

**Wenona School**

**Preliminary Site Contamination Assessment –  
Wenona Archimedes Building**

263 - 265 Miller Street,  
North Sydney, NSW 2060

28 April 2015



When you  
think with a  
global mind  
problems  
get smaller

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# Preliminary Site Contamination Assessment – Wenona Archimedes Building

Prepared for  
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c/o APP Corporation Pty Ltd  
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North Sydney NSW 2060

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## Quality Information

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# 1 INTRODUCTION

## 1.1 General

This report presents the findings of a Preliminary Contamination Assessment carried out by Coffey Environments Australia Pty Ltd (Coffey) for the property located at, 263 - 265 Miller Street, North Sydney NSW. (the 'site').

The assessment was commissioned by APP Corporation Pty Ltd (APP) on behalf of Wenona School and was undertaken in general accordance with Coffey's fee proposal dated 27 February 2015 (Ref: GEOTLCOV25333AA-AA).

The site location is shown in Figure 1.

## 1.2 Project Background

The site is located between Miller Street and Elliott Street and has an approximate area of 1,300m<sup>2</sup>. It is noted that the proposed development will encompass 255 – 265 Miller Street, North Sydney, however this preliminary contamination assessment relates only to the properties located at 263 – 265 Miller Street, North Sydney.

At this stage it is understood that APP proposes to demolish the existing buildings and construct a three storey mixed-use (sport/pool/recreation and education) building over two to four levels of basement. The lowest basement floor will be at RL73.5 m AHD which will require excavation of approximately 11 m depth on the Miller Street site boundary, and about 6 m depth on the Elliott Street site boundary.

## 1.3 Objective

The objective of this assessment was to:

- Review available records to assess the historical uses of the site.
- Undertake a site walkover to observe conditions and land uses currently on the site and land uses adjacent to the site.
- Assess the data collected during the desktop review and the site walkover, noting potential areas of environmental concern (AEC) and chemicals of potential concern (COPC).
- Provide an assessment on whether the site is considered to be suitable, or can be made suitable for the proposed land uses in accordance with *Managing Land Contamination - State Environmental Protection Policy 55: Remediation of Land* (DUAP, 1998).

## 1.4 Scope of Works

To meet the above objective, the scope of works undertaken comprised a site walkover survey and desk-based review of the following for the site:

- Geology, hydrogeology, topography and acid sulfate soil risk maps;
- A selection of relevant historical aerial photographs covering the property and surrounds;

- Local Council Section 149 planning certificate;
- Registered groundwater bore information in the public register held by NSW Office of Water;
- Contaminated land records and environmental protection licence information in the public registers held by the NSW Environment Protection Authority; and
- Stored chemical information database (SCID) records held by WorkCover NSW.

This preliminary assessment was carried out in accordance with the general process for assessment of site contamination provided in the *National Environment Protection (Assessment of Site Contamination) Measure 1999*, NEPC (2013).

The observations from the site walkover and findings from the desk-based research were collated and presented within a report prepared in general accordance with the relevant sections of the above guidelines and *Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites* (NSW OEH 2011)

## 2 SITE LOCATION & DESCRIPTION

### 2.1 Site Location & Identification

The generic site location information relating to the site is summarised in Table 2.1. The location and site layout plan of the site is shown in Figures 1 and 2 respectively.

**Table 2.1: Site Identification**

<b>Site Address:</b>	263 – 265 Miller Street, North Sydney NSW 2060
<b>Site Identification:</b>	Lot 1 of Deposit Plan (DP) 997232, Lot 16 of DP2798, Lot 17 of DP2798 and Strata Plan (SP) 21394
<b>Current Zoning:</b>	Zone B4 - Mixed Use under North Sydney Local Environmental Plan 2001
<b>Site Area</b>	Approximately 1,300m <sup>2</sup>

### 2.2 Site Description

A site walkover was undertaken by a Coffey Environmental Engineer on 15 April 2014. The site consists of two separate properties:

- Frobel Childcare Centre located on 263 Miller Street (the childcare centre); and
- Wenona School Administration Building on 265 Miller Street (the school admin building).
- The site is located in an urban setting and surrounded by the Wenona School, residential and commercial properties.

Observations made at the childcare centre site during the site walkover are summarised below:

- The childcare centre is accessed via the Miller Street entrance. The site slopes down from Miller Street to Elliott Street in an easterly direction with an approximate gradient of 1 in 20. Vehicular access was via Elliott Street.
- The main childcare centre building is located on the western half of the lot. The building is a two storey building
- The upper level of the building was observed to consist of administration office, classrooms, nursery rooms and kitchens.
- The childcare centre building was observed to be constructed of rendered brick.
- A small play area is located to the west of the main building. The ground of the play area was observed to comprise synthetic turf.
- The lower level of the building was observed to consist of a bathroom, a laundry, a storage room and a classroom. A sandpit play area was also observed adjacent to the bathroom and laundry facility.
- Adjacent to the lower level of the site was a grassed playground. To the east of the playground, a separate classroom was noted on the Elliott Street level on the eastern portion of the site. The classroom was observed to include a play area, a storage unit and toilet facility. A garage was observed next to the classroom which was covered by synthetic turf.



- A concrete staircase is located in the northern part of the childcare centre site connecting the two buildings. A vegetable garden is located in the area between the classroom on the Elliott Street level and the playground.
- No chemicals, other than general cleaning and kitchen products were stored at the site. No chemical register was available for review.

Observations made at the school admin building are summarised as follows:

- Similar to the childcare centre, the main site entrance is via Miller Street, with vehicular access via Elliott Street.
- The building is a three storey building. Other than the parking area located on the ground level, other parts of the building was not accessible at the time of the site walkover. Based on information provided by Ms Halina MacKenzie, an employee of Wenona School, this building is currently used for school administration purposes, with a few classrooms on the upper levels.
- The rear part (eastern portion) of the ground level was observed to be a parking area. A storage cage was observed at the back of the building where office equipment was noted (photocopy copy, photocopier). Paint containers and painting equipment were also noted near the parking area.
- The site was observed to be generally concrete paved. No significant staining or odour was noted in the parking area.
- The administration block was comprised of concrete and brick with metal sheeting observed on the upper floor.
- No chemical register was available for review.

A summary of key observations are shown in Figure 3. Selected photographs of the site are presented in Appendix A.

## 2.3 Description of Surrounding Land Uses

In summary, the site is situated in an area predominated by various residential and commercial land uses. Table 2.2 provides a summary of the land uses surrounding the site.

**Table 2.2: Surrounding Land Uses**

Direction	Land Uses
North	<ul style="list-style-type: none"><li>• Land immediately to the north of the site and further north past Ridge Street comprises various commercial/residential properties and also North Sydney Oval.</li></ul>
West	<ul style="list-style-type: none"><li>• Miller Street forms the western boundary of the site.</li><li>• Civic Park is located beyond Miller Street.</li></ul>
East	<ul style="list-style-type: none"><li>• Elliott Street forms the eastern boundary of the site</li><li>• Residential and commercial premises are located immediately to the east of the site.</li></ul>
South	<ul style="list-style-type: none"><li>• The Wenona School's Miller Street campus is located directly to the south of the site. Land further to the south past McLaren Street comprises various commercial/residential properties</li></ul>

## 3 SITE SETTING

### 3.1 Regional Geology & Soils

The Sydney Geological Series Sheet 9130 (Geological Survey of New South Wales, Edition 1, 1983; Scale 1:100,000) indicates that the site comprises Hawkesbury Sandstone (Wianamatta Group medium to coarse grained quartz sandstone with minor shale and laminite).

The Sydney Soil Landscape Series Sheet 9130 (Soil Conservation Service of NSW, 1983; Scale 1:100,000) indicates that the site is located in the residual Gynea soil landscape. The Gynea soil landscape group is described as undulating rises on Wianamatta Group Hawkesbury Sandstone. The residual Gynea soils are shallow to moderately deep (<100cm) yellow earths on crests, and siliceous sands along drainage lines.

