



APPENDIX B

SECTION 149 (2) CERTIFICATES

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

Cert No: PLN2010/2731
Date: Wednesday, 27 October 2010
Your Ref:

Applicant: Smec Testing Services Pty Ltd
Po Box 6989
Wetherill Park NSW 2164

Property Address: 74 - 78 Belmore St RYDE
Description: Lot 12 DP 51349

Property Reference: 502506
Land Reference: 37309

INFORMATION PROVIDED PURSUANT TO SECTION 149(2) OF THE ACT.

**1. NAMES OF RELEVANT ENVIRONMENTAL PLANNING INSTRUMENTS THAT APPLY TO THE
CARRYING OUT OF DEVELOPMENT ON THE LAND**

a) LOCAL ENVIRONMENTAL PLAN AND DEEMED ENVIRONMENTAL PLANNING INSTRUMENTS
Ryde Local Environmental Plan No. 2010

b) DRAFT LOCAL ENVIRONMENTAL PLANS as exhibited under Section 66(1) (b) of the Act
Nil

c) DEVELOPMENT CONTROL PLANS
City of Ryde Development Control Plan 2010
Attention is drawn to **Part 4.2 Meadowbank Employment Area** of DCP 2010.

d) STATE ENVIRONMENTAL PLANNING POLICIES AND INSTRUMENTS (includes Draft Policies)
The Minister for Planning has notified Council that the following State Environmental Planning Policies and Deemed State Environmental Plans apply to the land and should be specified in this certificate:

State Environmental Planning Policies

State Environmental Planning Policy No. 4 - Development without Consent and Miscellaneous Exempt and Complying Development.
State Environmental Planning Policy No. 6 - Number of Storeys in a Building.
State Environmental Planning Policy No. 19 - Bushland in Urban Areas
State Environmental Planning Policy No. 21 - Caravan Parks.
State Environmental Planning Policy No. 22 - Shops and Commercial Premises (as amended).
State Environmental Planning Policy No. 32 - Urban Consolidation.
State Environmental Planning Policy No. 33 - Hazardous and Offensive Development
State Environmental Planning Policy No. 50 - Canal Estate Development
State Environmental Planning Policy No. 55 - Remediation of Land.

State Environmental Planning Policy No.62 - Sustainable Aquaculture
 State Environmental Planning Policy No. 64 - Advertising and Signage
 State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Development.
 State Environmental Planning Policy No. 70 - Affordable Housing (Revised Schemes).
 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (as amended).
 State Environmental Planning Policy (Temporary Structures and Places of Public Entertainment) 2007.
 State Environmental Planning Policy (Repeal of Concurrence and Referral Provisions) 2004.
 State Environmental Planning Policy (Major Projects) 2005 (as amended).
 State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007
 Draft State Environmental Planning Policy No. 66 - Integration of Land Use and Transport 2001.
 Draft State Environmental Planning Policy (Application of Development Standards) 2004.
 State Environmental Planning Policy (Infrastructure) 2007.
 State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
 State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (Housing for Seniors of People with a Disability) 2004

Deemed State Environmental Planning Policies

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.

2. ZONING AND LAND USE UNDER RELEVANT LOCAL ENVIRONMENTAL PLANS

(a) ZONING and ZONING TABLE

B4 Mixed Use

Objectives of zone

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To create vibrant, active and safe communities and economically sound employment centres.
- To create safe and attractive environments for pedestrians.
- To recognise topography, landscape setting and unique location in design and land-use.

1. Permitted without consent

Home based child care; Home occupations;

2. Permitted with consent

Boarding houses; Building identification signs; Business identification signs; Business premises; Child care centres; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Office premises; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Retail premises; Roads; Seniors housing; Shop top housing; Waste or resource transfer stations; Any other development not specified in 1 or 3.

3. Prohibited

Advertisements structures; Agriculture; Biosolids treatment facilities; Caravan Parks; Depots; Hazardous industries; Hazardous storage establishments; Heavy industries; Home occupation (sex services); Liquid fuel depots; Offensive industries; Offensive storage establishments; Sex service premises; Stock and sale yards; vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Waste or resource management facilities; Water recycling facilities; Water treatment facilities.

The property is within the Special Uses Precinct of the Meadowbank Employment Area. See precinct information within Part 4.2 Meadowbank Employment Area of Development Control Plan 2010.

(b) DEVELOPMENT STANDARDS FOR THE ERECTION OF A DWELLING HOUSE

No development standards apply to the land that fix minimum land dimensions for the erection of a dwelling house on the land.

(c) CRITICAL HABITAT

No. The land does not include or comprise critical habitat under the Ryde Local Environmental Plan 2010.

(d) CONSERVATION AREA (however described)

No the land has not been identified as being within a heritage conservation area under the Local Environmental Plan .

(e) ITEMS OF ENVIRONMENTAL HERITAGE (however described)

No. An item of environmental heritage under Ryde Local Environmental Plan is not situated on the land.

OTHER PRESCRIBED INFORMATION

3. COMPLYING DEVELOPMENT

Whether or not the land is land on which complying development may be carried out under each of the codes for complying development in *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. If complying development may not be carried out on that land because of one of the requirements under that Policy, the reason why it may not be carried out.

General Housing Code

Complying Development under the General Housing Code may be carried out on this land.

Housing Internal Alterations Code

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

General Commercial and Industrial Code

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

Subdivisions Code

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

Note: It is necessary for the zoning, size of land and other criteria to be in accordance with that specified in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 for certain types of development to occur under the Policy.

4. COASTAL PROTECTION

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

The land is not affected by the operation of section 38 or 39 of the Coastal Protection Act 1979.

5. MINE SUBSIDENCE

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

The land has not been proclaimed to be a mine subsidence district within the meaning of Section 15 of the Mine Subsidence Compensation Act, 1961.

6. ROAD WIDENING AND ROAD REALIGNMENT

Whether or not the land is affected by any road widening or road realignment.

The land is not affected by any road widening or road realignment under:

- (a) Division 2 of Part 3 of the Roads Act 1993;
- (b) any environmental planning instrument.
- (c) any resolution of Council.

7. COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS

Whether or not the land is affected by a policy adopted by the council, or adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by council, that restricts the development of the land because of the likelihood of:

- (i) landslip NO.
- (ii) bush fire NO.
- (iii) tidal inundation NO.
- (iv) subsidence NO.
- (v) acid sulphate soil YES
- (vi) any other risk (other than flooding) NO.

***Note:** The fact that land has not been identified as being affected by a policy to restrict development because of the risks referred to does not mean that the risk is non-existent.*

7A. FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION

- (1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors' living is subject to flood related development controls. NO
- (2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls. NO
- (3) Words and expressions in this clause have the same meanings as in the instrument set out in the schedule to the standard instrument (Local Environmental Plans) Order 2006.

