



Applicant:

Lauren Daly

Level 6/120 Sussex St, Sydney NSW 2000

**PLANNING CERTIFICATE UNDER
SECTION 10.7 ENVIRONMENTAL PLANNING
AND ASSESSMENT ACT 1979**

Cert. No.:

4830/02

Page No.:

1 of 13

Parcel No: 8258

Date:

06/06/2024

Receipt No.:

Your REF:

SINSW05937-24

Property Description:

68 Palmer Street CAMMERAY NSW 2062

LOT: 1 DP: 123406

Owner (as recorded by council):

Office of Education

GPO Box 33

SYDNEY NSW 2001

Following is your Planning Certificate issued by North Sydney Council under section 10.7 (2) of the Environmental Planning and Assessment Act, 1979 (EP&A Act). Information contained within this Certificate is based on data from Council's records as it existed at the date of this Certificate.

Council gives notice that the information supplied herein marked with an asterisk (*), has been compiled by Council from sources outside of Council's control. While Council has provided the information herein with all due care and in good faith, it is provided on the basis that Council will not accept any responsibility for and will not be liable for its contents or for any consequence arising from its use, and every user of such information is advised to make all necessary enquiries from the appropriate organisations, institutions and the like.

The Title information shown on this Certificate has been obtained from the Land and Property Information NSW, therefore Council cannot guarantee accuracy. Where this Certificate refers to a specific allotment (or allotments) within a strata plan the Certificate is issued for the whole of the land within the strata plan, not just the specific allotment or allotments referred to, and any information contained in the Certificate may relate to the whole or any part of the strata plan.

Where a particular matter has been unanswered or has not been elaborated upon, such silence should not be interpreted as a meaning or inferring either a negative or positive response as the case may be.

Please note that the accuracy of the information contained within this Certificate may change after the date of this Certificate due to changes in legislation, planning controls or the environment of the land.

Should you have any enquiries, please contact the Council's Customer Service Centre on 02 9936 8100.



THE FOLLOWING INFORMATION IS PROVIDED PURSUANT TO SECTION 10.7(2) OF THE EP&A ACT, 1979 AND SCHEDULE 2 TO THE EP&A REGULATION 2021, AS IT RELATES TO THE SUBJECT LAND

1. APPLICABLE ENVIRONMENTAL PLANNING INSTRUMENTS

1.1. STATE ENVIRONMENTAL PLANNING POLICIES*

SEPP (Biodiversity and Conservation) 2021
SEPP (Exempt and Complying Development Codes) 2008
SEPP (Housing) 2021
SEPP (Industry and Employment) 2021
SEPP (Planning Systems) 2021
SEPP (Precincts-Eastern Harbour City) 2021
SEPP (Primary Production) 2021
SEPP (Resilience and Hazards) 2021
SEPP (Resources and Energy) 2021
SEPP (Sustainable Buildings) 2022
SEPP (Transport and Infrastructure) 2021

Note. Summaries of the SEPPs are provided on the Department of Planning's website at: www.planning.nsw.gov.au

1.2. DRAFT STATE ENVIRONMENTAL PLANNING POLICIES*

Draft Amendment to SEPP (Transport and Infrastructure) 2021 - Chapter 4 Major Infrastructure Corridors

An Explanation of Intended Effect (EIE) to outline proposed amendments to Chapter 4 of the Transport and Infrastructure SEPP – exhibition 22 August 2022 to 19 September 2022.

Draft Amendment to SEPP (Housing) 2021

A Draft amendment to the Housing SEPP in conjunction with amendments to the Local Government and Environmental and Planning Assessment Regulations to improve the planning framework for caravan parks, camping grounds, manufactured home estates and moveable dwellings – exhibition 17 November 2023 to 15 December 2023.

Diverse and well-located homes

An *Explanation of Intended Effect (EIE) - Low and Mid-rise Housing* has been prepared to outline a suite of proposals to enable more diverse, well-designed, low-rise and mid-rise housing near established town centres and in areas where there is good public transport.

Key proposals include:

Dual occupancies:

- Permitting in the *R2 Low Density Residential* zone;
- Setting of standards that if complied with cannot be used for refusal

Residential flat buildings

- Permitting within the *R3 Medium Density Residential* zone, and where that land is located within 800m of a transport station or a commercial centre;
- Permitting increased height and FSR if located within 800m of a transport station or a commercial centre;
- Setting of standards that if complied with cannot be used for refusal, if located within 800m of a transport station or a commercial centre;

Multi-dwelling housing and manor homes

- Permitting within the *R2 Low Density Residential* zone, and where that land is located within 800m of a transport station or a commercial centre;
- Permitting increased height and FSR if located within 800m of a transport station or a commercial centre;



- Setting of standards that if complied with cannot be used for refusal, if located within 800m of a transport station or a commercial centre;

Exhibition of the EIE is occurring between 18 December 2023 to 23 February 2024.

Draft Amendment to SEPP (Transport and Infrastructure) 2021, SEPP (Precincts - Western Parkland City) 2021 and SEPP (Planning Systems) 2021

An Explanation of Intended Effect (EIE) has been prepared seeking to implement a number of amendments to 3 SEPPs to improve planning processes and to deliver infrastructure faster.

The proposed changes will:

- make it easier to deliver infrastructure at the right time, including speeding up planning for projects that benefit the community, create jobs and support economic growth;
- ensure residential amenity, heritage items and the environment are protected from impacts of infrastructure delivery;
- create a consistent approach between different infrastructure activities with similar characteristics and impacts; and
- improve the usability of the T&I SEPP.

Exhibition of the EIE is occurring between 6 March 2024 to 16 April 2024.

Draft Amendment to SEPP (Exempt and Complying Development Codes) 2008

An Explanation of Intended Effect (EIE) has been prepared to align the Rural Housing Code with the Inland Code. Aligning the 2 codes will make it easier for landowners and councils to understand the development standards and environmental requirements that apply for farm buildings, sheds and excavation on rural land.

Exhibition of the EIE is occurring between 15 May 2024 to 14 June 2024.

Note. Summaries of the draft SEPPs are provided on the Department of Planning's website at: www.planning.nsw.gov.au

1.3. LOCAL ENVIRONMENTAL PLANS

North Sydney Local Environmental Plan 2013

Published on the NSW legislation website on 2 August 2013 and came into force on 13 September 2013, as amended.

1.4. DRAFT LOCAL ENVIRONMENTAL PLANS

Planning Proposal 8/21 to amend North Sydney Local Environmental Plan 2013 – North Sydney Centre - Height of Buildings Variation

The Planning Proposal seeks to amend *North Sydney Local Environment Plan 2013* (NSLEP 2013) to ensure that when an application is received with a request to exceed the maximum height of buildings development standard under clause 4.3 on land within the *North Sydney Centre*, that the request to vary the development standard must consider the criteria currently contained under both clauses 4.6 and 6.3(3) to NSLEP 2013.

The Planning Proposal will be on public exhibition from Monday 14 August 2023 to Monday 25 September 2023.

Planning Proposal 5/22 to amend North Sydney Local Environmental Plan 2013 – 71-89 Chandos Street, St Leonards

The Planning Proposal seeks to amend the planning controls to *North Sydney Local Environment Plan 2013* (NSLEP 2013). In particular, the proposed amendments include:



- Increase the maximum building height control from 20 metres to 43 metres (12 storeys);
- Impose a maximum floor space ratio (FSR) control of 4:1;
- Increase the minimum non-residential FSR control from 0.6:1 to 1:1; and
- Introduce a site-specific provision allowing the maximum building height to be exceeded by no more than 2 metres for lift overrun and associated lift structures for the purpose of providing inclusive access to communal open space at the rooftop.

The Planning Proposal will be on public exhibition from Wednesday 23 August 2023 to Wednesday 4 October 2023.

Planning Proposal 5/23 to amend North Sydney Local Environmental Plan 2013 – 115-125 Holt Avenue, Cremorne (Dept of Planning Ref: PP-2023-1627)

This Planning Proposal seeks to amend *North Sydney Local Environment Plan 2013* to identify 115-125 Holt Avenue, Cremorne as local heritage items within Schedule 5 – Environmental Heritage and on the Heritage Map.

The Planning Proposal will be on public exhibition from Tuesday 19 September 2023 to Tuesday 17 October 2023.

Planning Proposal 1/23 to amend North Sydney Local Environmental Plan 2013 – 1-7 Rangers Road & 50 Yeo Street, Neutral Bay (Dept of Planning Ref: PP-2022-4350)

This Planning Proposal seeks to amend the planning controls to *North Sydney Local Environmental Plan 2013* for land at 1-7 Rangers Road & 50 Yeo Street, Neutral Bay. In particular, the proposed amendments include:

- Increase the maximum building height from 16m to part 26m and part 31m; and
- increase the minimum non-residential FSR from 0.5:1 to 1.8:1.

The Planning Proposal will be on public exhibition from Monday 13 May 2024 to Tuesday 11 June 2024.

Note. Due to Council not supporting the progression of this Planning Proposal at its meeting of 22 May 2023, the public exhibition of the Planning Proposal and its subsequent plan making steps are being facilitated by the Sydney North Planning Panel, which forms a division of the Department of Planning Housing and Infrastructure.

1.5. DEVELOPMENT CONTROL PLANS*

North Sydney Development Control Plan 2013

North Sydney Development Control Plan 2013 as adopted by Council on 2 September 2013 and came into effect on 13 September 2013, as amended. *North Sydney Development Control Plan 2013* applies to all land to which *North Sydney Local Environmental Plan 2013* applies.

1.6. DRAFT DEVELOPMENT CONTROL PLANS*

Draft Amendment to North Sydney DCP 2013 (270-272 Pacific Highway, Crows Nest)

On 28 March 2022, Council resolved to endorse a draft amendment to North Sydney Development Control Plan (NSDCP) 2013 to incorporate site specific controls for land at 270-272 Pacific Highway, Crows Nest and place that draft amendment on public exhibition. Public exhibition of the draft amendment to NSDCP 2013 will take place from Wednesday 17 August 2022 to Wednesday 28 September 2022.



2. ZONING AND PERMISSIBLE USES

North Sydney Local Environmental Plan 2013

Zone: SP2 – Infrastructure “Educational establishment”

Permitted without consent

Environmental protection works

Permitted with consent

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

Prohibited

Any development, other than a development specified above, is prohibited in the zone

Exempt Development

Development for the purposes set out in clause 3.1 of *North Sydney Local Environmental Plan 2013* is exempt development, which may be carried out within the zone without the need for development consent.

Complying Development

Development for the purposes set out in clause 3.2 of *North Sydney Local Environmental Plan 2013* is complying development, which may be carried out within the zone without the need for development consent, provided that a complying development certificate is obtained.

Additional prohibited uses

The land IS SUBJECT TO clause 2.9 to *North Sydney Local Environmental Plan 2013* which prohibits canal estate development on any land to which *North Sydney Local Environmental Plan 2013* applies.

2.1. DWELLING HOUSE RESTRICTIONS

North Sydney Local Environmental Plan 2013 DOES NOT set minimum land dimensions for the erection of a dwelling house on the subject land.

2.2. HERITAGE CONTROLS

State Environmental Planning Policy (Biodiversity and Conservation) 2021

The subject land IS NOT identified as containing a HERITAGE ITEM under *Chapter 6 - Water Catchments to SEPP (Biodiversity and Conservation) 2021*.

North Sydney Local Environmental Plan 2013

The whole or part of the subject land IS WITHIN A CONSERVATION AREA, under clause 5.10 - Heritage Conservation to *North Sydney Local Environmental Plan 2013*. Development consent is required for demolition (including partial demolition), alteration of the exterior or any change to the property, for construction of a building on, or for subdivision of, the land. Council may refuse consent to demolish a building within a conservation area.

The whole or part of the subject land IS A HERITAGE ITEM, under clause 5.10 - Heritage Conservation to *North Sydney Local Environmental Plan 2013*. Development consent is required for demolition (including



partial demolition) or any change to the property, construction of a building on, or subdivision of, the land. Council may refuse consent to demolish a Heritage Item.

2.3. BIODIVERSITY VALUE

The subject land DOES NOT include or comprise an area of OUTSTANDING BIODIVERSITY VALUE under the Biodiversity Conservation Act 2016.

3. INFRASTRUCTURE CONTRIBUTIONS

LOCAL INFRASTRUCTURE CONTRIBUTIONS

North Sydney Local Infrastructure Contributions Plan 2020. Local infrastructure contributions plan made under sections 7.11 and 7.12 of the Environmental Planning and Assessment Act 1979, applying to all development in the North Sydney local government area. Effective from 1 March 2021.

HOUSING AND PRODUCTIVITY CONTRIBUTIONS

The subject land IS LOCATED within the *Greater Sydney Region* as shown on the map marked "*Housing and Productivity Contributions Regions Map*" to which the Environmental Planning and Assessment Amendment (Housing and Productivity Contribution) Order 2023 applies.

SPECIAL CONTRIBUTIONS AREAS

The subject land is NOT LOCATED within a Special Contributions Area.

4. COMPLYING DEVELOPMENT*

Note. This part of the Planning Certificate only addresses matters raised in Clauses 1.17A(1)(c)-(e), (2), (3) and (4), 1.18 (1)(c3) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. It is your responsibility to ensure that you comply with any other relevant requirements of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Failure to comply with these provisions may mean that a Complying Development Certificate issued under the provisions of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 is invalid.

Information pertaining to the extent of the subject land that is only partly affected by a land exclusion under clauses 1.17A(1)(c)-(e), (2), (3) and (4), 1.18 (1)(c3) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, is not provided within this Planning Certificate. It is your responsibility to determine the extent of the land where complying development can or cannot be undertaken for the purpose of this Policy. This information can be obtained by visiting Council's offices at 200 Miller Street, North Sydney, Council's website: www.northsydney.nsw.gov.au or contacting Council on 9936 8100.

Housing Code

Complying development types specified within the Housing Code under Part 3 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.
- Wholly identified as being within a heritage conservation area or a draft heritage conservation area, unless the development is only for a detached outbuilding, detached development (other than a detached studio) or swimming pool.



Rural Housing Code

Complying development types specified within the Rural Housing Code under Part 3A of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.
- Wholly identified as being within a heritage conservation area or a draft heritage conservation area, unless the development is only for a detached outbuilding, detached development (other than a detached studio) or swimming pool.

Housing Alterations Code

Complying development types specified within the Housing Alterations Code under Part 4 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

General Development Code

Complying development types specified within the General Development Code under Part 4A of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

Industrial and Business Alterations Code

Complying development types specified within the Industrial and Business Alterations Code under Part 5 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

Industrial and Business Buildings Code

Complying development types specified within the Industrial and Business Buildings Code under Part 5A of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.
- Wholly identified as being within a heritage conservation area or a draft heritage conservation area.

Subdivisions Code



Complying development types specified within the Subdivisions Code under Part 6 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

Demolition Code

Complying development types specified within the Demolition Code under Part 7 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

Fire Safety Code

Complying development types specified within the Fire Safety Code under Part 8 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

Container Recycling Facilities Code

Complying development types specified within the Container Recycling Facilities Code under Part 5B of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

Low Rise Housing Diversity Code

Complying development types specified within the Low Rise Housing Diversity Code under Part 3B of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.
- Wholly identified as being within a heritage conservation area or a draft heritage conservation area, unless the development is only for a detached outbuilding, detached development (other than a detached studio) or swimming pool.

Greenfield Housing Code

Complying development types specified within the Greenfield Housing Code under Part 3C of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.



- Wholly identified as being within a heritage conservation area or a draft heritage conservation area, unless the development is only for a detached outbuilding, detached development (other than a detached studio) or swimming pool.

Agritourism and Farm Stay Accommodation Code

Complying development types specified within the Agritourism and Farm Stay Accommodation Code under Part 9 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CAN NOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.
- Wholly identified as being within a heritage conservation area or a draft heritage conservation area, unless the development is only for a detached outbuilding, detached development (other than a detached studio) or swimming pool.

5. EXEMPT DEVELOPMENT*

Note. This part of the Planning Certificate only addresses matters raised in Clauses 1.16(1)(b1)-(d) and 1.16A of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. It is your responsibility to ensure that you comply with any other relevant requirements of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. Failure to comply with these provisions may mean that the undertaking of those exempt development works are not lawful and may be subject to development control orders under the *Environmental Planning and Assessment Act, 1979*. Information pertaining to the extent of the subject land that is only partly affected by a land exclusion under clauses 1.16(1)(b1)-(d) and 1.16A of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, is not provided within this Planning Certificate. It is your responsibility to determine the extent of the land where exempt development can or cannot be undertaken for the purpose of this Policy. This information can be obtained by visiting Council's offices at 200 Miller Street, North Sydney, Council's website: www.northsydney.nsw.gov.au or contacting Council on 9936 8100.

General Exempt Development Code

Exempt development types specified within the General Exempt Development Code under Division 1 to Part 2 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CAN BE UNDERTAKEN ON THE SUBJECT LAND.

Advertising and Signage Exempt Development Code

Exempt development types specified within the Advertising and Signage Exempt Development Code under Division 2 to Part 2 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CAN BE UNDERTAKEN ON THE SUBJECT LAND.

Temporary Uses and Structures Exempt Development Code

Exempt development types specified within the Temporary Uses and Structures Exempt Development Code under Division 3 to Part 2 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CAN BE UNDERTAKEN ON THE SUBJECT LAND.

6. AFFECTED BUILDING NOTICES & BUILDING RECTIFICATION ORDERS*

Council is NOT AWARE of any *Affected Building Notice*, *Building Product Rectification Order* or *Intention to make a Building Product Rectification Order* made under the *Building Products (Safety) Act 2017* applying to the subject land.

7. LAND RESERVED FOR ACQUISITION*

The subject land is NOT SUBJECT to any reservation for LAND ACQUISITION by a public authority for any purpose under any environmental planning instrument applying to the land as set out in this certificate.



8. ROAD WIDENING AND ROAD REALIGNMENT*

The subject land is NOT AFFECTED by any ROAD WIDENING OR ROAD REALIGNMENT under the Roads Act 1993.

The subject land is NOT AFFECTED by any ROAD WIDENING OR ROAD REALIGNMENT under any environmental planning instrument.

The subject land is NOT AFFECTED by any ROAD WIDENING OR ROAD REALIGNMENT under any Council resolution.

9. FLOOD RELATED DEVELOPMENT CONTROLS

Is the whole or part of the land located within a Flood Planning Area and subject to flood related development controls?

NO.

Is the whole or part of the land located between the Flood Planning Area and the probable maximum flood and subject to flood related development controls?

NO.

10. COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS*

The subject land is NOT AFFECTED by a policy, adopted by the Council or adopted by any other public authority and notified to the Council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the Council, that restricts the development of the land by reason of the likelihood of landslip, bushfire, tidal inundation, subsidence, acid sulphate soils, contamination, aircraft noise, coastal hazards, sea level rise or any other risk (excluding flooding).

11. BUSHFIRE PRONE LAND*

The subject land is NOT IDENTIFIED as BUSHFIRE PRONE LAND on Council's Bushfire Prone Land Map as certified by the NSW Rural Fire Service Commissioner dated 22 June 2018 pursuant to the requirements under the of the Rural Fires Act 1997 and Environmental Planning and Assessment Act 1979.

12. LOOSE FILL ASBESTOS INSULATION*

Loose-fill Asbestos Insulation

Council has NO RECORD of the subject land being identified on the NSW Fair Trading's *Loose-Fill Asbestos Insulation Register* as containing a residential building containing loose-fill asbestos insulation, (sometimes called "Mr Fluffy" insulation). Loose-fill asbestos is easy to disturb and can become airborne and it is then easily inhaled. Inhaling asbestos fibres can result in serious illness including asbestosis, lung cancer and mesothelioma.

You are advised to contact NSW Fair Trading for more information:

<https://www.fairtrading.nsw.gov.au/housing-and-property/loose-fill-asbestos-insulation>



Note: Nothing in this statement relates to information about the presence of bonded asbestos materials such as asbestos cement sheeting which may have been used at this site.

13. MINE SUBSIDENCE*

The subject land is NOT PROCLAIMED as a MINE SUBSIDENCE DISTRICT within the meaning of the Coal Mine Subsidence Compensation Act 2017.

14. PAPER SUBDIVISION INFORMATION*

Council is NOT AWARE of a DEVELOPMENT PLAN adopted by a relevant authority or proposed to be subject to a ballot applying to the subject land pursuant to Clause 6 to Schedule 7 of the Environmental Planning and Assessment Act, 1979.

Council is NOT AWARE of a SUBDIVISION ORDER applying to the subject land pursuant to Clause 3 to Schedule 7 of the Environmental Planning and Assessment Act, 1979.

15. PROPERTY VEGETATION PLANS*

Council is NOT AWARE of the subject land being subject to a Property Vegetation Plan enforced under the Native Vegetation Act 2003.

16. BIODIVERSITY STEWARDSHIP SITES*

Council is NOT AWARE of the land being identified as a Biobanking Stewardship Site under a Biobanking Agreement enforced under Part 5 of the Biodiversity Conservation Act 2016.

17. BIODIVERSITY CERTIFIED LAND*

Council is NOT AWARE of the land comprising Biodiversity Certified Land as conferred by the Minister for Planning under the provisions of Part 8 of the Biodiversity Conservation Act 2016.

18. TREE DISPUTE ORDERS*

Council is NOT AWARE of the subject land being subject to an ORDER issued under the Trees (Disputes Between Neighbours) Act 2006.

19. COASTAL PROTECTION*

Council is NOT AWARE of the current or previous owners of the subject land having consented 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 that Act).

Note: "Existing coastal protection works" are works to reduce the impact of coastal hazards on land (such as sea walls, revetments, groynes and beach nourishment) that existed before the commencement of Section 553B of the Local Government Act 1993.

20. WESTERN SYDNEY AEROTROPOLIS*



State Environmental Planning Policy (Precincts – Western Sydney Parkland City) 2021 DOES NOT APPLY to the subject land.

21. SENIORS HOUSING*

Council is NOT AWARE of the land (or part of the land) being the subject of a development consent which contains conditions imposed in relation to clause 88(2) of *State Environmental Planning Policy (Housing) 2021* or clause 18(2) of former *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*.

22. AFFORDABLE RENTAL HOUSING*

Council is NOT AWARE of the land (or part of the land) being the subject of a Site Compatibility Certificate issued pursuant to clause 39 of *State Environmental Planning Policy (Housing) 2021* or clause 37 to former *State Environmental Planning Policy (Affordable Rental Housing) 2009*.

Council is NOT AWARE of the land (or part of the land) being the subject of a development consent which contains conditions imposed pursuant to clauses 21(1) or 40(1) to *State Environmental Planning Policy (Housing) 2021* or clauses 17(1) or 38(1) to *State Environmental Planning Policy (Affordable Rental Housing) 2009*.

23. WATER & SEWERAGE SERVICES*

Council is NOT AWARE of any water or sewerage services that are provided to, or proposed to be provided to the subject land (or part of the subject land) pursuant to the provisions of the *Water Industry Competition Act 2006*.

THE FOLLOWING INFORMATION IS PROVIDED FOR THE PURPOSE OF SECTION 59(2) OF THE CONTAMINATED LAND MANAGEMENT ACT, 1997*

Council is NOT AWARE of the land (or part of the land) being declared SIGNIFICANTLY CONTAMINATED land, as defined under Section 11 of the *Contaminated Land Management Act, 1997*.

Council is NOT AWARE of the land (or part of the land) being subject to a MANAGEMENT ORDER, as defined under Section 14(1) of the *Contaminated Land Management Act, 1997*.

Council is NOT AWARE of the land (or part of the land) being the subject of an approved VOLUNTARY MANAGEMENT PROPOSAL, as defined under Section 17(1) of the *Contaminated Land Management Act, 1997*.

Council is NOT AWARE of the land (or part of the land) being subject to an ONGOING MAINTENANCE ORDER, as defined under Section 28(2) of the *Contaminated Land Management Act, 1997*.

Council is NOT AWARE of the land (or part of the land) being the subject of a SITE AUDIT STATEMENT, as defined under Part 4 of the *Contaminated Land Management Act, 1997*.



NORTH SYDNEY COUNCIL

200 Miller Street, North Sydney, NSW 2060 | **ABN** 32 353 260 317

All correspondence PO Box 12, North Sydney, NSW 2059

P (02) 9936 8100 | **E** council@northsydney.nsw.gov.au

W www.northsydney.nsw.gov.au

*Electronically generated certificate
– no signature required*



Applicant:

Lauren Daly

Level 6/120 Sussex St, Sydney NSW 2000

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1.1. STATE ENVIRONMENTAL PLANNING POLICIES*

SEPP (Biodiversity and Conservation) 2021
SEPP (Exempt and Complying Development Codes) 2008
SEPP (Housing) 2021
SEPP (Industry and Employment) 2021
SEPP (Planning Systems) 2021
SEPP (Precincts-Eastern Harbour City) 2021
SEPP (Primary Production) 2021
SEPP (Resilience and Hazards) 2021
SEPP (Resources and Energy) 2021
SEPP (Sustainable Buildings) 2022
SEPP (Transport and Infrastructure) 2021

Note. Summaries of the SEPPs are provided on the Department of Planning's website at: www.planning.nsw.gov.au

1.2. DRAFT STATE ENVIRONMENTAL PLANNING POLICIES*

Draft Amendment to SEPP (Transport and Infrastructure) 2021 - Chapter 4 Major Infrastructure Corridors

An Explanation of Intended Effect (EIE) to outline proposed amendments to Chapter 4 of the Transport and Infrastructure SEPP – exhibition 22 August 2022 to 19 September 2022.

Draft Amendment to SEPP (Housing) 2021

A Draft amendment to the Housing SEPP in conjunction with amendments to the Local Government and Environmental and Planning Assessment Regulations to improve the planning framework for caravan parks, camping grounds, manufactured home estates and moveable dwellings – exhibition 17 November 2023 to 15 December 2023.

Diverse and well-located homes

An *Explanation of Intended Effect (EIE) - Low and Mid-rise Housing* has been prepared to outline a suite of proposals to enable more diverse, well-designed, low-rise and mid-rise housing near established town centres and in areas where there is good public transport.

Key proposals include:

Dual occupancies:

- Permitting in the R2 Low Density Residential zone;
- Setting of standards that if complied with cannot be used for refusal

Residential flat buildings

- Permitting within the R3 Medium Density Residential zone, and where that land is located within 800m of a transport station or a commercial centre;
- Permitting increased height and FSR if located within 800m of a transport station or a commercial centre;
- Setting of standards that if complied with cannot be used for refusal, if located within 800m of a transport station or a commercial centre;

Multi-dwelling housing and manor homes

- Permitting within the R2 Low Density Residential zone, and where that land is located within 800m of a transport station or a commercial centre;
- Permitting increased height and FSR if located within 800m of a transport station or a commercial centre;



- Setting of standards that if complied with cannot be used for refusal, if located within 800m of a transport station or a commercial centre;

Exhibition of the EIE is occurring between 18 December 2023 to 23 February 2024.

