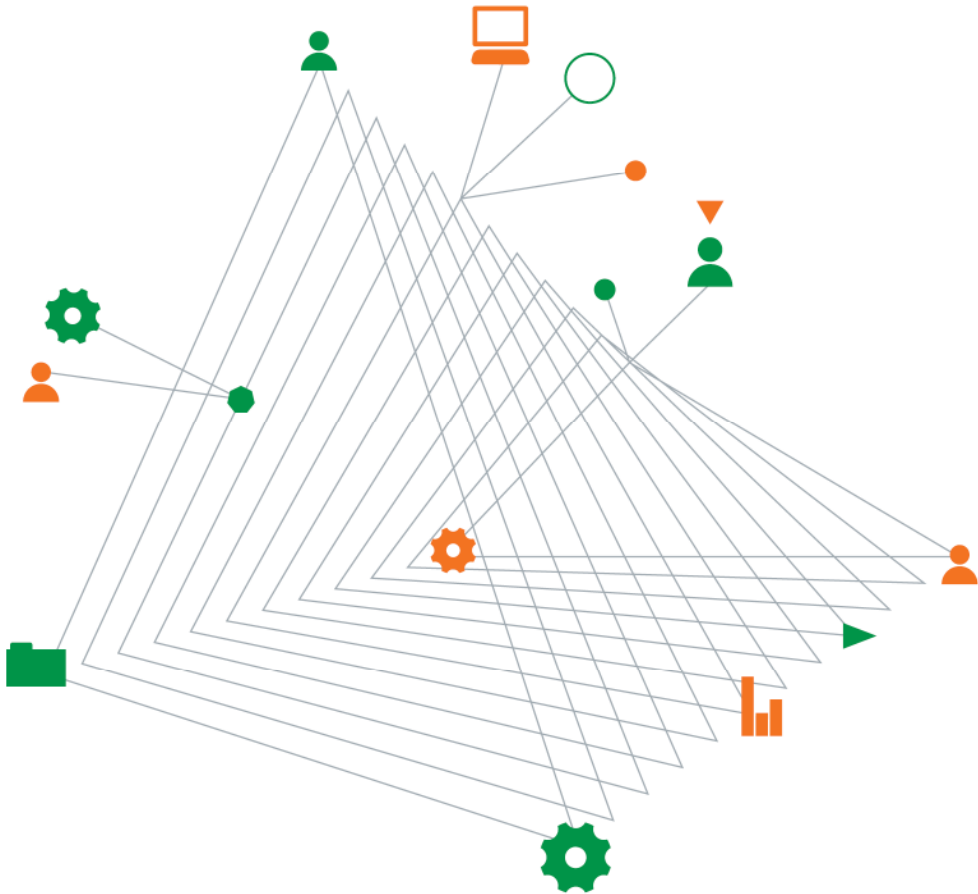


**Rose Property Group Pty Ltd**

**Phase 1 Environmental Site Assessment**

Proposed Development – 23 Fisher Road,  
Dee Why NSW

8 March 2018



Experience  
comes to life  
when it is  
powered by  
expertise

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## Phase 1 Environmental Site Assessment

Proposed Development – 23 Fisher Road,  
Dee Why NSW

Prepared for  
Rose property Group Pty Ltd

Prepared by  
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SYDEN216171-R01

## Quality information

### Revision history

Revision	Description	Date	Author	Reviewer
Final	Updated report	8/3/2018		M Dunbavan

### Distribution

Report Status	No. of copies	Format	Distributed to	Date
Final	1	PDF	Rose Property Group: Nick Jackman	8/3/2018

## Executive summary

Coffey understands that Rose Group requires this environmental assessment of potential for land contamination at the site to support a Development Application for the proposed residential development of the site.

This report presents the findings of a Phase 1 Environmental Site Assessment (P1 ESA) for the proposed redevelopment of 23 Fisher Road, Dee Why, NSW (the site) initially undertaken by Coffey Environments Australia Pty Ltd in the first half of 2011 and updated by Coffey Services Australia Pty Ltd (Coffey) to incorporate changes to concept design, conditions on surrounding sites and environmental guidelines. This report was commissioned by Mr Nick Jackman of Rose Property Group Pty Ltd (Rose Group).

The irregular shaped site has an area of approximately 10,400m<sup>2</sup> and is bounded by Fisher Road to the west, St David Avenue to the South and Civic Drive to the east. A densely vegetated reserve is located along the northeast boundary and a medium density residential property is situated immediately to the north.

Based on the architectural concept drawings supplied by Rose Group, Coffey understands that existing residential structures would be demolished, except for the heritage listed Pacific Lodge building, to allow construction three mixed use residential and commercial buildings with basement car parking. The Pacific Lodge building, a historic building situated towards the centre of the site, will be retained as part of the proposed development.

The objectives of this assessment were to:

- Identify potentially contaminating activities that may be currently occurring on the site and adjoining properties, and those that may have occurred in the past;
- Identify potential Areas of Environmental Concern (AECs) and Potential Contaminants of Concern (PCOCs) for the site; and
- Provide recommendations on further assessment (if required).

Coffey's Phase 1 environmental site assessment (ESA) focussed on potential contamination risks for the proposed redevelopment.

Information on previous ownership of the site was obtained from a historical report Pacific Lodge Dee Why NSW, Historical Background, Nick Jackson (May 2011). Reference to this report indicated that The Salvation Army has owned the land since 1890 when it was donated to that organisation by owner Elizabeth Jenkins who had used the site for farming. Under the Salvation Army's ownership Pacific Lodge, the oldest building on site, was used as a rest home, a home for inebriates and a boys' home.

Based on the scope of work undertaken, Coffey concludes that the likelihood of contamination being present on the site where the proposed redevelopment is located from past and present activities is generally low, but may be medium to high in isolated areas.

The key AECs and associated chemicals that may affect the proposed development are:

- ACM and/or lead-based paint being present within and immediately surrounding the existing buildings;
- Possible construction waste (stockpiled sandstone) adjacent to the southern site boundary; and

Based on the findings, Coffey considers that site can be made suitable for the proposed development subject to the following recommendations:

- A Hazardous Material Survey be conducted in building structures to identify hazardous building materials prior to demolition;
- Assessment of potential construction waste for recycling or disposal to a licensed waste facility;
- Soil sampling around existing buildings where hazardous building materials may have weathered to impact adjacent soil (asbestos and lead impact) and in the footprint of construction waste where potential impact to the ground may have occurred (waste oils, asbestos or other chemicals); and
- Should contamination be detected in these areas, that presents an unacceptable risk to human health or the environment, then management and/or remediation may be required.

This report must be read in conjunction with the attached "Important Information About Your Coffey Environmental Report".

## Table of contents

1.	Introduction.....	1
1.1.	Background.....	1
1.2.	Objectives.....	1
1.3.	Scope of works.....	1
1.3.1.	Desktop Review .....	2
1.3.2.	Fieldwork .....	2
1.3.3.	Data Assessment and Reporting .....	2
1.4.	Methodology.....	2
2.	Site information.....	2
2.1.	Site history.....	2
2.2.	Land ownership.....	3
2.3.	Council records .....	3
2.4.	Site condition and surrounding environment.....	3
2.4.1.	Topography and drainage .....	3
2.4.2.	Information from aerial photographs .....	3
2.5.	Geology and hydrogeology .....	5
2.5.1.	Geology and acid sulfate soils .....	5
2.5.2.	Hydrogeology .....	5
2.6.	NSW Government records .....	5
2.6.1.	NSW Environment Protection Authority .....	5
2.6.2.	SafeWork NSW .....	5
3.	Observations of the site and surroundings.....	6
4.	Integrity assessment of historical information .....	7
5.	Potential for land contamination .....	7
6.	Conclusions and recommendations .....	8
7.	References .....	8

## Tables

Table 1	Summary of findings from review of aerial photographs.....	4
Table 2	AEC, PCOC and Likelihood .....	7

## **Figures**

**Figures 1 and 2 are included in Appendix A**

## **Appendices**

Appendix A - Site survey plan and Architectural concept drawings; Figures 1 and 2

Appendix B - Section 149 Planning Certificate

Appendix C - Selected aerial photographs

Appendix D - Information from search of registered groundwater bores

Appendix E - Information from search of NSW EPA contaminated land register

Appendix F - Records from NW WorkCover SCIDS register

## ABBREVIATIONS

<b>ACM</b>	Asbestos Containing Material
<b>AEC</b>	Areas of Environmental Concern
<b>AHD</b>	Australian Height Datum
<b>AST</b>	Aboveground Storage Tank
<b>Bgs</b>	below ground surface
<b>EPA</b>	Environment Protection Authority of New South Wales
<b>ESA</b>	Environmental Site Assessment
<b>LEP</b>	Local Environmental Plan
<b>OEH</b>	Office of Environment and Heritage (formerly the Department of Environment, Climate Change and Water (DECCW))
<b>PAH</b>	Polycyclic Aromatic Hydrocarbon
<b>PCOC</b>	Potential Contaminants of Concern
<b>SMF</b>	Synthetic Mineral Fibre
<b>TPH</b>	Total Petroleum Hydrocarbon
<b>UST</b>	Underground Storage Tank



# 1. Introduction

This report presents the findings of a Phase 1 Environmental Site Assessment (P1 ESA) for the proposed redevelopment of 23 Fisher Road, Dee Why, NSW (the site) initially undertaken by Coffey Environments Australia Pty Ltd in the first half of 2011 and updated by Coffey Services Australia Pty Ltd (Coffey) to incorporate changes to concept design, conditions on surrounding sites and environmental guidelines. This report was commissioned by Mr Nick Jackman of Rose Property Group Pty Ltd (Rose Group).

## 1.1. Background

Coffey understands that Rose Group requires this environmental assessment of potential for land contamination at the site to support a Development Application for the proposed residential development of the site.

The irregular shaped site has an area of approximately 10,400m<sup>2</sup> and is bounded by Fisher Road to the west, St David Avenue to the South and Civic Drive to the east. A densely vegetated reserve is located along the northeast boundary and a medium density residential property is situated immediately to the north.

The existing survey plans show that ground levels vary from 36m AHD at the southern end of the site to 42m AHD at the northern end of the site. The site is elevated above the surrounding land by approximately 8 to 10m at the northwest and southeast corners.

Based on the architectural concept drawings supplied by Rose Group, Coffey understands that existing residential structures would be demolished, except for the heritage listed Pacific Lodge building, to allow construction three mixed use residential and commercial buildings with basement car parking. The Pacific Lodge building, a historic building situated towards the centre of the site, will be retained as part of the proposed development.

A copy of a current site survey and architectural concept drawings for the proposed development are provided in Appendix A.

## 1.2. Objectives

The objectives of this assessment were to:

- Identify potentially contaminating activities that may be currently occurring on the site and adjoining properties, and those that may have occurred in the past;
- Identify potential Areas of Environmental Concern (AECs) and Potential Contaminants of Concern (PCOCs) for the site; and
- Provide recommendations on further assessment (if required).

Coffey's Phase 1 environmental site assessment (ESA) focussed on potential contamination risks for the proposed redevelopment.

## 1.3. Scope of works

The scope of works undertaken for this ESA are described in the following sections.

### **1.3.1. Desktop Review**

Coffey undertook a desktop review of historical use of the site, including:

- review of a selected historical aerial photographs for the site;
- review of the local council Section 149 (2&5) certificate;
- search of dangerous goods records held by NSW WorkCover;
- search of the contaminated land register held by NSW Environment Protection Authority;
- search of licensed groundwater bore records within a 500m radius of the site; and
- review of local geology, hydrogeology and topography information maps.

### **1.3.2. Fieldwork**

Coffey undertook a site walkover in 2011 to observe site activities, potential contamination sources and visible evidence of potential contamination (staining, odours etc). No anecdotal information was available at the time of this assessment. Coffey understands that use of the site as a nursing home has continued since that time with no material change to the premises in the context of this assessment.

### **1.3.3. Data Assessment and Reporting**

Coffey undertook an assessment of the data collected during the desktop review and site walkover and prepared this Phase 1 Environmental Site Assessment Report.

## **1.4. Methodology**

The assessment was undertaken in general accordance with good industry practice and relevant sections of the following:-

- NSW EPA: Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites, (NSW OEH 2011)
- NEPC 1999: Schedules B1 and B2 of National Environment Protection (Assessment of Site Contamination) Measure, (NEPC 1999, amended 2013).

## **2. Site information**

### **2.1. Site history**

A site locality map is presented in Figure 1 and site features are presented in Figure 2, included in Appendix A.

The site has a street address of 23 Fisher Road, Dee Why, and is identified as Lot 11 in DP577062.

The site presently is occupied by several single and double storey brick buildings that cover most of the site footprint. The land surrounding the site includes:

- Warringah Council offices located immediately to the east of the site,

- Medium density residences and a large multi-storey building to the north of the site,
- Fisher Road located immediately to the west of the site with residential properties beyond, and
- St Davids Avenue immediately to the south with Dee Why Police Station beyond.