8. LAND RESERVED FOR ACQUISITION

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

No environmental planning instrument, deemed environmental planning instrument or draft environmental planning instrument applying to the land provides for the acquisition of the land by a public authority in Section 27 of the Act.

9. CONTRIBUTIONS PLANS

The name of each contributions plan applying to the land:

City of Ryde Section 94 Development Contributions Plan 2007

10. BUSH FIRE PRONE LAND

The land described in this certificate is not bush fire prone land as defined under the Environmental Planning and Assessment Act 1979.

11. PROPERTY VEGETATION PLANS

The land is not subject to a property vegetation plan under the *Native Vegetation Act 2003*.

12. ORDERS UNDER TREES (DISPUTES BETWEEN NEIGHBOURS) ACT 2006

There has not been an order made under the Trees (Disputes between Neighbours) Act 2006 to carry out work in relation to a tree on the land.

13. DIRECTIONS UNDER PART 3A

There is no direction in force under section 75P (2)(c1) of the Environmental Planning and Assessment Act 1979.

14. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR SENIORS HOUSING

Part A: There has been no Site Compatibility Certificate issued (of which Council is aware) under Clause 25 of State Environmental Planning Policy (Housing for Senior or People with a Disability) 2004. Part B: There has not been any development consent granted since 12 October 2007 for development to which State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies.

15. SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE

There is no valid site compatibility certificate (infrastructure) of which the Council is aware in respect of proposed development on the land.

16. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING

There is no current site compatibility certificate (affordable rental housing) that Council is aware in respect of proposed development on the land.

There are no terms of a kind referred to in clause 17(1) or 37(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 that have been imposed as a condition of consent to a development application in respect of the land.

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 this certificate relates IS NOT significantly contaminated land.
- (b) The land to which this certificate relates IS NOT subject to a management order.
- (c) The land to which this certificate relates IS NOT the subject of an approved voluntary management proposal.
- (d) The land to which this certificate relates IS NOT subject to an ongoing maintenance order.
- (e) The land to which this certificate relates IS NOT subject to a site audit statement.

Note. (i) Pursuant to Section 149(5) of the Environmental Planning and Assessment Act 1979, the City of Ryde may provide advice on additional matters affecting the land of which it may be aware. You are advised that information on either heritage, endangered or adequately conserved bushland, draft Development Control Plans, Master Plans or other relevant matters, applies to the land and is available on the s149(5) Certificate for the land.

(ii) s149(5) Certificates under the Environmental Planning and Assessment Act 1979, contain all the information under s149(2) and as such, an application and fee for a combined s149 certificate must be applied for.

Note: The information in this certificate is current as of the date of the certificate.



Dominic Johnson
Group Manager – Environment and Planning



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

Cert No: PLN2010/2734
Date: Wednesday, 27 October 2010
Your Ref:

Applicant: Smec Testing Services Pty Ltd
Po Box 6989
Wetherill Park NSW 2164

Property Address: 74 - 78 Belmore St RYDE
Description: Lot 14 DP 4481

Property Reference: 502506
Land Reference: 37313

INFORMATION PROVIDED PURSUANT TO SECTION 149(2) OF THE ACT.

**1. NAMES OF RELEVANT ENVIRONMENTAL PLANNING INSTRUMENTS THAT APPLY TO THE
CARRYING OUT OF DEVELOPMENT ON THE LAND**

a) LOCAL ENVIRONMENTAL PLAN AND DEEMED ENVIRONMENTAL PLANNING INSTRUMENTS
Ryde Local Environmental Plan No. 2010

b) DRAFT LOCAL ENVIRONMENTAL PLANS as exhibited under Section 66(1) (b) of the Act
Nil

c) DEVELOPMENT CONTROL PLANS
City of Ryde Development Control Plan 2010
Attention is drawn to **Part 4.2 Meadowbank Employment Area** of DCP 2010.

d) STATE ENVIRONMENTAL PLANNING POLICIES AND INSTRUMENTS (includes Draft Policies)
The Minister for Planning has notified Council that the following State Environmental Planning Policies and Deemed State Environmental Plans apply to the land and should be specified in this certificate:

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State Environmental Planning Policy No. 32 - Urban Consolidation.
State Environmental Planning Policy No. 33 - Hazardous and Offensive Development
State Environmental Planning Policy No. 50 - Canal Estate Development
State Environmental Planning Policy No. 55 - Remediation of Land.

State Environmental Planning Policy No.62 - Sustainable Aquaculture
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 State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (Housing for Seniors of People with a Disability) 2004

Deemed State Environmental Planning Policies

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.

2. ZONING AND LAND USE UNDER RELEVANT LOCAL ENVIRONMENTAL PLANS

(a) ZONING and ZONING TABLE

B4 Mixed Use

Objectives of zone

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To create vibrant, active and safe communities and economically sound employment centres.
- To create safe and attractive environments for pedestrians.
- To recognise topography, landscape setting and unique location in design and land-use.

1. Permitted without consent

Home based child care; Home occupations;

2. Permitted with consent

Boarding houses; Building identification signs; Business identification signs; Business premises; Child care centres; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Office premises; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Retail premises; Roads; Seniors housing; Shop top housing; Waste or resource transfer stations; Any other development not specified in 1 or 3.

3. Prohibited

Advertisements structures; Agriculture; Biosolids treatment facilities; Caravan Parks; Depots; Hazardous industries; Hazardous storage establishments; Heavy industries; Home occupation (sex services); Liquid fuel depots; Offensive industries; Offensive storage establishments; Sex service premises; Stock and sale yards; vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Waste or resource management facilities; Water recycling facilities; Water treatment facilities.

The property is within the Special Uses Precinct of the Meadowbank Employment Area. See precinct information within Part 4.2 Meadowbank Employment Area of Development Control Plan 2010.

(b) DEVELOPMENT STANDARDS FOR THE ERECTION OF A DWELLING HOUSE

No development standards apply to the land that fix minimum land dimensions for the erection of a dwelling house on the land.

(c) CRITICAL HABITAT

No. The land does not include or comprise critical habitat under the Ryde Local Environmental Plan 2010.

(d) CONSERVATION AREA (however described)

No the land has not been identified as being within a heritage conservation area under the Local Environmental Plan .

(e) ITEMS OF ENVIRONMENTAL HERITAGE (however described)

No. An item of environmental heritage under Ryde Local Environmental Plan is not situated on the land.

