

**Design  
for a better  
*future /***

Bellpen Pty Ltd

**Preliminary Site  
Investigation**

345 Pacific Highway,  
Lindfield NSW

**wsp**

# Question today *Imagine tomorrow* Create for the future



Preliminary Site Investigation  
345 Pacific Highway, Lindfield NSW

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WSP acknowledges that every project we work on takes place on First Peoples lands.  
We recognise Aboriginal and Torres Strait Islander Peoples as the first scientists and engineers and pay our respects to Elders past and present.

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# Executive summary

## Introduction and Background

WSP Australia Pty Ltd (WSP) was engaged by Augusta Advisors on behalf of Bellpen Pty Ltd (Bellpen) to conduct a preliminary site investigation (PSI) at 345 Pacific Highway, Lindfield NSW (hereafter referred to as “the site”)

WSP understands that the PSI is required to support a planning proposal (PP) for a 15-storey high rise mixed use (residential and commercial) development with 4 levels of underground basement. WSP understands the proposed change of land use will be from the current land use of E1 Local Centre (as per NSW Planning Portal) to MU1 Mixed use according to Ku-ring-gai Local Environmental Plan 2015.

The scope of works completed as part of this PSI included a site inspection and a desktop study to review the site environmental setting, history and environmental regulatory status.

## Summary of Findings

The site is approximately 2,650 m<sup>2</sup> located at 345 Pacific Highway, Lindfield and is comprised of a triangular shaped two-storey brick building, two basement/carpark levels (B1 and B2), and a large triangular communal courtyard located within the central-northern portion of the site. The site is primarily used for commercial operations, with various tenants on both the ground and first floor. The site is surrounded by garden beds, with the rail corridor positioned to the north, the Pacific Highway to the south, Wolseley Road to the west and Havilah Road to the east. The building’s construction began in 1989 with completion occurring in 1991.

The site houses little infrastructure, with a plant room located on the first floor containing air-conditioning related pumps, with a connecting hatch to the roof where the main air conditioning cooling towers are positioned. Both the ground and first floor contain a mirroring layout with a small communal tea room, fire hydrant and communications/electrical cupboards present in the centre of the building, along with male and female bathrooms. The building contains two individual lift wells which travel from the first floor to the second basement level B2.

Two dental practices are tenants within the building and own separate air compressors on level B1 connected to in-house gas units. All external stormwater captured on site is funnelled into a large water tank located in the north-western corner of the site on level B1 near the entrance to the carpark. The water is not treated or filtered and when the tank approaches capacity, the water is re-distributed back into the municipal stormwater drainage system.

A small domestic cleaning cupboard is located on level B1. All chemicals observed totalled less than 50 L with no spillage or staining observed within the storage area. Large skip bins are stored on level B1 and are regularly emptied by an external waste contractor. No staining or other impacts were noted on the surrounding area near the skip bin storage area. Overall, the site appeared to be well maintained and in a tidy condition, with no potentially contaminating activities being witnessed on the day of the site inspection.

Aerial photographs indicated demolition activities were undertaken on-site in late 1980s when the site was being re-developed.

A former site investigation undertaken by Douglas Partners on-site in 2001, identified aldrin and dieldrin concentrations exceeding the National Environment Protection (Assessment of Site Contamination) Measures (NEPM) 2013 commercial/industrial soil investigation criteria in one sample. WSP were provided with one previous asbestos report for the site for the removal of two fire doors, though no other hazardous building materials or asbestos report were provided, and it is unclear if there are any hazardous materials within the site.

Based on the results of this PSI, following potential contamination sources and potentially contaminating activities were identified on-site:

- Historical demolition activities on-site;
- Potential organochlorine pesticides contamination in soil; and

- Potentially contaminated historical filling within building footprints;
- Potential presence of hazardous materials in buildings.

## Conclusion

The results of this PSI indicate contaminated soils may be present on-site. Main contaminants of potential concern identified based on findings would include but not limited to asbestos, heavy metals, and organochlorine pesticides<sup>1</sup>. Due to these findings, prior to undertaking any development on-site, a Detailed Site Investigation (DSI) will be required to inform the preparation of a construction environmental management plan and, if required, a remediation action plan for the proposed development.

Subject to confirmation with the results of the DSI: If the DSI identifies any contaminated fill on-site that exceeds the site criteria for Category B land use (high density residential with limited access to soils) and requires remediation, it is likely that the site can be made suitable for the planned development with the development and implementation of a remediation action plan (RAP) in line with the requirements of NEPM 2013 and relevant NSW EPA guidance.

## Recommendations

Based on the findings of this investigation WSP recommends the following:

- A DSI should be undertaken prior to undertaking the planned development. The DSI should advise if a remediation action plan (RAP) is required for the site;
- The DSI and RAP should be prepared in accordance with NEPM 2013 and NSW EPA Guideline on Consultants Reporting on Contaminated Land (NSW EPA 2020) and signed off by a Certified Environmental Practitioner Site Contamination Specialist (CENVP SC);
- The DSI should provide advice regarding the likely classification of fill and natural material on-site;
- If contaminated soil or groundwater is identified on-site in the scope of the DSI, a Construction Environmental Management Plan (CEMP) should be prepared to protect the human health and the environment during the planned development works;
- Groundwater assessment with at least one groundwater bore down to 11.5 mBGL is recommended to assess the contamination status of the groundwater on-site to inform planning of the groundwater dewatering works;
- Prior to disposing any material on-site final waste classification must be undertaken in accordance with the requirements of NSW EPA Waste Classification Guidelines (2014); and
- Virgin Excavated Natural Material (VENM) assessment of natural material on-site is required to enable beneficial re-use of this material.

WSP recommends that a hazardous building materials survey is conducted to determine the presence of asbestos containing materials and other hazardous materials including lead-based paint and PCB in building materials and inform any management controls required prior to redevelopment or demolition.

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<sup>1</sup> For data completeness and adequacy of investigations, a larger screening chemical suite will need to be adopted in the DSI and further investigations, which should include as a minimum the following: Total recoverable hydrocarbons (TRH), benzene, toluene, ethylbenzene, xylene and naphthalene (BTEXN), poly-cyclic aromatic hydrocarbons (PAH), heavy metals (As, Cd, Cr, Cu, Pb, Zn, Ni, Hg), organochlorine and organophosphorus pesticides (OCP and OPP) and poly-chlorinated biphenyls (PCB).

# 1 Project background

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## 1.1 Background

WSP Australia Pty Ltd (WSP) was engaged by Augusta Advisors on behalf of Bellpen Pty Ltd (Bellpen) to conduct a preliminary site investigation (PSI) at 345 Pacific Highway, Lindfield NSW (hereafter referred to as “the site”), presented in Figure 1 of Appendix A.

WSP understands that the PSI is required to support the planning proposal (PP) for a proposed land zoning change on-site from the current land use of E1 Local Centre to MU1 Mixed Use, and the development of a 15-storey high rise building with 4 levels of underground basement on-site (see Appendix F for the development plans).

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## 1.2 Objectives

The objective of the PSI was to collect environmental data to support the PP by the owner Bellpen. The assessment was required to generally comply with the *National Environment Protection (Assessment of Site Contamination) Measure 1999* (NEPM; as amended 2013), to evaluate the site with respect to:

- The proposed land zoning change and redevelopment of the site for future mixed usage, i.e. residential and commercial.
- 

## 1.3 Scope

The following scope of work was completed in the preparation of this document:

- A desktop study of the site to gather the following information:
  - Property details and location;
  - Current and proposed land use, site zoning and environmental planning controls; and
  - Physical site setting, including geology and hydrogeology, mine subsidence, acid sulfate soils, topography and local and regional soil types and landscapes.
- A review of historical site documentation including:
  - Current and former use of the site;
  - Historical aerial photographs;
  - Section 10.7 planning Certificates;
  - NSW Environmental Protection Authority (EPA) records including the notified sites register, records of regulated sites and environmental protection licences; and
  - Bore records held by the NSW Department of Planning, Industry and Environment.
- The completion of a site inspection; and
- Completion of this PSI report.

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## 1.4 Technical Framework

The report was prepared in general accordance with the requirement of Schedule B2 of the National Environment Protection (Assessment of Site Contamination) Measure (1999 as amended in 2013) and the NSW EPA 2020 *Contaminated land guidelines: Consultants reporting on contaminated land*.

## 2 Desktop Study

### 2.1 Site Description

Details of the site location, ownership, zoning and current site use are provided in Table 2.1 below (refer to Figure 1, Appendix A for site extent).

Table 2.1 Site Details

Site address	345 Pacific Highway, Lindfield NSW 2070
Legal description	Lot 1 DP 810773
Size	2,650 m <sup>2</sup>
Current use	Commercial including dentist and doctor's surgeries (Category D)
Current zoning	E1 – Local Centre
Proposed use	Mixed use commercial and high density residential with limited access to soil (Category B)
Proposed zoning	MU1 Mixed Use (B4 Mixed Use)
Local planning instrument	Ku-ring-gai Local Environmental Plan (LEP) 2015

### 2.2 Site Layout and Operations

The site is approximately 2,650 m<sup>2</sup> located at 345 Pacific Highway, Lindfield and is comprised of a triangular shaped two-storey brick building, two basement/carpark levels (B1 and B2), and a large triangular communal courtyard located within the central-northern portion of the site. The site is primarily used for commercial operations, with various tenants on both the ground and first floor. The site is surrounded by garden beds, with the rail corridor positioned to the north, the Pacific Highway to the south, Wolseley Road to the west and Havilah Road to the east. The building's construction began in 1989 with completion occurring in 1991.

The site houses little infrastructure, with a plant room located on the first floor containing air-conditioning related pumps, with a connecting hatch to the roof where the main air conditioning cooling towers are positioned. Both the plant room and cooling tower area appeared in tidy condition. The main air-conditioning feeds the central and western portions of the building, with smaller individual units positioned on the north facing balcony feeding the eastern wing of the property. Both the ground and first floor contain a mirroring layout with a small communal tea room, fire hydrant and communications/electrical cupboards present in the centre of the building, along with male and female bathrooms. The building contains two individual lift wells which travel from the first floor to the second basement level B2.

Two dental practices are tenants within the building and own separate air compressors on level B1 connected to in-house gas units. All external stormwater captured on site is funnelled into a large water tank located in the north-western corner of the site on level B1 near the entrance to the carpark. The water is not treated or filtered and when the tank approaches capacity, the water is re-distributed back into the municipal stormwater drainage system. A large hatch located on the western balcony presents the main access point for the tank as it is situated behind a concrete wall.

A small domestic cleaning cupboard is located on level B1. All chemicals observed totalled less than 50 L with no spillage or staining observed within the storage area. Large skip bins are stored on level B1 and are regularly emptied by an external waste contractor. No staining or other impacts were noted on the surrounding area near the skip bin storage

area. Overall, the site appeared to be well maintained and in a tidy condition, with no potentially contaminating activities being witnessed on the day of the site inspection.

The site is not expected to house any hazardous materials given the age of the building, and a hazardous materials register does not currently exist for the building.

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## 2.3 Surrounding Land Uses

The site is located within predominantly commercial and residential land setting.

- North: rail line then low-density residential properties.
- South: Pacific Highway, then commercial properties with high, medium, and low-density residential properties further south.
- East: Rail line then high-density residential properties, commercial properties then low-density residential properties further east.
- West: High density residential properties, Pacific Highway and then high- and low-density residential properties.

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## 2.4 Environmental Setting

### 2.4.1 *Geology*

Information provided by Land Insight indicates that the regional geology underlying the site is characterised by Ashfield Shale and consists primarily of black to light grey shale and laminite.

Information provided by Land Insight indicates that the soil landscape is that of Glenorie consisting of shallow to deep Red Podzolic soils on crests, moderate dep Red and Brown Podzolic soils on upper slopes and deep Yellow and Gleyed Podzolic soils along drainage lines.

### 2.4.2 *Topography and Hydrology*

The site is situated at approximately 98 metres Australian Height Datum (m AHD) (Google Earth, 2023). The Site is relatively flat and the surrounding land slopes to the east on the eastern portion of the site and from north west to south east towards the northern portion of the site.

The closest identified surface water receptor to the site is Gordon Creek located approximately 750 m east of the site. Gordon Creek flows a north, north east direction and flows into Carroll Creek approximately 2.5 km to the north east of the site. Carroll Creek flows south east into Middle Harbour.

### 2.4.3 *Hydrogeology*

Information provided by Land Insight, identified 25 registered groundwater bores within a 2,000 m radius of the site. Details are provided in Table 2.2 below.

Table 2.2 Registered Bores within a 2,000 m Radius of the Site

Registered bore identification	Usage	Depth of groundwater (mBGL)	Direction and distance from site
GW023498	water supply	6.8	304.9 m north west
GW1115590	unknown	unknown	561.3 m north east
GW115592	unknown	unknown	562.3 m north east

Registered bore identification	Usage	Depth of groundwater (mBGL)	Direction and distance from site
GW115589	unknown	unknown	565.4 m north east
GW115588	unknown	unknown	569.7 north east
GW115587	unknown	unknown	570.8 m north east
GW115591	unknown	unknown	575.3 m north east
GW106029	household	63	866 m north
GW108792	household	65	1184.7 m south east
GW104127	recreation	55	1529.3 west
GW104668	monitoring	unknown	1561.5 m north west
GW104669	monitoring	unknown	1577.1 m north west
GW104670	monitoring	unknown	1595.2 m north west
GW113507	monitoring	unknown	1865.2 n south east
GW113514	monitoring	unknown	1866.8 m south east
GW113510	monitoring	unknown	1873.6 m south east
GW113512	monitoring	unknown	1886.2 m south east
GW113506	monitoring	unknown	1886.4 m south east
GW113505	monitoring	unknown	1886.6 m south east
GW113513	monitoring	unknown	1886.6 m south east
GW113509	monitoring	unknown	1893.4 m south east
GW113508	monitoring	unknown	1894.3 m south east
GW113511	monitoring	unknown	1895.5 m south east
GW114836	monitoring	8.8	1909.3 m south east
GW114836	monitoring	2.6	1959 m south east
GW114838	monitoring	3.9	1991.9 m south east

Based on the surrounding topography, groundwater flow is anticipated to be to the east, north east towards Gordon Creek.

#### 2.4.4 Acid Sulfate Soils

The Ku-ring-gai LEP 2015 indicates the site is categorised Class 5: acid sulfate soils are not typically found in Class 5 areas. Areas classified as works within 500 m of adjacent Class 1, 2, 3 or 4 land. Development consent requirement: Works within 500 metres of adjacent Class 1, 2a, 2b, 3 or 4 land that is below 5 metres AHD and by which the water table is likely to be lowered below 1 metre AHD on adjacent Class 1, 2a, 2b, 3 or 4 land.

## 3 Site History

### 3.1 Previous Reports

#### 3.1.1 Asbestos Clearance Certificate

Getex undertook an asbestos clearance of two locations within the site, that being door frame and immediate surroundings of Fire Door Number 18 in the Basement Level B1 and door frame and immediate surroundings of Fire Door Number 1 on Level 1. The fire doors were previously identified to contain asbestos and were removed from the site by Reddot Enterprises Pty Ltd, a licenced asbestos removal and fire protection company.

Air monitoring for asbestos fibres was conducted during the asbestos clearance, with results being below 0.01 fibres/mL and therefore below the clearance guidance levels. Getex considered the areas inspected to be safe for normal activities with regard to asbestos health and safety.

### 3.2 Historical Aerial Photographs

Historical aerials were provided by Land Insight, with WSP undertaking a review of the historical aerial photographs and Table 3.1 summarises the observations at the site and surrounding environment. Historical photographs are included Appendix C.

Table 3.1 Historical Aerial Photographs

Year	Site	Surrounding
1930	The site appears to be occupied with a building on the western portion of the site, vegetated on the northern portion of the site. The southern portion of the site appears to be either hardstand or a building., though image quality has made it difficult to identify the feature accurately.	The area to the north is occupied by the rail line, with residential properties beyond. The area to the east is occupied by the rail line and residential properties beyond. The area to the south is occupied by the Pacific Highway, then commercial and residential properties. The area to the west is occupied by residential properties, the Pacific Highway and residential properties beyond.
1943	The site appears to have changed with the western and middle portions of the site occupied by several buildings, with vegetated areas on the north west and south eastern portions of the site	The surrounding areas appear to have changed little since the previous photograph.
1953	The site appears to have changed little since the previous photograph.	The surrounding areas appear to have changed little since the previous photograph.
1961	The site appears to have changed little since the previous photograph.	The surrounding areas appear to have changed little since the previous photograph.
1965	The site appears to have minor changes with it appearing that concrete hardstand is now visible on the north eastern boundary of the site.	The surrounding areas appear to have changed little since the previous photograph.



<b>Year</b>	<b>Site</b>	<b>Surrounding</b>
<b>1970</b>	The site appears to have changed little since the previous photograph.	The surrounding area has changed little with the redevelopment south of the site on the southern side of the Pacific Highway including the demolition of three residential properties and construction of a hardstand carpark. There also appears to have been some redevelopment south east adjacent east to Lindfield train station, with it appearing two building having been demolished, and construction of a hardstand carpark.
<b>1975</b>	The site appears to have changed little since the previous photograph.	The surrounding areas appear to have changed little since the previous photograph.
<b>1978</b>	The site appears to have changed little since the previous photograph.	The surrounding areas appear to have changed little since the previous photograph.
<b>1986</b>	The site appears to have changed little since the previous photograph.	The surrounding areas appear to have changed little since the previous photograph.
<b>1991</b>	The site has changed significantly, with the previously identified buildings appearing to have been demolished, with a new L shaped building with paved hardstand in the central portion of the site.	The surrounding areas appear to have changed little since the previous photograph with the exception of the area previously described adjacent to Lindfield train station having a new large commercial building next to the carpark, with the previous residential properties demolished.
<b>1994</b>	The site appears to have changed little since the previous photograph.	The surrounding areas appear to have changed little since the previous photograph.
<b>2002</b>	The site appears to have changed little since the previous photograph.	The surrounding areas appear to have changed little since the previous photograph.
<b>2004</b>	The site appears to have changed little since the previous photograph.	The surrounding areas appear to have changed little since the previous photograph.
<b>2007</b>	The site appears to have changed little since the previous photograph.	The surrounding areas appear to have changed little since the previous photograph.
<b>2011</b>	The site appears to have changed little since the previous photograph.	The surrounding areas appear to have changed little since the previous photograph.
<b>2014</b>	The site appears to have changed little since the previous photograph.	The surrounding areas appear to have changed little since the previous photograph.
<b>2017</b>	The site appears to have changed little since the previous photograph.	The surrounding areas appear to have changed little since the previous photograph.
<b>2020</b>	The site appears to have changed little since the previous photograph.	The surrounding areas appear to have changed little since the previous photograph with the exception of the area previously described adjacent to Lindfield train station having construction works undertaken within the carpark.

Year	Site	Surrounding
2023	The site appears to have changed little since the previous photograph.	The surrounding area has changed little with the redevelopment south of the site on the southern side of the Pacific Highway, with the commercial building and carpark demolished and earthworks being undertaken. The area adjacent to Lindfield train station appears to have new buildings and park area in the area where the carpark was previously.

### 3.3 Historical Titles

Information was provided by Land Insight for the current lot, with historical records indicating that the site prior to 1991 was divided into six parcels with lots including Part Lot 25 DP 6608, Part Lot 24 DP 6608, Lot 1 DP 364990, Lot 26 DP 6608, Lot 2 DP 364990, Lot 1 DP 771847, Part Lot 23 DP 6608, Lot 1 DP 785865 and Lot 1 DP 911809.

The site has been occupied by various individuals and businesses, including motor mechanic and master baker in between the late 1920s and the early 1950s, builder, real estate agent, banker and merchant between the 1950s and 1960s. From the 1950s onward the site has been occupied mainly by businesses, including G.E. Lumby Pty Limited (unknown business), Bayer Australia Ltd (life science company), Condux Corporation Limited (property developer), Devefi Pty Limited (unknown business) and Bellpen Pty Limited, the current owner. The site lots were consolidated into the current lot in 1991. Historical Land Titles are included in Appendix D.

### 3.4 Public Database Search

#### 3.4.1 Site Notifications

Information was provided by Land Insight and identified that there are no Aboriginal Places or items on the State Heritage Register within the vicinity of the site. The search did identify five local heritage items and two conservation areas of local significance, with the closest to the site being 25 m south, that being a commercial building.

#### 3.4.2 Contaminated Land Database Search

Information was provided by Land Insight and confirmed that the site is not listed as being notified on the NSW EPA database. There were six notified sites within a 1,000 m radius. The closest sites are a 7-Eleven (former Mobil) service station at Lindfield, being approximately 527 m south of the site, and a former BP service station at Killara, approximately 529 m west of the site. These sites are unlikely to affect the site.

Information was provided by Land Insight and confirmed that the site has no record of Environment Protection Licences under the Protection of the Environment Operations Act. One site within 1,000 m radius, that being Dalcross Private Hospital, holding a licence for hazardous, industrial or Group A waste generation or storage, approximately 595 m north of the site. There are two licence holders, Metro Trains Sydney Pty Ltd and Hochtief AG, that are not mapped, and are for railway infrastructure and system activities.

### 3.5 Planning Certificates

The Section 10.7 Planning Certificates for the site was received by WSP on 8 May 2023 and are included within Appendix E.

In Summary:

- There are no proposed environmental planning instruments that apply to this land;
- There are no draft development control plans that apply to this land;
- There are no activities permitted without consent;
- Activities permitted with consent include animal boarding or training establishments; boat building and repair facilities; business premises; centre-based child care facilities; community facilities; depots; food and drink premises; function centres; garden centres; general industries; hardware and building supplies; hotel or motel accommodation; industrial retail outlets; industrial training facilities; information and education facilities; landscaping material supplies; light industries; local distribution premises; markets; mortuaries; neighbourhood shops; office premises; oyster aquaculture; passenger transport facilities; places of public worship; plant nurseries; recreation areas; recreation facilities (indoor); recreation facilities (major); recreation facilities (outdoor); research stations; respite day care centres; rural supplies; service stations; specialised retail premises; storage premises; take away food and drink premises; tank-based aquaculture; timber yards; vehicle body repair workshops; vehicle repair stations; vehicle sales or hire premises; veterinary hospitals; warehouse or distribution centres; water reticulation systems; wholesale supplies;
- Activities prohibited include agriculture; air transport facilities; airstrips; boat launching ramps; boat sheds; camping grounds; caravan parks; cemeteries; charter and tourism boating facilities; correctional centres; crematoria; eco-tourist facilities; exhibition homes; exhibition villages; extractive industries; farm buildings; forestry; heavy industrial storage establishments; helipads; highway service centres; home-based child care; home businesses; home occupations; home occupations (sex services); industries; jetties; marinas; mooring pens; moorings; open cut mining; residential accommodation; retail premises; rural industries; sewerage systems; timber yards; tourist and visitor accommodation; waste disposal facilities; water supply systems; wharf or boating facilities;
- There is no proposed zoning, development consent requirements and prohibited activities of the land under the proposed environmental planning instrument;
- The land is not identified in an area of outstanding biodiversity value;
- The land is not located within a Heritage Conservation area;
- The land is not within an area of special contributions;
- Complying development codes may be carried out on the land with regard to container recycling facilities, commercial and industrial alterations, commercial and industrial (new buildings and additions), demolition fire safety, housing, housing alterations, general development, low rise medium density housing and subdivision;
- There are no affected building notices or building product rectification orders for the land;
- The land is not affected by road widening or realignment under the Roads Act;
- The land is not subject to flooding;
- The land is affected by policy adopted by council, or by any other public authority required to be referred to in a planning certificate, that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, contamination, acid sulphate soils or other risk (other than flooding);
- The land is not within a bushfire prone area;
- The land has not been identified to contain loose-fill asbestos insulation;
- The land is not proclaimed to be in a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961;
- The land does not have property vegetation plan under Native Vegetation Act 2003;

- The land has not been notified to be a biodiversity stewardship site under a biodiversity stewardship agreement under part 5 of the Biodiversity Conservation Act 2016;
- The land is not subject to an order under the Tree (Disputes between Neighbours) Act 2006 to carry out work in relation to a tree on the land;
- The land is not subject to such a current site compatibility certificate (seniors housing);
- The land is not subject to such a current site compatibility certificate (affordable housing);
- The land is not significantly contaminated, not subject to a management order, does not have a voluntary management proposal, does not have an ongoing maintenance order or subject to a site audit statement.

Of note: A contamination site investigation undertaken by Douglas Partners in 2001 indicated elevated aldrin and dieldrin concentrations in excess of the NEPM commercial/industrial soil investigation levels in one soil sample. The consultant indicated that the site is suitable for continued commercial use, however in the event that the site undergoes redevelopment such that material is to be excavated and removed from off-site for disposal, a material classification will need to be undertaken.

## 4 Preliminary Conceptual Site Model

Based on the historical information reviewed and the observations made during the site inspection, a preliminary conceptual site model was prepared including features which have the potential to impact soil and/or groundwater at the site.

Sources of potential contamination identified at the site include:

- Historical fill;
- Historical demolition activities on-site;
- Use of asbestos containing materials within buildings;
- Potential organochlorine pesticides use; and
- Usage of chemicals.

The contaminants of potential concern (COPCs) associated with the potential sources of contamination above and/or previously identified at the site include:

- TRH;
- Benzene, toluene, ethylbenzene, xylenes, naphthalene (BTEXN);
- Polycyclic aromatic hydrocarbons (PAHs);
- Metals (As, Cd, Cr, Cu, Pb, Ni, Zn and Hg);
- Organochlorine pesticides (OCPs);
- Organophosphorus pesticides (OPPs);
- Polychlorinated biphenyls (PCBs); and
- Asbestos.

Potentially affected media from the identified potential sources of contamination include:

- Surface soil material: may have been directly impacted by chemical spills onsite, material breakdown with regards to asbestos containing materials (ACM) and general site activities;
- Underlying soils and weathered bedrock: through the downward migration of contaminants from the potential chemical spill. Based upon the limited evidence of chemical storage and the lack of surface evidence of chemical spills, any spills would be considered to be highly localised in nature;
- Groundwater underlying the site: based on the anticipate depth of groundwater and the leachability of the identified COPCs, groundwater on site is unlikely to be affected; and
- Surface water body (Gordon Creek): surface runoff from the site.

Based on the site setting and current and proposed development, sensitive receptors would include:

- Current and future occupiers of the site;
- Construction and maintenance workers at the site;
- Occupiers of residential properties surrounding the site (dust and vapour inhalation, groundwater extraction); and
- Ecological receptors within the surface watercourses receiving discharge from the site, Gordon Creek.

## 4.1 Assessment of Pathways and Receptors

The relevant exposure pathways and identified potential receptors are summarised in Table 4.1.

Table 4.1 Relevant exposure pathways

Potential Receptors	Potential Exposure Pathway	Assessment of Potential Pollutant Linkages
<b>On-site During Construction</b>		
Workers on-site	Ingestion, inhalation and dermal contact with potentially impacted soils and groundwater.	<b>Requires intrusive investigation:</b> Planned development works will involve demolition and excavation during which workers may be in contact with the specified potential contaminants of concern. Therefore, intrusive investigations are required to assess the soil contamination status.
	Inhalation of vapours in excavation pits.	<b>Requires intrusive investigation:</b> Planned basement excavation will reach approximately 11.5 mBGL depth, where groundwater is expected to be encountered. Contamination status of the groundwater on-site is currently unknown and further groundwater assessment is recommended.
<b>On-site Operation Phase</b>		
Site residents, occupiers and visitors	Vapour intrusion and inhalation.	<b>Unlikely:</b> The PSI did not identify any genuine contamination source on or near the site that might generate vapour intrusion risk. This should be confirmed with the DSI.
	Ingestion, inhalation and dermal contact with potential impacted soils in garden beds.	<b>Requires soil assessment:</b> The planned development includes garden bed areas, where exposure might occur if contaminated soils are left in these areas. The soil in these areas must be validated as Virgin Excavated Natural Material (VENM) by a suitably qualified and experienced environmental consultant.
<b>Off-site</b>		
Users of off-site properties (downgradient) of site.	Vapour inhalation, groundwater extraction, ingestion and dermal contact with groundwater.	<b>Unlikely:</b> There is one registered monitoring well within 500 m of the site, that being upgradient, with the closest surface water body approximately 750 m east of the site.
Intrusive maintenance workers off-site	Vapour inhalation, groundwater extraction, ingestion and dermal contact with groundwater.	<b>Unlikely:</b> There is one registered monitoring well within 500 m of the site, that being upgradient, with the closest surface water body approximately 750 m east of the site.  Risk during excavation works or maintenance works should be controlled through adoption of WHS procedures for intrusive works.
<b>Environmental</b>		

Potential Receptors	Potential Exposure Pathway	Assessment of Potential Pollutant Linkages
Surface waters	Lateral migration of contaminants in groundwater.	<b>Environmental management required:</b> Planned bulk excavation works on-site will require sediment and erosion controls in place. A Construction Environmental Management Plan and a Sediment and Erosion Control Plan are required for the planned bulk earthworks.

## 5 Conclusion

The results of this PSI indicate contaminated soils may be present on-site. Main contaminants of potential concern identified based on findings would include but not limited to asbestos, heavy metals, and organochlorine pesticides<sup>2</sup>. Due to these findings, prior to undertaking any development on-site, a Detailed Site Investigation (DSI) will be required to inform the preparation of a Construction Environmental Management Plan (CEMP) and, if required, a Remediation Action Plan (RAP) for the proposed development.

Subject to confirmation with the results of the DSI: If the DSI identifies any contaminated fill on-site that exceeds the site criteria for Category B land use (high density residential with limited access to soils) and requires remediation, it is likely that the site can be made suitable for the planned development with the development and implementation of a remediation action plan (RAP) in line with the requirements of NEPM 2013 and relevant NSW EPA guidance.

## 6 Recommendations

Based on the findings of this investigation WSP recommends the following:

- A DSI should be undertaken prior to undertaking the planned development. The DSI should advise if a RAP is required for the site;
- The DSI and RAP should be prepared in accordance with NEPM 2013 and NSW EPA Guideline on Consultants Reporting on Contaminated Land (NSW EPA 2020) and signed off by a Certified Environmental Practitioner Site Contamination Specialist (CENVP SC);
- The DSI should provide advice regarding the likely classification of fill and natural material on-site;
- If contaminated soil or groundwater is identified on-site in the scope of the DSI, a CEMP should be prepared to protect the human health and the environment during the planned development works;
- Groundwater assessment with at least one groundwater bore down to 11.5 mBGL is recommended to assess the contamination status of the groundwater on-site to inform planning of the groundwater dewatering works;
- Prior to disposing any material on-site final waste classification must be undertaken in accordance with the requirements of NSW EPA Waste Classification Guidelines (2014); and
- Virgin Excavated Natural Material (VENM) assessment of natural material on-site is required to enable beneficial re-use of this material.

WSP recommends that a hazardous building materials survey is conducted to determine the presence of asbestos containing materials and other hazardous materials including lead-based paint and PCB in building materials and inform any management controls required prior to redevelopment or demolition.

---

<sup>2</sup> For data completeness and adequacy of investigations, a larger screening chemical suite will need to be adopted in the DSI and further investigations, which should include as a minimum the following: Total recoverable hydrocarbons (TRH), benzene, toluene, ethylbenzene, xylene and naphthalene (BTEXN), poly-cyclic aromatic hydrocarbons (PAH), heavy metals (As, Cd, Cr, Cu, Pb, Zn, Ni, Hg), organochlorine and organophosphorus pesticides (OCP and OPP) and poly-chlorinated biphenyls (PCB).



# 7 Limitations

This Report is provided by WSP Australia Pty Limited (*WSP*) for Cre8tive Property (*Client*) in response to specific instructions from the Client and in accordance with WSP's proposal dated 31 March 2023 and agreement with the Client dated 4 May 2023 (*Agreement*).

---

## 7.1 Permitted Purpose

This Report is provided by WSP for the purpose described in the Agreement and no responsibility is accepted by WSP for the use of the Report in whole or in part, for any other purposes (*Permitted Purpose*).

---

## 7.2 Qualifications and Assumptions

The service undertaken by WSP in preparing this Report were limited to those specifically detailed in the Report and are subject to the scope, qualifications, assumptions and limitations set out in the Report or otherwise communicated to the Client.

Except as otherwise stated in the Report and to the extent that statements, opinions, facts, conclusions and / or recommendations in the Report (*Conclusions*) are based in whole or in part on information provided by the Client and other parties identified in the report (*Information*), those Conclusions are based on assumptions by WSP of reliability, adequacy, accuracy and completeness of the Information and have not been verified. WSP accepts no responsibility for the Information.

The Conclusions are reflective of the current Site conditions and cannot be regarded as absolute without further extensive intrusive investigations, outside the scope of the services set out in the Agreement and are indicative of the environmental condition of the Site at the time of preparing the Report. As a general principle, vertical and horizontal soil or groundwater conditions are not uniform. No monitoring, common or intrusive testing or sampling technique can eliminate the possibility that monitoring, or testing results or samples taken, are not totally representative of soil and / or groundwater conditions encountered at the Site. It should also be recognised that Site conditions, including subsurface conditions can change with time due to the presence and concentration of contaminants, changing natural forces and man-made influences.

Within the limitations imposed by the scope of the services undertaken by WSP, the monitoring, testing (intrusive or otherwise), sampling for the preparation of this Report has been undertaken and performed in a professional manner in accordance with generally accepted practices, using a degree of skill and care ordinarily exercised by reputable environmental consultants under similar circumstances. No other warranty, expressed or implied, is made.

WSP has prepared the Report without regard to any special interest of any person other than the Client when undertaking the services described in the Agreement or in preparing the Report.

---

## 7.3 Use and Reliance

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(without limitation) changes in policy, legislation, guidelines, scientific knowledge; and changes in interpretation of policy by statutory authorities); may require further investigation or subsequent re-evaluation of the Conclusions.

This Report can only be relied upon for the Permitted Purpose and may not be relied upon for any other purpose. The Report does not purport to recommend or induce a decision to make (or not make) any purchase, disposal, investment, divestment, financial commitment or otherwise. It is the responsibility of the Client to accept (if the Client so chooses) the Conclusions and implement any recommendations in an appropriate, suitable and timely manner.

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## 7.4 Disclaimer

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## 8 References

- Google Earth, 2023. Accessed May 2023 ([www.google.com.au/maps](http://www.google.com.au/maps)).
- Getex (2018) *Asbestos Clearance Certificate*, November 2018.

# Appendix A

## Figures

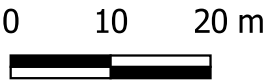






Bellpen Pty Ltd. PSI  
Figure 1  
Site Locality

 Site Boundary



Coordinate system: HDA2020 MGA Zone 56



Scale ratio correct when printed at A3  
1:750

Date: 19/05/2023

Data sources: © Nearmap Australia Pty Ltd

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# Appendix B

## Site Inspection Photograph Log




	<b>Site Inspection Photograph Log</b>	
<b>Client Name</b> Bellpen Pty Ltd	<b>Site Location</b> 345 Pacific Highway, Lindfield NSW	<b>Project No.</b> PS137691

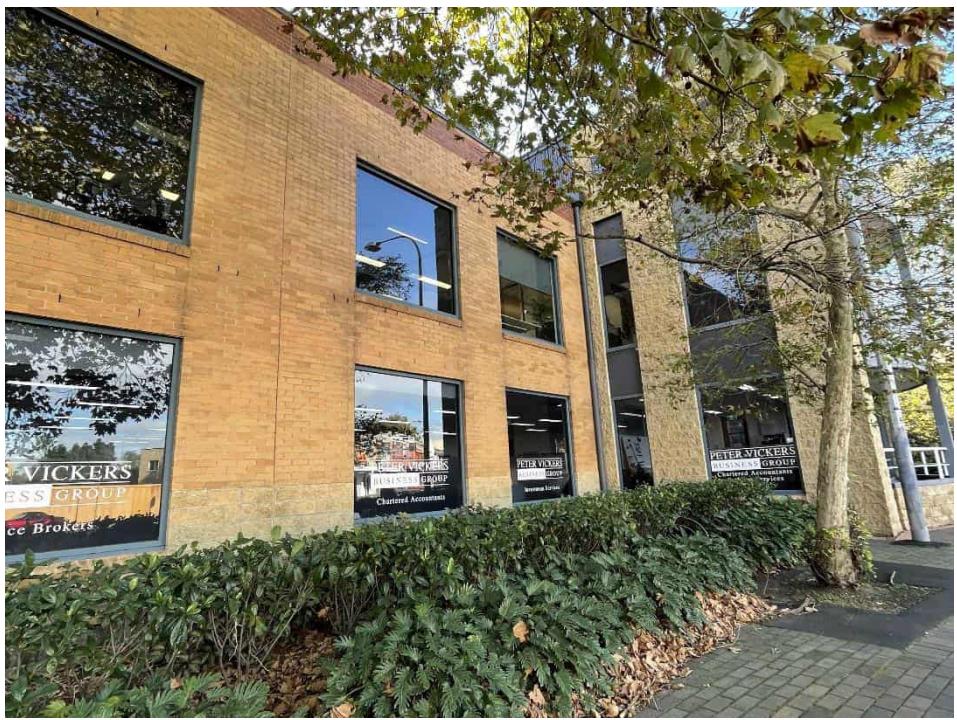
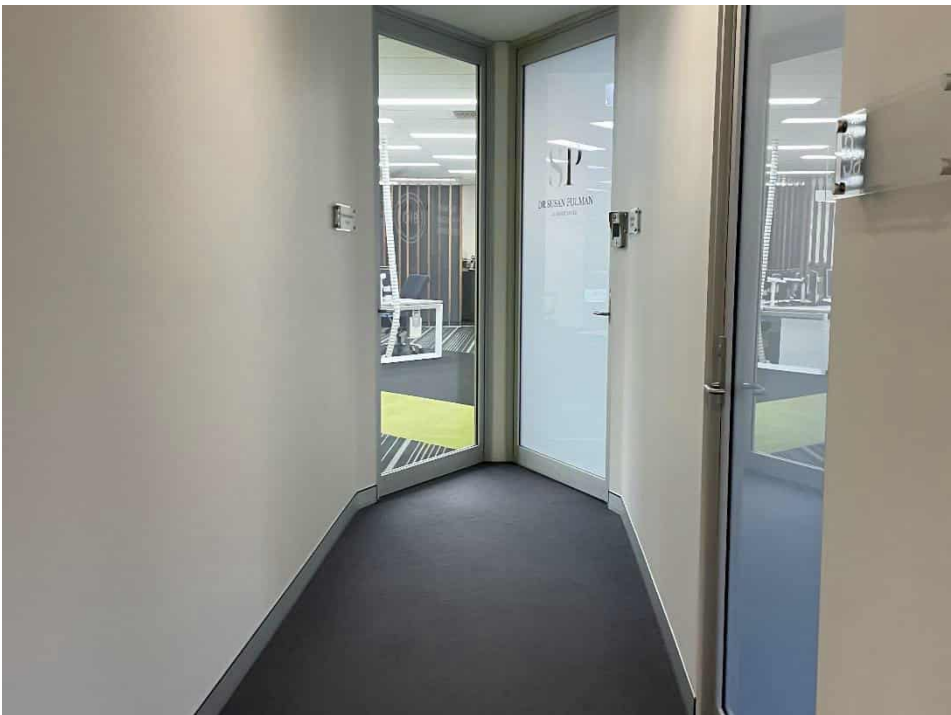
Photo No.	Date	
1	09/05/23	
<b>Description</b> The external of the building is primarily brick with gardens surrounding the perimeter, rail corridor to the north and the Pacific Highway to the south.		

Photo No.	Date	
2	09/05/23	
<b>Description</b> Various sized suites for different tenants are present on the ground and first floor.		