### 3.2 Acid Sulfate Soils Risk

Acid Sulfate Soil Risk Maps indicate the site is located in an area where acid sulfate soils are not known to occur.

### 3.3 Regional Topography and Drainage

The NSW Department of Lands Spatial Information Exchange (<http://imagery.maps.nsw.gov.au>) indicates that the site has an elevation of approximately 70m AHD.

The topography of the site was observed to slope down to the south and the east across the site.

It is expected that surface water runoff would either percolate into sub-surface soils (where permeable) or become run-off and enter stormwater drainage services onsite or via off-site kerbside drains along Miller and Elliott Streets.

A review of the surrounding topography indicates that surface runoff water flows in a southerly direction towards drainage gullies in Miller or Elliott Street. Stormwater is expected to then flow into Sydney Harbour, which is situated approximately 1km south of the site.

### 3.4 Regional Hydrogeology

Groundwater is expected to exist within fractures of underlying bedrock although some perched groundwater may be encountered in the upper soil profile or at the soil/rock interface, particularly after periods of rainfall. Based on the surrounding topography, it is assessed that groundwater below the site will flow in a southerly direction towards Sydney Harbour.

A search of groundwater bore licenses was undertaken using the NSW Natural Resources Atlas (NSW-NRA; available: <http://nratlas.nsw.gov.au>) on 7 April 2015. A total of four groundwater bores were found within 1 km radius from the site located along Clark Road to the south-east. No further information regarding the groundwater bores was available.

### **3.5 Regional Hydrology**

No surface water bodies are located within the site. The site is situated approximately 1km north of the foreshore of Sydney Harbour.

## 4 SITE HISTORY REVIEW

### 4.1 Aerial Photography

Selected historical aerial photographs of the site were reviewed between the period of 1943 and 2015. The findings of this review are summarised in Table 4.1. A copy of the historical aerial photography is presented as Figures 4 to 12.

**Table 4.1: Summary of Historic Land Uses interpreted from Aerial Photographs**

Year	Site Description	Surrounding Area Description
1943	Two main buildings are evident on the western half of the site. Several large trees are also visible on the eastern end of the site.	The area appears predominantly residential. A large building is located immediately to the north.
1951	No major changes are visible	No apparent changes to land immediately to the north, east and west of Miller Street.
1970	No major changes are visible.	No apparent changes to land immediately to the east, west and north. Several high rise buildings have been constructed to the south.
1972	No major changes are visible.	No apparent changes to land to the west and north.  Two large high rise complexes have been constructed immediately to the south-east of the site.  Land directly to the west of the site appears to have been cleared of several buildings.
1991	An elongated rectangular structure (similar to its current shape) is visible along the northern boundary of the site.  No other apparent changes are visible.	A park has been developed to the west of the site.  Additional high rise buildings have been constructed to the south of the site.
2007	No major changes are visible .	Land immediately to the south has been redeveloped and spans over several lots.  An additional high rise building has also been constructed south of McLaren Street.
2015	No major changes are visible.	No apparent changes to land uses surrounding the site.

### 4.2 Contaminated Land Public Registers

Coffey undertook a search of the NSW EPA online contaminated land register and list of NSW contaminated sites notified to the EPA on 7<sup>th</sup> April 2015. The search did not identify notices that have been issued by the NSW EPA under the Contaminated Land Management Act (1997) for the site, or

properties immediately surrounding the site. The search did not identify sites notified to the NSW EPA in the vicinity of the site.

## 4.3 Planning Certificates

The Section 149 Planning Certificates for the site, prepared under the *Environmental Planning and Assessment Act 1979* by North Sydney Council, were obtained for review. The Section 149 Planning Certificate indicates that all properties within the site are zoned B4 Mixed Use.

The certificates further indicate that:

- The site does not fall within an area that has been assessed as critical habitat.
- The site does not fall within a conservation area.
- The site is not located within a mine subsidence district, or an area affected by landslip.
- The land is not subject to flood related development controls.
- The site does not fall within an investigation area or remediation site as defined within Part 3 of the Contaminated Land Management Act 1997.
- The land is not subject to an investigation or a remediation order within the meaning of the Contaminated Land Management Act 1997.
- The land is not subject to a voluntary investigation proposal, or voluntary remediation proposal.
- The site is not the subject of a site audit statement.
- Lots 16 and 17 of DP 2798 are listed as heritage items under Part 4 – Heritage Provisions of North Sydney LEP 2013. Development consent is required for demolition (including partial demolition) or any change to the property, construction of a building on or subdivision of the land.

The Section 149 Planning Certificates for the site are presented in Appendix C.

## 4.4 Land Title Search

Coffey undertook a land title search of the site, the findings are summarised below:

### Lot 1 of DP 997232:

- The property was owned by private individuals until 1945 when it was then owned by a funeral director.
- From 1976 to 1994 the property was owned by Kenneth Maurer Funerals Pty Limited
- In 1994 ownership of the property was transferred to Funeral Services of Australasia Pty Ltd until 2002.
- From 2002 – 2012 the property was owned by Jenfield Pty Ltd until it was bought by the Wenona School Limited.

### Lots 16 and 17 of DP2798:

- The property was owned by private individuals until 1945 when it was then owned by a funeral director.
- From 1976 to 1994 the property was owned by Kenneth Maurer Funerals Pty Limited

- In 1994 ownership of the property was transferred to Funeral Services of Australasia Pty Ltd until 2002.
- From 2002 – 2012 the property was owned by Jenfield Pty Ltd until it was bought by the Wenona School Limited.

**SP21394:**

- The property was owned by a variety of private individuals until 1974 when the property was bought by Parlby Investments Pty Ltd.
- In 1978 the property was transferred to Tasman Real Estate Pty Limited and then in 1981 to Dunhal Investments Pty Limited.
- In 1984 the property became strata and no further information is available on the ownership at this time.

The land titles for the individual properties within the site are presented in Appendix D.

## **4.5 Dangerous Goods Search**

A search of the Stored Chemical Information Database (SCID) and microfiche records held by NSW WorkCover Authority was undertaken on 24 April 2015.

The search did not identify any current or previous licenses to store Dangerous Goods within the premises.

Dangerous Goods documentation is presented in Appendix E.

## **4.6 Summary of Site History Review**

A summary of site history review is presented below:

- 263 Miller Street was used for residential purposes owned by private individuals until 1945. It was then owned by various funeral operators, and most recently operated as a child care centre. The main building appears to have been built prior to 1943.
- 265 Miller Street was owned by private individuals presumably for residential purposes until 1974. It appears the property has since been used for commercial purposes until 1984 when it was redeveloped to its current form. The building has most recently been used as a school administration office.
- No evidence of significant contaminating activities/features was identified during the desktop review.

## **5 PRELIMINARY CONCEPTUAL SITE MODEL**

Based on the site history review and the site walkover, a number of potential Areas of Environmental Concern (AECs) and associated Chemicals of Potential Concern (COPC) have been identified. Table 5.1 presents a preliminary conceptual site model.