OTHER PRESCRIBED INFORMATION

3. COMPLYING DEVELOPMENT

Whether or not the land is land on which complying development may be carried out under each of the codes for complying development in *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. If complying development may not be carried out on that land because of one of the requirements under that Policy, the reason why it may not be carried out.

General Housing Code

Complying Development under the General Housing Code may be carried out on this land.

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General Commercial and Industrial Code

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Note: It is necessary for the zoning, size of land and other criteria to be in accordance with that specified in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 for certain types of development to occur under the Policy.

4. COASTAL PROTECTION

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

The land is not affected by the operation of section 38 or 39 of the Coastal Protection Act 1979.

5. MINE SUBSIDENCE

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

The land has not been proclaimed to be a mine subsidence district within the meaning of Section 15 of the Mine Subsidence Compensation Act, 1961.

6. ROAD WIDENING AND ROAD REALIGNMENT

Whether or not the land is affected by any road widening or road realignment.

The land is not affected by any road widening or road realignment under:

- (a) Division 2 of Part 3 of the Roads Act 1993;
- (b) any environmental planning instrument.
- (c) any resolution of Council.

7. COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS

Whether or not the land is affected by a policy adopted by the council, or adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by council, that restricts the development of the land because of the likelihood of:

- (i) landslip NO.
- (ii) bush fire NO.
- (iii) tidal inundation NO.
- (iv) subsidence NO.
- (v) acid sulphate soil YES
- (vi) any other risk (other than flooding) NO.

***Note:** The fact that land has not been identified as being affected by a policy to restrict development because of the risks referred to does not mean that the risk is non-existent.*

7A. FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors' living is subject to flood related development controls. NO

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls. NO

(3) Words and expressions in this clause have the same meanings as in the instrument set out in the schedule to the standard instrument (Local Environmental Plans) Order 2006.

8. LAND RESERVED FOR ACQUISITION

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

No environmental planning instrument, deemed environmental planning instrument or draft environmental planning instrument applying to the land provides for the acquisition of the land by a public authority in Section 27 of the Act.

9. CONTRIBUTIONS PLANS

The name of each contributions plan applying to the land:

City of Ryde Section 94 Development Contributions Plan 2007

10. BUSH FIRE PRONE LAND

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There has not been an order made under the Trees (Disputes between Neighbours) Act 2006 to carry out work in relation to a tree on the land.

13. DIRECTIONS UNDER PART 3A

There is no direction in force under section 75P (2)(c1) of the Environmental Planning and Assessment Act 1979.

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Part A: There has been no Site Compatibility Certificate issued (of which Council is aware) under Clause 25 of State Environmental Planning Policy (Housing for Senior or People with a Disability) 2004. Part B: There has not been any development consent granted since 12 October 2007 for development to which State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies.

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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:

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- (c) The land to which this certificate relates IS NOT the subject of an approved voluntary management proposal.
- (d) The land to which this certificate relates IS NOT subject to an ongoing maintenance order.
- (e) The land to which this certificate relates IS NOT subject to a site audit statement.

Note. (i) Pursuant to Section 149(5) of the Environmental Planning and Assessment Act 1979, the City of Ryde may provide advice on additional matters affecting the land of which it may be aware. You are advised that information on either heritage, endangered or adequately conserved bushland, draft Development Control Plans, Master Plans or other relevant matters, applies to the land and is available on the s149(5) Certificate for the land.

(ii) s149(5) Certificates under the Environmental Planning and Assessment Act 1979, contain all the information under s149(2) and as such, an application and fee for a combined s149 certificate must be applied for.

Note: The information in this certificate is current as of the date of the certificate.



Dominic Johnson
Group Manager – Environment and Planning



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

Cert No: PLN2010/2732
Date: Wednesday, 27 October 2010
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Applicant: Smec Testing Services Pty Ltd
Po Box 6989
Wetherill Park NSW 2164

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Nil

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State Environmental Planning Policy (Housing for Seniors of People with a Disability) 2004

Deemed State Environmental Planning Policies

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.

2. ZONING AND LAND USE UNDER RELEVANT LOCAL ENVIRONMENTAL PLANS

(a) ZONING and ZONING TABLE

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Objectives of zone

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1. Permitted without consent

Home based child care; Home occupations;

2. Permitted with consent

Boarding houses; Building identification signs; Business identification signs; Business premises; Child care centres; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Office premises; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Retail premises; Roads; Seniors housing; Shop top housing; Waste or resource transfer stations; Any other development not specified in 1 or 3.

3. Prohibited

Advertisements structures; Agriculture; Biosolids treatment facilities; Caravan Parks; Depots; Hazardous industries; Hazardous storage establishments; Heavy industries; Home occupation (sex services); Liquid fuel depots; Offensive industries; Offensive storage establishments; Sex service premises; Stock and sale yards; vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Waste or resource management facilities; Water recycling facilities; Water treatment facilities.

The property is within the Special Uses Precinct of the Meadowbank Employment Area. See precinct information within Part 4.2 Meadowbank Employment Area of Development Control Plan 2010.

(b) DEVELOPMENT STANDARDS FOR THE ERECTION OF A DWELLING HOUSE

No development standards apply to the land that fix minimum land dimensions for the erection of a dwelling house on the land.

(c) CRITICAL HABITAT

No. The land does not include or comprise critical habitat under the Ryde Local Environmental Plan 2010.

(d) CONSERVATION AREA (however described)

No the land has not been identified as being within a heritage conservation area under the Local Environmental Plan .

(e) ITEMS OF ENVIRONMENTAL HERITAGE (however described)

YES. An item of environmental heritage under Ryde Local Environmental Plan 2010 is situated on the land.

OTHER PRESCRIBED INFORMATION

3. COMPLYING DEVELOPMENT

Whether or not the land is land on which complying development may be carried out under each of the codes for complying development in *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. If complying development may not be carried out on that land because of one of the requirements under that Policy, the reason why it may not be carried out.

General Housing Code

Complying development under the above Code may not be carried out on this land. The land is excluded land being land identified as being:

* land that comprises, or on which there is, a heritage item or a draft heritage item.

Housing Internal Alterations Code

Complying development under the above Code may not be carried out on this land. The land is excluded land being land that comprises , or on which there is, a heritage item or a draft heritage item.

General Commercial and Industrial Code

Complying development under the above Code may not be carried out on this land. The land is excluded land being land that comprises , or on which there is a heritage item or a draft heritage item.

Subdivisions Code

Complying development under the above Code may not be carried out on this land. The land is excluded land being land that comprises , or on which there is, a heritage item or a draft heritage item.

Note: It is necessary for the zoning, size of land and other criteria to be in accordance with that specified in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 for certain types of development to occur under the Policy.

