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Stage 1 Preliminary Site Investigation 8-10 Tryon Road and 3-5 Kochia Lane, Lindfield, NSW

Report Number 610.13594-R1

7 May 2014

Ku-ring-gai Municipal Council 818 Pacific Highway GORDON NSW 2072

Version: Revision 0

Stage 1 Preliminary Site Investigation

8-10 Tryon Road and 3-5 Kochia Lane, Lindfield, NSW

PREPARED BY:

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> This report has been prepared by SLR Consulting Australia Pty Ltd with all reasonable skill, care and diligence, and taking account of the timescale and resources allocated to it by agreement with the Client. Information reported herein is based on the interpretation of data collected, which has been accepted in good faith as being accurate and valid.

This report is for the exclusive use of Ku-ring-gai Municipal Council. No warranties or guarantees are expressed or should be inferred by any third parties. This report may not be relied upon by other parties without written consent from SLR Consulting.

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DOCUMENT CONTROL

Reference	Status	Date	Prepared	Checked	Authorised	
610.13594-R1	Revision 0	7 May 2014	Craig Cowper		Craig Cowper	
610.13594-R1	Draft 1	7 April 2014	7 April 2014 Craig Cowper			

Executive Summary

SLR Consulting Pty Ltd (SLR) was engaged by Ku-ring-gai Council (Council) to prepare a Stage 1 Preliminary Site Investigation (PSI) for 8-10 Tryon Road and 3-5 Kochia Road, Lindfield, NSW (the site).

The assessment was undertaken in accordance with SLR's offer of services dated 13 January 2014 (ref: 610.13594 Offer of Services 20140108).

Based on the information provided by Council, SLR understands that:

- the site is currently an on-grade asphalt sealed car park;
- Council is planning to redevelop the site, by replacing the existing car park with a one or two level basement car park, and a village green urban park, amenities building and café building over the basement;
- Council requires an understanding of the potential for contamination to be present on the site, as well waste classification of soils proposed to be excavated for basement car park construction.

The objectives of this project were to:

- make an assessment of the potential for contamination to be present on the site, as a result of
 past and present land use activities;
- provide advice on the suitability of the land (with respect to contamination) for the proposed redevelopment; and
- provide preliminary recommendations on further contamination assessment, management or remediation works (if required).

SLR undertook the following scope of work to address the project objectives:

- a desktop review;
- a site walkover; and
- data assessment and reporting.

Based on a review of the available desktop search data, observations made during the site walkover, and the proposed land use scenario (one or two basement levels of car parking across the site, with village green and commercial above the basement), SLR makes the following conclusions:

- the potential for unacceptable concentrations of contamination (with respect to human health) to be present in soils on the site, is considered to be low to negligible;
- the site is considered suitable (from a contamination perspective) for the proposed redevelopment land use scenario;

This report must be read in conjunction with the limitations presented in Section 10 of this report.

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1 INTRODUCTION

1.1 Background

SLR Consulting Pty Ltd (SLR) was engaged by Ku-ring-gai Council (Council) to prepare a Stage 1 Preliminary Site Investigation (PSI) for 8-10 Tryon Road and 3-5 Kochia Road, Lindfield, NSW (the site).

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Based on the information provided by Council, SLR understands that:

- the site is currently an on-grade asphalt sealed car park;
- Council is planning to redevelop the site, by replacing the existing car park with a one or two level basement car park, and a village green urban park, amenities building and café building over the basement;
- Council requires an understanding of the potential for contamination to be present on the site, as well waste classification of soils proposed to be excavated for basement car park construction.

1.2 Objectives

The objectives of this project were to:

- make an assessment of the potential for contamination to be present on the site, as a result of
 past and present land use activities;
- provide advice on the suitability of the land (with respect to contamination) for the proposed redevelopment; and
- provide preliminary recommendations on further contamination assessment, management or remediation works (if required).

1.3 Scope of Work

SLR undertook the following scope of work to address the project objectives:

- a desktop review;
- a site walkover; and
- data assessment and reporting.

2 SITE IDENTIFICATION

The locality of the site is presented in Figure 1.

The site is legally identified as Lot 2 and 3 in DP219628, Lot 5 in DP219146, Lot 12 in DP225925 and Lot 31 in DP804447.

The site is L-shaped and irregular in shape and occupies an area of approximately 3,900m².

3 SITE SETTING

3.1 Regional Geology

The Geological Survey of NSW Sydney 1:250,000 Geological Series Sheet S1 56-5 Third Edition (1966) indicates that the site is located on Triassic Bringelly Shale, Minchinbury Sandstone and Ashfield Shale (shale with some sandstone beds).

3.2 Regional Topography

The regional topography is generally flat with an approximate elevation of 50-60m Australian height datum (AHD). Regional topography gently slopes easterly towards Second Ponds Creek.

3.3 Regional Hydrogeology

The nearest surface water course to the site is considered to be Second Ponds Creek located approximately 500m east of the site.

Based on the regional topography and the location of the nearest surface water course to the site, it is considered that groundwater flow at the site is likely to be towards the east.

A search of the NSW Natural Resources Atlas (NSW-NRS, <u>www.nratlas.nsw.gov.au</u>) conducted on 24 February 2014 produced the following results:

- 1 features was present within the search area (500m radius of the site); and
- no information was available on the identified feature.

Given likely historical land use on the site and surrounding areas and the presence of a reticulated drinking water system, it is considered likely that, if this feature is a groundwater bore, it is likely to be associated with domestic irrigation use.

A plan of the location of the identified features is provided in Appendix A.

3.4 Acid Sulfate Soils

The Department of Land and Water Conservation (DLWC) acid sulfate soil (ASS) risk map series do not provide coverage for the site.

The Australian Soil Resource Information System (ASRIS) website was reviewed on 30 January 2014. The website did not indicate that the site was located on land affected by acid sulphate soils.

Given the site is located at an elevation of between 50 and 60m AHD, and the presence of acid sulphate soils is generally limited to elevations of less than 10m AHD, it is considered unlikely that ASS or potential ASS would be present on this site.

No further assessment of acid sulfate soil risk for this site is considered warranted.

4 SITE HISTORY

4.1 Aerial Photography

A review of a selection of historical aerial photographs was undertaken. Observations made during the review are presented in Table 1.

	• • •	
Year of Photograph	Site Land Use Observations	Surrounding Land Use Observations
1930 (black and white)	Low density residential housing along southern boundary, with residential yards and sheds. Cleared rectangular area in north east corner.	Predominantly low density residential housing, with Lindfield railway station, Pacific Highway and commercial land use to the west.
1943 (SIX Viewer)	Low density residential housing along southern boundary, with residential yards and sheds. Cleared rectangular area in north east corner.	Predominantly low density residential housing, with commercial, Lindfield railway station, Pacific Highway and commercial land uses to the west.
1956 (black and white)	No significant change from 1943 image, except cleared rectangular area is larger towards the west (looks like tennis courts).	No significant change from 1943
1965 (black and white)	Sheds in Lots 2 and 3 in the backyards are no longer visible. Lot 12 (along the northern boundary) is a sealed carpark.	A residential on the southern boundary of the site appears to now be commercial land use.
1978 (black and white)	The residential buildings in Lots 2 and 3 are no longer present and these Lots are sealed car parks.	Further commercial development to the north.
1986 (colour)	The residential building in Lot 5 is no longer present and is now a sealed car park. The cleared rectangular feature in the north west corner (observed from 1930 onwards) is two tennis courts.	No significant changes from 1978 photo
1994 (colour)	Tennis courts no longer visible. Sealed car park is present acorss northern portion of tennis courts.	Houses and building to immediate east of the site no longer visible. Apperas to have been replaced by a commercial building.
2004 (Google Earth)	No significant changes from 1994 image.	High density residential development to the north and south of the site.
2014 (Nearmap)	No significant changes from 1994 image.	High density residential development to the east of the site.

 Table 1
 Aerial Photography Review

The aerial photography review indicates a potential for land contaminating activities (demolition of former residential houses) to have occurred on the site.

4.2 Historical Land Titles

A search of historical land title ownership records was not within the scope of this investigation.