	<b>Site Inspection Photograph Log</b>	
<b>Client Name</b> Bellpen Pty Ltd	<b>Site Location</b> 345 Pacific Highway, Lindfield NSW	<b>Project No.</b> PS137691

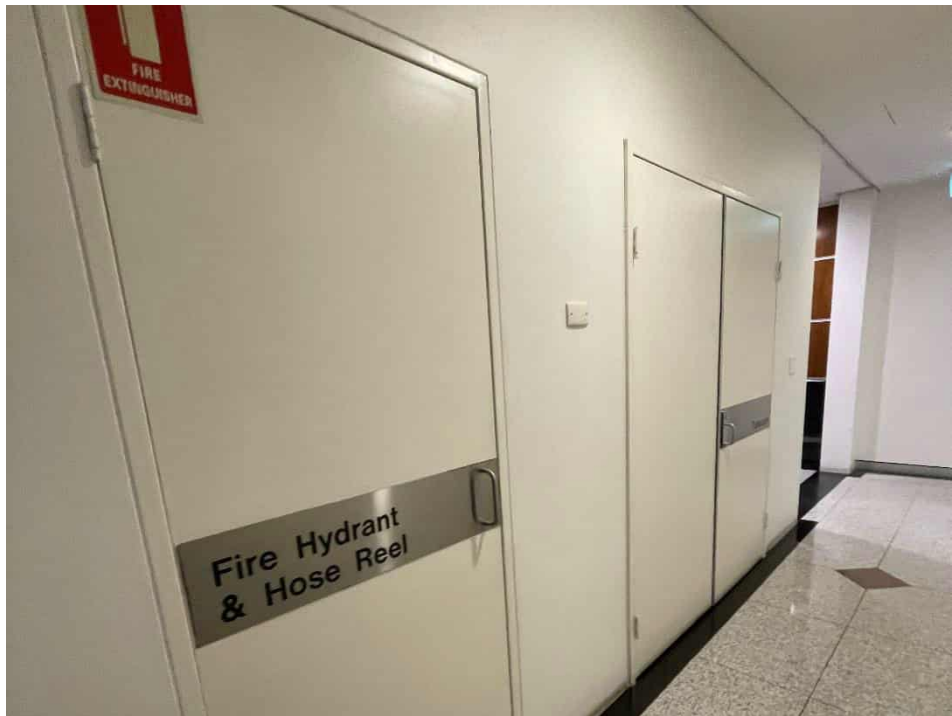

Photo No.	Date	
3	09/05/23	
<b>Description</b> The ground and first floor have a mirrored layout, with fire hydrants, communications cupboards, bathrooms, and a small communal kitchen within the central-west portion of the building on both floors.		

Photo No.	Date	
4	09/05/23	
<b>Description</b> A small plant room was located on the first floor which housed the infrastructure for the centralised air-conditioning. The room appeared to be well kept.		




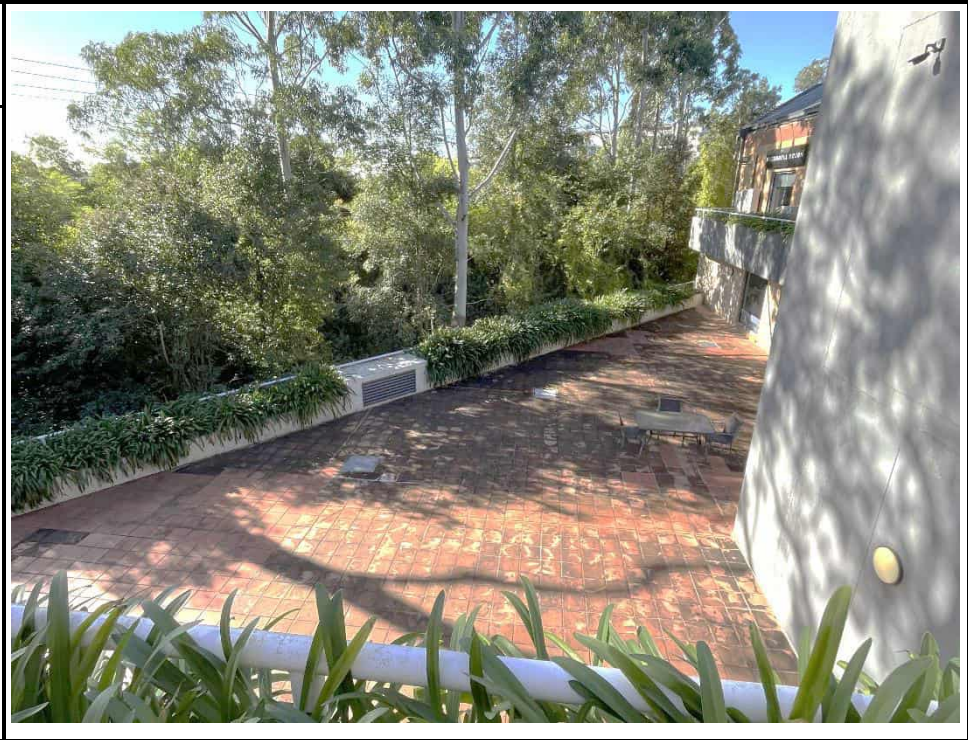
	<b>Site Inspection Photograph Log</b>	
<b>Client Name</b> Bellpen Pty Ltd	<b>Site Location</b> 345 Pacific Highway, Lindfield NSW	<b>Project No.</b> PS137691

Photo No.	Date	
5	09/05/23	
<b>Description</b> The main air-conditioning cooling towers are present on the roof of the building, accessible via hatch from the first-floor plant room.		

Photo No.	Date	
6	09/05/23	
<b>Description</b> The building is a triangular shape with a large communal courtyard present in the centre along the northern boundary.		


	<b>Site Inspection Photograph Log</b>	
<b>Client Name</b> Bellpen Pty Ltd	<b>Site Location</b> 345 Pacific Highway, Lindfield NSW	<b>Project No.</b> PS137691

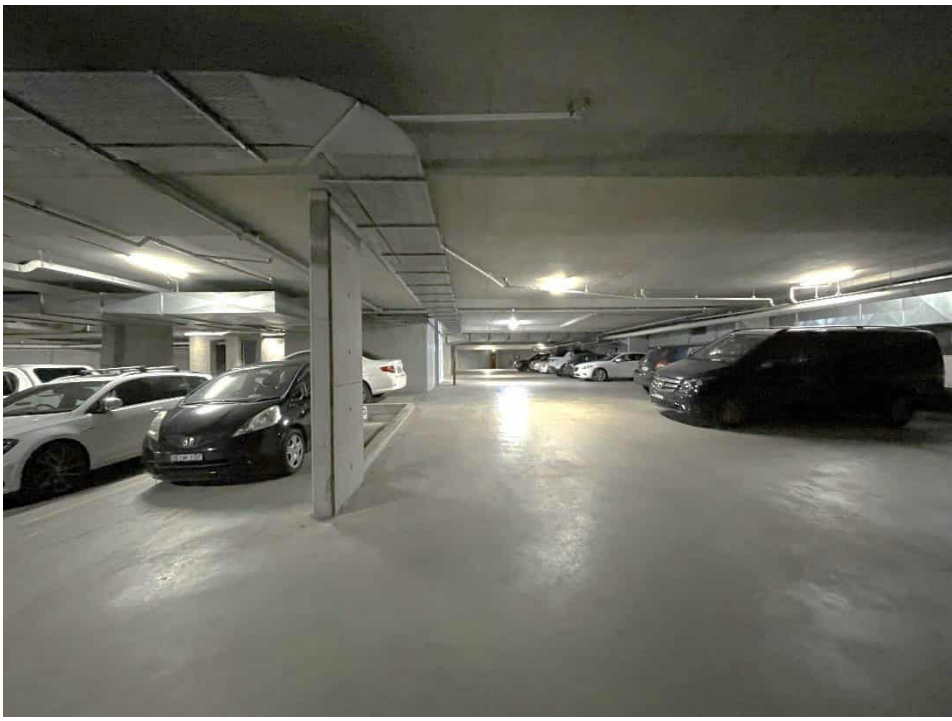


Photo No.	Date	
7	09/05/23	
<b>Description</b> A large two storey basement/carpark is present with a domestic cleaning cupboard, two lift wells, numerous fire hydrants as well as two separate air compressors for two dental practice tenants. The basement levels were tidy and well kept.		

Photo No.	Date	
8	09/05/23	
<b>Description</b> Two separate air compressors are present in the basement for dental tenants.		



A blue metal cage with a wire mesh front and sides, containing two air compressors. The cage is secured with a padlock. The compressors are white and silver, with various hoses and pipes connected to them. The cage is situated in a basement area with concrete walls and a concrete floor.



A silver metal cage with a wire mesh front and sides, containing two air compressors. The cage is secured with a padlock. The compressors are white and silver, with various hoses and pipes connected to them. A sign on the right side of the cage reads "Lindfield Fine Dentistry". The cage is situated in a basement area with concrete walls and a concrete floor.




	<b>Site Inspection Photograph Log</b>	
<b>Client Name</b> Bellpen Pty Ltd	<b>Site Location</b> 345 Pacific Highway, Lindfield NSW	<b>Project No.</b> PS137691

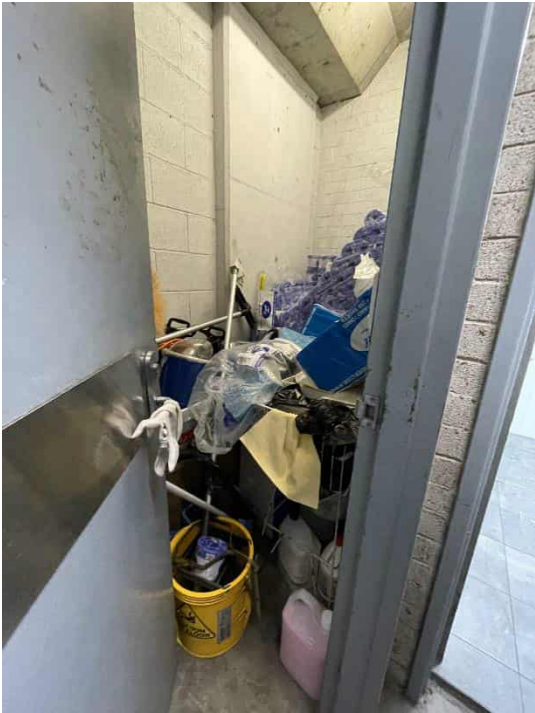
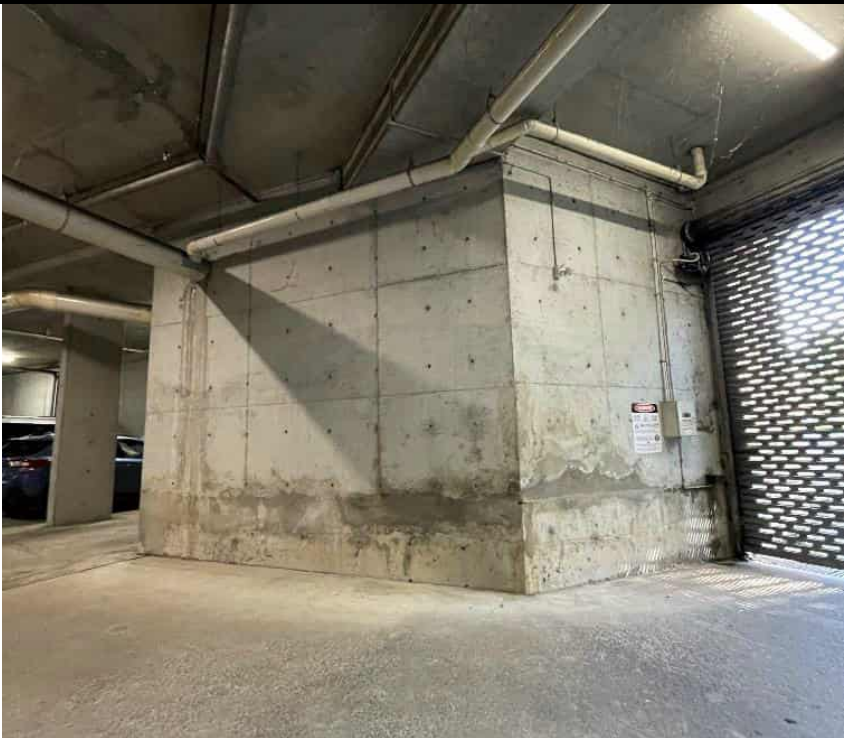
Photo No.	Date	
9	09/05/23	
<b>Description</b> A small domestic cleaning storage cupboard is present on level B1, all chemical noted were below 50 L with no spillage observed.		

Photo No.	Date	
10	09/05/23	
<b>Description</b> All stormwater on site drains into a large water tank positioned on level B1, the tank then drains into the municipal stormwater once approaching capacity.		

# Appendix C

Historical Aerial Photographs





An aerial photograph of a vibrant turquoise river winding through a rugged, rocky landscape. The river is flanked by steep, rocky banks and dense, green and yellowish vegetation. The water's color is a striking contrast to the surrounding terrain. A yellow rectangular box is overlaid on the right side of the image, containing the title and location information.

# Appendix B

HISTORIC IMAGERY

345 Pacific Highway,  
Lindfield NSW



## Historic Aerial Photograph - 1930



LI-3371 Aerial Photograph 1930 08 05 2023. Data source: Please refer to 'Digital Data Sources' in the Product Guide

 Subject area

0 200m



## Historic Aerial Photograph - 1943



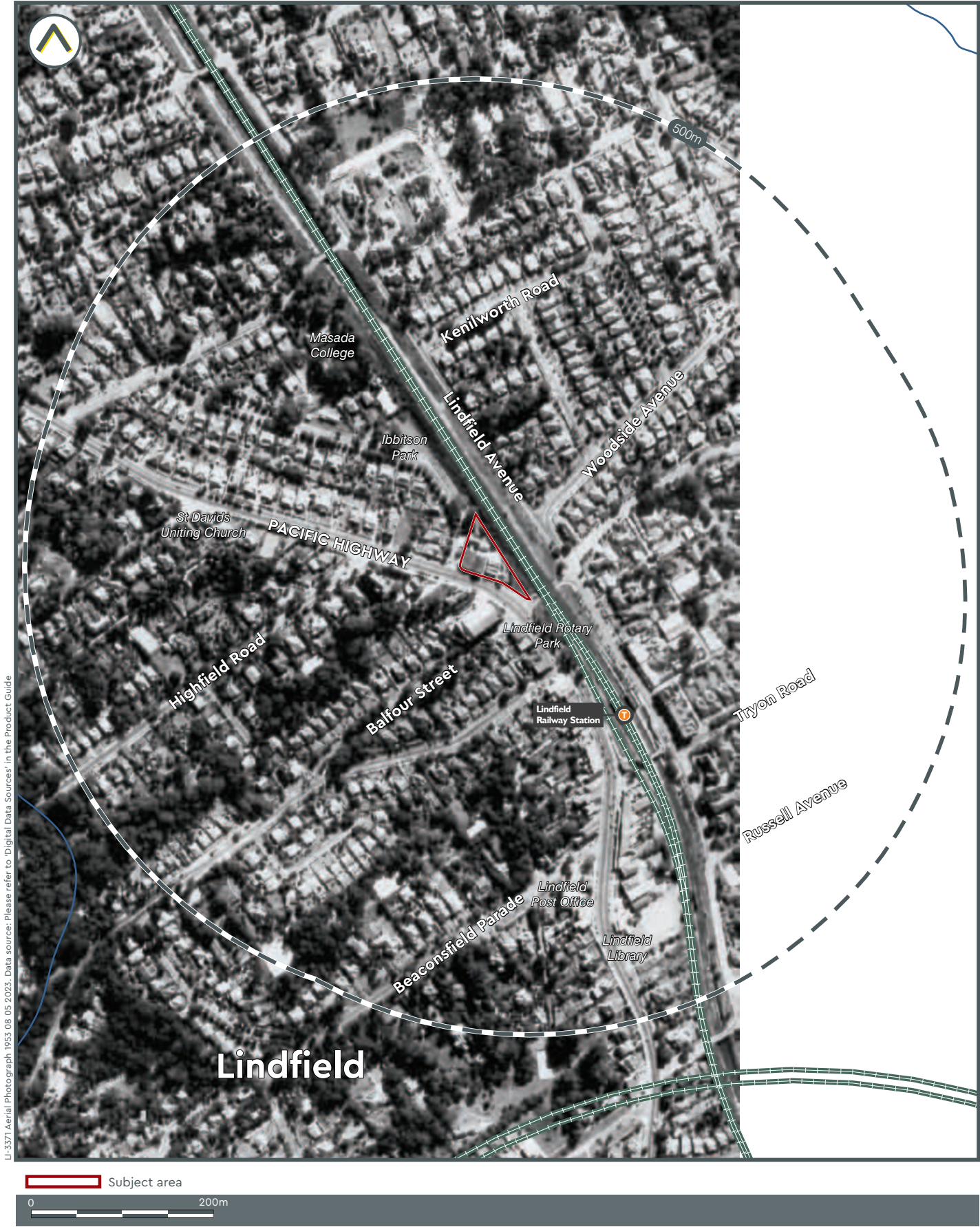
LI-3371 Aerial Photograph, 1943 08 05 2023. Data source: Please refer to 'Digital Data Sources' in the Product Guide

 Subject area

0 200m



Historic Aerial Photograph - 1953





## Historic Aerial Photograph - 1961



LI-3371 Aerial Photograph, 1961 08 05 2023. Data source: Please refer to 'Digital Data Sources' in the Product Guide

 Subject area

0 200m



## Historic Aerial Photograph - 1965



LI-3371 Aerial Photograph 1965 08 05 2023. Data source: Please refer to 'Digital Data Sources' in the Product Guide

Subject area

0 200m



## Historic Aerial Photograph - 1970



LI-3371 Aerial Photograph 1970 08 05 2023. Data source: Please refer to 'Digital Data Sources' in the Product Guide

 Subject area

0 200m



## Historic Aerial Photograph - 1975



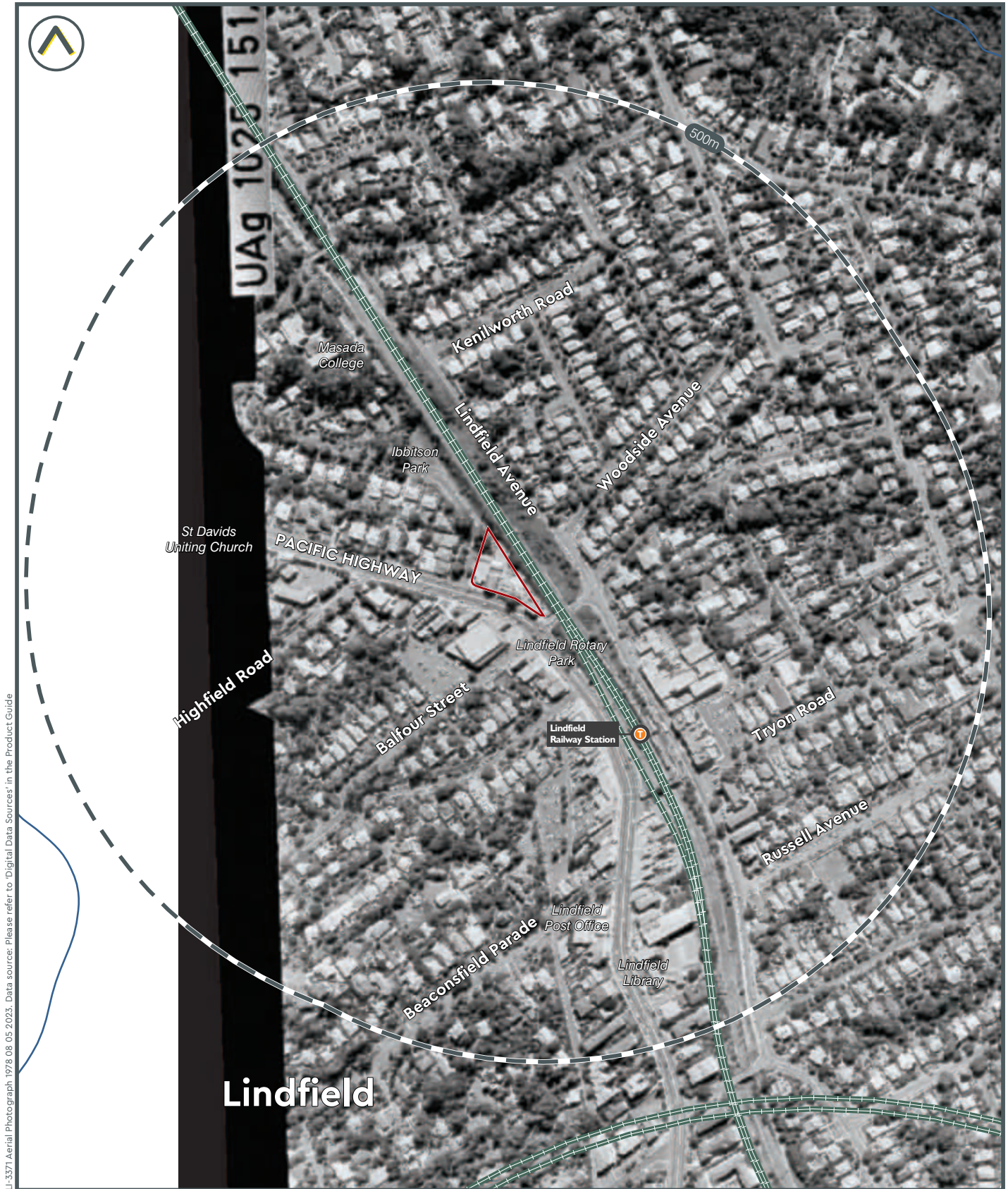
LI-3371 Aerial Photograph 1975 08.05.2023. Data source: Please refer to 'Digital Data Sources' in the Product Guide

 Subject area

0 200m



## Historic Aerial Photograph - 1978



LI-3371 Aerial Photograph 1978 08 05 2023. Data source: Please refer to 'Digital Data Sources' in the Product Guide

 Subject area

0 200m



## Historic Aerial Photograph - 1986



LI-3371 Aerial Photograph 1986 08 05 2023. Data source: Please refer to 'Digital Data Sources' in the Product Guide

 Subject area

0 200m



## Historic Aerial Photograph - 1991





## Historic Aerial Photograph - 1994



LI-3371 Aerial Photograph 1994 08 05 2023. Data source: Please refer to 'Digital Data Sources' in the Product Guide

Subject area

0 200m



## Historic Aerial Photograph - 2002





## Historic Aerial Photograph - 2004



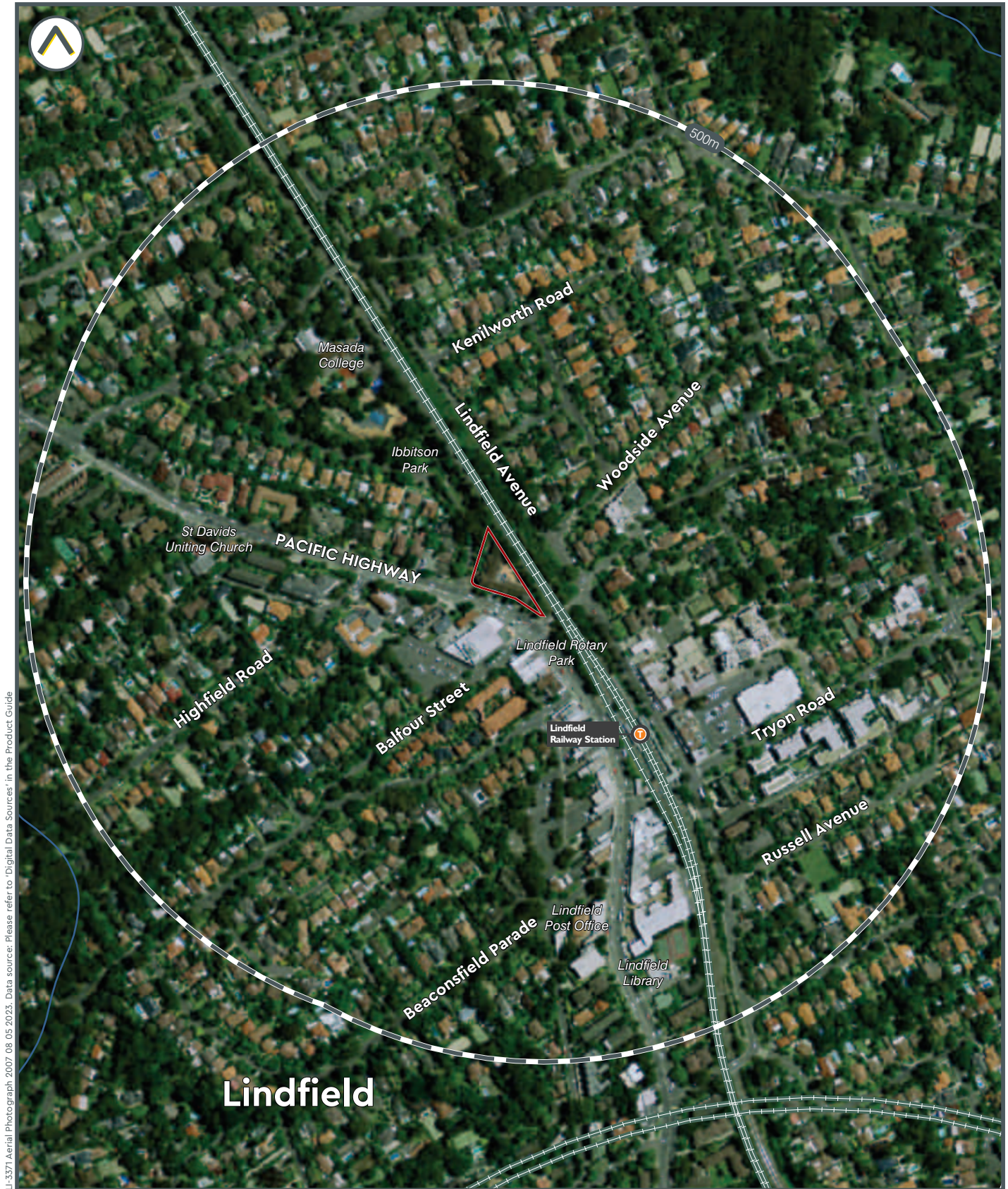
L-3371 Aerial Photograph 2004, 08 05 2023. Data source: Please refer to 'Digital Data Sources' in the Product Guide

 Subject area

0 200m



## Historic Aerial Photograph - 2007



LI-3371 Aerial Photograph 2007 08 05 2023. Data source: Please refer to 'Digital Data Sources' in the Product Guide

 Subject area

0 200m



## Historic Aerial Photograph - 2011



LI-3371 Aerial Photograph 2011 08 05 2023. Data source: Please refer to 'Digital Data Sources' in the Product Guide

Subject area

0 200m



## Historic Aerial Photograph - 2014



LI-3371 Aerial Photograph 2014, 08 05 2023. Data source: Please refer to 'Digital Data Sources' in the Product Guide

 Subject area

0 200m



## Historic Aerial Photograph - 2017



LI-3371 Aerial Photograph 2017 08 05 2023. Data source: Please refer to 'Digital Data Sources' in the Product Guide

 Subject area

0 200m



## Historic Aerial Photograph - 2020



LI-3371 Aerial Photograph 2020 08.05.2023. Data source: Please refer to 'Digital Data Sources' in the Product Guide

 Subject area

0 200m



## Historic Aerial Photograph - 2023



LI-3371 Aerial Photograph 2023 01 05 2023. Data source: Please refer to 'Digital Data Sources' in the Product Guide

 Subject area

0 200m





# Appendix D

## Historical Land Titles



# **ADVANCE LEGAL SEARCHERS PTY LTD**

(ACN 147 943 842)

ABN 82 147 943 842

18/36 Osborne Road,  
Manly NSW 2095

Mobile: 0412 169 809

Email: [search@alsearchers.com.au](mailto:search@alsearchers.com.au)

10<sup>th</sup> May, 2023

## **LAND INSIGHT AND RESOURCES PTY LTD**

The Commons,

**388 George Street,**

**SYDNEY NSW 2000**

**Attention: Tim Osborne,**

**RE:**

**345 Pacific Highway,  
Lindfield**

## **Current Search**

Folio Identifier 1/810773 (attached)

DP 810773 (plan attached)

Dated 09<sup>th</sup> May, 2023

Registered Proprietor:

**BELLPEN PTY LIMITED** (ACN 070 580 102)

## **Title Tree Lot 1 DP 810773**

Folio Identifier 1/810773

**See Notes (a), (b), (c), (d), (e) & (f)**

<b>(a)</b>	<b>(b)</b>	<b>(c)</b>
CTVol 5038 Folio 140	CTVol 9886 Fol 247	Folio Identifier 1/364990
CTVol 3312 Folio 52	CTVol 3317 Folio 157	CTVol 6250 Folio 47
****	****	CTVol 4238 Folio's 63 & 64
		CTVol 3870 Folio 7
		****
<b>(d)</b>	<b>(e)</b>	<b>(f)</b>
Folio Identifier 2/364990	Folio Identifier 1/771847	Folio Identifier 1/785865
CTVol 6073 Folio 208	CTVol 3015 Folio 133	<b>(fi)</b> <b>(fii)</b>
CTVol 4238 Folio's 63 & 64	****	CA 36398 CTVol 958 Folio 95
CTVol 3870 Folio 7		Conv Bk 462 No 742
****		****
		****

### **Index**

T – Transfer  
TA – Transmission Application  
(L) – Lease  
A – Application

\*\*\*\*

## Summary of Proprietor(s) Lot 1 DP 810773

Year	Proprietor(s)	
	<b>(Lot 1 DP 810773)</b>	
02 Jun 2010 todate	Bellpen Pty Limited (ACN 070 580 102)	T
11 Jul 1991	Devefi Pty Limited (ACN 003 635 327)	
(11 Jul 1991 todate)	(various current leases and sub leases shown on Folio Identifier 1/810773 (attached))	(L)
(11 Jul 1991 todate)	(various leases and sub leases shown on Historical Folio 1/810773 (attached))	(L)

See Notes (a), (b), (c), (d), (e) & (f)

### Note (a)

	<b>(Part Lot 25 DP 6608 – Area 18 ¼ Perches – CTVol 5038 Fol 140)</b>	
08 Aug 1990	Devefi Pty Limited (ACN 003 635 327)	T
08 Jul 1988	Condux Corporation Limited	T
25 Feb 1988	Bayer Australia Ltd	T
02 Feb 1956	G.E Lumby Pty Limited	T
05 May 1939	George Edward Lumby, lime and cement merchant Fred Herbert Lumby, accountant	
	<b>(Lot 25 DP 6608 – CTVol 3312 Fol 52)</b>	
15 Jan 1937	George Edward Lumby, lime and cement merchant Fred Herbert Lumby, accountant	T
11 May 1922	Arthur Newton Borig, plumber	T

\*\*\*\*\*

**Note (b)**

	<b>(Part Lot 24 DP 6608 – CTVol 9886 Fol 247)</b>	
08 Aug 1990	Devefi Pty Limited (ACN 003 635 327)	T
08 Jul 1988	Condux Corporation Limited	T
25 Feb 1988	Bayer Australia Ltd	T
16 Oct 1980	Richard Courtney, company director	T
20 Feb 1968	Allan John Poole, banker Elizabeth Gertrude Poole, spinster	TA
15 Dec 1964	Clarence Poole, master baker	
<i>(15 Dec 1964 to 11 Jul 1991)</i>	<i>(various leases shown on CTVol 9886 Fol 247 (attached))</i>	<i>(L)</i>
	<b>(Lot 24 DP 6608 – CTVol 3317 Fol 157)</b>	
25 Jun 1925	Clarence Poole, master baker	T
<i>(23 Dec 1954 to 15 Dec 1964)</i>	<i>(lease to Archibald Lyall Kirkpatrick, motor engineer, of part)</i>	<i>(L)</i>
<i>(09 Dec 1954 to 01 Sep 1960)</i>	<i>(lease to Frederick George Travis, accountant of part)</i>	<i>(L)</i>
<i>(09 Dec 1954 to 23 Dec 1958)</i>	<i>(lease to Kaynes Ceramic Productions (Australia) Pty Limited, of part)</i>	<i>(L)</i>
<i>(13 Sep 1946 to 14 Apr 1955)</i>	<i>(lease to Albert William Ison, master baker)</i>	<i>(L)</i>
25 May 1922	Ernest Gillman Moon, dentist Percy Hallett, estate agent Herbert George Bisset, auctioneer	T

\*\*\*\*



**Note (c)**

	<b>(Lot 1 DP 364990)</b>	
08 Aug 1990	Devefi Pty Limited (ACN 003 635 327)	T
08 Jul 1988	Condux Corporation Limited	
	<b>(Lot 1 DP 364990 – Area 10 ¾ Perches – CTVol 6250 Fol 47)</b>	
08 Jun 1988	Condux Corporation Limited	T
25 Feb 1988	Bayer Australia Ltd	T
02 Feb 1956	G.E Lumby Pty Limited	T
10 Jan 1951	George Edward Lumby, merchant	
	<b>(Lot 26 DP 6608 – Area 17 ¼ Perches – CTVol 4238 Fol's 63 &amp; 64)</b>	
17 Jan 1929	Allen Power, motor mechanic Edward Power, motor mechanic	T
	<b>(Lot 26 DP 6608 – Area 17 ¼ Perches – CTVol 3870 Fol 7)</b>	
29 May 1926	The Council of the Shire of Ku-Ring-Gai	

\*\*\*\*\*

**Note (d)**

	<b>(Lot 2 DP 364990)</b>	
08 Aug 1990	Devefi Pty Limited (ACN 003 635 327)	T
08 Jul 1988	Condux Corporation Limited	
	<b>(Lot 2 DP 364990 – Area 5 ¾ Perches – CTVol 6250 Fol 47)</b>	
08 Jul 1988	Condux Corporation Limited	T
18 Feb 1988	Bayer Australia Ltd	T
27 Jun 1968	Rigby (E.G.P.) Pty Limited	T
17 Nov 1953	Edward Leslie Rigby, real estate agent Gwendoline Rigby, his wife	T
16 Dec 1949	Desmond William Noble, builder	T
	<b>(Lot 26 DP 6608 – Area 17 ¼ Perches – CTVol 4238 Fol's 63 &amp; 64)</b>	
17 Jan 1929	Allen Power, motor mechanic Edward Power, motor mechanic	T
	<b>(Lot 26 DP 6608 – Area 17 ¼ Perches – CTVol 3870 Fol 7)</b>	
29 May 1926	The Council of the Shire of Ku-Ring-Gai	

\*\*\*\*\*

**Note (e)**

	<b>(Lot 1 DP 771847)</b>	
24 Aug 1990	Devefi Pty Limited (ACN 003 635 327)	T
21 Jan 1988	Condux Corporation Limited	
	<b>(Part Lot 23 DP 6608 – Area 27 ¾ Perches – CTVol 3015 Fol 133)</b>	
13 Jan 1988	Condux Corporation Limited	A
22 Jun 1987	Condux Developments Pty Limited	T
29 Apr 1953	The Shell Company of Australia Limited	T
21 Nov 1951	Annie Smith, married woman	T
29 Jul 1927	Allan Power, garage proprietor Edward Power, garage proprietor	T
(03 Jul 1925 to 29 Jul 1927)	(lease to Allan Power & Edward Power, garage proprietor)	(L)
20 Apr 1925	Public Trustee	TA
10 Aug 1920	Joseph Porter Power, architect	T
03 Feb 1920	Alice Hester Toll, widow	T

\*\*\*\*

**Note (f)**

	<b>(Lot 1 DP 785865)</b>	
24 Aug 1990	Devefi Pty Limited (ACN 003 635 327)	T
02 Jun 1989	Condux Corporation Limited	T
04 Jan 1989	The Commissioner for Railways	

**See Notes (fi) & (fii)**

**Note (fi)**

	<b>(Part Land in Conv Book 462 No 742)</b>	
01 May 1891	The Railway Commissioners of New South Wales	




































\*\*\*\*

**Note (fii)**

	<b>(Lot 1 DP 911809 – Area 1 Rood – CTVol 958 Fol 95)</b>	
12 Dec 1963	The Commissioner for Railways	A
22 Jan 1890	The Railway Commissioners of New South Wales	



































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	Status	Surv/Comp	Purpose
DP6608 Lot(s): 27, 28  SP103962	PRE-ALLOCATED	UNAVAILABLE	STRATA PLAN
DP10120 Lot(s): 2, 3  LINDFIELD MANOR RETIREMENT VILLAGE UNITS 1-17, 17A, 18, 19, 21-23, 25-46 SHOWN IN PLAN WITH MEMORANDUM AP137548			
DP17538 Lot(s): 2A, 3A  DP1291505	PRE-EXAM	SURVEY	CONSOLIDATION
DP182077 Lot(s): 1  DP268770	REGISTERED	COMPILATION	EASEMENT
DP305356 Lot(s): 6, 7  DP1208009	REJECTED	SURVEY	CONSOLIDATION
Lot(s): 10  LINDFIELD MANOR RETIREMENT VILLAGE UNITS 1-17, 17A, 18, 19, 21-23, 25-46 SHOWN IN PLAN WITH MEMORANDUM AP137548			
DP1009022 Lot(s): 30  DP4195	HISTORICAL	SURVEY	UNRESEARCHED
 DP182077	HISTORICAL	SURVEY	UNRESEARCHED
 DP957725	HISTORICAL	COMPILATION	UNRESEARCHED
DP1131000 Lot(s): 1  DP172367	HISTORICAL	SURVEY	UNRESEARCHED
 DP837081	HISTORICAL	SURVEY	RESUMPTION OR ACQUISITION
 DP911063	HISTORICAL	COMPILATION	UNRESEARCHED
 DP916104	HISTORICAL	COMPILATION	UNRESEARCHED
 DP1002747	HISTORICAL	SURVEY	REDEFINITION
 CA134903 - LOT 1 DP1131000			
DP1213740 Lot(s): 2  DP502955	HISTORICAL	COMPILATION	SUBDIVISION
 DP713207	HISTORICAL	COMPILATION	SUBDIVISION
 DP1198025	HISTORICAL	SURVEY	SUBDIVISION
 DP1212661	HISTORICAL	SURVEY	CONSOLIDATION
 SP92233	REGISTERED	COMPILATION	PART STRATA
DP1237908 Lot(s): 101  DP347906	HISTORICAL	SURVEY	UNRESEARCHED
 DP418801	HISTORICAL	SURVEY	UNRESEARCHED
 DP623760	HISTORICAL	SURVEY	SUBDIVISION
 DP713206	HISTORICAL	COMPILATION	SUBDIVISION
 DP713207	HISTORICAL	COMPILATION	SUBDIVISION
 DP713505	HISTORICAL	SURVEY	SUBDIVISION
 DP1067930	HISTORICAL	SURVEY	SUBDIVISION
 DP1198025	HISTORICAL	SURVEY	SUBDIVISION
 DP1234458	HISTORICAL	SURVEY	CONSOLIDATION
 SP97386	REGISTERED	COMPILATION	PART STRATA
DP1285205 Lot(s): 11  DP629035	HISTORICAL	SURVEY	CONSOLIDATION
 DP1256956	HISTORICAL	SURVEY	ROADS ACT, 1993
 DP1257621	HISTORICAL	SURVEY	SUBDIVISION
 DP1277297	PRE-ALLOCATED	UNAVAILABLE	BUILDING STRATUM SUBDIVISION
SP22055  DP649273	REGISTERED	COMPILATION	EASEMENT


**Caution:** This information is provided as a searching aid only. Whilst every endeavour is made to ensure that current map, plan and titling information is accurately reflected, the Registrar General cannot guarantee the information provided. For **ALL** **ACTIVITY PRIOR TO SEPTEMBER 2002** you must refer to the RGs Charting and Reference Maps.



		Status	Surv/Comp	Purpose
SP66597				
	DP3233	HISTORICAL	SURVEY	UNRESEARCHED
	DP1028215	HISTORICAL	SURVEY	CONSOLIDATION
SP81401				
	DP373411	HISTORICAL	COMPILATION	UNRESEARCHED
	DP1099570	HISTORICAL	SURVEY	CONSOLIDATION
	DP1129269	HISTORICAL	SURVEY	SUBDIVISION
SP81607				
	DP17538	HISTORICAL	SURVEY	UNRESEARCHED
	DP330266	HISTORICAL	SURVEY	UNRESEARCHED
	DP1110618	HISTORICAL	SURVEY	CONSOLIDATION
SP85333				
	DP373411	HISTORICAL	COMPILATION	UNRESEARCHED
	DP706035	HISTORICAL	SURVEY	SUBDIVISION
	DP1099570	HISTORICAL	SURVEY	CONSOLIDATION
	DP1129269	HISTORICAL	SURVEY	SUBDIVISION
SP87284				
	DP168308	HISTORICAL	COMPILATION	UNRESEARCHED
	DP781752	HISTORICAL	COMPILATION	DEPARTMENTAL
	DP1152435	HISTORICAL	SURVEY	CONSOLIDATION
SP92233				
	DP502955	HISTORICAL	COMPILATION	SUBDIVISION
	DP713207	HISTORICAL	COMPILATION	SUBDIVISION
	DP1198025	HISTORICAL	SURVEY	SUBDIVISION
	DP1212661	HISTORICAL	SURVEY	CONSOLIDATION
	DP1213740	HISTORICAL	SURVEY	SUBDIVISION
SP97386				
	DP347906	HISTORICAL	SURVEY	UNRESEARCHED
	DP418801	HISTORICAL	SURVEY	UNRESEARCHED
	DP623760	HISTORICAL	SURVEY	SUBDIVISION
	DP713206	HISTORICAL	COMPILATION	SUBDIVISION
	DP713207	HISTORICAL	COMPILATION	SUBDIVISION
	DP713505	HISTORICAL	SURVEY	SUBDIVISION
	DP1067930	HISTORICAL	SURVEY	SUBDIVISION
	DP1198025	HISTORICAL	SURVEY	SUBDIVISION
	DP1234458	HISTORICAL	SURVEY	CONSOLIDATION
	DP1237908	HISTORICAL	SURVEY	SUBDIVISION
SP100806				
	DP4880	HISTORICAL	SURVEY	UNRESEARCHED
	DP311108	HISTORICAL	SURVEY	UNRESEARCHED
	DP1255220	HISTORICAL	SURVEY	CONSOLIDATION
	DP1266740	HISTORICAL	SURVEY	SUBDIVISION


**Road**

Polygon Id(s): 105260098, 105378799, 105484593

 EX-SUR 02/29

DP1053062	REGISTERED	SURVEY	SURVEY INFORMATION ONLY
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Polygon Id(s): 105237302, 105248678, 105260098, 105265746, 105355864, 105378799, 105395974, 105401732, 105407388, 105566038

 EX-SUR 34/01 DP983264

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**ACTIVITY PRIOR TO SEPTEMBER 2002** you must refer to the RGs Charting and Reference Maps.

