



STAGE 1 PRELIMINARY (ENVIRONMENTAL) SITE INVESTIGATION (PSI)

**Proposed Development Site
1-5 Rickard Road
North Narrabeen NSW 2101**

Lots 7, 8 & 9 in DP 16212

Prepared for:
ALDA Properties

(Report ID : EBG-03080.Stage1.PSI.06.24.R01)

17 June 2024
Revised 4 July 2024

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APPENDIX B: HISTORICAL TITLE INFORMATION, PLANNING CERTIFICATE AND OTHER DOCUMENTATION

Abbreviations	
ACM	Asbestos Cement Material
mAHD	metres Australian Height Datum
As	Arsenic
B(a)P	Benzo (a) pyrene (a component of PAHs)
BTEX	Benzene, Toluene, Ethylbenzene, Xylene
BH	Borehole
Cd	Cadmium
Cr	Chromium
EPA (NSW)	Environmental Protection Agency (NSW)
DECCW(NSW)	Dept. Environment, Climate Change & Water (NSW)
Hg	Mercury
MAH	Mono Aromatic Hydrocarbons
NEHF	National Environment Health Forum
Ni	Nickel
OCPs	Organochlorin pesticides
OPPs	Organophosphate Pesticides
PCBs	Polychlorinated Biphenyls
PCM	Potentially Contaminated Media
PAH	Polycyclic Aromatic Hydrocarbons
Pb	Lead
PID	Photo Ionisation Detector
QA/QC	Quality Assurance and Quality Control
RAP	Remedial Action Plan
RPD	Relative Percentage Difference
TCLP	Toxicity Characteristics Leaching Procedure
TRH	Total Recoverable Hydrocarbons
UST	Underground storage tank
VOCs	Volatile Organic Compounds

Distribution:		PDF Copies to:	
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  		Issued – R00 R01	17 June 2023 4 July 2024

EXECUTIVE SUMMARY

ES-1.0 Background

This investigation was authorized by Joel Shanahan on behalf of the client ALDA Properties. The investigation was conducted on three adjacent properties identified as Lots 7, 8 & 9 in DP 16212. This area shall be referred to in this report as the 'Site'. The site lies on the 2 metre AHD contour. The immediate regional area is moderately flat topography. The Site is located on land ~110 metres from South Creek. This creek connects Narrabeen Lagoon to the ocean.

Potential Areas of Environmental Concern (PAECs)

HISTORICAL ACTIVITY	CONTAMINATING ACTIVITY	CONTAMINANTS OF CONCERN	LIKELIHOOD
Vacant land – prior to mid 1930-40s?	Fill	Rubbish	Unlikely – this would have occurred more than 80 yrs ago
Fill material for construction purposes	Imported fill	Ash or building waste (common fill within inner Sydney) (PAH)	Unlikely – there is no indication that filling has occurred in any significant quantity.
Residential Buildings	Use of asbestos or lead paint	Asbestos, lead	Possible – the three residences are clad in fibreboard of an age (suspected asbestos content).
On-site industrial/commercial activity	Rear of Nos. 3 and 5 have been used as a motor mechanics workshop. Numerous old vehicles and equipment.	Metals, chemicals, hydrocarbons (waste fuel and oils). Degreasers (VOCs)	Possible considering the amount of equipment within the rear yards (and disused debris etc)
Off-site historical industrial/commercial activity	Former 'Motor Showroom' (now Child Care) – immediately to the rear of the three blocks. Probable workshop onsite	Metals, chemicals, hydrocarbons (waste fuel and oils). Degreasers (VOCs)	Possible considering the proximity of the potential 'workshop/s' to the rear of the property.

ES-2.0 Discussion

Points taken into consideration to enable recommendations:

- The seven-step DQO process (defined in Section 5) as outlined in the *National Environment Protection (Assessment of Site Contamination) Measure (NEPM)* – Schedule B2 (1999 amended 2013) was employed to assess the property with regard to contamination of the soil.
- The site is not listed on the EPA NSW Contaminated Lands database.
- The matters as prescribed by Section 59(2) of the Contaminated Lands Management Act 1997 (documented in the Planning Certificate 10.7) do not indicate that the land is under any orders or notices issued by the EPA NSW.

- The NSW Environment Protection Authority (EPA) is undertaking an investigation program to assess the legacy of per- and poly- fluoroalkyl substances (PFAS) use across NSW. The site is not part of the PFAS investigation program.
- The Site is located within a Class 3 Acid Sulfate Soil Zone: *Works more than 1 metre below the natural ground surface. Works by which the watertable is likely to be lowered more than 1 metre below the natural ground surface.* It is understood that there shall not be a basement planned for this development (four level commercial / residential complex). However foundation pilings will most probably extend more than one metre below surface and ASS may be encountered. It is recommended therefore that soil samples from depth shall be sampled and analysed for potential acid sulfate soil (SPOCUS) during the environmental or geotechnical subsoil investigations.
- The site is not located within a dryland salinity zone. It is our opinion that salinity shall not be an issue affecting the site.
- A mechanical workshop (sheds, hydraulic lifts, equipment) occupies the rear yard of Nos. 3 and 5 Rickard Road.
- An historic 'motor showroom' (cited on Pittwater LEP 1993), identified to rear of the three blocks.
- With respect to historical uses on site or within the immediate vicinity, Potential Areas of Environmental Concern (PAEC) were identified.

ES-3.0 Potential Areas of Environmental Concern (PAEC)

Identified Sources:

- A (possibly vacant) mechanical workshop (sheds, hydraulic lifts, equipment) occupies the rear yard of Nos. 3 and 5 Rickard Road. Potential petroleum products and workshop oils held in old equipment, vehicles (potential leakage).
- Historical 'motor showroom' within the building immediately to the rear at 2-4 Windsor Parade. Potential mechanical workshops associated with the motor vehicle business. Potential petroleum products and workshop oils.

High to moderate potential for impact of the 'Site'.

ES-4.0 Conclusions and Recommendations

ES-4.1 General Conclusion

Considering the data gaps, and potential for on-site contaminant impact, it is recommended that further investigation as defined in the NEPM 2013 and EPA NSW *Consultants Reporting on Contaminated Land* May 2020, be undertaken (see recommendations R1 – R2 below).

ES-4.2 R1 - Detailed Site Investigation (DSI)

A DSI shall be undertaken that shall provide adequate data in accordance with EPA NSW guidelines, to enable the consultant to form an opinion whether the site is suitable for the proposed development with respect to contamination, or if not, the remediation measures needed to provide to the client a site suitable for the proposed development. The investigation shall target the Potential Areas of Environmental Concern (PAEC) as cited in Section 6.2.

Soil Sample Investigation: The Site (3 lots and DP) have a total area of 1,433 m². According to EPA NSW *Sampling design part 1 – application* (Aug 2022) a minimum of 8 sampling points (boreholes) is required to characterise a site of 2000 m² (or less). This is based on a 95% confidence to detect a hot spot with an 18.7 metre circumference for a site up to 2000 sq/m. (Note: At least 2 samples at differing depths shall be taken from each borehole)

The soil sampling, analysis, QA/QC and reporting shall be in accordance with NEPM 2013. Each sample shall be analysed for the 'contaminants of concern'. The results of the groundwater assessment results (see below) shall also be incorporated into the DSI. The actual design of the investigation shall be at the discretion of the consultant (CEnvP-SC).

Groundwater Investigation: The DSI investigation shall also include installation of at least three groundwater wells, two along the rear boundary, and one at centre or front of No.1 Rickard Road. Note: It is suspected that the groundwater direction shall be toward South Creek waterway approximately 130 metres to the east. The soil sampling, analysis, QA/QC and reporting shall be in accordance with NEPM 2013. The GW samples shall be analysed for the hydrocarbon 'contaminants of concern' (COC). The actual design of the investigation shall be at the discretion of the consultant (CEnvP-SC).

ES-4.3 R2 - Hazardous Materials Audit on Buildings

All three residences and some associated sheds are clad in suspected asbestos cement fibreboard. It is a requirement of the NSW Occupational Health and Safety Act, 2000 and NSW Occupational Health and Safety Regulation, 2001 that a hazardous materials audit be conducted on any buildings prior to demolition (or major refurbishment). The HMA shall report on the identified asbestos materials, synthetic mineral fibre (SMF), PCBs in light fittings, lead content in ceiling space dust and lead content in paintwork with particular emphasis on the relevant Codes of Practice and WorkCover NSW requirements.

ES-4.4 Certified Environmental Consultants

<https://www.epa.nsw.gov.au/publications/contaminatedland/21p3245-contaminated-land-consultant-certification-policy>

See Section 6.3.4

SECTION 1: INTRODUCTION

1.1 Authorization

This investigation was authorized by Joel Shanahan on behalf of the client ALDA Properties. The investigation was conducted on three adjacent properties identified as Lots 7, 8 & 9 in DP 16212. This area shall be referred to in this report as the 'Site'.

1.2 Scope of Work - Consultants Brief

EBG Environmental was requested to carry out a Stage 1 Preliminary Environmental Investigation (PSI) on the property. The scope of the survey entailed:

- Identify all past and present potentially contaminating activities where possible.
- Assessment of site history available within the records and available aerial photographs where applicable.
- Site visit to assess site activities past and present.
- A search of historical title information at the Land and Property Information to assess prior ownership and potential for contamination.
- A review of the available geological, topological maps and acid sulphate soils maps.
- A search for any notices relating to the potential for site contamination as issued by the EPA NSW.

To accomplish the above, the following bodies were contacted:

- Historical Property Title Searches - Land and Property Information via ALS P/L.
 - SixMaps, Mecone Mosaic and NSW MinView
- EPA NSW – Contaminated Land Database.

Following the research and site visit, recommendations were made regarding the potential for the surface or soil sub surface to have elevated contaminants and if so the need for further investigations.

1.3 Limitations of the Report

This report has been prepared to meet the requirements outlined in the scope of work. It does not include evaluation of any other issues. EBG performed the services in a professional manner, in accordance with relevant guidelines and standards, and generally accepted industry practices. EBG does not make any other warranty, expressed or implied, as to the professional advice contained in this report.

Within the guidelines set down for this investigation, every effort has been made to give an accurate assessment of the property identified in this document. EBG does not accept any responsibility for any contamination that may exist in the area now or in the future. EBG accepts no liability for the use of this document by any other person other than the client. This report is based on current and historical information available at the time of writing.

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SECTION 2: PHYSICAL & SITE INFORMATION

2.1 Site Identification

ADDRESS	1 – 5 Rickard Road, North Narrabeen NSW 2101
LOCAL GOVERNMENT AUTHORITY	Northern Beaches
LOT & DEPOSITED PLAN	Lots 7, 8 & 9 in DP 16212
PARISH	Manly Cove
COUNTY	Cumberland
SITE AREA	Total area for three Lots and DP is approx. 1433 m ²

2.2 Soil Landscape & Geology

2.2.1 Soil

The site is located within a ‘swamp’ soil landscape group.

Soils Landscapes Data Source : NSW Office of Environment and Heritage

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Warriewood Soil Landscape Group - Described as:

- Landscape – level to gently undulating swales, depressions and infilled lagoons on Quaternary sands. Local relief <10 m, slopes <3%. Watertable at <2 m. Mostly cleared of native vegetation.
- Soils – deep (>150 cm), well sorted, sandy Humus Podzols (Uc2.32) and dark, mottled Siliceous Sands (Uc1.21), overlying buried Acid Peats (O) in depressions; deep (>200 cm) Podzols (Uc2.12, Uc2.32) and pale Siliceous Sands (Uc1.2) on sandy rises.

Limitations – localised flooding and run-on, high watertables, highly permeable soil. (*Sydney & Penrith, Geological Maps of NSW, 1:100 000 Geological Series Sheet 9130, Edition 1, NSW Dept. of Mineral Resources, 1983*).

2.2.2 Geology

Qa: Chanel and flood plain alluvium; gravel, sand, silt, clay, may be locally calcreted.

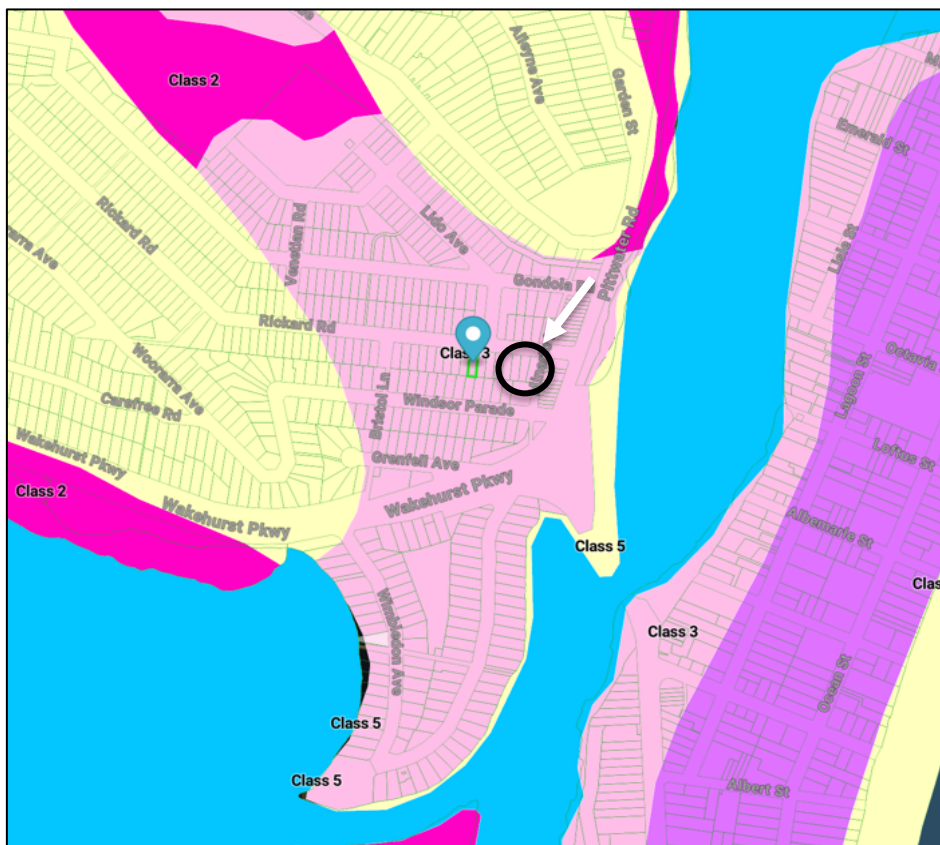
Tuth: Hawkesbury Sandstone stratigraphically underlies the alluvium. The Hawkesbury Sandstone comprises medium to coarse- grained sandstone with minor shale and laminate lenses. This sandstone is of fluvial origin with limited lacustrine and wind induced deposition, with numerous braided alluvial channel. *Data Sources: eSpade v2.2 – data and symbology from Geoscience Australia.*

2.3 Hydrogeology and Topography

The site lies on the 2 metre AHD contour. The immediate regional area is moderately flat topography. The Site is located on land ~110 metres from South Creek. This creek connects Narrabeen Lagoon to the ocean.