4.3 Regulatory Authorities

4.3.1 NSW Environment Protection Authority

A search of the NSW EPA contaminated land public register of record of notices (maintained under Section 58 of the Contaminated Land Management Act 1997) was undertaken on 30 January 2014. The search results indicated that, with regard to the site, there are no:

- orders made under Part 3 of the Contaminated Land Management Act 1997 (CLM Act);
- approved voluntary management proposals under the CLM Act that have not been fully carried out and where the approval of the Environment Protection Authority has not been revoked;
- site audit statements provided under Section 53B of the CLM Act that relate to significantly contaminated land;
- where practicable, copies of anything formerly required to be part of the public record;
- actions taken by EPA under Section 35 or 36 of the Environmentally Hazardous Chemicals Act 1985.

A search of the NSW EPA Protection of the Environment Act public register of licence, applications and notices (maintained under Section 308 of the Protection of the Environment Operations Act 1997) was undertaken on 24 February 2014. The register contains information on

- environment protection licences;
- applications for new licences and to transfer or vary existing licences;
- environment protection and noise control notices;
- penalty notices issued by the EPA;
- convictions in prosecutions under the POEO Act;
- the results of civil proceedings;
- licence review information;
- exemptions from the provisions of the POEO Act or regulations;
- approvals granted under clause 9 of the POEO (Control of Burning) Regulation;
- approvals granted under clause 7A of the POEO (Clean Air) Regulation;
- any mandatory audits required to be undertaken in relation to a licence;
- each pollution study required by a condition of a licence;
- each pollution reduction program required by a condition of a licence; and
- each penalty notice issued in relation to a premises.

The search did not identify any records for the site or for any properties located adjacent to the site.

A search of the NSW EPA public register of contaminated sites notified to NSW EPA under Section 60 of the Contaminated Land Management Act (as of 10 January 2014) was undertaken on 24 February. The search did not identify any records for the site or for land located immediately adjacent to the site.

A copy of the search records is presented in Appendix B.

4.3.2 WorkCover NSW

A search of stored chemical information database (SCID) held by WorkCover NSW was undertaken on 7 March 2014. The search did not locate any records pertaining to the site.

The results of the WorkCover NSW search indicates that the potential for fuel and chemical storage land contaminating activities occurring on the site does not warrant further assessment.

A copy of the search record is presented in Appendix C.

4.3.3 Council Records

Planning certificates (dated 18 February 2014 issued by Ku-ring-gai Council under Section 149 (2) of the Environmental Planning and Assessment Act 1979 were reviewed. The planning certificates indicate that the land to which the certificate relates to, is not affected by one of the matters prescribed by section 59(2) of the Contaminated Land Management Act

A copy of the planning certificates is presented in Appendix D.

No other Council records were reviewed.

4.4 **Previous Contamination Assessments**

One report relevant to this contamination assessment, was available for review. This report is referenced as:

• SLR Consulting 2014, 'Waste Classification and VENM Assessment, 8-10 Tryon Road and 3-5 Kochia Lane, Lindfield, NSW', dated 7 April 2014, ref: 610.13594-R2

The objective of this report was to provide an in-situ waste classification for fill soils and natural underlying soils (if present) on the site.

SLR (2014) noted that a layer of filling material was observed at the five boreholes drilled on the site. The fill varied in thickness from 0.2m to 0.5m in thickness.

Observations made during drilling indicated that the fill was observed to be underlain by natural clays and shales.

The fill material was classified as general solid waste (non-putrescible) for the purposes of offsite disposal.

The natural materials were classified as virgin excavated natural material (VENM) for the purposes of offsite disposal.

5 SITE WALKOVER

A site walkover was undertaken by a suitably experienced environmental scientist (Craig Cowper) on 18 March 2014. The purpose of the site walkover was to make observations of the site and adjacent site land uses (relevant to the assessment of land contamination).

A discussion and photographic record of observations made is presented in Sections 5.1 to 5.10.

5.1 Site Features

The following site features were observed from the site boundary:

- an asphalt cement sealed car park; and
- minor landscaping.



Photo 5.1.1 - View from eastern boundary, looking west



Photo 5.1.2 – View of eastern boundary, looking west along Kochia Lane



Photo 5.1.3 – View of southern portion of site, looking west



Photo 5.1.4 - View of central portion of site, looking west



Photo 5.1.5 – View of Kochia Lane boundary, looking east



Photo 5.1.6 - View of Tryon Lane boundary, looking west



Photo 5.1.7 – View of Chapman Lane boundary, looking north



Photo 5.1.8 – Landscaping along eastern boundary, adjacent to Milray Street.

5.2 Site Drainage

Observations made during the site walkover indicate that site drainage is likely to include:

- flows to kerbside guttering and municipal subsurface drainage; and
- surficial infiltration (where soil permeability allows) in minor landscaped areas.

The site sloped towards the north east.

5.3 Wastes

There was no visual evidence of wastes being stored on the site.

5.4 Fill

There was no apparent visual evidence of any significant or widespread filling on the site. The topography of the site was consistent with the topography of surrounding land.

SLR Consulting (2014) and Asset Geotechnical (2014) indicated that a thin layer of fill material may be present on the site (to a depth of 0.2 to 0.5m in thickness. However, given that the whole site is proposed for 1-2 stories of basement excavation, this fill material (and 2.5m to 6m of natural material) would be removed from the site. It is therefore considered that the future risk to human health on site from fill material (if it was contaminated) would be negligible. Further assessment of this issue is not considered warranted.

5.5 Underground and Aboveground Storage Tanks

There was no visual evidence of underground storage tanks (e.g. fill points, dip points, breather lines) or aboveground storage tanks, observed during the site walkover.

5.6 Asbestos

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

It is noted that a hazardous materials survey was not within the scope of this investigation. The potential for ACM to present within the structures on the site, cannot be precluded.

5.7 Phytotoxicity

There was no visual evidence of phytotoxic impact (i.e. plant stress or dieback) observed in the garden areas of the site. Trees and shrubs in the landscaped portions of the site appeared healthy.

5.8 Staining and Odours

There was no visual evidence of significant surficial staining on the site.

There was no olfactory evidence of odours inside the workshop.

5.9 Incidents and Complaints

There was no anecdotal information provided to suggest any incidents had occurred at the site or complaints had been made about the site.

5.10 Adjacent Land Uses

Land uses observed on the properties adjacent to the site are summarised in Table 2.

Adjacent boundary	Land Use		
North	Kochia Lane, then commercial businesses to north west and residential apartments (with basement) to the north east		
East	Milray Street, then low density and high density (with basement) apartments		
West	Chapman Lane then commercial businesses		
South	Commercial businesses to the south east, Tryon Road and commercial businesses to the south west.		

Table 2 Adjacent Land Uses

The observed adjacent land uses do not suggest a potential for offsite land contaminating activities to be affecting the site.

6 DATA QUALITY ASSESSMENT

The sources of data relied upon for this assessment included:

- NSW Environment Protection Authority
- NSW WorkCover Authority
- NSW Natural Resources Atlas
- Google Earth
- Ku-ring-gai Municipal Council
- observations made in the in the field by SLR

Field observations reported were made by a suitably experienced SLR environmental scientist (Craig Cowper).

Observations made in the field were generally consistent with observations made of relevant data provided by third parties during the desktop review.

7 CONCEPTUAL SITE MODEL

A review of available site history data and observations made during the site walkover indicated a potential for two areas of environmental concern (AEC) to be present on the site. These areas and the contaminants of potential concern (COPC) likely to be associated with these AEC are presented in Table 3.

Table 3 Areas of Environmental Concern and Contaminants of Potential Concern

AEC	Contaminants of Potential Concern	
Demolition of former houses	Metals and asbestos	
Imported fill material	Petroleum hydrocarbons, polycyclic aromatic hydrocarbons, metals and asbestos	

SLR considers that the contaminants of potential concern identified above, if present, would likely be located in fill material on site.

It is noted that the fill material onsite is proposed for removal, as part of basement car parking excavation works.

SLR notes that the results of intrusive investigations reported in SLR Consulting (2014) indicated the following:

- visual evidence of staining or olfactory evidence of odours, was not observed at the five sampling points across the site or in the soil samples collected;
- visual evidence of potentially unacceptable aesthetic impact was not observed in the soil samples collected at the five sampling points; and
- the concentrations of contaminants of potential concern detected in the samples analysed would not warrant further assessment from a human health perspective, based on the proposed land use scenario.

Based on this information, SLR considers that further assessment of contamination in these potential areas of environmental concern, is not warranted.