The site covers an area of approximately 10,400m<sup>2</sup>.

## **2.2. Land ownership**

Information on previous ownership of the site was obtained from a historical report Pacific Lodge Dee Why NSW, Historical Background, Nick Jackson (May 2011). Reference to this report indicated that The Salvation Army has owned the land since 1890 when it was donated to that organisation by owner Elizabeth Jenkins who had used the site for farming. Under the Salvation Army's ownership Pacific Lodge, the oldest building on site, was used as a rest home, a home for inebriates and a boys' home.

## **2.3. Council records**

Coffey reviewed a land use planning certificate issued by Warringah City Council on 10 June 2011 under Section 149 (2&5) of the Environmental Planning and Assessment Act 1979 for the site. The land is identified as being within the zone B4 Mixed Use under the Warringah Local Environmental Plan 2011 (updated June 2017). The planning certificate noted that with regard to the site, there were no matters arising under the Contaminated Land Management Amendment Act 2008 (NSW) and that there was no information related to unhealthy building land.

Because of no change in land zoning and no material change to improvements on nor uses of the site since 2011, Coffey considers that the information in this certificate is generally relevant for this report. A copy of the planning certificate is presented in Appendix B.

## **2.4. Site condition and surrounding environment**

### **2.4.1. Topography and drainage**

A site survey plan prepared by Denny Linker and Co (2009) indicates that the majority of the site has an elevation between 36m and 42m Australian Height Datum (AHD).

It is expected that rainfall on the site would either percolate into sub-surface soils (where permeability allows) or become run-off and enter sub-surface drainage services via off-site kerbside drains.

A review of nearby water bodies and the surrounding topography indicates that storm water drainage is likely to flow into Dee Why Lagoon which is approximately 0.8km to the northeast.

### **2.4.2. Information from aerial photographs**

Coffey's findings from review of aerial photographs are summarised in Table 1. Aerial photos up to 2011 are presented in Appendix C. Images available on Google Earth from 2009 to the present were reviewed to supplement these aerial photographs.

Table 1 Summary of findings from review of aerial photographs

<b>Year of Photo</b>	<b>Site Description</b>	<b>Surrounding Area Description</b>
1961	The site has been developed with one building in the centre of the site. The building is surrounded by trees.	A car park is located immediately to the east of the site and residential buildings are located to the north of the site.
1970	The site has been further developed with the buildings that are currently on site.	A large building was built to the east of the site, immediately to the north of the car park. An access road leading to the building from Kingsway was also constructed. Increasing development of the surrounding land is evident, particularly to the northeast and west of the site.
1978	No apparent changes to the site.	Increasing development to the northeast of the site is evident.
1986	No apparent changes to the site.	The residential properties are no longer present along the southern side of Kingsway, immediately to the north of the site.
1994	No apparent changes to the site.	There is a car park located when the residential properties were on Kingsway.
2005	No apparent changes to the site.	No apparent changes to the surrounding area.
2011	No apparent changes to the site.	No apparent changes to the surrounding area.
2015	No apparent changes to the site.	Redevelopment of a car park to the north commenced in January and basement excavation occurred to about May when construct of a new building covering the majority of the site commenced. No other change to surroundings was apparent.
2016	No apparent changes to the site.	Construction of the new building to the north continued. No other change to surroundings was apparent.
2017	No apparent changes to the site.	Construction of the new building to the north was completed. A site to the southeast on the corner of St Davids Avenue and Pittwater Road is being redeveloped with demolition and excavation occurring. No other change to surroundings was apparent.

## **2.5. Geology and hydrogeology**

### **2.5.1. Geology and acid sulfate soils**

The Sydney 1:100,000 Geological Map produced by the Geological Survey of NSW indicates that the site is underlain by the Hawkesbury Sandstone, described as medium to coarse grained sandstone with minor shale and laminate lenses.

Reference to the Warringah Council LEP (2011) Hazard Map 1 – Acid Sulfate Soils indicates that the site is not in an area with potential acid sulfate soil risk and is located approximately 450m from Class 5 soils with respect to acid sulfate risk.

### **2.5.2. Hydrogeology**

A search for registered groundwater bores within a 500m radius of the site was undertaken using the NSW Natural Resources Atlas (NSW-NRA, <http://nratlas.nsw.gov.au>) on 29 June 2011. A record for one registered groundwater bore was found. A summary of this record is presented below:

- One bore located approximately 450m northeast of the site is reported to be used for monitoring purposes.

Based on data provided in the groundwater bore search results groundwater was encountered within a water bearing sandy clay layer between 6 to 7.5m depth.

Based on the location of nearby surface water bodies (Dee Why Lagoon) to the north east and Dee Why Beach to the east, groundwater flow on the site is considered likely to be to the northeast.

A copy of the bore search work summary is presented in Appendix D.

## **2.6. NSW Government records**

### **2.6.1. NSW Environment Protection Authority**

Coffey conducted a search of the NSW Environment Protection Authority online contaminated land register on 8 March 2018.

The search did not identify any records of notices under the Contaminated Land Management Act (1997) related to the site or any properties immediately adjacent to the site.

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

### **2.6.2. SafeWork NSW**

A search of the Stored Chemical Information Database (SCID) by NSW WorkCover (currently identified as SafeWork NSW) was conducted on 14 June 2011. The search found no records pertaining to the licensed storage of dangerous goods on the site.

A copy of the search results is presented in Appendix F.

### 3. Observations of the site and surroundings

A site walkover was conducted by Coffey on 8 June 2011.

The site visit involved observations of readily accessible site features for evidence of site contamination. A summary of the observations is presented below:

- The site was observed to be generally covered by buildings with landscaped gardens. Obvious evidence of distressed vegetation was not observed;
- Three circular, concrete underground storage tanks (USTs) were observed in the northern portion of the site, it is considered that they are old waste water tanks. No other USTs or associated infrastructure (such as fill points or vents) was observed;
- General domestic rubbish was observed around the site, contained within rubbish bins. Potential building waste comprising sandstone boulders were stockpiled immediately adjacent to the southern site boundary;
- The site buildings were not accessed at the time of the walkover but due to the age of the building structures there is potential for asbestos containing materials (ACM) to be present;
- No evidence of particles or fumes were observed being discharged to the atmosphere from the site;
- The site is situated on a knob of elevated land that has been modified by construction of landscaped terraced areas and the single and double storey brick buildings that presently occupy the site;
- Localised areas of fill should be expected across the site, particularly in the existing terraced platforms observed within the central and northern portions of the site. The height of these platforms relative to the sandstone exposure suggests fill depths typically between 1m and 2m depth;
- Storm water cut off drains were identified across the site, with newly constructed storm water drains located in the southwestern portion of the site. It is anticipated that surface water is likely to drain via infiltration in vegetated areas (where hardstand or drains are not present);
- A number of established trees are located across the site and are most dense adjacent to the site boundaries. The largest garden area is located in the southeast of the site and there are smaller landscaped areas across the site. This vegetation showed no obvious signs of phytotoxic impact (e.g. stress or dieback); and
- There was no evidence of spills of petroleum products or other chemicals around the site.

During the site walkover, the general land use surrounding the site was found to be predominantly commercial and residential in nature.

Boundary	Land Use surrounding Site
North	Car parking and medium density residential, with car park replaced by a multi-storey building during 2015/16.
East	Commercial (Warringah Council) and residential
West	Fisher Road with residential beyond
South	St Davids Avenue with Police Station beyond

## 4. Integrity assessment of historical information

The following sources of historical data were relied upon for this assessment:

- NSW EPA;
- NSW WorkCover;
- NSW Natural Resources Atlas;
- NSW Land and Property Management Authority;
- Warringah Council; and
- Observations made during the site walkover.

The observations made during the site walkover were generally consistent with the documented records provided by third parties.

The historical data assessed was considered to be generally accurate, reliable and suitable for the objective of this assessment.

## 5. Potential for land contamination

Review of available historical data and observations made during the site walkover identified several areas of environmental concern (AECs) and potential contaminants of concern (PCOC). These AECs and PCOC, along with an assessment of the likelihood of contamination being present (based on available data and observations) are presented in Table 2.

Table 2 AEC, PCOC and Likelihood

<b>Areas of Environmental Concern</b>	<b>Potential Contaminants of Concern</b>	<b>Likelihood</b>
Within the existing building structures and for 5m out from the perimeter of these buildings	Asbestos and/or SMF, lead based paint	Medium to High
Possible construction waste	TPH, PAHs, PCBs, heavy metals, asbestos	Medium
Landscaped areas	Glyphosate (herbicides)	Low because these chemicals are not persistent in the environment

## 6. Conclusions and recommendations

Based on the scope of work undertaken, Coffey concludes that the likelihood of contamination being present on the site where the proposed redevelopment is located from past and present activities is generally low, but may be medium to high in isolated areas.

The key AECs and associated chemicals that may affect the proposed development are:

- ACM and/or lead-based paint being present within and immediately surrounding the existing buildings;
- Possible construction waste (stockpiled sandstone) adjacent to the southern site boundary; and

Based on the findings, Coffey considers that site can be made suitable for the proposed development subject to the following recommendations:

- A Hazardous Material Survey be conducted in building structures to identify hazardous building materials prior to demolition;
- Assessment of potential construction waste for recycling or disposal to a licensed waste facility;
- Soil sampling around existing buildings where hazardous building materials may have weathered to impact adjacent soil (asbestos and lead impact) and in the footprint of construction waste where potential impact to the ground may have occurred (waste oils, asbestos or other chemicals); and
- Should contamination be detected in these areas, that presents an unacceptable risk to human health or the environment, then management and/or remediation may be required.

This report must be read in conjunction with the attached "Important Information About Your Coffey Environmental Report".

## 7. References

Jackson, Nick (2011) Pacific Lodge, Dee Why, NSW, Historical Background

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

NSW OEH. (2011). Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites. NSW Office of Environment and Heritage.



# 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**

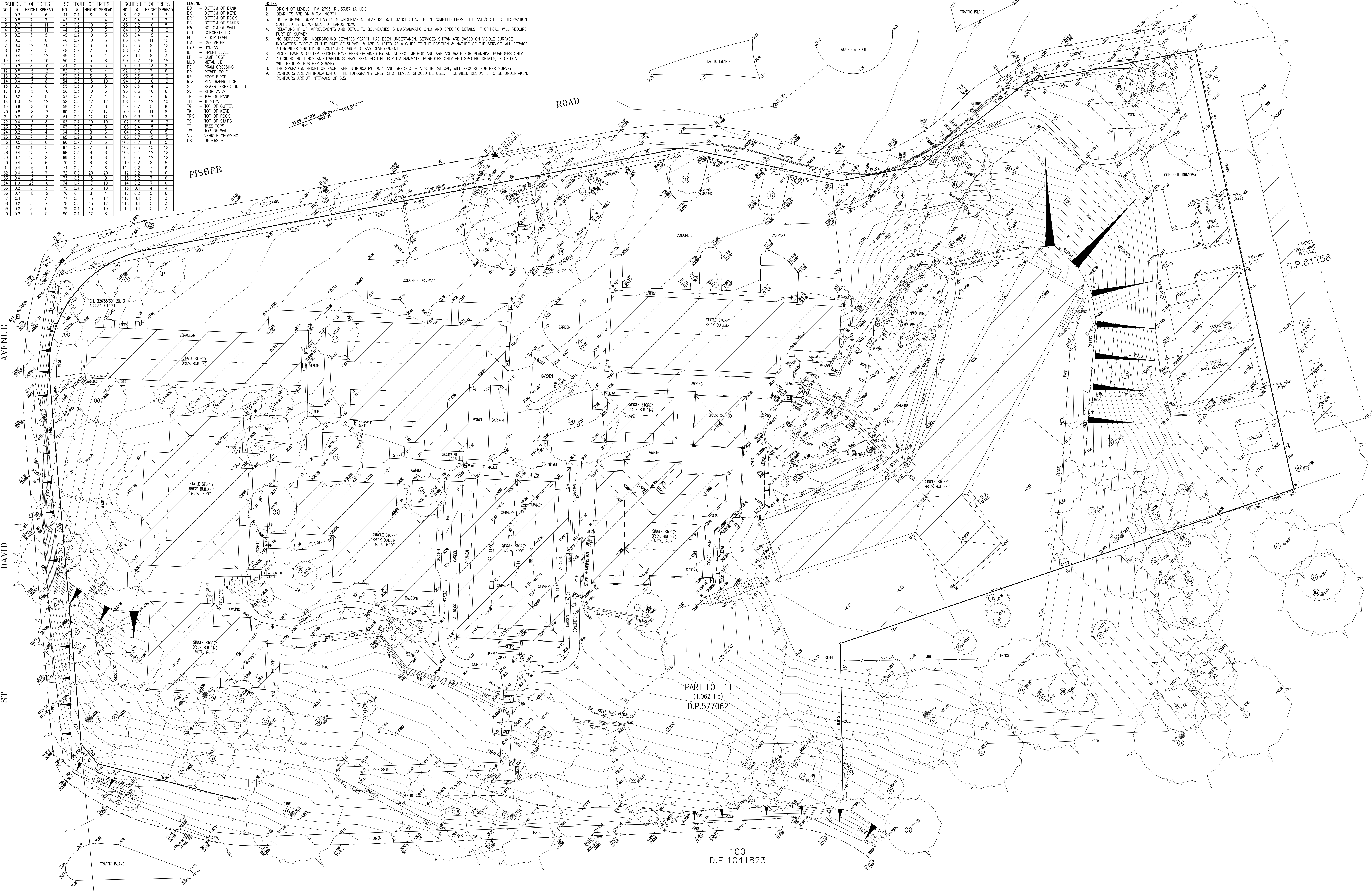
Environmental reporting relies on interpretation of factual information using professional judgement and opinion and has a level of uncertainty attached to it, which is much less exact than other design disciplines. This has often resulted in claims being lodged against consultants, which are unfounded. 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.