2.4 Acid Sulphate Soil Risk

The Acid Sulfate Data Source Accessed 07/10/2016: NSW Crown Copyright - Planning and Environment - Creative Commons 3.0 (© Commonwealth of Australia) was consulted. The Site is located within a Class 3 Acid Sulfate Soil zone. It is assessed that acid sulfate soil shall be an issue affecting the site.



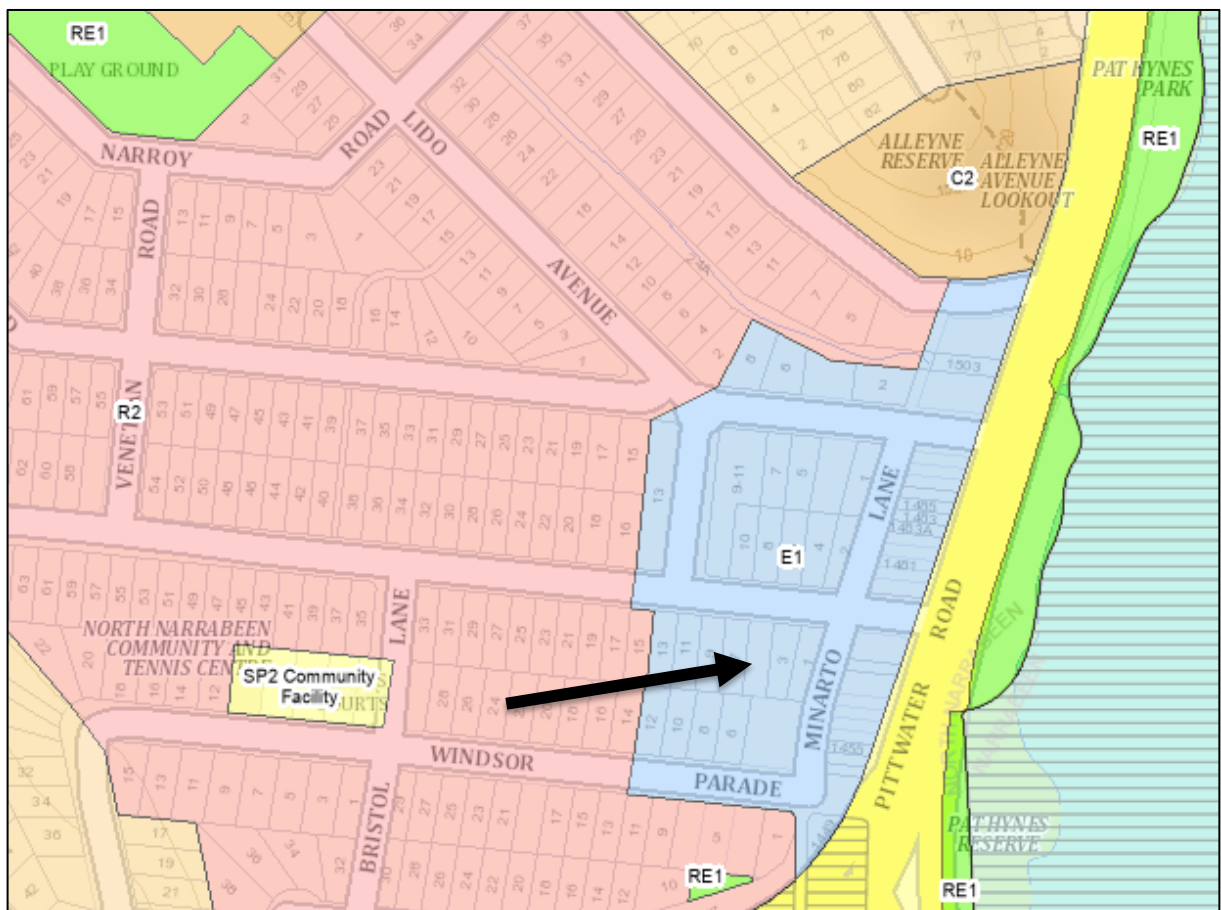
Soil Class	Description	LEP
3	Works more than 1 metre below the natural ground surface. Works by which the watertable is likely to be lowered more than 1 metre below the natural ground surface.	Pittwater Local Environmental Plan 2014

It is understood that there shall not be a basement planned for this development (four level commercial / residential complex). However foundation pilings will most probably extend more than one metre below surface and ASS may be encountered. It is recommended therefore that soil samples from depth shall be sampled and analysed for potential acid sulfate soil (SPOCUS) during the environmental or geotechnical subsoil investigations.

2.5 Zoned Land Use

Northern Beaches Local Environmental Plan:

- E1 – Local Centre



2.6 SafeWork NSW Site Search (Dangerous Goods on Premises)

The site has been used for residential purposes for at least 80 years. There is no indication that the site has been used for significant industrial use or use where registration with SafeWork NSW (formerly WorkCover NSW) would have been a requirement. As such, a search of the Stored Chemical Information Database (SCID) and the microfiche records held by Safework NSW was not carried out.

2.7 Site Title History

1 Rickard Road, North Narrabeen - Lot 7 DP 16217	
YEAR	PROPRIETOR
26 Nov 2003 to date	Lagoon Building and Investment Company Pty Limited (ACN 001 090 151)
18 Aug 2003	Edward Garvin Fraser
07 Jul 1989	Valerie Dawn Bate, home duties (Lot 7 DP 16217 – Area 19 ½ Perches – CTVol 5369 Fol 213)
30 May 1973	Valerie Dawn Bate, home duties
11 Jun 1964	Emily Annie Jones, widow
23 Aug 1949	Walter Jones, mines pensioner
30 Mar 1943	William Edward Putsey, motor driver (Lots 1 to 180, 214 to 253 & 81A DP 16212 – Area 21 Acres 3 Roods 31 Perches – CTVol 4325 Fol 68)
17 Sep 1929	Suburban Subdivision Company Limited (Part Portion 52 Parish Narrabeen and other lands – Area 145 Acres 0 Roods 36 ¼ Perches – CTVol 3152 Fol 23)
28 Jan 1921	Suburban Subdivision Company Limited
15 Nov 1913	James Wheeler, farmer

3 Rickard Road, North Narabeen - Lot 8 DP 16217	
YEAR	PROPRIETOR
09 Feb 1990 to date	Lagoon Building and Investment Company Pty Limited (ACN 001 090 151)
27 Feb 1990	John Michael Bowles, plumber Valerie Margaret Bowles, his wife (Lot 8 DP 16217 – Area 18 ¼ Perches – CTVol 4692 Fol 140)
28 Jun 1962	John Michael Bowles, plumber Valerie Margaret Bowles, his wife
07 Sep 1961	Ellen Letitia Cullen, widow Janet Benjamin, married woman
18 Apr 1939	William Charles Hammond, retired
06 Mar 1939	George Blake, manufacturer
06 Jun 1935	Sarah Beckingham, widow (Lots 1 to 180, 214 to 253 & 81A DP 16212 – Area 21 Acres 3 Roods 31 Perches – CTVol 4325 Fol 68)
17 Sep 1929	Suburban Subdivision Company Limited (Part Portion 52 Parish Narrabeen and other lands – Area 145 Acres 0 Roods 36 ¼ Perches – CTVol 3152 Fol 23)
28 Jan 1921	Suburban Subdivision Company Limited (Portion 52 Parish Narrabeen – Area 109 Acres 0 Roods 20 Perches – CTVol 2420 Fol 105)
15 Nov 1913	James Wheeler, farmer

5 Rickard Road, North Narabeen - Lot 9 DP 16217	
YEAR	PROPRIETOR
17 Jul 1989 to date	Graham Stephen Leigh Bohm Andrea Kay Bohm
	(Lot 9 DP 16217 – Area 18 ¼ Perches – CTVol 4359 Fol 94)
12 Mar 1987	Graham Stephen Leigh Bohm Andrea Kay Bohm
01 Dec 1982	Eileen Ivy Bohm
29 May 1978	Ronald Charles Leigh Bohm, builder
06 May 1974	Joan Irene Hill, company director Diana Kate Hayes, home duties
02 Aug 1939	Howard Charles Prance, public school teacher
13 Dec 1929	Annie Elliott, wife of Joseph Elliott, fireman
	(Lots 1 to 180, 214 to 253 & 81A DP 16212 – Area 21 Acres 3 Roods 31 Perches – CTVol 4325 Fol 68)
17 Sep 1929	Suburban Subdivision Company Limited
	(Part Portion 52 Parish Narrabeen and other lands – Area 145 Acres 0 Roods 36 ¼ Perches – CTVol 3152 Fol 23)
28 Jan 1921	Suburban Subdivision Company Limited
	(Portion 52 Parish Narrabeen – Area 109 Acres 0 Roods 20 Perches – CTVol 2420 Fol 105)
15 Nov 1913	James Wheeler, farmer

2.8 EPA PFAS Investigation Program

The NSW Environment Protection Authority (EPA) is undertaking an investigation program to assess the legacy of *per- and poly- fluoroalkyl substances (PFAS) use across NSW.

PFAS are a group of chemicals that include perfluorooctane sulfonate (PFOS) and perfluorooctanoic acid (PFOA). They have many specialty applications and are widely used in a range of products in Australia and internationally.

PFAS are an emerging contaminant, which means that their ecological and/or human health effects are unclear. The EPA is investigating to better understand the extent of PFAS use and contamination in NSW. This will enable the EPA to be better prepared to respond if any health and environmental impacts become known.

The site was not located within the PFAS Investigation Zone.

2.9 Historical Air Photos

1943 AIR PHOTO

Dwellings on Nos. 3 & 5 Rickard Rd. No.1 Rickard Rd a vacant block. Mintaro Lane not constructed.



1955 AIR PHOTO

Dwelling now constructed on No.5 Rickard Rd



1982 AIR
PHOTO

Three dwellings
on site.

Pittwater Local
Environment
Plan 1993 –
describes 2-4
Windsor Lane
as a 'Motor
Showroom'



2005 AIR
PHOTO



2.10 EPA NSW Contaminated Land Database

2.10.1 EPA NSW Record of Notices

A search of the EPA NSW contaminated land database was carried out via the internet for the LGA of the Northern Beaches Council. The LGA had 11 records. The Site was not list on the records.

2.10.2 EPA NSW List of Notified Sites

If land is declared as 'significantly contaminated', it is regulated under the CLM Act and will receive notices relating to the management of this contamination. These notices are published on the [record of notices](#) for public view. There were two notices issued for the suburb of Turramurra. The lots that form the parts for this Site was not included.

The public register under section 308 of the Protection of the Environment Operations Act 1997 (the POEO Act) was consulted. The list contains environment protection licences, applications for new licences and to transfer or vary existing licences:

- environment protection and noise control notices
- penalty notices issued by the EPA
- convictions in prosecutions under the POEO Act
- the results of civil proceedings
- licence review information.
- exemptions from the provisions of the POEO Act or regulations
- approvals granted under clause 9 of the POEO (Control of Burning) Regulation
- approvals granted under clause 7A of the POEO (Clean Air) Regulation.

There was one listing for the suburb of North Narrabeen: 7-Eleven Service Station, 1501-1503 Pittwater Rd.

The Site, 1-5 Rickard Rd was not listed.

2.11 Proposed Development

The proposal entails the demolition of the three residences and the construction of a four level complex entailing:

- provision for a subfloor between RL2.00 (Natural Ground Level) – RL3.03 (1% Average Exceedance Probability) – flooding response;
- parking and utilities on the ground floor;
- parking and commercial / retail on the ground floor;
- residential on upper two levels.

See Appendix A Figure 3. Note: No basement planned.

2.12 LGA (Northern Beaches) - Planning Certificate 10.7

Planning Certificate Under Section 10.7 Environmental Planning and Assessment Act 1979:

- 1 Rickard Rd, North Narrabeen (Lot 7 DP 16212) - Certificate No.ePLC2023/03008 – Date 19/05/2023.
- 3 Rickard Rd, North Narrabeen (Lot 8 DP 16212) - Certificate No.ePLC2023/03009 – Date 19/05/2023.
- 5 Rickard Rd, North Narrabeen (Lot 9 DP 16212) - Certificate No.ePLC2023/03007 – Date 19/05/2023.

The three planning certificates had similar information with relation to the section below:

Matters arising Section 59(2) under the Contaminated Lands Management Act 1997 prescribes the following matters that are to be specified in a Planning Certificate:

(a) *The land is not significantly contaminated land (or part of the land) within the meaning of the Contaminated Lands Management Act 1997 at the date when the certificate is issued.*

(b) *The land is not subject to a management order within the meaning of the Contaminated Lands Management Act 1997 at the date when the certificate is issued.*

(c) *The land is not the subject of an approved voluntary management proposal within the meaning of the Contaminated Lands Management Act 1997 at the date when the certificate is issued.*

(d) *The land is not subject to an ongoing maintenance order within the meaning of the Contaminated Lands Management Act 1997 at the date when the certificate is issued.*

(e) *The land is not subject to a site audit statement within the meaning of the Contaminated Lands Management Act 1997.*

2.13 Dryland Salinity

The Dryland Salinity Data Source : National Land and Water Resources Audit was consulted. The site is not located within a dryland salinity zone. It is our opinion that salinity shall not be an issue affecting the site.

*Dryland Salinity Potential of Western Sydney Data Source : NSW Office of Environment and Heritage
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2.14 Groundwater

A registered groundwater bore (with relevant data) is located ~130 metres northeast of the site (GW111043).

Groundwater Bore No.	GW111043
Licence No	-
Owner Type	Private
Purpose	Monitoring bore
Standing water Level	2.0 m
Date Completed	11/05/2010
Bore Depth	5 metres
Driller's Log	
	0.00m-1.00m Fill 1.00m-3.00m Sand, dark brown, moist 3.00m-5.00m Sand, saturated, dark brown

SECTION 3: SITE CONDITIONS

3.1 Building Condition, Current Occupier and Use

The investigation was conducted on three lots and DP. A (suspected asbestos) fibreboard clad residence, with tiled roof, is located on each block. Each dwelling is surrounded by concrete, paved or grassed areas.

The rear of No.5 and No.3 have been used for a semi-professional mechanical workshop. A number of cars in various stages of repair, hoists and associated equipment are located within the rear yards. Access to the rear yards is via the driveway of No.5.



3.2 Surrounding Land Use

North: Residential dwellings but approval for shop top housing underway.

East: Minarto Lane then rear of commercial and retail facing Pittwater Road.

South: Commercial building/s with large parking area. Currently child care centre, however described in the Pittwater Local Environmental Plan 1993 (Amendment No 12) as 'motor showroom'.

West: Residential dwellings.

3.3 Surface Condition and Vegetation

The surface is mainly concrete or paved path immediately surrounding the buildings. The front yards and far rear yard of No.1 is grassed.

The front yard contains gardens, shrubs, and small trees (palms).

3.4 Underground Tanks and Chemical and Waste Storage

No underground tanks were located during the inspection. Possible oil waste storage drums or tanks located within the sheds (amongst the numerous discarded equipment).

