
Appendix N

Contamination assessment

Parramatta Over and Adjacent Station Development Contamination Report

Appendix N

September 2022

Document Number: SMWSTEDS-SMD-SN200-CT-RPT-044001

REVISION	DATE	SUITABILITY CODE	TEAMBINDER DOCUMENT NUMBER	TB REVISION
E	13/09/2022	S4	SMWSTEDS-SMD-PTA-SN600-CT-RPT-044001	E

Approval Record

FUNCTION	POSITION	NAME	DATE
Author	Senior Environmental Planner	Jonathon Cook	13/09/2022
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Amendment Record

DATE	REVISION	AMENDMENT DESCRIPTION	AUTHOR
22/10/2021	A	Initial Issue	Jonathon Cook
21/01/2022	B	Second Issue	Jonathon Cook
10/05/2022	C	Third Issue	John Kraft
10/06/2022	D	Fourth Issue	John Kraft
13/09/2022	E	Final Issue	John Kraft

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Glossary

Term	Definition
AEI	Area of environmental interest
AHD	Australian height datum
ANZECC	Australian and New Zealand Environment and Conservation Council
ARMCANZ	Agriculture and Resource Management Council of Australia and New Zealand
AASS	Actual ASS
ASD	Adjacent station development
ASS	Acid sulfate soil
ASSMAC	Acid Sulfate Soils Management Advisory Committee
ASSMP	Acid sulfate soil management plan
BTEX	Benzene, toluene, ethylbenzene and xylenes
CBD	Central business district
CEMP	Construction environmental management plan
CLM Act	<i>Contaminated Land Management Act 1997</i>
Concept and Stage 1 CSSI Approval	SSI-10038 (approved 11 March 2021), including all major civil construction works between Westmead and The Bays, including station excavation and tunnelling, associated with the Sydney Metro West line
Concept SSDA	A concept development application as defined in section 4.22 of the EP&A Act. It is a development application that sets out the concept for the development of a site, and for which detailed proposals for the site or for separate parts of the site are to be the subject of a subsequent development application or applications
CoPC	Contaminant of potential concern
CSSI	Critical state significant infrastructure
DPE	Department of Planning and Environment
EIS	Environmental impact statement
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EPA	Environment Protection Authority (NSW Government)
LEP	Local environmental plan
LGA	Local government area
m/day	Metres per day
Mg/L	Milligrams per litre
Mg/kg	Milligrams per kilogram
µg/L	Micrograms per litre
µS/cm	Microsiemens per centimetre
MMP	Material management plan
NEMP	National environmental management plan
NEPM	National environment protection measure
NSW	New South Wales
NSW DEC	NSW Department of Environment and Conservation
NSW EPA	NSW Environment Protection Authority
NSW OEH	NSW Office of Environment and Heritage
OSD	Over station development

Term	Definition
PAHs	Polycyclic aromatic hydrocarbons
PASS	Potential ASS
PFAS	Per- and poly- fluoroalkyl substances
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
RAP	Remedial action plan
RL	Relative level
SAQP	Sampling, analysis and quality plan
SEARs	Secretary's Environmental Assessment Requirements
Stage 2 CSSI Application	Application SSI-19238057, including major civil construction works between The Bays and Hunter Street Station
Stage 3 CSSI Application	Application SSI-22765520, including rail infrastructure, stations, precincts and operation of the Sydney Metro West line
SVOC	Semi-volatile organic compounds
Sydney Metro West	Construction and operation of a metro rail line and associated stations between Westmead and the Sydney CBD as described in section 1.1
The site	The site which is the subject of the Concept SSDA
TPH	Total petroleum hydrocarbon
TRH	Total recoverable hydrocarbon
VOC	Volatile organic compounds

Executive summary

This Contamination report supports a Concept State Significant Development Application (Concept SSDA) submitted to the Department of Planning and Environment (DPE) pursuant to part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The Concept SSDA is made under section 4.22 of the EP&A Act.

Sydney Metro is seeking to secure concept approval for an over station development (OSD) and adjacent station development (ASD) on the Parramatta metro station site (referred to as the 'proposed development'). The proposed development will comprise three new commercial office buildings (Buildings A, C, D), and one new residential building (Building B).

The Concept SSDA seeks consent for a building envelope and mixed-use purposes, maximum building height, a maximum gross floor area (GFA), pedestrian and vehicular access, circulation arrangements and associated car parking, and the strategies and design parameters for the future detailed design of the proposed development.

This Contamination Report has assessed the potential for contamination to be present within the Concept SSDA in accordance with the Secretary's Environmental Assessment Requirements (SEARs) issued for the Concept SSDA. It was found that as no below-ground excavation is associated with the Concept SSDA, there is a very low risk of interacting with or encountering contamination during the construction and operational phases of the Parramatta OSD and ASD.

The Concept SSDA builds upon the preceding work completed as part of the CSSI applications. The CSSI Stage 1 approval involves the demolition of all structures within the site and land remediation will take place in the case any contamination is found. The CSSI Stage 3 Application includes the construction of the Parramatta metro station construction and the northern and southern basement carparks. These developments are intended to act as the podiums for the proposed buildings. Therefore, there is no excavation associated with the Concept SSDA, significantly reducing the risk of interacting with any contamination.

1 Introduction

1.1 Sydney Metro West

Sydney Metro West will double rail capacity between Greater Parramatta and the Sydney Central Business District (CBD), transforming Sydney for generations to come. The once in a century infrastructure investment will have a target travel time of about 20 minutes between Parramatta and the Sydney CBD, link new communities to rail services and support employment growth and housing supply.

Stations have been confirmed at Westmead, Parramatta, Sydney Olympic Park, North Strathfield, Burwood North, Five Dock, The Bays, Pyrmont and Hunter Street (Sydney CBD).

Sydney Metro West station locations are shown in Figure 1-1.

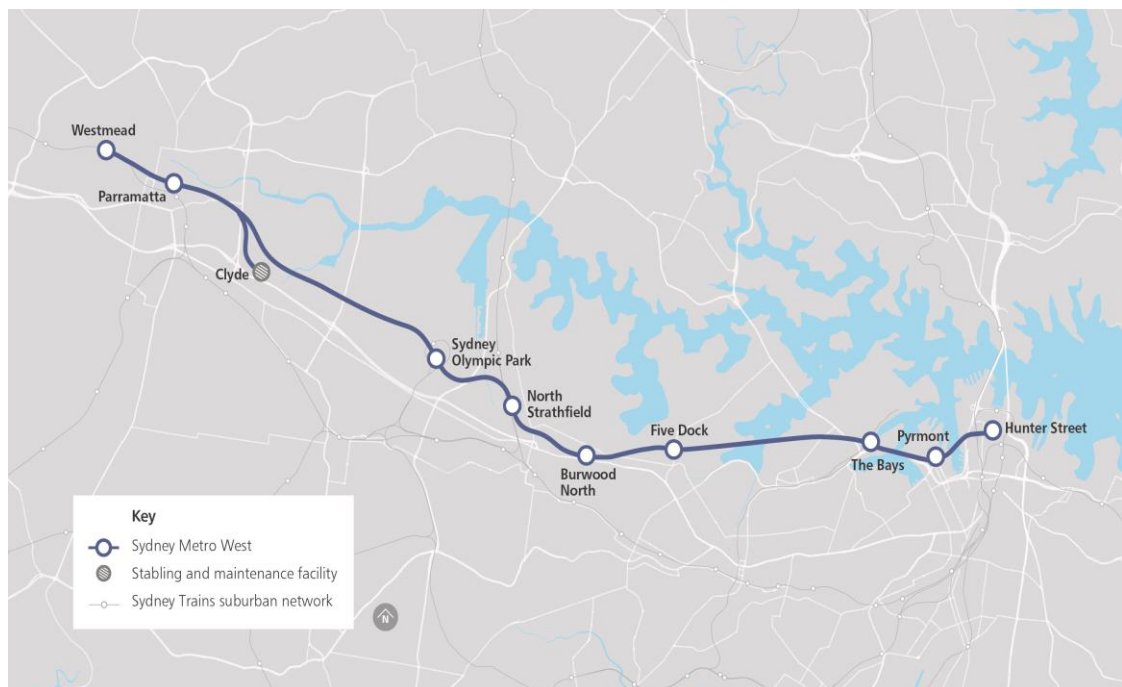


Figure 1-1 Sydney Metro West

1.2 Background and planning context

Sydney Metro is seeking to deliver Parramatta metro station under a two-part planning approval process. The station fit-out infrastructure is to be delivered under a Critical State Significant Infrastructure (CSSI) application subject to provisions under division 5.2 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), whereas the over and adjacent station developments are to be delivered under a State Significant Development (SSD) subject to the provisions of part 4 of the EP&A Act.

1.2.1 Critical State Significant Infrastructure

The State Significant Infrastructure (SSI) planning approval process for the Sydney Metro West metro line, including delivery of station infrastructure, has been broken down into a number of planning application stages, comprising the following:

- Concept and Stage 1 CSSI Approval (SSI-10038) – All major civil construction works between Westmead and The Bays including station excavation, tunnelling and demolition of existing buildings (approved 11 March 2021)

- Stage 2 CSSI Application (SSI- 19238057) – All major civil construction works between The Bays and Hunter Street Station (approved 24 August 2022)
- Stage 3 CSSI Application (SSI- 22765520) – Tunnel fit-out, construction of stations, ancillary facilities and station precincts between Westmead and the Sydney CBD, and operation and maintenance of the Sydney Metro West line (under assessment, lodged).

1.2.2 State Significant Development Application

The SSD will be undertaken as a staged development with the subject Concept State Significant Development Application (Concept SSDA) being consistent with the meaning under section 4.22 of the EP&A Act and seeking conceptual approval for a building envelope, land uses, maximum building heights, a maximum gross floor area, pedestrian and vehicle access, vertical circulation arrangements and associated car parking. A subsequent Detailed SSD/s is to be prepared by a future development partner which will seek consent for detailed design and construction of the development.

1.3 Purpose and scope

This Contamination Report supports a Concept SSDA submitted to the Department of Planning and Environment (DPE) pursuant to Part 4 of the EP&A Act. The Concept SSDA is made under section 4.22 of the EP&A Act.

This report has been prepared to specifically respond to the Secretary's Environmental Assessment Requirements (SEARs) issued for the Concept SSDA on 22 February 2022 which states that the environmental impact statement is to address the requirements.

Key issue	SEARs	Addressed in
16. Contamination	In accordance with State Environmental Planning Policy (Resilience and Hazards) 2021 (formerly, State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55), assess and quantify any soil and groundwater contamination and demonstrate that the site is suitable (or will be suitable, after remediation) for the development.	Section 3.2, Section 3.4 and Section 3.5.

The objectives of the contamination assessment are to identify potential risks associated with soil, groundwater and vapour contamination which may be present as a result of historic and/or current activities undertaken on and/or adjacent to the Concept SSDA. This will assist in identifying construction limitations/constraints and management options within the proposal with respect to contamination. Specifically, this report will aim to:

- identify areas of potential existing soil and groundwater contamination, or salinity and acid sulfate soils (ASS) within the Concept SSDA
- assess the potential construction impacts related to the disturbance of existing contamination, salinity and ASS
- assess where further detailed site investigations would be required to assess contamination prior to construction and to identify any other mitigation measures required during construction
- assess the potential operational impacts related to contamination, salinity and ASS
- define mitigation measures to prevent or reduce operational impacts
- address the SEARs for the Concept SSDA.

2 The site and proposal

2.1 Site location and description

The subject application is in the Parramatta CBD, in the City of Parramatta Local Government Area (LGA). It is within the city block bounded by George Street, Church Street, Smith Street, and Macquarie Street.

The site presents a 164m long frontage to Macquarie Street, 125m frontage to George Street, 48m frontage to Church Street, and 15.5m frontage to Smith Street (in the form of Macquarie Lane).

The site location is shown in Figure 2-1 and Table 2-1.

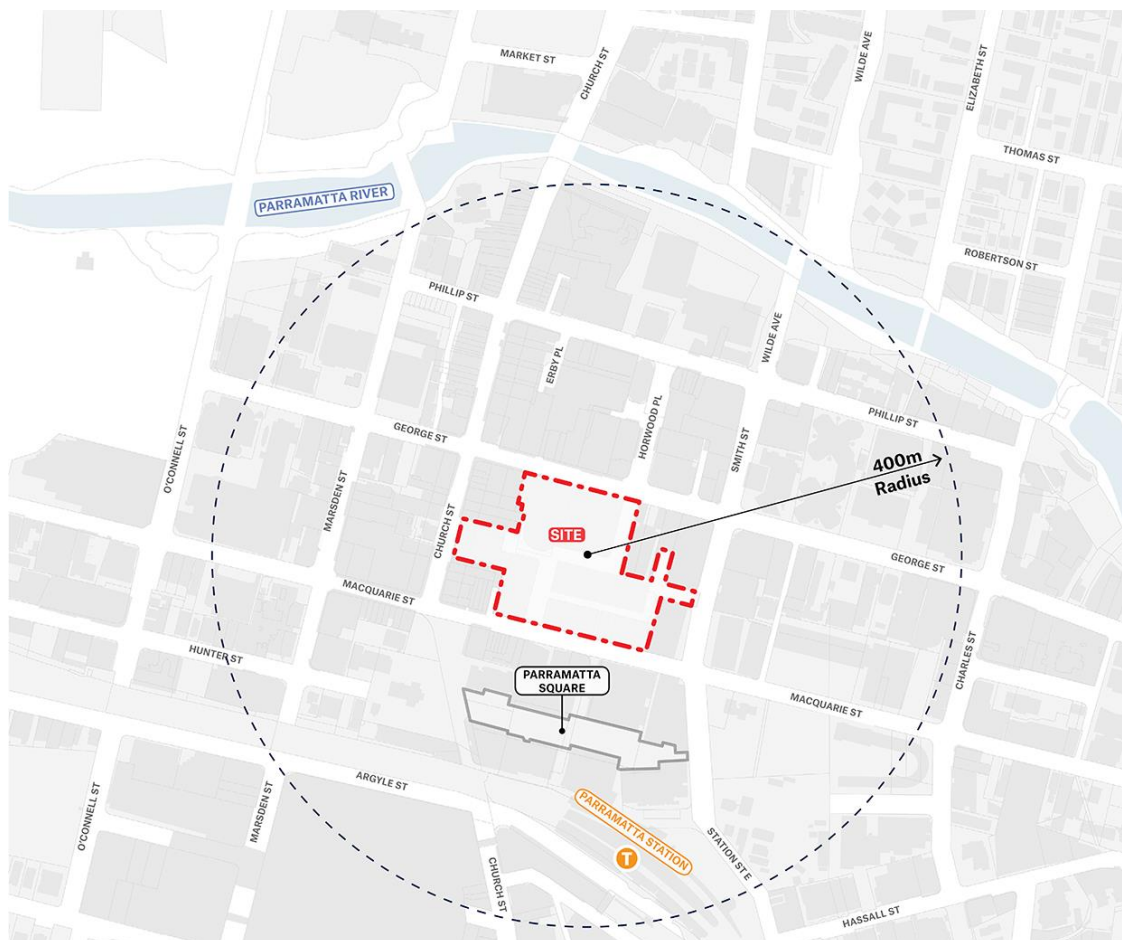


Figure 2-1 Paramatta metro station precinct location

As described in Table 2-1, the site comprises fourteen (14) different allotments of varying sizes. It is irregular in shape, with a total area of approximately 24,899m²

Table 2-1 Site legal description

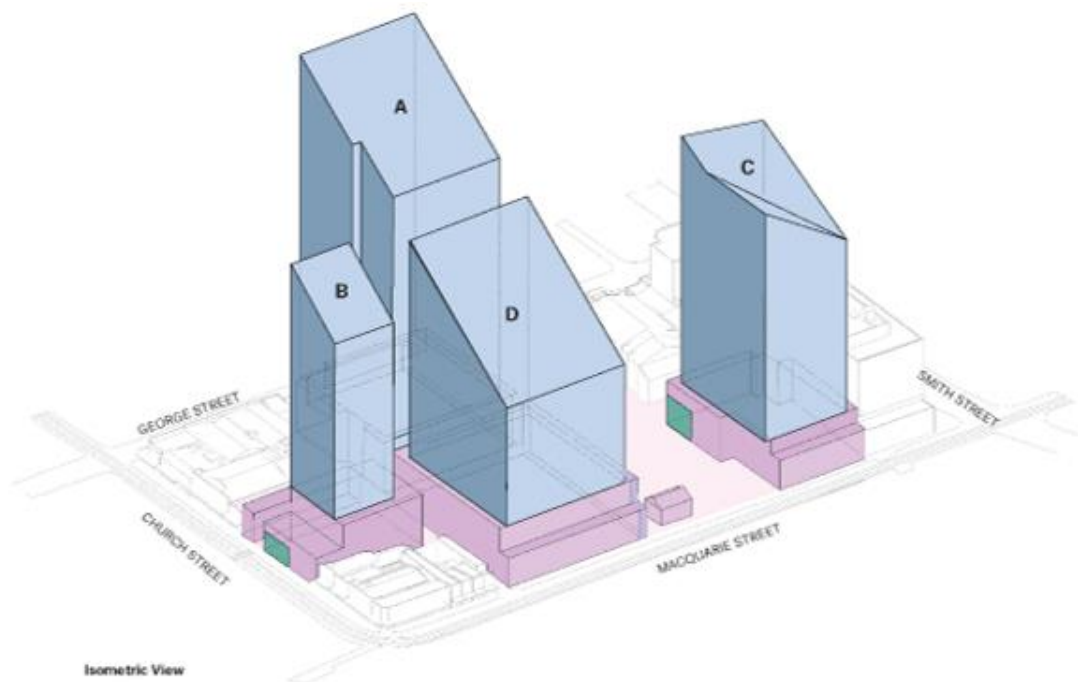
Street address	Legal description
41-59 George Street	Lot 10 in DP858392
45A George Street	Lot 2 in DP701456
61B George Street	Lot 1 in DP607181
71 George Street	Lot 100 in DP607789
220 Church Street	Lot 1 in DP1041242
222 Church Street	Lot 1 in DP702291
232 Church Street	Lot 1 in DP651992
236 Church Street	Lot 1 in DP128437
238 Church Street	Lot 2 in DP591454
48 Macquarie Street	Lot B in DP394050
58-60 Macquarie Street	Lot 1 in DP399104
62-64 Macquarie Street	Lot AY in DP400258
68 Macquarie Street	Lot 1 in DP711982
70 Macquarie Street	Lot E DP 402952
72 Macquarie Street	Lot 3 in DP218510
74 Macquarie Street	Lot H in DP405846

2.2 Overview of this proposal

The Concept SSDA will seek consent for four building envelopes as detailed in Table 2-2 and Figure 2-2.

Table 2-2 Parramatta metro station proposed development overview

Item	Description
Building use	Building A: Commercial and retail Building B: Residential and retail Building C: Commercial Building D: Commercial and retail
Building Height (Number of storeys)	Building A: 38 storeys Building B: 33 storeys Building C: 26 storeys Building D: 25 storeys
Gross Floor Area (m ²)	Building A: 78,700 Building B: 20,000 Building C: 35,950 Building D: 55,350 TOTAL: 190,000
Car parking spaces	455



Legend

- | | |
|---|--|
| <p> Parramatta Station CSSI Approval
- Includes structure and building infrastructure and space for lift cores, access, parking, retail and building services for future OSD & ASD</p> <p> OSD & ASD Concept SSD Building Envelope - Includes OSD & ASD Areas inside the CSSI 'shell' below ground and in the podium levels</p> | <p> Metro Station Entry and Box (Indicative)</p> <p> 3m Podium Articulation Zone - refer to Design Guidelines.</p> <p> Heritage Interface Zone - refer to Design Guidelines.</p> |
|---|--|

Figure 2-2 Proposed Concept SSDA development and CSSI scope

3 Scope of assessment

The purpose of this contamination assessment is to evaluate the potential for contamination to be present within the Concept SSDA in accordance with State Environmental Planning Policy (Resilience and Hazards) 2021. The assessment has considered the scope of works that would precede the Concept SSDA including the Parramatta metro station bulk earthworks and station development, which will have addressed existing contamination relevant to the site.

3.1 Objectives

The objectives of this contamination assessment are to:

- satisfy the requirements of the SEARs summarised in section 1.3
- identify areas of potential existing contamination within the Concept SSDA
- identify whether potential contamination at the Concept SSDA is likely to preclude it from being suitable for the construction and operation of a mixed-use development comprising of four buildings above the Parramatta metro station
- make recommendations to assist in making the Concept SSDA suitable for the proposed development and inform future detailed development applications.

3.1.1 Scope of work

To achieve the objectives, the methodology for this contamination assessment has included:

- a desktop review of available information sources and observations from previous site inspections to understand the existing environment and potential for contamination within the Concept SSDA study area
- consideration of the contamination status following the construction of the station, prior to the Concept SSDA construction activities commencing
- identification of areas of environmental concern (with respect to contamination) and assessment of potential impacts to construction and operation from contamination (with no mitigation measures) to environmental and human receptors in the context of proposed construction activities
- identification of appropriate mitigation and management responses for contamination, or where further investigation or remediation may be required.

The desktop assessment involved a review of available information, including Sydney Metro (2020 and 2021), relevant to the Concept SSDA to understand the existing environment, the potential risk for contamination and the potential impacts. The review of information included:

- findings from the Westmead to The Bays and Sydney CBD Environmental Impact Statement Concept and Stage 1 – Technical Paper 8 (Sydney Metro 2020a) and the Rail Infrastructure, Stations, Precincts and Operations Environmental Impact Statement – Stage 3 Technical Paper 7 (Sydney Metro 2021)
- existing land uses in vicinity to the Concept SSDA and information on topography, drainage, geology, soils, hydrogeology, ASS and receiving environment data including relevant mapping and provisions in the relevant local environment plans
- publicly available information including:
 - the NSW Environment Protection Authority (EPA) register

- licenced activities under the *NSW EPA Protection of the Environment Operations (POEO) Act 1997*
- the Commonwealth Scientific and Industrial Research Organisation (CSIRO) Australian Soil Resource Information System (ASRIS) ASRIS database
- former NSW Department of Primary Industries groundwater database
- the City of Parramatta Council database (Section 10.7 zoning certificates).
- publicly available information available via general internet searches for the key words (contamination, remediation and site investigation) for City of Parramatta and major projects within and adjoining the Concept SSDA.

Areas located within the construction site, nearby land uses, and potential areas of environmental concern (with respect to contamination) were visually inspected previously for Technical Paper 8 Contamination (Sydney Metro, 2020a) as part of the CSSI approval. The site inspection was completed from only publicly available areas and focused on the construction site, as well as nearby land uses and potential areas of environmental interest (AEIs). The construction boundaries of Parramatta metro station is shown below in Figure 3-1.

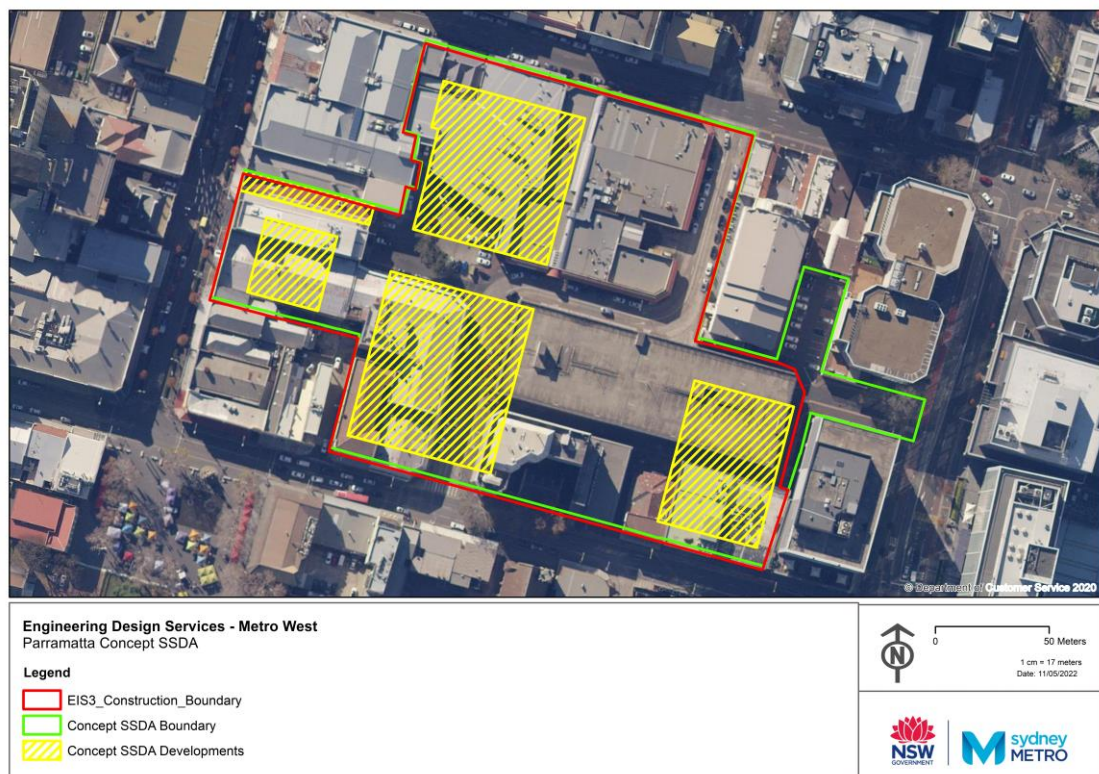


Figure 3-1 Concept SSDA construction boundary boundaries

3.1.2 Relevant contamination guidelines and legislation

In preparing this contamination assessment, the following guidelines were considered (where relevant):

- National Environment Protection (Assessment of Site Contamination) Measure, 1999 (as revised 2013)
- PFAS National Environmental Management Plan (Heads of Environment Protection Authorities, January 2020)
- Guidelines for Consultants Reporting on Contaminated Sites (New South Wales Environment Protection Authority (Environment Protection Authority), 2020)
- State Environmental Planning Policy (Resilience and Hazards) 2021.
- Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZECC & ARMCANZ, 2000, ANZG, 2018, and draft ANZG, 2020)
- National Health and Medical Research Council (2008) Guidelines for Managing Risks in Recreational Waters
- guidelines made or approved under section 105 of the Contaminated Land Management 1997, including:
 - Contaminated Sites: Sampling Design Guidelines (EPA, 1995)
 - Contaminated Sites: Guidelines for the NSW Site Auditor Scheme (3rd Edition) (EPA, 2017)
 - Contaminated Sites: Guidelines for the Assessment and Management of Groundwater Contamination (DEC, 2007)
 - Guidelines on the Duty to Report Contamination under the Contaminated Land Management Act 1997 Environment Protection Authority, 2015.

The relevant legislation, regulations and policies for contaminated land matters that have been considered during the preparation of this assessment include:

- *Contamination Land Management Act 1997 (New South Wales Environment Protection Authority, 1997)*
- *Protection of the Environment Operations Act 1997 (PEOE) (New South Wales Environment Protection Authority, 1997)*
- Protection of the Environment Operations (Waste) Regulation 2014 (New South Wales Environment Protection Authority, 2014)
- *Environmental Planning and Assessment Act 1979*
- Parramatta Local Environment Plan (LEP) 2011.

3.2 Site condition and surrounding environment

This site condition and surrounding environment section has drawn on the findings from Westmead to the Bays and Sydney CBD Environmental Impact Statement Concept and Stage 1, Technical Paper 8 Contamination (Sydney Metro, 2020a), which included a desktop assessment and site inspection for the Parramatta metro station. The site condition and surrounding environment provided in this chapter will evaluate Sydney Metro's findings in the context of the Concept SSDA.

3.2.1 Land use and zoning

The site currently comprises a mixture of retail, commercial office buildings and a carpark. Prior to the commencement of the construction of the proposal, all structures except for two heritage buildings will be demolished within the proposed development site. The demolition works will be completed during the Stage 1 CSSI approval which includes the bulk excavation works for the station box.

The land use zones within 500 metres of the Concept SSD site are a combination of Commercial Core (B3), Mixed (B4) and Public Recreation (RE1) as described by the Parramatta Local Environmental Plan 2011 (PLEP 2011).

The land use zones within the site are similarly a combination of Commercial Core (B3) and Mixed (B4), as shown in Figure 3-2. In these land zones, the use of the land is limited to the following:

- community services including childcare centres, community facilities, educational establishments, entertainment facilities, food and drink premises, function centres, hospitals, hotel accommodation, information and education facilities, kiosks, markets, medical centres, medical research and development facilities
- infrastructure including building identification signs and roads
- environmental facilities, environmental protection works, and flood mitigation works
- business services including hotel or motel accommodation, kiosks, neighbourhood shops, restaurants or cafes, take away food and drink premises.



Figure 3-2 Land use zone

3.2.2 Topography and drainage

The site is located on a local high point within the Parramatta River floodplain. The site is approximately 300 metres to the south of Parramatta River downstream of the Charles Street weir. The site is relatively flat at an elevation of approximately 9-11 metres Australian Height Datum (AHD) and with a slight decline north towards Parramatta River.

3.2.3 Surface water and flood potential

The site is located in the Parramatta River catchment, with Parramatta River a main tributary of Sydney Harbour. This catchment is highly urbanised and altered from its natural state, with pockets of open spaces and parkland. One watercourse is located within the study area, the Parramatta River located 300 metres from the site. The water quality is dominated by catchment inputs, including stormwater and wastewater overflow resulting in elevated levels of nutrients and pollutants (Sydney Metro, 2020c).

The site and surrounding area are subject to mainstream flooding during rare and extreme flood events from the Parramatta River which has an upstream catchment area of about 110 square kilometres, while also subject to minor overland flooding. The majority of rain falling onto the site would fall onto impermeable areas (i.e., access roads, concreted areas and the roofs of site offices and workshops) and available open space and is expected to infiltrate into sub-soils and/or run off into formalised stormwater drains.

3.2.4 Geology and acid sulfate soils

Potential acid sulfate soils risk maps from the former Office of Environment and Heritage (now part of NSW DPE) and City of Parramatta LEP (2011) indicate the site is located in a Class 4 area, characterised as having a low probability of ASS occurring below two metres of the ground surface.

However, there is no interaction with the existing ground within the proposal. Therefore, acid sulfate soil issues are not relevant to this phase of the approval.

3.2.5 Hydrogeology

Groundwater is known to occur in the soil profile and within the fractured or porous rock at the site (Technical Paper 8, Sydney Metro, 2020a). Available data from previous site investigations indicates that groundwater levels in the soils at the site are generally shallow with typical groundwater level in the vicinity of the site at six metres AHD.

Groundwater samples were collected and analysed from the eight monitoring bores installed within 500 metres of the site (Technical Paper 7 Hydrogeology Sydney Metro, 2020b). Based on data gathered from the monitoring wells, groundwater within the site and surrounding area has potential to be impacted by heavy metals, hydrocarbons including total recoverable hydrocarbons (TRH), benzene, toluene, ethyl benzene and xylene (BTEX), polycyclic aromatic hydrocarbons (PAH), chlorinated hydrocarbons, volatile organic compounds (VOC) and phenol.

3.2.6 Sensitive receiving environments

Parramatta River has been identified as a receiving environment of high sensitivity predominantly due to key fish habitat classification: Type 1 (highly sensitive Key Fish Habitat), Type 2 (moderately sensitive key fish habitat) and Class 1 (major key fish habitat).

There are no coastal wetlands as defined by the State Environmental Planning Policy (coastal management) 2018 within close proximity to the Concept SSDA site . Parramatta River has a high conservation and community value and supports ecosystems that are particularly sensitive to contamination or degradation of water quality.

3.3 Concept SSDA background

The following sections are a summary of background information available on the site including history, council records and EPA records.

3.3.1 Council records

Section 10.7 certificates are legal planning documents issued by the City of Parramatta in accordance with the requirements of section 10.7(2&5) of the *Environmental Planning and Assessment Act 1979*. The certificates place restrictions and requirements on development for specific parcels of land and identify any contamination issues to that parcel of land. Specific to contamination, a review of the certificates revealed that the land:

- is not significantly contaminated land within the meaning of *the Contaminated Land Management Act 1997*
- has not been identified as land that is reserved for a public purpose in an environmental planning instrument
- has not been identified as land that is subject to a biobanking agreement under part 7A of the *Threatened Species Conservation Act 1995* or a property vegetation plan under the *Native Vegetation Act 2003*
- has not been identified by an environmental planning instrument, a development control plan or a policy adopted by the Council as being or affected by a coastline hazard, a coastal hazard or a coastal erosion hazard
- has not been identified as unsewered land within a drinking water catchment
- has not been identified as land that is declared to be a special area under the *Sydney Water Catchment Management Act 1998*
- is not subject to a management order within the meaning of the *Contaminated Lands Management Act 1997* at the date when the certificate is issued
- is not subject on an approved voluntary management proposal within the meaning of the *Contaminated Lands Management Act 1997* (CLM Act) at the date when the certificate is issued
- is not subject to an ongoing maintenance order within the meaning of the *Contaminated Lands Management Act 1997* at the date when the certificate is issued
- is subject to a site audit statement within the meaning of *the Contaminated Lands Management Act 1997*.

Copies of the Section 10.7 certificates are provided in Appendix A.

3.3.2 NSW EPA records

Contaminated land records of notice

A review of the NSW EPA Contaminated Land Records of Notice was undertaken on 20 September 2021 to evaluate if the EPA has issued a regulatory notice in relation to the site under section 60 of the CLM Act. No listed properties were identified within one kilometre of the site.

NSW contaminated sites notified to the EPA

A search conducted on 14 September 2021 of the NSW EPA Contaminated Sites Record of Notices (under section 58 of the CLM Act) and the list of contaminated sites notified to the NSW EPA (under section 60 of the CLM Act) indicated that there were two sites registered with the NSW EPA within one kilometre of the site that were either regulated, formerly regulated or had been notified. The sites are summarised in Table 3-1.

Table 3-1 NSW EPA regulated / formerly regulated / notified sites within one kilometre of the site

Suburb	Regulated / formerly regulated / notified	Site address	Site activity	Contamination status	Location relative to the site
Parramatta	Notified	Corner of Pitt Street and Macquarie Street	Unclassified	Regulation under <i>Contaminated Land Management Act (1997)</i> not required	Approximately 500 metres west of the site
Parramatta	Notified	Parramatta Park Toilet Block Demolition	Unclassified	Regulation under <i>Contaminated Land Management Act (1997)</i> not required	Approximately 800 metres west of the site

Licensed activities under the POEO Act 1997

A search conducted on 14 September 2021 of the POEO Act 1997 public register (under section 308 of the POEO Act 1997) indicated there were two sites within 500 metres of the proposed development site that have current environmental protection licences (EPL). The sites are summarised in Table 3-2. EPLs that are no longer in force or surrendered have not been included in the table as it has been assumed that potential contamination risk is only associated with current licensed activities.

Table 3-2 Sites with current EPL within one kilometre of the site

Site address	Licence holder	Activity	Location relative to the Concept SSDA
Macquarie Street, Parramatta	John Holland Rail Pty Ltd	Railway infrastructure operations	Less than 100 metres
Macquarie Street, Parramatta	CPB Contractors Pty Limited	Railway infrastructure operations	Less than 100 metres

EPLs generally detail requirements for the management of pollution risks associated with the licensed activities. As such, if activities are operating in accordance with their respective EPL, the risk of those activities causing contamination would be reduced.

Review of PFAS sources

Considering the high mobility of Per- and poly- fluoroalkyl substances (PFAS) within the environment, a search of potential PFAS sources was carried out within one kilometre of the Concept SSDA site. The search involved a review of:

- NSW EPA Contaminated Sites Record of Notices (under section 58 of the *Contaminated Land Management Act 1997*) and the list of contaminated sites notified to the NSW EPA (under section 60 of the *Contaminated Land Management Act 1997*) for PFAS as a contaminant of concern
- current and historical (from 1955 onwards) aerial imagery for visually identifiable industry and/or operations which may be associated with PFAS contaminants (as defined by the PFAS National Environmental Management Plan, 2018) including aviation, coal works, power generation (including switchyards), petrochemical production, fuel production, petroleum products storage, aviation, sewage treatment plants and waste disposal
- a review of available aerial imagery services (Google Earth).

Following the review, no PFAS sources were identified within one kilometre of the Concept SSDA site.

3.3.3 Areas of environmental interest

Based on the findings of the desktop review and site inspections completed as part of the CSSI applications, a number of known and potential contamination sources (areas of environmental interest (AEI)) were identified within and/or adjacent to the site.

As part of the Stage 1 CSSI approval, these sites will be demolished, and the land remediated. Table 3-3 outlines the potential source, pathway and receptor for contamination located within the Concept SSDA site. Figure 3-3 shows the approximate locations of the AEIs determined by Sydney Metro (2021).

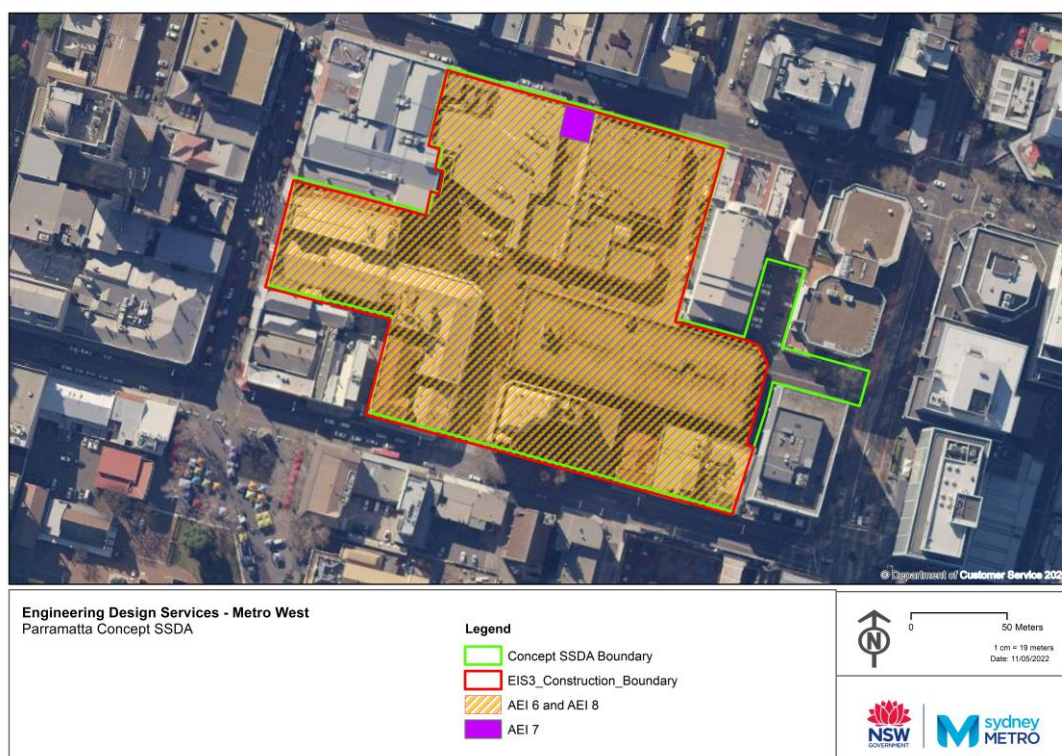


Figure 3-3 Concept SSDA - Areas of Environmental Interest

3.4 Assessment of potential impacts

The potential for impacts from contamination to sensitive receivers during the construction and operation phase are described in the following sections.

3.4.1 Contaminants of potential concern

Based on the review of available information, the contaminants of potential concern (CoPC) relating to current and historical activities in and surrounding the site includes:

- **Asbestos** – Aerial photographs indicate that since 1930, a number of buildings within the proposed SSD development site have been demolished potentially depositing CoPC such as asbestos containing materials (ACM) onto the soil. With the demolition of these buildings overtime, it is possible that ACM may accumulate in soils within the site.
- **Heavy metals including lead** – In Australia, paints containing as much as 50 per cent lead were used on the inside and outside of houses built before 1950, and paint containing more than 1 percent lead was still being used until the late 1960 (Sydney Metro, 2018). As a result, selected metals including lead, cadmium, chromium and zinc may be sourced from the metal-based paints which may have been applied to and still exist on the interior and exterior walls of the current buildings or may be present within the soil since redevelopment.
- **Polycyclic Aromatic Hydrocarbons (PAHs)** – PAHs are related to some petroleum hydrocarbon use, bitumen emulsion, lubricating oils and waste oils. PAHs can also potentially be present in fill (dependent on the origin of the fill material).

- Volatile Organic Compounds (VOCs) (including chlorinated hydrocarbons), Benzene, toluene, ethylbenzene and xylenes (BTEX), total recoverable hydrocarbon (TRH), and pesticides – VOCs are related to various industrial processes, particularly where solvents are used and are associated with contamination from dry cleaning facilities and maintenance facilities. VOCs can also potentially be present in fill (dependent on the origin of the fill material).

3.4.2 Soil

Surface soils within the site may be impacted by heavy metals, hydrocarbons (TRH, BTEX, PAH), pesticides, VOC and asbestos (Sydney Metro, 2020a), as well as any contamination resulting from the excavation and development of Parramatta metro station as part of the CSSI. There is no anticipated impact to soils from the construction of the site as there will be no interaction with the existing ground within the proposal.

Potential impacts as a result of disturbance of contaminated soil without appropriate management and/or remediation may include:

- contaminant exposure risk to construction personnel and the general public
- contaminant exposure to environmental receptors
- cross contamination associated with the incorrect handling or disposal of spoil and unexpected finds
- contamination of previously clean areas.

All potential soil contamination identified can be managed subject to the implementation of appropriate management measures and/or remediation.

The sealed nature of the developed site would preclude an impact from potential soil contamination during operation.

3.4.3 Vapour and gas

Vapours are generally partitioned from compounds present within soil and groundwater. The generation of vapours can be influenced by sub-surface conditions and the presence of below ground and on surface structures. If present, vapours could accumulate within below ground excavations and enclosed structures at concentrations which could represent an explosion or acute/chronic health risk (Sydney Metro 2021).

There is no anticipated impact from vapours and gas from the construction of the site as there is no interaction with the existing ground within the proposal.

3.4.4 Acid sulfate soils

Excavation of soils with a potential for ASS is unlikely to occur during the construction of the site, as there will be no interaction with the existing ground within the proposal.

3.4.5 Groundwater

Groundwater may be impacted by heavy metals, hydrocarbons (TRH, BTEX, PAH) and VOC at the Concept SSDA site (Sydney Metro, 2020a). Prior to construction activities commencing, the station excavation will be undrained across the soil horizon during construction of the CSSI approval and because of this there is potential for contaminated groundwater within the soils to be drawn downwards into the rock. Contaminated groundwater seeping into the excavation would be collected and treated during construction of the CSSI approval.

Contaminated groundwater is not likely be encountered during the construction and operation of the Concept SSDA site, as all four buildings associated with the Concept SSDA site are sitting on podiums that will have all below ground excavation completed during the prior Stage 1 CSSI approval.

3.4.6 Contamination risk assessment

To understand the potential for contamination to be present of the site with contamination, each AEI has been assessed to identify the potential contamination risk. Table 3-3 outlines the potential source, pathway and receptor for potential contamination located within the site.

Table 3-3 Areas of Environmental Interest

AEI	Media and CoPCs	Contamination status	Pathway	Receptor	Risk identified in the Concept SSDA
AEI 6 Former structures – Hazardous building materials within or from on-site buildings / structures, demolition wastes	Surface soil: Heavy metals, hydrocarbons (TRH, PAH), pesticides, asbestos	Low potential for contamination to be present at concentrations above the relevant assessment criteria and limited in extent.	Contamination very unlikely to be exposed during the construction and operational phases of the proposal because the AEI will be demolished and the land redeveloped as part of the preceding stages of development	None associated with the Concept SSDA	Very low due to the proposed development being raised above the ground on the station podiums
AEI 7 Dry cleaners (56-67 George Street).	Surface soil: Chlorinated hydrocarbons, VOCs	Low potential for contamination to be present at concentrations above the relevant assessment criteria and limited in extent.	Contamination very unlikely to be exposed during the construction and operational phases of the proposal because the AEI will be demolished and the land redeveloped as part of the preceding stages of development	None associated with the Concept SSDA	Very low due to the proposed development being raised above the ground on the station podiums
	Groundwater: Chlorinated hydrocarbons, VOCs	Contamination possibly present at concentrations above the relevant assessment criteria and limited in extent.	Contamination very unlikely to be interacted with during the construction and operational phases of the proposal therefore unlikely to impact upon human and environmental receptors.	None associated with the Concept SSDA	Very low due to the proposed development being raised above the ground on the station podiums
	Vapour: Chlorinated hydrocarbons, VOCs	Contamination possibly present at concentrations above the relevant assessment criteria and potentially widespread.	Contamination very unlikely to be interacted with during the construction and operational phases of the proposal and therefore unlikely to impact upon human and environmental receptors.	None associated with the Concept SSDA	Very low due to the proposed development being raised above the ground on the station podiums

AEI	Media and CoPCs	Contamination status	Pathway	Receptor	Risk identified in the Concept SSDA
AEI 8 Historical commercial / industrial use within the Concept SSDA site. Inappropriate chemical storage and use, industrial operations, waste disposal and management etc	Surface soil:	Low potential for contamination to be present at concentrations above the relevant assessment criteria and limited in extent.	Contamination very unlikely to be exposed during the construction and operational phases of the proposal because the AEI will be demolished and the land redeveloped as part of the preceding stages of development	None associated with the Concept SSDA	Very low due to the proposed development being raised above the ground on the station podiums
	Groundwater: Heavy metals, hydrocarbons (TRH, BTEX, PAH)	Contamination possibly present at concentrations above the relevant assessment criteria and limited in extent.	Contamination very unlikely to be exposed during the construction and operational phases of the proposal because the AEI will be demolished and the land redeveloped as part of the preceding stages of development	None associated with the Concept SSDA	Very low due to the proposed development being raised above the ground on the station podiums

4 Conclusion

Prior to the development of the proposal, all structures except for two heritage buildings will be demolished, and station infrastructure and basement car parks will be constructed. There will be no interaction with the existing ground within the proposal, therefore the contamination risk is considered very low as there is no excavation to be completed in order to construct the proposed development.

Based on the investigations undertaken, the SEARs outlined in section 1.3 have been wholly satisfied, with appropriate future investigations recommended for further development applications relating to detailed design.

5 Limitations

Exclusive use

- This report has been prepared by Mott MacDonald at the request of Sydney Metro (“Client”) exclusively for the use of its Client. This report has been prepared in accordance with the proposed development brief only and has been based in part on information obtained from the client and other parties.
- The basis of Mott MacDonald’s engagement by the Client is that Mott MacDonald’s liability, whether under the law of contract, tort, statute, equity or otherwise, is limited as set out in the terms of the engagement.
- The advice in this report relates only to the proposed development and all results, conclusions and recommendations made should never be used for any other purpose. Mott MacDonald accepts no liability for use or interpretation by any person or body other than the client who commissioned the works. This contamination assessment should not be reproduced without prior approval by the client or amended in any way without prior approval by Mott MacDonald, and should not be relied upon by other parties, who should make their own enquires.

Investigation

- Investigation of potential contamination is based on appropriate guidance documents made and approved by the relevant regulatory authorities. Conclusions arising from the review and assessment of environmental data are based on the investigation considered appropriate based on the regulatory requirements. The high-level desktop study conducted relies on publicly available information such as aerial photographs, government records and analysis of local historical records.
- No sampling or laboratory analyses were undertaken as part of the investigations. Potential contaminants and areas of concern are based on the information detailed in the site history. This Report does not provide confirmation of the presence of soil and groundwater contamination within the proposed development.
- Changes to site conditions may occur subsequent to the investigations, through natural processes or through the intentional or accidental addition of contaminants. The conclusions and recommendations reached in this report are based on the information obtained at the time of the investigations.
- This report does not provide a complete assessment of the environmental status of the site, and it is limited to the scope defined herein. Should information become available regarding conditions at the site including previously unknown sources of contamination, Mott Macdonald reserves the right to review the report in the context of the additional information.

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Appendix A - Section 10.7 zoning certificates

PLANNING CERTIFICATE

CERTIFICATE UNDER SECTION 10.7

Environmental Planning and Assessment Act, 1979 as amended

Certificate No: 2021/2812
Fee: \$133.00
Issue Date: 16 April 2021
Receipt No: 6336113
Applicant Ref: EDS WP44 10.7(2)C:147913

DESCRIPTION OF LAND

Address: 41-59 George Street
PARRAMATTA NSW 2150
Lot Details: Lot 10 DP 858392

SECTION A

The following Environmental Planning Instrument to which this certificate relates applies to the land:

Parramatta Local Environmental Plan 2011

For the purpose of **Section 10.7(2)** it is advised that as the date of this certificate the abovementioned land is affected by the matters referred to as follows:

Contact us:

council@cityofparramatta.nsw.gov.au | 02 9806 5050
@cityofparramatta | PO Box 32, Parramatta, NSW 2124
ABN 49 907 174 773 | cityofparramatta.nsw.gov.au

The land is zoned: B3 Commercial Core PLEP2011

Zone B3 - Commercial Core (Parramatta Local Environmental Plan 2011)

Issued pursuant to Section 10.7 of the Environmental Planning and Assessment Act, 1979.

NOTE: This table is an excerpt from Parramatta Local Environmental Plan 2011 and must be read in conjunction with and subject to the other provisions of that instrument, and in force at that date.

Zone B3 Commercial Core

1 Objectives of zone

- To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.
- To encourage appropriate employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To strengthen the role of the Parramatta City Centre as the regional business, retail and cultural centre, and as a primary retail centre in the Greater Metropolitan Region.
- To create opportunities to improve the public domain and pedestrian links throughout the Parramatta City Centre.
- To provide for the retention and creation of view corridors.
- To protect and enhance the unique qualities and character of special areas and heritage values within the Parramatta City Centre.
- To protect and encourage accessible city blocks by providing active street frontages, and a network of pedestrian-friendly streets, lanes and arcades.

