



APPENDIX J PART 4

Building Assessment Report

Appendix C

Local Council Records

Use or disclosure of data contained on this sheet is subject to the restriction on the distribution page of this document.

**Commercial in
Confidence**

Building Assessment Report

S4139701_Building_Assessment_RPT_25Nov2009.doc

Environment

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**Commercial in
Confidence**

Building Assessment Report

S4139701_Building_Assessment_RPT_25Nov2009.doc

Environment



address 200 Miller Street North Sydney NSW 2060
all correspondence General Manager North Sydney Council
PO Box 12 North Sydney NSW 2059
DX10587

telephone (02) 9936 8100
facsimile (02) 9936 8177
email council@northsydney.nsw.gov.au
internet www.northsydney.nsw.gov.au
ABN 32 353 260 317

**PLANNING CERTIFICATE UNDER
SECTION 149 ENVIRONMENTAL PLANNING
AND ASSESSMENT ACT 1979**

Cert. No.: 43529/02
Page No.: 1 of 6

Parcel No: 18469

Date: 02/11/2009
Receipt No.: 980983
Your REF:

Applicant:
AECOM Australia Pty Ltd
L8 44 Market St
SYDNEY NSW 2000

Owner (as recorded by council):
Energy Australia
GPO Box 4009
SYDNEY NSW 2001

Property Description:
70-74 Berry Street NORTH SYDNEY 2060
DP 24474 Lot 6

The Title information shown on this Certificate has been obtained from the Land and Property Information NSW, therefore Council cannot guarantee accuracy.

The information required to be disclosed in this planning certificate is that prescribed by Schedule 4 of the Environmental Planning and Assessment Regulation 2000. If no response is provided in this planning certificate for an item listed in Schedule 4, that matter has been considered and determined as not applying to the land to which this certificate relates.

**AS AT THE DATE OF THE CERTIFICATE THE FOLLOWING MATTERS APPLY TO THE ABOVE
MENTIONED LAND.**

PLANNING INSTRUMENT: NORTH SYDNEY LOCAL ENVIRONMENTAL PLAN 2001
GAZETTED 1ST JUNE, 2001, AS AMENDED.

EFFECT:

SPECIAL USE ZONE - USES UNDER NORTH SYDNEY L.E.P. 2001

PERMISSIBLE DEVELOPMENT

Subject to the provisions of LEP 2001 the following development may be carried out within the zone, but only with development consent:

Development for the purpose of:

- (a) on all sites in the zone - apartment buildings; attached dwellings; duplexes; dwelling-houses; open space; remediation; telecommunications facilities; utility installations, other than gas holders or generating works, and
- (b) on sites shown on the map with red lettering - the land use indicated by red lettering on the map.

PROHIBITED DEVELOPMENT

Any purpose other than a purpose listed above is prohibited within the zone.

EXEMPT DEVELOPMENT



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Development for the purposes set out in clause 12 and schedule 6 of LEP 2001 is exempt development, which may be carried out within the zone without the need for development consent.

COMPLYING DEVELOPMENT

Development for the purposes set out in clause 13 and schedule 7 of LEP 2001 is complying development, which may be carried out within the zone without the need for development consent, provided that a complying development certificate is obtained.

Draft North Sydney Local Environmental Plan 2001 (Amendment No 28) – North Sydney Centre

The proposed amendments: rezone several properties to commercial zone; amend the building height and massing controls, including the application of maximum building heights and maximum floor space ratios, and removal of the composite shadow area; amend the solar access provisions relating to Don Bank Museum and Mount Street Plaza Public Open Space; amend the non-residential floor space ratios for several properties zoned mixed use; amend or remove several special areas; remove Clause 28A Division to Preval; amend the building height and non-residential floor space ratio provisions applying to 144, 146, 148 and 150 Walker Street; and make consequential amendments. The DLEP was exhibited between 13 February 2009 and 16 March 2009.

Draft North Sydney Local Environmental Plan 2001 (Amendment No. 33)

This Draft LEP applies to 111- 115 Chandos Street, Crows Nest. The Draft LEP proposes an amendment to Schedule 5 of *North Sydney Local Environmental Plan 2001*, to allow "commercial premises" as permissible with consent on the subject site. The Draft LEP was publically exhibited between Thursday 28 May 2009 and Friday 26 June 2009.

Planning Proposal to amend North Sydney Local Environmental Plan 2001

This Planning Proposal applies to 450 Miller Street and 11 Amherst Street, Cammeray. The Planning Proposal is to amend *North Sydney Local Environmental Plan 2001* to allow "commercial premises" on the site above ground level. The Planning Proposal was placed on public exhibition between Thursday 17 September 2009 and Friday 2 October 2009.

Planning Proposal to amend North Sydney Local Environmental Plan 2001

This Planning Proposal applies to 162 Blues Point Road, McMahon's Point. The Planning Proposal is to amend *North Sydney Local Environmental Plan 2001* to allow "commercial premises" on the site. The Planning Proposal was placed on public exhibition between Thursday 24 September 2009 and Friday 9 October 2009.

Development Consent MAY BE REQUIRED for the DEMOLITION of all or part of any building on the subject land under *North Sydney Local Environmental Plan 2001*. Refer to *SEPP (Exempt and Complying Development Codes) 2008* and Schedule 6 - Exempt Development under *North Sydney Local Environmental Plan 2001*.

North Sydney Development Control Plan 2002 and Area Character Statements - Effective 21/02/2002.

The DCP applies to all land in the North Sydney local government area where LEP 2001 applies, and contains policy relevant to development of land where LEP 1989 applies. Amended 20/3/03. Amended 29/5/03. Amended 24/03/05. Amended 07/07/05. Amended 06/10/05. Amended 04/05/06. Amended 01/06/06. Amended 19/9/06. Amended 16/08/07. Amended 29/05/08. Amended 30/10/08.

North Sydney Section 94 Contributions Plan. Comprehensive contributions plan applying to all



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ABN 32 353 260 317

development in the North Sydney local government area. Effective 12 February 2004. Amended 3 July 2006.

HERITAGE CONTROLS:

The subject land is NOT LOCATED within a CONSERVATION AREA, under Part 4 - Heritage Provisions of *North Sydney Local Environmental Plan 2001*.

The subject land is NOT IDENTIFIED as containing a HERITAGE ITEM under *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005*.

The subject land is NOT IDENTIFIED as containing a HERITAGE ITEM, under Part 4 - Heritage Provisions of *North Sydney Local Environmental Plan 2001*.

The subject land is NOT IDENTIFIED as a CONTRIBUTORY ITEM, under Part 4 - Heritage Provisions of *North Sydney Local Environmental Plan 2001*.

The subject land is NOT IDENTIFIED as an UNCHARACTERISTIC ELEMENT, under Part 4 - Heritage Provisions of *North Sydney Local Environmental Plan 2001*.

OTHER CONTROLS:

The subject land is NOT AFFECTED by Section 38 or 39 of the *Coastal Protection Act 1979*.

The subject land is NOT PROCLAIMED as a Mine Subsidence District within the meaning of Section 15 of the *Mine Subsidence Compensation Act 1961*.

The subject land is NOT AFFECTED by any road widening or road realignment under the *Roads Act 1993*.

The subject land is NOT AFFECTED by any road widening or road realignment under any environmental planning instrument.

The subject land is NOT AFFECTED by any ROAD WIDENING or road reservation under any Council resolution.

The subject property is NOT identified as BUSHFIRE PRONE LAND on Council's Bushfire Prone Land Map as certified by the NSW Rural Fire Service Commissioner dated 8 April 2009 pursuant to the requirements under the of the *Rural Fires Act 1997* and *Environmental Planning and Assessment Act 1979*.