3.5 Fill Material

The exact nature of the sub-surface material is not known, however considering the topographic features, large amounts of imported fill is not suspected.

SECTION 4: CONCEPTUAL SITE MODEL

4.1 Potential Receptors

The site inspection revealed a number of potential receptors for off-site migration of potential contamination:

- Adjacent residential and commercial properties. Note: dog daycare centre located immediately to the rear.
- South Creek (linking Narrabeen Lagoon with the ocean) is located 100 metres to the east.

4.2 Potential Areas of Environmental Concern (PAECs)

HISTORICAL ACTIVITY	CONTAMINATING ACTIVITY	CONTAMINANTS OF CONCERN	LIKELIHOOD
Vacant land – prior to mid 1930-40s?	Fill	Rubbish	Unlikely – this would have occurred more than 80 yrs ago (approx.).
Fill material for construction purposes	Imported fill	Ash or building waste (common fill within inner Sydney) (PAH)	Unlikely – there is no indication that filling has occurred in any significant quantity.
Residential Buildings	Use of asbestos or lead paint	Asbestos, lead	Possible – the three residences are clad in fibreboard of an age (suspected asbestos content).
On-site industrial/commercial activity	Rear of Nos. 3 and 5 have been used as a motor mechanics workshop. Numerous old vehicles and equipment.	Metals, chemicals, hydrocarbons (waste fuel and oils). Degreasers (VOCs)	Possible considering the amount of equipment within the rear yards (and disused debris etc)
Off-site historical industrial/commercial activity	Former 'Motor Showroom' (now Child Care) – immediately to the rear of the three blocks. Probable workshop onsite	Metals, chemicals, hydrocarbons (waste fuel and oils). Degreasers (VOCs)	Possible considering the proximity of the potential 'workshop/s' to the rear of the property.

4.3 Risk of Potentially Area/s of Environmental Concern (PAEC)

- Soil/Fill material : considering the on-site history (mechanic workshop/s within rear yards of No. 3 & 5), and near off-site history (adjacent rear motor showroom), PAECs were identified.
- Groundwater : groundwater was identified within a near groundwater well (~130 m) to the northeast of the property with a *standing water level* of 2 metres. No basement is planned for the development.

4.4 Potential Exposure Pathways

PATHWAY	CONTAMINANTS	LIKELIHOOD
Airborne contaminant particles	Heavy metals, volatile components	Possible – during construction works
Dermal contact	Heavy metals, hydrocarbons etc	Possible – during construction works
Airborne vapours	Volatile contaminants	Possible – during construction works

4.5 Human and Ecological Receptors

TYPE	RECEPTORS	LIKELIHOOD
HUMAN	Current and future occupants and landholders	Possible with excavation of fill of unknown quality.
	Construction and maintenance workers particularly involved in potential excavation works	Possible – with excavation of fill of unknown quality.
	Adjoining residential and commercial properties	Unlikely
ECOLOGICAL	South Creek (Narrabeen Lagoon)	Located ~110m from South Creek. Unlikely ecological and environmental risk to harbour waters and foreshore.
	Adjacent residential	Unlikely
	Adjacent gardens, trees and scrubs	Unlikely

4.6 Assessment of Data Gaps

DATA GAPS	COMMENTS
Status of soil with respect to past activities	Unknown. Soil sampling & analysis should be undertaken in accordance with EPA NSW <i>Sampling design part 1 – application</i> (Aug 2022) and NEPM – Schedule B2 (1999 amended 2013).
Status of groundwater with respect to past activities sampling	Unknown. Groundwater sampling & analysis should be undertaken in accordance with NEPM – Schedule B2 (1999 amended 2013).
Status of buildings materials and their potential to contaminate surroundings and soil	Unknown. A hazardous materials audit should be conducted on the property to identify asbestos, lead paint and other potentially contaminating products.

SECTION 5: DATA QUALITY OBJECTIVES (DQO) & ASSESSMENT

5.1 Outline of DQO Process

The EPA NSW *Guidelines for the NSW Site Auditor Scheme* (2nd Edition – April 2006) describes the DQO process thus:

The process used to define the type, quantity and quality of data needed to support decisions relating to the environmental condition of the site. The DQOs provide a systematic approach for defining the criteria that a data collection design should satisfy, including when, where and how to collect samples or measurements; determination of tolerable decision error rates; and the number of samples or measurements that should be collected.

The DQOs are achieved by employing a seven-step process:

Table 1

	STEP	SECTION
1	Define the Problem	Section 5.1 1.2 Consultants Brief & Scope of Works
2	Identify the Decisions	Section 5.2 Sections 2 : Physical & Site Info Section 2.11: Proposed Development Section 4: Conceptual Site Model
3	Identify the Inputs to the Decision	Section 5.3 2.3 Hydrogeology & Topography 2.7 Site Title History 2.9 Historical Air Photos 2.10 Title and Business Directory Discussion Sect. 3.0 Conditions
4	Define the Study Boundaries	Section 5.4 2.1 Site Identification 2.2 Soil Landscape & Geology 2.3 Hydrogeology & Topography
5	Develop a Decision Rule	Section 5.5 Section 2.11: Proposed Development
6	Specify Limits of Decision Errors	Section 5.6 Section 4: Data Quality Objectives (DQO) & Assessment
7	Optimise the Design for Obtaining Data	Section 5.7

5.2 Step 1 - Define the Problem

As there is a possibility that the past land uses may have impacted on the sub-soil, a Stage 2 soil and groundwater sampling programme and analysis was carried out.

See:

- *Sections 2 : Physical & Site Info*
- *Section 2.11: Proposed Development*
- *Section 4: Conceptual Site Model*

5.3 Step 2 - Identify the Decisions

The primary decision statement that this report shall attempt to resolve is:

Analysed samples taken from the property shall be assessed against the maximum criteria from the landuse as defined by National Environment Protection (Assessment of Site Contamination) Measure (NEPM) 1999 (Amended 2013) for Residential A Landuse. By using the results and guidelines the consultant shall make a decision if the property is suitable for the proposed landuse, and if not, the appropriate management or remediation necessary to achieve this end.

See:

- *2.3 Hydrogeology & Topography*
- *2.7 Site Title History*
- *2.9 Historical Air Photos*
- *2.10 Title and Business Directory Discussion*
- *Sect. 3.0 Site Conditions*

5.4 Step 3 – Identify the Inputs to the Decision

The primary inputs used to assess the contamination were:

- Define the site boundaries by the use of survey maps and site inspection.
- Review of the site history and site conditions, including the geology, hydrogeology and topography.
- Assessing contamination identified with the Phase 2 report to facilitate the remediation procedures.
- Using appropriate soil sampling procedures to ensure correct representative data.
- Using correct analytical methods (NATA etc) with quantitation limits below the site assessment criteria.

See:

- 2.1 Site Identification
- 2.3 Hydrogeology & Topography

5.5 Step 4 – Define the Study Boundaries

The boundaries of the site are documented in 2.1 Site Identification. The sub surface study boundaries within the above site boundary shall be within the fill down to natural material.

See:

- Section 2.11: Proposed Development
- 2.2 Soil Landscape & Geology
- 2.3 Hydrogeology & Topography

5.6 Step 5 – Develop a Decision Rule

The purpose of this step was to define the parameter of interest, specify the action level and combine the outputs of the previous steps into an “if, then.....” decision rule that defines the conditions that would cause the decision maker to choose alternative actions.

The following decisions rules may be applied:

- Comparison of the results of the validation samples to the criteria (ie: ‘**If** the results are above criteria **then** extra remediation may be necessary’)
- **If** field QA/QC samples (blanks, spikes etc) are found to contain chemicals of concern **then** further action extra sampling, investigation of procedure shall be undertaken.
- **If** the laboratory QA/QC samples (matrix spikes, reagent blanks) fall outside the acceptance criteria (See 2.7 - DQI) **then** the laboratory shall be contacted and/or the samples shall be re-analysed.

5.7 Step 6 – Specify Acceptable Limits on Decision Errors – Data Quality Indicators (DQIs)

The project DQIs address ‘Step 6’ and have been established to set acceptance limits on field and laboratory data collected as part of the investigation (Note: No soil sampling and analysis undertaken).

Table 2

DQI	FIELD	LABORATORY	ACCEPTANCE LIMITS
Accuracy	Procedures standard Rinsate blanks	Analysis of: Rinsate blanks Matrix spike Lab control sample Lab duplicate <5xPQL Lab duplicate >5xPQL	As per Envirolab Procedures Not detect 70 to 130% 70 to 130% Any RPD is acceptable 0-50% RPD is acceptable
Precision	Standard procedures appropriate to job and applied Collection of split (Inter-lab) duplicate and field (Intra-lab) duplicate	Analysis of: Field (Intra-lab) duplicate Split (Inter-lab) duplicate	0-50% RPD is acceptable 0-50% RPD is acceptable
Representativeness	Correct material sampled as per RAP or ESA All material needing to be sampled was sampled	All samples analysed in accordance with ‘Chain of Custody’	
Comparability	Correct sampling protocol applied Sampler appropriately trained Similar climate conditions	Standard procedures used for all labs Similar analytical methods employed by all labs involved	As per NATA requirements As per EBG and DECCW requirements
Completeness	All critical locations sampled Samples collected from surface or depth where appropriate	All samples analysed according to procedures Correct methods employed Correct PQLs employed Chain of custody requirements acted upon Lab holding times appropriate	As per appropriate regulations and guidelines

- PQLs – Practical Quantitation Limits
- RPD – Relative Percentage Difference
- RAP – Remedial Action Plan

5.8 Step 7 - Optimise the Design for Obtaining Data

EPA (2006) - *Identify the most resource-effective sampling and analysis design for general data that are expected to satisfy the DQOs.*

SECTION 6: DISCUSSION, CONCLUSION & RECOMMENDATIONS

6.1 Database Information

Points taken into consideration to enable recommendations:

- The seven-step DQO process (defined in Section 5) as outlined in the *National Environment Protection (Assessment of Site Contamination) Measure (NEPM) – Schedule B2* (1999 amended 2013) was employed to assess the property in regard to contamination of the soil.
- The site is not listed on the EPA NSW Contaminated Lands database.
- The matters as prescribed by Section 59(2) of the Contaminated Lands Management Act 1997 (documented in the Planning Certificate 10.7) do not indicate that the land is contaminated, or under any orders or notices issued by the EPA NSW.
- The NSW Environment Protection Authority (EPA) is undertaking an investigation program to assess the legacy of per- and poly- fluoroalkyl substances (PFAS) use across NSW. The site is not part of the PFAS investigation program.
- The Site is located within a Class 3 Acid Sulfate Soil Zone: *Works more than 1 metre below the natural ground surface. Works by which the watertable is likely to be lowered more than 1 metre below the natural ground surface.* It is understood that there shall not be a basement planned for this development (four level commercial / residential complex). However foundation pilings will most probably extend more than one metre below surface and ASS may be encountered. It is recommended therefore that soil samples from depth shall be sampled and analysed for potential acid sulfate soil (SPOCUS) during the environmental or geotechnical subsoil investigations.
- The site is not located within a dryland salinity zone. It is our opinion that salinity shall not be an issue affecting the site.
- A mechanical workshop (sheds, hydraulic lifts, equipment) occupies the rear yard of Nos. 3 and 5 Rickard Road.
- An historic 'motor showroom' (cited on Pittwater LEP 1993), identified to rear of the three blocks.

- With respect to historical uses on site or within the immediate vicinity, Potential Areas of Environmental Concern (PAEC) were identified.

6.2 Potential Areas of Environmental Concern (PAEC)

Identified Sources:

- A (possibly vacant) mechanical workshop (sheds, hydraulic lifts, equipment) occupies the rear yard of Nos. 3 and 5 Rickard Road. Potential petroleum products and workshop oils held in old equipment, vehicles (potential leakage).
- Historical 'motor showroom' within the building immediately to the rear at 2-4 Windsor Parade. Potential mechanical workshops associated with the motor vehicle business. Potential petroleum products and workshop oils.

High to moderate potential for impact of the 'Site'.

6.3 Conclusions and Recommendations

6.3.1 General Conclusion

Considering the data gaps, and potential for on-site contaminant impact, it is recommended that further investigation as defined in the NEPM 2013 and EPA NSW *Consultants Reporting on Contaminated Land* May 2020, be undertaken (see recommendations R1 – R2 below).

6.3.2 R1 - Detailed Site Investigation (DSI)

A DSI shall be undertaken that shall provide adequate data in accordance with EPA NSW guidelines, to enable the consultant to form an opinion whether the site is suitable for the proposed development with respect to contamination, or if not, the remediation measures needed to provide to the client a site suitable for the proposed development. The investigation shall target the Potential Areas of Environmental Concern (PAEC) as cited in Section 6.2.

Soil Sample Investigation: The Site (3 lots and DP) have a total area of 1,433 m².

According to EPA NSW *Sampling design part 1 – application* (Aug 2022) a minimum of 8 sampling points (boreholes) is required to characterise a site of 2000 m² (or less). This is based on a 95% confidence to detect a hot spot with an 18.7 metre circumference for a site up to 2000 sq/m. (Note: At least 2 samples at differing depths shall be taken from each borehole)

The soil sampling, analysis, QA/QC and reporting shall be in accordance with NEPM 2013. Each sample shall be analysed for the 'contaminants of concern'. The results of the

groundwater assessment results (see below) shall also be incorporated into the DSI. The actual design of the investigation shall be at the discretion of the consultant (CEnvP-SC).

Groundwater Investigation: The DSI investigation shall also include installation of at least three groundwater wells, two along the rear boundary, and one at centre or front of No.1 Rickard Road. Note: It is suspected that the groundwater direction shall be toward South Creek waterway approximately 130 metres to the east. The soil sampling, analysis, QA/QC and reporting shall be in accordance with NEPM 2013. The GW samples shall be analysed for the hydrocarbon 'contaminants of concern' (COC). The actual design of the investigation shall be at the discretion of the consultant (CEnvP-SC).

6.3.3 R2 - Hazardous Materials Audit on Buildings

All three residences and some associated sheds are clad in suspected asbestos cement fibreboard. It is a requirement of the NSW Occupational Health and Safety Act, 2000 and NSW Occupational Health and Safety Regulation, 2001 that a hazardous materials audit be conducted on any buildings prior to demolition (or major refurbishment). The HMA shall report on the identified asbestos materials, synthetic mineral fibre (SMF), PCBs in light fittings, lead content in ceiling space dust and lead content in paintwork with particular emphasis on the relevant Codes of Practice and WorkCover NSW requirements.

6.3.4 Certified Environmental Consultants

<https://www.epa.nsw.gov.au/publications/contaminatedland/21p3245-contaminated-land-consultant-certification-policy>

EPA NSW - Contaminated land consultant certification schemes have been developed to ensure those consultants dealing with contaminated sites have the necessary competencies to carry out the work. These certification schemes include:

- *the Environment Institute of Australia and New Zealand's (EIANZ) - Certified Environmental Practitioner - CEnvP-SC (Site Contamination Specialist) scheme.*
- *the Soil Science Australia (SSA) Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) certification.*

The NSW EPA recognises the SC Specialist CEnvP and CPSS CSAM certifications as providing a thorough process for certifying contaminated land consultants to an acceptable minimum standard of competency.

