

PHASE 1 CONTAMINATION INVESTIGATION

Transport for NSW

Wentworth Falls Railway Station

November 2014

J130009

C108073 : AS



Phase 1 Contamination Investigation

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EXECUTIVE SUMMARY

GreencapNAA were engaged by Transport for NSW (TfNSW), to conduct a Phase 1 Contamination Investigation for Wentworth Falls Railway Station located on Station Street, Wentworth Falls, NSW 2782, hereafter referred to as “the site”. Please refer to **Figure 1** for site location and regional context.

GreencapNAA understands that TfNSW are undertaking development works at the train station and require that a Phase 1 Contamination Investigation is undertaken prior to commencing these works. As such this Phase 1 Contamination Investigation focuses on the part of Lot 1, DP 1057146 containing the train station, railway lines, platforms and parking areas only (2 hectares) rather than the entire lot.

The objective of these investigations is therefore to identify past and current land uses and/or activities which may be potential sources of site contamination, and to provide TfNSW with an indication of the potential contamination at the site as well as to provide any recommendations for further work if required.

Based upon the results of the site inspection and the desktop study GreencapNAA concludes the following:

- The site has been in use as part of the railway network for over a century;
- Hazardous materials such as asbestos, lead (paint), polychlorinated biphenyls (PCBs) and ozone depleting substances are present on site, please refer to the GreencapNAA Hazardous Materials Register Report (October 2014) for full extent and details of how these materials are to be managed;
- There is potential for contaminated fill to be present on the site, especially beneath the hardstand of the platform and within the footprint of the former rail siding. It is recommended that if any works are to take place requiring exposure of this fill material that chemical testing and visual characterisation be undertaken prior to commencement of works;
- Soil underlying the former Gang Shed and Goods Shed situated on the former rail siding have the potential to be impacted by spills and leaks from stored chemicals (e.g. oils and kerosene). It is recommended that if any works are to take place requiring exposure of this material that chemical testing and visual characterisation be undertaken prior to commencement of works;
- There is potential for contamination to have taken place as a result of spills and leaks from kerosene stored in the Southern Storage Building. The concrete slab appears in good condition and considering the time elapsed since the kerosene was stored at this location it is unlikely that the underlying fill and natural soils remain contaminated. However, if works are required to access this material a visual assessment of at least the top 0.5 metres should be undertaken prior to activities commencing; and
- Personnel working with rail ballast along the railway line should wear appropriate personal protective equipment to ensure that they are not exposed to potential pesticides (predominantly arsenic-based and organochlorine pesticides).

This investigation has been carried out in accordance with GreencapNAA proposal number J130009-Q and the scope of works listed therein. This report should be read in full along with the figures and appendices attached and should not be separated from them. This report is subject to our standard limitations and may not be relied upon by third parties not named herein.

Statement of Limitations

This report has been prepared in accordance with the agreement between Transport for NSW and GreencapNAA.

Within the limitations of the agreed upon scope of services, this work has been undertaken and performed in a professional manner, in accordance with generally accepted practices, using a degree of skill and care ordinarily exercised by members of its profession and consulting practice. No other warranty, expressed or implied, is made.

This report is solely for the use of Transport for NSW and any reliance on this report by third parties shall be at such party's sole risk and may not contain sufficient information for purposes of other parties or for other uses. This report shall only be presented in full and may not be used to support any other objective than those set out in the report, except where written approval with comments are provided by GreencapNAA.

Sampling Risks

It is noted that professional judgment has been used to interpret the data obtained from site sampling and subsequent laboratory testing in order to characterise contamination that is present on site. Transport for NSW accepts that even a comprehensive sampling and testing program, implemented with the appropriate equipment and experienced personnel under the direction of a trained professional who functions in accordance with a professional standard of care, may fail to detect certain conditions because they are hidden and therefore cannot be considered in development of a sub-surface exploration program.

Contaminant movement within the soil and within groundwater can follow paths of high permeability and it is possible that sampling will not have intersected these preferential pathways. In the case of groundwater, the flow can follow relatively narrow migration paths within minor aquifers. GreencapNAA is available to explain these risks and risk reduction methods to Transport for NSW, but in any event, the scope of services included with the Proposal is that which Transport for NSW agreed to or selected in light of his own risk preferences and other considerations.

Sampling of soil or groundwater may result in contamination of certain sub-surface areas, as when a probe or boring device moves through a contaminated area, linking it to an aquifer or other water body not previously contaminated. GreencapNAA has applied its best efforts to minimise and eliminate such cross contamination during the conduct of any sub-surface investigation. Because sub-surface sampling is a necessary aspect of the work which GreencapNAA may perform on Transport for NSW's behalf, Transport for NSW waives any claims against GreencapNAA and agrees to defend, indemnify and hold GreencapNAA harmless from any claims or liability for injury or loss which may arise as a result of alleged cross contamination caused by sampling.

Reliance on Information Provided by Others

Whilst the techniques used in the assessment are in accordance with recognised industry standards, the investigations also rely on information provided to GreencapNAA by third parties. Naturally, GreencapNAA cannot guarantee completeness or accuracy of any descriptions or conclusions based on information supplied to it during site surveys, visits and interviews. The extent of risk Transport for NSW wishes to accept is something which Transport for NSW must determine and accordingly, Transport for NSW waives any claim against GreencapNAA and agrees to defend, indemnify and hold GreencapNAA harmless from any claim or liability for injury or loss allegedly arising from errors, omissions or inaccuracies in documents or other information provided to GreencapNAA by Transport for NSW.

Recommendations for Further Study

NAA's preliminary findings which may result from this investigation/study may require verification through further analytical testing programs. The final decision to conduct additional investigative activities will be dependent upon Transport for NSW assessment of the business risks involved. Transport for NSW agrees to hold GreencapNAA harmless from any claim, losses or damages arising out of Transport for NSW's rejection of any additional work suggested by GreencapNAA as a result of the work performed hereunder.

Phase 1 Contamination Investigation

Transport for NSW

Wentworth Falls Railway Station

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INTRODUCTION

GreencapNAA were engaged by Transport for NSW (TfNSW), to conduct a Phase 1 Contamination Investigation for Wentworth Falls Railway Station located on Station Street, Wentworth Falls, NSW 2782, hereafter referred to as “the site”. Please refer to **Figure 1** for site location and regional context.

This Phase 1 Contamination Investigation was prepared for Mr Mark Robinson of TfNSW and was undertaken under the existing Professional Services Contract 2858/002 as managed under the Planning and Environment Services Support Panel.

The work has been conducted in accordance with the scope of works and limitations set out in GreencapNAA’s proposal ‘J130009 Phase 1 Contamination Investigation Wentworth Falls Heathcote’ dated November 2014 and with reference to NSW OEH (2011) *Guidelines for Consultants Reporting on Contaminated Sites*. GreencapNAA is not responsible for changes to the report findings arising from changes in site conditions that may have occurred since the time of the investigation.

OBJECTIVE

GreencapNAA understands that TfNSW are undertaking development works at the train station and require that a Phase 1 Contamination Investigation is undertaken prior to commencing these works. As such this Phase 1 Contamination Investigation focuses on the part of Lot 1, DP 1057146 containing the train station, railway lines, platforms and parking areas only (2 hectares) rather than the entire lot.

The objective of these investigations is therefore to identify past and current land uses and/or activities which may be potential sources of site contamination, and to provide TfNSW with an indication of the potential contamination at the site as well as to provide any recommendations for further work if required.

SCOPE OF WORK

Based on correspondence with the Client and our understanding of the requirements for a Phase 1 Contamination Investigation, the following scope of works was completed:

- Identification of the proposed works;
- Search of the current and historical titles and Deposited Plans in order to identify previous owners that may indicate a potentially contaminating activity;
- Search of the historical aerial photos to identify land uses and changes in the land that may indicate potential for contamination;
- A review of the soil, geological salinity, acid sulfate soils, topographical maps for the region;
- Review of local meteorology;
- A search of the Contaminated Land Register for Notices issued under the *Contaminated Land Management Act 1997* and *Protection of the Environment Operations Act 1997*;
- Review of Section 149(2) and (5) planning certificates;
- A search of the NSW Office of Water Groundwater Bore Database;
- Undertake a site visit with a view to identify potential contaminating activities, signs of contamination, storage and disposal practices and areas of potential contamination concern; and
- Preparation of this Phase 1 Contamination Investigation report.

We note that an optional search of Dangerous Goods licensing records held by WorkCover was not undertaken as part of this assessment due to time constraints, however can be completed if requested by the Client.

It is noted that no soil or water samples were collected as part of this assessment.

SITE IDENTIFICATION

The site has been identified as Wentworth Falls Railway Station, located between Station Street and Railway Parade, Wentworth Falls, NSW 2782. Specific details are included in Table 1 and the site locality is presented in **Figure 1**.

TABLE 1: SITE IDENTIFICATION	
ITEM	DETAILS
Site Address	Station Street, Wentworth Falls, NSW 2782
Lot and DP Number	Part Lot 1 in DP 1057146
Local Government Area	Blue Mountains
Parish	Jamieson
County	Cook
Locality	Wentworth Falls
Total Site Area	Approximately 20,000m ² (2 hectares) - portion of lot occupied by train station and car parks
Site Description	Railway Station
Site Locality Map	Refer to Figure 1

Landuse to the north of the site comprises railway tracks and residential landuse. Landuse to the east comprises residential landuse and Blue Mountains National Park. Landuse to the south comprises the Great Western Highway and a hotel. Landuse to the west is predominantly retail and commercial.

The railway station site comprises the central platform, railway tracks (up and down lines oriented in a roughly north-south direction), rail corridors, car parks and storage areas. Individual structures on the site comprise the following:

- Pedestrian overpass between the Station Street and Railway Parade car parks of steel and concrete construction;
- Relay signalling hut located to the immediate north of the platform on the eastern side of the line;
- Main building situated roughly in the centre of the platform, comprising customer waiting area, station offices, office/storage and men's and women's amenities. This structure is of brick construction with a corrugated metal roof supported by a timber frame;
- Storage building situated on the north of the platform. This structure is of brick construction with a corrugated metal roof supported by a timber frame (Northern Storage Building); and
- Storage building situated on the south of the platform. This structure is of brick construction with a corrugated metal roof supported by a timber frame (Southern Storage Building).

In addition to these structures, two commuter car parks are located along Station Street and one commuter car park is located along Railway Parade.

SITE CONDITION AND ENVIRONMENT

Meteorology

The following data was collected from the Bureau of Meteorology website (www.bom.gov.au) for the Katoomba (Murri St) weather station (site number 063039), 5.7km away from the site, over the period 1885 to 2014:

- Average 9am temperatures ranged from 4.7°C in July to 16.7°C in January;

- Average 3pm temperatures ranged from 8.0°C in July to 21.4°C in January;
- Average maximum temperatures ranged from 9.4°C in July to 23.3°C in January and mean minimum temperatures ranged from 2.6°C in July to 12.8°C in January; and
- Average rainfall ranged from 71.8 mm in September to 166.2 mm in March.

This information suggests that local climate is generally colder than the Sydney average and also wetter, with higher rates of precipitation. This is to be expected considering the situation of the site on the eastern side of the upper Blue Mountains where rainfall and local climate is heavily influenced by orogenic effects influencing air masses moving off the Pacific Ocean to the east.

Topography

According to the *Katoomba 1:100,000 Topographic Map (8930)*, the local topography is on sloping terrain. The site is on a flat area of about 850m in elevation. To the north-west is a topographic high of 870m. The site is situated close to the crest of a ridge running in a approximate north-south direction. The buildings on the western side of Station Street appear to have been built on the high point of this ridge. The site and the surrounding topography slope in a roughly easterly direction into Water Nymphs Dell.

To the west the topography rises slightly then slopes downwards to Jamison Creek. To the south the topography rises slightly in a gradual manner, while in the north the topography is fairly similar to the site until it hits a sharp rise.

Hydrogeology and Hydrology

A groundwater bore search using the Department of Natural Resources (DNR) Atlas website (NSW Government) was conducted on 12th November 2014. The search identified eight registered bores within a 1.5km radius of the site, however limited information was available for only three of these bores. The available bore information is provided below:

TABLE 2: REGISTERED GROUNDWATER BORES					
DISTANCE FROM SITE	BORE ID	TOTAL DEPTH	STANDING WATER LEVEL	YIELD (L/SEC)	STATUS/PURPOSE
1km South	GW056445	50m	Not specified	0.42	General Use
1.1km South	GW106722	63m	Not specified	0.36	Domestic
1.3km SSW	GW101220	87.5m	Not specified	0.45	Domestic Stock

No standing water level was provided for any of these bores and as such the available information is of limited use for the purpose of this assessment. However, based upon local topography, it is inferred that groundwater flows in a roughly easterly direction on the site.

The nearest surface water body to the site is Jamison Creek located approximately 110m west of the site however, runoff from the site is not expected to flow into this creek but to the east into Water Nymphs Dell which flows into Blue Mountains Creek which is located approximately 220m to the east of the site.

Geology and Soil

Soils

A review of the soil landscapes of *Katoomba 1:100,000 Soil Landscape Series Sheet (8930)* indicates that the site is situated within the Medlow Bath soil landscape.

Soils include moderately deep (<100cm), well-drained earthy sands and yellow earth on crests and imperfectly drained grey earths on side slopes. Shallow (<60cm), well-drained lithosols/siliceous sands are associated with rock outcrops. This corresponds with the local sandstone geology.

Qualities and Limitations of this landscape include stony, acid soils of very low fertility, very high potential aluminium toxicity and moderate erodibility, localised rock outcrop and localised shallow soils.

According to the NSW Natural Resource Atlas (<http://nratlas.nsw.gov.au>) acid sulfate soils and salinity planning maps, the site does not have any elevated risk of acid sulphate soils or salinity.

Geology

A review of the *Geological Landscapes of Katoomba 1:50,000 Geological Series Sheet (Series 8930 - 1996)* indicates that the site is situated within the Banks Wall Sandstone which itself is part of the Narrabeen Group. The Banks Wall Sandstone is characterised by quartz, sandstone, slightly lithic, with minor interbedded claystone. There is a monocline to the east of the site, and a syncline to the south. There is also an anticline to the north.

Sensitive Local Receptors

The abovementioned Water Nymphs Dell and Blue Mountains Creek are the nearest down-gradient surface water bodies to Wentworth Falls Railway Station.

Low density residential land use is present immediately to the east of the site across Railway Parade.

The nearest park (Wilson Park), is situated approximately 120m to the west of the site. Wilson Park adjoins Pitt Park and Central Park to the north-west and south-west of the site respectively. The Blue Mountains National Park begins approximately 300m east of the site.

SITE HISTORY

The site history review included detailed assessment of historical aerial photos (pending review), land titles and the Council Section 149 Planning Certificate to gain further understanding of potential contamination issues at the site.

Historic Aerial Photographs

Aerial photographs from 1943 to 2014 were reviewed. A detailed discussion of the findings is provided in Table 3 below. In summary the rail line and station (including platform, main building and two smaller structures immediately north and south of the main building) is visible in the 1943 photograph and remains unchanged to the 2007 photograph.

The surrounding landscape is visible as a mix of commercial, residential, agricultural and undeveloped land in the 1943 photograph with progressive addition of residential properties primarily to the south, east and north-east of the site. The majority of this development appears to have occurred between 1943 and 1973. To the east of the site, an area of heavy vegetation remains unchanged from the 1943 to the 2007 photographs.

Jamison Creek is visible from the 1943 photograph flowing north to south approximately 180 metres due east of the site.