4. COASTAL PROTECTION

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

The land is not affected by the operation of section 38 or 39 of the Coastal Protection Act 1979.

5. MINE SUBSIDENCE

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The land has not been proclaimed to be a mine subsidence district within the meaning of Section 15 of the Mine Subsidence Compensation Act, 1961.

6. ROAD WIDENING AND ROAD REALIGNMENT

Whether or not the land is affected by any road widening or road realignment.

The land is not affected by any road widening or road realignment under:

- (a) Division 2 of Part 3 of the Roads Act 1993;
- (b) any environmental planning instrument.
- (c) any resolution of Council.

7. COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS

Whether or not the land is affected by a policy adopted by the council, or adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by council, that restricts the development of the land because of the likelihood of:

- (i) landslip NO.
- (ii) bush fire NO.
- (iii) tidal inundation NO.
- (iv) subsidence NO.
- (v) acid sulphate soil YES
- (vi) any other risk (other than flooding) NO.

Note: The fact that land has not been identified as being affected by a policy to restrict development because of the risks referred to does not mean that the risk is non-existent.

7A. FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors' living is subject to flood related development controls. NO

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls. NO

(3) Words and expressions in this clause have the same meanings as in the instrument set out in the schedule to the standard instrument (Local Environmental Plans) Order 2006.

8. LAND RESERVED FOR ACQUISITION

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

No environmental planning instrument, deemed environmental planning instrument or draft environmental planning instrument applying to the land provides for the acquisition of the land by a public authority in Section 27 of the Act.

9. CONTRIBUTIONS PLANS

The name of each contributions plan applying to the land:

City of Ryde Section 94 Development Contributions Plan 2007

10. BUSH FIRE PRONE LAND

The land described in this certificate is not bush fire prone land as defined under the Environmental Planning and Assessment Act 1979.

11. PROPERTY VEGETATION PLANS

The land is not subject to a property vegetation plan under the *Native Vegetation Act 2003*.

12. ORDERS UNDER TREES (DISPUTES BETWEEN NEIGHBOURS) ACT 2006

There has not been an order made under the Trees (Disputes between Neighbours) Act 2006 to carry out work in relation to a tree on the land.

13. DIRECTIONS UNDER PART 3A

There is no direction in force under section 75P (2)(c1) of the Environmental Planning and Assessment Act 1979.

14. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR SENIORS HOUSING

Part A: There has been no Site Compatibility Certificate issued (of which Council is aware) under Clause 25 of State Environmental Planning Policy (Housing for Senior or People with a Disability) 2004. Part B: There has not been any development consent granted since 12 October 2007 for development to which State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies.

15. SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE

There is no valid site compatibility certificate (infrastructure) of which the Council is aware in respect of proposed development on the land.

16. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING

There is no current site compatibility certificate (affordable rental housing) that Council is aware in respect of proposed development on the land.

There are no terms of a kind referred to in clause 17(1) or 37(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 that have been imposed as a condition of consent to a development application in respect of the land.

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 this certificate relates IS NOT significantly contaminated land.
- (b) The land to which this certificate relates IS NOT subject to a management order.
- (c) The land to which this certificate relates IS NOT the subject of an approved voluntary management proposal.
- (d) The land to which this certificate relates IS NOT subject to an ongoing maintenance order.
- (e) The land to which this certificate relates IS NOT subject to a site audit statement.

Note. (i) *Pursuant to Section 149(5) of the Environmental Planning and Assessment Act 1979, the City of Ryde may provide advice on additional matters affecting the land of which it may be aware. You are advised that information on either heritage, endangered or adequately conserved bushland, draft Development Control Plans, Master Plans or other relevant matters, applies to the land and is available on the s149(5) Certificate for the land.*

(ii) *s149(5) Certificates under the Environmental Planning and Assessment Act 1979, contain all the information under s149(2) and as such, an application and fee for a combined s149 certificate must be applied for.*

Note: *The information in this certificate is current as of the date of the certificate.*



Dominic Johnson
Group Manager – Environment and Planning

Locked Bag 2069, North Ryde NSW 1670
Facsimile 9952 8070
Telephone 9952 8222

City of Ryde



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

Cert No: PLN2010/2733
Date: Wednesday, 27 October 2010
Your Ref:

Applicant: Smec Testing Services Pty Ltd
Po Box 6989
Wetherill Park NSW 2164

Property Address: 74 - 78 Belmore St RYDE
Description: Lot 13 DP 4481

Property Reference: 502506
Land Reference: 37312

INFORMATION PROVIDED PURSUANT TO SECTION 149(2) OF THE ACT.

**1. NAMES OF RELEVANT ENVIRONMENTAL PLANNING INSTRUMENTS THAT APPLY TO THE
CARRYING OUT OF DEVELOPMENT ON THE LAND**

a) LOCAL ENVIRONMENTAL PLAN AND DEEMED ENVIRONMENTAL PLANNING INSTRUMENTS
Ryde Local Environmental Plan No. 2010

b) DRAFT LOCAL ENVIRONMENTAL PLANS as exhibited under Section 66(1) (b) of the Act
Nil

c) DEVELOPMENT CONTROL PLANS
City of Ryde Development Control Plan 2010
Attention is drawn to **Part 4.2 Meadowbank Employment Area** of DCP 2010.

d) STATE ENVIRONMENTAL PLANNING POLICIES AND INSTRUMENTS (includes Draft Policies)
The Minister for Planning has notified Council that the following State Environmental Planning Policies and Deemed State Environmental Plans apply to the land and should be specified in this certificate:

State Environmental Planning Policies

State Environmental Planning Policy No. 4 - Development without Consent and Miscellaneous Exempt and Complying Development.
State Environmental Planning Policy No. 6 - Number of Storeys in a Building.
State Environmental Planning Policy No. 19 - Bushland in Urban Areas
State Environmental Planning Policy No. 21 - Caravan Parks.
State Environmental Planning Policy No. 22 - Shops and Commercial Premises (as amended).
State Environmental Planning Policy No. 32 - Urban Consolidation.
State Environmental Planning Policy No. 33 - Hazardous and Offensive Development
State Environmental Planning Policy No. 50 - Canal Estate Development
State Environmental Planning Policy No. 55 - Remediation of Land.

