

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

Ref.: EMAIL  
Ppty: 10469

Cert. No.: 4404  
Page No.: 1

Applicant:  
UPO PTY LTD  
PO BOX 787  
MATRIVILLE NSW 2036

Receipt No.: 1673850  
Receipt Amt.: 100.00  
Date: 18-Mar-2010

Owner: (as recorded by Council):  
HEALTH ADMINISTRATION  
CORPORATION  
C/- SYDNEY SOUTH WESTERN AREA  
HEALTH SERVICE  
LOCKED BAG 7017  
LIVERPOOL BC NSW 1871

Property Desc: 44 GOULBURN STREET, LIVERPOOL NSW 2170  
DP 596770 Cnr Lot 3

**PART A  
PRESCRIBED INFORMATION PROVIDED PURSUANT  
TO SECTION 149(2) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT  
ACT 1979**

**NOTE:** The following information is provided pursuant to Section 149(2) of the Environmental Planning and Assessment Act (EP&A Act) 1979 as prescribed by Schedule 4 of the Environmental Planning and Assessment Regulation (EP&A Regulation) 2000 and is applicable to the subject land as of the date of this certificate.

The Environmental Planning and Assessment Amendment Act 1997 commenced operation on the 1 July 1998. As a consequence of this Act the information contained in this certificate needs to be read in conjunction with the provisions of the Environmental Planning and Assessment (Amendment) Regulation 1998, Environmental Planning and Assessment (Further Amendment) Regulation 1998 and Environmental Planning and Assessment (Savings and Transitional) Regulation, 1998.

1. Names of Relevant LEP's, DCP's, REPs, and SEPPs

(1)(a) The names of each local environment plan and deemed environmental planning instrument applying to the land is/are listed below: -

**Name of Instrument:** Liverpool Local Environmental Plan 2008  
**Name of Zone:** SP2 Infrastructure - Hlth Svcs Fac and Educ Estbmt

(1)(b) Draft Local Environmental Plan(s)

The names of each draft Local Environmental Plan applying to the land that has been placed on exhibition under section 66(1)(b) of the Act, is/are listed below: -

**Name of Draft Instrument:** Draft Liverpool Local Environmental Plan 2008  
Amendment No: 3 - Anomalies  
**Name of Zone:** Subject to all zones

**Name of Draft Instrument:** Draft Liverpool Local Environmental Plan 2008  
Amendment No: 5 – Anomalies  
**Name of Zone:** Subject to all zones

(1)(c) Development Control Plan(s) under Section 72

The names of each Development Control Plan applying to the land has been prepared by the council under section 72 of the Act is/are listed below: -

Liverpool Development Control Plan 2008

**Development Control Plan(s) under Section 51A**

The names of each Development Control Plan applying to the land that has been prepared by the Director-General under section 51A of the Act are listed as follows: -

Nil

(2)(a) Regional Environmental Plan(s)

The names of each Regional Environmental Plan applying to the land is/are listed below:

Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment  
This plan aims to preserve and protect and to encourage the restoration or rehabilitation of regionally significant sensitive natural environments, to preserve, enhance and protect the freshwater and estuarine ecosystems within the Catchment and to ensure that development achieves the environmental objectives for the Catchment.

(2)(b) Draft Regional Environmental Plan(s)

The names of each draft Regional Environmental Plan applying to the land that has been placed on exhibition under section 47(b) of the Act is/are

listed below:

Nil

**(3)(a) State Environmental Planning Policy(s)**

The names of each State Environmental Planning Policy applying to the land are listed below: -

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. 30 – Intensive Agriculture  
State Environmental Planning Policy No. 32 – Urban Consolidation ( Redevelopment of Urban Land)  
State Environmental Planning Policy No. 33 – Hazardous and Offensive Development  
State Environmental Planning Policy No. 44 – Koala Habitat  
State Environmental Planning Policy No. 50 – Canal Estate Development  
State Environmental Planning Policy No. 55 – Remediation of Land  
State Environmental Planning Policy – (Exempt and Complying Development Codes) 2008  
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 – (Building Sustainability Index: BASIX) 2004  
State Environmental Planning Policy – (Major Development) 2005  
State Environmental Planning Policy – Affordable Housing (Revised Scheme) 2009  
  
State Environmental Planning Policy – (Infrastructure) 2007  
State Environmental Planning Policy – (Mine, Petrol Prod and Extractive Ind) 2007  
State Environmental Planning Policy – (Temporary Structures and Places Public Entertainment) 2007  
State Environmental Planning Policy – (Affordable Rental Housing) 2009

**3(b) Draft State Environmental Planning Policy(s)**

The names of each draft State Environmental Planning Policy applying to the land that has been publicised as referred to in section 39(2) of the Act are listed below: -

Draft State Environmental Planning Policy No. 66 – Integration of Land Use and Transport

**2. ZONING AND LAND USE UNDER RELEVANT LOCAL ENVIRONMENTAL PLANS**

**(a)** The identity of the zone, whether by reference to a name or by reference to a number is/are listed in: -

Section (1)(a) of this Planning Certificate.