2 Permitted without consent

Nil

3 Permitted with consent

Building identification signs; Business identification signs; Business premises; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hospitals; Hotel or motel accommodation; Information and education facilities; Medical centres; Office premises; Oyster aquaculture; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Tank-based aquaculture; Tourist and visitor accommodation

4 Prohibited

Pond-based aquaculture; Any other development not specified in item 2 or 3

SECTION B

State Policies and Regional Environmental Plans

The land is also affected by the following State Environmental Planning Policies (SEPP) and Regional Environmental Plans (SREP):

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

State Environmental Planning Policy (SEPP) No.21 - Caravan Parks
State Environmental Planning Policy (SEPP) No.33 -Hazardous and Offensive Development
State Environmental Planning Policy (SEPP) No.55 - Remediation of Land
State Environmental Planning Policy (SEPP) No.64 - Advertising and Signage
State Environmental Planning Policy (SEPP) No.65 – Design Quality of Residential Flat Development.
State Environmental Planning Policy (SEPP) No.70 -Affordable Housing (Revised Schemes)
State Environmental Planning Policy (SEPP) (Housing for Seniors or People with a Disability) 2004
State Environmental Planning Policy (SEPP) (Building Sustainability Index: BASIX) 2004
State Environmental Planning Policy (SEPP) (State Significant Precincts) 2005
State Environmental Planning Policy (SEPP) (Mining, Petroleum Production and Extractive Industries) 2007
State Environmental Planning Policy (SEPP) (Infrastructure) 2007
State Environmental Planning Policy (SEPP) (Exempt and Complying Development Codes) 2008
State Environmental Planning Policy (SEPP) (Affordable Rental Housing) 2009
State Environmental Planning Policy (SEPP) (Vegetation in Non-Rural Areas) 2017
State Environmental Planning Policy (SEPP) (Educational Establishments and Child Care Facilities) 2017
State Environmental Planning Policy (SEPP) (Concurrences) 2018
State Environmental Planning Policy (SEPP) (Primary Production and Rural Development) 2019

Sydney Regional Environmental Plan (SREP) No.9 (No.2) - Extractive Industries
Sydney Regional Environmental Plan (SREP) – (Sydney Harbour Catchment) 2005

DRAFT State Environmental Planning Policy to amend State Environmental Planning Policy (SEPP) (Sydney Region Growth Centres) 2006 – Amendment to include the Greater Parramatta Priority Growth Area as a Growth Centre
DRAFT State Environmental Planning Policy (Draft SEPP) – Environment

N.B. All enquiries as to the application of Draft State Environmental Planning Policies should be directed to The NSW Department of Planning, Industry and Environment.

Draft Local Environmental Plan

The land is affected by a Draft Local Environmental Plan which has been placed on Public Exhibition and has not yet been published. The Draft Local Environmental Plan is described below.

Planning Proposal – Draft Parramatta Local Environmental Plan 2020 (Harmonisation LEP)

This land is affected by a planning proposal seeking to create a single consolidated Local Environmental Plan (LEP) that will apply to the whole City of Parramatta Local Government Area (LGA). The new LEP will replace five (5) existing LEPs where they apply to land within the Parramatta LGA. These include:

- *Auburn Local Environmental Plan 2010*
- *Holroyd Local Environmental Plan 2013*
- *Hornsby Local Environmental Plan 2013*
- *Parramatta Local Environmental Plan 2011*
- *Parramatta (former The Hills) Local Environmental Plan 2012*

The new Parramatta LEP will create a common set of objectives, land use tables and provisions for all land within the LGA. This will result in some changes to the current planning controls applying to certain areas, including:

- Changes to land uses permitted in certain areas, because of the creation of a common set of land use tables.
- Prohibiting dual occupancy developments in certain locations.
- A minimum lot size of 600sqm and frontage to a public road of 15 metres development standards for Dual Occupancies or Manor Houses where they are permitted;
- Changes to height and FSR controls applying to residential zones – these include:
 - applying a FSR of 0.5:1 to R2 Low Density Residential zoned land and a FSR of 0.6:1 to R3 Medium Density Residential zoned land in the Parramatta (former The Hills) LEP 2012 and Hornsby Council LEP 2013 (where none currently applies);
 - reducing the FSR from 0.75:1 to 0.6:1 applying to R3 Medium Density Residential zoned land in Silverwater;
 - increasing the height limit from 8.5 metres to 9 metres applying to R2 Low Density Residential zoned land in the Hornsby Council LEP 2013;
 - applying a 11 metre height limit to R3 Medium Density Residential zoned land in the Parramatta (former The Hills) LEP 2012, Hornsby LEP 2013 and Auburn LEP 2010;
 - applying a FSR control to R4 High Density Residential zoned land in the former Parramatta (former The Hills) LEP 2012, Hornsby LEP 2013 and Auburn LEP 2010 (where none is currently applied); and,
 - A limited number of targeted site-specific changes associated with changes of zoning or to address anomalies.
- Applying a 550sqm minimum subdivision lot size to residential land (except R2 Low Density Residential zoned land in the Parramatta (former The Hills) LEP 2012, which will retain the existing 700sqm requirement)
- Mapping of additional Biodiversity Land and Riparian Land and Waterways
- A limited number of changes to the zoning of some sites to address inconsistencies and anomalies across current land use plans, this includes:
 - Removing the R1 General Residential zone, and rezoning this land to R4 High Density Residential or R3 Medium Density Residential;
 - Rezoning all public bushland reserves to E2 Environmental Conservation;
 - Rezoning some R3 Medium Density Residential zoned land in Northmead, North Rocks and Carlingford to R2 Low Density Residential; and,
 - Rezoning existing lawful places of public worship in the former Parramatta Council area from SP1 Special Activities to R2 Low Density Residential.

Further information on the Planning Proposal for the new Parramatta Local Environmental Plan (LEP) can be found at: www.cityofparramatta.nsw.gov.au/planningharmonisation or by contacting Council

Please note. Council is separately progressing a number of planning proposals relating to specific sites in the LGA. The intention is that, should these site-specific planning proposals be finalised before the new consolidated LEP is made, the respective amendments to planning controls will be carried over into the new LEP and the Harmonisation Planning Proposal will be updated as needed.

Proposed Zoning Draft Parramatta LEP 2020

The land is proposed to be zoned in the in the Draft Parramatta LEP 2020:

B3 Commercial Core PLEP2020

Proposed Zone B3 Commercial Core (Draft Parramatta LEP 2020)

Note: *The following land use table is an excerpt from the Draft Parramatta Local Environmental Plan 2020 (Harmonisation LEP) document exhibited on 31 August 2020 and must be read in conjunction with and subject to other provisions of that draft instrument.*

Zone B3 Commercial Core

1 Objectives of zone

- To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.
- To encourage appropriate employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To strengthen the role of the Parramatta City Centre as the regional business, retail and cultural centre, and as a primary retail centre in the Greater Metropolitan Region.
- To create opportunities to improve the public domain and pedestrian links throughout the Parramatta City Centre.
- To provide for the retention and creation of view corridors.
- To protect and enhance the unique qualities and character of special areas and heritage values within the Parramatta City Centre.
- To protect and encourage accessible city blocks by providing active street frontages, and a network of pedestrian-friendly streets, lanes and arcades.

2 Permitted without consent

Nil

3 Permitted with consent

Building identification signs; Business identification signs; Business premises; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hospitals; Hotel or motel accommodation; Information and education facilities; Medical centres; Office premises; Oyster aquaculture; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Tank-based aquaculture; Tourist and visitor accommodation

4 Prohibited

Pond-based aquaculture; Any other development not specified in item 2 or 3

Proposed Heritage Item Draft Parramatta LEP 2020

The land or part of the land is proposed to be identified as a Heritage Item in the Draft Parramatta LEP 2020.

Planning Proposal – Parramatta CBD Planning Proposal – Parramatta LEP 2011

This land is affected by a planning proposal seeking to amend Parramatta Local Environmental Plan (LEP) 2011. The planning proposal applies to land collectively referred to as the Parramatta City Centre and Experiment Farm and seeks to amend the Parramatta Local Environmental Plan (LEP) 2011 by:

- rezoning some land;
- increase the floor space ratio (FSR) permitted on some land;
- increase the height of buildings (HOB) permitted on some land;
- amend the sun access protection provisions, airspace operations clause, and design excellence clauses;
- include a requirement for non-residential floor space in parts of the some mixed use zones;
- include a requirement for active frontages to certain streets and public spaces;
- include a requirement for end of journey facilities;
- include amendment to encourage high yield employment uses;
- include a new clause to encourage high performing buildings;
- include a new clause to encourage the provision of community infrastructure;
- a new clause to preserve existing controls in the 'Park Edge Highly Sensitive' area, Parramatta Park, Parramatta Stadium, certain land zoned B5 Business Development west of Church Street (behind Auto Alley); and certain land zoned B4 Mixed Use at the intersection of Church Street and Pennant Hills Road;
- include additional clauses to Schedule 1 – Additional Permitted Uses of the Parramatta LEP 2011;
- a new heritage clause to require a higher standard of development that affects heritage;
- new clauses for the Marion Street precinct;

- amend the following maps in the Parramatta LEP 2011:
 - Amend the Land Application Map
 - Amend the Additional Local Provisions Map
 - Amend the Land Zoning Map
 - Amend the Floor Space Ratio Map
 - Amend the Height of Buildings Map
 - Amend the Additional Permitted Uses Map
 - Amend the Special Provisions Area Map
 - Amend Heritage Map
 - Land Reservation Acquisition MapAnd;
- create new maps for inclusion in the Parramatta LEP 2011:
 - Create a new Incentive Floor Space Ratio Map
 - Create a new Incentive Height of Buildings Map
 - Create a new Sun Access Protection Map
 - Create a new Active Street Frontage Map
 - Create a new Opportunity Sites Map
 - Create a new Floodplain Risk Management Map

Further information on the Parramatta CBD Planning Proposal to amend Parramatta Local Environmental Plan (LEP) 2011 can be found at <https://participate.cityofparramatta.nsw.gov.au> or by contacting Council.

Flood Plain Risk Management Area

The planning proposal seeks to include the land in a Flood Plain Risk Management Area on the proposed Floodplain Risk Management Map of the Parramatta Local Environmental Plan 2011.

Development Control Plan

The land is affected by Parramatta Development Control Plan 2011.

The Minister for Planning has issued directions that provisions of an EPI do not apply to certain Part 4 development where a concept plan has been approved under Part 3A.

Development Contribution Plan

The Parramatta Civic Improvement Plan (Amendment No. 5) applies to this land.

Heritage Item/Heritage Conservation Area

The land is identified as containing a Heritage Item in Parramatta Local Environmental Plan 2011

The land is affected by a planning proposal that seeks to identify the land as containing a Heritage Item in an environmental planning instrument. Refer to the Draft Local Environmental Plan section of this certificate for more details.

The land is not located in a heritage conservation area.

Road Widening

The land is not affected by 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.

Land Reservation Acquisition

The land is not affected by Land Reservation Acquisition in Parramatta Local Environmental Plan 2011.

Site Compatibility Certificate (Seniors Housing, Infrastructure and Affordable Rental Housing)

At the date of issue of this certificate Council is not aware of any

- a. Site compatibility certificate (affordable rental housing),
- b. Site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments),
- c. Site compatibility certificate (seniors housing)

in respect to the land issued pursuant to the Environmental Planning & Assessment Amendment (Site Compatibility Certificates) Regulation 2009 (NSW).

Contamination

Matters contained in Clause 59(2) as amended in the Contaminated Land Management Act 1997 – as listed:

Clause 59(2)(a) - is the land to which the certificate relates is significantly contaminated land?

NO

Clause 59(2)(b) - is the land to which the certificate relates is subject to a management order?

NO

Clause 59(2)(c) - is the land to which the certificate relates is the subject of an approved voluntary management proposal?

NO

Clause 59(2)(d) - is the land to which the certificate relates is subject to an ongoing maintenance order?

NO

Clause 59(2)(e) - is the land to which the certificate relates is the subject of a site audit statement?

NO

Tree Preservation

The land is subject to Section 5.4 Preservation of Trees or Vegetation in Parramatta Development Control Plan 2011.

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

Coastal Protection

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

NO

Council Policy

Council has not adopted a policy to restrict the development of the land by reason of the likelihood of projected sea level rise (coastal protection), tidal inundation, subsidence or any other risk.

Council has adopted a policy covering the entire City of Parramatta to restrict development of any land by reason of the likelihood of flooding.

Council has adopted by resolution a policy on contaminated land that applies to all land within the City of Parramatta. The Policy will restrict the development of the land if the circumstances set out in the policy prevail. A copy of the policy is available on Councils website at www.cityofparramatta.nsw.gov.au or from the Customer Service Centre.

Mine Subsidence

The land is not affected by the Coal Mine Subsidence Compensation Act 2017 proclaiming land to be a Mine Subsidence District.

Bushfire Land

The land is not bushfire prone land.

Threatened Species

The Environment Agency Head with responsibility for the Biodiversity Conservation Act 2016 has not advised Council that the land includes or comprises an area of outstanding biodiversity value.

Biodiversity certified land

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

Note. *Biodiversity certified land includes land certified under Part 7AA of the Threatened Species Conservation Act 1995 that is taken to be certified under Part 8 of the Biodiversity Conservation Act 2016.*

Biodiversity stewardship sites

The Chief Executive of the Office of Environment and Heritage has not notified the Council if the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the Biodiversity Conservation Act 2016.

Note: Biodiversity stewardship agreements include biobanking agreements under Part 7A of the Threatened Species Conservation Act 1995 that are taken to be biodiversity stewardship agreements under Part 5 of the Biodiversity Conservation Act 2016.

Native vegetation clearing set asides

Council has not been notified of the land containing a set aside area under section 60ZC of the Local Land Services Act 2013.

Property vegetation plans

Council has not been notified of the existence of the property vegetation plan approved under Part 4 of the Native Vegetation Act 2003 on the land.

Paper Subdivision information

The land is not subject to any development plan adopted by a relevant authority or that is proposed to be subject to a consent ballot. A subdivision order does not apply to the land.

Note: Words and expressions used in this clause have the same meaning as they have in Part 16C of the Environmental Planning and Assessment Regulation 2000.

Loose-Fill Asbestos Register

Council has not been notified by NSW Fair Trading of the property being listed on the loose-fill asbestos insulation register maintained by the Secretary of NSW Fair Trading.

Site verification certificates

Council is not aware of whether there is a current site verification certificate in respect of the land.

Affected Building Notices and Building Product Rectification Orders

Council is not aware of whether there is any affected building notice, building product rectification order or notice of intention to make a building product rectification order that is in force in respect of the land.

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

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

Note: This does not constitute a Complying Development Certificate under section 4.27 of the Environmental Planning and Assessment Act 1979

The following information only addresses whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of **Clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1)(c3) and 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. It is not a statement that complying development is permissible on the land.

Other land exemptions within of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 may also apply. Furthermore, other provisions within the relevant Local Environmental Plan or a State Environmental Planning Policy which restrict complying development on the land may also apply.

It is your responsibility to ensure that you comply with the relevant complying development provisions for the land. Failure to comply with these provisions may mean that a Complying Development Certificate is invalid.

Housing Code; Low Rise Housing Diversity Code; Rural Housing Code

Complying Development pursuant to the Housing Code, Low Rise Housing Diversity Code and Rural Housing Code **may not** be carried out on the land or part of the land. The land is affected by specific land exemptions under **Clause 1.17A or Clause 1.18 (1) (c3) or Clause 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. The land exemptions are:

- Part of the land comprises, or on which there is, a draft heritage item (Land Exemption Clause 1.18(1)(c3) of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008)
- Part of the land comprises, or contains an item of environmental heritage (that is listed on the State Heritage Register **or** that is subject to an interim heritage order under the Heritage Act 1977 **or** is identified as an item of environmental heritage in an environmental planning instrument), (Land Exemption Clause 1.17A of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008)

Commercial and Industrial (New Buildings and Additions) Code

Complying Development pursuant to Commercial and Industrial (New Buildings and Additions) Code **may not** be carried out on the land or part of the land. The land is affected by specific land exemptions under **Clause 1.17A or Clause 1.18 (1) (c3) or Clause 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. The land exemptions are:

- Part of the land comprises, or on which there is, a draft heritage item (Land Exemption Clause 1.18(1)(c3) of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008)
- Part of the land comprises, or contains an item of environmental heritage (that is listed on the State Heritage Register **or** that is subject to an interim heritage order under the Heritage Act 1977 **or** is identified as an item of environmental heritage in an environmental planning instrument), (Land Exemption Clause 1.17A of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008)

Housing Alterations Code; General Development Code; General Commercial and Industrial (Alterations) Code; Container Recycling Facilities Code; Subdivision Code; Demolition Code; Fire Safety Code

Complying Development pursuant to the Housing Alterations Code, General Development Code, General Commercial and Industrial (Alterations) Code, Container Recycling Facilities Code, Subdivision Code, Demolition Code and Fire Safety Code **may not** be carried out on the land or part of the land. The land is affected by specific land exemptions under **Clause 1.17A or Clause 1.18 (1) (c3) or Clause 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. The land exemptions are:

- Part of the land comprises, or on which there is, a draft heritage item (Land Exemption Clause 1.18(1)(c3) of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008)
- Part of the land comprises, or contains an item of environmental heritage (that is listed on the State Heritage Register **or** that is subject to an interim heritage order under the Heritage Act 1977 **or** is identified as an item of environmental heritage in an environmental planning instrument), (Land Exemption Clause 1.17A of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008)

SPECIAL NOTES

The land is identified as Class 4 on the Acid Sulfate Soils map. Refer to Clause 6.1 of Parramatta Local Environmental Plan 2011.

Applicants for Sections 10.7 Certificates are advised that Council does not hold sufficient information to fully detail the effect of any encumbrances on the title of the subject land. The information available to Council is provided on the basis that neither Council nor its servants hold out advice or warrant to you in any way its accuracy, nor shall Council or its servants, be liable for any negligence in the preparation of that information. Further information should be sought from relevant Statutory Departments.

SECTION C**The following additional information is issued under Section 10.7(5)**

Pursuant to S10.7(5) the Council supplies information as set out below on the basis that the Council takes no responsibility for the accuracy of the information. The information if material should be independently checked by the applicant.

Civic Link Precinct – Parramatta Development Control Plan (DCP) 2011

The land is located within the Civic Link Precinct as identified in Section 4.3.3.7 (m) of the Parramatta Development Control Plan 2011. The Civic Link Precinct will be a new pedestrian, public space within the City Centre linking Parramatta Square to the Parramatta River foreshore. The controls in this section of the DCP describes the spatial definition of the Civic Link; changes to through block movement patterns; new streets, laneways and open spaces; and future development form.

Note: Section 4.3.3.7 (m) of the DCP sets high-level planning controls for Civic Link Precinct areas between Macquarie Street and the Parramatta River (Blocks 2, 3 and 4 as shown in Figure 4.3.3.7.51 Civic Link Precinct), with more detailed controls to be finalised. Persons wishing to develop land within one of these areas are recommended to contact Council's Land Use Team on 9806 5050 or email council@cityofparramatta.nsw.gov.au.

Additional Local Provisions

This land is identified on the Additional Local Provisions Map of the Parramatta Local Environmental Plan 2011. Part 7 Additional local provisions – Parramatta City Centre of the Parramatta Local Environmental Plan 2011 applies to the land.

Aboriginal Sensitivity Map - Parramatta Development Control Plan (DCP) 2011

Aboriginal Heritage – High Sensitivity – potential to contain items of Aboriginal heritage. Contact Council's Customer Service/Duty Planner (02) 9806 5050 for more information.

Flood Information

The land is considered by Council TO BE ABOVE the 1 in 100 year mainstream flood level.

This information is based on data available to the Council. It is provided on the basis that neither Council nor its servants hold out advice or warrant to you in any way its accuracy, nor shall the Council or its servants, be liable for any negligence in the preparation of that information.

Interim Sydney Metro West Corridor - Infrastructure SEPP

Mapping associated with State Environmental Planning Policy (Infrastructure) 2007 (the Infrastructure SEPP) indicates that the land or part of the land is within the Interim Sydney Metro West Corridor.

Note: Advisory Information Regarding Proximity to a Commercial Centre

The land is within proximity to a major, strategic or local commercial centre. Council is looking to encourage greater activation and investment in these centres by developing the night time economy across the City of Parramatta. Future residents

should be aware that the nature and scale of facilities, business activity and events held in these centres may affect the use and enjoyment of the land as a result of operating hours, odour, noise, lighting, traffic and measures associated with event management.

This is considered part of living in/near a commercial centre.

Note: Draft City of Parramatta (Outside CBD) Development Contributions Plan

On 17 March 2021 Council Exhibited a draft Development Contribution Plan - the Draft City of Parramatta (Outside CBD) Development Contributions Plan. It is proposed that the Draft City of Parramatta (Outside CBD) Development Contributions Plan will apply to all land within the City of Parramatta LGA, except for land within the Parramatta CBD and Sydney Olympic Park. The proposed Draft City of Parramatta (Outside CBD) Development Contributions Plan will replace eight (8) existing Development Contribution Plans where they apply to land within the Parramatta LGA. These include:

- Parramatta Section 94A Development Contribution Plan (Amendment No. 5);
- Auburn Development Contributions Plan 2007 Amendment No 1;
- Carter Street Precinct Development Contributions Plan 2016;
- Holroyd Section 94 Plan 2013;
- City of Parramatta S94 Development Contributions Plan (formerly Hornsby LGA Land and Epping Town Centre);
- City of Parramatta S94A Development Contributions Plan (formerly Hornsby LGA Land and Epping Town Centre);
- City of Parramatta Section 94A Development Contribution Plan (Former Hills LGA Land); and
- Contributions Plan 14 - Carlingford Precinct.

Further information about the Draft City of Parramatta (Outside CBD) Development Contributions Plan can be found at <https://participate.cityofparramatta.nsw.gov.au/outside-cbd-contributions> or by contacting Council.

Note: Advisory Information regarding Combustible Cladding

External combustible cladding on multi-storey buildings has been identified in local government areas including the City of Parramatta. Combustible cladding is a material that is capable of readily burning.

You should make your own enquiries as to the type of materials that have been used to construct the building. It is recommended that the purchaser obtain a building report from an appropriately qualified person to determine if any cladding type material may pose a risk to the building's occupants. Council may issue orders to rectify a building where combustible cladding is found.

Properties that have combustible cladding on buildings are listed in the NSW Government Combustible Cladding Register. Please refer to <https://www.claddingregistration.nsw.gov.au/> or call 1300 305 695 for further information regarding the NSW Government Combustible Cladding Register.

There is potential for combustible cladding to be present on buildings that are not listed on the Register.

Note: Advisory Information regarding Loose-Fill asbestos Insulation

Research undertaken by the Loose-Fill Asbestos Insulation Taskforce has determined that there is a potential for loose-fill asbestos insulation to be found in residential dwellings constructed prior to 1980 in 28 local government areas including the City of Parramatta.

Some residential homes located in the City of Parramatta may contain loose-fill asbestos insulation, for example in the roof space. NSW Fair Trading maintains a Register of homes that are affected by loose-fill asbestos insulation.

You should make your own enquiries as to the age of the buildings on the land to which this certificate relates and, if it contains a building constructed prior to 1980, the council strongly recommends that any potential purchaser obtain advice from a licensed asbestos assessor to determine whether loose fill asbestos is present in any building on the land and, if so, the health risks (if any) this may pose for the building's occupants.

Please Contact NSW Fair Trading for further information.

This information has been provided pursuant to section 10.7(5) of the Environmental Planning and Assessment Act, 1979 as amended.

Brett Newman
Chief Executive Officer

per



dated 16 April 2021

PLANNING CERTIFICATE

CERTIFICATE UNDER SECTION 10.7

Environmental Planning and Assessment Act, 1979 as amended

Certificate No: 2021/2812
Fee: \$133.00
Issue Date: 16 April 2021
Receipt No: 6336113
Applicant Ref: EDS WP44 10.7(2)C:147913

DESCRIPTION OF LAND

Address: 41-59 George Street
PARRAMATTA NSW 2150
Lot Details: Lot 10 DP 858392

SECTION A

The following Environmental Planning Instrument to which this certificate relates applies to the land:

Parramatta Local Environmental Plan 2011

For the purpose of **Section 10.7(2)** it is advised that as the date of this certificate the abovementioned land is affected by the matters referred to as follows:

Contact us:

council@cityofparramatta.nsw.gov.au | 02 9806 5050
@cityofparramatta | PO Box 32, Parramatta, NSW 2124
ABN 49 907 174 773 | cityofparramatta.nsw.gov.au

The land is zoned: B3 Commercial Core PLEP2011

Zone B3 - Commercial Core (Parramatta Local Environmental Plan 2011)

Issued pursuant to Section 10.7 of the Environmental Planning and Assessment Act, 1979.

NOTE: This table is an excerpt from Parramatta Local Environmental Plan 2011 and must be read in conjunction with and subject to the other provisions of that instrument, and in force at that date.

Zone B3 Commercial Core

1 Objectives of zone

- To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.
- To encourage appropriate employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To strengthen the role of the Parramatta City Centre as the regional business, retail and cultural centre, and as a primary retail centre in the Greater Metropolitan Region.
- To create opportunities to improve the public domain and pedestrian links throughout the Parramatta City Centre.
- To provide for the retention and creation of view corridors.
- To protect and enhance the unique qualities and character of special areas and heritage values within the Parramatta City Centre.
- To protect and encourage accessible city blocks by providing active street frontages, and a network of pedestrian-friendly streets, lanes and arcades.

2 Permitted without consent

Nil

3 Permitted with consent

Building identification signs; Business identification signs; Business premises; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hospitals; Hotel or motel accommodation; Information and education facilities; Medical centres; Office premises; Oyster aquaculture; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Tank-based aquaculture; Tourist and visitor accommodation

4 Prohibited

Pond-based aquaculture; Any other development not specified in item 2 or 3

SECTION B

State Policies and Regional Environmental Plans

The land is also affected by the following State Environmental Planning Policies (SEPP) and Regional Environmental Plans (SREP):

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

State Environmental Planning Policy (SEPP) No.21 - Caravan Parks
State Environmental Planning Policy (SEPP) No.33 -Hazardous and Offensive Development
State Environmental Planning Policy (SEPP) No.55 - Remediation of Land
State Environmental Planning Policy (SEPP) No.64 - Advertising and Signage
State Environmental Planning Policy (SEPP) No.65 – Design Quality of Residential Flat Development.
State Environmental Planning Policy (SEPP) No.70 -Affordable Housing (Revised Schemes)
State Environmental Planning Policy (SEPP) (Housing for Seniors or People with a Disability) 2004
State Environmental Planning Policy (SEPP) (Building Sustainability Index: BASIX) 2004
State Environmental Planning Policy (SEPP) (State Significant Precincts) 2005
State Environmental Planning Policy (SEPP) (Mining, Petroleum Production and Extractive Industries) 2007
State Environmental Planning Policy (SEPP) (Infrastructure) 2007
State Environmental Planning Policy (SEPP) (Exempt and Complying Development Codes) 2008
State Environmental Planning Policy (SEPP) (Affordable Rental Housing) 2009
State Environmental Planning Policy (SEPP) (Vegetation in Non-Rural Areas) 2017
State Environmental Planning Policy (SEPP) (Educational Establishments and Child Care Facilities) 2017
State Environmental Planning Policy (SEPP) (Concurrences) 2018
State Environmental Planning Policy (SEPP) (Primary Production and Rural Development) 2019

Sydney Regional Environmental Plan (SREP) No.9 (No.2) - Extractive Industries
Sydney Regional Environmental Plan (SREP) – (Sydney Harbour Catchment) 2005

DRAFT State Environmental Planning Policy to amend State Environmental Planning Policy (SEPP) (Sydney Region Growth Centres) 2006 – Amendment to include the Greater Parramatta Priority Growth Area as a Growth Centre
DRAFT State Environmental Planning Policy (Draft SEPP) – Environment

N.B. All enquiries as to the application of Draft State Environmental Planning Policies should be directed to The NSW Department of Planning, Industry and Environment.

Draft Local Environmental Plan

The land is affected by a Draft Local Environmental Plan which has been placed on Public Exhibition and has not yet been published. The Draft Local Environmental Plan is described below.

Planning Proposal – Draft Parramatta Local Environmental Plan 2020 (Harmonisation LEP)

This land is affected by a planning proposal seeking to create a single consolidated Local Environmental Plan (LEP) that will apply to the whole City of Parramatta Local Government Area (LGA). The new LEP will replace five (5) existing LEPs where they apply to land within the Parramatta LGA. These include:

- *Auburn Local Environmental Plan 2010*
- *Holroyd Local Environmental Plan 2013*
- *Hornsby Local Environmental Plan 2013*
- *Parramatta Local Environmental Plan 2011*
- *Parramatta (former The Hills) Local Environmental Plan 2012*

The new Parramatta LEP will create a common set of objectives, land use tables and provisions for all land within the LGA. This will result in some changes to the current planning controls applying to certain areas, including:

- Changes to land uses permitted in certain areas, because of the creation of a common set of land use tables.
- Prohibiting dual occupancy developments in certain locations.
- A minimum lot size of 600sqm and frontage to a public road of 15 metres development standards for Dual Occupancies or Manor Houses where they are permitted;
- Changes to height and FSR controls applying to residential zones – these include:
 - applying a FSR of 0.5:1 to R2 Low Density Residential zoned land and a FSR of 0.6:1 to R3 Medium Density Residential zoned land in the Parramatta (former The Hills) LEP 2012 and Hornsby Council LEP 2013 (where none currently applies);
 - reducing the FSR from 0.75:1 to 0.6:1 applying to R3 Medium Density Residential zoned land in Silverwater;
 - increasing the height limit from 8.5 metres to 9 metres applying to R2 Low Density Residential zoned land in the Hornsby Council LEP 2013;
 - applying a 11 metre height limit to R3 Medium Density Residential zoned land in the Parramatta (former The Hills) LEP 2012, Hornsby LEP 2013 and Auburn LEP 2010;
 - applying a FSR control to R4 High Density Residential zoned land in the former Parramatta (former The Hills) LEP 2012, Hornsby LEP 2013 and Auburn LEP 2010 (where none is currently applied); and,
 - A limited number of targeted site-specific changes associated with changes of zoning or to address anomalies.
- Applying a 550sqm minimum subdivision lot size to residential land (except R2 Low Density Residential zoned land in the Parramatta (former The Hills) LEP 2012, which will retain the existing 700sqm requirement)
- Mapping of additional Biodiversity Land and Riparian Land and Waterways
- A limited number of changes to the zoning of some sites to address inconsistencies and anomalies across current land use plans, this includes:
 - Removing the R1 General Residential zone, and rezoning this land to R4 High Density Residential or R3 Medium Density Residential;
 - Rezoning all public bushland reserves to E2 Environmental Conservation;
 - Rezoning some R3 Medium Density Residential zoned land in Northmead, North Rocks and Carlingford to R2 Low Density Residential; and,
 - Rezoning existing lawful places of public worship in the former Parramatta Council area from SP1 Special Activities to R2 Low Density Residential.

Further information on the Planning Proposal for the new Parramatta Local Environmental Plan (LEP) can be found at: www.cityofparramatta.nsw.gov.au/planningharmonisation or by contacting Council

Please note. Council is separately progressing a number of planning proposals relating to specific sites in the LGA. The intention is that, should these site-specific planning proposals be finalised before the new consolidated LEP is made, the respective amendments to planning controls will be carried over into the new LEP and the Harmonisation Planning Proposal will be updated as needed.

Proposed Zoning Draft Parramatta LEP 2020

The land is proposed to be zoned in the in the Draft Parramatta LEP 2020:

B3 Commercial Core PLEP2020

Proposed Zone B3 Commercial Core (Draft Parramatta LEP 2020)

Note: *The following land use table is an excerpt from the Draft Parramatta Local Environmental Plan 2020 (Harmonisation LEP) document exhibited on 31 August 2020 and must be read in conjunction with and subject to other provisions of that draft instrument.*

Zone B3 Commercial Core

1 Objectives of zone

- To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.
- To encourage appropriate employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To strengthen the role of the Parramatta City Centre as the regional business, retail and cultural centre, and as a primary retail centre in the Greater Metropolitan Region.
- To create opportunities to improve the public domain and pedestrian links throughout the Parramatta City Centre.
- To provide for the retention and creation of view corridors.
- To protect and enhance the unique qualities and character of special areas and heritage values within the Parramatta City Centre.
- To protect and encourage accessible city blocks by providing active street frontages, and a network of pedestrian-friendly streets, lanes and arcades.

2 Permitted without consent

Nil

3 Permitted with consent

Building identification signs; Business identification signs; Business premises; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hospitals; Hotel or motel accommodation; Information and education facilities; Medical centres; Office premises; Oyster aquaculture; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Tank-based aquaculture; Tourist and visitor accommodation

4 Prohibited

Pond-based aquaculture; Any other development not specified in item 2 or 3

Proposed Heritage Item Draft Parramatta LEP 2020

The land or part of the land is proposed to be identified as a Heritage Item in the Draft Parramatta LEP 2020.

Planning Proposal – Parramatta CBD Planning Proposal – Parramatta LEP 2011

This land is affected by a planning proposal seeking to amend Parramatta Local Environmental Plan (LEP) 2011. The planning proposal applies to land collectively referred to as the Parramatta City Centre and Experiment Farm and seeks to amend the Parramatta Local Environmental Plan (LEP) 2011 by:

- rezoning some land;
- increase the floor space ratio (FSR) permitted on some land;
- increase the height of buildings (HOB) permitted on some land;
- amend the sun access protection provisions, airspace operations clause, and design excellence clauses;
- include a requirement for non-residential floor space in parts of the some mixed use zones;
- include a requirement for active frontages to certain streets and public spaces;
- include a requirement for end of journey facilities;
- include amendment to encourage high yield employment uses;
- include a new clause to encourage high performing buildings;
- include a new clause to encourage the provision of community infrastructure;
- a new clause to preserve existing controls in the 'Park Edge Highly Sensitive' area, Parramatta Park, Parramatta Stadium, certain land zoned B5 Business Development west of Church Street (behind Auto Alley); and certain land zoned B4 Mixed Use at the intersection of Church Street and Pennant Hills Road;
- include additional clauses to Schedule 1 – Additional Permitted Uses of the Parramatta LEP 2011;
- a new heritage clause to require a higher standard of development that affects heritage;
- new clauses for the Marion Street precinct;

- amend the following maps in the Parramatta LEP 2011:
 - Amend the Land Application Map
 - Amend the Additional Local Provisions Map
 - Amend the Land Zoning Map
 - Amend the Floor Space Ratio Map
 - Amend the Height of Buildings Map
 - Amend the Additional Permitted Uses Map
 - Amend the Special Provisions Area Map
 - Amend Heritage Map
 - Land Reservation Acquisition MapAnd;
- create new maps for inclusion in the Parramatta LEP 2011:
 - Create a new Incentive Floor Space Ratio Map
 - Create a new Incentive Height of Buildings Map
 - Create a new Sun Access Protection Map
 - Create a new Active Street Frontage Map
 - Create a new Opportunity Sites Map
 - Create a new Floodplain Risk Management Map

Further information on the Parramatta CBD Planning Proposal to amend Parramatta Local Environmental Plan (LEP) 2011 can be found at <https://participate.cityofparramatta.nsw.gov.au> or by contacting Council.

Flood Plain Risk Management Area

The planning proposal seeks to include the land in a Flood Plain Risk Management Area on the proposed Floodplain Risk Management Map of the Parramatta Local Environmental Plan 2011.

Development Control Plan

The land is affected by Parramatta Development Control Plan 2011.

The Minister for Planning has issued directions that provisions of an EPI do not apply to certain Part 4 development where a concept plan has been approved under Part 3A.

Development Contribution Plan

The Parramatta Civic Improvement Plan (Amendment No. 5) applies to this land.

Heritage Item/Heritage Conservation Area

The land is identified as containing a Heritage Item in Parramatta Local Environmental Plan 2011

The land is affected by a planning proposal that seeks to identify the land as containing a Heritage Item in an environmental planning instrument. Refer to the Draft Local Environmental Plan section of this certificate for more details.

The land is not located in a heritage conservation area.

Road Widening

The land is not affected by 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.

Land Reservation Acquisition

The land is not affected by Land Reservation Acquisition in Parramatta Local Environmental Plan 2011.

Site Compatibility Certificate (Seniors Housing, Infrastructure and Affordable Rental Housing)

At the date of issue of this certificate Council is not aware of any

- a. Site compatibility certificate (affordable rental housing),
- b. Site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments),
- c. Site compatibility certificate (seniors housing)

in respect to the land issued pursuant to the Environmental Planning & Assessment Amendment (Site Compatibility Certificates) Regulation 2009 (NSW).

Contamination

Matters contained in Clause 59(2) as amended in the Contaminated Land Management Act 1997 – as listed:

Clause 59(2)(a) - is the land to which the certificate relates is significantly contaminated land?

NO

Clause 59(2)(b) - is the land to which the certificate relates is subject to a management order?

NO

Clause 59(2)(c) - is the land to which the certificate relates is the subject of an approved voluntary management proposal?

NO

Clause 59(2)(d) - is the land to which the certificate relates is subject to an ongoing maintenance order?

NO

Clause 59(2)(e) - is the land to which the certificate relates is the subject of a site audit statement?

NO

Tree Preservation

The land is subject to Section 5.4 Preservation of Trees or Vegetation in Parramatta Development Control Plan 2011.

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

Coastal Protection

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

NO

Council Policy

Council has not adopted a policy to restrict the development of the land by reason of the likelihood of projected sea level rise (coastal protection), tidal inundation, subsidence or any other risk.

Council has adopted a policy covering the entire City of Parramatta to restrict development of any land by reason of the likelihood of flooding.

Council has adopted by resolution a policy on contaminated land that applies to all land within the City of Parramatta. The Policy will restrict the development of the land if the circumstances set out in the policy prevail. A copy of the policy is available on Councils website at www.cityofparramatta.nsw.gov.au or from the Customer Service Centre.

Mine Subsidence

The land is not affected by the Coal Mine Subsidence Compensation Act 2017 proclaiming land to be a Mine Subsidence District.

Bushfire Land

The land is not bushfire prone land.

Threatened Species

The Environment Agency Head with responsibility for the Biodiversity Conservation Act 2016 has not advised Council that the land includes or comprises an area of outstanding biodiversity value.

Biodiversity certified land

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

Note. *Biodiversity certified land includes land certified under Part 7AA of the Threatened Species Conservation Act 1995 that is taken to be certified under Part 8 of the Biodiversity Conservation Act 2016.*

Biodiversity stewardship sites

The Chief Executive of the Office of Environment and Heritage has not notified the Council if the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the Biodiversity Conservation Act 2016.

Note: Biodiversity stewardship agreements include biobanking agreements under Part 7A of the Threatened Species Conservation Act 1995 that are taken to be biodiversity stewardship agreements under Part 5 of the Biodiversity Conservation Act 2016.

Native vegetation clearing set asides

Council has not been notified of the land containing a set aside area under section 60ZC of the Local Land Services Act 2013.

Property vegetation plans

Council has not been notified of the existence of the property vegetation plan approved under Part 4 of the Native Vegetation Act 2003 on the land.

Paper Subdivision information

The land is not subject to any development plan adopted by a relevant authority or that is proposed to be subject to a consent ballot. A subdivision order does not apply to the land.

Note: Words and expressions used in this clause have the same meaning as they have in Part 16C of the Environmental Planning and Assessment Regulation 2000.

Loose-Fill Asbestos Register

Council has not been notified by NSW Fair Trading of the property being listed on the loose-fill asbestos insulation register maintained by the Secretary of NSW Fair Trading.

Site verification certificates

Council is not aware of whether there is a current site verification certificate in respect of the land.

Affected Building Notices and Building Product Rectification Orders

Council is not aware of whether there is any affected building notice, building product rectification order or notice of intention to make a building product rectification order that is in force in respect of the land.

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

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

Note: This does not constitute a Complying Development Certificate under section 4.27 of the Environmental Planning and Assessment Act 1979

The following information only addresses whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of **Clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1)(c3) and 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. It is not a statement that complying development is permissible on the land.

Other land exemptions within of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 may also apply. Furthermore, other provisions within the relevant Local Environmental Plan or a State Environmental Planning Policy which restrict complying development on the land may also apply.

It is your responsibility to ensure that you comply with the relevant complying development provisions for the land. Failure to comply with these provisions may mean that a Complying Development Certificate is invalid.

Housing Code; Low Rise Housing Diversity Code; Rural Housing Code

Complying Development pursuant to the Housing Code, Low Rise Housing Diversity Code and Rural Housing Code **may not** be carried out on the land or part of the land. The land is affected by specific land exemptions under **Clause 1.17A or Clause 1.18 (1) (c3) or Clause 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. The land exemptions are:

- Part of the land comprises, or on which there is, a draft heritage item (Land Exemption Clause 1.18(1)(c3) of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008)
- Part of the land comprises, or contains an item of environmental heritage (that is listed on the State Heritage Register **or** that is subject to an interim heritage order under the Heritage Act 1977 **or** is identified as an item of environmental heritage in an environmental planning instrument), (Land Exemption Clause 1.17A of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008)

Commercial and Industrial (New Buildings and Additions) Code

Complying Development pursuant to Commercial and Industrial (New Buildings and Additions) Code **may not** be carried out on the land or part of the land. The land is affected by specific land exemptions under **Clause 1.17A or Clause 1.18 (1) (c3) or Clause 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. The land exemptions are:

- Part of the land comprises, or on which there is, a draft heritage item (Land Exemption Clause 1.18(1)(c3) of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008)
- Part of the land comprises, or contains an item of environmental heritage (that is listed on the State Heritage Register **or** that is subject to an interim heritage order under the Heritage Act 1977 **or** is identified as an item of environmental heritage in an environmental planning instrument), (Land Exemption Clause 1.17A of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008)

Housing Alterations Code; General Development Code; General Commercial and Industrial (Alterations) Code; Container Recycling Facilities Code; Subdivision Code; Demolition Code; Fire Safety Code

Complying Development pursuant to the Housing Alterations Code, General Development Code, General Commercial and Industrial (Alterations) Code, Container Recycling Facilities Code, Subdivision Code, Demolition Code and Fire Safety Code **may not** be carried out on the land or part of the land. The land is affected by specific land exemptions under **Clause 1.17A or Clause 1.18 (1) (c3) or Clause 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. The land exemptions are:

- Part of the land comprises, or on which there is, a draft heritage item (Land Exemption Clause 1.18(1)(c3) of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008)
- Part of the land comprises, or contains an item of environmental heritage (that is listed on the State Heritage Register **or** that is subject to an interim heritage order under the Heritage Act 1977 **or** is identified as an item of environmental heritage in an environmental planning instrument), (Land Exemption Clause 1.17A of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008)

SPECIAL NOTES

The land is identified as Class 4 on the Acid Sulfate Soils map. Refer to Clause 6.1 of Parramatta Local Environmental Plan 2011.

Applicants for Sections 10.7 Certificates are advised that Council does not hold sufficient information to fully detail the effect of any encumbrances on the title of the subject land. The information available to Council is provided on the basis that neither Council nor its servants hold out advice or warrant to you in any way its accuracy, nor shall Council or its servants, be liable for any negligence in the preparation of that information. Further information should be sought from relevant Statutory Departments.

SECTION C**The following additional information is issued under Section 10.7(5)**

Pursuant to S10.7(5) the Council supplies information as set out below on the basis that the Council takes no responsibility for the accuracy of the information. The information if material should be independently checked by the applicant.

Civic Link Precinct – Parramatta Development Control Plan (DCP) 2011

The land is located within the Civic Link Precinct as identified in Section 4.3.3.7 (m) of the Parramatta Development Control Plan 2011. The Civic Link Precinct will be a new pedestrian, public space within the City Centre linking Parramatta Square to the Parramatta River foreshore. The controls in this section of the DCP describes the spatial definition of the Civic Link; changes to through block movement patterns; new streets, laneways and open spaces; and future development form.

Note: Section 4.3.3.7 (m) of the DCP sets high-level planning controls for Civic Link Precinct areas between Macquarie Street and the Parramatta River (Blocks 2, 3 and 4 as shown in Figure 4.3.3.7.51 Civic Link Precinct), with more detailed controls to be finalised. Persons wishing to develop land within one of these areas are recommended to contact Council's Land Use Team on 9806 5050 or email council@cityofparramatta.nsw.gov.au.

Additional Local Provisions

This land is identified on the Additional Local Provisions Map of the Parramatta Local Environmental Plan 2011. Part 7 Additional local provisions – Parramatta City Centre of the Parramatta Local Environmental Plan 2011 applies to the land.

Aboriginal Sensitivity Map - Parramatta Development Control Plan (DCP) 2011

Aboriginal Heritage – High Sensitivity – potential to contain items of Aboriginal heritage. Contact Council's Customer Service/Duty Planner (02) 9806 5050 for more information.

Flood Information

The land is considered by Council TO BE ABOVE the 1 in 100 year mainstream flood level.

This information is based on data available to the Council. It is provided on the basis that neither Council nor its servants hold out advice or warrant to you in any way its accuracy, nor shall the Council or its servants, be liable for any negligence in the preparation of that information.

Interim Sydney Metro West Corridor - Infrastructure SEPP

Mapping associated with State Environmental Planning Policy (Infrastructure) 2007 (the Infrastructure SEPP) indicates that the land or part of the land is within the Interim Sydney Metro West Corridor.

Note: Advisory Information Regarding Proximity to a Commercial Centre

The land is within proximity to a major, strategic or local commercial centre. Council is looking to encourage greater activation and investment in these centres by developing the night time economy across the City of Parramatta. Future residents

should be aware that the nature and scale of facilities, business activity and events held in these centres may affect the use and enjoyment of the land as a result of operating hours, odour, noise, lighting, traffic and measures associated with event management.

This is considered part of living in/near a commercial centre.

Note: Draft City of Parramatta (Outside CBD) Development Contributions Plan

On 17 March 2021 Council Exhibited a draft Development Contribution Plan - the Draft City of Parramatta (Outside CBD) Development Contributions Plan. It is proposed that the Draft City of Parramatta (Outside CBD) Development Contributions Plan will apply to all land within the City of Parramatta LGA, except for land within the Parramatta CBD and Sydney Olympic Park. The proposed Draft City of Parramatta (Outside CBD) Development Contributions Plan will replace eight (8) existing Development Contribution Plans where they apply to land within the Parramatta LGA. These include:

- Parramatta Section 94A Development Contribution Plan (Amendment No. 5);
- Auburn Development Contributions Plan 2007 Amendment No 1;
- Carter Street Precinct Development Contributions Plan 2016;
- Holroyd Section 94 Plan 2013;
- City of Parramatta S94 Development Contributions Plan (formerly Hornsby LGA Land and Epping Town Centre);
- City of Parramatta S94A Development Contributions Plan (formerly Hornsby LGA Land and Epping Town Centre);
- City of Parramatta Section 94A Development Contribution Plan (Former Hills LGA Land); and
- Contributions Plan 14 - Carlingford Precinct.

Further information about the Draft City of Parramatta (Outside CBD) Development Contributions Plan can be found at <https://participate.cityofparramatta.nsw.gov.au/outside-cbd-contributions> or by contacting Council.

Note: Advisory Information regarding Combustible Cladding

External combustible cladding on multi-storey buildings has been identified in local government areas including the City of Parramatta. Combustible cladding is a material that is capable of readily burning.

You should make your own enquiries as to the type of materials that have been used to construct the building. It is recommended that the purchaser obtain a building report from an appropriately qualified person to determine if any cladding type material may pose a risk to the building's occupants. Council may issue orders to rectify a building where combustible cladding is found.

Properties that have combustible cladding on buildings are listed in the NSW Government Combustible Cladding Register. Please refer to <https://www.claddingregistration.nsw.gov.au/> or call 1300 305 695 for further information regarding the NSW Government Combustible Cladding Register.

There is potential for combustible cladding to be present on buildings that are not listed on the Register.

Note: Advisory Information regarding Loose-Fill asbestos Insulation

Research undertaken by the Loose-Fill Asbestos Insulation Taskforce has determined that there is a potential for loose-fill asbestos insulation to be found in residential dwellings constructed prior to 1980 in 28 local government areas including the City of Parramatta.

Some residential homes located in the City of Parramatta may contain loose-fill asbestos insulation, for example in the roof space. NSW Fair Trading maintains a Register of homes that are affected by loose-fill asbestos insulation.

You should make your own enquiries as to the age of the buildings on the land to which this certificate relates and, if it contains a building constructed prior to 1980, the council strongly recommends that any potential purchaser obtain advice from a licensed asbestos assessor to determine whether loose fill asbestos is present in any building on the land and, if so, the health risks (if any) this may pose for the building's occupants.

Please Contact NSW Fair Trading for further information.

This information has been provided pursuant to section 10.7(5) of the Environmental Planning and Assessment Act, 1979 as amended.

Brett Newman
Chief Executive Officer

per



dated 16 April 2021

PLANNING CERTIFICATE

CERTIFICATE UNDER SECTION 10.7

Environmental Planning and Assessment Act, 1979 as amended

Certificate No: 2021/2807
Fee: \$133.00
Issue Date: 16 April 2021
Receipt No: 6336113
Applicant Ref: EDS WP44 10.7(2)C:147913

DESCRIPTION OF LAND

Address: United Building
48 Macquarie Street
PARRAMATTA NSW 2150
Lot Details: Lot B DP 394050

SECTION A

The following Environmental Planning Instrument to which this certificate relates applies to the land:

Parramatta Local Environmental Plan 2011

For the purpose of **Section 10.7(2)** it is advised that as the date of this certificate the abovementioned land is affected by the matters referred to as follows:

Contact us:

council@cityofparramatta.nsw.gov.au | 02 9806 5050
@cityofparramatta | PO Box 32, Parramatta, NSW 2124
ABN 49 907 174 773 | cityofparramatta.nsw.gov.au

The land is zoned: B4 Mixed Use PLEP2011

Zone B4 - Mixed Use (Parramatta Local Environmental Plan 2011)

Issued pursuant to Section 10.7 of the Environmental Planning and Assessment Act, 1979.

NOTE: This table is an excerpt from Parramatta Local Environmental Plan 2011 and must be read in conjunction with and subject to the other provisions of that instrument, and in force at that date.

Zone B4 Mixed Use

1 Objectives of zone

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To encourage development that contributes to an active, vibrant and sustainable neighbourhood.
- To create opportunities to improve the public domain and pedestrian links.
- To support the higher order Zone B3 Commercial Core while providing for the daily commercial needs of the locality.
- To protect and enhance the unique qualities and character of special areas within the Parramatta City Centre.