TABLE 3: HISTORICAL AERIAL PHOTOGRAPHY	
DETAILS OF PHOTO	OBSERVATIONS
1943 NSW Globe (© SKM)	Site: The rail line and station are visible. The rail line splits approximately 115 metres south of the centre of the platform and runs both east and west of the station, joining again approximately 100 metres north of the platform. The station is comprised of a central building matching the location and footprint of the present day station building, and two smaller structures to the north and south, both approximately eight metres from the main building. An overpass bridge approximately 30 metres north of the main building

TABLE 3: HISTORICAL AERIAL PHOTOGRAPHY		
DETAILS OF PHOTO	OBSERVATIONS	
		<p>connects the platform to a road matching present day Station Street.</p> <p>Two buildings are visible immediately east of the rail line at either end of the station area. The structure at the southern end is a residence and the structure at the northern end is of undetermined purpose. There is a structure at the southern end of the station area on the western side of the rail line, and another smaller building approximately 20 metres south and 15 metres west of the main station building on the western side of the rail line. These structures are inferred to be the former gang shed and goods shed on the former rail siding.</p>
	Surrounds:	<p>The site is surrounded by a mixture of commercial, residential and agricultural properties. The immediate area due west of the site is well developed and relatively densely populated with commercial/retail and residential structures. The Great Western Highway can be seen running north-west to south-east, to the south of the site beyond which are small residential lots and a vegetated area approximately 70-90 metres to either side of Jamison creek connecting Wentworth Falls Lake to the north-west and Wentworth Falls to the South West. A small lake and dam is visible south of the highway approximately 225 metres southwest of the main station building.</p> <p>The area immediately east of the site has three residences to the east of present day Taylor Avenue, beyond which is predominately agricultural fields with scattered structures and heavily vegetated area.</p> <p>Further to the west of the site there has been land clearing and numerous tracks and a large residence approximately 280 metres west of the main station building which matches the same location and footprint as the present day library and School of Arts. Immediately south of this building is a building and cleared area matching the present day Wentworth Falls Bowling Club</p> <p>To the north, the rail line and Blaxland Road bisects a low density residential area from a vegetated and sparsely populated area.</p>
1958 Run 4k	Site:	No significant changes are apparent between the 1943 and 1958 images in the immediate vicinity of the site with the exception of a small waterbody along (Jamison Creek) being more clearly defined approximately 160 metres to the west of the main station building.
	Surrounds:	No significant changes are apparent between the 1943 and 1958 images in the surrounding area. Some additional development is visible in the addition of

TABLE 3: HISTORICAL AERIAL PHOTOGRAPHY		
DETAILS OF PHOTO	OBSERVATIONS	
		commercial buildings between Station and Plantation Streets to the west of the site and some residential properties to the south east along the Great Western Highway is visible.
1966 Run 4k	Site:	No significant changes are apparent between the 1958 and 1966 images in the immediate vicinity of the site.
	Surrounds:	No significant changes are apparent between the 1958 and 1966 images in the surrounding area.
1973 Run 18	Site:	No significant changes are apparent between the 1943 and 1973 images in the immediate vicinity of the site.
	Surrounds:	No significant changes are apparent between the 1966 and 1973 image in the surrounding area.
1984 Run 4	Site:	The rail siding to the west of the main station appears to be partially in use as a car park with the former gang shed no longer present. No other significant changes are apparent between the 1973 and 1984 images in the immediate vicinity of the site.
	Surrounds:	No significant changes are apparent between the 1973 and 1984 images in the surrounding area.
1990 Run 6	Site:	All of the rail siding infrastructure has been removed and replaced with a car park. No other significant changes are apparent between the 1984 and 1990 images in the immediate vicinity of the site.
	Surrounds:	No significant changes are apparent between the 1984 and 1990 images in the surrounding area.
2002 Run 6	Site:	No significant changes are apparent between the 1990 and 2002 images in the immediate vicinity of the site.
	Surrounds:	No significant changes are apparent between the 1990 and 2002 images in the surrounding area.
2006 Google Earth	Site:	No significant changes are apparent between the 2002 and 2006 images in the immediate vicinity of the site.
	Surrounds:	No significant changes are apparent between the 2002 and 2006 images in the surrounding area.
2007 Google Earth	Site:	No significant changes are apparent between the 2006 and 2007 images in the immediate vicinity of the site.
	Surrounds:	No significant changes are apparent between the 2006 and 2007 images in the surrounding area.

Historic Titles and Transfers

The historic titles and transfers are presented in **Appendix A**. A historical title search was conducted for Wentworth Falls Railway Station (Lot 1 DP 1057146) on 11th November 2014. The historical information gathered from the search is as follows:

	(Lot 1 DP 1057146)
2004 – to date	Rail Corporation New South Wales

	(Part of Portion 3 Parish of “unnamed, near the Weatherboard Hut” – Area 35 Acres – CTVol 275 Fol 141)
1953 – 2004	The Commissioner for Railways, resumption F939336
1877 – 1953	Walter Wickinson Armstrong) via Sale by Auction Robert Filty Stubbs) No. 76/6754, David Fletcher) grantees Thomas Edward Boland)

	(Part of Portion 3 Parish of “unnamed, near the Weatherboard Hut” – Area 35 Acres – CTVol 275 Fol 156)
1953 – 2004	The Commissioner for Railways, resumption F939336
1877 – 1953	Walter Wickinson Armstrong) via Sale by Auction Robert Filty Stubbs) No. 76/6754, David Fletcher) grantees Thomas Edward Boland)

	(That piece or parcel of land, part of Portion 2, Parish of Jamieson – Area 3 Roods 28 Perches – CTVol 1028 Fol 62)
1891 – 2004	The Railway Commissioners of New South Wales

	(That piece or parcel of land, Parish of Jamieson – Area 3 Acres 2 Roods 15 Perches – Conv Bk 107 No. 798)
1867 – 2004	The Commissioner for Railways
1867 – 1867	John Liscombe) trustees of part of the Archibold Campbell) Estate of William Boyles

	(That piece or parcel of land, part of Portion 11, Parish of Jamieson – Area 3 Acres 0 Roods 25 Perches – Conv Bk 612 No. 81)
1897 – 2004	The Railway Commissioner of New South Wales
1842 – 1897	William Kent Snaith) executors of the Will Robert Jones) of William Boyles
1842 – 1842	William Boyles

	(That piece or parcel of land, being lands commencing at Penrith and terminating on Crown Land near Shepherds Tollbar, Blackheath a distance of 40 miles 19 chains 60 links – Government Gazette 14/12/1862 Fol 2664)
1862 – 2004	The Commissioner for Railways

	(Those pieces or parcels of land, at Wentworth Falls, Parish of Jamieson, vacant Crown Land – Area 5 Perches – and part of railway reserve No. 6 – Area 2 Roods 38 Perches – and part of Main Western Road – Area 5 Perches – Government Gazette 15/07/1902 Fol 5032)
1902 – 2004	The Commissioner for Railways

	(Part of Lot 24B DP 7324 (part of the land comprised in CTVol 6534 Fol 173 – Lucy Amy Beatrice Heney), part of Lot 23A DP 7324 (part of land comprised in CTVol 6518 Fol 145 – Area 7 ½ Perches – Harry Douglas Hardingham), part of Lot D MPS (RP) 76849 (part of land comprised CTVol 6542 Fol 180 – Area 1 ¼ Perches, Alexander Gordon Campbell), part of Lot 1 Section A DP 8845 (Area 3 ¾ Perches, Amba Pty Limited) part of Railway Crescent (Area 22 Perches, Council of City of Blue Mountains) – Government Gazette 02/01/1953 Fol 9)
1953 – 2004	Railway Commissioner of New South Wales

This information suggests that the site has been used for the purpose of rail transport (or has been owned for this purpose) for over 100 years. Prior to this the site was owned by private landowners. No indication of former landuse was able to be identified as a result of the review of titles.

Section 149

The Section 149 Certificate for the site is presented in **Appendix B** of this report. The information provided under Section 149(2) of the Environmental Planning and Assessment Act 1979 indicates that the land is in Zone L.E.P 2005 Regional Transport Corridor Rail. The local environmental plan and general provision: Protected Area – Water Catchment Area and Regional Transport Corridor Road – Existing both apply. The property is in a heritage conservation area: Heritage Conservation area WF032 – Station Street Precinct Conservation Area, and identified as a heritage property by the Council or State Government: Heritage Item WF022 – Wentworth Falls Railway Station. The land is not proclaimed to be in a Mine Subsidence District, nor is it affected by any road widening or realignment.

The information provided under Section 149(5) of the Environmental Planning and Assessment Act 1979 indicates that there are no known matters arising under the *Contaminated Land Management Act 1997* with regard to the site. However, Council has placed a restriction on the development of the land because of the likelihood of “contaminated and potentially contaminated land” based upon a Council policy regarding contaminated land (which is not a statement of the land being contaminated or potentially contaminated).

The land is regarded to be bush fire prone: Development Control Plan No. 26 – Building in Bushfire Prone Areas and Planning for Fire Prone Areas (Circular C10) in relation to subdivision issues, by the Department of Planning, 1991, and is it subject to flood related controls: Flood Planning Area (Clause 6.10) and Probable Maximum Flood (Clause 6.11) of Draft L.E.P 2013.

Contaminated Land Database

The NSW EPA Contaminated Land Database (Sites Notified to or by EPA and Records of Notice) was searched to assess if the site or surrounding properties have been declared as contaminated. It should be noted this database is not a comprehensive list of all contaminated land in NSW as this database only lists sites regulated under the Contaminated Land Management Act, 1997.

The EPA Contaminated Land: Record of notices EPA search was undertaken on the 12th November 2014 for the Blue Mountains City Council local government area. Sites are placed on this list only if the EPA has issued a regulatory notice in relation to the site under the Contaminated Land Management Act 1997.

The search did not identify any records relating to, or proximate to, the subject site. The nearest registered site on the Contaminated Land Database was the Bodington Hospital, located on Bodington Drive Wentworth Falls, which is approximately 2.6km to the north-west.

Anecdotal Site History Information

Interviews with train station employees during the site inspection on 12th November 2014 provided an indication of past potentially contaminating activities on the site. These include the following:

- A train derailment in the 1950s immediately to the north of the station which involved the spill of large quantities of concrete which is still visible along sections of the line;
- The Southern Storage Building was used for storage of kerosene for the lighting of lamps when steam trains used the line; and
- The southern commuter carpark along Station Street used to be a rail siding where goods were loaded and unloaded and maintenance equipment was stored. Former structures on this siding were said to include a former gang shed where rail maintenance equipment and materials was stored and a former goods shed.

Site History and Desktop Summary

This site history assessment has been prepared in lieu of historic aerial photographs which were not available at the time of issuing this draft report.

The historical title search identified some changes in individual ownership of portions of land making up the site from 1842 to 1952, however no information relating to the specific uses of the land was provided. The Rail Corporation of New South Wales has had ownership of land associated with the site from 1862 to present.

Review of the Section 149 for the site determined that the site land is in Zone L.E.P 2005 Regional Transport Corridor Rail and that the site is a protected water catchment area. The site is in a heritage conservation area as the Wentworth Falls Railway Station is identified as a heritage property by the Council and State Government.

Anecdotal information indicates that there are a number of former structures, activities and events on the site which may have the potential to present a site contamination risk (most notably the kerosene storage in the Southern Storage Shed, the train derailment in the 1950s and activities on the former rail siding to the south-west of the station in the commuter carpark).

SITE INSPECTION

GrencapNAA undertook a site inspection on the 12th November 2014 as part of the works associated with this Phase 1 Contamination Investigation. The inspection was carried out by Jonathon Hilliard of GrencapNAA. The station attendant provided information as required during the course of the inspection.

The site is currently in use as an active train station on the Blue Mountains Train Line and comprises a single platform oriented in a roughly north-south direction. The station is accessed by a pedestrian overpass which is located in the north of the platform and as already discussed, three main structures are present on the platform. The station is serviced by three commuter car parks. Two are located along Station Street and one is located off Railway Parade. A relay and signalling hut (ref. 637B) is located to the immediate north of the platform on the eastern side of the train line.

The Northern Storage Building predominantly contains small maintenance equipment and files but was also found to contain small quantities of paint and a 25 kilogram bag of swimming pool salt. These goods were stored in an unbunded area though they were situated on concrete hardstand which appeared in good condition.

The Southern Storage Building was predominantly used for the storage of maintenance equipment and also materials used for refurbishment works currently taking place on the station. No dangerous goods were noted at the time of the inspection.

The main building comprised four components; a customer area, main office, office and storage area and men's and women's amenities. The only liquid goods identified during the inspection in this building comprised cleaning products which were stored in a metal cabinet in secure plastic tubs within the office and storage room. No Safety Data Sheets or dangerous goods register were viewed during the inspection.

A hazardous materials register has been completed for the site and identifies asbestos containing materials, polychlorinated biphenyls, lead-based paints and ozone depleting substances situated in the station. Reference should be made to this document (GreencapNAA, October 2014) for further detail regarding hazardous building materials.

The majority of the site (including commuter car parks and station platform) were fully paved with asphalt. Buildings were situated on concrete slabs. The station itself was raised above the current grade, indicating potential in-filling of the void to raise the platform surface. A concrete slab and stairway descending to the rail line was also identified in the southern commuter carpark along Station Street. Based upon anecdotal information this is inferred to be the concrete slab upon which the former Gang Shed was situated. The train line itself was covered in rail ballast predominantly comprising cobbles of basalt.

Photographs from the site inspection are presented in **Appendix C**.

POTENTIAL CONTAMINATION SOURCES

Based on the site inspection and the historical desktop assessment (not including the awaited results from the historic aerial photographs), the following sources of potential contamination are noted:

- Potential former landuses identified in the historic title review, most notably activities on the old rail siding under the southern commuter carpark along Station Street;
- Filling material on the station platform itself as well as filling required to level off the former rail siding;
- Spills and leaks associated with kerosene which used to be stored in the Southern Storage Building;
- Hazardous building materials on the site (refer to GrencapNAA October 2014 Hazardous Building Materials Register for more information);
- Spills of diesel and concrete associated with the train derailment during the 1950s (considered a low risk based on the elapsed time since the event); and
- Treatment of rail ballast for vermin and weed protection.

Based on these sources the contaminants of potential concern for the site may include (but not be limited to):

- Asbestos;
- Organochlorine pesticides (OCP);
- Petroleum hydrocarbons (Total Recoverable Hydrocarbons (TRH));
- Benzene, Toluene, Ethylbenzene and Xylenes (BTEX);
- Polycyclic aromatic hydrocarbons (PAH);
- Polychlorinated biphenyls (PCB); and
- Heavy metals, including lead.

CONCLUSIONS AND RECOMMENDATIONS

GrencapNAA was requested to undertake a Phase 1 Contaminated Site Investigation for the purposes of due diligence for as part of proposed works to be undertaken on the Wentworth Falls train station by Transport for New South Wales and their contractors.

Based upon the results of the site inspection and the desktop study GrencapNAA concludes the following:

- The site has been in use as part of the railway network for over a century;
- Hazardous materials such as asbestos, lead (paint), polychlorinated biphenyls (PCBs) and ozone depleting substances are present on site, please refer to the GrencapNAA Hazardous Materials Register Report (October 2014) for full extent and details of how these materials are to be managed;
- There is potential for contaminated fill to be present on the site, especially beneath the hardstand of the platform and within the footprint of the former rail siding. It is recommended that if any works are to take place requiring exposure of this fill material that chemical testing and visual characterisation be undertaken prior to commencement of works. It is considered that investigation would only be required if this material is to be exposed and disturbed during site works;
- Soil underlying the former Gang Shed and Goods Shed situated on the former rail siding have the potential to be impacted by spills and leaks from stored chemicals (e.g. oils and kerosene). It is recommended that if any works are to take place requiring exposure of this material that chemical testing and visual characterisation be undertaken prior to commencement of works. It is considered that investigation would only be required if this material is to be exposed and disturbed during site works;
- There is potential for contamination to have taken place as a result of spills and leaks from kerosene stored in the Southern Storage Building. The concrete slab appears in good condition and considering the time elapsed since the kerosene was stored at this location it is unlikely that the underlying fill and natural soils remain contaminated. However, if works are required to access this material a visual assessment of at least the top 0.5 metres should be undertaken prior to activities commencing;

- It is the opinion of GrencapNAA that the information reviewed as part of this Phase 1 assessment does not indicate a need to notify NSW EPA as outlined in the NSW DECC (2009), *Guidelines on the Duty to Report Contamination under the Contaminated Land Management Act 1997*. However, this should be reviewed as additional information becomes available; and
- Personnel working with rail ballast along the railway line should wear appropriate personal protective equipment to ensure that they are not exposed to potential pesticides (predominantly arsenic-based and organochlorine pesticides).