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

Contamination Information:

Council records indicate that this land may have been used in the past for a potentially contaminating activity. Council suggests that you should purchase a section 149(5) certificate so that you are aware of this information.



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

THE FOLLOWING STATE ENVIRONMENTAL PLANNING POLICIES AND REGIONAL ENVIRONMENTAL PLANS APPLY:

State Environmental Planning Policies (SEPPs)

SEPP No. 1 - Development standards
 SEPP No. 4 - Development without consent and miscellaneous complying development
 SEPP No. 6 - Number of storeys in a building
 SEPP No. 19 - Bushland in urban areas
 SEPP No. 22 - Shops and commercial premises
 SEPP No. 32 - Urban consolidation (re development of urban land)
 SEPP No. 33 - Hazardous and offensive development
 SEPP No. 50 - Canal estate development
 SEPP No. 55 - Remediation of land
 SEPP No. 56 - Sydney Harbour Foreshores and Tributaries
 SEPP No. 60 - Exempt and Complying Development
 SEPP No. 64 - Advertising and signage
 SEPP No. 65 - Design Quality of Residential Flat Development
 SEPP (Affordable Rental Housing) 2009
 SEPP (Building Sustainability Index: BASIX) 2004
 SEPP (Exempt and Complying Development Codes) 2008
 SEPP (Housing for Seniors or People with a Disability) 2004 - *formerly SEPP (Seniors Living) 2004*
 SEPP (Infrastructure) 2007
 SEPP (Major Development) 2005 - *formerly SEPP Major Projects & SEPP State Significant Development*
 SEPP (Repeal of Concurrence and Referral Provisions) 2008
 SEPP (Temporary Structures and Places of Public Entertainment) 2007

Regional Environmental Plans (REPs) (Deemed SEPPs)

Sydney REP (Sydney Harbour Catchment) 2005

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

Draft State Environmental Planning Policies (SEPPs)

Draft SEPP No. 66 - Integration of Land Use and Transport
 Draft SEPP (Application of Development Standards) 2004

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



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ABN 32 353 260 317

FOR THE PURPOSE OF SECTION 149(2) AND CLAUSE 3 TO SCHEDULE 4 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2000, THE FOLLOWING INFORMATION IS PROVIDED:

General Housing Code

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

Housing Internal Alterations Code

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

Commercial and Industrial Code

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

Note. This part of the Certificate only addresses matters raised in Clause 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. It is your responsibility to ensure that you comply with any other relevant requirements of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. Failure to comply with these provisions may mean that a Complying Development Certificate issued under the provisions of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* is invalid.

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

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

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

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

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

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

FOR THE PURPOSE OF SECTION 149(5) THE FOLLOWING INFORMATION IS PROVIDED:

FLOOR SPACE RATIOS & HEIGHT CONTROLS AREA 16



address 200 Miller Street North Sydney NSW 2060
all correspondence General Manager North Sydney Council
PO Box 12 North Sydney NSW 2059
DX10587

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Range of Non-Residential Floor Space Ratio 4:1 – 5:1
Maximum Number of Storeys No Restriction

This property IS NOT listed in the Register of the National Trust of NSW.

The subject land is NOT AFFECTED by the Heritage Act 1977.

A Tree Preservation Order applies throughout the North Sydney Council area. Contact Council for details.

CONTAMINATION INFORMATION:

Council records indicate that this land may have been used in the past for a potentially contaminating activity. The question of whether the land is contaminated will be considered whenever zoning is proposed to be changed and for every proposed development of the land. Any person relying on this certificate is advised to make their own investigations as to whether the land is contaminated.

For further information, please contact Council's
DIVISION OF PLANNING & DEVELOPMENT SERVICES

PENNY HOLLOWAY
GENERAL MANAGER
per:

A handwritten signature in black ink, appearing to read "Penny Holloway".



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**PLANNING CERTIFICATE UNDER
SECTION 149 ENVIRONMENTAL PLANNING
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Cert. No.: 43530/02
Page No.: 1 of 6

Parcel No: 18470

Date: 02/11/2009
Receipt No.: 980983
Your REF:

Applicant:
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L8 44 Market St
SYDNEY NSW 2000

Owner (as recorded by council):
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GPO Box 4009
SYDNEY NSW 2001

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GAZETTED 1ST JUNE, 2001, AS AMENDED.

EFFECT:

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Range of Non-Residential Floor Space Ratio 4:1 – 5:1
Maximum Number of Storeys No Restriction

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For further information, please contact Council's
DIVISION OF PLANNING & DEVELOPMENT SERVICES

PENNY HOLLOWAY
GENERAL MANAGER
per:

A handwritten signature in black ink, appearing to read "Penny Holloway", written over a horizontal line.



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Owner (as recorded by council):
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DP 24474 Lot 7

The Title information shown on this Certificate has been obtained from the Land and Property Information NSW, therefore Council cannot guarantee accuracy.

The information required to be disclosed in this planning certificate is that prescribed by Schedule 4 of the Environmental Planning and Assessment Regulation 2000. If no response is provided in this planning certificate for an item listed in Schedule 4, that matter has been considered and determined as not applying to the land to which this certificate relates.

**AS AT THE DATE OF THE CERTIFICATE THE FOLLOWING MATTERS APPLY TO THE ABOVE
MENTIONED LAND.**

PLANNING INSTRUMENT: NORTH SYDNEY LOCAL ENVIRONMENTAL PLAN 2001
GAZETTED 1ST JUNE, 2001, AS AMENDED.

EFFECT:

SPECIAL USE ZONE - USES UNDER NORTH SYDNEY L.E.P. 2001

PERMISSIBLE DEVELOPMENT

Subject to the provisions of LEP 2001 the following development may be carried out within the zone, but only with development consent:

Development for the purpose of:

(a) on all sites in the zone - apartment buildings; attached dwellings; duplexes; dwelling-houses; open space; remediation; telecommunications facilities; utility installations, other than gas holders or generating works, and

(b) on sites shown on the map with red lettering - the land use indicated by red lettering on the map.

PROHIBITED DEVELOPMENT

Any purpose other than a purpose listed above is prohibited within the zone.

EXEMPT DEVELOPMENT



address 200 Miller Street North Sydney NSW 2060

all correspondence General Manager North Sydney Council
PO Box 12 North Sydney NSW 2059
DX10587

telephone (02) 9936 8100

facsimile (02) 9936 8177

email council@northsydney.nsw.gov.au

internet www.northsydney.nsw.gov.au

ABN 32 353 260 317

Development for the purposes set out in clause 12 and schedule 6 of LEP 2001 is exempt development, which may be carried out within the zone without the need for development consent.

COMPLYING DEVELOPMENT

Development for the purposes set out in clause 13 and schedule 7 of LEP 2001 is complying development, which may be carried out within the zone without the need for development consent, provided that a complying development certificate is obtained.

Draft North Sydney Local Environmental Plan 2001 (Amendment No 28) – North Sydney Centre

The proposed amendments: rezone several properties to commercial zone; amend the building height and massing controls, including the application of maximum building heights and maximum floor space ratios, and removal of the composite shadow area; amend the solar access provisions relating to Don Bank Museum and Mount Street Plaza Public Open Space; amend the non-residential floor space ratios for several properties zoned mixed use; amend or remove several special areas; remove Clause 28A Division to Preval; amend the building height and non-residential floor space ratio provisions applying to 144, 146, 148 and 150 Walker Street; and make consequential amendments. The DLEP was exhibited between 13 February 2009 and 16 March 2009.