2 Permitted without consent

Home occupations

3 Permitted with consent

Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Light industries; Medical centres; Oyster aquaculture; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Seniors housing; Shop top housing; Tank-based aquaculture; Water recycling facilities; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Crematoria; Depots; Dual occupancies; Dwelling houses; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home industries; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Pond-based aquaculture; Port facilities; Recreation facilities (major); Research stations; Rural industries; Rural workers' dwellings; Secondary dwellings; Semi-detached dwellings; Sewerage systems; Sex services premises;

Signage; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies

SECTION B

State Policies and Regional Environmental Plans

The land is also affected by the following State Environmental Planning Policies (SEPP) and Regional Environmental Plans (SREP):

State Environmental Planning Policy (SEPP) No.19 - Bushland in Urban Areas
State Environmental Planning Policy (SEPP) No.21 - Caravan Parks
State Environmental Planning Policy (SEPP) No.33 -Hazardous and Offensive Development
State Environmental Planning Policy (SEPP) No.55 - Remediation of Land
State Environmental Planning Policy (SEPP) No.64 - Advertising and Signage
State Environmental Planning Policy (SEPP) No.65 – Design Quality of Residential Flat Development.
State Environmental Planning Policy (SEPP) No.70 -Affordable Housing (Revised Schemes)
State Environmental Planning Policy (SEPP) (Housing for Seniors or People with a Disability) 2004
State Environmental Planning Policy (SEPP) (Building Sustainability Index: BASIX) 2004
State Environmental Planning Policy (SEPP) (State Significant Precincts) 2005
State Environmental Planning Policy (SEPP) (Mining, Petroleum Production and Extractive Industries) 2007
State Environmental Planning Policy (SEPP) (Infrastructure) 2007
State Environmental Planning Policy (SEPP) (Exempt and Complying Development Codes) 2008
State Environmental Planning Policy (SEPP) (Affordable Rental Housing) 2009
State Environmental Planning Policy (SEPP) (Vegetation in Non-Rural Areas) 2017
State Environmental Planning Policy (SEPP) (Educational Establishments and Child Care Facilities) 2017
State Environmental Planning Policy (SEPP) (Concurrences) 2018
State Environmental Planning Policy (SEPP) (Primary Production and Rural Development) 2019

Sydney Regional Environmental Plan (SREP) No.9 (No.2) - Extractive Industries
Sydney Regional Environmental Plan (SREP) – (Sydney Harbour Catchment) 2005

DRAFT State Environmental Planning Policy to amend State Environmental Planning Policy (SEPP) (Sydney Region Growth Centres) 2006 – Amendment to include the Greater Parramatta Priority Growth Area as a Growth Centre
DRAFT State Environmental Planning Policy (Draft SEPP) – Environment

N.B. All enquiries as to the application of Draft State Environmental Planning Policies should be directed to The NSW Department of Planning, Industry and Environment.

Draft Local Environmental Plan

The land is affected by a Draft Local Environmental Plan which has been placed on Public Exhibition and has not yet been published. The Draft Local Environmental Plan is described below.

Planning Proposal – Draft Parramatta Local Environmental Plan 2020 (Harmonisation LEP)

This land is affected by a planning proposal seeking to create a single consolidated Local Environmental Plan (LEP) that will apply to the whole City of Parramatta Local Government Area (LGA). The new LEP will replace five (5) existing LEPs where they apply to land within the Parramatta LGA. These include:

- *Auburn Local Environmental Plan 2010*
- *Holroyd Local Environmental Plan 2013*
- *Hornsby Local Environmental Plan 2013*
- *Parramatta Local Environmental Plan 2011*
- *Parramatta (former The Hills) Local Environmental Plan 2012*

The new Parramatta LEP will create a common set of objectives, land use tables and provisions for all land within the LGA. This will result in some changes to the current planning controls applying to certain areas, including:

- Changes to land uses permitted in certain areas, because of the creation of a common set of land use tables.
- Prohibiting dual occupancy developments in certain locations.
- A minimum lot size of 600sqm and frontage to a public road of 15 metres development standards for Dual Occupancies or Manor Houses where they are permitted;
- Changes to height and FSR controls applying to residential zones – these include:
 - applying a FSR of 0.5:1 to R2 Low Density Residential zoned land and a FSR of 0.6:1 to R3 Medium Density Residential zoned land in the Parramatta (former The Hills) LEP 2012 and Hornsby Council LEP 2013 (where none currently applies);
 - reducing the FSR from 0.75:1 to 0.6:1 applying to R3 Medium Density Residential zoned land in Silverwater;
 - increasing the height limit from 8.5 metres to 9 metres applying to R2 Low Density Residential zoned land in the Hornsby Council LEP 2013;
 - applying a 11 metre height limit to R3 Medium Density Residential zoned land in the Parramatta (former The Hills) LEP 2012, Hornsby LEP 2013 and Auburn LEP 2010;
 - applying a FSR control to R4 High Density Residential zoned land in the former Parramatta (former The Hills) LEP 2012, Hornsby LEP 2013 and Auburn LEP 2010 (where none is currently applied); and,
 - A limited number of targeted site-specific changes associated with changes of zoning or to address anomalies.
- Applying a 550sqm minimum subdivision lot size to residential land (except R2 Low Density Residential zoned land in the Parramatta (former The Hills) LEP 2012, which will retain the existing 700sqm requirement)
- Mapping of additional Biodiversity Land and Riparian Land and Waterways

- A limited number of changes to the zoning of some sites to address inconsistencies and anomalies across current land use plans, this includes:
 - Removing the R1 General Residential zone, and rezoning this land to R4 High Density Residential or R3 Medium Density Residential;
 - Rezoning all public bushland reserves to E2 Environmental Conservation;
 - Rezoning some R3 Medium Density Residential zoned land in Northmead, North Rocks and Carlingford to R2 Low Density Residential; and,
 - Rezoning existing lawful places of public worship in the former Parramatta Council area from SP1 Special Activities to R2 Low Density Residential.

Further information on the Planning Proposal for the new Parramatta Local Environmental Plan (LEP) can be found at: www.cityofparramatta.nsw.gov.au/planningharmonisation or by contacting Council

Please note. Council is separately progressing a number of planning proposals relating to specific sites in the LGA. The intention is that, should these site-specific planning proposals be finalised before the new consolidated LEP is made, the respective amendments to planning controls will be carried over into the new LEP and the Harmonisation Planning Proposal will be updated as needed.

Proposed Zoning Draft Parramatta LEP 2020

The land is proposed to be zoned in the in the Draft Parramatta LEP 2020:

B4 Mixed Use PLEP2020

Proposed Zone B4 Mixed Use (Draft Parramatta LEP 2020)

Note: *The following land use table is an excerpt from the Draft Parramatta Local Environmental Plan 2020 (Harmonisation LEP) document exhibited on 31 August 2020 and must be read in conjunction with and subject to other provisions of that draft instrument.*

Zone B4 Mixed Use

1 Objectives of zone

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To encourage development that contributes to an active, vibrant and sustainable neighbourhood.
- To create opportunities to improve the public domain and pedestrian links.
- To support the higher order Zone B3 Commercial Core while providing for the daily commercial needs of the locality.

- To protect and enhance the unique qualities and character of special areas within the Parramatta City Centre.

2 Permitted without consent

Home occupations

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Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Light industries; Medical centres; Oyster aquaculture; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Seniors housing; Shop top housing; Tank-based aquaculture; Water recycling facilities; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Crematoria; Depots; Dual occupancies; Dwelling houses; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home industries; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Pond-based aquaculture; Port facilities; Recreation facilities (major); Research stations; Rural industries; Rural workers' dwellings; Secondary dwellings; Semi-detached dwellings; Sewerage systems; Sex services premises; Signage; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies

Planning Proposal – Parramatta CBD Planning Proposal – Parramatta LEP 2011

This land is affected by a planning proposal seeking to amend Parramatta Local Environmental Plan (LEP) 2011. The planning proposal applies to land collectively referred to as the Parramatta City Centre and Experiment Farm and seeks to amend the Parramatta Local Environmental Plan (LEP) 2011 by:

- rezoning some land;
- increase the floor space ratio (FSR) permitted on some land;
- increase the height of buildings (HOB) permitted on some land;
- amend the sun access protection provisions, airspace operations clause, and design excellence clauses;

- include a requirement for non-residential floor space in parts of the some mixed use zones;
- include a requirement for active frontages to certain streets and public spaces;
- include a requirement for end of journey facilities;
- include amendment to encourage high yield employment uses;
- include a new clause to encourage high performing buildings;
- include a new clause to encourage the provision of community infrastructure;
- a new clause to preserve existing controls in the 'Park Edge Highly Sensitive' area, Parramatta Park, Parramatta Stadium, certain land zoned B5 Business Development west of Church Street (behind Auto Alley); and certain land zoned B4 Mixed Use at the intersection of Church Street and Pennant Hills Road;
- include additional clauses to Schedule 1 – Additional Permitted Uses of the Parramatta LEP 2011;
- a new heritage clause to require a higher standard of development that affects heritage;
- new clauses for the Marion Street precinct;
- amend the following maps in the Parramatta LEP 2011:
 - Amend the Land Application Map
 - Amend the Additional Local Provisions Map
 - Amend the Land Zoning Map
 - Amend the Floor Space Ratio Map
 - Amend the Height of Buildings Map
 - Amend the Additional Permitted Uses Map
 - Amend the Special Provisions Area Map
 - Amend Heritage Map
 - Land Reservation Acquisition MapAnd;
- create new maps for inclusion in the Parramatta LEP 2011:
 - Create a new Incentive Floor Space Ratio Map
 - Create a new Incentive Height of Buildings Map
 - Create a new Sun Access Protection Map
 - Create a new Active Street Frontage Map
 - Create a new Opportunity Sites Map
 - Create a new Floodplain Risk Management Map

Further information on the Parramatta CBD Planning Proposal to amend Parramatta Local Environmental Plan (LEP) 2011 can be found at <https://participate.cityofparramatta.nsw.gov.au> or by contacting Council.

Flood Plain Risk Management Area

The planning proposal seeks to include the land in a Flood Plain Risk Management Area on the proposed Floodplain Risk Management Map of the Parramatta Local Environmental Plan 2011.

Development Control Plan

The land is affected by Parramatta Development Control Plan 2011.

The Minister for Planning has issued directions that provisions of an EPI do not apply to certain Part 4 development where a concept plan has been approved under Part 3A.

Development Contribution Plan

The Parramatta Civic Improvement Plan (Amendment No. 5) applies to this land.

Heritage Item/Heritage Conservation Area

An item of environmental heritage is not situated on the land.

The land is not located in a heritage conservation area.

Road Widening

The land is not affected by 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.

Land Reservation Acquisition

The land is not affected by Land Reservation Acquisition in Parramatta Local Environmental Plan 2011.

Site Compatibility Certificate (Seniors Housing, Infrastructure and Affordable Rental Housing)

At the date of issue of this certificate Council is not aware of any

- a. Site compatibility certificate (affordable rental housing),
- b. Site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments),
- c. Site compatibility certificate (seniors housing)

in respect to the land issued pursuant to the Environmental Planning & Assessment Amendment (Site Compatibility Certificates) Regulation 2009 (NSW).

Contamination

Matters contained in Clause 59(2) as amended in the Contaminated Land Management Act 1997 – as listed:

Clause 59(2)(a) - is the land to which the certificate relates is significantly contaminated land?

NO

Clause 59(2)(b) - is the land to which the certificate relates is subject to a management order?

NO

Clause 59(2)(c) - is the land to which the certificate relates is the subject of an approved voluntary management proposal?

NO

Clause 59(2)(d) - is the land to which the certificate relates is subject to an ongoing maintenance order?

NO

Clause 59(2)(e) - is the land to which the certificate relates is the subject of a site audit statement?

NO

Tree Preservation

The land is subject to Section 5.4 Preservation of Trees or Vegetation in Parramatta Development Control Plan 2011.

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

Coastal Protection

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

NO

Council Policy

Council has not adopted a policy to restrict the development of the land by reason of the likelihood of projected sea level rise (coastal protection), tidal inundation, subsidence or any other risk.

Council has adopted a policy covering the entire City of Parramatta to restrict development of any land by reason of the likelihood of flooding.

Council has adopted by resolution a policy on contaminated land that applies to all land within the City of Parramatta. The Policy will restrict the development of the land if the circumstances set out in the policy prevail. A copy of the policy is available on Councils website at www.cityofparramatta.nsw.gov.au or from the Customer Service Centre.

Mine Subsidence

The land is not affected by the Coal Mine Subsidence Compensation Act 2017 proclaiming land to be a Mine Subsidence District.

Bushfire Land

The land is not bushfire prone land.

Threatened Species

The Environment Agency Head with responsibility for the Biodiversity Conservation Act 2016 has not advised Council that the land includes or comprises an area of outstanding biodiversity value.

Biodiversity certified land

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

Note. *Biodiversity certified land includes land certified under Part 7AA of the Threatened Species Conservation Act 1995 that is taken to be certified under Part 8 of the Biodiversity Conservation Act 2016.*

Biodiversity stewardship sites

The Chief Executive of the Office of Environment and Heritage has not notified the Council if the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the Biodiversity Conservation Act 2016.

Note: Biodiversity stewardship agreements include biobanking agreements under Part 7A of the Threatened Species Conservation Act 1995 that are taken to be biodiversity stewardship agreements under Part 5 of the Biodiversity Conservation Act 2016.

Native vegetation clearing set asides

Council has not been notified of the land containing a set aside area under section 60ZC of the Local Land Services Act 2013.

Property vegetation plans

Council has not been notified of the existence of the property vegetation plan approved under Part 4 of the Native Vegetation Act 2003 on the land.

Paper Subdivision information

The land is not subject to any development plan adopted by a relevant authority or that is proposed to be subject to a consent ballot. A subdivision order does not apply to the land.

Note: Words and expressions used in this clause have the same meaning as they have in Part 16C of the Environmental Planning and Assessment Regulation 2000.

Loose-Fill Asbestos Register

Council has not been notified by NSW Fair Trading of the property being listed on the loose-fill asbestos insulation register maintained by the Secretary of NSW Fair Trading.

Site verification certificates

Council is not aware of whether there is a current site verification certificate in respect of the land.

Affected Building Notices and Building Product Rectification Orders

Council is not aware of whether there is any affected building notice, building product rectification order or notice of intention to make a building product rectification order that is in force in respect of the land.

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

**State Environmental Planning Policy
(Exempt and Complying Development Codes) 2008**

Note: This does not constitute a Complying Development Certificate under section 4.27 of the Environmental Planning and Assessment Act 1979

The following information only addresses whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of **Clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1)(c3) and 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. It is not a statement that complying development is permissible on the land.

Other land exemptions within of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 may also apply. Furthermore, other provisions within the relevant Local Environmental Plan or a State Environmental Planning Policy which restrict complying development on the land may also apply.

It is your responsibility to ensure that you comply with the relevant complying development provisions for the land. Failure to comply with these provisions may mean that a Complying Development Certificate is invalid.

Housing Code; Low Rise Housing Diversity Code; Rural Housing Code

Complying Development pursuant to the Housing Code, Low Rise Housing Diversity Code and Rural Housing Code **may** be carried out on the land under **Clause 1.17A (1) (c) to (e), (2), (3) and (4) and Clause 1.18 (1)(c3) and Clause 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Commercial and Industrial (New Buildings and Additions) Code

Complying Development pursuant to the Commercial and Industrial (New Buildings and Additions) Code **may** be carried out on the land under **Clause 1.17A (1) (c) to (e), (2), (3) and (4) and Clause 1.18 (1)(c3) and Clause 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Housing Alterations Code; General Development Code; General Commercial and Industrial (Alterations) Code; Container Recycling Facilities Code; Subdivision Code; Demolition Code; Fire Safety Code

Complying Development pursuant to the Housing Alterations Code, General Development Code, General Commercial and Industrial (Alterations) Code, Container Recycling Facilities Code, Subdivision Code, Demolition Code and Fire Safety Code **may** be carried out on the land under **Clause 1.17A (1) (c) to (e), (2), (3) and (4) and Clause 1.18 (1)(c3) and Clause 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

SPECIAL NOTES

The land is identified as Class 4 on the Acid Sulfate Soils map. Refer to Clause 6.1 of Parramatta Local Environmental Plan 2011.

Applicants for Sections 10.7 Certificates are advised that Council does not hold sufficient information to fully detail the effect of any encumbrances on the title of the subject land. The information available to Council is provided on the basis that neither Council nor its servants hold out advice or warrant to you in any way its accuracy, nor shall Council or its servants, be liable for any negligence in the preparation of that information. Further information should be sought from relevant Statutory Departments.

SECTION C**The following additional information is issued under Section 10.7(5)**

Pursuant to S10.7(5) the Council supplies information as set out below on the basis that the Council takes no responsibility for the accuracy of the information. The information if material should be independently checked by the applicant.

Additional Local Provisions

This land is identified on the Additional Local Provisions Map of the Parramatta Local Environmental Plan 2011. Part 7 Additional local provisions – Parramatta City Centre of the Parramatta Local Environmental Plan 2011 applies to the land.

Civic Link Precinct – Parramatta Development Control Plan (DCP) 2011

The land is located within the Civic Link Precinct as identified in Section 4.3.3.7 (m) of the Parramatta Development Control Plan 2011. The Civic Link Precinct will be a new pedestrian, public space within the City Centre linking Parramatta Square to the Parramatta River foreshore. The controls in this section of the DCP describes the spatial definition of the Civic Link; changes to through block movement patterns; new streets, laneways and open spaces; and future development form.

Note: Section 4.3.3.7 (m) of the DCP sets high-level planning controls for Civic Link Precinct areas between Macquarie Street and the Parramatta River (Blocks 2, 3 and 4 as shown in Figure 4.3.3.7.51 Civic Link Precinct), with more detailed controls to be finalised. Persons wishing to develop land within one of these areas are recommended to contact Council's Land Use Team on 9806 5050 or email council@cityofparramatta.nsw.gov.au.

Aboriginal Sensitivity Map - Parramatta Development Control Plan (DCP) 2011

Aboriginal Heritage – High Sensitivity – potential to contain items of Aboriginal heritage. Contact Council's Customer Service/Duty Planner (02) 9806 5050 for more information.

Flood Information

The land is considered by Council TO BE ABOVE the 1 in 100 year mainstream flood level.

This information is based on data available to the Council. It is provided on the basis that neither Council nor its servants hold out advice or warrant to you in any way its accuracy, nor shall the Council or its servants, be liable for any negligence in the preparation of that information.

Planning Agreement

The land is identified as having a Planning Agreement and its associated conditions apply to all or part of the land.

For details on Planning Agreements, please contact Council's Land Use Team on 9806 5050 or email council@cityofparramatta.nsw.gov.au referencing the site address.

Interim Sydney Metro West Corridor - Infrastructure SEPP

Mapping associated with State Environmental Planning Policy (Infrastructure) 2007 (the Infrastructure SEPP) indicates that the land or part of the land is within the Interim Sydney Metro West Corridor.

Note: Advisory Information Regarding Proximity to a Commercial Centre

The land is within proximity to a major, strategic or local commercial centre. Council is looking to encourage greater activation and investment in these centres by developing the night time economy across the City of Parramatta. Future residents should be aware that the nature and scale of facilities, business activity and events held in these centres may affect the use and enjoyment of the land as a result of operating hours, odour, noise, lighting, traffic and measures associated with event management.

This is considered part of living in/near a commercial centre.

Note: Draft City of Parramatta (Outside CBD) Development Contributions Plan

On 17 March 2021 Council Exhibited a draft Development Contribution Plan - the Draft City of Parramatta (Outside CBD) Development Contributions Plan. It is proposed that the Draft City of Parramatta (Outside CBD) Development Contributions Plan will apply to all land within the City of Parramatta LGA, except for land within the Parramatta CBD and Sydney Olympic Park. The proposed Draft City of Parramatta (Outside CBD) Development Contributions Plan will replace eight (8) existing Development Contribution Plans where they apply to land within the Parramatta LGA. These include:

- Parramatta Section 94A Development Contribution Plan (Amendment No. 5);
- Auburn Development Contributions Plan 2007 Amendment No 1;
- Carter Street Precinct Development Contributions Plan 2016;
- Holroyd Section 94 Plan 2013;
- City of Parramatta S94 Development Contributions Plan (formerly Hornsby LGA Land and Epping Town Centre);
- City of Parramatta S94A Development Contributions Plan (formerly Hornsby LGA Land and Epping Town Centre);
- City of Parramatta Section 94A Development Contribution Plan (Former Hills LGA Land); and
- Contributions Plan 14 - Carlingford Precinct.

Further information about the Draft City of Parramatta (Outside CBD) Development Contributions Plan can be found at <https://participate.cityofparramatta.nsw.gov.au/outside-cbd-contributions> or by contacting Council.

Note: Advisory Information regarding Combustible Cladding

External combustible cladding on multi-storey buildings has been identified in local government areas including the City of Parramatta. Combustible cladding is a material that is capable of readily burning.

You should make your own enquiries as to the type of materials that have been used to construct the building. It is recommended that the purchaser obtain a building report from an appropriately qualified person to determine if any cladding type material may pose a risk to the building's occupants. Council may issue orders to rectify a building where combustible cladding is found.

Properties that have combustible cladding on buildings are listed in the NSW Government Combustible Cladding Register. Please refer to <https://www.claddingregistration.nsw.gov.au/> or call 1300 305 695 for further information regarding the NSW Government Combustible Cladding Register.

There is potential for combustible cladding to be present on buildings that are not listed on the Register.

Note: Advisory Information regarding Loose-Fill asbestos Insulation

Research undertaken by the Loose-Fill Asbestos Insulation Taskforce has determined that there is a potential for loose-fill asbestos insulation to be found in residential dwellings constructed prior to 1980 in 28 local government areas including the City of Parramatta.

Some residential homes located in the City of Parramatta may contain loose-fill asbestos insulation, for example in the roof space. NSW Fair Trading maintains a Register of homes that are affected by loose-fill asbestos insulation.

You should make your own enquiries as to the age of the buildings on the land to which this certificate relates and, if it contains a building constructed prior to 1980, the council strongly recommends that any potential purchaser obtain advice from a licensed asbestos assessor to determine whether loose fill asbestos is present in any building on the land and, if so, the health risks (if any) this may pose for the building's occupants.

Please Contact NSW Fair Trading for further information.

This information has been provided pursuant to section 10.7(5) of the Environmental Planning and Assessment Act, 1979 as amended.

Brett Newman
Chief Executive Officer

per



dated 16 April 2021

PLANNING CERTIFICATE

CERTIFICATE UNDER SECTION 10.7

Environmental Planning and Assessment Act, 1979 as amended

Certificate No: 2021/2813
Fee: \$133.00
Issue Date: 16 April 2021
Receipt No: 6336113
Applicant Ref: EDS WP44 10.7(2)C:147913

DESCRIPTION OF LAND

Address: 58-60 Macquarie Street
PARRAMATTA NSW 2150
Lot Details: Lot 1 DP 399104

SECTION A

The following Environmental Planning Instrument to which this certificate relates applies to the land:

Parramatta Local Environmental Plan 2011

For the purpose of **Section 10.7(2)** it is advised that as the date of this certificate the abovementioned land is affected by the matters referred to as follows:

Contact us:

council@cityofparramatta.nsw.gov.au | 02 9806 5050
@cityofparramatta | PO Box 32, Parramatta, NSW 2124
ABN 49 907 174 773 | cityofparramatta.nsw.gov.au

The land is zoned: B3 Commercial Core PLEP2011

Zone B3 - Commercial Core (Parramatta Local Environmental Plan 2011)

Issued pursuant to Section 10.7 of the Environmental Planning and Assessment Act, 1979.

NOTE: This table is an excerpt from Parramatta Local Environmental Plan 2011 and must be read in conjunction with and subject to the other provisions of that instrument, and in force at that date.

Zone B3 Commercial Core

1 Objectives of zone

- To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.
- To encourage appropriate employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To strengthen the role of the Parramatta City Centre as the regional business, retail and cultural centre, and as a primary retail centre in the Greater Metropolitan Region.
- To create opportunities to improve the public domain and pedestrian links throughout the Parramatta City Centre.
- To provide for the retention and creation of view corridors.
- To protect and enhance the unique qualities and character of special areas and heritage values within the Parramatta City Centre.
- To protect and encourage accessible city blocks by providing active street frontages, and a network of pedestrian-friendly streets, lanes and arcades.

2 Permitted without consent

Nil

3 Permitted with consent

Building identification signs; Business identification signs; Business premises; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hospitals; Hotel or motel accommodation; Information and education facilities; Medical centres; Office premises; Oyster aquaculture; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Tank-based aquaculture; Tourist and visitor accommodation

4 Prohibited

Pond-based aquaculture; Any other development not specified in item 2 or 3

SECTION B

State Policies and Regional Environmental Plans

The land is also affected by the following State Environmental Planning Policies (SEPP) and Regional Environmental Plans (SREP):

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

State Environmental Planning Policy (SEPP) No.21 - Caravan Parks
State Environmental Planning Policy (SEPP) No.33 -Hazardous and Offensive Development
State Environmental Planning Policy (SEPP) No.55 - Remediation of Land
State Environmental Planning Policy (SEPP) No.64 - Advertising and Signage
State Environmental Planning Policy (SEPP) No.65 – Design Quality of Residential Flat Development.
State Environmental Planning Policy (SEPP) No.70 -Affordable Housing (Revised Schemes)
State Environmental Planning Policy (SEPP) (Housing for Seniors or People with a Disability) 2004
State Environmental Planning Policy (SEPP) (Building Sustainability Index: BASIX) 2004
State Environmental Planning Policy (SEPP) (State Significant Precincts) 2005
State Environmental Planning Policy (SEPP) (Mining, Petroleum Production and Extractive Industries) 2007
State Environmental Planning Policy (SEPP) (Infrastructure) 2007
State Environmental Planning Policy (SEPP) (Exempt and Complying Development Codes) 2008
State Environmental Planning Policy (SEPP) (Affordable Rental Housing) 2009
State Environmental Planning Policy (SEPP) (Vegetation in Non-Rural Areas) 2017
State Environmental Planning Policy (SEPP) (Educational Establishments and Child Care Facilities) 2017
State Environmental Planning Policy (SEPP) (Concurrences) 2018
State Environmental Planning Policy (SEPP) (Primary Production and Rural Development) 2019

Sydney Regional Environmental Plan (SREP) No.9 (No.2) - Extractive Industries
Sydney Regional Environmental Plan (SREP) – (Sydney Harbour Catchment) 2005

DRAFT State Environmental Planning Policy to amend State Environmental Planning Policy (SEPP) (Sydney Region Growth Centres) 2006 – Amendment to include the Greater Parramatta Priority Growth Area as a Growth Centre
DRAFT State Environmental Planning Policy (Draft SEPP) – Environment

N.B. All enquiries as to the application of Draft State Environmental Planning Policies should be directed to The NSW Department of Planning, Industry and Environment.

Draft Local Environmental Plan

The land is affected by a Draft Local Environmental Plan which has been placed on Public Exhibition and has not yet been published. The Draft Local Environmental Plan is described below.

Planning Proposal – Draft Parramatta Local Environmental Plan 2020 (Harmonisation LEP)

This land is affected by a planning proposal seeking to create a single consolidated Local Environmental Plan (LEP) that will apply to the whole City of Parramatta Local Government Area (LGA). The new LEP will replace five (5) existing LEPs where they apply to land within the Parramatta LGA. These include:

- *Auburn Local Environmental Plan 2010*
- *Holroyd Local Environmental Plan 2013*
- *Hornsby Local Environmental Plan 2013*
- *Parramatta Local Environmental Plan 2011*
- *Parramatta (former The Hills) Local Environmental Plan 2012*

The new Parramatta LEP will create a common set of objectives, land use tables and provisions for all land within the LGA. This will result in some changes to the current planning controls applying to certain areas, including:

- Changes to land uses permitted in certain areas, because of the creation of a common set of land use tables.
- Prohibiting dual occupancy developments in certain locations.
- A minimum lot size of 600sqm and frontage to a public road of 15 metres development standards for Dual Occupancies or Manor Houses where they are permitted;
- Changes to height and FSR controls applying to residential zones – these include:
 - applying a FSR of 0.5:1 to R2 Low Density Residential zoned land and a FSR of 0.6:1 to R3 Medium Density Residential zoned land in the Parramatta (former The Hills) LEP 2012 and Hornsby Council LEP 2013 (where none currently applies);
 - reducing the FSR from 0.75:1 to 0.6:1 applying to R3 Medium Density Residential zoned land in Silverwater;
 - increasing the height limit from 8.5 metres to 9 metres applying to R2 Low Density Residential zoned land in the Hornsby Council LEP 2013;
 - applying a 11 metre height limit to R3 Medium Density Residential zoned land in the Parramatta (former The Hills) LEP 2012, Hornsby LEP 2013 and Auburn LEP 2010;
 - applying a FSR control to R4 High Density Residential zoned land in the former Parramatta (former The Hills) LEP 2012, Hornsby LEP 2013 and Auburn LEP 2010 (where none is currently applied); and,
 - A limited number of targeted site-specific changes associated with changes of zoning or to address anomalies.
- Applying a 550sqm minimum subdivision lot size to residential land (except R2 Low Density Residential zoned land in the Parramatta (former The Hills) LEP 2012, which will retain the existing 700sqm requirement)
- Mapping of additional Biodiversity Land and Riparian Land and Waterways
- A limited number of changes to the zoning of some sites to address inconsistencies and anomalies across current land use plans, this includes:
 - Removing the R1 General Residential zone, and rezoning this land to R4 High Density Residential or R3 Medium Density Residential;
 - Rezoning all public bushland reserves to E2 Environmental Conservation;
 - Rezoning some R3 Medium Density Residential zoned land in Northmead, North Rocks and Carlingford to R2 Low Density Residential; and,
 - Rezoning existing lawful places of public worship in the former Parramatta Council area from SP1 Special Activities to R2 Low Density Residential.

Further information on the Planning Proposal for the new Parramatta Local Environmental Plan (LEP) can be found at: www.cityofparramatta.nsw.gov.au/planningharmonisation or by contacting Council

Please note. Council is separately progressing a number of planning proposals relating to specific sites in the LGA. The intention is that, should these site-specific planning proposals be finalised before the new consolidated LEP is made, the respective amendments to planning controls will be carried over into the new LEP and the Harmonisation Planning Proposal will be updated as needed.

Proposed Zoning Draft Parramatta LEP 2020

The land is proposed to be zoned in the in the Draft Parramatta LEP 2020:

B3 Commercial Core PLEP2020

Proposed Zone B3 Commercial Core (Draft Parramatta LEP 2020)

Note: The following land use table is an excerpt from the Draft Parramatta Local Environmental Plan 2020 (Harmonisation LEP) document exhibited on 31 August 2020 and must be read in conjunction with and subject to other provisions of that draft instrument.

Zone B3 Commercial Core

1 Objectives of zone

- To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.
- To encourage appropriate employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To strengthen the role of the Parramatta City Centre as the regional business, retail and cultural centre, and as a primary retail centre in the Greater Metropolitan Region.
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- To provide for the retention and creation of view corridors.
- To protect and enhance the unique qualities and character of special areas and heritage values within the Parramatta City Centre.
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2 Permitted without consent

Nil

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Building identification signs; Business identification signs; Business premises; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hospitals; Hotel or motel accommodation; Information and education facilities; Medical centres; Office premises; Oyster aquaculture; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Tank-based aquaculture; Tourist and visitor accommodation

4 Prohibited

Pond-based aquaculture; Any other development not specified in item 2 or 3

Planning Proposal – Parramatta CBD Planning Proposal – Parramatta LEP 2011

This land is affected by a planning proposal seeking to amend Parramatta Local Environmental Plan (LEP) 2011. The planning proposal applies to land collectively referred to as the Parramatta City Centre and Experiment Farm and seeks to amend the Parramatta Local Environmental Plan (LEP) 2011 by:

- rezoning some land;
- increase the floor space ratio (FSR) permitted on some land;
- increase the height of buildings (HOB) permitted on some land;
- amend the sun access protection provisions, airspace operations clause, and design excellence clauses;
- include a requirement for non-residential floor space in parts of the some mixed use zones;
- include a requirement for active frontages to certain streets and public spaces;
- include a requirement for end of journey facilities;
- include amendment to encourage high yield employment uses;
- include a new clause to encourage high performing buildings;
- include a new clause to encourage the provision of community infrastructure;
- a new clause to preserve existing controls in the 'Park Edge Highly Sensitive' area, Parramatta Park, Parramatta Stadium, certain land zoned B5 Business Development west of Church Street (behind Auto Alley); and certain land zoned B4 Mixed Use at the intersection of Church Street and Pennant Hills Road;
- include additional clauses to Schedule 1 – Additional Permitted Uses of the Parramatta LEP 2011;
- a new heritage clause to require a higher standard of development that affects heritage;
- new clauses for the Marion Street precinct;
- amend the following maps in the Parramatta LEP 2011:
 - Amend the Land Application Map
 - Amend the Additional Local Provisions Map
 - Amend the Land Zoning Map
 - Amend the Floor Space Ratio Map

- Amend the Height of Buildings Map
- Amend the Additional Permitted Uses Map
- Amend the Special Provisions Area Map
- Amend Heritage Map
- Land Reservation Acquisition Map
- And;
- create new maps for inclusion in the Parramatta LEP 2011:
 - Create a new Incentive Floor Space Ratio Map
 - Create a new Incentive Height of Buildings Map
 - Create a new Sun Access Protection Map
 - Create a new Active Street Frontage Map
 - Create a new Opportunity Sites Map
 - Create a new Floodplain Risk Management Map

Further information on the Parramatta CBD Planning Proposal to amend Parramatta Local Environmental Plan (LEP) 2011 can be found at <https://participate.cityofparramatta.nsw.gov.au> or by contacting Council.

Flood Plain Risk Management Area

The planning proposal seeks to include the land in a Flood Plain Risk Management Area on the proposed Floodplain Risk Management Map of the Parramatta Local Environmental Plan 2011.

Development Control Plan

The land is affected by Parramatta Development Control Plan 2011.

The Minister for Planning has issued directions that provisions of an EPI do not apply to certain Part 4 development where a concept plan has been approved under Part 3A.

Development Contribution Plan

The Parramatta Civic Improvement Plan (Amendment No. 5) applies to this land.

Heritage Item/Heritage Conservation Area

An item of environmental heritage is not situated on the land.

The land is not located in a heritage conservation area.

Road Widening

The land is not affected by 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.

Land Reservation Acquisition

The land is not affected by Land Reservation Acquisition in Parramatta Local Environmental Plan 2011.

Site Compatibility Certificate (Seniors Housing, Infrastructure and Affordable Rental Housing)

At the date of issue of this certificate Council is not aware of any

- a. Site compatibility certificate (affordable rental housing),
- b. Site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments),
- c. Site compatibility certificate (seniors housing)

in respect to the land issued pursuant to the Environmental Planning & Assessment Amendment (Site Compatibility Certificates) Regulation 2009 (NSW).

Contamination

Matters contained in Clause 59(2) as amended in the Contaminated Land Management Act 1997 – as listed:

Clause 59(2)(a) - is the land to which the certificate relates is significantly contaminated land?

NO

Clause 59(2)(b) - is the land to which the certificate relates is subject to a management order?

NO

Clause 59(2)(c) - is the land to which the certificate relates is the subject of an approved voluntary management proposal?

NO

Clause 59(2)(d) - is the land to which the certificate relates is subject to an ongoing maintenance order?

NO

Clause 59(2)(e) - is the land to which the certificate relates is the subject of a site audit statement?

NO

Tree Preservation

The land is subject to Section 5.4 Preservation of Trees or Vegetation in Parramatta Development Control Plan 2011.

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

Coastal Protection

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

NO

Council Policy

Council has not adopted a policy to restrict the development of the land by reason of the likelihood of projected sea level rise (coastal protection), tidal inundation, subsidence or any other risk.

Council has adopted a policy covering the entire City of Parramatta to restrict development of any land by reason of the likelihood of flooding.

Council has adopted by resolution a policy on contaminated land that applies to all land within the City of Parramatta. The Policy will restrict the development of the land if the circumstances set out in the policy prevail. A copy of the policy is available on Councils website at www.cityofparramatta.nsw.gov.au or from the Customer Service Centre.

Mine Subsidence

The land is not affected by the Coal Mine Subsidence Compensation Act 2017 proclaiming land to be a Mine Subsidence District.

Bushfire Land

The land is not bushfire prone land.

Threatened Species

The Environment Agency Head with responsibility for the Biodiversity Conservation Act 2016 has not advised Council that the land includes or comprises an area of outstanding biodiversity value.

Biodiversity certified land

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

Note. *Biodiversity certified land includes land certified under Part 7AA of the Threatened Species Conservation Act 1995 that is taken to be certified under Part 8 of the Biodiversity Conservation Act 2016.*

Biodiversity stewardship sites

The Chief Executive of the Office of Environment and Heritage has not notified the Council if the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the Biodiversity Conservation Act 2016.

Note: Biodiversity stewardship agreements include biobanking agreements under Part 7A of the Threatened Species Conservation Act 1995 that are taken to be biodiversity stewardship agreements under Part 5 of the Biodiversity Conservation Act 2016.

Native vegetation clearing set asides

Council has not been notified of the land containing a set aside area under section 60ZC of the Local Land Services Act 2013.

Property vegetation plans

Council has not been notified of the existence of the property vegetation plan approved under Part 4 of the Native Vegetation Act 2003 on the land.

Paper Subdivision information

The land is not subject to any development plan adopted by a relevant authority or that is proposed to be subject to a consent ballot. A subdivision order does not apply to the land.

Note: Words and expressions used in this clause have the same meaning as they have in Part 16C of the Environmental Planning and Assessment Regulation 2000.

Loose-Fill Asbestos Register

Council has not been notified by NSW Fair Trading of the property being listed on the loose-fill asbestos insulation register maintained by the Secretary of NSW Fair Trading.

Site verification certificates

Council is not aware of whether there is a current site verification certificate in respect of the land.

Affected Building Notices and Building Product Rectification Orders

Council is not aware of whether there is any affected building notice, building product rectification order or notice of intention to make a building product rectification order that is in force in respect of the land.

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

**State Environmental Planning Policy
(Exempt and Complying Development Codes) 2008**

Note: This does not constitute a Complying Development Certificate under section 4.27 of the Environmental Planning and Assessment Act 1979

The following information only addresses whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of **Clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1)(c3) and 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. It is not a statement that complying development is permissible on the land.

Other land exemptions within of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 may also apply. Furthermore, other provisions within the relevant Local Environmental Plan or a State Environmental Planning Policy which restrict complying development on the land may also apply.

It is your responsibility to ensure that you comply with the relevant complying development provisions for the land. Failure to comply with these provisions may mean that a Complying Development Certificate is invalid.

Housing Code; Low Rise Housing Diversity Code; Rural Housing Code

Complying Development pursuant to the Housing Code, Low Rise Housing Diversity Code and Rural Housing Code **may** be carried out on the land under **Clause 1.17A (1) (c) to (e), (2), (3) and (4) and Clause 1.18 (1)(c3) and Clause 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Commercial and Industrial (New Buildings and Additions) Code

Complying Development pursuant to the Commercial and Industrial (New Buildings and Additions) Code **may** be carried out on the land under **Clause 1.17A (1) (c) to (e), (2), (3) and (4) and Clause 1.18 (1)(c3) and Clause 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Housing Alterations Code; General Development Code; General Commercial and Industrial (Alterations) Code; Container Recycling Facilities Code; Subdivision Code; Demolition Code; Fire Safety Code

Complying Development pursuant to the Housing Alterations Code, General Development Code, General Commercial and Industrial (Alterations) Code, Container Recycling Facilities Code, Subdivision Code, Demolition Code and Fire Safety Code **may** be carried out on the land under **Clause 1.17A (1) (c) to (e), (2), (3) and (4) and Clause 1.18 (1)(c3) and Clause 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

SPECIAL NOTES

The land is identified as Class 4 on the Acid Sulfate Soils map. Refer to Clause 6.1 of Parramatta Local Environmental Plan 2011.

Applicants for Sections 10.7 Certificates are advised that Council does not hold sufficient information to fully detail the effect of any encumbrances on the title of the subject land. The information available to Council is provided on the basis that neither Council nor its servants hold out advice or warrant to you in any way its accuracy, nor shall Council or its servants, be liable for any negligence in the preparation of that information. Further information should be sought from relevant Statutory Departments.

SECTION C**The following additional information is issued under Section 10.7(5)**

Pursuant to S10.7(5) the Council supplies information as set out below on the basis that the Council takes no responsibility for the accuracy of the information. The information if material should be independently checked by the applicant.

Civic Link Precinct – Parramatta Development Control Plan (DCP) 2011

The land is located within the Civic Link Precinct as identified in Section 4.3.3.7 (m) of the Parramatta Development Control Plan 2011. The Civic Link Precinct will be a new pedestrian, public space within the City Centre linking Parramatta Square to the Parramatta River foreshore. The controls in this section of the DCP describes the spatial definition of the Civic Link; changes to through block movement patterns; new streets, laneways and open spaces; and future development form.

Note: Section 4.3.3.7 (m) of the DCP sets high-level planning controls for Civic Link Precinct areas between Macquarie Street and the Parramatta River (Blocks 2, 3 and 4 as shown in Figure 4.3.3.7.51 Civic Link Precinct), with more detailed controls to be finalised. Persons wishing to develop land within one of these areas are recommended to contact Council's Land Use Team on 9806 5050 or email council@cityofparramatta.nsw.gov.au.

Additional Local Provisions

This land is identified on the Additional Local Provisions Map of the Parramatta Local Environmental Plan 2011. Part 7 Additional local provisions – Parramatta City Centre of the Parramatta Local Environmental Plan 2011 applies to the land.

Aboriginal Sensitivity Map - Parramatta Development Control Plan (DCP) 2011

Aboriginal Heritage – High Sensitivity – potential to contain items of Aboriginal heritage. Contact Council's Customer Service/Duty Planner (02) 9806 5050 for more information.

Aboriginal Heritage – low sensitivity – limited potential to contain items of Aboriginal heritage. Contact Council's Customer Service/Duty Planner (02) 9806 5050 for more information.

Flood Information

The land is considered by Council TO BE ABOVE the 1 in 100 year mainstream flood level.

This information is based on data available to the Council. It is provided on the basis that neither Council nor its servants hold out advice or warrant to you in any way its accuracy, nor shall the Council or its servants, be liable for any negligence in the preparation of that information.

Interim Sydney Metro West Corridor - Infrastructure SEPP

Mapping associated with State Environmental Planning Policy (Infrastructure) 2007 (the Infrastructure SEPP) indicates that the land or part of the land is within the Interim Sydney Metro West Corridor.

Note: Advisory Information Regarding Proximity to a Commercial Centre

The land is within proximity to a major, strategic or local commercial centre. Council is looking to encourage greater activation and investment in these centres by developing the night time economy across the City of Parramatta. Future residents should be aware that the nature and scale of facilities, business activity and events held in these centres may affect the use and enjoyment of the land as a result of operating hours, odour, noise, lighting, traffic and measures associated with event management.

This is considered part of living in/near a commercial centre.

Note: Draft City of Parramatta (Outside CBD) Development Contributions Plan

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External combustible cladding on multi-storey buildings has been identified in local government areas including the City of Parramatta. Combustible cladding is a material that is capable of readily burning.

You should make your own enquiries as to the type of materials that have been used to construct the building. It is recommended that the purchaser obtain a building report from an appropriately qualified person to determine if any cladding type material may pose a risk to the building's occupants. Council may issue orders to rectify a building where combustible cladding is found.

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There is potential for combustible cladding to be present on buildings that are not listed on the Register.

Note: Advisory Information regarding Loose-Fill asbestos Insulation

Research undertaken by the Loose-Fill Asbestos Insulation Taskforce has determined that there is a potential for loose-fill asbestos insulation to be found in residential dwellings constructed prior to 1980 in 28 local government areas including the City of Parramatta.

Some residential homes located in the City of Parramatta may contain loose-fill asbestos insulation, for example in the roof space. NSW Fair Trading maintains a Register of homes that are affected by loose-fill asbestos insulation.

You should make your own enquiries as to the age of the buildings on the land to which this certificate relates and, if it contains a building constructed prior to 1980, the council strongly recommends that any potential purchaser obtain advice from a licensed asbestos assessor to determine whether loose fill asbestos is present in any building on the land and, if so, the health risks (if any) this may pose for the building's occupants.

Please Contact NSW Fair Trading for further information.

This information has been provided pursuant to section 10.7(5) of the Environmental Planning and Assessment Act, 1979 as amended.

Brett Newman
Chief Executive Officer

per



dated 16 April 2021

PLANNING CERTIFICATE

CERTIFICATE UNDER SECTION 10.7

Environmental Planning and Assessment Act, 1979 as amended

Certificate No: 2021/2805
Fee: \$133.00
Issue Date: 16 April 2021
Receipt No: 6336113
Applicant Ref: EDS WP44 10.7(2)C:147913

DESCRIPTION OF LAND

Address: Parramall
61B George Street
PARRAMATTA NSW 2150
Lot Details: Lot 1 DP 607181

SECTION A

The following Environmental Planning Instrument to which this certificate relates applies to the land:

Parramatta Local Environmental Plan 2011

For the purpose of **Section 10.7(2)** it is advised that as the date of this certificate the abovementioned land is affected by the matters referred to as follows:

Contact us:

council@cityofparramatta.nsw.gov.au | 02 9806 5050
@cityofparramatta | PO Box 32, Parramatta, NSW 2124
ABN 49 907 174 773 | cityofparramatta.nsw.gov.au

The land is zoned: B3 Commercial Core PLEP2011

Zone B3 - Commercial Core (Parramatta Local Environmental Plan 2011)

Issued pursuant to Section 10.7 of the Environmental Planning and Assessment Act, 1979.

NOTE: This table is an excerpt from Parramatta Local Environmental Plan 2011 and must be read in conjunction with and subject to the other provisions of that instrument, and in force at that date.

Zone B3 Commercial Core

1 Objectives of zone

- To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.
- To encourage appropriate employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To strengthen the role of the Parramatta City Centre as the regional business, retail and cultural centre, and as a primary retail centre in the Greater Metropolitan Region.
- To create opportunities to improve the public domain and pedestrian links throughout the Parramatta City Centre.
- To provide for the retention and creation of view corridors.
- To protect and enhance the unique qualities and character of special areas and heritage values within the Parramatta City Centre.
- To protect and encourage accessible city blocks by providing active street frontages, and a network of pedestrian-friendly streets, lanes and arcades.

2 Permitted without consent

Nil

3 Permitted with consent

Building identification signs; Business identification signs; Business premises; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hospitals; Hotel or motel accommodation; Information and education facilities; Medical centres; Office premises; Oyster aquaculture; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Tank-based aquaculture; Tourist and visitor accommodation

4 Prohibited

Pond-based aquaculture; Any other development not specified in item 2 or 3

SECTION B

State Policies and Regional Environmental Plans

The land is also affected by the following State Environmental Planning Policies (SEPP) and Regional Environmental Plans (SREP):

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

State Environmental Planning Policy (SEPP) No.21 - Caravan Parks
State Environmental Planning Policy (SEPP) No.33 -Hazardous and Offensive Development
State Environmental Planning Policy (SEPP) No.55 - Remediation of Land
State Environmental Planning Policy (SEPP) No.64 - Advertising and Signage
State Environmental Planning Policy (SEPP) No.65 – Design Quality of Residential Flat Development.
State Environmental Planning Policy (SEPP) No.70 -Affordable Housing (Revised Schemes)
State Environmental Planning Policy (SEPP) (Housing for Seniors or People with a Disability) 2004
State Environmental Planning Policy (SEPP) (Building Sustainability Index: BASIX) 2004
State Environmental Planning Policy (SEPP) (State Significant Precincts) 2005
State Environmental Planning Policy (SEPP) (Mining, Petroleum Production and Extractive Industries) 2007
State Environmental Planning Policy (SEPP) (Infrastructure) 2007
State Environmental Planning Policy (SEPP) (Exempt and Complying Development Codes) 2008
State Environmental Planning Policy (SEPP) (Affordable Rental Housing) 2009
State Environmental Planning Policy (SEPP) (Vegetation in Non-Rural Areas) 2017
State Environmental Planning Policy (SEPP) (Educational Establishments and Child Care Facilities) 2017
State Environmental Planning Policy (SEPP) (Concurrences) 2018
State Environmental Planning Policy (SEPP) (Primary Production and Rural Development) 2019

Sydney Regional Environmental Plan (SREP) No.9 (No.2) - Extractive Industries
Sydney Regional Environmental Plan (SREP) – (Sydney Harbour Catchment) 2005

DRAFT State Environmental Planning Policy to amend State Environmental Planning Policy (SEPP) (Sydney Region Growth Centres) 2006 – Amendment to include the Greater Parramatta Priority Growth Area as a Growth Centre
DRAFT State Environmental Planning Policy (Draft SEPP) – Environment

N.B. All enquiries as to the application of Draft State Environmental Planning Policies should be directed to The NSW Department of Planning, Industry and Environment.

Draft Local Environmental Plan

The land is affected by a Draft Local Environmental Plan which has been placed on Public Exhibition and has not yet been published. The Draft Local Environmental Plan is described below.

Planning Proposal – Draft Parramatta Local Environmental Plan 2020 (Harmonisation LEP)

This land is affected by a planning proposal seeking to create a single consolidated Local Environmental Plan (LEP) that will apply to the whole City of Parramatta Local Government Area (LGA). The new LEP will replace five (5) existing LEPs where they apply to land within the Parramatta LGA. These include:

- *Auburn Local Environmental Plan 2010*
- *Holroyd Local Environmental Plan 2013*
- *Hornsby Local Environmental Plan 2013*
- *Parramatta Local Environmental Plan 2011*
- *Parramatta (former The Hills) Local Environmental Plan 2012*

The new Parramatta LEP will create a common set of objectives, land use tables and provisions for all land within the LGA. This will result in some changes to the current planning controls applying to certain areas, including:

- Changes to land uses permitted in certain areas, because of the creation of a common set of land use tables.
- Prohibiting dual occupancy developments in certain locations.
- A minimum lot size of 600sqm and frontage to a public road of 15 metres development standards for Dual Occupancies or Manor Houses where they are permitted;
- Changes to height and FSR controls applying to residential zones – these include:
 - applying a FSR of 0.5:1 to R2 Low Density Residential zoned land and a FSR of 0.6:1 to R3 Medium Density Residential zoned land in the Parramatta (former The Hills) LEP 2012 and Hornsby Council LEP 2013 (where none currently applies);
 - reducing the FSR from 0.75:1 to 0.6:1 applying to R3 Medium Density Residential zoned land in Silverwater;
 - increasing the height limit from 8.5 metres to 9 metres applying to R2 Low Density Residential zoned land in the Hornsby Council LEP 2013;
 - applying a 11 metre height limit to R3 Medium Density Residential zoned land in the Parramatta (former The Hills) LEP 2012, Hornsby LEP 2013 and Auburn LEP 2010;
 - applying a FSR control to R4 High Density Residential zoned land in the former Parramatta (former The Hills) LEP 2012, Hornsby LEP 2013 and Auburn LEP 2010 (where none is currently applied); and,
 - A limited number of targeted site-specific changes associated with changes of zoning or to address anomalies.
- Applying a 550sqm minimum subdivision lot size to residential land (except R2 Low Density Residential zoned land in the Parramatta (former The Hills) LEP 2012, which will retain the existing 700sqm requirement)
- Mapping of additional Biodiversity Land and Riparian Land and Waterways
- A limited number of changes to the zoning of some sites to address inconsistencies and anomalies across current land use plans, this includes:
 - Removing the R1 General Residential zone, and rezoning this land to R4 High Density Residential or R3 Medium Density Residential;
 - Rezoning all public bushland reserves to E2 Environmental Conservation;
 - Rezoning some R3 Medium Density Residential zoned land in Northmead, North Rocks and Carlingford to R2 Low Density Residential; and,
 - Rezoning existing lawful places of public worship in the former Parramatta Council area from SP1 Special Activities to R2 Low Density Residential.