Phase 1 Contamination Investigation

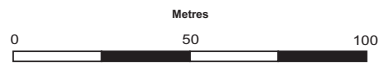
Transport for NSW

Wentworth Falls Railway Station

Figure 1: Site Locality and Regional Context



Legend:
 Site Boundary



GREENCAP | NAA

Level 2, 11-17 Khartoum Road

North Ryde, NSW 2113

Ph: 02-9889-1800

Fx: 02-9889-1811

Client Name:	Transport for NSW		
Client Number:	C108073		
Project Number:	J130009		
Project Description:	Preliminary Environmental Site Assessment		
Prepared:	AS	Address:	Wentworth Falls Railway Station
Reviewed:	JH	Figure 1:	Site Location and Regional Context

Disclaimer: NAA has produced this map for the purpose of presenting a summary of relevant spatial information. NAA gives no warranty in relation to the data (including accuracy, reliability, completeness or suitability) and accepts no liability (including without limitation, liability in negligence) for any loss, damage or costs (including consequential damage) relating to any use of or reliance upon the data. Data must not be used for direct marketing or be used in breach of privacy laws. Service Layer Credits NSW Land and Property Information (Six Maps)

Phase 1 Contamination Investigation

Transport for NSW

Wentworth Falls Railway Station

Appendix A: Historical Titles

Title Tree
Lot 1 DP 1057146

Folio Identifier 1/1057146

See Notes (a) to (h) inclusive

(a)

Certificate of Title Volume 275 Folio 141

(b)

Certificate of Title Volume 275 Folio 156

(c)

Certificate of Title Volume 1028 Folio 62

(d)

Conveyance Book 107 Folio 798

(e)

Conveyance Book 612 No. 81

(f)

Government Gazette 14/12/1862 Fol 2664

(g)

Government Gazette 15/07/1902 Fol 5032

(h)

Government Gazette 02/01/1953 Fol 9

**Summary of proprietor(s)
Lot 1 DP 1057146**

Year	Proprietor
	(Lot 1 DP 1057146)
2004 – todate	Rail Corporation New South Wales

See Notes (a) to (h) inclusive

Note (a)

	(Part of Portion 3 Parish of “unnamed, near the Weatherboard Hut” – Area 35 Acres – CTVol 275 Fol 141)
1953 – 2004	The Commissioner for Railways, resumption F939336
1877 – 1953	Walter Wickinson Armstrong) via Sale by Auction Robert Filty Stubbs) No. 76/6754, David Fletcher) grantees Thomas Edward Boland)

Note (b)

	(Part of Portion 3 Parish of “unnamed, near the Weatherboard Hut” – Area 35 Acres – CTVol 275 Fol 156)
1953 – 2004	The Commissioner for Railways, resumption F939336
1877 – 1953	Walter Wickinson Armstrong) via Sale by Auction Robert Filty Stubbs) No. 76/6754, David Fletcher) grantees Thomas Edward Boland)

Note (c)

	(That piece or parcel of land, part of Portion 2, Parish of Jamieson – Area 3 Roods 28 Perches – CTVol 1028 Fol 62)
1891 – 2004	The Railway Commissioners of New South Wales

Note (d)

	(That piece or parcel of land, Parish of Jamieson – Area 3 Acres 2 Roods 15 Perches – Conv Bk 107 No. 798)
1867 – 2004	The Commissioner for Railways
1867 – 1867	John Liscombe) trustees of part of the Archibold Campbell) Estate of William Boyles

Note (e)

	(That piece or parcel of land, part of Portion 11, Parish of Jamieson – Area 3 Acres 0 Roods 25 Perches – Conv Bk 612 No. 81)
1897 – 2004	The Railway Commissioner of New South Wales
1842 – 1897	William Kent Snaith) executors of the Will Robert Jones) of William Boyles
1842 – 1842	William Boyles

Note (f)

	(That piece or parcel of land, being lands commencing at Penrith and terminating on Crown Land near Shepherds Tollbar, Blackheath a distance of 40 miles 19 chains 60 links – Government Gazette 14/12/1862 Fol 2664)
1862 – 2004	The Commissioner for Railways

Note (g)

	(Those pieces or parcels of land, at Wentworth Falls, Parish of Jamieson, vacant Crown Land – Area 5 Perches – and part of railway reserve No. 6 – Area 2 Roods 38 Perches – and part of Main Western Road – Area 5 Perches – Government Gazette 15/07/1902 Fol 5032)
1902 – 2004	The Commissioner for Railways

Note (h)

	(Part of Lot 24B DP 7324 (part of the land comprised in CTVol 6534 Fol 173 – Lucy Amy Beatrice Heney), part of Lot 23A DP 7324 (part of land comprised in CTVol 6518 Fol 145 – Area 7 ½ Perches – Harry Douglas Hardingham), part of Lot D MPS (RP) 76849 (part of land comprised CTVol 6542 Fol 180 – Area 1 ¼ Perches, Alexander Gordon Campbell), part of Lot 1 Section A DP 8845 (Area 3 ¾ Perches, Amba Pty Limited) part of Railway Crescent (Area 22 Perches, Council of City of Blue Mountains) – Government Gazette 02/01/1953 Fol 9)
1953 – 2004	Railway Commissioner of New South Wales



Advance Legal Searchers Pty Ltd hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with Section 96B(2) of the Real Property Act.

Information provided through Tri-Search an approved LPI/NSW Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 1/1057146

SEARCH DATE	TIME	EDITION NO	DATE
11/11/2014	11:53 AM	2	10/3/2005

LAND

LOT 1 IN DEPOSITED PLAN 1057146
AT WENTWORTH FALLS
LOCAL GOVERNMENT AREA BLUE MOUNTAINS
PARISH OF JAMISON COUNTY OF COOK
TITLE DIAGRAM DP1057146

FIRST SCHEDULE

RAILCORPORATION NEW SOUTH WALES (AP AB342889)

SECOND SCHEDULE (3 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 QUALIFIED TITLE. CAUTION PURSUANT TO SECTION 28J(1) AND 28J(1A) OF THE REAL PROPERTY ACT, 1900. ENTERED 8.7.2004 BK 107 NO 798, BK 612 NO 81, GAZ 2-1-1953 FOL 9, GAZ 15-7-1902 FOL 5032, GAZ 24-12-1862 FOL 2664 & LAND VESTED IN SRA VIDE SECTION 11 OF THE GOVERNMENT RAILWAYS ACT 1912
- 3 F939336 LAND EXCLUDES MINERALS (S.141 PUBLIC WORKS ACT, 1912) AS REGARD THE PARTS FORMERLY COMPRISED IN VOL 275 FOL 141, VOL 275 FOL 156 AND VOL 1028 FOL 62

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

Noel Arnold - Wen

PRINTED ON 11/11/2014

*ANY ENTRIES PRECEDED BY AN ASTERISK DO NOT APPEAR ON THE CURRENT EDITION OF THE CERTIFICATE OF TITLE. WARNING: THE INFORMATION APPEARING UNDER NOTATIONS HAS NOT BEEN FORMALLY RECORDED IN THE REGISTER.



Advance Legal Searchers Pty Ltd hereby certifies that the information contained in this document has been provided electronically by the Registrar General.

Information provided through Tri-Search an approved LPINSW Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

 11/11/2014 11:54AM

FOLIO: 1/1057146

First Title(s): OLD SYSTEM
 Prior Title(s): VOL 275 FOL 141 VOL 275 FOL 156
 VOL 1028 FOL 62 GZ 02011953 FOL 9
 GZ 14121862 FOL 2663 GZ 14121862 FOL 2664
 GZ 15071902 FOL 5032 BK 107 NO 798
 BK 612 NO 81

Recorded	Number	Type of Instrument	C.T. Issue
-----	-----	-----	-----
8/7/2004	DP1057146	DEPOSITED PLAN	FOLIO CREATED EDITION 1
8/7/2004	CA88593	CONVERSION ACTION	
10/3/2005	AB342889	APPLICATION	EDITION 2

*** END OF SEARCH ***

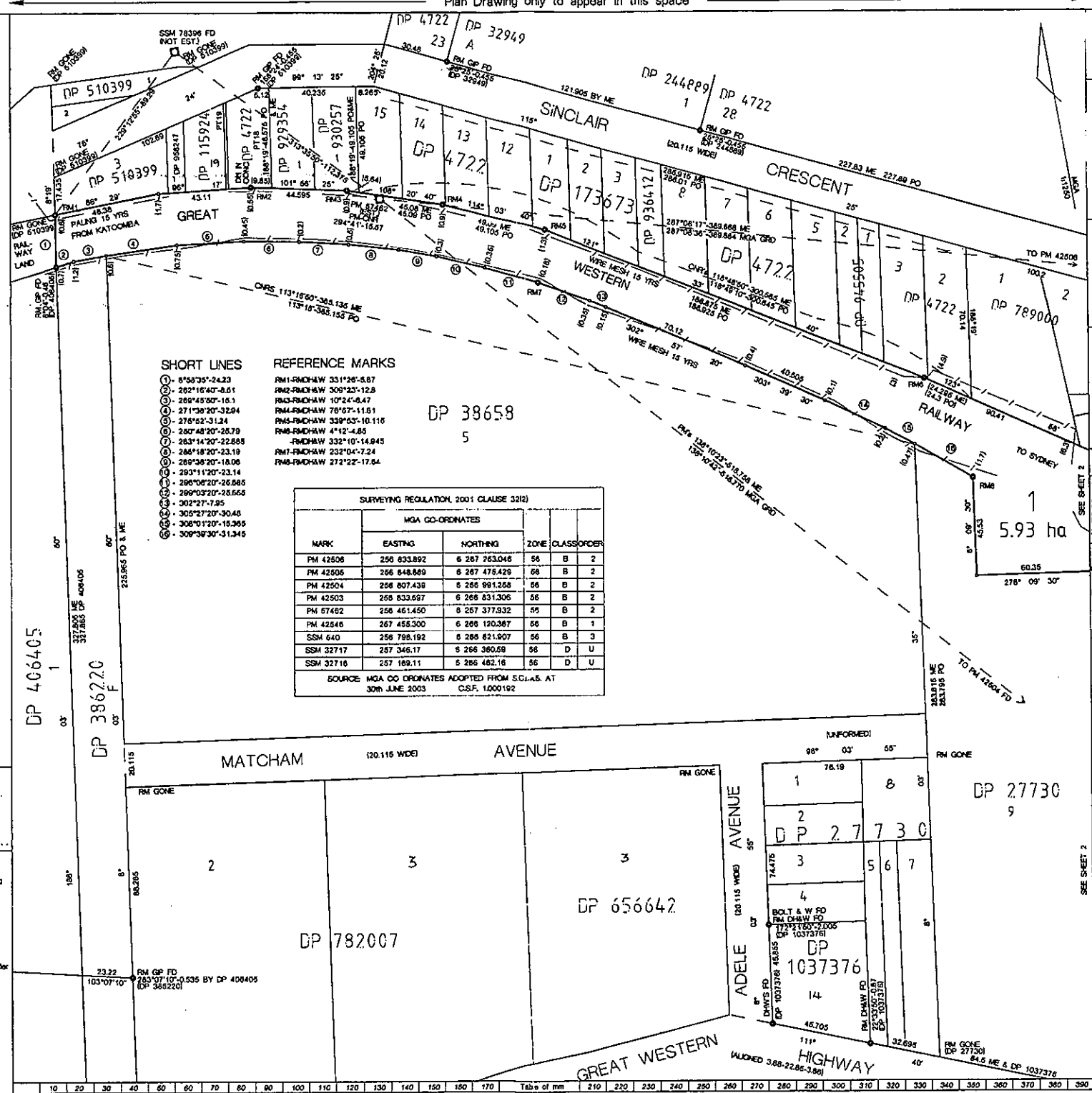
Noel Arnold - Wen

PRINTED ON 11/11/2014

*ANY ENTRIES PRECEDED BY AN ASTERISK DO NOT APPEAR ON THE CURRENT EDITION OF THE CERTIFICATE OF TITLE. WARNING: THE INFORMATION APPEARING UNDER NOTATIONS HAS NOT BEEN FORMALLY RECORDED IN THE REGISTER.

SIGNATURE AND SEALS ONLY.

Reg: B53717 / Dec: DP 1057146 P / Rev: 12-Jul-2004 / Ss: SC, OK / Prt: 11-Nov-2014 11:52 / Pgs: ALL / Seq: 1 of 4



- SHORT LINES**
- ① 8°50'35"-24.23
 - ② 292°16'40"-8.01
 - ③ 289°49'00"-16.1
 - ④ 271°30'20"-32.94
 - ⑤ 276°52'-31.24
 - ⑥ 287°48'20"-25.79
 - ⑦ 283°14'20"-22.885
 - ⑧ 286°18'20"-23.19
 - ⑨ 289°38'20"-18.06
 - ⑩ 283°11'20"-23.14
 - ⑪ 286°08'20"-28.585
 - ⑫ 290°02'20"-28.565
 - ⑬ 302°27'-7.95
 - ⑭ 305°27'20"-30.48
 - ⑮ 308°0'120"-15.365
 - ⑯ 309°39'30"-31.345
- REFERENCE MARKS**
- RM1-RMCHAW 331°26'-5.87
 - RM2-RMCHAW 306°20'-12.9
 - RM3-RMCHAW 109°24'-8.47
 - RM4-RMCHAW 78°07'-11.61
 - RM5-RMCHAW 339°03'-10.116
 - RM6-RMCHAW 4°12'-4.85
 - RM7-RMCHAW 332°10'-14.945
 - RM8-RMCHAW 232°04'-7.24
 - RM9-RMCHAW 272°22'-17.54

SURVEYING REGULATION 2001 CLAUSE 32(2)

MARK	MGA CO-ORDINATES		ZONE	CLASS	ORDER
	EASTING	NORTHING			
PM 42506	256 833.892	6 287 763.046	56	B	2
PM 42505	256 848.869	6 287 475.429	56	B	2
PM 42504	256 807.438	6 286 991.258	56	B	2
PM 42503	256 833.697	6 286 831.306	56	B	2
PM 67482	256 461.450	6 287 377.932	55	B	2
PM 42546	267 455.300	6 286 120.387	56	B	1
SSM 640	256 798.192	6 286 821.907	56	B	3
SSM 32717	257 346.17	5 266 360.59	56	D	U
SSM 32716	257 189.11	5 266 482.16	56	D	U

SOURCE: MGA CO-ORDINATES ADOPTED FROM S.C.L.A.S. AT 30th JUNE 2003 C.S.F. 1000192

DP1057146

Registered: B. O' 2004

Title System: TORRENS & OLD SYSTEM

Purpose: CONSOLIDATION

Ref Map: U3767-SF

Last Plan: _____

PLAN OF LAND CONTAINED IN BK107 No.788 BK512 No.81, Pt Gov Gaz 24/12/1982 Fol 2064, LAND VESTED IN SRA W/ SEC 11 OF GOVERNMENT RAILWAYS ACT 1912, Gov Gaz. 16/7/1902, Fol 8032, Gov. Gaz 2/7/1953, Fol 9, Vol 1028 Fol 62, Vol 276 Fol 141, Vol 276 Fol 158

Lengths are in metres. Reduction Ratio 1:1250

L.G.A.: BLUE MOUNTAINS

Locality: WENTWORTH FALLS

Parish: JAMISON

County: COOK

This is sheet 1 of my plan in 4 sheets. (Delete if inapplicable)

I, DONALD MURRAY HAMMER, of RAIL INFRASTRUCTURE CORPORATION, a Surveyor registered under the Surveyors Act 2002, hereby certify that the survey represented in this plan is accurate, has been made in accordance with the Surveying Regulation, 2001 and was completed on 10/7/03. The survey relates to LOT 1 ONLY.

Here specify the land actually surveyed, or specify any land shown in the plan that is not the subject of the survey.

Signature: Dated: 12/10/04
Surveyor registered under the Surveyors Act 2002

Datum Line "A" - "B" (PM 42506 - PM 42505)
Type: Urban / Rural

Plans used in preparation of Survey/Completion
DP 4722, 724, 8699, 8945, 8911, 2730, 32949, 38668, 68986, 80408, 115924, 121852, 173673, 226107, 232195, 244889, 300863, 346926, 378849, 386220, 610269, 643390, 689146, 655177, 856645, 702480, 789000, 811287, 817471, 822280, 830311, 832286, 852688, 882377, 883090, 829354, 930257, 936412, 946505, 958247, 964818, 1017741, 1032952, 1046344, 11514-3000, W2-2817, C1761-1507, O1783-1507

PANEL FOR USE ONLY for statements of intention to dedicate public roads, to create public reserves, drainage easements, easements, restrictions on the use of land or positive covenants.