- (b) The purposes for which the plan or instrument provides that development may be carried out within the zone without the need for development consent is/are detailed in the Liverpool Local Environmental Plan 2008: -

See Part 2 (Permitted or prohibited development), Part 3 (Exempt and complying development), and Schedule 2 (Exempt development) of Liverpool Local Environmental Plan 2008.

- (c) The purposes for which the plan or instrument provides that development may not be carried out within the zone except with development consent is/are detailed in the Liverpool Local Environmental Plan 2008: -

See Part 2 (Permitted or prohibited development), Part 3 (Exempt and complying development), Schedule 1 (Additional uses) and Schedule 3 (Complying development) of Liverpool Local Environmental Plan 2008.

- (d) The purposes for which the plan or instrument provides that development is/are prohibited within the zone are detailed in the Liverpool Local Environmental Plan 2008: -

See Part 2 (Permitted or prohibited development) of Liverpool Local Environmental Plan 2008.

Should you require further information about development standards and restrictions on development for any particular purpose or any purpose that may have an effect of prohibiting development, it is recommended that you consult the Liverpool Local Environmental Plan 2008 and/or Liverpool Development Control Plan 2008.

- (e) **Dwelling House**  
The development standards applying to the land that fix minimum land dimensions for the erection of a dwelling house on the land is/are listed below: -

The land's dimensions (when considered in isolation) are not such as to prohibit the erection of a dwelling house on the land. However, Liverpool Local Environmental Plan 2008 prohibits the erection of a dwelling house within the zone that applies to the land

- (f) **Critical Habitat**  
The provisions applying to the land that relate to critical habitat is/are outlined below:-

The land is subject to the provisions of Clause 5.9 of the Liverpool Local Environmental Plan 2008. The clause relates to the preservation of trees or vegetation on the land.

The land is subject to the provisions of Clause 7.6 of the Liverpool Local Environmental Plan 2008. The clause relates to additional considerations given to development on environmentally significant land.

The land does not include or comprise critical habitat.

**(g) Conservation Area**

The provisions applying to the land that relate to a conservation areas is/are outlined below: -

Land is not located in a Conservation Area.

**(h) Environmental Heritage**

The provisions applying to the land that relate to an item of environmental heritage is/are outlined below: -

An item of Environmental Heritage is not situated on the land.

**3. COMPLYING DEVELOPMENT**

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

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

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

**4. Coastal Protection Act 1979**

There has been no notification from the Department of Public Works that the land is subject to the operation of Section 38 or 39 of the Coastal Protection Act, 1979.

**5. Mine Subsidence**

The land is not within an area proclaimed to be a mine subsidence district within the meaning of the Mine Subsidence Compensation Act, 1961.

**6. Road Widening and Road Realignment**

The provisions applying to the land that relate to road widening or road realignment is/are outlined below: -

The land is not affected by any road widening or road realignment under Division 2 of Part 3 of the Roads Act 1993, any environmental planning instrument or any resolution of the Council.

**7. Council and Other Public Authority Policies on Hazard Risk Restrictions**

The policies applying to the land from Council and other Public Authorities regarding hazard risk restrictions is/are outlined below: -

(a) **Council Policy – Other Risks**

The land is not affected by a policy adopted by Council that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence or any other risk.

However, the land is affected by Liverpool Local Environmental Plan 2008 that restricts the development of the land because of the likelihood of acid sulphate soils.

(b) **Public Authority Policies**

The land is not affected by a policy 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 the planning certificates issued by the Council, that restricts the development of the land because of the likelihood of land slip, bushfire, flooding, tidal inundation, subsidence, acid sulphate soils or any other risk.