Further information on the Planning Proposal for the new Parramatta Local Environmental Plan (LEP) can be found at: www.cityofparramatta.nsw.gov.au/planningharmonisation or by contacting Council

Please note. Council is separately progressing a number of planning proposals relating to specific sites in the LGA. The intention is that, should these site-specific planning proposals be finalised before the new consolidated LEP is made, the respective amendments to planning controls will be carried over into the new LEP and the Harmonisation Planning Proposal will be updated as needed.

Proposed Zoning Draft Parramatta LEP 2020

The land is proposed to be zoned in the in the Draft Parramatta LEP 2020:

B3 Commercial Core PLEP2020

Proposed Zone B3 Commercial Core (Draft Parramatta LEP 2020)

Note: The following land use table is an excerpt from the Draft Parramatta Local Environmental Plan 2020 (Harmonisation LEP) document exhibited on 31 August 2020 and must be read in conjunction with and subject to other provisions of that draft instrument.

Zone B3 Commercial Core

1 Objectives of zone

- To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.
- To encourage appropriate employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To strengthen the role of the Parramatta City Centre as the regional business, retail and cultural centre, and as a primary retail centre in the Greater Metropolitan Region.
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Nil

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Building identification signs; Business identification signs; Business premises; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hospitals; Hotel or motel accommodation; Information and education facilities; Medical centres; Office premises; Oyster aquaculture; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Tank-based aquaculture; Tourist and visitor accommodation

4 Prohibited

Pond-based aquaculture; Any other development not specified in item 2 or 3

Planning Proposal – Parramatta CBD Planning Proposal – Parramatta LEP 2011

This land is affected by a planning proposal seeking to amend Parramatta Local Environmental Plan (LEP) 2011. The planning proposal applies to land collectively referred to as the Parramatta City Centre and Experiment Farm and seeks to amend the Parramatta Local Environmental Plan (LEP) 2011 by:

- rezoning some land;
- increase the floor space ratio (FSR) permitted on some land;
- increase the height of buildings (HOB) permitted on some land;
- amend the sun access protection provisions, airspace operations clause, and design excellence clauses;
- include a requirement for non-residential floor space in parts of the some mixed use zones;
- include a requirement for active frontages to certain streets and public spaces;
- include a requirement for end of journey facilities;
- include amendment to encourage high yield employment uses;
- include a new clause to encourage high performing buildings;
- include a new clause to encourage the provision of community infrastructure;
- a new clause to preserve existing controls in the 'Park Edge Highly Sensitive' area, Parramatta Park, Parramatta Stadium, certain land zoned B5 Business Development west of Church Street (behind Auto Alley); and certain land zoned B4 Mixed Use at the intersection of Church Street and Pennant Hills Road;
- include additional clauses to Schedule 1 – Additional Permitted Uses of the Parramatta LEP 2011;
- a new heritage clause to require a higher standard of development that affects heritage;
- new clauses for the Marion Street precinct;
- amend the following maps in the Parramatta LEP 2011:
 - Amend the Land Application Map
 - Amend the Additional Local Provisions Map
 - Amend the Land Zoning Map
 - Amend the Floor Space Ratio Map
 - Amend the Height of Buildings Map

- Amend the Additional Permitted Uses Map
- Amend the Special Provisions Area Map
- Amend Heritage Map
- Land Reservation Acquisition Map
- And;
- create new maps for inclusion in the Parramatta LEP 2011:
 - Create a new Incentive Floor Space Ratio Map
 - Create a new Incentive Height of Buildings Map
 - Create a new Sun Access Protection Map
 - Create a new Active Street Frontage Map
 - Create a new Opportunity Sites Map
 - Create a new Floodplain Risk Management Map

Further information on the Parramatta CBD Planning Proposal to amend Parramatta Local Environmental Plan (LEP) 2011 can be found at <https://participate.cityofparramatta.nsw.gov.au> or by contacting Council.

Flood Plain Risk Management Area

The planning proposal seeks to include the land in a Flood Plain Risk Management Area on the proposed Floodplain Risk Management Map of the Parramatta Local Environmental Plan 2011.

Development Control Plan

The land is affected by Parramatta Development Control Plan 2011.

The Minister for Planning has issued directions that provisions of an EPI do not apply to certain Part 4 development where a concept plan has been approved under Part 3A.

Development Contribution Plan

The Parramatta Civic Improvement Plan (Amendment No. 5) applies to this land.

Heritage Item/Heritage Conservation Area

An item of environmental heritage is not situated on the land.

The land is not located in a heritage conservation area.

Road Widening

The land is not affected by 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.

Land Reservation Acquisition

The land is not affected by Land Reservation Acquisition in Parramatta Local Environmental Plan 2011.

Site Compatibility Certificate (Seniors Housing, Infrastructure and Affordable Rental Housing)

At the date of issue of this certificate Council is not aware of any

- a. Site compatibility certificate (affordable rental housing),
- b. Site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments),
- c. Site compatibility certificate (seniors housing)

in respect to the land issued pursuant to the Environmental Planning & Assessment Amendment (Site Compatibility Certificates) Regulation 2009 (NSW).

Contamination

Matters contained in Clause 59(2) as amended in the Contaminated Land Management Act 1997 – as listed:

Clause 59(2)(a) - is the land to which the certificate relates is significantly contaminated land?

NO

Clause 59(2)(b) - is the land to which the certificate relates is subject to a management order?

NO

Clause 59(2)(c) - is the land to which the certificate relates is the subject of an approved voluntary management proposal?

NO

Clause 59(2)(d) - is the land to which the certificate relates is subject to an ongoing maintenance order?

NO

Clause 59(2)(e) - is the land to which the certificate relates is the subject of a site audit statement?

NO

Tree Preservation

The land is subject to Section 5.4 Preservation of Trees or Vegetation in Parramatta Development Control Plan 2011.

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

Coastal Protection

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

NO

Council Policy

Council has not adopted a policy to restrict the development of the land by reason of the likelihood of projected sea level rise (coastal protection), tidal inundation, subsidence or any other risk.

Council has adopted a policy covering the entire City of Parramatta to restrict development of any land by reason of the likelihood of flooding.

Council has adopted by resolution a policy on contaminated land that applies to all land within the City of Parramatta. The Policy will restrict the development of the land if the circumstances set out in the policy prevail. A copy of the policy is available on Council's website at www.cityofparramatta.nsw.gov.au or from the Customer Service Centre.

Mine Subsidence

The land is not affected by the Coal Mine Subsidence Compensation Act 2017 proclaiming land to be a Mine Subsidence District.

Bushfire Land

The land is not bushfire prone land.

Threatened Species

The Environment Agency Head with responsibility for the Biodiversity Conservation Act 2016 has not advised Council that the land includes or comprises an area of outstanding biodiversity value.

Biodiversity certified land

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

Note. *Biodiversity certified land includes land certified under Part 7AA of the Threatened Species Conservation Act 1995 that is taken to be certified under Part 8 of the Biodiversity Conservation Act 2016.*

Biodiversity stewardship sites

The Chief Executive of the Office of Environment and Heritage has not notified the Council if the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the Biodiversity Conservation Act 2016.

Note: Biodiversity stewardship agreements include biobanking agreements under Part 7A of the Threatened Species Conservation Act 1995 that are taken to be biodiversity stewardship agreements under Part 5 of the Biodiversity Conservation Act 2016.

Native vegetation clearing set asides

Council has not been notified of the land containing a set aside area under section 60ZC of the Local Land Services Act 2013.

Property vegetation plans

Council has not been notified of the existence of the property vegetation plan approved under Part 4 of the Native Vegetation Act 2003 on the land.

Paper Subdivision information

The land is not subject to any development plan adopted by a relevant authority or that is proposed to be subject to a consent ballot. A subdivision order does not apply to the land.

Note: Words and expressions used in this clause have the same meaning as they have in Part 16C of the Environmental Planning and Assessment Regulation 2000.

Loose-Fill Asbestos Register

Council has not been notified by NSW Fair Trading of the property being listed on the loose-fill asbestos insulation register maintained by the Secretary of NSW Fair Trading.

Site verification certificates

Council is not aware of whether there is a current site verification certificate in respect of the land.

Affected Building Notices and Building Product Rectification Orders

Council is not aware of whether there is any affected building notice, building product rectification order or notice of intention to make a building product rectification order that is in force in respect of the land.

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

**State Environmental Planning Policy
(Exempt and Complying Development Codes) 2008**

Note: This does not constitute a Complying Development Certificate under section 4.27 of the Environmental Planning and Assessment Act 1979

The following information only addresses whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of **Clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1)(c3) and 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. It is not a statement that complying development is permissible on the land.

Other land exemptions within of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 may also apply. Furthermore, other provisions within the relevant Local Environmental Plan or a State Environmental Planning Policy which restrict complying development on the land may also apply.

It is your responsibility to ensure that you comply with the relevant complying development provisions for the land. Failure to comply with these provisions may mean that a Complying Development Certificate is invalid.

Housing Code; Low Rise Housing Diversity Code; Rural Housing Code

Complying Development pursuant to the Housing Code, Low Rise Housing Diversity Code and Rural Housing Code **may** be carried out on the land under **Clause 1.17A (1) (c) to (e), (2), (3) and (4) and Clause 1.18 (1)(c3) and Clause 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Commercial and Industrial (New Buildings and Additions) Code

Complying Development pursuant to the Commercial and Industrial (New Buildings and Additions) Code **may** be carried out on the land under **Clause 1.17A (1) (c) to (e), (2), (3) and (4) and Clause 1.18 (1)(c3) and Clause 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Housing Alterations Code; General Development Code; General Commercial and Industrial (Alterations) Code; Container Recycling Facilities Code; Subdivision Code; Demolition Code; Fire Safety Code

Complying Development pursuant to the Housing Alterations Code, General Development Code, General Commercial and Industrial (Alterations) Code, Container Recycling Facilities Code, Subdivision Code, Demolition Code and Fire Safety Code **may** be carried out on the land under **Clause 1.17A (1) (c) to (e), (2), (3) and (4) and Clause 1.18 (1)(c3) and Clause 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

SPECIAL NOTES

The land is identified as Class 4 on the Acid Sulfate Soils map. Refer to Clause 6.1 of Parramatta Local Environmental Plan 2011.

Applicants for Sections 10.7 Certificates are advised that Council does not hold sufficient information to fully detail the effect of any encumbrances on the title of the subject land. The information available to Council is provided on the basis that neither Council nor its servants hold out advice or warrant to you in any way its accuracy, nor shall Council or its servants, be liable for any negligence in the preparation of that information. Further information should be sought from relevant Statutory Departments.

SECTION C**The following additional information is issued under Section 10.7(5)**

Pursuant to S10.7(5) the Council supplies information as set out below on the basis that the Council takes no responsibility for the accuracy of the information. The information if material should be independently checked by the applicant

Civic Link Precinct – Parramatta Development Control Plan (DCP) 2011

The land is located within the Civic Link Precinct as identified in Section 4.3.3.7 (m) of the Parramatta Development Control Plan 2011. The Civic Link Precinct will be a new pedestrian, public space within the City Centre linking Parramatta Square to the Parramatta River foreshore. The controls in this section of the DCP describes the spatial definition of the Civic Link; changes to through block movement patterns; new streets, laneways and open spaces; and future development form.

Note: Section 4.3.3.7 (m) of the DCP sets high-level planning controls for Civic Link Precinct areas between Macquarie Street and the Parramatta River (Blocks 2, 3 and 4 as shown in Figure 4.3.3.7.51 Civic Link Precinct), with more detailed controls to be finalised. Persons wishing to develop land within one of these areas are recommended to contact Council's Land Use Team on 9806 5050 or email council@cityofparramatta.nsw.gov.au.

Additional Local Provisions

This land is identified on the Additional Local Provisions Map of the Parramatta Local Environmental Plan 2011. Part 7 Additional local provisions – Parramatta City Centre of the Parramatta Local Environmental Plan 2011 applies to the land.

Aboriginal Sensitivity Map - Parramatta Development Control Plan (DCP) 2011

Aboriginal Heritage – High Sensitivity – potential to contain items of Aboriginal heritage. Contact Council's Customer Service/Duty Planner (02) 9806 5050 for more information.

Flood Information

The land is considered by Council TO BE ABOVE the 1 in 100 year mainstream flood level.

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Some residential homes located in the City of Parramatta may contain loose-fill asbestos insulation, for example in the roof space. NSW Fair Trading maintains a Register of homes that are affected by loose-fill asbestos insulation.

You should make your own enquiries as to the age of the buildings on the land to which this certificate relates and, if it contains a building constructed prior to 1980, the council strongly recommends that any potential purchaser obtain advice from a licensed asbestos assessor to determine whether loose fill asbestos is present in any building on the land and, if so, the health risks (if any) this may pose for the building's occupants.

Please Contact NSW Fair Trading for further information.

This information has been provided pursuant to section 10.7(5) of the Environmental Planning and Assessment Act, 1979 as amended.

Brett Newman
Chief Executive Officer

per



dated 16 April 2021

PLANNING CERTIFICATE

CERTIFICATE UNDER SECTION 10.7

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Applicant Ref: EDS WP44 10.7(2)C:147913

DESCRIPTION OF LAND

Address: 62-64 Macquarie Street
PARRAMATTA NSW 2150

Lot Details: Lot AY DP 400258

SECTION A

The following Environmental Planning Instrument to which this certificate relates applies to the land:

Parramatta Local Environmental Plan 2011

For the purpose of **Section 10.7(2)** it is advised that as the date of this certificate the abovementioned land is affected by the matters referred to as follows:

Contact us:

council@cityofparramatta.nsw.gov.au | 02 9806 5050
@cityofparramatta | PO Box 32, Parramatta, NSW 2124
ABN 49 907 174 773 | cityofparramatta.nsw.gov.au

The land is zoned: B3 Commercial Core PLEP2011

Zone B3 - Commercial Core (Parramatta Local Environmental Plan 2011)

Issued pursuant to Section 10.7 of the Environmental Planning and Assessment Act, 1979.

NOTE: This table is an excerpt from Parramatta Local Environmental Plan 2011 and must be read in conjunction with and subject to the other provisions of that instrument, and in force at that date.

Zone B3 Commercial Core

1 Objectives of zone

- To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.
- To encourage appropriate employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To strengthen the role of the Parramatta City Centre as the regional business, retail and cultural centre, and as a primary retail centre in the Greater Metropolitan Region.
- To create opportunities to improve the public domain and pedestrian links throughout the Parramatta City Centre.
- To provide for the retention and creation of view corridors.
- To protect and enhance the unique qualities and character of special areas and heritage values within the Parramatta City Centre.
- To protect and encourage accessible city blocks by providing active street frontages, and a network of pedestrian-friendly streets, lanes and arcades.

2 Permitted without consent

Nil

3 Permitted with consent

Building identification signs; Business identification signs; Business premises; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hospitals; Hotel or motel accommodation; Information and education facilities; Medical centres; Office premises; Oyster aquaculture; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Tank-based aquaculture; Tourist and visitor accommodation

4 Prohibited

Pond-based aquaculture; Any other development not specified in item 2 or 3

SECTION B

State Policies and Regional Environmental Plans

The land is also affected by the following State Environmental Planning Policies (SEPP) and Regional Environmental Plans (SREP):

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

State Environmental Planning Policy (SEPP) No.21 - Caravan Parks
State Environmental Planning Policy (SEPP) No.33 -Hazardous and Offensive Development
State Environmental Planning Policy (SEPP) No.55 - Remediation of Land
State Environmental Planning Policy (SEPP) No.64 - Advertising and Signage
State Environmental Planning Policy (SEPP) No.65 – Design Quality of Residential Flat Development.
State Environmental Planning Policy (SEPP) No.70 -Affordable Housing (Revised Schemes)
State Environmental Planning Policy (SEPP) (Housing for Seniors or People with a Disability) 2004
State Environmental Planning Policy (SEPP) (Building Sustainability Index: BASIX) 2004
State Environmental Planning Policy (SEPP) (State Significant Precincts) 2005
State Environmental Planning Policy (SEPP) (Mining, Petroleum Production and Extractive Industries) 2007
State Environmental Planning Policy (SEPP) (Infrastructure) 2007
State Environmental Planning Policy (SEPP) (Exempt and Complying Development Codes) 2008
State Environmental Planning Policy (SEPP) (Affordable Rental Housing) 2009
State Environmental Planning Policy (SEPP) (Vegetation in Non-Rural Areas) 2017
State Environmental Planning Policy (SEPP) (Educational Establishments and Child Care Facilities) 2017
State Environmental Planning Policy (SEPP) (Concurrences) 2018
State Environmental Planning Policy (SEPP) (Primary Production and Rural Development) 2019

Sydney Regional Environmental Plan (SREP) No.9 (No.2) - Extractive Industries
Sydney Regional Environmental Plan (SREP) – (Sydney Harbour Catchment) 2005

DRAFT State Environmental Planning Policy to amend State Environmental Planning Policy (SEPP) (Sydney Region Growth Centres) 2006 – Amendment to include the Greater Parramatta Priority Growth Area as a Growth Centre
DRAFT State Environmental Planning Policy (Draft SEPP) – Environment

N.B. All enquiries as to the application of Draft State Environmental Planning Policies should be directed to The NSW Department of Planning, Industry and Environment.

Draft Local Environmental Plan

The land is affected by a Draft Local Environmental Plan which has been placed on Public Exhibition and has not yet been published. The Draft Local Environmental Plan is described below.

Planning Proposal – Draft Parramatta Local Environmental Plan 2020 (Harmonisation LEP)

This land is affected by a planning proposal seeking to create a single consolidated Local Environmental Plan (LEP) that will apply to the whole City of Parramatta Local Government Area (LGA). The new LEP will replace five (5) existing LEPs where they apply to land within the Parramatta LGA. These include:

- *Auburn Local Environmental Plan 2010*
- *Holroyd Local Environmental Plan 2013*
- *Hornsby Local Environmental Plan 2013*
- *Parramatta Local Environmental Plan 2011*
- *Parramatta (former The Hills) Local Environmental Plan 2012*

The new Parramatta LEP will create a common set of objectives, land use tables and provisions for all land within the LGA. This will result in some changes to the current planning controls applying to certain areas, including:

- Changes to land uses permitted in certain areas, because of the creation of a common set of land use tables.
- Prohibiting dual occupancy developments in certain locations.
- A minimum lot size of 600sqm and frontage to a public road of 15 metres development standards for Dual Occupancies or Manor Houses where they are permitted;
- Changes to height and FSR controls applying to residential zones – these include:
 - applying a FSR of 0.5:1 to R2 Low Density Residential zoned land and a FSR of 0.6:1 to R3 Medium Density Residential zoned land in the Parramatta (former The Hills) LEP 2012 and Hornsby Council LEP 2013 (where none currently applies);
 - reducing the FSR from 0.75:1 to 0.6:1 applying to R3 Medium Density Residential zoned land in Silverwater;
 - increasing the height limit from 8.5 metres to 9 metres applying to R2 Low Density Residential zoned land in the Hornsby Council LEP 2013;
 - applying a 11 metre height limit to R3 Medium Density Residential zoned land in the Parramatta (former The Hills) LEP 2012, Hornsby LEP 2013 and Auburn LEP 2010;
 - applying a FSR control to R4 High Density Residential zoned land in the former Parramatta (former The Hills) LEP 2012, Hornsby LEP 2013 and Auburn LEP 2010 (where none is currently applied); and,
 - A limited number of targeted site-specific changes associated with changes of zoning or to address anomalies.
- Applying a 550sqm minimum subdivision lot size to residential land (except R2 Low Density Residential zoned land in the Parramatta (former The Hills) LEP 2012, which will retain the existing 700sqm requirement)
- Mapping of additional Biodiversity Land and Riparian Land and Waterways
- A limited number of changes to the zoning of some sites to address inconsistencies and anomalies across current land use plans, this includes:
 - Removing the R1 General Residential zone, and rezoning this land to R4 High Density Residential or R3 Medium Density Residential;
 - Rezoning all public bushland reserves to E2 Environmental Conservation;
 - Rezoning some R3 Medium Density Residential zoned land in Northmead, North Rocks and Carlingford to R2 Low Density Residential; and,
 - Rezoning existing lawful places of public worship in the former Parramatta Council area from SP1 Special Activities to R2 Low Density Residential.

Further information on the Planning Proposal for the new Parramatta Local Environmental Plan (LEP) can be found at: www.cityofparramatta.nsw.gov.au/planningharmonisation or by contacting Council

Please note. Council is separately progressing a number of planning proposals relating to specific sites in the LGA. The intention is that, should these site-specific planning proposals be finalised before the new consolidated LEP is made, the respective amendments to planning controls will be carried over into the new LEP and the Harmonisation Planning Proposal will be updated as needed.

Proposed Zoning Draft Parramatta LEP 2020

The land is proposed to be zoned in the in the Draft Parramatta LEP 2020:

B3 Commercial Core PLEP2020

Proposed Zone B3 Commercial Core (Draft Parramatta LEP 2020)

Note: The following land use table is an excerpt from the Draft Parramatta Local Environmental Plan 2020 (Harmonisation LEP) document exhibited on 31 August 2020 and must be read in conjunction with and subject to other provisions of that draft instrument.

Zone B3 Commercial Core

1 Objectives of zone

- To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.
- To encourage appropriate employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To strengthen the role of the Parramatta City Centre as the regional business, retail and cultural centre, and as a primary retail centre in the Greater Metropolitan Region.
- To create opportunities to improve the public domain and pedestrian links throughout the Parramatta City Centre.
- To provide for the retention and creation of view corridors.
- To protect and enhance the unique qualities and character of special areas and heritage values within the Parramatta City Centre.
- To protect and encourage accessible city blocks by providing active street frontages, and a network of pedestrian-friendly streets, lanes and arcades.

2 Permitted without consent

Nil

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Building identification signs; Business identification signs; Business premises; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hospitals; Hotel or motel accommodation; Information and education facilities; Medical centres; Office premises; Oyster aquaculture; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Tank-based aquaculture; Tourist and visitor accommodation

4 Prohibited

Pond-based aquaculture; Any other development not specified in item 2 or 3

Proposed Heritage Item Draft Parramatta LEP 2020

The land or part of the land is proposed to be identified as a Heritage Item in the Draft Parramatta LEP 2020.

Planning Proposal – Parramatta CBD Planning Proposal – Parramatta LEP 2011

This land is affected by a planning proposal seeking to amend Parramatta Local Environmental Plan (LEP) 2011. The planning proposal applies to land collectively referred to as the Parramatta City Centre and Experiment Farm and seeks to amend the Parramatta Local Environmental Plan (LEP) 2011 by:

- rezoning some land;
- increase the floor space ratio (FSR) permitted on some land;
- increase the height of buildings (HOB) permitted on some land;
- amend the sun access protection provisions, airspace operations clause, and design excellence clauses;
- include a requirement for non-residential floor space in parts of the some mixed use zones;
- include a requirement for active frontages to certain streets and public spaces;
- include a requirement for end of journey facilities;
- include amendment to encourage high yield employment uses;
- include a new clause to encourage high performing buildings;
- include a new clause to encourage the provision of community infrastructure;
- a new clause to preserve existing controls in the 'Park Edge Highly Sensitive' area, Parramatta Park, Parramatta Stadium, certain land zoned B5 Business Development west of Church Street (behind Auto Alley); and certain land zoned B4 Mixed Use at the intersection of Church Street and Pennant Hills Road;
- include additional clauses to Schedule 1 – Additional Permitted Uses of the Parramatta LEP 2011;
- a new heritage clause to require a higher standard of development that affects heritage;
- new clauses for the Marion Street precinct;
- amend the following maps in the Parramatta LEP 2011:

- Amend the Land Application Map
- Amend the Additional Local Provisions Map
- Amend the Land Zoning Map
- Amend the Floor Space Ratio Map
- Amend the Height of Buildings Map
- Amend the Additional Permitted Uses Map
- Amend the Special Provisions Area Map
- Amend Heritage Map
- Land Reservation Acquisition Map
- And;
- create new maps for inclusion in the Parramatta LEP 2011:
 - Create a new Incentive Floor Space Ratio Map
 - Create a new Incentive Height of Buildings Map
 - Create a new Sun Access Protection Map
 - Create a new Active Street Frontage Map
 - Create a new Opportunity Sites Map
 - Create a new Floodplain Risk Management Map

Further information on the Parramatta CBD Planning Proposal to amend Parramatta Local Environmental Plan (LEP) 2011 can be found at <https://participate.cityofparramatta.nsw.gov.au> or by contacting Council.

Flood Plain Risk Management Area

The planning proposal seeks to include the land in a Flood Plain Risk Management Area on the proposed Floodplain Risk Management Map of the Parramatta Local Environmental Plan 2011.

Development Control Plan

The land is affected by Parramatta Development Control Plan 2011.

The Minister for Planning has issued directions that provisions of an EPI do not apply to certain Part 4 development where a concept plan has been approved under Part 3A.

Development Contribution Plan

The Parramatta Civic Improvement Plan (Amendment No. 5) applies to this land.

Heritage Item/Heritage Conservation Area

The land is identified as containing a Heritage Item in Parramatta Local Environmental Plan 2011

The land is affected by a planning proposal that seeks to identify the land as containing a Heritage Item in an environmental planning instrument. Refer to the Draft Local Environmental Plan section of this certificate for more details.

The land is not located in a heritage conservation area.

Road Widening

The land is not affected by 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.

Land Reservation Acquisition

The land is not affected by Land Reservation Acquisition in Parramatta Local Environmental Plan 2011.

Site Compatibility Certificate (Seniors Housing, Infrastructure and Affordable Rental Housing)

At the date of issue of this certificate Council is not aware of any

- a. Site compatibility certificate (affordable rental housing),
- b. Site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments),
- c. Site compatibility certificate (seniors housing)

in respect to the land issued pursuant to the Environmental Planning & Assessment Amendment (Site Compatibility Certificates) Regulation 2009 (NSW).

Contamination

Matters contained in Clause 59(2) as amended in the Contaminated Land Management Act 1997 – as listed:

Clause 59(2)(a) - is the land to which the certificate relates is significantly contaminated land?

NO

Clause 59(2)(b) - is the land to which the certificate relates is subject to a management order?

NO

Clause 59(2)(c) - is the land to which the certificate relates is the subject of an approved voluntary management proposal?

NO

Clause 59(2)(d) - is the land to which the certificate relates is subject to an ongoing maintenance order?

NO

Clause 59(2)(e) - is the land to which the certificate relates is the subject of a site audit statement?

NO

Tree Preservation

The land is subject to Section 5.4 Preservation of Trees or Vegetation in Parramatta Development Control Plan 2011.

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

Coastal Protection

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

NO

Council Policy

Council has not adopted a policy to restrict the development of the land by reason of the likelihood of projected sea level rise (coastal protection), tidal inundation, subsidence or any other risk.

Council has adopted a policy covering the entire City of Parramatta to restrict development of any land by reason of the likelihood of flooding.

Council has adopted by resolution a policy on contaminated land that applies to all land within the City of Parramatta. The Policy will restrict the development of the land if the circumstances set out in the policy prevail. A copy of the policy is available on Councils website at www.cityofparramatta.nsw.gov.au or from the Customer Service Centre.

Mine Subsidence

The land is not affected by the Coal Mine Subsidence Compensation Act 2017 proclaiming land to be a Mine Subsidence District.

Bushfire Land

The land is not bushfire prone land.

Threatened Species

The Environment Agency Head with responsibility for the Biodiversity Conservation Act 2016 has not advised Council that the land includes or comprises an area of outstanding biodiversity value.

Biodiversity certified land

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

Note. *Biodiversity certified land includes land certified under Part 7AA of the Threatened Species Conservation Act 1995 that is taken to be certified under Part 8 of the Biodiversity Conservation Act 2016.*

Biodiversity stewardship sites

The Chief Executive of the Office of Environment and Heritage has not notified the Council if the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the Biodiversity Conservation Act 2016.

Note: Biodiversity stewardship agreements include biobanking agreements under Part 7A of the Threatened Species Conservation Act 1995 that are taken to be biodiversity stewardship agreements under Part 5 of the Biodiversity Conservation Act 2016.

Native vegetation clearing set asides

Council has not been notified of the land containing a set aside area under section 60ZC of the Local Land Services Act 2013.

Property vegetation plans

Council has not been notified of the existence of the property vegetation plan approved under Part 4 of the Native Vegetation Act 2003 on the land.

Paper Subdivision information

The land is not subject to any development plan adopted by a relevant authority or that is proposed to be subject to a consent ballot. A subdivision order does not apply to the land.

Note: Words and expressions used in this clause have the same meaning as they have in Part 16C of the Environmental Planning and Assessment Regulation 2000.

Loose-Fill Asbestos Register

Council has not been notified by NSW Fair Trading of the property being listed on the loose-fill asbestos insulation register maintained by the Secretary of NSW Fair Trading.

Site verification certificates

Council is not aware of whether there is a current site verification certificate in respect of the land.

Affected Building Notices and Building Product Rectification Orders

Council is not aware of whether there is any affected building notice, building product rectification order or notice of intention to make a building product rectification order that is in force in respect of the land.

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

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

Note: This does not constitute a Complying Development Certificate under section 4.27 of the Environmental Planning and Assessment Act 1979

The following information only addresses whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of **Clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1)(c3) and 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. It is not a statement that complying development is permissible on the land.

Other land exemptions within of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 may also apply. Furthermore, other provisions within the relevant Local Environmental Plan or a State Environmental Planning Policy which restrict complying development on the land may also apply.

It is your responsibility to ensure that you comply with the relevant complying development provisions for the land. Failure to comply with these provisions may mean that a Complying Development Certificate is invalid.

Housing Code; Low Rise Housing Diversity Code; Rural Housing Code

Complying Development pursuant to the Housing Code, Low Rise Housing Diversity Code and Rural Housing Code **may not** be carried out on the land or part of the land. The land is affected by specific land exemptions under **Clause 1.17A or Clause 1.18 (1) (c3) or Clause 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. The land exemptions are:

- All of the land comprises, or contains an item of environmental heritage (that is listed on the State Heritage Register **or** that is subject to an interim heritage order under the Heritage Act 1977 **or** is identified as an item of environmental heritage in an environmental planning instrument),
(Land Exemption Clause 1.17A of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008)
- All of the land comprises, or on which there is, a draft heritage item
(Land Exemption Clause 1.18(1)(c3) of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008)

Commercial and Industrial (New Buildings and Additions) Code

Complying Development pursuant to Commercial and Industrial (New Buildings and Additions) Code **may not** be carried out on the land or part of the land. The land is affected by specific land exemptions under **Clause 1.17A or Clause 1.18 (1) (c3) or Clause 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. The land exemptions are:

- All of the land comprises, or contains an item of environmental heritage (that is listed on the State Heritage Register **or** that is subject to an interim heritage order under the Heritage Act 1977 **or** is identified as an item of environmental heritage in an environmental planning instrument),
(Land Exemption Clause 1.17A of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008)
- All of the land comprises, or on which there is, a draft heritage item
(Land Exemption Clause 1.18(1)(c3) of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008)

Housing Alterations Code; General Development Code; General Commercial and Industrial (Alterations) Code; Container Recycling Facilities Code; Subdivision Code; Demolition Code; Fire Safety Code

Complying Development pursuant to the Housing Alterations Code, General Development Code, General Commercial and Industrial (Alterations) Code, Container Recycling Facilities Code, Subdivision Code, Demolition Code and Fire Safety Code **may not** be carried out on the land or part of the land. The land is affected by specific land exemptions under **Clause 1.17A or Clause 1.18 (1) (c3) or Clause 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. The land exemptions are:

- All of the land comprises, or contains an item of environmental heritage (that is listed on the State Heritage Register **or** that is subject to an interim heritage order under the Heritage Act 1977 **or** is identified as an item of environmental heritage in an environmental planning instrument),
(Land Exemption Clause 1.17A of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008)
- All of the land comprises, or on which there is, a draft heritage item
(Land Exemption Clause 1.18(1)(c3) of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008)

SPECIAL NOTES

The land is identified as Class 4 on the Acid Sulfate Soils map. Refer to Clause 6.1 of Parramatta Local Environmental Plan 2011.

Applicants for Sections 10.7 Certificates are advised that Council does not hold sufficient information to fully detail the effect of any encumbrances on the title of the subject land. The information available to Council is provided on the basis that neither Council nor its servants hold out advice or warrant to you in any way its accuracy, nor shall Council or its servants, be liable for any negligence in the preparation of that information. Further information should be sought from relevant Statutory Departments.

SECTION C**The following additional information is issued under Section 10.7(5)**

Pursuant to S10.7(5) the Council supplies information as set out below on the basis that the Council takes no responsibility for the accuracy of the information. The information if material should be independently checked by the applicant.

Civic Link Precinct – Parramatta Development Control Plan (DCP) 2011

The land is located within the Civic Link Precinct as identified in Section 4.3.3.7 (m) of the Parramatta Development Control Plan 2011. The Civic Link Precinct will be a new pedestrian, public space within the City Centre linking Parramatta Square to the Parramatta River foreshore. The controls in this section of the DCP describes the spatial definition of the Civic Link; changes to through block movement patterns; new streets, laneways and open spaces; and future development form.

Note: Section 4.3.3.7 (m) of the DCP sets high-level planning controls for Civic Link Precinct areas between Macquarie Street and the Parramatta River (Blocks 2, 3 and 4 as shown in Figure 4.3.3.7.51 Civic Link Precinct), with more detailed controls to be finalised. Persons wishing to develop land within one of these areas are recommended to contact Council's Land Use Team on 9806 5050 or email council@cityofparramatta.nsw.gov.au.

Additional Local Provisions

This land is identified on the Additional Local Provisions Map of the Parramatta Local Environmental Plan 2011. Part 7 Additional local provisions – Parramatta City Centre of the Parramatta Local Environmental Plan 2011 applies to the land.

Aboriginal Sensitivity Map - Parramatta Development Control Plan (DCP) 2011

Aboriginal Heritage – High Sensitivity – potential to contain items of Aboriginal heritage. Contact Council's Customer Service/Duty Planner (02) 9806 5050 for more information.

Aboriginal Heritage – low sensitivity – limited potential to contain items of Aboriginal heritage. Contact Council's Customer Service/Duty Planner (02) 9806 5050 for more information.

Flood Information

The land is affected by a 100 year Average Recurrence Interval flood as indicated by Council's current flooding information. As such Council is required to take that into account when determining any development application made in respect of the land.

Further information is available at the Catchment Management Section within Council's City Assets and Environment Unit.

Additional advice should be also sought from an appropriately qualified person as to the extents and potential hazards associated with the likely flooding of the land. The names of qualified persons maybe obtained from the Institution of Engineers Australia.

Interim Sydney Metro West Corridor - Infrastructure SEPP

Mapping associated with State Environmental Planning Policy (Infrastructure) 2007 (the Infrastructure SEPP) indicates that the land or part of the land is within the Interim Sydney Metro West Corridor.

Note: Advisory Information Regarding Proximity to a Commercial Centre

The land is within proximity to a major, strategic or local commercial centre. Council is looking to encourage greater activation and investment in these centres by developing the night time economy across the City of Parramatta. Future residents should be aware that the nature and scale of facilities, business activity and events held in these centres may affect the use and enjoyment of the land as a result of operating hours, odour, noise, lighting, traffic and measures associated with event management.

This is considered part of living in/near a commercial centre.

Note: Draft City of Parramatta (Outside CBD) Development Contributions Plan

On 17 March 2021 Council Exhibited a draft Development Contribution Plan - the Draft City of Parramatta (Outside CBD) Development Contributions Plan. It is proposed that the Draft City of Parramatta (Outside CBD) Development Contributions Plan will apply to all land within the City of Parramatta LGA, except for land within the Parramatta CBD and Sydney Olympic Park. The proposed Draft City of Parramatta (Outside CBD) Development Contributions Plan will replace eight (8) existing Development Contribution Plans where they apply to land within the Parramatta LGA. These include:

- Parramatta Section 94A Development Contribution Plan (Amendment No. 5);
- Auburn Development Contributions Plan 2007 Amendment No 1;
- Carter Street Precinct Development Contributions Plan 2016;
- Holroyd Section 94 Plan 2013;
- City of Parramatta S94 Development Contributions Plan (formerly Hornsby LGA Land and Epping Town Centre);
- City of Parramatta S94A Development Contributions Plan (formerly Hornsby LGA Land and Epping Town Centre);
- City of Parramatta Section 94A Development Contribution Plan (Former Hills LGA Land); and
- Contributions Plan 14 - Carlingford Precinct.

Further information about the Draft City of Parramatta (Outside CBD) Development Contributions Plan can be found at <https://participate.cityofparramatta.nsw.gov.au/outside-cbd-contributions> or by contacting Council.

Note: Advisory Information regarding Combustible Cladding

External combustible cladding on multi-storey buildings has been identified in local government areas including the City of Parramatta. Combustible cladding is a material that is capable of readily burning.

You should make your own enquiries as to the type of materials that have been used to construct the building. It is recommended that the purchaser obtain a building report from an appropriately qualified person to determine if any cladding type material may pose a risk to the building's occupants. Council may issue orders to rectify a building where combustible cladding is found.

Properties that have combustible cladding on buildings are listed in the NSW Government Combustible Cladding Register. Please refer to <https://www.claddingregistration.nsw.gov.au/> or call 1300 305 695 for further information regarding the NSW Government Combustible Cladding Register.

There is potential for combustible cladding to be present on buildings that are not listed on the Register.

Note: Advisory Information regarding Loose-Fill asbestos Insulation

Research undertaken by the Loose-Fill Asbestos Insulation Taskforce has determined that there is a potential for loose-fill asbestos insulation to be found in residential dwellings constructed prior to 1980 in 28 local government areas including the City of Parramatta.

Some residential homes located in the City of Parramatta may contain loose-fill asbestos insulation, for example in the roof space. NSW Fair Trading maintains a Register of homes that are affected by loose-fill asbestos insulation.

You should make your own enquiries as to the age of the buildings on the land to which this certificate relates and, if it contains a building constructed prior to 1980, the council strongly recommends that any potential purchaser obtain advice from a licensed asbestos assessor to determine whether loose fill asbestos is present in any building on the land and, if so, the health risks (if any) this may pose for the building's occupants.

Please Contact NSW Fair Trading for further information.

This information has been provided pursuant to section 10.7(5) of the Environmental Planning and Assessment Act, 1979 as amended.

Brett Newman
Chief Executive Officer

per



dated 16 April 2021

PLANNING CERTIFICATE

CERTIFICATE UNDER SECTION 10.7

Environmental Planning and Assessment Act, 1979 as amended

Certificate No: 2021/2808
Fee: \$133.00
Issue Date: 16 April 2021
Receipt No: 6336113
Applicant Ref: EDS WP44 10.7(2)C:147913

DESCRIPTION OF LAND

Address: 68 Macquarie Street
PARRAMATTA NSW 2150
Lot Details: Lot 1 DP 711982

SECTION A

The following Environmental Planning Instrument to which this certificate relates applies to the land:

Parramatta Local Environmental Plan 2011

For the purpose of **Section 10.7(2)** it is advised that as the date of this certificate the abovementioned land is affected by the matters referred to as follows:

Contact us:

council@cityofparramatta.nsw.gov.au | 02 9806 5050
@cityofparramatta | PO Box 32, Parramatta, NSW 2124
ABN 49 907 174 773 | cityofparramatta.nsw.gov.au

The land is zoned: B3 Commercial Core PLEP2011

Zone B3 - Commercial Core (Parramatta Local Environmental Plan 2011)

Issued pursuant to Section 10.7 of the Environmental Planning and Assessment Act, 1979.

NOTE: This table is an excerpt from Parramatta Local Environmental Plan 2011 and must be read in conjunction with and subject to the other provisions of that instrument, and in force at that date.

Zone B3 Commercial Core

1 Objectives of zone

- To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.
- To encourage appropriate employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To strengthen the role of the Parramatta City Centre as the regional business, retail and cultural centre, and as a primary retail centre in the Greater Metropolitan Region.
- To create opportunities to improve the public domain and pedestrian links throughout the Parramatta City Centre.
- To provide for the retention and creation of view corridors.
- To protect and enhance the unique qualities and character of special areas and heritage values within the Parramatta City Centre.
- To protect and encourage accessible city blocks by providing active street frontages, and a network of pedestrian-friendly streets, lanes and arcades.

2 Permitted without consent

Nil

3 Permitted with consent

Building identification signs; Business identification signs; Business premises; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hospitals; Hotel or motel accommodation; Information and education facilities; Medical centres; Office premises; Oyster aquaculture; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Tank-based aquaculture; Tourist and visitor accommodation

4 Prohibited

Pond-based aquaculture; Any other development not specified in item 2 or 3

SECTION B

State Policies and Regional Environmental Plans

The land is also affected by the following State Environmental Planning Policies (SEPP) and Regional Environmental Plans (SREP):

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

State Environmental Planning Policy (SEPP) No.21 - Caravan Parks
State Environmental Planning Policy (SEPP) No.33 -Hazardous and Offensive Development
State Environmental Planning Policy (SEPP) No.55 - Remediation of Land
State Environmental Planning Policy (SEPP) No.64 - Advertising and Signage
State Environmental Planning Policy (SEPP) No.65 – Design Quality of Residential Flat Development.
State Environmental Planning Policy (SEPP) No.70 -Affordable Housing (Revised Schemes)
State Environmental Planning Policy (SEPP) (Housing for Seniors or People with a Disability) 2004
State Environmental Planning Policy (SEPP) (Building Sustainability Index: BASIX) 2004
State Environmental Planning Policy (SEPP) (State Significant Precincts) 2005
State Environmental Planning Policy (SEPP) (Mining, Petroleum Production and Extractive Industries) 2007
State Environmental Planning Policy (SEPP) (Infrastructure) 2007
State Environmental Planning Policy (SEPP) (Exempt and Complying Development Codes) 2008
State Environmental Planning Policy (SEPP) (Affordable Rental Housing) 2009
State Environmental Planning Policy (SEPP) (Vegetation in Non-Rural Areas) 2017
State Environmental Planning Policy (SEPP) (Educational Establishments and Child Care Facilities) 2017
State Environmental Planning Policy (SEPP) (Concurrences) 2018
State Environmental Planning Policy (SEPP) (Primary Production and Rural Development) 2019

Sydney Regional Environmental Plan (SREP) No.9 (No.2) - Extractive Industries
Sydney Regional Environmental Plan (SREP) – (Sydney Harbour Catchment) 2005

DRAFT State Environmental Planning Policy to amend State Environmental Planning Policy (SEPP) (Sydney Region Growth Centres) 2006 – Amendment to include the Greater Parramatta Priority Growth Area as a Growth Centre
DRAFT State Environmental Planning Policy (Draft SEPP) – Environment

N.B. All enquiries as to the application of Draft State Environmental Planning Policies should be directed to The NSW Department of Planning, Industry and Environment.

Draft Local Environmental Plan

The land is affected by a Draft Local Environmental Plan which has been placed on Public Exhibition and has not yet been published. The Draft Local Environmental Plan is described below.

Planning Proposal – Draft Parramatta Local Environmental Plan 2020 (Harmonisation LEP)

This land is affected by a planning proposal seeking to create a single consolidated Local Environmental Plan (LEP) that will apply to the whole City of Parramatta Local Government Area (LGA). The new LEP will replace five (5) existing LEPs where they apply to land within the Parramatta LGA. These include:

- *Auburn Local Environmental Plan 2010*
- *Holroyd Local Environmental Plan 2013*
- *Hornsby Local Environmental Plan 2013*
- *Parramatta Local Environmental Plan 2011*
- *Parramatta (former The Hills) Local Environmental Plan 2012*

The new Parramatta LEP will create a common set of objectives, land use tables and provisions for all land within the LGA. This will result in some changes to the current planning controls applying to certain areas, including:

- Changes to land uses permitted in certain areas, because of the creation of a common set of land use tables.
- Prohibiting dual occupancy developments in certain locations.
- A minimum lot size of 600sqm and frontage to a public road of 15 metres development standards for Dual Occupancies or Manor Houses where they are permitted;
- Changes to height and FSR controls applying to residential zones – these include:
 - applying a FSR of 0.5:1 to R2 Low Density Residential zoned land and a FSR of 0.6:1 to R3 Medium Density Residential zoned land in the Parramatta (former The Hills) LEP 2012 and Hornsby Council LEP 2013 (where none currently applies);
 - reducing the FSR from 0.75:1 to 0.6:1 applying to R3 Medium Density Residential zoned land in Silverwater;
 - increasing the height limit from 8.5 metres to 9 metres applying to R2 Low Density Residential zoned land in the Hornsby Council LEP 2013;
 - applying a 11 metre height limit to R3 Medium Density Residential zoned land in the Parramatta (former The Hills) LEP 2012, Hornsby LEP 2013 and Auburn LEP 2010;
 - applying a FSR control to R4 High Density Residential zoned land in the former Parramatta (former The Hills) LEP 2012, Hornsby LEP 2013 and Auburn LEP 2010 (where none is currently applied); and,
 - A limited number of targeted site-specific changes associated with changes of zoning or to address anomalies.
- Applying a 550sqm minimum subdivision lot size to residential land (except R2 Low Density Residential zoned land in the Parramatta (former The Hills) LEP 2012, which will retain the existing 700sqm requirement)
- Mapping of additional Biodiversity Land and Riparian Land and Waterways
- A limited number of changes to the zoning of some sites to address inconsistencies and anomalies across current land use plans, this includes:
 - Removing the R1 General Residential zone, and rezoning this land to R4 High Density Residential or R3 Medium Density Residential;
 - Rezoning all public bushland reserves to E2 Environmental Conservation;
 - Rezoning some R3 Medium Density Residential zoned land in Northmead, North Rocks and Carlingford to R2 Low Density Residential; and,
 - Rezoning existing lawful places of public worship in the former Parramatta Council area from SP1 Special Activities to R2 Low Density Residential.

Further information on the Planning Proposal for the new Parramatta Local Environmental Plan (LEP) can be found at: www.cityofparramatta.nsw.gov.au/planningharmonisation or by contacting Council

Please note. Council is separately progressing a number of planning proposals relating to specific sites in the LGA. The intention is that, should these site-specific planning proposals be finalised before the new consolidated LEP is made, the respective amendments to planning controls will be carried over into the new LEP and the Harmonisation Planning Proposal will be updated as needed.

Proposed Zoning Draft Parramatta LEP 2020

The land is proposed to be zoned in the in the Draft Parramatta LEP 2020:

B3 Commercial Core PLEP2020

Proposed Zone B3 Commercial Core (Draft Parramatta LEP 2020)

Note: The following land use table is an excerpt from the Draft Parramatta Local Environmental Plan 2020 (Harmonisation LEP) document exhibited on 31 August 2020 and must be read in conjunction with and subject to other provisions of that draft instrument.

Zone B3 Commercial Core

1 Objectives of zone

- To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.
- To encourage appropriate employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To strengthen the role of the Parramatta City Centre as the regional business, retail and cultural centre, and as a primary retail centre in the Greater Metropolitan Region.
- To create opportunities to improve the public domain and pedestrian links throughout the Parramatta City Centre.
- To provide for the retention and creation of view corridors.
- To protect and enhance the unique qualities and character of special areas and heritage values within the Parramatta City Centre.
- To protect and encourage accessible city blocks by providing active street frontages, and a network of pedestrian-friendly streets, lanes and arcades.

2 Permitted without consent

Nil

3 Permitted with consent

Building identification signs; Business identification signs; Business premises; Car parks; Centre-based child care facilities; Commercial premises;

Community facilities; Educational establishments; Entertainment facilities; Function centres; Hospitals; Hotel or motel accommodation; Information and education facilities; Medical centres; Office premises; Oyster aquaculture; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Tank-based aquaculture; Tourist and visitor accommodation

4 Prohibited

Pond-based aquaculture; Any other development not specified in item 2 or 3

Planning Proposal – Parramatta CBD Planning Proposal – Parramatta LEP 2011

This land is affected by a planning proposal seeking to amend Parramatta Local Environmental Plan (LEP) 2011. The planning proposal applies to land collectively referred to as the Parramatta City Centre and Experiment Farm and seeks to amend the Parramatta Local Environmental Plan (LEP) 2011 by:

- rezoning some land;
- increase the floor space ratio (FSR) permitted on some land;
- increase the height of buildings (HOB) permitted on some land;
- amend the sun access protection provisions, airspace operations clause, and design excellence clauses;
- include a requirement for non-residential floor space in parts of the some mixed use zones;
- include a requirement for active frontages to certain streets and public spaces;
- include a requirement for end of journey facilities;
- include amendment to encourage high yield employment uses;
- include a new clause to encourage high performing buildings;
- include a new clause to encourage the provision of community infrastructure;
- a new clause to preserve existing controls in the 'Park Edge Highly Sensitive' area, Parramatta Park, Parramatta Stadium, certain land zoned B5 Business Development west of Church Street (behind Auto Alley); and certain land zoned B4 Mixed Use at the intersection of Church Street and Pennant Hills Road;
- include additional clauses to Schedule 1 – Additional Permitted Uses of the Parramatta LEP 2011;
- a new heritage clause to require a higher standard of development that affects heritage;
- new clauses for the Marion Street precinct;
- amend the following maps in the Parramatta LEP 2011:
 - Amend the Land Application Map
 - Amend the Additional Local Provisions Map
 - Amend the Land Zoning Map
 - Amend the Floor Space Ratio Map
 - Amend the Height of Buildings Map
 - Amend the Additional Permitted Uses Map
 - Amend the Special Provisions Area Map

- Amend Heritage Map
- Land Reservation Acquisition Map
- And;
- create new maps for inclusion in the Parramatta LEP 2011:
 - Create a new Incentive Floor Space Ratio Map
 - Create a new Incentive Height of Buildings Map
 - Create a new Sun Access Protection Map
 - Create a new Active Street Frontage Map
 - Create a new Opportunity Sites Map
 - Create a new Floodplain Risk Management Map

Further information on the Parramatta CBD Planning Proposal to amend Parramatta Local Environmental Plan (LEP) 2011 can be found at <https://participate.cityofparramatta.nsw.gov.au> or by contacting Council.

Flood Plain Risk Management Area

The planning proposal seeks to include the land in a Flood Plain Risk Management Area on the proposed Floodplain Risk Management Map of the Parramatta Local Environmental Plan 2011.

Development Control Plan

The land is affected by Parramatta Development Control Plan 2011.

The Minister for Planning has issued directions that provisions of an EPI do not apply to certain Part 4 development where a concept plan has been approved under Part 3A.