8 CONCLUSIONS AND RECOMMENDATIONS

Based on a review of the available desktop search data, observations made during the site walkover, and the proposed land use scenario (one or two basement levels of car parking across the site, with village green and commercial above the basement), SLR makes the following conclusions:

- the potential for unacceptable concentrations of contamination (with respect to human health) to be present in soils on the site, is considered to be low to negligible;
- the site is considered suitable (from a contamination perspective) for the proposed redevelopment land use scenario;

This report must be read in conjunction with the limitations presented in Section 10 of this report.

9 **REFERENCES**

DUAP EPA 1998, 'Managing Land Contamination Planning Guidelines SEPP55-Remediation of Land', dated August 1998, ref: 98/65

Friebel, E & Nadebaum, P 2011, 'Health screening levels for petroleum hydrocarbons in soil and groundwater. Part 2: Application document', CAC CARE Technical Report No. 10

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

NSW DEC 2006, 'Contaminated Sites: Guidelines for the NSW Site Auditor Scheme (2nd edition)'.

NSW EPA 1995, 'Contaminated Sites: Sampling Design Guidelines'.

NSW OEH 2011, 'Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites'.

SLR Consulting 2014, 'Waste Classification and VENM Assessment Report, 8-10 Tryon Road and 3-5 Kochia Lane, Lindfield NSW', dated 7 April 2014, ref: 610.13594-R2.

The excavated natural material exemption made under the Protection of the Environment Operations (Waste) Regulation 2005 – General Exemption Under Part 6, Clause 51 and 51A.

WA DOH 2009, 'Guidelines for the Assessment, Remediation and Management of Asbestos-Contaminated Sites in Western Australia' dated May 2009.

10 LIMITATIONS

This report is for the exclusive use of Ku-ring-gai Municipal Council. No warranties or guarantees are expressed or should be inferred by any third parties. This report may not be relied upon by other parties without written consent from SLR Consulting.

This report has been prepared based on the scope of services (see below). SLR Consulting cannot be held responsible to the Client and/or others for any matters outside the agreed scope of services. Other parties should not rely upon this report and should make their own enquiries and obtain independent advice in relation to such matters.

This report has been prepared by SLR Consulting with reasonable skill, care and diligence, and taking account of the timescale and resources allocated to it by agreement with the Client. Information reported herein is based on the interpretation of data collected (data, surveys, analyses, designs, plans and other information), which has been accepted in good faith as being accurate and valid.

It should be noted that many investigations are based upon an assessment of potentially contaminating processes which may have occurred historically on the site. This assessment is based upon historical records associated with the site. Such records may be inaccurate, absent or contradictory. In addition documents may exist which are not readily available for public viewing.

Except where it has been stated in this report, SLR Consulting has not verified the accuracy or completeness of the data relied upon. Statements, opinions, facts, information, conclusions and/or recommendations made in this report ("conclusions") are based in whole or part on the data obtained, those conclusions are contingent upon the accuracy and completeness of the data. SLR Consulting cannot be held liable should any data, information or condition be incorrect or have been concealed, withheld, misrepresented or otherwise not fully disclosed to SLR Consulting leading to incorrect conclusions.

Should the report be reviewed for any reason, the report must be reviewed in its entirety and in conjunction with the associated Scope of Services. It should be understood that where a report has been developed for a specific purpose, for example a due diligence report for a property vendor, it may not be suitable for other purposes such as satisfying the needs of a purchaser or assessing contamination risks for classifying the site. The report should not be applied for any purpose other than that originally specified at the time the report was issued.

Report logs, figures, laboratory data, drawings, etc. are generated for this report by SLR consultants (unless otherwise stated) based on their individual interpretation of the site conditions at the time the site visit was undertaken. Although SLR consultants undergo training to achieve a standard of field reporting, individual interpretation still varies slightly. Information should not under any circumstances be redrawn for inclusion in other documents or separated from this report in any way.





SLR

Lindfield, NSW

Map created with NSW Natural Resource Atlas - http://www.nratlas.nsw.gov.au Monday, February 24, 2014



Legend

Symbol	Layer	Custodian
•	Cities and large towns renderImage: Cannot build image from features	
Cowrai O	Populated places renderImage: Cannot build image from features	
•	Towns	
•	Groundwater Bores	
	Catchment Management Authority boundaries	
\sim	Major rivers	
	Topographic base map	



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Healthy Environment, Healthy Community, Healthy Business

You are here: <u>Home</u> > <u>Contaminated land</u> > <u>Record of notices</u>

Search results

Your search for:LGA: Ku-ring-gai Council

			3 sites. arch Again efine Search
Suburb	Address	Site Name	Notices related to this site
Killara	692B-694 Pacific Highway	Former Caltex Service Station	1 former
Killara	684-696 Pacific Highway	Former Caltex Service Station and Adjacent Land	8 current and 13 former
St Ives	179-181 Mona Vale Road	Shell Service Station	1 current and 1 former

Page 1 of 1

24 February 2014

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Search results

Your search for: General Search with the following criteria

Suburb - lindfield

returned 0 result

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610-13594



WorkCover NSW 92-100 Donnison Street, Gosford, NSW 2250 Locked Bag 2906, Lisarow, NSW 2252 T 02 4321 5000 F 02 4325 4145 WorkCover Assistance Service 13 10 50 DX 731 Sydney workcover.nsw.gov.au

Our Ref: D14/028681

Your Ref: Craig Cowper

RECEIVED

7 March 2014

1 2 MAR 2014

SYDNEY

Attention: Craig Cowper SLR Consulting Australia Pty Ltd 2 Lincoln St Lane Cove NSW 2066

Dear Mr Cowper,

RE SITE: 3-5 Kochia Lane Lindfield NSW

I refer to your site search request received by WorkCover NSW on 5 March 2014 requesting information on licences to keep dangerous goods for the above site.

A search of the Stored Chemical Information Database (SCID) and the microfiche records held by WorkCover NSW has not located any records pertaining to the above mentioned premises.

If you have any further queries please contact the Dangerous Goods Licensing Team on (02) 4321 5500.

Yours Sincerely

Brent Johes Senior Licensing Officer Dangerous Goods Team

610-12594



WorkCover NSW 92-100 Donnison Street, Gosford, NSW 2250 Locked Bag 2906, Lisarow, NSW 2252 T 02 4321 5000 F 02 4325 4145 WorkCover Assistance Service 13 10 50 DX 731 Sydney workcover.nsw.gov.au

Our Ref: D14/028677

Your Ref: Craig Cowper

7 March 2014

Attention: Craig Cowper SLR Consulting Australia Pty Ltd 2 Lincoln St Lane Cove NSW 2066

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RE SITE: 8-10 Tryon Rd Lindfield NSW

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If you have any further queries please contact the Dangerous Goods Licensing Team on (02) 4321 5500.

Yours Sincerely

Brent Jones Senior Licensing Officer Dangerous Goods Team

610-13594



CERTIFICATE

818 Pacific Highway, Gordon NSW 2072 Locked Bag 1056, Pymble NSW 2073 T 02 9424 0000 F 02 9424 0001 DX 8703 Gordon TTY 02 9424 0875 E kmc@kmc.nsw.gov.au RECIMMEDIC.nsw.gov.au 2' 0 FEB 2014 SY DNEY



UNDER SECTION 149 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

PROPERTY DETAILS

Address:	8 Trvon	Road I) NSW	2070

Lot Description: Lot 2 DP 219628, Lot 3 DP 219628

CERTIFICATE DETAILS

Certificate No: PC0567/14

Certificate Date: 18/02/2014

- Certificate Type: Section 149(2)
- Receipt No: 394617

APPLICANT'S DETAILS

REF: Ku-ring-gai Council

SIr Consulting 2 Lincoln Street LANE COVE NSW 2066

BACKGROUND INFORMATION

This certificate provides information on how a property (such as land, a house, a commercial building, etc.) may be used and the limits on its development. The certificate contains information Council is aware of through its records and environmental plans with data supplied by the State Government. The details contained in this certificate are limited to that required by Section 149 of the Environmental Planning and Assessment Act.
1. WHICH ENVIRONMENTAL PLAN RESTRICTS THE USE OF THIS PROPERTY?

(Including planning proposals and draft local environmental plans exhibited prior to 1 July 2009 pursuant to section 66(1) b of the E. P. & A. Act).

Ku-ring-gai Local Environmental Plan (Local Centres) 2012 as published on the NSW Legislation Website on 25 January 2013.

