

# Appendix D

Section 149 certificates







**Liverpool city council**  
creating our future together

PLANNING CERTIFICATE UNDER SECTION 149  
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Ref.: EMAIL  
Ppty: 171956

Cert. No.: 5438  
Page No.: 1

Applicant:  
PARSONS BRINCKERHOFF  
LEVEL 27, 680 GEORGE STREET  
SYDNEY NSW 2001

Receipt No.: 2718923  
Receipt Amt.: 133.00  
Date: 08-Apr-2014

Property Desc: LOT 4 CASULA ROAD, CASULA NSW 2170  
LOT 4 DP 1130937

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

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

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



(1) Names of relevant planning instruments and DCPs

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

**Local Environmental Plans (LEPs)**

Liverpool Local Environmental Plan 2008

**State Environmental Planning Policies (SEPPs)**

State Environmental Planning Policy No. 1 – Development Standards  
State Environmental Planning Policy No. 19 – Bushland in Urban Areas  
State Environmental Planning Policy No. 21 – Caravan Parks  
State Environmental Planning Policy No. 30 – Intensive Agriculture  
State Environmental Planning Policy No. 33 – Hazardous and Offensive Development  
State Environmental Planning Policy No. 44 – Koala Habitat  
State Environmental Planning Policy No. 50 – Canal Estate Development  
State Environmental Planning Policy No. 55 – Remediation of Land  
State Environmental Planning Policy – (Exempt and Complying Development Codes) 2008  
State Environmental Planning Policy No. 62 – Sustainable Aquaculture  
State Environmental Planning Policy No. 64 – Advertising and Signage  
State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development  
State Environmental Planning Policy – (Building Sustainability Index: BASIX) 2004  
State Environmental Planning Policy – (Infrastructure) 2007  
State Environmental Planning Policy – (Mining, Petroleum Production and Extractive Industries) 2007  
State Environmental Planning Policy – (Miscellaneous Consent Provisions) 2007  
State Environmental Planning Policy – Affordable Rental Housing (Revised Scheme) 2009  
State Environmental Planning Policy (State and Regional Development) 2011

**Deemed State Environmental Planning Policies (Deemed SEPPs)**



**Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment**

This plan aims to preserve and protect and to encourage the restoration or rehabilitation of regionally significant sensitive natural environments, to preserve, enhance and protect the freshwater and estuarine ecosystems within the Catchment and to ensure that development achieves the environmental objectives for the Catchment.

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

**Draft Local Environmental Plans (LEPs)**

Not Applicable

**Draft State Environmental Planning Policies (SEPPs)**

Draft State Environmental Planning Policy (Competition) 2010

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

Liverpool Development Control Plan 2008 (as amended).

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

**2. ZONING AND LAND USE UNDER RELEVANT LOCAL ENVIRONMENTAL PLANS**

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



Liverpool Local Environmental Plan 2008

(a) The Identity of the zone

SP2 Infrastructure - Defence

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

Nil

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

The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose; Environmental protection works; Roads

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

Any other 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,

The land's dimensions (when considered in isolation) are not such as to prohibit the erection of a dwelling house on the land. However, Liverpool Local Environmental Plan 2008 prohibits the erection of a dwelling house within the zone that applies to the land

(f) whether the land includes or comprises critical habitat

The land does not include or comprise critical habitat.

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



Land is not located in a Conservation Area.

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

No item of Environmental Heritage is situated on the land.

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

Not Applicable

3. **COMPLYING DEVELOPMENT**

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

Complying development under the Housing Internal Alterations Code may not be carried out on the land.

Complying Development under the General Commercial and Industrial Code may not be carried out on this land.

Complying Development under the Rural Housing Code may not be carried out on this land.

Complying Development under the Commercial and Industrial (New Buildings and Additions) Code may not be carried out on this land.

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

Complying development under the General Housing Code may not be carried out on the land.



Complying development under the Housing Internal Alterations Code may not be carried out on the land.

Complying Development under the General Commercial and Industrial Code may not be carried out on this land.

Complying Development under the Rural Housing Code may not be carried out on this land.

- (2) The extent to which complying development may not be carried out on that land because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4) and 1.19 of that Policy and the reasons why it may not be carried out under those clauses.

Not applicable

Complying development may not be carried out on the land because of the following provisions;

Not Applicable

Complying development may not be carried out on part of the land because of the following provisions;

Part of the land is excluded being land that is identified in a foreshore area.

Part of the land is excluded being land that is identified in an environmental planning instrument as being within an area that is environmentally sensitive.

- (3) If the council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land, a statement that a restriction applies to the land, but it may not apply to all of the land, and that council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.

Not applicable





**4. Coastal Protection Act 1979**

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

**4A Certain information relating to beaches and coasts**

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

Not Applicable

(2) In relation to a coastal council:

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

Not Applicable

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

In relation to a coastal council—whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

Not Applicable

**5. Mine Subsidence**

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

The land is not a mine subsidence district.