Development Contribution Plan

The Parramatta Civic Improvement Plan (Amendment No. 5) applies to this land.

Heritage Item/Heritage Conservation Area

An item of environmental heritage is not situated on the land.

The land is not located in a heritage conservation area.

Road Widening

The land is not affected by 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.

Land Reservation Acquisition

The land is not affected by Land Reservation Acquisition in Parramatta Local Environmental Plan 2011.

Site Compatibility Certificate (Seniors Housing, Infrastructure and Affordable Rental Housing)

At the date of issue of this certificate Council is not aware of any

- a. Site compatibility certificate (affordable rental housing),
- b. Site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments),
- c. Site compatibility certificate (seniors housing)

in respect to the land issued pursuant to the Environmental Planning & Assessment Amendment (Site Compatibility Certificates) Regulation 2009 (NSW).

Contamination

Matters contained in Clause 59(2) as amended in the Contaminated Land Management Act 1997 – as listed:

Clause 59(2)(a) - is the land to which the certificate relates is significantly contaminated land?

NO

Clause 59(2)(b) - is the land to which the certificate relates is subject to a management order?

NO

Clause 59(2)(c) - is the land to which the certificate relates is the subject of an approved voluntary management proposal?

NO

Clause 59(2)(d) - is the land to which the certificate relates is subject to an ongoing maintenance order?

NO

Clause 59(2)(e) - is the land to which the certificate relates is the subject of a site audit statement?

NO

Tree Preservation

The land is subject to Section 5.4 Preservation of Trees or Vegetation in Parramatta Development Control Plan 2011.

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

Coastal Protection

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

NO

Council Policy

Council has not adopted a policy to restrict the development of the land by reason of the likelihood of projected sea level rise (coastal protection), tidal inundation, subsidence or any other risk.

Council has adopted a policy covering the entire City of Parramatta to restrict development of any land by reason of the likelihood of flooding.

Council has adopted by resolution a policy on contaminated land that applies to all land within the City of Parramatta. The Policy will restrict the development of the land if the circumstances set out in the policy prevail. A copy of the policy is available on Council's website at www.cityofparramatta.nsw.gov.au or from the Customer Service Centre.

Mine Subsidence

The land is not affected by the Coal Mine Subsidence Compensation Act 2017 proclaiming land to be a Mine Subsidence District.

Bushfire Land

The land is not bushfire prone land.

Threatened Species

The Environment Agency Head with responsibility for the Biodiversity Conservation Act 2016 has not advised Council that the land includes or comprises an area of outstanding biodiversity value.

Biodiversity certified land

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

Note. *Biodiversity certified land includes land certified under Part 7AA of the Threatened Species Conservation Act 1995 that is taken to be certified under Part 8 of the Biodiversity Conservation Act 2016.*

Biodiversity stewardship sites

The Chief Executive of the Office of Environment and Heritage has not notified the Council if the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the Biodiversity Conservation Act 2016.

Note: Biodiversity stewardship agreements include biobanking agreements under Part 7A of the Threatened Species Conservation Act 1995 that are taken to be biodiversity stewardship agreements under Part 5 of the Biodiversity Conservation Act 2016.

Native vegetation clearing set asides

Council has not been notified of the land containing a set aside area under section 60ZC of the Local Land Services Act 2013.

Property vegetation plans

Council has not been notified of the existence of the property vegetation plan approved under Part 4 of the Native Vegetation Act 2003 on the land.

Paper Subdivision information

The land is not subject to any development plan adopted by a relevant authority or that is proposed to be subject to a consent ballot. A subdivision order does not apply to the land.

Note: Words and expressions used in this clause have the same meaning as they have in Part 16C of the Environmental Planning and Assessment Regulation 2000.

Loose-Fill Asbestos Register

Council has not been notified by NSW Fair Trading of the property being listed on the loose-fill asbestos insulation register maintained by the Secretary of NSW Fair Trading.

Site verification certificates

Council is not aware of whether there is a current site verification certificate in respect of the land.

Affected Building Notices and Building Product Rectification Orders

Council is not aware of whether there is any affected building notice, building product rectification order or notice of intention to make a building product rectification order that is in force in respect of the land.

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

**State Environmental Planning Policy
(Exempt and Complying Development Codes) 2008**

Note: This does not constitute a Complying Development Certificate under section 4.27 of the Environmental Planning and Assessment Act 1979

The following information only addresses whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of **Clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1)(c3) and 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. It is not a statement that complying development is permissible on the land.

Other land exemptions within of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 may also apply. Furthermore, other provisions within the relevant Local Environmental Plan or a State Environmental Planning Policy which restrict complying development on the land may also apply.

It is your responsibility to ensure that you comply with the relevant complying development provisions for the land. Failure to comply with these provisions may mean that a Complying Development Certificate is invalid.

Housing Code; Low Rise Housing Diversity Code; Rural Housing Code

Complying Development pursuant to the Housing Code, Low Rise Housing Diversity Code and Rural Housing Code **may** be carried out on the land under **Clause 1.17A (1) (c) to (e), (2), (3) and (4) and Clause 1.18 (1)(c3) and Clause 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Commercial and Industrial (New Buildings and Additions) Code

Complying Development pursuant to the Commercial and Industrial (New Buildings and Additions) Code **may** be carried out on the land under **Clause 1.17A (1) (c) to (e), (2), (3) and (4) and Clause 1.18 (1)(c3) and Clause 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Housing Alterations Code; General Development Code; General Commercial and Industrial (Alterations) Code; Container Recycling Facilities Code; Subdivision Code; Demolition Code; Fire Safety Code

Complying Development pursuant to the Housing Alterations Code, General Development Code, General Commercial and Industrial (Alterations) Code, Container Recycling Facilities Code, Subdivision Code, Demolition Code and Fire Safety Code **may** be carried out on the land under **Clause 1.17A (1) (c) to (e), (2), (3) and (4) and Clause 1.18 (1)(c3) and Clause 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

SPECIAL NOTES

The land is identified as Class 4 on the Acid Sulfate Soils map. Refer to Clause 6.1 of Parramatta Local Environmental Plan 2011.

Applicants for Sections 10.7 Certificates are advised that Council does not hold sufficient information to fully detail the effect of any encumbrances on the title of the subject land. The information available to Council is provided on the basis that neither Council nor its servants hold out advice or warrant to you in any way its accuracy, nor shall Council or its servants, be liable for any negligence in the preparation of that information. Further information should be sought from relevant Statutory Departments.

SECTION C**The following additional information is issued under Section 10.7(5)**

Pursuant to S10.7(5) the Council supplies information as set out below on the basis that the Council takes no responsibility for the accuracy of the information. The information if material should be independently checked by the applicant.

Civic Link Precinct – Parramatta Development Control Plan (DCP) 2011

The land is located within the Civic Link Precinct as identified in Section 4.3.3.7 (m) of the Parramatta Development Control Plan 2011. The Civic Link Precinct will be a new pedestrian, public space within the City Centre linking Parramatta Square to the Parramatta River foreshore. The controls in this section of the DCP describes the spatial definition of the Civic Link; changes to through block movement patterns; new streets, laneways and open spaces; and future development form.

Note: Section 4.3.3.7 (m) of the DCP sets high-level planning controls for Civic Link Precinct areas between Macquarie Street and the Parramatta River (Blocks 2, 3 and 4 as shown in Figure 4.3.3.7.51 Civic Link Precinct), with more detailed controls to be finalised. Persons wishing to develop land within one of these areas are recommended to contact Council's Land Use Team on 9806 5050 or email council@cityofparramatta.nsw.gov.au.

Additional Local Provisions

This land is identified on the Additional Local Provisions Map of the Parramatta Local Environmental Plan 2011. Part 7 Additional local provisions – Parramatta City Centre of the Parramatta Local Environmental Plan 2011 applies to the land.

Aboriginal Sensitivity Map - Parramatta Development Control Plan (DCP) 2011

Aboriginal Heritage – High Sensitivity – potential to contain items of Aboriginal heritage. Contact Council's Customer Service/Duty Planner (02) 9806 5050 for more information.

Flood Information

The land is affected by a 100 year Average Recurrence Interval flood as indicated by Council's current flooding information. As such Council is required to take that into account when determining any development application made in respect of the land.

Further information is available at the Catchment Management Section within Council's City Assets and Environment Unit.

Additional advice should be also sought from an appropriately qualified person as to the extents and potential hazards associated with the likely flooding of the land. The names of qualified persons maybe obtained from the Institution of Engineers Australia.

Interim Sydney Metro West Corridor - Infrastructure SEPP

Mapping associated with State Environmental Planning Policy (Infrastructure) 2007 (the Infrastructure SEPP) indicates that the land or part of the land is within the Interim Sydney Metro West Corridor.

Note: Advisory Information Regarding Proximity to a Commercial Centre

The land is within proximity to a major, strategic or local commercial centre. Council is looking to encourage greater activation and investment in these centres by developing the night time economy across the City of Parramatta. Future residents should be aware that the nature and scale of facilities, business activity and events held in these centres may affect the use and enjoyment of the land as a result of operating hours, odour, noise, lighting, traffic and measures associated with event management.

This is considered part of living in/near a commercial centre.

Note: Draft City of Parramatta (Outside CBD) Development Contributions Plan

On 17 March 2021 Council Exhibited a draft Development Contribution Plan - the Draft City of Parramatta (Outside CBD) Development Contributions Plan. It is proposed that the Draft City of Parramatta (Outside CBD) Development Contributions Plan will apply to all land within the City of Parramatta LGA, except for land within the Parramatta CBD and Sydney Olympic Park. The proposed Draft City of Parramatta (Outside CBD) Development Contributions Plan will replace eight (8) existing Development Contribution Plans where they apply to land within the Parramatta LGA. These include:

- Parramatta Section 94A Development Contribution Plan (Amendment No. 5);
- Auburn Development Contributions Plan 2007 Amendment No 1;
- Carter Street Precinct Development Contributions Plan 2016;
- Holroyd Section 94 Plan 2013;
- City of Parramatta S94 Development Contributions Plan (formerly Hornsby LGA Land and Epping Town Centre);
- City of Parramatta S94A Development Contributions Plan (formerly Hornsby LGA Land and Epping Town Centre);
- City of Parramatta Section 94A Development Contribution Plan (Former Hills LGA Land); and
- Contributions Plan 14 - Carlingford Precinct.

Further information about the Draft City of Parramatta (Outside CBD) Development Contributions Plan can be found at <https://participate.cityofparramatta.nsw.gov.au/outside-cbd-contributions> or by contacting Council.

Note: Advisory Information regarding Combustible Cladding

External combustible cladding on multi-storey buildings has been identified in local government areas including the City of Parramatta. Combustible cladding is a material that is capable of readily burning.

You should make your own enquiries as to the type of materials that have been used to construct the building. It is recommended that the purchaser obtain a building report from an appropriately qualified person to determine if any cladding type material may pose a risk to the building's occupants. Council may issue orders to rectify a building where combustible cladding is found.

Properties that have combustible cladding on buildings are listed in the NSW Government Combustible Cladding Register. Please refer to <https://www.claddingregistration.nsw.gov.au/> or call 1300 305 695 for further information regarding the NSW Government Combustible Cladding Register.

There is potential for combustible cladding to be present on buildings that are not listed on the Register.

Note: Advisory Information regarding Loose-Fill asbestos Insulation

Research undertaken by the Loose-Fill Asbestos Insulation Taskforce has determined that there is a potential for loose-fill asbestos insulation to be found in residential dwellings constructed prior to 1980 in 28 local government areas including the City of Parramatta.

Some residential homes located in the City of Parramatta may contain loose-fill asbestos insulation, for example in the roof space. NSW Fair Trading maintains a Register of homes that are affected by loose-fill asbestos insulation.

You should make your own enquiries as to the age of the buildings on the land to which this certificate relates and, if it contains a building constructed prior to 1980, the council strongly recommends that any potential purchaser obtain advice from a licensed asbestos assessor to determine whether loose fill asbestos is present in any building on the land and, if so, the health risks (if any) this may pose for the building's occupants.

Please Contact NSW Fair Trading for further information.

This information has been provided pursuant to section 10.7(5) of the Environmental Planning and Assessment Act, 1979 as amended.

Brett Newman
Chief Executive Officer

per



dated 16 April 2021

PLANNING CERTIFICATE

CERTIFICATE UNDER SECTION 10.7

Environmental Planning and Assessment Act, 1979 as amended

Certificate No: 2021/2809
Fee: \$133.00
Issue Date: 16 April 2021
Receipt No: 6336113
Applicant Ref: EDS WP44 10.7(2)C:147913

DESCRIPTION OF LAND

Address: Smith House
70 Macquarie Street
PARRAMATTA NSW 2150
Lot Details: Lot E DP 402952

SECTION A

The following Environmental Planning Instrument to which this certificate relates applies to the land:

Parramatta Local Environmental Plan 2011

For the purpose of **Section 10.7(2)** it is advised that as the date of this certificate the abovementioned land is affected by the matters referred to as follows:

Contact us:

council@cityofparramatta.nsw.gov.au | 02 9806 5050
@cityofparramatta | PO Box 32, Parramatta, NSW 2124
ABN 49 907 174 773 | cityofparramatta.nsw.gov.au

The land is zoned: B3 Commercial Core PLEP2011

Zone B3 - Commercial Core (Parramatta Local Environmental Plan 2011)

Issued pursuant to Section 10.7 of the Environmental Planning and Assessment Act, 1979.

NOTE: This table is an excerpt from Parramatta Local Environmental Plan 2011 and must be read in conjunction with and subject to the other provisions of that instrument, and in force at that date.

Zone B3 Commercial Core

1 Objectives of zone

- To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.
- To encourage appropriate employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To strengthen the role of the Parramatta City Centre as the regional business, retail and cultural centre, and as a primary retail centre in the Greater Metropolitan Region.
- To create opportunities to improve the public domain and pedestrian links throughout the Parramatta City Centre.
- To provide for the retention and creation of view corridors.
- To protect and enhance the unique qualities and character of special areas and heritage values within the Parramatta City Centre.
- To protect and encourage accessible city blocks by providing active street frontages, and a network of pedestrian-friendly streets, lanes and arcades.

2 Permitted without consent

Nil

3 Permitted with consent

Building identification signs; Business identification signs; Business premises; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hospitals; Hotel or motel accommodation; Information and education facilities; Medical centres; Office premises; Oyster aquaculture; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Tank-based aquaculture; Tourist and visitor accommodation

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Pond-based aquaculture; Any other development not specified in item 2 or 3

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State Environmental Planning Policy (SEPP) (Educational Establishments and Child Care Facilities) 2017
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DRAFT State Environmental Planning Policy to amend State Environmental Planning Policy (SEPP) (Sydney Region Growth Centres) 2006 – Amendment to include the Greater Parramatta Priority Growth Area as a Growth Centre
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N.B. All enquiries as to the application of Draft State Environmental Planning Policies should be directed to The NSW Department of Planning, Industry and Environment.

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The new Parramatta LEP will create a common set of objectives, land use tables and provisions for all land within the LGA. This will result in some changes to the current planning controls applying to certain areas, including:

- Changes to land uses permitted in certain areas, because of the creation of a common set of land use tables.
- Prohibiting dual occupancy developments in certain locations.
- A minimum lot size of 600sqm and frontage to a public road of 15 metres development standards for Dual Occupancies or Manor Houses where they are permitted;
- Changes to height and FSR controls applying to residential zones – these include:
 - applying a FSR of 0.5:1 to R2 Low Density Residential zoned land and a FSR of 0.6:1 to R3 Medium Density Residential zoned land in the Parramatta (former The Hills) LEP 2012 and Hornsby Council LEP 2013 (where none currently applies);
 - reducing the FSR from 0.75:1 to 0.6:1 applying to R3 Medium Density Residential zoned land in Silverwater;
 - increasing the height limit from 8.5 metres to 9 metres applying to R2 Low Density Residential zoned land in the Hornsby Council LEP 2013;
 - applying a 11 metre height limit to R3 Medium Density Residential zoned land in the Parramatta (former The Hills) LEP 2012, Hornsby LEP 2013 and Auburn LEP 2010;
 - applying a FSR control to R4 High Density Residential zoned land in the former Parramatta (former The Hills) LEP 2012, Hornsby LEP 2013 and Auburn LEP 2010 (where none is currently applied); and,
 - A limited number of targeted site-specific changes associated with changes of zoning or to address anomalies.
- Applying a 550sqm minimum subdivision lot size to residential land (except R2 Low Density Residential zoned land in the Parramatta (former The Hills) LEP 2012, which will retain the existing 700sqm requirement)
- Mapping of additional Biodiversity Land and Riparian Land and Waterways
- A limited number of changes to the zoning of some sites to address inconsistencies and anomalies across current land use plans, this includes:
 - Removing the R1 General Residential zone, and rezoning this land to R4 High Density Residential or R3 Medium Density Residential;
 - Rezoning all public bushland reserves to E2 Environmental Conservation;
 - Rezoning some R3 Medium Density Residential zoned land in Northmead, North Rocks and Carlingford to R2 Low Density Residential; and,
 - Rezoning existing lawful places of public worship in the former Parramatta Council area from SP1 Special Activities to R2 Low Density Residential.

Further information on the Planning Proposal for the new Parramatta Local Environmental Plan (LEP) can be found at: www.cityofparramatta.nsw.gov.au/planningharmonisation or by contacting Council

Please note. Council is separately progressing a number of planning proposals relating to specific sites in the LGA. The intention is that, should these site-specific planning proposals be finalised before the new consolidated LEP is made, the respective amendments to planning controls will be carried over into the new LEP and the Harmonisation Planning Proposal will be updated as needed.

Proposed Zoning Draft Parramatta LEP 2020

The land is proposed to be zoned in the in the Draft Parramatta LEP 2020:

B3 Commercial Core PLEP2020

Proposed Zone B3 Commercial Core (Draft Parramatta LEP 2020)

Note: The following land use table is an excerpt from the Draft Parramatta Local Environmental Plan 2020 (Harmonisation LEP) document exhibited on 31 August 2020 and must be read in conjunction with and subject to other provisions of that draft instrument.

Zone B3 Commercial Core

1 Objectives of zone

- To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.
- To encourage appropriate employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To strengthen the role of the Parramatta City Centre as the regional business, retail and cultural centre, and as a primary retail centre in the Greater Metropolitan Region.
- To create opportunities to improve the public domain and pedestrian links throughout the Parramatta City Centre.
- To provide for the retention and creation of view corridors.
- To protect and enhance the unique qualities and character of special areas and heritage values within the Parramatta City Centre.
- To protect and encourage accessible city blocks by providing active street frontages, and a network of pedestrian-friendly streets, lanes and arcades.

2 Permitted without consent

Nil

3 Permitted with consent

Building identification signs; Business identification signs; Business premises; Car parks; Centre-based child care facilities; Commercial premises;

Community facilities; Educational establishments; Entertainment facilities; Function centres; Hospitals; Hotel or motel accommodation; Information and education facilities; Medical centres; Office premises; Oyster aquaculture; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Tank-based aquaculture; Tourist and visitor accommodation

4 Prohibited

Pond-based aquaculture; Any other development not specified in item 2 or 3

Planning Proposal – Parramatta CBD Planning Proposal – Parramatta LEP 2011

This land is affected by a planning proposal seeking to amend Parramatta Local Environmental Plan (LEP) 2011. The planning proposal applies to land collectively referred to as the Parramatta City Centre and Experiment Farm and seeks to amend the Parramatta Local Environmental Plan (LEP) 2011 by:

- rezoning some land;
- increase the floor space ratio (FSR) permitted on some land;
- increase the height of buildings (HOB) permitted on some land;
- amend the sun access protection provisions, airspace operations clause, and design excellence clauses;
- include a requirement for non-residential floor space in parts of the some mixed use zones;
- include a requirement for active frontages to certain streets and public spaces;
- include a requirement for end of journey facilities;
- include amendment to encourage high yield employment uses;
- include a new clause to encourage high performing buildings;
- include a new clause to encourage the provision of community infrastructure;
- a new clause to preserve existing controls in the 'Park Edge Highly Sensitive' area, Parramatta Park, Parramatta Stadium, certain land zoned B5 Business Development west of Church Street (behind Auto Alley); and certain land zoned B4 Mixed Use at the intersection of Church Street and Pennant Hills Road;
- include additional clauses to Schedule 1 – Additional Permitted Uses of the Parramatta LEP 2011;
- a new heritage clause to require a higher standard of development that affects heritage;
- new clauses for the Marion Street precinct;
- amend the following maps in the Parramatta LEP 2011:
 - Amend the Land Application Map
 - Amend the Additional Local Provisions Map
 - Amend the Land Zoning Map
 - Amend the Floor Space Ratio Map
 - Amend the Height of Buildings Map
 - Amend the Additional Permitted Uses Map
 - Amend the Special Provisions Area Map

- Amend Heritage Map
- Land Reservation Acquisition Map
- And;
- create new maps for inclusion in the Parramatta LEP 2011:
 - Create a new Incentive Floor Space Ratio Map
 - Create a new Incentive Height of Buildings Map
 - Create a new Sun Access Protection Map
 - Create a new Active Street Frontage Map
 - Create a new Opportunity Sites Map
 - Create a new Floodplain Risk Management Map

Further information on the Parramatta CBD Planning Proposal to amend Parramatta Local Environmental Plan (LEP) 2011 can be found at <https://participate.cityofparramatta.nsw.gov.au> or by contacting Council.

Flood Plain Risk Management Area

The planning proposal seeks to include the land in a Flood Plain Risk Management Area on the proposed Floodplain Risk Management Map of the Parramatta Local Environmental Plan 2011.

Development Control Plan

The land is affected by Parramatta Development Control Plan 2011.

The Minister for Planning has issued directions that provisions of an EPI do not apply to certain Part 4 development where a concept plan has been approved under Part 3A.

Development Contribution Plan

The Parramatta Civic Improvement Plan (Amendment No. 5) applies to this land.

Heritage Item/Heritage Conservation Area

An item of environmental heritage is not situated on the land.

The land is not located in a heritage conservation area.

Road Widening

The land is not affected by 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.

Land Reservation Acquisition

The land is not affected by Land Reservation Acquisition in Parramatta Local Environmental Plan 2011.

Site Compatibility Certificate (Seniors Housing, Infrastructure and Affordable Rental Housing)

At the date of issue of this certificate Council is not aware of any

- a. Site compatibility certificate (affordable rental housing),
- b. Site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments),
- c. Site compatibility certificate (seniors housing)

in respect to the land issued pursuant to the Environmental Planning & Assessment Amendment (Site Compatibility Certificates) Regulation 2009 (NSW).

Contamination

Matters contained in Clause 59(2) as amended in the Contaminated Land Management Act 1997 – as listed:

Clause 59(2)(a) - is the land to which the certificate relates is significantly contaminated land?

NO

Clause 59(2)(b) - is the land to which the certificate relates is subject to a management order?

NO

Clause 59(2)(c) - is the land to which the certificate relates is the subject of an approved voluntary management proposal?

NO

Clause 59(2)(d) - is the land to which the certificate relates is subject to an ongoing maintenance order?

NO

Clause 59(2)(e) - is the land to which the certificate relates is the subject of a site audit statement?

NO

Tree Preservation

The land is subject to Section 5.4 Preservation of Trees or Vegetation in Parramatta Development Control Plan 2011.

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

Coastal Protection

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

NO

Council Policy

Council has not adopted a policy to restrict the development of the land by reason of the likelihood of projected sea level rise (coastal protection), tidal inundation, subsidence or any other risk.

Council has adopted a policy covering the entire City of Parramatta to restrict development of any land by reason of the likelihood of flooding.

Council has adopted by resolution a policy on contaminated land that applies to all land within the City of Parramatta. The Policy will restrict the development of the land if the circumstances set out in the policy prevail. A copy of the policy is available on Council's website at www.cityofparramatta.nsw.gov.au or from the Customer Service Centre.

Mine Subsidence

The land is not affected by the Coal Mine Subsidence Compensation Act 2017 proclaiming land to be a Mine Subsidence District.

Bushfire Land

The land is not bushfire prone land.

Threatened Species

The Environment Agency Head with responsibility for the Biodiversity Conservation Act 2016 has not advised Council that the land includes or comprises an area of outstanding biodiversity value.

Biodiversity certified land

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

Note. *Biodiversity certified land includes land certified under Part 7AA of the Threatened Species Conservation Act 1995 that is taken to be certified under Part 8 of the Biodiversity Conservation Act 2016.*

Biodiversity stewardship sites

The Chief Executive of the Office of Environment and Heritage has not notified the Council if the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the Biodiversity Conservation Act 2016.

Note: Biodiversity stewardship agreements include biobanking agreements under Part 7A of the Threatened Species Conservation Act 1995 that are taken to be biodiversity stewardship agreements under Part 5 of the Biodiversity Conservation Act 2016.

Native vegetation clearing set asides

Council has not been notified of the land containing a set aside area under section 60ZC of the Local Land Services Act 2013.

Property vegetation plans

Council has not been notified of the existence of the property vegetation plan approved under Part 4 of the Native Vegetation Act 2003 on the land.

Paper Subdivision information

The land is not subject to any development plan adopted by a relevant authority or that is proposed to be subject to a consent ballot. A subdivision order does not apply to the land.

Note: Words and expressions used in this clause have the same meaning as they have in Part 16C of the Environmental Planning and Assessment Regulation 2000.

Loose-Fill Asbestos Register

Council has not been notified by NSW Fair Trading of the property being listed on the loose-fill asbestos insulation register maintained by the Secretary of NSW Fair Trading.

Site verification certificates

Council is not aware of whether there is a current site verification certificate in respect of the land.

Affected Building Notices and Building Product Rectification Orders

Council is not aware of whether there is any affected building notice, building product rectification order or notice of intention to make a building product rectification order that is in force in respect of the land.

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

**State Environmental Planning Policy
(Exempt and Complying Development Codes) 2008**

Note: This does not constitute a Complying Development Certificate under section 4.27 of the Environmental Planning and Assessment Act 1979

The following information only addresses whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of **Clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1)(c3) and 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. It is not a statement that complying development is permissible on the land.

Other land exemptions within of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 may also apply. Furthermore, other provisions within the relevant Local Environmental Plan or a State Environmental Planning Policy which restrict complying development on the land may also apply.

It is your responsibility to ensure that you comply with the relevant complying development provisions for the land. Failure to comply with these provisions may mean that a Complying Development Certificate is invalid.

Housing Code; Low Rise Housing Diversity Code; Rural Housing Code

Complying Development pursuant to the Housing Code, Low Rise Housing Diversity Code and Rural Housing Code **may** be carried out on the land under **Clause 1.17A (1) (c) to (e), (2), (3) and (4) and Clause 1.18 (1)(c3) and Clause 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Commercial and Industrial (New Buildings and Additions) Code

Complying Development pursuant to the Commercial and Industrial (New Buildings and Additions) Code **may** be carried out on the land under **Clause 1.17A (1) (c) to (e), (2), (3) and (4) and Clause 1.18 (1)(c3) and Clause 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Housing Alterations Code; General Development Code; General Commercial and Industrial (Alterations) Code; Container Recycling Facilities Code; Subdivision Code; Demolition Code; Fire Safety Code

Complying Development pursuant to the Housing Alterations Code, General Development Code, General Commercial and Industrial (Alterations) Code, Container Recycling Facilities Code, Subdivision Code, Demolition Code and Fire Safety Code **may** be carried out on the land under **Clause 1.17A (1) (c) to (e), (2), (3) and (4) and Clause 1.18 (1)(c3) and Clause 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

SPECIAL NOTES

The land is identified as Class 4 on the Acid Sulfate Soils map. Refer to Clause 6.1 of Parramatta Local Environmental Plan 2011.

Applicants for Sections 10.7 Certificates are advised that Council does not hold sufficient information to fully detail the effect of any encumbrances on the title of the subject land. The information available to Council is provided on the basis that neither Council nor its servants hold out advice or warrant to you in any way its accuracy, nor shall Council or its servants, be liable for any negligence in the preparation of that information. Further information should be sought from relevant Statutory Departments.

SECTION C**The following additional information is issued under Section 10.7(5)**

Pursuant to S10.7(5) the Council supplies information as set out below on the basis that the Council takes no responsibility for the accuracy of the information. The information if material should be independently checked by the applicant

Civic Link Precinct – Parramatta Development Control Plan (DCP) 2011

The land is located within the Civic Link Precinct as identified in Section 4.3.3.7 (m) of the Parramatta Development Control Plan 2011. The Civic Link Precinct will be a new pedestrian, public space within the City Centre linking Parramatta Square to the Parramatta River foreshore. The controls in this section of the DCP describes the spatial definition of the Civic Link; changes to through block movement patterns; new streets, laneways and open spaces; and future development form.

Note: Section 4.3.3.7 (m) of the DCP sets high-level planning controls for Civic Link Precinct areas between Macquarie Street and the Parramatta River (Blocks 2, 3 and 4 as shown in Figure 4.3.3.7.51 Civic Link Precinct), with more detailed controls to be finalised. Persons wishing to develop land within one of these areas are recommended to contact Council's Land Use Team on 9806 5050 or email council@cityofparramatta.nsw.gov.au.

Additional Local Provisions

This land is identified on the Additional Local Provisions Map of the Parramatta Local Environmental Plan 2011. Part 7 Additional local provisions – Parramatta City Centre of the Parramatta Local Environmental Plan 2011 applies to the land.

Aboriginal Sensitivity Map - Parramatta Development Control Plan (DCP) 2011

Aboriginal Heritage – High Sensitivity – potential to contain items of Aboriginal heritage. Contact Council's Customer Service/Duty Planner (02) 9806 5050 for more information.

Flood Information

The land is affected by a 100 year Average Recurrence Interval flood as indicated by Council's current flooding information. As such Council is required to take that into account when determining any development application made in respect of the land.

Further information is available at the Catchment Management Section within Council's City Assets and Environment Unit.

Additional advice should be also sought from an appropriately qualified person as to the extents and potential hazards associated with the likely flooding of the land. The names of qualified persons maybe obtained from the Institution of Engineers Australia.

Interim Sydney Metro West Corridor - Infrastructure SEPP

Mapping associated with State Environmental Planning Policy (Infrastructure) 2007 (the Infrastructure SEPP) indicates that the land or part of the land is within the Interim Sydney Metro West Corridor.

Note: Advisory Information Regarding Proximity to a Commercial Centre

The land is within proximity to a major, strategic or local commercial centre. Council is looking to encourage greater activation and investment in these centres by developing the night time economy across the City of Parramatta. Future residents should be aware that the nature and scale of facilities, business activity and events held in these centres may affect the use and enjoyment of the land as a result of operating hours, odour, noise, lighting, traffic and measures associated with event management.

This is considered part of living in/near a commercial centre.

Note: Draft City of Parramatta (Outside CBD) Development Contributions Plan

On 17 March 2021 Council Exhibited a draft Development Contribution Plan - the Draft City of Parramatta (Outside CBD) Development Contributions Plan. It is proposed that the Draft City of Parramatta (Outside CBD) Development Contributions Plan will apply to all land within the City of Parramatta LGA, except for land within the Parramatta CBD and Sydney Olympic Park. The proposed Draft City of Parramatta (Outside CBD) Development Contributions Plan will replace eight (8) existing Development Contribution Plans where they apply to land within the Parramatta LGA. These include:

- Parramatta Section 94A Development Contribution Plan (Amendment No. 5);
- Auburn Development Contributions Plan 2007 Amendment No 1;
- Carter Street Precinct Development Contributions Plan 2016;
- Holroyd Section 94 Plan 2013;
- City of Parramatta S94 Development Contributions Plan (formerly Hornsby LGA Land and Epping Town Centre);
- City of Parramatta S94A Development Contributions Plan (formerly Hornsby LGA Land and Epping Town Centre);
- City of Parramatta Section 94A Development Contribution Plan (Former Hills LGA Land); and
- Contributions Plan 14 - Carlingford Precinct.

Further information about the Draft City of Parramatta (Outside CBD) Development Contributions Plan can be found at <https://participate.cityofparramatta.nsw.gov.au/outside-cbd-contributions> or by contacting Council.

Note: Advisory Information regarding Combustible Cladding

External combustible cladding on multi-storey buildings has been identified in local government areas including the City of Parramatta. Combustible cladding is a material that is capable of readily burning.

You should make your own enquiries as to the type of materials that have been used to construct the building. It is recommended that the purchaser obtain a building report from an appropriately qualified person to determine if any cladding type material may pose a risk to the building's occupants. Council may issue orders to rectify a building where combustible cladding is found.

Properties that have combustible cladding on buildings are listed in the NSW Government Combustible Cladding Register. Please refer to <https://www.claddingregistration.nsw.gov.au/> or call 1300 305 695 for further information regarding the NSW Government Combustible Cladding Register.

There is potential for combustible cladding to be present on buildings that are not listed on the Register.

Note: Advisory Information regarding Loose-Fill asbestos Insulation

Research undertaken by the Loose-Fill Asbestos Insulation Taskforce has determined that there is a potential for loose-fill asbestos insulation to be found in residential dwellings constructed prior to 1980 in 28 local government areas including the City of Parramatta.

Some residential homes located in the City of Parramatta may contain loose-fill asbestos insulation, for example in the roof space. NSW Fair Trading maintains a Register of homes that are affected by loose-fill asbestos insulation.

You should make your own enquiries as to the age of the buildings on the land to which this certificate relates and, if it contains a building constructed prior to 1980, the council strongly recommends that any potential purchaser obtain advice from a licensed asbestos assessor to determine whether loose fill asbestos is present in any building on the land and, if so, the health risks (if any) this may pose for the building's occupants.

Please Contact NSW Fair Trading for further information.

This information has been provided pursuant to section 10.7(5) of the Environmental Planning and Assessment Act, 1979 as amended.

Brett Newman
Chief Executive Officer

per



dated 16 April 2021

PLANNING CERTIFICATE

CERTIFICATE UNDER SECTION 10.7

Environmental Planning and Assessment Act, 1979 as amended

Certificate No: 2021/2806
Fee: \$133.00
Issue Date: 16 April 2021
Receipt No: 6336113
Applicant Ref: EDS WP44 10.7(2)C:147913

DESCRIPTION OF LAND

Address: Horwood Place Carpark
71 George Street
PARRAMATTA NSW 2150
Lot Details: Lot 100 DP 607789

SECTION A

The following Environmental Planning Instrument to which this certificate relates applies to the land:

Parramatta Local Environmental Plan 2011

For the purpose of **Section 10.7(2)** it is advised that as the date of this certificate the abovementioned land is affected by the matters referred to as follows:

Contact us:

council@cityofparramatta.nsw.gov.au | 02 9806 5050
@cityofparramatta | PO Box 32, Parramatta, NSW 2124
ABN 49 907 174 773 | cityofparramatta.nsw.gov.au

The land is zoned: B3 Commercial Core PLEP2011

Zone B3 - Commercial Core (Parramatta Local Environmental Plan 2011)

Issued pursuant to Section 10.7 of the Environmental Planning and Assessment Act, 1979.

NOTE: This table is an excerpt from Parramatta Local Environmental Plan 2011 and must be read in conjunction with and subject to the other provisions of that instrument, and in force at that date.

Zone B3 Commercial Core

1 Objectives of zone

- To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.
- To encourage appropriate employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To strengthen the role of the Parramatta City Centre as the regional business, retail and cultural centre, and as a primary retail centre in the Greater Metropolitan Region.
- To create opportunities to improve the public domain and pedestrian links throughout the Parramatta City Centre.
- To provide for the retention and creation of view corridors.
- To protect and enhance the unique qualities and character of special areas and heritage values within the Parramatta City Centre.
- To protect and encourage accessible city blocks by providing active street frontages, and a network of pedestrian-friendly streets, lanes and arcades.

2 Permitted without consent

Nil

3 Permitted with consent

Building identification signs; Business identification signs; Business premises; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hospitals; Hotel or motel accommodation; Information and education facilities; Medical centres; Office premises; Oyster aquaculture; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Tank-based aquaculture; Tourist and visitor accommodation

4 Prohibited

Pond-based aquaculture; Any other development not specified in item 2 or 3

SECTION B

State Policies and Regional Environmental Plans

The land is also affected by the following State Environmental Planning Policies (SEPP) and Regional Environmental Plans (SREP):

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

State Environmental Planning Policy (SEPP) No.21 - Caravan Parks
State Environmental Planning Policy (SEPP) No.33 -Hazardous and Offensive Development
State Environmental Planning Policy (SEPP) No.55 - Remediation of Land
State Environmental Planning Policy (SEPP) No.64 - Advertising and Signage
State Environmental Planning Policy (SEPP) No.65 – Design Quality of Residential Flat Development.
State Environmental Planning Policy (SEPP) No.70 -Affordable Housing (Revised Schemes)
State Environmental Planning Policy (SEPP) (Housing for Seniors or People with a Disability) 2004
State Environmental Planning Policy (SEPP) (Building Sustainability Index: BASIX) 2004
State Environmental Planning Policy (SEPP) (State Significant Precincts) 2005
State Environmental Planning Policy (SEPP) (Mining, Petroleum Production and Extractive Industries) 2007
State Environmental Planning Policy (SEPP) (Infrastructure) 2007
State Environmental Planning Policy (SEPP) (Exempt and Complying Development Codes) 2008
State Environmental Planning Policy (SEPP) (Affordable Rental Housing) 2009
State Environmental Planning Policy (SEPP) (Vegetation in Non-Rural Areas) 2017
State Environmental Planning Policy (SEPP) (Educational Establishments and Child Care Facilities) 2017
State Environmental Planning Policy (SEPP) (Concurrences) 2018
State Environmental Planning Policy (SEPP) (Primary Production and Rural Development) 2019

Sydney Regional Environmental Plan (SREP) No.9 (No.2) - Extractive Industries
Sydney Regional Environmental Plan (SREP) – (Sydney Harbour Catchment) 2005

DRAFT State Environmental Planning Policy to amend State Environmental Planning Policy (SEPP) (Sydney Region Growth Centres) 2006 – Amendment to include the Greater Parramatta Priority Growth Area as a Growth Centre
DRAFT State Environmental Planning Policy (Draft SEPP) – Environment

N.B. All enquiries as to the application of Draft State Environmental Planning Policies should be directed to The NSW Department of Planning, Industry and Environment.

Draft Local Environmental Plan

The land is affected by a Draft Local Environmental Plan which has been placed on Public Exhibition and has not yet been published. The Draft Local Environmental Plan is described below.

Planning Proposal – Draft Parramatta Local Environmental Plan 2020 (Harmonisation LEP)

This land is affected by a planning proposal seeking to create a single consolidated Local Environmental Plan (LEP) that will apply to the whole City of Parramatta Local Government Area (LGA). The new LEP will replace five (5) existing LEPs where they apply to land within the Parramatta LGA. These include:

- *Auburn Local Environmental Plan 2010*
- *Holroyd Local Environmental Plan 2013*
- *Hornsby Local Environmental Plan 2013*
- *Parramatta Local Environmental Plan 2011*
- *Parramatta (former The Hills) Local Environmental Plan 2012*

The new Parramatta LEP will create a common set of objectives, land use tables and provisions for all land within the LGA. This will result in some changes to the current planning controls applying to certain areas, including:

- Changes to land uses permitted in certain areas, because of the creation of a common set of land use tables.
- Prohibiting dual occupancy developments in certain locations.
- A minimum lot size of 600sqm and frontage to a public road of 15 metres development standards for Dual Occupancies or Manor Houses where they are permitted;
- Changes to height and FSR controls applying to residential zones – these include:
 - applying a FSR of 0.5:1 to R2 Low Density Residential zoned land and a FSR of 0.6:1 to R3 Medium Density Residential zoned land in the Parramatta (former The Hills) LEP 2012 and Hornsby Council LEP 2013 (where none currently applies);
 - reducing the FSR from 0.75:1 to 0.6:1 applying to R3 Medium Density Residential zoned land in Silverwater;
 - increasing the height limit from 8.5 metres to 9 metres applying to R2 Low Density Residential zoned land in the Hornsby Council LEP 2013;
 - applying a 11 metre height limit to R3 Medium Density Residential zoned land in the Parramatta (former The Hills) LEP 2012, Hornsby LEP 2013 and Auburn LEP 2010;
 - applying a FSR control to R4 High Density Residential zoned land in the former Parramatta (former The Hills) LEP 2012, Hornsby LEP 2013 and Auburn LEP 2010 (where none is currently applied); and,
 - A limited number of targeted site-specific changes associated with changes of zoning or to address anomalies.
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- A limited number of changes to the zoning of some sites to address inconsistencies and anomalies across current land use plans, this includes:
 - Removing the R1 General Residential zone, and rezoning this land to R4 High Density Residential or R3 Medium Density Residential;
 - Rezoning all public bushland reserves to E2 Environmental Conservation;
 - Rezoning some R3 Medium Density Residential zoned land in Northmead, North Rocks and Carlingford to R2 Low Density Residential; and,
 - Rezoning existing lawful places of public worship in the former Parramatta Council area from SP1 Special Activities to R2 Low Density Residential.

Further information on the Planning Proposal for the new Parramatta Local Environmental Plan (LEP) can be found at: www.cityofparramatta.nsw.gov.au/planningharmonisation or by contacting Council

Please note. Council is separately progressing a number of planning proposals relating to specific sites in the LGA. The intention is that, should these site-specific planning proposals be finalised before the new consolidated LEP is made, the respective amendments to planning controls will be carried over into the new LEP and the Harmonisation Planning Proposal will be updated as needed.

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Note: The following land use table is an excerpt from the Draft Parramatta Local Environmental Plan 2020 (Harmonisation LEP) document exhibited on 31 August 2020 and must be read in conjunction with and subject to other provisions of that draft instrument.

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1 Objectives of zone

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Nil

3 Permitted with consent

Building identification signs; Business identification signs; Business premises; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hospitals; Hotel or motel accommodation; Information and education facilities; Medical centres; Office premises; Oyster aquaculture; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Tank-based aquaculture; Tourist and visitor accommodation

4 Prohibited

Pond-based aquaculture; Any other development not specified in item 2 or 3

Proposed Heritage Item Draft Parramatta LEP 2020

The land or part of the land is proposed to be identified as a Heritage Item in the Draft Parramatta LEP 2020.

Planning Proposal – Parramatta CBD Planning Proposal – Parramatta LEP 2011

This land is affected by a planning proposal seeking to amend Parramatta Local Environmental Plan (LEP) 2011. The planning proposal applies to land collectively referred to as the Parramatta City Centre and Experiment Farm and seeks to amend the Parramatta Local Environmental Plan (LEP) 2011 by:

- rezoning some land;
- increase the floor space ratio (FSR) permitted on some land;
- increase the height of buildings (HOB) permitted on some land;
- amend the sun access protection provisions, airspace operations clause, and design excellence clauses;
- include a requirement for non-residential floor space in parts of the some mixed use zones;
- include a requirement for active frontages to certain streets and public spaces;
- include a requirement for end of journey facilities;
- include amendment to encourage high yield employment uses;
- include a new clause to encourage high performing buildings;
- include a new clause to encourage the provision of community infrastructure;
- a new clause to preserve existing controls in the 'Park Edge Highly Sensitive' area, Parramatta Park, Parramatta Stadium, certain land zoned B5 Business Development west of Church Street (behind Auto Alley); and certain land zoned B4 Mixed Use at the intersection of Church Street and Pennant Hills Road;
- include additional clauses to Schedule 1 – Additional Permitted Uses of the Parramatta LEP 2011;
- a new heritage clause to require a higher standard of development that affects heritage;
- new clauses for the Marion Street precinct;
- amend the following maps in the Parramatta LEP 2011:

- Amend the Land Application Map
- Amend the Additional Local Provisions Map
- Amend the Land Zoning Map
- Amend the Floor Space Ratio Map
- Amend the Height of Buildings Map
- Amend the Additional Permitted Uses Map
- Amend the Special Provisions Area Map
- Amend Heritage Map
- Land Reservation Acquisition Map
- And;
- create new maps for inclusion in the Parramatta LEP 2011:
 - Create a new Incentive Floor Space Ratio Map
 - Create a new Incentive Height of Buildings Map
 - Create a new Sun Access Protection Map
 - Create a new Active Street Frontage Map
 - Create a new Opportunity Sites Map
 - Create a new Floodplain Risk Management Map

Further information on the Parramatta CBD Planning Proposal to amend Parramatta Local Environmental Plan (LEP) 2011 can be found at <https://participate.cityofparramatta.nsw.gov.au> or by contacting Council.

Flood Plain Risk Management Area

The planning proposal seeks to include the land in a Flood Plain Risk Management Area on the proposed Floodplain Risk Management Map of the Parramatta Local Environmental Plan 2011.

Development Control Plan

The land is affected by Parramatta Development Control Plan 2011.

The Minister for Planning has issued directions that provisions of an EPI do not apply to certain Part 4 development where a concept plan has been approved under Part 3A.

Development Contribution Plan

The Parramatta Civic Improvement Plan (Amendment No. 5) applies to this land.

Heritage Item/Heritage Conservation Area

The land is identified as containing a Heritage Item in Parramatta Local Environmental Plan 2011

The land is affected by a planning proposal that seeks to identify the land as containing a Heritage Item in an environmental planning instrument. Refer to the Draft Local Environmental Plan section of this certificate for more details.

The land is not located in a heritage conservation area.

Road Widening

The land is not affected by 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.

Land Reservation Acquisition

The land is not affected by Land Reservation Acquisition in Parramatta Local Environmental Plan 2011.

Site Compatibility Certificate (Seniors Housing, Infrastructure and Affordable Rental Housing)

At the date of issue of this certificate Council is not aware of any

- a. Site compatibility certificate (affordable rental housing),
- b. Site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments),
- c. Site compatibility certificate (seniors housing)

in respect to the land issued pursuant to the Environmental Planning & Assessment Amendment (Site Compatibility Certificates) Regulation 2009 (NSW).

Contamination

Matters contained in Clause 59(2) as amended in the Contaminated Land Management Act 1997 – as listed:

Clause 59(2)(a) - is the land to which the certificate relates is significantly contaminated land?

NO

Clause 59(2)(b) - is the land to which the certificate relates is subject to a management order?

NO

Clause 59(2)(c) - is the land to which the certificate relates is the subject of an approved voluntary management proposal?

NO

Clause 59(2)(d) - is the land to which the certificate relates is subject to an ongoing maintenance order?

NO

Clause 59(2)(e) - is the land to which the certificate relates is the subject of a site audit statement?

NO

Tree Preservation

The land is subject to Section 5.4 Preservation of Trees or Vegetation in Parramatta Development Control Plan 2011.

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

Coastal Protection

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

NO

Council Policy

Council has not adopted a policy to restrict the development of the land by reason of the likelihood of projected sea level rise (coastal protection), tidal inundation, subsidence or any other risk.

Council has adopted a policy covering the entire City of Parramatta to restrict development of any land by reason of the likelihood of flooding.

Council has adopted by resolution a policy on contaminated land that applies to all land within the City of Parramatta. The Policy will restrict the development of the land if the circumstances set out in the policy prevail. A copy of the policy is available on Councils website at www.cityofparramatta.nsw.gov.au or from the Customer Service Centre.

Mine Subsidence

The land is not affected by the Coal Mine Subsidence Compensation Act 2017 proclaiming land to be a Mine Subsidence District.

Bushfire Land

The land is not bushfire prone land.

Threatened Species

The Environment Agency Head with responsibility for the Biodiversity Conservation Act 2016 has not advised Council that the land includes or comprises an area of outstanding biodiversity value.

Biodiversity certified land

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

Note. *Biodiversity certified land includes land certified under Part 7AA of the Threatened Species Conservation Act 1995 that is taken to be certified under Part 8 of the Biodiversity Conservation Act 2016.*

Biodiversity stewardship sites

The Chief Executive of the Office of Environment and Heritage has not notified the Council if the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the Biodiversity Conservation Act 2016.

Note: Biodiversity stewardship agreements include biobanking agreements under Part 7A of the Threatened Species Conservation Act 1995 that are taken to be biodiversity stewardship agreements under Part 5 of the Biodiversity Conservation Act 2016.

Native vegetation clearing set asides

Council has not been notified of the land containing a set aside area under section 60ZC of the Local Land Services Act 2013.

Property vegetation plans

Council has not been notified of the existence of the property vegetation plan approved under Part 4 of the Native Vegetation Act 2003 on the land.

Paper Subdivision information

The land is not subject to any development plan adopted by a relevant authority or that is proposed to be subject to a consent ballot. A subdivision order does not apply to the land.

Note: Words and expressions used in this clause have the same meaning as they have in Part 16C of the Environmental Planning and Assessment Regulation 2000.

Loose-Fill Asbestos Register

Council has not been notified by NSW Fair Trading of the property being listed on the loose-fill asbestos insulation register maintained by the Secretary of NSW Fair Trading.

Site verification certificates

Council is not aware of whether there is a current site verification certificate in respect of the land.

Affected Building Notices and Building Product Rectification Orders

Council is not aware of whether there is any affected building notice, building product rectification order or notice of intention to make a building product rectification order that is in force in respect of the land.

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

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

Note: This does not constitute a Complying Development Certificate under section 4.27 of the Environmental Planning and Assessment Act 1979

The following information only addresses whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of **Clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1)(c3) and 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. It is not a statement that complying development is permissible on the land.

Other land exemptions within of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 may also apply. Furthermore, other provisions within the relevant Local Environmental Plan or a State Environmental Planning Policy which restrict complying development on the land may also apply.

It is your responsibility to ensure that you comply with the relevant complying development provisions for the land. Failure to comply with these provisions may mean that a Complying Development Certificate is invalid.