SECTION 7. REFERENCES AND LEGISLATION




References used where appropriate:

- *Guideline on Investigation Levels for Soil & Groundwater : Schedule B1 – National Environment Protection (Assessment of Site Contamination) Measure (NEPM), (1999 amended 2013).*
- *EPA NSW Sampling design part 1 – application (Aug 2022).*
- *NSW Contaminated Land Management Act 2008 No.11.*
- *State Environmental Planning Policy (Resilience and Hazards) 2021;*
- *Waste Classification Guidelines (Part 1 : Classifying Waste – Department of Environment & Climate Change NSW (Nov 2014)*
- *General approvals of immobilisation' by EPA: 'Ash, ash-contaminated natural excavated materials or coal-contaminated natural excavated materials'. Approval Number: 1999/05*
- *Australian and New Zealand Guidelines from the Protection of Aquatic Organisms – 95% Protection of Species for Fresh and Marine Water (ANZECC 2000).*
- *Virgin excavated natural material (DECC 2008/447) Fact Sheet 2008.*
- *DEC NSW Guidelines for Assessing Former Orchards & Market Gardens June 2005.*
- *EPA NSW Guidelines for Consultants Reporting on Contaminated Sites 1997 Reprinted August 2011*
- *Work Health and Safety Act 2011 (WHS Act) and Work Health and Safety Regulation 2011 (WHS Regulation)*

APPENDIX A : FIGURES / PLANS

- FIGURE 1 (03080-F01) - SITE LOCATION
- FIGURE 2 (03080-F02) – SITE BOUNDARIES
 - PHOTOGRAPHS



LEGEND:  - SITE LOCATION		 	
FIG NO.	FIGURE NO. 1 : 03080-F01	LOCATION	1-5 RICKARD ROAD NORTH NARRABEEN, NSW 2101
SOURCE	NEARMAP - IMAGERY 2016 CNES / ASTRIUM, DIGITALGLOBE	CLIENT	ALDA PROPERTIES
DRAWN	M.E	PROJECT	STAGE 1 PRELIMINARY SITE INVESTIGATION
APPROVED	M.E	TITLE	SITE LOCATION



LEGEND:

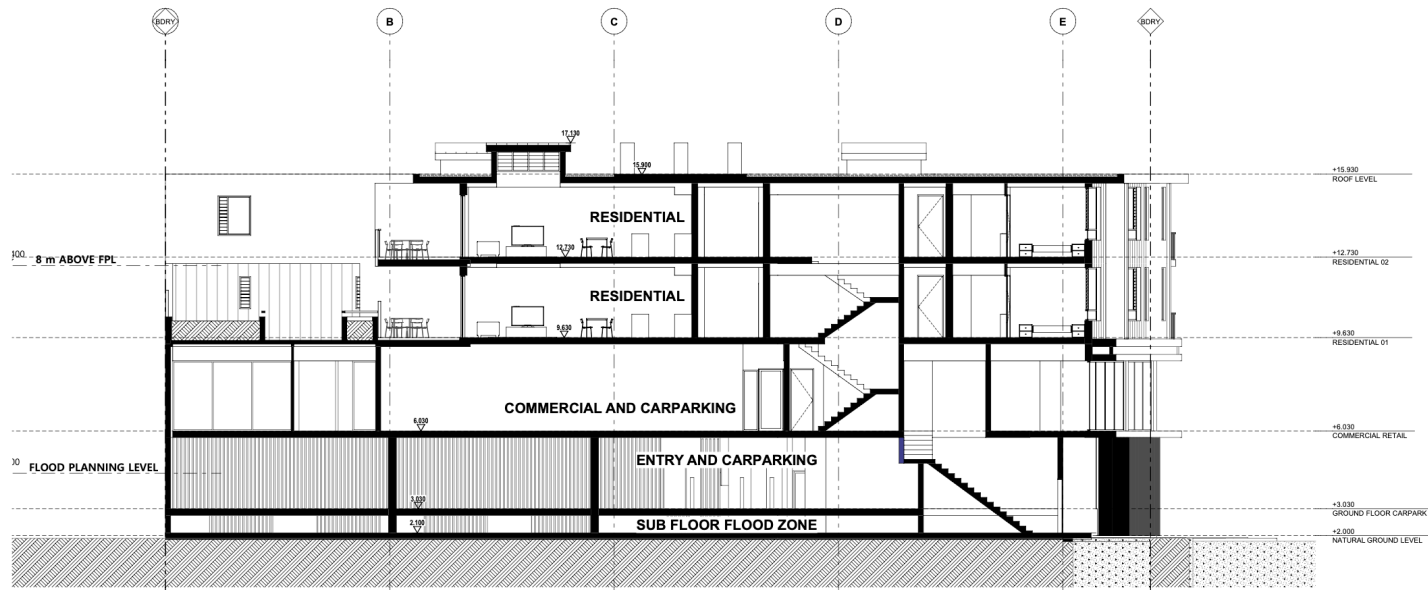


SITE BOUNDARIES

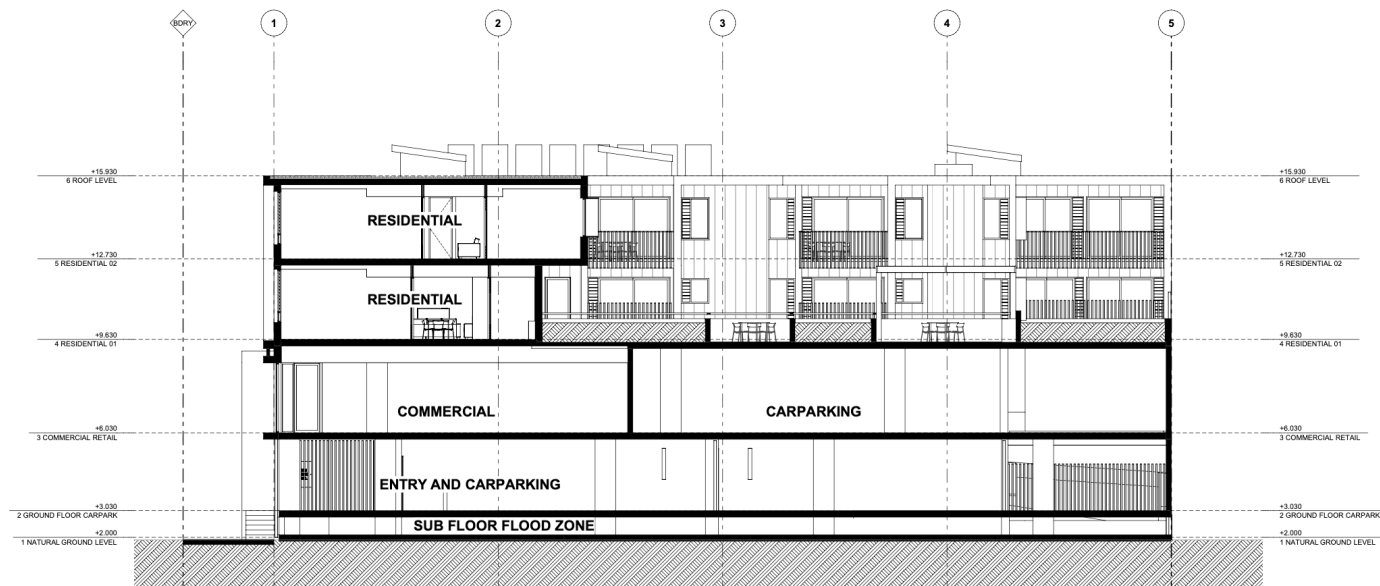


FIG NO.	FIGURE NO. 2 : 03080-F02	LOCATION	1-5 RICKARD ROAD NORTH NARRABEEN, NSW 2101
SOURCE	NEARMAP - IMAGERY 2016 CNES / ASTRIUM, DIGITALGLOBE	CLIENT	ALDA PROPERTIES
DRAWN	M.E	PROJECT	STAGE 1 PRELIMINARY SITE INVESTIGATION
APPROVED	M.E	TITLE	SITE BOUNDARIES

APPENDIX A: PROPOSED DEVELOPMENT - Stage 1 PSI : 1 – 5 Rickard Road, North Narrabeen NSW 2101
FIGURE 3 – 03080-F03



SECTION A



SECTION B

APPENDIX A: PHOTOGRAPHS

Stage 1 PSI : 1 – 5 Rickard Road, North Narrabeen NSW 2101 (EBG-03080.Stage1.PSI.06.24.R01)



APPENDIX B:
HISTORICAL TITLE INFORMATION, PLANNING CERTIFICATE
AND OTHER DOCUMENTATION

ADVANCE LEGAL SEARCHERS PTY LTD

(ACN 147 943 842)
ABN 82 147 943 842

18/36 Osborne Road,
Manly NSW 2095

Mobile: +61412 169 809
Email: search@alsearchers.com.au

06th June, 2024

EDWARDS BLASCHE GROUP PTY LTD
PO Box 5069,
GWANDALAN NSW 2250

Attention: Michael Edwards,

**RE: 1 to 5 Rickard Road,
North Narrabeen**

Note 1:	(No.1)	Lot 7 DP 16212	(page 1)
Note 2:	(No.3)	Lot 8 DP 16212	(page 4)
Note 3:	(No.5)	Lot 9 DP 16212	(page 6)

Note 1:

Current Search

Folio Identifier 7/16212 (title attached)

DP 16212 (plan attached)

Dated 05th June, 2024

Registered Proprietor:

LAGOON BUILDING AND INVESTMENT COMPANY PTY LIMITED

(ACN 001 090 151)

Title Tree
Lot 7 DP 16212

Folio Identifier 7/16212

Certificate of Title Volume 5369 Folio 213

Certificate of Title Volume 4325 Folio 68

Certificate of Title Volume 3152 Folio 23

Certificate of Title Volume 2420 Folio 105

Portion 52 Parish Narrabeen
Granted to James Wheeler
30 July 1845

Index

T – Transfer
TA – Transmission Application
AA – Section 94 Application

**Summary of proprietor(s)
Lot 7 DP 16217**

Year	Proprietor(s)	
	(Lot 7 DP 16217)	
26 Nov 2003 todate	Lagoon Building and Investment Company Pty Limited (ACN 001 090 151)	T
18 Aug 2003	Edward Garvin Fraser	TA
07 Jul 1989	Valerie Dawn Bate, home duties	
	(Lot 7 DP 16217 – Area 19 ½ Perches – CTVol 5369 Fol 213)	
30 May 1973	Valerie Dawn Bate, home duties	TA
11 Jun 1964	Emily Annie Jones, widow	AA
23 Aug 1949	Walter Jones, mines pensioner	T
30 Mar 1943	William Edward Putsey, motor driver	T
	(Lots 1 to 180, 214 to 253 & 81A DP 16212 – Area 21 Acres 3 Roods 31 Perches – CTVol 4325 Fol 68)	
17 Sep 1929	Suburban Subdivision Company Limited	
	(Part Portion 52 Parish Narrabeen and other lands – Area 145 Acres 0 Roods 36 ¼ Perches – CTVol 3152 Fol 23)	
28 Jan 1921	Suburban Subdivision Company Limited	T
	(Portion 52 Parish Narrabeen – Area 109 Acres 0 Roods 20 Perches – CTVol 2420 Fol 105)	
15 Nov 1913	James Wheeler, farmer	

Note 2:

Current Search

Folio Identifier 8/16212 (title attached)

DP 16212 (plan attached)

Dated 05th June, 2024

Registered Proprietor:

LAGOON BUILDING AND INVESTMENT COMPANY PTY LIMITED

(ACN 001 090 151)

**Title Tree
Lot 8 DP 16212**

Folio Identifier 8/16212

Certificate of Title Volume 4692 Folio 140

Certificate of Title Volume 4325 Folio 68

Certificate of Title Volume 3152 Folio 23

Certificate of Title Volume 2420 Folio 105

Portion 52 Parish Narrabeen

Granted to James Wheeler

30 July 1845

Index

T – Transfer

TA – Transmission Application

AA – Section 94 Application

**Summary of proprietor(s)
Lot 8 DP 16217**

Year	Proprietor(s)	
	(Lot 8 DP 16217)	
09 Feb 1990 todate	Lagoon Building and Investment Company Pty Limited (ACN 001 090 151)	T
27 Feb 1990	John Michael Bowles, plumber Valerie Margaret Bowles, his wife	
	(Lot 8 DP 16217 – Area 18 ¼ Perches – CTVol 4692 Fol 140)	
28 Jun 1962	John Michael Bowles, plumber Valerie Margaret Bowles, his wife	T
07 Sep 1961	Ellen Letitia Cullen, widow Janet Benjamin, married woman	AA
18 Apr 1939	William Charles Hammond, retired	T
06 Mar 1939	George Blake, manufacturer	TA
06 Jun 1935	Sarah Beckingham, widow	T
	(Lots 1 to 180, 214 to 253 & 81A DP 16212 – Area 21 Acres 3 Roods 31 Perches – CTVol 4325 Fol 68)	
17 Sep 1929	Suburban Subdivision Company Limited	
	(Part Portion 52 Parish Narrabeen and other lands – Area 145 Acres 0 Roods 36 ¼ Perches – CTVol 3152 Fol 23)	
28 Jan 1921	Suburban Subdivision Company Limited	T
	(Portion 52 Parish Narrabeen – Area 109 Acres 0 Roods 20 Perches – CTVol 2420 Fol 105)	
15 Nov 1913	James Wheeler, farmer	

Note 3:

Current Search

Folio Identifier 9/16212 (title attached)
DP 16212 (plan attached)
Dated 05th June, 2024
Registered Proprietor:
GRAHAM STEPHEN LEIGH BOHM
ANDREA KAY BOHM