**6. Road Widening and Road Realignment**

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



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

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

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

The policies applying to the land from Council and other Public Authorities regarding hazard risk restrictions is/are outlined below: -

- (a) Council Policy – Other Risks  
**Land Slip**

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

**Bushfire**

The land is affected by the *Rural Fires Act 1997* that restricts the development of the land because of the likelihood of bushfire.

**Tidal Inundation**

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

**Subsidence**

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

**Acid Sulphate Soil**



The land is affected by Liverpool Local Environmental Plan 2008 that restricts the development of the land because of the likelihood of acid sulphate soils class 5.

#### Other Risks

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

(b) Public Authority Policies

The land is not affected by a policy 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 the planning certificates issued by the Council, that restricts the development of the land because of the likelihood of land slip, bushfire, flooding, tidal inundation, subsidence, acid sulphate soils or any other risk.

#### 7A. Flood Related Development Controls Information

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

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

Part of the land is affected by flood inundation and therefore flood related development controls apply to the land.

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

Part of the land is affected by flood inundation and therefore flood related



development controls apply to development or any other purpose.

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

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

**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.

Nil

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

**9. Contribution Plans**

The name of each contribution plan applying to the land is/are outlined below: -  
**Liverpool Contributions Plan 2009**

**9A Biodiversity certified land**

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

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

**10. Bio banking agreements**

If the land is land to which a bio banking agreement under Part 7A of the Threatened Species Conservation Act 1995 relates, a statement to that effect (but only if the council has been notified



of the existence of the agreement by the Director-General of the Department of Environment, Climate Change and Water).

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

**11. Bushfire Prone Land**

All of the land is bush fire prone land as defined in the Environmental Planning and Assessment Act 1979.

**12. Property Vegetation Plans**

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

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

**13. Orders under Trees (Disputes Between Neighbours) Act 2006**

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

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

**14. Directions under Part 3A**

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

No such direction applies to the land.

**15. Site Compatibility Certificates and Conditions for Seniors Housing**

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



a 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

Council is not aware of a current site compatibility certificate (seniors housing) on the land a statement setting out any terms of a kind referred to in clause 18 (2) of that Policy that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

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

**16. Site Compatibility Certificates for Infrastructure**

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

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

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

**17. Site compatibility certificates and conditions for affordable rental housing**

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

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

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

(2) A statement setting out any terms of a kind referred to in clause 17 (1) or 38 (1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 that have been imposed as a condition of consent to a development application in respect of the land.

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



**18. Paper subdivision information**

- (1) The name of any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot.

No such plan applies to the land.

- (2) The date of any subdivision order that applies to the land.

No subdivision order applies to the land

- (3) Words and expressions used in this clause have the same meaning as they have in Part 16C of this Regulation.

**19. Site verification certificates**

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

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

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

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

- (b) the date on which the certificate ceases to be current (if any), and

Not Applicable

- (c) that a copy may be obtained from the head office of the Department of Planning and Infrastructure.

Not Applicable

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

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



Not Applicable

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

Not Applicable

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

Not Applicable

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

Not Applicable

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

Not Applicable

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

No such exemption or authorisation applies to the land.

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

1. **Threatened Species Conservation Act**

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





1995 are likely to apply to their land.

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

This notation should be read in conjunction with Liverpool Local Environmental Plan 2008, and the Threatened Species Act, 1995.

Enquiries should be directed to Council's Department of Environment and Community.

2. **Tree Preservation Provision**

The land is subject to a tree preservation provision under the Liverpool Local Environmental Plan 2008.

3. **Controlled Access Road**

**The land does not have** a boundary to a controlled access road under the provisions of the Liverpool Local Environmental Plan 2008.

4. **Other Information in Relation to Water**

The property is identified as flood prone and is within the high risk flood category. High Flood Risk Category means land below the 1% Annual Exceedence Probability flood that is either subject to high hydraulic hazard or where there are significant evacuation difficulties (see Liverpool Growth Centres Precincts Development Control Plan 2008 for controls relating to flood prone land). For further information on flood risk contact Council on 9821 9222.

5. **Sydney Water Corporation**

Nil

6. **Foreshore Building Line**

A building line has been set by Council and this excludes development on flood prone land between the building line adopted by Council and the street alignment.

7. **Contaminated Land**

Nil

8. **Airport Noise Affectation**

Badgerys Creek Airport

Nil



9. **Airport Acquisition**

Nil

10. **Environmentally Significant Land**

**Environmentally Significant Land**

The subject property is identified as containing environmentally significant land under Division 2 General provisions of the Liverpool Local Environmental Plan 2008.

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

- (a) to maintain bushland, wetlands and wildlife corridors of high conservation value,
- (b) to identify areas of significance for revegetation to connect to or buffer bushland, wetlands and wildlife corridors,
- (c) to protect rare and threatened native flora and native fauna,
- (d) to ensure consideration of the significance of vegetation, the sensitivity of the land and the impact of development on the environment prior to the giving of any development consent.