Draft Amendment to SEPP (Transport and Infrastructure) 2021, SEPP (Precincts - Western Parkland City) 2021 and SEPP (Planning Systems) 2021

An Explanation of Intended Effect (EIE) has been prepared seeking to implement a number of amendments to 3 SEPPs to improve planning processes and to deliver infrastructure faster.

The proposed changes will:

- make it easier to deliver infrastructure at the right time, including speeding up planning for projects that benefit the community, create jobs and support economic growth;
- ensure residential amenity, heritage items and the environment are protected from impacts of infrastructure delivery;
- create a consistent approach between different infrastructure activities with similar characteristics and impacts; and
- improve the usability of the T&I SEPP.

Exhibition of the EIE is occurring between 6 March 2024 to 16 April 2024.

Draft Amendment to SEPP (Exempt and Complying Development Codes) 2008

An Explanation of Intended Effect (EIE) has been prepared to align the Rural Housing Code with the Inland Code. Aligning the 2 codes will make it easier for landowners and councils to understand the development standards and environmental requirements that apply for farm buildings, sheds and excavation on rural land.

Exhibition of the EIE is occurring between 15 May 2024 to 14 June 2024.

Note. Summaries of the draft SEPPs are provided on the Department of Planning's website at: www.planning.nsw.gov.au

1.3. LOCAL ENVIRONMENTAL PLANS

North Sydney Local Environmental Plan 2013

Published on the NSW legislation website on 2 August 2013 and came into force on 13 September 2013, as amended.

1.4. DRAFT LOCAL ENVIRONMENTAL PLANS

Planning Proposal 8/21 to amend North Sydney Local Environmental Plan 2013 – North Sydney Centre - Height of Buildings Variation

The Planning Proposal seeks to amend *North Sydney Local Environment Plan 2013* (NSLEP 2013) to ensure that when an application is received with a request to exceed the maximum height of buildings development standard under clause 4.3 on land within the *North Sydney Centre*, that the request to vary the development standard must consider the criteria currently contained under both clauses 4.6 and 6.3(3) to NSLEP 2013.

The Planning Proposal will be on public exhibition from Monday 14 August 2023 to Monday 25 September 2023.

Planning Proposal 5/22 to amend North Sydney Local Environmental Plan 2013 – 71-89 Chandos Street, St Leonards

The Planning Proposal seeks to amend the planning controls to *North Sydney Local Environment Plan 2013* (NSLEP 2013). In particular, the proposed amendments include:



- Increase the maximum building height control from 20 metres to 43 metres (12 storeys);
- Impose a maximum floor space ratio (FSR) control of 4:1;
- Increase the minimum non-residential FSR control from 0.6:1 to 1:1; and
- Introduce a site-specific provision allowing the maximum building height to be exceeded by no more than 2 metres for lift overrun and associated lift structures for the purpose of providing inclusive access to communal open space at the rooftop.

The Planning Proposal will be on public exhibition from Wednesday 23 August 2023 to Wednesday 4 October 2023.

Planning Proposal 5/23 to amend North Sydney Local Environmental Plan 2013 – 115-125 Holt Avenue, Cremorne (Dept of Planning Ref: PP-2023-1627)

This Planning Proposal seeks to amend *North Sydney Local Environment Plan 2013* to identify 115-125 Holt Avenue, Cremorne as local heritage items within Schedule 5 – Environmental Heritage and on the Heritage Map.

The Planning Proposal will be on public exhibition from Tuesday 19 September 2023 to Tuesday 17 October 2023.

Planning Proposal 1/23 to amend North Sydney Local Environmental Plan 2013 – 1-7 Rangers Road & 50 Yeo Street, Neutral Bay (Dept of Planning Ref: PP-2022-4350)

This Planning Proposal seeks to amend the planning controls to *North Sydney Local Environmental Plan 2013* for land at 1-7 Rangers Road & 50 Yeo Street, Neutral Bay. In particular, the proposed amendments include:

- Increase the maximum building height from 16m to part 26m and part 31m; and
- increase the minimum non-residential FSR from 0.5:1 to 1.8:1.

The Planning Proposal will be on public exhibition from Monday 13 May 2024 to Tuesday 11 June 2024.

Note. Due to Council not supporting the progression of this Planning Proposal at its meeting of 22 May 2023, the public exhibition of the Planning Proposal and its subsequent plan making steps are being facilitated by the Sydney North Planning Panel, which forms a division of the Department of Planning Housing and Infrastructure.

1.5. DEVELOPMENT CONTROL PLANS*

North Sydney Development Control Plan 2013

North Sydney Development Control Plan 2013 as adopted by Council on 2 September 2013 and came into effect on 13 September 2013, as amended. *North Sydney Development Control Plan 2013* applies to all land to which *North Sydney Local Environmental Plan 2013* applies.

1.6. DRAFT DEVELOPMENT CONTROL PLANS*

Draft Amendment to North Sydney DCP 2013 (270-272 Pacific Highway, Crows Nest)

On 28 March 2022, Council resolved to endorse a draft amendment to North Sydney Development Control Plan (NSDCP) 2013 to incorporate site specific controls for land at 270-272 Pacific Highway, Crows Nest and place that draft amendment on public exhibition. Public exhibition of the draft amendment to NSDCP 2013 will take place from Wednesday 17 August 2022 to Wednesday 28 September 2022.



2. ZONING AND PERMISSIBLE USES

North Sydney Local Environmental Plan 2013

Zone: SP2 – Infrastructure “Educational establishment”

Permitted without consent

Environmental protection works

Permitted with consent

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

Prohibited

Any development, other than a development specified above, is prohibited in the zone

Exempt Development

Development for the purposes set out in clause 3.1 of *North Sydney Local Environmental Plan 2013* is exempt development, which may be carried out within the zone without the need for development consent.

Complying Development

Development for the purposes set out in clause 3.2 of *North Sydney Local Environmental Plan 2013* is complying development, which may be carried out within the zone without the need for development consent, provided that a complying development certificate is obtained.

Additional prohibited uses

The land IS SUBJECT TO clause 2.9 to *North Sydney Local Environmental Plan 2013* which prohibits canal estate development on any land to which *North Sydney Local Environmental Plan 2013* applies.

2.1. DWELLING HOUSE RESTRICTIONS

North Sydney Local Environmental Plan 2013 DOES NOT set minimum land dimensions for the erection of a dwelling house on the subject land.

2.2. HERITAGE CONTROLS

State Environmental Planning Policy (Biodiversity and Conservation) 2021

The subject land IS NOT identified as containing a HERITAGE ITEM under *Chapter 6 - Water Catchments to SEPP (Biodiversity and Conservation) 2021*.

North Sydney Local Environmental Plan 2013

The whole or part of the subject land IS WITHIN A CONSERVATION AREA, under clause 5.10 - Heritage Conservation to *North Sydney Local Environmental Plan 2013*. Development consent is required for demolition (including partial demolition), alteration of the exterior or any change to the property, for construction of a building on, or for subdivision of, the land. Council may refuse consent to demolish a building within a conservation area.

The whole or part of the subject land IS A HERITAGE ITEM, under clause 5.10 - Heritage Conservation to *North Sydney Local Environmental Plan 2013*. Development consent is required for demolition (including



partial demolition) or any change to the property, construction of a building on, or subdivision of, the land. Council may refuse consent to demolish a Heritage Item.

2.3. BIODIVERSITY VALUE

The subject land DOES NOT include or comprise an area of OUTSTANDING BIODIVERSITY VALUE under the Biodiversity Conservation Act 2016.

3. INFRASTRUCTURE CONTRIBUTIONS

LOCAL INFRASTRUCTURE CONTRIBUTIONS

North Sydney Local Infrastructure Contributions Plan 2020. Local infrastructure contributions plan made under sections 7.11 and 7.12 of the Environmental Planning and Assessment Act 1979, applying to all development in the North Sydney local government area. Effective from 1 March 2021.

HOUSING AND PRODUCTIVITY CONTRIBUTIONS

The subject land IS LOCATED within the *Greater Sydney Region* as shown on the map marked "*Housing and Productivity Contributions Regions Map*" to which the Environmental Planning and Assessment Amendment (Housing and Productivity Contribution) Order 2023 applies.

SPECIAL CONTRIBUTIONS AREAS

The subject land is NOT LOCATED within a Special Contributions Area.

4. COMPLYING DEVELOPMENT*

Note. This part of the Planning Certificate only addresses matters raised in Clauses 1.17A(1)(c)-(e), (2), (3) and (4), 1.18 (1)(c3) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. It is your responsibility to ensure that you comply with any other relevant requirements of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Failure to comply with these provisions may mean that a Complying Development Certificate issued under the provisions of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 is invalid.

Information pertaining to the extent of the subject land that is only partly affected by a land exclusion under clauses 1.17A(1)(c)-(e), (2), (3) and (4), 1.18 (1)(c3) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, is not provided within this Planning Certificate. It is your responsibility to determine the extent of the land where complying development can or cannot be undertaken for the purpose of this Policy. This information can be obtained by visiting Council's offices at 200 Miller Street, North Sydney, Council's website: www.northsydney.nsw.gov.au or contacting Council on 9936 8100.

Housing Code

Complying development types specified within the Housing Code under Part 3 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.
- Wholly identified as being within a heritage conservation area or a draft heritage conservation area, unless the development is only for a detached outbuilding, detached development (other than a detached studio) or swimming pool.



Rural Housing Code

Complying development types specified within the Rural Housing Code under Part 3A of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.
- Wholly identified as being within a heritage conservation area or a draft heritage conservation area, unless the development is only for a detached outbuilding, detached development (other than a detached studio) or swimming pool.

Housing Alterations Code

Complying development types specified within the Housing Alterations Code under Part 4 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

General Development Code

Complying development types specified within the General Development Code under Part 4A of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

Industrial and Business Alterations Code

Complying development types specified within the Industrial and Business Alterations Code under Part 5 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

Industrial and Business Buildings Code

Complying development types specified within the Industrial and Business Buildings Code under Part 5A of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.
- Wholly identified as being within a heritage conservation area or a draft heritage conservation area.

Subdivisions Code



Complying development types specified within the Subdivisions Code under Part 6 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

Demolition Code

Complying development types specified within the Demolition Code under Part 7 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

Fire Safety Code

Complying development types specified within the Fire Safety Code under Part 8 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

Container Recycling Facilities Code

Complying development types specified within the Container Recycling Facilities Code under Part 5B of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

Low Rise Housing Diversity Code

Complying development types specified within the Low Rise Housing Diversity Code under Part 3B of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.
- Wholly identified as being within a heritage conservation area or a draft heritage conservation area, unless the development is only for a detached outbuilding, detached development (other than a detached studio) or swimming pool.

Greenfield Housing Code

Complying development types specified within the Greenfield Housing Code under Part 3C of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.



- Wholly identified as being within a heritage conservation area or a draft heritage conservation area, unless the development is only for a detached outbuilding, detached development (other than a detached studio) or swimming pool.

Agritourism and Farm Stay Accommodation Code

Complying development types specified within the Agritourism and Farm Stay Accommodation Code under Part 9 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CAN NOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.
- Wholly identified as being within a heritage conservation area or a draft heritage conservation area, unless the development is only for a detached outbuilding, detached development (other than a detached studio) or swimming pool.

5. EXEMPT DEVELOPMENT*

Note. This part of the Planning Certificate only addresses matters raised in Clauses 1.16(1)(b1)-(d) and 1.16A of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. It is your responsibility to ensure that you comply with any other relevant requirements of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. Failure to comply with these provisions may mean that the undertaking of those exempt development works are not lawful and may be subject to development control orders under the *Environmental Planning and Assessment Act, 1979*. Information pertaining to the extent of the subject land that is only partly affected by a land exclusion under clauses 1.16(1)(b1)-(d) and 1.16A of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, is not provided within this Planning Certificate. It is your responsibility to determine the extent of the land where exempt development can or cannot be undertaken for the purpose of this Policy. This information can be obtained by visiting Council's offices at 200 Miller Street, North Sydney, Council's website: www.northsydney.nsw.gov.au or contacting Council on 9936 8100.

General Exempt Development Code

Exempt development types specified within the General Exempt Development Code under Division 1 to Part 2 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CAN BE UNDERTAKEN ON THE SUBJECT LAND.

Advertising and Signage Exempt Development Code

Exempt development types specified within the Advertising and Signage Exempt Development Code under Division 2 to Part 2 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CAN BE UNDERTAKEN ON THE SUBJECT LAND.

Temporary Uses and Structures Exempt Development Code

Exempt development types specified within the Temporary Uses and Structures Exempt Development Code under Division 3 to Part 2 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CAN BE UNDERTAKEN ON THE SUBJECT LAND.

6. AFFECTED BUILDING NOTICES & BUILDING RECTIFICATION ORDERS*

Council is NOT AWARE of any *Affected Building Notice*, *Building Product Rectification Order* or *Intention to make a Building Product Rectification Order* made under the *Building Products (Safety) Act 2017* applying to the subject land.

7. LAND RESERVED FOR ACQUISITION*

The subject land is NOT SUBJECT to any reservation for LAND ACQUISITION by a public authority for any purpose under any environmental planning instrument applying to the land as set out in this certificate.



8. ROAD WIDENING AND ROAD REALIGNMENT*

The subject land is NOT AFFECTED by any ROAD WIDENING OR ROAD REALIGNMENT under the Roads Act 1993.

The subject land is NOT AFFECTED by any ROAD WIDENING OR ROAD REALIGNMENT under any environmental planning instrument.

The subject land is NOT AFFECTED by any ROAD WIDENING OR ROAD REALIGNMENT under any Council resolution.

9. FLOOD RELATED DEVELOPMENT CONTROLS

Is the whole or part of the land located within a Flood Planning Area and subject to flood related development controls?

NO.

Is the whole or part of the land located between the Flood Planning Area and the probable maximum flood and subject to flood related development controls?

NO.

10. COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS*

The subject land is NOT AFFECTED by a policy, adopted by the Council or adopted by any other public authority and notified to the Council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the Council, that restricts the development of the land by reason of the likelihood of landslip, bushfire, tidal inundation, subsidence, acid sulphate soils, contamination, aircraft noise, coastal hazards, sea level rise or any other risk (excluding flooding).

11. BUSHFIRE PRONE LAND*

The subject land is NOT IDENTIFIED as BUSHFIRE PRONE LAND on Council's Bushfire Prone Land Map as certified by the NSW Rural Fire Service Commissioner dated 22 June 2018 pursuant to the requirements under the of the Rural Fires Act 1997 and Environmental Planning and Assessment Act 1979.

12. LOOSE FILL ASBESTOS INSULATION*

Loose-fill Asbestos Insulation

Council has NO RECORD of the subject land being identified on the NSW Fair Trading's *Loose-Fill Asbestos Insulation Register* as containing a residential building containing loose-fill asbestos insulation, (sometimes called "Mr Fluffy" insulation). Loose-fill asbestos is easy to disturb and can become airborne and it is then easily inhaled. Inhaling asbestos fibres can result in serious illness including asbestosis, lung cancer and mesothelioma.

You are advised to contact NSW Fair Trading for more information:

<https://www.fairtrading.nsw.gov.au/housing-and-property/loose-fill-asbestos-insulation>



Note: Nothing in this statement relates to information about the presence of bonded asbestos materials such as asbestos cement sheeting which may have been used at this site.

13. MINE SUBSIDENCE*

The subject land is NOT PROCLAIMED as a MINE SUBSIDENCE DISTRICT within the meaning of the Coal Mine Subsidence Compensation Act 2017.

14. PAPER SUBDIVISION INFORMATION*

Council is NOT AWARE of a DEVELOPMENT PLAN adopted by a relevant authority or proposed to be subject to a ballot applying to the subject land pursuant to Clause 6 to Schedule 7 of the Environmental Planning and Assessment Act, 1979.

Council is NOT AWARE of a SUBDIVISION ORDER applying to the subject land pursuant to Clause 3 to Schedule 7 of the Environmental Planning and Assessment Act, 1979.

15. PROPERTY VEGETATION PLANS*

Council is NOT AWARE of the subject land being subject to a Property Vegetation Plan enforced under the Native Vegetation Act 2003.

16. BIODIVERSITY STEWARDSHIP SITES*

Council is NOT AWARE of the land being identified as a Biobanking Stewardship Site under a Biobanking Agreement enforced under Part 5 of the Biodiversity Conservation Act 2016.

17. BIODIVERSITY CERTIFIED LAND*

Council is NOT AWARE of the land comprising Biodiversity Certified Land as conferred by the Minister for Planning under the provisions of Part 8 of the Biodiversity Conservation Act 2016.

18. TREE DISPUTE ORDERS*

Council is NOT AWARE of the subject land being subject to an ORDER issued under the Trees (Disputes Between Neighbours) Act 2006.

19. COASTAL PROTECTION*

Council is NOT AWARE of the current or previous owners of the subject land having consented 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 that Act).

Note: "Existing coastal protection works" are works to reduce the impact of coastal hazards on land (such as sea walls, revetments, groynes and beach nourishment) that existed before the commencement of Section 553B of the Local Government Act 1993.

20. WESTERN SYDNEY AEROTROPOLIS*



State Environmental Planning Policy (Precincts – Western Sydney Parkland City) 2021 DOES NOT APPLY to the subject land.

21. SENIORS HOUSING*

Council is NOT AWARE of the land (or part of the land) being the subject of a development consent which contains conditions imposed in relation to clause 88(2) of *State Environmental Planning Policy (Housing) 2021* or clause 18(2) of former *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*.

22. AFFORDABLE RENTAL HOUSING*

Council is NOT AWARE of the land (or part of the land) being the subject of a Site Compatibility Certificate issued pursuant to clause 39 of *State Environmental Planning Policy (Housing) 2021* or clause 37 to former *State Environmental Planning Policy (Affordable Rental Housing) 2009*.

Council is NOT AWARE of the land (or part of the land) being the subject of a development consent which contains conditions imposed pursuant to clauses 21(1) or 40(1) to *State Environmental Planning Policy (Housing) 2021* or clauses 17(1) or 38(1) to *State Environmental Planning Policy (Affordable Rental Housing) 2009*.

23. WATER & SEWERAGE SERVICES*

Council is NOT AWARE of any water or sewerage services that are provided to, or proposed to be provided to the subject land (or part of the subject land) pursuant to the provisions of the *Water Industry Competition Act 2006*.

THE FOLLOWING INFORMATION IS PROVIDED FOR THE PURPOSE OF SECTION 59(2) OF THE CONTAMINATED LAND MANAGEMENT ACT, 1997*

Council is NOT AWARE of the land (or part of the land) being declared SIGNIFICANTLY CONTAMINATED land, as defined under Section 11 of the *Contaminated Land Management Act, 1997*.

Council is NOT AWARE of the land (or part of the land) being subject to a MANAGEMENT ORDER, as defined under Section 14(1) of the *Contaminated Land Management Act, 1997*.

Council is NOT AWARE of the land (or part of the land) being the subject of an approved VOLUNTARY MANAGEMENT PROPOSAL, as defined under Section 17(1) of the *Contaminated Land Management Act, 1997*.

Council is NOT AWARE of the land (or part of the land) being subject to an ONGOING MAINTENANCE ORDER, as defined under Section 28(2) of the *Contaminated Land Management Act, 1997*.

Council is NOT AWARE of the land (or part of the land) being the subject of a SITE AUDIT STATEMENT, as defined under Part 4 of the *Contaminated Land Management Act, 1997*.



NORTH SYDNEY COUNCIL

200 Miller Street, North Sydney, NSW 2060 | ABN 32 353 260 317

All correspondence PO Box 12, North Sydney, NSW 2059

P (02) 9936 8100 | **E** council@northsydney.nsw.gov.au

W www.northsydney.nsw.gov.au

*Electronically generated certificate
– no signature required*



Applicant:

Lauren Daly

Level 6/120 Sussex St, Sydney NSW 2000

**PLANNING CERTIFICATE UNDER
SECTION 10.7 ENVIRONMENTAL PLANNING
AND ASSESSMENT ACT 1979**

Cert. No.:

4838/02

Page No.:

1 of 13

Parcel No: 54826

Date:

06/06/2024

Receipt No.:

Your REF:

SINSW05937-24

Property Description:

68 Palmer Street CAMMERAY NSW 2062

LOT: 66 DP: 1049613

Owner (as recorded by council):

Office of Education

GPO Box 33

SYDNEY NSW 2001

Following is your Planning Certificate issued by North Sydney Council under section 10.7 (2) of the Environmental Planning and Assessment Act, 1979 (EP&A Act). Information contained within this Certificate is based on data from Council's records as it existed at the date of this Certificate.

Council gives notice that the information supplied herein marked with an asterisk (*), has been compiled by Council from sources outside of Council's control. While Council has provided the information herein with all due care and in good faith, it is provided on the basis that Council will not accept any responsibility for and will not be liable for its contents or for any consequence arising from its use, and every user of such information is advised to make all necessary enquiries from the appropriate organisations, institutions and the like.

The Title information shown on this Certificate has been obtained from the Land and Property Information NSW, therefore Council cannot guarantee accuracy. Where this Certificate refers to a specific allotment (or allotments) within a strata plan the Certificate is issued for the whole of the land within the strata plan, not just the specific allotment or allotments referred to, and any information contained in the Certificate may relate to the whole or any part of the strata plan.

Where a particular matter has been unanswered or has not been elaborated upon, such silence should not be interpreted as a meaning or inferring either a negative or positive response as the case may be.

Please note that the accuracy of the information contained within this Certificate may change after the date of this Certificate due to changes in legislation, planning controls or the environment of the land.

Should you have any enquiries, please contact the Council's Customer Service Centre on 02 9936 8100.



THE FOLLOWING INFORMATION IS PROVIDED PURSUANT TO SECTION 10.7(2) OF THE EP&A ACT, 1979 AND SCHEDULE 2 TO THE EP&A REGULATION 2021, AS IT RELATES TO THE SUBJECT LAND

1. APPLICABLE ENVIRONMENTAL PLANNING INSTRUMENTS

1.1. STATE ENVIRONMENTAL PLANNING POLICIES*

SEPP (Biodiversity and Conservation) 2021
SEPP (Exempt and Complying Development Codes) 2008
SEPP (Housing) 2021
SEPP (Industry and Employment) 2021
SEPP (Planning Systems) 2021
SEPP (Precincts-Eastern Harbour City) 2021
SEPP (Primary Production) 2021
SEPP (Resilience and Hazards) 2021
SEPP (Resources and Energy) 2021
SEPP (Sustainable Buildings) 2022
SEPP (Transport and Infrastructure) 2021

Note. Summaries of the SEPPs are provided on the Department of Planning's website at: www.planning.nsw.gov.au

1.2. DRAFT STATE ENVIRONMENTAL PLANNING POLICIES*

Draft Amendment to SEPP (Transport and Infrastructure) 2021 - Chapter 4 Major Infrastructure Corridors

An Explanation of Intended Effect (EIE) to outline proposed amendments to Chapter 4 of the Transport and Infrastructure SEPP – exhibition 22 August 2022 to 19 September 2022.

Draft Amendment to SEPP (Housing) 2021

A Draft amendment to the Housing SEPP in conjunction with amendments to the Local Government and Environmental and Planning Assessment Regulations to improve the planning framework for caravan parks, camping grounds, manufactured home estates and moveable dwellings – exhibition 17 November 2023 to 15 December 2023.

Diverse and well-located homes

An *Explanation of Intended Effect (EIE) - Low and Mid-rise Housing* has been prepared to outline a suite of proposals to enable more diverse, well-designed, low-rise and mid-rise housing near established town centres and in areas where there is good public transport.

Key proposals include:

Dual occupancies:

- Permitting in the *R2 Low Density Residential* zone;
- Setting of standards that if complied with cannot be used for refusal

Residential flat buildings

- Permitting within the *R3 Medium Density Residential* zone, and where that land is located within 800m of a transport station or a commercial centre;
- Permitting increased height and FSR if located within 800m of a transport station or a commercial centre;
- Setting of standards that if complied with cannot be used for refusal, if located within 800m of a transport station or a commercial centre;

Multi-dwelling housing and manor homes

- Permitting within the *R2 Low Density Residential* zone, and where that land is located within 800m of a transport station or a commercial centre;
- Permitting increased height and FSR if located within 800m of a transport station or a commercial centre;



- Setting of standards that if complied with cannot be used for refusal, if located within 800m of a transport station or a commercial centre;

Exhibition of the EIE is occurring between 18 December 2023 to 23 February 2024.

Draft Amendment to SEPP (Transport and Infrastructure) 2021, SEPP (Precincts - Western Parkland City) 2021 and SEPP (Planning Systems) 2021

An Explanation of Intended Effect (EIE) has been prepared seeking to implement a number of amendments to 3 SEPPs to improve planning processes and to deliver infrastructure faster.

The proposed changes will:

- make it easier to deliver infrastructure at the right time, including speeding up planning for projects that benefit the community, create jobs and support economic growth;
- ensure residential amenity, heritage items and the environment are protected from impacts of infrastructure delivery;
- create a consistent approach between different infrastructure activities with similar characteristics and impacts; and
- improve the usability of the T&I SEPP.

Exhibition of the EIE is occurring between 6 March 2024 to 16 April 2024.

Draft Amendment to SEPP (Exempt and Complying Development Codes) 2008

An Explanation of Intended Effect (EIE) has been prepared to align the Rural Housing Code with the Inland Code. Aligning the 2 codes will make it easier for landowners and councils to understand the development standards and environmental requirements that apply for farm buildings, sheds and excavation on rural land.

Exhibition of the EIE is occurring between 15 May 2024 to 14 June 2024.

Note. Summaries of the draft SEPPs are provided on the Department of Planning's website at: www.planning.nsw.gov.au

1.3. LOCAL ENVIRONMENTAL PLANS

North Sydney Local Environmental Plan 2013

Published on the NSW legislation website on 2 August 2013 and came into force on 13 September 2013, as amended.

1.4. DRAFT LOCAL ENVIRONMENTAL PLANS

Planning Proposal 8/21 to amend North Sydney Local Environmental Plan 2013 – North Sydney Centre - Height of Buildings Variation

The Planning Proposal seeks to amend *North Sydney Local Environment Plan 2013* (NSLEP 2013) to ensure that when an application is received with a request to exceed the maximum height of buildings development standard under clause 4.3 on land within the *North Sydney Centre*, that the request to vary the development standard must consider the criteria currently contained under both clauses 4.6 and 6.3(3) to NSLEP 2013.

The Planning Proposal will be on public exhibition from Monday 14 August 2023 to Monday 25 September 2023.

Planning Proposal 5/22 to amend North Sydney Local Environmental Plan 2013 – 71-89 Chandos Street, St Leonards

The Planning Proposal seeks to amend the planning controls to *North Sydney Local Environment Plan 2013* (NSLEP 2013). In particular, the proposed amendments include:



- Increase the maximum building height control from 20 metres to 43 metres (12 storeys);
- Impose a maximum floor space ratio (FSR) control of 4:1;
- Increase the minimum non-residential FSR control from 0.6:1 to 1:1; and
- Introduce a site-specific provision allowing the maximum building height to be exceeded by no more than 2 metres for lift overrun and associated lift structures for the purpose of providing inclusive access to communal open space at the rooftop.