State Environmental Planning Policy No.62 - Sustainable Aquaculture
 State Environmental Planning Policy No. 64 - Advertising and Signage
 State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Development.
 State Environmental Planning Policy No. 70 - Affordable Housing (Revised Schemes).
 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (as amended).
 State Environmental Planning Policy (Temporary Structures and Places of Public Entertainment) 2007.
 State Environmental Planning Policy (Repeal of Concurrence and Referral Provisions) 2004.
 State Environmental Planning Policy (Major Projects) 2005 (as amended).
 State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007
 Draft State Environmental Planning Policy No. 66 - Integration of Land Use and Transport 2001.
 Draft State Environmental Planning Policy (Application of Development Standards) 2004.
 State Environmental Planning Policy (Infrastructure) 2007.
 State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
 State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (Housing for Seniors of People with a Disability) 2004

Deemed State Environmental Planning Policies

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.

2. ZONING AND LAND USE UNDER RELEVANT LOCAL ENVIRONMENTAL PLANS

(a) ZONING and ZONING TABLE

B4 Mixed Use

Objectives of zone

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To create vibrant, active and safe communities and economically sound employment centres.
- To create safe and attractive environments for pedestrians.
- To recognise topography, landscape setting and unique location in design and land-use.

1. Permitted without consent

Home based child care; Home occupations;

2. Permitted with consent

Boarding houses; Building identification signs; Business identification signs; Business premises; Child care centres; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Office premises; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Retail premises; Roads; Seniors housing; Shop top housing; Waste or resource transfer stations; Any other development not specified in 1 or 3.

3. Prohibited

Advertisements structures; Agriculture; Biosolids treatment facilities; Caravan Parks; Depots; Hazardous industries; Hazardous storage establishments; Heavy industries; Home occupation (sex services); Liquid fuel depots; Offensive industries; Offensive storage establishments; Sex service premises; Stock and sale yards; vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Waste or resource management facilities; Water recycling facilities; Water treatment facilities.

The property is within the Special Uses Precinct of the Meadowbank Employment Area. See precinct information within Part 4.2 Meadowbank Employment Area of Development Control Plan 2010.

(b) DEVELOPMENT STANDARDS FOR THE ERECTION OF A DWELLING HOUSE

No development standards apply to the land that fix minimum land dimensions for the erection of a dwelling house on the land.

(c) CRITICAL HABITAT

No. The land does not include or comprise critical habitat under the Ryde Local Environmental Plan 2010.

(d) CONSERVATION AREA (however described)

No the land has not been identified as being within a heritage conservation area under the Local Environmental Plan .

(e) ITEMS OF ENVIRONMENTAL HERITAGE (however described)

No. An item of environmental heritage under Ryde Local Environmental Plan is not situated on the land.

OTHER PRESCRIBED INFORMATION

3. COMPLYING DEVELOPMENT

Whether or not the land is land on which complying development may be carried out under each of the codes for complying development in *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. If complying development may not be carried out on that land because of one of the requirements under that Policy, the reason why it may not be carried out.

General Housing Code

Complying Development under the General Housing Code may be carried out on this land.

Housing Internal Alterations Code

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

General Commercial and Industrial Code

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

Subdivisions Code

Complying development under the Subdivisions Code maybe carried out on the land.

Note: It is necessary for the zoning, size of land and other criteria to be in accordance with that specified in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 for certain types of development to occur under the Policy.

4. COASTAL PROTECTION

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

The land is not affected by the operation of section 38 or 39 of the Coastal Protection Act 1979.

5. MINE SUBSIDENCE

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

The land has not been proclaimed to be a mine subsidence district within the meaning of Section 15 of the Mine Subsidence Compensation Act, 1961.

6. ROAD WIDENING AND ROAD REALIGNMENT

Whether or not the land is affected by any road widening or road realignment.

The land is not affected by any road widening or road realignment under:

- (a) Division 2 of Part 3 of the Roads Act 1993;
- (b) any environmental planning instrument.
- (c) any resolution of Council.

7. COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS

Whether or not the land is affected by a policy adopted by the council, or adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by council, that restricts the development of the land because of the likelihood of:

- (i) landslip NO.
- (ii) bush fire NO.
- (iii) tidal inundation NO.
- (iv) subsidence NO.
- (v) acid sulphate soil YES
- (vi) any other risk (other than flooding) NO.

Note: The fact that land has not been identified as being affected by a policy to restrict development because of the risks referred to does not mean that the risk is non-existent.

7A. FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors' living is subject to flood related development controls. NO

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls. NO

(3) Words and expressions in this clause have the same meanings as in the instrument set out in the schedule to the standard instrument (Local Environmental Plans) Order 2006.

8. LAND RESERVED FOR ACQUISITION

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

No environmental planning instrument, deemed environmental planning instrument or draft environmental planning instrument applying to the land provides for the acquisition of the land by a public authority in Section 27 of the Act.

9. CONTRIBUTIONS PLANS

The name of each contributions plan applying to the land:

City of Ryde Section 94 Development Contributions Plan 2007

10. BUSH FIRE PRONE LAND

The land described in this certificate is not bush fire prone land as defined under the Environmental Planning and Assessment Act 1979.

11. PROPERTY VEGETATION PLANS

The land is not subject to a property vegetation plan under the *Native Vegetation Act 2003*.

12. ORDERS UNDER TREES (DISPUTES BETWEEN NEIGHBOURS) ACT 2006

There has not been an order made under the Trees (Disputes between Neighbours) Act 2006 to carry out work in relation to a tree on the land.

13. DIRECTIONS UNDER PART 3A

There is no direction in force under section 75P (2)(c1) of the Environmental Planning and Assessment Act 1979.

14. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR SENIORS HOUSING

Part A: There has been no Site Compatibility Certificate issued (of which Council is aware) under Clause 25 of State Environmental Planning Policy (Housing for Senior or People with a Disability) 2004. Part B: There has not been any development consent granted since 12 October 2007 for development to which State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies.

15. SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE

There is no valid site compatibility certificate (infrastructure) of which the Council is aware in respect of proposed development on the land.

16. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING

There is no current site compatibility certificate (affordable rental housing) that Council is aware in respect of proposed development on the land.

There are no terms of a kind referred to in clause 17(1) or 37(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 that have been imposed as a condition of consent to a development application in respect of the land.

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 this certificate relates IS NOT significantly contaminated land.
- (b) The land to which this certificate relates IS NOT subject to a management order.
- (c) The land to which this certificate relates IS NOT the subject of an approved voluntary management proposal.
- (d) The land to which this certificate relates IS NOT subject to an ongoing maintenance order.
- (e) The land to which this certificate relates IS NOT subject to a site audit statement.

Note. (i) Pursuant to Section 149(5) of the Environmental Planning and Assessment Act 1979, the City of Ryde may provide advice on additional matters affecting the land of which it may be aware. You are advised that information on either heritage, endangered or adequately conserved bushland, draft Development Control Plans, Master Plans or other relevant matters, applies to the land and is available on the s149(5) Certificate for the land.