**Table 5.1: Preliminary Conceptual Site Model**

Potential Contaminating Activity/ Area of Environmental Concern	Chemicals of Potential Concern	Likelihood of Impact <sup>^</sup>	Comments	Potential Exposure Pathways	Receptors
Potential weathering or remnants of hazardous building material from existing building and/or demolition of previous buildings	Metals (e.g. zinc, lead) and asbestos	Low to Moderate	Asbestos building products and lead paint were commonly used in buildings historically. Site surface is generally covered with concrete and no obvious evidence of weathering of asbestos fragments or lead paints was identified. These top down impacts, if present, would likely be localised and superficial.	Inhalation Ingestion Dermal contact	<ul style="list-style-type: none"> <li>Site users</li> <li>Construction &amp; maintenance workers</li> </ul>
Placement of contaminated fill	TRH, BTEX, PAH, Heavy Metals, OCP, PCB and asbestos	Low to Moderate	No significant raised ground was identified. However, due to the sloping ground, importation of fill of unknown origin to level ground for building foundations cannot be precluded.	Inhalation Ingestion Dermal contact	<ul style="list-style-type: none"> <li>Site users</li> <li>Construction &amp; maintenance workers</li> </ul>
Spillages of embalming chemicals in funeral home operations	Heavy Metals, formaldehyde, phenol and methanol.	Low	Records indicate that 263 Miller Street was owned by funeral operators since 1945 until 2002. Spillages of embalming chemicals (top down impacts), if occurred, would likely be localised and superficial.	Inhalation Ingestion Dermal contact	<ul style="list-style-type: none"> <li>Site users</li> <li>Construction &amp; maintenance workers</li> </ul>

**Notes:**

<sup>^</sup> Likelihood of contamination presence which may lead to impact on the proposed land use.

Metals = arsenic, chromium, cadmium, copper, lead, nickel, mercury and zinc.

TRH = Total Recoverable Hydrocarbon

BTEX = Benzene, Toluene, Ethylbenzene and Xylenes    PCB = Polychlorinated biphenyls

PAH = Polycyclic Aromatic Hydrocarbons

OCP = Organochlorine pesticide

## 6 CONCLUSION AND RECOMMENDATIONS

The results of the Preliminary Site Contamination Assessment indicate that:

- 263 Miller Street was used for residential purposes owned by private individuals until 1945. It was then owned by various funeral operators, and most recently operated as a child care centre. The main building appears to have been built prior to 1943.
- 265 Miller Street was owned by private individuals presumably for residential purposes until 1974. It appears the property has since been used for commercial purposes until 1984 when it was redeveloped to its current form. The building has most recently been used as a school administration office.
- No evidence of significant contaminating activities/features was identified during the desktop review, pending the Workcover Dangerous Goods search results.

During the walkover, it was assessed that 263 and 265 Miller Street were in use as a childcare centre and an administration office and classrooms. No fuel or chemical storage was observed on the site.

Based on our review of available records, the following AEC have been identified at the site:

- Potential weathering of hazardous building materials in surface soils.
- Potential presence of contaminated fill to level ground; and
- Potential spillages of embalming chemicals in funeral home operations.

Coffey considers the above AECs generally have a low to moderate likelihood of significant contamination presence that could make the site unsuitable for the proposed land use. In addition, contamination associated with the above AECs, if present, would likely be superficial and would effectively be removed during the proposed basement excavation. Therefore, Coffey considers that the site can be made suitable for the proposed development in accordance with SEPP55 (DUAP, 1998) subject to appropriate classification and removal of materials to be excavated for the construction of the basement.

## 7 LIMITATIONS

The findings contained within this report are the result of desk-based research and a walkover survey undertaken from limited areas of the site. They represent a preliminary interpretation of the general condition of the site in areas that were accessible during the survey. Under no circumstances, can it be considered that these findings represent the actual state of the site at all points.

It is the nature of contaminated site assessments that the degree of variability in site conditions cannot be known completely and no inspection, or sampling and analysis program can eliminate all uncertainty concerning the condition of the site. Professional judgement must be exercised in the collection and interpretation of the data.

The attached document entitled "Important Information about your Coffey Environmental Report" presents additional information about the uses and limitations of this report



## 8 REFERENCES

**DUAP (1998)** *Planning Guidelines SEPP55 – Remediation of Land, Managing Land Contamination*.  
Published by the Department of Urban Affairs and Planning and Environmental Protection Authority

**Geological Survey of New South Wales (1983)** *Sydney Geological Series Sheet 9130* (Edition 1,  
Scale 1:100,000)

**NEPC (2013)** *National Environmental Protection (Assessment of Site Contamination) Measure 1999*,  
as amended in 2013, National Environment Protection Council.

**NSW OEH (2011)** *Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites*

**Soil Conservation Service of NSW** *Sydney Soil Landscape Map* (Scale: 1:100,000)

# Important information about your **Coffey** Environmental Report

## **Introduction**

This report has been prepared by Coffey for you, as Coffey's client, in accordance with our agreed purpose, scope, schedule and budget.

The report has been prepared using accepted procedures and practices of the consulting profession at the time it was prepared, and the opinions, recommendations and conclusions set out in the report are made in accordance with generally accepted principles and practices of that profession.

The report is based on information gained from environmental conditions (including assessment of some or all of soil, groundwater, vapour and surface water) and supplemented by reported data of the local area and professional experience. Assessment has been scoped with consideration to industry standards, regulations, guidelines and your specific requirements, including budget and timing. The characterisation of site conditions is an interpretation of information collected during assessment, in accordance with industry practice,

This interpretation is not a complete description of all material on or in the vicinity of the site, due to the inherent variation in spatial and temporal patterns of contaminant presence and impact in the natural environment. Coffey may have also relied on data and other information provided by you and other qualified individuals in preparing this report. Coffey has not verified the accuracy or completeness of such data or information except as otherwise stated in the report. For these reasons the report must be regarded as interpretative, in accordance with industry standards and practice, rather than being a definitive record.

## **Your report has been written for a specific purpose**

Your report has been developed for a specific purpose as agreed by us and applies only to the site or area investigated. Unless otherwise stated in the report, this report cannot be applied to an adjacent site or area, nor can it be used when the nature of the specific purpose changes from that which we agreed.

For each purpose, a tailored approach to the assessment of potential soil and groundwater contamination is required. In most cases, a key objective is to identify, and if possible quantify, risks that both recognised and potential contamination pose in the context of the agreed purpose. Such risks may be financial (for example, clean up costs or constraints on site use) and/or physical (for example, potential health risks to users of the site or the general public).

## **Limitations of the Report**

The work was conducted, and the report has been prepared, in response to an agreed purpose and scope, within time and budgetary constraints, and in reliance on certain data and information made available to Coffey.

The analyses, evaluations, opinions and conclusions presented in this report are based on that purpose and scope, requirements, data or information, and they could change if such requirements or data are inaccurate or incomplete.

This report is valid as of the date of preparation. The condition of the site (including subsurface conditions) and extent or nature of contamination or other environmental hazards can change over time, as a result of either natural processes or human influence. Coffey should be kept apprised of any such events and should be consulted for further investigations if any changes are noted, particularly during construction activities where excavations often reveal subsurface conditions.

In addition, advancements in professional practice regarding contaminated land and changes in applicable statutes and/or guidelines may affect the validity of this report. Consequently, the currency of conclusions and recommendations in this report should be verified if you propose to use this report more than 6 months after its date of issue.

The report does not include the evaluation or assessment of potential geotechnical engineering constraints of the site.

## **Interpretation of factual data**

Environmental site assessments identify actual conditions only at those points where samples are taken and on the date collected. Data derived from indirect field measurements, and sometimes other reports on the site, are interpreted by geologists, engineers or scientists to provide an opinion about overall site conditions, their likely impact with respect to the report purpose and recommended actions.

Variations in soil and groundwater conditions may occur between test or sample locations and actual conditions may differ from those inferred to exist. No environmental assessment program, no matter how comprehensive, can reveal all subsurface details and anomalies. Similarly, no professional, no matter how well qualified, can reveal what is hidden by earth, rock or changed through time.

The actual interface between different materials may be far more gradual or abrupt than assumed based on the facts obtained. Nothing can be done to change the actual site conditions which exist, but

steps can be taken to reduce the impact of unexpected conditions.

For this reason, parties involved with land acquisition, management and/or redevelopment should retain the services of a suitably qualified and experienced environmental consultant through the development and use of the site to identify variances, conduct additional tests if required, and recommend solutions to unexpected conditions or other unrecognised features encountered on site. Coffey would be pleased to assist with any investigation or advice in such circumstances.