The Planning Proposal will be on public exhibition from Wednesday 23 August 2023 to Wednesday 4 October 2023.

Planning Proposal 5/23 to amend North Sydney Local Environmental Plan 2013 – 115-125 Holt Avenue, Cremorne (Dept of Planning Ref: PP-2023-1627)

This Planning Proposal seeks to amend *North Sydney Local Environment Plan 2013* to identify 115-125 Holt Avenue, Cremorne as local heritage items within Schedule 5 – Environmental Heritage and on the Heritage Map.

The Planning Proposal will be on public exhibition from Tuesday 19 September 2023 to Tuesday 17 October 2023.

Planning Proposal 1/23 to amend North Sydney Local Environmental Plan 2013 – 1-7 Rangers Road & 50 Yeo Street, Neutral Bay (Dept of Planning Ref: PP-2022-4350)

This Planning Proposal seeks to amend the planning controls to *North Sydney Local Environmental Plan 2013* for land at 1-7 Rangers Road & 50 Yeo Street, Neutral Bay. In particular, the proposed amendments include:

- Increase the maximum building height from 16m to part 26m and part 31m; and
- increase the minimum non-residential FSR from 0.5:1 to 1.8:1.

The Planning Proposal will be on public exhibition from Monday 13 May 2024 to Tuesday 11 June 2024.

Note. Due to Council not supporting the progression of this Planning Proposal at its meeting of 22 May 2023, the public exhibition of the Planning Proposal and its subsequent plan making steps are being facilitated by the Sydney North Planning Panel, which forms a division of the Department of Planning Housing and Infrastructure.

1.5. DEVELOPMENT CONTROL PLANS*

North Sydney Development Control Plan 2013

North Sydney Development Control Plan 2013 as adopted by Council on 2 September 2013 and came into effect on 13 September 2013, as amended. *North Sydney Development Control Plan 2013* applies to all land to which *North Sydney Local Environmental Plan 2013* applies.

1.6. DRAFT DEVELOPMENT CONTROL PLANS*

Draft Amendment to North Sydney DCP 2013 (270-272 Pacific Highway, Crows Nest)

On 28 March 2022, Council resolved to endorse a draft amendment to North Sydney Development Control Plan (NSDCP) 2013 to incorporate site specific controls for land at 270-272 Pacific Highway, Crows Nest and place that draft amendment on public exhibition. Public exhibition of the draft amendment to NSDCP 2013 will take place from Wednesday 17 August 2022 to Wednesday 28 September 2022.



2. ZONING AND PERMISSIBLE USES

North Sydney Local Environmental Plan 2013

Zone: SP2 – Infrastructure “Educational establishment”

Permitted without consent

Environmental protection works

Permitted with consent

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

Prohibited

Any development, other than a development specified above, is prohibited in the zone

Exempt Development

Development for the purposes set out in clause 3.1 of *North Sydney Local Environmental Plan 2013* is exempt development, which may be carried out within the zone without the need for development consent.

Complying Development

Development for the purposes set out in clause 3.2 of *North Sydney Local Environmental Plan 2013* is complying development, which may be carried out within the zone without the need for development consent, provided that a complying development certificate is obtained.

Additional prohibited uses

The land IS SUBJECT TO clause 2.9 to *North Sydney Local Environmental Plan 2013* which prohibits canal estate development on any land to which *North Sydney Local Environmental Plan 2013* applies.

2.1. DWELLING HOUSE RESTRICTIONS

North Sydney Local Environmental Plan 2013 DOES NOT set minimum land dimensions for the erection of a dwelling house on the subject land.

2.2. HERITAGE CONTROLS

State Environmental Planning Policy (Biodiversity and Conservation) 2021

The subject land IS NOT identified as containing a HERITAGE ITEM under *Chapter 6 - Water Catchments to SEPP (Biodiversity and Conservation) 2021*.

North Sydney Local Environmental Plan 2013

The whole or part of the subject land IS WITHIN A CONSERVATION AREA, under clause 5.10 - Heritage Conservation to *North Sydney Local Environmental Plan 2013*. Development consent is required for demolition (including partial demolition), alteration of the exterior or any change to the property, for construction of a building on, or for subdivision of, the land. Council may refuse consent to demolish a building within a conservation area.

The whole or part of the subject land IS A HERITAGE ITEM, under clause 5.10 - Heritage Conservation to *North Sydney Local Environmental Plan 2013*. Development consent is required for demolition (including



partial demolition) or any change to the property, construction of a building on, or subdivision of, the land. Council may refuse consent to demolish a Heritage Item.

2.3. BIODIVERSITY VALUE

The subject land DOES NOT include or comprise an area of OUTSTANDING BIODIVERSITY VALUE under the Biodiversity Conservation Act 2016.

3. INFRASTRUCTURE CONTRIBUTIONS

LOCAL INFRASTRUCTURE CONTRIBUTIONS

North Sydney Local Infrastructure Contributions Plan 2020. Local infrastructure contributions plan made under sections 7.11 and 7.12 of the Environmental Planning and Assessment Act 1979, applying to all development in the North Sydney local government area. Effective from 1 March 2021.

HOUSING AND PRODUCTIVITY CONTRIBUTIONS

The subject land IS LOCATED within the *Greater Sydney Region* as shown on the map marked "*Housing and Productivity Contributions Regions Map*" to which the Environmental Planning and Assessment Amendment (Housing and Productivity Contribution) Order 2023 applies.

SPECIAL CONTRIBUTIONS AREAS

The subject land is NOT LOCATED within a Special Contributions Area.

4. COMPLYING DEVELOPMENT*

Note. This part of the Planning Certificate only addresses matters raised in Clauses 1.17A(1)(c)-(e), (2), (3) and (4), 1.18 (1)(c3) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. It is your responsibility to ensure that you comply with any other relevant requirements of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Failure to comply with these provisions may mean that a Complying Development Certificate issued under the provisions of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 is invalid.

Information pertaining to the extent of the subject land that is only partly affected by a land exclusion under clauses 1.17A(1)(c)-(e), (2), (3) and (4), 1.18 (1)(c3) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, is not provided within this Planning Certificate. It is your responsibility to determine the extent of the land where complying development can or cannot be undertaken for the purpose of this Policy. This information can be obtained by visiting Council's offices at 200 Miller Street, North Sydney, Council's website: www.northsydney.nsw.gov.au or contacting Council on 9936 8100.

Housing Code

Complying development types specified within the Housing Code under Part 3 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.
- Wholly identified as being within a heritage conservation area or a draft heritage conservation area, unless the development is only for a detached outbuilding, detached development (other than a detached studio) or swimming pool.



Rural Housing Code

Complying development types specified within the Rural Housing Code under Part 3A of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.
- Wholly identified as being within a heritage conservation area or a draft heritage conservation area, unless the development is only for a detached outbuilding, detached development (other than a detached studio) or swimming pool.

Housing Alterations Code

Complying development types specified within the Housing Alterations Code under Part 4 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

General Development Code

Complying development types specified within the General Development Code under Part 4A of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

Industrial and Business Alterations Code

Complying development types specified within the Industrial and Business Alterations Code under Part 5 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

Industrial and Business Buildings Code

Complying development types specified within the Industrial and Business Buildings Code under Part 5A of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.
- Wholly identified as being within a heritage conservation area or a draft heritage conservation area.

Subdivisions Code



Complying development types specified within the Subdivisions Code under Part 6 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

Demolition Code

Complying development types specified within the Demolition Code under Part 7 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

Fire Safety Code

Complying development types specified within the Fire Safety Code under Part 8 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

Container Recycling Facilities Code

Complying development types specified within the Container Recycling Facilities Code under Part 5B of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

Low Rise Housing Diversity Code

Complying development types specified within the Low Rise Housing Diversity Code under Part 3B of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.
- Wholly identified as being within a heritage conservation area or a draft heritage conservation area, unless the development is only for a detached outbuilding, detached development (other than a detached studio) or swimming pool.

Greenfield Housing Code

Complying development types specified within the Greenfield Housing Code under Part 3C of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.



- Wholly identified as being within a heritage conservation area or a draft heritage conservation area, unless the development is only for a detached outbuilding, detached development (other than a detached studio) or swimming pool.

Agritourism and Farm Stay Accommodation Code

Complying development types specified within the Agritourism and Farm Stay Accommodation Code under Part 9 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CAN NOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.
- Wholly identified as being within a heritage conservation area or a draft heritage conservation area, unless the development is only for a detached outbuilding, detached development (other than a detached studio) or swimming pool.

5. EXEMPT DEVELOPMENT*

Note. This part of the Planning Certificate only addresses matters raised in Clauses 1.16(1)(b1)-(d) and 1.16A of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. It is your responsibility to ensure that you comply with any other relevant requirements of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. Failure to comply with these provisions may mean that the undertaking of those exempt development works are not lawful and may be subject to development control orders under the *Environmental Planning and Assessment Act, 1979*. Information pertaining to the extent of the subject land that is only partly affected by a land exclusion under clauses 1.16(1)(b1)-(d) and 1.16A of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, is not provided within this Planning Certificate. It is your responsibility to determine the extent of the land where exempt development can or cannot be undertaken for the purpose of this Policy. This information can be obtained by visiting Council's offices at 200 Miller Street, North Sydney, Council's website: www.northsydney.nsw.gov.au or contacting Council on 9936 8100.

General Exempt Development Code

Exempt development types specified within the General Exempt Development Code under Division 1 to Part 2 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CAN BE UNDERTAKEN ON THE SUBJECT LAND.

Advertising and Signage Exempt Development Code

Exempt development types specified within the Advertising and Signage Exempt Development Code under Division 2 to Part 2 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CAN BE UNDERTAKEN ON THE SUBJECT LAND.

Temporary Uses and Structures Exempt Development Code

Exempt development types specified within the Temporary Uses and Structures Exempt Development Code under Division 3 to Part 2 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CAN BE UNDERTAKEN ON THE SUBJECT LAND.

6. AFFECTED BUILDING NOTICES & BUILDING RECTIFICATION ORDERS*

Council is NOT AWARE of any *Affected Building Notice*, *Building Product Rectification Order* or *Intention to make a Building Product Rectification Order* made under the *Building Products (Safety) Act 2017* applying to the subject land.

7. LAND RESERVED FOR ACQUISITION*

The subject land is NOT SUBJECT to any reservation for LAND ACQUISITION by a public authority for any purpose under any environmental planning instrument applying to the land as set out in this certificate.



8. ROAD WIDENING AND ROAD REALIGNMENT*

The subject land is NOT AFFECTED by any ROAD WIDENING OR ROAD REALIGNMENT under the Roads Act 1993.

The subject land is NOT AFFECTED by any ROAD WIDENING OR ROAD REALIGNMENT under any environmental planning instrument.

The subject land is NOT AFFECTED by any ROAD WIDENING OR ROAD REALIGNMENT under any Council resolution.

9. FLOOD RELATED DEVELOPMENT CONTROLS

Is the whole or part of the land located within a Flood Planning Area and subject to flood related development controls?

NO.

Is the whole or part of the land located between the Flood Planning Area and the probable maximum flood and subject to flood related development controls?

NO.

10. COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS*

The subject land is NOT AFFECTED by a policy, adopted by the Council or adopted by any other public authority and notified to the Council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the Council, that restricts the development of the land by reason of the likelihood of landslip, bushfire, tidal inundation, subsidence, acid sulphate soils, contamination, aircraft noise, coastal hazards, sea level rise or any other risk (excluding flooding).

11. BUSHFIRE PRONE LAND*

The subject land is NOT IDENTIFIED as BUSHFIRE PRONE LAND on Council's Bushfire Prone Land Map as certified by the NSW Rural Fire Service Commissioner dated 22 June 2018 pursuant to the requirements under the of the Rural Fires Act 1997 and Environmental Planning and Assessment Act 1979.

12. LOOSE FILL ASBESTOS INSULATION*

Loose-fill Asbestos Insulation

Council has NO RECORD of the subject land being identified on the NSW Fair Trading's *Loose-Fill Asbestos Insulation Register* as containing a residential building containing loose-fill asbestos insulation, (sometimes called "Mr Fluffy" insulation). Loose-fill asbestos is easy to disturb and can become airborne and it is then easily inhaled. Inhaling asbestos fibres can result in serious illness including asbestosis, lung cancer and mesothelioma.

You are advised to contact NSW Fair Trading for more information:

<https://www.fairtrading.nsw.gov.au/housing-and-property/loose-fill-asbestos-insulation>



Note: Nothing in this statement relates to information about the presence of bonded asbestos materials such as asbestos cement sheeting which may have been used at this site.

13. MINE SUBSIDENCE*

The subject land is NOT PROCLAIMED as a MINE SUBSIDENCE DISTRICT within the meaning of the Coal Mine Subsidence Compensation Act 2017.

14. PAPER SUBDIVISION INFORMATION*

Council is NOT AWARE of a DEVELOPMENT PLAN adopted by a relevant authority or proposed to be subject to a ballot applying to the subject land pursuant to Clause 6 to Schedule 7 of the Environmental Planning and Assessment Act, 1979.

Council is NOT AWARE of a SUBDIVISION ORDER applying to the subject land pursuant to Clause 3 to Schedule 7 of the Environmental Planning and Assessment Act, 1979.

15. PROPERTY VEGETATION PLANS*

Council is NOT AWARE of the subject land being subject to a Property Vegetation Plan enforced under the Native Vegetation Act 2003.

16. BIODIVERSITY STEWARDSHIP SITES*

Council is NOT AWARE of the land being identified as a Biobanking Stewardship Site under a Biobanking Agreement enforced under Part 5 of the Biodiversity Conservation Act 2016.

17. BIODIVERSITY CERTIFIED LAND*

Council is NOT AWARE of the land comprising Biodiversity Certified Land as conferred by the Minister for Planning under the provisions of Part 8 of the Biodiversity Conservation Act 2016.

18. TREE DISPUTE ORDERS*

Council is NOT AWARE of the subject land being subject to an ORDER issued under the Trees (Disputes Between Neighbours) Act 2006.

19. COASTAL PROTECTION*

Council is NOT AWARE of the current or previous owners of the subject land having consented 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 that Act).

Note: "Existing coastal protection works" are works to reduce the impact of coastal hazards on land (such as sea walls, revetments, groynes and beach nourishment) that existed before the commencement of Section 553B of the Local Government Act 1993.

20. WESTERN SYDNEY AEROTROPOLIS*



State Environmental Planning Policy (Precincts – Western Sydney Parkland City) 2021 DOES NOT APPLY to the subject land.

21. SENIORS HOUSING*

Council is NOT AWARE of the land (or part of the land) being the subject of a development consent which contains conditions imposed in relation to clause 88(2) of *State Environmental Planning Policy (Housing) 2021* or clause 18(2) of former *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*.

22. AFFORDABLE RENTAL HOUSING*

Council is NOT AWARE of the land (or part of the land) being the subject of a Site Compatibility Certificate issued pursuant to clause 39 of *State Environmental Planning Policy (Housing) 2021* or clause 37 to former *State Environmental Planning Policy (Affordable Rental Housing) 2009*.

Council is NOT AWARE of the land (or part of the land) being the subject of a development consent which contains conditions imposed pursuant to clauses 21(1) or 40(1) to *State Environmental Planning Policy (Housing) 2021* or clauses 17(1) or 38(1) to *State Environmental Planning Policy (Affordable Rental Housing) 2009*.

23. WATER & SEWERAGE SERVICES*

Council is NOT AWARE of any water or sewerage services that are provided to, or proposed to be provided to the subject land (or part of the subject land) pursuant to the provisions of the *Water Industry Competition Act 2006*.

THE FOLLOWING INFORMATION IS PROVIDED FOR THE PURPOSE OF SECTION 59(2) OF THE CONTAMINATED LAND MANAGEMENT ACT, 1997*

Council is NOT AWARE of the land (or part of the land) being declared SIGNIFICANTLY CONTAMINATED land, as defined under Section 11 of the *Contaminated Land Management Act, 1997*.

Council is NOT AWARE of the land (or part of the land) being subject to a MANAGEMENT ORDER, as defined under Section 14(1) of the *Contaminated Land Management Act, 1997*.

Council is NOT AWARE of the land (or part of the land) being the subject of an approved VOLUNTARY MANAGEMENT PROPOSAL, as defined under Section 17(1) of the *Contaminated Land Management Act, 1997*.

Council is NOT AWARE of the land (or part of the land) being subject to an ONGOING MAINTENANCE ORDER, as defined under Section 28(2) of the *Contaminated Land Management Act, 1997*.

Council is NOT AWARE of the land (or part of the land) being the subject of a SITE AUDIT STATEMENT, as defined under Part 4 of the *Contaminated Land Management Act, 1997*.



NORTH SYDNEY COUNCIL

200 Miller Street, North Sydney, NSW 2060 | ABN 32 353 260 317

All correspondence PO Box 12, North Sydney, NSW 2059

P (02) 9936 8100 | **E** council@northsydney.nsw.gov.au

W www.northsydney.nsw.gov.au

*Electronically generated certificate
– no signature required*



Applicant:

Lauren Daly

Level 6/120 Sussex St, Sydney NSW 2000

**PLANNING CERTIFICATE UNDER
SECTION 10.7 ENVIRONMENTAL PLANNING
AND ASSESSMENT ACT 1979**

Cert. No.:

4833/02

Page No.:

1 of 13

Parcel No: 8253

Date:

06/06/2024

Receipt No.:

Your REF:

SINSW05937-24

Property Description:

68 Palmer Street CAMMERAY NSW 2062

LOT: 4 SEC: 35 DP: 758790

Owner (as recorded by council):

Office of Education

GPO Box 33

SYDNEY NSW 2001

Following is your Planning Certificate issued by North Sydney Council under section 10.7 (2) of the Environmental Planning and Assessment Act ,1979 (EP&A Act). Information contained within this Certificate is based on data from Council's records as it existed at the date of this Certificate.

Council gives notice that the information supplied herein marked with an asterisk (*), has been complied by Council from sources outside of Council's control. While Council has provided the information herein with all due care and in good faith, it is provided on the basis that Council will not accept any responsibility for and will not be liable for its contents or for any consequence arising from its use, and every user of such information is advised to make all necessary enquiries from the appropriate organisations, institutions and the like.

The Title information shown on this Certificate has been obtained from the Land and Property Information NSW, therefore Council cannot guarantee accuracy. Where this Certificate refers to a specific allotment (or allotments) within a strata plan the Certificate is issued for the whole of the land within the strata plan, not just the specific allotment or allotments referred to, and any information contained in the Certificate may relate to the whole or any part of the strata plan.

Where a particular matter has been unanswered or has not been elaborated upon, such silence should not be interpreted as a meaning or inferring either a negative or positive response as the case may be.

Please note that the accuracy of the information contained within this Certificate may change after the date of this Certificate due to changes in legislation, planning controls or the environment of the land.

Should you have any enquiries, please contact the Council's Customer Service Centre on 02 9936 8100.



THE FOLLOWING INFORMATION IS PROVIDED PURSUANT TO SECTION 10.7(2) OF THE EP&A ACT, 1979 AND SCHEDULE 2 TO THE EP&A REGULATION 2021, AS IT RELATES TO THE SUBJECT LAND

1. APPLICABLE ENVIRONMENTAL PLANNING INSTRUMENTS

1.1. STATE ENVIRONMENTAL PLANNING POLICIES*

SEPP (Biodiversity and Conservation) 2021
SEPP (Exempt and Complying Development Codes) 2008
SEPP (Housing) 2021
SEPP (Industry and Employment) 2021
SEPP (Planning Systems) 2021
SEPP (Precincts-Eastern Harbour City) 2021
SEPP (Primary Production) 2021
SEPP (Resilience and Hazards) 2021
SEPP (Resources and Energy) 2021
SEPP (Sustainable Buildings) 2022
SEPP (Transport and Infrastructure) 2021

Note. Summaries of the SEPPs are provided on the Department of Planning's website at: www.planning.nsw.gov.au

1.2. DRAFT STATE ENVIRONMENTAL PLANNING POLICIES*

Draft Amendment to SEPP (Transport and Infrastructure) 2021 - Chapter 4 Major Infrastructure Corridors

An Explanation of Intended Effect (EIE) to outline proposed amendments to Chapter 4 of the Transport and Infrastructure SEPP – exhibition 22 August 2022 to 19 September 2022.

Draft Amendment to SEPP (Housing) 2021

A Draft amendment to the Housing SEPP in conjunction with amendments to the Local Government and Environmental and Planning Assessment Regulations to improve the planning framework for caravan parks, camping grounds, manufactured home estates and moveable dwellings – exhibition 17 November 2023 to 15 December 2023.

Diverse and well-located homes

An *Explanation of Intended Effect (EIE) - Low and Mid-rise Housing* has been prepared to outline a suite of proposals to enable more diverse, well-designed, low-rise and mid-rise housing near established town centres and in areas where there is good public transport.

Key proposals include:

Dual occupancies:

- Permitting in the *R2 Low Density Residential* zone;
- Setting of standards that if complied with cannot be used for refusal

Residential flat buildings

- Permitting within the *R3 Medium Density Residential* zone, and where that land is located within 800m of a transport station or a commercial centre;
- Permitting increased height and FSR if located within 800m of a transport station or a commercial centre;
- Setting of standards that if complied with cannot be used for refusal, if located within 800m of a transport station or a commercial centre;

Multi-dwelling housing and manor homes

- Permitting within the *R2 Low Density Residential* zone, and where that land is located within 800m of a transport station or a commercial centre;
- Permitting increased height and FSR if located within 800m of a transport station or a commercial centre;



- Setting of standards that if complied with cannot be used for refusal, if located within 800m of a transport station or a commercial centre;

Exhibition of the EIE is occurring between 18 December 2023 to 23 February 2024.

Draft Amendment to SEPP (Transport and Infrastructure) 2021, SEPP (Precincts - Western Parkland City) 2021 and SEPP (Planning Systems) 2021

An Explanation of Intended Effect (EIE) has been prepared seeking to implement a number of amendments to 3 SEPPs to improve planning processes and to deliver infrastructure faster.

The proposed changes will:

- make it easier to deliver infrastructure at the right time, including speeding up planning for projects that benefit the community, create jobs and support economic growth;
- ensure residential amenity, heritage items and the environment are protected from impacts of infrastructure delivery;
- create a consistent approach between different infrastructure activities with similar characteristics and impacts; and
- improve the usability of the T&I SEPP.

Exhibition of the EIE is occurring between 6 March 2024 to 16 April 2024.

Draft Amendment to SEPP (Exempt and Complying Development Codes) 2008

An Explanation of Intended Effect (EIE) has been prepared to align the Rural Housing Code with the Inland Code. Aligning the 2 codes will make it easier for landowners and councils to understand the development standards and environmental requirements that apply for farm buildings, sheds and excavation on rural land.

Exhibition of the EIE is occurring between 15 May 2024 to 14 June 2024.

Note. Summaries of the draft SEPPs are provided on the Department of Planning's website at: www.planning.nsw.gov.au

1.3. LOCAL ENVIRONMENTAL PLANS

North Sydney Local Environmental Plan 2013

Published on the NSW legislation website on 2 August 2013 and came into force on 13 September 2013, as amended.

1.4. DRAFT LOCAL ENVIRONMENTAL PLANS

Planning Proposal 8/21 to amend North Sydney Local Environmental Plan 2013 – North Sydney Centre - Height of Buildings Variation

The Planning Proposal seeks to amend *North Sydney Local Environment Plan 2013* (NSLEP 2013) to ensure that when an application is received with a request to exceed the maximum height of buildings development standard under clause 4.3 on land within the *North Sydney Centre*, that the request to vary the development standard must consider the criteria currently contained under both clauses 4.6 and 6.3(3) to NSLEP 2013.

The Planning Proposal will be on public exhibition from Monday 14 August 2023 to Monday 25 September 2023.

Planning Proposal 5/22 to amend North Sydney Local Environmental Plan 2013 – 71-89 Chandos Street, St Leonards

The Planning Proposal seeks to amend the planning controls to *North Sydney Local Environment Plan 2013* (NSLEP 2013). In particular, the proposed amendments include:



- Increase the maximum building height control from 20 metres to 43 metres (12 storeys);
- Impose a maximum floor space ratio (FSR) control of 4:1;
- Increase the minimum non-residential FSR control from 0.6:1 to 1:1; and
- Introduce a site-specific provision allowing the maximum building height to be exceeded by no more than 2 metres for lift overrun and associated lift structures for the purpose of providing inclusive access to communal open space at the rooftop.

The Planning Proposal will be on public exhibition from Wednesday 23 August 2023 to Wednesday 4 October 2023.

Planning Proposal 5/23 to amend North Sydney Local Environmental Plan 2013 – 115-125 Holt Avenue, Cremorne (Dept of Planning Ref: PP-2023-1627)

This Planning Proposal seeks to amend *North Sydney Local Environment Plan 2013* to identify 115-125 Holt Avenue, Cremorne as local heritage items within Schedule 5 – Environmental Heritage and on the Heritage Map.

The Planning Proposal will be on public exhibition from Tuesday 19 September 2023 to Tuesday 17 October 2023.

Planning Proposal 1/23 to amend North Sydney Local Environmental Plan 2013 – 1-7 Rangers Road & 50 Yeo Street, Neutral Bay (Dept of Planning Ref: PP-2022-4350)

This Planning Proposal seeks to amend the planning controls to *North Sydney Local Environmental Plan 2013* for land at 1-7 Rangers Road & 50 Yeo Street, Neutral Bay. In particular, the proposed amendments include:

- Increase the maximum building height from 16m to part 26m and part 31m; and
- increase the minimum non-residential FSR from 0.5:1 to 1.8:1.

The Planning Proposal will be on public exhibition from Monday 13 May 2024 to Tuesday 11 June 2024.

Note. Due to Council not supporting the progression of this Planning Proposal at its meeting of 22 May 2023, the public exhibition of the Planning Proposal and its subsequent plan making steps are being facilitated by the Sydney North Planning Panel, which forms a division of the Department of Planning Housing and Infrastructure.

1.5. DEVELOPMENT CONTROL PLANS*

North Sydney Development Control Plan 2013

North Sydney Development Control Plan 2013 as adopted by Council on 2 September 2013 and came into effect on 13 September 2013, as amended. *North Sydney Development Control Plan 2013* applies to all land to which *North Sydney Local Environmental Plan 2013* applies.

1.6. DRAFT DEVELOPMENT CONTROL PLANS*

Draft Amendment to North Sydney DCP 2013 (270-272 Pacific Highway, Crows Nest)

On 28 March 2022, Council resolved to endorse a draft amendment to North Sydney Development Control Plan (NSDCP) 2013 to incorporate site specific controls for land at 270-272 Pacific Highway, Crows Nest and place that draft amendment on public exhibition. Public exhibition of the draft amendment to NSDCP 2013 will take place from Wednesday 17 August 2022 to Wednesday 28 September 2022.