## **Appendix A - Site survey plan and Architectural concept drawings; Figures 1 and 2**

SCHEDULE OF TREES			SCHEDULE OF TREES			SCHEDULE OF TREES		
NO.	HEIGHT	SPREAD	NO.	HEIGHT	SPREAD	NO.	HEIGHT	SPREAD
1	0.3	6	41	0.4	8	81	0.2	12
2	0.5	7	42	0.3	11	82	0.4	12
3	0.3	4	43	0.2	10	83	0.2	10
4	0.3	4	44	0.2	10	84	1.0	14
5	0.3	8	45	0.2	10	85	0.4	13
6	0.3	8	46	0.2	10	86	0.4	11
7	0.3	12	47	0.3	6	87	0.3	9
8	0.2	7	48	0.3	6	88	0.2	8
9	0.4	12	49	0.2	5	89	0.1	8
10	0.4	10	50	0.2	5	90	0.7	15
11	0.2	10	51	0.2	3	91	0.3	13
12	0.2	10	52	0.2	6	92	0.3	7
13	0.3	12	53	0.3	5	93	0.5	15
14	0.4	15	54	0.5	15	94	0.9	10
15	0.3	8	55	0.3	8	95	0.2	14
16	1.0	15	56	0.3	10	96	0.3	10
17	0.2	8	57	0.2	7	97	0.5	7
18	1.0	20	58	0.2	12	98	0.4	12
19	0.6	18	59	0.2	7	99	0.2	5
20	0.8	18	60	0.6	12	100	0.3	11
21	0.8	10	61	0.2	12	101	0.3	12
22	0.4	13	62	0.4	10	102	0.6	15
23	0.2	6	63	0.2	7	103	0.4	15
24	0.2	4	64	0.3	8	104	0.2	6
25	0.2	7	65	0.2	8	105	0.7	15
26	0.5	15	66	0.2	7	106	0.2	8
27	0.2	4	67	0.2	7	107	0.5	13
28	0.4	15	68	0.3	8	108	0.4	12
29	0.7	15	69	0.2	6	109	0.5	12
30	0.4	15	70	0.3	13	110	0.2	9
31	0.4	15	71	0.2	9	111	0.2	9
32	0.4	15	72	0.9	20	112	0.2	7
33	0.4	15	73	0.6	8	113	0.2	6
34	1.0	23	74	0.7	17	114	0.2	7
35	0.2	8	75	0.4	15	115	0.1	4
36	0.7	18	76	0.1	8	116	0.2	5
37	0.1	6	77	0.5	15	117	0.1	5
38	0.2	5	78	0.5	15	118	0.1	5
39	0.2	8	79	0.4	13	119	0.1	5
40	0.2	7	80	0.4	12			

- LEGEND**
- BB - BOTTOM OF BANK
  - BK - BOTTOM OF KERB
  - BRK - BOTTOM OF ROOF
  - BS - BOTTOM OF STAIRS
  - BP - BOTTOM OF WALL
  - CLD - CONCRETE LID
  - FL - FLOOR LEVEL
  - GM - GAS METER
  - HYD - HYDRANT
  - INL - INVERT LEVEL
  - LP - LAMP POST
  - MUD - MUD
  - MLD - METAL LID
  - PC - PAVEMENT CROSSING
  - PP - POWER POLE
  - RR - ROOF RIDGE
  - RTA - RTA TRAFFIC LIGHT
  - SI - SINKER INSPECTION LID
  - SV - STOP VALVE
  - TB - TOP OF BANK
  - TEL - TELESTRUT
  - TC - TOP OF GUTTER
  - TK - TOP OF KERB
  - TRK - TOP OF ROOF
  - TS - TREE TOPS
  - TT - TREE TOPS
  - TW - TOP OF WALL
  - VC - VEHICLE CROSSING
  - US - UNDERSIDE

- NOTES:**
1. ORIGIN OF LEVELS: PM 2795, R.L.33.87 (A.H.D.).
  2. BEARINGS ARE ON M.G.A. NORTH
  3. NO BOUNDARY SURVEY HAS BEEN UNDERTAKEN. BEARINGS & DISTANCES HAVE BEEN COMPILED FROM TITLE AND/OR DEED INFORMATION SUPPLIED BY DEPARTMENT OF LANDS NSW.
  4. RELATIONSHIP OF IMPROVEMENTS AND DETAIL TO BOUNDARIES IS DIAGNOSTIC ONLY AND SPECIFIC DETAILS, IF CRITICAL, WILL REQUIRE FURTHER SURVEY.
  5. NO SERVICES OR UNDERGROUND SERVICES SEARCH HAS BEEN UNDERTAKEN. SERVICES SHOWN ARE BASED ON VISIBLE SURFACE INDICATORS EVIDENT AT THE DATE OF SURVEY & ARE CHARTED AS A GUIDE TO THE POSITION & NATURE OF THE SERVICE. ALL SERVICE AUTHORITIES SHOULD BE CONTACTED PRIOR TO ANY DEVELOPMENT.
  6. ROOF, EAVE & GUTTER HEIGHTS HAVE BEEN OBTAINED BY AN INDIRECT METHOD AND ARE ACCURATE FOR PLANNING PURPOSES ONLY. ADDITIONAL BUILDINGS AND DWELLINGS HAVE BEEN PLOTTED FOR DIAGNOSTIC PURPOSES ONLY AND SPECIFIC DETAILS, IF CRITICAL, WILL REQUIRE FURTHER SURVEY.
  7. THE SPREAD & HEIGHT OF EACH TREE IS INDICATIVE ONLY AND SPECIFIC DETAILS, IF CRITICAL, WILL REQUIRE FURTHER SURVEY.
  8. CONTOURS ARE AN INDICATION OF THE TOPOGRAPHY ONLY. SPOT LEVELS SHOULD BE USED IF DETAILED DESIGN IS TO BE UNDERTAKEN. CONTOURS ARE AT INTERVALS OF 0.3m.



DATE	BY	REVISION	ISSUE
04.03.10	MKA/AL	ADDITIONAL DETAIL ADDED	A

PLAN SHOWING DETAIL & LEVELS AT  
 "SALVATION ARMY PACIFIC HOMES"  
 No.15 FISHER ROAD  
 DEE WHY

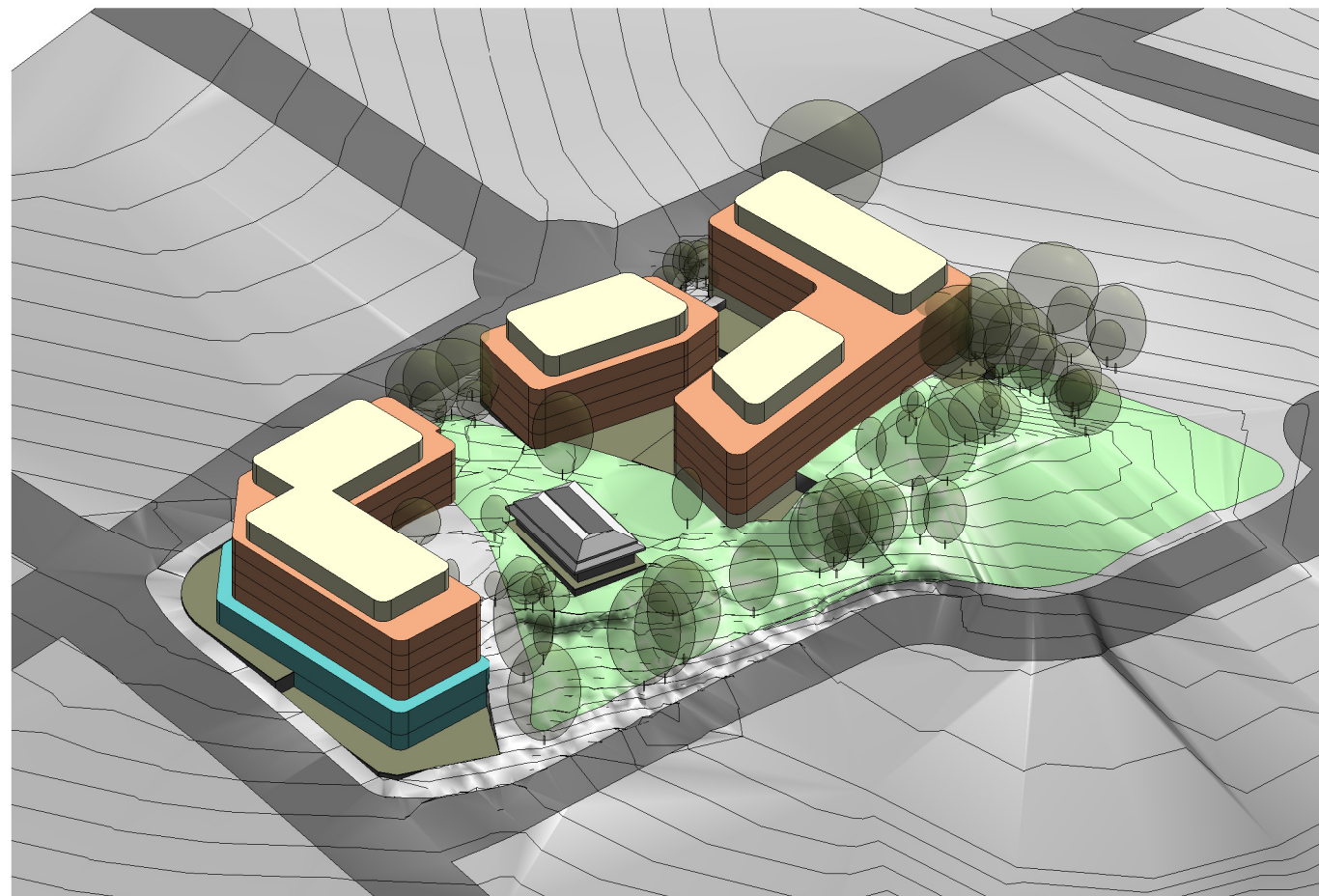
CONSULTING SURVEYORS		RATIO: 1:150	DATE
DENNY LINKER & CO.			23.07.09
SYDNEY		DATUM: A.H.D.	ISSUE
5th Floor 17 RANDLE STREET		DRAWN: MKA/DW	A
SURREY HILLS N.S.W. 2010		REF: 090617	DWG: 090617
PH. (02) 9212 4655 FAX (02) 9212 5254		No.:	I.D.: DETAIL