### **Recommendations in this report**

This report assumes, in accordance with industry practice, that the site conditions recognised through discrete sampling are representative of actual conditions throughout the investigation area. Recommendations are based on the resulting interpretation.

Should further data be obtained that differs from the data on which the report recommendations are based (such as through excavation or other additional assessment), then the recommendations would need to be reviewed and may need to be revised.

### **Report for benefit of client**

Unless otherwise agreed between us, the report has been prepared for your benefit and no other party. Other parties should not rely upon the report or the accuracy or completeness of any recommendation and should make their own enquiries and obtain independent advice in relation to such matters.

Coffey assumes no responsibility and will not be liable to any other person or organisation for, or in relation to, any matter dealt with or conclusions expressed in the report, or for any loss or damage suffered by any other person or organisation arising from matters dealt with or conclusions expressed in the report.

To avoid misuse of the information presented in your report, we recommend that Coffey be consulted before the report is provided to another party who may not be familiar with the background and the purpose of the report. In particular, an environmental disclosure report for a property vendor may not be suitable for satisfying the needs of that property's purchaser. This report should not be applied for any purpose other than that stated in the report.

### **Interpretation by other professionals**

Costly problems can occur when other professionals develop their plans based on misinterpretations of a report. To help avoid misinterpretations, a suitably qualified and experienced environmental consultant should be retained to explain the implications of the report to other professionals referring to the report and then review plans and specifications produced to see how other professionals have incorporated the report findings.

Given Coffey prepared the report and has familiarity with the site, Coffey is well placed to provide such

assistance. If another party is engaged to interpret the recommendations of the report, there is a risk that the contents of the report may be misinterpreted and Coffey disowns any responsibility for such misinterpretation.

### **Data should not be separated from the report**

The report as a whole presents the findings of the site assessment and the report should not be copied in part or altered in any way. Logs, figures, laboratory data, drawings, etc. are customarily included in our reports and are developed by scientists or engineers based on their interpretation of field logs, field testing and laboratory evaluation of samples. This information should not under any circumstances be redrawn for inclusion in other documents or separated from the report in any way.

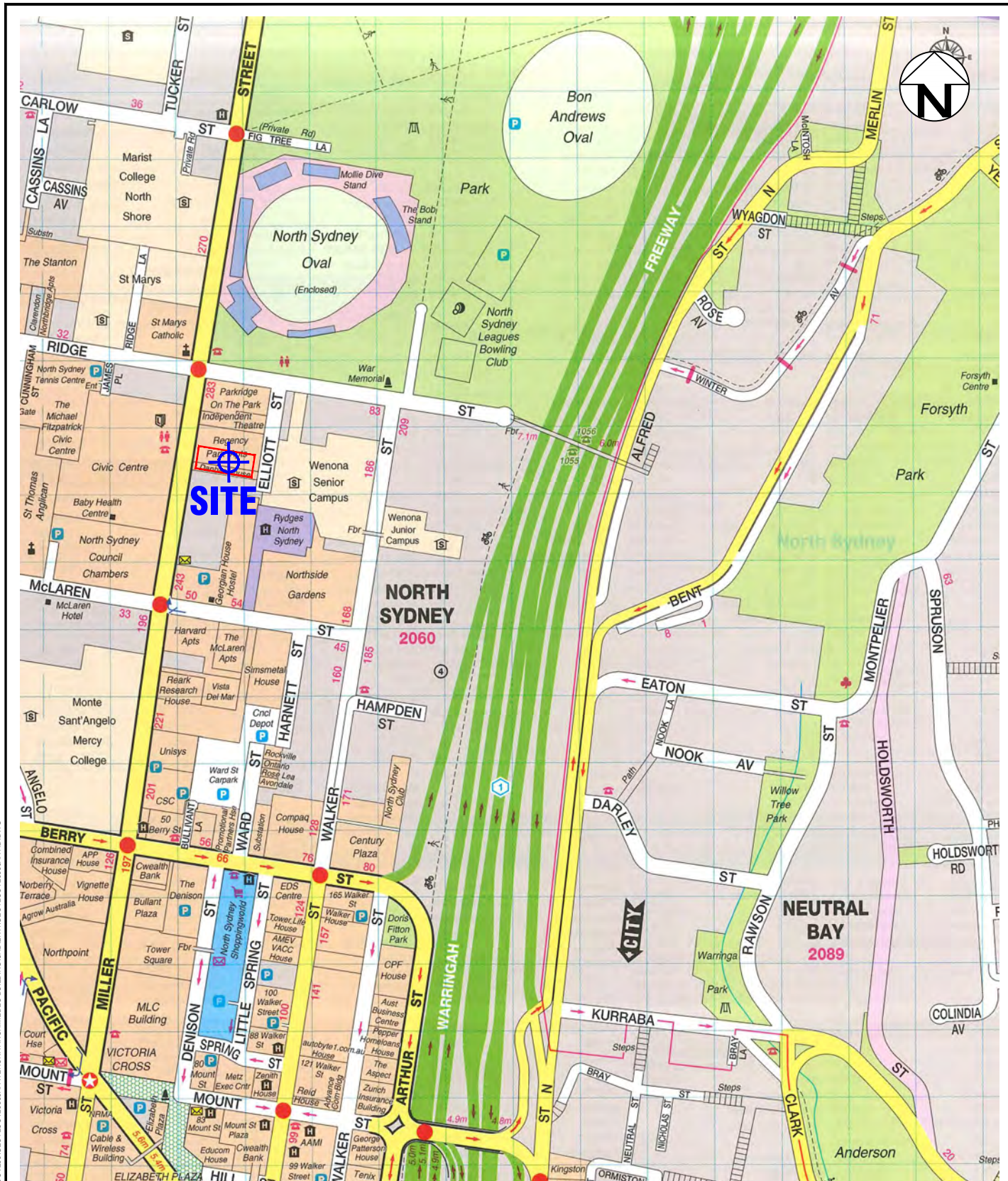
This report should be reproduced in full. No responsibility is accepted for use of any part of this report in any other context or for any other purpose or by third parties.

### **Responsibility**

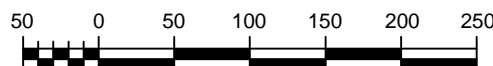
Environmental reporting relies on interpretation of factual information using professional judgement and opinion and has a level of uncertainty attached to it, which is much less exact than other design disciplines. This has often resulted in claims being lodged against consultants, which are unfounded. As noted earlier, the recommendations and findings set out in this report should only be regarded as interpretive and should not be taken as accurate and complete information about all environmental media at all depths and locations across the site.

## Figures





SOURCE: UBD STREET DIRECTORY GREGORYS  
SYDNEY, NEW SOUTH WALES  
48TH EDITION, 2013, MAP: A



Scale (metres) 1:5000

**DRAFT**

drawn	MV
approved	EW
date	23/04/15
scale	AS SHOWN
original size	A4



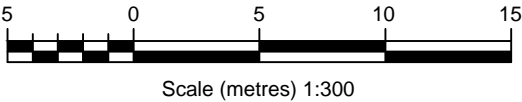
client:	WENONA SCHOOL		
project:	PRELIMINARY SITE CONTAMINATION ASSESSMENT 263-265 MILLER STREET NORTH SYDNEY		
title:	SITE LOCATION PLAN		
project no:	GEOTLCOV25333AA-AD	figure no:	FIGURE 1
		rev:	A



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revision	no.	description		drawn	approved	date
	A	ORIGINAL ISSUE				



drawn	MV
approved	EW
date	23/04/15
scale	AS SHOWN
original size	A3



client: WENONA SCHOOL	
project: PRELIMINARY SITE CONTAMINATION ASSESSMENT 263-265 MILLER STREET NORTH SYDNEY	
title: SITE LAYOUT PLAN	
project no: GEOTLCOV25333AA-AD	figure no: FIGURE 2
rev: A	