Plan	Surv/Comp	Purpose
DP2953	SURVEY	UNRESEARCHED
DP4195	SURVEY	UNRESEARCHED
DP4880	SURVEY	UNRESEARCHED
DP6608	SURVEY	UNRESEARCHED
DP10120	SURVEY	UNRESEARCHED
DP14342	SURVEY	UNRESEARCHED
DP17538	SURVEY	UNRESEARCHED
DP101097	COMPILATION	UNRESEARCHED
DP132360	COMPILATION	DEPARTMENTAL
DP132916	COMPILATION	DEPARTMENTAL
DP133309	COMPILATION	DEPARTMENTAL
DP182077	SURVEY	UNRESEARCHED
DP305356	COMPILATION	UNRESEARCHED
DP324681	COMPILATION	UNRESEARCHED
DP354389	COMPILATION	UNRESEARCHED
DP377076	COMPILATION	UNRESEARCHED
DP619255	COMPILATION	SUBDIVISION
DP667609	COMPILATION	DEPARTMENTAL
DP735186	SURVEY	SUBDIVISION
DP785865	SURVEY	SUBDIVISION
DP794252	SURVEY	SUBDIVISION
DP810773	SURVEY	SUBDIVISION
DP826962	SURVEY	SUBDIVISION
DP837081	SURVEY	RESUMPTION OR ACQUISITION
DP933328	COMPILATION	UNRESEARCHED
DP954042	COMPILATION	UNRESEARCHED
DP956192	SURVEY	UNRESEARCHED
DP956862	SURVEY	UNRESEARCHED
DP974194	COMPILATION	UNRESEARCHED
DP1009022	COMPILATION	CONSOLIDATION
DP1099891	COMPILATION	DEPARTMENTAL
DP1106491	COMPILATION	DEPARTMENTAL
DP1131000	SURVEY	CONSOLIDATION
DP1285205	SURVEY	CONSOLIDATION
SP4191	COMPILATION	STRATA PLAN
SP8443	COMPILATION	STRATA PLAN
SP9437	COMPILATION	STRATA PLAN
SP19388	COMPILATION	STRATA PLAN
SP22055	COMPILATION	STRATA PLAN
SP37898	COMPILATION	STRATA PLAN
SP43992	COMPILATION	STRATA PLAN
SP66597	COMPILATION	STRATA PLAN
SP81401	COMPILATION	STRATA PLAN
SP81607	COMPILATION	STRATA PLAN
SP85333	COMPILATION	STRATA PLAN
SP87284	COMPILATION	STRATA PLAN
SP92233	UNRESEARCHED	STRATA PLAN
SP92233	COMPILATION	PART STRATA
SP97386	COMPILATION	PART STRATA
SP100806	COMPILATION	STRATA PLAN
SP100806	UNRESEARCHED	STRATA PLAN

**Caution:** This information is provided as a searching aid only. Whilst every endeavour is made to ensure that current map, plan and titling information is accurately reflected, the Registrar General cannot guarantee the information provided. For **ALL**

**ACTIVITY PRIOR TO SEPTEMBER 2002** you must refer to the RGs Charting and Reference Maps.

NEW SOUTH WALES

Application 8325

Prior Title Vol. 3357 Fol. 157

## CERTIFICATE OF TITLE

EVIDY ACT, 1900, as amended.



Vol. 6000 Fol. 247

1st Edition Issued 15-12-1964

IT

781327  
CANCELLED W

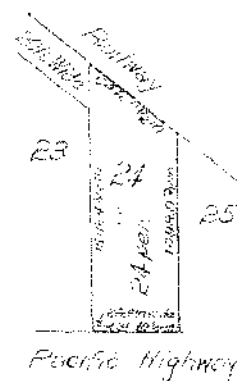
I certify that the person described in the First Schedule is the registered proprietor of the undermentioned estate in the land within described subject nevertheless to such exceptions circumstances and interests as are shown in the Second Schedule.

Witness

Registrar General.



## PLAN SHOWING LOCATION OF LAND



1915257 01

Scale 80 feet to one inch

## ESTATE AND LAND REFERRED TO

Estate in Fee Simple in part lot 24 in Deposited Plan 6608 at Lindfield in the Municipality of Ku-ring-gai Parish of Gordon and County of Cumberland being part Portion 427 granted to Daniel McNally on 5-4-1821.

Registrar General.

## FIRST SCHEDULE (continued overleaf)

~~CHARENCE POOL, of Lindfield, Master Baker.~~

Registrar General.

## SECOND SCHEDULE (continued overleaf)

1. Reservations and conditions, if any, contained in the Crown Grant above referred to.
2. Covenant created by Transfer No. A590928.
3. Mortgage No. 155226 to The Commercial Banking Company of Sydney Limited.  
Entered 15-5-1921 Discharged 15-5-1921
4. Easement for support created by Transfer No. C204225 affecting the piece of land 2 feet 6 inches wide shown in the plan hereon.

Registrar General.





Form: 01T  
Release: 4.0  
www.lpma.nsw.gov.au



# TRANSFER

New South Wales  
Real Property Act 1900



AF532547F

**PRIVACY NOTE:** Section 31B of the Real Property Act 1900 (RP Act) authorises the use of this form for the establishment and maintenance of the Real Property Act Register. Section 96B RP Act requires that the Register is made available to any person for search upon payment of a fee, if any.

**STAMP DUTY**

Office of State Revenue use only

Office of State Revenue  
NSW Treasury  
Client No: 113520385 3225  
Duty: \$10 Trans No: 5862547  
Asst details:

(A) **TORRENS TITLE**

1/810773

(B) **LODGED BY**

Document Collection Box 285D	Name, Address or DX, Telephone, and LLPN if any M J ARMSTRONG LLP: 27955Y REF: Reference: 30603886	CODES T TW TJ JT
------------------------------------	---	------------------------

(C) **TRANSFEROR**

Devefi Pty Limited ACN 003 635 327

(D) **CONSIDERATION**

The transferor acknowledges receipt of the consideration of \$ 7,300,000.00 and as regards

(E) **ESTATE**

the abovementioned land transfers to the transferee an estate in fee simple

(F) **SHARE  
TRANSFERRED**

(G) **Encumbrances (if applicable):**

(H) **TRANSFeree**

Bellpen Pty Limited ACN 070 580 102

(I) **TENANCY:**

DATE 27 May 2010

(J) Certified correct for the purposes of the Real Property Act 1900 and executed on behalf of the corporation named below by the authorised person(s) whose signature(s) appear(s) below pursuant to the authority specified.

Corporation: Devefi Pty Limited ACN 003 635 327

Authority: section 127 of the Corporations Act 2001

Signature of authorised person:

Name of authorised person:

DOMINIQUE ROBINSON

Office held:

DIRECTOR

Signature of authorised person:

Name of authorised person:

ANDREW ROBINSON

Office held:

DIRECTOR

Certified correct for the purposes of the Real Property Act 1900 by the person whose signature appears below.

Signature:

Signatory's name:

Lynne Booth

Signatory's capacity:

transferee's solicitor

(J) The transferee certifies that the eNOS data relevant to this dealing has been submitted and stored under

eNOS ID No. [ ]

Full name: [ ]

Signature: [ ]

60





NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

9/5/2023 10:46AM

FOLIO: 1/771847

First Title(s): OLD SYSTEM  
Prior Title(s): VOL 3015 FOL 133

Recorded	Number	Type of Instrument	C.T. Issue
21/1/1988	DP771847	DEPOSITED PLAN	FOLIO CREATED EDITION 1
14/7/1988	X671973	DISCHARGE OF MORTGAGE	
14/7/1988	X671974	MORTGAGE	EDITION 2
24/8/1990	Z136298	DISCHARGE OF MORTGAGE	
24/8/1990	Z136300	TRANSFER	EDITION 3
11/7/1991	DP810773	DEPOSITED PLAN	FOLIO CANCELLED RESIDUE REMAINS

\*\*\* END OF SEARCH \*\*\*

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NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

9/5/2023 10:46AM

FOLIO: 1/785865

First Title(s): OLD SYSTEM  
Prior Title(s): VOL 958 FOL 95 CA36398

Recorded	Number	Type of Instrument	C.T. Issue
4/1/1989	CA36398	CONVERSION ACTION	FOLIO CREATED EDITION 1
2/6/1989	Y404439	TRANSFER	
2/6/1989	Y404440	MORTGAGE	EDITION 2
24/8/1990	Z136297	DISCHARGE OF MORTGAGE	
24/8/1990	Z136300	TRANSFER	EDITION 3
11/7/1991	DP810773	DEPOSITED PLAN	FOLIO CANCELLED RESIDUE REMAINS

\*\*\* END OF SEARCH \*\*\*

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NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

9/5/2023 10:47AM

FOLIO: 1/810773

First Title(s): OLD SYSTEM  
Prior Title(s): 1-2/364990 1/771847  
1/785865 VOL 5038 FOL 140  
VOL 9886 FOL 247

Recorded	Number	Type of Instrument	C.T. Issue
11/7/1991	DP810773	DEPOSITED PLAN	FOLIO CREATED EDITION 1
22/5/1992	E462453	LEASE	EDITION 2
24/6/1992	E555898	LEASE	EDITION 3
4/3/1993	I149812	LEASE	EDITION 4
18/10/1993	I658628	LEASE	EDITION 5
2/5/1994	U189995	LEASE	EDITION 6
1/11/1994	U753111	MORTGAGE	EDITION 7
2/11/1995	O657700	LEASE	EDITION 8
28/5/1996	2172046	LEASE	EDITION 9
28/5/1996	2172047	SUB-LEASE	
28/8/1997	3365017	LEASE	EDITION 10
22/10/1998	5322782	LEASE	EDITION 11
17/9/1999	6207076	LEASE	EDITION 12
20/6/2000	6870978	LEASE	EDITION 13
23/11/2001	8143333	REQUEST	EDITION 14
2/5/2002	8554959	LEASE	EDITION 15
2/5/2002	8554960	SURRENDER OF LEASE	
2/5/2002	8554961	LEASE	
15/5/2002	8592334	REQUEST	EDITION 16
1/10/2002	8997021	SUB-LEASE	
1/10/2002	8997022	SUB-LEASE	

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NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

9/5/2023 10:47AM

FOLIO: 1/810773

PAGE 2

Recorded -----	Number -----	Type of Instrument -----	C.T. Issue -----
1/11/2002	9093538	LEASE	EDITION 17
17/1/2003	9294759	DISCHARGE OF MORTGAGE	EDITION 18
5/8/2003	9848893	MORTGAGE	EDITION 19
3/2/2004	AA378187	DISCHARGE OF MORTGAGE	
3/2/2004	AA378188	MORTGAGE	EDITION 20
23/9/2004	AA974795	LEASE	
23/9/2004	AA974796	LEASE	
23/9/2004	AA974797	LEASE	EDITION 21
5/11/2004	AB74229	LEASE	EDITION 22
22/3/2006	AC193626	LEASE	EDITION 23
26/4/2006	AC258287	LEASE	EDITION 24
29/9/2006	AC635896	LEASE	EDITION 25
17/8/2007	AD351525	APPLICATION FOR REPLACEMENT CERTIFICATE OF TITLE	EDITION 26
25/9/2007	AD439768	LEASE	EDITION 27
5/12/2007	AD439797	LEASE	
5/12/2007	AD439819	LEASE	
5/12/2007	AD439821	LEASE	
5/12/2007	AD439833	LEASE	EDITION 28
30/6/2008	AE58027	APPLICATION FOR REPLACEMENT CERTIFICATE OF TITLE	EDITION 29
4/7/2008	AE70208	LEASE	EDITION 30
18/2/2010	AF326195	REQUEST	
18/2/2010	AF326196	REQUEST	
18/2/2010	AF326197	REQUEST	
2/6/2010	AF532546	DISCHARGE OF MORTGAGE	
2/6/2010	AF532547	TRANSFER	
2/6/2010	AF532548	MORTGAGE	EDITION 31

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NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

9/5/2023 10:47AM

FOLIO: 1/810773

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Recorded -----	Number -----	Type of Instrument -----	C.T. Issue -----
24/8/2010	AF709316	LEASE	EDITION 32
15/11/2010	AF876749	LEASE	EDITION 33
10/12/2010	AF934602	LEASE	EDITION 34
28/1/2011	AG27394	LEASE	EDITION 35
8/6/2011	AG287135	LEASE	EDITION 36
7/7/2011	AG353528	VARIATION OF LEASE	
5/9/2011	AG472645	LEASE	EDITION 37
10/2/2012	AG803996	LEASE	EDITION 38
5/6/2012	AH27716	VARIATION OF LEASE	
5/9/2012	AH218299	LEASE	EDITION 39
16/7/2013	AH878708	VARIATION OF LEASE	
16/7/2013	AH878709	LEASE	
16/7/2013	AH878710	LEASE	EDITION 40
17/7/2013	AH882096	VARIATION OF LEASE	
14/1/2014	AI296972	LEASE	EDITION 41
22/8/2014	AI836083	VARIATION OF LEASE	
19/1/2015	AJ185243	VARIATION OF LEASE	
12/10/2015	AJ892901	LEASE	EDITION 42
11/12/2015	AK54804	LEASE	EDITION 43
7/1/2016	AK109468	TRANSFER OF LEASE	
28/2/2017	AK971351	LEASE	
28/2/2017	AK971352	SUB-LEASE	
28/2/2017	AK971502	MORTGAGE OF LEASE	
28/2/2017	AK971571	CHANGE OF NAME	
28/2/2017	AM95723	DEPARTMENTAL DEALING	

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NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

9/5/2023 10:47AM

FOLIO: 1/810773

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Recorded -----	Number -----	Type of Instrument -----	C.T. Issue -----
20/3/2017	AM243784	VARIATION OF LEASE	
11/7/2017	AM553309	VARIATION OF LEASE	
25/6/2018	AN440589	LEASE	EDITION 44 CORD ISSUED
11/7/2018	AN440589	DE-REGISTERED - LEASE	
11/7/2018	AN492786	DEPARTMENTAL DEALING	
20/7/2018	AN465386	LEASE	EDITION 45 CORD ISSUED
27/9/2018	AN734524	TRANSFER OF LEASE	
6/2/2019	AP41153	TRANSFER OF LEASE	
21/2/2019	AP75587	VARIATION OF LEASE	EDITION 46 CORD ISSUED
27/2/2019	AP89684	LEASE	EDITION 47 CORD ISSUED
21/3/2019	AP132453	LEASE	EDITION 48 CORD ISSUED
22/11/2019	AP703552	LEASE	EDITION 49 CORD ISSUED
16/3/2020	AP968142	LEASE	EDITION 50 CORD ISSUED
18/7/2020	AQ243464	LEASE	EDITION 51 CORD ISSUED
13/8/2020	AQ314472	DISCHARGE OF MORTGAGE	EDITION 52
9/3/2021	AQ792363	VARIATION OF LEASE	
9/3/2021	AQ825624	VARIATION OF LEASE	
11/3/2021	AQ858687	VARIATION OF LEASE	
16/3/2021	AQ865658	VARIATION OF LEASE	

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NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH  
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SEARCH DATE  
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9/5/2023 10:47AM

FOLIO: 1/810773  
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Recorded -----	Number -----	Type of Instrument -----	C.T. Issue -----
16/7/2021	AR41630	LEASE	EDITION 53
9/8/2022	AS351794	LEASE	EDITION 54

\*\*\* END OF SEARCH \*\*\*

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NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 1/810773

SEARCH DATE	TIME	EDITION NO	DATE
9/5/2023	10:46 AM	54	9/8/2022

LAND

LOT 1 IN DEPOSITED PLAN 810773  
AT LINDFIELD  
LOCAL GOVERNMENT AREA KU-RING-GAI  
PARISH OF GORDON COUNTY OF CUMBERLAND  
TITLE DIAGRAM DP810773

FIRST SCHEDULE

BELLPEN PTY LIMITED (T AF532547)

SECOND SCHEDULE (20 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 B350731 LAND EXCLUDES MINERALS (S.141 PUBLIC WORKS ACT, 1912) AS REGARDS THE PART SHOWN DESIGNATED IN THE TITLE DIAGRAM
- 3 A590928 COVENANT AFFECTING THE PART SHOWN SO BURDENED IN THE TITLE DIAGRAM.
- 4 EASEMENT(S) AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM CREATED BY:  
G204225 -FOR SUPPORT 0.76 WIDE
- 5 I149812 LEASE TO SYDNEY ELECTRICITY OF SUBSTATION PREMISES NO 7228 AS SHOWN IN PLAN WITH I149812 TOGETHER WITH RIGHT OF WAY & EASEMENT FOR ELECTRICITY PURPOSES OVER ANOR PART OF THE LAND ABOVE DESCRIBED EXPIRES 31-6-2042  
AK971351 LEASE OF LEASE I149812 TO BLUE ASSET PARTNER PTY LTD, ERIC ALPHA ASSET CORPORATION 1 PTY LTD, ERIC ALPHA ASSET CORPORATION 2 PTY LTD, ERIC ALPHA ASSET CORPORATION 3 PTY LTD & ERIC ALPHA ASSET CORPORATION 4 PTY LTD EXPIRES: SEE DEALING. CLAUSE 2.3 (b) (ii).  
AK971352 LEASE OF LEASE AK971351 TO BLUE OP PARTNER PTY LTD, ERIC ALPHA OPERATOR CORPORATION 1 PTY LTD, ERIC ALPHA OPERATOR CORPORATION 2 PTY LTD, ERIC ALPHA OPERATOR CORPORATION 3 PTY LTD & ERIC ALPHA OPERATOR CORPORATION 4 PTY LTD EXPIRES: SEE DEALING. CLAUSE 12.1  
AK971502 MORTGAGE OF LEASE AK971351 TO ANZ FIDUCIARY SERVICES PTY LTD  
AK971571 CHANGE OF NAME AFFECTING LEASE I149812 LESSEE NOW ALPHA DISTRIBUTION MINISTERIAL HOLDING

END OF PAGE 1 - CONTINUED OVER

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## SECOND SCHEDULE (20 NOTIFICATIONS) (CONTINUED)

- CORPORATION
- 6 AF934602 LEASE TO LINDFIELD MEDICAL PRACTICE PTY LTD (SEE AN734524) OF SUITE 4, GROUND LEVEL, 345 PACIFIC HIGHWAY, LINDFIELD. EXPIRES: 12/9/2020. OPTION OF RENEWAL: 10 YEARS WITH A FURTHER OPTION OF 10 YEARS.  
AQ792363 VARIATION OF LEASE AF934602 EXPIRY DATE NOW 12/9/2030.
- 7 AG287135 LEASE TO DR. PETER HG CHUNG PTY LTD OF SUITE 1, GROUND FLOOR, 345 PACIFIC HIGHWAY, LINDFIELD. EXPIRES: 28/2/2021. OPTION OF RENEWAL: 10 YEARS.  
AQ865658 VARIATION OF LEASE AG287135 EXPIRY DATE NOW 28/2/2031. OPTION OF RENEWAL: RELINQUISHED.
- 8 AG803996 LEASE TO OSMAN INSURANCE BROKERS PTY LTD BEING SUITE 6, GROUND LEVEL, 345 PACIFIC HIGHWAY, LINDFIELD. EXPIRES: 31/10/2014. OPTION OF RENEWAL: 3 YEARS.  
AH27716 VARIATION OF LEASE AG803996 EXPIRY DATE NOW 31/10/2017.  
AM553309 VARIATION OF LEASE AG803996 EXPIRY DATE NOW 31/10/2021. OPTION OF RENEWAL: 4 YEARS.
- 9 AH878709 LEASE TO DELPUTOR PTY LTD BEING SUITE 5C, 345 PACIFIC HIGHWAY, LINDFIELD. EXPIRES: 31/8/2018. OPTION OF RENEWAL: 5 YEARS.
- 10 AH878710 LEASE TO ENTHERAPY PTY LTD (SEE AK109468, AP41153) OF BEING SUITE 7, 345 PACIFIC HIGHWAY, LINDFIELD. EXPIRES: 27/2/2017. OPTION OF RENEWAL: 4 YEARS.  
AM243784 VARIATION OF LEASE AH878710 EXPIRY DATE NOW 28/2/2019. OPTION OF RENEWAL: RELINQUISHED.  
AP75587 VARIATION OF LEASE AH878710 EXPIRY DATE NOW 28/2/2021. OPTION OF RENEWAL: RELINQUISHED.
- 11 AJ892901 LEASE TO INTERACTIVE LEARNING PTY LTD OF SUITE 1.04, LEVEL 1, 345 PACIFIC HIGHWAY, LINDFIELD. EXPIRES: 14/8/2020. OPTION OF RENEWAL: 3 YEARS.
- 12 AK54804 LEASE TO YOUR IT DESK PTY LTD OF SUITE 1.03, LEVEL 1, 345 PACIFIC HIGHWAY, LINDFIELD. EXPIRES: 30/9/2020.  
AQ858687 VARIATION OF LEASE AK54804 EXPIRY DATE NOW 30/9/2022.
- 13 AN465386 LEASE TO STEPHEN ALLNUTT OF SUITE G. 03, GROUND FLOOR, 345 PACIFIC HIGHWAY, LINDFIELD. EXPIRES: 30/9/2020. OPTION OF RENEWAL: 2 YEARS.  
AQ825624 VARIATION OF LEASE AN465386 EXPIRY DATE NOW 30/9/2022. OPTION OF RENEWAL: PRESERVED.
- 14 AP89684 LEASE TO DELPUTOR PTY LTD OF SUITE 2, GROUND FLOOR, 345 PACIFIC HIGHWAY, LINDFIELD. EXPIRES: 31/8/2023. OPTION OF RENEWAL: 5 YEARS.
- 15 AP132453 LEASE TO ANTIQUARK PTY LIMITED OF SUITE 5, GROUND FLOOR, 345 PACIFIC HIGHWAY, LINDFIELD. EXPIRES:

END OF PAGE 2 - CONTINUED OVER

NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 1/810773

PAGE 3

SECOND SCHEDULE (20 NOTIFICATIONS) (CONTINUED)

- 11/11/2023. OPTION OF RENEWAL: 5 YEARS.
- 16 AP703552 LEASE TO MCCONNELL BOURN PTY LTD OF SUITE 101A,  
LEVEL 1, 345 PACIFIC HIGHWAY, LINDFIELD. EXPIRES:  
31/7/2026. OPTION OF RENEWAL: 5 YEARS.
- 17 AP968142 LEASE TO BRISTOL PTY LIMITED OF SUITE 105, LEVEL 1,  
345 PACIFIC HIGHWAY, LINDFIELD. EXPIRES: 17/11/2024.  
OPTION OF RENEWAL: 5 YEARS.
- 18 AQ243464 LEASE TO LCG GLOBAL PTY LIMITED SUITE 106, LEVEL 1,  
345 PACIFIC HIGHWAY, LINDFIELD. EXPIRES: 15/3/2024.
- 19 AR41630 LEASE TO MEDIPLAST AUSTRALIA PTY LTD OF SUITE 102,  
345 PACIFIC HIGHWAY, LINDFIELD. EXPIRES: 31/8/2025.  
OPTION OF RENEWAL: 5 YEARS.
- 20 AS351794 LEASE TO PESM 2 PTY LTD OF SUITE 104, 345 PACIFIC  
HIGHWAY, LINDFIELD. EXPIRES: 31/12/2024. OPTION OF  
RENEWAL: 3 YEARS.

NOTATIONS

UNREGISTERED DEALINGS: NIL

\*\*\* END OF SEARCH \*\*\*

advlegs

PRINTED ON 9/5/2023



# Appendix E

## Section 10.7 Planning Certificates



# PLANNING CERTIFICATE

818 Pacific Highway, Gordon NSW 2072  
Locked Bag 1006, Gordon NSW 2072  
T 02 9424 0000 F 02 9424 0001  
DX 8703 Gordon TTY 02 9424 0875  
E [krg@krg.nsw.gov.au](mailto:krg@krg.nsw.gov.au)  
W [www.krg.nsw.gov.au](http://www.krg.nsw.gov.au)  
ABN 86 408 856 411



UNDER SECTION 10.7 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

## PROPERTY DETAILS

**Address:** 345 Pacific Highway LINDFIELD NSW 2070

**Lot Description:** Lot 1 DP 810773

## CERTIFICATE DETAILS

**Certificate No:** ePC1562/23 **Certificate Date:** 08/05/2023

**Certificate Type:** Section 10.7(2) & (5)

## APPLICANT DETAILS

REF: LI-3376

Mr T Osborne  
Level 24, 300 Barangaroo Avenue  
SYDNEY NSW 2000

## 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 10.7 of the Environmental Planning and Assessment Act.

THE FOLLOWING INFORMATION IS ISSUED UNDER SECTION 10.7(2)  
OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

MATTERS AFFECTING THE LAND AS PRESCRIBED BY SCHEDULE 2 –  
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION, 2021.

1. Names of relevant planning instruments and development control plans

**(1) Which environmental planning instruments apply to the carrying out of development on this land?**

Ku-ring-gai Local Environmental Plan 2015 as published on the NSW Legislation Website on 5 March 2015.

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

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

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

State Environmental Planning Policy (Primary Production) 2021

State Environmental Planning Policy (Biodiversity and Conservation) 2021

State Environmental Planning Policy (Resources and Energy) 2021

State Environmental Planning Policy (Resilience and Hazards) 2021

State Environmental Planning Policy (Industry and Employment) 2021

State Environmental Planning Policy (Transport and Infrastructure) 2021

State Environmental Planning Policy (Planning Systems) 2021

State Environmental Planning Policy (Precincts - Eastern Harbour City) 2021

State Environmental Planning Policy Amendment (Land Use Zones) (No 5) 2022

State Environmental Planning Policy (Housing) 2021.

**(2) Which proposed environmental planning instruments apply to the carrying out of development on this land?** *(Including planning proposals and proposed environmental planning instruments that are or have been the subject of community consultation or on public exhibition under the E. P. & A. Act).*

There are no proposed environmental planning instruments that apply to this land.

**(3) Which development control plans apply to the carrying out of development on this land?**

Ku-ring-gai Development Control Plan

**SPECIAL NOTE:** A development control plan adds further detail to local environmental plans and may address issues such as building design, car parking, landscaping etc. Copies of the Plans are available from Council.

**(4) Which draft development control plans apply to the carrying out of development on this land?** *(Including draft development control plans that are or have been the subject of community consultation or on public exhibition under the E. P. & A. Act).*

There are no draft development control plans that apply to this land

## **2. Zoning and land use under relevant local environmental plans (other than a SEPP or proposed SEPP)**

**(a) What is the zoning of this property and the relevant environmental planning instrument?**

(i) Productivity Support

(ii) E3

under the provisions of Ku-ring-gai Local Environmental Plan 2015.

**(b) (i) What does not require development consent under the above environmental planning instrument?**

Nil.

Note: Please refer to the provisions for Exempt and Complying Development as described in Part 3 of Ku-ring-gai Local Environmental Plan 2015.

**(ii) What does require development consent under the above environmental planning instrument?**

Animal boarding or training establishments; Boat building and repair facilities; Business premises; Centre-based child care facilities; Community facilities; Depots; Food and drink premises; Function centres; Garden centres; General industries; Hardware and building supplies; Hotel or motel accommodation; Industrial retail outlets; Industrial training facilities; Information and education facilities; Landscaping material supplies; Light industries; Local distribution premises; Markets; Mortuaries; Neighbourhood shops; Office premises; Oyster aquaculture; Passenger transport facilities; Places of public worship; Plant nurseries; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Research stations; Respite day care centres; Rural supplies; Service stations; Specialised retail premises; Storage premises; Take away food and drink premises; Tank-based aquaculture; Timber yards; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Veterinary hospitals; Warehouse or distribution centres; Water reticulation systems; Wholesale supplies; Any other development not specified in item (b)(i) or (b)(iii).

**(iii) What is prohibited under the above environmental planning instrument?**

Agriculture; Air transport facilities; Airstrips; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Eco-tourist facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Heavy industrial storage establishments; Helipads; Highway service centres; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Industries; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Residential accommodation; Retail premises; Rural industries; Sewerage systems; Timber yards; Tourist and visitor accommodation; Waste disposal facilities; Water supply systems; Wharf or boating facilities

**(iv) What is the proposed zoning of this property and the relevant proposed environmental planning instrument?**

Not applicable. There are no proposed environmental planning instruments that relate to this matter.

**(v) *What does not require development consent under the above proposed environmental planning instrument?***

Not applicable. There are no proposed environmental planning instruments that relate to this matter.

**(vi) *What does require development consent under the above proposed environmental planning instrument?***

Not applicable. There are no proposed environmental planning instruments that relate to this matter.

**(vii) *What is prohibited under the above proposed environmental planning instrument?***

Not applicable. There are no proposed environmental planning instruments that relate to this matter.

**(d) *Do any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land?***

There are no provisions in Ku-ring-gai Local Environmental Plan 2015 that regulate minimum dimension sizes for the erection of a dwelling house on this property.

**(e) *Is the land in an area of outstanding biodiversity value under the Biodiversity Conservation Act 2016.***

No.

**(f) *Is the land 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 architectural importance, road alignments, trees, gutters and kerb edges which all combine to create a sense of place that is worth keeping. Council's Heritage Planner can provide you with more information on this matter.

**(g) *Is an item of environmental heritage situated on the land?***

No.

**SPECIAL NOTE:** You are advised 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.



### 3. Contribution plans

**(1) Which contribution plans or draft contribution plans apply if this land under the Act, Division 7.1?**

Ku-ring-gai Contributions Plan 2010 (s7.11).

Ku-ring-gai Council Section 7.12 Local Levy Contributions Plan 2023

**(2) Is the land in a special contributions area under the Act, Division 7.1?**

No

**SPECIAL NOTE:** A contributions plan outlines the financial costs Council levies if land is developed and Council believes the development will require additional infrastructure such as parks, roads etc. Copies of both the contributions plans are available on Council's website.

### 4. Complying development

**The extent to which the land is land on which complying development may or may not be carried out under each of the codes for complying development because of the provisions of clauses 1.17A(1)(c) to (e), (2), (3) and (4), 1.18(1)(c3) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 and if complying development may not be carried out on that land the reason why it may not be carried out under those clauses?**

**(Special Note:** 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 do so 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).

#### **Container Recycling Facilities Code**

Complying development under the Container Recycling Facilities Code **may** be carried out on the land.

#### **Commercial and Industrial Alterations Code**

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

#### **Commercial and Industrial (New Buildings and Additions) Code**

Complying development under the Commercial and Industrial (New Buildings and Additions) Code **may** be carried out on the land.

#### **Demolition Code**

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

### **Fire Safety Code**

Complying development under the Fire Safety 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.

### **Housing Code**

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

### **Housing Alterations Code**

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

### **Low Rise Medium Density Housing Code**

Complying development under the Low Rise Medium Density Housing Code **may** be carried out on the land.

### **Subdivision Code**

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

## **5. Exempt development**

*The extent to which the land is land on which exempt development may or may not be carried out under each of the codes for complying development because of the provisions of clauses 1.16(1)(b1)-(d) or 1.16A of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 and if exempt development may not be carried out on that land the reason why it may not be carried out under those clauses*

Exempt development **may** be carried out on the land.

## **6. Affected building notices and building product rectification orders**

- (1) *Is there any affected building notice of which council is aware that is in force in respect of the land?*

No.

- (2) *Is there any building product rectification order of which council is aware that is in force in respect of the land and has not been fully complied with?*

No.

- (3) ***Has any notice of intention to make a building product rectification order of which council is aware has been given in respect of the land and is outstanding?***

No.

**SPECIAL NOTE:** The terms “affected building notice” and “building product rectification order” have the same meaning as in the Building Products (Safety) Act 2017.

## **7. Land reserved for acquisition**

***Do any environmental planning instruments or proposed environmental planning instruments referred to in clause 1 make provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the Act?***

No.

## **8. Road widening and road realignment**

***Is the land affected by any road widening or road realignment under the Roads Act, any environmental planning instrument or any resolution of council?***

No.

## **9. Flood related development controls information**

***Is the land or part of the land within the flood planning area and subject to flood related development controls?***

No.(Unknown)

*The flood risk of this land has not yet been mapped. Unmapped locations may also be subject to flood related development controls*

***Is the land or part of the land between the flood planning area and the probable maximum flood and subject to flood related development controls?***

No.(Unknown)

*The flood risk of this land has not yet been mapped. Unmapped locations may also be subject to flood related development controls*

**SPECIAL NOTE:** Flood planning area has the same meaning as in the Floodplain Development Manual.

**Floodplain Development Manual** means the Floodplain Development Manual (ISBN 0 7347 5476 0) published by the NSW Government in April 2005.

**Probable maximum flood** has the same meaning as in the Floodplain Development Manual.



## 10. Council and other public authority policies on hazard risk restrictions.

***Is the land affected by a policy adopted by council, or by any other public authority required to be referred to in a planning certificate, that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, contamination, acid sulphate soils or other risk (other than flooding)?***

Yes.

Council has adopted by resolution a Contaminated Land Policy which may restrict the development of the land. This policy is implemented when zoning or land use changes are proposed on lands which may have previously been used for certain purposes. Consideration of Council's adopted policy and the application of provisions under relevant State legislation is warranted.

## 11. Bush fire prone land

***Is the land bush fire prone land?***

No.

***SPECIAL NOTE:*** Bush fire prone land is defined in section 4 of the Environmental Planning and Assessment Act 1979 as meaning "land recorded for the time being as bushfire prone land on a bush fire prone land map for the area". The "area" is the local government area of Ku-ring-gai.

## 12. Loose-fill asbestos insulation

***Does the land include any residential premises (within the meaning of Division 1A of Part 8 of the Home Building Act 1989) that are listed on the register that is required to be maintained under that Division?***

NSW Fair Trading has not provided Council with written confirmation that this property is listed on the Loose-Fill Asbestos Insulation Register.

***SPECIAL NOTE:*** Some residential homes located in the Ku-ring-gai Local Government Area have been identified as containing loose-fill asbestos insulation, for example in the roof space. NSW Fair Trading maintains a Register of homes that are affected by loose-fill asbestos insulation.

You should make your own enquiries as to the age of the buildings on the land to which this certificate relates and, if it contains a building constructed prior to 1980, the council strongly recommends that any potential purchaser obtain advice from a licensed asbestos assessor to determine whether loose-fill asbestos is present in any building on the land and, if so, the health risks (if any) this may pose for the building's occupants.

For further information about the Loose-fill asbestos Public Register contact NSW Fair Trading. Tel: 13 32 20 or [www.loosefillasbestos.nsw.gov.au](http://www.loosefillasbestos.nsw.gov.au).

### 13. Mine subsidence

***Is the land proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961?***

No. Council has not been notified that the land is subject to such a proclamation.

### 14. Paper subdivision information

***Is the land, land subject to a development plan adopted by a relevant authority, land proposed to be subject to a consent ballot or land subject to a subdivision order?***

Not applicable.

***SPECIAL NOTE:*** Words and expressions used in this item have the same meaning as Part 10 of the Environmental Planning and Assessment Regulation 2021. And Assessment Act 1979, Schedule 7

### 15. Property vegetation plans

***Is the land, land to which a property vegetation plan under Native Vegetation Act 2003 applies?***

Council has not been notified that the land is subject to an approved property vegetation plan.

### 16. Biodiversity stewardship sites

***Is the land, land that is a biodiversity stewardship site under a biodiversity stewardship agreement under part 5 of the Biodiversity Conservation Act 2016?***

Council has not been notified that the land is biodiversity stewardship land.

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

### 17. Biodiversity certified land

***Is the land, land that is biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016?***

Council has not been notified that the land is biodiversity certified land.

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

## **18. Orders under Trees (Disputes between Neighbours) Act 2006**

***Is the land, subject to an order under the Tree (Disputes between neighbours) Act 2006 to carry out work in relation to a tree on the land?***

Council has not been notified that the land is subject to such an order.

## **19. Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works**

Not applicable. This matter does not apply to land within Ku-ring-gai Local Government Area.

## **20. Western Sydney Aerotropolis**

Not Applicable. This matter does not apply to land within Ku-ring-gai Local Government Area.

## **21. Development consent conditions for seniors housing**

***Is there a current site compatibility certificate (seniors housing), of which council is aware, in respect of proposed development on the land issued under clause 24 of the repealed State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004?***

The land is not subject to such a current site compatibility certificate (seniors housing) of which Council is aware.

***SPECIAL NOTE:*** State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 repealed on 26 November 2021 by State Environmental Planning Policy (Housing) 2021

## **22. Site Compatibility certificates and development consent conditions for affordable housing**

***Is there a current site compatibility certificate (affordable housing), of which council is aware, in respect of proposed development on the land issued under clause 39 of State Environmental Planning Policy (Housing) 2021?***

The land is not subject to such a current site compatibility certificate (affordable housing) of which Council is aware.



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

- (a) *Is the land to which this certificate relates significantly contaminated land within the meaning of that Act?***

No.

- (b) *Is the land to which this certificate relates subject to a management order within the meaning of that Act?***

No.

- (c) *Is the land to which this certificate relates subject to an approved voluntary management proposal within the meaning of that Act?***

No.

- (d) *Is the land to which this certificate relates subject to an ongoing maintenance order within the meaning of that Act?***

No.

- (e) *Is the land of which this certificate relates subject to a site audit statement within the meaning of the Act?***

No.

**SPECIAL NOTE:** If you have any concerns about land contamination beyond the information described in this certificate, you should contact the NSW Environmental Protection Authority. Tel: 131 555 or email [info@environment.nsw.gov.au](mailto:info@environment.nsw.gov.au).

## THE FOLLOWING INFORMATION IS ISSUED UNDER SECTION 10.7(5) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

### ***Land Slip or Subsidence:***

Council records do not have sufficient information to indicate land slip or subsidence is likely to restrict development on this land. However, some lots in Ku-ring-gai Local Government Area contain filling and/or road batters which may be subject to settlement and require special consideration in the design of foundations.

---

### ***Flooding:***

Council has commenced the Middle Harbour South Catchment Flood Study which applies to this property. Please contact council for study updates or to see if this may restrict the development of the land.

*Please note: The flood study reports or flood certificate report will provide further detail about the location, extent and nature of flooding on the lot.*

*For further information please see <https://www.krg.nsw.gov.au/floodrisk>*

**SPECIAL NOTE:** *The Department of Planning and Environment and the Department of Commerce have not indicated any private property which may be affected by flooding of major rivers or creeks in the Ku-ring-gai Local Government Area.*

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### ***Loose-fill asbestos insulation:***

Some residential homes located in the Ku-ring-gai Local Government Area have been identified as containing loose-fill asbestos insulation, for example in the roof space. NSW Fair Trading maintains a Register of homes that are affected by loose-fill asbestos insulation.

You should make your own enquiries as to the age of the buildings on the land to which this certificate relates and, if it contains a building constructed prior to 1980, the council strongly recommends that any potential purchaser obtain advice from a licensed asbestos assessor to determine whether loose-fill asbestos is present in any building on the land and, if so, the health risks (if any) this may pose for the building's occupants.

*For further information about the Loose-fill asbestos Public Register please contact NSW Fair Trading. Tel: 13 32 20 or [www.loosefillasbestos.nsw.gov.au](http://www.loosefillasbestos.nsw.gov.au).*

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### ***Contamination:***

The land to which this certificate relates has been the subject of a site investigation for contamination by Douglas Partners Pty Ltd, dated August 2001. The report indicates elevated aldrin and dieldrin concentrations in excess of the Commercial/Industrial Soil Investigation Levels in one soil sample. The consultant indicates that the site is suitable for the continuation of use for commercial purposes, however in the event that the site undergoes redevelopment such that material is to be excavated and removed off-site for disposal, a material classification will need to be undertaken.

---

***Threatened species, populations and ecological communities:***

This land may contain threatened species, populations and ecological communities listed under the *Biodiversity Conservation Act 2016 (NSW)* and or the *Environment Protection Biodiversity Conservation Act 1999* (Commonwealth). For more information contact NSW Office of Environment and Heritage Tel: 131 555 or the Australian Government Department of Environment and Energy Tel: 1800 803 772.