Housing Code; Low Rise Housing Diversity Code; Rural Housing Code

Complying Development pursuant to the Housing Code, Low Rise Housing Diversity Code and Rural Housing Code **may not** be carried out on the land or part of the land. The land is affected by specific land exemptions under **Clause 1.17A or Clause 1.18 (1) (c3) or Clause 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. The land exemptions are:

- Part of the land comprises, or contains an item of environmental heritage (that is listed on the State Heritage Register **or** that is subject to an interim heritage order under the Heritage Act 1977 **or** is identified as an item of environmental heritage in an environmental planning instrument),
(Land Exemption Clause 1.17A of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008)
- Part of the land comprises, or on which there is, a draft heritage item
(Land Exemption Clause 1.18(1)(c3) of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008)

Commercial and Industrial (New Buildings and Additions) Code

Complying Development pursuant to Commercial and Industrial (New Buildings and Additions) Code **may not** be carried out on the land or part of the land. The land is affected by specific land exemptions under **Clause 1.17A or Clause 1.18 (1) (c3) or Clause 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. The land exemptions are:

- Part of the land comprises, or contains an item of environmental heritage (that is listed on the State Heritage Register **or** that is subject to an interim heritage order under the Heritage Act 1977 **or** is identified as an item of environmental heritage in an environmental planning instrument),
(Land Exemption Clause 1.17A of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008)
- Part of the land comprises, or on which there is, a draft heritage item
(Land Exemption Clause 1.18(1)(c3) of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008)

Housing Alterations Code; General Development Code; General Commercial and Industrial (Alterations) Code; Container Recycling Facilities Code; Subdivision Code; Demolition Code; Fire Safety Code

Complying Development pursuant to the Housing Alterations Code, General Development Code, General Commercial and Industrial (Alterations) Code, Container Recycling Facilities Code, Subdivision Code, Demolition Code and Fire Safety Code **may not** be carried out on the land or part of the land. The land is affected by specific land exemptions under **Clause 1.17A or Clause 1.18 (1) (c3) or Clause 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. The land exemptions are:

- Part of the land comprises, or contains an item of environmental heritage (that is listed on the State Heritage Register **or** that is subject to an interim heritage order under the Heritage Act 1977 **or** is identified as an item of environmental heritage in an environmental planning instrument),
(Land Exemption Clause 1.17A of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008)
- Part of the land comprises, or on which there is, a draft heritage item
(Land Exemption Clause 1.18(1)(c3) of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008)

SPECIAL NOTES

The land is identified as Class 4 on the Acid Sulfate Soils map. Refer to Clause 6.1 of Parramatta Local Environmental Plan 2011.

Applicants for Sections 10.7 Certificates are advised that Council does not hold sufficient information to fully detail the effect of any encumbrances on the title of the subject land. The information available to Council is provided on the basis that neither Council nor its servants hold out advice or warrant to you in any way its accuracy, nor shall Council or its servants, be liable for any negligence in the preparation of that information. Further information should be sought from relevant Statutory Departments.

SECTION C**The following additional information is issued under Section 10.7(5)**

Pursuant to S10.7(5) the Council supplies information as set out below on the basis that the Council takes no responsibility for the accuracy of the information. The information if material should be independently checked by the applicant.

Additional Local Provisions

This land is identified on the Additional Local Provisions Map of the Parramatta Local Environmental Plan 2011. Part 7 Additional local provisions – Parramatta City Centre of the Parramatta Local Environmental Plan 2011 applies to the land.

Civic Link Precinct – Parramatta Development Control Plan (DCP) 2011

The land is located within the Civic Link Precinct as identified in Section 4.3.3.7 (m) of the Parramatta Development Control Plan 2011. The Civic Link Precinct will be a new pedestrian, public space within the City Centre linking Parramatta Square to the Parramatta River foreshore. The controls in this section of the DCP describes the spatial definition of the Civic Link; changes to through block movement patterns; new streets, laneways and open spaces; and future development form.

Note: Section 4.3.3.7 (m) of the DCP sets high-level planning controls for Civic Link Precinct areas between Macquarie Street and the Parramatta River (Blocks 2, 3 and 4 as shown in Figure 4.3.3.7.51 Civic Link Precinct), with more detailed controls to be finalised. Persons wishing to develop land within one of these areas are recommended to contact Council's Land Use Team on 9806 5050 or email council@cityofparramatta.nsw.gov.au.

Aboriginal Sensitivity Map - Parramatta Development Control Plan (DCP) 2011

Aboriginal Heritage – High Sensitivity – potential to contain items of Aboriginal heritage. Contact Council's Customer Service/Duty Planner (02) 9806 5050 for more information.

Flood Information

The land is affected by a 100 year Average Recurrence Interval flood as indicated by Council's current flooding information. As such Council is required to take that into account when determining any development application made in respect of the land.

Further information is available at the Catchment Management Section within Council's City Assets and Environment Unit.

Additional advice should be also sought from an appropriately qualified person as to the extents and potential hazards associated with the likely flooding of the land. The names of qualified persons maybe obtained from the Institution of Engineers Australia.

Interim Sydney Metro West Corridor - Infrastructure SEPP

Mapping associated with State Environmental Planning Policy (Infrastructure) 2007 (the Infrastructure SEPP) indicates that the land or part of the land is within the Interim Sydney Metro West Corridor.

Note: Advisory Information Regarding Proximity to a Commercial Centre

The land is within proximity to a major, strategic or local commercial centre. Council is looking to encourage greater activation and investment in these centres by developing the night time economy across the City of Parramatta. Future residents should be aware that the nature and scale of facilities, business activity and events held in these centres may affect the use and enjoyment of the land as a result of operating hours, odour, noise, lighting, traffic and measures associated with event management.

This is considered part of living in/near a commercial centre.

Note: Draft City of Parramatta (Outside CBD) Development Contributions Plan

On 17 March 2021 Council Exhibited a draft Development Contribution Plan - the Draft City of Parramatta (Outside CBD) Development Contributions Plan. It is proposed that the Draft City of Parramatta (Outside CBD) Development Contributions Plan will apply to all land within the City of Parramatta LGA, except for land within the Parramatta CBD and Sydney Olympic Park. The proposed Draft City of Parramatta (Outside CBD) Development Contributions Plan will replace eight (8) existing Development Contribution Plans where they apply to land within the Parramatta LGA. These include:

- Parramatta Section 94A Development Contribution Plan (Amendment No. 5);
- Auburn Development Contributions Plan 2007 Amendment No 1;
- Carter Street Precinct Development Contributions Plan 2016;
- Holroyd Section 94 Plan 2013;
- City of Parramatta S94 Development Contributions Plan (formerly Hornsby LGA Land and Epping Town Centre);
- City of Parramatta S94A Development Contributions Plan (formerly Hornsby LGA Land and Epping Town Centre);
- City of Parramatta Section 94A Development Contribution Plan (Former Hills LGA Land); and
- Contributions Plan 14 - Carlingford Precinct.

Further information about the Draft City of Parramatta (Outside CBD) Development Contributions Plan can be found at <https://participate.cityofparramatta.nsw.gov.au/outside-cbd-contributions> or by contacting Council.

Note: Advisory Information regarding Combustible Cladding

External combustible cladding on multi-storey buildings has been identified in local government areas including the City of Parramatta. Combustible cladding is a material that is capable of readily burning.

You should make your own enquiries as to the type of materials that have been used to construct the building. It is recommended that the purchaser obtain a building report from an appropriately qualified person to determine if any cladding type material may pose a risk to the building's occupants. Council may issue orders to rectify a building where combustible cladding is found.

Properties that have combustible cladding on buildings are listed in the NSW Government Combustible Cladding Register. Please refer to <https://www.claddingregistration.nsw.gov.au/> or call 1300 305 695 for further information regarding the NSW Government Combustible Cladding Register.

There is potential for combustible cladding to be present on buildings that are not listed on the Register.

Note: Advisory Information regarding Loose-Fill asbestos Insulation

Research undertaken by the Loose-Fill Asbestos Insulation Taskforce has determined that there is a potential for loose-fill asbestos insulation to be found in residential dwellings constructed prior to 1980 in 28 local government areas including the City of Parramatta.

Some residential homes located in the City of Parramatta may contain loose-fill asbestos insulation, for example in the roof space. NSW Fair Trading maintains a Register of homes that are affected by loose-fill asbestos insulation.

You should make your own enquiries as to the age of the buildings on the land to which this certificate relates and, if it contains a building constructed prior to 1980, the council strongly recommends that any potential purchaser obtain advice from a licensed asbestos assessor to determine whether loose fill asbestos is present in any building on the land and, if so, the health risks (if any) this may pose for the building's occupants.

Please Contact NSW Fair Trading for further information.

This information has been provided pursuant to section 10.7(5) of the Environmental Planning and Assessment Act, 1979 as amended.

Brett Newman
Chief Executive Officer

per



dated 16 April 2021

PLANNING CERTIFICATE

CERTIFICATE UNDER SECTION 10.7

Environmental Planning and Assessment Act, 1979 as amended

Certificate No: 2021/2810
Fee: \$133.00
Issue Date: 16 April 2021
Receipt No: 6336113
Applicant Ref: EDS WP44 10.7(2)C:147913

DESCRIPTION OF LAND

Address: 72 Macquarie Street
PARRAMATTA NSW 2150
Lot Details: Lot 3 DP 218510

SECTION A

The following Environmental Planning Instrument to which this certificate relates applies to the land:

Parramatta Local Environmental Plan 2011

For the purpose of **Section 10.7(2)** it is advised that as the date of this certificate the abovementioned land is affected by the matters referred to as follows:

Contact us:

council@cityofparramatta.nsw.gov.au | 02 9806 5050
@cityofparramatta | PO Box 32, Parramatta, NSW 2124
ABN 49 907 174 773 | cityofparramatta.nsw.gov.au

The land is zoned: B3 Commercial Core PLEP2011

Zone B3 - Commercial Core (Parramatta Local Environmental Plan 2011)

Issued pursuant to Section 10.7 of the Environmental Planning and Assessment Act, 1979.

NOTE: This table is an excerpt from Parramatta Local Environmental Plan 2011 and must be read in conjunction with and subject to the other provisions of that instrument, and in force at that date.

Zone B3 Commercial Core

1 Objectives of zone

- To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.
- To encourage appropriate employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To strengthen the role of the Parramatta City Centre as the regional business, retail and cultural centre, and as a primary retail centre in the Greater Metropolitan Region.
- To create opportunities to improve the public domain and pedestrian links throughout the Parramatta City Centre.
- To provide for the retention and creation of view corridors.
- To protect and enhance the unique qualities and character of special areas and heritage values within the Parramatta City Centre.
- To protect and encourage accessible city blocks by providing active street frontages, and a network of pedestrian-friendly streets, lanes and arcades.

2 Permitted without consent

Nil

3 Permitted with consent

Building identification signs; Business identification signs; Business premises; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hospitals; Hotel or motel accommodation; Information and education facilities; Medical centres; Office premises; Oyster aquaculture; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Tank-based aquaculture; Tourist and visitor accommodation

4 Prohibited

Pond-based aquaculture; Any other development not specified in item 2 or 3

SECTION B

State Policies and Regional Environmental Plans

The land is also affected by the following State Environmental Planning Policies (SEPP) and Regional Environmental Plans (SREP):

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

State Environmental Planning Policy (SEPP) No.21 - Caravan Parks
State Environmental Planning Policy (SEPP) No.33 -Hazardous and Offensive Development
State Environmental Planning Policy (SEPP) No.55 - Remediation of Land
State Environmental Planning Policy (SEPP) No.64 - Advertising and Signage
State Environmental Planning Policy (SEPP) No.65 – Design Quality of Residential Flat Development.
State Environmental Planning Policy (SEPP) No.70 -Affordable Housing (Revised Schemes)
State Environmental Planning Policy (SEPP) (Housing for Seniors or People with a Disability) 2004
State Environmental Planning Policy (SEPP) (Building Sustainability Index: BASIX) 2004
State Environmental Planning Policy (SEPP) (State Significant Precincts) 2005
State Environmental Planning Policy (SEPP) (Mining, Petroleum Production and Extractive Industries) 2007
State Environmental Planning Policy (SEPP) (Infrastructure) 2007
State Environmental Planning Policy (SEPP) (Exempt and Complying Development Codes) 2008
State Environmental Planning Policy (SEPP) (Affordable Rental Housing) 2009
State Environmental Planning Policy (SEPP) (Vegetation in Non-Rural Areas) 2017
State Environmental Planning Policy (SEPP) (Educational Establishments and Child Care Facilities) 2017
State Environmental Planning Policy (SEPP) (Concurrences) 2018
State Environmental Planning Policy (SEPP) (Primary Production and Rural Development) 2019

Sydney Regional Environmental Plan (SREP) No.9 (No.2) - Extractive Industries
Sydney Regional Environmental Plan (SREP) – (Sydney Harbour Catchment) 2005

DRAFT State Environmental Planning Policy to amend State Environmental Planning Policy (SEPP) (Sydney Region Growth Centres) 2006 – Amendment to include the Greater Parramatta Priority Growth Area as a Growth Centre
DRAFT State Environmental Planning Policy (Draft SEPP) – Environment

N.B. All enquiries as to the application of Draft State Environmental Planning Policies should be directed to The NSW Department of Planning, Industry and Environment.

Draft Local Environmental Plan

The land is affected by a Draft Local Environmental Plan which has been placed on Public Exhibition and has not yet been published. The Draft Local Environmental Plan is described below.

Planning Proposal – Draft Parramatta Local Environmental Plan 2020 (Harmonisation LEP)

This land is affected by a planning proposal seeking to create a single consolidated Local Environmental Plan (LEP) that will apply to the whole City of Parramatta Local Government Area (LGA). The new LEP will replace five (5) existing LEPs where they apply to land within the Parramatta LGA. These include:

- *Auburn Local Environmental Plan 2010*
- *Holroyd Local Environmental Plan 2013*
- *Hornsby Local Environmental Plan 2013*
- *Parramatta Local Environmental Plan 2011*
- *Parramatta (former The Hills) Local Environmental Plan 2012*

The new Parramatta LEP will create a common set of objectives, land use tables and provisions for all land within the LGA. This will result in some changes to the current planning controls applying to certain areas, including:

- Changes to land uses permitted in certain areas, because of the creation of a common set of land use tables.
- Prohibiting dual occupancy developments in certain locations.
- A minimum lot size of 600sqm and frontage to a public road of 15 metres development standards for Dual Occupancies or Manor Houses where they are permitted;
- Changes to height and FSR controls applying to residential zones – these include:
 - applying a FSR of 0.5:1 to R2 Low Density Residential zoned land and a FSR of 0.6:1 to R3 Medium Density Residential zoned land in the Parramatta (former The Hills) LEP 2012 and Hornsby Council LEP 2013 (where none currently applies);
 - reducing the FSR from 0.75:1 to 0.6:1 applying to R3 Medium Density Residential zoned land in Silverwater;
 - increasing the height limit from 8.5 metres to 9 metres applying to R2 Low Density Residential zoned land in the Hornsby Council LEP 2013;
 - applying a 11 metre height limit to R3 Medium Density Residential zoned land in the Parramatta (former The Hills) LEP 2012, Hornsby LEP 2013 and Auburn LEP 2010;
 - applying a FSR control to R4 High Density Residential zoned land in the former Parramatta (former The Hills) LEP 2012, Hornsby LEP 2013 and Auburn LEP 2010 (where none is currently applied); and,
 - A limited number of targeted site-specific changes associated with changes of zoning or to address anomalies.
- Applying a 550sqm minimum subdivision lot size to residential land (except R2 Low Density Residential zoned land in the Parramatta (former The Hills) LEP 2012, which will retain the existing 700sqm requirement)
- Mapping of additional Biodiversity Land and Riparian Land and Waterways
- A limited number of changes to the zoning of some sites to address inconsistencies and anomalies across current land use plans, this includes:
 - Removing the R1 General Residential zone, and rezoning this land to R4 High Density Residential or R3 Medium Density Residential;
 - Rezoning all public bushland reserves to E2 Environmental Conservation;
 - Rezoning some R3 Medium Density Residential zoned land in Northmead, North Rocks and Carlingford to R2 Low Density Residential; and,
 - Rezoning existing lawful places of public worship in the former Parramatta Council area from SP1 Special Activities to R2 Low Density Residential.

Further information on the Planning Proposal for the new Parramatta Local Environmental Plan (LEP) can be found at: www.cityofparramatta.nsw.gov.au/planningharmonisation or by contacting Council

Please note. Council is separately progressing a number of planning proposals relating to specific sites in the LGA. The intention is that, should these site-specific planning proposals be finalised before the new consolidated LEP is made, the respective amendments to planning controls will be carried over into the new LEP and the Harmonisation Planning Proposal will be updated as needed.

Proposed Zoning Draft Parramatta LEP 2020

The land is proposed to be zoned in the in the Draft Parramatta LEP 2020:

B3 Commercial Core PLEP2020

Proposed Zone B3 Commercial Core (Draft Parramatta LEP 2020)

Note: The following land use table is an excerpt from the Draft Parramatta Local Environmental Plan 2020 (Harmonisation LEP) document exhibited on 31 August 2020 and must be read in conjunction with and subject to other provisions of that draft instrument.

Zone B3 Commercial Core

1 Objectives of zone

- To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.
- To encourage appropriate employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To strengthen the role of the Parramatta City Centre as the regional business, retail and cultural centre, and as a primary retail centre in the Greater Metropolitan Region.
- To create opportunities to improve the public domain and pedestrian links throughout the Parramatta City Centre.
- To provide for the retention and creation of view corridors.
- To protect and enhance the unique qualities and character of special areas and heritage values within the Parramatta City Centre.
- To protect and encourage accessible city blocks by providing active street frontages, and a network of pedestrian-friendly streets, lanes and arcades.

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- amend the sun access protection provisions, airspace operations clause, and design excellence clauses;
- include a requirement for non-residential floor space in parts of the some mixed use zones;
- include a requirement for active frontages to certain streets and public spaces;
- include a requirement for end of journey facilities;
- include amendment to encourage high yield employment uses;
- include a new clause to encourage high performing buildings;
- include a new clause to encourage the provision of community infrastructure;
- a new clause to preserve existing controls in the 'Park Edge Highly Sensitive' area, Parramatta Park, Parramatta Stadium, certain land zoned B5 Business Development west of Church Street (behind Auto Alley); and certain land zoned B4 Mixed Use at the intersection of Church Street and Pennant Hills Road;
- include additional clauses to Schedule 1 – Additional Permitted Uses of the Parramatta LEP 2011;
- a new heritage clause to require a higher standard of development that affects heritage;
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- amend the following maps in the Parramatta LEP 2011:

- Amend the Land Application Map
- Amend the Additional Local Provisions Map
- Amend the Land Zoning Map
- Amend the Floor Space Ratio Map
- Amend the Height of Buildings Map
- Amend the Additional Permitted Uses Map
- Amend the Special Provisions Area Map
- Amend Heritage Map
- Land Reservation Acquisition Map
- And;
- create new maps for inclusion in the Parramatta LEP 2011:
 - Create a new Incentive Floor Space Ratio Map
 - Create a new Incentive Height of Buildings Map
 - Create a new Sun Access Protection Map
 - Create a new Active Street Frontage Map
 - Create a new Opportunity Sites Map
 - Create a new Floodplain Risk Management Map

Further information on the Parramatta CBD Planning Proposal to amend Parramatta Local Environmental Plan (LEP) 2011 can be found at <https://participate.cityofparramatta.nsw.gov.au> or by contacting Council.

Flood Plain Risk Management Area

The planning proposal seeks to include the land in a Flood Plain Risk Management Area on the proposed Floodplain Risk Management Map of the Parramatta Local Environmental Plan 2011.

Development Control Plan

The land is affected by Parramatta Development Control Plan 2011.

The Minister for Planning has issued directions that provisions of an EPI do not apply to certain Part 4 development where a concept plan has been approved under Part 3A.

Development Contribution Plan

The Parramatta Civic Improvement Plan (Amendment No. 5) applies to this land.

Heritage Item/Heritage Conservation Area

The land is affected by a planning proposal that seeks to identify the land as containing a Heritage Item in an environmental planning instrument. Refer to the Draft Local Environmental Plan section of this certificate for more details.

The land is identified as containing a Heritage Item in Parramatta Local Environmental Plan 2011

The land is not located in a heritage conservation area.

Road Widening

The land is not affected by 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.

Land Reservation Acquisition

The land is not affected by Land Reservation Acquisition in Parramatta Local Environmental Plan 2011.

Site Compatibility Certificate (Seniors Housing, Infrastructure and Affordable Rental Housing)

At the date of issue of this certificate Council is not aware of any

- a. Site compatibility certificate (affordable rental housing),
- b. Site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments),
- c. Site compatibility certificate (seniors housing)

in respect to the land issued pursuant to the Environmental Planning & Assessment Amendment (Site Compatibility Certificates) Regulation 2009 (NSW).

Contamination

Matters contained in Clause 59(2) as amended in the Contaminated Land Management Act 1997 – as listed:

Clause 59(2)(a) - is the land to which the certificate relates is significantly contaminated land?

NO

Clause 59(2)(b) - is the land to which the certificate relates is subject to a management order?

NO

Clause 59(2)(c) - is the land to which the certificate relates is the subject of an approved voluntary management proposal?

NO

Clause 59(2)(d) - is the land to which the certificate relates is subject to an ongoing maintenance order?

NO

Clause 59(2)(e) - is the land to which the certificate relates is the subject of a site audit statement?

NO

Tree Preservation

The land is subject to Section 5.4 Preservation of Trees or Vegetation in Parramatta Development Control Plan 2011.

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

Coastal Protection

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

NO

Council Policy

Council has not adopted a policy to restrict the development of the land by reason of the likelihood of projected sea level rise (coastal protection), tidal inundation, subsidence or any other risk.

Council has adopted a policy covering the entire City of Parramatta to restrict development of any land by reason of the likelihood of flooding.

Council has adopted by resolution a policy on contaminated land that applies to all land within the City of Parramatta. The Policy will restrict the development of the land if the circumstances set out in the policy prevail. A copy of the policy is available on Councils website at www.cityofparramatta.nsw.gov.au or from the Customer Service Centre.

Mine Subsidence

The land is not affected by the Coal Mine Subsidence Compensation Act 2017 proclaiming land to be a Mine Subsidence District.

Bushfire Land

The land is not bushfire prone land.

Threatened Species

The Environment Agency Head with responsibility for the Biodiversity Conservation Act 2016 has not advised Council that the land includes or comprises an area of outstanding biodiversity value.

Biodiversity certified land

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

Note. *Biodiversity certified land includes land certified under Part 7AA of the Threatened Species Conservation Act 1995 that is taken to be certified under Part 8 of the Biodiversity Conservation Act 2016.*

Biodiversity stewardship sites

The Chief Executive of the Office of Environment and Heritage has not notified the Council if the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the Biodiversity Conservation Act 2016.

Note: Biodiversity stewardship agreements include biobanking agreements under Part 7A of the Threatened Species Conservation Act 1995 that are taken to be biodiversity stewardship agreements under Part 5 of the Biodiversity Conservation Act 2016.

Native vegetation clearing set asides

Council has not been notified of the land containing a set aside area under section 60ZC of the Local Land Services Act 2013.

Property vegetation plans

Council has not been notified of the existence of the property vegetation plan approved under Part 4 of the Native Vegetation Act 2003 on the land.

Paper Subdivision information

The land is not subject to any development plan adopted by a relevant authority or that is proposed to be subject to a consent ballot. A subdivision order does not apply to the land.

Note: Words and expressions used in this clause have the same meaning as they have in Part 16C of the Environmental Planning and Assessment Regulation 2000.

Loose-Fill Asbestos Register

Council has not been notified by NSW Fair Trading of the property being listed on the loose-fill asbestos insulation register maintained by the Secretary of NSW Fair Trading.

Site verification certificates

Council is not aware of whether there is a current site verification certificate in respect of the land.

Affected Building Notices and Building Product Rectification Orders

Council is not aware of whether there is any affected building notice, building product rectification order or notice of intention to make a building product rectification order that is in force in respect of the land.

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

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

Note: This does not constitute a Complying Development Certificate under section 4.27 of the Environmental Planning and Assessment Act 1979

The following information only addresses whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of **Clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1)(c3) and 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. It is not a statement that complying development is permissible on the land.

Other land exemptions within of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 may also apply. Furthermore, other provisions within the relevant Local Environmental Plan or a State Environmental Planning Policy which restrict complying development on the land may also apply.

It is your responsibility to ensure that you comply with the relevant complying development provisions for the land. Failure to comply with these provisions may mean that a Complying Development Certificate is invalid.

Housing Code; Low Rise Housing Diversity Code; Rural Housing Code

Complying Development pursuant to the Housing Code, Low Rise Housing Diversity Code and Rural Housing Code **may not** be carried out on the land or part of the land. The land is affected by specific land exemptions under **Clause 1.17A or Clause 1.18 (1) (c3) or Clause 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. The land exemptions are:

- Part of the land comprises, or on which there is, a draft heritage item (Land Exemption Clause 1.18(1)(c3) of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008)
- Part of the land comprises, or contains an item of environmental heritage (that is listed on the State Heritage Register **or** that is subject to an interim heritage order under the Heritage Act 1977 **or** is identified as an item of environmental heritage in an environmental planning instrument), (Land Exemption Clause 1.17A of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008)

Commercial and Industrial (New Buildings and Additions) Code

Complying Development pursuant to Commercial and Industrial (New Buildings and Additions) Code **may not** be carried out on the land or part of the land. The land is affected by specific land exemptions under **Clause 1.17A or Clause 1.18 (1) (c3) or Clause 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. The land exemptions are:

- Part of the land comprises, or on which there is, a draft heritage item (Land Exemption Clause 1.18(1)(c3) of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008)
- Part of the land comprises, or contains an item of environmental heritage (that is listed on the State Heritage Register **or** that is subject to an interim heritage order under the Heritage Act 1977 **or** is identified as an item of environmental heritage in an environmental planning instrument), (Land Exemption Clause 1.17A of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008)

Housing Alterations Code; General Development Code; General Commercial and Industrial (Alterations) Code; Container Recycling Facilities Code; Subdivision Code; Demolition Code; Fire Safety Code

Complying Development pursuant to the Housing Alterations Code, General Development Code, General Commercial and Industrial (Alterations) Code, Container Recycling Facilities Code, Subdivision Code, Demolition Code and Fire Safety Code **may not** be carried out on the land or part of the land. The land is affected by specific land exemptions under **Clause 1.17A or Clause 1.18 (1) (c3) or Clause 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. The land exemptions are:

- Part of the land comprises, or on which there is, a draft heritage item (Land Exemption Clause 1.18(1)(c3) of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008)
- Part of the land comprises, or contains an item of environmental heritage (that is listed on the State Heritage Register **or** that is subject to an interim heritage order under the Heritage Act 1977 **or** is identified as an item of environmental heritage in an environmental planning instrument), (Land Exemption Clause 1.17A of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008)

SPECIAL NOTES

The land is identified as Class 4 on the Acid Sulfate Soils map. Refer to Clause 6.1 of Parramatta Local Environmental Plan 2011.

Applicants for Sections 10.7 Certificates are advised that Council does not hold sufficient information to fully detail the effect of any encumbrances on the title of the subject land. The information available to Council is provided on the basis that neither Council nor its servants hold out advice or warrant to you in any way its accuracy, nor shall Council or its servants, be liable for any negligence in the preparation of that information. Further information should be sought from relevant Statutory Departments.

SECTION C**The following additional information is issued under Section 10.7(5)**

Pursuant to S10.7(5) the Council supplies information as set out below on the basis that the Council takes no responsibility for the accuracy of the information. The information if material should be independently checked by the applicant.

Civic Link Precinct – Parramatta Development Control Plan (DCP) 2011

The land is located within the Civic Link Precinct as identified in Section 4.3.3.7 (m) of the Parramatta Development Control Plan 2011. The Civic Link Precinct will be a new pedestrian, public space within the City Centre linking Parramatta Square to the Parramatta River foreshore. The controls in this section of the DCP describes the spatial definition of the Civic Link; changes to through block movement patterns; new streets, laneways and open spaces; and future development form.

Note: Section 4.3.3.7 (m) of the DCP sets high-level planning controls for Civic Link Precinct areas between Macquarie Street and the Parramatta River (Blocks 2, 3 and 4 as shown in Figure 4.3.3.7.51 Civic Link Precinct), with more detailed controls to be finalised. Persons wishing to develop land within one of these areas are recommended to contact Council's Land Use Team on 9806 5050 or email council@cityofparramatta.nsw.gov.au.

Additional Local Provisions

This land is identified on the Additional Local Provisions Map of the Parramatta Local Environmental Plan 2011. Part 7 Additional local provisions – Parramatta City Centre of the Parramatta Local Environmental Plan 2011 applies to the land.

Aboriginal Sensitivity Map - Parramatta Development Control Plan (DCP) 2011

Aboriginal Heritage – High Sensitivity – potential to contain items of Aboriginal heritage. Contact Council's Customer Service/Duty Planner (02) 9806 5050 for more information.

Flood Information

The land is affected by a 100 year Average Recurrence Interval flood as indicated by Council's current flooding information. As such Council is required to take that into account when determining any development application made in respect of the land.

Further information is available at the Catchment Management Section within Council's City Assets and Environment Unit.

Additional advice should be also sought from an appropriately qualified person as to the extents and potential hazards associated with the likely flooding of the land. The names of qualified persons maybe obtained from the Institution of Engineers Australia.

Interim Sydney Metro West Corridor - Infrastructure SEPP

Mapping associated with State Environmental Planning Policy (Infrastructure) 2007 (the Infrastructure SEPP) indicates that the land or part of the land is within the Interim Sydney Metro West Corridor.

Note: Advisory Information Regarding Proximity to a Commercial Centre

The land is within proximity to a major, strategic or local commercial centre. Council is looking to encourage greater activation and investment in these centres by developing the night time economy across the City of Parramatta. Future residents should be aware that the nature and scale of facilities, business activity and events held in these centres may affect the use and enjoyment of the land as a result of operating hours, odour, noise, lighting, traffic and measures associated with event management.

This is considered part of living in/near a commercial centre.

Note: Draft City of Parramatta (Outside CBD) Development Contributions Plan

On 17 March 2021 Council Exhibited a draft Development Contribution Plan - the Draft City of Parramatta (Outside CBD) Development Contributions Plan. It is proposed that the Draft City of Parramatta (Outside CBD) Development Contributions Plan will apply to all land within the City of Parramatta LGA, except for land within the Parramatta CBD and Sydney Olympic Park. The proposed Draft City of Parramatta (Outside CBD) Development Contributions Plan will replace eight (8) existing Development Contribution Plans where they apply to land within the Parramatta LGA. These include:

- Parramatta Section 94A Development Contribution Plan (Amendment No. 5);
- Auburn Development Contributions Plan 2007 Amendment No 1;
- Carter Street Precinct Development Contributions Plan 2016;
- Holroyd Section 94 Plan 2013;
- City of Parramatta S94 Development Contributions Plan (formerly Hornsby LGA Land and Epping Town Centre);
- City of Parramatta S94A Development Contributions Plan (formerly Hornsby LGA Land and Epping Town Centre);
- City of Parramatta Section 94A Development Contribution Plan (Former Hills LGA Land); and
- Contributions Plan 14 - Carlingford Precinct.

Further information about the Draft City of Parramatta (Outside CBD) Development Contributions Plan can be found at <https://participate.cityofparramatta.nsw.gov.au/outside-cbd-contributions> or by contacting Council.

Note: Advisory Information regarding Combustible Cladding

External combustible cladding on multi-storey buildings has been identified in local government areas including the City of Parramatta. Combustible cladding is a material that is capable of readily burning.

You should make your own enquiries as to the type of materials that have been used to construct the building. It is recommended that the purchaser obtain a building report from an appropriately qualified person to determine if any cladding type material may pose a risk to the building's occupants. Council may issue orders to rectify a building where combustible cladding is found.

Properties that have combustible cladding on buildings are listed in the NSW Government Combustible Cladding Register. Please refer to <https://www.claddingregistration.nsw.gov.au/> or call 1300 305 695 for further information regarding the NSW Government Combustible Cladding Register.

There is potential for combustible cladding to be present on buildings that are not listed on the Register.

Note: Advisory Information regarding Loose-Fill asbestos Insulation

Research undertaken by the Loose-Fill Asbestos Insulation Taskforce has determined that there is a potential for loose-fill asbestos insulation to be found in residential dwellings constructed prior to 1980 in 28 local government areas including the City of Parramatta.

Some residential homes located in the City of Parramatta may contain loose-fill asbestos insulation, for example in the roof space. NSW Fair Trading maintains a Register of homes that are affected by loose-fill asbestos insulation.

You should make your own enquiries as to the age of the buildings on the land to which this certificate relates and, if it contains a building constructed prior to 1980, the council strongly recommends that any potential purchaser obtain advice from a licensed asbestos assessor to determine whether loose fill asbestos is present in any building on the land and, if so, the health risks (if any) this may pose for the building's occupants.

Please Contact NSW Fair Trading for further information.

This information has been provided pursuant to section 10.7(5) of the Environmental Planning and Assessment Act, 1979 as amended.

Brett Newman
Chief Executive Officer

per



dated 16 April 2021

PLANNING CERTIFICATE

CERTIFICATE UNDER SECTION 10.7

Environmental Planning and Assessment Act, 1979 as amended

Certificate No: 2021/2811
Fee: \$133.00
Issue Date: 16 April 2021
Receipt No: 6336113
Applicant Ref: EDS WP44 10.7(2)C:147913

DESCRIPTION OF LAND

Address: 74 Macquarie Street
PARRAMATTA NSW 2150
Lot Details: Lot H DP 405846

SECTION A

The following Environmental Planning Instrument to which this certificate relates applies to the land:

Parramatta Local Environmental Plan 2011

For the purpose of **Section 10.7(2)** it is advised that as the date of this certificate the abovementioned land is affected by the matters referred to as follows:

Contact us:

council@cityofparramatta.nsw.gov.au | 02 9806 5050
@cityofparramatta | PO Box 32, Parramatta, NSW 2124
ABN 49 907 174 773 | cityofparramatta.nsw.gov.au

The land is zoned: B3 Commercial Core PLEP2011

Zone B3 - Commercial Core (Parramatta Local Environmental Plan 2011)

Issued pursuant to Section 10.7 of the Environmental Planning and Assessment Act, 1979.

NOTE: This table is an excerpt from Parramatta Local Environmental Plan 2011 and must be read in conjunction with and subject to the other provisions of that instrument, and in force at that date.

Zone B3 Commercial Core

1 Objectives of zone

- To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.
- To encourage appropriate employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To strengthen the role of the Parramatta City Centre as the regional business, retail and cultural centre, and as a primary retail centre in the Greater Metropolitan Region.
- To create opportunities to improve the public domain and pedestrian links throughout the Parramatta City Centre.
- To provide for the retention and creation of view corridors.
- To protect and enhance the unique qualities and character of special areas and heritage values within the Parramatta City Centre.
- To protect and encourage accessible city blocks by providing active street frontages, and a network of pedestrian-friendly streets, lanes and arcades.

2 Permitted without consent

Nil

3 Permitted with consent

Building identification signs; Business identification signs; Business premises; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hospitals; Hotel or motel accommodation; Information and education facilities; Medical centres; Office premises; Oyster aquaculture; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Tank-based aquaculture; Tourist and visitor accommodation

4 Prohibited

Pond-based aquaculture; Any other development not specified in item 2 or 3

SECTION B

State Policies and Regional Environmental Plans

The land is also affected by the following State Environmental Planning Policies (SEPP) and Regional Environmental Plans (SREP):

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

State Environmental Planning Policy (SEPP) No.21 - Caravan Parks
State Environmental Planning Policy (SEPP) No.33 -Hazardous and Offensive Development
State Environmental Planning Policy (SEPP) No.55 - Remediation of Land
State Environmental Planning Policy (SEPP) No.64 - Advertising and Signage
State Environmental Planning Policy (SEPP) No.65 – Design Quality of Residential Flat Development.
State Environmental Planning Policy (SEPP) No.70 -Affordable Housing (Revised Schemes)
State Environmental Planning Policy (SEPP) (Housing for Seniors or People with a Disability) 2004
State Environmental Planning Policy (SEPP) (Building Sustainability Index: BASIX) 2004
State Environmental Planning Policy (SEPP) (State Significant Precincts) 2005
State Environmental Planning Policy (SEPP) (Mining, Petroleum Production and Extractive Industries) 2007
State Environmental Planning Policy (SEPP) (Infrastructure) 2007
State Environmental Planning Policy (SEPP) (Exempt and Complying Development Codes) 2008
State Environmental Planning Policy (SEPP) (Affordable Rental Housing) 2009
State Environmental Planning Policy (SEPP) (Vegetation in Non-Rural Areas) 2017
State Environmental Planning Policy (SEPP) (Educational Establishments and Child Care Facilities) 2017
State Environmental Planning Policy (SEPP) (Concurrences) 2018
State Environmental Planning Policy (SEPP) (Primary Production and Rural Development) 2019

Sydney Regional Environmental Plan (SREP) No.9 (No.2) - Extractive Industries
Sydney Regional Environmental Plan (SREP) – (Sydney Harbour Catchment) 2005

DRAFT State Environmental Planning Policy to amend State Environmental Planning Policy (SEPP) (Sydney Region Growth Centres) 2006 – Amendment to include the Greater Parramatta Priority Growth Area as a Growth Centre
DRAFT State Environmental Planning Policy (Draft SEPP) – Environment

N.B. All enquiries as to the application of Draft State Environmental Planning Policies should be directed to The NSW Department of Planning, Industry and Environment.

Draft Local Environmental Plan

The land is affected by a Draft Local Environmental Plan which has been placed on Public Exhibition and has not yet been published. The Draft Local Environmental Plan is described below.

Planning Proposal – Draft Parramatta Local Environmental Plan 2020 (Harmonisation LEP)

This land is affected by a planning proposal seeking to create a single consolidated Local Environmental Plan (LEP) that will apply to the whole City of Parramatta Local Government Area (LGA). The new LEP will replace five (5) existing LEPs where they apply to land within the Parramatta LGA. These include:

- *Auburn Local Environmental Plan 2010*
- *Holroyd Local Environmental Plan 2013*
- *Hornsby Local Environmental Plan 2013*
- *Parramatta Local Environmental Plan 2011*
- *Parramatta (former The Hills) Local Environmental Plan 2012*

The new Parramatta LEP will create a common set of objectives, land use tables and provisions for all land within the LGA. This will result in some changes to the current planning controls applying to certain areas, including:

- Changes to land uses permitted in certain areas, because of the creation of a common set of land use tables.
- Prohibiting dual occupancy developments in certain locations.
- A minimum lot size of 600sqm and frontage to a public road of 15 metres development standards for Dual Occupancies or Manor Houses where they are permitted;
- Changes to height and FSR controls applying to residential zones – these include:
 - applying a FSR of 0.5:1 to R2 Low Density Residential zoned land and a FSR of 0.6:1 to R3 Medium Density Residential zoned land in the Parramatta (former The Hills) LEP 2012 and Hornsby Council LEP 2013 (where none currently applies);
 - reducing the FSR from 0.75:1 to 0.6:1 applying to R3 Medium Density Residential zoned land in Silverwater;
 - increasing the height limit from 8.5 metres to 9 metres applying to R2 Low Density Residential zoned land in the Hornsby Council LEP 2013;
 - applying a 11 metre height limit to R3 Medium Density Residential zoned land in the Parramatta (former The Hills) LEP 2012, Hornsby LEP 2013 and Auburn LEP 2010;
 - applying a FSR control to R4 High Density Residential zoned land in the former Parramatta (former The Hills) LEP 2012, Hornsby LEP 2013 and Auburn LEP 2010 (where none is currently applied); and,
 - A limited number of targeted site-specific changes associated with changes of zoning or to address anomalies.
- Applying a 550sqm minimum subdivision lot size to residential land (except R2 Low Density Residential zoned land in the Parramatta (former The Hills) LEP 2012, which will retain the existing 700sqm requirement)
- Mapping of additional Biodiversity Land and Riparian Land and Waterways
- A limited number of changes to the zoning of some sites to address inconsistencies and anomalies across current land use plans, this includes:
 - Removing the R1 General Residential zone, and rezoning this land to R4 High Density Residential or R3 Medium Density Residential;
 - Rezoning all public bushland reserves to E2 Environmental Conservation;
 - Rezoning some R3 Medium Density Residential zoned land in Northmead, North Rocks and Carlingford to R2 Low Density Residential; and,
 - Rezoning existing lawful places of public worship in the former Parramatta Council area from SP1 Special Activities to R2 Low Density Residential.

Further information on the Planning Proposal for the new Parramatta Local Environmental Plan (LEP) can be found at: www.cityofparramatta.nsw.gov.au/planningharmonisation or by contacting Council

Please note. Council is separately progressing a number of planning proposals relating to specific sites in the LGA. The intention is that, should these site-specific planning proposals be finalised before the new consolidated LEP is made, the respective amendments to planning controls will be carried over into the new LEP and the Harmonisation Planning Proposal will be updated as needed.

Proposed Zoning Draft Parramatta LEP 2020

The land is proposed to be zoned in the in the Draft Parramatta LEP 2020:

B3 Commercial Core PLEP2020

Proposed Zone B3 Commercial Core (Draft Parramatta LEP 2020)

Note: The following land use table is an excerpt from the Draft Parramatta Local Environmental Plan 2020 (Harmonisation LEP) document exhibited on 31 August 2020 and must be read in conjunction with and subject to other provisions of that draft instrument.

Zone B3 Commercial Core

1 Objectives of zone

- To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.
- To encourage appropriate employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To strengthen the role of the Parramatta City Centre as the regional business, retail and cultural centre, and as a primary retail centre in the Greater Metropolitan Region.
- To create opportunities to improve the public domain and pedestrian links throughout the Parramatta City Centre.
- To provide for the retention and creation of view corridors.
- To protect and enhance the unique qualities and character of special areas and heritage values within the Parramatta City Centre.
- To protect and encourage accessible city blocks by providing active street frontages, and a network of pedestrian-friendly streets, lanes and arcades.

2 Permitted without consent

Nil

3 Permitted with consent

Building identification signs; Business identification signs; Business premises; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hospitals; Hotel or motel accommodation; Information and education facilities; Medical centres; Office premises; Oyster aquaculture; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Tank-based aquaculture; Tourist and visitor accommodation

4 Prohibited

Pond-based aquaculture; Any other development not specified in item 2 or 3

Proposed Heritage Item Draft Parramatta LEP 2020

The land or part of the land is proposed to be identified as a Heritage Item in the Draft Parramatta LEP 2020.

Planning Proposal – Parramatta CBD Planning Proposal – Parramatta LEP 2011

This land is affected by a planning proposal seeking to amend Parramatta Local Environmental Plan (LEP) 2011. The planning proposal applies to land collectively referred to as the Parramatta City Centre and Experiment Farm and seeks to amend the Parramatta Local Environmental Plan (LEP) 2011 by:

- rezoning some land;
- increase the floor space ratio (FSR) permitted on some land;
- increase the height of buildings (HOB) permitted on some land;
- amend the sun access protection provisions, airspace operations clause, and design excellence clauses;
- include a requirement for non-residential floor space in parts of the some mixed use zones;
- include a requirement for active frontages to certain streets and public spaces;
- include a requirement for end of journey facilities;
- include amendment to encourage high yield employment uses;
- include a new clause to encourage high performing buildings;
- include a new clause to encourage the provision of community infrastructure;
- a new clause to preserve existing controls in the 'Park Edge Highly Sensitive' area, Parramatta Park, Parramatta Stadium, certain land zoned B5 Business Development west of Church Street (behind Auto Alley); and certain land zoned B4 Mixed Use at the intersection of Church Street and Pennant Hills Road;
- include additional clauses to Schedule 1 – Additional Permitted Uses of the Parramatta LEP 2011;
- a new heritage clause to require a higher standard of development that affects heritage;
- new clauses for the Marion Street precinct;
- amend the following maps in the Parramatta LEP 2011:

- Amend the Land Application Map
- Amend the Additional Local Provisions Map
- Amend the Land Zoning Map
- Amend the Floor Space Ratio Map
- Amend the Height of Buildings Map
- Amend the Additional Permitted Uses Map
- Amend the Special Provisions Area Map
- Amend Heritage Map
- Land Reservation Acquisition Map
- And;
- create new maps for inclusion in the Parramatta LEP 2011:
 - Create a new Incentive Floor Space Ratio Map
 - Create a new Incentive Height of Buildings Map
 - Create a new Sun Access Protection Map
 - Create a new Active Street Frontage Map
 - Create a new Opportunity Sites Map
 - Create a new Floodplain Risk Management Map

Further information on the Parramatta CBD Planning Proposal to amend Parramatta Local Environmental Plan (LEP) 2011 can be found at <https://participate.cityofparramatta.nsw.gov.au> or by contacting Council.

Flood Plain Risk Management Area

The planning proposal seeks to include the land in a Flood Plain Risk Management Area on the proposed Floodplain Risk Management Map of the Parramatta Local Environmental Plan 2011.

Development Control Plan

The land is affected by Parramatta Development Control Plan 2011.

The Minister for Planning has issued directions that provisions of an EPI do not apply to certain Part 4 development where a concept plan has been approved under Part 3A.

Development Contribution Plan

The Parramatta Civic Improvement Plan (Amendment No. 5) applies to this land.

Heritage Item/Heritage Conservation Area

The land is affected by a planning proposal that seeks to identify the land as containing a Heritage Item in an environmental planning instrument. Refer to the Draft Local Environmental Plan section of this certificate for more details.

The land is identified as containing a Heritage Item in Parramatta Local Environmental Plan 2011

The land is not located in a heritage conservation area.

Road Widening

The land is not affected by 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.

Land Reservation Acquisition

The land is not affected by Land Reservation Acquisition in Parramatta Local Environmental Plan 2011.

Site Compatibility Certificate (Seniors Housing, Infrastructure and Affordable Rental Housing)

At the date of issue of this certificate Council is not aware of any

- a. Site compatibility certificate (affordable rental housing),
- b. Site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments),
- c. Site compatibility certificate (seniors housing)

in respect to the land issued pursuant to the Environmental Planning & Assessment Amendment (Site Compatibility Certificates) Regulation 2009 (NSW).

Contamination

Matters contained in Clause 59(2) as amended in the Contaminated Land Management Act 1997 – as listed:

Clause 59(2)(a) - is the land to which the certificate relates is significantly contaminated land?

NO

Clause 59(2)(b) - is the land to which the certificate relates is subject to a management order?

NO

Clause 59(2)(c) - is the land to which the certificate relates is the subject of an approved voluntary management proposal?

NO

Clause 59(2)(d) - is the land to which the certificate relates is subject to an ongoing maintenance order?

NO

Clause 59(2)(e) - is the land to which the certificate relates is the subject of a site audit statement?

NO

Tree Preservation

The land is subject to Section 5.4 Preservation of Trees or Vegetation in Parramatta Development Control Plan 2011.

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

Coastal Protection

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

NO

Council Policy

Council has not adopted a policy to restrict the development of the land by reason of the likelihood of projected sea level rise (coastal protection), tidal inundation, subsidence or any other risk.

Council has adopted a policy covering the entire City of Parramatta to restrict development of any land by reason of the likelihood of flooding.

Council has adopted by resolution a policy on contaminated land that applies to all land within the City of Parramatta. The Policy will restrict the development of the land if the circumstances set out in the policy prevail. A copy of the policy is available on Councils website at www.cityofparramatta.nsw.gov.au or from the Customer Service Centre.

Mine Subsidence

The land is not affected by the Coal Mine Subsidence Compensation Act 2017 proclaiming land to be a Mine Subsidence District.

Bushfire Land

The land is not bushfire prone land.

Threatened Species

The Environment Agency Head with responsibility for the Biodiversity Conservation Act 2016 has not advised Council that the land includes or comprises an area of outstanding biodiversity value.

Biodiversity certified land

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

Note. *Biodiversity certified land includes land certified under Part 7AA of the Threatened Species Conservation Act 1995 that is taken to be certified under Part 8 of the Biodiversity Conservation Act 2016.*

Biodiversity stewardship sites

The Chief Executive of the Office of Environment and Heritage has not notified the Council if the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the Biodiversity Conservation Act 2016.

Note: Biodiversity stewardship agreements include biobanking agreements under Part 7A of the Threatened Species Conservation Act 1995 that are taken to be biodiversity stewardship agreements under Part 5 of the Biodiversity Conservation Act 2016.

Native vegetation clearing set asides

Council has not been notified of the land containing a set aside area under section 60ZC of the Local Land Services Act 2013.

Property vegetation plans

Council has not been notified of the existence of the property vegetation plan approved under Part 4 of the Native Vegetation Act 2003 on the land.

Paper Subdivision information

The land is not subject to any development plan adopted by a relevant authority or that is proposed to be subject to a consent ballot. A subdivision order does not apply to the land.

Note: Words and expressions used in this clause have the same meaning as they have in Part 16C of the Environmental Planning and Assessment Regulation 2000.

Loose-Fill Asbestos Register

Council has not been notified by NSW Fair Trading of the property being listed on the loose-fill asbestos insulation register maintained by the Secretary of NSW Fair Trading.

Site verification certificates

Council is not aware of whether there is a current site verification certificate in respect of the land.

Affected Building Notices and Building Product Rectification Orders

Council is not aware of whether there is any affected building notice, building product rectification order or notice of intention to make a building product rectification order that is in force in respect of the land.

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

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

Note: This does not constitute a Complying Development Certificate under section 4.27 of the Environmental Planning and Assessment Act 1979

The following information only addresses whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of **Clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1)(c3) and 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. It is not a statement that complying development is permissible on the land.

Other land exemptions within of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 may also apply. Furthermore, other provisions within the relevant Local Environmental Plan or a State Environmental Planning Policy which restrict complying development on the land may also apply.

It is your responsibility to ensure that you comply with the relevant complying development provisions for the land. Failure to comply with these provisions may mean that a Complying Development Certificate is invalid.

Housing Code; Low Rise Housing Diversity Code; Rural Housing Code

Complying Development pursuant to the Housing Code, Low Rise Housing Diversity Code and Rural Housing Code **may not** be carried out on the land or part of the land. The land is affected by specific land exemptions under **Clause 1.17A or Clause 1.18 (1) (c3) or Clause 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. The land exemptions are:

- Part of the land comprises, or on which there is, a draft heritage item (Land Exemption Clause 1.18(1)(c3) of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008)
- Part of the land comprises, or contains an item of environmental heritage (that is listed on the State Heritage Register **or** that is subject to an interim heritage order under the Heritage Act 1977 **or** is identified as an item of environmental heritage in an environmental planning instrument), (Land Exemption Clause 1.17A of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008)

Commercial and Industrial (New Buildings and Additions) Code

Complying Development pursuant to Commercial and Industrial (New Buildings and Additions) Code **may not** be carried out on the land or part of the land. The land is affected by specific land exemptions under **Clause 1.17A or Clause 1.18 (1) (c3) or Clause 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. The land exemptions are:

- Part of the land comprises, or on which there is, a draft heritage item (Land Exemption Clause 1.18(1)(c3) of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008)
- Part of the land comprises, or contains an item of environmental heritage (that is listed on the State Heritage Register **or** that is subject to an interim heritage order under the Heritage Act 1977 **or** is identified as an item of environmental heritage in an environmental planning instrument), (Land Exemption Clause 1.17A of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008)

Housing Alterations Code; General Development Code; General Commercial and Industrial (Alterations) Code; Container Recycling Facilities Code; Subdivision Code; Demolition Code; Fire Safety Code

Complying Development pursuant to the Housing Alterations Code, General Development Code, General Commercial and Industrial (Alterations) Code, Container Recycling Facilities Code, Subdivision Code, Demolition Code and Fire Safety Code **may not** be carried out on the land or part of the land. The land is affected by specific land exemptions under **Clause 1.17A or Clause 1.18 (1) (c3) or Clause 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. The land exemptions are:

- Part of the land comprises, or on which there is, a draft heritage item (Land Exemption Clause 1.18(1)(c3) of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008)
- Part of the land comprises, or contains an item of environmental heritage (that is listed on the State Heritage Register **or** that is subject to an interim heritage order under the Heritage Act 1977 **or** is identified as an item of environmental heritage in an environmental planning instrument), (Land Exemption Clause 1.17A of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008)

SPECIAL NOTES

The land is identified as Class 4 on the Acid Sulfate Soils map. Refer to Clause 6.1 of Parramatta Local Environmental Plan 2011.