2. WHAT IS THE ZONING OF THIS PROPERTY and the relevant environmental plan?

(Zoning is a way of classifying land and limits the range of uses or activities that may be permitted on that land or property).

B2 Local Centres

under the provisions of the Ku-ring-gai Local Environmental Plan (Local Centres) 2012 as published on the NSW Legislation Website on 25 January 2013.

3. WHAT DOES NOT REQUIRE DEVELOPMENT CONSENT under the above environmental plan(s)?

Home occupations.

Note: Please refer to the provisions for Exempt and Complying Development as described in Part 3 of Ku-ring-gai Local Environmental Plan (Local Centres) 2012.

4. WHAT DOES REQUIRE DEVELOPMENT CONSENT under the above environmental plan(s)?

Boarding houses; Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Group homes (permanent); Hostels; Information and education facilities; Light industries; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Seniors housing; Service stations; Shop top housing; Tourist and visitor accommodation; Water reticulation systems; Any other development not specified in item 3 or 5

5. WHAT IS PROHIBITED by the above environmental plan(s)?

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Residential accommodation; Rural industries; Sewage treatment plants; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities; Wholesale supplies

6. DO THE DIMENSIONS OF THE LAND PERMIT THE ERECTION OF A DWELLING HOUSE ON THIS PROPERTY?

Not applicable. Dwelling houses are not permitted within this zone.

7. WHAT OTHER PLANNING INSTRUMENTS AFFECT THIS PROPERTY?

(State and deemed state environmental plans are prepared by the State Government and cover issues as varied as rivers, residential development, employment, etc. If you have any further enquiries please contact the Department of Planning, Tel: 02 9228 6333 or email information@planning.nsw.gov.au.

Draft State Environmental Planning Policy (Competition)

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 State Environmental Planning Policy No.6 - Number of storeys in a building. State Environmental Planning Policy No.19 - Bushland in Urban Areas. State Environmental Planning Policy No.21 - Caravan Parks. State Environmental Planning Policy No.22 - Shops and Commercial Premises. State Environmental Planning Policy No.32 - Urban Consolidation (Redevelopment of Urban Land). State Environmental Planning Policy No.33 - Hazardous & Offensive Development. State Environmental Planning Policy No.44 - Koala Habitat Protection. State Environmental Planning Policy No.55 - Remediation of Land. State Environmental Planning Policy No.62 - Sustainable Aquaculture. State Environmental Planning Policy No.64 - Advertising and Signage. State Environmental Planning Policy No.65 - Design Quality of Residential Flat Development. State Environmental Planning Policy No.70 - Affordable Housing (Revised Schemes). State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004. State Environmental Planning Policy (Major Development) 2005. State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007. State Environmental Planning Policy (Temporary Structures) 2007. State Environmental Planning Policy (Infrastructure) 2007. State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. State Environmental Planning Policy (Affordable Rental Housing) 2009. State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

8. WHICH DEVELOPMENT CONTROL PLANS APPLY TO THE PROPERTY?

(A development control plan adds further detail to local environmental plans and may address issues such as building height, car parking etc. Copies of the Plans are available from Council).

Ku-ring-gai Local Centres Development Control Plan

9. WHICH DEVELOPMENT CONTRIBUTION PLANS APPLY IF THIS PROPERTY IS DEVELOPED?

(A Development Contribution Plan – commonly known as a Section 94 Plan outlines the financial costs Council charges if a property is developed and Council believes the development will require additional services or facilities such as parks, roads etc. Copies of the Plans are available from Council).

Ku-ring-gai Contributions Plan 2010.

10. IS THE PROPERTY IDENTIFIED AS A HERITAGE ITEM by Council or State Government? (and if so, what is the status, e.g. local environmental plan, Heritage Act etc.)

No.

SPECIAL NOTE: Your attention is drawn to Clause 5.10(5) of the Ku-ring-gai Local Environmental Plan (Local Centres) 2012 which states that the consent authority may, before granting consent to any development: (a) on land on which a heritage item is located, or (b) on land that is within a heritage conservation area, or (c) on land that is within the vicinity of land referred to in paragraph (a) or (b), require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

11. IS THE PROPERTY IN A CONSERVATION AREA?

No.

SPECIAL NOTE: A conservation area is a place of historic and aesthetic value to the community. It contains a number of elements of significance, such as a historic subdivision layout, a pattern of building "footprints" within each street block, buildings of historic and architectual importance, road alignments, trees, gutters and kerb edges which all combine to create a sense of place that is worth keeping. Council's Heritage Conservation Planner can provide you with more information on this matter.

12. DOES THE PROPERTY INCLUDE OR COMPRISE CRITICAL HABITAT?

No.

13. IS THE PROPERTY AFFECTED BY A ROAD WIDENING OR ROAD REALIGNMENT under the Roads Act, any environmental planning instrument or any Council resolution?

No.

14. IS THE PROPERTY RESERVED FOR ACQUISITION BY A PUBLIC AUTHORITY UNDER ANY ENVIRONMENTAL PLAN OR PROPOSED ENVIRONMENTAL PLAN?

No.

15. IS THE PROPERTY PART OF ANY APPLICATION DECLARED TO BE "STATE SIGNIFICANT DEVELOPMENT"?

(Development is judged to be "State significant" if the Minister for Planning declares it to be so based on substantial cost of development, significant numbers of employees or other criteria. If you have any further enquiries please contact the Department of Planning, Tel: 02 9228 6333 or email <u>information@planning.nsw.gov.au</u>.

No.

16. IS THE PROPERTY AFFECTED BY SECTION 38 OR 39 OF THE COASTAL PROTECTION ACT?

No.

17. IS THE PROPERTY WITHIN A "PROCLAIMED MINE SUBSIDENCE DISTRICT"?

No.

18. IS THE PROPERTY AFFECTED BY ONE OF THE MATTERS PRESCRIBED BY SECTION 59(2) OF THE CONTAMINATED LAND MANAGEMENT ACT 1997?

No.

SPECIAL NOTE: If you have any concerns about land contamination beyond the information described in this certificate, you should contact the NSW Office of Environment & Heritage. Tel:131 555 or email info@environment.nsw.gov.au.

19. IS THE PROPERTY BUSH FIRE PRONE LAND?

No.

20. IS THE PROPERTY, LAND TO WHICH A PROPERTY VEGETATION PLAN UNDER THE NATIVE VEGETATION ACT 2003 APPLIES?

No.

21. IS THE PROPERTY, LAND SUBJECT TO AN ORDER UNDER THE *TREE (DISPUTES BETWEEN NEIGHBOURS) ACT 2006*?

The land is not known to be subject to such order.

22. IS THE PROPERTY SUBJECT TO DIRECTIONS UNDER PART 3A MAJOR INFRASTRUCTURE AND OTHER PROJECTS of the Environmental Planning & Assessment Act 1979 No.203?

No.

23. IS THE PROPERTY SUBJECT TO A CURRENT SITE COMPATIBILITY CERTIFICATE AND CONDITIONS FOR SENIORS HOUSING under the provisions of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004?

No.

24. IS THE PROPERTY SUBJECT TO A VALID SITE COMPATIBILITY CERTIFICATE FOR INFRASTRUCTURE issued under clause 19 of State Environmental Planning Policy (Infrastructure) 2007?

No.

25. IS THE PROPERTY SUBJECT TO A VALID SITE COMPATIBILITY CERTIFICATE AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING issued under clause 37 of State Environmental Planning Policy (Affordable Rental Housing) 2009?

No.

26. IS THE PROPERTY SUBJECT TO AN EXEMPTION UNDER SECTION 23 OR AUTHORISATION UNDER SECTION 24 OF THE NATIONAL BUILDING AND JOBS PLAN (STATE INFRASTRUCTURE DELIVERY) ACT 2009?

No.

27. IS THE PROPERTY, LAND THAT IS BIODIVERSITY CERTIFIED LAND WITHIN THE MEANING OF PART 7AA OF THE THREATENED SPECIES CONSERVATION ACT 1995?

No.

Special Note: For further information about the Biodiversity Certified Land contact the NSW Office of Environment & Heritage. Tel:131 555 or email info@environment.nsw.gov.au.

28. IS THE PROPERTY, LAND TO WHICH A BIOBANKING AGREEMENT UNDER PART 7A OF THE THREATENED SPECIES CONSERVATION ACT 1995 RELATES?

No.