This land may contain one or more of the following endangered or critically endangered ecological communities listed under Schedule 2 of the *Biodiversity Conservation Act 2016 (NSW)*:

Blue Gum High Forest in the Sydney Basin Bioregion,  
Coastal Saltmarsh in the New South Wales North Coast, Sydney Basin and South East Corner Bioregions,  
Coastal Upland Swamp in the Sydney Basin Bioregion,  
Duffys Forest Ecological Community in the Sydney Basin Bioregion,  
Swamp Oak Floodplain Forest of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions,  
Sydney Turpentine Ironbark Forest.

For more information contact NSW Department of Environment & Heritage. Tel:131 555 or email [info@environment.nsw.gov.au](mailto:info@environment.nsw.gov.au) <<mailto:info@environment.nsw.gov.au>>

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**John McKee**  
General Manager

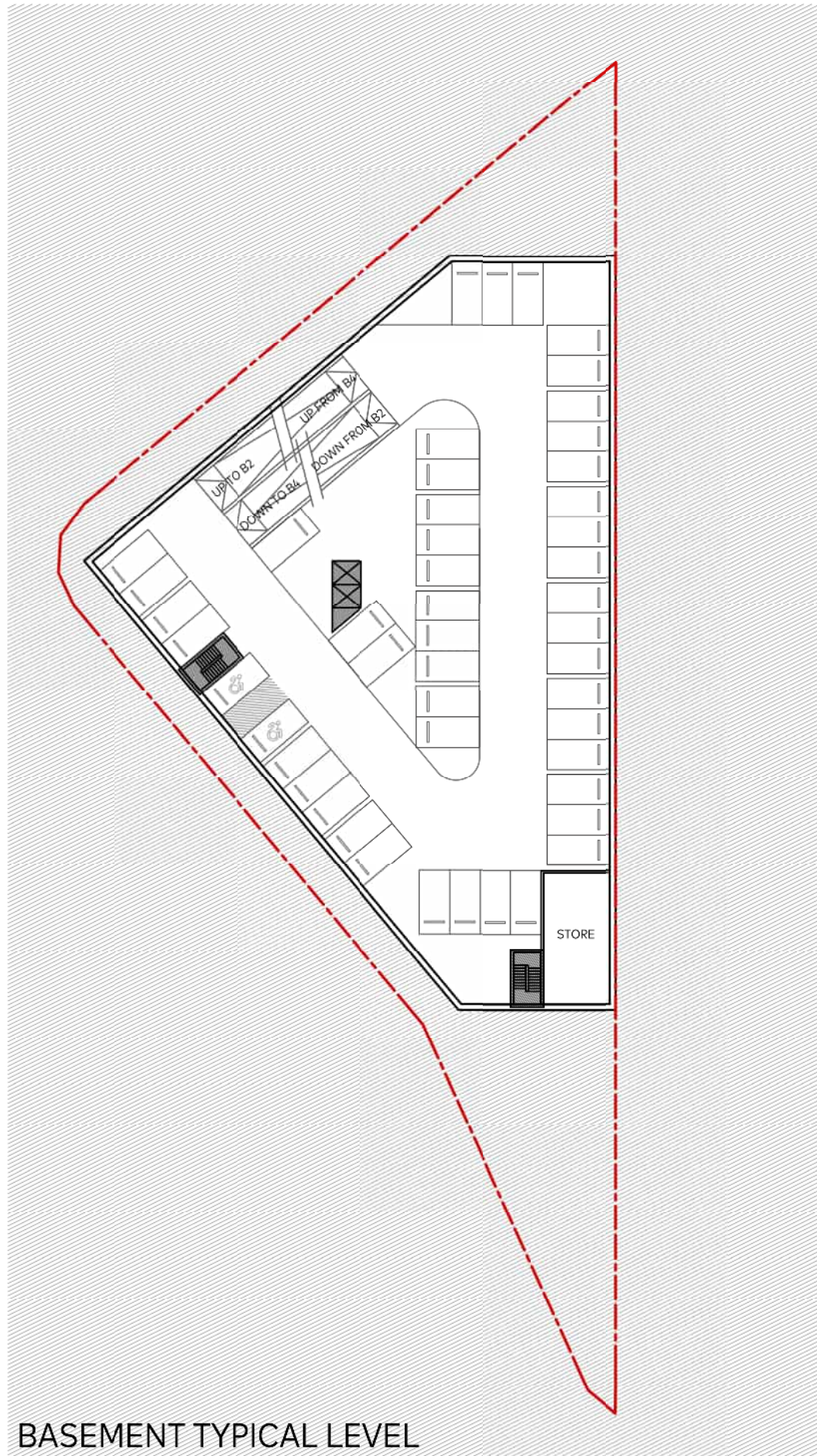


# Appendix F

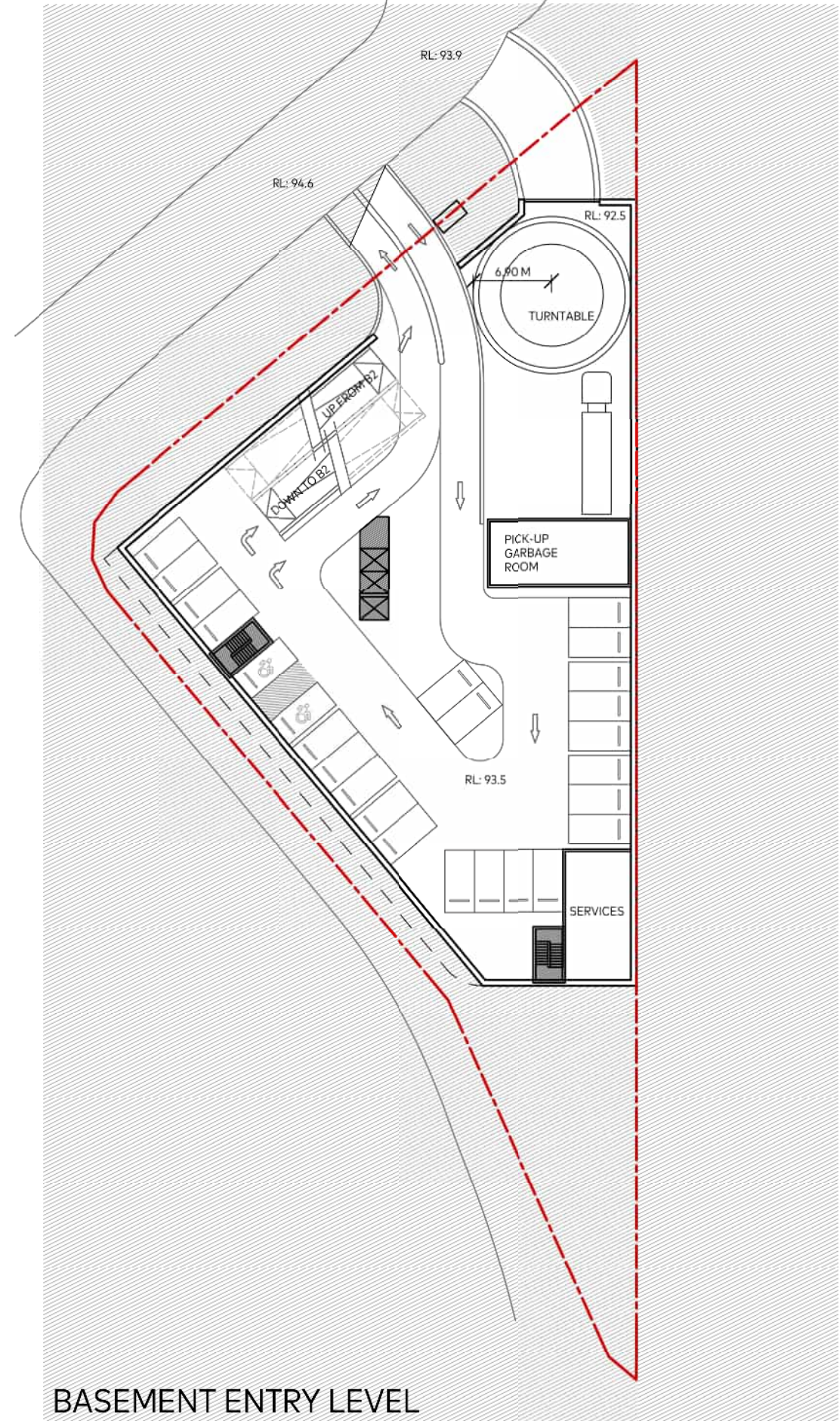
## Development Plans







BASEMENT TYPICAL LEVEL



BASEMENT ENTRY LEVEL



OADIGAL COUNTRY  
79 MYRTLE STREET  
CHIPPENDALE NSW 2008 AUSTRALIA  
+61 2 9311 8222  
ARCHITECTSAJC.COM

NOMINATED ARCHITECTS:  
MICHAEL HEENAN 5204  
BRIAN MARIOTTI 9451  
JOHN WHITTINGHAM 7030  
ABN 53 003 782 250

CLIENT  
JADAN PROPERTY GROUP

PROJECT  
21069

PROJECT  
345 PACIFIC HWY  
LINDFIELD

KEY

REV	DATE	DESCRIPTION	DN	AP
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SHEET STATUS NOT FOR CONSTRUCTION				

SHEET TITLE  
BASEMENTS 1 & 2

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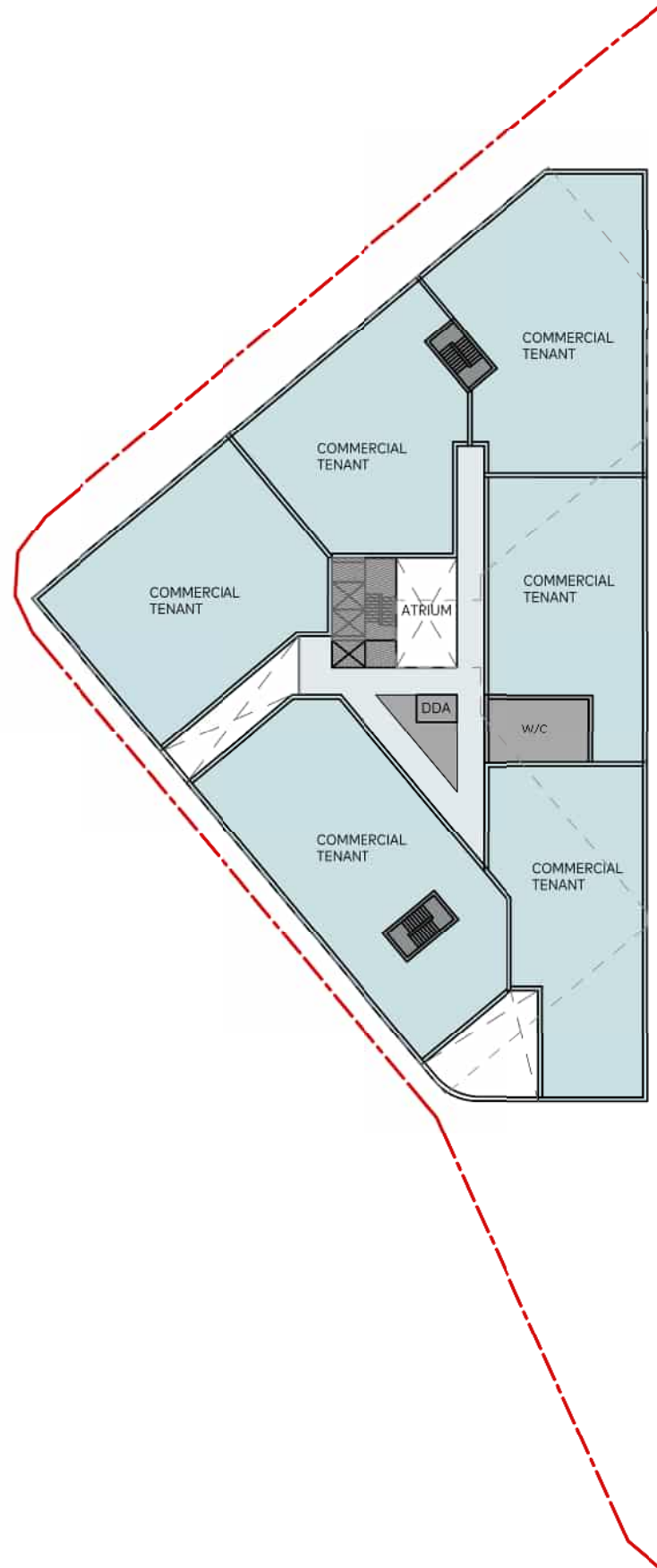


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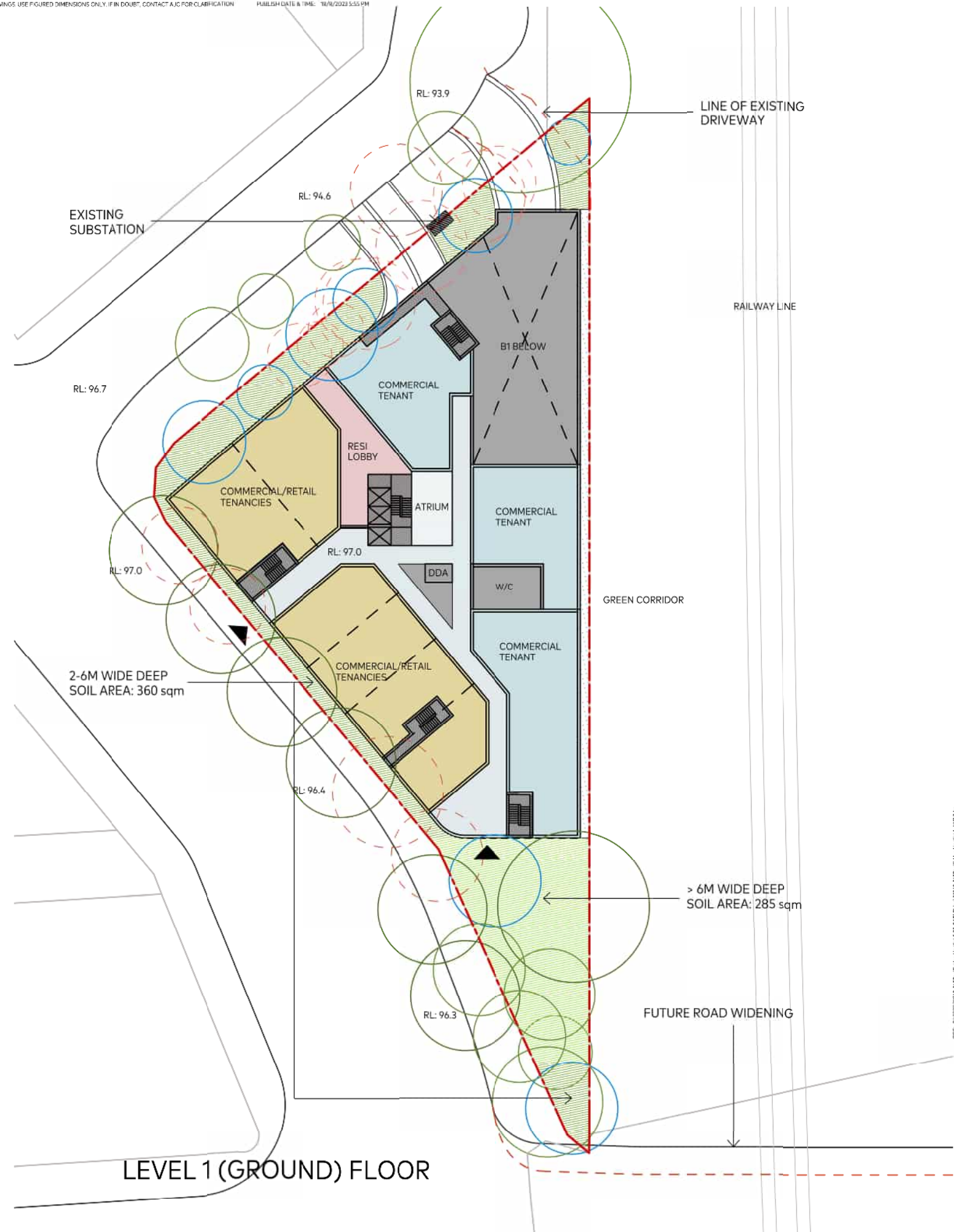
SK0B1 C



LEVEL 2



LEVEL 1 (GROUND) FLOOR



OADIGAL COUNTRY  
79 MYRTLE STREET  
CHIPPENDALE NSW 2008 AUSTRALIA  
+61 2 9311 8222  
ARCHITECTSAJC.COM

NOMINATED ARCHITECTS:  
MICHAEL HEENAN 5204  
BRIAN MARIOTTI 9451  
JOHN WHITTINGHAM 7030  
ABN 53 003 782 250

CLIENT  
JADAN PROPERTY GROUP

PROJECT  
21069

PROJECT  
345 PACIFIC HWY  
LINDFIELD

KEY

REV	DATE	DESCRIPTION	DN	AP
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SHEET STATUS NOT FOR CONSTRUCTION				

SHEET TITLE  
GOUND & L1

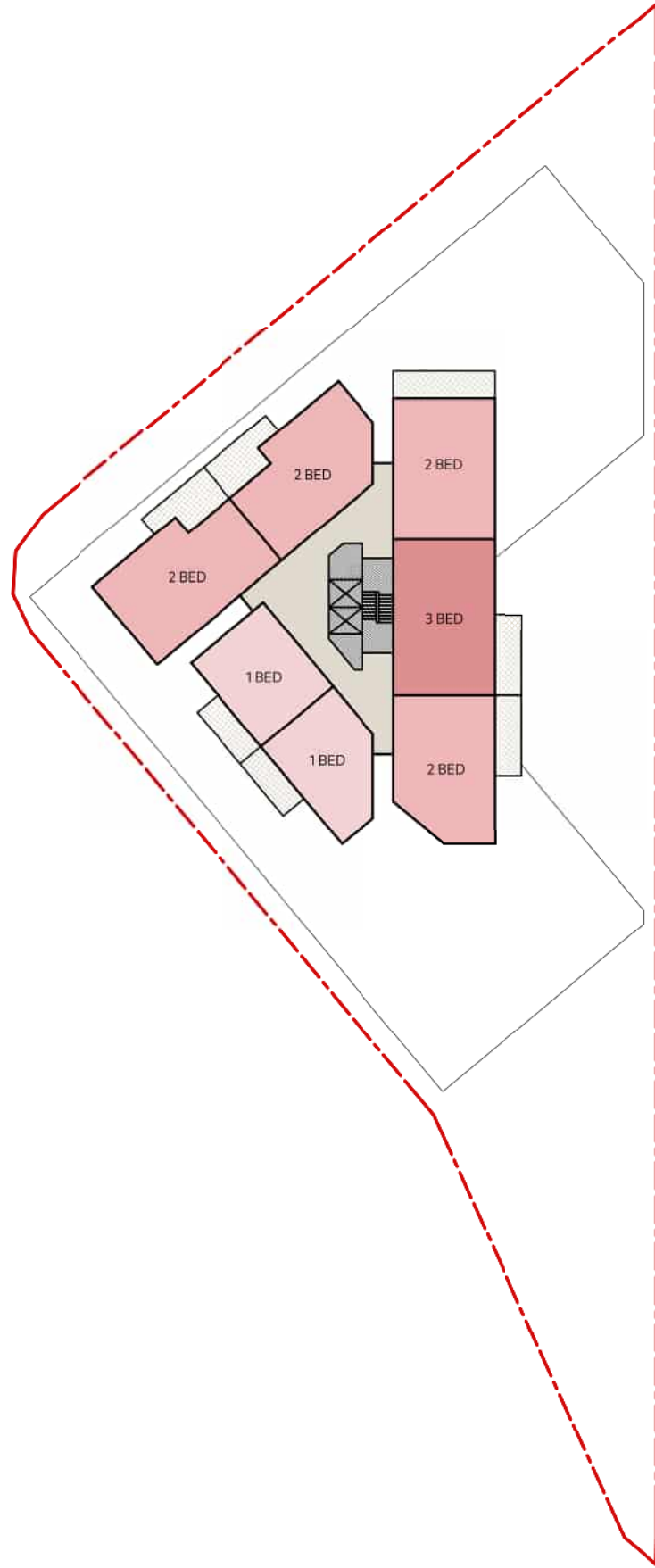
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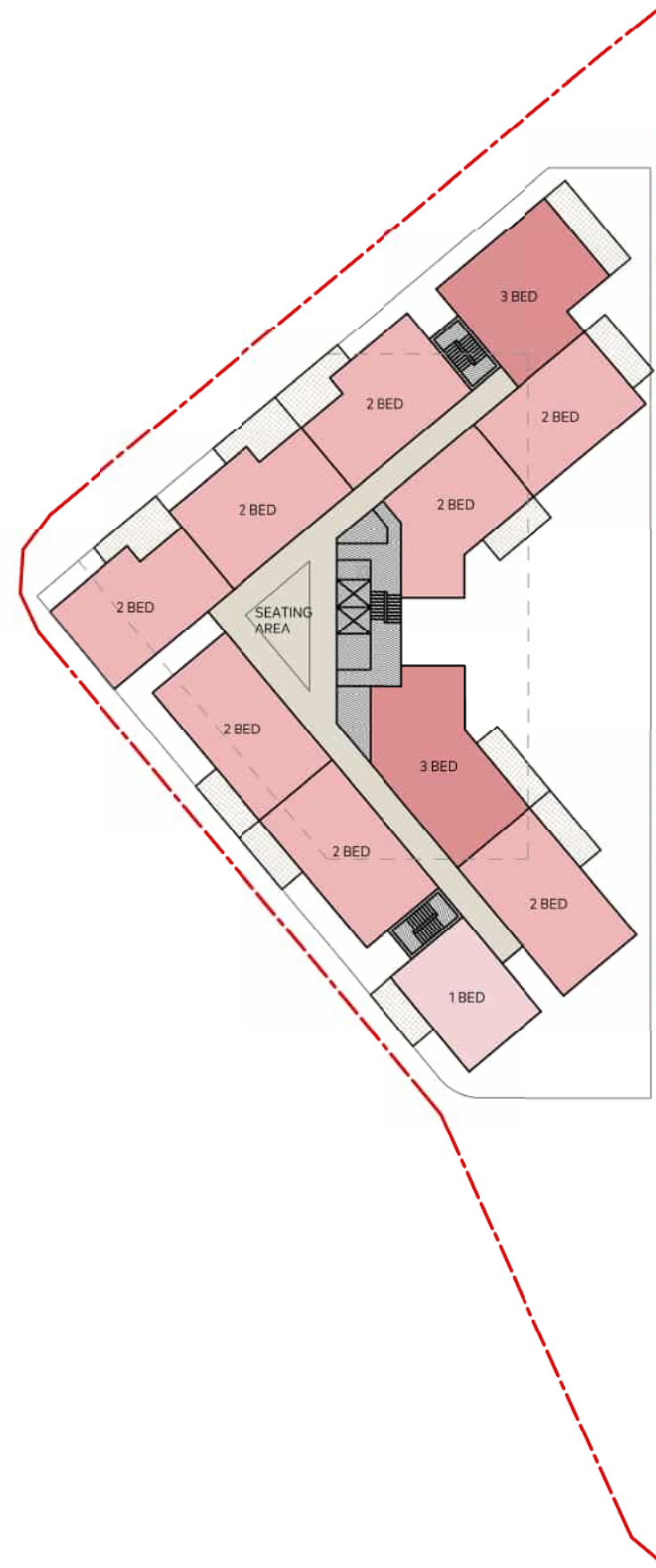
SHEET NUMBER  
SK001

REVISION  
C





TYPICAL LEVEL



LEVEL 3



OADIGAL COUNTRY  
79 MYRTLE STREET  
CHIPPENDALE NSW 2008 AUSTRALIA  
+61 2 9311 8222  
ARCHITECTSAJC.COM

NOMINATED ARCHITECTS:  
MICHAEL HEENAN 5204  
BRIAN MARIOTTI 9451  
JOHN WHITTINGHAM 7030  
ABN 53 003 782 250

CLIENT  
JADAN PROPERTY GROUP

PROJECT  
21069

PROJECT  
345 PACIFIC HWY  
LINDFIELD

KEY

REV	DATE	DESCRIPTION	DN	AP
A	29.06.23	FOR REVIEW	JW	DC
SHEET STATUS NOT FOR CONSTRUCTION				

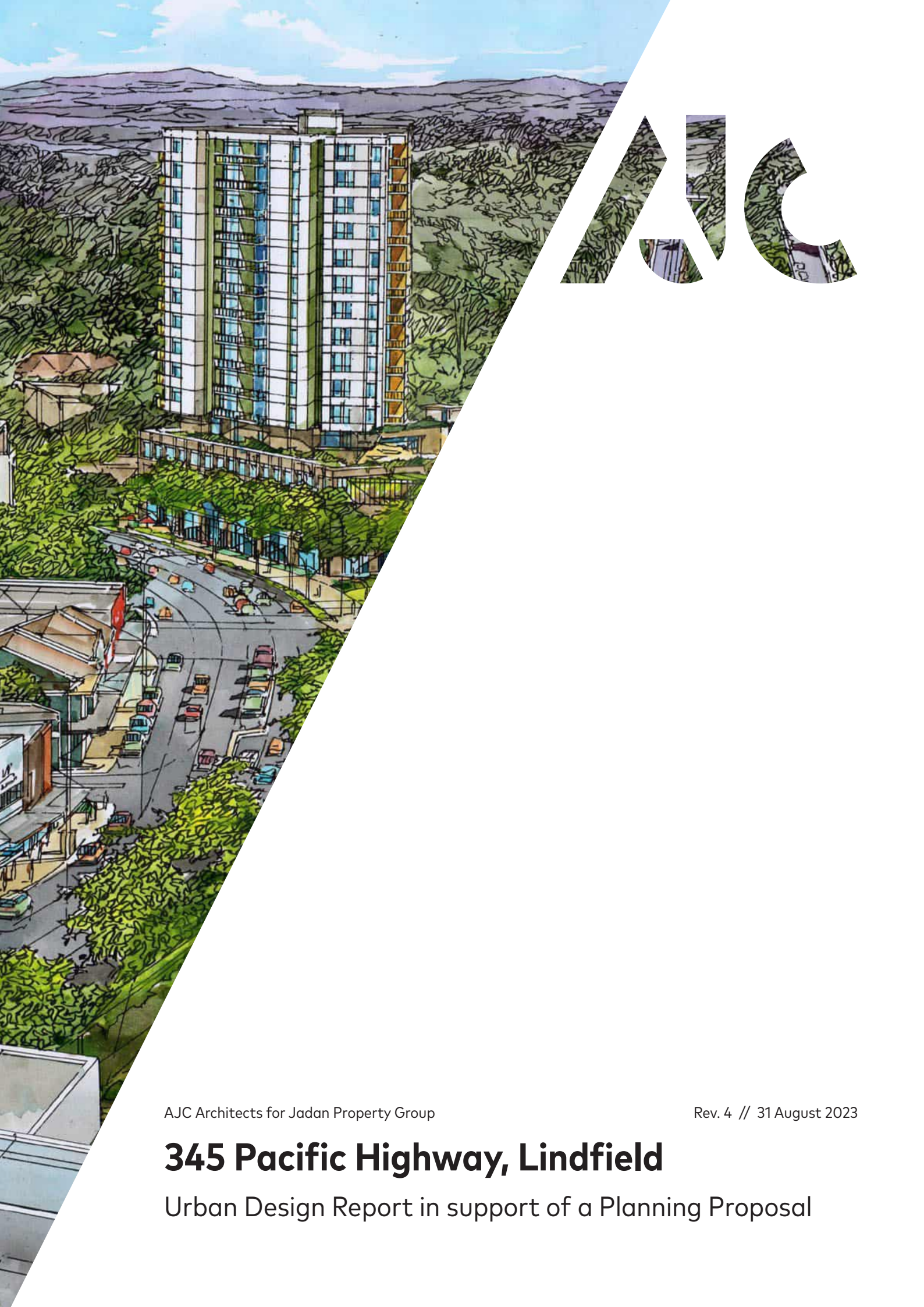
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SK002 C



AJC Architects for Jadan Property Group

Rev. 4 // 31 August 2023

## **345 Pacific Highway, Lindfield**

Urban Design Report in support of a Planning Proposal

345 Pacific Highway, Lindfield is on the lands of the Darramuragal people.

AJC recognises that this Country is still cared for by the Darramuragal, and by operating within this Country we have a shared responsibility to respect and contribute to its care.

We express our gratitude to the Elders and Knowledge Holders who have embedded their culture, wisdom and knowledge in these lands and waters, and we strive to create spaces that continue their legacy of caring for Country.



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Date	Rev.	Status	By	Checked
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20.07.2023	2	DRAFT ISSUE - FOR REVIEW	JW	DC
18.08.2023	3	FOR REVIEW	JW	DC
31.08.2023	4	FOR REVIEW	JW	DC

# Executive Summary

This Urban Design Report outlines an investigation into an appropriate scale of redevelopment for 345 Pacific Highway, a landmark site in the Lindfield local centre. The site is currently occupied by an aging two-storey office building, but has been nominated in work prepared by Ku-ring-gai Council as the site of the single future "Landmark Building" of the centre, within a wider area identified for height uplifts to between "10 and 15 storeys".

Having studied each of Council's proposed building heights, the report concludes that the highest end of the range (15-storeys) is appropriate and supportable. This is due to the site's prominent position on a bend of Pacific Highway, location 200-metres from the entrance to Lindfield heavy rail station (a 2 minute walk), as well as the landowner's commitment to retaining a significant commercial floor space component. A mixed-use 'landmark' tower is therefore considered an appropriate outcome for the site.

Through a literature review and site analysis, this report establishes that increased density at this site can be appropriately integrated in a way that aligns with both local and state-wide strategic objectives of maximising housing supply, job opportunities, and active transportation use around urban centres serviced by mass-transport. This fits with the 2021 direction by the Deputy Secretary of NSW Department of Planning to Ku-ring-gai Council to "commence a master plan, or accommodate proponent-led planning proposal(s), with good planning outcomes for [the Lindfield local centre]". The Deputy Secretary's direction also notes that "where this work is not pursued by Council the Department welcomes good place-based approaches by landowners/developers".

The 15-storey landmark tower is considered by AJC to be a 'good place-based approach' that uses the Ku-ring-gai Council prepared and exhibited 2020 draft Local Housing Strategy as guidance. The height and density of the proposed development are designed to optimise use of land within a 2 minute walk of a heavy rail station, providing increased housing in an exceptionally well serviced area with an identified need for residential accommodation.

The proposal for 345 Pacific Highway outlined in this report shows a large commercial podium with two large-plate floors of commercial (office and retail) uses, positioned below an expansive communal roof deck and residential tower above. It is proposed to use the southern end of the site to facilitate the widening of the Havilah Road Reserve - delivering on the "opportunity for improved and widened rail crossing" described in Ku-ring-gai Council's Local Strategic Planning Statement.

The ground-floor retail of the proposal will sit opposite further new retail tenancies on the other side of Pacific Highway in the 'Balfour Place' development - a Coles supermarket with housing above. 345 Pacific Highway and Balfour Place will together form a modern, contemporary retail presence as the northern gateway into the Lindfield Centre. This will help maintain the vibrancy of Lindfield as a local retail centre spanning both sides of the Highway, which is currently visually affected by vacancies in older-style shoptop building stock, as well as both sides of the railway line.

The office component of the proposal will mean the site continues to provide one of or the largest component of employment floor space in the Lindfield Centre, with the redevelopment allowing an outdated layout be replaced with contemporary large-footprint office floor plates. This significant office presence will stimulate economic activity while fostering a better sense of place and community through greater day-time activity. It will complement the retail in encouraging street-level interactions, promoting walkability and enhancing the liveability of the urban environment of Lindfield.

The residential component of the scheme is proposed to be delivered in a podium-and-tower typology that takes advantage of its prominent site to create a "Landmark Building" signposting the location of and gateway into the Lindfield Local Centre.

The "Landmark Building" designation is quoted from the Ku-ring-gai May 2020 Draft Local Housing Strategy, endorsed by Council at the time of its exhibition but later revoked and now superseded. 345 Pacific Highway is the only site in the Lindfield Centre nominated by that document as a Landmark Building. The Ku-ring-gai LSPS, which remains Council's current statement of strategic planning direction for the LGA, also describes the site as a "Key Landmark Site".

Indicative view studies and skyline analysis show that the impact of the proposed 15-storey tower on local views is apparent but appropriate for a site with a "Landmark Building" designation, as the visibility of tower-heights above and around mass-transit is considered an appropriate skyline accent.

The revitalisation of 345 Pacific Highway would join numerous redevelopment and rezoning projects, many Council-run, that seek to update Lindfield's older lower-density stock with new higher-density development, together creating a local centre that benefits from an incredible level of amenity. These are:

- The previously described 'Balfour Place' is a supermarket-and-residential development under construction on the west side of the railway line.
- Also on the western side of the rail, just south of the subject site, the 'Lindfield Village Hub' is a Council-run, high density development that will deliver an additional neighbourhood retail centre anchored by a full-line supermarket, a new integrated Library and Community Building, child care centre, and a public park all above a commuter parking station and paired with multiple 9-storey residential towers above a 2-storey podium.
- On the eastern side of the rail, 'Lindfield Village' is an existing development that contains a small supermarket and vibrant street-fronting retail strip. It has recently been complemented by the Council-developed Village Green which provided an activated open space and public parking facility.

By joining these developments in bringing residents and businesses together in a walkable centre serviced by heavy-rail, the rezoning of 345 Pacific Highway will add to the Centre's day- and night-time activity levels, while also minimising the need for long-distance commuting (for both residents and workers) and so aligning with Council and State Government sustainability goals.

In conclusion, this proposal represents an opportunity to re-imagine and reinvigorate an underutilised site, transforming it into a dynamic mixed-use development that accommodates the pressing need for housing supply within walking distance to areas of high amenity and connected by mass transit. It does so in a way that recognises the site's position as the gateway into the Lindfield Local Centre, creating a landmark building that will contribute to its local environment.



# 1. Planning Framework



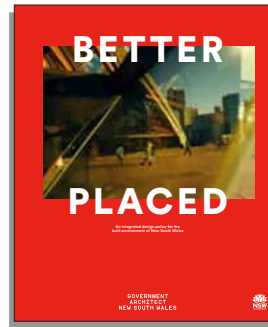
# 1.1 Strategic Planning Framework

This section describes the existing framework (including relevant drafts) to help position the project in relation to future plans for Greater Sydney.

These strategies form the basis for assessment for the success of the project, as well as ensure any development aligns with the 40- year vision for Greater Sydney.

Documents reviewed include:

- Greater Sydney Region Plan 'A Metropolis of Three Cities' (Greater Cities Commission)
- North District Plan (Greater Cities Commission)
- Ku-ring-gai Local Strategic Planning Statement 2020 (Ku-ring-gai Council)
- Ku-ring-gai Housing Strategy (Ku-ring-gai Council)
- Better Placed Suite (Government Architects NSW)



## Better Placed Suite

The Government Architect NSW (GA) has issued a series of built environment guidelines, largely targeted at local, state and federal government bodies as well as design professionals.

The core policy is 'Better Placed'. This document advocates for design to be at the forefront of any decisions related to city development, and sets out general principles intended to be used to assess design quality.



## A Metropolis of Three Cities

The Greater Sydney Region Plan 'A Metropolis of Three Cities' was finalised in 2018 and represents a change in government coordination across land use, transport and infrastructure planning. It is built on a vision of three cities where most residents live within 30 minutes of their jobs, education, health facilities, services and active places by public transport.

Lindfield is located within the "Eastern Harbour City" and the plan establishes key objectives under the themes of Infrastructure and Collaboration, Liveability, Productivity and Sustainability.

## 1.1 Strategic Planning Framework

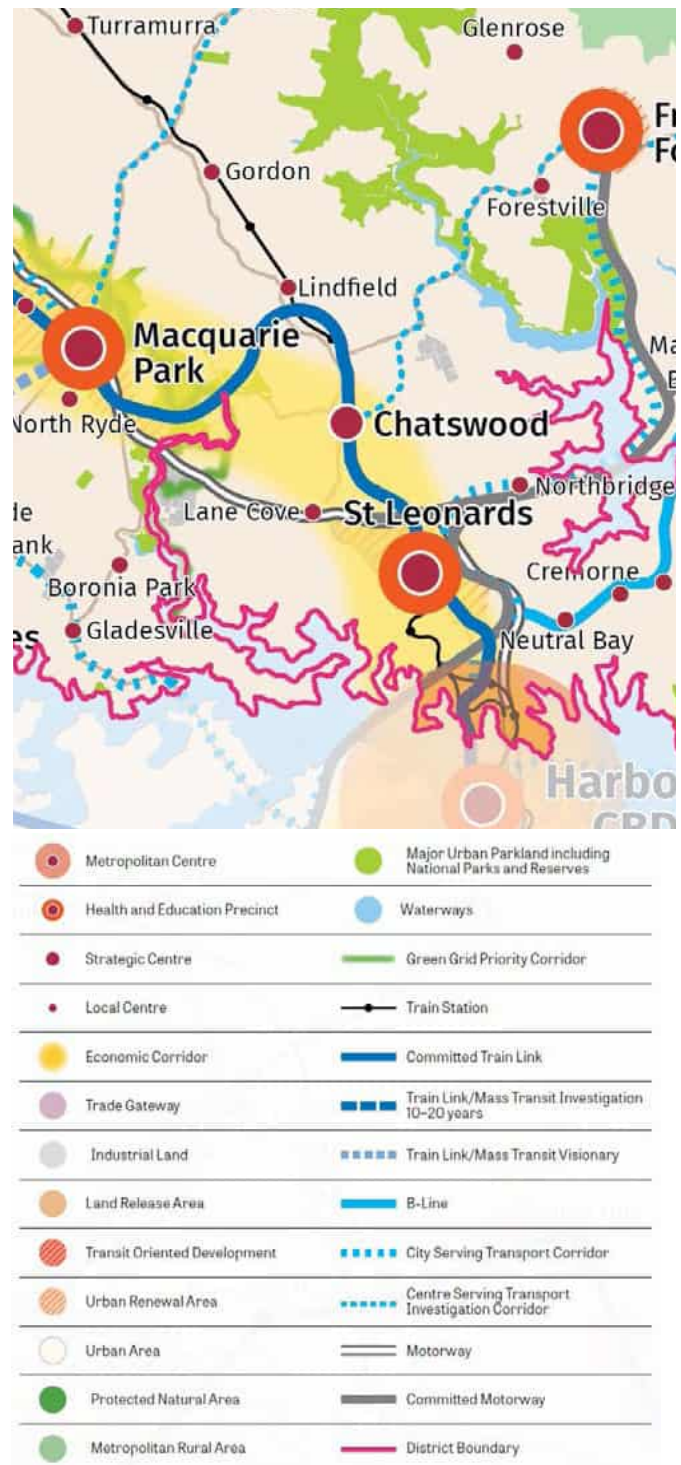
### North District Plan

The North District Plan is a 20-year plan to manage growth in the context of economic, social and environmental matters to achieve the 40-year vision for Greater Sydney. It is a guide for implementing the Greater Sydney Region Plan, 'A Metropolis of Three Cities', at a district level and is a bridge between regional and local planning.

Lindfield is identified as a Local Centre just north of the Eastern Economic Corridor, which includes the Macquarie Park Urban Renewal Area and Chatswood Strategic Centre. These are connected by Metro trains, with the T1 Epping Line being upgraded to a Metro line as part of the Metro North West works.

The North District Plan also locates the Lindfield Local Centre within a priority corridor for the immediate delivery of housing along the T1 North Shore Line. The Plan set Ku-ring-gai's immediate housing supply target at 4,000 new dwellings between 2016 and 2021. This represents approximately 15% of new housing within the North District. New targets are currently being prepared, which will expand upon the (unmet) target for 2016-21. The identification of Lindfield as a Local Centre establishes the following state priorities for the area:

- Deliver transit-oriented development and co-locate facilities and social infrastructure
- Provide, increase or improve local infrastructure and open space
- Improve walking, cycling and public transport connections including through the Greater Sydney Green Grid
- Protect or expand retail and/or commercial floor space
- Protect or expand employment opportunities
- Integrate and support arts and creative enterprise and expression
- Support the night-time economy
- Augment or provide community facilities, services, arts and cultural facilities
- Conserve and interpret heritage values
- Accommodate local festivals, celebrations, temporary and interim uses
- Increase residential development in, or within a walkable distance of the centre



- Provide parking that is adaptable to future uses and takes account of access to public transport, walking and cycling connections.

These Plans indicate the long-term, broader, economic, social and environmental goals. The Ku-ring-gai Local Strategic Planning Statement identifies the priorities of these Plans for area.