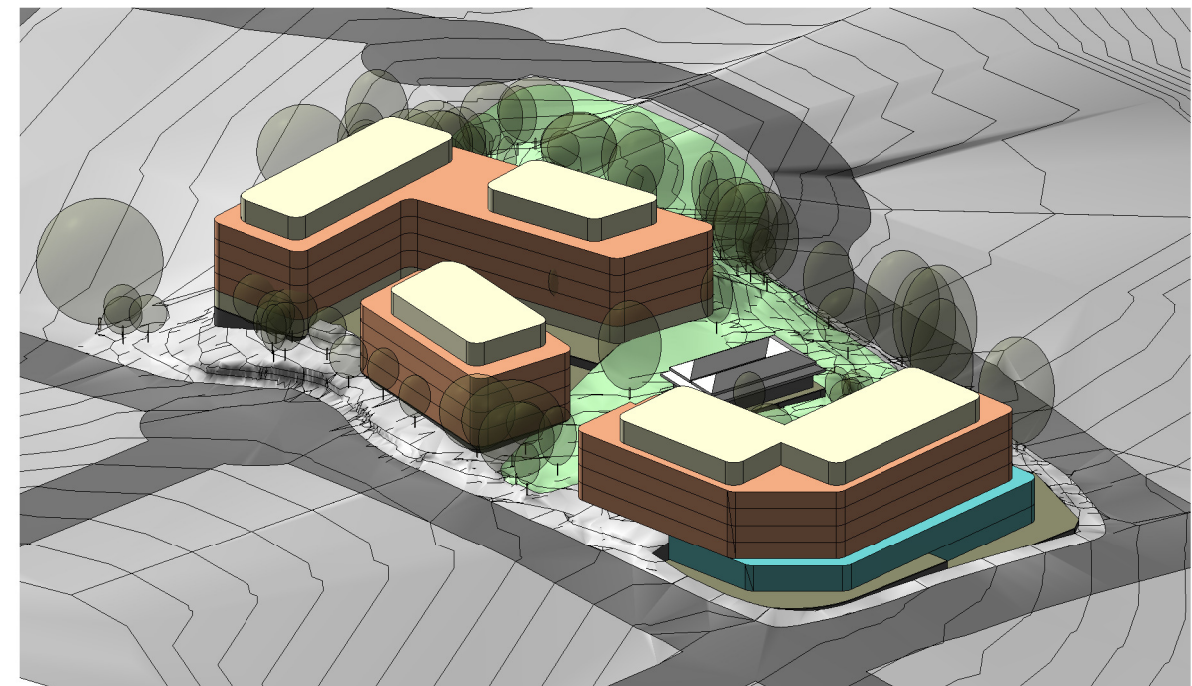
1 View - North East



2 View - North West

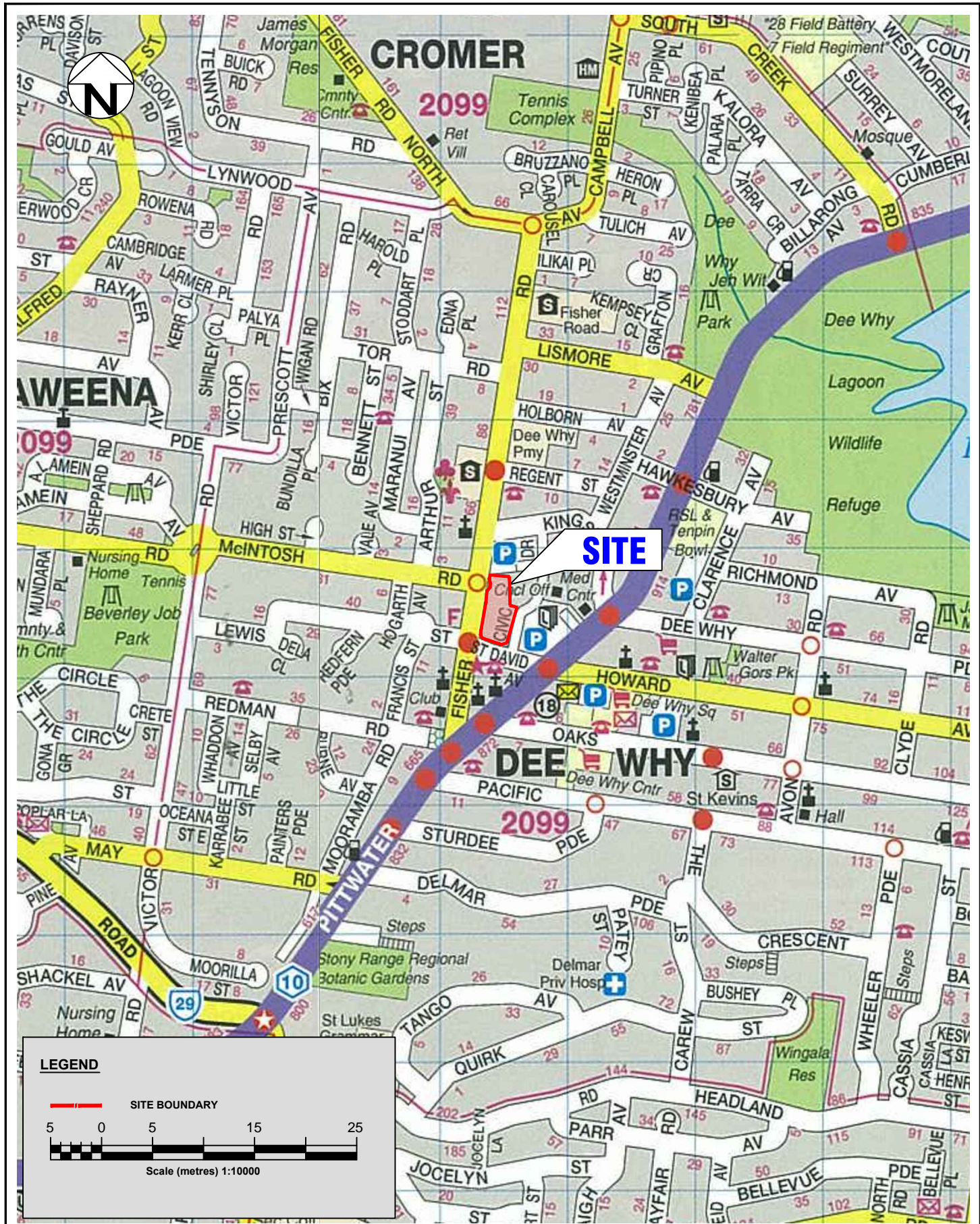


3 View - South East



4 View - South West

- approved stage 1 building envelope
- additional commercial level
- additional residential levels



drawn	MV
approved	TL
date	29/06/11
scale	1:10000
original size	A4

**coffey**  
environments

SPECIALISTS IN ENVIRONMENTAL,  
SOCIAL AND SAFETY PERFORMANCE

client:	ROSE PROPERTY GROUP
project:	PHASE 1 ENVIRONMENTAL SITE ASSESSMENT, 23 FISHER ROAD, DEE WHY NSW
title:	SITE LOCALITY MAP
project no:	SYDEN216171

figure no:	FIGURE 1
------------	----------

PLOT DATE: 6/29/2011 3:28 PM DWG FILE: F:\PROJECTS\OTHER OFFICES\GEO\GEO\24292AA\DRAWINGS\GEO\TLCOV\24292AA.DWG



PLOT DATE: 8/30/2011 3:32 PM DWG FILE: F:\PROJECTS\OTHER OFFICES\GEO\TLCOV\24292AAA\DRAWINGS\GEO\TLCOV\24292AAA.DWG

drawn	<b>MV</b>
approved	<i>TL</i>
date	<i>29/06/11</i>
scale	<b>1:1000</b>
original size	<b>A4</b>



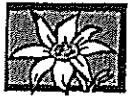
**coffey**  
environments

SPECIALISTS IN ENVIRONMENTAL,  
SOCIAL AND SAFETY PERFORMANCE

client:	<b>ROSE PROPERTY GROUP</b>	
project:	<b>PHASE 1 ENVIRONMENTAL SITE ASSESSMENT, 23 FISHER ROAD, DEE WHY NSW</b>	
title:	<b>SITE PLAN</b>	
project no:	<b>SYDEN216171</b>	figure no: <b>FIGURE 2</b>

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





Date Printed: 10 June 2011

Certificate Number: PLC2011/2539



Applicant Reference: Imogen Dale

Receipt Number: 100128839

Coffey Environments  
Level 1, 3 Rider Boulevard  
RHODES NSW 2138

Property Address: 23 Fisher Road~DEE WHY NSW 2099

Legal Description: Part Lot 11 DP 577062

Property ID: 112600

1. Names of relevant planning instruments and DCPs.
  - 1.1 The name of each environmental planning instrument that applies to the carrying out of development on the land.  
Warringah Local Environmental Plan 2000  
See Attachment "A" for all other environmental planning instruments that apply to the carrying out of development on the land
  - 1.2 The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved)  
Draft State Environmental Planning Policy (Competition) 2010  
Draft Warringah Local Environmental Plan 2009
  - 1.3 The name of each development control plan that applies to the carrying out of the development on the land.  
Warringah Development Control Plan, and  
Warringah Development Control Plan – Belrose Road Corridor, applies to all land that lies within the C11 Belrose Road Corridor Locality of Warringah Local Environmental Plan 2000.
  - 1.4 In this clause, proposed environmental planning instrument includes a planning proposal for a LEP or a draft environmental planning instrument.
2. Zoning and land use under relevant LEPs
  - 2.1 Zoning and land use under WLEP 2000  
(a) The Land is identified by WLEP 2000 as being within:-  
Locality:  
E10 Civic Centre

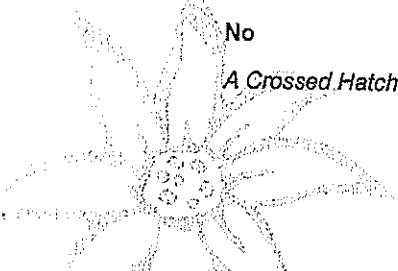
A Medium Density Area:

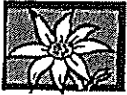
No

A Local Retail Centre:

No

A Crossed Hatched Area:





No

*Public Open Space:*

No

*A Local Public Open Space Reservation:*

No

*A Regional Public Open Space Reservation:*

No

*An Arterial Road Reservation:*

No

*A Heritage Conservation Area:*

Refer Locality Statement (attached)

*An Archaeological Site:*

No

*(b) The purposes for which WLEP 2000 provides that development may be carried out within this locality without the need for development consent.*

Clause 7 of WLEP 2000 provides that all development requires consent except:-

- (i) exempt development, being development of minimal environmental impact identified in Schedule 1 (Exempt Development) when carried out in accordance with the requirements of that Schedule, and
- (ii) development identified in Schedule 2 (Other Development not requiring consent), when carried out in accordance with the requirements of that Schedule.

*(c) The purposes for which WLEP 2000 provides that development is prohibited within the locality.*

Clause 10 of WLEP 2000 provides that the following development is prohibited:-

- (i) development identified as being prohibited within a Locality Statement, and
- (ii) signs of the type listed in Schedule 4 (Prohibited Signs).

*(d) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling house on the land and, if so, the minimum land dimensions so fixed.*

The erection of a dwelling house is permitted subject to any housing density requirements set out in the attached locality statement.

*(e) Whether the land includes or comprises critical habitat.*

Reference should be made to the registers of critical habitat kept by the National Parks and Wildlife Service under the Threatened Species Conservation Act 1995 and the Department of Fisheries under the Fisheries Management Act 1994.

*(f) Whether the land is in a conservation area.*

Refer Locality Statement (attached)

*(g) Whether a heritage item is situated on the land.*

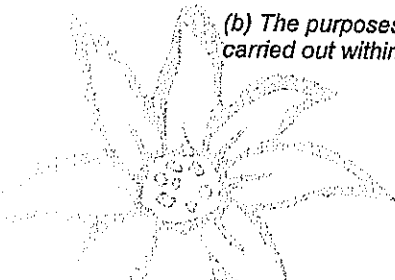
Refer Locality Statement (attached)

## 2.2 Zoning and land use under Draft Warringah Local Environmental Plan 2009

*(a) The land is identified by Draft Warringah Local Environmental Plan 2009 as being within the following zone.*

**Draft LEP - Land zoned B4 Mixed Use**

*(b) The purposes for which Draft Warringah Local Environmental Plan 2009 provides that development may be carried out within the zone without the need for development consent.*





Part 3 of Draft Warringah Local Environmental Plan 2009 provides that development specified in Schedule 2 (Exempt Development) that meets the standards for development contained in that schedule and that complies with the requirements of Part 3 is exempt development.

*(c) The purposes for which Draft Warringah Local Environmental Plan 2009 provides that development may not be carried out within the zone except with development consent.*

Please refer to the extracts of draft Warringah Local Environmental Plan 2009 (attached)

*(d) The purposes for which Draft Warringah Local Environmental Plan 2009 provides that development is prohibited within the zone.*

Please refer to the extracts of draft Warringah Local Environmental Plan 2009 (attached)

*(e) Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling house on the land and, if so, the minimum land dimensions so fixed.*

No

*(f) Whether the land includes or comprises critical habitat.*

Reference should be made to the registers of critical habitat kept by the National Parks and Wildlife Service under the Threatened Species Conservation Act 1995 and the Department of Fisheries under the Fisheries Management Act 1994.

*(g) Whether the land is in a conservation area.*

No

*(h) Whether an item of environmental heritage is situated on the land*

Yes

3. *Whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of clauses 1.17A (c) and (d) and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.*

*(a) May Complying Development under the General Housing Code be carried out on the land?*

No

Why?

Draft Heritage Item

Heritage Item or Archaeological Site

*(b) May Complying Development under the Rural Housing Code be carried out on the land?*

No

Why?

Draft Heritage Item

Heritage Item or Archaeological Site

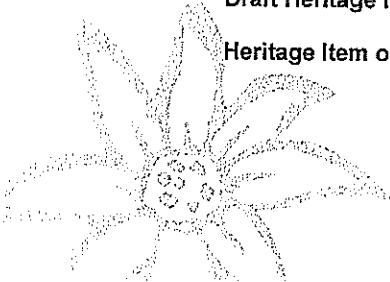
*(c) May Complying Development under the Housing Alterations Code be carried out on the land?*

No

Why?

Draft Heritage Item

Heritage Item or Archaeological Site





*(d) May Complying Development under the General Development Code be carried out on the land?*

No

Why?

Draft Heritage Item

Heritage Item or Archaeological Site

*(e) May Complying Development under the General Commercial and Industrial Code be carried out on the land?*

No

Why?