Title Tree
Lot 9 DP 16212

Folio Identifier 9/16212

Certificate of Title Volume 4359 Folio 94

Certificate of Title Volume 4325 Folio 68

Certificate of Title Volume 3152 Folio 23

Certificate of Title Volume 2420 Folio 105

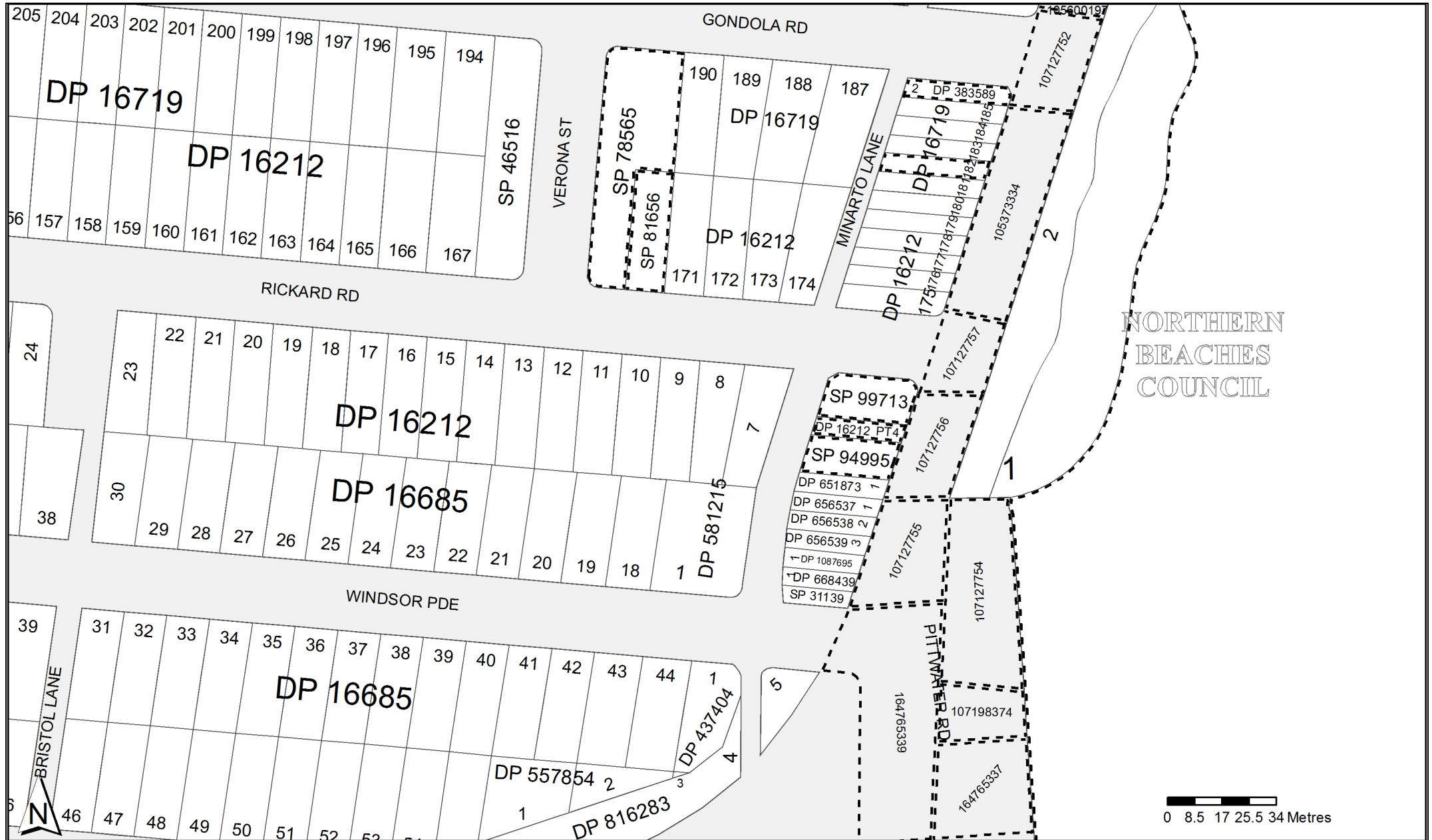
Portion 52 Parish Narrabeen
Granted to James Wheeler
30 July 1845















Index

T – Transfer
TA – Transmission Application

Summary of proprietor(s) Lot 9 DP 16217

Year	Proprietor(s)	
	(Lot 9 DP 16217)	
17 Jul 1989 todate	Graham Stephen Leigh Bohm Andrea Kay Bohm	
	(Lot 9 DP 16217 – Area 18 ¼ Perches – CTVol 4359 Fol 94)	
12 Mar 1987	Graham Stephen Leigh Bohm Andrea Kay Bohm	T
01 Dec 1982	Eileen Ivy Bohm	TA
29 May 1978	Ronald Charles Leigh Bohm, builder	T
06 May 1974	Joan Irene Hill, company director Diana Kate Hayes, home duties	T
02 Aug 1939	Howard Charles Prance, public school teacher	T
13 Dec 1929	Annie Elliott, wife of Joseph Elliott, fireman	T
	(Lots 1 to 180, 214 to 253 & 81A DP 16212 – Area 21 Acres 3 Roods 31 Perches – CTVol 4325 Fol 68)	
17 Sep 1929	Suburban Subdivision Company Limited	
	(Part Portion 52 Parish Narrabeen and other lands – Area 145 Acres 0 Roods 36 ¼ Perches – CTVol 3152 Fol 23)	
28 Jan 1921	Suburban Subdivision Company Limited	T
	(Portion 52 Parish Narrabeen – Area 109 Acres 0 Roods 20 Perches – CTVol 2420 Fol 105)	
15 Nov 1913	James Wheeler, farmer	



	Status	Surv/Comp	Purpose
DP16212 Lot(s): 4			
 DP1228476	REGISTERED	SURVEY	CONSOLIDATION
DP16719 Lot(s): 182			
 SP85293	PRE-ALLOCATED	UNAVAILABLE	STRATA PLAN
DP383589 Lot(s): 2			
 DP16719	HISTORICAL	SURVEY	UNRESEARCHED
DP1164008 Lot(s): 7355			
 NSW GAZ. 18-03-2011 Folio : 2242	RESERVATION OF CROWN LAND RESERVE NO. 1031949 - AFFECTING THE LAND SHOWN IN THE DIAGRAM ACCOMPANYING THIS GAZETTE NOTIFICATION		
SP78565			
 DP16212	HISTORICAL	SURVEY	UNRESEARCHED
 DP16719	HISTORICAL	SURVEY	UNRESEARCHED
 DP1101087	HISTORICAL	SURVEY	CONSOLIDATION
SP81656			
 DP16212	HISTORICAL	SURVEY	UNRESEARCHED
 DP1134042	HISTORICAL	SURVEY	REDEFINITION
SP94995			
 DP650867	HISTORICAL	COMPILATION	DEPARTMENTAL
 DP650868	HISTORICAL	COMPILATION	DEPARTMENTAL
 DP1228476	HISTORICAL	SURVEY	CONSOLIDATION
 SP102887	REGISTERED	COMPILATION	STRATA SUBDIVISION PLAN
SP99713			
 DP16212	HISTORICAL	SURVEY	UNRESEARCHED
 DP1248150	HISTORICAL	SURVEY	CONSOLIDATION
Road			
Polygon Id(s): 105373334, 105600197, 107127752, 107127757			
 EX-SUR 47/22 DP983041			
Polygon Id(s): 107127754, 107127755, 107127756, 107198374, 164765337, 164765339			
 PA81067 - LOT 1 DP214021			

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

Plan	Surv/Comp	Purpose
DP16212	SURVEY	UNRESEARCHED
DP16685	SURVEY	UNRESEARCHED
DP16719	SURVEY	UNRESEARCHED
DP23429	SURVEY	UNRESEARCHED
DP86044	SURVEY	UNRESEARCHED
DP383589	SURVEY	UNRESEARCHED
DP437404	SURVEY	UNRESEARCHED
DP557854	COMPILATION	SUBDIVISION
DP581215	COMPILATION	CONSOLIDATION
DP651873	COMPILATION	DEPARTMENTAL
DP656537	COMPILATION	DEPARTMENTAL
DP656538	COMPILATION	DEPARTMENTAL
DP656539	COMPILATION	DEPARTMENTAL
DP668439	COMPILATION	DEPARTMENTAL
DP816283	SURVEY	RESUMPTION OR ACQUISITION
DP838462	COMPILATION	CONSOLIDATION
DP1087695	COMPILATION	DEPARTMENTAL
DP1164008	COMPILATION	CROWN LAND CONVERSION
SP31139	COMPILATION	STRATA PLAN
SP46516	COMPILATION	STRATA PLAN
SP78565	COMPILATION	STRATA PLAN
SP81656	COMPILATION	STRATA PLAN
SP94995	COMPILATION	STRATA PLAN
SP94995	UNRESEARCHED	STRATA PLAN
SP99713	COMPILATION	STRATA PLAN
SP99713	UNRESEARCHED	STRATA PLAN

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

Form: 01T
Release: 2.1
www.lpi.nsw.gov.au

TRANSFER



New South Wales
Real Property Act 1900

AA195243C

PRIVACY NOTE: this information is legally required and will become part of the public record

STAMP DUTY

Office of State Revenue use only	NEW SOUTH WALES DUTY 20-10-2003 0001662128-001 SECTION 18(2) DUTY \$ *****2.00
----------------------------------	---

(A) TORRENS TITLE

Folio Identifier 7/16212

(B) LODGED BY

46X	Delivery Box	Name, Address or DX and Telephone	CODES
		46X ggalloways legal services Phone: (02) 9233 1011 Fax: (02) 9232 6491 Reference: 2375612	T TW (Sheriff)

(C) TRANSFEROR

EDWARD GARVIN FRASER

(D) CONSIDERATION The transferor acknowledges receipt of the consideration of \$ 615,000.00 and as regards

(E) ESTATE the land specified above transfers to the transferee an estate in fee simple

(F) SHARE TRANSFERRED

(G) Encumbrances (if applicable):

(H) TRANSFEREE

LAGOON BUILDING AND INVESTMENT COMPANY PTY LIMITED ABN 52001090151 5 Rickard Road, North Narrabeen
TENANCY:

(J) DATE 15 October, 2003

I certify that the person(s) signing opposite, with whom I am personally acquainted or as to whose identity I am otherwise satisfied, signed this instrument in my presence.

Certified correct for the purposes of the Real Property Act 1900 by the transferor.

Signature of witness:

Signature of transferor:

Name of witness: L.E. HOPPER
Address of witness: 685 Pittwater Road
Dee Why
Lyndeen E. Hopper

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

Signature:

Signatory's name: Michael John Shehadie
Signatory's capacity: transferee's solicitor



NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

5/6/2024 1:57PM

FOLIO: 7/16212

First Title(s): SEE PRIOR TITLE(S)
Prior Title(s): VOL 5369 FOL 213

<u>Recorded</u>	<u>Number</u>	<u>Type of Instrument</u>	<u>C.T. Issue</u>
18/12/1988		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
7/7/1989		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
13/7/1993		AMENDMENT: LOCAL GOVT AREA	
18/8/2003	9884931	TRANSMISSION APPLICATION	EDITION 1
26/11/2003	AA195243	TRANSFER	
26/11/2003	AA195244	MORTGAGE	EDITION 2
9/9/2018	AN695392	DEPARTMENTAL DEALING	EDITION 3 CORD ISSUED
31/7/2023	AT304460	CAVEAT	EDITION 4

*** END OF SEARCH ***

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NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

5/6/2024 4:09PM

FOLIO: 8/16212

First Title(s): SEE PRIOR TITLE(S)
Prior Title(s): VOL 4692 FOL 140

<u>Recorded</u>	<u>Number</u>	<u>Type of Instrument</u>	<u>C.T. Issue</u>
21/12/1988		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
27/2/1990		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
9/11/1992	E884709	TRANSFER	
9/11/1992	E884710	MORTGAGE	EDITION 1
13/7/1993		AMENDMENT: LOCAL GOVT AREA	
26/11/2003	AA195242	DISCHARGE OF MORTGAGE	
26/11/2003	AA195244	MORTGAGE	EDITION 2
9/9/2018	AN695392	DEPARTMENTAL DEALING	EDITION 3 CORD ISSUED
31/7/2023	AT304461	CAVEAT	EDITION 4

*** END OF SEARCH ***

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NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

5/6/2024 1:57PM

FOLIO: 9/16212

First Title(s): SEE PRIOR TITLE(S)
Prior Title(s): VOL 4359 FOL 94

<u>Recorded</u>	<u>Number</u>	<u>Type of Instrument</u>	<u>C.T. Issue</u>
18/2/1989		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
17/7/1989		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
13/7/1993		AMENDMENT: LOCAL GOVT AREA	
9/9/2018	AN695392	DEPARTMENTAL DEALING	EDITION 1 CORD ISSUED
31/7/2023	AT304459	CAVEAT	EDITION 2

*** END OF SEARCH ***

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NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 7/16212

SEARCH DATE	TIME	EDITION NO	DATE
5/6/2024	1:57 PM	4	31/7/2023

LAND

LOT 7 IN DEPOSITED PLAN 16212
LOCAL GOVERNMENT AREA NORTHERN BEACHES
PARISH OF NARRABEEN COUNTY OF CUMBERLAND
TITLE DIAGRAM DP16212

FIRST SCHEDULE

LAGOON BUILDING AND INVESTMENT COMPANY PTY LIMITED (T AA195243)

SECOND SCHEDULE (4 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 D187871 COVENANT
- 3 AA195244 MORTGAGE TO NATIONAL AUSTRALIA BANK LIMITED
- * 4 AT304460 CAVEAT BY ALDA INDUSTRIAL PROPERTIES (CHARLESTOWN) PTY LTD

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

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PRINTED ON 5/6/2024



NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 8/16212

SEARCH DATE	TIME	EDITION NO	DATE
5/6/2024	1:57 PM	4	31/7/2023

LAND

LOT 8 IN DEPOSITED PLAN 16212
LOCAL GOVERNMENT AREA NORTHERN BEACHES
PARISH OF NARRABEEN COUNTY OF CUMBERLAND
TITLE DIAGRAM DP16212

FIRST SCHEDULE

LAGOON BUILDING & INVESTMENT COMPANY PTY LTD (T E884709)

SECOND SCHEDULE (4 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 C336561 COVENANT
- 3 AA195244 MORTGAGE TO NATIONAL AUSTRALIA BANK LIMITED
- * 4 AT304461 CAVEAT BY ALDA INDUSTRIAL PROPERTIES (CHARLESTOWN) PTY LTD

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

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NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 9/16212

SEARCH DATE	TIME	EDITION NO	DATE
5/6/2024	1:57 PM	2	31/7/2023

LAND

LOT 9 IN DEPOSITED PLAN 16212
LOCAL GOVERNMENT AREA NORTHERN BEACHES
PARISH OF NARRABEEN COUNTY OF CUMBERLAND
TITLE DIAGRAM DP16212

FIRST SCHEDULE

GRAHAM STEPHEN LEIGH BOHM
ANDREA KAY BOHM
AS JOINT TENANTS (T W784418)

SECOND SCHEDULE (4 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 B912286 COVENANT
- 3 X306413 MORTGAGE TO NATIONAL AUSTRALIA BANK LIMITED
- * 4 AT304459 CAVEAT BY ALDA INDUSTRIAL PROPERTIES (CHARLESTOWN) PTY LTD

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

advlegs

PRINTED ON 5/6/2024



Northern Beaches Council Planning Certificate – Part 2&5

Applicant: InfoTrack
GPO Box 4029
SYDNEY NSW 2001

Reference: Bohm
Date: 19/05/2023
Certificate No. ePLC2023/03008

Address of Property: 1 Rickard Road NORTH NARRABEEN NSW 2101
Description of Property: Lot 7 DP 16212

Planning Certificate – Part 2

The following certificate is issued under the provisions of Section 10.7(2) of the *Environmental Planning and Assessment Act 1979* (as amended – formerly Section 149). The information applicable to the land is accurate as at the above date.