Draft North Sydney Local Environmental Plan 2001 (Amendment No. 33)

This Draft LEP applies to 111- 115 Chandos Street, Crows Nest. The Draft LEP proposes an amendment to Schedule 5 of *North Sydney Local Environmental Plan 2001*, to allow "commercial premises" as permissible with consent on the subject site. The Draft LEP was publically exhibited between Thursday 28 May 2009 and Friday 26 June 2009.

Planning Proposal to amend North Sydney Local Environmental Plan 2001

This Planning Proposal applies to 450 Miller Street and 11 Amherst Street, Cammeray. The Planning Proposal is to amend *North Sydney Local Environmental Plan 2001* to allow "commercial premises" on the site above ground level. The Planning Proposal was placed on public exhibition between Thursday 17 September 2009 and Friday 2 October 2009.

Planning Proposal to amend North Sydney Local Environmental Plan 2001

This Planning Proposal applies to 162 Blues Point Road, McMahons Point. The Planning Proposal is to amend *North Sydney Local Environmental Plan 2001* to allow "commercial premises" on the site. The Planning Proposal was placed on public exhibition between Thursday 24 September 2009 and Friday 9 October 2009.

Development Consent MAY BE REQUIRED for the DEMOLITION of all or part of any building on the subject land under *North Sydney Local Environmental Plan 2001*. Refer to *SEPP (Exempt and Complying Development Codes) 2008* and Schedule 6 - Exempt Development under *North Sydney Local Environmental Plan 2001*.

***North Sydney Development Control Plan 2002 and Area Character Statements* - Effective 21/02/2002.**

The DCP applies to all land in the North Sydney local government area where LEP 2001 applies, and contains policy relevant to development of land where LEP 1989 applies. Amended 20/3/03. Amended 29/5/03. Amended 24/03/05. Amended 07/07/05. Amended 06/10/05. Amended 04/05/06. Amended 01/06/06. Amended 19/9/06. Amended 16/08/07. Amended 29/05/08. Amended 30/10/08.

North Sydney Section 94 Contributions Plan. Comprehensive contributions plan applying to all



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internet www.northsydney.nsw.gov.au
ABN 32 353 260 317

development in the North Sydney local government area. Effective 12 February 2004. Amended 3 July 2006.

HERITAGE CONTROLS:

The subject land is NOT LOCATED within a CONSERVATION AREA, under Part 4 - Heritage Provisions of *North Sydney Local Environmental Plan 2001*.

The subject land is NOT IDENTIFIED as containing a HERITAGE ITEM under *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005*.

The subject land is NOT IDENTIFIED as containing a HERITAGE ITEM, under Part 4 - Heritage Provisions of *North Sydney Local Environmental Plan 2001*.

The subject land is NOT IDENTIFIED as a CONTRIBUTORY ITEM, under Part 4 - Heritage Provisions of *North Sydney Local Environmental Plan 2001*.

The subject land is NOT IDENTIFIED as an UNCHARACTERISTIC ELEMENT, under Part 4 - Heritage Provisions of *North Sydney Local Environmental Plan 2001*.

OTHER CONTROLS:

The subject land is NOT AFFECTED by Section 38 or 39 of the *Coastal Protection Act 1979*.

The subject land is NOT PROCLAIMED as a Mine Subsidence District within the meaning of Section 15 of the *Mine Subsidence Compensation Act 1961*.

The subject land is NOT AFFECTED by any road widening or road realignment under the *Roads Act 1993*.

The subject land is NOT AFFECTED by any road widening or road realignment under any environmental planning instrument.

The subject land is NOT AFFECTED by any ROAD WIDENING or road reservation under any Council resolution.

The subject property is NOT identified as BUSHFIRE PRONE LAND on Council's Bushfire Prone Land Map as certified by the NSW Rural Fire Service Commissioner dated 8 April 2009 pursuant to the requirements under the of the *Rural Fires Act 1997* and *Environmental Planning and Assessment Act 1979*.

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

Contamination Information:

Council records indicate that this land may have been used in the past for a potentially contaminating activity. Council suggests that you should purchase a section 149(5) certificate so that you are aware of this information.



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ABN 32 353 260 317

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

THE FOLLOWING STATE ENVIRONMENTAL PLANNING POLICIES AND REGIONAL ENVIRONMENTAL PLANS APPLY:

State Environmental Planning Policies (SEPPs)

SEPP No. 1 - Development standards
SEPP No. 4 - Development without consent and miscellaneous complying development
SEPP No. 6 - Number of storeys in a building
SEPP No. 19 - Bushland in urban areas
SEPP No. 22 - Shops and commercial premises
SEPP No. 32 - Urban consolidation (re development of urban land)
SEPP No. 33 - Hazardous and offensive development
SEPP No. 50 - Canal estate development
SEPP No. 55 - Remediation of land
SEPP No. 56 - Sydney Harbour Foreshores and Tributaries
SEPP No. 60 - Exempt and Complying Development
SEPP No. 64 - Advertising and signage
SEPP No. 65 - Design Quality of Residential Flat Development
SEPP (Affordable Rental Housing) 2009
SEPP (Building Sustainability Index: BASIX) 2004
SEPP (Exempt and Complying Development Codes) 2008
SEPP (Housing for Seniors or People with a Disability) 2004 - *formerly SEPP (Seniors Living) 2004*
SEPP (Infrastructure) 2007
SEPP (Major Development) 2005 - *formerly SEPP Major Projects & SEPP State Significant Development*
SEPP (Repeal of Concurrence and Referral Provisions) 2008
SEPP (Temporary Structures and Places of Public Entertainment) 2007

Regional Environmental Plans (REPs) (Deemed SEPPs)

Sydney REP (Sydney Harbour Catchment) 2005

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

Draft State Environmental Planning Policies (SEPPs)

Draft SEPP No. 66 - Integration of Land Use and Transport
Draft SEPP (Application of Development Standards) 2004

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



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internet www.northsydney.nsw.gov.au

ABN 32 353 260 317

FOR THE PURPOSE OF SECTION 149(2) AND CLAUSE 3 TO SCHEDULE 4 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2000, THE FOLLOWING INFORMATION IS PROVIDED:

General Housing Code

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

Housing Internal Alterations Code

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

Commercial and Industrial Code

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

Note. This part of the Certificate only addresses matters raised in Clause 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. It is your responsibility to ensure that you comply with any other relevant requirements of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. Failure to comply with these provisions may mean that a Complying Development Certificate issued under the provisions of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* is invalid.

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

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

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

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

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

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

FOR THE PURPOSE OF SECTION 149(5) THE FOLLOWING INFORMATION IS PROVIDED:

FLOOR SPACE RATIOS & HEIGHT CONTROLS AREA 16



address 200 Miller Street North Sydney NSW 2060
all correspondence General Manager North Sydney Council
PO Box 12 North Sydney NSW 2059
DX10587

telephone (02) 9936 8100
facsimile (02) 9936 8177
email council@northsydney.nsw.gov.au
internet www.northsydney.nsw.gov.au
ABN 32 353 260 317

Range of Non-Residential Floor Space Ratio 4:1 – 5:1
Maximum Number of Storeys No Restriction

This property IS NOT listed in the Register of the National Trust of NSW.

The subject land is NOT AFFECTED by the Heritage Act 1977.

A Tree Preservation Order applies throughout the North Sydney Council area. Contact Council for details.

CONTAMINATION INFORMATION:

Council records indicate that this land may have been used in the past for a potentially contaminating activity. The question of whether the land is contaminated will be considered whenever zoning is proposed to be changed and for every proposed development of the land. Any person relying on this certificate is advised to make their own investigations as to whether the land is contaminated.

For further information, please contact Council's
DIVISION OF PLANNING & DEVELOPMENT SERVICES

PENNY HOLLOWAY
GENERAL MANAGER
per:

A handwritten signature in cursive script, appearing to read "Penny Holloway".