Crown Lands Office Approval

PLAN APPROVED: _____
Authorised Officer

Field Book: _____ pages

Subdivision Certificate

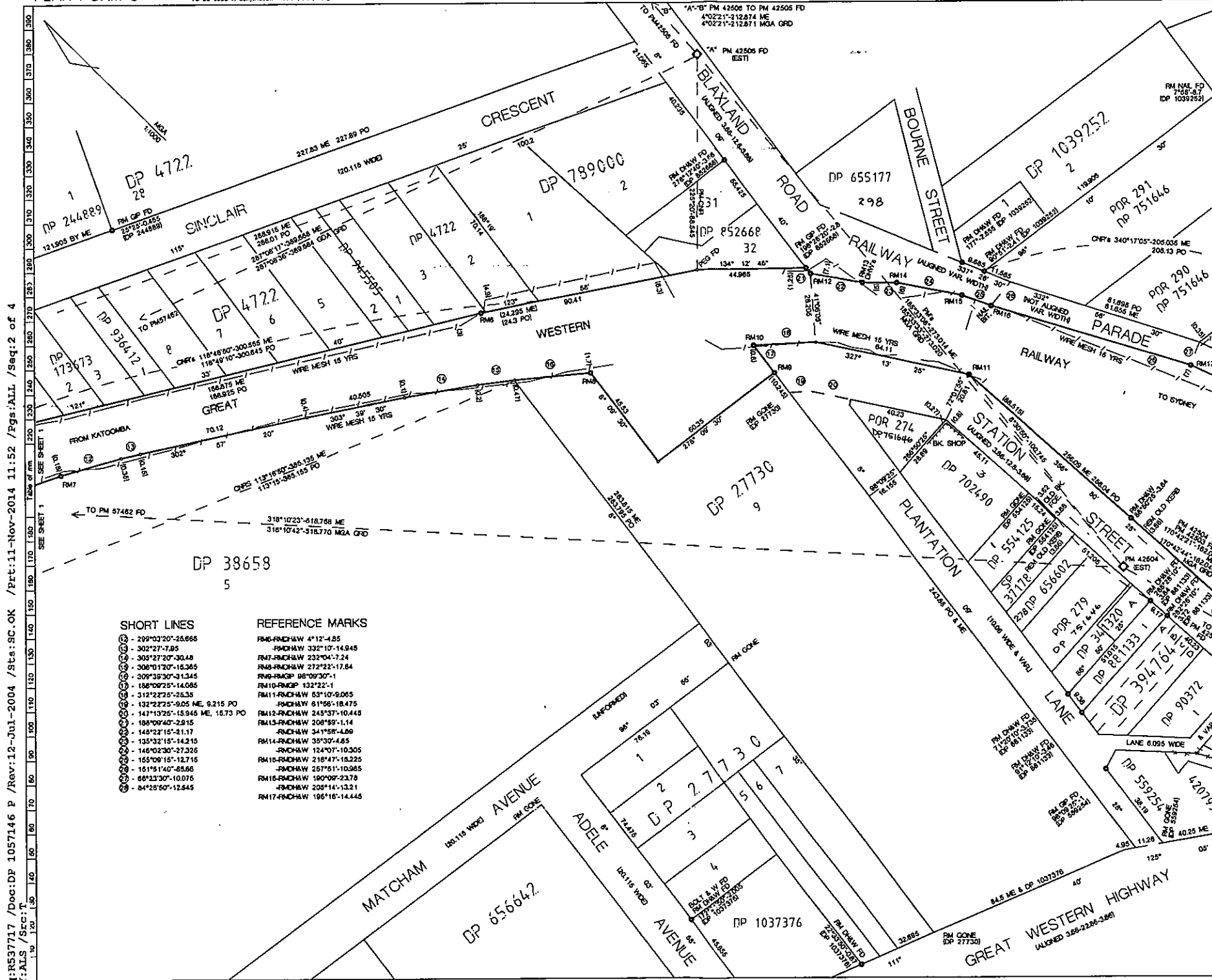
I certify that the provisions of s.106J of the Environmental Planning and Assessment Act 1979 have been satisfied in relation to the proposed _____

Insert subdivision or new road

Authorised Person/General Manager/Accredited Certifier

Note:
When the plan is to be lodged electronically in the Land Titles Office it should include a signature in an electronic or digital format approved by the Registrar-General.
Delete whichever is inapplicable

R29504 1/4



DP1057146
 Registered: 8.07.2004

This is sheet 2 of my plan of 4 sheets dated 10/7/03
 Surveyor registered under the Surveyors Act, 2002

This is sheet of my plan of sheets covered by subdivision certificate No. of

Authorised Person/General Manager/Accredited Certifier

For use where space is insufficient in any panel on Plan Form 2

DP's R13035-1603, 109024, 832877, R11822-1603 1037376

SHORT LINES

- ① - 299°03'30"-28.666
- ② - 302°27'-7.85
- ③ - 303°27'20"-30.48
- ④ - 308°01'20"-18.265
- ⑤ - 309°39'30"-13.245
- ⑥ - 188°09'25"-14.085
- ⑦ - 312°22'25"-25.35
- ⑧ - 132°22'25"-9.05 ME, 9.215 PD
- ⑨ - 147°13'25"-15.945 ME, 16.73 PD
- ⑩ - 108°09'40"-2.915
- ⑪ - 148°22'15"-21.17
- ⑫ - 125°32'15"-14.215
- ⑬ - 148°02'30"-27.205
- ⑭ - 155°08'15"-12.715
- ⑮ - 151°51'40"-85.66
- ⑯ - 66°23'30"-10.075
- ⑰ - 84°28'50"-12.845

REFERENCE MARKS

- RM6-RMCHAW 4°12'-4.85
- RM7-RMCHAW 232°04'-14.945
- RM8-RMCHAW 272°22'-17.84
- RM9-RMCHAW 08°09'30"-1
- RM10-RMCHAW 132°22'-1
- RM11-RMCHAW 65°10'-9.05
- RM12-RMCHAW 61°06'-18.475
- RM13-RMCHAW 245°37'-10.445
- RM14-RMCHAW 208°59'-1.14
- RM15-RMCHAW 341°58'-4.89
- RM16-RMCHAW 35°30'-4.85
- RM17-RMCHAW 124°10'-10.505
- RM18-RMCHAW 218°47'-18.225
- RM19-RMCHAW 257°51'-10.985
- RM20-RMCHAW 190°09'-23.70
- RM21-RMCHAW 205°14'-13.21
- RM22-RMCHAW 196°16'-14.445

Ref: R537717 / Doc: DP 1057146 P / Rev: 12-Jul-2004 / Sct: SC OK / Pct: 11-Nov-2014 11:52 / Pgs: ALL / Seq: 2 of 4
 Ref: ALS / Sct: T

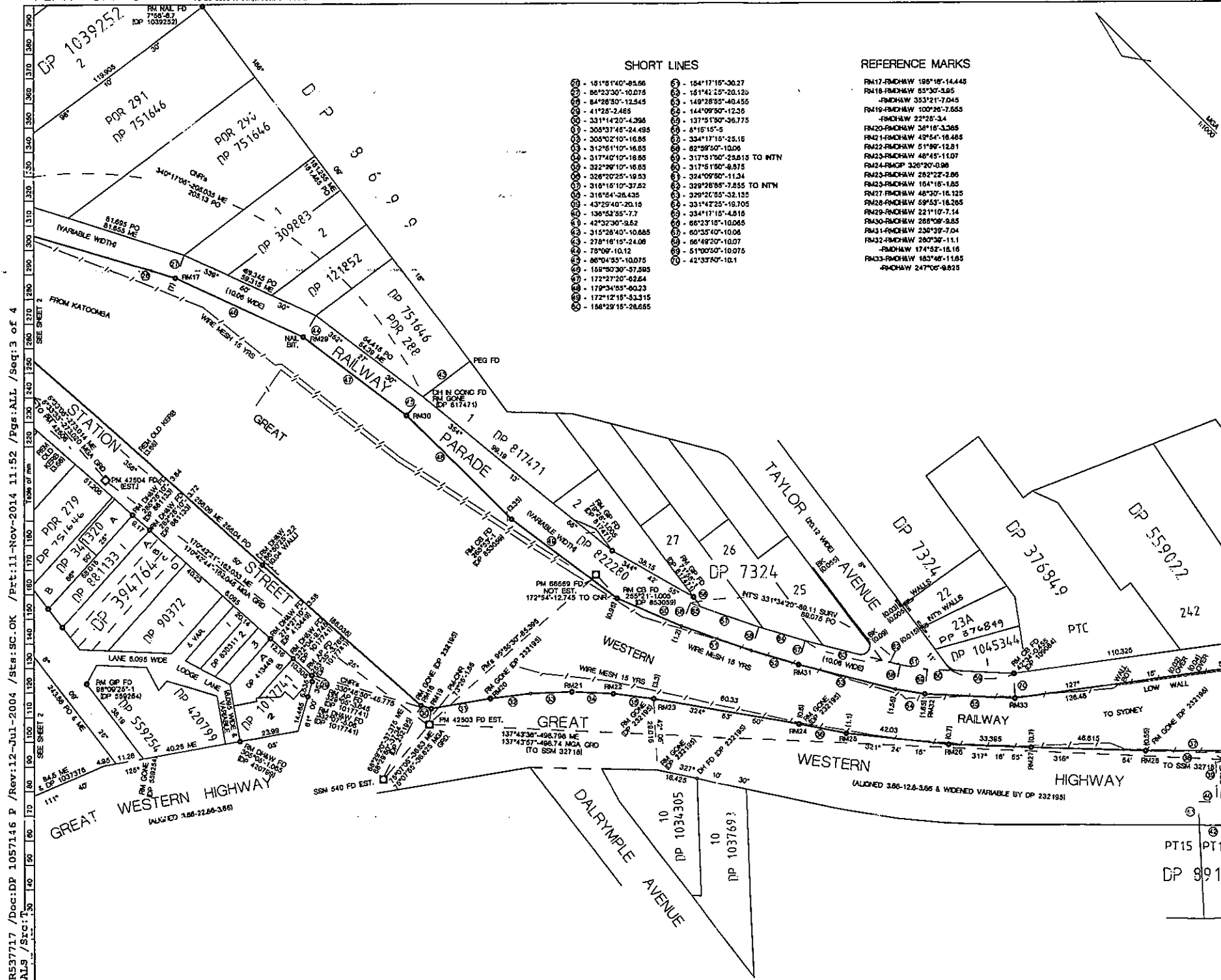
Plan Drawing only to appear in this space

Reduction Ratio: 1:1000
 SURVEYOR'S REFERENCE WFS: R29564 214

PLAN FORM 3

To be used in conjunction with Plan Form 2

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION



SHORT LINES

1	181°18'40"-85.96
2	86°23'30"-10.078
3	84°58'50"-12.645
4	41°25'-2.465
5	331°14'20"-4.296
6	305°37'46"-24.495
7	305°02'10"-16.855
8	312°6'110"-16.835
9	317°40'10"-16.855
10	322°29'10"-16.835
11	328°20'25"-19.53
12	310°16'10"-37.52
13	316°54'-26.435
14	43°29'40"-20.15
15	334°11'15"-48.16
16	42°22'30"-5.52
17	315°28'40"-10.865
18	278°16'15"-24.08
19	78°08'-10.12
20	88°04'35"-10.075
21	159°30'30"-37.265
22	172°21'20"-52.54
23	179°34'55"-60.23
24	172°12'15"-53.315
25	158°29'15"-26.655
26	154°17'16"-30.27
27	151°42'25"-20.125
28	149°26'55"-40.455
29	144°09'50"-12.28
30	137°51'50"-26.775
31	8°16'15"-5
32	334°17'15"-25.16
33	82°09'50"-10.06
34	317°51'50"-25.815 TO WTN
35	317°51'50"-8.575
36	324°09'50"-11.34
37	329°28'55"-7.555 TO NTN
38	320°22'55"-32.125
39	331°47'25"-19.705
40	338°52'55"-7.7
41	68°23'15"-10.065
42	60°35'40"-10.06
43	66°49'20"-10.07
44	51°00'50"-10.075
45	42°33'40"-10.1

REFERENCE MARKS

RM17-RMCHW	188°16'-14.448
RM18-RMCHW	85°30'-3.85
RMCHW	353°21'-7.045
RM19-RMCHW	100°26'-7.655
RMCHW	22°28'-3.4
RM20-RMCHW	36°16'-3.385
RM21-RMCHW	45°54'-16.485
RM22-RMCHW	5°19'-18.21
RM23-RMCHW	48°45'-11.07
RM24-RMGP	326°20'-0.96
RM25-RMCHW	282°22'-2.86
RM26-RMCHW	104°18'-1.85
RM27-RMCHW	46°30'-16.125
RM28-RMCHW	59°55'-16.265
RM29-RMCHW	22°10'-7.14
RM30-RMCHW	288°09'-9.85
RM31-RMCHW	230°29'-7.04
RM32-RMCHW	260°30'-11.1
RMCHW	174°52'-18.16
RM33-RMCHW	163°46'-11.85
RMCHW	247°05'-8.825

DP1057146

Registered: *B. 022004*

This is sheet 3 of my plan of 4 sheets dated 10/7/03

Surveyor registered under the Surveyors Act, 2002

This is sheet of my plan of sheets covered by subdivision certificate No. of

Authorized Person/General Manager/Accredited Certifier

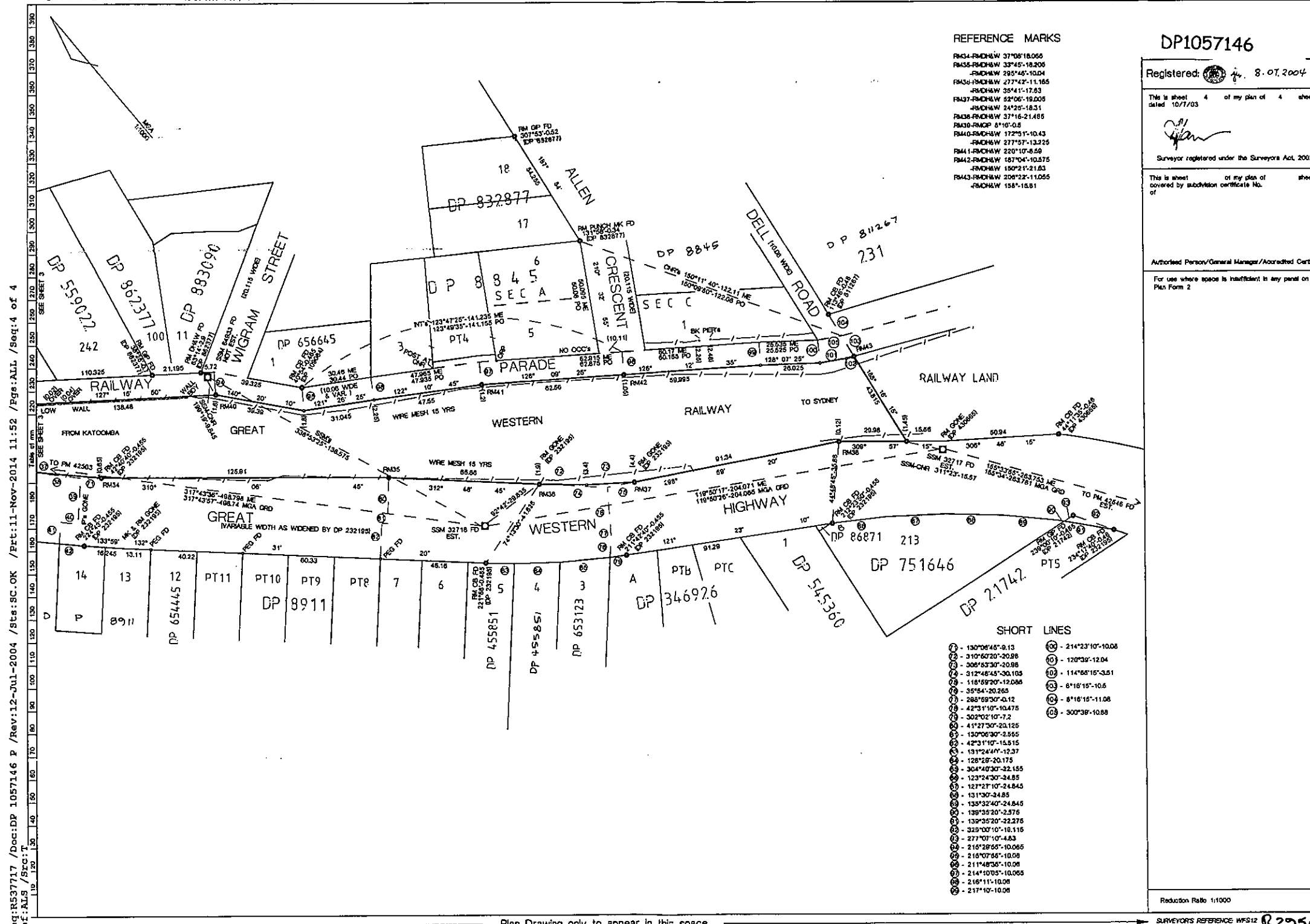
For use where space is insufficient in any panel on Plan Form 2