1. Relevant planning instruments and Development Control Plans

(1) The name of each environmental planning instrument and development control plan that applies to the carrying out of development on the land:

(a) Local Environmental Plan

Pittwater Local Environmental Plan 2014

(b) State Environmental Planning Policies and Regional Environmental Plans

State Environmental Planning Policy (Housing) 2021

State Environmental Planning Policy (Primary Production) 2021
Chapters 1,2

State Environmental Planning Policy (Resources and Energy) 2021
Chapters 1, 2

State Environmental Planning Policy (Resilience and Hazards) 2021
Chapters 1, 3, 4

State Environmental Planning Policy (Industry and Employment) 2021
Chapters 1, 3

State Environmental Planning Policy (Transport and Infrastructure) 2021
Chapters 1, 2, 3

State Environmental Planning Policy (Biodiversity and Conservation) 2021
Chapters 1, 2, 3, 4, 6, 7

State Environmental Planning Policy (Planning Systems) 2021
Chapters 1, 2
State Environmental Planning Policy (Precincts – Eastern Harbour City) 2021
Chapters 1, 2
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
SEPP 65 – Design Quality of Residential Apartment Development
SEPP (Building Sustainability Index: BASIX)
Wholly Affected - State Environmental Planning Policy (Resilience and Hazards) 2021
Chapter 2
State Environmental Planning Policy (Biodiversity and Conservation) 2021
Chapter 9

(c) Development Control Plans

Pittwater 21 Development Control Plan

(2) Draft Environmental Planning Instruments

The name of each proposed environmental planning instrument and draft development control plan, which is or has been subject to community consultation or public exhibition under the Act, that will apply to the carrying out of development on the land.

(a) Draft Local Environmental Plans

(b) Draft State Environmental Planning Policies

Draft State Environmental Planning Policy (Environment)
Draft Remediation of Land State Environmental Planning Policy (intended to replace State Environmental Planning Policy 55)

(c) Draft Development Control Plans

2. Zoning and land use under relevant planning instruments

The following matters for each environmental planning instrument or draft environmental planning instrument that includes the land in a zone, however described—

(1) Zoning and land use under relevant Local Environmental Plans

(a), (b)

The following information identifies the purposes for which development may be carried out with or without development consent and the purposes for which the carrying out of development is prohibited, for all zones (however described) affecting the land to which the relevant Local Environmental Plan applies.

Zone E1 Local Centre

2 Permitted without consent

Home-based child care; Home businesses; Home occupations

3 Permitted with consent

Amusement centres; Boarding houses; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Creative industries; Early education and care facilities; Electricity generating works; Entertainment facilities; Environmental protection works; Flood mitigation works; Function centres; Group homes; Home industries; Hostels; Hotel or motel accommodation; Information and education facilities; Local distribution premises; Medical centres; Oyster aquaculture; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Registered clubs; Respite day care centres; Roads; Service stations; Shop top housing; Signage; Tank-based aquaculture; Tourist and visitor accommodation; Veterinary hospitals; Waste or resource transfer stations; Water reticulation systems

4 Prohibited

Any development not specified in item 2 or 3

(c) Additional permitted uses

Additional permitted uses, if any, for which development is permissible with development consent pursuant to Clause 2.5 and Schedule 1 of the relevant Local Environmental Plan:

Nil

(d) Minimum land dimensions

The *Pittwater Local Environmental Plan 2014* contains no development standard that fixes minimum land dimensions for the erection of a dwelling house on the land.

(e) Outstanding biodiversity value

The land is not in an area of outstanding biodiversity value under the *Biodiversity Conservation Act 2016*

(f) Conservation areas

The land is not in a heritage conservation area.

(g) Item of environmental heritage

The land does not contain an item of environmental heritage.

(2) Zoning and land use under draft Local Environmental Plans

For any proposed changes to zoning and land use, see Part 1.2 (a)

Please contact Council's Strategic and Place Planning unit with enquiries on 1300 434 434.

3. Contribution plans

(1) The name of each contributions plan under the Act, Division 7.1 applying to the land, including draft contributions plans.

Northern Beaches Section 7.12 Contributions Plan 2022 - in force 1 June 2022.

(2) If the land is in a special contributions area under the Act, Division 7.1, the name of the area.

Nil

4. Complying Development

If the land is land on which complying development may or may not be carried out under each of the complying development codes under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, because of that Policy, clause 1.17A(1)(c)–(e), (2), (3) or (4), 1.18(1)(c3) or 1.19.

Part 3 Housing Code

Complying Development under the Housing Code may be carried out on all of the land.

Note: Further zone based limitations may apply. See State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 clause:

3.1 Land to which code applies

This code applies to development that is specified in clauses 3.2-3.5 on any lot in Zone R1, R2, R3, R4 or RU5 that:

- (a) has an area of at least 200m², and
- (b) has a width, measured at the building line fronting a primary road, of at least 6m.

Part 3A Rural Housing Code

Complying Development under the Rural Housing Code may be carried out on all of the land.

Note: Further zone based limitations may apply. See State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 clause:

3A.1 Land to which code applies

This code applies to development that is specified in clauses 3A.2-3A.5 on lots in Zone RU1, RU2, RU3, RU4, RU6 and R5.

Part 3B Low Rise Housing Diversity Code

Complying Development under the Low Rise Housing Diversity Code may be carried out on all of the land.

Part 3C Greenfield Housing Code

Complying Development under the Greenfield Housing Code may not be carried out on all of the land.

Part 3D Inland Code

Complying Development under the Inland Code does not apply to the land.

Note: Pursuant to clause 3D.1 of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, the Inland Code only applies to 'inland local government areas'. Northern Beaches local government area is not defined as an 'inland local government area' by State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Part 4 Housing Alterations Code

Complying Development under the Housing Alterations Code may be carried out on all of the land.

Part 4A General Development Code

Complying Development under the General Development Code may be carried out on all of the land.

Part 5 Industrial and Business Alterations Code

Complying Development under the Industrial and Business Alterations Code may be carried out on all of the land.

Part 5A Industrial and Business Buildings Code

Complying Development under the Industrial and Business Buildings Code may be carried out on all of the land.

Note: Further zone based limitations may apply. See State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 clause:

5A.1 Land to which code applies

This code applies to development that is specified in clause 5A.2 on any lot in Zone B1, B2, B3, B4, B5, B6, B7, B8, IN1, IN2, IN3, IN4 or SP3.

Part 5B Container Recycling Facilities Code

Complying Development under the Container Recycling Facilities Code may be carried out on all of the land.

Note: Further zone based limitations may apply. See State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 clause:

5B.2 Development to which code applies

This code applies to development that is specified in clause 5B.3 on any lot in Zone B1, B2, B3, B4, B5, B6, B7, B8, IN1, IN2, IN3, IN4 or SP3.

Part 6 Subdivisions Code

Complying Development under the Subdivisions Code may be carried out on all of the land.

Part 7 Demolition Code

Complying Development under the Demolition Code may be carried out on all of the land.

Part 8 Fire Safety Code

Complying Development under the Fire Safety Code may be carried out on all of the land.

(4) Complying Development Codes varied under Clause 1.12 of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

No complying codes are varied under this clause in relation to the land.

5. Exempt Development

If the land is land on which exempt development may or may not be carried out under each of the exempt development codes under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, because of that Policy, clause 1.16(1)(b1)–(d) or 1.16A.

Part 2 Exempt Development Codes

Exempt Development under the Exempt Development Codes may be carried out on all of the land.

(4) Exempt Development Codes varied under Clause 1.12 of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

No exempt development codes are varied under this clause in relation to the land.

6. Affected building notices and building product rectification orders

(a) There is not an affected building notice of which the council is aware that is in force in respect of the land.

(b) There is not a building product rectification order of which the council is aware that is in force in respect of the land and has not been fully complied with, and

(c) There is not a notice of intention to make a building product rectification order of which the council is aware has been given in respect of the land and is outstanding.

In this section—

affected building notice has the same meaning the *Building Products (Safety) Act 2017, Part 4.*

building product rectification order has the same meaning as in the *Building Products (Safety) Act 2017.*

7. Land reserved for acquisition

Environmental planning instrument referred to in Clause 1 does not make provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the Act.

8. Road widening and road realignment

(a) The land is not affected by a road widening or re-alignment proposal under Division 2 of Part 3 of the *Roads Act 1993.*

(b) The land is not affected by a road widening or re-alignment proposal under an environmental planning instrument.

(c) The land is not affected by a road widening or re-alignment proposal under a resolution of Council.

9. Flood related development controls

(1) The land is within the flood planning area and subject to flood related development controls.

(2) The land or part of the land is not between the flood planning area and the probable maximum flood and subject to flood related development controls.

In this section—

flood planning area has the same meaning as in the Floodplain Development Manual.

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

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

10. Council and other public authority policies on hazard risk restriction

(a) Council has adopted policies that restrict the development of the land because of the likelihood of land slip, bush fire, tidal inundation, subsidence, acid sulfate soils, contamination, aircraft noise, salinity, coastal hazards, sea level rise or another risk, other than flooding (for flooding – see 9). The identified hazard or risk, if any, are listed below:

Nil

(b) The following information applies to any policy 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. The identified hazard or risk and the respective Policy which affect the property, if any, are listed below:

Nil

11. Bush fire prone land

The land is not bush fire prone land.

12. Loose-fill asbestos insulation

The residential dwelling erected on this land has not been identified in the Loose-Fill Asbestos Insulation Register as containing loose-fill asbestos ceiling insulation.

This clause applies to residential premises (within the meaning of Division 1A of part 8 of the Home Building Act 1989) that are listed in the register that is required to be maintained under that Division.

Contact NSW Fair Trading for more information.

13. Mine Subsidence

The land is not declared to be a mine Subsidence (Mine Subsidence) district within the meaning of section 15 of the *Mine Subsidence (Mine Subsidence) Compensation Act, 1961*.

14. Paper subdivision information

There is no current paper subdivision, of which council is aware, in respect of this land according to Part 10 of the *Environmental Planning and Assessment Regulation 2021* and Schedule 7 of the *Environmental Planning & Assessment Act 1997 No 203*.

15. Property vegetation plans

The Council has not been notified that the land is land to which a vegetation plan under the *Native Vegetation Act 2003* applies.

16. Biodiversity Stewardship Sites

The Council has not been notified by the Biodiversity Conservation Trust that the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the *Biodiversity Conservation Act 2016* (includes land to which a biobanking agreement under Part 7A of the repealed *Threatened Species Conservation Act 1995* relates).

17. Biodiversity certified land

The land is not biodiversity certified land under Part 8 of the *Biodiversity Conservation Act 2016* (includes land certified under Part 7AA of the repealed *Threatened Species Conservation Act 1995*).

18. Orders under Trees (Disputes Between Neighbours) Act 2006

Council has not been notified of the existence of an order made under the *Trees (Disputes Between Neighbours) Act 2006* to carry out work in relation to a tree on the land.

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

The owner of the land (or any previous owner) has not 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 1 January 2011.

20. Western Sydney Aerotropolis

Under State Environmental Planning Policy (Precincts – Western Parkland City) 2021, Chapter 4 the land is –

- (a) not in an ANEF or ANEC contour of 20 or greater, as referred to in that Chapter, section 4.17, or
- (b) not shown on the Lighting Intensity and Wind Shear Map, or
- (c) not shown on the Obstacle Limitation Surface Map, or
- (d) not in the “public safety area” on the Public Safety Area Map, or
- (e) not in the “3 kilometre wildlife buffer zone” or the “13 kilometre wildlife buffer zone” on the Wildlife Buffer Zone Map.

21. Development consent conditions for seniors housing

No condition of development consent granted after 11 October 2007 in relation to the land applies to the property that are of the kind set out in that Policy, section 88(2) of *State Environmental Planning Policy (Housing) 2021*.

22. Site compatibility certificate and conditions for affordable rental housing

(1) There is not a current site compatibility certificate of which the council is aware, in respect of proposed development on the land.

(2) No condition of development consent in relation to the land applies to the property that are of the kind set out in section 21(1) or 40(1) of State Environmental Planning Policy (Housing) 2021.

(3) No condition of development consent in relation to the land applies to the property that are of the kind set out in clause 17(1) or 38(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009.

Additional matters under the Contaminated Land Management Act 1997

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) the land to which the certificate relates is not significantly contaminated land within the meaning of that Act
- (b) the land to which the certificate relates is not subject to a management order within the meaning of that Act
- (c) the land to which the certificate relates is not the subject of an approved voluntary management proposal within the meaning of that Act
- (d) the land to which the certificate relates is not subject to an ongoing maintenance order within the meaning of that Act
- (e) the land to which the certificate relates is not the subject of a site audit statement

If contamination is identified above please contact the Environmental Protection Authority (EPA) for further information.

Planning Certificate – Part 5

The following is information provided in good faith under the provisions of Section 10.7(5) of the *Environmental Planning and Assessment Act 1979* (as amended – formerly Section 149) and lists relevant matters affecting the land of which Council is aware. The Council shall not incur any liability in respect of any such advice.

Persons relying on this certificate should read the environmental planning instruments referred to in this certificate.

Company Title Subdivision

Clause 4.1 of the *Pittwater Local Environmental Plan 2014*, *Warringah Local Environmental Plan 2011* or *Manly Local Environmental Plan 2013* provides that land may not be subdivided except with the consent of the Council. This includes subdivision by way of company title schemes. Persons considering purchasing property in the Northern Beaches local government area the subject of a company title scheme are advised to check that the land has been subdivided with the consent of the Council.

District Planning

Under the Greater Sydney Regional Plan – A Metropolis of Three Cities 2018, the Greater Sydney Commission sets a planning framework for a metropolis of three cities across Greater Sydney which reach across five Districts. Northern Beaches is located within the 'Eastern Harbour City' area and is in the North District which forms a large part of the Eastern Harbour City. The North District Plan sets out planning priorities and actions for the growth of the North District, including Northern Beaches. Northern Beaches Council's Local Strategic Planning Statement gives effect to the District Plan based on local characteristics and opportunities and Council's own priorities in the community. The Local Strategic Planning Statement came into effect on 26 March 2020.

Council Resolution To Amend Environmental Planning Instrument

The following instrument or resolution of Council proposes to vary the provisions of an environmental planning instrument, other than as referred to in the Planning Certificate – Part 2:

Nil

Additional Information Applying To The Land

Additional information, if any, relating to the land the subject of this certificate:

Geotechnical Planning Controls

Council is currently undertaking a study to review geotechnical planning controls across the Local Government Area. Information from a draft study indicates geotechnical considerations may affect a greater number of properties and may present an increased risk to properties than that shown on published hazard maps. Council's Development Engineering & Certification team can be contacted for further information.

General Information

Tree Preservation and Management Order

Tree preservation and Management order applies to the subject land



Ray Brownlee PSM

Chief Executive Officer
19/05/2023



Northern Beaches Council Planning Certificate – Part 2&5

Applicant: InfoTrack
GPO Box 4029
SYDNEY NSW 2001

Reference: Bohm
Date: 19/05/2023
Certificate No. ePLC2023/03009

Address of Property: 3 Rickard Road NORTH NARRABEEN NSW 2101
Description of Property: Lot 8 DP 16212

Planning Certificate – Part 2

The following certificate is issued under the provisions of Section 10.7(2) of the *Environmental Planning and Assessment Act 1979* (as amended – formerly Section 149). The information applicable to the land is accurate as at the above date.