# 1.1 Strategic Planning Framework

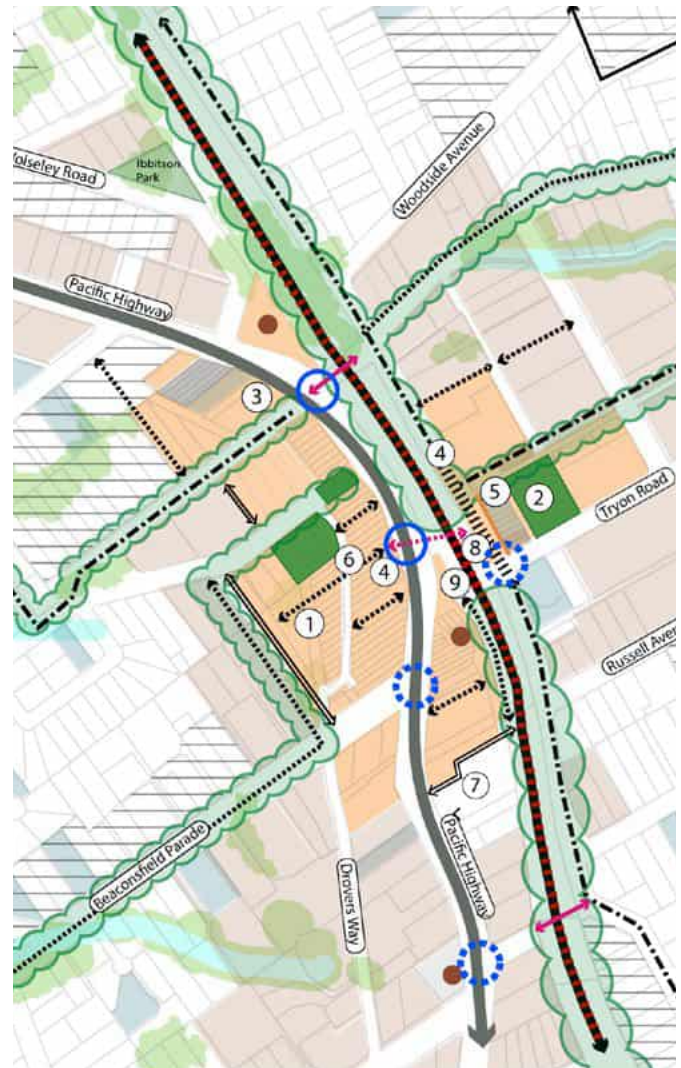
## Ku-ring-gai Local Strategic Planning Statement 2020 (LSPS 2020)

The Ku-ring-gai Council's LSPS 2020 is the basis for ongoing updates to the Local Environmental Plan (LEP) and Development Control Plan (DCP) for Ku-ring-gai.

The current site is identified in the LSPS as a Key Landmark Site and as a Proposed Mixed Use Development.

The LSPS has noted three Key Landmark Sites in the centre, two of which are positioned where they can become important visual markers that help define the extent of the Lindfield Town Centre.

Adjacent to the site is a proposed Green Grid corridor for cyclists and pedestrian traffic. Existing traffic intersections are also proposed for improvements and widened the rail crossings, including directly adjacent the subject site.



Legend			
Proposed Mixed Use Development	Existing Strata Apartments and Townhouses/Existing medium and high density zones	Proposed Separated Cyclenway	Opportunity for New Through Site Links
Existing Special Uses and Infrastructure	Heritage Items	Opportunity for New Pedestrian Bridge (subject to funding)	Opportunity for Improved and Widened Rail Crossings
Biodiversity	Heritage Conservation Area	New Streets	Railway Line
Riparian Corridors	New and Proposed Park/ Public Space	Existing Traffic Signals with Pedestrian Crossings to be Retained	Proposed Traffic Signals with Pedestrian Crossing
Key Landmark Sites	Proposed Green Grid Corridor for Investigation	Planned Precinct - Lindfield Village Hub	Planned Precinct - Lindfield Living
Fine Grain Low Scale Shop Top Housing	Existing Cyclenway	Heritage Frontage Upgrade	Station Entry Plaza Upgrade
Existing Park to be Upgraded	Proposed Cyclenway	At-grade Pedestrian Link from Pacific Highway to Lindfield Hub	
1 Planned Precinct - Lindfield Village Hub	4 Main Street/Highway Revitalisation	7 Planned Precinct - Lindfield Living	
2 Planned Precinct - Lindfield Village Green	5 Heritage Frontage Upgrade	8 Lindfield Station	
3 Proposed Coles Redevelopment	6 At-grade Pedestrian Link from Pacific Highway to Lindfield Hub	9 Station Entry Plaza Upgrade	

## 1.1 Strategic Planning Framework

### Ku-ring-gai Housing Strategy 2020

Local Housing Strategies are policies required of all local Councils to identify how State-set short, medium and long term housing targets will be met in each LGA.

The mapping to the right of the page was included in the Ku-ring-gai May 2020 Draft Local Housing Strategy. It was prepared by Council staff and endorsed by Councillors for exhibition, but later revoked and now superseded.

The 2020 Draft LHS identified the subject site within an "Investigation Area: Mixed Use Sites (Building Heights 10-15 Storeys)" and defines it as the site for a Landmark Building - the only such site in the centre - which we interpret as an indication that Council were likely considering the upper end of that height range at this location.

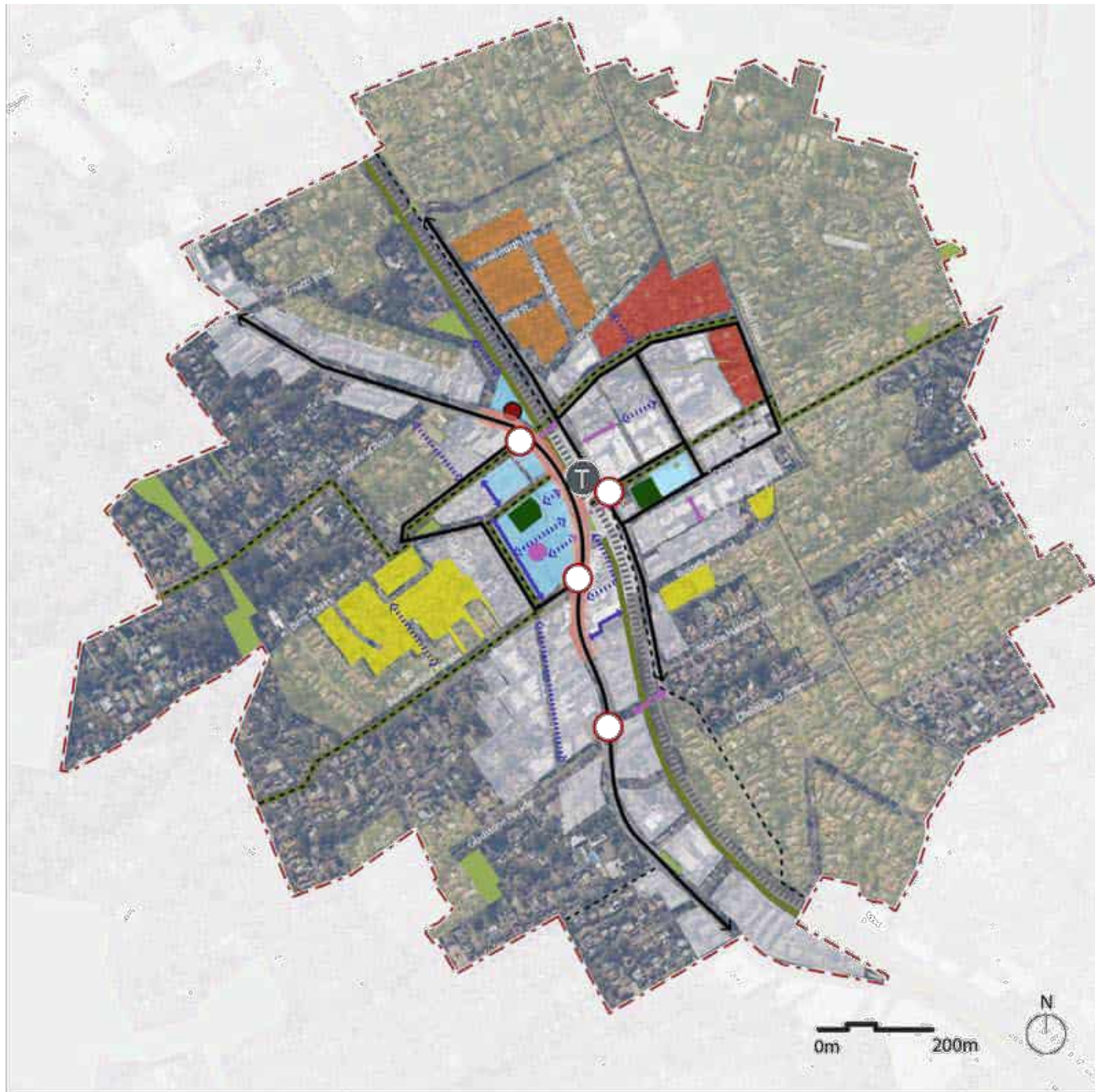
Following Exhibition, Council voted to revise the LHS to instead support the existing statutory framework unamended, directing 6-10 year housing targets be met using the residual development capacity available under existing controls. The investigation areas for higher density were omitted.

The revised LHS was approved by DPIE in July 2021 with this significant caveat:

*"Consistent with Priority K3 of the Ku-Ring-Gai Local Strategic Planning Statement (LSPS), Council is to commence a masterplan, or accommodate proponent-led planning proposal(s) with good planning outcomes, for Gordon, Lindfield and/or Turramurra local centres. Planning proposal(s) for these centres are to be submitted to the Department for Gateway determination by December 2022. Where this work is not pursued by Council the Department welcomes good place-based approaches by landowner/developers."*

Ku-ring-gai Council has not subsequently progressed master plans for any of the centres, and so this planning proposal is submitted in the context of a landowner-led approach.

## 1.1 Strategic Planning Framework



### Key

	Investigation Areas - Mixed Use Sites (Building Heights 10-15 storeys)		New Community Facilities and Town Square		Existing Walkway
	Investigation Areas - Apartments (Building Heights 5-6 storeys)		Intersection Improvements or New		Opportunity for New Pedestrian Bridge
	Investigation Areas - Townhouses/Apartments/ Multi Occupancy (Building Heights 2-6 storeys)		Landmark Building		Opportunity for Improved and Widened Rail Crossings
	Investigation Areas - Townhouses (Building Heights 3 storeys)		Railway Line		High Density Corridors
	Existing R3/R4/B2 Sites		Proposed New Street		Proposed Green Grid Corridor for Investigation
	Pacific Highway Improved Pedestrian and Place Functions		Opportunity for New/Improved Walkway		Proposed Parks and Public Spaces
			Proposed Cycleway		Existing Parks and Open Spaces
			Existing Cycleway		Heritage Conservation Area (No Change Proposed)

Image source: May 2020 Draft Housing Strategy

([https://eservices.kmc.nsw.gov.au/Infocouncil.Web/Open/2020/07/OMC\\_28072020\\_AGN\\_AT.htm#PDF2\\_ReportName\\_12394](https://eservices.kmc.nsw.gov.au/Infocouncil.Web/Open/2020/07/OMC_28072020_AGN_AT.htm#PDF2_ReportName_12394))

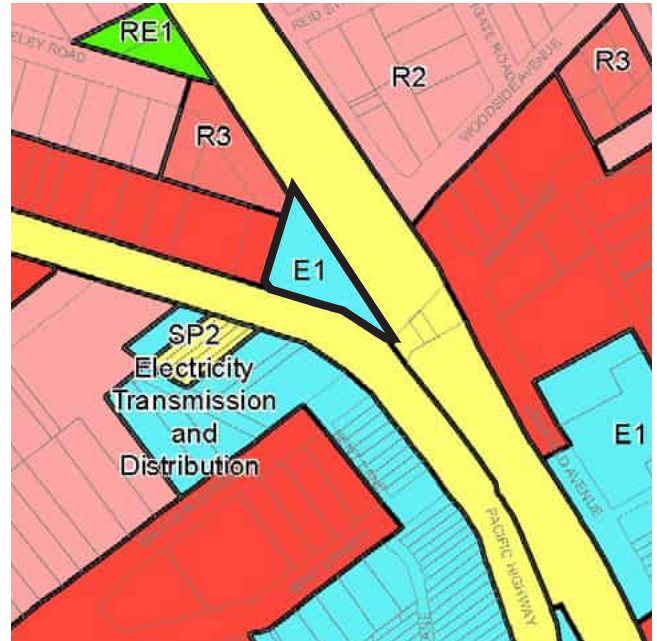


## 1.2 Statutory Planning Framework

### Ku-ring-gai Local Environmental Plan 2015

The Ku-ring-gai LEP 2015 is the primary statutory planning instrument applicable to the study area. The key LEP controls that apply to the site are:

- Land Zoning : E1 Local Centre (Updated from B5 Business Development in April 2023)
- Maximum Building Height: 11.5 M
- FSR is 1.0:1
- Terrestrial Biodiversity: The site is adjacent to items of biological diversity.
- Heritage: No heritage items currently listed within the site, however the site is close to Heritage Item I48, I1109 and I39, as well as General Conservation Area C29.
- Acid Sulfate Soils: Acid sulfate soils are not typically found in Class 5 areas. Areas classified as Class 5 are located within 500 metres on adjacent class 1,2,3 or 4 land.



#### Land Zoning

R2	Low Density Residential	E1	Local Centre
R3	Medium Density Residential	SP2	Infrastructure
R4	High Density Residential	RE1	Public Recreation



#### Terrestrial Biodiversity

Biodiversity
--------------

## 1.2 Statutory Planning Framework



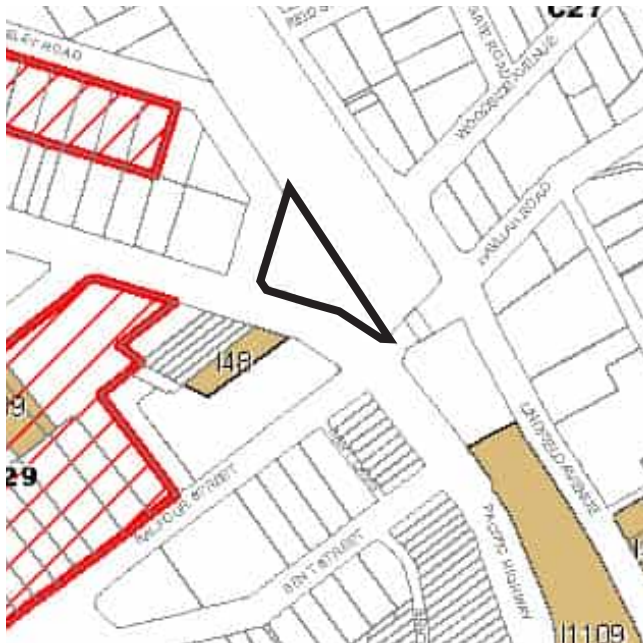
Height of Building (M)

J2	9.5	T1	26.5
L	11.5	T2	29.5
P	17.5	U3	34.5
Q2	20.5		



Floor Space Ratio (X:1)

A3	0.3	O	1.3
D	0.5	S1	1.8
J	0.8	T2	2.3
K	0.85	U1	2.5
N1	1.0	V	3.0



Heritage

	Conservation Area - General
	Item - General



Acid Sulfate Soils

	Class 5
--	---------



## 1.2 Statutory Planning Framework

### Ku-ring-gai DCP Lindfield Local Centre

The Ku-ring-gai Council Development Control Plans (DCP) lays out a guideline to support and enhance the planned future character of the Lindfield local centre.

The Built Form Plan below is extracted from the DCP and shows the site directly adjacent to the local centre. The plan shows an emphasis on creating a consistent 3 storey (11.5 meters) street wall parallel to Pacific Highway, with all levels above the street wall height to have a 4 metre setback.

The Proposed Community Infrastructure Plan shows two improvements proposed for Pacific Highway that will impact the site. These are:

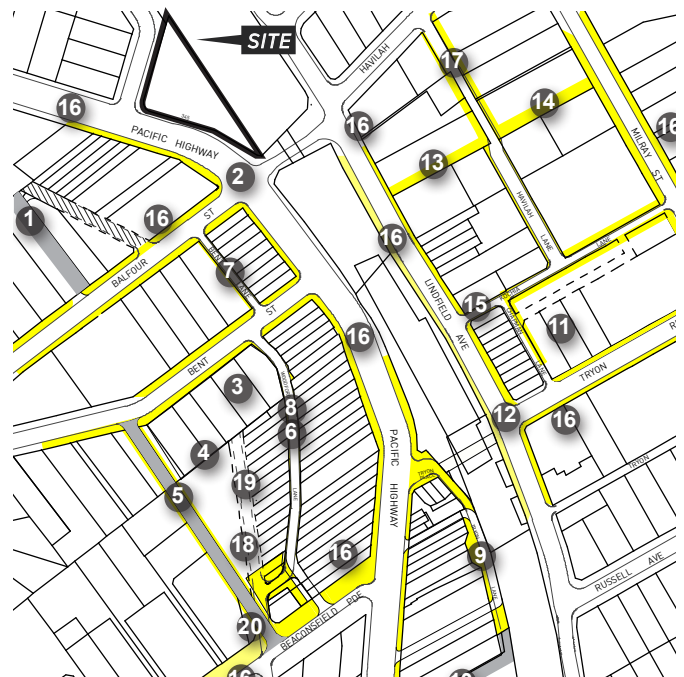
2. Extend right turn bay on Pacific Highway and Balfour Street/Havilah Road intersection.

16. Embellishment of the footpath areas and public domain throughout the area including underground power lines, new lighting, high quality paving and furniture and street tree planting.



#### Key

- Principal active frontage
- Supporting active frontage
- 3 storey street wall
- 4m upper level setback above street wall height
- \* - Landmark building
- Heritage affected site
- Public open space
- New/realigned road



#### Key

- Footpath embellishment
- New/realigned road
- 1 - Proposed Community Infrastructure
- Proposed road closure



## 2. Site & Context Analysis



## 2.1 Country and Place



### Country

Lindfield is part of the Ku-ring-gai Council area commonly accepted to be Darramurragal country.

It is acknowledged that despite Ku-ring-gai being changed from raw country to urban centre, this Country is still cared for by the Darramurragal whose ancestors continue to walk on this land.

There has been extensive research done on the Ku-ring-gai area by the Aboriginal Heritage Office, especially on the origins and validity of the use of 'Guringai' from which the name of the council area as well as many of its local community centres, were derived. There is evidence that the 'Kuringgai/Guringai' clan did not exist and was a poorly researched term created by the European anthropologist John Fraser in 1892.

*"The first use of the word 'Guringai' is over a hundred years after the arrival of the First Fleet... It is not authentic to the area, it was coined by a non-Aboriginal person and it gives a misleading impression of the connectivity of some original clan boundaries..."*  
- Val Attenbrow

This report recognises the importance of language and its contribution to the healing of Country. Although the word Ku-ring-gai is used throughout, it is purely to reference to the post-colonial naming and not tied to the Traditional Owners of the area.

Source: "Filling a Void: A Review of the Historical Context for the use of the Word 'Guringai'" - Aboriginal Heritage Office.

### Site in Context

The site is located within the Lindfield Local Centre within the Ku-ring-gai Local Government Area, approximately 16km north of Sydney's CBD.

Most of Ku-ring-gai's urban areas are situated along the north-south rail and road transport corridor. Lindfield is in close proximity to two smaller neighbourhood centres, Killara and Roseville, a larger local centre at Gordon, and the regional centre of Chatswood. The site is west of a major ridge line along the Pacific Highway.

### Surrounding Employment Hubs

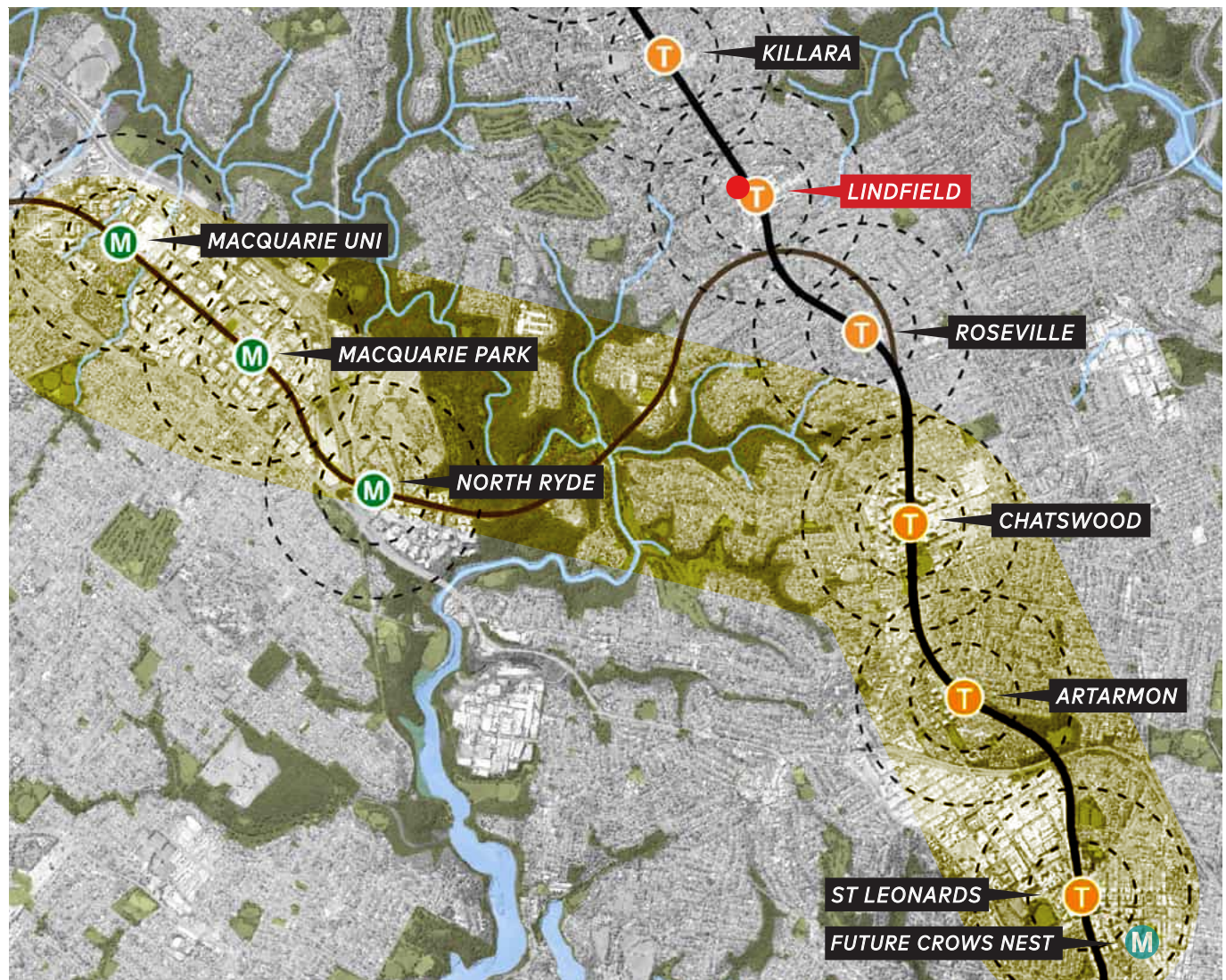
- Direct rail connections are available to the major employment centres of Chatswood (7 mins), St Leonards (10mins), North Sydney (17 mins) and the Sydney CBD (24 mins). The extension of Metro services from Chatswood to the CBD will provide additional connections and shorter trip times.
- The employment hubs at Macquarie Park and Bella Vista are accessible via the North West Metro by transferring at Chatswood.

### Education

- Macquarie University, a major educational hub, is located approximately 8km to the west. It is accessible via the North West Metro by transferring at Chatswood.
- The site sits within the catchment of numerous primary and secondary schools.



## 2.2 Site Context



### KEY

- Study area
- T Train station
- M Metro station
- Economic corridor
- Railway
- 400m / 800m catchment

Sources:

<https://portal.spatial.nsw.gov.au/>



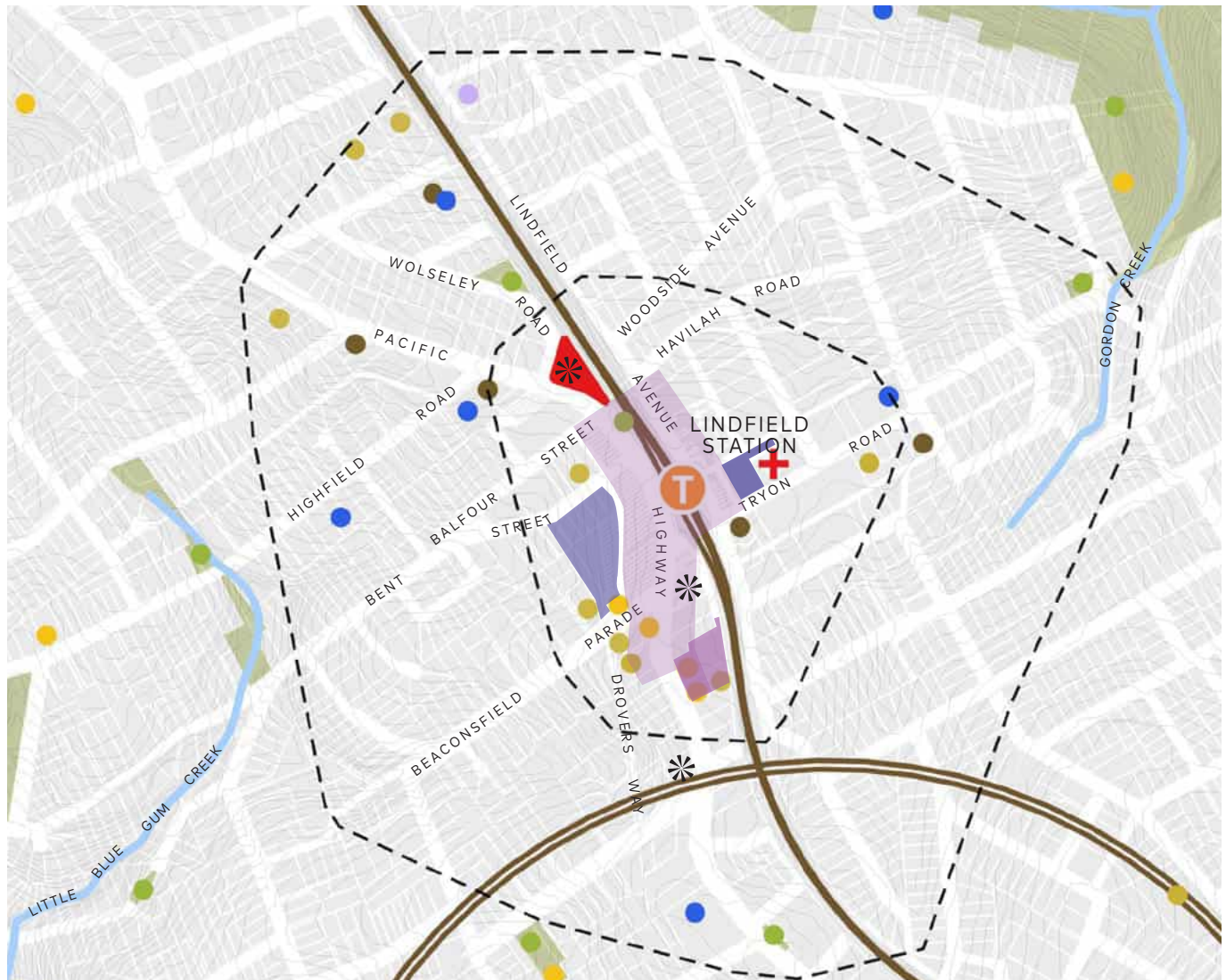
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### Retail and Recreation

- Chatswood, approximately 3km to the south, is the closest super regional retail centre. It contains the Westfield Chatswood and Chatswood Chase shopping centres.
- The Macquarie Centre, another super regional retail and leisure centre, is accessible from the site by rail.
- Lane Cove National Park is located to the west of the site and Garigal National Park is located to the east of the site.
- A number of small ovals and parks are located within the vicinity of the site.



## 2.3 Site Location



### KEY

- Study area
- Open space
- Railway
- Education
- Religious institutions
- Sports & recreation centres
- Community / Public services
- Culture & entertainment
- Aged care / Assisted living
- + Medical centres
- Local shopping strip extent
- Lindfield Village Living
- Lindfield Village Hub
- Lindfield Village Green
- ✱ Key sites (LSPS)



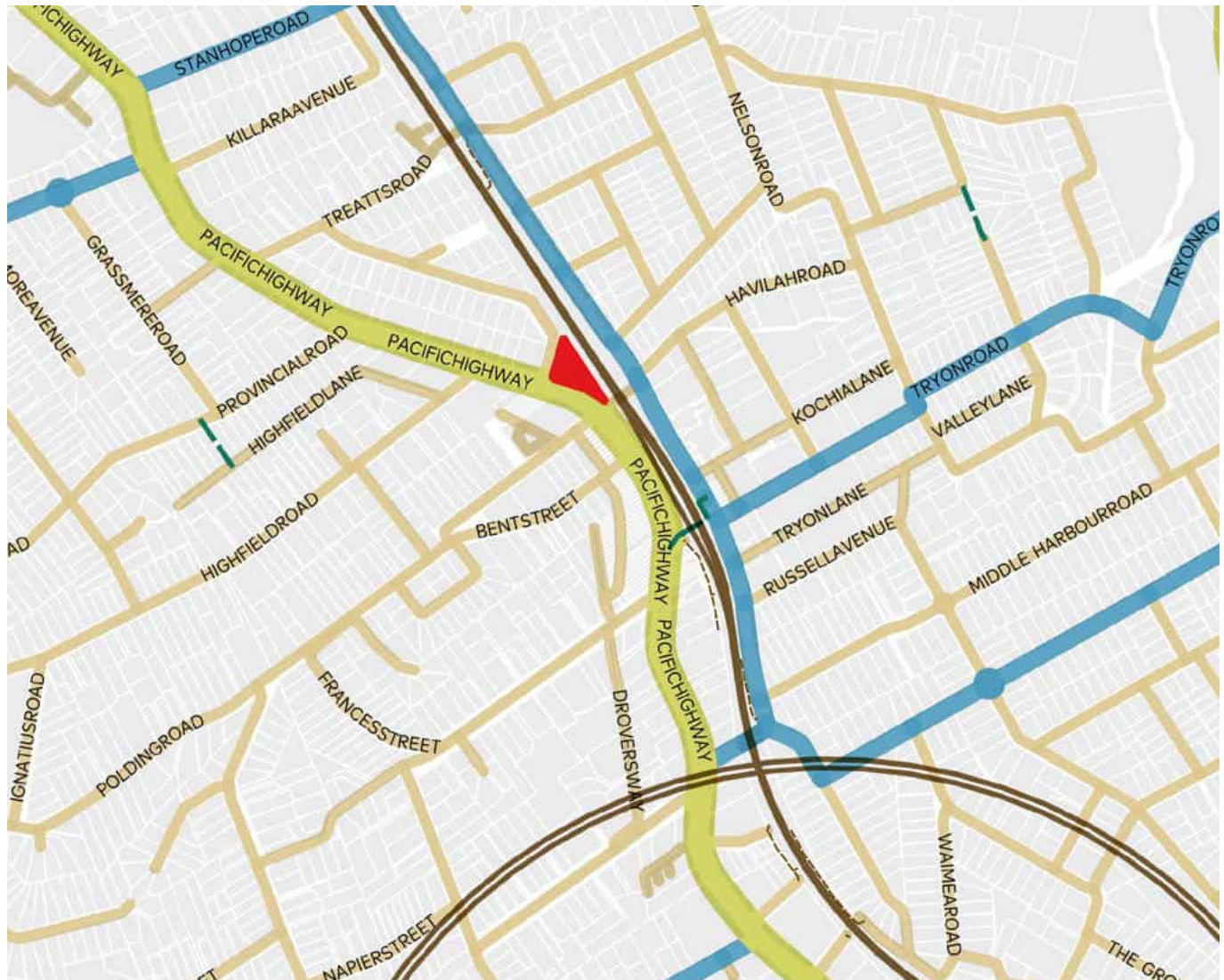
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A 400m isochrone - that is, the actual 5-minute walkable catchment rather than the as-the-crow-flies distance - shows the site is positioned immediately adjacent to Lindfield Train Station, being a two-minute walk along Pacific Highway. A 400m walk would also bring residents to multiple community and public services including the Village Green and the future Lindfield Village Hub, Village Green and Village Living. This report has identified this zone as the Lindfield Town Centre.

The 800m isochrone shows a larger catchment of numerous local parks, aged care/assisted living and schools that are within a 10-minute walk from Lindfield Station and the subject site.

Sources:  
<https://portal.spatial.nsw.gov.au/>

## 2.4 Road Network



### KEY

- Site
- Open space
- Primary road
- Distributor road
- Local road
- Pedestrian path

Sources:  
<https://portal.spatial.nsw.gov.au/>

0 100 200 500M

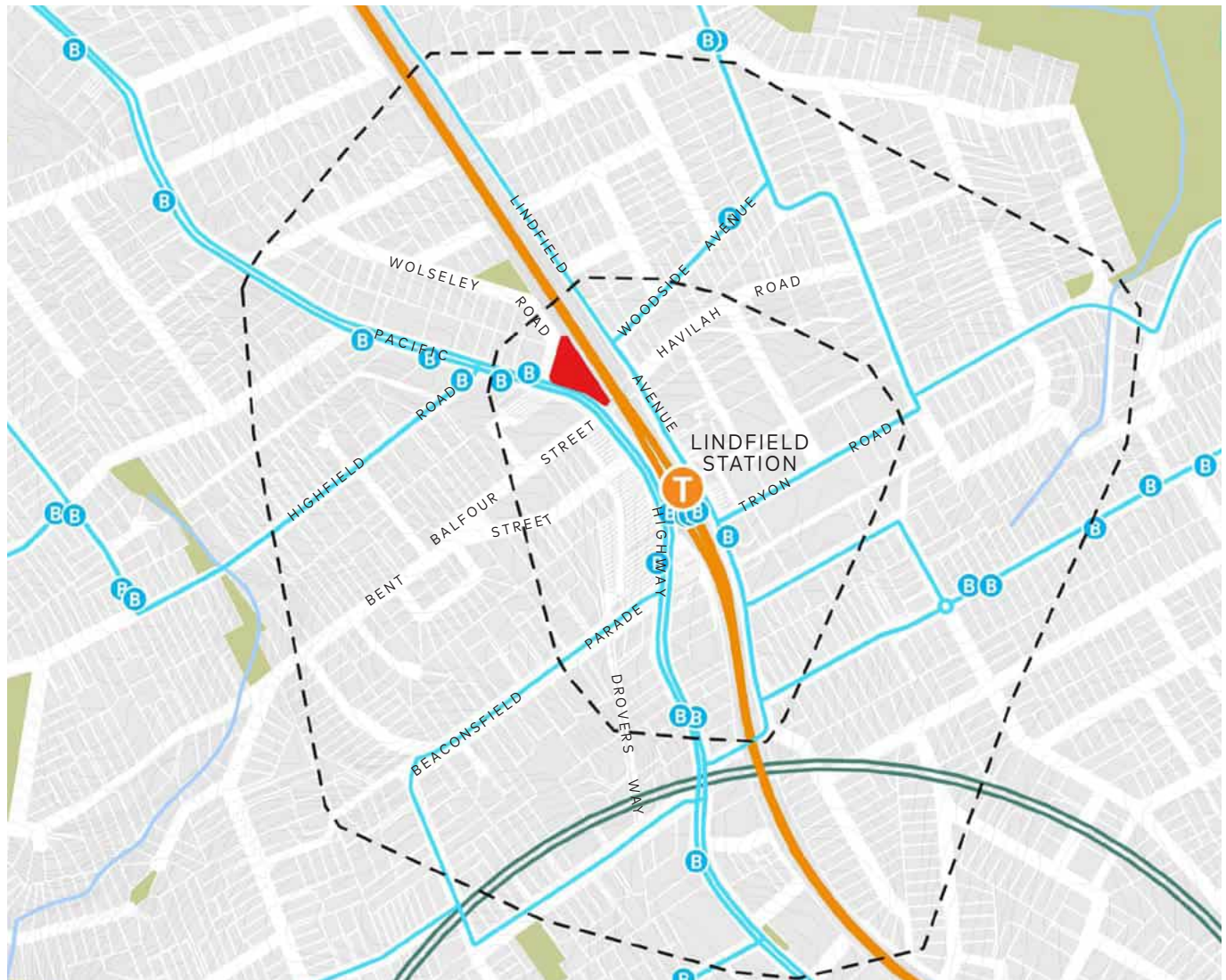
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The site is well connected to the larger northern district by virtue of being directly adjacent to Pacific Highway, a primary road through the area. A network of local roads have direct access to the site including an existing vehicular entry/exit on Wolseley Road. The site is inaccessible along the north-eastern boundary due to the rail corridor, however is connected to the distributor road Lindfield Avenue via Havilah Road, which accesses local amenities.



## 2.5 Public Transport



### KEY

- Site
- Open space
- Rail corridor
- Metro line
- Bus routes

Sources:  
<https://portal.spatial.nsw.gov.au/>



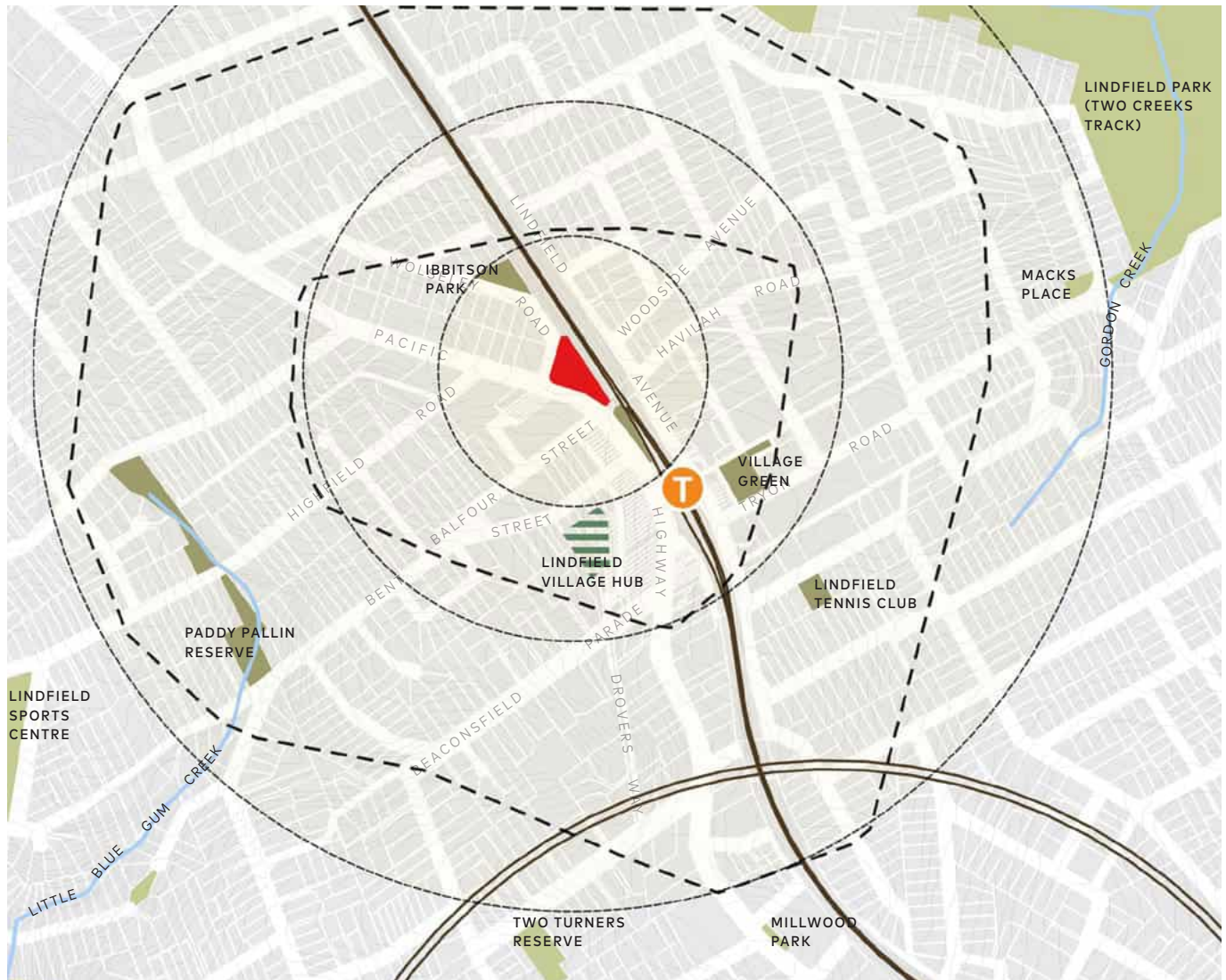
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The site is within a 400m/5-minute isochrone catchment from Lindfield Train Station, providing an 8-minute journey to the Strategic Centre of Chatswood and a 13-minute journey to the Health and Education Precinct of St Leonards (North District Plan). The rail corridor which is observed to the south of the mapping shows a portion of the metro link, connecting Chatswood and Macquarie Park in 7 minutes.