Reduction Ratio 1:1000

Reg: B537717 / Doc: DP 1057146 P / Rev: 12-Jul-2004 / Sta: SC OK / Prt: 11-Nov-2014 11:52 / Pgs: ALL / Sec: 3 of 4

Plan Drawing only to appear in this space

SURVEYORS REFERENCE WFS12 R29504 24



REFERENCE MARKS

- RM44-RMCHW 37°08'16.006
- RM45-RMCHW 33°45'18.206
- RM46-RMCHW 29°45'10.004
- RM47-RMCHW 27°42'11.165
- RM48-RMCHW 35°41'17.63
- RM49-RMCHW 52°06'18.005
- RM50-RMCHW 24°25'18.31
- RM51-RMCHW 37°16'21.485
- RM52-RMCHW 61°07'0.8
- RM53-RMCHW 17°25'11.043
- RM54-RMCHW 27°57'13.225
- RM55-RMCHW 22°10'18.559
- RM56-RMCHW 187°04'10.575
- RM57-RMCHW 150°21'21.83
- RM58-RMCHW 206°22'11.055
- RM59-RMCHW 158°15.81

DP1057146

Registered: 8.07.2004

This is sheet 4 of my plan of 4 sheets dated 10/7/03

[Signature]

Surveyor registered under the Surveyors Act, 2002

This is sheet of my plan of sheets covered by subdivision certificate No. of

Authorised Person/General Manager/Accredited Certifier

For use where space is insufficient in any panel on Plan Form 2

SHORT LINES

- ① - 130°04'45"-9.13
- ② - 310°50'20"-20.88
- ③ - 006°53'30"-20.88
- ④ - 312°48'45"-30.103
- ⑤ - 116°59'20"-19.008
- ⑥ - 35°54'-20.85
- ⑦ - 285°59'30"-0.12
- ⑧ - 42°31'10"-10.475
- ⑨ - 302°02'10"-7.2
- ⑩ - 41°27'30"-23.125
- ⑪ - 130°06'30"-2.895
- ⑫ - 42°31'10"-15.515
- ⑬ - 131°24'44"-12.37
- ⑭ - 128°28'-20.175
- ⑮ - 304°40'30"-32.155
- ⑯ - 123°44'30"-24.85
- ⑰ - 127°27'10"-24.845
- ⑱ - 131°07'-24.85
- ⑲ - 135°32'40"-24.845
- ⑳ - 138°35'20"-2.575
- ㉑ - 139°35'20"-22.275
- ㉒ - 329°00'10"-18.115
- ㉓ - 277°07'10"-4.83
- ㉔ - 216°28'55"-10.065
- ㉕ - 218°07'45"-10.05
- ㉖ - 211°48'35"-10.08
- ㉗ - 214°10'55"-10.065
- ㉘ - 216°11'-10.08
- ㉙ - 217°10'-10.08
- ㉚ - 214°23'10"-10.06
- ㉛ - 120°39'-12.04
- ㉜ - 114°58'16"-3.51
- ㉝ - 6°16'15"-10.5
- ㉞ - 6°16'15"-11.08
- ㉟ - 300°38'-10.88

Ref: R537717 / Dec: DP 1057146 P / Rev: 12-Jul-2004 / Srs: SC OK / Prc: 11-Nov-2014 11:52 / Egs: ALL / Seq: 4 of 4

Phase 1 Contamination Investigation

Transport for NSW

Wentworth Falls Railway Station

Appendix B: Section 149 Certificate



Certificate No. 14/73757

Greencap NAA
2/11 Khartoum Rd
NORTH RYDE NSW 2113

(02) 4780 5000

PLANNING CERTIFICATE ISSUED UNDER SECTION 149

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979, AS AMENDED

Your Ref:

LAND DESCRIPTION: L 1 DP 1057146
Wentworth Falls Railway Station, 19P Station Street,
WENTWORTH FALLS NSW 2782

INFORMATION PURSUANT TO SECTION 149 (2) OF THE ACT

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.

L.E.P. 2005 Gazetted 7/10/05.

State Environmental Planning Policy No. 1: Development Standards. Gazetted 17/10/80

State Environmental Planning Policy No. 21: Caravan Parks. Gazetted 24/4/92

State Environmental Planning Policy No. 30: Intensive Agriculture. Gazetted 8/12/89

State Environmental Planning Policy No. 32: Urban Consolidation (Redevelopment Of Urban Land). Gazetted 15/11/91

State Environmental Planning Policy No. 33: Hazardous And Offensive Development. Gazetted 13/3/92

State Environmental Planning Policy No. 36: Manufactured Home Estates. Gazetted 16/7/93

State Environmental Planning Policy No. 44: Koala Habitat Protection. Gazetted 6/1/95

State Environmental Planning Policy No. 50 - Canal Estate Development. Gazetted 10/11/97

State Environmental Planning Policy No. 55 – Remediation of Land. Gazetted 28/8/98

State Environmental Planning Policy No. 62 – Sustainable Aquaculture. Gazetted 25/8/00, Commenced 1/10/00 and Amendment to apply to whole State including Blue Mountains 18/12/09.

State Environmental Planning Policy No 64 – Advertising and Signage. Gazetted 16/3/01

State Environmental Planning Policy No. 65: Design Quality of Residential Flat Development. Gazetted 26/7/02

State Environmental Planning Policy No 70 – Affordable Housing (Revised Schemes). Gazetted 31/5/02

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004. Gazetted 31/3/04

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004. Gazetted 25/6/04

State Environmental Planning Policy (Major Projects) 2005. Gazetted 25/5/05

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007. Gazetted 16/2/07

State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007. Gazetted 28/9/07

State Environmental Planning Policy (Infrastructure) 2007. Gazetted 21/12/07

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Gazetted 12/12/08

Sydney Regional Environmental Plan No. 20: Hawkesbury-Nepean River (No. 2 – 1997). Gazetted 7/11/97

State Environmental Planning Policy (Affordable Rental Housing) 2009. Published on NSW Legislation Website 31/07/09

State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011. Published on NSW Legislation Website 21/01/11 commenced 1/03/11

State Environmental Planning Policy (State and Regional Development) 2011. Published on NSW Legislation Website 28/9/11 commenced on 1/10/11

- (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). (For details see Annexure B)

L.E.P. 2005 (Draft Amendment No. 6)

Draft Local Environmental Plan 2013.

Draft State Environmental Planning Policy No. 66: Integration of Land Use and Transport.

Draft State Environmental Planning Policy (Application of Development Standards) 2004.

Draft State Environmental Planning Policy (Exempt and Complying Development Codes) Amendment (Commercial and Industrial Development) 2012.

- (3) The name of each development control plan that applies to the carrying out of development on the land. (For details see Annexure(s) C)

Better Living.

09 Significant Tree Register.

21 Advertising and Information Signage.

31 Public Infrastructure Works in Subdivisions & Developments.

33 Exempt and Complying Development.

- (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 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):

- (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)”):

- (i) the following local environmental plan and zone apply:

L.E.P. 2005 Regional Transport Corridor Rail

- (ii) the following local environmental plan and general provision apply:

**L.E.P. 2005 Protected Area - Water Supply Catchment Area
Regional Transport Corridor Road - Existing**

- (iii) the following draft local environment plan and proposed zone/general provisions apply:

**Draft L.E.P. 2013 Proposed Zone/s
Part SP2 - Special Purpose (Rail)
Part SP2 - Special Purpose (Classified Road)**

**Draft L.E.P. 2013 Proposed General Provision/s
• Protected Area – Slope Constraint Area (Clause 6.3)
• Protected Area - Ecological Buffer Area (Clause 6.6)
• Protected Area - Riparian Land (Clause 6.7)**

- **Protected Area - Watercourse (Clause 6.7)**
- **Flood Planning Area (Clause 6.10)**
- **Probable Maximum Flood - Floodplain Risk Management (Clause 6.11)**
- **Land Acquisition – Classified Road (Clause 5.1)**
- **Groundwater Vulnerability – Moderate (Clause 6.8)**
- **Heritage Item – WF022 – Wentworth Falls Railway Station, WF036 - Arched Stone Culvert, WF097 – War Memorial Coronation Park (Clause 5.10 & Schedule 5)**
- **Heritage Conservation Area – WF032 – Station Street Precinct Conservation Area (Clause 5.10 & Schedule 5)**
- **Adjoins a SP2 – Special Purpose (Classified Road)**

Note:

Draft Local Environmental Plan 2013 (Draft LEP 2013) has been placed on exhibition and for more information on the above proposed zones and proposed general provisions that refer to the clause in the Draft LEP 2013 please go to the 'Blue Mountains Have your Say' webpage

<http://www.bluemountainshaveyoursay/draftlep2013>. This page has links to the Draft LEP 2013 instrument, fact and information sheets, background documentation and mapping. Further to the above there is a land use matrix that is a tool (not a statutory document) to help as a visual interpretation for the Land Use Table in Part 2 of the Draft LEP 2013. It will help determine what is permitted with or without consent in each zone.

Provisions relating to environmentally constrained land, ecological buffer area, riparian land and watercourses refer to both mapped and unmapped environmental attributes. Should these provisions not be identified in this certificate they may none the less be applicable following site analysis and development assessment.

Should the property identified in this certificate be subject to one or more zones and or provisions under LEP 2005, LEP 1991 or Draft LEP 2013, you should initially ascertain the location and extent of the relevant zone and or provisions either by visiting Council's website or by viewing the relevant zoning maps at Council's Business & Information Centres at Katoomba or Springwood.

Confirmation of the location or extent of the relevant zone/provision can be provided by Council through the purchase of a certified copy of the relevant map under Section 150(2) of the Environmental Planning and Assessment Act, the fee for which is prescribed under Clause 262 of the Environmental Planning and Assessment Regulation 2000.

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

This is referred to in Annexure A.

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

This is referred to in Annexure A.

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

This is referred to in Annexure A.

- (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 is not affected by provisions prescribing minimum dimensions for the erection of a dwelling-house.

- (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) (See Annexure G-Heritage Conservation and/or Annexure G1-Protected Area – Period Housing Area):

The land has been identified as being within a heritage conservation area.

Heritage Conservation Area WF032 – Station Street Precinct Conservation Area

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

An item of environmental heritage is situated on the land.

**Heritage Item WF022 – Wentworth Falls Railway Station,
Heritage Item WF036 - Arched Stone Culvert,
Heritage Item WF097 – War Memorial Coronation Park.**

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

To the extent that 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

N/A

- (b) a Precinct Plan (within the meaning of the 2006 SEPP), or

N/A

- (c) a proposed Precinct Plan that is or has been the subject of community consultation or on public exhibition under the Act,

N/A

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).

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), 1.18 (1)(c3) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
- (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), 1.18 (1)(c3) and 1.19 of that Policy and the reasons why it may not be carried out under those clauses.

General Housing Code

Complying development under this Code may not be carried out on the land, as the land is not in an equivalent zone permitted for this Code. See cl 1.6 of the Codes.

Rural Housing Code

Complying development under this Code may not be carried out on the land, as the land is not in an equivalent zone permitted for this Code. See cl 1.6 of the Codes.

Housing Alterations Code

Subdivision 1 – Internal alterations

Subdivision 2 – External alterations to dwelling houses

Subdivision 2A – External alterations to residential accommodation other than dwelling houses

Subdivision 3 – Attic Conversions

Complying development under this Code for the equivalent zones applying to the land, may not apply to the part of the land that has the land exemption, listed below including the extent, however, if only one land exemption covers the whole land then complying development may not apply for that reason.

The land is affected by specific land exemptions:

- land that partly comprises, or on which there is, a draft heritage item, cl 1.18(1)(c3)

General Development Code

Subdivision 1 – Bed and breakfast accommodation

Subdivision 2 – Home businesses

Subdivision 3 – Tents, marquees or booths for community events

Subdivision 4 – Stages or platforms for community events

Complying development under this Code for the equivalent zones applying to the land, may not apply to the part of the land that has the land exemption, listed below including the extent, however, if only one land exemption covers the whole land then complying development may not apply for that reason.

The land is affected by specific land exemptions:

- land that partly comprises, or on which there is, a draft heritage item, cl 1.18(1)(c3)

Subdivision 6 – Waterways structures

Complying development under this Code may not be carried out on the land as the equivalent land use for this purpose is not permissible in the equivalent zone applied to the land.

Commercial and Industrial Alterations Code

Subdivision 1 – Building alterations (internal)

Subdivision 4 – Mechanical ventilation systems

Subdivision 5 – Shop fronts and awnings

Subdivision 6 – Skylights and roof windows

Subdivision 7 – Projecting wall signs

Subdivision 8 – Freestanding pylon and directory board signs

Subdivision 9 – Development ancillary to the use of land

Subdivision 10 – Earthworks, retaining walls and structural support

Subdivision 11 – Driveways, hard stand spaces, pathways and paving

Subdivision 12 – Fences

Complying development under this Code for the equivalent zones applying to the land, may not apply to the part of the land that has the land exemption, listed below including the extent, however, if only one land exemption covers the whole land then complying development may not apply for that reason.

The land is affected by specific land exemptions:

- land that partly comprises, or on which there is, a draft heritage item, cl 1.18(1)(c3)

Subdivision 2 – Change of use of premises

Subdivision 3 – First use of premises

Complying development under this Code may not be carried out on the land as the equivalent land use for this purpose is not permissible in the equivalent zone applied to the land.

Commercial and Industrial (New Buildings and Additions) Code

Complying development under this Code may not be carried out on the land, as the land is not in an equivalent zone permitted for this Code. See cl 1.6 of the Codes.

Subdivision Code

Complying development under this Code for the equivalent zones applying to the land, may not apply to the part of the land that has the land exemption, listed below including the extent, however, if only one land exemption covers the whole land then complying development may not apply for that reason.

The land is affected by specific land exemptions:

- land that partly comprises, or on which there is, a draft heritage item, cl 1.18(1)(c3)

Demolition Code

Complying development under this Code for the equivalent zones applying to the land, may not apply to the part of the land that has the land exemption, listed below including the extent, however, if only one land exemption covers the whole land then complying development may not apply for that reason.

The land is affected by specific land exemptions:

- land that partly comprises, or on which there is, a draft heritage item, cl 1.18(1)(c3)

Fire Safety Code

Complying development under this Code for the equivalent zones applying to the land, may not apply to the part of the land that has the land exemption, listed below including the extent, however, if only one land exemption covers the whole land then complying development may not apply for that reason.

The land is affected by specific land exemptions:

- land that partly comprises, or on which there is, a draft heritage item, cl 1.18(1)(c3)

NOTE: The above responses apply only to the land exemptions for complying development set out in 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 (Codes SEPP). Additional to the above, further requirements may have to be met to determine whether complying development may or may not apply for each of the codes, to ascertain whether other conditions apply, more information is available at www.planning.nsw.gov.au/housingcode and the Code SEPP can be viewed and downloaded from the NSW Legislation website: <http://www.legislation.nsw.gov.au/maintop/view/inforce/epi+572+2008+cd+0+N>

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 so notified by the Department of Services, Technology and Administration:

The land is not affected by the operation of Section 38 or Section 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 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.

The land is not affected by an order made under Part 4D of the *Coastal Protection Act 1979*.

- (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.

The council has not been notified under section 55X of the *Coastal Protection Act 1979* that temporary coastal protection works have been placed on the land.