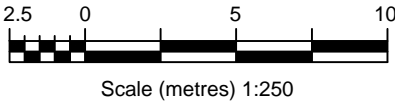




LEGEND

- APPROXIMATE SITE BOUNDARY
- BH APPROXIMATE BOREHOLE LOCATION

revision	no.	description			drawn	approved	date
	A	ORIGINAL ISSUE					



drawn	MV
approved	EW
date	23/04/15
scale	AS SHOWN
original size	A3



client: WENONA SCHOOL		
project: PRELIMINARY SITE CONTAMINATION ASSESSMENT 263-265 MILLER STREET NORTH SYDNEY		
title: SITE OBSERVATIONS AND AREAS OF ENVIRONMENTAL CONCERN		
project no: GEOTLCOV25333AA-AD	figure no: FIGURE 3	rev: A



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revision	no.	description			drawn	approved	date	<div>LEGEND</div> <div><div></div>APPROXIMATE SITE BOUNDARY</div>		drawn	MV	<div>coffey</div>		client: WENONA SCHOOL	
	A	ORIGINAL ISSUE								approved	EW			project: PRELIMINARY SITE CONTAMINATION ASSESSMENT 263-265 MILLER STREET NORTH SYDNEY	
										date	23/04/15			title: HISTORICAL AERIAL PHOTOGRAPHS - 1951	
										scale	NTS			project no: GEOTLCOV25333AA-AD	figure no: FIGURE 5
										original size	A3				
															rev: A



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revision	no.	description			drawn	approved	date	<div>LEGEND</div> <div><div></div>APPROXIMATE SITE BOUNDARY</div>	drawn	MV	<div>coffey</div>	client: WENONA SCHOOL		
	A	ORIGINAL ISSUE							approved	EW		project: PRELIMINARY SITE CONTAMINATION ASSESSMENT 263-265 MILLER STREET NORTH SYDNEY		
									date	23/04/15		title: HISTORICAL AERIAL PHOTOGRAPHS - 1970		
									scale	NTS		project no: GEOTLCOV25333AA-AD	figure no: FIGURE 6	rev: A
									original size	A3				







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	A	ORIGINAL ISSUE					approved	EW		project: PRELIMINARY SITE CONTAMINATION ASSESSMENT 263-265 MILLER STREET NORTH SYDNEY		
							date	23/04/15		title: HISTORICAL AERIAL PHOTOGRAPHS - 1991		
							scale	NTS		project no: GEOTLCOV25333AA-AD		
							original size	A3		figure no: FIGURE 8		rev: A



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	A	ORIGINAL ISSUE									approved	EW				project:	PRELIMINARY SITE CONTAMINATION ASSESSMENT 263-265 MILLER STREET NORTH SYDNEY		
											date	23/04/15				title:	HISTORICAL AERIAL PHOTOGRAPHS - 2007		
											scale	NTS				project no:	GEOTLCOV25333AA-AD	figure no:	FIGURE 9
											original size	A3						rev:	A



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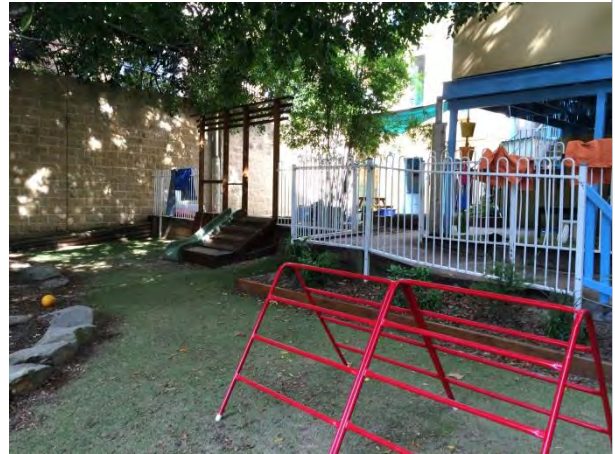
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	A	ORIGINAL ISSUE							approved	EW		project: PRELIMINARY SITE CONTAMINATION ASSESSMENT 263-265 MILLER STREET NORTH SYDNEY		
									date	23/04/15		title: HISTORICAL AERIAL PHOTOGRAPHS - 2015		
									scale	NTS		project no: GEOTLCOV25333AA-AD	figure no: FIGURE 10	rev: A
									original size	A3				



## **Appendix A - Site Photographs**



**Photo 1:** Inside 263 Miller Street, North Sydney



**Photo 2:** Playground at 263 Miller Street, North Sydney



**Photo 3:** Back entrance to 263 Miller Street, North Sydney



**Photo 4:** 263 Miller Street, North Sydney



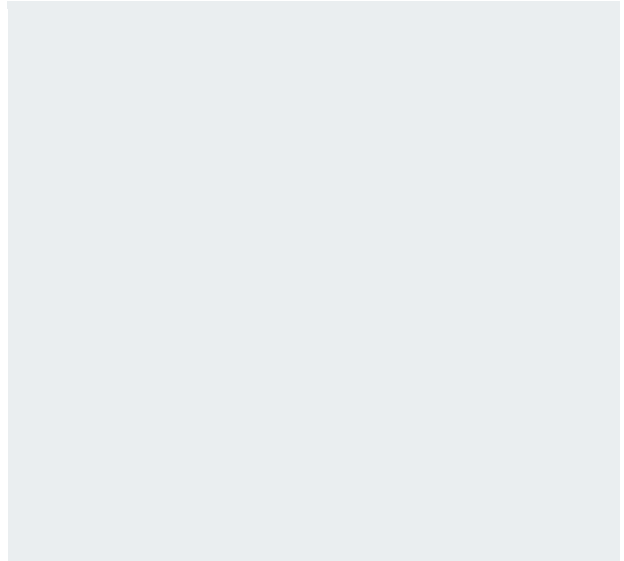
**Photo 5:** Basement carpark at 265 Miller Street, North Sydney