Special Note: For further information about the Biobanking agreement contact the Biobanking Team at NSW Office of Environment & Heritage. Tel:131 555 or email biobanking@environment.nsw.gov.au.

29. IS THE PROPERTY, LAND ON WHICH COMPLYING DEVELOPMENT MAY BE CARRIED OUT UNDER EACH OF THE CODES FOR COMPLYING DEVELOPMENT IN STATE ENVIRONMENTAL PLANNING POLICY (EXEMPT AND COMPLYING DEVELOPMENT CODES) 2008 AND, IF COMPLYING DEVELOPMENT MAY NOT BE CARRIED OUT ON THAT LAND BECAUSE OF ONE OR MORE OF THE REQUIREMENTS UNDER CLAUSES 1.17A(c) AND (d) AND 1.19 OF THAT POLICY, WHY IT MAY NOT BE CARRIED OUT ON THAT LAND?

General Housing Code

Complying development under the General Housing Code may be carried out on the land.

Housing Alterations Code

Complying development under the Housing Internal Alteration Code **may** be carried out on the land.

General Development Code

Complying development under the General Development Code **may** be carried out on the land.

General Commercial and Industrial Code

Complying development under the General Commercial and Industrial Code **may** be carried out on the land.

Subdivision Code

Complying development under the Subdivision Code may be carried out on the land.

Demolition Code

Complying development under the Demolition Code may be carried out on the land.

SPECIAL NOTE: The above question relates to whether or not the land falls within an exclusion area under Clauses 1.17A(c) and (d) and 1.19 of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. It is your responsibility to ensure that you comply with any other general requirements of the 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.

30. DO ANY ADOPTED COUNCIL POLICIES OR RESOLUTIONS OR ANY POLICIES ADOPTED BY A PUBLIC AUTHORITY REQUIRED TO BE REFERRED TO IN A PLANNING CERTIFICATE RESTRICT THE DEVELOPMENT OF THE PROPERTY DUE TO THE LIKELIHOOD OF LANDSLIP, BUSHFIRES, TIDAL INUNDATION, SUBSIDENCE, CONTAMINATION, ACID SULPHATE SOILS OR ANY OTHER RISK (OTHER THAN FLOODING)?

No.

Note: A review of Council's readily available records has been conducted to identify previous land uses that may have caused land contamination. This review did not reveal any reason for contamination of this property. However, prior to urban settlement, sizeable areas of Ku-ring-gai were covered by agricultural and horticultural activities. These uses are listed in the Managing Land Contamination Planning Guidelines as activities that may cause contamination. If you are concerned about possible contamination of the site you should make your own investigations regarding the condition of this property.

31. DO ANY ADOPTED COUNCIL POLICIES OR RESOLUTIONS OR ANY POLICIES ADOPTED BY A PUBLIC AUTHORITY REQUIRED TO BE REFERRED TO IN A PLANNING CERTIFICATE EFFECT THE DEVELOPMENT OF THE PROPERTY DUE TO FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION?

No.

32. OTHER INFORMATION RELATING TO DEVELOPMENT OF THE SITE.

This land may contain threatened species, populations and ecological communities listed under the Threatened Species Conservation Act 1995 (NSW) and or the Environment Protection Biodiversity Conservation Act 1999 (Commonwealth). For more information contact the Department of Environment, Climate Change and Water, Tel: 99955000.

33. DO YOU NEED TO REFER TO ANY OTHER DOCUMENTS?

Yes. The Environmental Planning and Assessment Amendment Act 1997 No.152 commenced operation on 1 July 1998. As a consequence of this Act the information contained in this certificate needs to be read in conjunction with the provisions of the Environmental Planning and Assessment (Amendment) Regulation 1998, Environmental Planning and Assessment (Further Amendment) Regulation 1998 and Environmental Planning and Assessment (Savings and Transitional) Regulation 1998. Your solicitor will have a copy of this legislation or it may be obtained from the Government Information Office.

John McKee General Manager, Per _

610-13594



CERTIFICATE

818 Pacific Highway, Gordon NSW 2072 Locked Bag 1056, Pymble NSW 2073 T 02 9424 0000 F 02 9424 0001 DX 8703 Gordon TTY 02 9424 0875 E <u>kmc@kmc.nsw.gov.au</u> P.EC.MU.W.Ed.c.nsw.gov.au 2 0 FEB^{ABN, 86} 408 856 411 SY DNEY



UNDER SECTION 149 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

PROPERTY DETAILS

Address: 10 Iryon Road LINDFIELD NSW 2070	Address:	10 Tryon Road LINDFIELD	NSW 2070
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Lot Description: Lot 5 DP 219146

CERTIFICATE DETAILS

Certificate No: PC0568/14

Certificate Date: 18

18/02/2014

- Certificate Type: Section 149(2)
- Receipt No: 394617

APPLICANT'S DETAILS

REF: Ku-ring-gai Council

SIr Consulting 2 Lincoln Street LANE COVE NSW 2066

BACKGROUND INFORMATION

This certificate provides information on how a property (such as land, a house, a commercial building, etc.) may be used and the limits on its development. The certificate contains information Council is aware of through its records and environmental plans with data supplied by the State Government. The details contained in this certificate are limited to that required by Section 149 of the Environmental Planning and Assessment Act.

1. WHICH ENVIRONMENTAL PLAN RESTRICTS THE USE OF THIS PROPERTY?

(Including planning proposals and draft local environmental plans exhibited prior to 1 July 2009 pursuant to section 66(1) b of the E. P. & A. Act).

Ku-ring-gai Local Environmental Plan (Local Centres) 2012 as published on the NSW Legislation Website on 25 January 2013.

2. WHAT IS THE ZONING OF THIS PROPERTY and the relevant environmental plan?

(Zoning is a way of classifying land and limits the range of uses or activities that may be permitted on that land or property).

B2 Local Centres

under the provisions of the Ku-ring-gai Local Environmental Plan (Local Centres) 2012 as published on the NSW Legislation Website on 25 January 2013.

3. WHAT DOES NOT REQUIRE DEVELOPMENT CONSENT under the above environmental plan(s)?

Home occupations.

Note: Please refer to the provisions for Exempt and Complying Development as described in Part 3 of Ku-ring-gai Local Environmental Plan (Local Centres) 2012.

4. WHAT DOES REQUIRE DEVELOPMENT CONSENT under the above environmental plan(s)?

Boarding houses; Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Group homes (permanent); Hostels; Information and education facilities; Light industries; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Seniors housing; Service stations; Shop top housing; Tourist and visitor accommodation; Water reticulation systems; Any other development not specified in item 3 or 5

5. WHAT IS PROHIBITED by the above environmental plan(s)?

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Residential accommodation; Rural industries; Sewage treatment plants; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities; Wholesale supplies

6. DO THE DIMENSIONS OF THE LAND PERMIT THE ERECTION OF A DWELLING HOUSE ON THIS PROPERTY?

Not applicable. Dwelling houses are not permitted within this zone.

7. WHAT OTHER PLANNING INSTRUMENTS AFFECT THIS PROPERTY?

(State and deemed state environmental plans are prepared by the State Government and cover issues as varied as rivers, residential development, employment, etc. If you have any further enquiries please contact the Department of Planning, Tel: 02 9228 6333 or email information@planning.nsw.gov.au..

Draft State Environmental Planning Policy (Competition)

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 State Environmental Planning Policy No.6 - Number of storeys in a building. State Environmental Planning Policy No.19 - Bushland in Urban Areas. State Environmental Planning Policy No.21 - Caravan Parks. State Environmental Planning Policy No.22 - Shops and Commercial Premises. State Environmental Planning Policy No.32 - Urban Consolidation (Redevelopment of Urban Land). State Environmental Planning Policy No.33 - Hazardous & Offensive Development. State Environmental Planning Policy No.44 - Koala Habitat Protection. State Environmental Planning Policy No.55 - Remediation of Land. State Environmental Planning Policy No.62 - Sustainable Aquaculture. State Environmental Planning Policy No.64 - Advertising and Signage. State Environmental Planning Policy No.65 - Design Quality of Residential Flat Development. State Environmental Planning Policy No.70 - Affordable Housing (Revised Schemes). State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004. State Environmental Planning Policy (Major Development) 2005. State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007. State Environmental Planning Policy (Temporary Structures) 2007. State Environmental Planning Policy (Infrastructure) 2007. State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. State Environmental Planning Policy (Affordable Rental Housing) 2009. State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

8. WHICH DEVELOPMENT CONTROL PLANS APPLY TO THE PROPERTY?

(A development control plan adds further detail to local environmental plans and may address issues such as building height, car parking etc. Copies of the Plans are available from Council).