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).

Note. “Existing coastal protection works” are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the *Local Government Act 1993*.

There are no 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) consent in writing by the owner or previous owners.

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 has not been proclaimed to be a Mine Subsidence District within the meaning of Section 15 of the *Mine Subsidence Compensation Act, 1961*.

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: **No.**
Local Road Widening width:
State Road Widening width:
- b) any environmental planning instrument: **No.**
Local Road Widening width:
State and other Road Widening width:
- c) any resolution of the council: **No.**
Local Road Widening width:

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 council,

that restricts the development of the land because of the likelihood of: (see Annexure F)

- (i) land slip **NO**
(ii) bushfire **YES**
(iii) tidal inundation **NO**
(iv) subsidence **NO**
(v) acid sulphate soils **NO**

or any other risk (other than flooding)

- (vi) unhealthy building land **NO**
(vii) contaminated and potentially contaminated Land **YES***

* 'Council has adopted by resolution a policy on contaminated land and potentially contaminated land, which may restrict the development of the land. This policy is implemented when zoning or land use changes are proposed on lands that have previously been used for certain purposes. Consideration of Council's adopted policy and the application of provisions under relevant State legislation is warranted.' **(Note: This is a statement of Council's policy only and is not a statement of whether or not the land is contaminated or potentially contaminated. Additional information may be available from Council by obtaining a Section 149 (5) Planning Certificate.)**

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.

The Council's adopted Flood Risk Management Study and Plan for the catchment in which the land is located indicates that the land or part of the land is below the Council's Flood Planning Level (FPL), being the level of the 1:100 year flood plus 500mm freeboard, for development for the purposes specified. As a result, the Council's flood related development controls will apply to such development.

Note: The answers to questions 7A(1) and 7A(2) are based on the Flood Risk Management Study and Plan that the Council has adopted for the catchment in which the land is located. The answers given to questions 7A(1) and 7A(2) are based on that Study and Plan, which may be inspected at the Council's Katoomba offices.

In rare flood events there is the possibility that the land may be subject to flooding to a level above the Council's Flood Planning Level.

Please also refer to "Annexure I" to this certificate which provides information concerning the preparation of flood risk management studies and plans within the City and the Council's flood related development controls.

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

The Council's adopted Flood Risk Management Study and Plan for the catchment in which the land is located indicates that the land or part of the land is below the Council's Flood Planning Level (FPL), being the level of the 1:100 year flood plus 500mm freeboard, for development for the purposes specified. As a result, the Council's flood related development controls will apply to such development.

Note: The answers to questions 7A(1) and 7A(2) are based on the Flood Risk Management Study and Plan that the Council has adopted for the catchment in which the land is located. The answers given to questions 7A(1) and 7A(2) are based on that Study and Plan, which may be inspected at the Council's Katoomba offices.

In rare flood events there is the possibility that the land may be subject to flooding to a level above the Council's Flood Planning Level.

Please also refer to "Annexure I" to this certificate which provides information concerning the preparation of flood risk management studies and plans within the City and the Council's flood related development controls.

- (3) Words and expressions in this clause have the same meanings as in the standard instrument set out in 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.

No environmental planning instrument, deemed environmental planning instrument or draft environmental planning instrument applying to the land provides for the acquisition of the 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.

Blue Mountains Citywide Section 94A Infrastructure Contributions Plan Adopted 15 October 2013 and Commenced 30 October 2013. (see Annexure L).

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

This land is not biodiversity certified land within the meaning of Part 7AA of the *Threatened Species Conservation Act 1995*.

10. Biobanking agreements

If the land is land to which a biobanking 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).

This land is not subject to a biobanking agreement entered under Part 7A of the *Threatened Species Conservation Act 1995*.

NOTE: For further information about Biobanking agreements contact the BioBanking Team at Department of Environment and Climate Change NSW on:

Address: PO Box A290, Sydney South NSW 1232

Telephone: 131 555

Fax: (02) 9995 6795

Email: biobanking@environment.nsw.gov.au

Website: www.environment.nsw.gov.au/biobanking

Copies of all Biobanking agreements are available on the BioBanking Public Register accessible via the BioBanking website listed above.

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 partly bush fire prone land.

Note: The Council has determined whether the land is bush fire prone land on the basis of the map certified by the Commissioner of the NSW Rural Fire Service on 20 May 2009 for the purpose of s.146(2) of *Environmental Planning & Assessment Act 1979*. The map used for this determination was received by Council from the NSW Rural Fire Service on 15 June 2009.

12. Property vegetation plans

If the land is land to which a property vegetation plan under 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).

There is not a property vegetation plan applying to this land.

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).

There are no Orders under Trees (Disputes Between Neighbours) Act 2006 applying to this 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.

There is no direction by the Minister currently in force pursuant to Section 75P (2) (c1) of the Act applying to this 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) 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 are no current site compatibility certificates (seniors housing) of which the council is aware, relating to this land issued under the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

- (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 no conditions relating to this land referred to by clause 18(2) of the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

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:

- (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 are no valid site compatibility certificates (infrastructure) of which the council is aware, relating 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, 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.

There are no current site compatibility certificates (affordable rental housing) of which the council is aware, relating to this land.

- (2) A statement setting out any terms of a kind referred to in clause 17(1) or 38(1) of the *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 no conditions relating to this land referred to by clause 17(1) or 38(1) of the State Environmental Planning Policy (Affordable Rental Housing) 2009.

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.

There are no development plans applying to the land or that is proposed to be subject to a consent ballot.

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

There are no subdivision orders applying 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

There is not a current site verification certificate of which the council is aware in respect of 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

N/A

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

Additional Matters

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,

N/A

- (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,

N/A

- (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,

N/A

- (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,

N/A

- (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.

N/A

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.

Information is provided only to the extent that Council has been notified by the Department of Services, Technology and Administration, Department of Planning, Department of Environmental, Climate Change and Water, Department of Transport and Infrastructure, Roads and Traffic Authority or any other relevant public authority.

INFORMATION PURSUANT TO SECTION 149 (5) OF THE ACT

1. Is the land affected by a particular front building line since it adjoins a main, arterial or classified road?

Yes.

Particular Front Building Line: **18 Metres.**

Notes:

1. Setback requirements do not apply to existing buildings.
 2. Provisions contained in Clause 10.3(b) of LEP 1991 may provide for a variation to the required setback.
 3. Provisions contained in Clause 133 of LEP 2005 may provide for a variation to the required setback. Certain Precincts (Schedule 1) may also prescribe a reduced setback, which is to be read in conjunction with clause 133 where a property adjoins land zoned Regional Transport Corridor (Road).
2. Does the property adjoin a Heritage Item and/or Heritage Conservation Area? (See Annexure G)
- Yes. Heritage Conservation Area WF032 – Station Street Precinct Conservation Area
Heritage Item WF019 – Weatherboard Inn Archaeological Site**

3. Contaminated and Potentially Contaminated Land

- * Council's records indicate that the land **has not** been used for potentially contaminating activity listed in Table 1 of the "*Managing Land Contamination Planning Guidelines SEPP 55 – Remediation of Land*"
- * Are there results of any site investigations held by Council? **No**
- * Is there any notification of remediation? **No**
- * Are there copies of any site audit statement held by Council? **No**

4. Conservation Agreements

Whether the land is land to which a Conservation Agreement has been made between the landholder and the Minister for the Environment in accordance with provisions of the National Parks and Wildlife Act 1974, to which Council has been notified of the conservation agreement.

There is not a Conservation Agreement that has been made between the landholder and the Minister for the Environment in accordance with provisions of the National Parks and Wildlife Act 1974 applying to this land that Council has been notified of.

ROBERT GREENWOOD,
General Manager

Per:

A handwritten signature in black ink, appearing to be 'R. Greenwood', written over a horizontal line.

Date **13/11/14**

ANNEXURE "A"
LOCAL ENVIRONMENTAL PLAN 2005

NOTE: This is only an extract from the Local Environmental Plan 2005, and should be read in conjunction with the other provisions of Local Environmental Plan 2005.

Division 3 Permissibility of land use

32 Land use matrix

- (1) Except as otherwise provided by this Division or Division 4 of Part 3 (Heritage conservation), development that:
- (a) is allowed without development consent, or
 - (b) is allowed only with development consent, or
 - (c) is prohibited,
- is specified in the land use matrix in subclause (6).

- (2) The following symbols are used in the land use matrix in subclause (6):

● development that is allowed within the relevant zone without development consent.

C development that is allowed within the relevant zone only with development consent.

1 development that is allowed within a precinct within the Recreation—Private zone only with development consent.

2 development that is allowed within the Katoomba Precinct VTC-KA02, Springwood Precinct VTC-SP01 and Winmalee Precinct VTC-WL01 in the Village—Town Centre zone only with development consent.

3 development that is allowed within the Katoomba Precinct VTC-KA01, Katoomba Precinct VTC-KA02 and Springwood Precinct VTC-SP01 in the Village—Town Centre zone only with development consent.

4 development that is allowed only with development consent, except where it is allowed without development consent by clause 36 (Bush fire hazard reduction).

5 development that is allowed within the relevant zone only with development consent, except where development is allowed without development consent by clause 126 (Special use).

6 development that is allowed within the relevant zone only with development consent, except on bushfire prone land where it is prohibited.

107 development that is allowed within the relevant zones only with development consent, except land in Mount Victoria Precinct VNC-MV01—Village Neighbourhood Centre Precinct and Glenbrook Precinct VNC-GB01—Glenbrook Shops Precinct where it is prohibited.

 development that is prohibited.

- (3) The subdivision of land or demolition of a structure is allowed within any zone with development consent.
- (4) The clearing of vegetation is allowed within any zone only with development consent, except where otherwise allowed by clause 54 (Preservation of trees) or clause 54A (Bushland protection).

(5) Subject to subclauses (3) and (4) and clause 33 (Exempt and complying development), all development not identified in the land use matrix is prohibited.

(6) The following land use matrix applies for the purposes of this plan:

Zones:	Village				Living			Employment		RTC	Recreation		Environmental Protection	
Development for the purpose of:	TC	NC	T	H	G	C	BC	G	EN		PR	OS	PR	OS
accessible housing	C		C	C	C						1			
advertising structures	C	C	C	C	C	C	C	C	C		C	C		
amusement centres	C													
animal establishments								C			C			
arts and crafts galleries	C	C	C					C	C		C			
bed and breakfast establishments	C	C	C	C	C	C	C							
boarding houses	C	C	C	C	C									
bulky goods showrooms	C							C						
bush regeneration	●	●	●	●	●	●	●	●	●	●	●	●	●	●
bush fire hazard reduction	4	4	4	4	4	4	4	4	4	4	4	4	4	4
camping sites											C	C		
¹⁰ car repair stations		7						C						
caravan parks											C	C		
caretakers' dwellings								C	C		C	C		
child care centres	C	C	C	C	C	C		C	C		C	C		
clubs	C							C	C		C	C		
cluster housing							C							
commercial premises	C	C						C						
community buildings	C	C	C	C	C			C	C		C	C		
community centres	C	C		C							C			
dams							C				C	C		
development ancillary to a dwelling house	C	C	C	C	C	C	C		C	C			C	
display gardens	C	C	C	C	C	C	C		C		C	C		
district supermarkets	2													
domestic swimming pools	C	C	C	C	C	C	C	C	C	C	C			
drive-in take-away food outlets	3													
dual occupancies	C		C	C	C				C					
dwelling houses	C	C	C	C	C	C	C		C	C				
educational establishments	C	C	C	C	C			C	C		C			
exhibition homes	C		C	C	C	C	C		C					
general stores	C	C	C	C	C	C		C	C					

Zones:	Village				Living			Employment		RTC	Recreation		Environmental Protection	
	TC	NC	T	H	G	C	BC	G	EN		PR	OS	PR	OS
Development for the purpose of:														
granny flats	C		C	C	C	C	C		C					
hazardous industries or hazardous storage establishments														
health care practices	C	C	C	C	C	C		C	C					
holiday lets	C	C	C	C	C	C	C							
home businesses	●	●	●	●	●	●	●	●	●	●	●			
home employment	C	C	C	C					C					
home occupations	●	●	●	●	●	●	●	●	●	●	●	●	●	●
hospitals	C			C	C			C						
hotels	C													
industries								C						
institutions														
integrated housing	C	C	C	C	C	C	C		C					
land management works	●	●	●	●	●	●	●	●	●	●	●	●	●	●
light industries								C	C					
liquid fuel depots								6						
medical centres	C	C		C				C	C					
motor showrooms								C						
multi-dwelling housing	C		C	C										
nature-based recreation											C	C	C	C
offensive industries or offensive storage establishments														
panel beating workshops								C						
parking	C	C	C	C	C	C	C	C	C	C	C	C		C
parking facilities	C	C						C	C	C				
permaculture			●	●	●	●	●				●	C		
places of assembly	C	C		C				C	C		C			
places of worship	C	C	C	C	C			C	C		C	C		
public buildings	C	C	C	C	C			C	C		C	C		
public transport terminals	C	C								C				
public utility undertakings	●	●	●	●	●	●	●	●	●	●	●	●	●	●
recreation areas	C	C	C					C	C		C	C		
recreation facilities	C	C						C	C		C	C		
refreshment rooms	C	C	C	C							C	C		
remediation of contaminated land	C	C	C	C	C	C	C	C	C	C	C	C	C	C

Zones:	Village				Living			Employment		RTC	Recreation		Environmental Protection	
	TC	NC	T	H	G	C	BC	G	EN		PR	OS	PR	OS
Development for the purpose of:														
retail plant nurseries	C	C						C	C					
roads	C	C	C	C	C	C	C	C	C	C	C	C	C	C
road transport terminals								C						
self-storage units								C						
service stations								6		6				
sex establishments								C						
shop-top housing	C													
shops	C	C												
special uses	5	5	5	5	5	5	5	5	5	5	5	5		5
take-away food outlets	C	C												
telecommunications facilities	C	C	C	C	C	C	C	C	C	C	C	C	C	C
tourist accommodation	C	C	C											
transport depots								C						
utility installations	●	●	●	●	●	●	●	●	●	●	●	●	●	●
veterinary establishments	C	C						C	C					
visitor facilities	C	C	C	C	C	C	C			C	C	C		C
warehouses								C						
waste processing facilities								C						

Abbreviations relating to zone names:

- BC Bushland Conservation
- C Conservation
- EN Enterprise
- G General
- H Housing
- NC Neighbourhood Centre
- OS Open Space
- PR Private
- RTC Regional Transport Corridor
- T Tourist
- TC Town Centre

33 Exempt and complying development

- (1) Notwithstanding clause 32 (Land use matrix), development of minimal environmental impact listed in Schedule 1 to *Blue Mountains Development Control Plan No 33*, as adopted by the Council on 24 August 1999, is exempt development, despite any other provision of this plan.
- (2) Notwithstanding clause 32 (Land use matrix) and subject to this clause, development listed in Schedule 2 to *Blue Mountains Development Control Plan No 33*, as adopted by the Council on 24 August 1999, is complying development if:
 - (a) it is local development of a kind that can be carried out with consent on the land on which it is proposed, and
 - (b) it is not an existing use, as defined in section 106 of the Act.
- (3) Development is exempt or complying development only if it complies with the development standards and other requirements applied to the development by *Blue Mountains Development Control Plan No 33*, as adopted by the Council on 24 August 1999.
- (4) A complying development certificate issued for any complying development is to be subject to the conditions for the development specified in *Blue Mountains Development Control Plan No 33*, as in force when the certificate is issued.

34 Development near zone boundaries

- (1) Notwithstanding clause 32 (Land use matrix) but subject to subclause (2), development that (in the absence of this clause) would be prohibited in a zone may be carried out with development consent within the maximum distance from the boundary between that zone and another zone, if it is allowed in the other zone either with or without development consent.
- (2) Consent shall not be granted to development pursuant to this clause unless the consent authority is satisfied that carrying out the proposed development will:
 - (a) have the effect of extending development that is being or will be lawfully carried out in the zone in which it is allowed in the absence of this clause, and
 - (b) comply with the objectives of the zone in which it will be carried out.
- (3) In this clause, the maximum distance means 20 metres or, if the otherwise prohibited development will be carried out within the Environmental Protection—Private or Environmental Protection—Open Space zone, 10 metres.