(ii) s149(5) Certificates under the Environmental Planning and Assessment Act 1979, contain all the information under s149(2) and as such, an application and fee for a combined s149 certificate must be applied for.

Note: The information in this certificate is current as of the date of the certificate.

A handwritten signature in black ink, appearing to read 'D. B. Johnson', with a long horizontal flourish extending to the right.

Dominic Johnson
Group Manager – Environment and Planning



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

Cert No: PLN2010/2728
Date: Wednesday, 27 October 2010
Your Ref:

Applicant: Smec Testing Solutions Pty Ltd
Po Box 6989
Wetherill Park NSW 2164

Property Address: 74 - 78 Belmore St RYDE
Description: Lot 1 DP 1109537

Property Reference: 502506
Land Reference: 51453

INFORMATION PROVIDED PURSUANT TO SECTION 149(2) OF THE ACT.

**1. NAMES OF RELEVANT ENVIRONMENTAL PLANNING INSTRUMENTS THAT APPLY TO THE
CARRYING OUT OF DEVELOPMENT ON THE LAND**

a) LOCAL ENVIRONMENTAL PLAN AND DEEMED ENVIRONMENTAL PLANNING INSTRUMENTS
Ryde Local Environmental Plan No. 2010

b) DRAFT LOCAL ENVIRONMENTAL PLANS as exhibited under Section 66(1) (b) of the Act
Nil

c) DEVELOPMENT CONTROL PLANS
City of Ryde Development Control Plan 2010
Attention is drawn to **Part 4.2 Meadowbank Employment Area** of DCP 2010.

d) STATE ENVIRONMENTAL PLANNING POLICIES AND INSTRUMENTS (includes Draft Policies)
The Minister for Planning has notified Council that the following State Environmental Planning Policies and Deemed State Environmental Plans apply to the land and should be specified in this certificate:

State Environmental Planning Policies

State Environmental Planning Policy No. 4 - Development without Consent and Miscellaneous Exempt and Complying Development.
State Environmental Planning Policy No. 6 - Number of Storeys in a Building.
State Environmental Planning Policy No. 19 - Bushland in Urban Areas
State Environmental Planning Policy No. 21 - Caravan Parks.
State Environmental Planning Policy No. 22 - Shops and Commercial Premises (as amended).
State Environmental Planning Policy No. 32 - Urban Consolidation.
State Environmental Planning Policy No. 33 - Hazardous and Offensive Development
State Environmental Planning Policy No. 50 - Canal Estate Development
State Environmental Planning Policy No. 55 - Remediation of Land.

State Environmental Planning Policy No.62 - Sustainable Aquaculture
 State Environmental Planning Policy No. 64 - Advertising and Signage
 State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Development.
 State Environmental Planning Policy No. 70 - Affordable Housing (Revised Schemes).
 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (as amended).
 State Environmental Planning Policy (Temporary Structures and Places of Public Entertainment) 2007.
 State Environmental Planning Policy (Repeal of Concurrence and Referral Provisions) 2004.
 State Environmental Planning Policy (Major Projects) 2005 (as amended).
 State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007
 Draft State Environmental Planning Policy No. 66 - Integration of Land Use and Transport 2001.
 Draft State Environmental Planning Policy (Application of Development Standards) 2004.
 State Environmental Planning Policy (Infrastructure) 2007.
 State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
 State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (Housing for Seniors of People with a Disability) 2004

Deemed State Environmental Planning Policies

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.

2. ZONING AND LAND USE UNDER RELEVANT LOCAL ENVIRONMENTAL PLANS

(a) ZONING and ZONING TABLE

B4 Mixed Use

Objectives of zone

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To create vibrant, active and safe communities and economically sound employment centres.
- To create safe and attractive environments for pedestrians.
- To recognise topography, landscape setting and unique location in design and land-use.

1. Permitted without consent

Home based child care; Home occupations;

2. Permitted with consent

Boarding houses; Building identification signs; Business identification signs; Business premises; Child care centres; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Office premises; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Retail premises; Roads; Seniors housing; Shop top housing; Waste or resource transfer stations; Any other development not specified in 1 or 3.

3. Prohibited

Advertisements structures; Agriculture; Biosolids treatment facilities; Caravan Parks; Depots; Hazardous industries; Hazardous storage establishments; Heavy industries; Home occupation (sex services); Liquid fuel depots; Offensive industries; Offensive storage establishments; Sex service premises; Stock and sale yards; vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Waste or resource management facilities; Water recycling facilities; Water treatment facilities.

The property is within the Special Uses Precinct of the Meadowbank Employment Area. See precinct information within Part 4.2 Meadowbank Employment Area of Development Control Plan 2010.

(b) DEVELOPMENT STANDARDS FOR THE ERECTION OF A DWELLING HOUSE

No development standards apply to the land that fix minimum land dimensions for the erection of a dwelling house on the land.

(c) CRITICAL HABITAT

No. The land does not include or comprise critical habitat under the Ryde Local Environmental Plan 2010.

(d) CONSERVATION AREA (however described)

No. The land has not been identified as being within a heritage conservation area under the Local Environmental Plan .

(e) ITEMS OF ENVIRONMENTAL HERITAGE (however described)

No. An item of environmental heritage under Ryde Local Environmental Plan is not situated on the land.

OTHER PRESCRIBED INFORMATION

3. COMPLYING DEVELOPMENT

Whether or not the land is land on which complying development may be carried out under each of the codes for complying development in *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. If complying development may not be carried out on that land because of one of the requirements under that Policy, the reason why it may not be carried out.

General Housing Code

Complying Development under the General Housing Code may be carried out on this land.

Housing Internal Alterations Code

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

General Commercial and Industrial Code

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

Subdivisions Code

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

Note: It is necessary for the zoning, size of land and other criteria to be in accordance with that specified in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 for certain types of development to occur under the Policy.

4. COASTAL PROTECTION

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

The land is not affected by the operation of section 38 or 39 of the Coastal Protection Act 1979.

5. MINE SUBSIDENCE

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

The land has not been proclaimed to be a mine subsidence district within the meaning of Section 15 of the Mine Subsidence Compensation Act, 1961.

6. ROAD WIDENING AND ROAD REALIGNMENT

Whether or not the land is affected by any road widening or road realignment.

The land is not affected by any road widening or road realignment under:

- (a) Division 2 of Part 3 of the Roads Act 1993;
- (b) any environmental planning instrument.
- (c) any resolution of Council.

7. COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS

Whether or not the land is affected by a policy adopted by the council, or adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by council, that restricts the development of the land because of the likelihood of:

- (i) landslip NO.
- (ii) bush fire NO.
- (iii) tidal inundation NO.
- (iv) subsidence NO.
- (v) acid sulphate soil YES
- (vi) any other risk (other than flooding) NO.