Further information in this regard is available from Council's City Strategy Department or the Liverpool Local Environmental Plan 2008.

11. **Archaeological Management Plan**

Nil

12. **Unhealthy Building Land Proclamation**

Nil

Mrs T. O'Brien  
Manager - Strategic Planning  
Liverpool City Council

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

**ANNEXURE TO SECTION 149(5)  
CERTIFICATE**



**Liverpool city council**  
creating our future together

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Issue Date: 9/04/2014

Issue No: 2026446

File No: 20014/0069

Premises at Lot 4 DP 1130937  
Casula Road Casula

Further to the advice contained in the Section 149(2) Certificate and on the basis of the latest information available to the Council:

1. the maximum calculated level of the probable maximum flood (PMF) in the vicinity of your property in metres AHD is **13.4**.
2. the maximum calculated level of the 1% annual exceedance probability flood (previously referred to as the 1 in 100 year) in the vicinity of your property in metres AHD is **11.1**.
3. the maximum calculated level of the 2% annual exceedance probability flood (previously referred to as the 1 in 50 year) in the vicinity of your property in metres AHD is **10.7**.
4. the maximum calculated level of the 5% annual exceedance probability flood (previously referred to as the 1 in 20 year) in the vicinity of your property in metres AHD is **10.0**.

The Council does not possess accurate information on the natural surface levels of individual allotments or on constructed building levels, and these should be established by private survey to ascertain their relationship to the above flood levels.

Flood levels are obtained from **Georges River Floodplain Risk Management Study & Plan - July 2004**

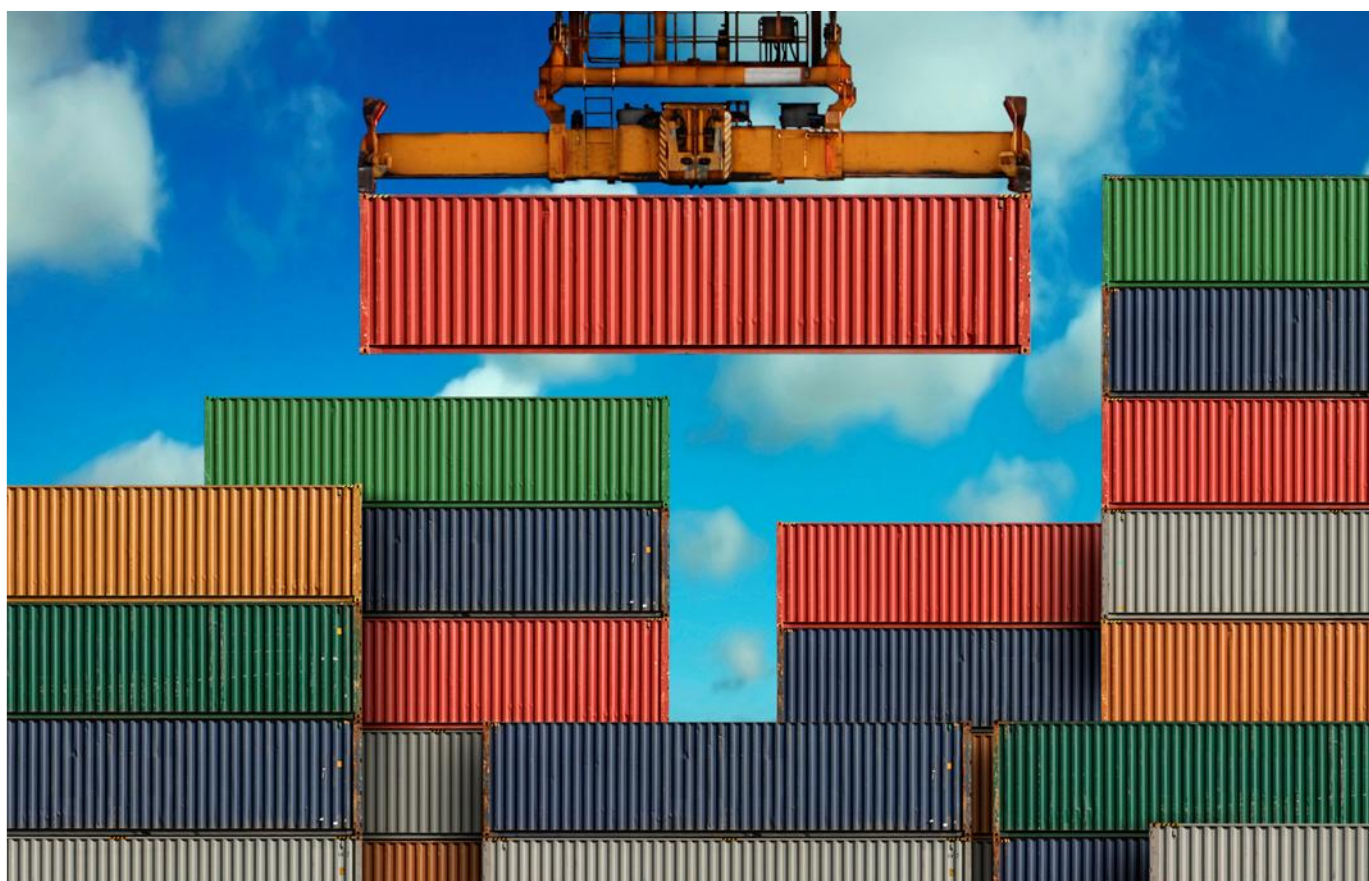
Name of Assessor: **W. Siripala**

Signature:



# Appendix E

NSW EPA Notice records





**Environment Protection Authority NSW****Ongoing maintenance order**

(Section 28 of the Contaminated Land Management Act 1997)

Notice Number 20132801; Area Number 3054

*Service: By registered mail*

ABB Australia Pty Limited  
ACN: 003 337 611  
1 Bapaume Road  
Moorebank NSW 2170

Attention: [Name Withheld]

This notice is issued under section 28 of the *Contaminated Land Management Act 1997* (CLM Act).

ABB Australia Pty Limited, "the recipient", must maintain management action in accordance with the requirements set out in this order.

**1. Land to which this notice applies ("the land")**

This notice applies to Lots 2 and 3 in Deposited Plan 32998 located at 1 Bapaume Road, Moorebank NSW.

**2. Background**

- A. ABB Australia Pty Limited is the owner of the land to which this notice applies.
- B. Investigations have identified polychlorinated biphenyls (PCB) in soil at the site. The contamination is associated with the use of PCB containing materials during the production of electrical condensers and transformers at the site in the past.
- C. PCB-contaminated soils remain at the site. The Environment Protection Authority (EPA) has been advised that a layer of capping material has been placed over in-situ contaminated soil and that recently excavated soil will be contained on the site.
- D. The EPA regulated the land to which this notice applies using notice powers under section 35 of the *Environmentally Hazardous Chemicals Act 1985*.
- E. The section 35 notices relating to the site have either been revoked by the EPA or ceased to have legal effect.

**3. Commencement of maintenance of management action**

This order takes effect from the date of this order and continues in force, unless it is varied or revoked, while the recipient is the owner or occupier of the land.

**4. Maintenance requirements**

The EPA requires the recipient to maintain the following management action in relation to the land:

- a) Maintain the integrity of the capping layer over the PCB-contaminated soil as well as any future PCB containment areas in order to prevent the escape of PCBs and any associated exposures; and
- b) Report to the EPA as soon as practicable any incident that causes or threatens to cause the escape of PCBs to the environment (e.g. the Georges River); and
- c) Implement a Site Environmental Management Plan (SEMP) for the site that outlines measures designed to:

- Ensure the long-term integrity of the capping material/containment areas, including inspections; and
  - Prevent human health and environmental risks including the escape of PCBs to the surrounding environment; and
  - Ensure that:
    - Prior to any person carrying out any work or activity that may result in the disturbance of PCB-contaminated soil, samples of the soil are collected and tested for PCBs; and
    - If PCBs are detected above 50 mg/kg, the work or activity that may result in the disturbance of PCB-contaminated soil is not to be undertaken unless prior written approval has been obtained from the EPA and the work is undertaken in accordance with all requirements of that approval. The work must be conducted in accordance with the *Polychlorinated Biphenyl (PCB) Chemical Control Order 1997*; and
  - Provide guidance to builders and contractors who may access PCB-contaminated soil and specifically addresses the following:
    - The disturbance of potentially PCB-contaminated soil which may promote the mobility of PCBs; and
    - Any controls or protective equipment required to minimise worker exposure to potentially PCB-contaminated soil; and
- d) Submit the SEMP to the EPA within **three months** from the date of this notice.

## 5. Notification of change of owner/occupier

At least 30 days prior to the recipient ceasing to be the owner or occupier of the land, as the case may be, the recipient must give written notification to the EPA of the name and contact details of the prospective owner or occupier.

[Signed]

**NIALL JOHNSTON**  
**Manager Contaminated Sites**  
**Environment Protection Authority**

Date: 13 May 2013

### NOTE:

#### Breaches of this Notice

A person who fails to comply with an order issued under section 28 of the CLM Act is guilty of an offence. Heavy penalties may be imposed where a person fails to comply with directions given in an order issued under section 28 of the CLM Act.

#### Information recorded by the EPA

Section 58 of the CLM Act requires the EPA to maintain a public record. A copy of this order will be included in the public record.

#### Information recorded by councils

Section 59 of the CLM Act requires the EPA to inform the relevant local council that this order has been served. The council is then required to note on its planning certificate issued pursuant to s.149 (2) of the *Environmental Planning and Assessment Act 1979* that the land is subject to an ongoing maintenance order. The EPA is required to notify council as soon as practicable when the order is revoked and the notation on the s.149 (2) certificate is no longer required.

