a statement that all or as the case may be, some of the land is bush fire prone land.

If none of the land is bush fire prone land, a statement to that effect.

The land is partially bush fire prone land as shown in Council's records. Further details of any applicable restrictions on development of the land may be obtained on application to Council.

12. PROPERTY VEGETATION PLANS

Whether or not the land is land to which a property vegetation plan "approved under Part 4 of the *Native Vegetation Act 2003* (and that continues in force)" applies, a statement to that effect (but only if the council has been notified of the existence of the plan by the person or body that approved the plan under the Act).

Council has not been notified of any such plan that affects this land.

13. ORDER UNDER TREES (DISPUTES BETWEEN NEIGHBOURS) ACT 2006

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

No

14. DIRECTIONS UNDER PART 3A

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

No

15. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR SENIORS HOUSING

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

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

There is not a current site compatibility certificate (seniors housing) as described that applies to this land.

- (b) a statement setting out any terms of a kind referred to in clause 18 (2) of that Policy that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

There are currently no conditions of consent relating to a development application for seniors housing that apply to the land.

16. SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE

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

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

There is not a valid site compatibility certificate (infrastructure) as described that applies to this land.

17. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING

- (1) A statement of whether there is a current site compatibility certificate (affordable rental housing), of which the Council is aware, in respect of proposed development on the land and, if there is a certificate, that statement is to include:
- (a) the period for which the certificate is current, and
 - (b) that a copy may be obtained from the head office of the Department of Planning

There is not a current site compatibility certificate (affordable rental housing) as described that applies to this land.

- (2) A statement setting out any terms of a kind referred to in clause 17 (1) or 37 (1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land.

There are currently no conditions of consent relating to a development application for affordable rental housing that apply to the land.

18. PAPER SUBDIVISION INFORMATION

- (1) The name of any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot.
- None
- (2) The date of any subdivision order that applies to the land.
- None
- (3) Words and expressions used in this clause have the same meaning as they have in Part 16C of this Regulation.
-

19. SITE VERIFICATION CERTIFICATES

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

- (a) the matter certified by the certificate, and

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

- (b) the date on which the certificate ceases to be current (if any), and
- (c) that a copy may be obtained from the head office of the Department of Planning and Infrastructure

There is no current Site Verification Certificate as described that applies to this land.

20. LOOSE-FILL ASBESTOS INSULATION

If the land includes any residential premises (within the meaning of Division 1A of Part 8 of the *Home Building Act 1989*) that are listed on the register that is required to be maintained under that Division, a statement to that effect.

Council has not been notified by NSW Fair Trading of any residential premises on this land being identified in the Loose-Fill Asbestos Insulation Register.

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

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

No.

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

No.

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

No.

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

No.

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

No.

THE FOLLOWING ADDITIONAL INFORMATION IS PROVIDED UNDER:

SECTION 149(5) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

For the purposes of Section 149(5), the following information is provided in relation to the subject property:

1. The subject land is not affected by a Foreshore Building Line.
2. Any enquiries relating to whether or not the land has frontage to a classified road or a controlled access road should be referred directly to Roads and Maritime Services (RMS) on 02 4221 2495.
3. **SECOND SYDNEY AIRPORT PROPOSAL – BADGERYS CREEK**

In April 2014 the Australian Government announced Badgerys Creek as the site of a second major airport for Sydney. The draft Airport Plan and the draft Environmental Impact Statement (EIS) for the proposed Western Sydney Airport were released for consultation in October 2015. Construction works are expected to start in 2016 with operations commencing by the mid-2020s. Information on the proposal can now be obtained from the Federal Department of Infrastructure and Regional Development or at www.westernsydneyairport.gov.au
4. Other Matters (if applicable)

In respect of matters beyond the control and/or responsibility of Council, information provided is provided only to the extent that Council has been so notified by the relevant Authorities or Departments, which have responsibility for the administration of the particular status referred to.



L Johnson
GENERAL MANAGER

Any request for further information in connection with the above should be directed to Council's Duty Planner, Monday to Friday between the hours of 8am and 12pm, by telephoning (02) 4677 1100.

NOTICE TO PURCHASERS OF RURAL LAND

Wollondilly Shire Council supports the rights of persons in rural areas of the Shire to undertake and pursue agricultural production activities that are consistent with land capability and use reasonable and practical measures to avoid environmental harm and minimise impact to adjoining land users. Intending purchasers are advised that agricultural production **can** include the following activities that may have implications for occupiers and prospective purchasers of rural land:

Use of agricultural machinery (tractors, chainsaws, motorbikes)

Use of bird-scare devices

Intensive livestock production (cattle feedlots, poultry farms, piggeries, restricted dairies)

Operation of rural industries (packing sheds, abattoirs, stock and sale yards, sawmills)

Vegetation clearing

Grazing of livestock

Crop and fodder production

Soil cultivation

Crop harvesting

Use of firearms

Bushfire hazard reduction burning

Construction of firebreaks

Earthworks (construction of dams, drains, contour banks, access roads and tracks)

Fencing

Pumping and irrigation

Use of pesticides and herbicides

Spreading of manure, compost and treated effluent

Fertiliser usage

Slashing and mowing of grass

Production of silage

Re-vegetation activities (planting trees and shrubs)

Agroforestry

Livestock droving on roads

This is not an exhaustive list and intending purchasers of rural land should assess surrounding agricultural land uses and the impact these activities may have when being pursued in close proximity their proposed purchase. If you think these types of activities will affect your ability to live in a rural locality then intending purchasers are advised to reconsider their purchase and seek independent advice.

This notice is not intended to affect the rights of individuals to take action under the common law or legislation and is provided for information purposes only.