1. Relevant planning instruments and Development Control Plans

(1) The name of each environmental planning instrument and development control plan that applies to the carrying out of development on the land:

(a) Local Environmental Plan

Pittwater Local Environmental Plan 2014

(b) State Environmental Planning Policies and Regional Environmental Plans

State Environmental Planning Policy (Housing) 2021

State Environmental Planning Policy (Primary Production) 2021

Chapters 1,2

State Environmental Planning Policy (Resources and Energy) 2021

Chapters 1, 2

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapters 1, 3, 4

State Environmental Planning Policy (Industry and Employment) 2021

Chapters 1, 3

State Environmental Planning Policy (Transport and Infrastructure) 2021

Chapters 1, 2, 3

State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapters 1, 2, 3, 4, 6, 7

State Environmental Planning Policy (Planning Systems) 2021
Chapters 1, 2
State Environmental Planning Policy (Precincts – Eastern Harbour City) 2021
Chapters 1, 2
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
SEPP 65 – Design Quality of Residential Apartment Development
SEPP (Building Sustainability Index: BASIX)
Wholly Affected - State Environmental Planning Policy (Resilience and Hazards) 2021
Chapter 2
State Environmental Planning Policy (Biodiversity and Conservation) 2021
Chapter 9

(c) Development Control Plans

Pittwater 21 Development Control Plan

(2) Draft Environmental Planning Instruments

The name of each proposed environmental planning instrument and draft development control plan, which is or has been subject to community consultation or public exhibition under the Act, that will apply to the carrying out of development on the land.

(a) Draft Local Environmental Plans

(b) Draft State Environmental Planning Policies

Draft State Environmental Planning Policy (Environment)
Draft Remediation of Land State Environmental Planning Policy (intended to replace State Environmental Planning Policy 55)

(c) Draft Development Control Plans

2. Zoning and land use under relevant planning instruments

The following matters for each environmental planning instrument or draft environmental planning instrument that includes the land in a zone, however described—

(1) Zoning and land use under relevant Local Environmental Plans

(a), (b)

The following information identifies the purposes for which development may be carried out with or without development consent and the purposes for which the carrying out of development is prohibited, for all zones (however described) affecting the land to which the relevant Local Environmental Plan applies.

Zone E1 Local Centre

2 Permitted without consent

Home-based child care; Home businesses; Home occupations

3 Permitted with consent

Amusement centres; Boarding houses; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Creative industries; Early education and care facilities; Electricity generating works; Entertainment facilities; Environmental protection works; Flood mitigation works; Function centres; Group homes; Home industries; Hostels; Hotel or motel accommodation; Information and education facilities; Local distribution premises; Medical centres; Oyster aquaculture; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Registered clubs; Respite day care centres; Roads; Service stations; Shop top housing; Signage; Tank-based aquaculture; Tourist and visitor accommodation; Veterinary hospitals; Waste or resource transfer stations; Water reticulation systems

4 Prohibited

Any development not specified in item 2 or 3

(c) Additional permitted uses

Additional permitted uses, if any, for which development is permissible with development consent pursuant to Clause 2.5 and Schedule 1 of the relevant Local Environmental Plan:

Nil

(d) Minimum land dimensions

The *Pittwater Local Environmental Plan 2014* contains no development standard that fixes minimum land dimensions for the erection of a dwelling house on the land.

(e) Outstanding biodiversity value

The land is not in an area of outstanding biodiversity value under the *Biodiversity Conservation Act 2016*

(f) Conservation areas

The land is not in a heritage conservation area.

(g) Item of environmental heritage

The land does not contain an item of environmental heritage.

(2) Zoning and land use under draft Local Environmental Plans

For any proposed changes to zoning and land use, see Part 1.2 (a)
Please contact Council's Strategic and Place Planning unit with enquiries on 1300 434 434.

3. Contribution plans

(1) The name of each contributions plan under the Act, Division 7.1 applying to the land, including draft contributions plans.

Northern Beaches Section 7.12 Contributions Plan 2022 - in force 1 June 2022.

(2) If the land is in a special contributions area under the Act, Division 7.1, the name of the area.

Nil

4. Complying Development

If the land is land on which complying development may or may not be carried out under each of the complying development codes under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, because of that Policy, clause 1.17A(1)(c)–(e), (2), (3) or (4), 1.18(1)(c3) or 1.19.

Part 3 Housing Code

Complying Development under the Housing Code may be carried out on all of the land.

Note: Further zone based limitations may apply. See *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* clause:

3.1 Land to which code applies

This code applies to development that is specified in clauses 3.2-3.5 on any lot in Zone R1, R2, R3, R4 or RU5 that:

- (a) has an area of at least 200m², and
- (b) has a width, measured at the building line fronting a primary road, of at least 6m.

Part 3A Rural Housing Code

Complying Development under the Rural Housing Code may be carried out on all of the land.

Note: Further zone based limitations may apply. See *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* clause:

3A.1 Land to which code applies

This code applies to development that is specified in clauses 3A.2-3A.5 on lots in Zone RU1, RU2, RU3, RU4, RU6 and R5.

Part 3B Low Rise Housing Diversity Code

Complying Development under the Low Rise Housing Diversity Code may be carried out on all of the land.

Part 3C Greenfield Housing Code

Complying Development under the Greenfield Housing Code may not be carried out on all of the land.

Part 3D Inland Code

Complying Development under the Inland Code does not apply to the land.

Note: Pursuant to clause 3D.1 of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, the Inland Code only applies to 'inland local government areas'. Northern Beaches local government area is not defined as an 'inland local government area' by *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

Part 4 Housing Alterations Code

Complying Development under the Housing Alterations Code may be carried out on all of the land.

Part 4A General Development Code

Complying Development under the General Development Code may be carried out on all of the land.

Part 5 Industrial and Business Alterations Code

Complying Development under the Industrial and Business Alterations Code may be carried out on all of the land.

Part 5A Industrial and Business Buildings Code

Complying Development under the Industrial and Business Buildings Code may be carried out on all of the land.

Note: Further zone based limitations may apply. See *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* clause:

5A.1 Land to which code applies

This code applies to development that is specified in clause 5A.2 on any lot in Zone B1, B2, B3, B4, B5, B6, B7, B8, IN1, IN2, IN3, IN4 or SP3.

Part 5B Container Recycling Facilities Code

Complying Development under the Container Recycling Facilities Code may be carried out on all of the land.

Note: Further zone based limitations may apply. See *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* clause:

5B.2 Development to which code applies

This code applies to development that is specified in clause 5B.3 on any lot in Zone B1, B2, B3, B4, B5, B6, B7, B8, IN1, IN2, IN3, IN4 or SP3.

Part 6 Subdivisions Code

Complying Development under the Subdivisions Code may be carried out on all of the land.

Part 7 Demolition Code

Complying Development under the Demolition Code may be carried out on all of the land.

Part 8 Fire Safety Code

Complying Development under the Fire Safety Code may be carried out on all of the land.

(4) Complying Development Codes varied under Clause 1.12 of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

No complying codes are varied under this clause in relation to the land.

5. Exempt Development

If the land is land on which exempt development may or may not be carried out under each of the exempt development codes under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, because of that Policy, clause 1.16(1)(b1)-(d) or 1.16A.

Part 2 Exempt Development Codes

Exempt Development under the Exempt Development Codes may be carried out on all of the land.

(4) Exempt Development Codes varied under Clause 1.12 of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*

No exempt development codes are varied under this clause in relation to the land.

6. Affected building notices and building product rectification orders

(a) There is not an affected building notice of which the council is aware that is in force in respect of the land.

(b) There is not a building product rectification order of which the council is aware that is in force in respect of the land and has not been fully complied with, and

(c) There is not a notice of intention to make a building product rectification order of which the council is aware has been given in respect of the land and is outstanding.

In this section—

affected building notice has the same meaning the *Building Products (Safety) Act 2017, Part 4.*

building product rectification order has the same meaning as in the *Building Products (Safety) Act 2017.*

7. Land reserved for acquisition

Environmental planning instrument referred to in Clause 1 does not make provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the Act.

8. Road widening and road realignment

(a) The land is not affected by a road widening or re-alignment proposal under Division 2 of Part 3 of the *Roads Act 1993*.

(b) The land is not affected by a road widening or re-alignment proposal under an environmental planning instrument.

(c) The land is not affected by a road widening or re-alignment proposal under a resolution of Council.

9. Flood related development controls

(1) The land is within the flood planning area and subject to flood related development controls.

(2) The land or part of the land is not between the flood planning area and the probable maximum flood and subject to flood related development controls.

In this section—

flood planning area has the same meaning as in the Floodplain Development Manual.

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

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

10. Council and other public authority policies on hazard risk restriction

(a) Council has adopted policies that restrict the development of the land because of the likelihood of land slip, bush fire, tidal inundation, subsidence, acid sulfate soils, contamination, aircraft noise, salinity, coastal hazards, sea level rise or another risk, other than flooding (for flooding – see 9). The identified hazard or risk, if any, are listed below:

Nil

(b) The following information applies to any policy 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. The identified hazard or risk and the respective Policy which affect the property, if any, are listed below:

Nil

11. Bush fire prone land

The land is not bush fire prone land.

12. Loose-fill asbestos insulation

The residential dwelling erected on this land has not been identified in the Loose-Fill Asbestos Insulation Register as containing loose-fill asbestos ceiling insulation.

This clause applies to residential premises (within the meaning of Division 1A of part 8 of the Home Building Act 1989) that are listed in the register that is required to be maintained under that Division.

Contact NSW Fair Trading for more information.

13. Mine Subsidence

The land is not declared to be a mine Subsidence (Mine Subsidence) district within the meaning of section 15 of the *Mine Subsidence (Mine Subsidence) Compensation Act, 1961*.

14. Paper subdivision information

There is no current paper subdivision, of which council is aware, in respect of this land according to Part 10 of the *Environmental Planning and Assessment Regulation 2021* and Schedule 7 of the *Environmental Planning & Assessment Act 1997 No 203*.

15. Property vegetation plans

The Council has not been notified that the land is land to which a vegetation plan under the *Native Vegetation Act 2003* applies.

16. Biodiversity Stewardship Sites

The Council has not been notified by the Biodiversity Conservation Trust that the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the *Biodiversity Conservation Act 2016* (includes land to which a biobanking agreement under Part 7A of the repealed *Threatened Species Conservation Act 1995* relates).

17. Biodiversity certified land

The land is not biodiversity certified land under Part 8 of the *Biodiversity Conservation Act 2016* (includes land certified under Part 7AA of the repealed *Threatened Species Conservation Act 1995*).

18. Orders under Trees (Disputes Between Neighbours) Act 2006

Council has not been notified of the existence of an order made under the *Trees (Disputes Between Neighbours) Act 2006* to carry out work in relation to a tree on the land.

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

The owner of the land (or any previous owner) has not 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 1 January 2011.

20. Western Sydney Aerotropolis

Under State Environmental Planning Policy (Precincts – Western Parkland City) 2021, Chapter 4 the land is –

- (a) not in an ANEF or ANEC contour of 20 or greater, as referred to in that Chapter, section 4.17, or
- (b) not shown on the Lighting Intensity and Wind Shear Map, or
- (c) not shown on the Obstacle Limitation Surface Map, or
- (d) not in the “public safety area” on the Public Safety Area Map, or
- (e) not in the “3 kilometre wildlife buffer zone” or the “13 kilometre wildlife buffer zone” on the Wildlife Buffer Zone Map.

21. Development consent conditions for seniors housing

No condition of development consent granted after 11 October 2007 in relation to the land applies to the property that are of the kind set out in that Policy, section 88(2) of *State Environmental Planning Policy (Housing) 2021*.

22. Site compatibility certificate and conditions for affordable rental housing

(1) There is not a current site compatibility certificate of which the council is aware, in respect of proposed development on the land.

(2) No condition of development consent in relation to the land applies to the property that are of the kind set out in section 21(1) or 40(1) of State Environmental Planning Policy (Housing) 2021.

(3) No condition of development consent in relation to the land applies to the property that are of the kind set out in clause 17(1) or 38(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009.

Additional matters under the Contaminated Land Management Act 1997

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) the land to which the certificate relates is not significantly contaminated land within the meaning of that Act
- (b) the land to which the certificate relates is not subject to a management order within the meaning of that Act
- (c) the land to which the certificate relates is not the subject of an approved voluntary management proposal within the meaning of that Act
- (d) the land to which the certificate relates is not subject to an ongoing maintenance order within the meaning of that Act
- (e) the land to which the certificate relates is not the subject of a site audit statement

If contamination is identified above please contact the Environmental Protection Authority (EPA) for further information.

Planning Certificate – Part 5

The following is information provided in good faith under the provisions of Section 10.7(5) of the *Environmental Planning and Assessment Act 1979* (as amended – formerly Section 149) and lists relevant matters affecting the land of which Council is aware. The Council shall not incur any liability in respect of any such advice.

Persons relying on this certificate should read the environmental planning instruments referred to in this certificate.

Company Title Subdivision

Clause 4.1 of the *Pittwater Local Environmental Plan 2014*, *Warringah Local Environmental Plan 2011* or *Manly Local Environmental Plan 2013* provides that land may not be subdivided except with the consent of the Council. This includes subdivision by way of company title schemes. Persons considering purchasing property in the Northern Beaches local government area the subject of a company title scheme are advised to check that the land has been subdivided with the consent of the Council.

District Planning

Under the Greater Sydney Regional Plan – A Metropolis of Three Cities 2018, the Greater Sydney Commission sets a planning framework for a metropolis of three cities across Greater Sydney which reach across five Districts. Northern Beaches is located within the 'Eastern Harbour City' area and is in the North District which forms a large part of the Eastern Harbour City. The North District Plan sets out planning priorities and actions for the growth of the North District, including Northern Beaches. Northern Beaches Council's Local Strategic Planning Statement gives effect to the District Plan based on local characteristics and opportunities and Council's own priorities in the community. The Local Strategic Planning Statement came into effect on 26 March 2020.

Council Resolution To Amend Environmental Planning Instrument

The following instrument or resolution of Council proposes to vary the provisions of an environmental planning instrument, other than as referred to in the Planning Certificate – Part 2:

Nil

Additional Information Applying To The Land

Additional information, if any, relating to the land the subject of this certificate:

Geotechnical Planning Controls

Council is currently undertaking a study to review geotechnical planning controls across the Local Government Area. Information from a draft study indicates geotechnical considerations may affect a greater number of properties and may present an increased risk to properties than that shown on published hazard maps. Council's Development Engineering & Certification team can be contacted for further information.

General Information

Tree Preservation and Management Order

Tree preservation and Management order applies to the subject land



Ray Brownlee PSM

Chief Executive Officer
19/05/2023



Northern Beaches Council Planning Certificate – Part 2&5

Applicant: InfoTrack
GPO Box 4029
SYDNEY NSW 2001

Reference: Bohm
Date: 19/05/2023
Certificate No. ePLC2023/03007

Address of Property: 5 Rickard Road NORTH NARRABEEN NSW 2101
Description of Property: Lot 9 DP 16212

Planning Certificate – Part 2

The following certificate is issued under the provisions of Section 10.7(2) of the *Environmental Planning and Assessment Act 1979* (as amended – formerly Section 149). The information applicable to the land is accurate as at the above date.