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ABN 32 353 260 317

**PLANNING CERTIFICATE UNDER
SECTION 149 ENVIRONMENTAL PLANNING
AND ASSESSMENT ACT 1979**

Cert. No.: 43527/02
Page No.: 1 of 6

Parcel No: 18472

Date: 02/11/2009
Receipt No.: 980983
Your REF:

Applicant:

**AECOM Australia Pty Ltd
L8 44 Market St
SYDNEY NSW 2000**

Owner (as recorded by council):

**Energy Australia
GPO Box 4009
SYDNEY NSW 2001**

Property Description:

**70-74 Berry Street NORTH SYDNEY 2060
DP 24474 Lot 7A**

The Title information shown on this Certificate has been obtained from the Land and Property Information NSW, therefore Council cannot guarantee accuracy.

The information required to be disclosed in this planning certificate is that prescribed by Schedule 4 of the Environmental Planning and Assessment Regulation 2000. If no response is provided in this planning certificate for an item listed in Schedule 4, that matter has been considered and determined as not applying to the land to which this certificate relates.

**AS AT THE DATE OF THE CERTIFICATE THE FOLLOWING MATTERS APPLY TO THE ABOVE
MENTIONED LAND.**

PLANNING INSTRUMENT:

**NORTH SYDNEY LOCAL ENVIRONMENTAL PLAN 2001
GAZETTED 1ST JUNE, 2001, AS AMENDED.**

EFFECT:

SPECIAL USE ZONE - USES UNDER NORTH SYDNEY L.E.P. 2001

PERMISSIBLE DEVELOPMENT

Subject to the provisions of LEP 2001 the following development may be carried out within the zone, but only with development consent:

Development for the purpose of:

(a) on all sites in the zone - apartment buildings; attached dwellings; duplexes; dwelling-houses; open space; remediation; telecommunications facilities; utility installations, other than gas holders or generating works, and

(b) on sites shown on the map with red lettering - the land use indicated by red lettering on the map.

PROHIBITED DEVELOPMENT

Any purpose other than a purpose listed above is prohibited within the zone.

EXEMPT DEVELOPMENT



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ABN 32 353 260 317

Development for the purposes set out in clause 12 and schedule 6 of LEP 2001 is exempt development, which may be carried out within the zone without the need for development consent.

COMPLYING DEVELOPMENT

Development for the purposes set out in clause 13 and schedule 7 of LEP 2001 is complying development, which may be carried out within the zone without the need for development consent, provided that a complying development certificate is obtained.

Draft North Sydney Local Environmental Plan 2001 (Amendment No 28) – North Sydney Centre

The proposed amendments: rezone several properties to commercial zone; amend the building height and massing controls, including the application of maximum building heights and maximum floor space ratios, and removal of the composite shadow area; amend the solar access provisions relating to Don Bank Museum and Mount Street Plaza Public Open Space; amend the non-residential floor space ratios for several properties zoned mixed use; amend or remove several special areas; remove Clause 28A Division to Prevail; amend the building height and non-residential floor space ratio provisions applying to 144, 146, 148 and 150 Walker Street; and make consequential amendments. The DLEP was exhibited between 13 February 2009 and 16 March 2009.

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This Draft LEP applies to 111- 115 Chandos Street, Crows Nest. The Draft LEP proposes an amendment to Schedule 5 of *North Sydney Local Environmental Plan 2001*, to allow "commercial premises" as permissible with consent on the subject site. The Draft LEP was publically exhibited between Thursday 28 May 2009 and Friday 26 June 2009.

Planning Proposal to amend North Sydney Local Environmental Plan 2001

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Planning Proposal to amend North Sydney Local Environmental Plan 2001

This Planning Proposal applies to 162 Blues Point Road, McMahons Point. The Planning Proposal is to amend *North Sydney Local Environmental Plan 2001* to allow "commercial premises" on the site. The Planning Proposal was placed on public exhibition between Thursday 24 September 2009 and Friday 9 October 2009.

Development Consent MAY BE REQUIRED for the DEMOLITION of all or part of any building on the subject land under *North Sydney Local Environmental Plan 2001*. Refer to *SEPP (Exempt and Complying Development Codes) 2008* and Schedule 6 - Exempt Development under *North Sydney Local Environmental Plan 2001*.

***North Sydney Development Control Plan 2002 and Area Character Statements* - Effective 21/02/2002.**

The DCP applies to all land in the North Sydney local government area where LEP 2001 applies, and contains policy relevant to development of land where LEP 1989 applies. Amended 20/3/03. Amended 29/5/03. Amended 24/03/05. Amended 07/07/05. Amended 06/10/05. Amended 04/05/06. Amended 01/06/06. Amended 19/9/06. Amended 16/08/07. Amended 29/05/08. Amended 30/10/08.

North Sydney Section 94 Contributions Plan. Comprehensive contributions plan applying to all



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ABN 32 353 260 317

development in the North Sydney local government area. Effective 12 February 2004. Amended 3 July 2006.

HERITAGE CONTROLS:

The subject land is NOT LOCATED within a CONSERVATION AREA, under Part 4 - Heritage Provisions of *North Sydney Local Environmental Plan 2001*.

The subject land is NOT IDENTIFIED as containing a HERITAGE ITEM under *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005*.

The subject land is NOT IDENTIFIED as containing a HERITAGE ITEM, under Part 4 - Heritage Provisions of *North Sydney Local Environmental Plan 2001*.

The subject land is NOT IDENTIFIED as a CONTRIBUTORY ITEM, under Part 4 - Heritage Provisions of *North Sydney Local Environmental Plan 2001*.

The subject land is NOT IDENTIFIED as an UNCHARACTERISTIC ELEMENT, under Part 4 - Heritage Provisions of *North Sydney Local Environmental Plan 2001*.

OTHER CONTROLS:

The subject land is NOT AFFECTED by Section 38 or 39 of the *Coastal Protection Act 1979*.

The subject land is NOT PROCLAIMED as a Mine Subsidence District within the meaning of Section 15 of the *Mine Subsidence Compensation Act 1961*.

The subject land is NOT AFFECTED by any road widening or road realignment under the *Roads Act 1993*.

The subject land is NOT AFFECTED by any road widening or road realignment under any environmental planning instrument.

The subject land is NOT AFFECTED by any ROAD WIDENING or road reservation under any Council resolution.

The subject property is NOT identified as BUSHFIRE PRONE LAND on Council's Bushfire Prone Land Map as certified by the NSW Rural Fire Service Commissioner dated 8 April 2009 pursuant to the requirements under the of the *Rural Fires Act 1997* and *Environmental Planning and Assessment Act 1979*.

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

Contamination Information:

Council records indicate that this land may have been used in the past for a potentially contaminating activity. Council suggests that you should purchase a section 149(5) certificate so that you are aware of this information.