2. ZONING AND PERMISSIBLE USES

North Sydney Local Environmental Plan 2013

Zone: SP2 – Infrastructure “Educational establishment”

Permitted without consent

Environmental protection works

Permitted with consent

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

Prohibited

Any development, other than a development specified above, is prohibited in the zone

Exempt Development

Development for the purposes set out in clause 3.1 of *North Sydney Local Environmental Plan 2013* is exempt development, which may be carried out within the zone without the need for development consent.

Complying Development

Development for the purposes set out in clause 3.2 of *North Sydney Local Environmental Plan 2013* is complying development, which may be carried out within the zone without the need for development consent, provided that a complying development certificate is obtained.

Additional prohibited uses

The land IS SUBJECT TO clause 2.9 to *North Sydney Local Environmental Plan 2013* which prohibits canal estate development on any land to which *North Sydney Local Environmental Plan 2013* applies.

2.1. DWELLING HOUSE RESTRICTIONS

North Sydney Local Environmental Plan 2013 DOES NOT set minimum land dimensions for the erection of a dwelling house on the subject land.

2.2. HERITAGE CONTROLS

State Environmental Planning Policy (Biodiversity and Conservation) 2021

The subject land IS NOT identified as containing a HERITAGE ITEM under *Chapter 6 - Water Catchments to SEPP (Biodiversity and Conservation) 2021*.

North Sydney Local Environmental Plan 2013

The whole or part of the subject land IS WITHIN A CONSERVATION AREA, under clause 5.10 - Heritage Conservation to *North Sydney Local Environmental Plan 2013*. Development consent is required for demolition (including partial demolition), alteration of the exterior or any change to the property, for construction of a building on, or for subdivision of, the land. Council may refuse consent to demolish a building within a conservation area.

The whole or part of the subject land IS A HERITAGE ITEM, under clause 5.10 - Heritage Conservation to *North Sydney Local Environmental Plan 2013*. Development consent is required for demolition (including



partial demolition) or any change to the property, construction of a building on, or subdivision of, the land. Council may refuse consent to demolish a Heritage Item.

2.3. BIODIVERSITY VALUE

The subject land DOES NOT include or comprise an area of OUTSTANDING BIODIVERSITY VALUE under the Biodiversity Conservation Act 2016.

3. INFRASTRUCTURE CONTRIBUTIONS

LOCAL INFRASTRUCTURE CONTRIBUTIONS

North Sydney Local Infrastructure Contributions Plan 2020. Local infrastructure contributions plan made under sections 7.11 and 7.12 of the Environmental Planning and Assessment Act 1979, applying to all development in the North Sydney local government area. Effective from 1 March 2021.

HOUSING AND PRODUCTIVITY CONTRIBUTIONS

The subject land IS LOCATED within the *Greater Sydney Region* as shown on the map marked "*Housing and Productivity Contributions Regions Map*" to which the Environmental Planning and Assessment Amendment (Housing and Productivity Contribution) Order 2023 applies.

SPECIAL CONTRIBUTIONS AREAS

The subject land is NOT LOCATED within a Special Contributions Area.

4. COMPLYING DEVELOPMENT*

Note. This part of the Planning Certificate only addresses matters raised in Clauses 1.17A(1)(c)-(e), (2), (3) and (4), 1.18 (1)(c3) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. It is your responsibility to ensure that you comply with any other relevant requirements of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Failure to comply with these provisions may mean that a Complying Development Certificate issued under the provisions of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 is invalid.

Information pertaining to the extent of the subject land that is only partly affected by a land exclusion under clauses 1.17A(1)(c)-(e), (2), (3) and (4), 1.18 (1)(c3) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, is not provided within this Planning Certificate. It is your responsibility to determine the extent of the land where complying development can or cannot be undertaken for the purpose of this Policy. This information can be obtained by visiting Council's offices at 200 Miller Street, North Sydney, Council's website: www.northsydney.nsw.gov.au or contacting Council on 9936 8100.

Housing Code

Complying development types specified within the Housing Code under Part 3 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.
- Wholly identified as being within a heritage conservation area or a draft heritage conservation area, unless the development is only for a detached outbuilding, detached development (other than a detached studio) or swimming pool.



Rural Housing Code

Complying development types specified within the Rural Housing Code under Part 3A of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.
- Wholly identified as being within a heritage conservation area or a draft heritage conservation area, unless the development is only for a detached outbuilding, detached development (other than a detached studio) or swimming pool.

Housing Alterations Code

Complying development types specified within the Housing Alterations Code under Part 4 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

General Development Code

Complying development types specified within the General Development Code under Part 4A of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

Industrial and Business Alterations Code

Complying development types specified within the Industrial and Business Alterations Code under Part 5 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

Industrial and Business Buildings Code

Complying development types specified within the Industrial and Business Buildings Code under Part 5A of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.
- Wholly identified as being within a heritage conservation area or a draft heritage conservation area.

Subdivisions Code



Complying development types specified within the Subdivisions Code under Part 6 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

Demolition Code

Complying development types specified within the Demolition Code under Part 7 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

Fire Safety Code

Complying development types specified within the Fire Safety Code under Part 8 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

Container Recycling Facilities Code

Complying development types specified within the Container Recycling Facilities Code under Part 5B of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

Low Rise Housing Diversity Code

Complying development types specified within the Low Rise Housing Diversity Code under Part 3B of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.
- Wholly identified as being within a heritage conservation area or a draft heritage conservation area, unless the development is only for a detached outbuilding, detached development (other than a detached studio) or swimming pool.

Greenfield Housing Code

Complying development types specified within the Greenfield Housing Code under Part 3C of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.



- Wholly identified as being within a heritage conservation area or a draft heritage conservation area, unless the development is only for a detached outbuilding, detached development (other than a detached studio) or swimming pool.

Agritourism and Farm Stay Accommodation Code

Complying development types specified within the Agritourism and Farm Stay Accommodation Code under Part 9 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CAN NOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.
- Wholly identified as being within a heritage conservation area or a draft heritage conservation area, unless the development is only for a detached outbuilding, detached development (other than a detached studio) or swimming pool.

5. EXEMPT DEVELOPMENT*

Note. This part of the Planning Certificate only addresses matters raised in Clauses 1.16(1)(b1)-(d) and 1.16A of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. It is your responsibility to ensure that you comply with any other relevant requirements of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. Failure to comply with these provisions may mean that the undertaking of those exempt development works are not lawful and may be subject to development control orders under the *Environmental Planning and Assessment Act, 1979*. Information pertaining to the extent of the subject land that is only partly affected by a land exclusion under clauses 1.16(1)(b1)-(d) and 1.16A of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, is not provided within this Planning Certificate. It is your responsibility to determine the extent of the land where exempt development can or cannot be undertaken for the purpose of this Policy. This information can be obtained by visiting Council's offices at 200 Miller Street, North Sydney, Council's website: www.northsydney.nsw.gov.au or contacting Council on 9936 8100.

General Exempt Development Code

Exempt development types specified within the General Exempt Development Code under Division 1 to Part 2 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CAN BE UNDERTAKEN ON THE SUBJECT LAND.

Advertising and Signage Exempt Development Code

Exempt development types specified within the Advertising and Signage Exempt Development Code under Division 2 to Part 2 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CAN BE UNDERTAKEN ON THE SUBJECT LAND.

Temporary Uses and Structures Exempt Development Code

Exempt development types specified within the Temporary Uses and Structures Exempt Development Code under Division 3 to Part 2 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CAN BE UNDERTAKEN ON THE SUBJECT LAND.

6. AFFECTED BUILDING NOTICES & BUILDING RECTIFICATION ORDERS*

Council is NOT AWARE of any *Affected Building Notice*, *Building Product Rectification Order* or *Intention to make a Building Product Rectification Order* made under the *Building Products (Safety) Act 2017* applying to the subject land.

7. LAND RESERVED FOR ACQUISITION*

The subject land is NOT SUBJECT to any reservation for LAND ACQUISITION by a public authority for any purpose under any environmental planning instrument applying to the land as set out in this certificate.



8. ROAD WIDENING AND ROAD REALIGNMENT*

The subject land is NOT AFFECTED by any ROAD WIDENING OR ROAD REALIGNMENT under the Roads Act 1993.

The subject land is NOT AFFECTED by any ROAD WIDENING OR ROAD REALIGNMENT under any environmental planning instrument.

The subject land is NOT AFFECTED by any ROAD WIDENING OR ROAD REALIGNMENT under any Council resolution.

9. FLOOD RELATED DEVELOPMENT CONTROLS

Is the whole or part of the land located within a Flood Planning Area and subject to flood related development controls?

NO.

Is the whole or part of the land located between the Flood Planning Area and the probable maximum flood and subject to flood related development controls?

NO.

10. COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS*

The subject land is NOT AFFECTED by a policy, adopted by the Council or adopted by any other public authority and notified to the Council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the Council, that restricts the development of the land by reason of the likelihood of landslip, bushfire, tidal inundation, subsidence, acid sulphate soils, contamination, aircraft noise, coastal hazards, sea level rise or any other risk (excluding flooding).

11. BUSHFIRE PRONE LAND*

The subject land is NOT IDENTIFIED as BUSHFIRE PRONE LAND on Council's Bushfire Prone Land Map as certified by the NSW Rural Fire Service Commissioner dated 22 June 2018 pursuant to the requirements under the of the Rural Fires Act 1997 and Environmental Planning and Assessment Act 1979.

12. LOOSE FILL ASBESTOS INSULATION*

Loose-fill Asbestos Insulation

Council has NO RECORD of the subject land being identified on the NSW Fair Trading's *Loose-Fill Asbestos Insulation Register* as containing a residential building containing loose-fill asbestos insulation, (sometimes called "Mr Fluffy" insulation). Loose-fill asbestos is easy to disturb and can become airborne and it is then easily inhaled. Inhaling asbestos fibres can result in serious illness including asbestosis, lung cancer and mesothelioma.

You are advised to contact NSW Fair Trading for more information:

<https://www.fairtrading.nsw.gov.au/housing-and-property/loose-fill-asbestos-insulation>



Note: Nothing in this statement relates to information about the presence of bonded asbestos materials such as asbestos cement sheeting which may have been used at this site.

13. MINE SUBSIDENCE*

The subject land is NOT PROCLAIMED as a MINE SUBSIDENCE DISTRICT within the meaning of the Coal Mine Subsidence Compensation Act 2017.

14. PAPER SUBDIVISION INFORMATION*

Council is NOT AWARE of a DEVELOPMENT PLAN adopted by a relevant authority or proposed to be subject to a ballot applying to the subject land pursuant to Clause 6 to Schedule 7 of the Environmental Planning and Assessment Act, 1979.

Council is NOT AWARE of a SUBDIVISION ORDER applying to the subject land pursuant to Clause 3 to Schedule 7 of the Environmental Planning and Assessment Act, 1979.

15. PROPERTY VEGETATION PLANS*

Council is NOT AWARE of the subject land being subject to a Property Vegetation Plan enforced under the Native Vegetation Act 2003.

16. BIODIVERSITY STEWARDSHIP SITES*

Council is NOT AWARE of the land being identified as a Biobanking Stewardship Site under a Biobanking Agreement enforced under Part 5 of the Biodiversity Conservation Act 2016.

17. BIODIVERSITY CERTIFIED LAND*

Council is NOT AWARE of the land comprising Biodiversity Certified Land as conferred by the Minister for Planning under the provisions of Part 8 of the Biodiversity Conservation Act 2016.

18. TREE DISPUTE ORDERS*

Council is NOT AWARE of the subject land being subject to an ORDER issued under the Trees (Disputes Between Neighbours) Act 2006.

19. COASTAL PROTECTION*

Council is NOT AWARE of the current or previous owners of the subject land having consented 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 that Act).

Note: "Existing coastal protection works" are works to reduce the impact of coastal hazards on land (such as sea walls, revetments, groynes and beach nourishment) that existed before the commencement of Section 553B of the Local Government Act 1993.

20. WESTERN SYDNEY AEROTROPOLIS*



State Environmental Planning Policy (Precincts – Western Sydney Parkland City) 2021 DOES NOT APPLY to the subject land.

21. SENIORS HOUSING*

Council is NOT AWARE of the land (or part of the land) being the subject of a development consent which contains conditions imposed in relation to clause 88(2) of *State Environmental Planning Policy (Housing) 2021* or clause 18(2) of former *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*.

22. AFFORDABLE RENTAL HOUSING*

Council is NOT AWARE of the land (or part of the land) being the subject of a Site Compatibility Certificate issued pursuant to clause 39 of *State Environmental Planning Policy (Housing) 2021* or clause 37 to former *State Environmental Planning Policy (Affordable Rental Housing) 2009*.

Council is NOT AWARE of the land (or part of the land) being the subject of a development consent which contains conditions imposed pursuant to clauses 21(1) or 40(1) to *State Environmental Planning Policy (Housing) 2021* or clauses 17(1) or 38(1) to *State Environmental Planning Policy (Affordable Rental Housing) 2009*.

23. WATER & SEWERAGE SERVICES*

Council is NOT AWARE of any water or sewerage services that are provided to, or proposed to be provided to the subject land (or part of the subject land) pursuant to the provisions of the *Water Industry Competition Act 2006*.

THE FOLLOWING INFORMATION IS PROVIDED FOR THE PURPOSE OF SECTION 59(2) OF THE CONTAMINATED LAND MANAGEMENT ACT, 1997*

Council is NOT AWARE of the land (or part of the land) being declared SIGNIFICANTLY CONTAMINATED land, as defined under Section 11 of the *Contaminated Land Management Act, 1997*.

Council is NOT AWARE of the land (or part of the land) being subject to a MANAGEMENT ORDER, as defined under Section 14(1) of the *Contaminated Land Management Act, 1997*.

Council is NOT AWARE of the land (or part of the land) being the subject of an approved VOLUNTARY MANAGEMENT PROPOSAL, as defined under Section 17(1) of the *Contaminated Land Management Act, 1997*.

Council is NOT AWARE of the land (or part of the land) being subject to an ONGOING MAINTENANCE ORDER, as defined under Section 28(2) of the *Contaminated Land Management Act, 1997*.

Council is NOT AWARE of the land (or part of the land) being the subject of a SITE AUDIT STATEMENT, as defined under Part 4 of the *Contaminated Land Management Act, 1997*.



NORTH SYDNEY COUNCIL

200 Miller Street, North Sydney, NSW 2060 | ABN 32 353 260 317

All correspondence PO Box 12, North Sydney, NSW 2059

P (02) 9936 8100 | **E** council@northsydney.nsw.gov.au

W www.northsydney.nsw.gov.au

*Electronically generated certificate
– no signature required*



Applicant:

Lauren Daly

Level 6/120 Sussex St, Sydney NSW 2000

**PLANNING CERTIFICATE UNDER
SECTION 10.7 ENVIRONMENTAL PLANNING
AND ASSESSMENT ACT 1979**

Cert. No.:

4832/02

Page No.:

1 of 13

Parcel No: 8256

Date:

06/06/2024

Receipt No.:

Your REF:

SINSW05937-24

Property Description:

68 Palmer Street CAMMERAY NSW 2062

LOT: 1 DP: 316130

Owner (as recorded by council):

Office of Education

GPO Box 33

SYDNEY NSW 2001

Following is your Planning Certificate issued by North Sydney Council under section 10.7 (2) of the Environmental Planning and Assessment Act, 1979 (EP&A Act). Information contained within this Certificate is based on data from Council's records as it existed at the date of this Certificate.

Council gives notice that the information supplied herein marked with an asterisk (*), has been compiled by Council from sources outside of Council's control. While Council has provided the information herein with all due care and in good faith, it is provided on the basis that Council will not accept any responsibility for and will not be liable for its contents or for any consequence arising from its use, and every user of such information is advised to make all necessary enquiries from the appropriate organisations, institutions and the like.

The Title information shown on this Certificate has been obtained from the Land and Property Information NSW, therefore Council cannot guarantee accuracy. Where this Certificate refers to a specific allotment (or allotments) within a strata plan the Certificate is issued for the whole of the land within the strata plan, not just the specific allotment or allotments referred to, and any information contained in the Certificate may relate to the whole or any part of the strata plan.

Where a particular matter has been unanswered or has not been elaborated upon, such silence should not be interpreted as a meaning or inferring either a negative or positive response as the case may be.

Please note that the accuracy of the information contained within this Certificate may change after the date of this Certificate due to changes in legislation, planning controls or the environment of the land.

Should you have any enquiries, please contact the Council's Customer Service Centre on 02 9936 8100.



THE FOLLOWING INFORMATION IS PROVIDED PURSUANT TO SECTION 10.7(2) OF THE EP&A ACT, 1979 AND SCHEDULE 2 TO THE EP&A REGULATION 2021, AS IT RELATES TO THE SUBJECT LAND

1. APPLICABLE ENVIRONMENTAL PLANNING INSTRUMENTS

1.1. STATE ENVIRONMENTAL PLANNING POLICIES*

SEPP (Biodiversity and Conservation) 2021
SEPP (Exempt and Complying Development Codes) 2008
SEPP (Housing) 2021
SEPP (Industry and Employment) 2021
SEPP (Planning Systems) 2021
SEPP (Precincts-Eastern Harbour City) 2021
SEPP (Primary Production) 2021
SEPP (Resilience and Hazards) 2021
SEPP (Resources and Energy) 2021
SEPP (Sustainable Buildings) 2022
SEPP (Transport and Infrastructure) 2021

Note. Summaries of the SEPPs are provided on the Department of Planning's website at: www.planning.nsw.gov.au

1.2. DRAFT STATE ENVIRONMENTAL PLANNING POLICIES*

Draft Amendment to SEPP (Transport and Infrastructure) 2021 - Chapter 4 Major Infrastructure Corridors

An Explanation of Intended Effect (EIE) to outline proposed amendments to Chapter 4 of the Transport and Infrastructure SEPP – exhibition 22 August 2022 to 19 September 2022.

Draft Amendment to SEPP (Housing) 2021

A Draft amendment to the Housing SEPP in conjunction with amendments to the Local Government and Environmental and Planning Assessment Regulations to improve the planning framework for caravan parks, camping grounds, manufactured home estates and moveable dwellings – exhibition 17 November 2023 to 15 December 2023.

Diverse and well-located homes

An *Explanation of Intended Effect (EIE) - Low and Mid-rise Housing* has been prepared to outline a suite of proposals to enable more diverse, well-designed, low-rise and mid-rise housing near established town centres and in areas where there is good public transport.

Key proposals include:

Dual occupancies:

- Permitting in the *R2 Low Density Residential* zone;
- Setting of standards that if complied with cannot be used for refusal

Residential flat buildings

- Permitting within the *R3 Medium Density Residential* zone, and where that land is located within 800m of a transport station or a commercial centre;
- Permitting increased height and FSR if located within 800m of a transport station or a commercial centre;
- Setting of standards that if complied with cannot be used for refusal, if located within 800m of a transport station or a commercial centre;

Multi-dwelling housing and manor homes

- Permitting within the *R2 Low Density Residential* zone, and where that land is located within 800m of a transport station or a commercial centre;
- Permitting increased height and FSR if located within 800m of a transport station or a commercial centre;



- Setting of standards that if complied with cannot be used for refusal, if located within 800m of a transport station or a commercial centre;

Exhibition of the EIE is occurring between 18 December 2023 to 23 February 2024.

Draft Amendment to SEPP (Transport and Infrastructure) 2021, SEPP (Precincts - Western Parkland City) 2021 and SEPP (Planning Systems) 2021

An Explanation of Intended Effect (EIE) has been prepared seeking to implement a number of amendments to 3 SEPPs to improve planning processes and to deliver infrastructure faster.

The proposed changes will:

- make it easier to deliver infrastructure at the right time, including speeding up planning for projects that benefit the community, create jobs and support economic growth;
- ensure residential amenity, heritage items and the environment are protected from impacts of infrastructure delivery;
- create a consistent approach between different infrastructure activities with similar characteristics and impacts; and
- improve the usability of the T&I SEPP.

Exhibition of the EIE is occurring between 6 March 2024 to 16 April 2024.

Draft Amendment to SEPP (Exempt and Complying Development Codes) 2008

An Explanation of Intended Effect (EIE) has been prepared to align the Rural Housing Code with the Inland Code. Aligning the 2 codes will make it easier for landowners and councils to understand the development standards and environmental requirements that apply for farm buildings, sheds and excavation on rural land.

Exhibition of the EIE is occurring between 15 May 2024 to 14 June 2024.

Note. Summaries of the draft SEPPs are provided on the Department of Planning's website at: www.planning.nsw.gov.au

1.3. LOCAL ENVIRONMENTAL PLANS

North Sydney Local Environmental Plan 2013

Published on the NSW legislation website on 2 August 2013 and came into force on 13 September 2013, as amended.

1.4. DRAFT LOCAL ENVIRONMENTAL PLANS

Planning Proposal 8/21 to amend North Sydney Local Environmental Plan 2013 – North Sydney Centre - Height of Buildings Variation

The Planning Proposal seeks to amend *North Sydney Local Environment Plan 2013* (NSLEP 2013) to ensure that when an application is received with a request to exceed the maximum height of buildings development standard under clause 4.3 on land within the *North Sydney Centre*, that the request to vary the development standard must consider the criteria currently contained under both clauses 4.6 and 6.3(3) to NSLEP 2013.

The Planning Proposal will be on public exhibition from Monday 14 August 2023 to Monday 25 September 2023.

Planning Proposal 5/22 to amend North Sydney Local Environmental Plan 2013 – 71-89 Chandos Street, St Leonards

The Planning Proposal seeks to amend the planning controls to *North Sydney Local Environment Plan 2013* (NSLEP 2013). In particular, the proposed amendments include:



- Increase the maximum building height control from 20 metres to 43 metres (12 storeys);
- Impose a maximum floor space ratio (FSR) control of 4:1;
- Increase the minimum non-residential FSR control from 0.6:1 to 1:1; and
- Introduce a site-specific provision allowing the maximum building height to be exceeded by no more than 2 metres for lift overrun and associated lift structures for the purpose of providing inclusive access to communal open space at the rooftop.

The Planning Proposal will be on public exhibition from Wednesday 23 August 2023 to Wednesday 4 October 2023.

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This Planning Proposal seeks to amend *North Sydney Local Environment Plan 2013* to identify 115-125 Holt Avenue, Cremorne as local heritage items within Schedule 5 – Environmental Heritage and on the Heritage Map.

The Planning Proposal will be on public exhibition from Tuesday 19 September 2023 to Tuesday 17 October 2023.

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This Planning Proposal seeks to amend the planning controls to *North Sydney Local Environmental Plan 2013* for land at 1-7 Rangers Road & 50 Yeo Street, Neutral Bay. In particular, the proposed amendments include:

- Increase the maximum building height from 16m to part 26m and part 31m; and
- increase the minimum non-residential FSR from 0.5:1 to 1.8:1.

The Planning Proposal will be on public exhibition from Monday 13 May 2024 to Tuesday 11 June 2024.

Note. Due to Council not supporting the progression of this Planning Proposal at its meeting of 22 May 2023, the public exhibition of the Planning Proposal and its subsequent plan making steps are being facilitated by the Sydney North Planning Panel, which forms a division of the Department of Planning Housing and Infrastructure.

1.5. DEVELOPMENT CONTROL PLANS*

North Sydney Development Control Plan 2013

North Sydney Development Control Plan 2013 as adopted by Council on 2 September 2013 and came into effect on 13 September 2013, as amended. *North Sydney Development Control Plan 2013* applies to all land to which *North Sydney Local Environmental Plan 2013* applies.

1.6. DRAFT DEVELOPMENT CONTROL PLANS*

Draft Amendment to North Sydney DCP 2013 (270-272 Pacific Highway, Crows Nest)

On 28 March 2022, Council resolved to endorse a draft amendment to North Sydney Development Control Plan (NSDCP) 2013 to incorporate site specific controls for land at 270-272 Pacific Highway, Crows Nest and place that draft amendment on public exhibition. Public exhibition of the draft amendment to NSDCP 2013 will take place from Wednesday 17 August 2022 to Wednesday 28 September 2022.



2. ZONING AND PERMISSIBLE USES

North Sydney Local Environmental Plan 2013

Zone: SP2 – Infrastructure “Educational establishment”

Permitted without consent

Environmental protection works

Permitted with consent

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

Prohibited

Any development, other than a development specified above, is prohibited in the zone

Exempt Development

Development for the purposes set out in clause 3.1 of *North Sydney Local Environmental Plan 2013* is exempt development, which may be carried out within the zone without the need for development consent.

Complying Development

Development for the purposes set out in clause 3.2 of *North Sydney Local Environmental Plan 2013* is complying development, which may be carried out within the zone without the need for development consent, provided that a complying development certificate is obtained.

Additional prohibited uses

The land IS SUBJECT TO clause 2.9 to *North Sydney Local Environmental Plan 2013* which prohibits canal estate development on any land to which *North Sydney Local Environmental Plan 2013* applies.

2.1. DWELLING HOUSE RESTRICTIONS

North Sydney Local Environmental Plan 2013 DOES NOT set minimum land dimensions for the erection of a dwelling house on the subject land.

2.2. HERITAGE CONTROLS

State Environmental Planning Policy (Biodiversity and Conservation) 2021

The subject land IS NOT identified as containing a HERITAGE ITEM under *Chapter 6 - Water Catchments to SEPP (Biodiversity and Conservation) 2021*.

North Sydney Local Environmental Plan 2013

The whole or part of the subject land IS WITHIN A CONSERVATION AREA, under clause 5.10 - Heritage Conservation to *North Sydney Local Environmental Plan 2013*. Development consent is required for demolition (including partial demolition), alteration of the exterior or any change to the property, for construction of a building on, or for subdivision of, the land. Council may refuse consent to demolish a building within a conservation area.

The whole or part of the subject land IS A HERITAGE ITEM, under clause 5.10 - Heritage Conservation to *North Sydney Local Environmental Plan 2013*. Development consent is required for demolition (including



partial demolition) or any change to the property, construction of a building on, or subdivision of, the land. Council may refuse consent to demolish a Heritage Item.

2.3. BIODIVERSITY VALUE

The subject land DOES NOT include or comprise an area of OUTSTANDING BIODIVERSITY VALUE under the Biodiversity Conservation Act 2016.

3. INFRASTRUCTURE CONTRIBUTIONS

LOCAL INFRASTRUCTURE CONTRIBUTIONS

North Sydney Local Infrastructure Contributions Plan 2020. Local infrastructure contributions plan made under sections 7.11 and 7.12 of the Environmental Planning and Assessment Act 1979, applying to all development in the North Sydney local government area. Effective from 1 March 2021.

HOUSING AND PRODUCTIVITY CONTRIBUTIONS

The subject land IS LOCATED within the *Greater Sydney Region* as shown on the map marked "*Housing and Productivity Contributions Regions Map*" to which the Environmental Planning and Assessment Amendment (Housing and Productivity Contribution) Order 2023 applies.

SPECIAL CONTRIBUTIONS AREAS

The subject land is NOT LOCATED within a Special Contributions Area.

4. COMPLYING DEVELOPMENT*

Note. This part of the Planning Certificate only addresses matters raised in Clauses 1.17A(1)(c)-(e), (2), (3) and (4), 1.18 (1)(c3) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. It is your responsibility to ensure that you comply with any other relevant requirements of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Failure to comply with these provisions may mean that a Complying Development Certificate issued under the provisions of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 is invalid.