#### Relationship with other regulatory instruments

This notice does not affect the provisions of any relevant environmental regulatory instruments which apply to the land or provisions of any other environmental protection legislation administered by the EPA, including licence No.86 issued under the *Environmentally Hazardous Chemicals Act 1985* and the *Polychlorinated Biphenyl (PCB) Chemical Control Order 1997*.

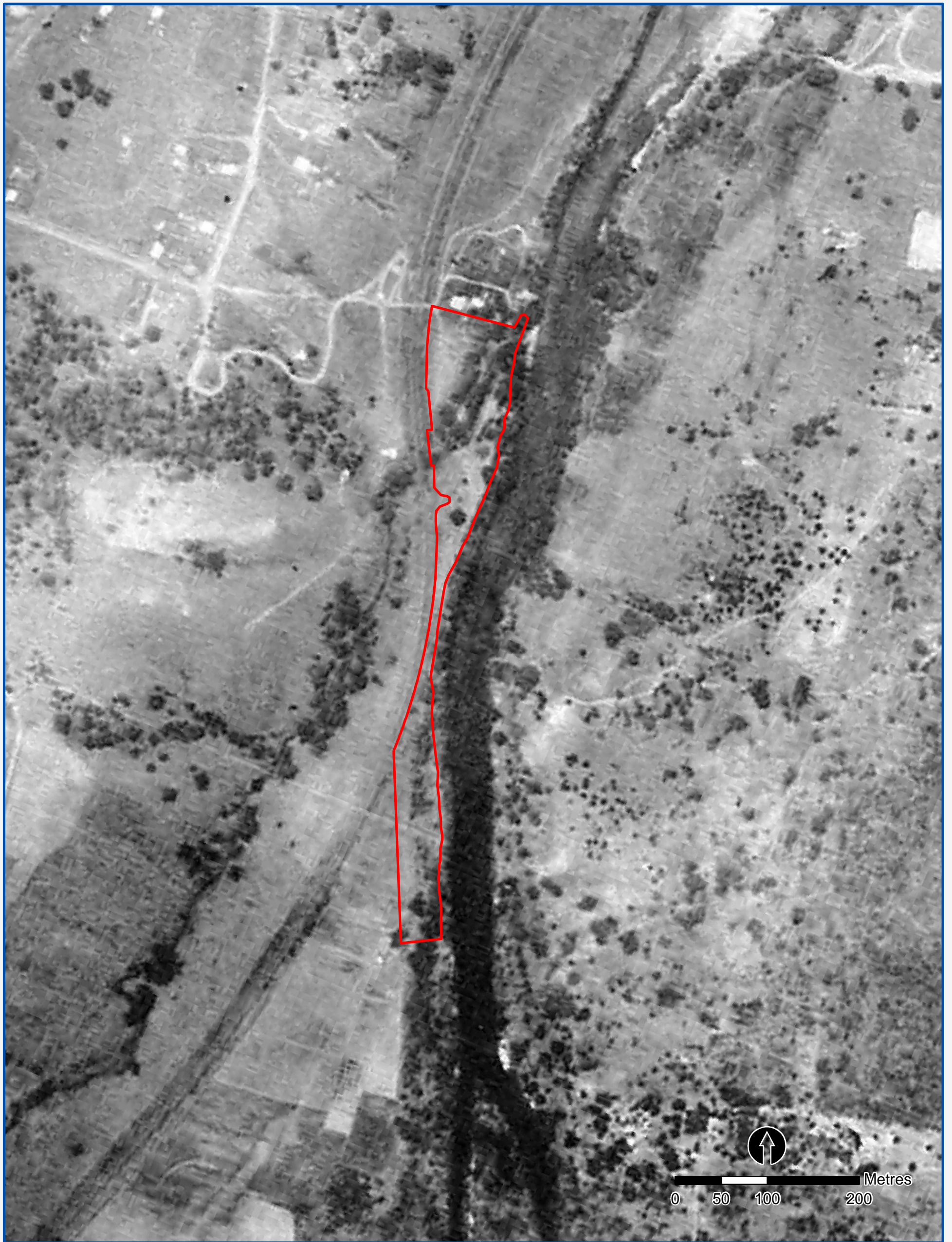



# Appendix F

Aerial photographs





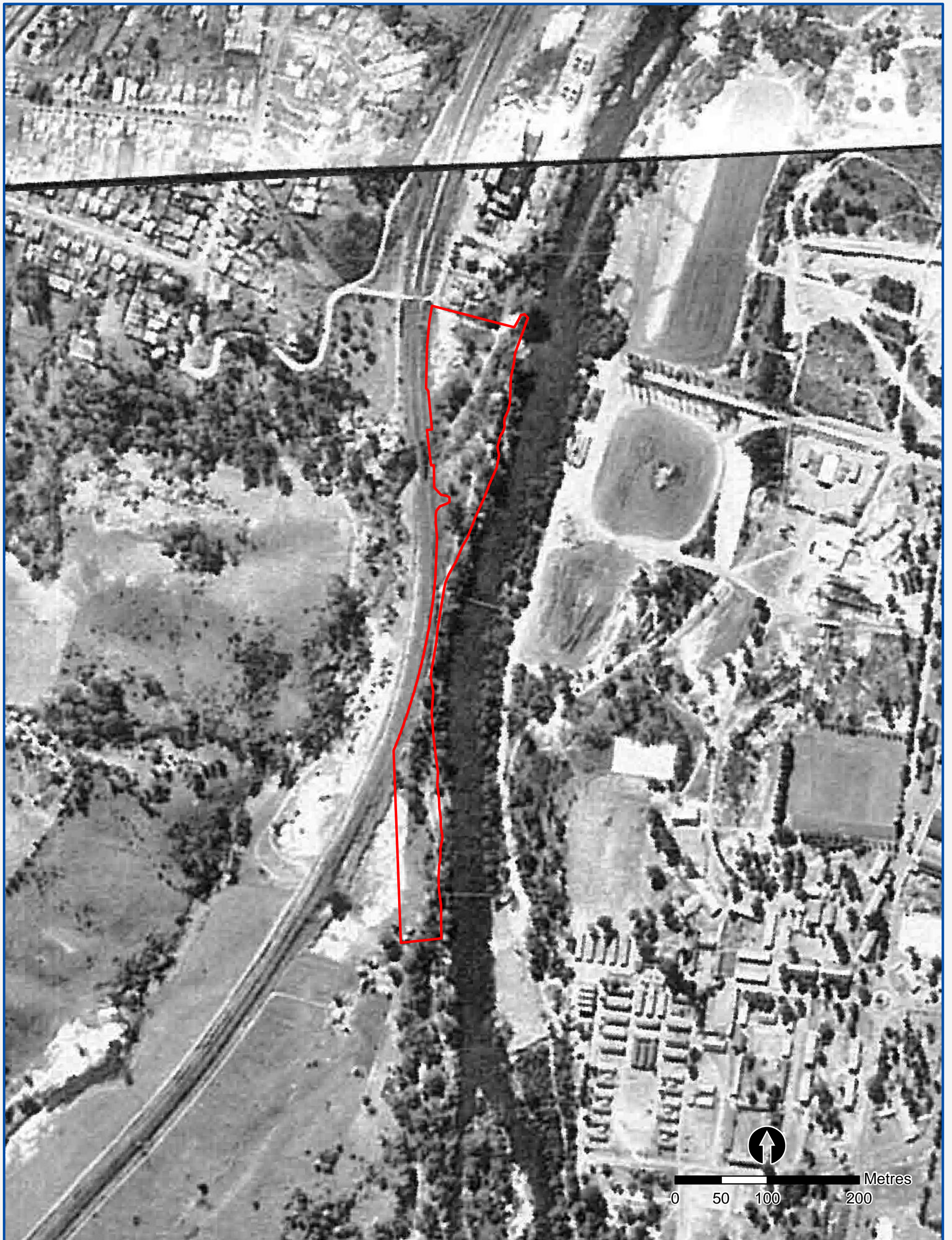



 Study area



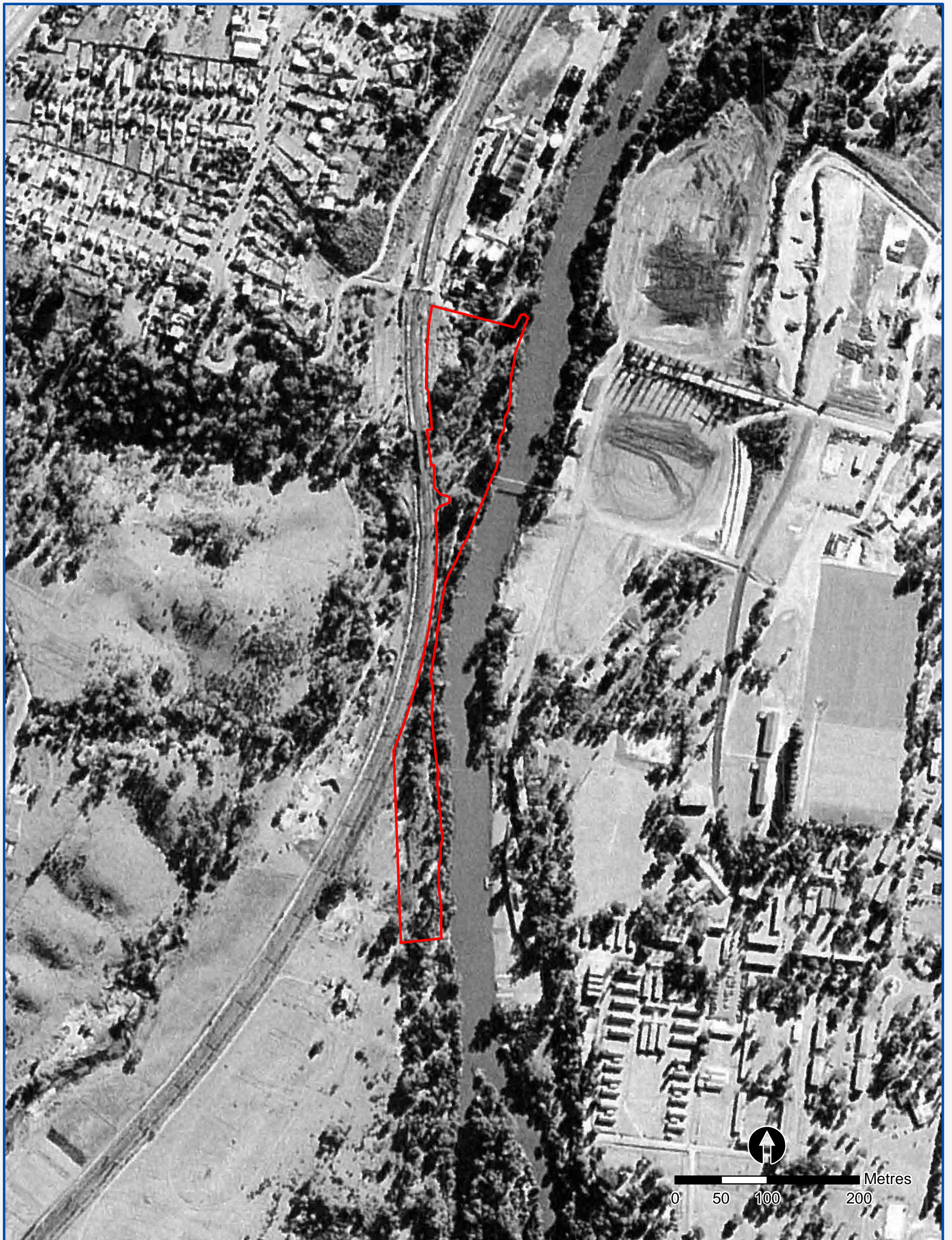
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Historical aerial (1930)