***Note:** The fact that land has not been identified as being affected by a policy to restrict development because of the risks referred to does not mean that the risk is non-existent.*

7A. FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors' living is subject to flood related development controls. NO

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls. NO

(3) Words and expressions in this clause have the same meanings as in the instrument set out in the schedule to the standard instrument (Local Environmental Plans) Order 2006.

8. LAND RESERVED FOR ACQUISITION

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

No environmental planning instrument, deemed environmental planning instrument or draft environmental planning instrument applying to the land provides for the acquisition of the land by a public authority in Section 27 of the Act.

9. CONTRIBUTIONS PLANS

The name of each contributions plan applying to the land:

City of Ryde Section 94 Development Contributions Plan 2007

10. BUSH FIRE PRONE LAND

The land described in this certificate is not bush fire prone land as defined under the Environmental Planning and Assessment Act 1979.

11. PROPERTY VEGETATION PLANS

The land is not subject to a property vegetation plan under the *Native Vegetation Act 2003*.

12. ORDERS UNDER TREES (DISPUTES BETWEEN NEIGHBOURS) ACT 2006

There has not been an order made under the Trees (Disputes between Neighbours) Act 2006 to carry out work in relation to a tree on the land.

13. DIRECTIONS UNDER PART 3A

There is no direction in force under section 75P (2)(c1) of the Environmental Planning and Assessment Act 1979.

14. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR SENIORS HOUSING

Part A: There has been no Site Compatibility Certificate issued (of which Council is aware) under Clause 25 of State Environmental Planning Policy (Housing for Senior or People with a Disability) 2004. Part B: There has not been any development consent granted since 12 October 2007 for development to which State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies.

15. SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE

There is no valid site compatibility certificate (infrastructure) of which the Council is aware in respect of proposed development on the land.

16. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING

There is no current site compatibility certificate (affordable rental housing) that Council is aware in respect of proposed development on the land.

There are no terms of a kind referred to in clause 17(1) or 37(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 that have been imposed as a condition of consent to a development application in respect of the land.

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 this certificate relates IS NOT significantly contaminated land.
- (b) The land to which this certificate relates IS NOT subject to a management order.
- (c) The land to which this certificate relates IS NOT the subject of an approved voluntary management proposal.
- (d) The land to which this certificate relates IS NOT subject to an ongoing maintenance order.
- (e) The land to which this certificate relates IS NOT subject to a site audit statement.

Note. (i) Pursuant to Section 149(5) of the Environmental Planning and Assessment Act 1979, the City of Ryde may provide advice on additional matters affecting the land of which it may be aware. You are advised that information on either heritage, endangered or adequately conserved bushland, draft Development Control Plans, Master Plans or other relevant matters, applies to the land and is available on the s149(5) Certificate for the land.

(ii) s149(5) Certificates under the Environmental Planning and Assessment Act 1979, contain all the information under s149(2) and as such, an application and fee for a combined s149 certificate must be applied for.

Note: The information in this certificate is current as of the date of the certificate.

A handwritten signature in black ink, appearing to read 'D. B. Johnson', followed by a long horizontal flourish.

Dominic Johnson
Group Manager – Environment and Planning



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

Cert No: PLN2010/2730
Date: Wednesday, 27 October 2010
Your Ref:

Applicant: Smec Testing Solutions Pty Ltd
Po Box 6989
Wetherill Park NSW 2164

Property Address: 74 - 78 Belmore St RYDE
Description: Lot 11 DP 51349

Property Reference: 502506
Land Reference: 37310

INFORMATION PROVIDED PURSUANT TO SECTION 149(2) OF THE ACT.

**1. NAMES OF RELEVANT ENVIRONMENTAL PLANNING INSTRUMENTS THAT APPLY TO THE
CARRYING OUT OF DEVELOPMENT ON THE LAND**

a) LOCAL ENVIRONMENTAL PLAN AND DEEMED ENVIRONMENTAL PLANNING INSTRUMENTS
Ryde Local Environmental Plan No. 2010

b) DRAFT LOCAL ENVIRONMENTAL PLANS as exhibited under Section 66(1) (b) of the Act
Nil

c) DEVELOPMENT CONTROL PLANS
City of Ryde Development Control Plan 2010
Attention is drawn to **Part 4.2 Meadowbank Employment Area** of DCP 2010.

d) STATE ENVIRONMENTAL PLANNING POLICIES AND INSTRUMENTS (includes Draft Policies)
The Minister for Planning has notified Council that the following State Environmental Planning Policies and Deemed State Environmental Plans apply to the land and should be specified in this certificate:

State Environmental Planning Policies

State Environmental Planning Policy No. 4 - Development without Consent and Miscellaneous Exempt and Complying Development.

State Environmental Planning Policy No. 6 - Number of Storeys in a Building.

State Environmental Planning Policy No. 19 - Bushland in Urban Areas

State Environmental Planning Policy No. 21 - Caravan Parks.

State Environmental Planning Policy No. 22 - Shops and Commercial Premises (as amended).

State Environmental Planning Policy No. 32 - Urban Consolidation.

State Environmental Planning Policy No. 33 - Hazardous and Offensive Development

State Environmental Planning Policy No. 50 - Canal Estate Development

State Environmental Planning Policy No. 55 - Remediation of Land.

State Environmental Planning Policy No.62 - Sustainable Aquaculture
 State Environmental Planning Policy No. 64 - Advertising and Signage
 State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Development.
 State Environmental Planning Policy No. 70 - Affordable Housing (Revised Schemes).
 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (as amended).
 State Environmental Planning Policy (Temporary Structures and Places of Public Entertainment) 2007.
 State Environmental Planning Policy (Repeal of Concurrence and Referral Provisions) 2004.
 State Environmental Planning Policy (Major Projects) 2005 (as amended).
 State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007
 Draft State Environmental Planning Policy No. 66 - Integration of Land Use and Transport 2001.
 Draft State Environmental Planning Policy (Application of Development Standards) 2004.
 State Environmental Planning Policy (Infrastructure) 2007.
 State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
 State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (Housing for Seniors of People with a Disability) 2004

Deemed State Environmental Planning Policies

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.

2. ZONING AND LAND USE UNDER RELEVANT LOCAL ENVIRONMENTAL PLANS

(a) ZONING and ZONING TABLE

B4 Mixed Use

Objectives of zone

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To create vibrant, active and safe communities and economically sound employment centres.
- To create safe and attractive environments for pedestrians.
- To recognise topography, landscape setting and unique location in design and land-use.