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internet www.northsydney.nsw.gov.au
ABN 32 353 260 317

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

THE FOLLOWING STATE ENVIRONMENTAL PLANNING POLICIES AND REGIONAL ENVIRONMENTAL PLANS APPLY:

State Environmental Planning Policies (SEPPs)

SEPP No. 1 - Development standards
SEPP No. 4 - Development without consent and miscellaneous complying development
SEPP No. 6 - Number of storeys in a building
SEPP No. 19 - Bushland in urban areas
SEPP No. 22 - Shops and commercial premises
SEPP No. 32 - Urban consolidation (re development of urban land)
SEPP No. 33 - Hazardous and offensive development
SEPP No. 50 - Canal estate development
SEPP No. 55 - Remediation of land
SEPP No. 56 - Sydney Harbour Foreshores and Tributaries
SEPP No. 60 - Exempt and Complying Development
SEPP No. 64 - Advertising and signage
SEPP No. 65 - Design Quality of Residential Flat Development
SEPP (Affordable Rental Housing) 2009
SEPP (Building Sustainability Index: BASIX) 2004
SEPP (Exempt and Complying Development Codes) 2008
SEPP (Housing for Seniors or People with a Disability) 2004 - *formerly SEPP (Seniors Living) 2004*
SEPP (Infrastructure) 2007
SEPP (Major Development) 2005 - *formerly SEPP Major Projects & SEPP State Significant Development*
SEPP (Repeal of Concurrence and Referral Provisions) 2008
SEPP (Temporary Structures and Places of Public Entertainment) 2007

Regional Environmental Plans (REPs) (Deemed SEPPs)

Sydney REP (Sydney Harbour Catchment) 2005

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

Draft State Environmental Planning Policies (SEPPs)

Draft SEPP No. 66 - Integration of Land Use and Transport
Draft SEPP (Application of Development Standards) 2004

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



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ABN 32 353 260 317

FOR THE PURPOSE OF SECTION 149(2) AND CLAUSE 3 TO SCHEDULE 4 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2000, THE FOLLOWING INFORMATION IS PROVIDED:

General Housing Code

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

Housing Internal Alterations Code

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

Commercial and Industrial Code

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

Note. This part of the Certificate only addresses matters raised in Clause 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. It is your responsibility to ensure that you comply with any other relevant requirements of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. Failure to comply with these provisions may mean that a Complying Development Certificate issued under the provisions of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* is invalid.

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

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

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

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

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

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

FOR THE PURPOSE OF SECTION 149(5) THE FOLLOWING INFORMATION IS PROVIDED:

FLOOR SPACE RATIOS & HEIGHT CONTROLS AREA 16



address 200 Miller Street North Sydney NSW 2060
all correspondence General Manager North Sydney Council
PO Box 12 North Sydney NSW 2059
DX10587

telephone (02) 9936 8100
facsimile (02) 9936 8177
email council@northsydney.nsw.gov.au
internet www.northsydney.nsw.gov.au
ABN 32 353 260 317

Range of Non-Residential Floor Space Ratio 4:1 – 5:1
Maximum Number of Storeys No Restriction

This property IS NOT listed in the Register of the National Trust of NSW.

The subject land is NOT AFFECTED by the Heritage Act 1977.

A Tree Preservation Order applies throughout the North Sydney Council area. Contact Council for details.

CONTAMINATION INFORMATION:

Council records indicate that this land may have been used in the past for a potentially contaminating activity. The question of whether the land is contaminated will be considered whenever zoning is proposed to be changed and for every proposed development of the land. Any person relying on this certificate is advised to make their own investigations as to whether the land is contaminated.

For further information, please contact Council's
DIVISION OF PLANNING & DEVELOPMENT SERVICES

PENNY HOLLOWAY
GENERAL MANAGER
per:

A handwritten signature in black ink, appearing to read "Penny Holloway", written over a horizontal line.



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ABN 32 353 260 317

**PLANNING CERTIFICATE UNDER
SECTION 149 ENVIRONMENTAL PLANNING
AND ASSESSMENT ACT 1979**

Cert. No.: 43526/02
Page No.: 1 of 6

Parcel No: 18473

Date: 02/11/2009
Receipt No.: 980983
Your REF:

Applicant:
AECOM Australia Pty Ltd
L8 44 Market St
SYDNEY NSW 2000

Owner (as recorded by council):
Energy Australia
GPO Box 4009
SYDNEY NSW 2001

Property Description:
70-74 Berry Street NORTH SYDNEY 2060
DP 24474 Lot 8

The Title information shown on this Certificate has been obtained from the Land and Property Information NSW, therefore Council cannot guarantee accuracy.

The information required to be disclosed in this planning certificate is that prescribed by Schedule 4 of the Environmental Planning and Assessment Regulation 2000. If no response is provided in this planning certificate for an item listed in Schedule 4, that matter has been considered and determined as not applying to the land to which this certificate relates.

**AS AT THE DATE OF THE CERTIFICATE THE FOLLOWING MATTERS APPLY TO THE ABOVE
MENTIONED LAND.**

PLANNING INSTRUMENT: NORTH SYDNEY LOCAL ENVIRONMENTAL PLAN 2001
GAZETTED 1ST JUNE, 2001, AS AMENDED.

EFFECT:

SPECIAL USE ZONE - USES UNDER NORTH SYDNEY L.E.P. 2001

PERMISSIBLE DEVELOPMENT

Subject to the provisions of LEP 2001 the following development may be carried out within the zone, but only with development consent:

Development for the purpose of:

- (a) on all sites in the zone - apartment buildings; attached dwellings; duplexes; dwelling-houses; open space; remediation; telecommunications facilities; utility installations, other than gas holders or generating works, and
- (b) on sites shown on the map with red lettering - the land use indicated by red lettering on the map.

PROHIBITED DEVELOPMENT

Any purpose other than a purpose listed above is prohibited within the zone.

EXEMPT DEVELOPMENT



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Internet www.northsydney.nsw.gov.au

ABN 32 353 260 317

Development for the purposes set out in clause 12 and schedule 6 of LEP 2001 is exempt development, which may be carried out within the zone without the need for development consent.

COMPLYING DEVELOPMENT

Development for the purposes set out in clause 13 and schedule 7 of LEP 2001 is complying development, which may be carried out within the zone without the need for development consent, provided that a complying development certificate is obtained.

Draft North Sydney Local Environmental Plan 2001 (Amendment No 28) – North Sydney Centre

The proposed amendments: rezone several properties to commercial zone; amend the building height and massing controls, including the application of maximum building heights and maximum floor space ratios, and removal of the composite shadow area; amend the solar access provisions relating to Don Bank Museum and Mount Street Plaza Public Open Space; amend the non-residential floor space ratios for several properties zoned mixed use; amend or remove several special areas; remove Clause 28A Division to Prevail; amend the building height and non-residential floor space ratio provisions applying to 144, 146, 148 and 150 Walker Street; and make consequential amendments. The DLEP was exhibited between 13 February 2009 and 16 March 2009.

Draft North Sydney Local Environmental Plan 2001 (Amendment No. 33)

This Draft LEP applies to 111- 115 Chandos Street, Crows Nest. The Draft LEP proposes an amendment to Schedule 5 of *North Sydney Local Environmental Plan 2001*, to allow "commercial premises" as permissible with consent on the subject site. The Draft LEP was publically exhibited between Thursday 28 May 2009 and Friday 26 June 2009.

Planning Proposal to amend North Sydney Local Environmental Plan 2001

This Planning Proposal applies to 450 Miller Street and 11 Amherst Street, Cammeray. The Planning Proposal is to amend *North Sydney Local Environmental Plan 2001* to allow "commercial premises" on the site above ground level. The Planning Proposal was placed on public exhibition between Thursday 17 September 2009 and Friday 2 October 2009.

Planning Proposal to amend North Sydney Local Environmental Plan 2001

This Planning Proposal applies to 162 Blues Point Road, McMahon's Point. The Planning Proposal is to amend *North Sydney Local Environmental Plan 2001* to allow "commercial premises" on the site. The Planning Proposal was placed on public exhibition between Thursday 24 September 2009 and Friday 9 October 2009.

Development Consent MAY BE REQUIRED for the DEMOLITION of all or part of any building on the subject land under *North Sydney Local Environmental Plan 2001*. Refer to *SEPP (Exempt and Complying Development Codes) 2008* and Schedule 6 - Exempt Development under *North Sydney Local Environmental Plan 2001*.