The land is identified as Class 5 on the Acid Sulfate Soils map. Refer to Clause 6.1 of Parramatta Local Environmental Plan 2011.

Applicants for Sections 10.7 Certificates are advised that Council does not hold sufficient information to fully detail the effect of any encumbrances on the title of the subject land. The information available to Council is provided on the basis that neither Council nor its servants hold out advice or warrant to you in any way its accuracy, nor shall Council or its servants, be liable for any negligence in the preparation of that information. Further information should be sought from relevant Statutory Departments.

SECTION C**The following additional information is issued under Section 10.7(5)**

Pursuant to S10.7(5) the Council supplies information as set out below on the basis that the Council takes no responsibility for the accuracy of the information. The information if material should be independently checked by the applicant.

Civic Link Precinct – Parramatta Development Control Plan (DCP) 2011

The land is located within the Civic Link Precinct as identified in Section 4.3.3.7 (m) of the Parramatta Development Control Plan 2011. The Civic Link Precinct will be a new pedestrian, public space within the City Centre linking Parramatta Square to the Parramatta River foreshore. The controls in this section of the DCP describes the spatial definition of the Civic Link; changes to through block movement patterns; new streets, laneways and open spaces; and future development form.

Note: Section 4.3.3.7 (m) of the DCP sets high-level planning controls for Civic Link Precinct areas between Macquarie Street and the Parramatta River (Blocks 2, 3 and 4 as shown in Figure 4.3.3.7.51 Civic Link Precinct), with more detailed controls to be finalised. Persons wishing to develop land within one of these areas are recommended to contact Council's Land Use Team on 9806 5050 or email council@cityofparramatta.nsw.gov.au.

Aboriginal Sensitivity Map - Parramatta Development Control Plan (DCP) 2011

Aboriginal Heritage – High Sensitivity – potential to contain items of Aboriginal heritage. Contact Council's Customer Service/Duty Planner (02) 9806 5050 for more information.

Flood Information

The land is affected by a 100 year Average Recurrence Interval flood as indicated by Council's current flooding information. As such Council is required to take that into account when determining any development application made in respect of the land.

Further information is available at the Catchment Management Section within Council's City Assets and Environment Unit.

Additional advice should be also sought from an appropriately qualified person as to the extents and potential hazards associated with the likely flooding of the land. The names of qualified persons maybe obtained from the Institution of Engineers Australia.

Note: Advisory Information Regarding Proximity to a Commercial Centre

The land is within proximity to a major, strategic or local commercial centre. Council is looking to encourage greater activation and investment in these centres by developing the night time economy across the City of Parramatta. Future residents should be aware that the nature and scale of facilities, business activity and events held in these centres may affect the use and enjoyment of the land as a result of operating hours, odour, noise, lighting, traffic and measures associated with event management.

This is considered part of living in/near a commercial centre.

Interim Sydney Metro West Corridor - Infrastructure SEPP

Mapping associated with State Environmental Planning Policy (Infrastructure) 2007 (the Infrastructure SEPP) indicates that the land or part of the land is within the Interim Sydney Metro West Corridor.

Note: Draft City of Parramatta (Outside CBD) Development Contributions Plan

On 17 March 2021 Council Exhibited a draft Development Contribution Plan - the Draft City of Parramatta (Outside CBD) Development Contributions Plan. It is proposed that the Draft City of Parramatta (Outside CBD) Development Contributions Plan will apply to all land within the City of Parramatta LGA, except for land within the Parramatta CBD and Sydney Olympic Park. The proposed Draft City of Parramatta (Outside CBD) Development Contributions Plan will replace eight (8) existing Development Contribution Plans where they apply to land within the Parramatta LGA. These include:

- Parramatta Section 94A Development Contribution Plan (Amendment No. 5);
- Auburn Development Contributions Plan 2007 Amendment No 1;
- Carter Street Precinct Development Contributions Plan 2016;
- Holroyd Section 94 Plan 2013;
- City of Parramatta S94 Development Contributions Plan (formerly Hornsby LGA Land and Epping Town Centre);
- City of Parramatta S94A Development Contributions Plan (formerly Hornsby LGA Land and Epping Town Centre);
- City of Parramatta Section 94A Development Contribution Plan (Former Hills LGA Land); and
- Contributions Plan 14 - Carlingford Precinct.

Further information about the Draft City of Parramatta (Outside CBD) Development Contributions Plan can be found at <https://participate.cityofparramatta.nsw.gov.au/outside-cbd-contributions> or by contacting Council.

Note: Advisory Information regarding Combustible Cladding

External combustible cladding on multi-storey buildings has been identified in local government areas including the City of Parramatta. Combustible cladding is a material that is capable of readily burning.

You should make your own enquiries as to the type of materials that have been used to construct the building. It is recommended that the purchaser obtain a building report from an appropriately qualified person to determine if any cladding type material may pose a risk to the building's occupants. Council may issue orders to rectify a building where combustible cladding is found.

Properties that have combustible cladding on buildings are listed in the NSW Government Combustible Cladding Register. Please refer to <https://www.claddingregistration.nsw.gov.au/> or call 1300 305 695 for further information regarding the NSW Government Combustible Cladding Register.

There is potential for combustible cladding to be present on buildings that are not listed on the Register.

Note: Advisory Information regarding Loose-Fill asbestos Insulation

Research undertaken by the Loose-Fill Asbestos Insulation Taskforce has determined that there is a potential for loose-fill asbestos insulation to be found in residential dwellings constructed prior to 1980 in 28 local government areas including the City of Parramatta.

Some residential homes located in the City of Parramatta may contain loose-fill asbestos insulation, for example in the roof space. NSW Fair Trading maintains a Register of homes that are affected by loose-fill asbestos insulation.

You should make your own enquiries as to the age of the buildings on the land to which this certificate relates and, if it contains a building constructed prior to 1980, the council strongly recommends that any potential purchaser obtain advice from a licensed asbestos assessor to determine whether loose fill asbestos is present in any building on the land and, if so, the health risks (if any) this may pose for the building's occupants.

Please Contact NSW Fair Trading for further information.

This information has been provided pursuant to section 10.7(5) of the Environmental Planning and Assessment Act, 1979 as amended.

Brett Newman
Chief Executive Officer

per



dated 16 April 2021

PLANNING CERTIFICATE

CERTIFICATE UNDER SECTION 10.7

Environmental Planning and Assessment Act, 1979 as amended

Certificate No: 2021/2800
Fee: \$133.00
Issue Date: 16 April 2021
Receipt No: 6336113
Applicant Ref: EDS WP44 10.7(2)C:147913

DESCRIPTION OF LAND

Address: Greenway Arcade
222 Church Street
PARRAMATTA NSW 2150
Lot Details: Lot 1 DP 702291

SECTION A

The following Environmental Planning Instrument to which this certificate relates applies to the land:

Parramatta Local Environmental Plan 2011

For the purpose of **Section 10.7(2)** it is advised that as the date of this certificate the abovementioned land is affected by the matters referred to as follows:

Contact us:

council@cityofparramatta.nsw.gov.au | 02 9806 5050
@cityofparramatta | PO Box 32, Parramatta, NSW 2124
ABN 49 907 174 773 | cityofparramatta.nsw.gov.au

The land is zoned: B4 Mixed Use PLEP2011

Zone B4 - Mixed Use (Parramatta Local Environmental Plan 2011)

Issued pursuant to Section 10.7 of the Environmental Planning and Assessment Act, 1979.

NOTE: This table is an excerpt from Parramatta Local Environmental Plan 2011 and must be read in conjunction with and subject to the other provisions of that instrument, and in force at that date.

Zone B4 Mixed Use

1 Objectives of zone

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To encourage development that contributes to an active, vibrant and sustainable neighbourhood.
- To create opportunities to improve the public domain and pedestrian links.
- To support the higher order Zone B3 Commercial Core while providing for the daily commercial needs of the locality.
- To protect and enhance the unique qualities and character of special areas within the Parramatta City Centre.

2 Permitted without consent

Home occupations

3 Permitted with consent

Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Light industries; Medical centres; Oyster aquaculture; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Seniors housing; Shop top housing; Tank-based aquaculture; Water recycling facilities; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Crematoria; Depots; Dual occupancies; Dwelling houses; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home industries; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Pond-based aquaculture; Port facilities; Recreation facilities (major); Research stations; Rural industries; Rural workers' dwellings; Secondary dwellings; Semi-detached dwellings; Sewerage systems; Sex services premises;

Signage; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies

SECTION B

State Policies and Regional Environmental Plans

The land is also affected by the following State Environmental Planning Policies (SEPP) and Regional Environmental Plans (SREP):

State Environmental Planning Policy (SEPP) No.19 - Bushland in Urban Areas
State Environmental Planning Policy (SEPP) No.21 - Caravan Parks
State Environmental Planning Policy (SEPP) No.33 -Hazardous and Offensive Development
State Environmental Planning Policy (SEPP) No.55 - Remediation of Land
State Environmental Planning Policy (SEPP) No.64 - Advertising and Signage
State Environmental Planning Policy (SEPP) No.65 – Design Quality of Residential Flat Development.
State Environmental Planning Policy (SEPP) No.70 -Affordable Housing (Revised Schemes)
State Environmental Planning Policy (SEPP) (Housing for Seniors or People with a Disability) 2004
State Environmental Planning Policy (SEPP) (Building Sustainability Index: BASIX) 2004
State Environmental Planning Policy (SEPP) (State Significant Precincts) 2005
State Environmental Planning Policy (SEPP) (Mining, Petroleum Production and Extractive Industries) 2007
State Environmental Planning Policy (SEPP) (Infrastructure) 2007
State Environmental Planning Policy (SEPP) (Exempt and Complying Development Codes) 2008
State Environmental Planning Policy (SEPP) (Affordable Rental Housing) 2009
State Environmental Planning Policy (SEPP) (Vegetation in Non-Rural Areas) 2017
State Environmental Planning Policy (SEPP) (Educational Establishments and Child Care Facilities) 2017
State Environmental Planning Policy (SEPP) (Concurrences) 2018
State Environmental Planning Policy (SEPP) (Primary Production and Rural Development) 2019

Sydney Regional Environmental Plan (SREP) No.9 (No.2) - Extractive Industries
Sydney Regional Environmental Plan (SREP) – (Sydney Harbour Catchment) 2005

DRAFT State Environmental Planning Policy to amend State Environmental Planning Policy (SEPP) (Sydney Region Growth Centres) 2006 – Amendment to include the Greater Parramatta Priority Growth Area as a Growth Centre
DRAFT State Environmental Planning Policy (Draft SEPP) – Environment

N.B. All enquiries as to the application of Draft State Environmental Planning Policies should be directed to The NSW Department of Planning, Industry and Environment.

Draft Local Environmental Plan

The land is affected by a Draft Local Environmental Plan which has been placed on Public Exhibition and has not yet been published. The Draft Local Environmental Plan is described below.

Planning Proposal – Draft Parramatta Local Environmental Plan 2020 (Harmonisation LEP)

This land is affected by a planning proposal seeking to create a single consolidated Local Environmental Plan (LEP) that will apply to the whole City of Parramatta Local Government Area (LGA). The new LEP will replace five (5) existing LEPs where they apply to land within the Parramatta LGA. These include:

- *Auburn Local Environmental Plan 2010*
- *Holroyd Local Environmental Plan 2013*
- *Hornsby Local Environmental Plan 2013*
- *Parramatta Local Environmental Plan 2011*
- *Parramatta (former The Hills) Local Environmental Plan 2012*

The new Parramatta LEP will create a common set of objectives, land use tables and provisions for all land within the LGA. This will result in some changes to the current planning controls applying to certain areas, including:

- Changes to land uses permitted in certain areas, because of the creation of a common set of land use tables.
- Prohibiting dual occupancy developments in certain locations.
- A minimum lot size of 600sqm and frontage to a public road of 15 metres development standards for Dual Occupancies or Manor Houses where they are permitted;
- Changes to height and FSR controls applying to residential zones – these include:
 - applying a FSR of 0.5:1 to R2 Low Density Residential zoned land and a FSR of 0.6:1 to R3 Medium Density Residential zoned land in the Parramatta (former The Hills) LEP 2012 and Hornsby Council LEP 2013 (where none currently applies);
 - reducing the FSR from 0.75:1 to 0.6:1 applying to R3 Medium Density Residential zoned land in Silverwater;
 - increasing the height limit from 8.5 metres to 9 metres applying to R2 Low Density Residential zoned land in the Hornsby Council LEP 2013;
 - applying a 11 metre height limit to R3 Medium Density Residential zoned land in the Parramatta (former The Hills) LEP 2012, Hornsby LEP 2013 and Auburn LEP 2010;
 - applying a FSR control to R4 High Density Residential zoned land in the former Parramatta (former The Hills) LEP 2012, Hornsby LEP 2013 and Auburn LEP 2010 (where none is currently applied); and,
 - A limited number of targeted site-specific changes associated with changes of zoning or to address anomalies.
- Applying a 550sqm minimum subdivision lot size to residential land (except R2 Low Density Residential zoned land in the Parramatta (former The Hills) LEP 2012, which will retain the existing 700sqm requirement)
- Mapping of additional Biodiversity Land and Riparian Land and Waterways

- A limited number of changes to the zoning of some sites to address inconsistencies and anomalies across current land use plans, this includes:
 - Removing the R1 General Residential zone, and rezoning this land to R4 High Density Residential or R3 Medium Density Residential;
 - Rezoning all public bushland reserves to E2 Environmental Conservation;
 - Rezoning some R3 Medium Density Residential zoned land in Northmead, North Rocks and Carlingford to R2 Low Density Residential; and,
 - Rezoning existing lawful places of public worship in the former Parramatta Council area from SP1 Special Activities to R2 Low Density Residential.

Further information on the Planning Proposal for the new Parramatta Local Environmental Plan (LEP) can be found at: www.cityofparramatta.nsw.gov.au/planningharmonisation or by contacting Council

Please note. Council is separately progressing a number of planning proposals relating to specific sites in the LGA. The intention is that, should these site-specific planning proposals be finalised before the new consolidated LEP is made, the respective amendments to planning controls will be carried over into the new LEP and the Harmonisation Planning Proposal will be updated as needed.

Proposed Zoning Draft Parramatta LEP 2020

The land is proposed to be zoned in the in the Draft Parramatta LEP 2020:

B4 Mixed Use PLEP2020

Proposed Zone B4 Mixed Use (Draft Parramatta LEP 2020)

Note: *The following land use table is an excerpt from the Draft Parramatta Local Environmental Plan 2020 (Harmonisation LEP) document exhibited on 31 August 2020 and must be read in conjunction with and subject to other provisions of that draft instrument.*

Zone B4 Mixed Use

1 Objectives of zone

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To encourage development that contributes to an active, vibrant and sustainable neighbourhood.
- To create opportunities to improve the public domain and pedestrian links.

- To support the higher order Zone B3 Commercial Core while providing for the daily commercial needs of the locality.
- To protect and enhance the unique qualities and character of special areas within the Parramatta City Centre.

2 Permitted without consent

Home occupations

3 Permitted with consent

Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Light industries; Medical centres; Oyster aquaculture; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Seniors housing; Shop top housing; Tank-based aquaculture; Water recycling facilities; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Crematoria; Depots; Dual occupancies; Dwelling houses; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home industries; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Pond-based aquaculture; Port facilities; Recreation facilities (major); Research stations; Rural industries; Rural workers' dwellings; Secondary dwellings; Semi-detached dwellings; Sewerage systems; Sex services premises; Signage; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies

Planning Proposal – Parramatta CBD Planning Proposal – Parramatta LEP 2011

This land is affected by a planning proposal seeking to amend Parramatta Local Environmental Plan (LEP) 2011. The planning proposal applies to land collectively referred to as the Parramatta City Centre and Experiment Farm and seeks to amend the Parramatta Local Environmental Plan (LEP) 2011 by:

- rezoning some land;
- increase the floor space ratio (FSR) permitted on some land;
- increase the height of buildings (HOB) permitted on some land;

- amend the sun access protection provisions, airspace operations clause, and design excellence clauses;
- include a requirement for non-residential floor space in parts of the some mixed use zones;
- include a requirement for active frontages to certain streets and public spaces;
- include a requirement for end of journey facilities;
- include amendment to encourage high yield employment uses;
- include a new clause to encourage high performing buildings;
- include a new clause to encourage the provision of community infrastructure;
- a new clause to preserve existing controls in the 'Park Edge Highly Sensitive' area, Parramatta Park, Parramatta Stadium, certain land zoned B5 Business Development west of Church Street (behind Auto Alley); and certain land zoned B4 Mixed Use at the intersection of Church Street and Pennant Hills Road;
- include additional clauses to Schedule 1 – Additional Permitted Uses of the Parramatta LEP 2011;
- a new heritage clause to require a higher standard of development that affects heritage;
- new clauses for the Marion Street precinct;
- amend the following maps in the Parramatta LEP 2011:
 - Amend the Land Application Map
 - Amend the Additional Local Provisions Map
 - Amend the Land Zoning Map
 - Amend the Floor Space Ratio Map
 - Amend the Height of Buildings Map
 - Amend the Additional Permitted Uses Map
 - Amend the Special Provisions Area Map
 - Amend Heritage Map
 - Land Reservation Acquisition MapAnd;
- create new maps for inclusion in the Parramatta LEP 2011:
 - Create a new Incentive Floor Space Ratio Map
 - Create a new Incentive Height of Buildings Map
 - Create a new Sun Access Protection Map
 - Create a new Active Street Frontage Map
 - Create a new Opportunity Sites Map
 - Create a new Floodplain Risk Management Map

Further information on the Parramatta CBD Planning Proposal to amend Parramatta Local Environmental Plan (LEP) 2011 can be found at <https://participate.cityofparramatta.nsw.gov.au> or by contacting Council.

Flood Plain Risk Management Area

The planning proposal seeks to include the land in a Flood Plain Risk Management Area on the proposed Floodplain Risk Management Map of the Parramatta Local Environmental Plan 2011.

Development Control Plan

The land is affected by Parramatta Development Control Plan 2011.

The Minister for Planning has issued directions that provisions of an EPI do not apply to certain Part 4 development where a concept plan has been approved under Part 3A.

Development Contribution Plan

The Parramatta Civic Improvement Plan (Amendment No. 5) applies to this land.

Heritage Item/Heritage Conservation Area

An item of environmental heritage is not situated on the land.

The land is not located in a heritage conservation area.

Road Widening

The land is not affected by 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.

Land Reservation Acquisition

The land is not affected by Land Reservation Acquisition in Parramatta Local Environmental Plan 2011.

Site Compatibility Certificate (Seniors Housing, Infrastructure and Affordable Rental Housing)

At the date of issue of this certificate Council is not aware of any

- a. Site compatibility certificate (affordable rental housing),
- b. Site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments),
- c. Site compatibility certificate (seniors housing)

in respect to the land issued pursuant to the Environmental Planning & Assessment Amendment (Site Compatibility Certificates) Regulation 2009 (NSW).

Contamination

Matters contained in Clause 59(2) as amended in the Contaminated Land Management Act 1997 – as listed:

Clause 59(2)(a) - is the land to which the certificate relates is significantly contaminated land?

NO

Clause 59(2)(b) - is the land to which the certificate relates is subject to a management order?

NO

Clause 59(2)(c) - is the land to which the certificate relates is the subject of an approved voluntary management proposal?

NO

Clause 59(2)(d) - is the land to which the certificate relates is subject to an ongoing maintenance order?

NO

Clause 59(2)(e) - is the land to which the certificate relates is the subject of a site audit statement?

NO

Tree Preservation

The land is subject to Section 5.4 Preservation of Trees or Vegetation in Parramatta Development Control Plan 2011.

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

Coastal Protection

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

NO

Council Policy

Council has not adopted a policy to restrict the development of the land by reason of the likelihood of projected sea level rise (coastal protection), tidal inundation, subsidence or any other risk.

Council has adopted a policy covering the entire City of Parramatta to restrict development of any land by reason of the likelihood of flooding.

Council has adopted by resolution a policy on contaminated land that applies to all land within the City of Parramatta. The Policy will restrict the development of the land if the circumstances set out in the policy prevail. A copy of the policy is available on Councils website at www.cityofparramatta.nsw.gov.au or from the Customer Service Centre.

Mine Subsidence

The land is not affected by the Coal Mine Subsidence Compensation Act 2017 proclaiming land to be a Mine Subsidence District.

Bushfire Land

The land is not bushfire prone land.

Threatened Species

The Environment Agency Head with responsibility for the Biodiversity Conservation Act 2016 has not advised Council that the land includes or comprises an area of outstanding biodiversity value.

Biodiversity certified land

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

Note. *Biodiversity certified land includes land certified under Part 7AA of the Threatened Species Conservation Act 1995 that is taken to be certified under Part 8 of the Biodiversity Conservation Act 2016.*

Biodiversity stewardship sites

The Chief Executive of the Office of Environment and Heritage has not notified the Council if the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the Biodiversity Conservation Act 2016.

Note: Biodiversity stewardship agreements include biobanking agreements under Part 7A of the Threatened Species Conservation Act 1995 that are taken to be biodiversity stewardship agreements under Part 5 of the Biodiversity Conservation Act 2016.

Native vegetation clearing set asides

Council has not been notified of the land containing a set aside area under section 60ZC of the Local Land Services Act 2013.

Property vegetation plans

Council has not been notified of the existence of the property vegetation plan approved under Part 4 of the Native Vegetation Act 2003 on the land.

Paper Subdivision information

The land is not subject to any development plan adopted by a relevant authority or that is proposed to be subject to a consent ballot. A subdivision order does not apply to the land.

Note: Words and expressions used in this clause have the same meaning as they have in Part 16C of the Environmental Planning and Assessment Regulation 2000.

Loose-Fill Asbestos Register

Council has not been notified by NSW Fair Trading of the property being listed on the loose-fill asbestos insulation register maintained by the Secretary of NSW Fair Trading.

Site verification certificates

Council is not aware of whether there is a current site verification certificate in respect of the land.

Affected Building Notices and Building Product Rectification Orders

Council is not aware of whether there is any affected building notice, building product rectification order or notice of intention to make a building product rectification order that is in force in respect of the land.

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

**State Environmental Planning Policy
(Exempt and Complying Development Codes) 2008**

Note: This does not constitute a Complying Development Certificate under section 4.27 of the Environmental Planning and Assessment Act 1979

The following information only addresses whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of **Clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1)(c3) and 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. It is not a statement that complying development is permissible on the land.

Other land exemptions within of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 may also apply. Furthermore, other provisions within the relevant Local Environmental Plan or a State Environmental Planning Policy which restrict complying development on the land may also apply.

It is your responsibility to ensure that you comply with the relevant complying development provisions for the land. Failure to comply with these provisions may mean that a Complying Development Certificate is invalid.

Housing Code; Low Rise Housing Diversity Code; Rural Housing Code

Complying Development pursuant to the Housing Code, Low Rise Housing Diversity Code and Rural Housing Code **may** be carried out on the land under **Clause 1.17A (1) (c) to (e), (2), (3) and (4) and Clause 1.18 (1)(c3) and Clause 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Commercial and Industrial (New Buildings and Additions) Code

Complying Development pursuant to the Commercial and Industrial (New Buildings and Additions) Code **may** be carried out on the land under **Clause 1.17A (1) (c) to (e), (2), (3) and (4) and Clause 1.18 (1)(c3) and Clause 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Housing Alterations Code; General Development Code; General Commercial and Industrial (Alterations) Code; Container Recycling Facilities Code; Subdivision Code; Demolition Code; Fire Safety Code

Complying Development pursuant to the Housing Alterations Code, General Development Code, General Commercial and Industrial (Alterations) Code, Container Recycling Facilities Code, Subdivision Code, Demolition Code and Fire Safety Code **may** be carried out on the land under **Clause 1.17A (1) (c) to (e), (2), (3) and (4) and Clause 1.18 (1)(c3) and Clause 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

SPECIAL NOTES

The land is identified as Class 4 on the Acid Sulfate Soils map. Refer to Clause 6.1 of Parramatta Local Environmental Plan 2011.

Applicants for Sections 10.7 Certificates are advised that Council does not hold sufficient information to fully detail the effect of any encumbrances on the title of the subject land. The information available to Council is provided on the basis that neither Council nor its servants hold out advice or warrant to you in any way its accuracy, nor shall Council or its servants, be liable for any negligence in the preparation of that information. Further information should be sought from relevant Statutory Departments.

SECTION C**The following additional information is issued under Section 10.7(5)**

Pursuant to S10.7(5) the Council supplies information as set out below on the basis that the Council takes no responsibility for the accuracy of the information. The information if material should be independently checked by the applicant.

Civic Link Precinct – Parramatta Development Control Plan (DCP) 2011

The land is located within the Civic Link Precinct as identified in Section 4.3.3.7 (m) of the Parramatta Development Control Plan 2011. The Civic Link Precinct will be a new pedestrian, public space within the City Centre linking Parramatta Square to the Parramatta River foreshore. The controls in this section of the DCP describes the spatial definition of the Civic Link; changes to through block movement patterns; new streets, laneways and open spaces; and future development form.

Note: Section 4.3.3.7 (m) of the DCP sets high-level planning controls for Civic Link Precinct areas between Macquarie Street and the Parramatta River (Blocks 2, 3 and 4 as shown in Figure 4.3.3.7.51 Civic Link Precinct), with more detailed controls to be finalised. Persons wishing to develop land within one of these areas are recommended to contact Council's Land Use Team on 9806 5050 or email council@cityofparramatta.nsw.gov.au.

Additional Local Provisions

This land is identified on the Additional Local Provisions Map of the Parramatta Local Environmental Plan 2011. Part 7 Additional local provisions – Parramatta City Centre of the Parramatta Local Environmental Plan 2011 applies to the land.

Aboriginal Sensitivity Map - Parramatta Development Control Plan (DCP) 2011

Aboriginal Heritage – High Sensitivity – potential to contain items of Aboriginal heritage. Contact Council's Customer Service/Duty Planner (02) 9806 5050 for more information.

Flood Information

The land is considered by Council TO BE ABOVE the 1 in 100 year mainstream flood level.

This information is based on data available to the Council. It is provided on the basis that neither Council nor its servants hold out advice or warrant to you in any way its accuracy, nor shall the Council or its servants, be liable for any negligence in the preparation of that information.

Planning Agreement

The land is identified as having a Planning Agreement and its associated conditions apply to all or part of the land.

For details on Planning Agreements, please contact Council's Land Use Team on 9806 5050 or email council@cityofparramatta.nsw.gov.au referencing the site address.

Interim Sydney Metro West Corridor - Infrastructure SEPP

Mapping associated with State Environmental Planning Policy (Infrastructure) 2007 (the Infrastructure SEPP) indicates that the land or part of the land is within the Interim Sydney Metro West Corridor.

Note: Advisory Information Regarding Proximity to a Commercial Centre

The land is within proximity to a major, strategic or local commercial centre. Council is looking to encourage greater activation and investment in these centres by developing the night time economy across the City of Parramatta. Future residents should be aware that the nature and scale of facilities, business activity and events held in these centres may affect the use and enjoyment of the land as a result of operating hours, odour, noise, lighting, traffic and measures associated with event management.

This is considered part of living in/near a commercial centre.

Note: Draft City of Parramatta (Outside CBD) Development Contributions Plan

On 17 March 2021 Council Exhibited a draft Development Contribution Plan - the Draft City of Parramatta (Outside CBD) Development Contributions Plan. It is proposed that the Draft City of Parramatta (Outside CBD) Development Contributions Plan will apply to all land within the City of Parramatta LGA, except for land within the Parramatta CBD and Sydney Olympic Park. The proposed Draft City of Parramatta (Outside CBD) Development Contributions Plan will replace eight (8) existing Development Contribution Plans where they apply to land within the Parramatta LGA. These include:

- Parramatta Section 94A Development Contribution Plan (Amendment No. 5);
- Auburn Development Contributions Plan 2007 Amendment No 1;
- Carter Street Precinct Development Contributions Plan 2016;
- Holroyd Section 94 Plan 2013;
- City of Parramatta S94 Development Contributions Plan (formerly Hornsby LGA Land and Epping Town Centre);
- City of Parramatta S94A Development Contributions Plan (formerly Hornsby LGA Land and Epping Town Centre);
- City of Parramatta Section 94A Development Contribution Plan (Former Hills LGA Land); and
- Contributions Plan 14 - Carlingford Precinct.

Further information about the Draft City of Parramatta (Outside CBD) Development Contributions Plan can be found at <https://participate.cityofparramatta.nsw.gov.au/outside-cbd-contributions> or by contacting Council.

Note: Advisory Information regarding Combustible Cladding

External combustible cladding on multi-storey buildings has been identified in local government areas including the City of Parramatta. Combustible cladding is a material that is capable of readily burning.

You should make your own enquiries as to the type of materials that have been used to construct the building. It is recommended that the purchaser obtain a building report from an appropriately qualified person to determine if any cladding type material may pose a risk to the building's occupants. Council may issue orders to rectify a building where combustible cladding is found.

Properties that have combustible cladding on buildings are listed in the NSW Government Combustible Cladding Register. Please refer to <https://www.claddingregistration.nsw.gov.au/> or call 1300 305 695 for further information regarding the NSW Government Combustible Cladding Register.

There is potential for combustible cladding to be present on buildings that are not listed on the Register.

Note: Advisory Information regarding Loose-Fill asbestos Insulation

Research undertaken by the Loose-Fill Asbestos Insulation Taskforce has determined that there is a potential for loose-fill asbestos insulation to be found in residential dwellings constructed prior to 1980 in 28 local government areas including the City of Parramatta.

Some residential homes located in the City of Parramatta may contain loose-fill asbestos insulation, for example in the roof space. NSW Fair Trading maintains a Register of homes that are affected by loose-fill asbestos insulation.

You should make your own enquiries as to the age of the buildings on the land to which this certificate relates and, if it contains a building constructed prior to 1980, the council strongly recommends that any potential purchaser obtain advice from a licensed asbestos assessor to determine whether loose fill asbestos is present in any building on the land and, if so, the health risks (if any) this may pose for the building's occupants.

Please Contact NSW Fair Trading for further information.

This information has been provided pursuant to section 10.7(5) of the Environmental Planning and Assessment Act, 1979 as amended.

Brett Newman
Chief Executive Officer

per



dated 16 April 2021

PLANNING CERTIFICATE

CERTIFICATE UNDER SECTION 10.7

Environmental Planning and Assessment Act, 1979 as amended

Certificate No: 2021/2801
Fee: \$133.00
Issue Date: 16 April 2021
Receipt No: 6336113
Applicant Ref: EDS WP44 10.7(2)C:147913

DESCRIPTION OF LAND

Address: 232 Church Street
PARRAMATTA NSW 2150
Lot Details: Lot 1 DP 651992

SECTION A

The following Environmental Planning Instrument to which this certificate relates applies to the land:

Parramatta Local Environmental Plan 2011

For the purpose of **Section 10.7(2)** it is advised that as the date of this certificate the abovementioned land is affected by the matters referred to as follows:

Contact us:

council@cityofparramatta.nsw.gov.au | 02 9806 5050
@cityofparramatta | PO Box 32, Parramatta, NSW 2124
ABN 49 907 174 773 | cityofparramatta.nsw.gov.au

The land is zoned: B4 Mixed Use PLEP2011

Zone B4 - Mixed Use (Parramatta Local Environmental Plan 2011)

Issued pursuant to Section 10.7 of the Environmental Planning and Assessment Act, 1979.

NOTE: This table is an excerpt from Parramatta Local Environmental Plan 2011 and must be read in conjunction with and subject to the other provisions of that instrument, and in force at that date.

Zone B4 Mixed Use

1 Objectives of zone

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To encourage development that contributes to an active, vibrant and sustainable neighbourhood.
- To create opportunities to improve the public domain and pedestrian links.
- To support the higher order Zone B3 Commercial Core while providing for the daily commercial needs of the locality.
- To protect and enhance the unique qualities and character of special areas within the Parramatta City Centre.

2 Permitted without consent

Home occupations

3 Permitted with consent

Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Light industries; Medical centres; Oyster aquaculture; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Seniors housing; Shop top housing; Tank-based aquaculture; Water recycling facilities; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Crematoria; Depots; Dual occupancies; Dwelling houses; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home industries; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Pond-based aquaculture; Port facilities; Recreation facilities (major); Research stations; Rural industries; Rural workers' dwellings; Secondary dwellings; Semi-detached dwellings; Sewerage systems; Sex services premises;

Signage; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies

SECTION B

State Policies and Regional Environmental Plans

The land is also affected by the following State Environmental Planning Policies (SEPP) and Regional Environmental Plans (SREP):

State Environmental Planning Policy (SEPP) No.19 - Bushland in Urban Areas
State Environmental Planning Policy (SEPP) No.21 - Caravan Parks
State Environmental Planning Policy (SEPP) No.33 -Hazardous and Offensive Development
State Environmental Planning Policy (SEPP) No.55 - Remediation of Land
State Environmental Planning Policy (SEPP) No.64 - Advertising and Signage
State Environmental Planning Policy (SEPP) No.65 – Design Quality of Residential Flat Development.
State Environmental Planning Policy (SEPP) No.70 -Affordable Housing (Revised Schemes)
State Environmental Planning Policy (SEPP) (Housing for Seniors or People with a Disability) 2004
State Environmental Planning Policy (SEPP) (Building Sustainability Index: BASIX) 2004
State Environmental Planning Policy (SEPP) (State Significant Precincts) 2005
State Environmental Planning Policy (SEPP) (Mining, Petroleum Production and Extractive Industries) 2007
State Environmental Planning Policy (SEPP) (Infrastructure) 2007
State Environmental Planning Policy (SEPP) (Exempt and Complying Development Codes) 2008
State Environmental Planning Policy (SEPP) (Affordable Rental Housing) 2009
State Environmental Planning Policy (SEPP) (Vegetation in Non-Rural Areas) 2017
State Environmental Planning Policy (SEPP) (Educational Establishments and Child Care Facilities) 2017
State Environmental Planning Policy (SEPP) (Concurrences) 2018
State Environmental Planning Policy (SEPP) (Primary Production and Rural Development) 2019

Sydney Regional Environmental Plan (SREP) No.9 (No.2) - Extractive Industries
Sydney Regional Environmental Plan (SREP) – (Sydney Harbour Catchment) 2005

DRAFT State Environmental Planning Policy to amend State Environmental Planning Policy (SEPP) (Sydney Region Growth Centres) 2006 – Amendment to include the Greater Parramatta Priority Growth Area as a Growth Centre
DRAFT State Environmental Planning Policy (Draft SEPP) – Environment

N.B. All enquiries as to the application of Draft State Environmental Planning Policies should be directed to The NSW Department of Planning, Industry and Environment.

Draft Local Environmental Plan

The land is affected by a Draft Local Environmental Plan which has been placed on Public Exhibition and has not yet been published. The Draft Local Environmental Plan is described below.

Planning Proposal – Draft Parramatta Local Environmental Plan 2020 (Harmonisation LEP)

This land is affected by a planning proposal seeking to create a single consolidated Local Environmental Plan (LEP) that will apply to the whole City of Parramatta Local Government Area (LGA). The new LEP will replace five (5) existing LEPs where they apply to land within the Parramatta LGA. These include:

- *Auburn Local Environmental Plan 2010*
- *Holroyd Local Environmental Plan 2013*
- *Hornsby Local Environmental Plan 2013*
- *Parramatta Local Environmental Plan 2011*
- *Parramatta (former The Hills) Local Environmental Plan 2012*

The new Parramatta LEP will create a common set of objectives, land use tables and provisions for all land within the LGA. This will result in some changes to the current planning controls applying to certain areas, including:

- Changes to land uses permitted in certain areas, because of the creation of a common set of land use tables.
- Prohibiting dual occupancy developments in certain locations.
- A minimum lot size of 600sqm and frontage to a public road of 15 metres development standards for Dual Occupancies or Manor Houses where they are permitted;
- Changes to height and FSR controls applying to residential zones – these include:
 - applying a FSR of 0.5:1 to R2 Low Density Residential zoned land and a FSR of 0.6:1 to R3 Medium Density Residential zoned land in the Parramatta (former The Hills) LEP 2012 and Hornsby Council LEP 2013 (where none currently applies);
 - reducing the FSR from 0.75:1 to 0.6:1 applying to R3 Medium Density Residential zoned land in Silverwater;
 - increasing the height limit from 8.5 metres to 9 metres applying to R2 Low Density Residential zoned land in the Hornsby Council LEP 2013;
 - applying a 11 metre height limit to R3 Medium Density Residential zoned land in the Parramatta (former The Hills) LEP 2012, Hornsby LEP 2013 and Auburn LEP 2010;
 - applying a FSR control to R4 High Density Residential zoned land in the former Parramatta (former The Hills) LEP 2012, Hornsby LEP 2013 and Auburn LEP 2010 (where none is currently applied); and,
 - A limited number of targeted site-specific changes associated with changes of zoning or to address anomalies.
- Applying a 550sqm minimum subdivision lot size to residential land (except R2 Low Density Residential zoned land in the Parramatta (former The Hills) LEP 2012, which will retain the existing 700sqm requirement)
- Mapping of additional Biodiversity Land and Riparian Land and Waterways

- A limited number of changes to the zoning of some sites to address inconsistencies and anomalies across current land use plans, this includes:
 - Removing the R1 General Residential zone, and rezoning this land to R4 High Density Residential or R3 Medium Density Residential;
 - Rezoning all public bushland reserves to E2 Environmental Conservation;
 - Rezoning some R3 Medium Density Residential zoned land in Northmead, North Rocks and Carlingford to R2 Low Density Residential; and,
 - Rezoning existing lawful places of public worship in the former Parramatta Council area from SP1 Special Activities to R2 Low Density Residential.

Further information on the Planning Proposal for the new Parramatta Local Environmental Plan (LEP) can be found at: www.cityofparramatta.nsw.gov.au/planningharmonisation or by contacting Council

Please note. Council is separately progressing a number of planning proposals relating to specific sites in the LGA. The intention is that, should these site-specific planning proposals be finalised before the new consolidated LEP is made, the respective amendments to planning controls will be carried over into the new LEP and the Harmonisation Planning Proposal will be updated as needed.

Proposed Zoning Draft Parramatta LEP 2020

The land is proposed to be zoned in the in the Draft Parramatta LEP 2020:

B4 Mixed Use PLEP2020

Proposed Zone B4 Mixed Use (Draft Parramatta LEP 2020)

Note: *The following land use table is an excerpt from the Draft Parramatta Local Environmental Plan 2020 (Harmonisation LEP) document exhibited on 31 August 2020 and must be read in conjunction with and subject to other provisions of that draft instrument.*

Zone B4 Mixed Use

1 Objectives of zone

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To encourage development that contributes to an active, vibrant and sustainable neighbourhood.
- To create opportunities to improve the public domain and pedestrian links.

- To support the higher order Zone B3 Commercial Core while providing for the daily commercial needs of the locality.
- To protect and enhance the unique qualities and character of special areas within the Parramatta City Centre.

2 Permitted without consent

Home occupations

3 Permitted with consent

Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Light industries; Medical centres; Oyster aquaculture; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Seniors housing; Shop top housing; Tank-based aquaculture; Water recycling facilities; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Crematoria; Depots; Dual occupancies; Dwelling houses; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home industries; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Pond-based aquaculture; Port facilities; Recreation facilities (major); Research stations; Rural industries; Rural workers' dwellings; Secondary dwellings; Semi-detached dwellings; Sewerage systems; Sex services premises; Signage; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies

Planning Proposal – Parramatta CBD Planning Proposal – Parramatta LEP 2011

This land is affected by a planning proposal seeking to amend Parramatta Local Environmental Plan (LEP) 2011. The planning proposal applies to land collectively referred to as the Parramatta City Centre and Experiment Farm and seeks to amend the Parramatta Local Environmental Plan (LEP) 2011 by:

- rezoning some land;
- increase the floor space ratio (FSR) permitted on some land;
- increase the height of buildings (HOB) permitted on some land;

- amend the sun access protection provisions, airspace operations clause, and design excellence clauses;
- include a requirement for non-residential floor space in parts of the some mixed use zones;
- include a requirement for active frontages to certain streets and public spaces;
- include a requirement for end of journey facilities;
- include amendment to encourage high yield employment uses;
- include a new clause to encourage high performing buildings;
- include a new clause to encourage the provision of community infrastructure;
- a new clause to preserve existing controls in the 'Park Edge Highly Sensitive' area, Parramatta Park, Parramatta Stadium, certain land zoned B5 Business Development west of Church Street (behind Auto Alley); and certain land zoned B4 Mixed Use at the intersection of Church Street and Pennant Hills Road;
- include additional clauses to Schedule 1 – Additional Permitted Uses of the Parramatta LEP 2011;
- a new heritage clause to require a higher standard of development that affects heritage;
- new clauses for the Marion Street precinct;
- amend the following maps in the Parramatta LEP 2011:
 - Amend the Land Application Map
 - Amend the Additional Local Provisions Map
 - Amend the Land Zoning Map
 - Amend the Floor Space Ratio Map
 - Amend the Height of Buildings Map
 - Amend the Additional Permitted Uses Map
 - Amend the Special Provisions Area Map
 - Amend Heritage Map
 - Land Reservation Acquisition MapAnd;
- create new maps for inclusion in the Parramatta LEP 2011:
 - Create a new Incentive Floor Space Ratio Map
 - Create a new Incentive Height of Buildings Map
 - Create a new Sun Access Protection Map
 - Create a new Active Street Frontage Map
 - Create a new Opportunity Sites Map
 - Create a new Floodplain Risk Management Map

Further information on the Parramatta CBD Planning Proposal to amend Parramatta Local Environmental Plan (LEP) 2011 can be found at <https://participate.cityofparramatta.nsw.gov.au> or by contacting Council.

Flood Plain Risk Management Area

The planning proposal seeks to include the land in a Flood Plain Risk Management Area on the proposed Floodplain Risk Management Map of the Parramatta Local Environmental Plan 2011.

Development Control Plan

The land is affected by Parramatta Development Control Plan 2011.

The Minister for Planning has issued directions that provisions of an EPI do not apply to certain Part 4 development where a concept plan has been approved under Part 3A.

Development Contribution Plan

The Parramatta Civic Improvement Plan (Amendment No. 5) applies to this land.

Heritage Item/Heritage Conservation Area

An item of environmental heritage is not situated on the land.

The land is not located in a heritage conservation area.

Road Widening

The land is not affected by 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.

Land Reservation Acquisition

The land is not affected by Land Reservation Acquisition in Parramatta Local Environmental Plan 2011.

Site Compatibility Certificate (Seniors Housing, Infrastructure and Affordable Rental Housing)

At the date of issue of this certificate Council is not aware of any

- a. Site compatibility certificate (affordable rental housing),
- b. Site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments),
- c. Site compatibility certificate (seniors housing)

in respect to the land issued pursuant to the Environmental Planning & Assessment Amendment (Site Compatibility Certificates) Regulation 2009 (NSW).

Contamination

Matters contained in Clause 59(2) as amended in the Contaminated Land Management Act 1997 – as listed:

Clause 59(2)(a) - is the land to which the certificate relates is significantly contaminated land?

NO

Clause 59(2)(b) - is the land to which the certificate relates is subject to a management order?

NO

Clause 59(2)(c) - is the land to which the certificate relates is the subject of an approved voluntary management proposal?

NO

Clause 59(2)(d) - is the land to which the certificate relates is subject to an ongoing maintenance order?

NO

Clause 59(2)(e) - is the land to which the certificate relates is the subject of a site audit statement?

NO

Tree Preservation

The land is subject to Section 5.4 Preservation of Trees or Vegetation in Parramatta Development Control Plan 2011.

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

Coastal Protection

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

NO

Council Policy

Council has not adopted a policy to restrict the development of the land by reason of the likelihood of projected sea level rise (coastal protection), tidal inundation, subsidence or any other risk.

Council has adopted a policy covering the entire City of Parramatta to restrict development of any land by reason of the likelihood of flooding.

Council has adopted by resolution a policy on contaminated land that applies to all land within the City of Parramatta. The Policy will restrict the development of the land if the circumstances set out in the policy prevail. A copy of the policy is available on Councils website at www.cityofparramatta.nsw.gov.au or from the Customer Service Centre.

Mine Subsidence

The land is not affected by the Coal Mine Subsidence Compensation Act 2017 proclaiming land to be a Mine Subsidence District.

Bushfire Land

The land is not bushfire prone land.

Threatened Species

The Environment Agency Head with responsibility for the Biodiversity Conservation Act 2016 has not advised Council that the land includes or comprises an area of outstanding biodiversity value.

Biodiversity certified land

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

Note. *Biodiversity certified land includes land certified under Part 7AA of the Threatened Species Conservation Act 1995 that is taken to be certified under Part 8 of the Biodiversity Conservation Act 2016.*

Biodiversity stewardship sites

The Chief Executive of the Office of Environment and Heritage has not notified the Council if the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the Biodiversity Conservation Act 2016.

Note: Biodiversity stewardship agreements include biobanking agreements under Part 7A of the Threatened Species Conservation Act 1995 that are taken to be biodiversity stewardship agreements under Part 5 of the Biodiversity Conservation Act 2016.

Native vegetation clearing set asides

Council has not been notified of the land containing a set aside area under section 60ZC of the Local Land Services Act 2013.

Property vegetation plans

Council has not been notified of the existence of the property vegetation plan approved under Part 4 of the Native Vegetation Act 2003 on the land.

Paper Subdivision information

The land is not subject to any development plan adopted by a relevant authority or that is proposed to be subject to a consent ballot. A subdivision order does not apply to the land.

Note: Words and expressions used in this clause have the same meaning as they have in Part 16C of the Environmental Planning and Assessment Regulation 2000.

Loose-Fill Asbestos Register

Council has not been notified by NSW Fair Trading of the property being listed on the loose-fill asbestos insulation register maintained by the Secretary of NSW Fair Trading.

Site verification certificates

Council is not aware of whether there is a current site verification certificate in respect of the land.

Affected Building Notices and Building Product Rectification Orders

Council is not aware of whether there is any affected building notice, building product rectification order or notice of intention to make a building product rectification order that is in force in respect of the land.

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

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

Note: This does not constitute a Complying Development Certificate under section 4.27 of the Environmental Planning and Assessment Act 1979

The following information only addresses whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of **Clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1)(c3) and 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. It is not a statement that complying development is permissible on the land.

Other land exemptions within of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 may also apply. Furthermore, other provisions within the relevant Local Environmental Plan or a State Environmental Planning Policy which restrict complying development on the land may also apply.

It is your responsibility to ensure that you comply with the relevant complying development provisions for the land. Failure to comply with these provisions may mean that a Complying Development Certificate is invalid.

Housing Code; Low Rise Housing Diversity Code; Rural Housing Code

Complying Development pursuant to the Housing Code, Low Rise Housing Diversity Code and Rural Housing Code **may** be carried out on the land under **Clause 1.17A (1) (c) to (e), (2), (3) and (4) and Clause 1.18 (1)(c3) and Clause 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Commercial and Industrial (New Buildings and Additions) Code

Complying Development pursuant to the Commercial and Industrial (New Buildings and Additions) Code **may** be carried out on the land under **Clause 1.17A (1) (c) to (e), (2), (3) and (4) and Clause 1.18 (1)(c3) and Clause 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Housing Alterations Code; General Development Code; General Commercial and Industrial (Alterations) Code; Container Recycling Facilities Code; Subdivision Code; Demolition Code; Fire Safety Code

Complying Development pursuant to the Housing Alterations Code, General Development Code, General Commercial and Industrial (Alterations) Code, Container Recycling Facilities Code, Subdivision Code, Demolition Code and Fire Safety Code **may** be carried out on the land under **Clause 1.17A (1) (c) to (e), (2), (3) and (4) and Clause 1.18 (1)(c3) and Clause 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

SPECIAL NOTES

The land is identified as Class 4 on the Acid Sulfate Soils map. Refer to Clause 6.1 of Parramatta Local Environmental Plan 2011.

Applicants for Sections 10.7 Certificates are advised that Council does not hold sufficient information to fully detail the effect of any encumbrances on the title of the subject land. The information available to Council is provided on the basis that neither Council nor its servants hold out advice or warrant to you in any way its accuracy, nor shall Council or its servants, be liable for any negligence in the preparation of that information. Further information should be sought from relevant Statutory Departments.

SECTION C**The following additional information is issued under Section 10.7(5)**

Pursuant to S10.7(5) the Council supplies information as set out below on the basis that the Council takes no responsibility for the accuracy of the information. The information if material should be independently checked by the applicant.

Additional Local Provisions

This land is identified on the Additional Local Provisions Map of the Parramatta Local Environmental Plan 2011. Part 7 Additional local provisions – Parramatta City Centre of the Parramatta Local Environmental Plan 2011 applies to the land.

Civic Link Precinct – Parramatta Development Control Plan (DCP) 2011

The land is located within the Civic Link Precinct as identified in Section 4.3.3.7 (m) of the Parramatta Development Control Plan 2011. The Civic Link Precinct will be a new pedestrian, public space within the City Centre linking Parramatta Square to the Parramatta River foreshore. The controls in this section of the DCP describes the spatial definition of the Civic Link; changes to through block movement patterns; new streets, laneways and open spaces; and future development form.

Note: Section 4.3.3.7 (m) of the DCP sets high-level planning controls for Civic Link Precinct areas between Macquarie Street and the Parramatta River (Blocks 2, 3 and 4 as shown in Figure 4.3.3.7.51 Civic Link Precinct), with more detailed controls to be finalised. Persons wishing to develop land within one of these areas are recommended to contact Council's Land Use Team on 9806 5050 or email council@cityofparramatta.nsw.gov.au.

Aboriginal Sensitivity Map - Parramatta Development Control Plan (DCP) 2011

Aboriginal Heritage – High Sensitivity – potential to contain items of Aboriginal heritage. Contact Council's Customer Service/Duty Planner (02) 9806 5050 for more information.

Flood Information

The land is considered by Council TO BE ABOVE the 1 in 100 year mainstream flood level.

This information is based on data available to the Council. It is provided on the basis that neither Council nor its servants hold out advice or warrant to you in any way its accuracy, nor shall the Council or its servants, be liable for any negligence in the preparation of that information.

Interim Sydney Metro West Corridor - Infrastructure SEPP

Mapping associated with State Environmental Planning Policy (Infrastructure) 2007 (the Infrastructure SEPP) indicates that the land or part of the land is within the Interim Sydney Metro West Corridor.