**Photo 6:** Storage area in basement carpark



**Photo 7:** View of 1 building at 265 Miller Street, North Sydney



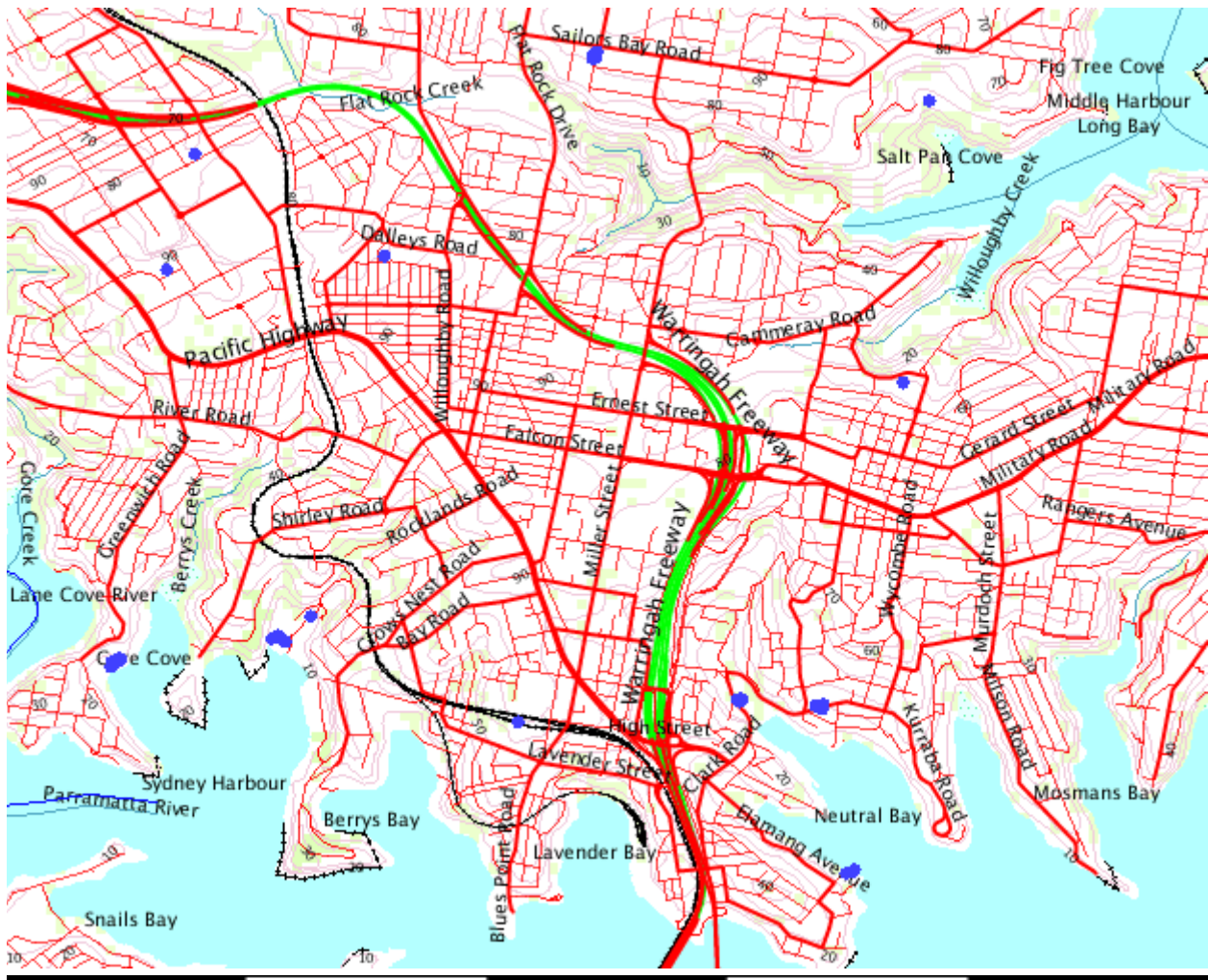


## **Appendix B - Groundwater Bore Search**

## Map from the NSW Natural Resource Atlas

Map created with NSW Natural Resource Atlas - <http://nratlas.nsw.gov.au>

Monday, April 13, 2015

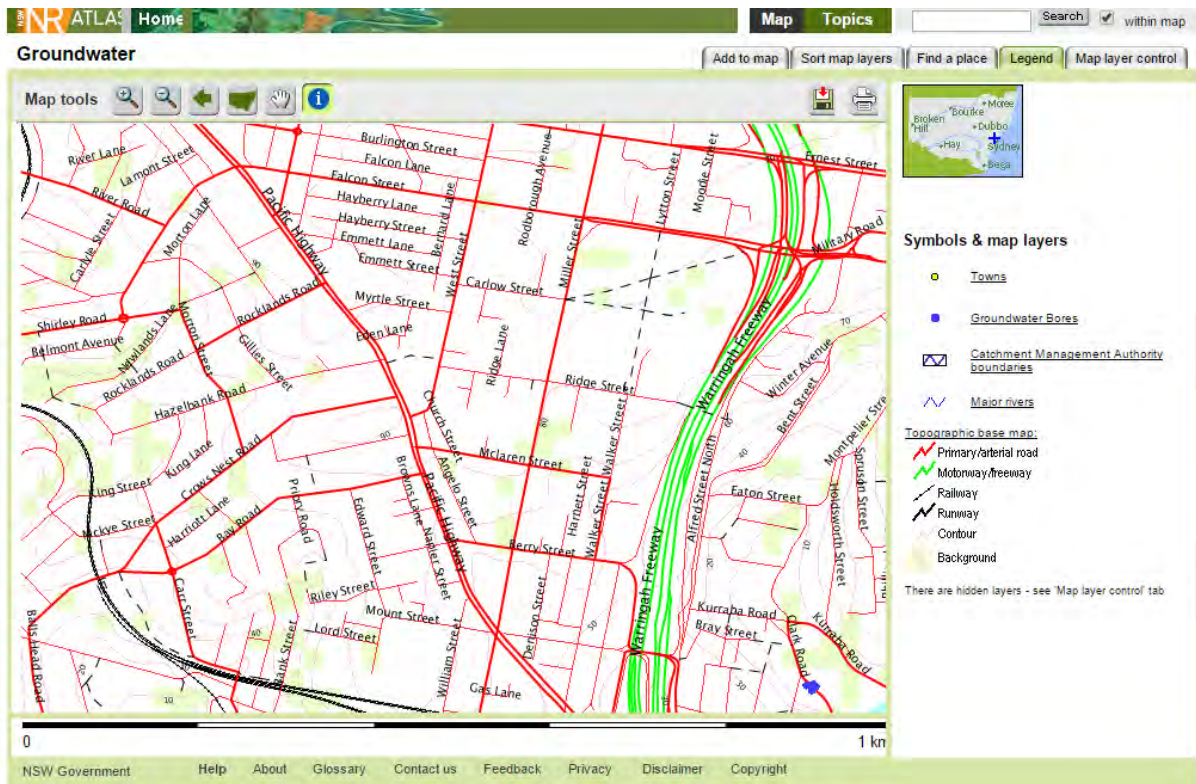


0

5 Km

### Legend

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





Copyright © 2015 New South Wales Government. Map has been compiled from various sources and may contain errors or omissions. No representation is made as to its accuracy or suitability.

## **Appendix C - Section 149 Planning Certificate**



address 200 Miller Street North Sydney NSW 2060

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internet [www.northsydney.nsw.gov.au](http://www.northsydney.nsw.gov.au)

ABN 32 353 260 317

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

**Cert. No.: 52843/02**  
**Page No.: 1 of 8**

**Parcel No:** 39618

**Date:** 06/09/2012  
**Receipt No.:** 1360585  
**Your REF:**

**Applicant:**

**Hones La Hood**  
**DX 10534**  
**NORTH SYDNEY**

**Owner (as recorded by council):**

**Jenfield Pty Ltd**  
**12 Molonga Tce**  
**GRACEVILLE QLD 4075**

**Property Description:**

**263 Miller Street NORTH SYDNEY 2060**  
**LOT: 17 DP: 2798**

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 1<sup>st</sup> June, 2001, as amended

**Zone: Mixed Use**

**PERMITTED WITHOUT CONSENT**

Nil

**PERMITTED WITH CONSENT**

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:

advertisements; apartment buildings; attached dwellings; boarding-houses; business identification signs; child care centres; clubs; commercial premises; community facilities; community notice signs; duplexes; dwelling-houses; drainage; educational establishments; home industries; home occupations; hospitals; hotels; medical centres; open space; places of assembly; places of public worship; real estate signs; recreational facilities; refreshment rooms; remediation; restricted premises; shops; showrooms; take-away food shops; taverns; telecommunications facilities; temporary signs; utility installations, other than gasholders or generating works.

**PROHIBITED**

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





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ABN 82 353 260 317

### Exempt Development

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 PLANNING INSTRUMENTS:

### Planning Proposal to amend North Sydney Local Environmental Plan 2001

This Planning Proposal seeks to amend *North Sydney Local Environmental Plan 2001* by changing the minimum Floor Space Ratio (FSR) of 3:1 to 0.5:1 for the site known as 211-223 Pacific Highway, North Sydney. The Planning Proposal will be on public exhibition from Thursday 10 May 2012 to Wednesday 23 May 2012.

### Planning Proposal to amend North Sydney Local Environmental Plan 2001

This Planning Proposal seeks to amend *North Sydney Local Environmental Plan 2001* to allow the redevelopment of the Parraween Street Car Park (106 Parraween Street) and the adjoining Early Childhood Health Centre (4-6 Langley Avenue) in Cremorne. The redevelopment incorporates key worker accommodation, public open space, two levels of basement parking, a new early childhood health centre and a café. It specifically seeks to amend North Sydney Local Environmental Plan 2001 (NSLEP 2001) to:

- rezone the subject site from Special Uses to Mixed Use
- apply a building height limit of 12m and a non residential floor space ratio range of 0:1 – 2:1
- allow the additional permitted use of "car park",
- classify the subject site as "operational land".