35 Temporary use of land

- (1) Notwithstanding clause 32 (Land use matrix) but subject to subclauses (2)–(4), consent may be granted to the temporary use of any land or building for any purpose (including but not limited to an exhibition, concert, fair, sporting event, fete or market) provided the consent authority is satisfied that:
 - (a) the use will cease within a specified time, and
 - (b) suitable arrangements have been or will be made for the removal of any waste, or any temporary structures erected or works carried out in connection with the temporary use, and for the restoration of the land after the cessation of the temporary use, and
 - (c) the temporary use is reasonable having regard to the nature of the temporary use and the economic use of the land pending its development otherwise in accordance with this plan, and
 - (d) the temporary use will not unreasonably adversely affect residential amenity, and
 - (e) the temporary use would not be likely to unreasonably affect the economic viability of any village centre in the locality, and
 - (f) the objectives of the zone in which the land is located will not be compromised over the long term by the temporary use.
- (2) Consent may be granted to the temporary use of any land or building for not more than 28 days, whether consecutive or non-consecutive, in any one year.
- (3) Consent may be granted for a temporary use under this clause over a period of not more than 3 consecutive years, allowing the temporary use for not more than 28 days in each of those years.
- (4) This clause does not apply where:
 - (a) the temporary use would be designated development, or
 - (b) the land proposed to be used for the temporary use is located in the Environmental Protection—Private zone or Environmental Protection—Open Space zone.
- (5) Any requirement within this plan for the preparation of assessments, studies or plans may be waived where the consent authority is satisfied that the preparation of these assessments,

studies or plans is unreasonable or unjustified having regard to the nature of the temporary use.

36 Bush fire hazard reduction

Development consent is not required for the doing of:

- (a) emergency bush fire hazard reduction work, or
- (b) managed bush fire hazard reduction work, or
- (c) work that complies with a bush fire hazard reduction certificate issued in accordance with the Rural Fires Act 1997, or
- (d) bush fire hazard reduction work that complies with any requirement for the establishment or maintenance of an asset protection zone approved by the consent authority.

37 Bush fire safety authority

Notwithstanding clause 32 (Land use matrix), consent shall not be granted for:

- (a) the subdivision of bush fire prone land for residential purposes, or
 - (b) the development of bush fire prone land for a special fire protection purpose,
- unless a bush fire safety authority required by the Rural Fires Act 1997 has been issued by the Commissioner of the NSW Rural Fire Service.

38 Development of land for certain additional purposes

- (1) Notwithstanding clause 32 (Land use matrix) but subject to subclause (2), a person may with consent carry out development on land identified in Schedule 8 that is specified in that Schedule for the land, subject to such conditions as are so specified.
- (2) Consent shall not be granted to development for those items numbered ALU01, ALU02 or ALU03 in Schedule 8, after the expiration of 1 year from the appointed day.
- (3) Nothing in subclause (2) shall prevent consent from being granted to the carrying out of alterations or extensions to, or the rebuilding of, a building or place being used for a purpose for which consent has been granted in accordance with this clause.

39 Consolidation (CONS) requirement

- (1) Notwithstanding clause 32 (Land use matrix), where a consolidation requirement is shown by the notation (CONS) for land shown edged by a heavy line on Map Panel A, development (other than an existing use or for the purpose of bush fire hazard reduction) is prohibited unless all adjoining lots with this notation, which are shown edged with a heavy line, have been consolidated into one lot.
- (2) Consent may be granted to a subdivision of land to which subclause (1) applies only if the proposed subdivision is:
 - (a) a boundary adjustment where no additional lots are created, or
 - (b) for the purpose of providing land for a public purpose.

40 No subdivision (NS)

- (1) Notwithstanding clause 32 (Land use matrix), where a no subdivision requirement is shown by the notation (NS) for land shown edged by a heavy line on Map Panel A, the subdivision of that land to create additional lots is prohibited.
- (2) Consent may be granted to a subdivision of land to which subclause (1) applies only if the proposed subdivision is:
 - (a) a boundary adjustment where no additional lots are created, or
 - (b) for the purpose of providing land for a public purpose, or
 - (c) a strata subdivision.

ANNEXURE B

Proposed Environmental Planning Instruments

No.	Date of Exhibition	Explanation
2005/6	25 February 2004 to 26 March 2004	The aim of this plan is to amend the provisions of Council's Exempt and Complying development guidelines and to be included in Part H of Council's Better Living Development Control Plan.
Draft SEPP No. 66 Integration of Land Use and Transport		This Policy aims to ensure that urban structure, building forms, land use locations, development designs, subdivision and street layouts help achieve the following planning objectives: (a) improving accessibility to housing, employment and services by walking, cycling, and public transport, (b) improving the choice of transport and reducing dependence solely on cars for travel purposes, (c) moderating growth in the demand for travel and the distances travelled, especially by car, (d) supporting the efficient and viable operation of public transport services, (e) providing for the efficient movement of freight.
Draft SEPP (Applications of Development Standards) 2004	May 2004 to 18 June 2004	The aims of this Policy are: (a) to provide an appropriate degree of flexibility in the application to particular development of a development standard specified in or under an environmental planning instrument, and (b) to achieve better outcomes for and from development in the circumstances addressed in this Policy, and (c) to promote good strategic planning practice by incorporating provisions allowing flexibility in local environmental plans.
Draft SEPP (Exempt and Complying Development Codes) Amendment (Commercial and Industrial Development) 2012	12 October 2012 to 9 November 2012	Various amendments to current codes and additional codes. Further information including fact sheets can be viewed on the Department of Planning & Infrastructure at www.planning.nsw.gov.au under "on exhibition" "draft policies and plans".

No.	Date of Exhibition	Explanation
Draft LEP 2013 (Standard Instrument)	4 December 2013 to 5 March 2014	<p data-bbox="857 163 1369 583">Draft Blue Mountains Local Environmental Plan 2013 (DLEP 2013) has been prepared to conform to the State Government's Standard Instrument. As far as possible, DLEP 2013 will be a conversion of the current Local Environmental Plans 1991 & 2005 and deferred matters from LEP 4 to fit within the standard instrument requirements. This means that for most properties in the city, although the name of the land use zones may change, there will be little difference to the nature of development that can be carried out on the land.</p> <p data-bbox="857 617 1369 827">The Council resolved to exhibit the DLEP 2013 and is now on exhibition. Further information and how to engage can be sought from the 'Blue Mountains Have your Say' webpage <a data-bbox="857 768 1369 827" href="http://www.bluemountainshaveyoursay/draftlep2013">http://www.bluemountainshaveyoursay/draftlep2013</p>

ANNEXURE

LOCAL ENVIRONMENTAL PLAN 2005

OBJECTIVES AND DEVELOPMENT CRITERIA

PROTECTED AREA—WATER SUPPLY CATCHMENT

48 Protected Area—Water Supply Catchment

- (1) Consent shall not be granted to development which the Council has been required by an environmental planning instrument to refer to the Sydney Catchment Authority on any land within a Protected Area—Water Supply Catchment (***protected land***) unless the consent authority is satisfied that the development complies with the objectives and other provisions within this clause.
- (2) The objectives for a Protected Area—Water Supply Catchment are:
 - (a) to protect and, where possible, improve water quality within that part of the Blue Mountains and the Hawkesbury-Nepean River catchment that is within Sydney's drinking water catchments, and
 - (b) to restrict development that will adversely impact on the natural systems that are essential for maintaining and improving water quality, and
 - (c) to restrict development in areas that cannot be connected to reticulated sewerage, and
 - (d) to ensure development is designed and sited to minimise the impact of vegetation clearing and soil disturbance, which could detrimentally alter the quality or quantity of the natural surface or sub-surface water movement, and
 - (e) to encourage the restoration and maintenance of areas of disturbed native vegetation.
- (3) Development on any land within a Protected Area—Water Supply Catchment is to:
 - (a) have a neutral or beneficial effect on the water quality of rivers, streams and groundwater in the hydrological catchments, including during periods of wet weather, and
 - (b) incorporate water quality management practices that are sustainable over the long term.
- (4) The consent authority shall not consent to any development on protected land that requires the disposal of wastewater unless:
 - (a) it is to be connected to a reticulated sewerage system, and confirmation of availability of the system is received by the Council from Sydney Water Corporation prior to the granting of consent, or
 - (b) where a reticulated sewerage system is not available, and in the case only of a dwelling house to be erected on a lot that existed on the appointed day, the dwelling house is to be served by a wastewater pump out system.

NOTE: This is only an extract from the Local Environmental Plan 2005, and should be read in conjunction with the other provisions of Local Environmental Plan 2005.

ANNEXURE C
DEVELOPMENT CONTROL PLAN
BETTER LIVING

INTRODUCTION

This Development Control Plan was adopted by Council on 8 March 2005 and became effective from the 7 October 2005.

Amendment to the Better Living DCP with the inclusion of:

- * Part J – Lawson Village was adopted by Council on 4 October 2005 and became effective from 1 December 2005.
- * Part K – Katoomba Eastern Town Approach Precinct – Advertising and Signage, was adopted by Council on 16 December 2009.
- * Part L – Public Participation (Development Applications), was adopted by Council on 12 October 2010 and became effective from 3 November 2010.

AIM

The Development Control Plan seeks to achieve development that is consistent with the natural and cultural heritage values of the Blue Mountains. It promotes site responsive design and innovation that respects, enhances and contributes to the character of the City.

It provides guidance and standards for all types of development.

LAND TO WHICH THIS PLAN APPLIES

This plan applies to all land within the City of the Blue Mountains.

RELATIONSHIP TO OTHER PLANNING INSTRUMENTS

This Plan must be read in conjunction with Local Environmental Plan 2005 and Local Environmental Plan 1991.

FULL COPIES OF DEVELOPMENT CONTROL PLAN – BETTER LIVING ARE AVAILABLE FROM COUNCIL OFFICES AT KATOOMBA OR SPRINGWOOD. A COPY CAN ALSO BE VIEWED AT WWW.BMCC.NSW.GOV.AU

ANNEXURE C

DEVELOPMENT CONTROL PLAN NO. 9

SIGNIFICANT TREES REGISTER

INTRODUCTION

Council at its meeting of 21st June, 1988, resolved to adopt a Development Control Plan encompassing all items listed in the Significant Tree Register. The Plan was adopted on 21st June, 1988.

A significant tree included in the Register is located on the land to which this certificate applies.

PURPOSE

The purpose of the Register is to record unique and outstanding examples of trees, both native and exotic, located in the Blue Mountains City Area.

AIMS & OBJECTIVES

The aims and objectives of this Development Control Plan is to:-

- (a) identify and protect those trees listed on the Register;
- (b) promote greater public awareness of the existence of the register, and the individual items listed;
- (c) ensure existing and, importantly, prospective land owners are made aware of the Significant Trees which may be located on their property; and
- (d) ensure correct on-going care and maintenance of those trees listed, through the recommendations included with the Significant Tree Register.

FULL COPIES OF DEVELOPMENT CONTROL PLAN NO. 9 ARE AVAILABLE FROM COUNCIL OFFICES AT KATOOMBA OR SPRINGWOOD.

ANNEXURE C

DEVELOPMENT CONTROL PLAN NO. 21

ADVERTISING AND INFORMATION SIGNAGE

INTRODUCTION

Development Control Plan No. 21 – Advertising and Information Signage was adopted by Council on 18 September, 2001 and commences on 1 October, 2001.

Advertising and information signage is intentionally a highly visible feature of the urban environment. Well designed and located signs can be useful and can complement local character. Poorly designed and inappropriate signs can detract from the environment and the character of an area.

AIM

The purpose of this plan is to provide a policy which balances the need for advertising and information signage with the broader public interest for maintaining and enhancing the local character of buildings, towns and the surrounding areas in which advertising and information signage is located.

OBJECTIVES

- To provide a consistent approach to the control, location and design of advertisements and information signage.
- To encourage advertising signs which are compatible with the desired amenity and visual character of an area.
- To ensure that signage is of a high quality design and finish.
- To ensure that signage is adequate and effective and recognises the legitimate need for signs providing directions, business identification and promotion.
- To prevent the proliferation of signage and to encourage the rationalisation of existing and proposed signs.
- To ensure signs are not located where they may be hazardous to pedestrians or motorists.

LAND TO WHICH THIS PLAN APPLIES

This Plan applies to all land within the City of the Blue Mountains Local Government Area.

FULL COPIES OF DEVELOPMENT CONTROL PLAN NO. 21 ARE AVAILABLE FROM COUNCIL OFFICES AT KATOOMBA OR SPRINGWOOD.

ANNEXURE C

DEVELOPMENT CONTROL PLAN 31

PUBLIC INFRASTRUCTURE WORKS IN SUBDIVISIONS AND DEVELOPMENTS

INTRODUCTION

Development Control Plan No. 31 - Public Infrastructure Works in Subdivisions and Developments was adopted by Council at its meeting of 11 May 1999 and it became effective on 19 May 1999. The amendment "Specification for Access to New Development" was adopted by Council at its meeting of 13 March 2001 and amendment became effective on 21 March 2001.

The amendment to "Specification for Access to New Development" was adopted by Council at its meeting of 19 February 2002 and the amendment takes effect on 6 March 2002.

AIMS

This Development Control Plan aims to:

- Ensure roads are designed and constructed for the safe movement of vehicles, cyclists and pedestrians.
- Ensure that all construction works recognise the sensitivity of the Blue Mountains environment and that any adverse impact on neighbouring properties and the environment is minimised.
- Provide standards for new public infrastructure works that recognises the long-term maintenance responsibilities of the Council.
- Provide clear administrative procedures during the construction phase of a project.

SPECIFICATIONS

This DCP includes the following specifications:

- Blue Mountains City Council Specification for Dwelling Driveways,

This specification indicates Council's requirements for the construction of driveways to dwellings. Persons intending to construct a new driveway to a dwelling should obtain a copy of this specification from Council.

- Blue Mountains City Council Specification for Minor Road Openings,

This specification indicates Council's requirements for minor road openings, such as service connections. Persons intending to "open" (dig up part of the road or footpath) should obtain a copy of this specification from Council.

SPECIFICATIONS (CONTINUED)

- Blue Mountains City Council Specification for Public Infrastructure – Design &
- Blue Mountains City Council Specification for Public Infrastructure – Construction,

These specifications indicate Council's requirements for road and drainage construction and are particularly relevant for subdivisions and development proposals.

- Blue Mountains City Council Specification for Access to New Development.

This specification outlines Council's requirements for vehicular access to a new development proposed to be constructed beyond the end of Council's current maintained trafficable road system. The specification replaces Council's Unformed Roads Policy.

There are two issues that this Specification seeks to address. These are the legal status of a road upon which access to a development is proposed, and secondly, the standard of construction required when that access extends beyond Council's existing maintained trafficable road system.

LAND TO WHICH THIS PLAN APPLIES

This Plan applies to all land within the Blue Mountains City Council area.

FULL COPIES OF DEVELOPMENT CONTROL PLAN NO. 31 ARE AVAILABLE FROM COUNCIL OFFICES AT KATOOMBA OR SPRINGWOOD. A COPY CAN ALSO BE VIEWED AT www.bmcc.nsw.gov.au

ANNEXURE C

DEVELOPMENT CONTROL PLAN 33

EXEMPT AND COMPLYING DEVELOPMENT

INTRODUCTION

Development Control Plan No. 33 – Exempt and Complying Development was adopted by Council at its meeting on 24 August, 1999 and comes into effect on 27 October, 2000.

AIMS

The aims and objectives of this plan are:

- In regard to Exempt Development:
 - to identify the type of development that is exempt development for the purpose of clause 9A in LEP 1991 and clause 10B in LEP No.4.
 - to identify the requirements for exempt development.
- In regard to Complying Development:
 - to identify the type of development that is complying development for the purpose of clause 9A in LEP 1991 and clause 10B in LEP No. 4.
 - to identify the requirements and outcomes for complying development.
 - to identify the conditions to be included in a complying development certificate

LAND TO WHICH THIS PLAN APPLIES

This plan applies to the City of Blue Mountains Local Government Area.