Ku-ring-gai Local Centres Development Control Plan

PAGE 4

9. WHICH DEVELOPMENT CONTRIBUTION PLANS APPLY IF THIS PROPERTY IS DEVELOPED?

(A Development Contribution Plan – commonly known as a Section 94 Plan outlines the financial costs Council charges if a property is developed and Council believes the development will require additional services or facilities such as parks, roads etc. Copies of the Plans are available from Council).

Ku-ring-gai Contributions Plan 2010.

10. IS THE PROPERTY IDENTIFIED AS A HERITAGE ITEM by Council or State Government? (and if so, what is the status, e.g. local environmental plan, Heritage Act etc.)

No.

SPECIAL NOTE: Your attention is drawn to Clause 5.10(5) of the Ku-ring-gai Local Environmental Plan (Local Centres) 2012 which states that the consent authority may, before granting consent to any development: (a) on land on which a heritage item is located, or (b) on land that is within a heritage conservation area, or (c) on land that is within the vicinity of land referred to in paragraph (a) or (b), require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

11. IS THE PROPERTY IN A CONSERVATION AREA?

No.

SPECIAL NOTE: A conservation area is a place of historic and aesthetic value to the community. It contains a number of elements of significance, such as a historic subdivision layout, a pattern of building "footprints" within each street block, buildings of historic and architectual importance, road alignments, trees, gutters and kerb edges which all combine to create a sense of place that is worth keeping. Council's Heritage Conservation Planner can provide you with more information on this matter.

12. DOES THE PROPERTY INCLUDE OR COMPRISE CRITICAL HABITAT?

No.

13. IS THE PROPERTY AFFECTED BY A ROAD WIDENING OR ROAD REALIGNMENT under the Roads Act, any environmental planning instrument or any Council resolution?

No.

14. IS THE PROPERTY RESERVED FOR ACQUISITION BY A PUBLIC AUTHORITY UNDER ANY ENVIRONMENTAL PLAN OR PROPOSED ENVIRONMENTAL PLAN?

No.

15. IS THE PROPERTY PART OF ANY APPLICATION DECLARED TO BE "STATE SIGNIFICANT DEVELOPMENT"?

(Development is judged to be "State significant" if the Minister for Planning declares it to be so based on substantial cost of development, significant numbers of employees or other criteria. If you have any further enquiries please contact the Department of Planning, Tel: 02 9228 6333 or email <u>information@planning.nsw.gov.au</u>.

No.

16. IS THE PROPERTY AFFECTED BY SECTION 38 OR 39 OF THE COASTAL PROTECTION ACT?

No.

17. IS THE PROPERTY WITHIN A "PROCLAIMED MINE SUBSIDENCE DISTRICT"?

No.

18. IS THE PROPERTY AFFECTED BY ONE OF THE MATTERS PRESCRIBED BY SECTION 59(2) OF THE CONTAMINATED LAND MANAGEMENT ACT 1997?

No.

SPECIAL NOTE: If you have any concerns about land contamination beyond the information described in this certificate, you should contact the NSW Office of Environment & Heritage. Tel:131 555 or email info@environment.nsw.gov.au.

19. IS THE PROPERTY BUSH FIRE PRONE LAND?

No.

20. IS THE PROPERTY, LAND TO WHICH A PROPERTY VEGETATION PLAN UNDER THE *NATIVE VEGETATION ACT 2003* APPLIES?

No.

21. IS THE PROPERTY, LAND SUBJECT TO AN ORDER UNDER THE *TREE (DISPUTES BETWEEN NEIGHBOURS) ACT 2006*?

The land is not known to be subject to such order.

22. IS THE PROPERTY SUBJECT TO DIRECTIONS UNDER PART 3A MAJOR INFRASTRUCTURE AND OTHER PROJECTS of the Environmental Planning & Assessment Act 1979 No.203?

No.

23. IS THE PROPERTY SUBJECT TO A CURRENT SITE COMPATIBILITY CERTIFICATE AND CONDITIONS FOR SENIORS HOUSING under the provisions of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004?

No.

24. IS THE PROPERTY SUBJECT TO A VALID SITE COMPATIBILITY CERTIFICATE FOR INFRASTRUCTURE issued under clause 19 of State Environmental Planning Policy (Infrastructure) 2007?

No.

25. IS THE PROPERTY SUBJECT TO A VALID SITE COMPATIBILITY CERTIFICATE AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING issued under clause 37 of State Environmental Planning Policy (Affordable Rental Housing) 2009?

No.

26. IS THE PROPERTY SUBJECT TO AN EXEMPTION UNDER SECTION 23 OR AUTHORISATION UNDER SECTION 24 OF THE NATIONAL BUILDING AND JOBS PLAN (STATE INFRASTRUCTURE DELIVERY) ACT 2009?

No.

27. IS THE PROPERTY, LAND THAT IS BIODIVERSITY CERTIFIED LAND WITHIN THE MEANING OF PART 7AA OF THE THREATENED SPECIES CONSERVATION ACT 1995?

No.

Special Note: For further information about the Biodiversity Certified Land contact the NSW Office of Environment & Heritage. Tel:131 555 or email info@environment.nsw.gov.au.

28. IS THE PROPERTY, LAND TO WHICH A BIOBANKING AGREEMENT UNDER PART 7A OF THE THREATENED SPECIES CONSERVATION ACT 1995 RELATES?

No.

Special Note: For further information about the Biobanking agreement contact the Biobanking Team at NSW Office of Environment & Heritage. Tel:131 555 or email biobanking@environment.nsw.gov.au.

29. IS THE PROPERTY, LAND ON WHICH COMPLYING DEVELOPMENT MAY BE CARRIED OUT UNDER EACH OF THE CODES FOR COMPLYING DEVELOPMENT IN *STATE ENVIRONMENTAL PLANNING POLICY (EXEMPT AND COMPLYING DEVELOPMENT CODES) 2008* AND, IF COMPLYING DEVELOPMENT MAY NOT BE CARRIED OUT ON THAT LAND BECAUSE OF ONE OR MORE OF THE REQUIREMENTS UNDER CLAUSES 1.17A(c) AND (d) AND 1.19 OF THAT POLICY, WHY IT MAY NOT BE CARRIED OUT ON THAT LAND?

General Housing Code

Complying development under the General Housing Code may be carried out on the land.

Housing Alterations Code

Complying development under the Housing Internal Alteration Code **may** be carried out on the land.

General Development Code

Complying development under the General Development Code **may** be carried out on the land.

General Commercial and Industrial Code

Complying development under the General Commercial and Industrial Code **may** be carried out on the land.

Subdivision Code

Complying development under the Subdivision Code may be carried out on the land.

Demolition Code

Complying development under the Demolition Code may be carried out on the land.

SPECIAL NOTE: The above question relates to whether or not the land falls within an exclusion area under Clauses 1.17A(c) and (d) and 1.19 of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. It is your responsibility to ensure that you comply with any other general requirements of the 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. 30. DO ANY ADOPTED COUNCIL POLICIES OR RESOLUTIONS OR ANY POLICIES ADOPTED BY A PUBLIC AUTHORITY REQUIRED TO BE REFERRED TO IN A PLANNING CERTIFICATE RESTRICT THE DEVELOPMENT OF THE PROPERTY DUE TO THE LIKELIHOOD OF LANDSLIP, BUSHFIRES, TIDAL INUNDATION, SUBSIDENCE, CONTAMINATION, ACID SULPHATE SOILS OR ANY OTHER RISK (OTHER THAN FLOODING)?

No.

Note: A review of Council's readily available records has been conducted to identify previous land uses that may have caused land contamination. This review did not reveal any reason for contamination of this property. However, prior to urban settlement, sizeable areas of Ku-ring-gai were covered by agricultural and horticultural activities. These uses are listed in the Managing Land Contamination Planning Guidelines as activities that may cause contamination. If you are concerned about possible contamination of the site you should make your own investigations regarding the condition of this property.

31. DO ANY ADOPTED COUNCIL POLICIES OR RESOLUTIONS OR ANY POLICIES ADOPTED BY A PUBLIC AUTHORITY REQUIRED TO BE REFERRED TO IN A PLANNING CERTIFICATE EFFECT THE DEVELOPMENT OF THE PROPERTY DUE TO FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION?