***North Sydney Development Control Plan 2002 and Area Character Statements* - Effective 21/02/2002.**

The DCP applies to all land in the North Sydney local government area where LEP 2001 applies, and contains policy relevant to development of land where LEP 1989 applies. Amended 20/3/03. Amended 29/5/03. Amended 24/03/05. Amended 07/07/05. Amended 06/10/05. Amended 04/05/06. Amended 01/06/06. Amended 19/9/06. Amended 16/08/07. Amended 29/05/08. Amended 30/10/08.

North Sydney Section 94 Contributions Plan. Comprehensive contributions plan applying to all



address 200 Miller Street North Sydney NSW 2060
all correspondence General Manager North Sydney Council
PO Box 12 North Sydney NSW 2059
DX10587

telephone (02) 9936 8100
facsimile (02) 9936 8177
email council@northsydney.nsw.gov.au
internet www.northsydney.nsw.gov.au
ABN 32 353 260 317

development in the North Sydney local government area. Effective 12 February 2004. Amended 3 July 2006.

HERITAGE CONTROLS:

The subject land is NOT LOCATED within a CONSERVATION AREA, under Part 4 - Heritage Provisions of *North Sydney Local Environmental Plan 2001*.

The subject land is NOT IDENTIFIED as containing a HERITAGE ITEM under *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005*.

The subject land is NOT IDENTIFIED as containing a HERITAGE ITEM, under Part 4 - Heritage Provisions of *North Sydney Local Environmental Plan 2001*.

The subject land is NOT IDENTIFIED as a CONTRIBUTORY ITEM, under Part 4 - Heritage Provisions of *North Sydney Local Environmental Plan 2001*.

The subject land is NOT IDENTIFIED as an UNCHARACTERISTIC ELEMENT, under Part 4 - Heritage Provisions of *North Sydney Local Environmental Plan 2001*.

OTHER CONTROLS:

The subject land is NOT AFFECTED by Section 38 or 39 of the Coastal Protection Act 1979.

The subject land is NOT PROCLAIMED as a Mine Subsidence District within the meaning of Section 15 of the Mine Subsidence Compensation Act 1961.

The subject land is NOT AFFECTED by any road widening or road realignment under the Roads Act 1993.

The subject land is NOT AFFECTED by any road widening or road realignment under any environmental planning instrument.

The subject land is NOT AFFECTED by any ROAD WIDENING or road reservation under any Council resolution.

The subject property is NOT identified as BUSHFIRE PRONE LAND on Council's Bushfire Prone Land Map as certified by the NSW Rural Fire Service Commissioner dated 8 April 2009 pursuant to the requirements under the of the Rural Fires Act 1997 and Environmental Planning and Assessment Act 1979.

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

Contamination Information:

Council records indicate that this land may have been used in the past for a potentially contaminating activity. Council suggests that you should purchase a section 149(5) certificate so that you are aware of this information.



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all correspondence General Manager North Sydney Council
PO Box 12 North Sydney NSW 2059
DX10587

telephone (02) 9936 8100

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email council@northsydney.nsw.gov.au

Internet www.northsydney.nsw.gov.au

ABN 32 353 260 317

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

THE FOLLOWING STATE ENVIRONMENTAL PLANNING POLICIES AND REGIONAL ENVIRONMENTAL PLANS APPLY:

State Environmental Planning Policies (SEPPs)

SEPP No. 1 - Development standards
SEPP No. 4 - Development without consent and miscellaneous complying development
SEPP No. 6 - Number of storeys in a building
SEPP No. 19 - Bushland in urban areas
SEPP No. 22 - Shops and commercial premises
SEPP No. 32 - Urban consolidation (re development of urban land)
SEPP No. 33 - Hazardous and offensive development
SEPP No. 50 - Canal estate development
SEPP No. 55 - Remediation of land
SEPP No. 56 - Sydney Harbour Foreshores and Tributaries
SEPP No. 60 - Exempt and Complying Development
SEPP No. 64 - Advertising and signage
SEPP No. 65 - Design Quality of Residential Flat Development
SEPP (Affordable Rental Housing) 2009
SEPP (Building Sustainability Index: BASIX) 2004
SEPP (Exempt and Complying Development Codes) 2008
SEPP (Housing for Seniors or People with a Disability) 2004 - *formerly SEPP (Seniors Living) 2004*
SEPP (Infrastructure) 2007
SEPP (Major Development) 2005 - *formerly SEPP Major Projects & SEPP State Significant Development*
SEPP (Repeal of Concurrence and Referral Provisions) 2008
SEPP (Temporary Structures and Places of Public Entertainment) 2007

Regional Environmental Plans (REPs) (Deemed SEPPs)

Sydney REP (Sydney Harbour Catchment) 2005

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

Draft State Environmental Planning Policies (SEPPs)

Draft SEPP No. 66 - Integration of Land Use and Transport
Draft SEPP (Application of Development Standards) 2004

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



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internet www.northsydney.nsw.gov.au

ABN 32 353 260 317

FOR THE PURPOSE OF SECTION 149(2) AND CLAUSE 3 TO SCHEDULE 4 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2000, THE FOLLOWING INFORMATION IS PROVIDED:

General Housing Code

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

Housing Internal Alterations Code

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

Commercial and Industrial Code

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

Note. This part of the Certificate only addresses matters raised in Clause 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. It is your responsibility to ensure that you comply with any other relevant requirements of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. Failure to comply with these provisions may mean that a Complying Development Certificate issued under the provisions of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* is invalid.

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

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

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

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

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

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

FOR THE PURPOSE OF SECTION 149(5) THE FOLLOWING INFORMATION IS PROVIDED:

FLOOR SPACE RATIOS & HEIGHT CONTROLS AREA 16



address 200 Miller Street North Sydney NSW 2060
all correspondence General Manager North Sydney Council
PO Box 12 North Sydney NSW 2059
DX10587

telephone (02) 9936 8100
facsimile (02) 9936 8177
email council@northsydney.nsw.gov.au
Internet www.northsydney.nsw.gov.au
ABN 32 353 260 317

Range of Non-Residential Floor Space Ratio 4:1 – 5:1
Maximum Number of Storeys No Restriction

This property IS NOT listed in the Register of the National Trust of NSW.

The subject land is NOT AFFECTED by the Heritage Act 1977.

A Tree Preservation Order applies throughout the North Sydney Council area. Contact Council for details.

CONTAMINATION INFORMATION:

Council records indicate that this land may have been used in the past for a potentially contaminating activity. The question of whether the land is contaminated will be considered whenever zoning is proposed to be changed and for every proposed development of the land. Any person relying on this certificate is advised to make their own investigations as to whether the land is contaminated.

For further information, please contact Council's
DIVISION OF PLANNING & DEVELOPMENT SERVICES

PENNY HOLLOWAY
GENERAL MANAGER
per:

A handwritten signature in black ink, appearing to read 'Penny Holloway'.

Appendix D

Title Search

Use or disclosure of data contained on this sheet is subject to the restriction on the distribution page of this document.