Draft Heritage Item

Heritage Item or Archaeological Site

*(f) May Complying Development under the Subdivision Code be carried out on the land?*

No

Why?

Draft Heritage Item

Heritage Item or Archaeological Site

*(g) May Complying Development under the Demolition Code be carried out on the land?*

No

Why?

Draft Heritage Item

Heritage Item or Archaeological Site

4. *Whether or not the land is affected by the operation of section 38 or 39 of the Coastal Protection Act 1979, but only to the extent that the Council has been so notified by the Department of Public Works.*

**No. Council has not received any notification that the land is affected by the operation of Sections 38 or 39 of the Coastal Protection Act 1979.**

- 4A. *Information relating to beaches and coasts*

*(1) Whether an order has been made under Part 4D of the Coastal Protection Act 1979 in relation to emergency coastal protection works (within the meaning of that Act) on the land (Or on public land adjacent to that land), except if Council is satisfied that such an order has been fully complied with.*

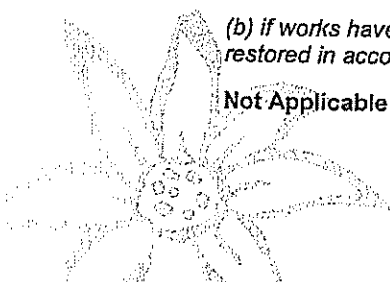
No

*(2) (a) Whether Council has been notified under section 55X of the Coastal Protection Act 1979 that emergency coastal protection works (within the meaning of that Act) have been placed on the land (or on public land adjacent to that land).*

No

*(b) if works have been so placed – whether Council is satisfied that the works have been removed and the land restored in accordance with that Act.*

**Not Applicable**





(3) such information (if any) as is required by the regulations under section 56B of the Coastal Protection Act 1979 to be included in the planning certificate and of which the council has been notified pursuant to those regulations.

No

**4B. Annual Charges for coastal protection services under Local Government Act 1993**

Whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

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

No

**5. Whether or not the land is proclaimed to be a mine subsidence district within the meaning of Section 15 of the Mines Subsidence Compensation Act 1961**

No

**6. Whether or not the land is affected by any road widening or road realignment under:-**

(a) Division 2 of Part 3 of the Roads Act 1993.

No

(b) any environmental planning instrument

No

(c) any resolution of Council.

No

**7. Whether or not the land is affected by a policy that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulfate soils, or any other risk (other than flooding):-**

(a) as adopted by Council

No

(b) as 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 a planning certificate issued by the Council.

No

**7A. Flood related development controls information**

Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.

No

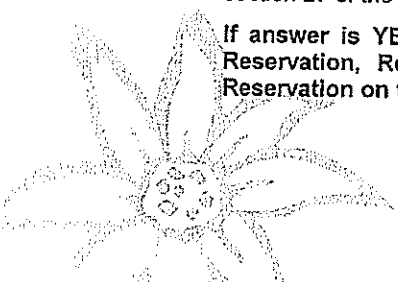
(b) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.

No

(c) Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the Standard Instrument (Local Environmental Plans) Order 2006.

**8. Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the Act.**

If answer is YES in question 2 to any of the points Public Open Space, Local Public Open Space Reservation, Regional Public Open Space Reservation, Local Road Reservation or Arterial Road Reservation on this certificate then the answer to this question is "YES".





9. *The name of each contributions plan applying to the land*

Warringah Section 94 Development Contributions Plan 2001 and Warringah Section 94A Development Contributions Plan 2008 (adopted 10 June 2008). Please contact Council's Planning and Assessment Counter for more information.

10. *Whether the land is land to which a biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995 relates (but only if council has been notified of the existence of the agreement by the Director-General of the Department of Environment and Climate Change and Water)?*

No

11. *Bush Fire Prone Land*

No

12. *Is the land subject to a property vegetation plan made under the Native Vegetation Act 2003?*

No

13. *Whether an order has been made under the Trees (Disputes Between Neighbours) Act 2006 to carry out work in relation to a tree on the land (but only if the Council has been notified of the order).*

No

14. *Is there a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect?*

No

15. *(a) is there a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land?*

No

*For what period is the certificate current?*

*not applicable*

*A copy of the site compatibility certificate may be obtained from the head office of the Department of Planning.*

*(b) Are there any terms of a kind referred to in clause 18(2) of the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land?*

No

16. *Is there a valid site compatibility certificate (infrastructure), of which the council is aware, in respect of proposed development on the land?*

No

*For what period is the certificate current?*

*not applicable*

*A copy of the site compatibility certificate may be obtained from the head office of the Department of Planning.*

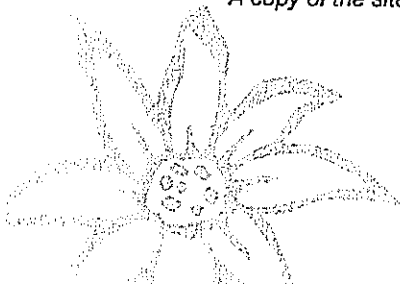
17. *(a) Is there a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land?*

No

*For what period is the certificate current?*

*Not Applicable*

*A copy of the site compatibility certificate may be obtained from the head office of the Department of Planning.*





**Section 149 (2&5) Environmental Planning and  
Assessment Act, 1979 (As Amended)**

(b) Are there any terms of a kind referred to in clause 17(1) or 37 (1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 that have been imposed as a condition of consent to a development application in respect of the land?

No

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

(a) that the land to which the certificate relates is significantly contaminated land within the meaning of that Act—if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,

No

(b) that the land to which the certificate relates is subject to a management order within the meaning of that Act—if it is subject to such an order at the date when the certificate is issued,

No

(c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act—if it is the subject of such an approved proposal at the date when the certificate is issued,

No

(d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act—if it is subject to such an order at the date when the certificate is issued,

No

(e) that the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act—if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

No

Council records do not have sufficient information about the uses (including previous uses) of the land which is the subject of this Section 149 Certificate. To confirm that the land hasn't been used for a purpose which would be likely to have contaminated the land, parties should make their own enquiries as to whether the land may be contaminated.

Notifications issued within Warringah in accordance with the Nation Building and Jobs Plan (State Infrastructure Delivery Act) 2009

The NSW Infrastructure Co-ordinator General has issued an order under Section 23 and an authorisation under Section 24 for the carrying out of development on the sites tabled below. The order and authorisation may exempt these projects from complying with certain development control legislation.

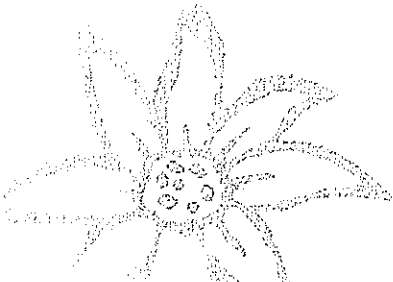
Address	Legal Description	Property Name	Date Issued	Description of Project
Lot 741/ Alfred Street, Narraweena	Lot 742 DP 752038	Narraweena Public School	22 July 2009	A multi-purpose hall and covered outdoor learning area and associated site works.
Lot 2593/ Bundaleer Street, Belrose	Part Lot 2593 DP 752038	Yanglnanook School, Belrose	7 September 2009	Extension of the gymnasium to provide a stage, store, toilets, covered area, ramps and associated site works, removal of two trees and landscaping.
6-8 Wyatt Avenue, Belrose	Lot 1 DP 601101	John Colet School	24 September 2009	Construction of a covered outdoor learning area, covered walkway and associated works.
1 Dreadnought Road, Oxford Falls	Lot 10 DP 810343	St Pius X College	8 October 2009	Construction of a multi-purpose hall and associated works.
33 and 35 Myoora Road, Terrey Hills	Lot 1 DP 1132710 and Lot 59 DP 752017	German International School Sydney	12 October 2009	Subdivision of the land, construction of a single storey library building and single storey classroom building, construction of a sports field, extension of an existing internal driveway and a new exit to Myoora Road, and associated works comprising excavation, earthworks, drainage, ramps, pathways, tree removal and landscaping.
220 Forest Way, Belrose	Lot 1973 DP 752038	Kamaroi Rudolf Steiner School	7 October 2009	Extension to an existing school building comprising a hall/ auditorium, classrooms, amenities, canteen and store rooms, landscaping, pathways, replacement of a roof and associated works.
2-8 Old Pittwater Road, Brookvale	Lot B DP 311452, Lot 1 DP 918786, Lot 2 DP 208793, Lot 1 DP 229795, Lot 14 DP 5876, Lot 1 DP 209019, Lot 13 DP 5876.	Brookvale Public School	17 November 2009	Construction of a new library building and internal alterations to two (2) existing buildings, including the demolition of an existing metal clad classroom, relocation of play equipment, erection of a new shade structure, removal of existing areas of hard stand, and associated works.



**Warringah  
Council**

**Section 149 (2&5) Environmental Planning and  
Assessment Act, 1979 (As Amended)**

	Lot 17 DP 3674, Lot 1 DP 365898, Lot 15 DP 5876, Lot 2 DP 209019 Lot 1 DP 947905			
For further details please contact the Nation Building and Jobs Plan Taskforce on telephone No. 9926 2520				

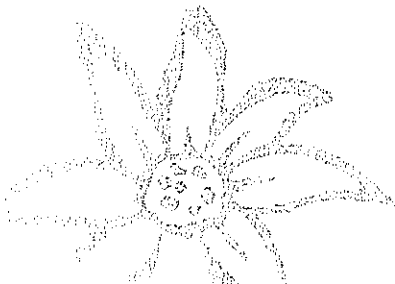






**Under The Provisions of Section 149(5) of the Environmental Planning and Assessment Act.**

1.
  - (a) *In respect of landslip Council provides the following:-*  
No
  - (b) *Whether any instrument or resolution of Council varies or proposes to vary the provisions of an environmental planning instrument, other than as referred to in the Certificate under section 149(2):-*  
No
  - (c) *Whether the land or any item on the land is affected by an order under section 24 or section 25 of the Heritage Act 1977*  
No
  - (d) *Is the land subject to Councils interim policy and interim guidelines for development and use of the land likely to be affected by 1:100 year flood – Development and subdivision applications may be subject to the floor affected controls.*  
No
  - (e) *Is the land subject to Councils resolution of 26<sup>th</sup> August 1997. Assessment of Development applications will be made by reference to the Collaroy/Narrabeen Coastline Management Plan- Development Guidelines for Collaroy/Narrabeen Beach. A copy of the Guidelines are contained in Schedule 13 of WLEP 2000.*  
No
  - (f) *Whether the Draft Warringah Housing Strategy proposes to change the zoning of the land to Medium Density Residential.*  
No
2. *Threatened Species.*
  - (a) *Does this land have the potential to contain one ore more of the following endangered or vulnerable ecological communities as described in the final determination of the scientific committee to list the ecological communities under Part 3 of Schedule 1 and Part 2 of Schedule 2 Threatened Species Conservation Act 1995(NSW)?*  
*Duffys Forest Ecological Community in the Sydney Basin Bioregion*  
*Swamp Sclerophyll Forest on Coastal Floodplain*  
*Coastal Saltmarsh of the Sydney Basin Bioregion*  
*Swamp Oak Floodplain Forest*  
*Bangalay Sand Forest of the Sydney Basin Bioregion*  
*Themeda grasslands on Seacliffs and Coastal Headlands*  
*Sydney Freshwater Wetlands in the Sydney Basin Bioregion*  
No
  - (b) *Is this land known to contain threatened species as described in the final determination of the scientific committee to list endangered and vulnerable species under part 1 of Schedule 1 and part 1 of Schedule 2 Threatened Species Conservation Act 1995 (NSW)?*  
No



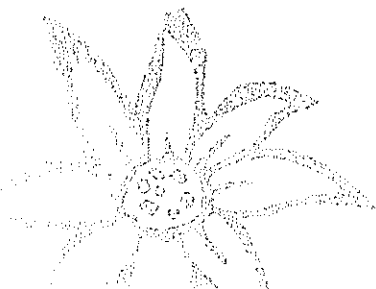


**Section 149 (2&5) Environmental Planning and  
Assessment Act, 1979 (As Amended)**

*Additional Information:*

- a. Certain development may require further consideration under section 79BA or section 91 of the Environmental Planning and Assessment Act 1979, and section 100B of the Rural Fires Act, 1997 with respect to bushfire matters. Contact NSW Rural Fire Service.
- b. Many Aboriginal objects are found within the Local Government Area of Warringah. It is prudent for the purchaser of land within such area to make enquiry of the Director-General of National Parks and Wildlife whether he/she is aware of any Aboriginal objects on the subject land or whether the land has been declared as an Aboriginal place under the National Parks and Wildlife Act 1974 (NSW). Such Director-General has wide powers to prevent the carrying out of work on land which is likely to significantly affect an Aboriginal object or Aboriginal place.
- c. Information available to Council indicates properties within the catchments of Frenchs Creek and Burnt Bridge Creek, and properties in the vicinity of Dee Why Central Business District and Ryan Place Beacon Hill, may be flood affected. Council's Natural Environment Division can be contacted for further information.