No.

32. OTHER INFORMATION RELATING TO DEVELOPMENT OF THE SITE.

This land may contain threatened species, populations and ecological communities listed under the Threatened Species Conservation Act 1995 (NSW) and or the Environment Protection Biodiversity Conservation Act 1999 (Commonwealth). For more information contact the Department of Environment, Climate Change and Water, Tel: 99955000.

33. DO YOU NEED TO REFER TO ANY OTHER DOCUMENTS?

Yes. The Environmental Planning and Assessment Amendment Act 1997 No.152 commenced operation on 1 July 1998. As a consequence of this Act the information contained in this certificate needs to be read in conjunction with the provisions of the Environmental Planning and Assessment (Amendment) Regulation 1998, Environmental Planning and Assessment (Further Amendment) Regulation 1998 and Environmental Planning and Assessment (Savings and Transitional) Regulation 1998. Your solicitor will have a copy of this legislation or it may be obtained from the Government Information Office.

John McKee General Manager, Per

610-113594



CERTIFICATE

818 Pacific Highway, Gordon NSW 2072 Locked Bag 1056, Pymble NSW 2073 T 02 9424 0000 F 02 9424 0001 DX 8703 Gordon TTY 02 9424 0875 E <u>kmc@kmc.nsw.gov.au</u>





UNDER SECTION 149 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 2 0 FEB 2014

SYDNEY

PROPERTY DETAILS

Address: 3 Kochia Lane LINDFIELD NSW 2070

Lot Description: Lot 12 DP 225925

CERTIFICATE DETAILS

Certificate No: PC0569/14

Certificate Date: 18/0

18/02/2014

Certificate Type: Section 149(2)

Receipt No: 394617

APPLICANT'S DETAILS

REF: Ku-ring-gai Council

SIr Consulting 2 Lincoln Street LANE COVE NSW 2066

BACKGROUND INFORMATION

This certificate provides information on how a property (such as land, a house, a commercial building, etc.) may be used and the limits on its development. The certificate contains information Council is aware of through its records and environmental plans with data supplied by the State Government. The details contained in this certificate are limited to that required by Section 149 of the Environmental Planning and Assessment Act.

1. WHICH ENVIRONMENTAL PLAN RESTRICTS THE USE OF THIS PROPERTY?

(Including planning proposals and draft local environmental plans exhibited prior to 1 July 2009 pursuant to section 66(1) b of the E. P. & A. Act).

Ku-ring-gai Local Environmental Plan (Local Centres) 2012 as published on the NSW Legislation Website on 25 January 2013.

2. WHAT IS THE ZONING OF THIS PROPERTY and the relevant environmental plan?

(Zoning is a way of classifying land and limits the range of uses or activities that may be permitted on that land or property).

B2 Local Centres

under the provisions of the Ku-ring-gai Local Environmental Plan (Local Centres) 2012 as published on the NSW Legislation Website on 25 January 2013.

3. WHAT DOES NOT REQUIRE DEVELOPMENT CONSENT under the above environmental plan(s)?

Home occupations.

Note: Please refer to the provisions for Exempt and Complying Development as described in Part 3 of Ku-ring-gai Local Environmental Plan (Local Centres) 2012.

4. WHAT DOES REQUIRE DEVELOPMENT CONSENT under the above environmental plan(s)?

Boarding houses; Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Group homes (permanent); Hostels; Information and education facilities; Light industries; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Seniors housing; Service stations; Shop top housing; Tourist and visitor accommodation; Water reticulation systems; Any other development not specified in item 3 or 5

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PAGE 2

5. WHAT IS PROHIBITED by the above environmental plan(s)?

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Residential accommodation; Rural industries; Sewage treatment plants; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities; Wholesale supplies

6. DO THE DIMENSIONS OF THE LAND PERMIT THE ERECTION OF A DWELLING HOUSE ON THIS PROPERTY?

Not applicable. Dwelling houses are not permitted within this zone.

7. WHAT OTHER PLANNING INSTRUMENTS AFFECT THIS PROPERTY?

(State and deemed state environmental plans are prepared by the State Government and cover issues as varied as rivers, residential development, employment, etc. If you have any further enquiries please contact the Department of Planning, Tel: 02 9228 6333 or email information@planning.nsw.gov.au.

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8. WHICH DEVELOPMENT CONTROL PLANS APPLY TO THE PROPERTY?

(A development control plan adds further detail to local environmental plans and may address issues such as building height, car parking etc. Copies of the Plans are available from Council).

Ku-ring-gai Local Centres Development Control Plan

PAGE 4

9. WHICH DEVELOPMENT CONTRIBUTION PLANS APPLY IF THIS PROPERTY IS DEVELOPED?

(A Development Contribution Plan – commonly known as a Section 94 Plan outlines the financial costs Council charges if a property is developed and Council believes the development will require additional services or facilities such as parks, roads etc. Copies of the Plans are available from Council).

Ku-ring-gai Contributions Plan 2010.

10. IS THE PROPERTY IDENTIFIED AS A HERITAGE ITEM by Council or State Government? (and if so, what is the status, e.g. local environmental plan, Heritage Act etc.)

No.

SPECIAL NOTE: Your attention is drawn to Clause 5.10(5) of the Ku-ring-gai Local Environmental Plan (Local Centres) 2012 which states that the consent authority may, before granting consent to any development: (a) on land on which a heritage item is located, or (b) on land that is within a heritage conservation area, or (c) on land that is within the vicinity of land referred to in paragraph (a) or (b), require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

11. IS THE PROPERTY IN A CONSERVATION AREA?

No.

SPECIAL NOTE: A conservation area is a place of historic and aesthetic value to the community. It contains a number of elements of significance, such as a historic subdivision layout, a pattern of building "footprints" within each street block, buildings of historic and architectual importance, road alignments, trees, gutters and kerb edges which all combine to create a sense of place that is worth keeping. Council's Heritage Conservation Planner can provide you with more information on this matter.

12. DOES THE PROPERTY INCLUDE OR COMPRISE CRITICAL HABITAT?

No.

13. IS THE PROPERTY AFFECTED BY A ROAD WIDENING OR ROAD REALIGNMENT under the Roads Act, any environmental planning instrument or any Council resolution?

No.

14. IS THE PROPERTY RESERVED FOR ACQUISITION BY A PUBLIC AUTHORITY UNDER ANY ENVIRONMENTAL PLAN OR PROPOSED ENVIRONMENTAL PLAN?

No.

15. IS THE PROPERTY PART OF ANY APPLICATION DECLARED TO BE "STATE SIGNIFICANT DEVELOPMENT"?

(Development is judged to be "State significant" if the Minister for Planning declares it to be so based on substantial cost of development, significant numbers of employees or other criteria. If you have any further enquiries please contact the Department of Planning, Tel: 02 9228 6333 or email <u>information@planning.nsw.gov.au</u>.

No.

16. IS THE PROPERTY AFFECTED BY SECTION 38 OR 39 OF THE COASTAL PROTECTION ACT?

No.

17. IS THE PROPERTY WITHIN A "PROCLAIMED MINE SUBSIDENCE DISTRICT"?

No.

18. IS THE PROPERTY AFFECTED BY ONE OF THE MATTERS PRESCRIBED BY SECTION 59(2) OF THE CONTAMINATED LAND MANAGEMENT ACT 1997?

No.

SPECIAL NOTE: If you have any concerns about land contamination beyond the information described in this certificate, you should contact the NSW Office of Environment & Heritage. Tel:131 555 or email info@environment.nsw.gov.au.

19. IS THE PROPERTY BUSH FIRE PRONE LAND?

No.

20. IS THE PROPERTY, LAND TO WHICH A PROPERTY VEGETATION PLAN UNDER THE NATIVE VEGETATION ACT 2003 APPLIES?

No.

21. IS THE PROPERTY, LAND SUBJECT TO AN ORDER UNDER THE *TREE (DISPUTES BETWEEN NEIGHBOURS) ACT 2006?*

The land is not known to be subject to such order.

22. IS THE PROPERTY SUBJECT TO DIRECTIONS UNDER PART 3A MAJOR INFRASTRUCTURE AND OTHER PROJECTS of the Environmental Planning & Assessment Act 1979 No.203?

No.