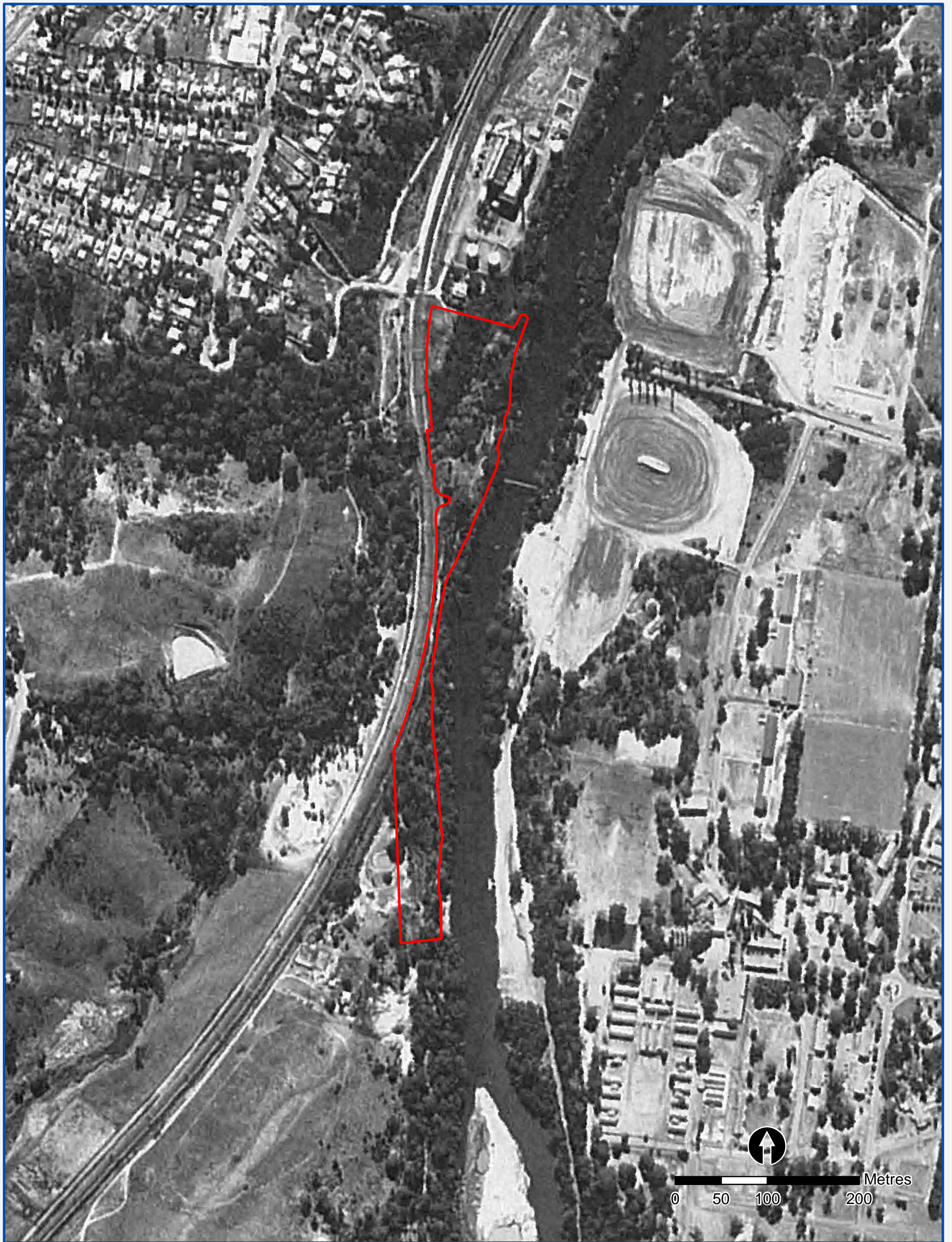
 Study area


Historical aerial (1965)



 Study area


Historical aerial (1970)



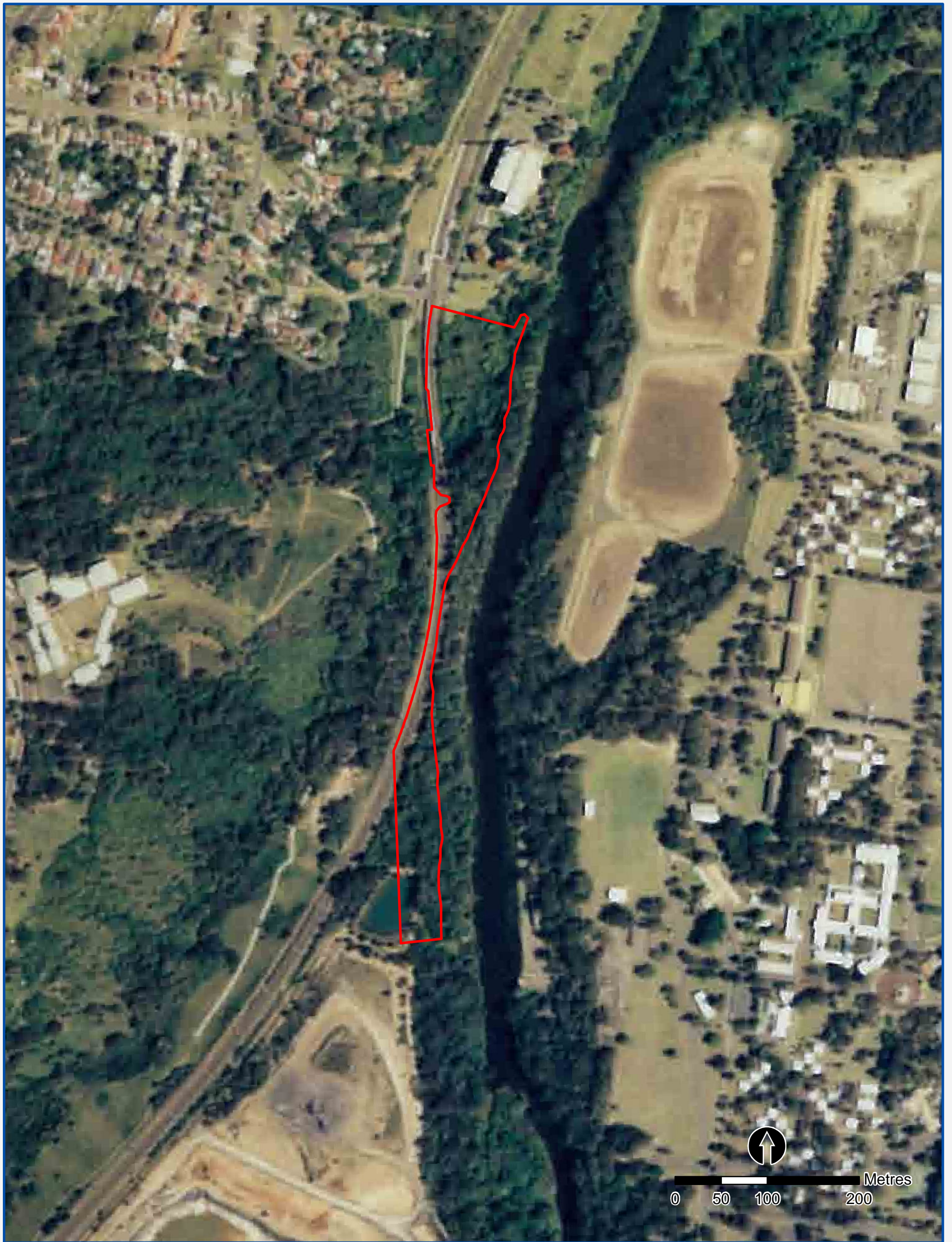
 Study area


Historical aerial (1978)



 Study area

Historical aerial (1994)



 Study area



0 50 100 200 Metres

Historical aerial (2005)