Information pertaining to the extent of the subject land that is only partly affected by a land exclusion under clauses 1.17A(1)(c)-(e), (2), (3) and (4), 1.18 (1)(c3) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, is not provided within this Planning Certificate. It is your responsibility to determine the extent of the land where complying development can or cannot be undertaken for the purpose of this Policy. This information can be obtained by visiting Council's offices at 200 Miller Street, North Sydney, Council's website: www.northsydney.nsw.gov.au or contacting Council on 9936 8100.

Housing Code

Complying development types specified within the Housing Code under Part 3 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.
- Wholly identified as being within a heritage conservation area or a draft heritage conservation area, unless the development is only for a detached outbuilding, detached development (other than a detached studio) or swimming pool.



Rural Housing Code

Complying development types specified within the Rural Housing Code under Part 3A of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.
- Wholly identified as being within a heritage conservation area or a draft heritage conservation area, unless the development is only for a detached outbuilding, detached development (other than a detached studio) or swimming pool.

Housing Alterations Code

Complying development types specified within the Housing Alterations Code under Part 4 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

General Development Code

Complying development types specified within the General Development Code under Part 4A of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

Industrial and Business Alterations Code

Complying development types specified within the Industrial and Business Alterations Code under Part 5 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

Industrial and Business Buildings Code

Complying development types specified within the Industrial and Business Buildings Code under Part 5A of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.
- Wholly identified as being within a heritage conservation area or a draft heritage conservation area.

Subdivisions Code



Complying development types specified within the Subdivisions Code under Part 6 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

Demolition Code

Complying development types specified within the Demolition Code under Part 7 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

Fire Safety Code

Complying development types specified within the Fire Safety Code under Part 8 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

Container Recycling Facilities Code

Complying development types specified within the Container Recycling Facilities Code under Part 5B of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

Low Rise Housing Diversity Code

Complying development types specified within the Low Rise Housing Diversity Code under Part 3B of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.
- Wholly identified as being within a heritage conservation area or a draft heritage conservation area, unless the development is only for a detached outbuilding, detached development (other than a detached studio) or swimming pool.

Greenfield Housing Code

Complying development types specified within the Greenfield Housing Code under Part 3C of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.



- Wholly identified as being within a heritage conservation area or a draft heritage conservation area, unless the development is only for a detached outbuilding, detached development (other than a detached studio) or swimming pool.

Agritourism and Farm Stay Accommodation Code

Complying development types specified within the Agritourism and Farm Stay Accommodation Code under Part 9 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CAN NOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.
- Wholly identified as being within a heritage conservation area or a draft heritage conservation area, unless the development is only for a detached outbuilding, detached development (other than a detached studio) or swimming pool.

5. EXEMPT DEVELOPMENT*

Note. This part of the Planning Certificate only addresses matters raised in Clauses 1.16(1)(b1)-(d) and 1.16A of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. It is your responsibility to ensure that you comply with any other relevant requirements of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. Failure to comply with these provisions may mean that the undertaking of those exempt development works are not lawful and may be subject to development control orders under the *Environmental Planning and Assessment Act, 1979*. Information pertaining to the extent of the subject land that is only partly affected by a land exclusion under clauses 1.16(1)(b1)-(d) and 1.16A of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, is not provided within this Planning Certificate. It is your responsibility to determine the extent of the land where exempt development can or cannot be undertaken for the purpose of this Policy. This information can be obtained by visiting Council's offices at 200 Miller Street, North Sydney, Council's website: www.northsydney.nsw.gov.au or contacting Council on 9936 8100.

General Exempt Development Code

Exempt development types specified within the General Exempt Development Code under Division 1 to Part 2 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CAN BE UNDERTAKEN ON THE SUBJECT LAND.

Advertising and Signage Exempt Development Code

Exempt development types specified within the Advertising and Signage Exempt Development Code under Division 2 to Part 2 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CAN BE UNDERTAKEN ON THE SUBJECT LAND.

Temporary Uses and Structures Exempt Development Code

Exempt development types specified within the Temporary Uses and Structures Exempt Development Code under Division 3 to Part 2 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CAN BE UNDERTAKEN ON THE SUBJECT LAND.

6. AFFECTED BUILDING NOTICES & BUILDING RECTIFICATION ORDERS*

Council is NOT AWARE of any *Affected Building Notice*, *Building Product Rectification Order* or *Intention to make a Building Product Rectification Order* made under the *Building Products (Safety) Act 2017* applying to the subject land.

7. LAND RESERVED FOR ACQUISITION*

The subject land is NOT SUBJECT to any reservation for LAND ACQUISITION by a public authority for any purpose under any environmental planning instrument applying to the land as set out in this certificate.



8. ROAD WIDENING AND ROAD REALIGNMENT*

The subject land is NOT AFFECTED by any ROAD WIDENING OR ROAD REALIGNMENT under the Roads Act 1993.

The subject land is NOT AFFECTED by any ROAD WIDENING OR ROAD REALIGNMENT under any environmental planning instrument.

The subject land is NOT AFFECTED by any ROAD WIDENING OR ROAD REALIGNMENT under any Council resolution.

9. FLOOD RELATED DEVELOPMENT CONTROLS

Is the whole or part of the land located within a Flood Planning Area and subject to flood related development controls?

NO.

Is the whole or part of the land located between the Flood Planning Area and the probable maximum flood and subject to flood related development controls?

NO.

10. COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS*

The subject land is NOT AFFECTED by a policy, adopted by the Council or adopted by any other public authority and notified to the Council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the Council, that restricts the development of the land by reason of the likelihood of landslip, bushfire, tidal inundation, subsidence, acid sulphate soils, contamination, aircraft noise, coastal hazards, sea level rise or any other risk (excluding flooding).

11. BUSHFIRE PRONE LAND*

The subject land is NOT IDENTIFIED as BUSHFIRE PRONE LAND on Council's Bushfire Prone Land Map as certified by the NSW Rural Fire Service Commissioner dated 22 June 2018 pursuant to the requirements under the of the Rural Fires Act 1997 and Environmental Planning and Assessment Act 1979.

12. LOOSE FILL ASBESTOS INSULATION*

Loose-fill Asbestos Insulation

Council has NO RECORD of the subject land being identified on the NSW Fair Trading's *Loose-Fill Asbestos Insulation Register* as containing a residential building containing loose-fill asbestos insulation, (sometimes called "Mr Fluffy" insulation). Loose-fill asbestos is easy to disturb and can become airborne and it is then easily inhaled. Inhaling asbestos fibres can result in serious illness including asbestosis, lung cancer and mesothelioma.

You are advised to contact NSW Fair Trading for more information:

<https://www.fairtrading.nsw.gov.au/housing-and-property/loose-fill-asbestos-insulation>



Note: Nothing in this statement relates to information about the presence of bonded asbestos materials such as asbestos cement sheeting which may have been used at this site.

13. MINE SUBSIDENCE*

The subject land is NOT PROCLAIMED as a MINE SUBSIDENCE DISTRICT within the meaning of the Coal Mine Subsidence Compensation Act 2017.

14. PAPER SUBDIVISION INFORMATION*

Council is NOT AWARE of a DEVELOPMENT PLAN adopted by a relevant authority or proposed to be subject to a ballot applying to the subject land pursuant to Clause 6 to Schedule 7 of the Environmental Planning and Assessment Act, 1979.

Council is NOT AWARE of a SUBDIVISION ORDER applying to the subject land pursuant to Clause 3 to Schedule 7 of the Environmental Planning and Assessment Act, 1979.

15. PROPERTY VEGETATION PLANS*

Council is NOT AWARE of the subject land being subject to a Property Vegetation Plan enforced under the Native Vegetation Act 2003.

16. BIODIVERSITY STEWARDSHIP SITES*

Council is NOT AWARE of the land being identified as a Biobanking Stewardship Site under a Biobanking Agreement enforced under Part 5 of the Biodiversity Conservation Act 2016.

17. BIODIVERSITY CERTIFIED LAND*

Council is NOT AWARE of the land comprising Biodiversity Certified Land as conferred by the Minister for Planning under the provisions of Part 8 of the Biodiversity Conservation Act 2016.

18. TREE DISPUTE ORDERS*

Council is NOT AWARE of the subject land being subject to an ORDER issued under the Trees (Disputes Between Neighbours) Act 2006.

19. COASTAL PROTECTION*

Council is NOT AWARE of the current or previous owners of the subject land having consented 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 that Act).

Note: "Existing coastal protection works" are works to reduce the impact of coastal hazards on land (such as sea walls, revetments, groynes and beach nourishment) that existed before the commencement of Section 553B of the Local Government Act 1993.

20. WESTERN SYDNEY AEROTROPOLIS*



State Environmental Planning Policy (Precincts – Western Sydney Parkland City) 2021 DOES NOT APPLY to the subject land.

21. SENIORS HOUSING*

Council is NOT AWARE of the land (or part of the land) being the subject of a development consent which contains conditions imposed in relation to clause 88(2) of *State Environmental Planning Policy (Housing) 2021* or clause 18(2) of former *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*.

22. AFFORDABLE RENTAL HOUSING*

Council is NOT AWARE of the land (or part of the land) being the subject of a Site Compatibility Certificate issued pursuant to clause 39 of *State Environmental Planning Policy (Housing) 2021* or clause 37 to former *State Environmental Planning Policy (Affordable Rental Housing) 2009*.

Council is NOT AWARE of the land (or part of the land) being the subject of a development consent which contains conditions imposed pursuant to clauses 21(1) or 40(1) to *State Environmental Planning Policy (Housing) 2021* or clauses 17(1) or 38(1) to *State Environmental Planning Policy (Affordable Rental Housing) 2009*.

23. WATER & SEWERAGE SERVICES*

Council is NOT AWARE of any water or sewerage services that are provided to, or proposed to be provided to the subject land (or part of the subject land) pursuant to the provisions of the *Water Industry Competition Act 2006*.

THE FOLLOWING INFORMATION IS PROVIDED FOR THE PURPOSE OF SECTION 59(2) OF THE CONTAMINATED LAND MANAGEMENT ACT, 1997*

Council is NOT AWARE of the land (or part of the land) being declared SIGNIFICANTLY CONTAMINATED land, as defined under Section 11 of the *Contaminated Land Management Act, 1997*.

Council is NOT AWARE of the land (or part of the land) being subject to a MANAGEMENT ORDER, as defined under Section 14(1) of the *Contaminated Land Management Act, 1997*.

Council is NOT AWARE of the land (or part of the land) being the subject of an approved VOLUNTARY MANAGEMENT PROPOSAL, as defined under Section 17(1) of the *Contaminated Land Management Act, 1997*.

Council is NOT AWARE of the land (or part of the land) being subject to an ONGOING MAINTENANCE ORDER, as defined under Section 28(2) of the *Contaminated Land Management Act, 1997*.

Council is NOT AWARE of the land (or part of the land) being the subject of a SITE AUDIT STATEMENT, as defined under Part 4 of the *Contaminated Land Management Act, 1997*.



NORTH SYDNEY COUNCIL

200 Miller Street, North Sydney, NSW 2060 | ABN 32 353 260 317

All correspondence PO Box 12, North Sydney, NSW 2059

P (02) 9936 8100 | **E** council@northsydney.nsw.gov.au

W www.northsydney.nsw.gov.au

*Electronically generated certificate
– no signature required*



Applicant:

Lauren Daly

Level 6/120 Sussex St, Sydney NSW 2000

**PLANNING CERTIFICATE UNDER
SECTION 10.7 ENVIRONMENTAL PLANNING
AND ASSESSMENT ACT 1979**

Cert. No.:

4831/02

Page No.:

1 of 11

Parcel No: 38064

Date:

06/06/2024

Receipt No.:

Your REF:

SINSW05937-24

Property Description:

Miller Street CAMMERAY NSW 2062

LOT: 11 DP: 837836

Owner (as recorded by council):

Office of Education

GPO Box 33

SYDNEY NSW 2001

Following is your Planning Certificate issued by North Sydney Council under section 10.7 (2) of the Environmental Planning and Assessment Act ,1979 (EP&A Act). Information contained within this Certificate is based on data from Council's records as it existed at the date of this Certificate.

Council gives notice that the information supplied herein marked with an asterisk (*), has been complied by Council from sources outside of Council's control. While Council has provided the information herein with all due care and in good faith, it is provided on the basis that Council will not accept any responsibility for and will not be liable for its contents or for any consequence arising from its use, and every user of such information is advised to make all necessary enquiries from the appropriate organisations, institutions and the like.

The Title information shown on this Certificate has been obtained from the Land and Property Information NSW, therefore Council cannot guarantee accuracy. Where this Certificate refers to a specific allotment (or allotments) within a strata plan the Certificate is issued for the whole of the land within the strata plan, not just the specific allotment or allotments referred to, and any information contained in the Certificate may relate to the whole or any part of the strata plan.

Where a particular matter has been unanswered or has not been elaborated upon, such silence should not be interpreted as a meaning or inferring either a negative or positive response as the case may be.

Please note that the accuracy of the information contained within this Certificate may change after the date of this Certificate due to changes in legislation, planning controls or the environment of the land.

Should you have any enquiries, please contact the Council's Customer Service Centre on 02 9936 8100.



THE FOLLOWING INFORMATION IS PROVIDED PURSUANT TO SECTION 10.7(2) OF THE EP&A ACT, 1979 AND SCHEDULE 2 TO THE EP&A REGULATION 2021, AS IT RELATES TO THE SUBJECT LAND

1. APPLICABLE ENVIRONMENTAL PLANNING INSTRUMENTS

1.1. STATE ENVIRONMENTAL PLANNING POLICIES*

SEPP (Biodiversity and Conservation) 2021
SEPP (Exempt and Complying Development Codes) 2008
SEPP (Housing) 2021
SEPP (Industry and Employment) 2021
SEPP (Planning Systems) 2021
SEPP (Precincts-Eastern Harbour City) 2021
SEPP (Primary Production) 2021
SEPP (Resilience and Hazards) 2021
SEPP (Resources and Energy) 2021
SEPP (Sustainable Buildings) 2022
SEPP (Transport and Infrastructure) 2021

Note. Summaries of the SEPPs are provided on the Department of Planning's website at: www.planning.nsw.gov.au

1.2. DRAFT STATE ENVIRONMENTAL PLANNING POLICIES*

Draft Amendment to SEPP (Transport and Infrastructure) 2021 - Chapter 4 Major Infrastructure Corridors

An Explanation of Intended Effect (EIE) to outline proposed amendments to Chapter 4 of the Transport and Infrastructure SEPP – exhibition 22 August 2022 to 19 September 2022.

Draft Amendment to SEPP (Housing) 2021

A Draft amendment to the Housing SEPP in conjunction with amendments to the Local Government and Environmental and Planning Assessment Regulations to improve the planning framework for caravan parks, camping grounds, manufactured home estates and moveable dwellings – exhibition 17 November 2023 to 15 December 2023.

Diverse and well-located homes

An *Explanation of Intended Effect (EIE) - Low and Mid-rise Housing* has been prepared to outline a suite of proposals to enable more diverse, well-designed, low-rise and mid-rise housing near established town centres and in areas where there is good public transport.

Key proposals include:

Dual occupancies:

- Permitting in the *R2 Low Density Residential* zone;
- Setting of standards that if complied with cannot be used for refusal

Residential flat buildings

- Permitting within the *R3 Medium Density Residential* zone, and where that land is located within 800m of a transport station or a commercial centre;
- Permitting increased height and FSR if located within 800m of a transport station or a commercial centre;
- Setting of standards that if complied with cannot be used for refusal, if located within 800m of a transport station or a commercial centre;

Multi-dwelling housing and manor homes

- Permitting within the *R2 Low Density Residential* zone, and where that land is located within 800m of a transport station or a commercial centre;
- Permitting increased height and FSR if located within 800m of a transport station or a commercial centre;



- Setting of standards that if complied with cannot be used for refusal, if located within 800m of a transport station or a commercial centre;

Exhibition of the EIE is occurring between 18 December 2023 to 23 February 2024.

Draft Amendment to SEPP (Transport and Infrastructure) 2021, SEPP (Precincts - Western Parkland City) 2021 and SEPP (Planning Systems) 2021

An Explanation of Intended Effect (EIE) has been prepared seeking to implement a number of amendments to 3 SEPPs to improve planning processes and to deliver infrastructure faster.

The proposed changes will:

- make it easier to deliver infrastructure at the right time, including speeding up planning for projects that benefit the community, create jobs and support economic growth;
- ensure residential amenity, heritage items and the environment are protected from impacts of infrastructure delivery;
- create a consistent approach between different infrastructure activities with similar characteristics and impacts; and
- improve the usability of the T&I SEPP.

Exhibition of the EIE is occurring between 6 March 2024 to 16 April 2024.

Draft Amendment to SEPP (Exempt and Complying Development Codes) 2008

An Explanation of Intended Effect (EIE) has been prepared to align the Rural Housing Code with the Inland Code. Aligning the 2 codes will make it easier for landowners and councils to understand the development standards and environmental requirements that apply for farm buildings, sheds and excavation on rural land.

Exhibition of the EIE is occurring between 15 May 2024 to 14 June 2024.

Note. Summaries of the draft SEPPs are provided on the Department of Planning's website at: www.planning.nsw.gov.au

1.3. LOCAL ENVIRONMENTAL PLANS

North Sydney Local Environmental Plan 2013

Published on the NSW legislation website on 2 August 2013 and came into force on 13 September 2013, as amended.

1.4. DRAFT LOCAL ENVIRONMENTAL PLANS

Planning Proposal 8/21 to amend North Sydney Local Environmental Plan 2013 – North Sydney Centre - Height of Buildings Variation

The Planning Proposal seeks to amend *North Sydney Local Environment Plan 2013* (NSLEP 2013) to ensure that when an application is received with a request to exceed the maximum height of buildings development standard under clause 4.3 on land within the *North Sydney Centre*, that the request to vary the development standard must consider the criteria currently contained under both clauses 4.6 and 6.3(3) to NSLEP 2013.

The Planning Proposal will be on public exhibition from Monday 14 August 2023 to Monday 25 September 2023.

Planning Proposal 5/22 to amend North Sydney Local Environmental Plan 2013 – 71-89 Chandos Street, St Leonards

The Planning Proposal seeks to amend the planning controls to *North Sydney Local Environment Plan 2013* (NSLEP 2013). In particular, the proposed amendments include:



- Increase the maximum building height control from 20 metres to 43 metres (12 storeys);
- Impose a maximum floor space ratio (FSR) control of 4:1;
- Increase the minimum non-residential FSR control from 0.6:1 to 1:1; and
- Introduce a site-specific provision allowing the maximum building height to be exceeded by no more than 2 metres for lift overrun and associated lift structures for the purpose of providing inclusive access to communal open space at the rooftop.

The Planning Proposal will be on public exhibition from Wednesday 23 August 2023 to Wednesday 4 October 2023.

Planning Proposal 5/23 to amend North Sydney Local Environmental Plan 2013 – 115-125 Holt Avenue, Cremorne (Dept of Planning Ref: PP-2023-1627)

This Planning Proposal seeks to amend *North Sydney Local Environment Plan 2013* to identify 115-125 Holt Avenue, Cremorne as local heritage items within Schedule 5 – Environmental Heritage and on the Heritage Map.

The Planning Proposal will be on public exhibition from Tuesday 19 September 2023 to Tuesday 17 October 2023.

Planning Proposal 1/23 to amend North Sydney Local Environmental Plan 2013 – 1-7 Rangers Road & 50 Yeo Street, Neutral Bay (Dept of Planning Ref: PP-2022-4350)

This Planning Proposal seeks to amend the planning controls to *North Sydney Local Environmental Plan 2013* for land at 1-7 Rangers Road & 50 Yeo Street, Neutral Bay. In particular, the proposed amendments include:

- Increase the maximum building height from 16m to part 26m and part 31m; and
- increase the minimum non-residential FSR from 0.5:1 to 1.8:1.

The Planning Proposal will be on public exhibition from Monday 13 May 2024 to Tuesday 11 June 2024.

Note. Due to Council not supporting the progression of this Planning Proposal at its meeting of 22 May 2023, the public exhibition of the Planning Proposal and its subsequent plan making steps are being facilitated by the Sydney North Planning Panel, which forms a division of the Department of Planning Housing and Infrastructure.

1.5. DEVELOPMENT CONTROL PLANS*

North Sydney Development Control Plan 2013

North Sydney Development Control Plan 2013 as adopted by Council on 2 September 2013 and came into effect on 13 September 2013, as amended. *North Sydney Development Control Plan 2013* applies to all land to which *North Sydney Local Environmental Plan 2013* applies.

1.6. DRAFT DEVELOPMENT CONTROL PLANS*

Draft Amendment to North Sydney DCP 2013 (270-272 Pacific Highway, Crows Nest)

On 28 March 2022, Council resolved to endorse a draft amendment to North Sydney Development Control Plan (NSDCP) 2013 to incorporate site specific controls for land at 270-272 Pacific Highway, Crows Nest and place that draft amendment on public exhibition. Public exhibition of the draft amendment to NSDCP 2013 will take place from Wednesday 17 August 2022 to Wednesday 28 September 2022.



2. ZONING AND PERMISSIBLE USES

North Sydney Local Environmental Plan 2013

Zone: SP2 – Infrastructure “Educational establishment”

Permitted without consent

Environmental protection works

Permitted with consent

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

Prohibited

Any development, other than a development specified above, is prohibited in the zone

Exempt Development

Development for the purposes set out in clause 3.1 of *North Sydney Local Environmental Plan 2013* is exempt development, which may be carried out within the zone without the need for development consent.

Complying Development

Development for the purposes set out in clause 3.2 of *North Sydney Local Environmental Plan 2013* is complying development, which may be carried out within the zone without the need for development consent, provided that a complying development certificate is obtained.

Additional prohibited uses

The land IS SUBJECT TO clause 2.9 to *North Sydney Local Environmental Plan 2013* which prohibits canal estate development on any land to which *North Sydney Local Environmental Plan 2013* applies.

Development Consent MAY BE REQUIRED for the DEMOLITION of all or part of any building on the subject land under *North Sydney Local Environmental Plan 2013*. Refer to *SEPP (Exempt and Complying Development Codes) 2008* and Clause 3.1 under *North Sydney Local Environmental Plan 2013*.

2.1. DWELLING HOUSE RESTRICTIONS

North Sydney Local Environmental Plan 2013 DOES NOT set minimum land dimensions for the erection of a dwelling house on the subject land.

2.2. HERITAGE CONTROLS

State Environmental Planning Policy (Biodiversity and Conservation) 2021

The subject land IS NOT identified as containing a HERITAGE ITEM under *Chapter 6 - Water Catchments to SEPP (Biodiversity and Conservation) 2021*.

North Sydney Local Environmental Plan 2013

The subject land IS NOT WITHIN A CONSERVATION AREA, under clause 5.10 - Heritage Conservation to *North Sydney Local Environmental Plan 2013*.

The subject land IS NOT identified as containing A HERITAGE ITEM, under clause 5.10 - Heritage Conservation to *North Sydney Local Environmental Plan 2013*.



2.3. BIODIVERSITY VALUE

The subject land DOES NOT include or comprise an area of OUTSTANDING BIODIVERSITY VALUE under the Biodiversity Conservation Act 2016.

3. INFRASTRUCTURE CONTRIBUTIONS

LOCAL INFRASTRUCTURE CONTRIBUTIONS

North Sydney Local Infrastructure Contributions Plan 2020. Local infrastructure contributions plan made under sections 7.11 and 7.12 of the Environmental Planning and Assessment Act 1979, applying to all development in the North Sydney local government area. Effective from 1 March 2021.

HOUSING AND PRODUCTIVITY CONTRIBUTIONS

The subject land IS LOCATED within the *Greater Sydney Region* as shown on the map marked "*Housing and Productivity Contributions Regions Map*" to which the Environmental Planning and Assessment Amendment (Housing and Productivity Contribution) Order 2023 applies.

SPECIAL CONTRIBUTIONS AREAS

The subject land is NOT LOCATED within a Special Contributions Area.

4. COMPLYING DEVELOPMENT*

Note. This part of the Planning Certificate only addresses matters raised in Clauses 1.17A(1)(c)-(e), (2), (3) and (4), 1.18 (1)(c3) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. It is your responsibility to ensure that you comply with any other relevant requirements of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Failure to comply with these provisions may mean that a Complying Development Certificate issued under the provisions of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 is invalid.

Information pertaining to the extent of the subject land that is only partly affected by a land exclusion under clauses 1.17A(1)(c)-(e), (2), (3) and (4), 1.18 (1)(c3) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, is not provided within this Planning Certificate. It is your responsibility to determine the extent of the land where complying development can or cannot be undertaken for the purpose of this Policy. This information can be obtained by visiting Council's offices at 200 Miller Street, North Sydney, Council's website: www.northsydney.nsw.gov.au or contacting Council on 9936 8100.

Housing Code

Complying development types specified within the Housing Code under Part 3 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CAN BE UNDERTAKEN ON THE SUBJECT LAND.

Rural Housing Code

Complying development types specified within the Rural Housing Code under Part 3A of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CAN BE UNDERTAKEN ON THE SUBJECT LAND.

Housing Alterations Code

Complying development types specified within the Housing Alterations Code under Part 4 *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CAN BE UNDERTAKEN ON THE SUBJECT LAND.



General Development Code

Complying development types specified within the General Development Code under Part 4A *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CAN BE UNDERTAKEN ON THE SUBJECT LAND.

Industrial and Business Alterations Code

Complying development types specified within the Industrial and Business Alterations Code under Part 5 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CAN BE UNDERTAKEN ON THE SUBJECT LAND.

Industrial and Business Buildings Code

Complying development types specified within the Industrial and Business Buildings Code under Part 5A of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CAN BE UNDERTAKEN ON THE SUBJECT LAND.

Subdivisions Code

Complying development types specified within the Subdivisions Code under Part 6 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CAN BE UNDERTAKEN ON THE SUBJECT LAND.

Demolition Code

Complying development types specified within the Demolition Code under Part 7 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CAN BE UNDERTAKEN ON THE SUBJECT LAND.

Fire Safety Code

Complying development types specified within the Fire Safety Code under Part 8 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CAN BE UNDERTAKEN ON THE SUBJECT LAND.

Container Recycling Facilities Code

Complying development types specified within the Container Recycling Facilities Code under Part 5B of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CAN BE UNDERTAKEN ON THE SUBJECT LAND.

Low Rise Housing Diversity Code

Complying development types specified within the Low Rise Housing Diversity Code under Part 3B of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CAN BE UNDERTAKEN ON THE SUBJECT LAND.

Greenfield Housing Code

Complying development types specified within the Greenfield Housing Code under Part 3C of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CAN BE UNDERTAKEN ON THE SUBJECT LAND.

Agritourism and Farm Stay Accommodation Code

Complying development types specified within the Agritourism and Farm Stay Accommodation Code under Part 9 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CAN BE UNDERTAKEN ON THE SUBJECT LAND.