The advice above is provided in good faith and the Council shall not incur any liability in respect of any such advice.





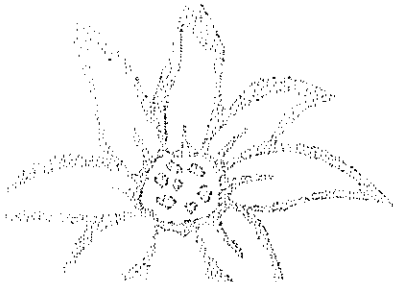
**Warringah  
Council**

**Section 149 (2&5) Environmental Planning and  
Assessment Act, 1979 (As Amended)**

**Disclaimer**

The Environmental Planning and Assessment Amendment Act 1997 commenced operation on the 1 July 1998. As a consequence of this Act the information contained in this certificate needs to be read in conjunction with the provisions of the Environmental Planning and Assessment (Amendment) Regulation 1998, Environmental Planning and Assessment (Further Amendment) Regulation 1998 and Environmental Planning and Assessment (Savings and Transitional) Regulation 1998. The locality information in this certificate is based on the Lot and Deposited Plan referred to in this certificate. If the Lot and Deposited Plan is not the current description of the land then this certificate could attribute to incorrect locality. Persons relying on the certificate should satisfy themselves by reference to the Title Deed that the land to which this certificate relates is identical to the land to which they seek to know the locality.

for Rik Hart  
GENERAL MANAGER  
WARRINGAH COUNCIL





**Section 149 (2&5) Environmental Planning and  
Assessment Act, 1979 (As Amended)**

**ATTACHMENT 'A'**

**ATTACHMENT TO CERTIFICATE UNDER SECTION 149(2)  
OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT**

**Clause 1.1 of the Section 149(2) Certificate**

**SYDNEY REGIONAL ENVIRONMENTAL PLAN (Sydney Harbour Catchment) 2005 – Gazetted: 28.09.2005**

The plan aims to establish a balance between promoting a prosperous working harbour, maintaining a healthy and sustainable waterway environment and promoting recreational access to the foreshore and waterways. It establishes planning principles and controls for the catchment as a whole.

**STATE ENVIRONMENTAL PLANNING POLICY NO. 30 – Intensive Agriculture – Gazetted 08.12.1989. Amended 20.08.1993, 24.02.1995, 11.06.1999 and 04.08.2000**

The SEPP introduces consistency in the control of cattle feed lots and piggeries throughout the State by ensuring development consent is required for all cattle feed lots and specifying the information to accompany such applications and the range of matters the consent authority must consider before granting consent.

**STATE ENVIRONMENTAL PLANNING POLICY NO.32 –Urban Consolidation (Redevelopment of Urban Land) – Gazetted 15.11.1991**

States the Government's intention to ensure that urban consolidation objectives are met in all urban areas throughout the State. The policy:

- Focuses on the redevelopment of urban land that is no longer required for the purposes it is currently zoned or used.
- Encourages local Councils to pursue their own urban consolidation strategies to help implement the aims and objectives of the policy.

Councils will continue to be responsible for the majority of rezoning. The policy sets out guidelines for the Minister to follow when considering whether to initiate a regional environmental plan (REP) to make particular sites available for consolidated urban development. Where a site is rezoned by an REP, the Minister will be the consent authority.

**STATE ENVIRONMENTAL PLANNING POLICY NO.50 – Canal Estates – Gazetted 10.11.1997**

Bans new canal estates from the date of gazettal, to ensure coastal and aquatic environments are not affected by these developments.

**STATE ENVIRONMENTAL PLANNING POLICY NO. 55 – Remediation of Land - Gazetted 28.08.1998**

Aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment. The policy applies to the whole state, to ensure that remediation is permissible development and is always carried out to a high standard. It specifies when consent is required for remediation and lists considerations that are relevant when rezoning land and determining development applications.

**STATE ENVIRONMENTAL PLANNING POLICY NO. 62 – Sustainable Aquaculture -Gazetted: 01.10.2000.**

The plan aims to encourage sustainable aquaculture throughout New South Wales by:

- Making aquaculture permissible under certain zones under the Standard Instrument,
- Setting minimum performance criteria for aquaculture development, and
- Establishing a graduated environmental assessment regime for aquaculture development.

**STATE ENVIRONMENTAL PLANNING POLICY NO. 64 – ADVERTISING AND SIGNAGE - Gazetted 16.03.2001**

Aims to ensure that outdoor advertising is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations and is of high quality design and finish. The SEPP was amended in August 2007 to permit and regulate outdoor advertising in transport corridors (e.g. freeways, tollways and rail corridors). The amended SEPP also aims to ensure that public benefits may be derived from advertising along and adjacent to transport corridors. Transport Corridor Outdoor Advertising and Signage Guidelines (DOP July 2007) provides information on design criteria, road safety and public benefit requirements for SEPP 64 development applications.

**STATE ENVIRONMENTAL PLANNING POLICY NO. 65 – Design Quality of Residential Flat Development - Gazetted 26.07.2002. Aims to improve the design quality of residential flat development in New South Wales.**

**STATE ENVIRONMENTAL PLANNING POLICY NO. 71 - Coastal Protection - Gazetted 01.11.2002 (and in force in Warringah from 18.11.2005) Aims to protect and manage the natural, cultural, recreational and economic attributes of the New South Wales coast. The policy identifies sensitive coastal locations and sets down additional planning criteria to be considered in these areas.**

**STATE ENVIRONMENTAL PLANNING POLICY (Housing for Seniors or People with a Disability) 2004 - Gazetted 31.03.2004; Repealed by SEPP (Seniors Living) Housing for Seniors or People with a Disability) 2004 and effective 12.10.07.**



## **Section 149 (2&5) Environmental Planning and Assessment Act, 1979 (As Amended)**

Aims to encourage the provision of housing (including residential care facilities) that will:

- (a) Increase the supply and diversity of residences that meet the needs of seniors or people with a disability, and
- (b) Make efficient use of existing infrastructure and services, and
- (c) Be of good design.

**STATE ENVIRONMENTAL PLANNING POLICY (Building Sustainability Index: BASIX) 2004** - Gazetted 25.06.2004.  
The aim of the policy is to encourage sustainable residential development (*the BASIX scheme*), specifically to achieve a reduction in the consumption of water and reduction in energy use leading to less green house gas emissions.

**STATE ENVIRONMENTAL PLANNING POLICY (Sydney Metropolitan Water Supply) 2004** - Gazetted 24.12.2004. The aims of the policy are to facilitate development for water supply infrastructure to enable deep water extraction from dams, and to facilitate investigation into the availability of groundwater to augment water supply to the Sydney metropolitan area (including the carrying out of exploratory drilling).

**STATE ENVIRONMENTAL PLANNING POLICY (Temporary Structures and Places of Public Entertainment) 2007** – Gazetted 28.09.2007, effective 26.10.07. Provides for the erection of temporary structures and the use of places of public entertainment while protecting public safety and local amenity. The SEPP supports the transfer of the regulation of places of public entertainment and temporary structures (such as tents, marquees and booths) from the Local Government Act 1993 to the Environmental Planning and Assessment Act 1979.

Aims to ensure the provision of safety measures for uses of temporary structures or POPE, to encourage the protection of the environment at these locations, and to specify circumstances under which these structures and uses can be considered exempt or complying development. Also aims to promote job creation and increase access for places of public entertainment.

**STATE ENVIRONMENTAL PLANNING POLICY (MAJOR PROJECTS) 2005**  
Gazetted: 01.08.05. Formerly known as State Environmental Planning Policy (State Significant Development) 2005. Defines certain developments that are major projects under Part 3A of the Environmental Planning and Assessment Act 1979 and determined by the Minister for Planning. The SEPP also lists State significant sites. The policy repeals SEPP 34 and SEPP 38, as well as provisions in numerous other planning instruments, declarations and directions.

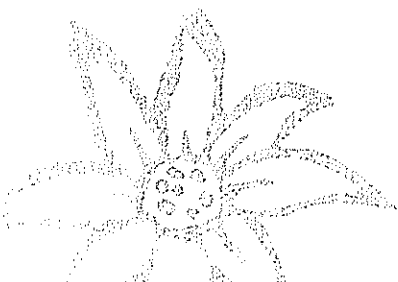
**STATE ENVIRONMENTAL PLANNING POLICY (Sydney Region Growth Centres) 2006**  
Gazetted: 28.07.06. Abstract: Provides for the coordinated release of land for residential, employment and other urban development in the North West and South West growth centres of the Sydney Region (in conjunction with Environmental Planning and Assessment Regulation relating to precinct planning).

**STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007**  
Gazetted: 21 December 2007; Commenced: 1 January 2008. Facilitates the delivery of public infrastructure and provision of services across the State by providing a consistent planning regime for this purpose; greater flexibility of location of infrastructure and provisions for development, redevelopment and disposal of surplus government owned land.

**STATE ENVIRONMENTAL PLANNING POLICY (REPEAL OF CONCURRENCE AND REFERRAL PROVISIONS) 2008**  
Gazetted: 12.12.2008; Commencement: 15.12.2008. The SEPP aims to improve efficiency in the planning system by removing duplicative or unnecessary requirements in environmental planning instruments (EPIs) to consult with State agencies (government departments) on planning decisions.

**STATE ENVIRONMENTAL PLANNING POLICY (EXEMPT AND COMPLYING DEVELOPMENT CODES) 2008**  
Gazetted: 12.12.2008 – Commenced 27.02.2009  
Streamlines assessment processes for development that complies with specified development standards. The policy provides exempt and complying development codes that have State-wide application, identifying, in the General Exempt Development Code, types of development that are of minimal environmental impact that may be carried out without the need for development consent; and, types of complying development that may be carried out in accordance with a complying development certificate as defined in the Environmental Planning and Assessment Act 1979.

**STATE ENVIRONMENTAL PLANNING POLICY (AFFORDABLE RENTAL HOUSING) 2009**  
Published: 31.07.2009; Commencement 31.07.2009. The policy aims to better encourage home owners, social housing providers and developers to invest and create new affordable rental housing to meet the needs of our growing population and existing residents.



## **LOCALITY E10 CIVIC CENTRE**

### **DESIRED FUTURE CHARACTER**

The Civic Centre will remain the focus of Civic activity within Warringah with this role enhanced by the development of a new Civic Building on Pittwater Road. The presence of this building will be enhanced by the use of colonnades to distinguish it from other buildings in the locality and the planting of double row of Norfolk Island Pines at the front of the building along Pittwater Road. The corner of Pittwater Road and St. David Avenue will be strongly defined as a major pedestrian access to the site.

The northern side of this locality adjacent to the Kingsway will be redeveloped for apartment style housing in landscaped settings and be of similar scale to apartment style housing in the adjacent locality.

The sandstone outcrops and vegetation between the existing Council Chambers and the existing library, and west of the main entrance to the existing Council Chambers, will be retained.

### **LAND USE**

#### **Category One**

Development for the purpose of the following:

- business premises
- child care centers
- community facilities
- housing
- offices

#### **Category Two**

Development for the purpose of the following:

- housing for older people or people with disabilities
- places of worship
- restaurants
- other buildings, works, places or land uses that are not prohibited or in Category 1 or 3

### **Category Three**

Development for the purpose of the following:

- agriculture
- animal boarding or training establishments
- bulky goods shops
- entertainment facilities
- further education
- health consulting rooms
- hire establishments
- hospitals
- hotels
- industries
- medical centres
- motor showrooms
- primary schools
- recreation facilities
- registered clubs
- retail plant nurseries
- service stations
- shops
- short term accommodation
- vehicle repair stations
- veterinary hospitals
- warehouses

### **PROHIBITED DEVELOPMENT**

Development for the purpose of the following is prohibited within this locality:

- brothels
- extractive industries
- heliports
- potentially hazardous industries
- potentially offensive industries
- vehicle body repair workshops

Canal estate development is also prohibited within this locality.

## **BUILT FORM**

### **Building height**

The new civic building is neither to exceed 6 storeys nor 24 metres and buildings elsewhere in the locality are neither to exceed 3 storeys nor 13 metres.

Buildings must comply with both the maximum height measured in storeys and the maximum height measured in metres.

To measure the height of a building:

- the maximum height in metres is the distance measured vertically between the topmost point of the building (including any plant or equipment) and the natural ground level below,
- a storey is the space between two floors, or the space between any floor and its ceiling or roof above (including any plant or equipment),
- foundation spaces, garages, workshops, store rooms and the like which do not project above natural ground level (at any point) and lofts on top floor apartments are not counted as storeys,
- the number of storeys is the maximum number of storeys which may be intersected by the same vertical line, not being a line which passes through any wall of the building.

### **Minimum floor to ceiling height**

The minimum floor to ceiling heights are as follows:

- ground floor storey (other than where used for housing): 3.6 metres
- ground floor storey (where used for housing): 2.7 metres
- upper storeys: 2.7 metres

To measure the floor to ceiling height:

- the floor to ceiling height is the distance measured vertically between the floor and its ceiling above.