There are several bus stops in close proximity to the site along Pacific Highway and at Lindfield Station, to connect commuters to East and West Lindfield, and local amenities in-between stations.



## 2.6 Open Space



### KEY

- Site
- Existing publicly accessible open space
- Proposed publicly accessible open space

Sources:  
<https://portal.spatial.nsw.gov.au/>

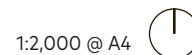
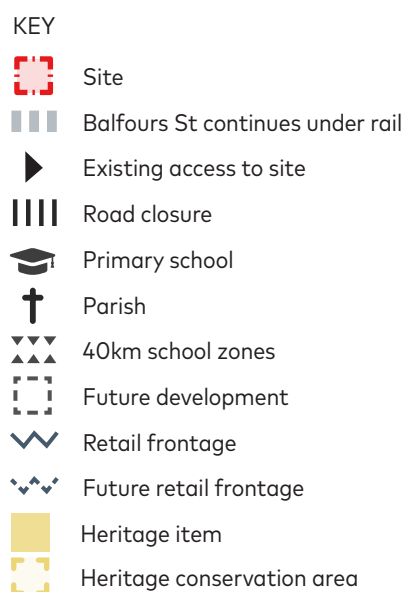
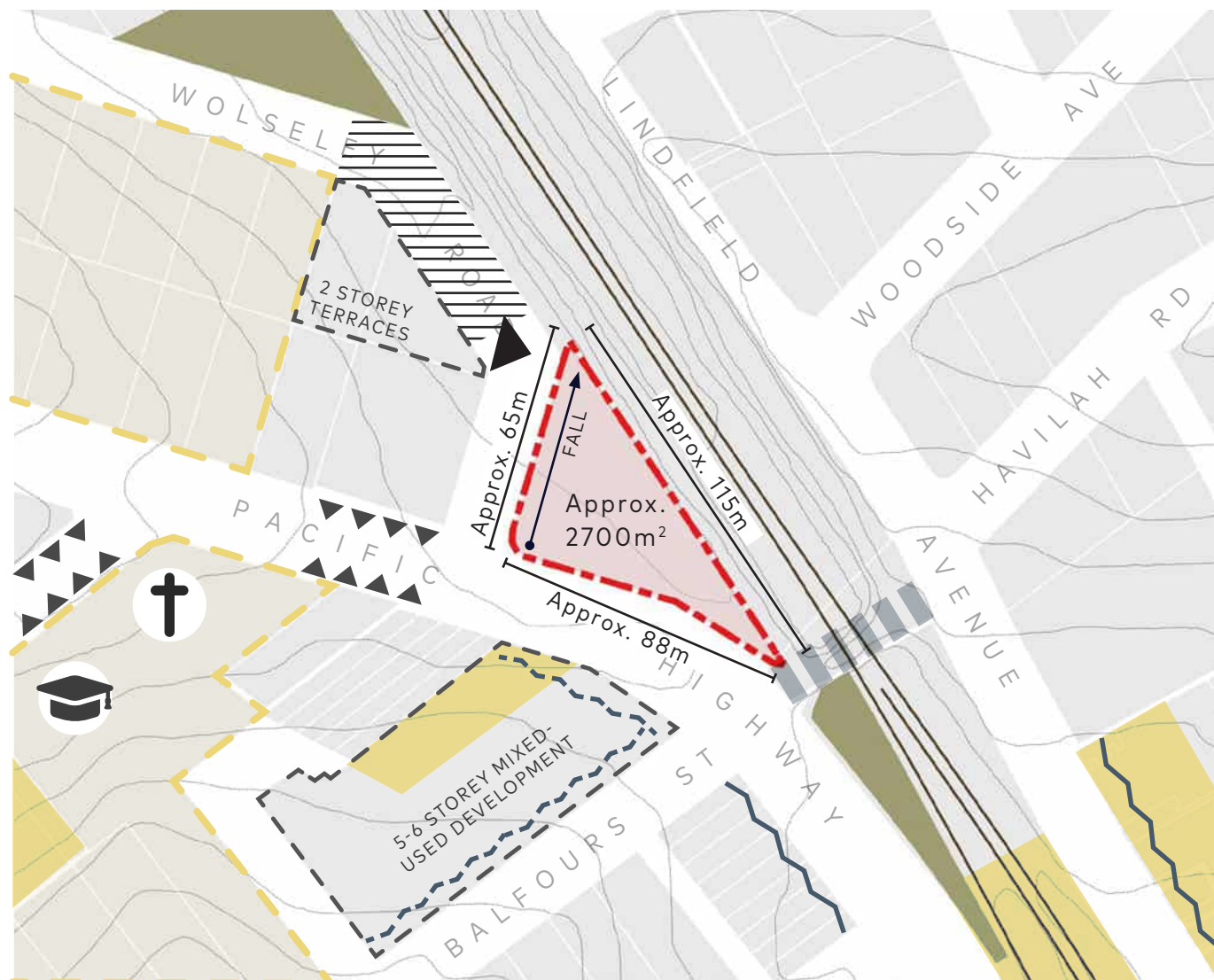


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The NSW Government Architect's Greener Places draft guidelines advise that high-density housing should be provided with open spaces within a 200m radius and that low- and medium- density housing should be provided with open spaces within a 400m radius.

The site is currently considered to be moderately served by local open spaces, with two small local parks within 200m radius of the site, and the newly constructed Village Green within 400m of the site. The future Lindfield Village Hub will also provide a local open space within the 400m catchment. Two regional parks, Lindfield Park and Blue Gum Park (off map) are just outside of the 800m/10-minute catchment from the site.

## 2.7 Site Characteristics



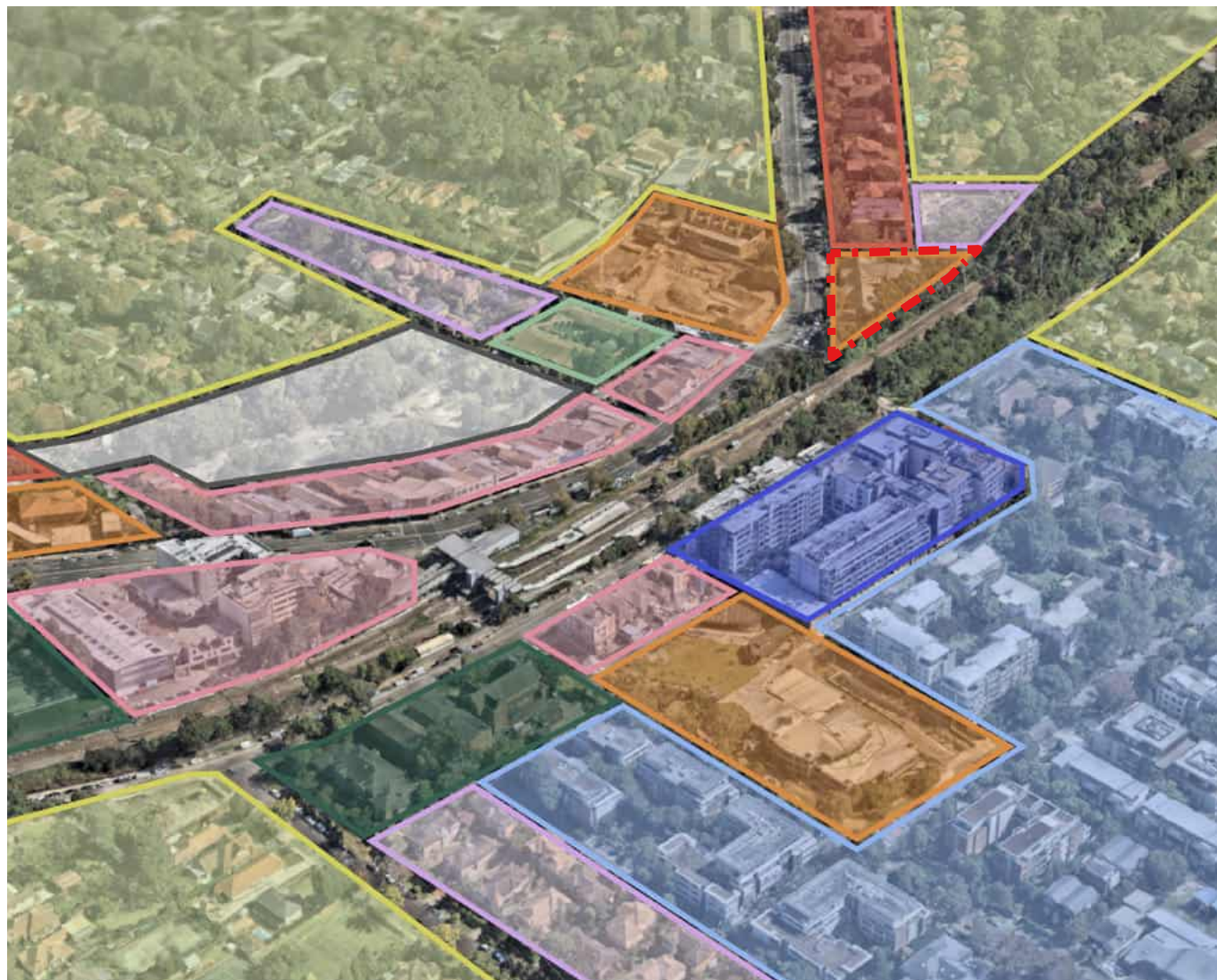
The site is located at 345 Pacific Highway, Lindfield, on Lot 1 DP 810773. Currently a 2-storey commercial property occupies the entire site, housing a dental practice, medical practice and offices.

The site has a triangular shape with main frontage of approx. 88m length facing Pacific Highway. Its longest edge is approx. 115m and abuts the rail corridor. The third edge is approx. 65m facing Wolseley Road and currently provides the vehicular entry into the site. The block size is able to support mixed-used /residential development.

There is a DA approved mixed-used development across Pacific Hwy from site including a full-line Coles supermarket on the ground floor, as well as 8 terraces at 8-10 Wolseley Road.



## 2.8 Local Built-Form Context



### KEY

-  Site (Commercial)
-  Future Lindfield Village Hub
-  Single Detached Dwelling
-  Walk-up Flat
-  Multi-Residential
-  Shoptop Housing
-  Townhouses
-  Retirement Village
-  Multi-Residential Shoptop
-  Community
-  Retail / Commercial

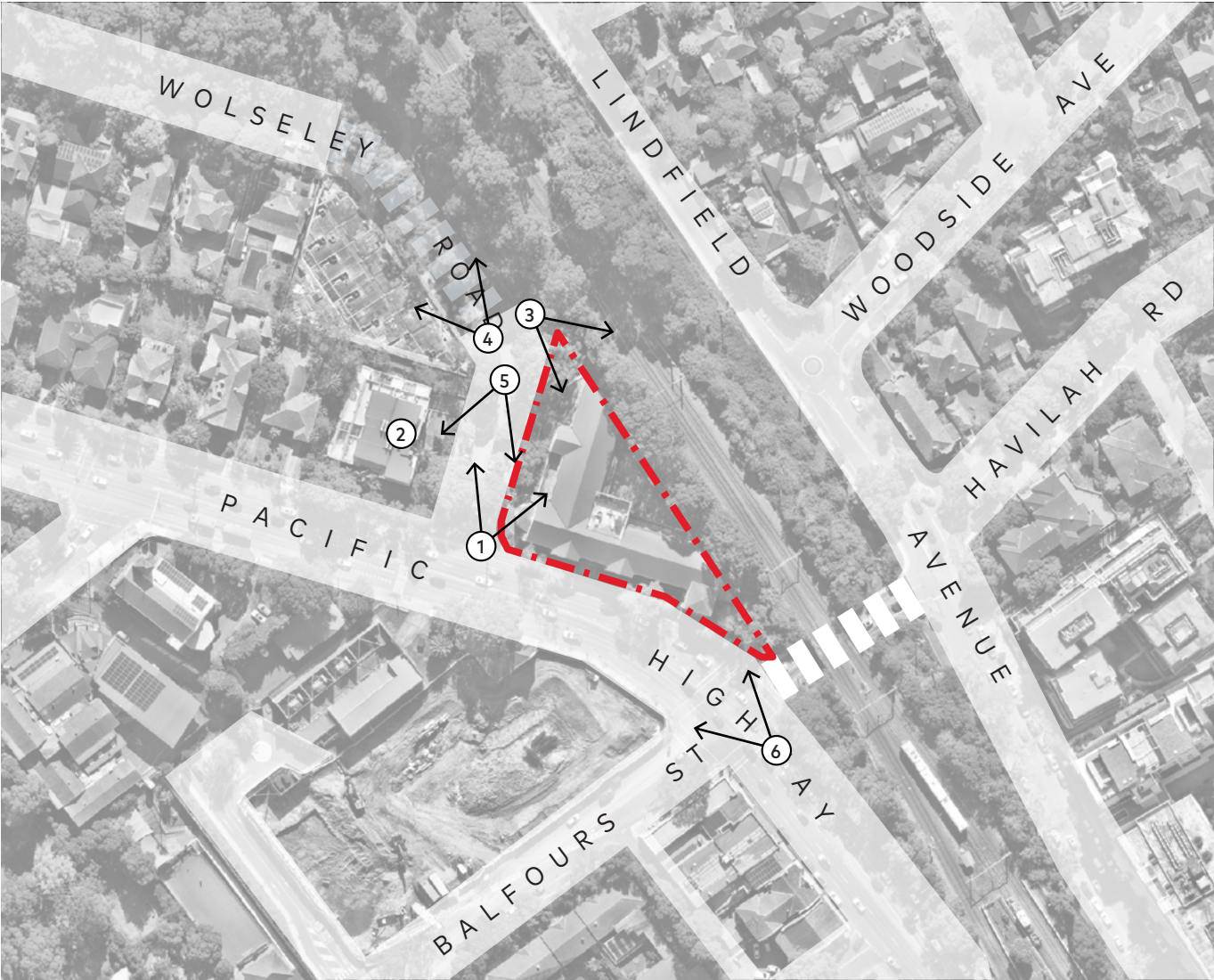
NTS 

The diagram above highlights the diversity of architectural built form within the Lindfield Local Centre, where no specific typology takes precedence. East of the railway line are several residential flat buildings including shop-top housing, with smaller scale multi-residential buildings further south of the site. Immediately north of the site is a 4-storey walk-up flat building, and lower scale residential single-homes further north.

Along the Pacific Highway are long established main street retail. These are typically at 2-storey maximum heights, but with many identified in the Draft LHS as being within a 10-15 storey height investigation area. Although there are several vacant store fronts, there is still a significant level of retail vibrancy in the Centre, which will be improved by a number of major developments under way.



# 2.9 Site Photos



KEY

Site

Balfours St continues under rail



1:2,000 @ A4

Site photography shows that the existing site is almost entirely occupied by built form. There is significant tree coverage north of the site as well as a tree-lined acoustic barrier separating the site from the rail corridor immediately to its north-east.

## 2.9 Site Photos



1. Looking north-east down Wolseley Road with pedestrian entrance to the site on the right. Raised railway line can be observed at the end of the street



2. Neighbour at 2-6 Wolseley Road. A slope in the road with higher point to the south-west can be observed



3. Looking south into the site from Wolseley Road, seeing the entrance to the car park



4. At end of southern Wolseley Road cul-de-sac looking north to neighbour site (building no longer exists). Start of one-way access laneway that connects back to north Wolseley Road.



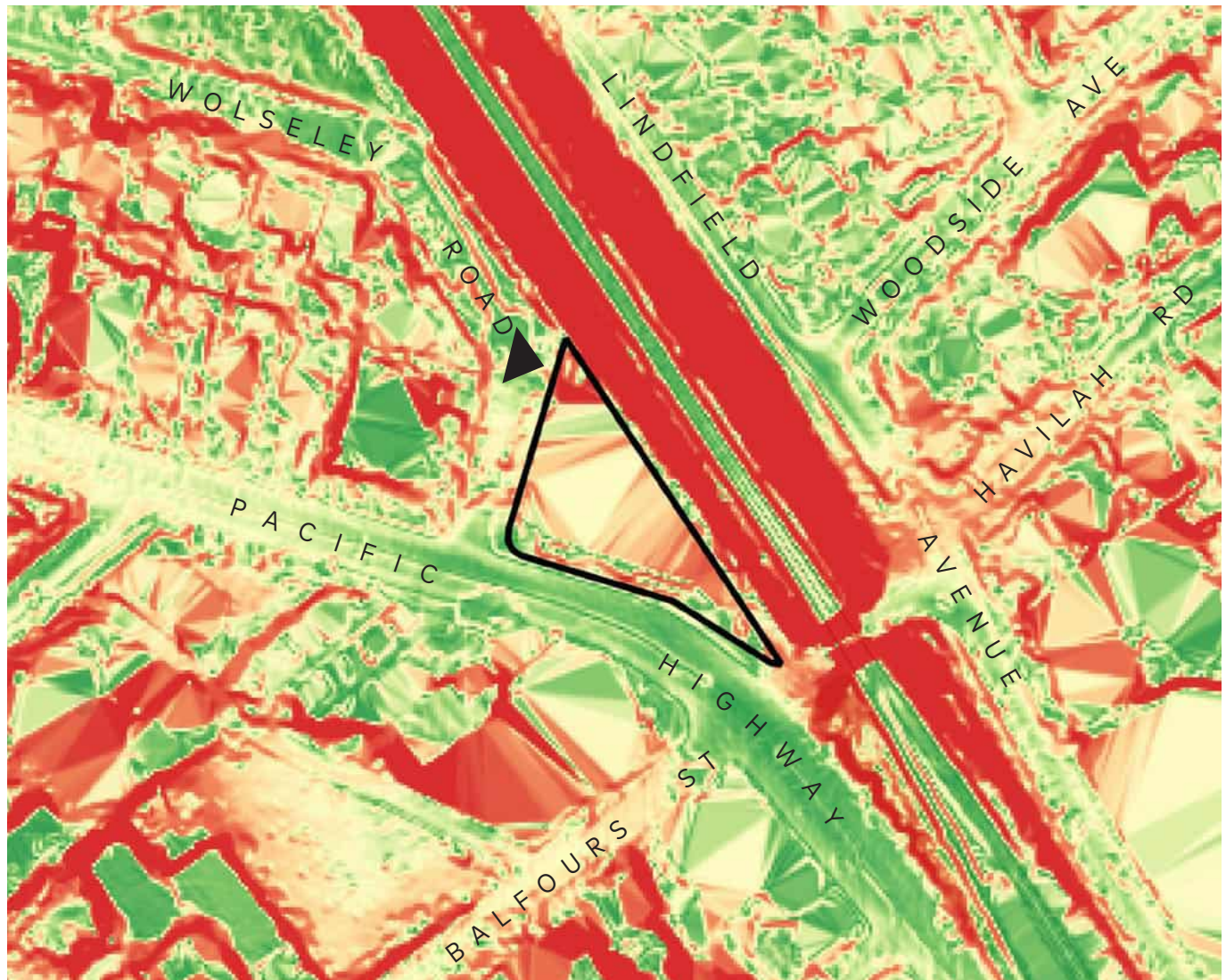
5. Looking south-west down Wolseley Road. A slope from Pacific Hwy can be observed



6. Looking north towards site from Pacific Hwy










## 2.10 Topography



### KEY

 Site


### SLOPE

	0
	1:30
	1:20
	1:14
	1:10
	1:8
	1:4

Sources:

<https://elevation.fsdf.org.au/>

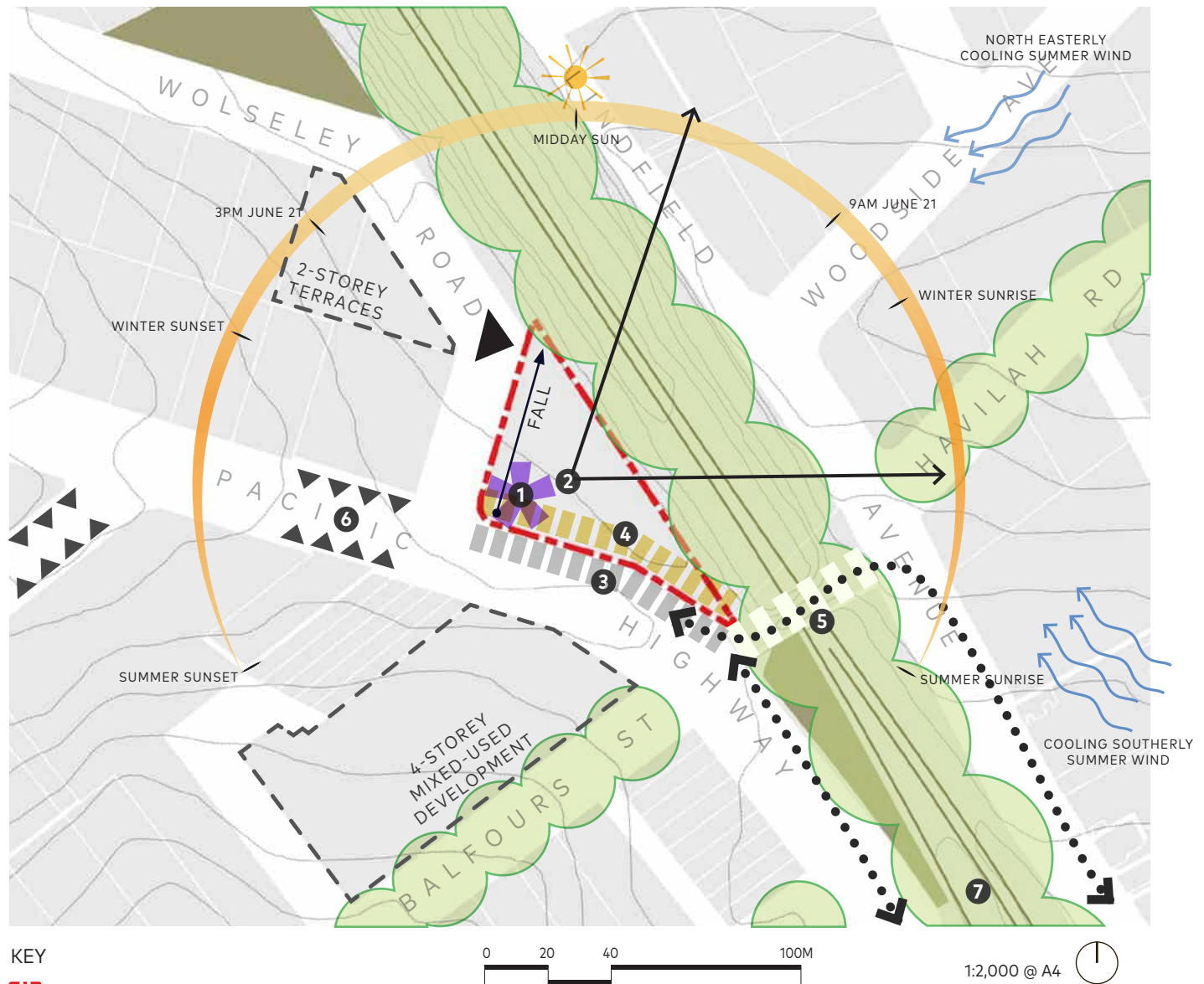


1:2,000 @ A4 

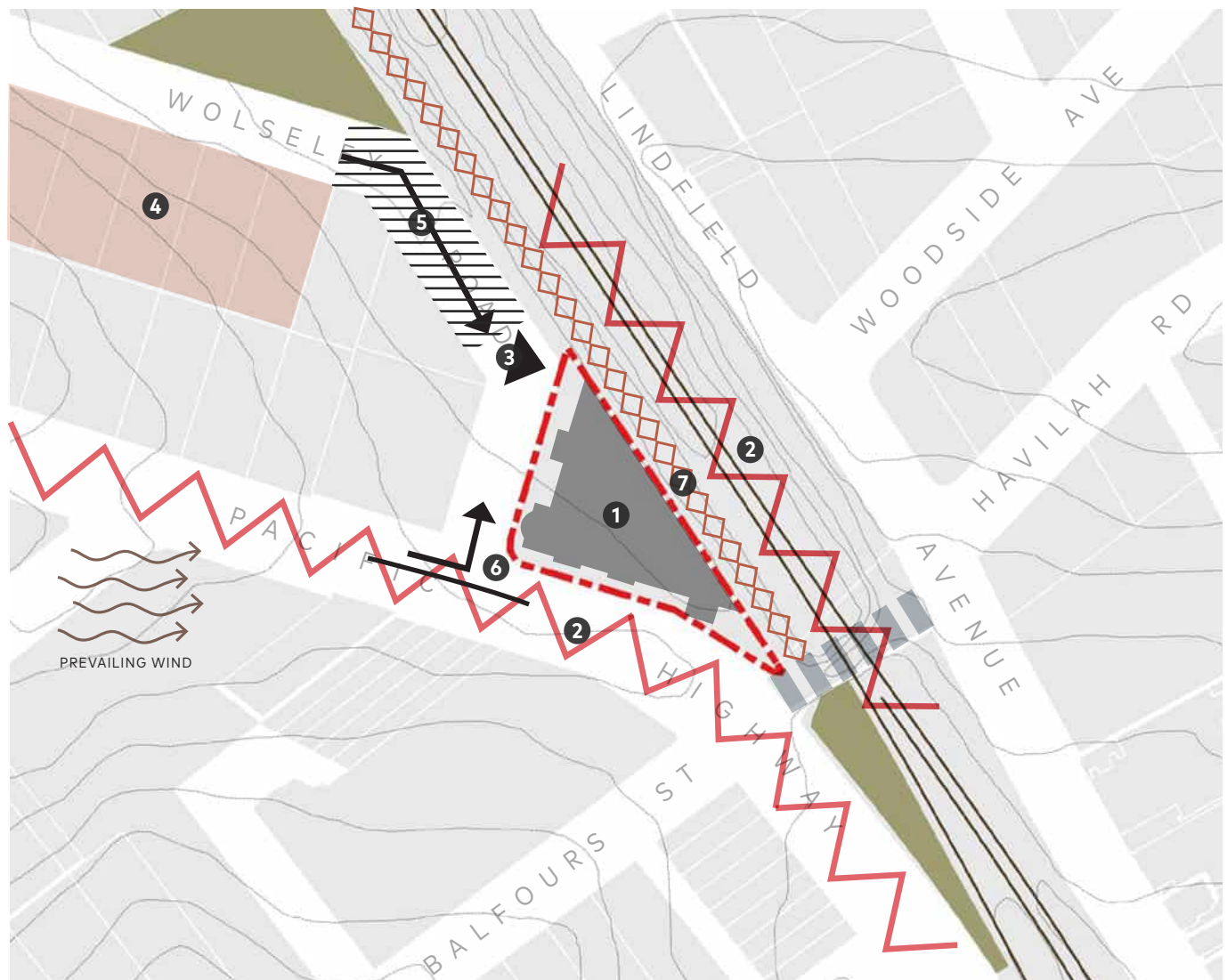
Pacific Highway runs along a ridge line where land either side falls quite significantly from the road. Wolseley Road is relatively steep, especially the northern edge where there is an appropriately placed driveway into a basement car park. The majority of the site is currently occupied by the building footprint and landscaped footpaths, which are mostly level.



## 2.11 Opportunities



## 2.12 Challenges



### KEY

- Study Area
- Open space
- Railway
- One-way access laneway
- Street continues under rail
- ~ Noise source
- Access to site
- Existing built form on site
- ◇◇◇◇◇ Steep terrain



1:2,000 @ A4

1. Existing building on site to be adapted or demolished
2. Pacific Highway and the railway corridor produces significant noise source while limiting vehicular access points
3. Only point of access into site from Wolseley Road
4. Lower scale residential zone along Wolseley Road
5. Wolseley Road is split by a mid-street cul-de-sac, with a one-way access laneway to two properties.
6. Left turn only into Wolseley Road
7. Railway raised above the level of the site

### **3. Structure Plan & Concept Options**

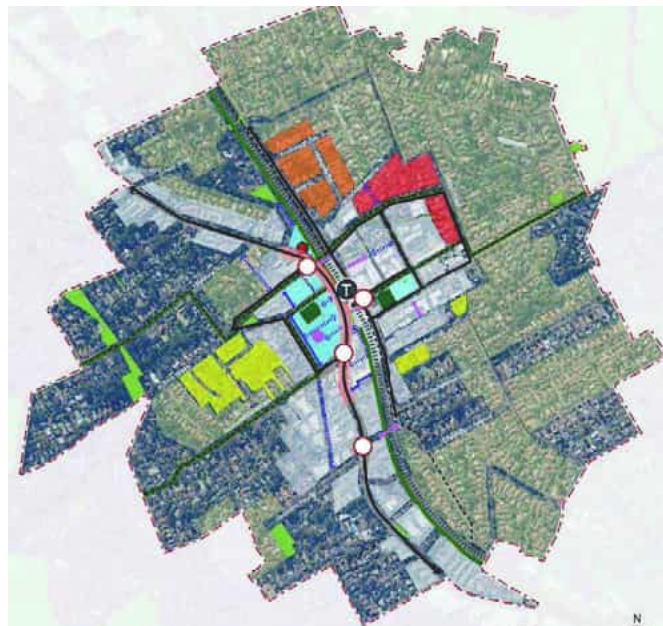




## 3.1 Structure Plan & Concept Options

*"Consistent with Priority K3 of the Ku-Ring-Gai Local Strategic Planning Statement (LSPS), Council is to commence a masterplan, or accommodate proponent-led planning proposal(s) with good planning outcomes, for Gordon, Lindfield and/or Turramurra local centres. Planning proposal(s) for these centres are to be submitted to the Department for Gateway determination by December 2022. Where this work is not pursued by Council the Department welcomes good place-based approaches by landowner/developers."*

Requirements of Approval of Ku-ring-gai Local Housing Strategy, NSW Department of Planning



As described in the Planning Framework section of this report, the endorsement of Ku-ring-gai's Local Housing Strategy was predicated on master plans being undertaken for Lindfield and other centres before December 2022. This planning proposal has been prepared as the work was not pursued by Council, triggering DPE's welcoming of "good place-based approaches by landowner/developers".

As no more further work has been published by Council on a master plan for Lindfield centre, this report takes the May 2020 draft Local Housing Strategy as its starting point. As described, the strategy was prepared and previously endorsed by Council for exhibition, so it outlines relatively recent official views for the centre.

Two structure plans have therefore been developed to inform the design proposal in this report: one that positions the site within a centre-wide strategy, and the other focusing on more site-specific strategies. Both are directly based on the May 2020 draft Local Housing Strategy prepared by Ku-ring-gai Council.

### CENTRE STRUCTURE PLAN

The May 2020 LHS identifies height increases of "10-15 storeys" for several key mixed-use sites, including 345 Pacific Highway. It then identifies building heights of up to 6-storeys to the north and northeast fringe of the centre, and buildings heights of 3-storeys on the southeast and southwest fringe of the centre.

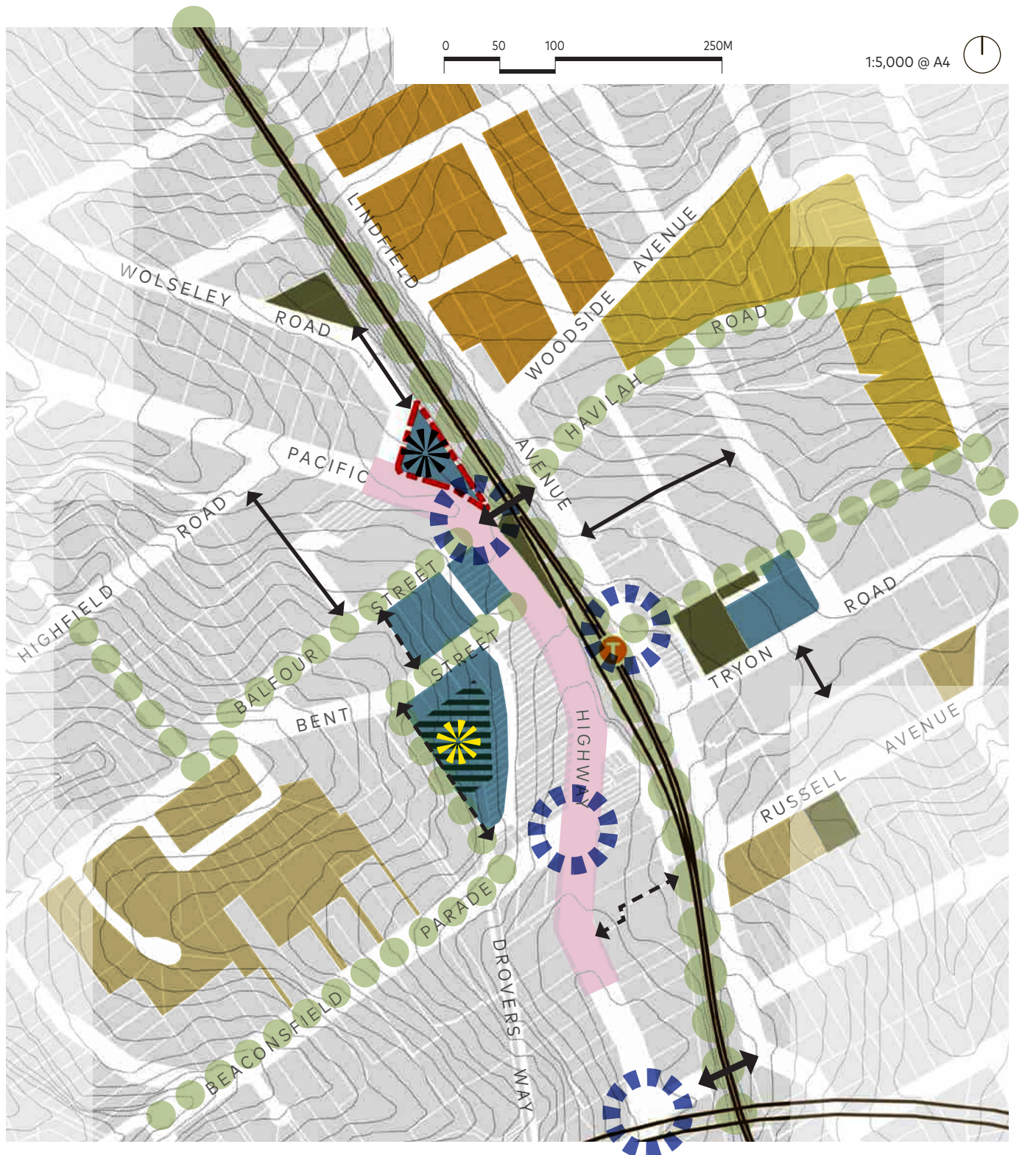
The subject site at 345 Pacific Highway is identified for a 'Landmark Building'. This is the only site with such a designation in the centre, indicating it is intended to have greater visual prominence than any other site in the centre.

A green grid corridor is nominated along the rail line, a regional path which ultimately would cross the entire Ku-ring-gai LGA to connect St Leonards to Hornsby (and beyond) along the rail line.

### SITE STRUCTURE PLAN

Pacific Highway, along the site's southern boundary is identified for "Improved Pedestrian and Place Functions". The northern boundary, along the rail line, is identified as part of a regional green grid connection. An "Opportunity for [a] New/Improved Walkway" is identified to the north-west of the site. Havilah Road is nominated as an "Opportunity for Improved and Widened Rail Crossings".

## 3.2 Centre-Wide Structure Plan

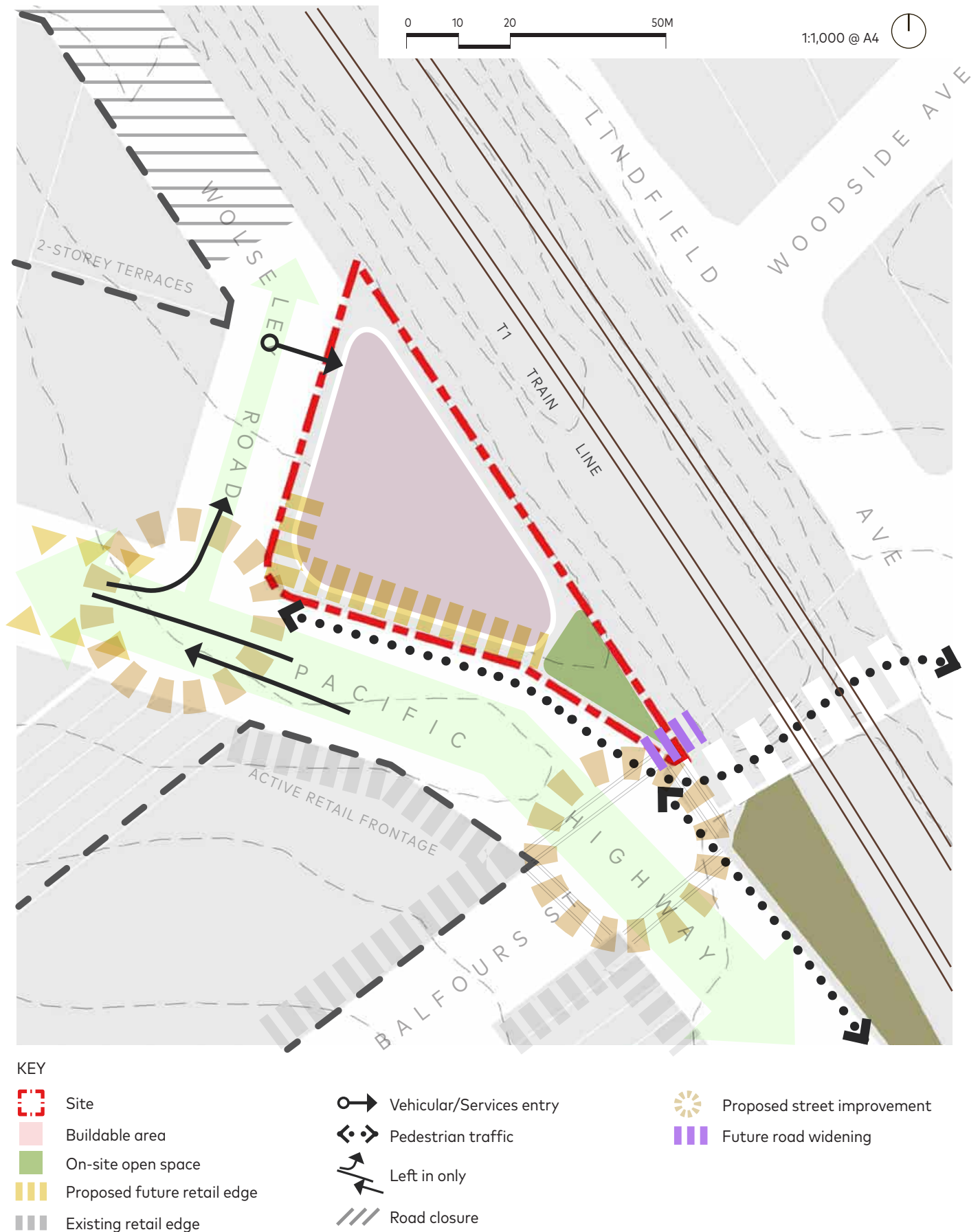


### KEY

- |   |  |   |
|---|--|---|
| Study Area                                | Mixed used sites (Building heights 10-15 storeys)                    | Landmark building                                       |
| Open space                                | Apartments (Building heights 5-6 storeys)                            | New community and town centre                           |
| Proposed new streets                      | Townhouses/Apartments/Multi Occupancy (Building heights 2-6 storeys) | Proposed intersection improvements                      |
| Opportunity for improved walkway          | Townhouses (Building heights 3 storeys)                              | Proposed green corridor (LSPS)                          |
| Opportunity for improved railway crossing |  | Pacific Highway improved pedestrian and place functions |



### 3.3 Site Specific Structure Plan





## 3.4 Urban Design Principles

To direct the design's interpretation of the Structure Plan so established, three categories of urban design principles were defined. These are then paired with the Structure Plan to inform the Concept Options undertaken in the next section.



Create safe connections to amenities



Provide mixed-use development



Contribute to sustainable lifestyle and neighbourhood vibrancy.

- Create a well-connected network for pedestrians and cyclists that facilitate easy access to various amenities, open spaces, commercial, and retail areas.
  - Account for potential increases in pedestrian and vehicular traffic, and plan for adaptable infrastructure that can accommodate changing patterns of movement
  - Ensure that ground-floor spaces have safe and attractive pedestrian access to encourage foot traffic and support local businesses.
- 
- Increase density to accommodate population growth in areas with existing infrastructure and access to amenities and transport
  - Promote a diverse range of housing types to cater to different income levels and lifestyles.
  - Protect and expand employment opportunities by maintaining and increasing retail and commercial areas
  - Encourage mixed-use development that combines residential, commercial, and retail spaces within the same area.
- 
- Create an interesting and pedestrian friendly street scape with developments respecting the human scale
  - Encourage an increase in commercial and retail floor space at street level to create a lively and engaging atmosphere that supports local businesses and attracts foot traffic.
  - Plan residential developments in close proximity to reliable public transportation hubs to promote sustainable travel behaviour.
  - Prioritize the expansion of green spaces and tree canopy coverage in urban areas.
  - Promote sustainable travel behaviour, such as walking, cycling, and the use of public transport, by making these options safe, accessible, and attractive.