23. IS THE PROPERTY SUBJECT TO A CURRENT SITE COMPATIBILITY CERTIFICATE AND CONDITIONS FOR SENIORS HOUSING under the provisions of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004?

No.

24. IS THE PROPERTY SUBJECT TO A VALID SITE COMPATIBILITY CERTIFICATE FOR INFRASTRUCTURE issued under clause 19 of State Environmental Planning Policy (Infrastructure) 2007?

No.

25. IS THE PROPERTY SUBJECT TO A VALID SITE COMPATIBILITY CERTIFICATE AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING issued under clause 37 of State Environmental Planning Policy (Affordable Rental Housing) 2009?

No.

26. IS THE PROPERTY SUBJECT TO AN EXEMPTION UNDER SECTION 23 OR AUTHORISATION UNDER SECTION 24 OF THE NATIONAL BUILDING AND JOBS PLAN (STATE INFRASTRUCTURE DELIVERY) ACT 2009?

No.

27. IS THE PROPERTY, LAND THAT IS BIODIVERSITY CERTIFIED LAND WITHIN THE MEANING OF PART 7AA OF THE THREATENED SPECIES CONSERVATION ACT 1995?

No.

Special Note: For further information about the Biodiversity Certified Land contact the NSW Office of Environment & Heritage. Tel:131 555 or email info@environment.nsw.gov.au.

28. IS THE PROPERTY, LAND TO WHICH A BIOBANKING AGREEMENT UNDER PART 7A OF THE THREATENED SPECIES CONSERVATION ACT 1995 RELATES?

No.

Special Note: For further information about the Biobanking agreement contact the Biobanking Team at NSW Office of Environment & Heritage. Tel:131 555 or email biobanking@environment.nsw.gov.au.

29. IS THE PROPERTY, LAND ON WHICH COMPLYING DEVELOPMENT MAY BE CARRIED OUT UNDER EACH OF THE CODES FOR COMPLYING DEVELOPMENT IN STATE ENVIRONMENTAL PLANNING POLICY (EXEMPT AND COMPLYING DEVELOPMENT CODES) 2008 AND, IF COMPLYING DEVELOPMENT MAY NOT BE CARRIED OUT ON THAT LAND BECAUSE OF ONE OR MORE OF THE REQUIREMENTS UNDER CLAUSES 1.17A(c) AND (d) AND 1.19 OF THAT POLICY, WHY IT MAY NOT BE CARRIED OUT ON THAT LAND?

General Housing Code

Complying development under the General Housing Code may be carried out on the land.

Housing Alterations Code

Complying development under the Housing Internal Alteration Code **may** be carried out on the land.

General Development Code

Complying development under the General Development Code **may** be carried out on the land.

General Commercial and Industrial Code

Complying development under the General Commercial and Industrial Code **may** be carried out on the land.

Subdivision Code

Complying development under the Subdivision Code may be carried out on the land.

Demolition Code

Complying development under the Demolition Code may be carried out on the land.

SPECIAL NOTE: The above question relates to whether or not the land falls within an exclusion area under Clauses 1.17A(c) and (d) and 1.19 of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. It is your responsibility to ensure that you comply with any other general requirements of the 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.

30. DO ANY ADOPTED COUNCIL POLICIES OR RESOLUTIONS OR ANY POLICIES ADOPTED BY A PUBLIC AUTHORITY REQUIRED TO BE REFERRED TO IN A PLANNING CERTIFICATE RESTRICT THE DEVELOPMENT OF THE PROPERTY DUE TO THE LIKELIHOOD OF LANDSLIP, BUSHFIRES, TIDAL INUNDATION, SUBSIDENCE, CONTAMINATION, ACID SULPHATE SOILS OR ANY OTHER RISK (OTHER THAN FLOODING)?

No.

Note: A review of Council's readily available records has been conducted to identify previous land uses that may have caused land contamination. This review did not reveal any reason for contamination of this property. However, prior to urban settlement, sizeable areas of Ku-ring-gai were covered by agricultural and horticultural activities. These uses are listed in the Managing Land Contamination Planning Guidelines as activities that may cause contamination. If you are concerned about possible contamination of the site you should make your own investigations regarding the condition of this property.

31. DO ANY ADOPTED COUNCIL POLICIES OR RESOLUTIONS OR ANY POLICIES ADOPTED BY A PUBLIC AUTHORITY REQUIRED TO BE REFERRED TO IN A PLANNING CERTIFICATE EFFECT THE DEVELOPMENT OF THE PROPERTY DUE TO FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION?

No.

32. OTHER INFORMATION RELATING TO DEVELOPMENT OF THE SITE.

This land may contain threatened species, populations and ecological communities listed under the Threatened Species Conservation Act 1995 (NSW) and or the Environment Protection Biodiversity Conservation Act 1999 (Commonwealth). For more information contact the Department of Environment, Climate Change and Water, Tel: 99955000.

33. DO YOU NEED TO REFER TO ANY OTHER DOCUMENTS?

Yes. The Environmental Planning and Assessment Amendment Act 1997 No.152 commenced operation on 1 July 1998. As a consequence of this Act the information contained in this certificate needs to be read in conjunction with the provisions of the Environmental Planning and Assessment (Amendment) Regulation 1998, Environmental Planning and Assessment (Further Amendment) Regulation 1998 and Environmental Planning and Assessment (Savings and Transitional) Regulation 1998. Your solicitor will have a copy of this legislation or it may be obtained from the Government Information Office.

John McKee General Manager, Per

610-13594

PLANNING

CERTIFICATE

UNDER SECTION 149 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

818 Pacific Highway, Gordon NSW 2072 Locked Bag 1056, Pymble NSW 2073 T 02 9424 0000 F 02 9424 0001 DX 8703 Gordon TTY 02 9424 0875 E <u>kmcl@kmc.nsw.gov.au</u> W <u>www.kmc.nsw.gov.au</u> RECE Man 86, 408 856 411



18/02/2014

2'0 FEB 2014 SYDNEY

Certificate Date:

PROPERTY DETAILS

Address: 5 Kochia Lane LINDFIELD NSW 2070

Lot Description: Lot 31 DP 804447

CERTIFICATE DETAILS

Certificate No: PC0570/14

Certificate Type: Section 149(2)

Receipt No: 394617

APPLICANT'S DETAILS

REF: Ku-ring-gai Council

Sir Consulting 2 Lincoln Street LANE COVE NSW 2066

BACKGROUND INFORMATION

This certificate provides information on how a property (such as land, a house, a commercial building, etc.) may be used and the limits on its development. The certificate contains information Council is aware of through its records and environmental plans with data supplied by the State Government. The details contained in this certificate are limited to that required by Section 149 of the Environmental Planning and Assessment Act.

1. WHICH ENVIRONMENTAL PLAN RESTRICTS THE USE OF THIS PROPERTY?

(Including planning proposals and draft local environmental plans exhibited prior to 1 July 2009 pursuant to section 66(1) b of the E. P. & A. Act).

Ku-ring-gai Local Environmental Plan (Local Centres) 2012 as published on the NSW Legislation Website on 25 January 2013.

2. WHAT IS THE ZONING OF THIS PROPERTY and the relevant environmental plan?

(Zoning is a way of classifying land and limits the range of uses or activities that may be permitted on that land or property).

B2 Local Centres

under the provisions of the Ku-ring-gai Local Environmental Plan (Local Centres) 2012 as published on the NSW Legislation Website on 25 January 2013.

3. WHAT DOES NOT REQUIRE DEVELOPMENT CONSENT under the above environmental plan(s)?

Home occupations.

Note: Please refer to the provisions for Exempt and Complying Development as described in Part 3 of Ku-ring-gai Local Environmental Plan (Local Centres) 2012.

4. WHAT DOES REQUIRE DEVELOPMENT CONSENT under the above environmental plan(s)?

Boarding houses; Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Group homes (permanent); Hostels; Information and education facilities; Light industries; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Seniors housing; Service stations; Shop top housing; Tourist and visitor accommodation; Water reticulation systems; Any other development not specified in item 3 or 5

5. WHAT IS PROHIBITED by the above environmental plan(s)?

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Residential accommodation; Rural industries; Sewage treatment plants; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities; Wholesale supplies

6. DO THE DIMENSIONS OF THE LAND PERMIT THE ERECTION OF A DWELLING HOUSE ON THIS PROPERTY?

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John McKee General Manager, Per