5. EXEMPT DEVELOPMENT*

Note. This part of the Planning Certificate only addresses matters raised in Clauses 1.16(1)(b1)-(d) and 1.16A of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. It is your responsibility to ensure that you comply with any



other relevant requirements of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Failure to comply with these provisions may mean that the undertaking of those exempt development works are not lawful and may be subject to development control orders under the Environmental Planning and Assessment Act, 1979. Information pertaining to the extent of the subject land that is only partly affected by a land exclusion under clauses 1.16(1)(b1)-(d) and 1.16A of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, is not provided within this Planning Certificate. It is your responsibility to determine the extent of the land where exempt development can or cannot be undertaken for the purpose of this Policy. This information can be obtained by visiting Council's offices at 200 Miller Street, North Sydney, Council's website: www.northsydney.nsw.gov.au or contacting Council on 9936 8100.

General Exempt Development Code

Exempt development types specified within the General Exempt Development Code under Division 1 to Part 2 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 CAN BE UNDERTAKEN ON THE SUBJECT LAND.

Advertising and Signage Exempt Development Code

Exempt development types specified within the Advertising and Signage Exempt Development Code under Division 2 to Part 2 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 CAN BE UNDERTAKEN ON THE SUBJECT LAND.

Temporary Uses and Structures Exempt Development Code

Exempt development types specified within the Temporary Uses and Structures Exempt Development Code under Division 3 to Part 2 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 CAN BE UNDERTAKEN ON THE SUBJECT LAND.

6. AFFECTED BUILDING NOTICES & BUILDING RECTIFICATION ORDERS*

Council is NOT AWARE of any *Affected Building Notice*, *Building Product Rectification Order* or *Intention to make a Building Product Rectification Order* made under the Building Products (Safety) Act 2017 applying to the subject land.

7. LAND RESERVED FOR ACQUISITION*

The subject land is NOT SUBJECT to any reservation for LAND ACQUISITION by a public authority for any purpose under any environmental planning instrument applying to the land as set out in this certificate.

8. ROAD WIDENING AND ROAD REALIGNMENT*

The subject land is NOT AFFECTED by any ROAD WIDENING OR ROAD REALIGNMENT under the Roads Act 1993.

The subject land is NOT AFFECTED by any ROAD WIDENING OR ROAD REALIGNMENT under any environmental planning instrument.

The subject land is NOT AFFECTED by any ROAD WIDENING OR ROAD REALIGNMENT under any Council resolution.

9. FLOOD RELATED DEVELOPMENT CONTROLS

Is the whole or part of the land located within a Flood Planning Area and subject to flood related development controls?

NO.



Is the whole or part of the land located between the Flood Planning Area and the probable maximum flood and subject to flood related development controls?

NO.

10. COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS*

The subject land is NOT AFFECTED by a policy, adopted by the Council or adopted by any other public authority and notified to the Council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the Council, that restricts the development of the land by reason of the likelihood of landslip, bushfire, tidal inundation, subsidence, acid sulphate soils, contamination, aircraft noise, coastal hazards, sea level rise or any other risk (excluding flooding).

11. BUSHFIRE PRONE LAND*

The subject land is NOT IDENTIFIED as BUSHFIRE PRONE LAND on Council's Bushfire Prone Land Map as certified by the NSW Rural Fire Service Commissioner dated 22 June 2018 pursuant to the requirements under the of the Rural Fires Act 1997 and Environmental Planning and Assessment Act 1979.

12. LOOSE FILL ASBESTOS INSULATION*

Loose-fill Asbestos Insulation

Council has NO RECORD of the subject land being identified on the NSW Fair Trading's *Loose-Fill Asbestos Insulation Register* as containing a residential building containing loose-fill asbestos insulation, (sometimes called "Mr Fluffy" insulation). Loose-fill asbestos is easy to disturb and can become airborne and it is then easily inhaled. Inhaling asbestos fibres can result in serious illness including asbestosis, lung cancer and mesothelioma.

You are advised to contact NSW Fair Trading for more information:

<https://www.fairtrading.nsw.gov.au/housing-and-property/loose-fill-asbestos-insulation>

Note: Nothing in this statement relates to information about the presence of bonded asbestos materials such as asbestos cement sheeting which may have been used at this site.

13. MINE SUBSIDENCE*

The subject land is NOT PROCLAIMED as a MINE SUBSIDENCE DISTRICT within the meaning of the Coal Mine Subsidence Compensation Act 2017.

14. PAPER SUBDIVISION INFORMATION*

Council is NOT AWARE of a DEVELOPMENT PLAN adopted by a relevant authority or proposed to be subject to a ballot applying to the subject land pursuant to Clause 6 to Schedule 7 of the Environmental Planning and Assessment Act, 1979.

Council is NOT AWARE of a SUBDIVISION ORDER applying to the subject land pursuant to Clause 3 to Schedule 7 of the Environmental Planning and Assessment Act, 1979.

15. PROPERTY VEGETATION PLANS*



Council is NOT AWARE of the subject land being subject to a Property Vegetation Plan enforced under the Native Vegetation Act 2003.

16. BIODIVERSITY STEWARDSHIP SITES*

Council is NOT AWARE of the land being identified as a Biobanking Stewardship Site under a Biobanking Agreement enforced under Part 5 of the Biodiversity Conservation Act 2016.

17. BIODIVERSITY CERTIFIED LAND*

Council is NOT AWARE of the land comprising Biodiversity Certified Land as conferred by the Minister for Planning under the provisions of Part 8 of the Biodiversity Conservation Act 2016.

18. TREE DISPUTE ORDERS*

Council is NOT AWARE of the subject land being subject to an ORDER issued under the Trees (Disputes Between Neighbours) Act 2006.

19. COASTAL PROTECTION*

Council is NOT AWARE of the current or previous owners of the subject land having consented 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 that Act).

Note: "Existing coastal protection works" are works to reduce the impact of coastal hazards on land (such as sea walls, revetments, groynes and beach nourishment) that existed before the commencement of Section 553B of the Local Government Act 1993.

20. WESTERN SYDNEY AEROTROPOLIS*

State Environmental Planning Policy (Precincts – Western Sydney Parkland City) 2021 DOES NOT APPLY to the subject land.

21. SENIORS HOUSING*

Council is NOT AWARE of the land (or part of the land) being the subject of a development consent which contains conditions imposed in relation to clause 88(2) of *State Environmental Planning Policy (Housing) 2021* or clause 18(2) of former *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*.

22. AFFORDABLE RENTAL HOUSING*

Council is NOT AWARE of the land (or part of the land) being the subject of a Site Compatibility Certificate issued pursuant to clause 39 of *State Environmental Planning Policy (Housing) 2021* or clause 37 to former *State Environmental Planning Policy (Affordable Rental Housing) 2009*.

Council is NOT AWARE of the land (or part of the land) being the subject of a development consent which contains conditions imposed pursuant to clauses 21(1) or 40(1) to *State Environmental Planning Policy (Housing) 2021* or clauses 17(1) or 38(1) to *State Environmental Planning Policy (Affordable Rental Housing) 2009*.



23. WATER & SEWERAGE SERVICES*

Council is NOT AWARE of any water or sewerage services that are provided to, or proposed to be provided to the subject land (or part of the subject land) pursuant to the provisions of the *Water Industry Competition Act 2006*.

THE FOLLOWING INFORMATION IS PROVIDED FOR THE PURPOSE OF SECTION 59(2) OF THE CONTAMINATED LAND MANAGEMENT ACT, 1997*

Council is NOT AWARE of the land (or part of the land) being declared SIGNIFICANTLY CONTAMINATED land, as defined under Section 11 of the *Contaminated Land Management Act, 1997*.

Council is NOT AWARE of the land (or part of the land) being subject to a MANAGEMENT ORDER, as defined under Section 14(1) of the *Contaminated Land Management Act, 1997*.

Council is NOT AWARE of the land (or part of the land) being the subject of an approved VOLUNTARY MANAGEMENT PROPOSAL, as defined under Section 17(1) of the *Contaminated Land Management Act, 1997*.

Council is NOT AWARE of the land (or part of the land) being subject to an ONGOING MAINTENANCE ORDER, as defined under Section 28(2) of the *Contaminated Land Management Act, 1997*.

Council is NOT AWARE of the land (or part of the land) being the subject of a SITE AUDIT STATEMENT, as defined under Part 4 of the *Contaminated Land Management Act, 1997*.

For further information, please contact Council's
COMMUNITY, PLANNING & ENVIRONMENT DIVISION

THERESE COLE
CHIEF EXECUTIVE OFFICER
*Electronically generated certificate
– no signature required*



Applicant:

Lauren Daly

Level 6/120 Sussex St, Sydney NSW 2000

**PLANNING CERTIFICATE UNDER
SECTION 10.7 ENVIRONMENTAL PLANNING
AND ASSESSMENT ACT 1979**

Cert. No.:

4835/02

Page No.:

1 of 13

Parcel No: 8257

Date:

06/06/2024

Receipt No.:

Your REF:

SINSW05937-24

Property Description:

68 Palmer Street CAMMERAY NSW 2062

LOT: 1 DP: 316706

Owner (as recorded by council):

Office of Education

GPO Box 33

SYDNEY NSW 2001

Following is your Planning Certificate issued by North Sydney Council under section 10.7 (2) of the Environmental Planning and Assessment Act, 1979 (EP&A Act). Information contained within this Certificate is based on data from Council's records as it existed at the date of this Certificate.

Council gives notice that the information supplied herein marked with an asterisk (*), has been compiled by Council from sources outside of Council's control. While Council has provided the information herein with all due care and in good faith, it is provided on the basis that Council will not accept any responsibility for and will not be liable for its contents or for any consequence arising from its use, and every user of such information is advised to make all necessary enquiries from the appropriate organisations, institutions and the like.

The Title information shown on this Certificate has been obtained from the Land and Property Information NSW, therefore Council cannot guarantee accuracy. Where this Certificate refers to a specific allotment (or allotments) within a strata plan the Certificate is issued for the whole of the land within the strata plan, not just the specific allotment or allotments referred to, and any information contained in the Certificate may relate to the whole or any part of the strata plan.

Where a particular matter has been unanswered or has not been elaborated upon, such silence should not be interpreted as a meaning or inferring either a negative or positive response as the case may be.

Please note that the accuracy of the information contained within this Certificate may change after the date of this Certificate due to changes in legislation, planning controls or the environment of the land.

Should you have any enquiries, please contact the Council's Customer Service Centre on 02 9936 8100.



THE FOLLOWING INFORMATION IS PROVIDED PURSUANT TO SECTION 10.7(2) OF THE EP&A ACT, 1979 AND SCHEDULE 2 TO THE EP&A REGULATION 2021, AS IT RELATES TO THE SUBJECT LAND

1. APPLICABLE ENVIRONMENTAL PLANNING INSTRUMENTS

1.1. STATE ENVIRONMENTAL PLANNING POLICIES*

SEPP (Biodiversity and Conservation) 2021
SEPP (Exempt and Complying Development Codes) 2008
SEPP (Housing) 2021
SEPP (Industry and Employment) 2021
SEPP (Planning Systems) 2021
SEPP (Precincts-Eastern Harbour City) 2021
SEPP (Primary Production) 2021
SEPP (Resilience and Hazards) 2021
SEPP (Resources and Energy) 2021
SEPP (Sustainable Buildings) 2022
SEPP (Transport and Infrastructure) 2021

Note. Summaries of the SEPPs are provided on the Department of Planning's website at: www.planning.nsw.gov.au

1.2. DRAFT STATE ENVIRONMENTAL PLANNING POLICIES*

Draft Amendment to SEPP (Transport and Infrastructure) 2021 - Chapter 4 Major Infrastructure Corridors

An Explanation of Intended Effect (EIE) to outline proposed amendments to Chapter 4 of the Transport and Infrastructure SEPP – exhibition 22 August 2022 to 19 September 2022.

Draft Amendment to SEPP (Housing) 2021

A Draft amendment to the Housing SEPP in conjunction with amendments to the Local Government and Environmental and Planning Assessment Regulations to improve the planning framework for caravan parks, camping grounds, manufactured home estates and moveable dwellings – exhibition 17 November 2023 to 15 December 2023.

Diverse and well-located homes

An *Explanation of Intended Effect (EIE) - Low and Mid-rise Housing* has been prepared to outline a suite of proposals to enable more diverse, well-designed, low-rise and mid-rise housing near established town centres and in areas where there is good public transport.

Key proposals include:

Dual occupancies:

- Permitting in the *R2 Low Density Residential* zone;
- Setting of standards that if complied with cannot be used for refusal

Residential flat buildings

- Permitting within the *R3 Medium Density Residential* zone, and where that land is located within 800m of a transport station or a commercial centre;
- Permitting increased height and FSR if located within 800m of a transport station or a commercial centre;
- Setting of standards that if complied with cannot be used for refusal, if located within 800m of a transport station or a commercial centre;

Multi-dwelling housing and manor homes

- Permitting within the *R2 Low Density Residential* zone, and where that land is located within 800m of a transport station or a commercial centre;
- Permitting increased height and FSR if located within 800m of a transport station or a commercial centre;



- Setting of standards that if complied with cannot be used for refusal, if located within 800m of a transport station or a commercial centre;

Exhibition of the EIE is occurring between 18 December 2023 to 23 February 2024.

Draft Amendment to SEPP (Transport and Infrastructure) 2021, SEPP (Precincts - Western Parkland City) 2021 and SEPP (Planning Systems) 2021

An Explanation of Intended Effect (EIE) has been prepared seeking to implement a number of amendments to 3 SEPPs to improve planning processes and to deliver infrastructure faster.

The proposed changes will:

- make it easier to deliver infrastructure at the right time, including speeding up planning for projects that benefit the community, create jobs and support economic growth;
- ensure residential amenity, heritage items and the environment are protected from impacts of infrastructure delivery;
- create a consistent approach between different infrastructure activities with similar characteristics and impacts; and
- improve the usability of the T&I SEPP.

Exhibition of the EIE is occurring between 6 March 2024 to 16 April 2024.

Draft Amendment to SEPP (Exempt and Complying Development Codes) 2008

An Explanation of Intended Effect (EIE) has been prepared to align the Rural Housing Code with the Inland Code. Aligning the 2 codes will make it easier for landowners and councils to understand the development standards and environmental requirements that apply for farm buildings, sheds and excavation on rural land.

Exhibition of the EIE is occurring between 15 May 2024 to 14 June 2024.

Note. Summaries of the draft SEPPs are provided on the Department of Planning's website at: www.planning.nsw.gov.au

1.3. LOCAL ENVIRONMENTAL PLANS

North Sydney Local Environmental Plan 2013

Published on the NSW legislation website on 2 August 2013 and came into force on 13 September 2013, as amended.

1.4. DRAFT LOCAL ENVIRONMENTAL PLANS

Planning Proposal 8/21 to amend North Sydney Local Environmental Plan 2013 – North Sydney Centre - Height of Buildings Variation

The Planning Proposal seeks to amend *North Sydney Local Environment Plan 2013* (NSLEP 2013) to ensure that when an application is received with a request to exceed the maximum height of buildings development standard under clause 4.3 on land within the *North Sydney Centre*, that the request to vary the development standard must consider the criteria currently contained under both clauses 4.6 and 6.3(3) to NSLEP 2013.

The Planning Proposal will be on public exhibition from Monday 14 August 2023 to Monday 25 September 2023.

Planning Proposal 5/22 to amend North Sydney Local Environmental Plan 2013 – 71-89 Chandos Street, St Leonards

The Planning Proposal seeks to amend the planning controls to *North Sydney Local Environment Plan 2013* (NSLEP 2013). In particular, the proposed amendments include:



- Increase the maximum building height control from 20 metres to 43 metres (12 storeys);
- Impose a maximum floor space ratio (FSR) control of 4:1;
- Increase the minimum non-residential FSR control from 0.6:1 to 1:1; and
- Introduce a site-specific provision allowing the maximum building height to be exceeded by no more than 2 metres for lift overrun and associated lift structures for the purpose of providing inclusive access to communal open space at the rooftop.

The Planning Proposal will be on public exhibition from Wednesday 23 August 2023 to Wednesday 4 October 2023.

Planning Proposal 5/23 to amend North Sydney Local Environmental Plan 2013 – 115-125 Holt Avenue, Cremorne (Dept of Planning Ref: PP-2023-1627)

This Planning Proposal seeks to amend *North Sydney Local Environment Plan 2013* to identify 115-125 Holt Avenue, Cremorne as local heritage items within Schedule 5 – Environmental Heritage and on the Heritage Map.

The Planning Proposal will be on public exhibition from Tuesday 19 September 2023 to Tuesday 17 October 2023.

Planning Proposal 1/23 to amend North Sydney Local Environmental Plan 2013 – 1-7 Rangers Road & 50 Yeo Street, Neutral Bay (Dept of Planning Ref: PP-2022-4350)

This Planning Proposal seeks to amend the planning controls to *North Sydney Local Environmental Plan 2013* for land at 1-7 Rangers Road & 50 Yeo Street, Neutral Bay. In particular, the proposed amendments include:

- Increase the maximum building height from 16m to part 26m and part 31m; and
- increase the minimum non-residential FSR from 0.5:1 to 1.8:1.

The Planning Proposal will be on public exhibition from Monday 13 May 2024 to Tuesday 11 June 2024.

Note. Due to Council not supporting the progression of this Planning Proposal at its meeting of 22 May 2023, the public exhibition of the Planning Proposal and its subsequent plan making steps are being facilitated by the Sydney North Planning Panel, which forms a division of the Department of Planning Housing and Infrastructure.

1.5. DEVELOPMENT CONTROL PLANS*

North Sydney Development Control Plan 2013

North Sydney Development Control Plan 2013 as adopted by Council on 2 September 2013 and came into effect on 13 September 2013, as amended. *North Sydney Development Control Plan 2013* applies to all land to which *North Sydney Local Environmental Plan 2013* applies.

1.6. DRAFT DEVELOPMENT CONTROL PLANS*

Draft Amendment to North Sydney DCP 2013 (270-272 Pacific Highway, Crows Nest)

On 28 March 2022, Council resolved to endorse a draft amendment to North Sydney Development Control Plan (NSDCP) 2013 to incorporate site specific controls for land at 270-272 Pacific Highway, Crows Nest and place that draft amendment on public exhibition. Public exhibition of the draft amendment to NSDCP 2013 will take place from Wednesday 17 August 2022 to Wednesday 28 September 2022.



2. ZONING AND PERMISSIBLE USES

North Sydney Local Environmental Plan 2013

Zone: SP2 – Infrastructure “Educational establishment”

Permitted without consent

Environmental protection works

Permitted with consent

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

Prohibited

Any development, other than a development specified above, is prohibited in the zone

Exempt Development

Development for the purposes set out in clause 3.1 of *North Sydney Local Environmental Plan 2013* is exempt development, which may be carried out within the zone without the need for development consent.

Complying Development

Development for the purposes set out in clause 3.2 of *North Sydney Local Environmental Plan 2013* is complying development, which may be carried out within the zone without the need for development consent, provided that a complying development certificate is obtained.

Additional prohibited uses

The land IS SUBJECT TO clause 2.9 to *North Sydney Local Environmental Plan 2013* which prohibits canal estate development on any land to which *North Sydney Local Environmental Plan 2013* applies.

2.1. DWELLING HOUSE RESTRICTIONS

North Sydney Local Environmental Plan 2013 DOES NOT set minimum land dimensions for the erection of a dwelling house on the subject land.

2.2. HERITAGE CONTROLS

State Environmental Planning Policy (Biodiversity and Conservation) 2021

The subject land IS NOT identified as containing a HERITAGE ITEM under *Chapter 6 - Water Catchments to SEPP (Biodiversity and Conservation) 2021*.

North Sydney Local Environmental Plan 2013

The whole or part of the subject land IS WITHIN A CONSERVATION AREA, under clause 5.10 - Heritage Conservation to *North Sydney Local Environmental Plan 2013*. Development consent is required for demolition (including partial demolition), alteration of the exterior or any change to the property, for construction of a building on, or for subdivision of, the land. Council may refuse consent to demolish a building within a conservation area.

The whole or part of the subject land IS A HERITAGE ITEM, under clause 5.10 - Heritage Conservation to *North Sydney Local Environmental Plan 2013*. Development consent is required for demolition (including



partial demolition) or any change to the property, construction of a building on, or subdivision of, the land. Council may refuse consent to demolish a Heritage Item.

2.3. BIODIVERSITY VALUE

The subject land DOES NOT include or comprise an area of OUTSTANDING BIODIVERSITY VALUE under the Biodiversity Conservation Act 2016.

3. INFRASTRUCTURE CONTRIBUTIONS

LOCAL INFRASTRUCTURE CONTRIBUTIONS

North Sydney Local Infrastructure Contributions Plan 2020. Local infrastructure contributions plan made under sections 7.11 and 7.12 of the Environmental Planning and Assessment Act 1979, applying to all development in the North Sydney local government area. Effective from 1 March 2021.

HOUSING AND PRODUCTIVITY CONTRIBUTIONS

The subject land IS LOCATED within the *Greater Sydney Region* as shown on the map marked "*Housing and Productivity Contributions Regions Map*" to which the Environmental Planning and Assessment Amendment (Housing and Productivity Contribution) Order 2023 applies.

SPECIAL CONTRIBUTIONS AREAS

The subject land is NOT LOCATED within a Special Contributions Area.

4. COMPLYING DEVELOPMENT*

Note. This part of the Planning Certificate only addresses matters raised in Clauses 1.17A(1)(c)-(e), (2), (3) and (4), 1.18 (1)(c3) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. It is your responsibility to ensure that you comply with any other relevant requirements of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Failure to comply with these provisions may mean that a Complying Development Certificate issued under the provisions of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 is invalid.

Information pertaining to the extent of the subject land that is only partly affected by a land exclusion under clauses 1.17A(1)(c)-(e), (2), (3) and (4), 1.18 (1)(c3) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, is not provided within this Planning Certificate. It is your responsibility to determine the extent of the land where complying development can or cannot be undertaken for the purpose of this Policy. This information can be obtained by visiting Council's offices at 200 Miller Street, North Sydney, Council's website: www.northsydney.nsw.gov.au or contacting Council on 9936 8100.

Housing Code

Complying development types specified within the Housing Code under Part 3 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.
- Wholly identified as being within a heritage conservation area or a draft heritage conservation area, unless the development is only for a detached outbuilding, detached development (other than a detached studio) or swimming pool.



Rural Housing Code

Complying development types specified within the Rural Housing Code under Part 3A of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.
- Wholly identified as being within a heritage conservation area or a draft heritage conservation area, unless the development is only for a detached outbuilding, detached development (other than a detached studio) or swimming pool.

Housing Alterations Code

Complying development types specified within the Housing Alterations Code under Part 4 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

General Development Code

Complying development types specified within the General Development Code under Part 4A of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

Industrial and Business Alterations Code

Complying development types specified within the Industrial and Business Alterations Code under Part 5 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

Industrial and Business Buildings Code

Complying development types specified within the Industrial and Business Buildings Code under Part 5A of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.
- Wholly identified as being within a heritage conservation area or a draft heritage conservation area.

Subdivisions Code



Complying development types specified within the Subdivisions Code under Part 6 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

Demolition Code

Complying development types specified within the Demolition Code under Part 7 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

Fire Safety Code

Complying development types specified within the Fire Safety Code under Part 8 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

Container Recycling Facilities Code

Complying development types specified within the Container Recycling Facilities Code under Part 5B of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

Low Rise Housing Diversity Code

Complying development types specified within the Low Rise Housing Diversity Code under Part 3B of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.
- Wholly identified as being within a heritage conservation area or a draft heritage conservation area, unless the development is only for a detached outbuilding, detached development (other than a detached studio) or swimming pool.

Greenfield Housing Code

Complying development types specified within the Greenfield Housing Code under Part 3C of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.



- Wholly identified as being within a heritage conservation area or a draft heritage conservation area, unless the development is only for a detached outbuilding, detached development (other than a detached studio) or swimming pool.

Agritourism and Farm Stay Accommodation Code

Complying development types specified within the Agritourism and Farm Stay Accommodation Code under Part 9 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CAN NOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.
- Wholly identified as being within a heritage conservation area or a draft heritage conservation area, unless the development is only for a detached outbuilding, detached development (other than a detached studio) or swimming pool.

5. EXEMPT DEVELOPMENT*

Note. This part of the Planning Certificate only addresses matters raised in Clauses 1.16(1)(b1)-(d) and 1.16A of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. It is your responsibility to ensure that you comply with any other relevant requirements of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. Failure to comply with these provisions may mean that the undertaking of those exempt development works are not lawful and may be subject to development control orders under the *Environmental Planning and Assessment Act, 1979*. Information pertaining to the extent of the subject land that is only partly affected by a land exclusion under clauses 1.16(1)(b1)-(d) and 1.16A of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, is not provided within this Planning Certificate. It is your responsibility to determine the extent of the land where exempt development can or cannot be undertaken for the purpose of this Policy. This information can be obtained by visiting Council's offices at 200 Miller Street, North Sydney, Council's website: www.northsydney.nsw.gov.au or contacting Council on 9936 8100.

General Exempt Development Code

Exempt development types specified within the General Exempt Development Code under Division 1 to Part 2 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CAN BE UNDERTAKEN ON THE SUBJECT LAND.

Advertising and Signage Exempt Development Code

Exempt development types specified within the Advertising and Signage Exempt Development Code under Division 2 to Part 2 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CAN BE UNDERTAKEN ON THE SUBJECT LAND.

Temporary Uses and Structures Exempt Development Code

Exempt development types specified within the Temporary Uses and Structures Exempt Development Code under Division 3 to Part 2 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CAN BE UNDERTAKEN ON THE SUBJECT LAND.

6. AFFECTED BUILDING NOTICES & BUILDING RECTIFICATION ORDERS*

Council is NOT AWARE of any *Affected Building Notice*, *Building Product Rectification Order* or *Intention to make a Building Product Rectification Order* made under the *Building Products (Safety) Act 2017* applying to the subject land.

7. LAND RESERVED FOR ACQUISITION*

The subject land is NOT SUBJECT to any reservation for LAND ACQUISITION by a public authority for any purpose under any environmental planning instrument applying to the land as set out in this certificate.



8. ROAD WIDENING AND ROAD REALIGNMENT*

The subject land is NOT AFFECTED by any ROAD WIDENING OR ROAD REALIGNMENT under the Roads Act 1993.

The subject land is NOT AFFECTED by any ROAD WIDENING OR ROAD REALIGNMENT under any environmental planning instrument.

The subject land is NOT AFFECTED by any ROAD WIDENING OR ROAD REALIGNMENT under any Council resolution.

9. FLOOD RELATED DEVELOPMENT CONTROLS

Is the whole or part of the land located within a Flood Planning Area and subject to flood related development controls?

NO.

Is the whole or part of the land located between the Flood Planning Area and the probable maximum flood and subject to flood related development controls?

NO.

10. COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS*

The subject land is NOT AFFECTED by a policy, adopted by the Council or adopted by any other public authority and notified to the Council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the Council, that restricts the development of the land by reason of the likelihood of landslip, bushfire, tidal inundation, subsidence, acid sulphate soils, contamination, aircraft noise, coastal hazards, sea level rise or any other risk (excluding flooding).

11. BUSHFIRE PRONE LAND*

The subject land is NOT IDENTIFIED as BUSHFIRE PRONE LAND on Council's Bushfire Prone Land Map as certified by the NSW Rural Fire Service Commissioner dated 22 June 2018 pursuant to the requirements under the of the Rural Fires Act 1997 and Environmental Planning and Assessment Act 1979.

12. LOOSE FILL ASBESTOS INSULATION*

Loose-fill Asbestos Insulation

Council has NO RECORD of the subject land being identified on the NSW Fair Trading's *Loose-Fill Asbestos Insulation Register* as containing a residential building containing loose-fill asbestos insulation, (sometimes called "Mr Fluffy" insulation). Loose-fill asbestos is easy to disturb and can become airborne and it is then easily inhaled. Inhaling asbestos fibres can result in serious illness including asbestosis, lung cancer and mesothelioma.

You are advised to contact NSW Fair Trading for more information:

<https://www.fairtrading.nsw.gov.au/housing-and-property/loose-fill-asbestos-insulation>



Note: Nothing in this statement relates to information about the presence of bonded asbestos materials such as asbestos cement sheeting which may have been used at this site.

13. MINE SUBSIDENCE*

The subject land is NOT PROCLAIMED as a MINE SUBSIDENCE DISTRICT within the meaning of the Coal Mine Subsidence Compensation Act 2017.

14. PAPER SUBDIVISION INFORMATION*

Council is NOT AWARE of a DEVELOPMENT PLAN adopted by a relevant authority or proposed to be subject to a ballot applying to the subject land pursuant to Clause 6 to Schedule 7 of the Environmental Planning and Assessment Act, 1979.

Council is NOT AWARE of a SUBDIVISION ORDER applying to the subject land pursuant to Clause 3 to Schedule 7 of the Environmental Planning and Assessment Act, 1979.

15. PROPERTY VEGETATION PLANS*

Council is NOT AWARE of the subject land being subject to a Property Vegetation Plan enforced under the Native Vegetation Act 2003.

16. BIODIVERSITY STEWARDSHIP SITES*

Council is NOT AWARE of the land being identified as a Biobanking Stewardship Site under a Biobanking Agreement enforced under Part 5 of the Biodiversity Conservation Act 2016.

17. BIODIVERSITY CERTIFIED LAND*

Council is NOT AWARE of the land comprising Biodiversity Certified Land as conferred by the Minister for Planning under the provisions of Part 8 of the Biodiversity Conservation Act 2016.

18. TREE DISPUTE ORDERS*

Council is NOT AWARE of the subject land being subject to an ORDER issued under the Trees (Disputes Between Neighbours) Act 2006.

19. COASTAL PROTECTION*

Council is NOT AWARE of the current or previous owners of the subject land having consented 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 that Act).

Note: "Existing coastal protection works" are works to reduce the impact of coastal hazards on land (such as sea walls, revetments, groynes and beach nourishment) that existed before the commencement of Section 553B of the Local Government Act 1993.

20. WESTERN SYDNEY AEROTROPOLIS*



State Environmental Planning Policy (Precincts – Western Sydney Parkland City) 2021 DOES NOT APPLY to the subject land.

21. SENIORS HOUSING*

Council is NOT AWARE of the land (or part of the land) being the subject of a development consent which contains conditions imposed in relation to clause 88(2) of *State Environmental Planning Policy (Housing) 2021* or clause 18(2) of former *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*.

22. AFFORDABLE RENTAL HOUSING*

Council is NOT AWARE of the land (or part of the land) being the subject of a Site Compatibility Certificate issued pursuant to clause 39 of *State Environmental Planning Policy (Housing) 2021* or clause 37 to former *State Environmental Planning Policy (Affordable Rental Housing) 2009*.

Council is NOT AWARE of the land (or part of the land) being the subject of a development consent which contains conditions imposed pursuant to clauses 21(1) or 40(1) to *State Environmental Planning Policy (Housing) 2021* or clauses 17(1) or 38(1) to *State Environmental Planning Policy (Affordable Rental Housing) 2009*.

23. WATER & SEWERAGE SERVICES*

Council is NOT AWARE of any water or sewerage services that are provided to, or proposed to be provided to the subject land (or part of the subject land) pursuant to the provisions of the *Water Industry Competition Act 2006*.

THE FOLLOWING INFORMATION IS PROVIDED FOR THE PURPOSE OF SECTION 59(2) OF THE CONTAMINATED LAND MANAGEMENT ACT, 1997*

Council is NOT AWARE of the land (or part of the land) being declared SIGNIFICANTLY CONTAMINATED land, as defined under Section 11 of the *Contaminated Land Management Act, 1997*.

Council is NOT AWARE of the land (or part of the land) being subject to a MANAGEMENT ORDER, as defined under Section 14(1) of the *Contaminated Land Management Act, 1997*.

Council is NOT AWARE of the land (or part of the land) being the subject of an approved VOLUNTARY MANAGEMENT PROPOSAL, as defined under Section 17(1) of the *Contaminated Land Management Act, 1997*.

Council is NOT AWARE of the land (or part of the land) being subject to an ONGOING MAINTENANCE ORDER, as defined under Section 28(2) of the *Contaminated Land Management Act, 1997*.

Council is NOT AWARE of the land (or part of the land) being the subject of a SITE AUDIT STATEMENT, as defined under Part 4 of the *Contaminated Land Management Act, 1997*.



NORTH SYDNEY COUNCIL

200 Miller Street, North Sydney, NSW 2060 | ABN 32 353 260 317

All correspondence PO Box 12, North Sydney, NSW 2059

P (02) 9936 8100 | **E** council@northsydney.nsw.gov.au

W www.northsydney.nsw.gov.au

*Electronically generated certificate
– no signature required*



Applicant:

Lauren Daly

Level 6/120 Sussex St, Sydney NSW 2000

**PLANNING CERTIFICATE UNDER
SECTION 10.7 ENVIRONMENTAL PLANNING
AND ASSESSMENT ACT 1979**

Cert. No.:

4834/02

Page No.:

1 of 13

Parcel No: 8254

Date:

06/06/2024

Receipt No.:

Your REF:

SINSW05937-24

Property Description:

68 Palmer Street CAMMERAY NSW 2062

LOT: 5 SEC: 35 DP: 758790

Owner (as recorded by council):

Office of Education

GPO Box 33

SYDNEY NSW 2001

Following is your Planning Certificate issued by North Sydney Council under section 10.7 (2) of the Environmental Planning and Assessment Act, 1979 (EP&A Act). Information contained within this Certificate is based on data from Council's records as it existed at the date of this Certificate.

Council gives notice that the information supplied herein marked with an asterisk (*), has been complied by Council from sources outside of Council's control. While Council has provided the information herein with all due care and in good faith, it is provided on the basis that Council will not accept any responsibility for and will not be liable for its contents or for any consequence arising from its use, and every user of such information is advised to make all necessary enquiries from the appropriate organisations, institutions and the like.

The Title information shown on this Certificate has been obtained from the Land and Property Information NSW, therefore Council cannot guarantee accuracy. Where this Certificate refers to a specific allotment (or allotments) within a strata plan the Certificate is issued for the whole of the land within the strata plan, not just the specific allotment or allotments referred to, and any information contained in the Certificate may relate to the whole or any part of the strata plan.

Where a particular matter has been unanswered or has not been elaborated upon, such silence should not be interpreted as a meaning or inferring either a negative or positive response as the case may be.

Please note that the accuracy of the information contained within this Certificate may change after the date of this Certificate due to changes in legislation, planning controls or the environment of the land.

Should you have any enquiries, please contact the Council's Customer Service Centre on 02 9936 8100.



THE FOLLOWING INFORMATION IS PROVIDED PURSUANT TO SECTION 10.7(2) OF THE EP&A ACT, 1979 AND SCHEDULE 2 TO THE EP&A REGULATION 2021, AS IT RELATES TO THE SUBJECT LAND

1. APPLICABLE ENVIRONMENTAL PLANNING INSTRUMENTS

1.1. STATE ENVIRONMENTAL PLANNING POLICIES*

SEPP (Biodiversity and Conservation) 2021
SEPP (Exempt and Complying Development Codes) 2008
SEPP (Housing) 2021
SEPP (Industry and Employment) 2021
SEPP (Planning Systems) 2021
SEPP (Precincts-Eastern Harbour City) 2021
SEPP (Primary Production) 2021
SEPP (Resilience and Hazards) 2021
SEPP (Resources and Energy) 2021
SEPP (Sustainable Buildings) 2022
SEPP (Transport and Infrastructure) 2021

Note. Summaries of the SEPPs are provided on the Department of Planning's website at: www.planning.nsw.gov.au

1.2. DRAFT STATE ENVIRONMENTAL PLANNING POLICIES*

Draft Amendment to SEPP (Transport and Infrastructure) 2021 - Chapter 4 Major Infrastructure Corridors

An Explanation of Intended Effect (EIE) to outline proposed amendments to Chapter 4 of the Transport and Infrastructure SEPP – exhibition 22 August 2022 to 19 September 2022.

Draft Amendment to SEPP (Housing) 2021

A Draft amendment to the Housing SEPP in conjunction with amendments to the Local Government and Environmental and Planning Assessment Regulations to improve the planning framework for caravan parks, camping grounds, manufactured home estates and moveable dwellings – exhibition 17 November 2023 to 15 December 2023.

Diverse and well-located homes

An *Explanation of Intended Effect (EIE) - Low and Mid-rise Housing* has been prepared to outline a suite of proposals to enable more diverse, well-designed, low-rise and mid-rise housing near established town centres and in areas where there is good public transport.

Key proposals include:

Dual occupancies:

- Permitting in the R2 Low Density Residential zone;
- Setting of standards that if complied with cannot be used for refusal

Residential flat buildings

- Permitting within the R3 Medium Density Residential zone, and where that land is located within 800m of a transport station or a commercial centre;
- Permitting increased height and FSR if located within 800m of a transport station or a commercial centre;
- Setting of standards that if complied with cannot be used for refusal, if located within 800m of a transport station or a commercial centre;

Multi-dwelling housing and manor homes

- Permitting within the R2 Low Density Residential zone, and where that land is located within 800m of a transport station or a commercial centre;
- Permitting increased height and FSR if located within 800m of a transport station or a commercial centre;



- Setting of standards that if complied with cannot be used for refusal, if located within 800m of a transport station or a commercial centre;

Exhibition of the EIE is occurring between 18 December 2023 to 23 February 2024.

Draft Amendment to SEPP (Transport and Infrastructure) 2021, SEPP (Precincts - Western Parkland City) 2021 and SEPP (Planning Systems) 2021

An Explanation of Intended Effect (EIE) has been prepared seeking to implement a number of amendments to 3 SEPPs to improve planning processes and to deliver infrastructure faster.

The proposed changes will:

- make it easier to deliver infrastructure at the right time, including speeding up planning for projects that benefit the community, create jobs and support economic growth;
- ensure residential amenity, heritage items and the environment are protected from impacts of infrastructure delivery;
- create a consistent approach between different infrastructure activities with similar characteristics and impacts; and
- improve the usability of the T&I SEPP.

Exhibition of the EIE is occurring between 6 March 2024 to 16 April 2024.

Draft Amendment to SEPP (Exempt and Complying Development Codes) 2008

An Explanation of Intended Effect (EIE) has been prepared to align the Rural Housing Code with the Inland Code. Aligning the 2 codes will make it easier for landowners and councils to understand the development standards and environmental requirements that apply for farm buildings, sheds and excavation on rural land.

Exhibition of the EIE is occurring between 15 May 2024 to 14 June 2024.

Note. Summaries of the draft SEPPs are provided on the Department of Planning's website at: www.planning.nsw.gov.au

1.3. LOCAL ENVIRONMENTAL PLANS

North Sydney Local Environmental Plan 2013

Published on the NSW legislation website on 2 August 2013 and came into force on 13 September 2013, as amended.

1.4. DRAFT LOCAL ENVIRONMENTAL PLANS

Planning Proposal 8/21 to amend North Sydney Local Environmental Plan 2013 – North Sydney Centre - Height of Buildings Variation

The Planning Proposal seeks to amend *North Sydney Local Environment Plan 2013* (NSLEP 2013) to ensure that when an application is received with a request to exceed the maximum height of buildings development standard under clause 4.3 on land within the *North Sydney Centre*, that the request to vary the development standard must consider the criteria currently contained under both clauses 4.6 and 6.3(3) to NSLEP 2013.

The Planning Proposal will be on public exhibition from Monday 14 August 2023 to Monday 25 September 2023.

Planning Proposal 5/22 to amend North Sydney Local Environmental Plan 2013 – 71-89 Chandos Street, St Leonards

The Planning Proposal seeks to amend the planning controls to *North Sydney Local Environment Plan 2013* (NSLEP 2013). In particular, the proposed amendments include:



- Increase the maximum building height control from 20 metres to 43 metres (12 storeys);
- Impose a maximum floor space ratio (FSR) control of 4:1;
- Increase the minimum non-residential FSR control from 0.6:1 to 1:1; and
- Introduce a site-specific provision allowing the maximum building height to be exceeded by no more than 2 metres for lift overrun and associated lift structures for the purpose of providing inclusive access to communal open space at the rooftop.

The Planning Proposal will be on public exhibition from Wednesday 23 August 2023 to Wednesday 4 October 2023.

Planning Proposal 5/23 to amend North Sydney Local Environmental Plan 2013 – 115-125 Holt Avenue, Cremorne (Dept of Planning Ref: PP-2023-1627)

This Planning Proposal seeks to amend *North Sydney Local Environment Plan 2013* to identify 115-125 Holt Avenue, Cremorne as local heritage items within Schedule 5 – Environmental Heritage and on the Heritage Map.

The Planning Proposal will be on public exhibition from Tuesday 19 September 2023 to Tuesday 17 October 2023.

Planning Proposal 1/23 to amend North Sydney Local Environmental Plan 2013 – 1-7 Rangers Road & 50 Yeo Street, Neutral Bay (Dept of Planning Ref: PP-2022-4350)

This Planning Proposal seeks to amend the planning controls to *North Sydney Local Environmental Plan 2013* for land at 1-7 Rangers Road & 50 Yeo Street, Neutral Bay. In particular, the proposed amendments include:

- Increase the maximum building height from 16m to part 26m and part 31m; and
- increase the minimum non-residential FSR from 0.5:1 to 1.8:1.

The Planning Proposal will be on public exhibition from Monday 13 May 2024 to Tuesday 11 June 2024.

Note. Due to Council not supporting the progression of this Planning Proposal at its meeting of 22 May 2023, the public exhibition of the Planning Proposal and its subsequent plan making steps are being facilitated by the Sydney North Planning Panel, which forms a division of the Department of Planning Housing and Infrastructure.

1.5. DEVELOPMENT CONTROL PLANS*

North Sydney Development Control Plan 2013

North Sydney Development Control Plan 2013 as adopted by Council on 2 September 2013 and came into effect on 13 September 2013, as amended. *North Sydney Development Control Plan 2013* applies to all land to which *North Sydney Local Environmental Plan 2013* applies.

1.6. DRAFT DEVELOPMENT CONTROL PLANS*

Draft Amendment to North Sydney DCP 2013 (270-272 Pacific Highway, Crows Nest)

On 28 March 2022, Council resolved to endorse a draft amendment to North Sydney Development Control Plan (NSDCP) 2013 to incorporate site specific controls for land at 270-272 Pacific Highway, Crows Nest and place that draft amendment on public exhibition. Public exhibition of the draft amendment to NSDCP 2013 will take place from Wednesday 17 August 2022 to Wednesday 28 September 2022.



2. ZONING AND PERMISSIBLE USES

North Sydney Local Environmental Plan 2013

Zone: SP2 – Infrastructure “Educational establishment”

Permitted without consent

Environmental protection works

Permitted with consent

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

Prohibited

Any development, other than a development specified above, is prohibited in the zone

Exempt Development

Development for the purposes set out in clause 3.1 of *North Sydney Local Environmental Plan 2013* is exempt development, which may be carried out within the zone without the need for development consent.

Complying Development

Development for the purposes set out in clause 3.2 of *North Sydney Local Environmental Plan 2013* is complying development, which may be carried out within the zone without the need for development consent, provided that a complying development certificate is obtained.

Additional prohibited uses

The land IS SUBJECT TO clause 2.9 to *North Sydney Local Environmental Plan 2013* which prohibits canal estate development on any land to which *North Sydney Local Environmental Plan 2013* applies.

2.1. DWELLING HOUSE RESTRICTIONS

North Sydney Local Environmental Plan 2013 DOES NOT set minimum land dimensions for the erection of a dwelling house on the subject land.

2.2. HERITAGE CONTROLS

State Environmental Planning Policy (Biodiversity and Conservation) 2021

The subject land IS NOT identified as containing a HERITAGE ITEM under *Chapter 6 - Water Catchments to SEPP (Biodiversity and Conservation) 2021*.

North Sydney Local Environmental Plan 2013

The whole or part of the subject land IS WITHIN A CONSERVATION AREA, under clause 5.10 - Heritage Conservation to *North Sydney Local Environmental Plan 2013*. Development consent is required for demolition (including partial demolition), alteration of the exterior or any change to the property, for construction of a building on, or for subdivision of, the land. Council may refuse consent to demolish a building within a conservation area.

The whole or part of the subject land IS A HERITAGE ITEM, under clause 5.10 - Heritage Conservation to *North Sydney Local Environmental Plan 2013*. Development consent is required for demolition (including



partial demolition) or any change to the property, construction of a building on, or subdivision of, the land. Council may refuse consent to demolish a Heritage Item.

2.3. BIODIVERSITY VALUE

The subject land DOES NOT include or comprise an area of OUTSTANDING BIODIVERSITY VALUE under the Biodiversity Conservation Act 2016.

3. INFRASTRUCTURE CONTRIBUTIONS

LOCAL INFRASTRUCTURE CONTRIBUTIONS

North Sydney Local Infrastructure Contributions Plan 2020. Local infrastructure contributions plan made under sections 7.11 and 7.12 of the Environmental Planning and Assessment Act 1979, applying to all development in the North Sydney local government area. Effective from 1 March 2021.

HOUSING AND PRODUCTIVITY CONTRIBUTIONS

The subject land IS LOCATED within the *Greater Sydney Region* as shown on the map marked "*Housing and Productivity Contributions Regions Map*" to which the Environmental Planning and Assessment Amendment (Housing and Productivity Contribution) Order 2023 applies.

SPECIAL CONTRIBUTIONS AREAS

The subject land is NOT LOCATED within a Special Contributions Area.

4. COMPLYING DEVELOPMENT*

Note. This part of the Planning Certificate only addresses matters raised in Clauses 1.17A(1)(c)-(e), (2), (3) and (4), 1.18 (1)(c3) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. It is your responsibility to ensure that you comply with any other relevant requirements of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Failure to comply with these provisions may mean that a Complying Development Certificate issued under the provisions of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 is invalid.

Information pertaining to the extent of the subject land that is only partly affected by a land exclusion under clauses 1.17A(1)(c)-(e), (2), (3) and (4), 1.18 (1)(c3) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, is not provided within this Planning Certificate. It is your responsibility to determine the extent of the land where complying development can or cannot be undertaken for the purpose of this Policy. This information can be obtained by visiting Council's offices at 200 Miller Street, North Sydney, Council's website: www.northsydney.nsw.gov.au or contacting Council on 9936 8100.

Housing Code

Complying development types specified within the Housing Code under Part 3 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.
- Wholly identified as being within a heritage conservation area or a draft heritage conservation area, unless the development is only for a detached outbuilding, detached development (other than a detached studio) or swimming pool.



Rural Housing Code

Complying development types specified within the Rural Housing Code under Part 3A of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.
- Wholly identified as being within a heritage conservation area or a draft heritage conservation area, unless the development is only for a detached outbuilding, detached development (other than a detached studio) or swimming pool.

Housing Alterations Code

Complying development types specified within the Housing Alterations Code under Part 4 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

General Development Code

Complying development types specified within the General Development Code under Part 4A of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

Industrial and Business Alterations Code

Complying development types specified within the Industrial and Business Alterations Code under Part 5 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

Industrial and Business Buildings Code

Complying development types specified within the Industrial and Business Buildings Code under Part 5A of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.
- Wholly identified as being within a heritage conservation area or a draft heritage conservation area.

Subdivisions Code



Complying development types specified within the Subdivisions Code under Part 6 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

Demolition Code

Complying development types specified within the Demolition Code under Part 7 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

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Fire Safety Code

Complying development types specified within the Fire Safety Code under Part 8 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

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Complying development types specified within the Greenfield Housing Code under Part 3C of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

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Agritourism and Farm Stay Accommodation Code

Complying development types specified within the Agritourism and Farm Stay Accommodation Code under Part 9 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CAN NOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.
- Wholly identified as being within a heritage conservation area or a draft heritage conservation area, unless the development is only for a detached outbuilding, detached development (other than a detached studio) or swimming pool.

5. EXEMPT DEVELOPMENT*

Note. This part of the Planning Certificate only addresses matters raised in Clauses 1.16(1)(b1)-(d) and 1.16A of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. It is your responsibility to ensure that you comply with any other relevant requirements of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. Failure to comply with these provisions may mean that the undertaking of those exempt development works are not lawful and may be subject to development control orders under the *Environmental Planning and Assessment Act, 1979*. Information pertaining to the extent of the subject land that is only partly affected by a land exclusion under clauses 1.16(1)(b1)-(d) and 1.16A of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, is not provided within this Planning Certificate. It is your responsibility to determine the extent of the land where exempt development can or cannot be undertaken for the purpose of this Policy. This information can be obtained by visiting Council's offices at 200 Miller Street, North Sydney, Council's website: www.northsydney.nsw.gov.au or contacting Council on 9936 8100.

General Exempt Development Code

Exempt development types specified within the General Exempt Development Code under Division 1 to Part 2 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CAN BE UNDERTAKEN ON THE SUBJECT LAND.

Advertising and Signage Exempt Development Code

Exempt development types specified within the Advertising and Signage Exempt Development Code under Division 2 to Part 2 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CAN BE UNDERTAKEN ON THE SUBJECT LAND.

Temporary Uses and Structures Exempt Development Code

Exempt development types specified within the Temporary Uses and Structures Exempt Development Code under Division 3 to Part 2 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CAN BE UNDERTAKEN ON THE SUBJECT LAND.

6. AFFECTED BUILDING NOTICES & BUILDING RECTIFICATION ORDERS*

Council is NOT AWARE of any *Affected Building Notice*, *Building Product Rectification Order* or *Intention to make a Building Product Rectification Order* made under the *Building Products (Safety) Act 2017* applying to the subject land.

7. LAND RESERVED FOR ACQUISITION*

The subject land is NOT SUBJECT to any reservation for LAND ACQUISITION by a public authority for any purpose under any environmental planning instrument applying to the land as set out in this certificate.



8. ROAD WIDENING AND ROAD REALIGNMENT*

The subject land is NOT AFFECTED by any ROAD WIDENING OR ROAD REALIGNMENT under the Roads Act 1993.

The subject land is NOT AFFECTED by any ROAD WIDENING OR ROAD REALIGNMENT under any environmental planning instrument.

The subject land is NOT AFFECTED by any ROAD WIDENING OR ROAD REALIGNMENT under any Council resolution.

9. FLOOD RELATED DEVELOPMENT CONTROLS

Is the whole or part of the land located within a Flood Planning Area and subject to flood related development controls?

NO.

Is the whole or part of the land located between the Flood Planning Area and the probable maximum flood and subject to flood related development controls?

NO.

10. COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS*

The subject land is NOT AFFECTED by a policy, adopted by the Council or adopted by any other public authority and notified to the Council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the Council, that restricts the development of the land by reason of the likelihood of landslip, bushfire, tidal inundation, subsidence, acid sulphate soils, contamination, aircraft noise, coastal hazards, sea level rise or any other risk (excluding flooding).

11. BUSHFIRE PRONE LAND*

The subject land is NOT IDENTIFIED as BUSHFIRE PRONE LAND on Council's Bushfire Prone Land Map as certified by the NSW Rural Fire Service Commissioner dated 22 June 2018 pursuant to the requirements under the of the Rural Fires Act 1997 and Environmental Planning and Assessment Act 1979.

12. LOOSE FILL ASBESTOS INSULATION*

Loose-fill Asbestos Insulation

Council has NO RECORD of the subject land being identified on the NSW Fair Trading's *Loose-Fill Asbestos Insulation Register* as containing a residential building containing loose-fill asbestos insulation, (sometimes called "Mr Fluffy" insulation). Loose-fill asbestos is easy to disturb and can become airborne and it is then easily inhaled. Inhaling asbestos fibres can result in serious illness including asbestosis, lung cancer and mesothelioma.

You are advised to contact NSW Fair Trading for more information:

<https://www.fairtrading.nsw.gov.au/housing-and-property/loose-fill-asbestos-insulation>



Note: Nothing in this statement relates to information about the presence of bonded asbestos materials such as asbestos cement sheeting which may have been used at this site.

13. MINE SUBSIDENCE*

The subject land is NOT PROCLAIMED as a MINE SUBSIDENCE DISTRICT within the meaning of the Coal Mine Subsidence Compensation Act 2017.

14. PAPER SUBDIVISION INFORMATION*

Council is NOT AWARE of a DEVELOPMENT PLAN adopted by a relevant authority or proposed to be subject to a ballot applying to the subject land pursuant to Clause 6 to Schedule 7 of the Environmental Planning and Assessment Act, 1979.

Council is NOT AWARE of a SUBDIVISION ORDER applying to the subject land pursuant to Clause 3 to Schedule 7 of the Environmental Planning and Assessment Act, 1979.

15. PROPERTY VEGETATION PLANS*

Council is NOT AWARE of the subject land being subject to a Property Vegetation Plan enforced under the Native Vegetation Act 2003.

16. BIODIVERSITY STEWARDSHIP SITES*

Council is NOT AWARE of the land being identified as a Biobanking Stewardship Site under a Biobanking Agreement enforced under Part 5 of the Biodiversity Conservation Act 2016.

17. BIODIVERSITY CERTIFIED LAND*

Council is NOT AWARE of the land comprising Biodiversity Certified Land as conferred by the Minister for Planning under the provisions of Part 8 of the Biodiversity Conservation Act 2016.

18. TREE DISPUTE ORDERS*

Council is NOT AWARE of the subject land being subject to an ORDER issued under the Trees (Disputes Between Neighbours) Act 2006.

19. COASTAL PROTECTION*

Council is NOT AWARE of the current or previous owners of the subject land having consented 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 that Act).

Note: "Existing coastal protection works" are works to reduce the impact of coastal hazards on land (such as sea walls, revetments, groynes and beach nourishment) that existed before the commencement of Section 553B of the Local Government Act 1993.