## 3.5 Concept Options

Following the definition of a Structure Plan and Urban Design Principles for the site, the design team then sought to establish an appropriate scale and building form for the site.

Ku-ring-gai Council's May 2020 Draft LHS identified height increases of '10-15 storeys' for 345 Pacific Highway as well as a number of other sites in the Lindfield Centre. To confirm the place-based appropriateness of the recommended building form to be made in this proposal, buildings at all steps within Council's height range were sketched and compared.

As described, the Council's May 2020 Draft LHS explicitly identifies the subject site at 345 Pacific Highway as being intended for a "Landmark Building"; the only site with such a designation in the centre. It follows that 345 Pacific Highway was considered for the highest end of the 10-15 storey range, intended for greater visual prominence than any other site in the centre, including the other mixed-use sites of 10-15 storeys. This aligns with the position of the site within the Centre: on a prominent corner created by the bend of Pacific Highway, helping highlight the location of the train station directly adjacent as well as signposting the northern gateway into the Lindfield local centre.

Noting the LSPS' desire to maintain commercial floor space, all options include a large commercial component on the bottom two levels, which replaces the existing office floor space that will be lost to development. In all options, the commercial podium is also expected to include ground level retail facing Pacific Highway.

The 10-storey option was designed as large-plate levels consistent with a mid-rise typology, with only the upper level setback. While we note that mid-rise typologies are usually defined as 8-storeys or lower, they are increasingly being pushed to 9- to 10-storeys as these are not natural heights for a podium-and-tower form due to their proportions. However, at 10-storeys the typology risks presenting as an over-scaled mid-rise building, rather than the accentuating point tower, as we believe is true in this case.

At 11-storeys we have shown the podium-and-tower typology being introduced, although the proportions still result in increasing the apparent bulk.

Shifting from 10-storeys designed as a mid-rise typology to an 11-storey high-rise typology results in a yield reduction due to the smaller footprints used for the tower, meaning it would be unlikely to be pursued. The proportions are also uncomfortably close to 50% podium / 50% tower, resulting in significant building bulk despite the relatively modest tower height

The 12-storey test recovers the lost yield to match the 10-storey option and begins to correct the proportions, however increasing height without yield raises construction cost without facilitating additional dwellings.

The 13-storey option reaches a 10% dwelling increase (compared to the 10-storey option) across the 3 extra storeys which may be feasible. The proportions of the podium and tower also begin to reduce apparent building bulk, with the 13-storey height more comfortably reaching into high-rise building heights.

The 14- and 15-storey studies indicate that amenity impacts are then not meaningfully increased as height increases, with the 13- and 15- storey presenting very similarly when viewed from the street. The proportions also improve as heights increase, with the 14-storey option having a more slender height:width ratio, and the 15-storey option more slender still.

Given the 15-storey Option aligns well with the strategic planning framework in maximising housing near social infrastructure and mass transport, and does not create meaningfully greater amenity impacts when compared to 13- or 14- storey options, it is recommended as an appropriate scale and so forms the basis of this Planning Proposal.



### 3.5 Concept Options



10-STOREYS 68 Dwellings



11-STOREYS 64 Dwellings



12-STOREYS 70 Dwellings



13-STOREYS 77 Dwellings



14-STOREYS 84 Dwellings



15-STOREYS 91 Dwellings

Residential     Commercial     Loading/Service



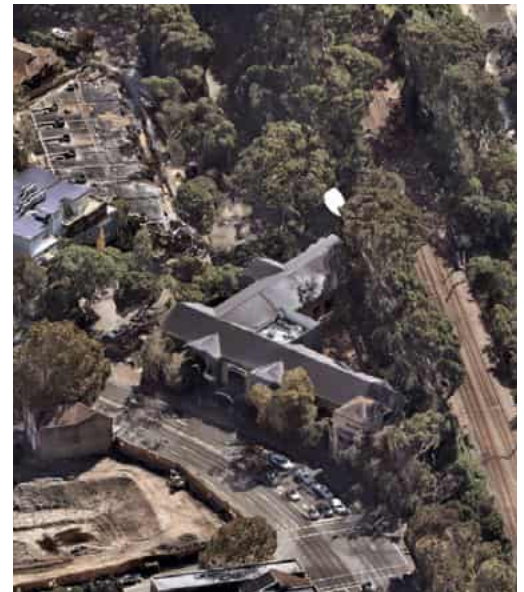
## 4. Indicative Design Proposal



## 4.1 Indicative Design Proposal

This Chapter outlines the extended study into a 15-storey mixed-use outcome for the site. It shows a 3-storey podium with 2 levels of commercial offerings, with a slender tower form above. The design seeks to protect the employment floor space while introducing residential uses above, aiming to create a landmark building that signposts the entry into the Lindfield Local Centre.

As described, the design has been driven by the application of the project-specific Urban Design Principles to the Structure Plan previously defined. The deliverability of the envelope concept is then proven through this indicative design proposal chapter which includes a site plan, floor plans and skyline analysis.



EXISTING SITE



3D VIEW OF INDICATIVE DESIGN



## 4.2 Indicative Site Plan

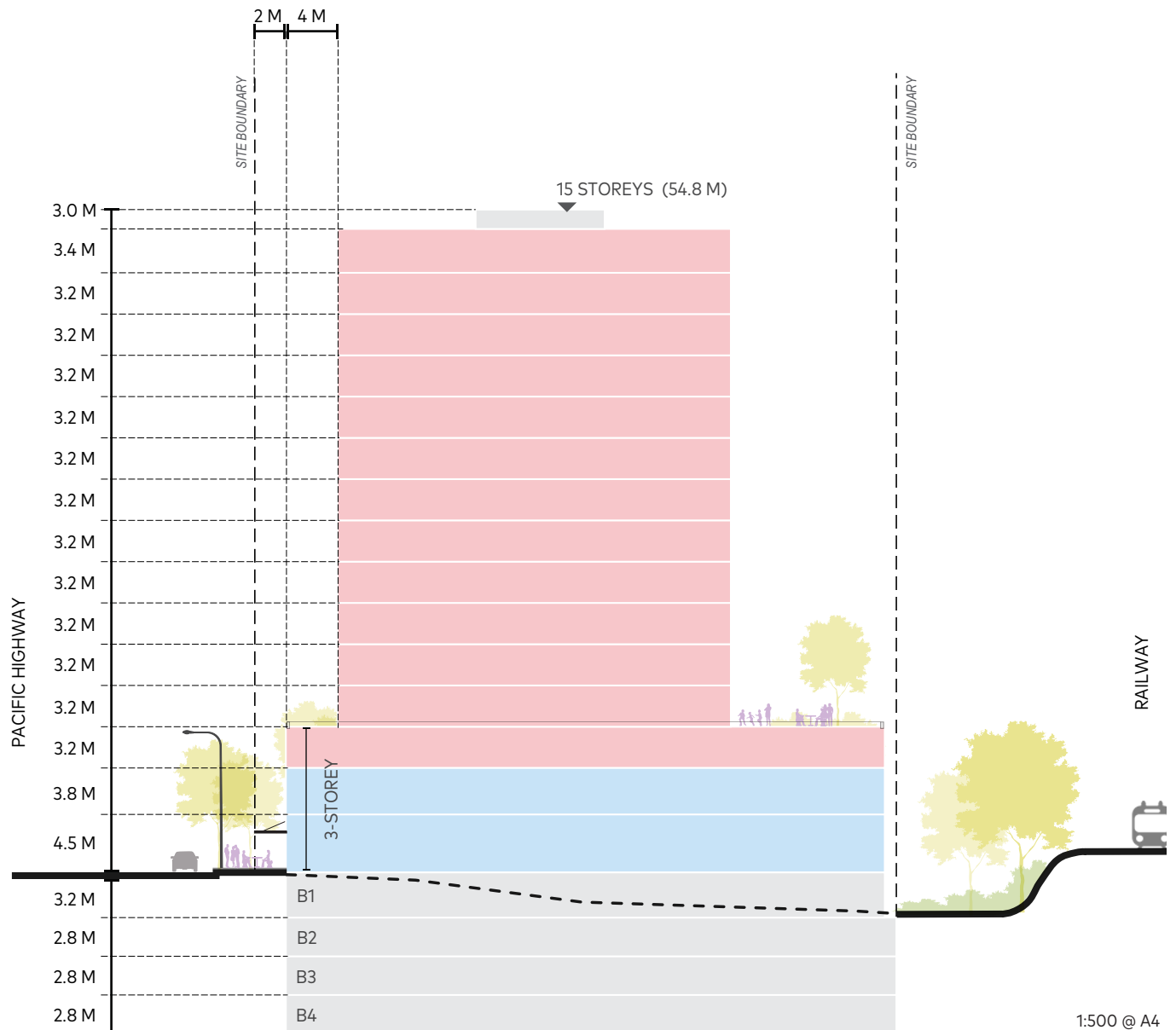


The site plan shows the roof plan of the indicative proposal positioned within the boundaries of the site. Proposed setbacks include a 2m landscape setback to Pacific Highway to satisfy the LSPS and DCP's desire for improved public domain, as well as a 4m wide landscape setback to Wolseley Road to increase deep soil and contribute to public amenity.

A 4m upper level setback to Pacific Highway is adopted, aligning with Lindfield Local Centre controls within the Ku-ring-gai DCP that apply to nearby sites (although not the subject site at current). A potential future road widening is also shown for Havilah Road, to allow for improvements identified in Ku-ring-gai's LSPS.



## 4.3 Indicative Envelope Section



### KEY

- Parking/ Services
- Commercial/ Retail
- Residential

The section above shows an indicative cut through the site and building from Pacific Highway to the T1 railway line. As shown, the podium height is 3-storeys, consistent with the 3-storey street wall identified in the DCP for other sites along Pacific Highway. A building setback of 2m to allow for deep soil and an upper level setback of 4m is also shown. These controls align with the centre-wide structure plan for a landmark building on the site, and support plans to enhance the future character of Lindfield local centre.

The proposed floor-to-floor heights are 4.5m on for commercial/retail on the ground floor, 3.7m for one above ground commercial floor (Level 2), then 3.2m for all typical residential floors. An addition 0.2m is allowed for at the roof level, before a 3m lift overrun.

## 4.4 Indicative Envelope Massing



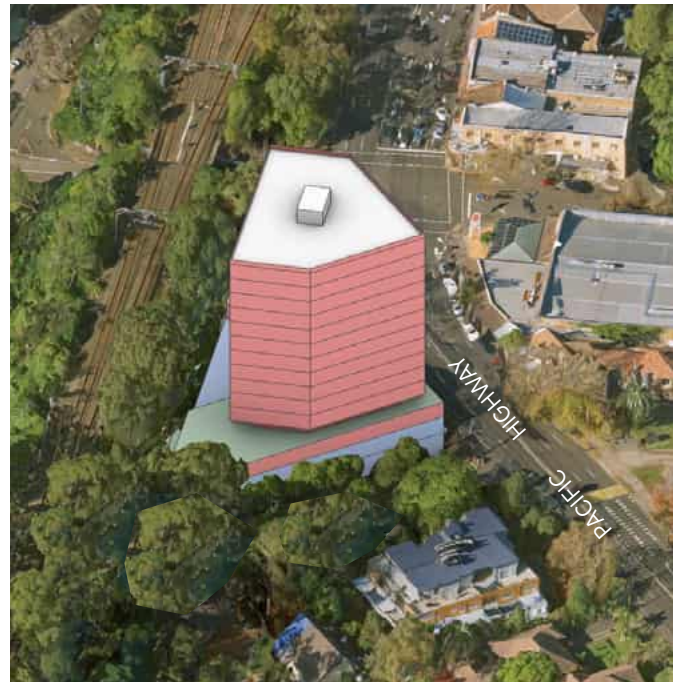
SOUTH-EAST



NORTH-EAST



SOUTH-WEST



NORTH-WEST

## 4.5 Envelope Yield Estimation

An efficiency-based yield calculation has been prepared based on the Indicative Envelope Massing shown. This establishes building yield by applying typical efficiency factors to the measured Gross Envelope Area (GEA) of the proposal.

Applying factors to the GEA comes to an estimated Gross Floor Area (GFA, to inform the proposed FSR control), as well as Net Lettable and Saleable Area in order to estimate dwelling count and parking requirements.

LEVEL	Use	GEA	Eff.	GBA	Eff.	GFA	Eff.	NSA/NLA	Height (m)
-3	Parking	1950	100%	1950	0%	0	0%	-	2.8
-2	Parking	1950	100%	1950	0%	0	0%	-	2.8
-1	Parking	1950	100%	1950	0%	0	0%	-	2.8
0	Parking	1950	100%	1950	0%	0	0%	-	3.2
1 (G)	Commercial	1700	90%	1530	80%	1224	85%	1,040	4.5
	Service	50	100%	50	0%	0	0%	-	
	Resi Lobby	150	95%	143	50%	71	0%	-	
2	Commercial	1950	90%	1755	80%	1404	85%	1,193	3.8
3	Residential	1500	95%	1425	75%	1069	85%	908	3.2
4	Residential	905	100%	905	75%	679	85%	577	3.2
5	Residential	905	100%	905	75%	679	85%	577	3.2
6	Residential	905	100%	905	75%	679	85%	577	3.2
7	Residential	905	100%	905	75%	679	85%	577	3.2
8	Residential	905	100%	905	75%	679	85%	577	3.2
9	Residential	905	100%	905	75%	679	85%	577	3.2
10	Residential	905	100%	905	75%	679	85%	577	3.2
11	Residential	905	100%	905	75%	679	85%	577	3.2
12	Residential	905	100%	905	75%	679	85%	577	3.2
13	Residential	905	100%	905	75%	679	85%	577	3.2
14	Residential	905	100%	905	75%	679	85%	577	3.2
15	Residential	905	100%	905	75%	679	85%	577	3.2
Extra roof tolerance									0.2
Overrun									1.5
<b>Total</b>						<b>11,913</b>		<b>10,065</b>	<b>54.8</b>

Parking Total 7,800 GBA

Resi total 9,285 GFA 7,832 NSA

Comm Total 2,628 GFA 2,234 NLA

Site Area	2,665
<b>Residential FSR</b>	<b>3.5 :1</b>
<b>Commercial FSR</b>	<b>1.0 :1</b>
<b>Total FSR</b>	<b>4.5 :1</b>
<b>Apartments</b>	<b>98</b>
<b>Parking</b>	
Required	
Comm	80
Res	148
<b>Total</b>	<b>227</b>
<b>Estimated</b>	<b>223</b>

Use	GEA: GBA	GBA: GFA	GFA: NSA/NLA
Comm.	100%	80%	85%
Residential	100%	75%	85%
Lobby	95%	50%	0%
Service	100%	0%	0%
Parking	100%	0%	0%
Parking space per sqm			35.00
Use	Size	Mix	Parking
Commercial	1 per x sqm (GFA):		33
1-Bed	55	10%	1.00
2-Bed	80	75%	1.25
3-Bed	105	15%	2.00
Visitor	x per dwelling unit:		0.17
Average	80	100%	1.51



## 4.6 Skyline Analysis

Indicative skyline analysis shows that the impact of the proposed 15-storey tower on local views is apparent but appropriate for a site with a "Landmark Building" designation, as the visibility of tower-heights above and around mass-transit is considered an appropriate skyline accent.

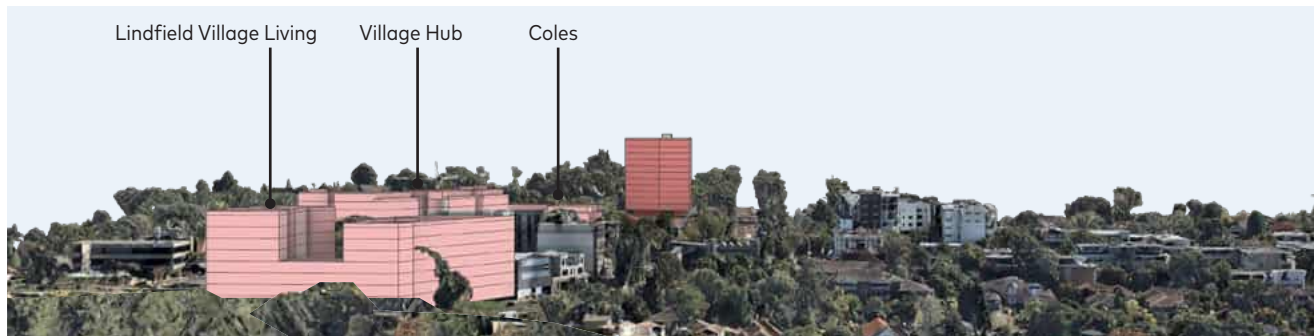
Concept 1 shows the proposal in its existing context, including confirmed future developments. It stands out in the skyline, as befitting a 'Landmark Site', without being significantly out of scale with the taller buildings such as the future Lindfield Village Hub.

### SKYLINE ANALYSIS CONCEPT 1

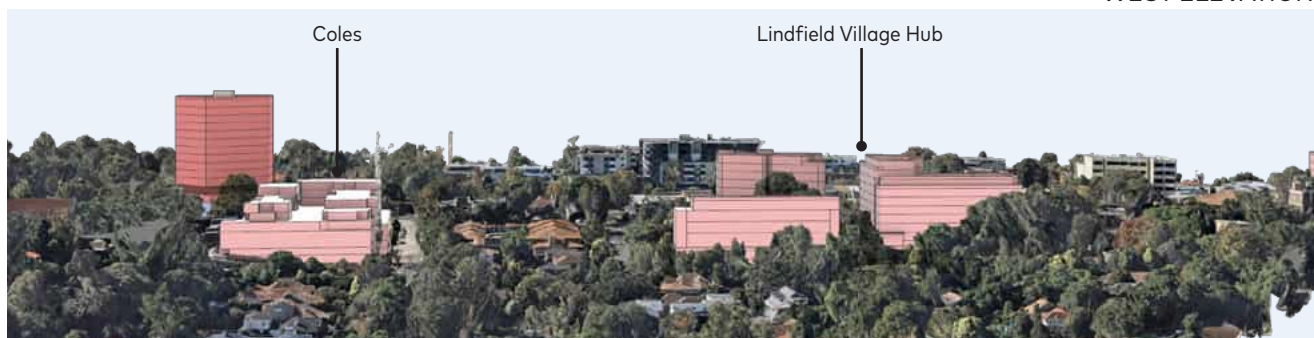
### EAST ELEVATION



### SOUTH ELEVATION



### WEST ELEVATION



### NORTH ELEVATION



## 4.6 Skyline Analysis

Concept 2 shows further building height increases across the Centre, in accordance with the extent of the '10-15 Storey Investigation Area' identified by Council in their 2020 Draft LHS.

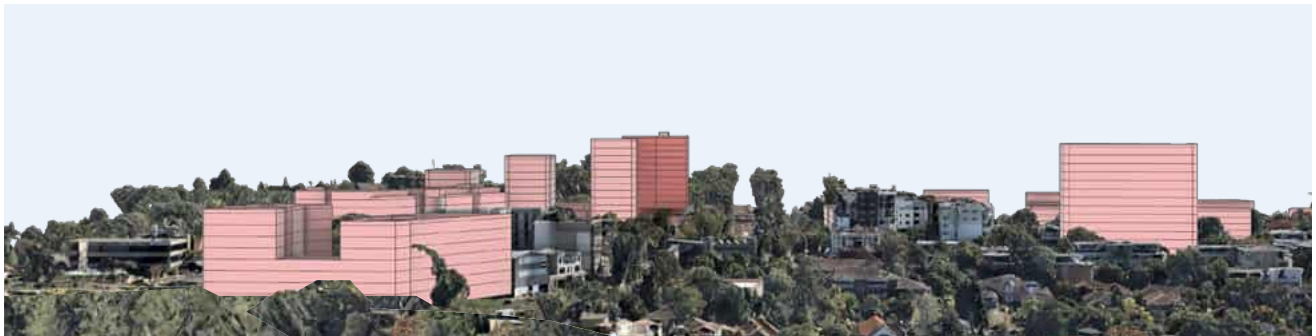
This study shows in the case of a Centre-wide rezoning, further height increase may be appropriate for the subject site to ensure it maintains its 'Landmark Site' status.

SKYLINE ANALYSIS CONCEPT 2

EAST ELEVATION



SOUTH ELEVATION



WEST ELEVATION



NORTH ELEVATION





## 4.7 Overshadowing Analysis

Shadow analysis from 9am-3pm on June 21 illustrates that the proposed 15-storey tower will have an acceptable solar impact on its surrounding context, with the tower form allowing the shadow to move quickly from west to east.

The main impacted property will be the neighbouring 'Balfour' development at 376-390 Pacific Highway (DA0197/18), which includes 59 apartments under construction. Based on the solar impact analysis and an elevational shadow analysis undertaken on the following page, it has been calculated that very few units affected by the current proposal will drop below the ADG's recommended 2 hours of solar access per mid-winter day.

### KEY

- Shadow created by the proposed 15-storey building
- Shadow created by the neighbouring development (approved DA0197/18)



9:00AM



10:00AM



11:00AM



## 4.7 Overshadowing Analysis



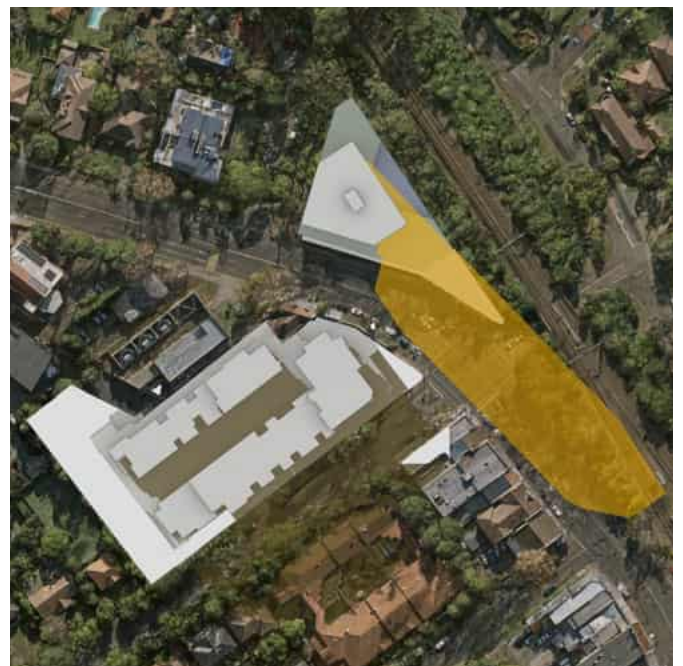
12:00PM



1:00PM



2:00PM



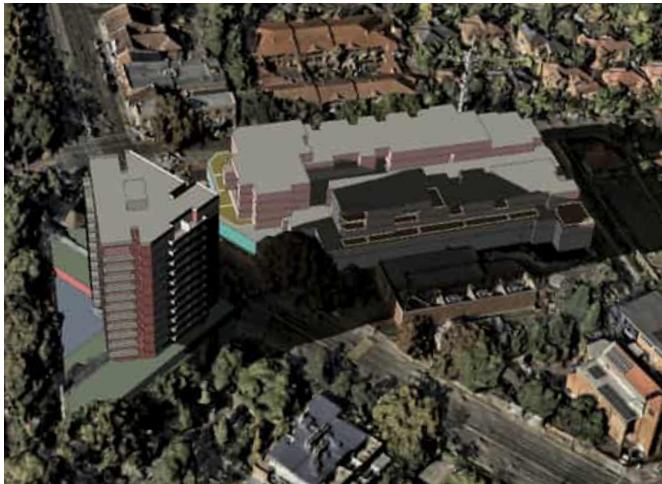
3:00PM



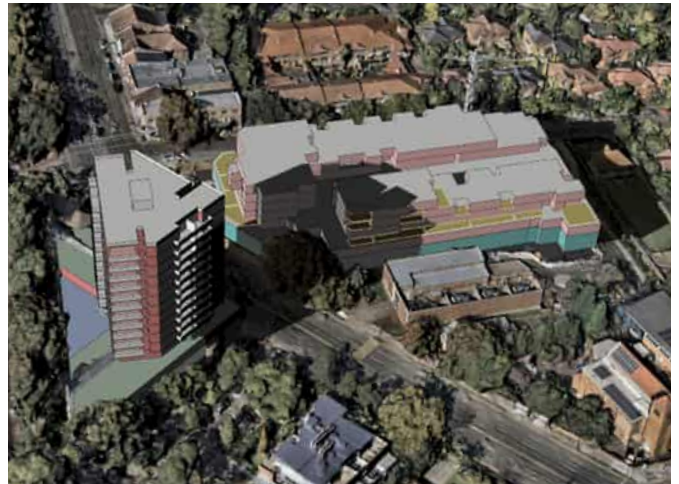
## 4.8 Elevational Shadow Analysis

This Elevational Shadow Analysis shows that the entire northern facade of 376-390 Pacific Highway development (under construction) will continue to receive more than 2 hours solar access.

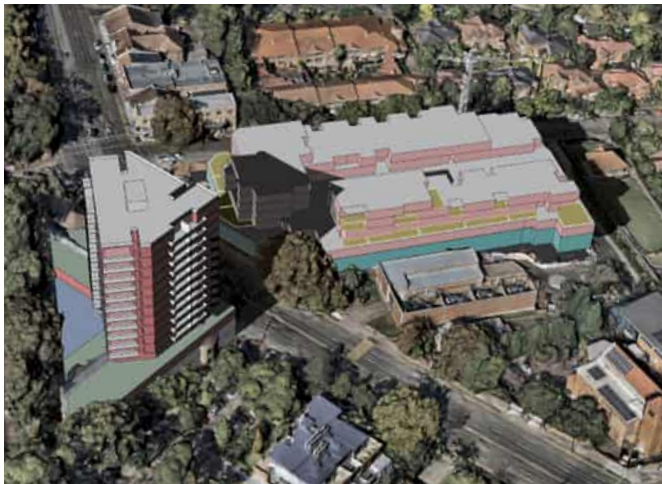
\* Balconies shown in yellow



9:00AM



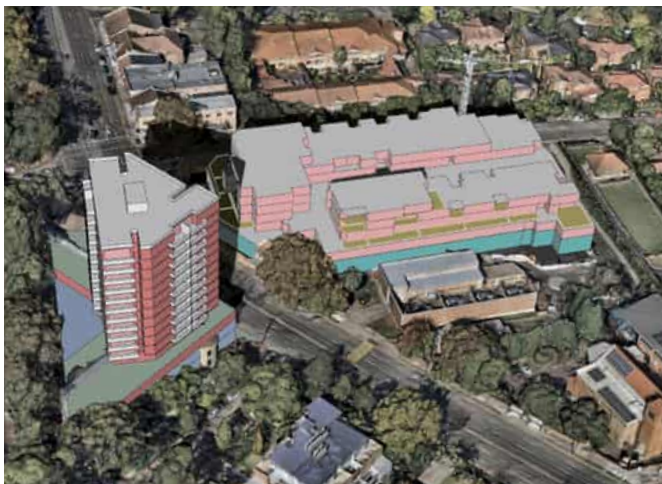
10:00AM



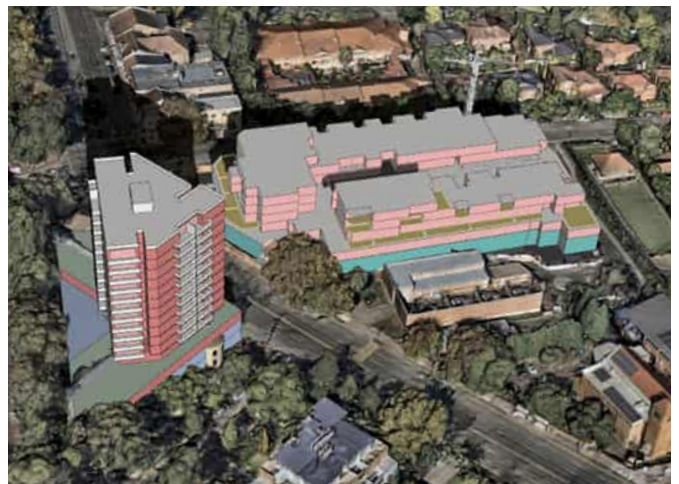
11:00AM



12:00PM



1:00PM

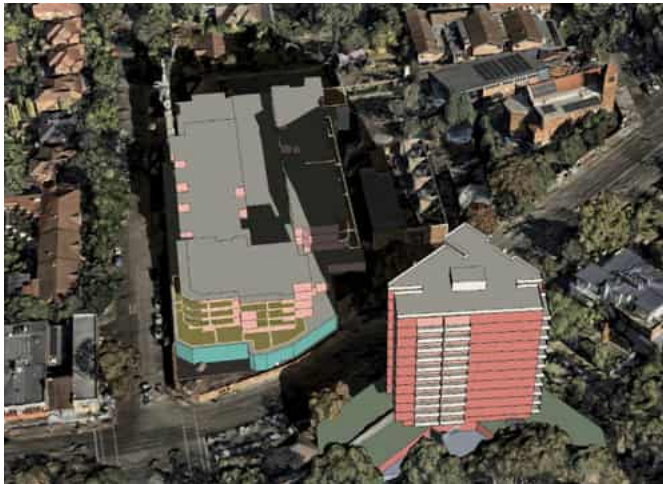


2:00PM



## 4.8 Elevational Shadow Analysis

The row of four units on each level of the northeastern facade will be more impacted, but will still receive between 1.5 and 2 hours solar access in the morning and approximately 30 minutes in the afternoon.



9:00AM



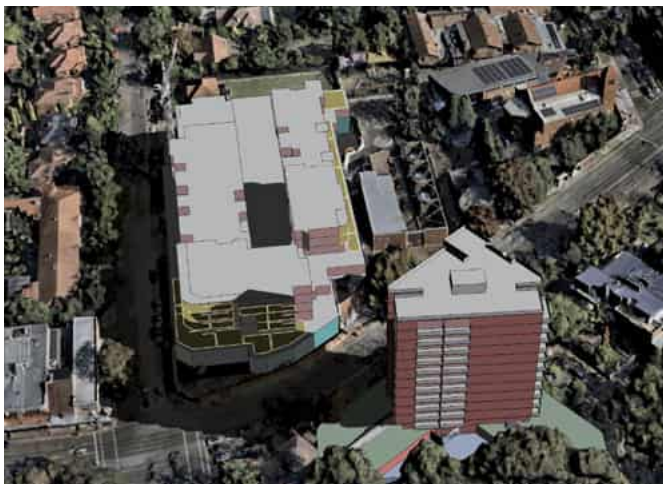
10:00AM



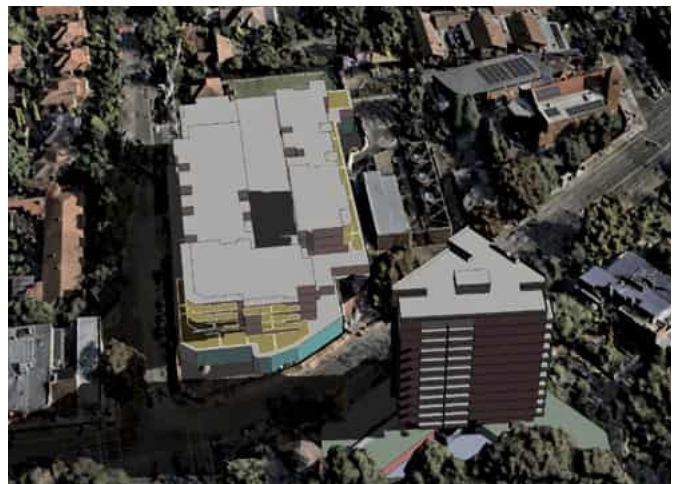
11:00AM



12:00PM



1:00PM

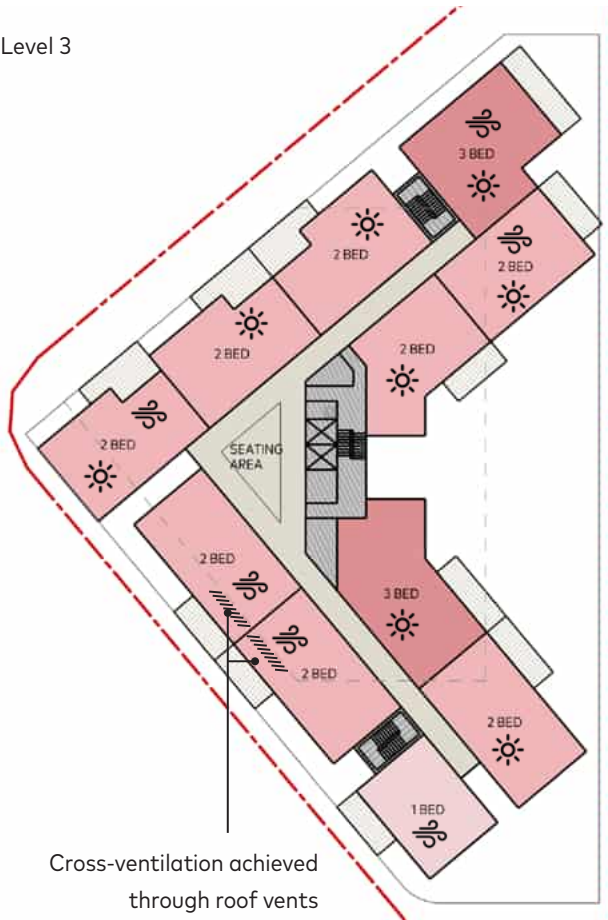


2:00PM

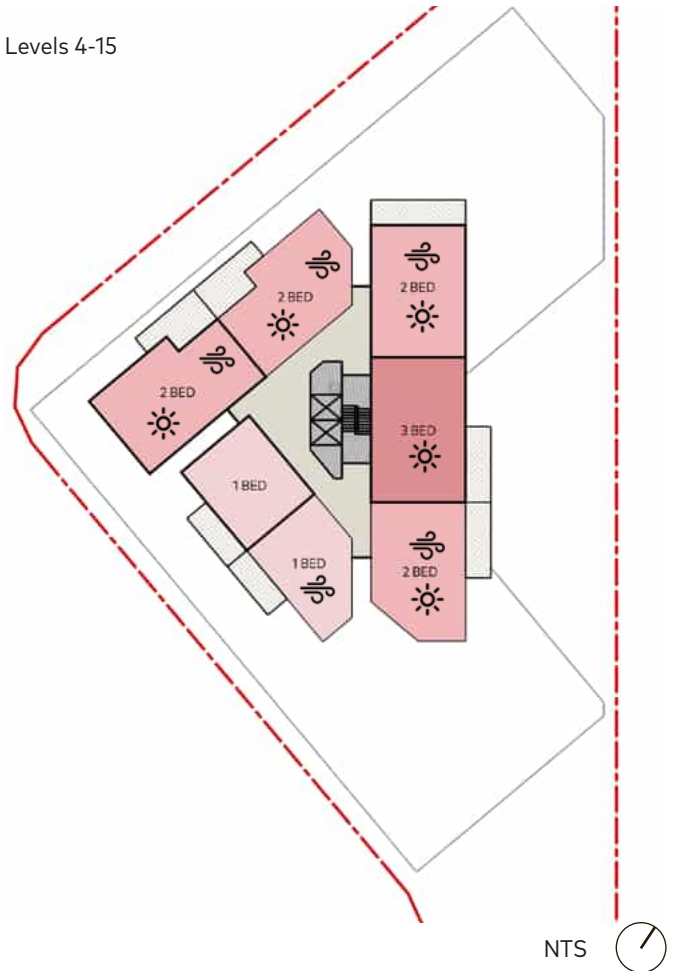


## 4.9 High Level ADG Compliance Check

Level 3



Levels 4-15



	Units			Cross Vent		Sun	
Level 1(G)				no resi units			
Level 2				no resi units			
Level 3	11	6	55%	8	73%		
Level 4	7	5	71%	5	71%		
Level 5	7	5	71%	5	71%		
Level 6	7	5	71%	5	71%		
<b>TOTAL</b>	<b>32</b>	<b>21</b>	<b>66%</b>				
Level 7	7			5	71%		
Level 8	7			5	71%		
Level 9	7			5	71%		
Level 10	7			5	71%		
Level 11	7			5	71%		
Level 12	7			5	71%		
Level 13	7			5	71%		
Level 14	7			5	71%		
Level 15	7			5	71%		
<b>TOTAL</b>	<b>95</b>			<b>68</b>	<b>72%</b>		

### KEY

- Balcony
- 1 Bedroom
- 2 Bedroom
- 3 bedroom
- 2 hours solar access
- Naturally cross-ventilated
- Roof ventilation

To confirm compliance with key ADG solar and cross-ventilation guidance, an indicative test fit was prepared of all levels. This is provided in the next chapter. Indicative layouts for the two typical residential levels are repeated here to show that the envelope design can support >60% of units in the lower 6-storeys being naturally cross ventilated and >70% of total units receiving a minimum of 2 hours sunlight during mid-winter.

## 4.10 Indicative Landscape Design (Loci Design Collective)

Landscape architects Loci Design Collective were engaged to develop a considered landscape design for the site, that shows how the proposal can align with the public domain and tree and vegetation preservation goals of Ku-ring-gai Council.

The Ground Plan shows how mature trees along the road reserve can be retained, and on-site trees relocated while allowing sufficient area for deep soil within the site. In line with AJC's proposed site specific Structure Plan, the southern corner of the site is shown as a new 320 sqm pocket park, an initiative to provide publicly accessible open space within the site boundary. Future improvements marked for Havilah Road in the Ku-ring-gai DCP and LSPS are also indicatively incorporated in the overall public domain strategy.

The podium landscape plan shows considered communal areas that are privately owned public space, above Level 2 (third floor) podium. These areas are accessible and offer shared amenities between the residents living in the apartments within the development.

Key considerations of the landscaping on the podium include strategies to integrate with the adjacent green corridor (Ku-ring-gai LEP) along the T1 railway line, as well as to contribute to the overall greenery as viewed from Pacific Highway. Additionally, native and endemic flora are proposed to encourage and contribute to the biodiversity of the Lindfield area and wider Ku-ring-gai.