**Commercial in
Confidence**

Building Assessment Report

S4139701_Building_Assessment_RPT_25Nov2009.doc

Environment

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**Commercial in
Confidence**

Building Assessment Report

S4139701_Building_Assessment_RPT_25Nov2009.doc

Environment

ADVANCE LEGAL SEARCH PTY LIMITED

(ACN 077 067 068)

ABN 49 077 067 068

PO Box 149
Yagoona NSW 2199

Telephone: +612 9754 1590
Mobile: 0412 169 809
Facsimile: +612 9754 1364
Email: alsearch@optusnet.com.au

30th October 2009

AECOM PTY LTD

PO Box Q410, QVB Post Office,
SYDNEY NSW 1230

Attention: Christina Low

RE:

**Cnr Berry & Ward Streets
North Sydney**

Current Search

Folio Identifier Auto Consol 10211-57 (title attached)

Lots 6 to 8, 6A & 7A DP 24474 (plan attached)

Dated 29th October 2009

Registered Proprietor:

ENERGYAUSTRALIA

Title Tree

Lots 6 to 8, 6A & 7A DP 24474

Folio Identifier Auto Consol 10211-57

Certificate of Title Volume 10211 Folio 57

(a)	(b)
CTVol 6799 Folio 90	PA 44401
CTVol 4992 Fol's 39 & 40	Conv Bk 2284 No 808
CTVol 712 Folio 198	Conv Bk 1826 No 678
*****	Conv Bk 40 No 742

Summary of Proprietors

Lots 6 to 8, 6A & 7A DP 24474

Year	Proprietor
	(Lots 6 to 8, 6A & 7A DP 24474 – A/C 10211-57)
2005 – todate	Energyaustralia
1995 – 2005	The Sydney County Council
	(Lots 6 & 7 DP 24474 & 6A, 7A & 8 DP 24474 – CTVol 10211 Fol 57)
1966 – 1995	The Sydney County Council

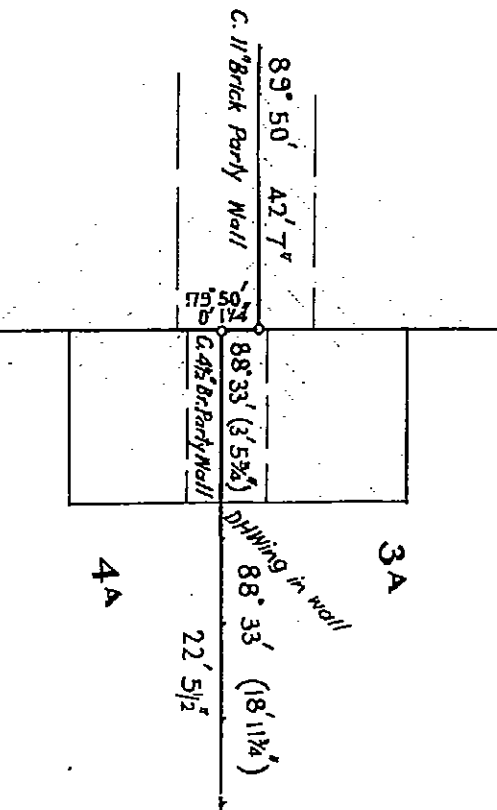
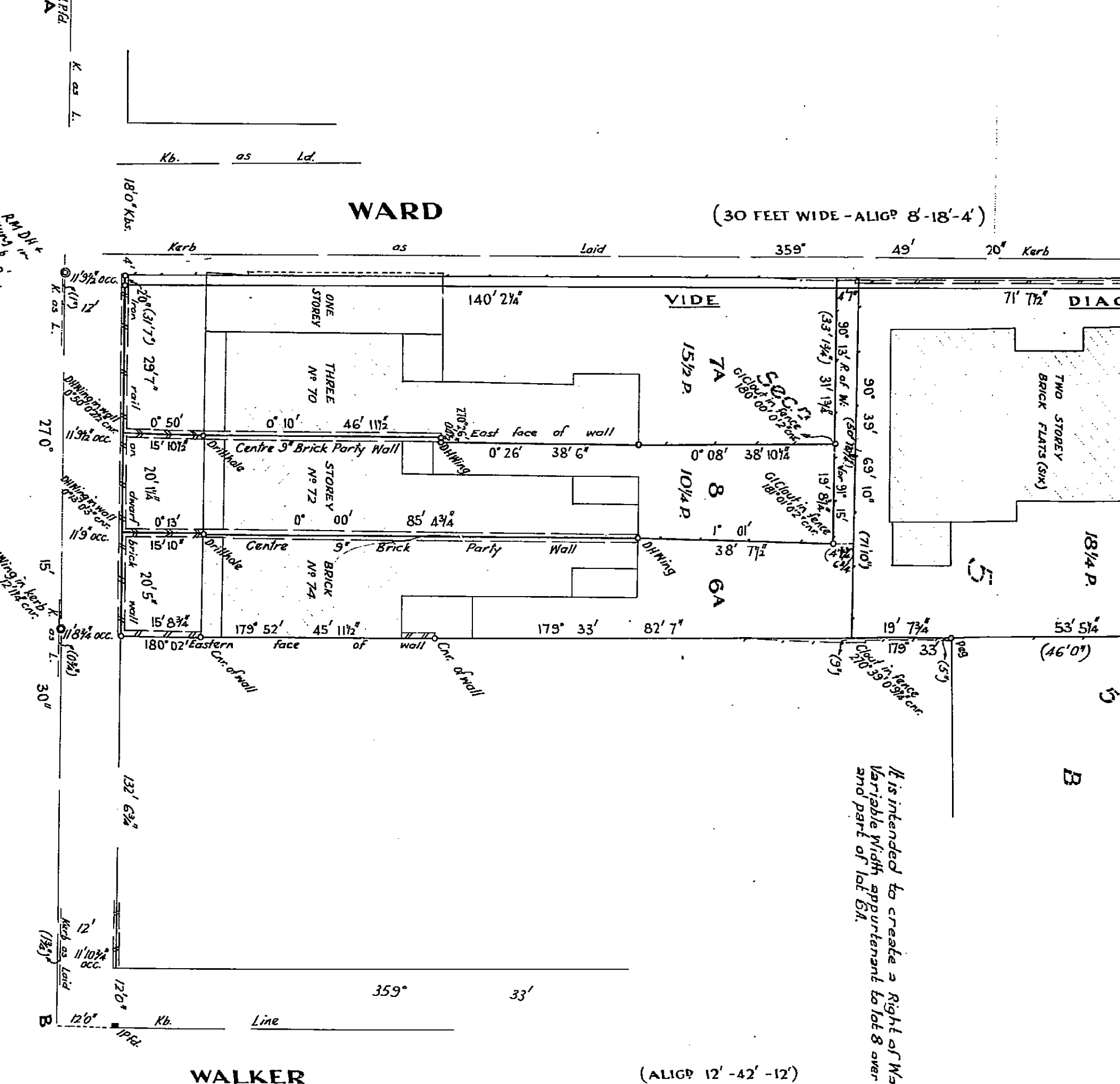
See Notes (a) & (b)

Note (a)

	(Lots 6 & 7 DP 24474 – Area 1 Perches – CTVol 6799 Fol 90)
1964 – 1966	The Sydney County Council
1954 – 1964	Ernest Francis Copes, industrial draughtsman
	(Lot 13 of McMillans subdivision od Part Allotment 4 Section 5 Town of North Sydney – Area 2 ¼ Perches – CTVol CTVol 4992 Fol's 39 & 40)
1954 – 1954	Colin Kenneth Balmer, clerk John Arnold Conolly, clerk
1950 – 1954	Colin Kenneth Balmer, clerk John Arnold Conolly, clerk Lucy Pearl Robinson, wife of resident secretary
1938 – 1950	Kenneth Stephen Balmer, company secretary Lucy Pearl Robinson, wife of resident secretary
	(Lot 13 of McMillans subdivision od Part Allotment 4 Section 5 Town of North Sydney – Area 2 ¼ Perches – CTVol CTVol 712 Fol 198)
1933 – 1938	Cecil William Moore, ironmonger Roy Walter Moore, ironmonger
1894 – 1933	James Binning Moore, property owner
1884 – 1894	Mary Ann Scott, married woman
1884 – 1884	William McMillan, innkeeper