### **Minimum front building setbacks**

Development is to maintain a minimum front building setback. The minimum front setbacks will be 15 metres from Pittwater Road, zero metres from St. Davids Avenue and 6 metres from the Kingsway. The first 4 storeys of the civic building must be set back a sufficient distance to enable the establishment of a double row of Norfolk Pines and the provision of a level 4 metre sidewalk.

Storeys above the fourth storey must be set back at least 4 metres from the parapet line of the fourth storey.



The measure the front building setback:

- the front building setback is the distance between any street property boundary and the nearest building.

For residential development the front setback area is to be landscaped and generally free of any structures, basements, carparking or site facilities other than driveways, letterboxes and garbage storage areas.

### **Rear building setback**

The minimum rear building setback is 6 metres.

The rear building setback area is to be landscaped and free of any structures.

To measure the rear building setback the rear building setback is the distance measured perpendicular to the boundary furthest from a public street up to any structure on the allotment.

The rear building setback does not apply to corner allotments.

The rear building setback may be encroached by exempt development, swimming pools and outbuildings which, in total, do not exceed 50 per cent of the rear setback area.

### **Side boundary envelope and side setback**

Apartment buildings must be sited within an envelope determined by projecting planes at 45 degrees from a height of 5 metres above natural ground level at the side boundaries.

The minimum setback from a building to a side boundary is 4.5 metres.

To measure the side boundary envelope and side setback:

- on corner allotments the side boundaries are taken to be the boundaries that do not have frontage to a public street.

Fascias, gutters, downpipes, eaves, masonry chimneys, flues, pipes, or other services infrastructure may encroach beyond the side envelope.

Above and below ground structures and private open space including basement carparking, vehicle access ramps, balconies, terraces and the like shall not encroach beyond the side boundary envelope or side setback except:

- light fittings, electricity or gas meters, or other services infrastructures not more than 1 metre above natural ground level including steps, landings, pedestrian ramps and stormwater structures may encroach beyond the required setback to within a minimum of 2 metres of a side boundary, and

- entrance and stair lobbies at ground floor level may encroach beyond the required setback to within a minimum of 2 metres of a side boundary.

### Landscaped open space

The minimum area of landscaped open space is 40 per cent of the site area.

To measure an area of landscaped open space:

- impervious surfaces such as driveways, paved areas, roofed areas, tennis courts, car parking and stormwater structures, decks and the like and any areas with a width or length of less than 2 metres are excluded from the landscape open space area,
- the water surface of swimming pools and impervious surfaces which occur naturally such as rock outcrops are included in the landscape open space area,
- landscaped open space must be at ground level, and
- the minimum soil depth of landscaped open space is 1 metre.

### Carparking facilities

Carparking facilities must be provided below ground or behind buildings in shared parking areas (refer to Map E available from the office of Council for guidance). Ground level parking must be provided with trees the canopies of which will achieve 70% coverage of the parking spaces when mature.

### COMPLYING DEVELOPMENT

The following table shows the development which is complying development in this locality. Column A describes the development and Column B shows the requirements that the development must comply with for it to be complying development

#### Column A

Development for the purpose of:

Attached houses and apartment buildings, being:

- internal alterations to attached houses and apartment buildings (excluding balcony enclosures and other devices which are externally visible).
- construction of garages associated with these residential buildings.
- outbuildings associated with these residential buildings.

#### Column B

As described in Schedule 12 – Part A

**Column A**

Development for the purpose of:

Swimming pools

**Column B**

As described in Schedule  
12 – Part

B

**HERITAGE ITEMS**

The following heritage items of **local heritage significance** are within this locality:

- “Pacific Lodge” (Salvation Army), 15 Fisher Road, Dee Why
- Dee Why Public Library, Pittwater Road, Dee Why
- Street Tree, cnr St. David Avenue and Pittwater Road, Dee Why

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# Public Exhibition Draft

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Warringah Local Environmental Plan 2009

Clause 2.6B

**Part 2 - Land Use Table**

**Permitted and Prohibited Development**

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Refer to Clause 2.2 of the Section 149 (2) Certificate.

## **Zone B4 Mixed Use**

### **1 Objectives of zone**

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To reinforce the role of Dee Why as the major centre in the sub-region by the treatment of public spaces, the scale and intensity of development, the focus of civic activity and the arrangement of land uses.
- To promote building design that creates active building fronts, contributes to the life of streets and public spaces and creates environments that are appropriate to human scale as well as comfortable, interesting and safe.
- To promote a land use pattern that is characterised by shops, restaurants and business premises at the ground floor and housing and offices at the upper floors.
- To encourage site amalgamations to facilitate new development and to facilitate the provision of car parking below ground.

### **2 Permitted without consent**

Home-based child care; Home occupations

### **3 Permitted with consent**

Boarding houses; Business premises; Child care centres; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Office premises; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Residential flat building; Retail premises; Roads; Seniors housing; Shop top housing; Any other development not specified in item 2 or 4

### **4 Prohibited**

Advertising structures; Agriculture; Air transport facilities; Boat repair facilities; Boat sheds; Bulky goods premises; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Environmental facilities; Exhibition villages; Farm buildings; Forestry; Freight transport facilities; Highway service centres; Home industries; Home occupation (sex services); Industrial retail outlets; Industries; Landscape and garden supplies; Marinas; Moorings; Moveable dwellings; Port facilities; Recreation facilities (major); Recreation facilities (outdoors); Research stations; Residential accommodation; Rural industries; Rural supplies; Service stations; Sex services premises; Storage premises; Timber and building supplies; Transport depots; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Waste or resource management facilities; Water recreation structures; Wholesale supplies

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# Public Exhibition Draft

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Warringah Local Environmental Plan 2009

Part 2

Permitted and Prohibited Development

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## 2.5 Additional permitted uses for particular land [compulsory]

- (1) Development on particular land that is described or referred to in Schedule 1 may be carried out:
  - (a) with consent, or
  - (b) if the Schedule so provides--without consent, in accordance with the conditions (if any) specified in that Schedule in relation to that development.
- (2) This clause has effect despite anything to the contrary in the Land Use Table or other provision of this Plan.

## 2.6 Subdivision--consent requirements [compulsory]

- (1) Land to which this Plan applies may be subdivided, but only with consent.
- (2) However, consent is not required for a subdivision for the purpose only of any one or more of the following:
  - (a) widening a public road,
  - (b) a minor realignment of boundaries that does not create:
    - (i) additional lots or the opportunity for additional dwellings, or
    - (ii) lots that are smaller than the minimum size shown on the Lot Size Map in relation to the land concerned,
  - (c) a consolidation of lots that does not create additional lots or the opportunity for additional dwellings,
  - (d) rectifying an encroachment on a lot,
  - (e) creating a public reserve,
  - (f) excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or public toilets.

**Note.** If a subdivision is exempt development, the Act enables the subdivision to be carried out without consent.

## 2.6A Demolition requires consent [local]

The demolition of a building or work may be carried out only with consent.

**Note.** If the demolition of a building or work is identified in *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* as exempt development, the Act enables it to be carried out without consent.

## **2.6B Temporary use of land [local]**

- (1) The objective of this clause is to provide for the temporary use of land if the use does not compromise future development of the land, or have detrimental economic, social, amenity or environmental effects on the land.
- (2) Despite any other provision of this Plan, development consent may be granted for development on land in any zone for a temporary purpose for a maximum period of 28 days (whether or not consecutive days) in any period of 12 months.
- (3) Development consent must not be granted unless the consent authority is satisfied that:
  - (a) the temporary use will not prejudice the subsequent carrying out of development on the land in accordance with this Plan and any other applicable environmental planning instrument, and
  - (b) the temporary use will not adversely impact on any adjoining land or the amenity of the neighbourhood, and
  - (c) the temporary use and location of any structures related to the use will not adversely impact on environmental attributes or features of the land, or increase the risk of natural hazards that may affect the land, and
  - (d) at the end of the temporary use period the site will, as far as is practicable, be restored to the condition in which it was before the commencement of the use.

## **Schedule 1 Additional permitted uses**

### **1 Use of certain land at Hotel, No 8 Aperta Place, Beacon Hill**

- (1) This clause applies to land at Hotel, No 8 Aperta Place, Beacon Hill, being Lot 7, DP 236335.
- (2) Development for the purposes of 1 dwelling house is permitted with consent (provided that the design and construction of the development has regard to the topography, potential slip and sensitive visual character of the land as well as potential loss of views to adjoining or nearby properties.)

### **2 Use of certain land at Warringah Gravel and Stone Pty Ltd, Challenger Drive, Belrose**

- (1) This clause applies to so much of the land at Warringah Gravel and Stone Pty Ltd, Challenger Drive, Belrose, shown as "Area 8" on the Additional Permitted Uses Map, that is covered by Licence Number L308608 (issued by the Department of Lands).
- (2) Development for the purposes of extractive industries, recreation facilities (indoor) or recreation facilities (outdoor) is permitted with consent.

### **3 Use of certain land at Hotel, 5 Hews Parade, Belrose**

- (1) This clause applies to land at Hotel, 5 Hews Parade, Belrose, being Lot 6, DP 834036.
- (2) Development for the purposes of pubs is permitted with consent.

### **4 Use of certain land at the intersection of Mona Vale Road and Forest Way, Belrose**

- (1) This clause applies to land at the intersection of Mona Vale Road and Forest Way, Belrose, shown as "Area 2" on the Additional Permitted Uses Map.
- (2) Development for the purposes of bulky goods premises, business premises (with a gross floor area not exceeding 2,500m<sup>2</sup>), function centres, hotel or motel accommodation (that incorporates function centres), pubs (that incorporate function centres), retail premises (with a gross floor area not exceeding 2,500m<sup>2</sup>) is permitted with consent.

### **5 Use of certain land in the vicinity of Pittwater Road and Roger Street, Brookvale**

- (1) This clause applies to land in the vicinity of Pittwater Road and Roger Street, Brookvale, shown as "Area 9" on the Additional Permitted Uses Map.
- (2) Development for the purposes of office premises or retail premises is permitted with consent.

### **6 Use of certain land at No 2 Anderson Place, Cottage Point**

- (1) This clause applies to land at No 2 Anderson Place, Cottage Point, being Lot 23, DP 819003.
- (2) Development for the purposes of restaurants is permitted with consent.

#### **7 Use of certain land at Ku-ring-gai Motor Yacht Club, Cottage Point**

- (1) This clause applies to land at Ku-ring-gai Motor Yacht Club, Cottage Point, being Lot 1, DP 930591, Lot 1, DP 922754, Lot 3, DP 929708 and Lot 4, DP 929708.
- (2) Development for the purposes of registered clubs, neighbourhood shops or boat hire premises is permitted with consent.

#### **8 Use of certain land at Time and Tide Hotel, 30 Campbell Ave, Cromer**

- (1) This clause applies to land at Time and Tide Hotel, 30 Campbell Ave, Cromer, being Lot 1, DP 227969.
- (2) Development for the purposes of pubs is permitted with consent.

#### **9 Use of certain land at Dee Why RSL Club, Pittwater Road, Dee Why**

- (1) This clause applies to land at Dee Why RSL Club, Pittwater Road, Dee Why, being Lot 1, DP 706230.
- (2) Development for the purposes of registered clubs or recreational facilities (indoor) is permitted with consent.

#### **10 Use of certain land at Forestville RSL, Melwood Ave, Forestville**

- (1) This clause applies to land at Forestville RSL, Melwood Ave, Forestville, being Lot 2589, DP 752038 and Lot 31, DP 366454.
- (2) Development for the purposes of registered clubs is permitted with consent.

#### **11 Use of certain land in the vicinity of Ashworth and Haigh Avenues, Belrose and land in the vicinity of McBrien Place and John Oxley Drive, Frenchs Forest**

- (1) This clause applies to land in the vicinity of Ashworth and Haigh Avenues, Belrose and land in the vicinity of McBrien Place and John Oxley Drive, Frenchs Forest, shown as "Area 5", "Area 6" or "Area 7" on the Additional Permitted Uses Map.
- (2) Development for the purposes of 1 dwelling house on each lot is permitted with consent (provided that each dwelling is constructed having regard to the constraints, potential instability, visual sensitivity and impact on the water quality of Middle Harbour.)

#### **12 Use of certain land at Christian City Church, Wakehurst Parkway, Frenchs Forest**

- (1) This clause applies to at Christian City Church, Wakehurst Parkway, Frenchs Forest, being Lot 1, DP 863123.
- (2) Development for the purposes of places of public worship is permitted with consent.

#### **13 Use of certain land at Hotel, 39 Frenchs Forest Road East, Frenchs Forest**

- (1) This clause applies to land at Hotel, 39 Frenchs Forest Road East, Frenchs Forest, Lot X, DP 405206.
- (2) Development for the purposes of pubs is permitted with consent.