20. WESTERN SYDNEY AEROTROPOLIS*



State Environmental Planning Policy (Precincts – Western Sydney Parkland City) 2021 DOES NOT APPLY to the subject land.

21. SENIORS HOUSING*

Council is NOT AWARE of the land (or part of the land) being the subject of a development consent which contains conditions imposed in relation to clause 88(2) of *State Environmental Planning Policy (Housing) 2021* or clause 18(2) of former *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*.

22. AFFORDABLE RENTAL HOUSING*

Council is NOT AWARE of the land (or part of the land) being the subject of a Site Compatibility Certificate issued pursuant to clause 39 of *State Environmental Planning Policy (Housing) 2021* or clause 37 to former *State Environmental Planning Policy (Affordable Rental Housing) 2009*.

Council is NOT AWARE of the land (or part of the land) being the subject of a development consent which contains conditions imposed pursuant to clauses 21(1) or 40(1) to *State Environmental Planning Policy (Housing) 2021* or clauses 17(1) or 38(1) to *State Environmental Planning Policy (Affordable Rental Housing) 2009*.

23. WATER & SEWERAGE SERVICES*

Council is NOT AWARE of any water or sewerage services that are provided to, or proposed to be provided to the subject land (or part of the subject land) pursuant to the provisions of the *Water Industry Competition Act 2006*.

THE FOLLOWING INFORMATION IS PROVIDED FOR THE PURPOSE OF SECTION 59(2) OF THE CONTAMINATED LAND MANAGEMENT ACT, 1997*

Council is NOT AWARE of the land (or part of the land) being declared SIGNIFICANTLY CONTAMINATED land, as defined under Section 11 of the *Contaminated Land Management Act, 1997*.

Council is NOT AWARE of the land (or part of the land) being subject to a MANAGEMENT ORDER, as defined under Section 14(1) of the *Contaminated Land Management Act, 1997*.

Council is NOT AWARE of the land (or part of the land) being the subject of an approved VOLUNTARY MANAGEMENT PROPOSAL, as defined under Section 17(1) of the *Contaminated Land Management Act, 1997*.

Council is NOT AWARE of the land (or part of the land) being subject to an ONGOING MAINTENANCE ORDER, as defined under Section 28(2) of the *Contaminated Land Management Act, 1997*.

Council is NOT AWARE of the land (or part of the land) being the subject of a SITE AUDIT STATEMENT, as defined under Part 4 of the *Contaminated Land Management Act, 1997*.

For further information, please contact Council's
COMMUNITY, PLANNING & ENVIRONMENT DIVISION

THERESE COLE
CHIEF EXECUTIVE OFFICER



NORTH SYDNEY COUNCIL

200 Miller Street, North Sydney, NSW 2060 | ABN 32 353 260 317

All correspondence PO Box 12, North Sydney, NSW 2059

P (02) 9936 8100 | **E** council@northsydney.nsw.gov.au

W www.northsydney.nsw.gov.au

*Electronically generated certificate
– no signature required*



Applicant:

Lauren Daly

Level 6/120 Sussex St, Sydney NSW 2000

**PLANNING CERTIFICATE UNDER
SECTION 10.7 ENVIRONMENTAL PLANNING
AND ASSESSMENT ACT 1979**

Cert. No.:

4837/02

Page No.:

1 of 13

Parcel No: 8251

Date:

06/06/2024

Receipt No.:

Your REF:

SINSW05937-24

Property Description:

68 Palmer Street CAMMERAY NSW 2062

LOT: 2 DP: 174370

Owner (as recorded by council):

Office of Education

GPO Box 33

SYDNEY NSW 2001

Following is your Planning Certificate issued by North Sydney Council under section 10.7 (2) of the Environmental Planning and Assessment Act, 1979 (EP&A Act). Information contained within this Certificate is based on data from Council's records as it existed at the date of this Certificate.

Council gives notice that the information supplied herein marked with an asterisk (*), has been compiled by Council from sources outside of Council's control. While Council has provided the information herein with all due care and in good faith, it is provided on the basis that Council will not accept any responsibility for and will not be liable for its contents or for any consequence arising from its use, and every user of such information is advised to make all necessary enquiries from the appropriate organisations, institutions and the like.

The Title information shown on this Certificate has been obtained from the Land and Property Information NSW, therefore Council cannot guarantee accuracy. Where this Certificate refers to a specific allotment (or allotments) within a strata plan the Certificate is issued for the whole of the land within the strata plan, not just the specific allotment or allotments referred to, and any information contained in the Certificate may relate to the whole or any part of the strata plan.

Where a particular matter has been unanswered or has not been elaborated upon, such silence should not be interpreted as a meaning or inferring either a negative or positive response as the case may be.

Please note that the accuracy of the information contained within this Certificate may change after the date of this Certificate due to changes in legislation, planning controls or the environment of the land.

Should you have any enquiries, please contact the Council's Customer Service Centre on 02 9936 8100.



THE FOLLOWING INFORMATION IS PROVIDED PURSUANT TO SECTION 10.7(2) OF THE EP&A ACT, 1979 AND SCHEDULE 2 TO THE EP&A REGULATION 2021, AS IT RELATES TO THE SUBJECT LAND

1. APPLICABLE ENVIRONMENTAL PLANNING INSTRUMENTS

1.1. STATE ENVIRONMENTAL PLANNING POLICIES*

SEPP (Biodiversity and Conservation) 2021
SEPP (Exempt and Complying Development Codes) 2008
SEPP (Housing) 2021
SEPP (Industry and Employment) 2021
SEPP (Planning Systems) 2021
SEPP (Precincts-Eastern Harbour City) 2021
SEPP (Primary Production) 2021
SEPP (Resilience and Hazards) 2021
SEPP (Resources and Energy) 2021
SEPP (Sustainable Buildings) 2022
SEPP (Transport and Infrastructure) 2021

Note. Summaries of the SEPPs are provided on the Department of Planning's website at: www.planning.nsw.gov.au

1.2. DRAFT STATE ENVIRONMENTAL PLANNING POLICIES*

Draft Amendment to SEPP (Transport and Infrastructure) 2021 - Chapter 4 Major Infrastructure Corridors

An Explanation of Intended Effect (EIE) to outline proposed amendments to Chapter 4 of the Transport and Infrastructure SEPP – exhibition 22 August 2022 to 19 September 2022.

Draft Amendment to SEPP (Housing) 2021

A Draft amendment to the Housing SEPP in conjunction with amendments to the Local Government and Environmental and Planning Assessment Regulations to improve the planning framework for caravan parks, camping grounds, manufactured home estates and moveable dwellings – exhibition 17 November 2023 to 15 December 2023.

Diverse and well-located homes

An *Explanation of Intended Effect (EIE) - Low and Mid-rise Housing* has been prepared to outline a suite of proposals to enable more diverse, well-designed, low-rise and mid-rise housing near established town centres and in areas where there is good public transport.

Key proposals include:

Dual occupancies:

- Permitting in the *R2 Low Density Residential* zone;
- Setting of standards that if complied with cannot be used for refusal

Residential flat buildings

- Permitting within the *R3 Medium Density Residential* zone, and where that land is located within 800m of a transport station or a commercial centre;
- Permitting increased height and FSR if located within 800m of a transport station or a commercial centre;
- Setting of standards that if complied with cannot be used for refusal, if located within 800m of a transport station or a commercial centre;

Multi-dwelling housing and manor homes

- Permitting within the *R2 Low Density Residential* zone, and where that land is located within 800m of a transport station or a commercial centre;
- Permitting increased height and FSR if located within 800m of a transport station or a commercial centre;



- Setting of standards that if complied with cannot be used for refusal, if located within 800m of a transport station or a commercial centre;

Exhibition of the EIE is occurring between 18 December 2023 to 23 February 2024.

Draft Amendment to SEPP (Transport and Infrastructure) 2021, SEPP (Precincts - Western Parkland City) 2021 and SEPP (Planning Systems) 2021

An Explanation of Intended Effect (EIE) has been prepared seeking to implement a number of amendments to 3 SEPPs to improve planning processes and to deliver infrastructure faster.

The proposed changes will:

- make it easier to deliver infrastructure at the right time, including speeding up planning for projects that benefit the community, create jobs and support economic growth;
- ensure residential amenity, heritage items and the environment are protected from impacts of infrastructure delivery;
- create a consistent approach between different infrastructure activities with similar characteristics and impacts; and
- improve the usability of the T&I SEPP.

Exhibition of the EIE is occurring between 6 March 2024 to 16 April 2024.

Draft Amendment to SEPP (Exempt and Complying Development Codes) 2008

An Explanation of Intended Effect (EIE) has been prepared to align the Rural Housing Code with the Inland Code. Aligning the 2 codes will make it easier for landowners and councils to understand the development standards and environmental requirements that apply for farm buildings, sheds and excavation on rural land.

Exhibition of the EIE is occurring between 15 May 2024 to 14 June 2024.

Note. Summaries of the draft SEPPs are provided on the Department of Planning's website at: www.planning.nsw.gov.au

1.3. LOCAL ENVIRONMENTAL PLANS

North Sydney Local Environmental Plan 2013

Published on the NSW legislation website on 2 August 2013 and came into force on 13 September 2013, as amended.

1.4. DRAFT LOCAL ENVIRONMENTAL PLANS

Planning Proposal 8/21 to amend North Sydney Local Environmental Plan 2013 – North Sydney Centre - Height of Buildings Variation

The Planning Proposal seeks to amend *North Sydney Local Environment Plan 2013* (NSLEP 2013) to ensure that when an application is received with a request to exceed the maximum height of buildings development standard under clause 4.3 on land within the *North Sydney Centre*, that the request to vary the development standard must consider the criteria currently contained under both clauses 4.6 and 6.3(3) to NSLEP 2013.

The Planning Proposal will be on public exhibition from Monday 14 August 2023 to Monday 25 September 2023.

Planning Proposal 5/22 to amend North Sydney Local Environmental Plan 2013 – 71-89 Chandos Street, St Leonards

The Planning Proposal seeks to amend the planning controls to *North Sydney Local Environment Plan 2013* (NSLEP 2013). In particular, the proposed amendments include:



- Increase the maximum building height control from 20 metres to 43 metres (12 storeys);
- Impose a maximum floor space ratio (FSR) control of 4:1;
- Increase the minimum non-residential FSR control from 0.6:1 to 1:1; and
- Introduce a site-specific provision allowing the maximum building height to be exceeded by no more than 2 metres for lift overrun and associated lift structures for the purpose of providing inclusive access to communal open space at the rooftop.

The Planning Proposal will be on public exhibition from Wednesday 23 August 2023 to Wednesday 4 October 2023.

Planning Proposal 5/23 to amend North Sydney Local Environmental Plan 2013 – 115-125 Holt Avenue, Cremorne (Dept of Planning Ref: PP-2023-1627)

This Planning Proposal seeks to amend *North Sydney Local Environment Plan 2013* to identify 115-125 Holt Avenue, Cremorne as local heritage items within Schedule 5 – Environmental Heritage and on the Heritage Map.

The Planning Proposal will be on public exhibition from Tuesday 19 September 2023 to Tuesday 17 October 2023.

Planning Proposal 1/23 to amend North Sydney Local Environmental Plan 2013 – 1-7 Rangers Road & 50 Yeo Street, Neutral Bay (Dept of Planning Ref: PP-2022-4350)

This Planning Proposal seeks to amend the planning controls to *North Sydney Local Environmental Plan 2013* for land at 1-7 Rangers Road & 50 Yeo Street, Neutral Bay. In particular, the proposed amendments include:

- Increase the maximum building height from 16m to part 26m and part 31m; and
- increase the minimum non-residential FSR from 0.5:1 to 1.8:1.

The Planning Proposal will be on public exhibition from Monday 13 May 2024 to Tuesday 11 June 2024.

Note. Due to Council not supporting the progression of this Planning Proposal at its meeting of 22 May 2023, the public exhibition of the Planning Proposal and its subsequent plan making steps are being facilitated by the Sydney North Planning Panel, which forms a division of the Department of Planning Housing and Infrastructure.

1.5. DEVELOPMENT CONTROL PLANS*

North Sydney Development Control Plan 2013

North Sydney Development Control Plan 2013 as adopted by Council on 2 September 2013 and came into effect on 13 September 2013, as amended. *North Sydney Development Control Plan 2013* applies to all land to which *North Sydney Local Environmental Plan 2013* applies.

1.6. DRAFT DEVELOPMENT CONTROL PLANS*

Draft Amendment to North Sydney DCP 2013 (270-272 Pacific Highway, Crows Nest)

On 28 March 2022, Council resolved to endorse a draft amendment to North Sydney Development Control Plan (NSDCP) 2013 to incorporate site specific controls for land at 270-272 Pacific Highway, Crows Nest and place that draft amendment on public exhibition. Public exhibition of the draft amendment to NSDCP 2013 will take place from Wednesday 17 August 2022 to Wednesday 28 September 2022.



2. ZONING AND PERMISSIBLE USES

North Sydney Local Environmental Plan 2013

Zone: SP2 – Infrastructure “Educational establishment”

Permitted without consent

Environmental protection works

Permitted with consent

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

Prohibited

Any development, other than a development specified above, is prohibited in the zone

Exempt Development

Development for the purposes set out in clause 3.1 of *North Sydney Local Environmental Plan 2013* is exempt development, which may be carried out within the zone without the need for development consent.

Complying Development

Development for the purposes set out in clause 3.2 of *North Sydney Local Environmental Plan 2013* is complying development, which may be carried out within the zone without the need for development consent, provided that a complying development certificate is obtained.

Additional prohibited uses

The land IS SUBJECT TO clause 2.9 to *North Sydney Local Environmental Plan 2013* which prohibits canal estate development on any land to which *North Sydney Local Environmental Plan 2013* applies.

2.1. DWELLING HOUSE RESTRICTIONS

North Sydney Local Environmental Plan 2013 DOES NOT set minimum land dimensions for the erection of a dwelling house on the subject land.

2.2. HERITAGE CONTROLS

State Environmental Planning Policy (Biodiversity and Conservation) 2021

The subject land IS NOT identified as containing a HERITAGE ITEM under *Chapter 6 - Water Catchments to SEPP (Biodiversity and Conservation) 2021*.

North Sydney Local Environmental Plan 2013

The whole or part of the subject land IS WITHIN A CONSERVATION AREA, under clause 5.10 - Heritage Conservation to *North Sydney Local Environmental Plan 2013*. Development consent is required for demolition (including partial demolition), alteration of the exterior or any change to the property, for construction of a building on, or for subdivision of, the land. Council may refuse consent to demolish a building within a conservation area.

The whole or part of the subject land IS A HERITAGE ITEM, under clause 5.10 - Heritage Conservation to *North Sydney Local Environmental Plan 2013*. Development consent is required for demolition (including



partial demolition) or any change to the property, construction of a building on, or subdivision of, the land. Council may refuse consent to demolish a Heritage Item.

2.3. BIODIVERSITY VALUE

The subject land DOES NOT include or comprise an area of OUTSTANDING BIODIVERSITY VALUE under the Biodiversity Conservation Act 2016.

3. INFRASTRUCTURE CONTRIBUTIONS

LOCAL INFRASTRUCTURE CONTRIBUTIONS

North Sydney Local Infrastructure Contributions Plan 2020. Local infrastructure contributions plan made under sections 7.11 and 7.12 of the Environmental Planning and Assessment Act 1979, applying to all development in the North Sydney local government area. Effective from 1 March 2021.

HOUSING AND PRODUCTIVITY CONTRIBUTIONS

The subject land IS LOCATED within the *Greater Sydney Region* as shown on the map marked "*Housing and Productivity Contributions Regions Map*" to which the Environmental Planning and Assessment Amendment (Housing and Productivity Contribution) Order 2023 applies.

SPECIAL CONTRIBUTIONS AREAS

The subject land is NOT LOCATED within a Special Contributions Area.

4. COMPLYING DEVELOPMENT*

Note. This part of the Planning Certificate only addresses matters raised in Clauses 1.17A(1)(c)-(e), (2), (3) and (4), 1.18 (1)(c3) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. It is your responsibility to ensure that you comply with any other relevant requirements of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Failure to comply with these provisions may mean that a Complying Development Certificate issued under the provisions of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 is invalid.

Information pertaining to the extent of the subject land that is only partly affected by a land exclusion under clauses 1.17A(1)(c)-(e), (2), (3) and (4), 1.18 (1)(c3) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, is not provided within this Planning Certificate. It is your responsibility to determine the extent of the land where complying development can or cannot be undertaken for the purpose of this Policy. This information can be obtained by visiting Council's offices at 200 Miller Street, North Sydney, Council's website: www.northsydney.nsw.gov.au or contacting Council on 9936 8100.

Housing Code

Complying development types specified within the Housing Code under Part 3 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.
- Wholly identified as being within a heritage conservation area or a draft heritage conservation area, unless the development is only for a detached outbuilding, detached development (other than a detached studio) or swimming pool.



Rural Housing Code

Complying development types specified within the Rural Housing Code under Part 3A of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.
- Wholly identified as being within a heritage conservation area or a draft heritage conservation area, unless the development is only for a detached outbuilding, detached development (other than a detached studio) or swimming pool.

Housing Alterations Code

Complying development types specified within the Housing Alterations Code under Part 4 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

General Development Code

Complying development types specified within the General Development Code under Part 4A of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

Industrial and Business Alterations Code

Complying development types specified within the Industrial and Business Alterations Code under Part 5 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

Industrial and Business Buildings Code

Complying development types specified within the Industrial and Business Buildings Code under Part 5A of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.
- Wholly identified as being within a heritage conservation area or a draft heritage conservation area.

Subdivisions Code



Complying development types specified within the Subdivisions Code under Part 6 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

Demolition Code

Complying development types specified within the Demolition Code under Part 7 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

Fire Safety Code

Complying development types specified within the Fire Safety Code under Part 8 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

Container Recycling Facilities Code

Complying development types specified within the Container Recycling Facilities Code under Part 5B of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.

Low Rise Housing Diversity Code

Complying development types specified within the Low Rise Housing Diversity Code under Part 3B of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.
- Wholly identified as being within a heritage conservation area or a draft heritage conservation area, unless the development is only for a detached outbuilding, detached development (other than a detached studio) or swimming pool.

Greenfield Housing Code

Complying development types specified within the Greenfield Housing Code under Part 3C of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CANNOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.



- Wholly identified as being within a heritage conservation area or a draft heritage conservation area, unless the development is only for a detached outbuilding, detached development (other than a detached studio) or swimming pool.

Agritourism and Farm Stay Accommodation Code

Complying development types specified within the Agritourism and Farm Stay Accommodation Code under Part 9 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CAN NOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is:

- Wholly identified as an item of environmental heritage or heritage item by an environmental planning instrument or on which is located an item that is so identified.
- Wholly identified as being within a heritage conservation area or a draft heritage conservation area, unless the development is only for a detached outbuilding, detached development (other than a detached studio) or swimming pool.

5. EXEMPT DEVELOPMENT*

Note. This part of the Planning Certificate only addresses matters raised in Clauses 1.16(1)(b1)-(d) and 1.16A of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. It is your responsibility to ensure that you comply with any other relevant requirements of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. Failure to comply with these provisions may mean that the undertaking of those exempt development works are not lawful and may be subject to development control orders under the *Environmental Planning and Assessment Act, 1979*. Information pertaining to the extent of the subject land that is only partly affected by a land exclusion under clauses 1.16(1)(b1)-(d) and 1.16A of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, is not provided within this Planning Certificate. It is your responsibility to determine the extent of the land where exempt development can or cannot be undertaken for the purpose of this Policy. This information can be obtained by visiting Council's offices at 200 Miller Street, North Sydney, Council's website: www.northsydney.nsw.gov.au or contacting Council on 9936 8100.

General Exempt Development Code

Exempt development types specified within the General Exempt Development Code under Division 1 to Part 2 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CAN BE UNDERTAKEN ON THE SUBJECT LAND.

Advertising and Signage Exempt Development Code

Exempt development types specified within the Advertising and Signage Exempt Development Code under Division 2 to Part 2 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CAN BE UNDERTAKEN ON THE SUBJECT LAND.

Temporary Uses and Structures Exempt Development Code

Exempt development types specified within the Temporary Uses and Structures Exempt Development Code under Division 3 to Part 2 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CAN BE UNDERTAKEN ON THE SUBJECT LAND.

6. AFFECTED BUILDING NOTICES & BUILDING RECTIFICATION ORDERS*

Council is NOT AWARE of any *Affected Building Notice*, *Building Product Rectification Order* or *Intention to make a Building Product Rectification Order* made under the *Building Products (Safety) Act 2017* applying to the subject land.

7. LAND RESERVED FOR ACQUISITION*

The subject land is NOT SUBJECT to any reservation for LAND ACQUISITION by a public authority for any purpose under any environmental planning instrument applying to the land as set out in this certificate.



8. ROAD WIDENING AND ROAD REALIGNMENT*

The subject land is NOT AFFECTED by any ROAD WIDENING OR ROAD REALIGNMENT under the Roads Act 1993.

The subject land is NOT AFFECTED by any ROAD WIDENING OR ROAD REALIGNMENT under any environmental planning instrument.

The subject land is NOT AFFECTED by any ROAD WIDENING OR ROAD REALIGNMENT under any Council resolution.

9. FLOOD RELATED DEVELOPMENT CONTROLS

Is the whole or part of the land located within a Flood Planning Area and subject to flood related development controls?

NO.

Is the whole or part of the land located between the Flood Planning Area and the probable maximum flood and subject to flood related development controls?

NO.

10. COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS*

The subject land is NOT AFFECTED by a policy, adopted by the Council or adopted by any other public authority and notified to the Council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the Council, that restricts the development of the land by reason of the likelihood of landslip, bushfire, tidal inundation, subsidence, acid sulphate soils, contamination, aircraft noise, coastal hazards, sea level rise or any other risk (excluding flooding).

11. BUSHFIRE PRONE LAND*

The subject land is NOT IDENTIFIED as BUSHFIRE PRONE LAND on Council's Bushfire Prone Land Map as certified by the NSW Rural Fire Service Commissioner dated 22 June 2018 pursuant to the requirements under the of the Rural Fires Act 1997 and Environmental Planning and Assessment Act 1979.

12. LOOSE FILL ASBESTOS INSULATION*

Loose-fill Asbestos Insulation

Council has NO RECORD of the subject land being identified on the NSW Fair Trading's *Loose-Fill Asbestos Insulation Register* as containing a residential building containing loose-fill asbestos insulation, (sometimes called "Mr Fluffy" insulation). Loose-fill asbestos is easy to disturb and can become airborne and it is then easily inhaled. Inhaling asbestos fibres can result in serious illness including asbestosis, lung cancer and mesothelioma.

You are advised to contact NSW Fair Trading for more information:

<https://www.fairtrading.nsw.gov.au/housing-and-property/loose-fill-asbestos-insulation>



Note: Nothing in this statement relates to information about the presence of bonded asbestos materials such as asbestos cement sheeting which may have been used at this site.

13. MINE SUBSIDENCE*

The subject land is NOT PROCLAIMED as a MINE SUBSIDENCE DISTRICT within the meaning of the Coal Mine Subsidence Compensation Act 2017.

14. PAPER SUBDIVISION INFORMATION*

Council is NOT AWARE of a DEVELOPMENT PLAN adopted by a relevant authority or proposed to be subject to a ballot applying to the subject land pursuant to Clause 6 to Schedule 7 of the Environmental Planning and Assessment Act, 1979.

Council is NOT AWARE of a SUBDIVISION ORDER applying to the subject land pursuant to Clause 3 to Schedule 7 of the Environmental Planning and Assessment Act, 1979.

15. PROPERTY VEGETATION PLANS*

Council is NOT AWARE of the subject land being subject to a Property Vegetation Plan enforced under the Native Vegetation Act 2003.

16. BIODIVERSITY STEWARDSHIP SITES*

Council is NOT AWARE of the land being identified as a Biobanking Stewardship Site under a Biobanking Agreement enforced under Part 5 of the Biodiversity Conservation Act 2016.

17. BIODIVERSITY CERTIFIED LAND*

Council is NOT AWARE of the land comprising Biodiversity Certified Land as conferred by the Minister for Planning under the provisions of Part 8 of the Biodiversity Conservation Act 2016.

18. TREE DISPUTE ORDERS*

Council is NOT AWARE of the subject land being subject to an ORDER issued under the Trees (Disputes Between Neighbours) Act 2006.

19. COASTAL PROTECTION*

Council is NOT AWARE of the current or previous owners of the subject land having consented 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 that Act).

Note: "Existing coastal protection works" are works to reduce the impact of coastal hazards on land (such as sea walls, revetments, groynes and beach nourishment) that existed before the commencement of Section 553B of the Local Government Act 1993.

20. WESTERN SYDNEY AEROTROPOLIS*



State Environmental Planning Policy (Precincts – Western Sydney Parkland City) 2021 DOES NOT APPLY to the subject land.

21. SENIORS HOUSING*

Council is NOT AWARE of the land (or part of the land) being the subject of a development consent which contains conditions imposed in relation to clause 88(2) of *State Environmental Planning Policy (Housing) 2021* or clause 18(2) of former *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*.

22. AFFORDABLE RENTAL HOUSING*

Council is NOT AWARE of the land (or part of the land) being the subject of a Site Compatibility Certificate issued pursuant to clause 39 of *State Environmental Planning Policy (Housing) 2021* or clause 37 to former *State Environmental Planning Policy (Affordable Rental Housing) 2009*.

Council is NOT AWARE of the land (or part of the land) being the subject of a development consent which contains conditions imposed pursuant to clauses 21(1) or 40(1) to *State Environmental Planning Policy (Housing) 2021* or clauses 17(1) or 38(1) to *State Environmental Planning Policy (Affordable Rental Housing) 2009*.

23. WATER & SEWERAGE SERVICES*

Council is NOT AWARE of any water or sewerage services that are provided to, or proposed to be provided to the subject land (or part of the subject land) pursuant to the provisions of the *Water Industry Competition Act 2006*.

THE FOLLOWING INFORMATION IS PROVIDED FOR THE PURPOSE OF SECTION 59(2) OF THE CONTAMINATED LAND MANAGEMENT ACT, 1997*

Council is NOT AWARE of the land (or part of the land) being declared SIGNIFICANTLY CONTAMINATED land, as defined under Section 11 of the *Contaminated Land Management Act, 1997*.

Council is NOT AWARE of the land (or part of the land) being subject to a MANAGEMENT ORDER, as defined under Section 14(1) of the *Contaminated Land Management Act, 1997*.

Council is NOT AWARE of the land (or part of the land) being the subject of an approved VOLUNTARY MANAGEMENT PROPOSAL, as defined under Section 17(1) of the *Contaminated Land Management Act, 1997*.

Council is NOT AWARE of the land (or part of the land) being subject to an ONGOING MAINTENANCE ORDER, as defined under Section 28(2) of the *Contaminated Land Management Act, 1997*.

Council is NOT AWARE of the land (or part of the land) being the subject of a SITE AUDIT STATEMENT, as defined under Part 4 of the *Contaminated Land Management Act, 1997*.



NORTH SYDNEY COUNCIL

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– no signature required*