1. Permitted without consent

Home based child care; Home occupations;

2. Permitted with consent

Boarding houses; Building identification signs; Business identification signs; Business premises; Child care centres; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Office premises; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Retail premises; Roads; Seniors housing; Shop top housing; Waste or resource transfer stations; Any other development not specified in 1 or 3.

3. Prohibited

Advertisements structures; Agriculture; Biosolids treatment facilities; Caravan Parks; Depots; Hazardous industries; Hazardous storage establishments; Heavy industries; Home occupation (sex services); Liquid fuel depots; Offensive industries; Offensive storage establishments; Sex service premises; Stock and sale yards; vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Waste or resource management facilities; Water recycling facilities; Water treatment facilities.

The property is within the Special Uses Precinct of the Meadowbank Employment Area. See precinct information within Part 4.2 Meadowbank Employment Area of Development Control Plan 2010.

(b) DEVELOPMENT STANDARDS FOR THE ERECTION OF A DWELLING HOUSE

No development standards apply to the land that fix minimum land dimensions for the erection of a dwelling house on the land.

(c) CRITICAL HABITAT

No. The land does not include or comprise critical habitat under the Ryde Local Environmental Plan 2010.

(d) CONSERVATION AREA (however described)

No the land has not been identified as being within a heritage conservation area under the Local Environmental Plan .

(e) ITEMS OF ENVIRONMENTAL HERITAGE (however described)

YES. An item of environmental heritage under Ryde Local Environmental Plan 2010 is situated on the land.

OTHER PRESCRIBED INFORMATION

3. COMPLYING DEVELOPMENT

Whether or not the land is land on which complying development may be carried out under each of the codes for complying development in *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. If complying development may not be carried out on that land because of one of the requirements under that Policy, the reason why it may not be carried out.

General Housing Code

Complying development under the above Code may not be carried out on this land. The land is excluded land being land identified as being:

* land that comprises, or on which there is, a heritage item or a draft heritage item.

Housing Internal Alterations Code

Complying development under the above Code may not be carried out on this land. The land is excluded land being land that comprises , or on which there is, a heritage item or a draft heritage item.

General Commercial and Industrial Code

Complying development under the above Code may not be carried out on this land. The land is excluded land being land that comprises , or on which there is a heritage item or a draft heritage item.

Subdivisions Code

Complying development under the above Code may not be carried out on this land. The land is excluded land being land that comprises , or on which there is, a heritage item or a draft heritage item.

Note: It is necessary for the zoning, size of land and other criteria to be in accordance with that specified in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 for certain types of development to occur under the Policy.

4. COASTAL PROTECTION

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

The land is not affected by the operation of section 38 or 39 of the Coastal Protection Act 1979.

5. MINE SUBSIDENCE

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of section 15 of the Mine Subsidence Compensation Act 1961.

The land has not been proclaimed to be a mine subsidence district within the meaning of Section 15 of the Mine Subsidence Compensation Act, 1961.

6. ROAD WIDENING AND ROAD REALIGNMENT

Whether or not the land is affected by any road widening or road realignment.

The land is not affected by any road widening or road realignment under:

- (a) Division 2 of Part 3 of the Roads Act 1993;
- (b) any environmental planning instrument.
- (c) any resolution of Council.

7. COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS

Whether or not the land is affected by a policy adopted by the council, or adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by council, that restricts the development of the land because of the likelihood of:

- (i) landslip NO.
- (ii) bush fire NO.
- (iii) tidal inundation NO.
- (iv) subsidence NO.
- (v) acid sulphate soil YES
- (vi) any other risk (other than flooding) NO.

Note: The fact that land has not been identified as being affected by a policy to restrict development because of the risks referred to does not mean that the risk is non-existent.

7A. FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION

(1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors' living is subject to flood related development controls. NO

(2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls. NO

(3) Words and expressions in this clause have the same meanings as in the instrument set out in the schedule to the standard instrument (Local Environmental Plans) Order 2006.

8. LAND RESERVED FOR ACQUISITION

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

No environmental planning instrument, deemed environmental planning instrument or draft environmental planning instrument applying to the land provides for the acquisition of the land by a public authority in Section 27 of the Act.

9. CONTRIBUTIONS PLANS

The name of each contributions plan applying to the land:

City of Ryde Section 94 Development Contributions Plan 2007

10. BUSH FIRE PRONE LAND

The land described in this certificate is not bush fire prone land as defined under the Environmental Planning and Assessment Act 1979.

11. PROPERTY VEGETATION PLANS

The land is not subject to a property vegetation plan under the *Native Vegetation Act 2003*.

12. ORDERS UNDER TREES (DISPUTES BETWEEN NEIGHBOURS) ACT 2006

There has not been an order made under the Trees (Disputes between Neighbours) Act 2006 to carry out work in relation to a tree on the land.

13. DIRECTIONS UNDER PART 3A

There is no direction in force under section 75P (2)(c1) of the Environmental Planning and Assessment Act 1979.

14. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR SENIORS HOUSING

Part A: There has been no Site Compatibility Certificate issued (of which Council is aware) under Clause 25 of State Environmental Planning Policy (Housing for Senior or People with a Disability) 2004. Part B: There has not been any development consent granted since 12 October 2007 for development to which State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies.

15. SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE

There is no valid site compatibility certificate (infrastructure) of which the Council is aware in respect of proposed development on the land.

16. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING

There is no current site compatibility certificate (affordable rental housing) that Council is aware in respect of proposed development on the land.

There are no terms of a kind referred to in clause 17(1) or 37(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 that have been imposed as a condition of consent to a development application in respect of the land.

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 this certificate relates IS NOT significantly contaminated land.
- (b) The land to which this certificate relates IS NOT subject to a management order.
- (c) The land to which this certificate relates IS NOT the subject of an approved voluntary management proposal.
- (d) The land to which this certificate relates IS NOT subject to an ongoing maintenance order.
- (e) The land to which this certificate relates IS NOT subject to a site audit statement.

Note. (i) Pursuant to Section 149(5) of the Environmental Planning and Assessment Act 1979, the City of Ryde may provide advice on additional matters affecting the land of which it may be aware. You are advised that information on either heritage, endangered or adequately conserved bushland, draft Development Control Plans, Master Plans or other relevant matters, applies to the land and is available on the s149(5) Certificate for the land.

(ii) s149(5) Certificates under the Environmental Planning and Assessment Act 1979, contain all the information under s149(2) and as such, an application and fee for a combined s149 certificate must be applied for.

Note: The information in this certificate is current as of the date of the certificate.



Dominic Johnson
Group Manager – Environment and Planning