Note: Advisory Information Regarding Proximity to a Commercial Centre

The land is within proximity to a major, strategic or local commercial centre. Council is looking to encourage greater activation and investment in these centres by developing the night time economy across the City of Parramatta. Future residents

should be aware that the nature and scale of facilities, business activity and events held in these centres may affect the use and enjoyment of the land as a result of operating hours, odour, noise, lighting, traffic and measures associated with event management.

This is considered part of living in/near a commercial centre.

Note: Draft City of Parramatta (Outside CBD) Development Contributions Plan

On 17 March 2021 Council Exhibited a draft Development Contribution Plan - the Draft City of Parramatta (Outside CBD) Development Contributions Plan. It is proposed that the Draft City of Parramatta (Outside CBD) Development Contributions Plan will apply to all land within the City of Parramatta LGA, except for land within the Parramatta CBD and Sydney Olympic Park. The proposed Draft City of Parramatta (Outside CBD) Development Contributions Plan will replace eight (8) existing Development Contribution Plans where they apply to land within the Parramatta LGA. These include:

- Parramatta Section 94A Development Contribution Plan (Amendment No. 5);
- Auburn Development Contributions Plan 2007 Amendment No 1;
- Carter Street Precinct Development Contributions Plan 2016;
- Holroyd Section 94 Plan 2013;
- City of Parramatta S94 Development Contributions Plan (formerly Hornsby LGA Land and Epping Town Centre);
- City of Parramatta S94A Development Contributions Plan (formerly Hornsby LGA Land and Epping Town Centre);
- City of Parramatta Section 94A Development Contribution Plan (Former Hills LGA Land); and
- Contributions Plan 14 - Carlingford Precinct.

Further information about the Draft City of Parramatta (Outside CBD) Development Contributions Plan can be found at <https://participate.cityofparramatta.nsw.gov.au/outside-cbd-contributions> or by contacting Council.

Note: Advisory Information regarding Combustible Cladding

External combustible cladding on multi-storey buildings has been identified in local government areas including the City of Parramatta. Combustible cladding is a material that is capable of readily burning.

You should make your own enquiries as to the type of materials that have been used to construct the building. It is recommended that the purchaser obtain a building report from an appropriately qualified person to determine if any cladding type material may pose a risk to the building's occupants. Council may issue orders to rectify a building where combustible cladding is found.

Properties that have combustible cladding on buildings are listed in the NSW Government Combustible Cladding Register. Please refer to <https://www.claddingregistration.nsw.gov.au/> or call 1300 305 695 for further information regarding the NSW Government Combustible Cladding Register.

There is potential for combustible cladding to be present on buildings that are not listed on the Register.

Note: Advisory Information regarding Loose-Fill asbestos Insulation

Research undertaken by the Loose-Fill Asbestos Insulation Taskforce has determined that there is a potential for loose-fill asbestos insulation to be found in residential dwellings constructed prior to 1980 in 28 local government areas including the City of Parramatta.

Some residential homes located in the City of Parramatta may contain loose-fill asbestos insulation, for example in the roof space. NSW Fair Trading maintains a Register of homes that are affected by loose-fill asbestos insulation.

You should make your own enquiries as to the age of the buildings on the land to which this certificate relates and, if it contains a building constructed prior to 1980, the council strongly recommends that any potential purchaser obtain advice from a licensed asbestos assessor to determine whether loose fill asbestos is present in any building on the land and, if so, the health risks (if any) this may pose for the building's occupants.

Please Contact NSW Fair Trading for further information.

This information has been provided pursuant to section 10.7(5) of the Environmental Planning and Assessment Act, 1979 as amended.

Brett Newman
Chief Executive Officer

per



dated 16 April 2021

PLANNING CERTIFICATE

CERTIFICATE UNDER SECTION 10.7

Environmental Planning and Assessment Act, 1979 as amended

Certificate No: 2021/2802
Fee: \$133.00
Issue Date: 16 April 2021
Receipt No: 6336113
Applicant Ref: EDS WP44 10.7(2)C:147913

DESCRIPTION OF LAND

Address: 236 Church Street
PARRAMATTA NSW 2150
Lot Details: Lot 1 DP 128437

SECTION A

The following Environmental Planning Instrument to which this certificate relates applies to the land:

Parramatta Local Environmental Plan 2011

For the purpose of **Section 10.7(2)** it is advised that as the date of this certificate the abovementioned land is affected by the matters referred to as follows:

Contact us:

council@cityofparramatta.nsw.gov.au | 02 9806 5050
@cityofparramatta | PO Box 32, Parramatta, NSW 2124
ABN 49 907 174 773 | cityofparramatta.nsw.gov.au

The land is zoned: B4 Mixed Use PLEP2011

Zone B4 - Mixed Use (Parramatta Local Environmental Plan 2011)

Issued pursuant to Section 10.7 of the Environmental Planning and Assessment Act, 1979.

NOTE: This table is an excerpt from Parramatta Local Environmental Plan 2011 and must be read in conjunction with and subject to the other provisions of that instrument, and in force at that date.

Zone B4 Mixed Use

1 Objectives of zone

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To encourage development that contributes to an active, vibrant and sustainable neighbourhood.
- To create opportunities to improve the public domain and pedestrian links.
- To support the higher order Zone B3 Commercial Core while providing for the daily commercial needs of the locality.
- To protect and enhance the unique qualities and character of special areas within the Parramatta City Centre.

2 Permitted without consent

Home occupations

3 Permitted with consent

Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Light industries; Medical centres; Oyster aquaculture; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Seniors housing; Shop top housing; Tank-based aquaculture; Water recycling facilities; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Crematoria; Depots; Dual occupancies; Dwelling houses; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home industries; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Pond-based aquaculture; Port facilities; Recreation facilities (major); Research stations; Rural industries; Rural workers' dwellings; Secondary dwellings; Semi-detached dwellings; Sewerage systems; Sex services premises;

Signage; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies

SECTION B

State Policies and Regional Environmental Plans

The land is also affected by the following State Environmental Planning Policies (SEPP) and Regional Environmental Plans (SREP):

State Environmental Planning Policy (SEPP) No.19 - Bushland in Urban Areas
State Environmental Planning Policy (SEPP) No.21 - Caravan Parks
State Environmental Planning Policy (SEPP) No.33 -Hazardous and Offensive Development
State Environmental Planning Policy (SEPP) No.55 - Remediation of Land
State Environmental Planning Policy (SEPP) No.64 - Advertising and Signage
State Environmental Planning Policy (SEPP) No.65 – Design Quality of Residential Flat Development.
State Environmental Planning Policy (SEPP) No.70 -Affordable Housing (Revised Schemes)
State Environmental Planning Policy (SEPP) (Housing for Seniors or People with a Disability) 2004
State Environmental Planning Policy (SEPP) (Building Sustainability Index: BASIX) 2004
State Environmental Planning Policy (SEPP) (State Significant Precincts) 2005
State Environmental Planning Policy (SEPP) (Mining, Petroleum Production and Extractive Industries) 2007
State Environmental Planning Policy (SEPP) (Infrastructure) 2007
State Environmental Planning Policy (SEPP) (Exempt and Complying Development Codes) 2008
State Environmental Planning Policy (SEPP) (Affordable Rental Housing) 2009
State Environmental Planning Policy (SEPP) (Vegetation in Non-Rural Areas) 2017
State Environmental Planning Policy (SEPP) (Educational Establishments and Child Care Facilities) 2017
State Environmental Planning Policy (SEPP) (Concurrences) 2018
State Environmental Planning Policy (SEPP) (Primary Production and Rural Development) 2019

Sydney Regional Environmental Plan (SREP) No.9 (No.2) - Extractive Industries
Sydney Regional Environmental Plan (SREP) – (Sydney Harbour Catchment) 2005

DRAFT State Environmental Planning Policy to amend State Environmental Planning Policy (SEPP) (Sydney Region Growth Centres) 2006 – Amendment to include the Greater Parramatta Priority Growth Area as a Growth Centre
DRAFT State Environmental Planning Policy (Draft SEPP) – Environment

N.B. All enquiries as to the application of Draft State Environmental Planning Policies should be directed to The NSW Department of Planning, Industry and Environment.

Draft Local Environmental Plan

The land is affected by a Draft Local Environmental Plan which has been placed on Public Exhibition and has not yet been published. The Draft Local Environmental Plan is described below.

Planning Proposal – Draft Parramatta Local Environmental Plan 2020 (Harmonisation LEP)

This land is affected by a planning proposal seeking to create a single consolidated Local Environmental Plan (LEP) that will apply to the whole City of Parramatta Local Government Area (LGA). The new LEP will replace five (5) existing LEPs where they apply to land within the Parramatta LGA. These include:

- *Auburn Local Environmental Plan 2010*
- *Holroyd Local Environmental Plan 2013*
- *Hornsby Local Environmental Plan 2013*
- *Parramatta Local Environmental Plan 2011*
- *Parramatta (former The Hills) Local Environmental Plan 2012*

The new Parramatta LEP will create a common set of objectives, land use tables and provisions for all land within the LGA. This will result in some changes to the current planning controls applying to certain areas, including:

- Changes to land uses permitted in certain areas, because of the creation of a common set of land use tables.
- Prohibiting dual occupancy developments in certain locations.
- A minimum lot size of 600sqm and frontage to a public road of 15 metres development standards for Dual Occupancies or Manor Houses where they are permitted;
- Changes to height and FSR controls applying to residential zones – these include:
 - applying a FSR of 0.5:1 to R2 Low Density Residential zoned land and a FSR of 0.6:1 to R3 Medium Density Residential zoned land in the Parramatta (former The Hills) LEP 2012 and Hornsby Council LEP 2013 (where none currently applies);
 - reducing the FSR from 0.75:1 to 0.6:1 applying to R3 Medium Density Residential zoned land in Silverwater;
 - increasing the height limit from 8.5 metres to 9 metres applying to R2 Low Density Residential zoned land in the Hornsby Council LEP 2013;
 - applying a 11 metre height limit to R3 Medium Density Residential zoned land in the Parramatta (former The Hills) LEP 2012, Hornsby LEP 2013 and Auburn LEP 2010;
 - applying a FSR control to R4 High Density Residential zoned land in the former Parramatta (former The Hills) LEP 2012, Hornsby LEP 2013 and Auburn LEP 2010 (where none is currently applied); and,
 - A limited number of targeted site-specific changes associated with changes of zoning or to address anomalies.
- Applying a 550sqm minimum subdivision lot size to residential land (except R2 Low Density Residential zoned land in the Parramatta (former The Hills) LEP 2012, which will retain the existing 700sqm requirement)
- Mapping of additional Biodiversity Land and Riparian Land and Waterways

- A limited number of changes to the zoning of some sites to address inconsistencies and anomalies across current land use plans, this includes:
 - Removing the R1 General Residential zone, and rezoning this land to R4 High Density Residential or R3 Medium Density Residential;
 - Rezoning all public bushland reserves to E2 Environmental Conservation;
 - Rezoning some R3 Medium Density Residential zoned land in Northmead, North Rocks and Carlingford to R2 Low Density Residential; and,
 - Rezoning existing lawful places of public worship in the former Parramatta Council area from SP1 Special Activities to R2 Low Density Residential.

Further information on the Planning Proposal for the new Parramatta Local Environmental Plan (LEP) can be found at: www.cityofparramatta.nsw.gov.au/planningharmonisation or by contacting Council

Please note. Council is separately progressing a number of planning proposals relating to specific sites in the LGA. The intention is that, should these site-specific planning proposals be finalised before the new consolidated LEP is made, the respective amendments to planning controls will be carried over into the new LEP and the Harmonisation Planning Proposal will be updated as needed.

Proposed Zoning Draft Parramatta LEP 2020

The land is proposed to be zoned in the in the Draft Parramatta LEP 2020:

B4 Mixed Use PLEP2020

Proposed Zone B4 Mixed Use (Draft Parramatta LEP 2020)

Note: *The following land use table is an excerpt from the Draft Parramatta Local Environmental Plan 2020 (Harmonisation LEP) document exhibited on 31 August 2020 and must be read in conjunction with and subject to other provisions of that draft instrument.*

Zone B4 Mixed Use

1 Objectives of zone

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To encourage development that contributes to an active, vibrant and sustainable neighbourhood.
- To create opportunities to improve the public domain and pedestrian links.

- To support the higher order Zone B3 Commercial Core while providing for the daily commercial needs of the locality.
- To protect and enhance the unique qualities and character of special areas within the Parramatta City Centre.

2 Permitted without consent

Home occupations

3 Permitted with consent

Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Light industries; Medical centres; Oyster aquaculture; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Seniors housing; Shop top housing; Tank-based aquaculture; Water recycling facilities; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Crematoria; Depots; Dual occupancies; Dwelling houses; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home industries; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Pond-based aquaculture; Port facilities; Recreation facilities (major); Research stations; Rural industries; Rural workers' dwellings; Secondary dwellings; Semi-detached dwellings; Sewerage systems; Sex services premises; Signage; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies

Planning Proposal – Parramatta CBD Planning Proposal – Parramatta LEP 2011

This land is affected by a planning proposal seeking to amend Parramatta Local Environmental Plan (LEP) 2011. The planning proposal applies to land collectively referred to as the Parramatta City Centre and Experiment Farm and seeks to amend the Parramatta Local Environmental Plan (LEP) 2011 by:

- rezoning some land;
- increase the floor space ratio (FSR) permitted on some land;
- increase the height of buildings (HOB) permitted on some land;

- amend the sun access protection provisions, airspace operations clause, and design excellence clauses;
- include a requirement for non-residential floor space in parts of the some mixed use zones;
- include a requirement for active frontages to certain streets and public spaces;
- include a requirement for end of journey facilities;
- include amendment to encourage high yield employment uses;
- include a new clause to encourage high performing buildings;
- include a new clause to encourage the provision of community infrastructure;
- a new clause to preserve existing controls in the 'Park Edge Highly Sensitive' area, Parramatta Park, Parramatta Stadium, certain land zoned B5 Business Development west of Church Street (behind Auto Alley); and certain land zoned B4 Mixed Use at the intersection of Church Street and Pennant Hills Road;
- include additional clauses to Schedule 1 – Additional Permitted Uses of the Parramatta LEP 2011;
- a new heritage clause to require a higher standard of development that affects heritage;
- new clauses for the Marion Street precinct;
- amend the following maps in the Parramatta LEP 2011:
 - Amend the Land Application Map
 - Amend the Additional Local Provisions Map
 - Amend the Land Zoning Map
 - Amend the Floor Space Ratio Map
 - Amend the Height of Buildings Map
 - Amend the Additional Permitted Uses Map
 - Amend the Special Provisions Area Map
 - Amend Heritage Map
 - Land Reservation Acquisition MapAnd;
- create new maps for inclusion in the Parramatta LEP 2011:
 - Create a new Incentive Floor Space Ratio Map
 - Create a new Incentive Height of Buildings Map
 - Create a new Sun Access Protection Map
 - Create a new Active Street Frontage Map
 - Create a new Opportunity Sites Map
 - Create a new Floodplain Risk Management Map

Further information on the Parramatta CBD Planning Proposal to amend Parramatta Local Environmental Plan (LEP) 2011 can be found at <https://participate.cityofparramatta.nsw.gov.au> or by contacting Council.

Flood Plain Risk Management Area

The planning proposal seeks to include the land in a Flood Plain Risk Management Area on the proposed Floodplain Risk Management Map of the Parramatta Local Environmental Plan 2011.

Development Control Plan

The land is affected by Parramatta Development Control Plan 2011.

The Minister for Planning has issued directions that provisions of an EPI do not apply to certain Part 4 development where a concept plan has been approved under Part 3A.

Development Contribution Plan

The Parramatta Civic Improvement Plan (Amendment No. 5) applies to this land.

Heritage Item/Heritage Conservation Area

An item of environmental heritage is not situated on the land.

The land is not located in a heritage conservation area.

Road Widening

The land is not affected by 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.

Land Reservation Acquisition

The land is not affected by Land Reservation Acquisition in Parramatta Local Environmental Plan 2011.

Site Compatibility Certificate (Seniors Housing, Infrastructure and Affordable Rental Housing)

At the date of issue of this certificate Council is not aware of any

- a. Site compatibility certificate (affordable rental housing),
- b. Site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments),
- c. Site compatibility certificate (seniors housing)

in respect to the land issued pursuant to the Environmental Planning & Assessment Amendment (Site Compatibility Certificates) Regulation 2009 (NSW).

Contamination

Matters contained in Clause 59(2) as amended in the Contaminated Land Management Act 1997 – as listed:

Clause 59(2)(a) - is the land to which the certificate relates is significantly contaminated land?

NO

Clause 59(2)(b) - is the land to which the certificate relates is subject to a management order?

NO

Clause 59(2)(c) - is the land to which the certificate relates is the subject of an approved voluntary management proposal?

NO

Clause 59(2)(d) - is the land to which the certificate relates is subject to an ongoing maintenance order?

NO

Clause 59(2)(e) - is the land to which the certificate relates is the subject of a site audit statement?

NO

Tree Preservation

The land is subject to Section 5.4 Preservation of Trees or Vegetation in Parramatta Development Control Plan 2011.

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

Coastal Protection

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

NO

Council Policy

Council has not adopted a policy to restrict the development of the land by reason of the likelihood of projected sea level rise (coastal protection), tidal inundation, subsidence or any other risk.

Council has adopted a policy covering the entire City of Parramatta to restrict development of any land by reason of the likelihood of flooding.

Council has adopted by resolution a policy on contaminated land that applies to all land within the City of Parramatta. The Policy will restrict the development of the land if the circumstances set out in the policy prevail. A copy of the policy is available on Councils website at www.cityofparramatta.nsw.gov.au or from the Customer Service Centre.

Mine Subsidence

The land is not affected by the Coal Mine Subsidence Compensation Act 2017 proclaiming land to be a Mine Subsidence District.

Bushfire Land

The land is not bushfire prone land.

Threatened Species

The Environment Agency Head with responsibility for the Biodiversity Conservation Act 2016 has not advised Council that the land includes or comprises an area of outstanding biodiversity value.

Biodiversity certified land

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

Note. *Biodiversity certified land includes land certified under Part 7AA of the Threatened Species Conservation Act 1995 that is taken to be certified under Part 8 of the Biodiversity Conservation Act 2016.*

Biodiversity stewardship sites

The Chief Executive of the Office of Environment and Heritage has not notified the Council if the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the Biodiversity Conservation Act 2016.

Note: Biodiversity stewardship agreements include biobanking agreements under Part 7A of the Threatened Species Conservation Act 1995 that are taken to be biodiversity stewardship agreements under Part 5 of the Biodiversity Conservation Act 2016.

Native vegetation clearing set asides

Council has not been notified of the land containing a set aside area under section 60ZC of the Local Land Services Act 2013.

Property vegetation plans

Council has not been notified of the existence of the property vegetation plan approved under Part 4 of the Native Vegetation Act 2003 on the land.

Paper Subdivision information

The land is not subject to any development plan adopted by a relevant authority or that is proposed to be subject to a consent ballot. A subdivision order does not apply to the land.

Note: Words and expressions used in this clause have the same meaning as they have in Part 16C of the Environmental Planning and Assessment Regulation 2000.

Loose-Fill Asbestos Register

Council has not been notified by NSW Fair Trading of the property being listed on the loose-fill asbestos insulation register maintained by the Secretary of NSW Fair Trading.

Site verification certificates

Council is not aware of whether there is a current site verification certificate in respect of the land.

Affected Building Notices and Building Product Rectification Orders

Council is not aware of whether there is any affected building notice, building product rectification order or notice of intention to make a building product rectification order that is in force in respect of the land.

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

**State Environmental Planning Policy
(Exempt and Complying Development Codes) 2008**

Note: This does not constitute a Complying Development Certificate under section 4.27 of the Environmental Planning and Assessment Act 1979

The following information only addresses whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of **Clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1)(c3) and 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. It is not a statement that complying development is permissible on the land.

Other land exemptions within of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 may also apply. Furthermore, other provisions within the relevant Local Environmental Plan or a State Environmental Planning Policy which restrict complying development on the land may also apply.

It is your responsibility to ensure that you comply with the relevant complying development provisions for the land. Failure to comply with these provisions may mean that a Complying Development Certificate is invalid.

Housing Code; Low Rise Housing Diversity Code; Rural Housing Code

Complying Development pursuant to the Housing Code, Low Rise Housing Diversity Code and Rural Housing Code **may** be carried out on the land under **Clause 1.17A (1) (c) to (e), (2), (3) and (4) and Clause 1.18 (1)(c3) and Clause 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Commercial and Industrial (New Buildings and Additions) Code

Complying Development pursuant to the Commercial and Industrial (New Buildings and Additions) Code **may** be carried out on the land under **Clause 1.17A (1) (c) to (e), (2), (3) and (4) and Clause 1.18 (1)(c3) and Clause 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Housing Alterations Code; General Development Code; General Commercial and Industrial (Alterations) Code; Container Recycling Facilities Code; Subdivision Code; Demolition Code; Fire Safety Code

Complying Development pursuant to the Housing Alterations Code, General Development Code, General Commercial and Industrial (Alterations) Code, Container Recycling Facilities Code, Subdivision Code, Demolition Code and Fire Safety Code **may** be carried out on the land under **Clause 1.17A (1) (c) to (e), (2), (3) and (4) and Clause 1.18 (1)(c3) and Clause 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

SPECIAL NOTES

The land is identified as Class 4 on the Acid Sulfate Soils map. Refer to Clause 6.1 of Parramatta Local Environmental Plan 2011.

Applicants for Sections 10.7 Certificates are advised that Council does not hold sufficient information to fully detail the effect of any encumbrances on the title of the subject land. The information available to Council is provided on the basis that neither Council nor its servants hold out advice or warrant to you in any way its accuracy, nor shall Council or its servants, be liable for any negligence in the preparation of that information. Further information should be sought from relevant Statutory Departments.

SECTION C**The following additional information is issued under Section 10.7(5)**

Pursuant to S10.7(5) the Council supplies information as set out below on the basis that the Council takes no responsibility for the accuracy of the information. The information if material should be independently checked by the applicant.

Additional Local Provisions

This land is identified on the Additional Local Provisions Map of the Parramatta Local Environmental Plan 2011. Part 7 Additional local provisions – Parramatta City Centre of the Parramatta Local Environmental Plan 2011 applies to the land.

Civic Link Precinct – Parramatta Development Control Plan (DCP) 2011

The land is located within the Civic Link Precinct as identified in Section 4.3.3.7 (m) of the Parramatta Development Control Plan 2011. The Civic Link Precinct will be a new pedestrian, public space within the City Centre linking Parramatta Square to the Parramatta River foreshore. The controls in this section of the DCP describes the spatial definition of the Civic Link; changes to through block movement patterns; new streets, laneways and open spaces; and future development form.

Note: Section 4.3.3.7 (m) of the DCP sets high-level planning controls for Civic Link Precinct areas between Macquarie Street and the Parramatta River (Blocks 2, 3 and 4 as shown in Figure 4.3.3.7.51 Civic Link Precinct), with more detailed controls to be finalised. Persons wishing to develop land within one of these areas are recommended to contact Council's Land Use Team on 9806 5050 or email council@cityofparramatta.nsw.gov.au.

Aboriginal Sensitivity Map - Parramatta Development Control Plan (DCP) 2011

Aboriginal Heritage – High Sensitivity – potential to contain items of Aboriginal heritage. Contact Council's Customer Service/Duty Planner (02) 9806 5050 for more information.

Flood Information

The land is considered by Council TO BE ABOVE the 1 in 100 year mainstream flood level.

This information is based on data available to the Council. It is provided on the basis that neither Council nor its servants hold out advice or warrant to you in any way its accuracy, nor shall the Council or its servants, be liable for any negligence in the preparation of that information.

Interim Sydney Metro West Corridor - Infrastructure SEPP

Mapping associated with State Environmental Planning Policy (Infrastructure) 2007 (the Infrastructure SEPP) indicates that the land or part of the land is within the Interim Sydney Metro West Corridor.

Note: Advisory Information Regarding Proximity to a Commercial Centre

The land is within proximity to a major, strategic or local commercial centre. Council is looking to encourage greater activation and investment in these centres by developing the night time economy across the City of Parramatta. Future residents

should be aware that the nature and scale of facilities, business activity and events held in these centres may affect the use and enjoyment of the land as a result of operating hours, odour, noise, lighting, traffic and measures associated with event management.

This is considered part of living in/near a commercial centre.

Note: Draft City of Parramatta (Outside CBD) Development Contributions Plan

On 17 March 2021 Council Exhibited a draft Development Contribution Plan - the Draft City of Parramatta (Outside CBD) Development Contributions Plan. It is proposed that the Draft City of Parramatta (Outside CBD) Development Contributions Plan will apply to all land within the City of Parramatta LGA, except for land within the Parramatta CBD and Sydney Olympic Park. The proposed Draft City of Parramatta (Outside CBD) Development Contributions Plan will replace eight (8) existing Development Contribution Plans where they apply to land within the Parramatta LGA. These include:

- Parramatta Section 94A Development Contribution Plan (Amendment No. 5);
- Auburn Development Contributions Plan 2007 Amendment No 1;
- Carter Street Precinct Development Contributions Plan 2016;
- Holroyd Section 94 Plan 2013;
- City of Parramatta S94 Development Contributions Plan (formerly Hornsby LGA Land and Epping Town Centre);
- City of Parramatta S94A Development Contributions Plan (formerly Hornsby LGA Land and Epping Town Centre);
- City of Parramatta Section 94A Development Contribution Plan (Former Hills LGA Land); and
- Contributions Plan 14 - Carlingford Precinct.

Further information about the Draft City of Parramatta (Outside CBD) Development Contributions Plan can be found at <https://participate.cityofparramatta.nsw.gov.au/outside-cbd-contributions> or by contacting Council.

Note: Advisory Information regarding Combustible Cladding

External combustible cladding on multi-storey buildings has been identified in local government areas including the City of Parramatta. Combustible cladding is a material that is capable of readily burning.

You should make your own enquiries as to the type of materials that have been used to construct the building. It is recommended that the purchaser obtain a building report from an appropriately qualified person to determine if any cladding type material may pose a risk to the building's occupants. Council may issue orders to rectify a building where combustible cladding is found.

Properties that have combustible cladding on buildings are listed in the NSW Government Combustible Cladding Register. Please refer to <https://www.claddingregistration.nsw.gov.au/> or call 1300 305 695 for further information regarding the NSW Government Combustible Cladding Register.

There is potential for combustible cladding to be present on buildings that are not listed on the Register.

Note: Advisory Information regarding Loose-Fill asbestos Insulation

Research undertaken by the Loose-Fill Asbestos Insulation Taskforce has determined that there is a potential for loose-fill asbestos insulation to be found in residential dwellings constructed prior to 1980 in 28 local government areas including the City of Parramatta.

Some residential homes located in the City of Parramatta may contain loose-fill asbestos insulation, for example in the roof space. NSW Fair Trading maintains a Register of homes that are affected by loose-fill asbestos insulation.

You should make your own enquiries as to the age of the buildings on the land to which this certificate relates and, if it contains a building constructed prior to 1980, the council strongly recommends that any potential purchaser obtain advice from a licensed asbestos assessor to determine whether loose fill asbestos is present in any building on the land and, if so, the health risks (if any) this may pose for the building's occupants.

Please Contact NSW Fair Trading for further information.

This information has been provided pursuant to section 10.7(5) of the Environmental Planning and Assessment Act, 1979 as amended.

Brett Newman
Chief Executive Officer

per



dated 16 April 2021

PLANNING CERTIFICATE

CERTIFICATE UNDER SECTION 10.7

Environmental Planning and Assessment Act, 1979 as amended

Certificate No: 2021/2803
Fee: \$133.00
Issue Date: 16 April 2021
Receipt No: 6336113
Applicant Ref: EDS WP44 10.7(2)C:147913

DESCRIPTION OF LAND

Address: 238 Church Street
PARRAMATTA NSW 2150
Lot Details: Lot 2 DP 591454

SECTION A

The following Environmental Planning Instrument to which this certificate relates applies to the land:

Parramatta Local Environmental Plan 2011

For the purpose of **Section 10.7(2)** it is advised that as the date of this certificate the abovementioned land is affected by the matters referred to as follows:

Contact us:

council@cityofparramatta.nsw.gov.au | 02 9806 5050
@cityofparramatta | PO Box 32, Parramatta, NSW 2124
ABN 49 907 174 773 | cityofparramatta.nsw.gov.au

The land is zoned: B4 Mixed Use PLEP2011

Zone B4 - Mixed Use (Parramatta Local Environmental Plan 2011)

Issued pursuant to Section 10.7 of the Environmental Planning and Assessment Act, 1979.

NOTE: This table is an excerpt from Parramatta Local Environmental Plan 2011 and must be read in conjunction with and subject to the other provisions of that instrument, and in force at that date.

Zone B4 Mixed Use

1 Objectives of zone

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To encourage development that contributes to an active, vibrant and sustainable neighbourhood.
- To create opportunities to improve the public domain and pedestrian links.
- To support the higher order Zone B3 Commercial Core while providing for the daily commercial needs of the locality.
- To protect and enhance the unique qualities and character of special areas within the Parramatta City Centre.

2 Permitted without consent

Home occupations

3 Permitted with consent

Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Light industries; Medical centres; Oyster aquaculture; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Seniors housing; Shop top housing; Tank-based aquaculture; Water recycling facilities; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Crematoria; Depots; Dual occupancies; Dwelling houses; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home industries; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Pond-based aquaculture; Port facilities; Recreation facilities (major); Research stations; Rural industries; Rural workers' dwellings; Secondary dwellings; Semi-detached dwellings; Sewerage systems; Sex services premises;

Signage; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies

SECTION B

State Policies and Regional Environmental Plans

The land is also affected by the following State Environmental Planning Policies (SEPP) and Regional Environmental Plans (SREP):

State Environmental Planning Policy (SEPP) No.19 - Bushland in Urban Areas
State Environmental Planning Policy (SEPP) No.21 - Caravan Parks
State Environmental Planning Policy (SEPP) No.33 -Hazardous and Offensive Development
State Environmental Planning Policy (SEPP) No.55 - Remediation of Land
State Environmental Planning Policy (SEPP) No.64 - Advertising and Signage
State Environmental Planning Policy (SEPP) No.65 – Design Quality of Residential Flat Development.
State Environmental Planning Policy (SEPP) No.70 -Affordable Housing (Revised Schemes)
State Environmental Planning Policy (SEPP) (Housing for Seniors or People with a Disability) 2004
State Environmental Planning Policy (SEPP) (Building Sustainability Index: BASIX) 2004
State Environmental Planning Policy (SEPP) (State Significant Precincts) 2005
State Environmental Planning Policy (SEPP) (Mining, Petroleum Production and Extractive Industries) 2007
State Environmental Planning Policy (SEPP) (Infrastructure) 2007
State Environmental Planning Policy (SEPP) (Exempt and Complying Development Codes) 2008
State Environmental Planning Policy (SEPP) (Affordable Rental Housing) 2009
State Environmental Planning Policy (SEPP) (Vegetation in Non-Rural Areas) 2017
State Environmental Planning Policy (SEPP) (Educational Establishments and Child Care Facilities) 2017
State Environmental Planning Policy (SEPP) (Concurrences) 2018
State Environmental Planning Policy (SEPP) (Primary Production and Rural Development) 2019

Sydney Regional Environmental Plan (SREP) No.9 (No.2) - Extractive Industries
Sydney Regional Environmental Plan (SREP) – (Sydney Harbour Catchment) 2005

DRAFT State Environmental Planning Policy to amend State Environmental Planning Policy (SEPP) (Sydney Region Growth Centres) 2006 – Amendment to include the Greater Parramatta Priority Growth Area as a Growth Centre
DRAFT State Environmental Planning Policy (Draft SEPP) – Environment

N.B. All enquiries as to the application of Draft State Environmental Planning Policies should be directed to The NSW Department of Planning, Industry and Environment.

Draft Local Environmental Plan

The land is affected by a Draft Local Environmental Plan which has been placed on Public Exhibition and has not yet been published. The Draft Local Environmental Plan is described below.

Planning Proposal – Draft Parramatta Local Environmental Plan 2020 (Harmonisation LEP)

This land is affected by a planning proposal seeking to create a single consolidated Local Environmental Plan (LEP) that will apply to the whole City of Parramatta Local Government Area (LGA). The new LEP will replace five (5) existing LEPs where they apply to land within the Parramatta LGA. These include:

- *Auburn Local Environmental Plan 2010*
- *Holroyd Local Environmental Plan 2013*
- *Hornsby Local Environmental Plan 2013*
- *Parramatta Local Environmental Plan 2011*
- *Parramatta (former The Hills) Local Environmental Plan 2012*

The new Parramatta LEP will create a common set of objectives, land use tables and provisions for all land within the LGA. This will result in some changes to the current planning controls applying to certain areas, including:

- Changes to land uses permitted in certain areas, because of the creation of a common set of land use tables.
- Prohibiting dual occupancy developments in certain locations.
- A minimum lot size of 600sqm and frontage to a public road of 15 metres development standards for Dual Occupancies or Manor Houses where they are permitted;
- Changes to height and FSR controls applying to residential zones – these include:
 - applying a FSR of 0.5:1 to R2 Low Density Residential zoned land and a FSR of 0.6:1 to R3 Medium Density Residential zoned land in the Parramatta (former The Hills) LEP 2012 and Hornsby Council LEP 2013 (where none currently applies);
 - reducing the FSR from 0.75:1 to 0.6:1 applying to R3 Medium Density Residential zoned land in Silverwater;
 - increasing the height limit from 8.5 metres to 9 metres applying to R2 Low Density Residential zoned land in the Hornsby Council LEP 2013;
 - applying a 11 metre height limit to R3 Medium Density Residential zoned land in the Parramatta (former The Hills) LEP 2012, Hornsby LEP 2013 and Auburn LEP 2010;
 - applying a FSR control to R4 High Density Residential zoned land in the former Parramatta (former The Hills) LEP 2012, Hornsby LEP 2013 and Auburn LEP 2010 (where none is currently applied); and,
 - A limited number of targeted site-specific changes associated with changes of zoning or to address anomalies.
- Applying a 550sqm minimum subdivision lot size to residential land (except R2 Low Density Residential zoned land in the Parramatta (former The Hills) LEP 2012, which will retain the existing 700sqm requirement)
- Mapping of additional Biodiversity Land and Riparian Land and Waterways

- A limited number of changes to the zoning of some sites to address inconsistencies and anomalies across current land use plans, this includes:
 - Removing the R1 General Residential zone, and rezoning this land to R4 High Density Residential or R3 Medium Density Residential;
 - Rezoning all public bushland reserves to E2 Environmental Conservation;
 - Rezoning some R3 Medium Density Residential zoned land in Northmead, North Rocks and Carlingford to R2 Low Density Residential; and,
 - Rezoning existing lawful places of public worship in the former Parramatta Council area from SP1 Special Activities to R2 Low Density Residential.

Further information on the Planning Proposal for the new Parramatta Local Environmental Plan (LEP) can be found at: www.cityofparramatta.nsw.gov.au/planningharmonisation or by contacting Council

Please note. Council is separately progressing a number of planning proposals relating to specific sites in the LGA. The intention is that, should these site-specific planning proposals be finalised before the new consolidated LEP is made, the respective amendments to planning controls will be carried over into the new LEP and the Harmonisation Planning Proposal will be updated as needed.

Proposed Zoning Draft Parramatta LEP 2020

The land is proposed to be zoned in the in the Draft Parramatta LEP 2020:

B4 Mixed Use PLEP2020

Proposed Zone B4 Mixed Use (Draft Parramatta LEP 2020)

Note: *The following land use table is an excerpt from the Draft Parramatta Local Environmental Plan 2020 (Harmonisation LEP) document exhibited on 31 August 2020 and must be read in conjunction with and subject to other provisions of that draft instrument.*

Zone B4 Mixed Use

1 Objectives of zone

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To encourage development that contributes to an active, vibrant and sustainable neighbourhood.
- To create opportunities to improve the public domain and pedestrian links.

- To support the higher order Zone B3 Commercial Core while providing for the daily commercial needs of the locality.
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Planning Proposal – Parramatta CBD Planning Proposal – Parramatta LEP 2011

This land is affected by a planning proposal seeking to amend Parramatta Local Environmental Plan (LEP) 2011. The planning proposal applies to land collectively referred to as the Parramatta City Centre and Experiment Farm and seeks to amend the Parramatta Local Environmental Plan (LEP) 2011 by:

- rezoning some land;
- increase the floor space ratio (FSR) permitted on some land;
- increase the height of buildings (HOB) permitted on some land;

- amend the sun access protection provisions, airspace operations clause, and design excellence clauses;
- include a requirement for non-residential floor space in parts of the some mixed use zones;
- include a requirement for active frontages to certain streets and public spaces;
- include a requirement for end of journey facilities;
- include amendment to encourage high yield employment uses;
- include a new clause to encourage high performing buildings;
- include a new clause to encourage the provision of community infrastructure;
- a new clause to preserve existing controls in the 'Park Edge Highly Sensitive' area, Parramatta Park, Parramatta Stadium, certain land zoned B5 Business Development west of Church Street (behind Auto Alley); and certain land zoned B4 Mixed Use at the intersection of Church Street and Pennant Hills Road;
- include additional clauses to Schedule 1 – Additional Permitted Uses of the Parramatta LEP 2011;
- a new heritage clause to require a higher standard of development that affects heritage;
- new clauses for the Marion Street precinct;
- amend the following maps in the Parramatta LEP 2011:
 - Amend the Land Application Map
 - Amend the Additional Local Provisions Map
 - Amend the Land Zoning Map
 - Amend the Floor Space Ratio Map
 - Amend the Height of Buildings Map
 - Amend the Additional Permitted Uses Map
 - Amend the Special Provisions Area Map
 - Amend Heritage Map
 - Land Reservation Acquisition MapAnd;
- create new maps for inclusion in the Parramatta LEP 2011:
 - Create a new Incentive Floor Space Ratio Map
 - Create a new Incentive Height of Buildings Map
 - Create a new Sun Access Protection Map
 - Create a new Active Street Frontage Map
 - Create a new Opportunity Sites Map
 - Create a new Floodplain Risk Management Map

Further information on the Parramatta CBD Planning Proposal to amend Parramatta Local Environmental Plan (LEP) 2011 can be found at <https://participate.cityofparramatta.nsw.gov.au> or by contacting Council.

Flood Plain Risk Management Area

The planning proposal seeks to include the land in a Flood Plain Risk Management Area on the proposed Floodplain Risk Management Map of the Parramatta Local Environmental Plan 2011.

Development Control Plan

The land is affected by Parramatta Development Control Plan 2011.

The Minister for Planning has issued directions that provisions of an EPI do not apply to certain Part 4 development where a concept plan has been approved under Part 3A.

Development Contribution Plan

The Parramatta Civic Improvement Plan (Amendment No. 5) applies to this land.

Heritage Item/Heritage Conservation Area

An item of environmental heritage is not situated on the land.

The land is not located in a heritage conservation area.

Road Widening

The land is not affected by 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.

Land Reservation Acquisition

The land is not affected by Land Reservation Acquisition in Parramatta Local Environmental Plan 2011.

Site Compatibility Certificate (Seniors Housing, Infrastructure and Affordable Rental Housing)

At the date of issue of this certificate Council is not aware of any

- a. Site compatibility certificate (affordable rental housing),
- b. Site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments),
- c. Site compatibility certificate (seniors housing)

in respect to the land issued pursuant to the Environmental Planning & Assessment Amendment (Site Compatibility Certificates) Regulation 2009 (NSW).

Contamination

Matters contained in Clause 59(2) as amended in the Contaminated Land Management Act 1997 – as listed:

Clause 59(2)(a) - is the land to which the certificate relates is significantly contaminated land?

NO

Clause 59(2)(b) - is the land to which the certificate relates is subject to a management order?

NO

Clause 59(2)(c) - is the land to which the certificate relates is the subject of an approved voluntary management proposal?

NO

Clause 59(2)(d) - is the land to which the certificate relates is subject to an ongoing maintenance order?

NO

Clause 59(2)(e) - is the land to which the certificate relates is the subject of a site audit statement?

NO

Tree Preservation

The land is subject to Section 5.4 Preservation of Trees or Vegetation in Parramatta Development Control Plan 2011.

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

Coastal Protection

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

NO

Council Policy

Council has not adopted a policy to restrict the development of the land by reason of the likelihood of projected sea level rise (coastal protection), tidal inundation, subsidence or any other risk.

Council has adopted a policy covering the entire City of Parramatta to restrict development of any land by reason of the likelihood of flooding.

Council has adopted by resolution a policy on contaminated land that applies to all land within the City of Parramatta. The Policy will restrict the development of the land if the circumstances set out in the policy prevail. A copy of the policy is available on Councils website at www.cityofparramatta.nsw.gov.au or from the Customer Service Centre.

Mine Subsidence

The land is not affected by the Coal Mine Subsidence Compensation Act 2017 proclaiming land to be a Mine Subsidence District.

Bushfire Land

The land is not bushfire prone land.

Threatened Species

The Environment Agency Head with responsibility for the Biodiversity Conservation Act 2016 has not advised Council that the land includes or comprises an area of outstanding biodiversity value.

Biodiversity certified land

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

Note. *Biodiversity certified land includes land certified under Part 7AA of the Threatened Species Conservation Act 1995 that is taken to be certified under Part 8 of the Biodiversity Conservation Act 2016.*

Biodiversity stewardship sites

The Chief Executive of the Office of Environment and Heritage has not notified the Council if the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the Biodiversity Conservation Act 2016.

Note: Biodiversity stewardship agreements include biobanking agreements under Part 7A of the Threatened Species Conservation Act 1995 that are taken to be biodiversity stewardship agreements under Part 5 of the Biodiversity Conservation Act 2016.

Native vegetation clearing set asides

Council has not been notified of the land containing a set aside area under section 60ZC of the Local Land Services Act 2013.

Property vegetation plans

Council has not been notified of the existence of the property vegetation plan approved under Part 4 of the Native Vegetation Act 2003 on the land.

Paper Subdivision information

The land is not subject to any development plan adopted by a relevant authority or that is proposed to be subject to a consent ballot. A subdivision order does not apply to the land.

Note: Words and expressions used in this clause have the same meaning as they have in Part 16C of the Environmental Planning and Assessment Regulation 2000.

Loose-Fill Asbestos Register

Council has not been notified by NSW Fair Trading of the property being listed on the loose-fill asbestos insulation register maintained by the Secretary of NSW Fair Trading.

Site verification certificates

Council is not aware of whether there is a current site verification certificate in respect of the land.

Affected Building Notices and Building Product Rectification Orders

Council is not aware of whether there is any affected building notice, building product rectification order or notice of intention to make a building product rectification order that is in force in respect of the land.

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

**State Environmental Planning Policy
(Exempt and Complying Development Codes) 2008**

Note: This does not constitute a Complying Development Certificate under section 4.27 of the Environmental Planning and Assessment Act 1979

The following information only addresses whether or not the land is land on which complying development may be carried out under each of the codes for complying development because of the provisions of **Clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1)(c3) and 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. It is not a statement that complying development is permissible on the land.

Other land exemptions within of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 may also apply. Furthermore, other provisions within the relevant Local Environmental Plan or a State Environmental Planning Policy which restrict complying development on the land may also apply.

It is your responsibility to ensure that you comply with the relevant complying development provisions for the land. Failure to comply with these provisions may mean that a Complying Development Certificate is invalid.

Housing Code; Low Rise Housing Diversity Code; Rural Housing Code

Complying Development pursuant to the Housing Code, Low Rise Housing Diversity Code and Rural Housing Code **may** be carried out on the land under **Clause 1.17A (1) (c) to (e), (2), (3) and (4) and Clause 1.18 (1)(c3) and Clause 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Commercial and Industrial (New Buildings and Additions) Code

Complying Development pursuant to the Commercial and Industrial (New Buildings and Additions) Code **may** be carried out on the land under **Clause 1.17A (1) (c) to (e), (2), (3) and (4) and Clause 1.18 (1)(c3) and Clause 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Housing Alterations Code; General Development Code; General Commercial and Industrial (Alterations) Code; Container Recycling Facilities Code; Subdivision Code; Demolition Code; Fire Safety Code

Complying Development pursuant to the Housing Alterations Code, General Development Code, General Commercial and Industrial (Alterations) Code, Container Recycling Facilities Code, Subdivision Code, Demolition Code and Fire Safety Code **may** be carried out on the land under **Clause 1.17A (1) (c) to (e), (2), (3) and (4) and Clause 1.18 (1)(c3) and Clause 1.19** of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

SPECIAL NOTES

The land is identified as Class 4 on the Acid Sulfate Soils map. Refer to Clause 6.1 of Parramatta Local Environmental Plan 2011.

Applicants for Sections 10.7 Certificates are advised that Council does not hold sufficient information to fully detail the effect of any encumbrances on the title of the subject land. The information available to Council is provided on the basis that neither Council nor its servants hold out advice or warrant to you in any way its accuracy, nor shall Council or its servants, be liable for any negligence in the preparation of that information. Further information should be sought from relevant Statutory Departments.

SECTION C**The following additional information is issued under Section 10.7(5)**

Pursuant to S10.7(5) the Council supplies information as set out below on the basis that the Council takes no responsibility for the accuracy of the information. The information if material should be independently checked by the applicant.

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This land is identified on the Additional Local Provisions Map of the Parramatta Local Environmental Plan 2011. Part 7 Additional local provisions – Parramatta City Centre of the Parramatta Local Environmental Plan 2011 applies to the land.

Civic Link Precinct – Parramatta Development Control Plan (DCP) 2011

The land is located within the Civic Link Precinct as identified in Section 4.3.3.7 (m) of the Parramatta Development Control Plan 2011. The Civic Link Precinct will be a new pedestrian, public space within the City Centre linking Parramatta Square to the Parramatta River foreshore. The controls in this section of the DCP describes the spatial definition of the Civic Link; changes to through block movement patterns; new streets, laneways and open spaces; and future development form.

Note: Section 4.3.3.7 (m) of the DCP sets high-level planning controls for Civic Link Precinct areas between Macquarie Street and the Parramatta River (Blocks 2, 3 and 4 as shown in Figure 4.3.3.7.51 Civic Link Precinct), with more detailed controls to be finalised. Persons wishing to develop land within one of these areas are recommended to contact Council's Land Use Team on 9806 5050 or email council@cityofparramatta.nsw.gov.au.

Aboriginal Sensitivity Map - Parramatta Development Control Plan (DCP) 2011

Aboriginal Heritage – High Sensitivity – potential to contain items of Aboriginal heritage. Contact Council's Customer Service/Duty Planner (02) 9806 5050 for more information.

Flood Information

The land is considered by Council TO BE ABOVE the 1 in 100 year mainstream flood level.

This information is based on data available to the Council. It is provided on the basis that neither Council nor its servants hold out advice or warrant to you in any way its accuracy, nor shall the Council or its servants, be liable for any negligence in the preparation of that information.

Interim Sydney Metro West Corridor - Infrastructure SEPP

Mapping associated with State Environmental Planning Policy (Infrastructure) 2007 (the Infrastructure SEPP) indicates that the land or part of the land is within the Interim Sydney Metro West Corridor.

Note: Advisory Information Regarding Proximity to a Commercial Centre

The land is within proximity to a major, strategic or local commercial centre. Council is looking to encourage greater activation and investment in these centres by developing the night time economy across the City of Parramatta. Future residents

should be aware that the nature and scale of facilities, business activity and events held in these centres may affect the use and enjoyment of the land as a result of operating hours, odour, noise, lighting, traffic and measures associated with event management.

This is considered part of living in/near a commercial centre.

Note: Draft City of Parramatta (Outside CBD) Development Contributions Plan

On 17 March 2021 Council Exhibited a draft Development Contribution Plan - the Draft City of Parramatta (Outside CBD) Development Contributions Plan. It is proposed that the Draft City of Parramatta (Outside CBD) Development Contributions Plan will apply to all land within the City of Parramatta LGA, except for land within the Parramatta CBD and Sydney Olympic Park. The proposed Draft City of Parramatta (Outside CBD) Development Contributions Plan will replace eight (8) existing Development Contribution Plans where they apply to land within the Parramatta LGA. These include:

- Parramatta Section 94A Development Contribution Plan (Amendment No. 5);
- Auburn Development Contributions Plan 2007 Amendment No 1;
- Carter Street Precinct Development Contributions Plan 2016;
- Holroyd Section 94 Plan 2013;
- City of Parramatta S94 Development Contributions Plan (formerly Hornsby LGA Land and Epping Town Centre);
- City of Parramatta S94A Development Contributions Plan (formerly Hornsby LGA Land and Epping Town Centre);
- City of Parramatta Section 94A Development Contribution Plan (Former Hills LGA Land); and
- Contributions Plan 14 - Carlingford Precinct.

Further information about the Draft City of Parramatta (Outside CBD) Development Contributions Plan can be found at <https://participate.cityofparramatta.nsw.gov.au/outside-cbd-contributions> or by contacting Council.

Note: Advisory Information regarding Combustible Cladding

External combustible cladding on multi-storey buildings has been identified in local government areas including the City of Parramatta. Combustible cladding is a material that is capable of readily burning.

You should make your own enquiries as to the type of materials that have been used to construct the building. It is recommended that the purchaser obtain a building report from an appropriately qualified person to determine if any cladding type material may pose a risk to the building's occupants. Council may issue orders to rectify a building where combustible cladding is found.

Properties that have combustible cladding on buildings are listed in the NSW Government Combustible Cladding Register. Please refer to <https://www.claddingregistration.nsw.gov.au/> or call 1300 305 695 for further information regarding the NSW Government Combustible Cladding Register.

There is potential for combustible cladding to be present on buildings that are not listed on the Register.

Note: Advisory Information regarding Loose-Fill asbestos Insulation

Research undertaken by the Loose-Fill Asbestos Insulation Taskforce has determined that there is a potential for loose-fill asbestos insulation to be found in residential dwellings constructed prior to 1980 in 28 local government areas including the City of Parramatta.

Some residential homes located in the City of Parramatta may contain loose-fill asbestos insulation, for example in the roof space. NSW Fair Trading maintains a Register of homes that are affected by loose-fill asbestos insulation.

You should make your own enquiries as to the age of the buildings on the land to which this certificate relates and, if it contains a building constructed prior to 1980, the council strongly recommends that any potential purchaser obtain advice from a licensed asbestos assessor to determine whether loose fill asbestos is present in any building on the land and, if so, the health risks (if any) this may pose for the building's occupants.

Please Contact NSW Fair Trading for further information.

This information has been provided pursuant to section 10.7(5) of the Environmental Planning and Assessment Act, 1979 as amended.

Brett Newman
Chief Executive Officer

per



dated 16 April 2021