FULL COPIES OF DEVELOPMENT CONTROL PLAN NO. 33 ARE AVAILABLE FROM COUNCIL OFFICES AT KATOOMBA OR SPRINGWOOD. A COPY CAN ALSO BE VIEWED AT www.bmcc.nsw.gov.au

ANNEXURE I

FLOOD RELATED DEVELOPMENT CONTROLS

INTRODUCTION

When the Council has secured a *Flood Risk Management Study and Plan (FRMP)* for a Catchment or sub-catchment, information is provided on a Planning Certificate issued under Section 149 of the Act, at 7A (1) and (2).

DRAFT AND ADOPTED FRMPs

The FRMPs are adopted by the Council in a two-stage process and the wording of the notification at 7A (1) and (2) reflects these two stages.

1. The first stage is when an FRMP has been secured and adopted by the Council for Public Exhibition purposes.
2. The second stage is when the FRMP is adopted by the Council.

CERTIFICATE NOTATION AND LAND SUBJECT TO DEVELOPMENT CONTROLS

The Certificate, whether for an interim or final FRMP, may note whether the land is below the Flood Planning Level (FPL) and flood related development controls will apply, or above the FPL and flood related development controls will not apply.

Alternatively, the Certificate may note that the Council has no knowledge of the flood liability of land as an FRMP has not been prepared for the Catchment. The Council is progressively preparing FRMPs across the City as resources permit.

SOME TERMS

The words '*the land or part of the land*' - means that part of the land only may be subject to inundation by floodwaters but nonetheless a Certificate notation will apply and the site will be assessed for applicability of flood related development controls at the time of any application for development. The mapping must be referred to determine the extent of the flood impact, and can be found at www.bmcc.nsw.gov.au/bmccmap/Disclaimer_bmccmap.cfm

The expression "*In rare flood events there is the possibility that the land may be subject to flooding to a level above the Council's Flood Planning Level*" - clarifies that the Flood Planning Level shows the flood level at which the Council applies flood related development controls, not the limits of possible flooding. The fact that the land is above the Council's Flood Planning Level does not mean that the land will not flood in rare flood events.

"*Mapping*" – of flood extents showing flood extents is prepared by Council's Consultant Engineers as a key part of the preparation of a FRMP.

FURTHER INFORMATION

The FRMP for the Catchment provides engineering and technical information on the flood liability of land in the Catchment.

The *City of Blue Mountains Flood Liable Land Policy* provides information that applies City-wide and informs the Council in its overall management of flood prone land. The Policy also provides a listing of other relevant documents and development controls.

Copies of both these documents are available from the Council website at <http://www.bmcc.nsw.gov.au/policiesandplans/>

Bushfire Policy



City of Blue Mountains





The City within a National Park

The Emergency Management Goal in Council's Management Plan, seeks to reduce the threat from bushfire in a manner which limits the impact on the urban and natural environment.

It is Council's objective to:

- Achieve a balance between the preservation of the natural environment with the establishment of effective bushfire management strategies.
- To adopt measures aimed at mitigating bushfire threat to all development, subdivision and building work.
- To actively educate the community in preventative bushfire measures in order to minimize risk to life and property in the event of a bushfire.

These objectives are supported by the following documents:

-  ***Development Control Plan No. 10, Town Character Guidelines.***
-  ***Development Control Plan No. 26, Building in Bushfire Prone Areas.***
-  ***Planning for Fire Prone Areas (Circular C10) in relation to subdivision issues, by the Department of Planning, 1991.***
-  ***Planning for Bushfire Protection in relation to subdivision issues, by Department of Bushfire Services, 1991.***

HERITAGE CONSERVATION

Local Environmental Plan 2005 includes sections providing inter alia, for the protection and conservation of the heritage of the Blue Mountains. The following extract should be read in conjunction with the full provisions of Local Environmental Plan 2005.

LOCAL ENVIRONMENTAL PLAN 2005**Division 4 Heritage conservation****68 Consideration of heritage conservation**

Consent shall not be granted to development:

- (a) of a heritage item, or
- (b) within a heritage conservation area, or
- (c) of an archaeological site, or
- (d) that is likely to have an impact on an Aboriginal object or Aboriginal place, or
- (e) within the curtilage of a heritage item or an archaeological site,

unless the consent authority is satisfied that development complies with the relevant heritage conservation objectives and the relevant provisions within this Division.

69 Heritage conservation objectives

The heritage conservation objectives are as follows:

- (a) To conserve the environmental heritage of the Blue Mountains.
- (b) To conserve the heritage significance of existing significant fabric, relics, archaeological sites, settings and views associated with heritage items and heritage conservation areas.
- (c) To ensure that Aboriginal objects and Aboriginal places are conserved, whether or not those sites are identified by an environmental planning instrument.
- (d) To ensure that the heritage conservation areas throughout the City retain their heritage significance.
- (e) To encourage public involvement in the conservation of environmental heritage.

70 Protection of heritage items and heritage conservation areas

- (1) Notwithstanding clause 32 (Land use matrix), the following development may be carried out only with consent:
 - (a) demolishing or moving a heritage item or a building, work, relic, tree or place within a heritage conservation area,
 - (b) moving the whole or part of a heritage item,
 - (c) altering a heritage item or a building, work, relic, tree or place within a heritage conservation area by making structural or non-structural changes to its exterior, including to its detail, fabric, finish or appearance,
 - (d) altering a heritage item by making structural changes to its interior,
 - (e) disturbing or excavating an Aboriginal place while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in an Aboriginal object being discovered, exposed, moved, damaged or destroyed,
 - (f) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,
 - (g) erecting a building on, or subdividing, land upon which a heritage item is located or which is within a heritage conservation area.
- (2) Development consent is not required under this clause if, in the opinion of the consent authority:
 - (a) the proposed development:
 - (i) is of a minor nature or consists of maintenance of the item or of a building, work, archaeological site, tree or place within a heritage conservation area, and
 - (ii) would not adversely affect the heritage significance of the heritage item or heritage conservation area, and
 - (b) the proponent has notified the consent authority in writing of the proposed work and the consent authority advises the applicant in writing before any work is carried out that it is satisfied that the proposed development will comply with this clause and that development consent is not required by this Division.

- (3) Development consent is not required by this clause for:
 - (a) the creation of a new grave or monument, or
 - (b) an excavation or disturbance of land for the purpose of carrying out conservation or repair of monuments or grave markers,in a cemetery or burial ground where there will be no disturbance to human remains, relics in the form of grave goods or to an Aboriginal place.

71 Determination of development applications for heritage

- (1) When determining a development application required by clause 70 (Protection of heritage items and heritage conservation areas), the consent authority shall assess the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.
- (2) An assessment carried out to comply with subclause (1) is to include (but is not limited to) an assessment of the following:
 - (a) the heritage significance of the item as part of the environmental heritage of the City of Blue Mountains,
 - (b) the impact that the proposed development will have on the heritage significance of the item and its setting, including any landscape or horticultural features,
 - (c) the measures proposed to conserve the heritage significance of the item and its setting,
 - (d) whether any archaeological site or potential archaeological site would be adversely affected by the proposed development,
 - (e) the extent, if any, to which the carrying out of the proposed development would affect the form of an historic subdivision pattern,
 - (f) any submission received in relation to the proposed development in response to the notification or advertising of the application within the period set by the notice or advertisement.
- (3) In relation to a heritage conservation area, an assessment carried out in accordance with subclause (1) is to include (but is not limited to) an assessment of the following:
 - (a) the heritage significance of the heritage conservation area and the contribution which any building, work, relic, tree or place affected by the proposed development makes to this heritage significance,
 - (b) the impact that the proposed development would have on the heritage significance of the heritage conservation area,
 - (c) the compatibility of the proposed development with any nearby original building and the character of the heritage conservation area including consideration (where relevant) of:
 - (i) the size, form, scale, orientation, setbacks, materials and detailing of the proposed development, and
 - (ii) the pitch and form of the roof, and
 - (iii) the style, size, proportion and positions of the openings for windows or doors, and
 - (iv) the colour, texture, style, size and type of finish of the materials to be used on the exterior of the building,
 - (d) the measures proposed to conserve the significance of the heritage conservation area and its setting,
 - (e) whether any identified landscape or horticultural features would be affected by the proposed development,
 - (f) whether any archaeological site or potential archaeological site would be affected by the proposed development,
 - (g) the extent, if any, to which the carrying out of the development in accordance with the consent would affect an historic subdivision pattern,
 - (h) any submission received in relation to the proposed development in response to the notification or advertising of the application within the period set by the notice or advertisement.
- (4) When determining whether or not to grant a development consent in accordance with subclause (1):
 - (a) consent shall not be granted until the consent authority has considered a heritage impact statement which includes an assessment of the matters raised in subclause (2), in the case of proposed development that would affect a heritage item, and
 - (b) consent shall not be granted until the consent authority has considered a heritage impact statement which includes an assessment of the matters raised in subclause (3), in the case of proposed development that would affect a heritage conservation area, and
 - (c) where the consent authority requires that a conservation management plan should also be prepared in respect of a heritage item, the consent authority may refuse to grant consent unless a

conservation management plan has been submitted and considered.

72 Notice of certain development applications

The following development is identified as advertised development:

- (a) the demolition of a heritage item or of a building, work, tree or place in a heritage conservation area,
- (b) the carrying out of any development allowed to be carried out only because of clause 77 (Conservation incentives).

73 Notification of demolition to Heritage Council

Before granting consent for the demolition of a heritage item identified by this plan as being of State significance, the consent authority shall notify the Heritage Council of its intention to do so and take into consideration any comments received from the Heritage Council within 28 days after the notice is sent.

74 Development affecting places or sites of known or potential Aboriginal heritage significance

Consent shall not be granted to development that is likely to have an impact on an Aboriginal place, or a potential Aboriginal place, or that will be carried out on an Aboriginal object, unless the consent authority has:

- (a) considered a heritage impact statement explaining how the proposed development would affect the conservation of the Aboriginal place or Aboriginal object known or reasonably likely to be located at a site, or any Aboriginal place, which has been prepared in accordance with any guidelines for the time being notified to it by the Director-General of the Department of Environment and Conservation, and
- (b) except where the proposed development is integrated development, notified the local Aboriginal communities and the Director-General of the Department of Environment and Conservation of its intention to do so and taken into consideration any comments received in response within 28 days after the relevant notice is sent.

75 Development affecting known or potential archaeological sites or relics of non-Aboriginal heritage significance

- (1) Consent may be granted to the carrying out of development on an archaeological site or potential archaeological site or site of a relic that has non-Aboriginal heritage significance (whether or not it is, or has the potential to be, also an Aboriginal place or Aboriginal object) only if the consent authority has:
 - (a) considered a heritage impact statement explaining how the proposed development will affect the conservation of the site and any relic known or reasonably likely to be located at the site, and
 - (b) notified the Heritage Council of its intention to do so and taken into consideration any comments received from the Heritage Council within 28 days after the notice was sent.
- (2) This clause does not apply if the proposed development:
 - (a) does not involve disturbance of below-ground deposits and the consent authority is of the opinion that the heritage significance of any above-ground relics would not be adversely affected by the proposed development, or
 - (b) is integrated development.

76 Development in curtilage of a heritage item or in a heritage conservation area

- (1) Before granting consent to development in the curtilage of a heritage item or in a heritage conservation area that includes a heritage item, including work which:
 - (a) may affect the setting of the heritage item, including by obscuring a significant view to or from the item or by overshadowing, or
 - (b) may undermine or otherwise cause physical damage to the heritage item, or
 - (c) will otherwise have an adverse impact on the heritage significance of the heritage item,the consent authority shall assess the impact of the proposed development on the heritage significance of the heritage item and on the heritage conservation area, if it is within such an area.
- (2) Consent shall not be granted to development in the curtilage of a heritage item or in the vicinity of heritage conservation area unless the consent authority has considered a heritage impact statement, where, in the opinion of the consent authority, that development could adversely impact on the heritage significance or visual setting of that item or area.
- (3) The heritage impact statement, where required, shall include details of the size, shape and scale of, the setbacks for, and the materials to be used in, any proposed buildings or works and details of any modification that would reduce the impact of the proposed development on the significance of the

heritage item.

77 Conservation incentives

- (1) Notwithstanding clause 32 (Land use matrix), the consent authority may as a heritage conservation incentive grant consent to the use for any purpose of a building that is a heritage item, or of the land on which any such item is erected, if:
 - (a) it is satisfied that the retention of the heritage item depends on the granting of consent, and
 - (b) the proposed use is in accordance with a conservation management plan which has been endorsed by the Council, and
 - (c) the granting of consent to the proposed use would ensure that all necessary conservation work identified in the conservation management plan is carried out, and
 - (d) the proposed use would not adversely affect the heritage significance of the heritage item or its setting, and
 - (e) the proposed use would not unreasonably affect the amenity of the surrounding area.
- (2) The consent authority may consent to development that affects a building that is a heritage item, or land on which any such item is erected, even though it contravenes a development standard set by this plan relating to building height, site coverage or development density where the consent authority is satisfied that:
 - (a) the retention of the heritage item depends on the contravention of the development standard, and
 - (b) the proposed contravention is in accordance with a conservation management plan which has been endorsed by the Council, and
 - (c) the proposed contravention would ensure that all necessary conservation work identified in the conservation management plan is carried out, and
 - (d) the proposed contravention of the development standard would not unreasonably affect the heritage significance of the heritage item or its setting, and
 - (e) the proposed contravention of the development standard would not unreasonably affect the amenity of the surrounding area.
- (3) This clause does not allow consent to be granted for a subdivision.

NB: The above extract should be read in conjunction with the full provisions of Local Environmental Plan 2005.

ANNEXURE L

BLUE MOUNTAINS CITY COUNCIL DEVELOPMENT CONTRIBUTIONS PLAN (SECTION 94A ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979)

INTRODUCTION

The Development Contributions Plan was adopted by Blue Mountains City Council at its meeting on 15 October 2013 and became effective from 30 October 2013. The purpose of the Plan is to enable Blue Mountains City Council to levy contributions under Section 94a of the Environmental Planning and Assessment Act, 1979. Section 94a of the Act allows Council to levy contributions from developers for the provision of public infrastructure, amenities and services required as a consequence of development.

PURPOSE OF PLAN

The primary purpose of this Plan is to provide the framework for assessing and applying levies to development under Section 94A of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation).

The other purposes of this Plan are:

- a) To authorise the Council to impose conditions on certain development consents and complying development certificates requiring the payment of a contribution pursuant to Section 94A of the Act;
- b) To require an accredited certifier to impose conditions in a complying development certificate requiring the payment of a contribution pursuant to Section 94A of the Act;
- c) To help fund the provision of public facilities, infrastructure and services that are required for those people who live, work and use facilities in the Blue Mountains Local Government Area;
- d) To provide a transparent process for managing the collection of developer contributions; and
- e) To clearly identify the projects that will be funded by the developer contributions collected under this Plan

TO WHAT LAND AND DEVELOPMENT DOES THE LEVY APPLY?

This Plan applies to the Blue Mountains Local Government Area (LGA), but not to such land within the LGA that is affected by any other contributions plan that has been adopted by the Council and that is in force.

Subject to the provisions of this Plan, and as provided for by the Environmental Planning and Assessment Act, 1979 (the Act), this Plan applies to all applications for development consents and all applications for complying development certificates made under Part 4 of the Act.

HOW MUCH WOULD THE LEVY BE?

The rate of the levy is as follows:

Proposed Cost of the Development	Levy Percentage
\$0 - \$100,000	0%
\$100,001 - \$200,000	0.5%
More than \$200,000	1.0%

WHERE MAY COPIES OF COUNCIL'S DEVELOPMENT CONTRIBUTIONS PLAN BE PURCHASED?

Copies of Blue Mountains Citywide Section 94A Infrastructure Contributions Plan may be downloaded from Council's website www.bmcc.nsw.gov.au/yourcouncil/policiesplansandstrategies/ or purchased from Council's Katoomba and Springwood Offices.

Phase 1 Contamination Investigation

Transport for NSW

Wentworth Falls Railway Station

Appendix C: Site Photographs



Photograph 1: Wentworth Falls Railway Station



Photograph 2: Northern Storage Building Externals



Photograph 3: Paint storage in Northern Storage Building



Photograph 4: Southern Storage Building Externals



Photograph 5: Southern Storage Building Internals



Photograph 6: Main Station Building



Photograph 7: Cleaning Chemical Storage



Photograph 8: Inferred Foundation of Former Gang Shed



Photograph 9: Commuter Carpark Over Former Siding



Photograph 10: Relay and Signalling Hut (637B)