### KEY LEGEND, GROUND PLAN (FOLLOWS)

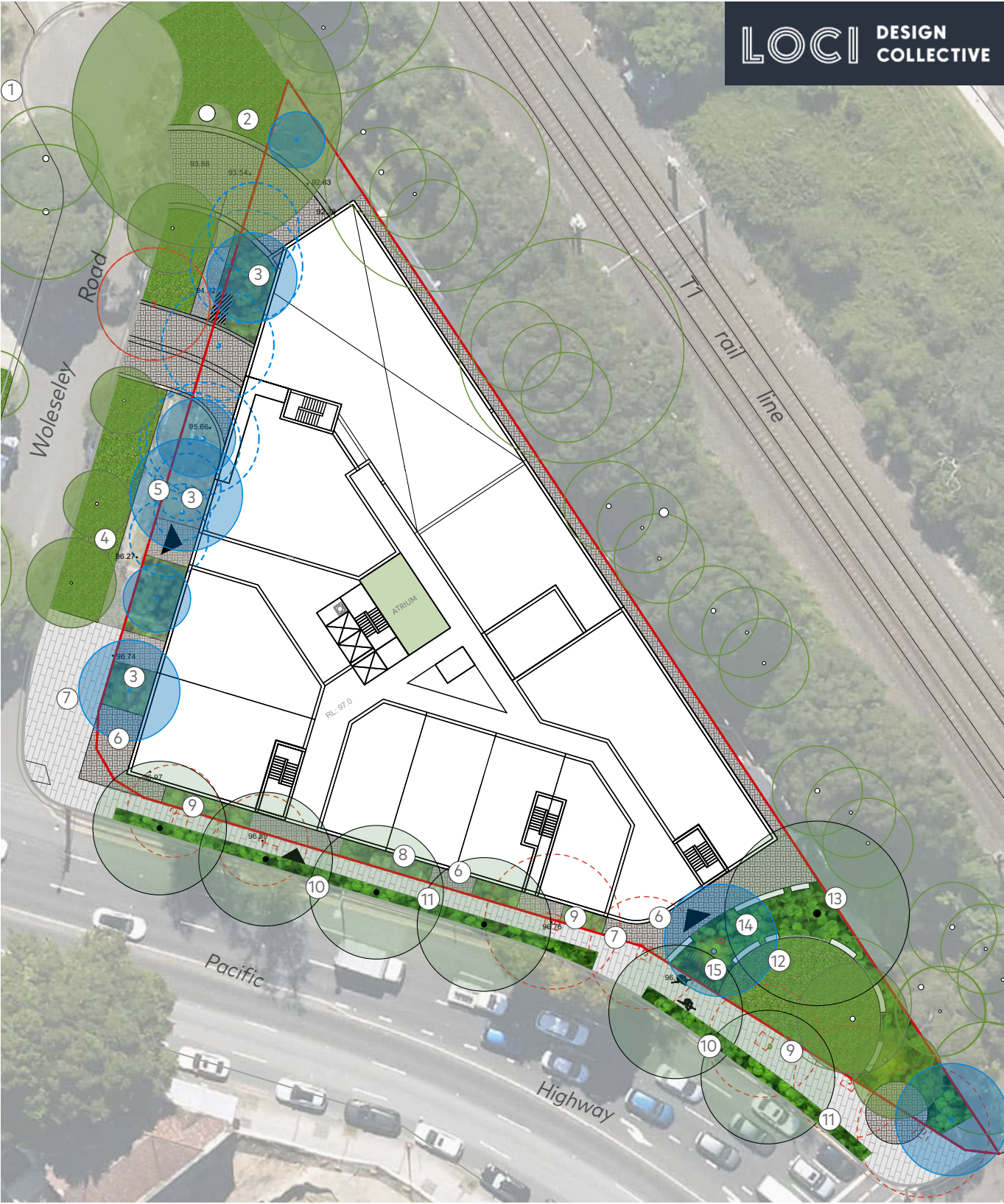
1. Wolseley Road road closure to become an extension to Ibbotson Park and shared zone with pedestrian priority, increased tree canopy and increased soft landscape areas (by Council)
2. Existing Eucalyptus saligna retained and protected insitu. Current driveway alignment remains. Possibility of replacing the driveway in porous paving to be determined by arborist.
3. Existing Jacaranda in planters to be salvaged and transplanted back in deep soil landscape setback when levels reconfigured. Process managed by arborist and tree transplanter.
4. Existing street trees under power lines retained.
5. Path reconfigured against property boundary to enlarge and rationalise path and landscape verge.
6. Paving thresholds at building entrances and building corner.
7. Local Centre Core Paving to KMC standards for public domain, precast concrete units as per the Public Domain Technical Manual.
8. 1.5m wide planted landscape strip across Pacific Highway interface with openings for commercial businesses.
9. Existing Plane trees in poor health removed and create a better path of travel for pedestrians. Health of Plane trees to be confirmed by arborist.
10. New street tree planting. Trees in pits tree growing vault with trench beneath. Species selected per public domain plan.
11. Continuous landscape strip.
12. Publicly accessible pocket park with retained trees.
13. New Eucalyptus saligna feature tree.
14. Curved edges, walls and furniture.
15. Bike parking.

### KEY LEGEND, PODIUM PLAN (FOLLOWS)

1. Tree planters 1m deep and with sufficient volume for sustained growth. Trees are distributed across L3 Communal podium to create shade and generous greening.
2. Low maintenance small turf areas adjacent to communal gathering spaces.
3. Shade pavilions over communal gathering spaces.
4. Paved thresholds from building entrances.
5. Generous massed planting areas to control access and ensure privacy for terraces.
6. Perimeter planters at palisade for greening of the perimeter and to enhance the public domain greening to the streetscape/ railway corridor.
7. Inaccessible biodiversity roof terraces (shallow soil profile).



# 4.10 Indicative Landscape Design (Loci Design Collective)



PUBLIC DOMAIN/GROUND FLOOR  
LANDSCAPE PLAN



1:500 @ A4



# 4.10 Indicative Landscape Design (Loci Design Collective)



PODIUM LANDSCAPE PLAN

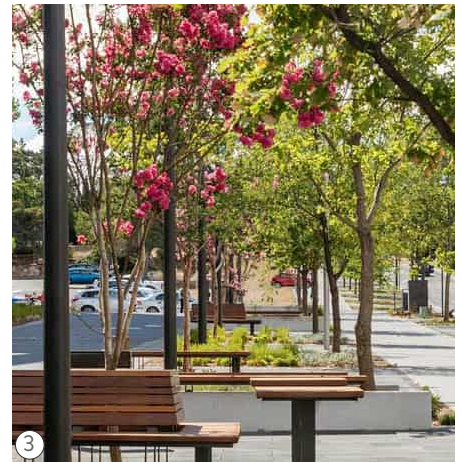


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## 4.10 Indicative Landscape Design (Loci Design Collective)

### Public Domain and Streetscape

1. Jacarandas in street setback, salvaged and replanted.
2. Paving to Lindfield Local Centre specifications (similar to Tryon Avenue).
3. High quality paving to reference the public domain paving character and enforce the cohesion of the public space.
4. Trees within streetside deep soil trench and mass planting.
5. A tree lined pocket park adjacent to Pacific Highway, with existing and new trees, grassed area, massed planting and seats.
6. New street trees on Pacific Highway, to replace dying Plane Trees.

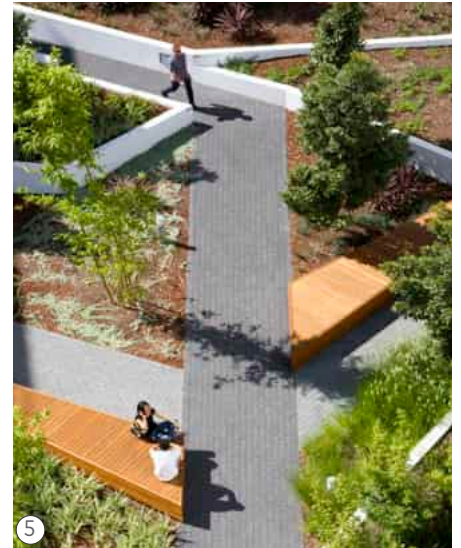
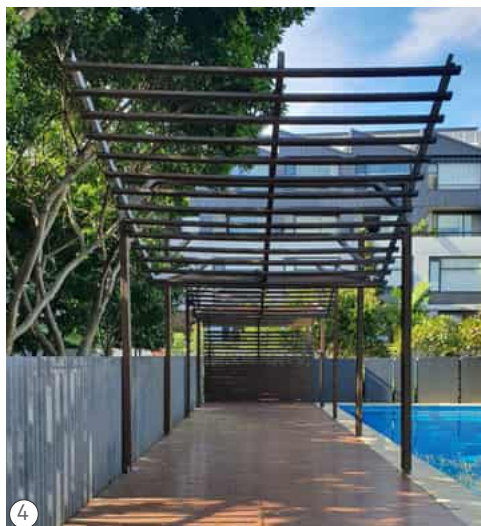




## 4.10 Indicative Landscape Design (Loci Design Collective)

### Level 1 Biodiversity Roof and Communal Roof Podium

1. Planters of various heights over slab on communal courtyard,
2. Planters incorporate level changes for benches, seats and tree planters.
3. Biodiversity roof garden on level 1. Inaccessible except for maintenance. Diverse local native plant species to supplement rail biodiversity corridor.
4. Shade structures with paved areas underneath, and to include BBQ s and outdoor fixed furniture.
5. Strong geometry to define paths and planting.
6. Massed planting is stepped depth planters to create interest in form.
7. Seating adjacent to small turfed areas.
8. Biodiversity roof planting on Level 1.





## 4.11 Artist Impressions





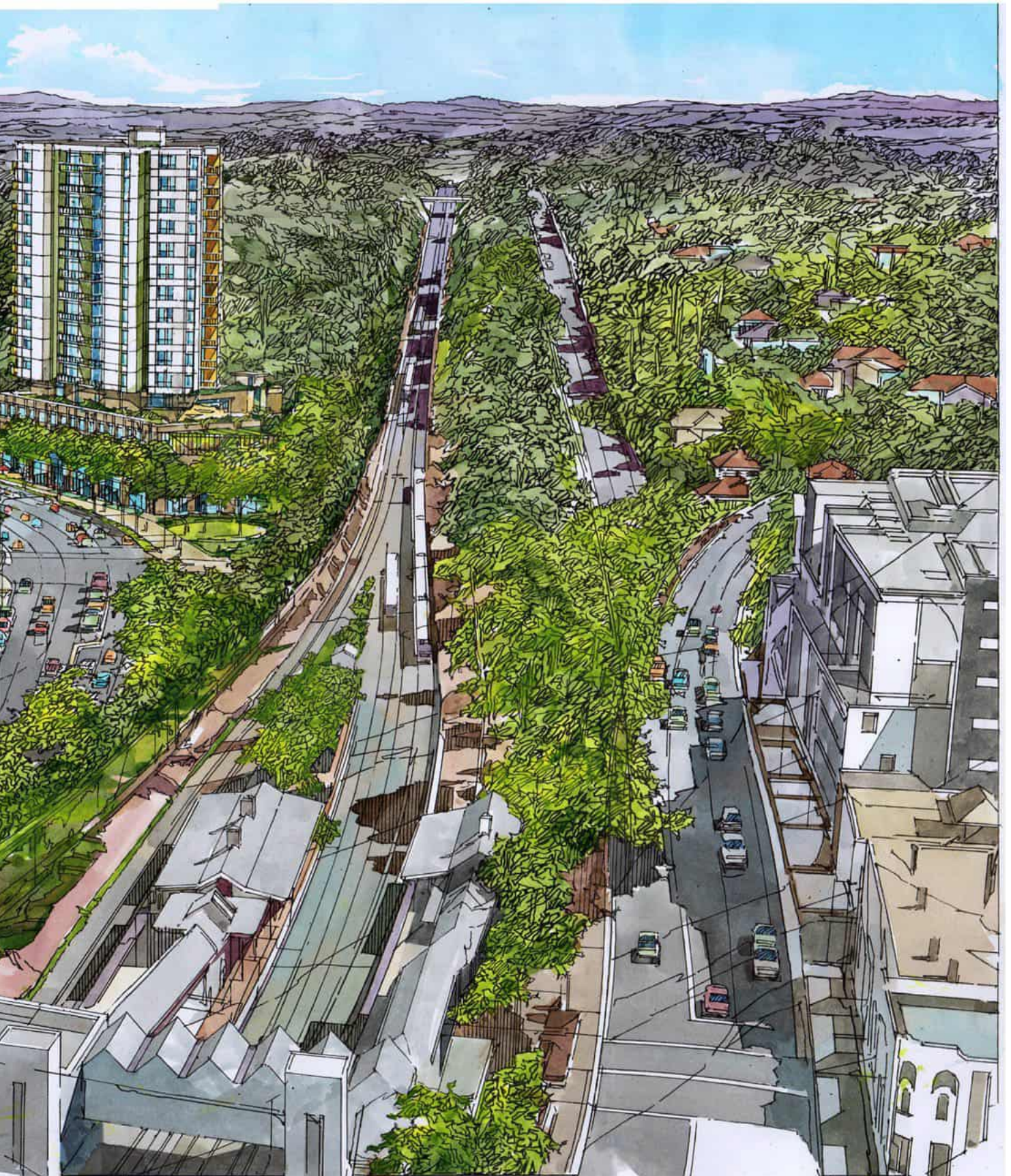




## 4.11 Artist Impressions





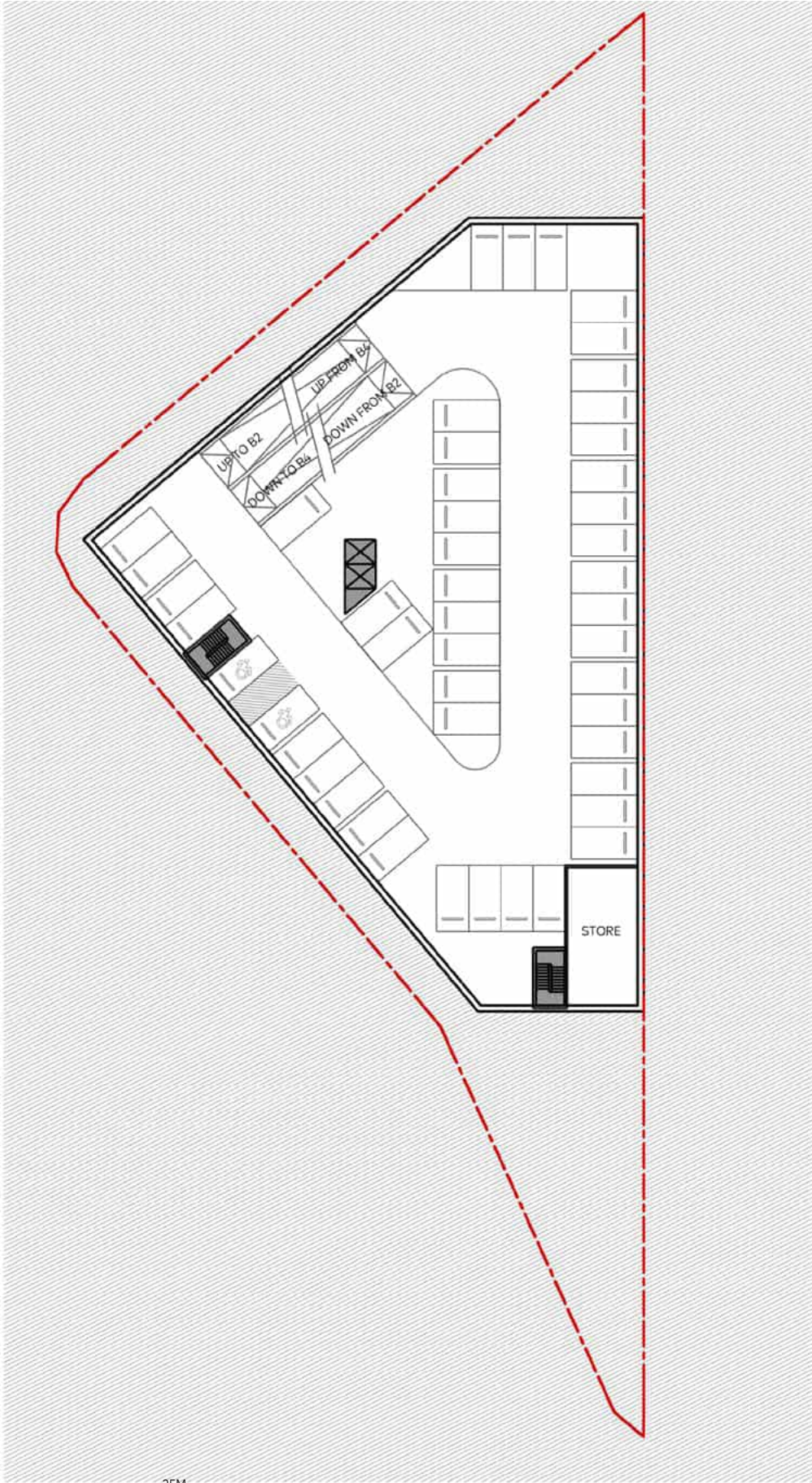




## 5. Test-Fit Reference Plans

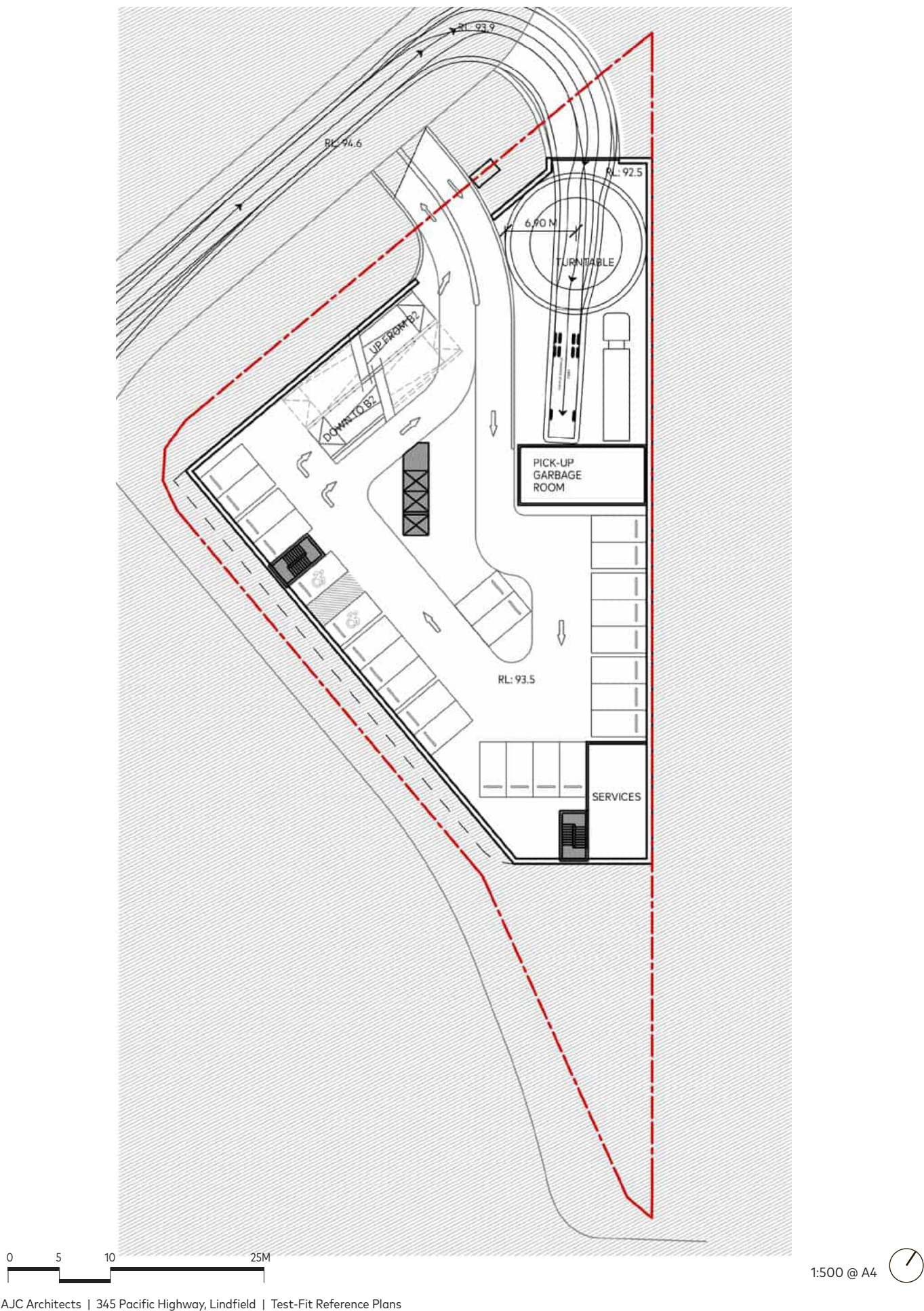


# 5.1 Typical Basement Level





# 5.2 Basement Entry Level

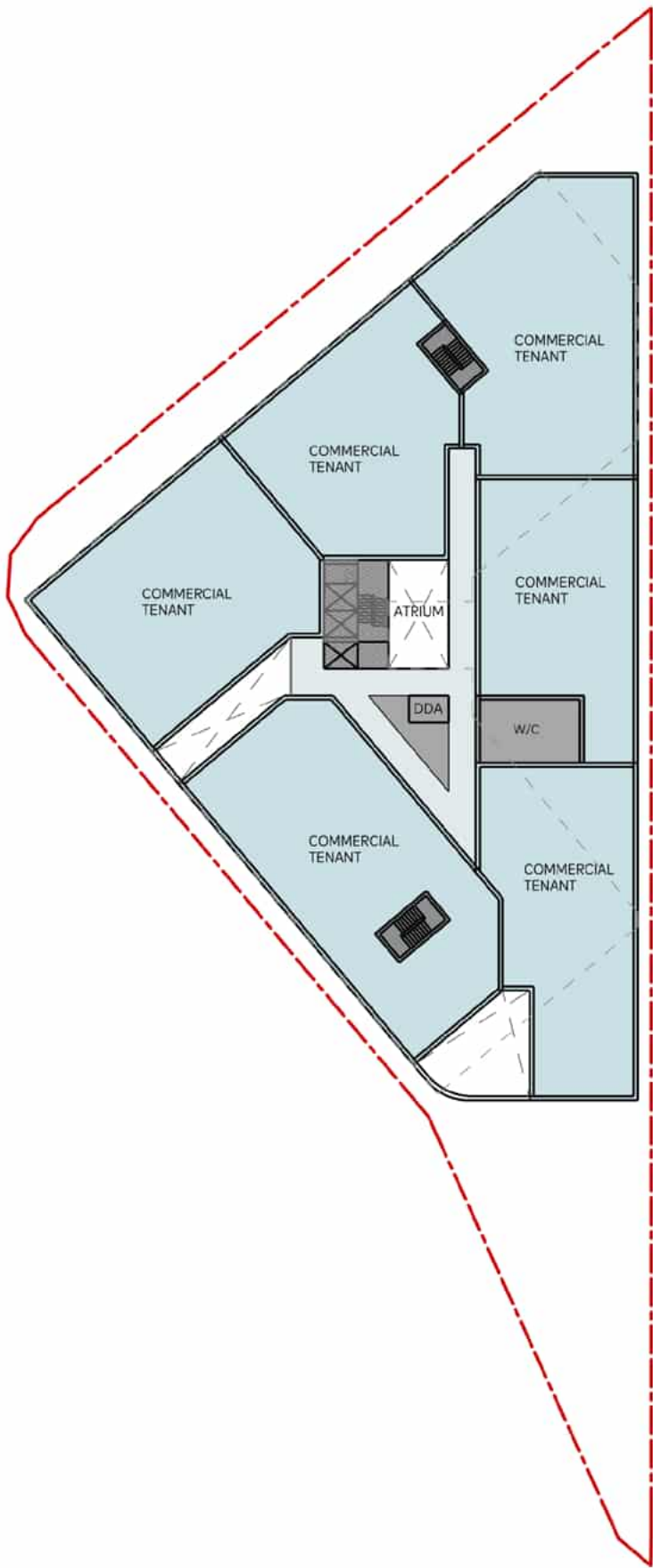


# 5.3 Level 1 (Ground) Plan





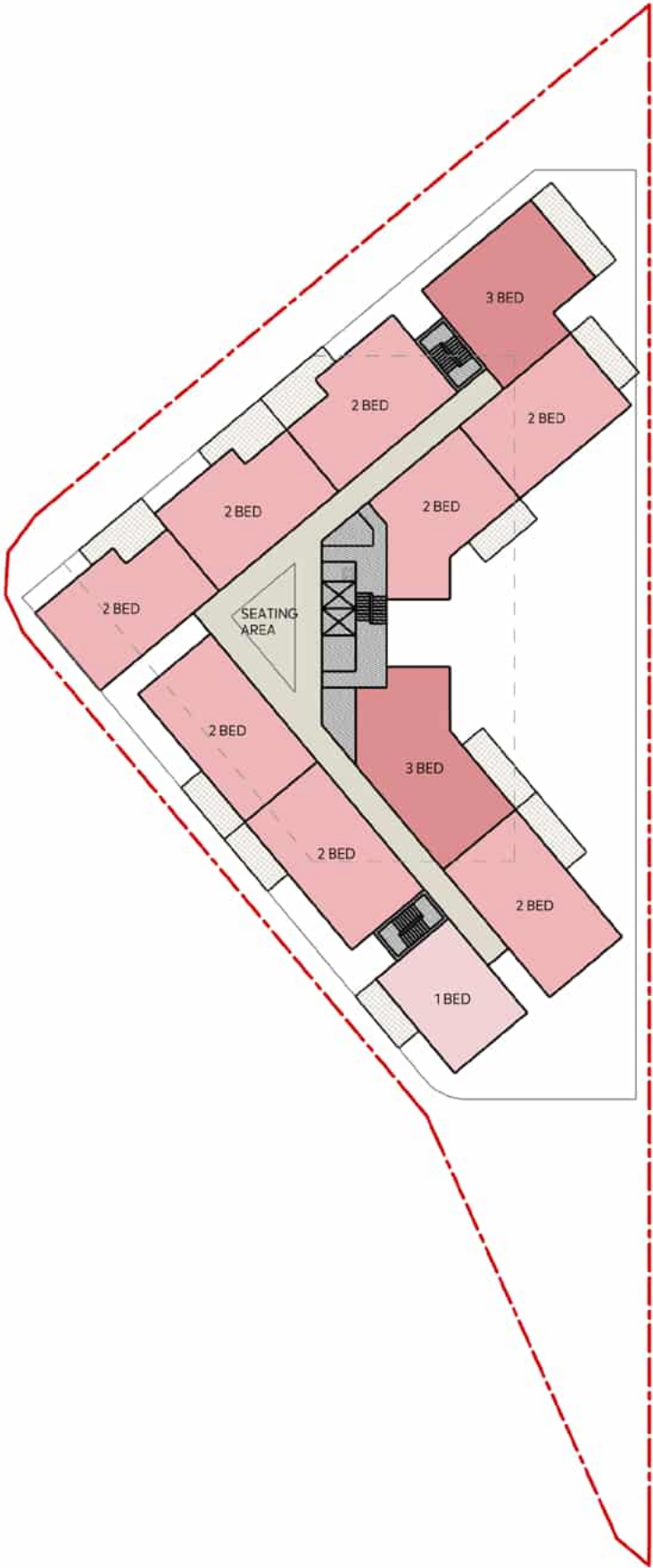
5.4 Level 2 Plan



1:500 @ A4

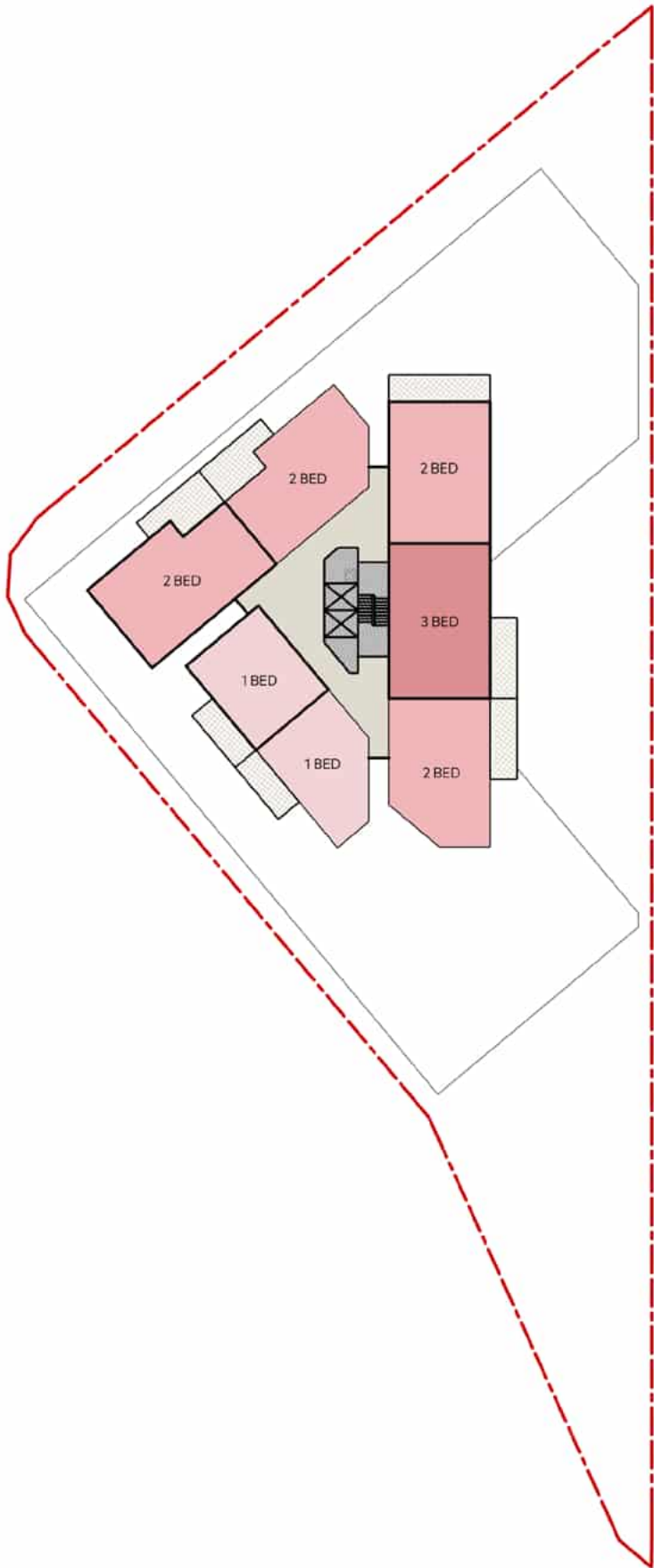


5.5 Level 3 Plan





# 5.6 Typical Tower Level Plan



## 6. Proposed Changes to Planning Framework





## 6.1 Introduction

As identified in the previous chapter, the recommendation of this Urban Design Report and the corresponding Planning Proposal suggests the planning framework in Ku-ring-gai be modified to facilitate a 15-storey mixed-use tower at this landmark site. The following controls are therefore proposed:

### Land Use Zoning - No change.

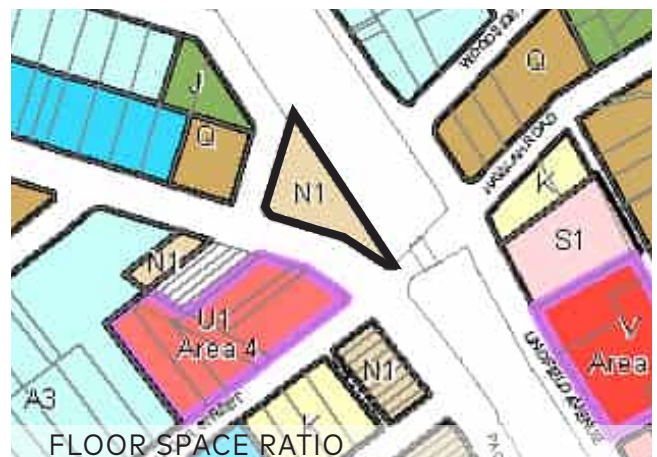
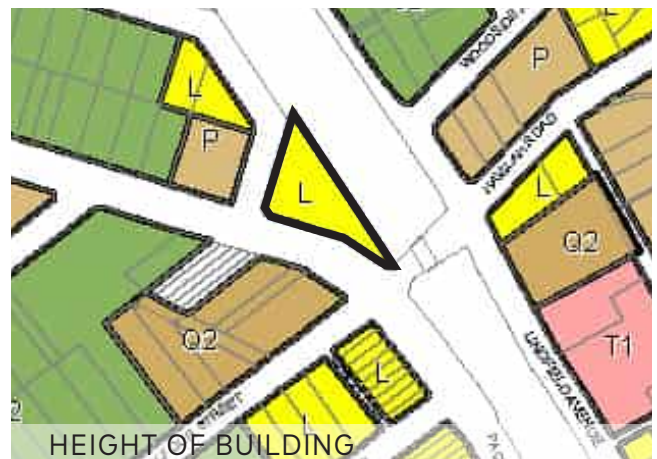
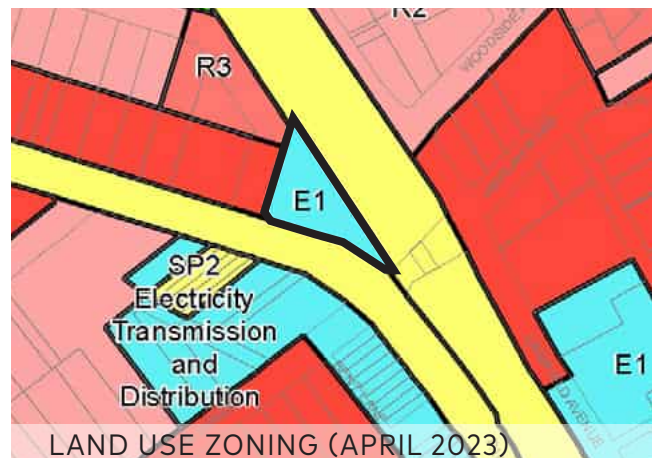
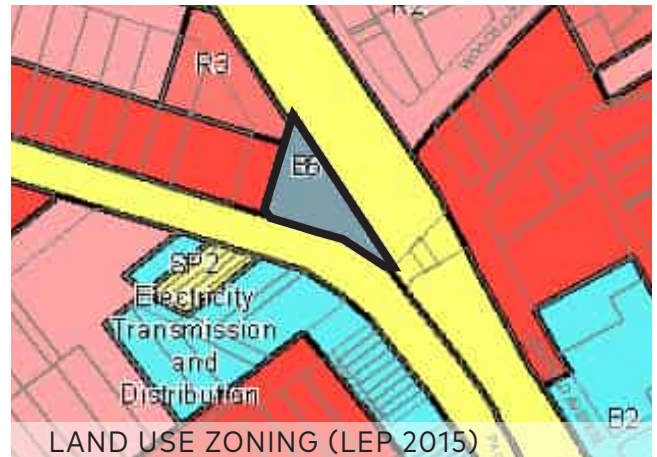
In April this year (2023), State-wide changes to land use zones resulted in the site changing from B5 Business Development to E1 Local Centre. Where a previous B5 zoning limited development on site to business related establishments such as retail, office, warehousing, E1 zoning in Ku-ring-gai permits shop top housing. Consequently no land use zoning change is required to facilitate this proposal.

### Height of Building - 55.0m, increased from 11.5m

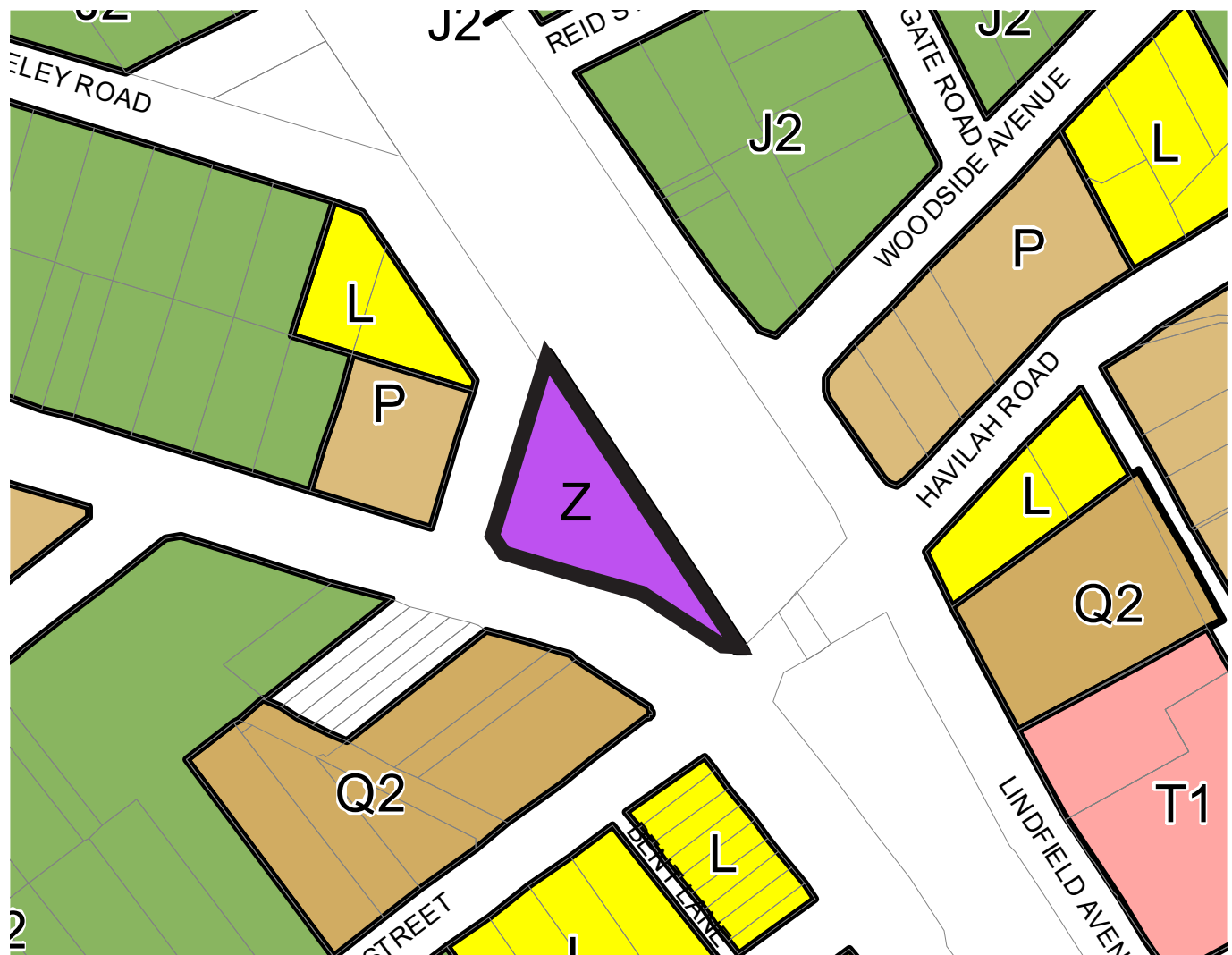
This change reflects the necessary modification to replace a 3-storey low-rise office building to a 15-storey mixed-use tower.

### Floor Space Ratio - 4.5:1, increased from 1.0:1

This change reflects the increased density proposed, reflecting the replacement of existing commercial with approximately 100 dwellings introduced above.



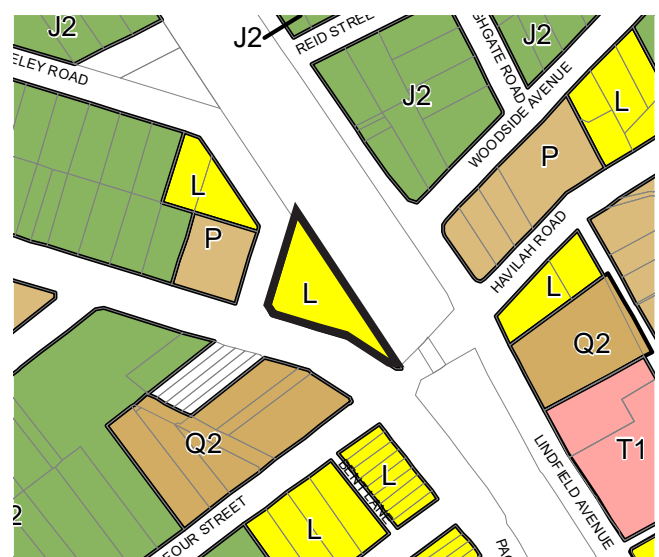
## 6.2 Proposed Height of Building Control



PROPOSED Z 55.0

In alignment with the structure plan and the project's urban design principles, it is proposed to modify the Ku-ring-gai LEP Height of Buildings (JOB) Map for the site from 11.5m to 58m.

This will facilitate an increase from 3- to 15- storeys. The basis of the height control is provided in the next section.



EXISTING L 11.5



### 6.3 Proposed Floor Space Control



PROPOSED Y 4.5:1

The Floor Space Control (FSR) for the site is proposed to be increased from 1.0:1 to 4.5:1. This reflects the maintenance of the existing non-residential floor space, below the introduction of approximately 100 residential dwellings in a tower form above.



EXISTING N1 1.0:1

# 6.4 Basis of Proposed Planning Controls

## BASIS OF HEIGHT OF BUILDING CONTROL

The proposed Height of Building Control is based on:

- A partially above ground Basement Entry Level, with a floor-to-floor height of 3.2m.
- Ground floor height of 4.5m to facilitate retail and/or commercial office uses.
- First floor height of 3.8m to facilitate commercial office uses.
- Typical residential floor height of 3.20m to facilitate recent changes to the NCC.
- 0.2m at roof level to allow for increased construction thicknesses along the roof slab.
- A lift overrun height of 3.5m.

This produces the formula below:

$3.2m + 4.5m + 3.8m + (3.2m \times 13) + 0.2m + 1.5m = 54.75m$

This figure has then been rounded to the proposed HOB control of 55.0m.

## BASIS OF FLOOR SPACE CONTROL

The Floor Space Control (FSR) for the site is proposed to be increased from 1.0:1 to 4.5:1. This is based on the Envelope Study Yield previously calculated, rounded and simplified to be appropriate for the planning framework.

The Envelope Study Yield shows approximately 1.0:1 non-residential uses (replacing the existing), and 100 dwellings above which calculate to 3.5:1. This totals 4.5:1, the basis of the control.

Re-calculating the yield based on the proposed control and applying efficiencies to calculate dwelling yield, produces the following GFA, indicative dwellings and maximum DCP parking allowance:

Site Area	2,665							
	FSR	GFA (sqm)	Eff.	NSA	Mix	No. of Dwellings	No. of Parking	
Non-Resi	1 :1	2,665.0						81
Residential	3.5 :1	9,327.5	85%	7,928.4	1-Bed	14		22
					2-Bed	74		112
					3-Bed	11		17
					Visitor	-		17
Total	4.5 :1	11,992.5				100		249

Assumed Mix:			
Use	Size	Mix	Parking
Commercial		1 per x sqm (GFA):	33
1-Bed	55	10%	1
2-Bed	80	75%	1.25
3-Bed	105	15%	2
Visitor		x per dwelling unit:	0.17
Average	80		1.5





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