**7A. Flood Related Development Controls Information**

1. Development on the subject land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings is not subject to flood related development controls (provided that each development is permissible on the land with or without development consent).
2. Development on the subject land for any purpose is not subject to flood related development controls (provided that each development is permissible on the land with or without development consent).
3. The expressions "dwelling houses," "dual occupancies," "multi dwelling housing" and "residential flat buildings" as used in clauses (1) and (2) above have the same meanings as in the instrument set out in the Schedule of the Standard Instrument (Local Environmental Plans) Order 2006 but do not include development for the purposes of "group homes" or "seniors housing".

**8. Land Reserved for Acquisition**

The provisions applying to the land that relate to acquisition of the land by a public authority is/are listed below: -

Nil

Liverpool Local Environmental Plan 2008 applies to the land and provides for the acquisition of the land by a public authority, as referred to in Section 27 of the Act.

**9. CONTRIBUTION PLANS**

The name of each contribution plan applying to the land is/are outlined below: -

**Administration Centre** 1 Hoxton Park Road, Liverpool NSW 2170, DX 5030 Liverpool  
**Customer Service Centre** Liverpool City Library, 170 George Street, Liverpool NSW 2170

**All correspondence to** The General Manager, Locked Bag 7064 Liverpool BC NSW 1871 **Call Centre** 1300 36 2170  
**Fax** 9821 9333 **Email** lcc@liverpool.nsw.gov.au **Web** www.liverpool.nsw.gov.au **TTY** 9821 8800 **ABN** 84 181 182 471

- Error! Not a valid filename.**
10. **Matters arising to the Contaminated Land Management Amendment Act 2009 NSW)**  
Nil
11. **Bushfire Prone Land**  
None of the land subject to this certificate is bush fire prone land as defined in the Environmental Planning and Assessment Act 1979.
12. **Property Vegetation Plans**  
The provisions applying to the land that relate to property vegetation plans is/are listed below:-  
  
The land subject to this certificate is not affected by the Native Vegetation Act 2003 as defined in the Environmental Planning and Assessment Act 1979.
13. **Orders under Trees (Disputes Between Neighbours Act 2006)**  
There has been no notification that the land subject of this certificate is affected by an order to carry out work in relation to a tree on the land under the Trees (Disputes Between Neighbours Act 2006).
14. **Directions under Part 3A**  
There has been no notification of a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or stage of a project on the land under Part 4 of the Act does not have effect.
15. **Site Compatibility Certificates and Conditions for Seniors Housing**  
There has been no notification of a current site compatibility certificate issued under clause 25 of the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 in respect of proposed development on the land.
16. **Site Compatibility Certificates for Infrastructure**  
There has been no notification of a valid site compatibility certificate for the land subject of this certificate issued under clause 19 of the State Environmental Planning Policy (Infrastructure) 2007.
17. **Site Compatibility Certificates and Condition for Affordable Rental Housing**  
Council is not aware of a current site compatibility certificate (affordable rental housing) in respect of proposed development on the land.

**PART B  
ADDITIONAL INFORMATION PROVIDED PURSUANT  
TO SECTION 149(5) OF THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT  
1979**

1. **Threatened Species Conservation Act**  
It is advisable for any application intending to purchase and/or develop land within the Liverpool Local Government Area to approach Council to ascertain if

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the requirements of the Threatened Species Act, 1995 are likely to apply to their land.

If the land has native vegetation of any sort (ie trees, shrubs, ground covers etc), has recently been cleared or is vacant land, it may have impediments to development under the Threatened Species Act, 1995.

This notation should be read in conjunction with Liverpool Local Environmental Plan 2008, and the Threatened Species Act, 1995.

Enquiries should be directed to Council's Department of Environment and Community.

**2. Tree Preservation Provision**

The land is subject to a tree preservation provision under the Liverpool Local Environmental Plan 2008.

**3. Controlled Access Road**

The land does not have a boundary to a controlled access road under the provisions of the Liverpool Local Environmental Plan 2008.

**4. Notices**

No notices/orders have been served in respect of a breach of the provisions of an environmental planning instrument occurring on the land.

**5. Other Information in Relation to Water**

Nil

**6. Sydney Water Corporation**

Nil

**7. Foreshore Building Line**

Nil

**8. Contaminated Land**

Nil

**9. Airport Noise Affection**

**Badgery's Creek Airport**

Nil

**Hoxton Park Airport**

Nil



- 10. **Airport Acquisition**  
Nil
- 11. **Environmentally Significant Land**  
Nil
- 12. **Archaeological Management Plan**  
Nil
- 13. **Unhealthy Building Land Proclamation**  
Nil

For further information, please contact  
CALL CENTRE – 9821 9222

Mr Milan Marecic  
Director – City Strategy  
Liverpool City Council

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

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

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