#### **14 Use of certain land at Harbord Diggers Club, Lumsdaine Drive, Harbord**

- (1) This clause applies to land at Harbord Diggers Club, Lumsdaine Drive, Harbord, being Lot 125, DP 1102154 and Lot 2548, DP 752038.
- (2) Development for the purposes of registered clubs, recreation facilities (indoor) or recreation facilities (outdoor) is permitted with consent.

#### **15 Use of certain land at Harbord Hotel, 29 Moore Road, Harbord**

- (1) This clause applies to land at Harbord Hotel, 29 Moore Road, Harbord, Lots 1 to 5, Sec 1, DP 7022 and Lot 13, Sec 1, DP 7022.
- (2) Development for the purposes of pubs is permitted with consent.

#### **16 Use of certain land at 80 Undercliff Rd, Harbord**

- (1) This clause applies to land at 80 Undercliff Rd, Harbord, being Lot B, DP 329073.
- (2) Development for the purposes of restaurants is permitted with consent.

#### **17 Use of certain land at Hotel, 1260 Pittwater Road, Narrabeen**

- (1) This clause applies to land at Hotel, 1260 Pittwater Road, Narrabeen, being Lot 1, DP 746653.
- (2) Development for the purposes of pubs is permitted with consent.

**18 Use of certain land at the intersection of Warringah Road and Cook Street, Forestville and land on Pittwater Road, North Manly**

- (1) This clause applies to land at the intersection of Warringah Road and Cook Street, Forestville and land on Pittwater Road, North Manly, shown as "Area 3" or "Area 4" on the Additional Permitted Uses Map.
- (2) Development for the purposes of industrial retail outlet, service stations, timber and building supplies, vehicle body repair workshops, vehicle repair stations or wholesale supplies is permitted with consent.

**19 Use of certain land at Tavern, 2 Aumuna Road, Terrey Hills**

- (1) This clause applies to land at Tavern, 2 Aumuna Road, Terrey Hills, being Lot 6, DP 739456.
- (2) Development for the purposes of pubs is permitted with consent.

**20 Use of certain land in the vicinity of Mona Vale and Myoora Roads, Terrey Hills**

- (1) This clause applies to land in the vicinity of Mona Vale and Myoora Roads, Terrey Hills, shown as "Area 1" on the Additional Permitted Uses Map.
- (2) Development for the purposes of educational establishments, hospitals, places of public worship, recreation facilities (indoor), registered clubs, restaurants or hotel or motel accommodation is permitted with consent.



## **Appendix C - Selected aerial photographs**

© Google Imagery

2011



Cumberland Series

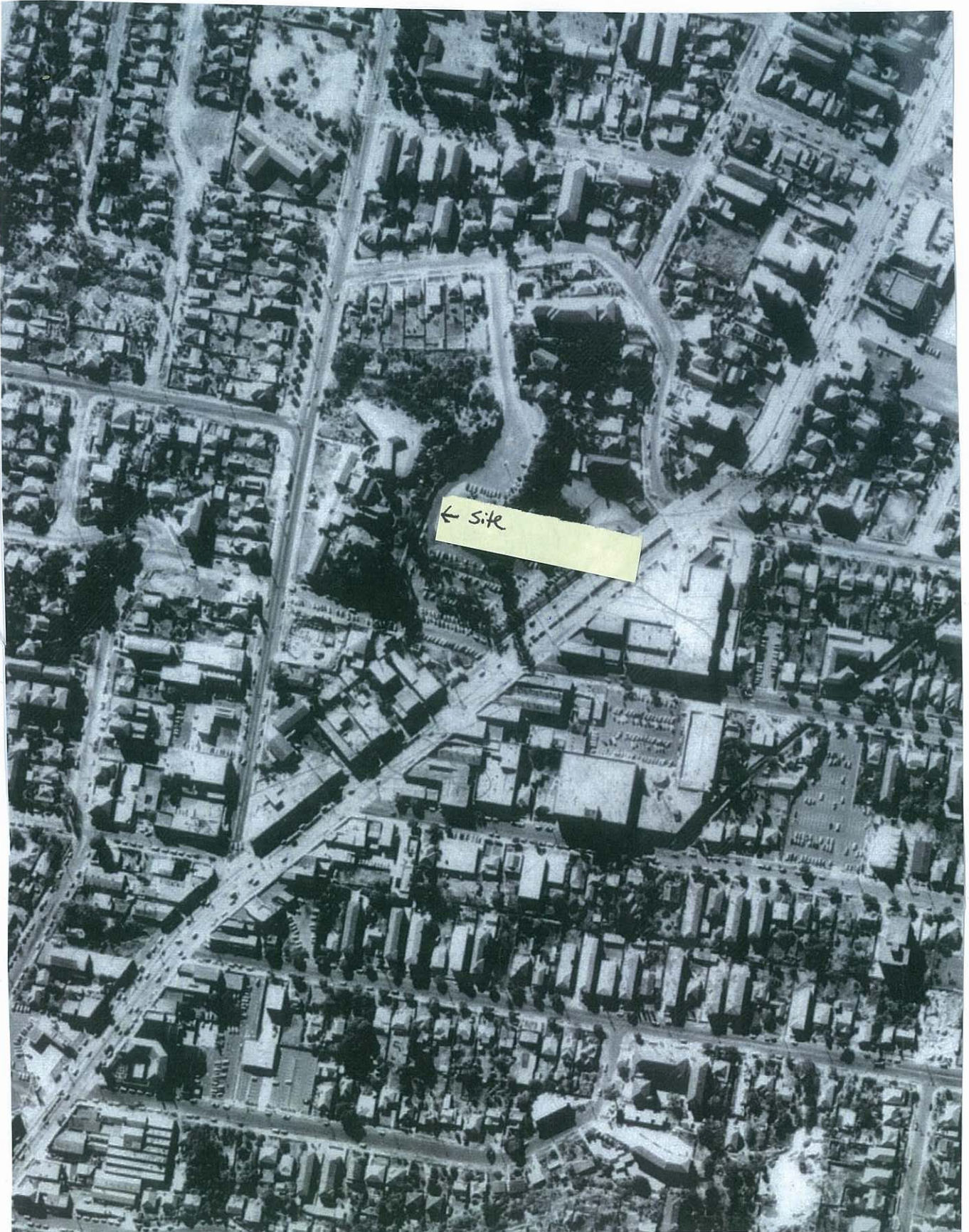
1961



Cumberland Series

07/07/1970

Run 12



County of Cumberland

11/04/1978

Run 11

1:16000 Scale



Sydney

03/08/1986

Run 17



Sydney

10/10/1994

Run 7

1:25000 Scale



Cumberland Series

10/12/2005

Run 7

1:25000 Scale





## **Appendix D - Information from search of registered groundwater bores**

# Groundwater Works Summary

For information on the meaning of fields please see [Glossary](#)

Document Generated on Wednesday, June 29, 2011

[Print Report](#)

[Works Details](#) [Site Details](#) [Form A](#) [Licensed](#) [Construction](#) [Water Bearing Zones](#) [Drillers Log](#)

## Work Requested -- GW110660

### Works Details [\(top\)](#)

GROUNDWATER NUMBER GW110660  
 LIC-NUM 10BL603243  
 AUTHORISED-PURPOSES MONITORING BORE  
 INTENDED-PURPOSES MONITORING BORE  
 WORK-TYPE Well  
 WORK-STATUS  
 CONSTRUCTION-METHOD Auger  
 OWNER-TYPE Private  
 COMMENCE-DATE  
 COMPLETION-DATE 2009-08-19  
 FINAL-DEPTH (metres) 7.50  
 DRILLED-DEPTH (metres) 7.50  
 CONTRACTOR-NAME  
 DRILLER-NAME  
 PROPERTY MOBIL SERVICE STATION  
 GWMA -  
 GW-ZONE -  
 STANDING-WATER-LEVEL  
 SALINITY  
 YIELD

### Site Details [\(top\)](#)

REGION 10 - SYDNEY SOUTH COAST  
 RIVER-BASIN  
 AREA-DISTRICT  
 CMA-MAP  
 GRID-ZONE  
 SCALE  
 ELEVATION  
 ELEVATION-SOURCE  
 NORTHING 6264347.00  
 EASTING 341639.00  
 LATITUDE 33 44' 57"  
 LONGITUDE 151 17' 25"  
 GS-MAP

AMG-ZONE 56  
 COORD-SOURCE  
 REMARK

### Form-A [\(top\)](#)

COUNTY CUMBERLAND  
 PARISH MANLY COVE  
 PORTION-LOT-DP 100//628909

### Licensed [\(top\)](#)

COUNTY CUMBERLAND  
 PARISH MANLY COVE  
 PORTION-LOT-DP 100 628909

### Construction [\(top\)](#)

Negative depths indicate Above Ground Level;H-Hole;P-Pipe;OD-Outside Diameter;  
 ID-Inside Diameter;C-Cemented;SL-Slot Length;A-Aperture;GS-Grain Size;Q-Quantity

HOLE- NO	PIPE- NO	COMPONENT- CODE	COMPONENT- TYPE	DEPTH- FROM (metres)	DEPTH- TO (metres)	OD (mm)	ID (mm)	INTERVAL	DETAIL
1		Hole	Hole	0.00	7.50	150			Auger
1	1	Casing	P.V.C.	0.00	5.00	60			Other
1	1	Opening	Screen	5.00	7.50	60			PVC; A: .5mm; Other
1		Annulus	Waterworn/Rounded	0.00	0.00				Graded; GS: 2- 4mm
1		Annulus	Concrete	0.00	3.00	150			

### Water Bearing Zones [\(top\)](#)

no details

### Drillers Log [\(top\)](#)

FROM	TO	THICKNESS	DESC	GEO-MATERIAL	COMMENT
0.00	0.15	0.15	CONCRETE		
0.15	0.90	0.75	CLAY YELLOW BLACK SANDY		
0.90	6.00	5.10	CLAY RED SANDY		
6.00	7.50	1.50	CLAY SANDY SATURATED RED		

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**Warning To Clients:** This raw data has been supplied to the Department of Infrastructure, Planning and Natural Resources (DIPNR) by drillers, licensees and other sources. The DIPNR does not verify the accuracy of this data. The data is presented for use by you at your own risk. You should consider verifying this data before relying on it. Professional hydrogeological advice should be sought in interpreting and using this data.

## **Appendix E - Information from search of NSW EPA contaminated land register**

## Search of NSW EPA Contaminated Land Register (on line)

### Search results

Notice Type: Declaration of Significantly Contaminated Land

Suburb	Address	Site Name	Notices related to this site
DEE WHY	Inman ROAD	<u>Roche Products Dee Why Facility</u>	2 current and 2 former

Page 1 of 1

8 March 2018

### Search results

Your search for: Suburb: DEE WHY

Notice Type: Site Audit Statement

did not find any records in our database.

If a site does not appear on the record it may still be affected by contamination. For example:

Contamination may be present but the site has not been regulated by the EPA under the Contaminated Land Management Act 1997 or the Environmentally Hazardous Chemicals Act 1985.

The EPA may be regulating contamination at the site through a licence or notice under the Protection of the Environment Operations Act 1997 (POEO Act).

Contamination at the site may be being managed under the planning process..

8 March 2018

**Sites notified to NSW EPA under Section 60 of the Contaminated Land Management Act**

<b>Suburb</b>	DEE WHY	DEE WHY	DEE WHY	DEE WHY
<b>Site Name</b>	United Dee Why	Caltex Service Station	Roche Products Dee Why Facility	Dee Why Town Centre
<b>Site Address</b>	1 The Strand Street	793-797 Pittwater Road	Inman Road	Pittwater Road
<b>Contamination Activity Type</b>	Service Station	Service Station	Other Industry	Other Industry
<b>EPA Management Class</b>	Under assessment	Regulation under CLM Act not required	Contamination currently regulated under CLM Act	Regulation under CLM Act not required
<b>Latitude</b>	-33.75569207	-33.74566596	-33.73834964	-33.753169
<b>Longitude</b>	151.2959451	151.2920719	151.2876392	151.2875805
<b>Distance and direction from 23 Fisher Road (Coffey addition to search results)</b>	1 km to the west-northwest	0.8 km to the southwest	1.5 km to the north	0.15 km to the southeast, but Fisher Road site is elevated approximately 24m above this notified site

Coffey search date: 8 March 2018

## **Appendix F - Records from NW WorkCover SCIDS register**



Our Ref: D11/072132  
Your Ref: Imogen Dale

14 June 2011

Attention: Imogen Dale  
Coffey Environments Pty Ltd  
Level 1  
3 Rider Boulevard  
Rhodes NSW 2138

Dear Ms Dale,

**RE SITE: 23 Fisher Road Dee Why**

I refer to your site search request received by WorkCover NSW on 08 June 2011 requesting information on licences to keep dangerous goods for the above site.

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

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

Yours Sincerely

A handwritten signature in black ink, appearing to read 'D Hayes'.

Diana Hayes  
Senior Licensing Officer  
Dangerous Goods Team

WorkCover. **Watching out for you.**



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