	(Lots 6A, 7A & 8 DP 24474 – Conv Bk 2284 No 808)
1954 – 1964	Ernest Francis Copes, industrial draughtsman
1949 – 1954	Colin Kenneth Balmer, clerk / executor John Arnold Conolly, clerk / executor Kenneth Stephen Balmer, estate Lucy Pearl Robinson, wife of resident secretary
	(Allotment 5 Section 5 Town of St Leonards – Area 2 Roods 3 ½ Perches – Conv Bk 1826 No 678)
1938 – 1949	Kenneth Stephen Balmer, company secretary Lucy Pearl Robinson, wife of resident secretary
1932 – 1938	Cecil William Moore, ironmonger Roy Walter Moore, ironmonger James Binning Moore, estate
1893 – 1932	James Binning Moore, property owner
	(Allotment 5 Section 5 Town of St Leonards – Area 2 Roods 3 ½ Perches – Conv Bk 40 No 742)
1855 – 1893	Robert White Moore, esquire

FEET INCHES		METRES	
38	6	11.735	
38	7 1/2	11.777	
38	10 1/4	11.843	
39	-	11.867	
39	10 3/4	12.166	
40	-	12.182	
42	-	12.602	
42	6 1/4	12.960	
45	-	12.979	
45	11 1/2	14.008	
46	-	14.021	
46	11 1/2	14.313	
50	10 1/2	15.507	
50	10 3/4	15.513	
53	5 1/8	16.288	
53	5 1/4	16.288	
54	8	16.662	
54	10 1/2	16.266	
65	-	19.812	
65	1 3/4	19.856	
66	1	20.752	
68	7 1/2	20.917	
69	2 1/4	21.068	
69	10	21.285	
70	1	21.361	
70	7 1/2	21.537	
71	2 1/4	21.658	
71	7 1/4	21.825	
71	7 1/2	21.831	
71	10	21.895	
82	7	25.171	
85	4 3/4	26.029	
111	0 1/2	33.646	
118	7 1/4	36.151	
132	6 3/4	40.405	
140	2 1/4	42.728	
168	7 3/4	51.403	
168	9 1/4	51.441	
825	10 1/2	251.727	
AC RD	P	SD M	
-	1/2	12.6	
-	1	25.3	
-	6 3/4	170.7	
-	7 1/4	183.4	
-	10 1/4	259.3	
-	15 1/2	392	
-	18 1/4	461.6	
SD FT		SD M	
0.54		0	
9		0.8	
54		5	
55		5.1	
59		5.5	



W. D. 1952
Edward T. Sumanator Jr. Date of Survey: 11th July, 1953.
 Surveyor Registered under the Surveyors Act, 1920.

document in my custody this 28th day of December, 1979.

AMENDMENTS OR ADDITIONS NOTED ON PLAN IN REGISTRAR GENERAL'S OFFICE.

Municipality of North Sydney
Shire of

PLAN

F731923 18.9.52

of subdivision as occupied of land in C.T's Vol. 4992 Fols. 39 & 40
and of Allotment 5, Section 5, Town of St. Leonards,
(old system title) BK 1826 N°678

At Allot 4, Sec 5

PARISH OF WILLOUGHBY
COUNTY OF CUMBERLAND

Scale 20 Feet to an inch

Registered Plan No 1665

18th December 52

As regards Allot 5 Sec. 5

This is the plan numbered & returned as
DEPOSITED PLAN No 24474
on the 30th day of December 1952

REGISTRAR GENERAL

AMENDMENTS OR ADDITIONS NOTED ON PLAN
IN REGISTRAR GENERAL'S OFFICE.

I, Bruce Richard Davies, Registrar General for New South Wales, certify that this negative is a photograph made as a permanent record of a document in my custody this 28th day of December, 1979.

FEET INCHES	METRES
0 3/4	0.019
1	0.025
1 1/4	0.032
1 1/2	0.038
1 3/4	0.044
2	0.051
2 1/2	0.064
3 1/4	0.083
4	0.102
4 1/2	0.114
4 3/4	0.117
5	0.127
5 1/4	0.127
5 1/2	0.152
5 3/4	0.159
6	0.171
6 1/4	0.171
6 1/2	0.229
6 3/4	0.235
7	0.254
7 1/4	0.610
7 1/2	0.689
7 3/4	1.054
8	1.060
8 1/4	1.181
8 1/2	1.200
8 3/4	1.213
9	1.219
9 1/4	1.245
9 1/2	1.257
9 3/4	1.321
10	1.378
10 1/4	1.391
10 1/2	1.397
10 3/4	1.400
11	1.629
11 1/4	1.803
11 1/2	1.829
11 3/4	2.438
12	3.575
12 1/4	3.581
12 1/2	3.594
12 3/4	3.626
13	3.658
13 1/4	3.689
13 1/2	3.829
13 3/4	4.407
14	4.794
14 1/4	4.826
14 1/2	4.839
14 3/4	5.486
15	5.785
15 1/4	5.988
15 1/2	6.004
15 3/4	6.013
16	6.128
16 1/4	6.223
16 1/2	6.401
16 3/4	6.687
17	6.845
17 1/4	8.242
17 1/2	8.249
17 3/4	8.334
18	8.338
18 1/4	8.401
18 1/2	8.411
18 3/4	8.426
19	8.433
19 1/4	8.509
19 1/2	8.592
19 3/4	9.011
20	9.017
20 1/4	9.144
20 1/2	9.144
20 3/4	9.493
21	9.527
21 1/4	10.103
21 1/2	10.573
21 3/4	
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35 3/4	
36	

STREET

STREET

HARNETT ST
(36 FEET WIDE)

STREET

1

FEET WIDE - ALIG 8'-18'-4"

It is intended to create a right of Way of
Variable Width appurtenant to lot 8 over lot 6
and part of lot 6A.

Appendix E

Contaminated Sites Register Search

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**Commercial in
Confidence**

Building Assessment Report

S4139701_Building_Assessment_RPT_25Nov2009.doc

Environment

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Building Assessment Report

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Environment



Print



Close page

Search results

Your search for: LGA: North Sydney Council

Matched 16 notices relating to 5 sites.

Suburb	Address	Site Name	Notices related to this site
Cammeray	Strathallen Avenue	Tunks Park Cammeray (R74114)	3 former
Neutral Bay		Bed of Neutral Bay	1 current
North Sydney	High Street	HMAS Platypus (Fomer High St Gasworks)	1 current
Waverton	95 Bay Road	95 Bay Rd, Waverton	3 former
Waverton	2 King Street	AGL Oyster Cove	1 current and 7 former

Page 1 of 1

5 November 2009

Worldwide Locations

Australia	+61-2-8484-8999
Azerbaijan	+994 12 4975881
Belgium	+32-3-540-95-86
Bolivia	+591-3-354-8564
Brazil	+55-21-3526-8160
China	+86-20-8130-3737
England	+44 1928-726006
France	+33(0)1 48 42 59 53
Germany	+49-631-341-13-62
Ireland	+353 1631 9356
Italy	+39-02-3180 77 1
Japan	+813-3541 5926
Malaysia	+603-7725-0380
Netherlands	+31 10 2120 744
Philippines	+632 910 6226
Scotland	+44 (0) 1224-624624
Singapore	+65 6295 5752
Thailand	+662 642 6161
Turkey	+90-312-428-3667
United States	+1 978-589-3200
Venezuela	+58-212-762-63 39

Australian Locations

Adelaide
Brisbane
Canberra
Darwin
Melbourne
Newcastle
Perth
Sydney
Singleton

www.aecom.com