The Planning Proposal will be on public exhibition from Thursday 11 June 2012 to Wednesday 11 July 2012.

### Planning Proposal to amend North Sydney Local Environmental Plan 2001

This Planning Proposal seeks to amend *North Sydney Local Environmental Plan 2001* to allow the redevelopment of the Woolworths and Alexander Street Car Park site, Crows Nest, for the purposes of a supermarket, above ground multilevel public car parking facility, specialty shops and electrical substation. It specifically seeks to amend North Sydney Local Environmental Plan 2001 (NSLEP 2001) to:

- rezone the subject land from Mixed Use and Special Uses - Parking to Commercial;
- allow the additional permitted use of "car park";
- allow a building height limit of 19.15 metres;
- classify the subject land as "operational" land.

The public exhibition will take place from Thursday 26 July 2012 to Wednesday 22 August 2012.

### Draft North Sydney Local Environmental Plan 2009

This Draft Local Environmental Plan comprises a new comprehensive local environmental Plan for North Sydney and will repeal North Sydney Local Environmental Plan 1989 and North Sydney Local Environmental Plan 2001 in their entirety. It will be on public exhibition from Thursday 20 January 2011 till Thursday 31 March 2011.



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ABN 32 353 260 317

### Zone: B4 – Mixed Use

#### PERMITTED WITHOUT CONSENT

Home based childcare; Home occupations

#### PERMITTED WITH CONSENT

Amusement centres; Backpackers' accommodation; Boarding houses; Business Premises; Car parks; Childcare centres; Community facilities; Educational establishments; Emergency services facilities; Entertainment facilities; Food and drink premises; Function centres; Health services facilities; Home businesses; Home industries; Hostels; Hotel or motel accommodation; Information and education facilities; Kiosks; Office Premises; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Registered clubs; Restricted premises; Retail Premises; Roads; Seniors housing; Serviced apartments; Sex service premises; Shop top housing; Signage; Telecommunications facilities; Vehicle repair stations; Vehicle sales or hire premises; Veterinary hospitals; Waste or resource transfer station

#### PROHIBITED

Bulky goods premises; Any purpose, other than a purpose listed above, is prohibited in the zone.

### Exempt Development

Development for the purposes set out in clause 3.1 of *Draft North Sydney Local Environmental Plan 2009* is exempt development, which may be carried out within the zone without the need for development consent.

### Complying Development

Development for the purposes set out in clause 3.2 of *Draft North Sydney Local Environmental Plan 2009* 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.

### DEVELOPMENT CONTROL PLANS:

#### ***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. Amended 09/12/10. Amended 16/02/12.

#### ***North Sydney DCP 2002 – Draft Amendment***

At its meeting on 28 May 2012, North Sydney Council resolved to adopt a draft amendment to DCP 2002 that relates to the Planning Proposal for land bounded by Falcon Street, Alexander Street, Burlington Street, and Willoughby Lane, Crows Nest, for the purposes of public exhibition. The draft amendment to DCP 2002 incorporates a new provision into the Character Statement for Crows Nest Town Centre so that off-street parking is provided underground except for when owned and operated by Council as a public car park on the subject land. The DCP 2002 draft amendment is on public exhibition concurrently with the associated Planning Proposal between Thursday 26 July 2012 and Wednesday 22 August 2012.

#### ***Draft North Sydney Development Control Plan 2010***

This draft development control plan comprises a new comprehensive development control plan and applies to all land to which Draft North Sydney Local Environmental Plan 2009 applies. This draft development control plan will repeal:





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internet [www.northsydney.nsw.gov.au](http://www.northsydney.nsw.gov.au)

ABN 32 353 260 317

- North Sydney Development Control Plan 2002
- North Sydney Development Control Plan No.1 – North Sydney
- North Sydney Development Control Plan No.25 – Child Care Centres in Commercial Zones
- North Sydney Development Control Plan No.31 – Outdoor advertising
- North Sydney Development Control Plan No.34 – Brothels and Adult Services
- North Sydney Development Control Plan No.35 – Notification
- North Sydney Development Control Plan No.36 – Telecommunications
- North Sydney Development Control Plan No.39 – Access and Mobility
- North Sydney Development Control Plan No.40 – Boarding Houses
- North Sydney Development Control Plan No.41 – Contaminated Land

in their entirety. The Draft Development Control Plan was placed on public exhibition from Thursday 20 January 2011 till Thursday 3 March 2011 and was re-exhibited between 8 September 2011 and 10 October 2011.

#### SECTION 94 DEVELOPER CONTRIBUTION PLANS:

**North Sydney Section 94 Contributions Plan.** Comprehensive contributions plan applying to all 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 whole or part of the subject land is a HERITAGE ITEM, under Part 4 - Heritage Provisions of *North Sydney Local Environmental Plan 2001*. Development consent is required for demolition (including partial demolition) or any change to the property, construction of a building on, or subdivision of, the land. Council may refuse consent to demolish a Heritage Item.

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 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*.

The subject land IS NOT LOCATED within a CONSERVATION AREA, under clause 5.10 - Heritage Conservation to *Draft North Sydney Local Environmental Plan 2009*.

The whole or part of the subject land IS A HERITAGE ITEM, under clause 5.10 - Heritage Conservation to *Draft North Sydney Local Environmental Plan 2009*. Development consent is required for demolition (including partial demolition) or any change to the property, construction of a building on, or subdivision of, the land. Council may refuse consent to demolish a Heritage Item.



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ABN 32 353 260 317

#### OTHER CONTROLS:

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

Council is NOT AWARE of the subject land being subject to an Order made under Part 4D of the Coastal Protection Act 1979 in relation to emergency coastal protection works undertaken on that land.

Council is NOT AWARE of any public land adjoining the subject land being subject to an Order made under Part 4D of the Coastal Protection Act 1979 in relation to emergency coastal protection works.

Council is NOT AWARE of any notice issued under Clause 55X of the Coastal Protection Act 1979 advising of the placement of emergency coastal protection works on the subject land.

Council is NOT AWARE of any notice issued under Clause 55X of the Coastal Protection Act 1979 advising Council of the placement of emergency coastal protection works on land adjacent to the subject land.

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 land is NOT IDENTIFIED as BUSHFIRE PRONE LAND on Council's Bushfire Prone Land Map as certified by the NSW Rural Fire Service Commissioner dated 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 LAND ACQUISITION by a public authority for any purpose under any environmental planning instrument applying to the land as set out in this certificate.

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

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



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ABN 62 655 260 317

#### 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 (State and Regional Development) 2011  
SEPP (Temporary Structures) 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](http://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  
Draft SEPP (Competition) 2010

*Note: summaries of the SEPPs and deemed SEPPs are provided on the Department of Planning's website at [www.planning.nsw.gov.au](http://www.planning.nsw.gov.au)*

### **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 NOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is wholly or partly identified as:

- \* comprising, or on which there is, a heritage item or a draft heritage item

#### Rural Housing Code

Complying development types specified within the Rural Housing Code under Part 3A of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* CAN NOT BE





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ABN 32 553 260 817

UNDERTAKEN ON THE SUBJECT LAND, as the subject land is wholly or partly identified as:

- comprising, or on which there is, a heritage item or a draft heritage item

#### **Housing Alterations Code**

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

- comprising, or on which there is, a heritage item or a draft heritage item

#### **General Development Code**

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

- comprising, or on which there is, a heritage item or a draft heritage item

#### **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 NOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is wholly or partly identified as:

- comprising, or on which there is, a heritage item or a draft heritage item

#### **Subdivision Code**

Complying development types specified within the Subdivision Code under Part 6 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 CAN NOT BE UNDERTAKEN ON THE SUBJECT LAND, as the subject land is wholly or partly identified as:

- comprising, or on which there is, a heritage item or a draft heritage item

#### **Demolition Code**

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

- comprising, or on which there is, a heritage item or a draft heritage item

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

### **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.



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ABN 82 353 260 317

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

Cert. No.: 52844/02  
Page No.: 1 of 8

Parcel No: 39617

Date: 06/09/2012  
Receipt No.: 1360585  
Your REF:

Applicant:

**Hones La Hood  
DX 10534  
NORTH SYDNEY**

Owner (as recorded by council):

**Jenfield Pty Ltd  
12 Molonga Tce  
GRACEVILLE QLD 4075**

Property Description:

**263 Miller Street NORTH SYDNEY 2060  
LOT: 16 DP: 2798**

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 1<sup>st</sup> June, 2001, as amended

**Zone: Mixed Use**

**PERMITTED WITHOUT CONSENT**

Nil

**PERMITTED WITH CONSENT**

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:

advertisements; apartment buildings; attached dwellings; boarding-houses; business identification signs; child care centres; clubs; commercial premises; community facilities; community notice signs; duplexes; dwelling-houses; drainage; educational establishments; home industries; home occupations; hospitals; hotels; medical centres; open space; places of assembly; places of public worship; real estate signs; recreational facilities; refreshment rooms; remediation; restricted premises; shops; showrooms; take-away food shops; taverns; telecommunications facilities; temporary signs; utility installations, other than gasholders or generating works.

**PROHIBITED**

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



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### Exempt Development

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 PLANNING INSTRUMENTS:

### Planning Proposal to amend North Sydney Local Environmental Plan 2001

This Planning Proposal seeks to amend *North Sydney Local Environmental Plan 2001* by changing the minimum Floor Space Ratio (FSR) of 3:1 to 0.5:1 for the site known as 211-223 Pacific Highway, North Sydney. The Planning Proposal will be on public exhibition from Thursday 10 May 2012 to Wednesday 23 May 2012.

### Planning Proposal to amend North Sydney Local Environmental Plan 2001

This Planning Proposal seeks to amend *North Sydney Local Environmental Plan 2001* to allow the redevelopment of the Parraween Street Car Park (106 Parraween Street) and the adjoining Early Childhood Health Centre (4-6 Langley Avenue) in Cremorne. The redevelopment incorporates key worker accommodation, public open space, two levels of basement parking, a new early childhood health centre and a café. It specifically seeks to amend North Sydney Local Environmental Plan 2001 (NSLEP 2001) to:

- rezone the subject site from Special Uses to Mixed Use
- apply a building height limit of 12m and a non residential floor space ratio range of 0:1 – 2:1
- allow the additional permitted use of "car park",
- classify the subject site as "operational land".

The Planning Proposal will be on public exhibition from Thursday 11 June 2012 to Wednesday 11 July 2012.

### Planning Proposal to amend North Sydney Local Environmental Plan 2001

This Planning Proposal seeks to amend *North Sydney Local Environmental Plan 2001* to allow the redevelopment of the Woolworths and Alexander Street Car Park site, Crows Nest, for the purposes of a supermarket, above ground multilevel public car parking facility, specialty shops and electrical substation. It specifically seeks to amend North Sydney Local Environmental Plan 2001 (NSLEP 2001) to:

- rezone the subject land from Mixed Use and Special Uses - Parking to Commercial;
- allow the additional permitted use of "car park";
- allow a building height limit of 19.15 metres;
- classify the subject land as "operational" land.

The public exhibition will take place from Thursday 26 July 2012 to Wednesday 22 August 2012.

### Draft North Sydney Local Environmental Plan 2009

This Draft Local Environmental Plan comprises a new comprehensive local environmental Plan for North Sydney and will repeal North Sydney Local Environmental Plan 1989 and North Sydney Local Environmental Plan 2001 in their entirety. It will be on public exhibition from Thursday 20 January 2011 till Thursday 31 March 2011.



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## Zone: B4 – Mixed Use

### PERMITTED WITHOUT CONSENT

Home based childcare; Home occupations

### PERMITTED WITH CONSENT

Amusement centres; Backpackers' accommodation; Boarding houses; Business Premises; Car parks; Childcare centres; Community facilities; Educational establishments; Emergency services facilities; Entertainment facilities; Food and drink premises; Function centres; Health services facilities; Home businesses; Home industries; Hostels; Hotel or motel accommodation; Information and education facilities; Kiosks; Office Premises; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Registered clubs; Restricted premises; Retail Premises; Roads; Seniors housing; Serviced apartments; Sex service premises; Shop top housing; Signage; Telecommunications facilities; Vehicle repair stations; Vehicle sales or hire premises; Veterinary hospitals; Waste or resource transfer station

### PROHIBITED

Bulky goods premises; Any purpose, other than a purpose listed above, is prohibited in the zone.

### Exempt Development

Development for the purposes set out in clause 3.1 of *Draft North Sydney Local Environmental Plan 2009* is exempt development, which may be carried out within the zone without the need for development consent.

### Complying Development

Development for the purposes set out in clause 3.2 of *Draft North Sydney Local Environmental Plan 2009* 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.

## DEVELOPMENT CONTROL PLANS:

### ***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. Amended 09/12/10. Amended 16/02/12.

### ***North Sydney DCP 2002 – Draft Amendment***

At its meeting on 28 May 2012, North Sydney Council resolved to adopt a draft amendment to DCP 2002 that relates to the Planning Proposal for land bounded by Falcon Street, Alexander Street, Burlington Street, and Willoughby Lane, Crows Nest, for the purposes of public exhibition. The draft amendment to DCP 2002 incorporates a new provision into the Character Statement for Crows Nest Town Centre so that off-street parking is provided underground except for when owned and operated by Council as a public car park on the subject land. The DCP 2002 draft amendment is on public exhibition concurrently with the associated Planning Proposal between Thursday 26 July 2012 and Wednesday 22 August 2012.

### ***Draft North Sydney Development Control Plan 2010***

This draft development control plan comprises a new comprehensive development control plan and applies to all land to which Draft North Sydney Local Environmental Plan 2009 applies. This draft development control plan will repeal:





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ABN 52 553 260 517

- North Sydney Development Control Plan 2002
- North Sydney Development Control Plan No.1 – North Sydney
- North Sydney Development Control Plan No.25 – Child Care Centres in Commercial Zones
- North Sydney Development Control Plan No.31 – Outdoor advertising
- North Sydney Development Control Plan No.34 – Brothels and Adult Services
- North Sydney Development Control Plan No.35 – Notification
- North Sydney Development Control Plan No.36 – Telecommunications
- North Sydney Development Control Plan No.39 – Access and Mobility
- North Sydney Development Control Plan No.40 – Boarding Houses
- North Sydney Development Control Plan No.41 – Contaminated Land

in their entirety. The Draft Development Control Plan was placed on public exhibition from Thursday 20 January 2011 till Thursday 3 March 2011 and was re-exhibited between 8 September 2011 and 10 October 2011.

#### SECTION 94 DEVELOPER CONTRIBUTION PLANS:

**North Sydney Section 94 Contributions Plan.** Comprehensive contributions plan applying to all 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 whole or part of the subject land is a HERITAGE ITEM, under Part 4 - Heritage Provisions of *North Sydney Local Environmental Plan 2001*. Development consent is required for demolition (including partial demolition) or any change to the property, construction of a building on, or subdivision of, the land. Council may refuse consent to demolish a Heritage Item.

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 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*.

The subject land IS NOT LOCATED within a CONSERVATION AREA, under clause 5.10 - Heritage Conservation to *Draft North Sydney Local Environmental Plan 2009*.

The whole or part of the subject land IS A HERITAGE ITEM, under clause 5.10 - Heritage Conservation to *Draft North Sydney Local Environmental Plan 2009*. Development consent is required for demolition (including partial demolition) or any change to the property, construction of a building on, or subdivision of, the land. Council may refuse consent to demolish a Heritage Item.