1. Relevant planning instruments and Development Control Plans

(1) The name of each environmental planning instrument and development control plan that applies to the carrying out of development on the land:

(a) Local Environmental Plan

Pittwater Local Environmental Plan 2014

(b) State Environmental Planning Policies and Regional Environmental Plans

State Environmental Planning Policy (Housing) 2021

State Environmental Planning Policy (Primary Production) 2021

Chapters 1,2

State Environmental Planning Policy (Resources and Energy) 2021

Chapters 1, 2

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapters 1, 3, 4

State Environmental Planning Policy (Industry and Employment) 2021

Chapters 1, 3

State Environmental Planning Policy (Transport and Infrastructure) 2021

Chapters 1, 2, 3

State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapters 1, 2, 3, 4, 6, 7

State Environmental Planning Policy (Planning Systems) 2021
Chapters 1, 2
State Environmental Planning Policy (Precincts – Eastern Harbour City) 2021
Chapters 1, 2
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
SEPP 65 – Design Quality of Residential Apartment Development
SEPP (Building Sustainability Index: BASIX)
Wholly Affected - State Environmental Planning Policy (Resilience and Hazards) 2021
Chapter 2
State Environmental Planning Policy (Biodiversity and Conservation) 2021
Chapter 9

(c) Development Control Plans

Pittwater 21 Development Control Plan

(2) Draft Environmental Planning Instruments

The name of each proposed environmental planning instrument and draft development control plan, which is or has been subject to community consultation or public exhibition under the Act, that will apply to the carrying out of development on the land.

(a) Draft Local Environmental Plans

(b) Draft State Environmental Planning Policies

Draft State Environmental Planning Policy (Environment)
Draft Remediation of Land State Environmental Planning Policy (intended to replace State Environmental Planning Policy 55)

(c) Draft Development Control Plans

2. Zoning and land use under relevant planning instruments

The following matters for each environmental planning instrument or draft environmental planning instrument that includes the land in a zone, however described—

(1) Zoning and land use under relevant Local Environmental Plans

(a), (b)

The following information identifies the purposes for which development may be carried out with or without development consent and the purposes for which the carrying out of development is prohibited, for all zones (however described) affecting the land to which the relevant Local Environmental Plan applies.

Zone E1 Local Centre

2 Permitted without consent

Home-based child care; Home businesses; Home occupations

3 Permitted with consent

Amusement centres; Boarding houses; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Creative industries; Early education and care facilities; Electricity generating works; Entertainment facilities; Environmental protection works; Flood mitigation works; Function centres; Group homes; Home industries; Hostels; Hotel or motel accommodation; Information and education facilities; Local distribution premises; Medical centres; Oyster aquaculture; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Registered clubs; Respite day care centres; Roads; Service stations; Shop top housing; Signage; Tank-based aquaculture; Tourist and visitor accommodation; Veterinary hospitals; Waste or resource transfer stations; Water reticulation systems

4 Prohibited

Any development not specified in item 2 or 3

(c) Additional permitted uses

Additional permitted uses, if any, for which development is permissible with development consent pursuant to Clause 2.5 and Schedule 1 of the relevant Local Environmental Plan:

Nil

(d) Minimum land dimensions

The *Pittwater Local Environmental Plan 2014* contains no development standard that fixes minimum land dimensions for the erection of a dwelling house on the land.

(e) Outstanding biodiversity value

The land is not in an area of outstanding biodiversity value under the *Biodiversity Conservation Act 2016*

(f) Conservation areas

The land is not in a heritage conservation area.

(g) Item of environmental heritage

The land does not contain an item of environmental heritage.

(2) Zoning and land use under draft Local Environmental Plans

For any proposed changes to zoning and land use, see Part 1.2 (a)
Please contact Council's Strategic and Place Planning unit with enquiries on 1300 434 434.

3. Contribution plans

(1) The name of each contributions plan under the Act, Division 7.1 applying to the land, including draft contributions plans.

Northern Beaches Section 7.12 Contributions Plan 2022 - in force 1 June 2022.

(2) If the land is in a special contributions area under the Act, Division 7.1, the name of the area.

Nil

4. Complying Development

If the land is land on which complying development may or may not be carried out under each of the complying development codes under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, because of that Policy, clause 1.17A(1)(c)–(e), (2), (3) or (4), 1.18(1)(c3) or 1.19.

Part 3 Housing Code

Complying Development under the Housing Code may be carried out on all of the land.

Note: Further zone based limitations may apply. See *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* clause:

3.1 Land to which code applies

This code applies to development that is specified in clauses 3.2-3.5 on any lot in Zone R1, R2, R3, R4 or RU5 that:

- (a) has an area of at least 200m², and
- (b) has a width, measured at the building line fronting a primary road, of at least 6m.

Part 3A Rural Housing Code

Complying Development under the Rural Housing Code may be carried out on all of the land.

Note: Further zone based limitations may apply. See *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* clause:

3A.1 Land to which code applies

This code applies to development that is specified in clauses 3A.2-3A.5 on lots in Zone RU1, RU2, RU3, RU4, RU6 and R5.

Part 3B Low Rise Housing Diversity Code

Complying Development under the Low Rise Housing Diversity Code may be carried out on all of the land.

Part 3C Greenfield Housing Code

Complying Development under the Greenfield Housing Code may not be carried out on all of the land.

Part 3D Inland Code

Complying Development under the Inland Code does not apply to the land.

Note: Pursuant to clause 3D.1 of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, the Inland Code only applies to 'inland local government areas'. Northern Beaches local government area is not defined as an 'inland local government area' by *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

Part 4 Housing Alterations Code

Complying Development under the Housing Alterations Code may be carried out on all of the land.

Part 4A General Development Code

Complying Development under the General Development Code may be carried out on all of the land.

Part 5 Industrial and Business Alterations Code

Complying Development under the Industrial and Business Alterations Code may be carried out on all of the land.

Part 5A Industrial and Business Buildings Code

Complying Development under the Industrial and Business Buildings Code may be carried out on all of the land.

Note: Further zone based limitations may apply. See State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 clause:

5A.1 Land to which code applies

This code applies to development that is specified in clause 5A.2 on any lot in Zone B1, B2, B3, B4, B5, B6, B7, B8, IN1, IN2, IN3, IN4 or SP3.

Part 5B Container Recycling Facilities Code

Complying Development under the Container Recycling Facilities Code may be carried out on all of the land.

Note: Further zone based limitations may apply. See State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 clause:

5B.2 Development to which code applies

This code applies to development that is specified in clause 5B.3 on any lot in Zone B1, B2, B3, B4, B5, B6, B7, B8, IN1, IN2, IN3, IN4 or SP3.

Part 6 Subdivisions Code

Complying Development under the Subdivisions Code may be carried out on all of the land.

Part 7 Demolition Code

Complying Development under the Demolition Code may be carried out on all of the land.

Part 8 Fire Safety Code

Complying Development under the Fire Safety Code may be carried out on all of the land.

(4) Complying Development Codes varied under Clause 1.12 of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

No complying codes are varied under this clause in relation to the land.

5. Exempt Development

If the land is land on which exempt development may or may not be carried out under each of the exempt development codes under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, because of that Policy, clause 1.16(1)(b1)–(d) or 1.16A.

Part 2 Exempt Development Codes

Exempt Development under the Exempt Development Codes may be carried out on all of the land.

(4) Exempt Development Codes varied under Clause 1.12 of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*

No exempt development codes are varied under this clause in relation to the land.

6. Affected building notices and building product rectification orders

- (a) There is not an affected building notice of which the council is aware that is in force in respect of the land.
- (b) There is not a building product rectification order of which the council is aware that is in force in respect of the land and has not been fully complied with, and
- (c) There is not a notice of intention to make a building product rectification order of which the council is aware has been given in respect of the land and is outstanding.

In this section—

affected building notice has the same meaning the *Building Products (Safety) Act 2017, Part 4*.

building product rectification order has the same meaning as in the *Building Products (Safety) Act 2017*.

7. Land reserved for acquisition

Environmental planning instrument referred to in Clause 1 does not make provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the Act.

8. Road widening and road realignment

- (a) The land is not affected by a road widening or re-alignment proposal under Division 2 of Part 3 of the *Roads Act 1993*.
- (b) The land is not affected by a road widening or re-alignment proposal under an environmental planning instrument.
- (c) The land is not affected by a road widening or re-alignment proposal under a resolution of Council.

9. Flood related development controls

- (1) The land is within the flood planning area and subject to flood related development controls.
- (2) The land or part of the land is not between the flood planning area and the probable maximum flood and subject to flood related development controls.

In this section—

flood planning area has the same meaning as in the Floodplain Development Manual.

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

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

10. Council and other public authority policies on hazard risk restriction

(a) Council has adopted policies that restrict the development of the land because of the likelihood of land slip, bush fire, tidal inundation, subsidence, acid sulfate soils, contamination, aircraft noise, salinity, coastal hazards, sea level rise or another risk, other than flooding (for flooding – see 9). The identified hazard or risk, if any, are listed below:

Nil

(b) The following information applies to any policy 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. The identified hazard or risk and the respective Policy which affect the property, if any, are listed below:

Nil

11. Bush fire prone land

The land is not bush fire prone land.

12. Loose-fill asbestos insulation

The residential dwelling erected on this land has not been identified in the Loose-Fill Asbestos Insulation Register as containing loose-fill asbestos ceiling insulation.

This clause applies to residential premises (within the meaning of Division 1A of part 8 of the Home Building Act 1989) that are listed in the register that is required to be maintained under that Division.

Contact NSW Fair Trading for more information.

13. Mine Subsidence

The land is not declared to be a mine Subsidence (Mine Subsidence) district within the meaning of section 15 of the *Mine Subsidence (Mine Subsidence) Compensation Act, 1961*.

14. Paper subdivision information

There is no current paper subdivision, of which council is aware, in respect of this land according to Part 10 of the *Environmental Planning and Assessment Regulation 2021* and Schedule 7 of the *Environmental Planning & Assessment Act 1997 No 203*.

15. Property vegetation plans

The Council has not been notified that the land is land to which a vegetation plan under the *Native Vegetation Act 2003* applies.

16. Biodiversity Stewardship Sites

The Council has not been notified by the Biodiversity Conservation Trust that the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the *Biodiversity Conservation Act 2016* (includes land to which a biobanking agreement under Part 7A of the repealed *Threatened Species Conservation Act 1995* relates).

17. Biodiversity certified land

The land is not biodiversity certified land under Part 8 of the *Biodiversity Conservation Act 2016* (includes land certified under Part 7AA of the repealed *Threatened Species Conservation Act 1995*).

18. Orders under Trees (Disputes Between Neighbours) Act 2006

Council has not been notified of the existence of an order made under the *Trees (Disputes Between Neighbours) Act 2006* to carry out work in relation to a tree on the land.

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

The owner of the land (or any previous owner) has not 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 1 January 2011.

20. Western Sydney Aerotropolis

Under State Environmental Planning Policy (Precincts – Western Parkland City) 2021, Chapter 4 the land is –

- (a) not in an ANEF or ANEC contour of 20 or greater, as referred to in that Chapter, section 4.17, or
- (b) not shown on the Lighting Intensity and Wind Shear Map, or
- (c) not shown on the Obstacle Limitation Surface Map, or
- (d) not in the “public safety area” on the Public Safety Area Map, or
- (e) not in the “3 kilometre wildlife buffer zone” or the “13 kilometre wildlife buffer zone” on the Wildlife Buffer Zone Map.

21. Development consent conditions for seniors housing

No condition of development consent granted after 11 October 2007 in relation to the land applies to the property that are of the kind set out in that Policy, section 88(2) of State Environmental Planning Policy (Housing) 2021.

22. Site compatibility certificate and conditions for affordable rental housing

(1) There is not a current site compatibility certificate of which the council is aware, in respect of proposed development on the land.

(2) No condition of development consent in relation to the land applies to the property that are of the kind set out in section 21(1) or 40(1) of State Environmental Planning Policy (Housing) 2021.

(3) No condition of development consent in relation to the land applies to the property that are of the kind set out in clause 17(1) or 38(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009.

Additional matters under the Contaminated Land Management Act 1997

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) the land to which the certificate relates is not significantly contaminated land within the meaning of that Act
- (b) the land to which the certificate relates is not subject to a management order within the meaning of that Act
- (c) the land to which the certificate relates is not the subject of an approved voluntary management proposal within the meaning of that Act
- (d) the land to which the certificate relates is not subject to an ongoing maintenance order within the meaning of that Act
- (e) the land to which the certificate relates is not the subject of a site audit statement

If contamination is identified above please contact the Environmental Protection Authority (EPA) for further information.

Planning Certificate – Part 5

The following is information provided in good faith under the provisions of Section 10.7(5) of the *Environmental Planning and Assessment Act 1979* (as amended – formerly Section 149) and lists relevant matters affecting the land of which Council is aware. The Council shall not incur any liability in respect of any such advice.

Persons relying on this certificate should read the environmental planning instruments referred to in this certificate.

Company Title Subdivision

Clause 4.1 of the *Pittwater Local Environmental Plan 2014*, *Warringah Local Environmental Plan 2011* or *Manly Local Environmental Plan 2013* provides that land may not be subdivided except with the consent of the Council. This includes subdivision by way of company title schemes. Persons considering purchasing property in the Northern Beaches local government area the subject of a company title scheme are advised to check that the land has been subdivided with the consent of the Council.

District Planning

Under the Greater Sydney Regional Plan – A Metropolis of Three Cities 2018, the Greater Sydney Commission sets a planning framework for a metropolis of three cities across Greater Sydney which reach across five Districts. Northern Beaches is located within the 'Eastern Harbour City' area and is in the North District which forms a large part of the Eastern Harbour City. The North District Plan sets out planning priorities and actions for the growth of the North District, including Northern Beaches. Northern Beaches Council's Local Strategic Planning Statement gives effect to the District Plan based on local characteristics and opportunities and Council's own priorities in the community. The Local Strategic Planning Statement came into effect on 26 March 2020.

Council Resolution To Amend Environmental Planning Instrument

The following instrument or resolution of Council proposes to vary the provisions of an environmental planning instrument, other than as referred to in the Planning Certificate – Part 2:

Nil

Additional Information Applying To The Land

Additional information, if any, relating to the land the subject of this certificate:

Geotechnical Planning Controls

Council is currently undertaking a study to review geotechnical planning controls across the Local Government Area. Information from a draft study indicates geotechnical considerations may affect a greater number of properties and may present an increased risk to properties than that shown on published hazard maps. Council's Development Engineering & Certification team can be contacted for further information.

General Information

Tree Preservation and Management Order

Tree preservation and Management order applies to the subject land



Ray Brownlee PSM

Chief Executive Officer
19/05/2023