PLANNING CERTIFICATE

UNDER SECTION 10.7 (2&5) ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979



Page No: 1

Online Services
Waverley Council

Cert. No.42037 Date: 23 July 2019 Receipt No. 2111952

Your reference: 57079:35004

Property location Moriah College, 3 Queens Park Road, QUEENS PARK NSW 2022

Parcel description: Lot 3 DP 701512

Owner: Mr R N Simons and Mr R M Goot and Mr R B Gavshon and Mr D

Goulburn and Mr G B Einfeld

C/- Mr T Johnson PO Box 986

BONDI JUNCTION NSW 1355

[The next page is page 2]

Waverley Council | ABN: 12 502 583 608

PO Box 9, Bondi Junction NSW 1355 | DX 12006 Bondi Junction

PHONE **9083 8000** | FAX **9387 1820**

The information in this certificate is provided under section 10.7(2) Environmental Planning & Assessment Act 1979 and the Environmental Planning & Assessment Regulation 2000, specifically Schedule 4.

The Council warns that:

- other authorities may hold information in respect of the land to which this certificate relates;
- the Council's records may not be complete or accurate in respect of the land; and
- the absence of a reference to any matter affecting the land does not imply that the land is not affected by any matter not referred to in this certificate.

Further information about this certificate may be available from Council's Duty Planner.

ITEM 1

Names of relevant planning instruments and DCPs

(1) The name of each environmental planning instrument that applies to the carrying out of development on the land.

The following environmental planning instruments apply to the carrying out of development on the land:

Waverley Local Environmental Plan 2012 as published on the NSW Legislation website (www.legislation.nsw.gov.au) and updated from time to time.

- SEPP No. 19 Bushland in Urban Areas
- SEPP No. 33 Hazardous and Offensive Development
- SEPP No. 50 Canal Estates
- SEPP No. 55 Remediation of Land
- SEPP No. 64 Advertising and Signage
- SEPP No. 65 Design Quality of Residential Flat Development
- SEPP No. 70 Affordable Housing (Revised Schemes)
- SEPP (Affordable Rental Housing) 2009
- SEPP (Building Sustainability Index: BASIX) 2004
- SEPP (Coastal Management) 2018
- SEPP (Educational Establishments and Child Care Facilities) 2017
- SEPP (Exempt and Complying Development Codes) 2008
- SEPP (Housing for Seniors or People with a Disability) 2004
- SEPP (Infrastructure) 2007
- SEPP (State and Regional Development) 2011
- SEPP (State Significant Precincts) 2005
- SEPP (Vegetation in Non-Rural Areas) 2017
- SREP (Sydney Harbour Catchment) 2005

Any enquiries regarding these SEPPs should be directed to the Department of Planning and Environment on: **1300 305 695** or http://www.planning.nsw.gov.au

(2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Secretary

has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

The following proposed environmental planning instruments apply to the carrying out of development on the land:

Draft Waverley Local Strategic Planning Statement

Infrastructure SEPP (Review)

SEPP 64 (Advertising and Signage) Amendment

Note: Any enquiries regarding these SEPPs should be directed to the Department of Planning and Environment on: **1300 305 695** or http://www.planning.nsw.gov.au

(3) The name of each development control plan that applies to the carrying out of development on the land.

The following development control plan (DCP) applies to the land:

Waverley Development Control Plan 2012 (WDCP 2012)

Please note the WDCP 2012 is amended from time to time. It is the responsibility of the applicant to ensure that the correct version is applied.

(4) In this clause, proposed environmental planning instrument includes a planning proposal for a LEP or a draft environmental planning instrument.

ITEM 2

Zoning and land use under relevant LEPs

For each environmental planning instrument or proposed instrument referred to in clause 1 (other than a SEPP or proposed SEPP) that includes the land in any zone (however described):

- (a) the identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Area") or by reference to a number (such as "Zone No 2(a)"),
- (b) the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent,
- (c) the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,
- (d) the purposes for which the instrument provides that development is prohibited within the zone,

Waverley Local Environmental Plan 2012 as published on the NSW Legislation website (www.legislation.nsw.gov.au) and updated from time to time.

Zone SP2 Infrastructure

- 1 Objectives of zone
 - To provide for infrastructure and related uses.
 - To prevent development that is not compatible with or that may detract from the provision of infrastructure.

2 Permitted without consent

Nil

3 Permitted with consent

Roads; The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose

4 Prohibited

Any development not specified in item 2 or 3.

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

The land is **not** subject to any development standards that fix minimum land dimensions for the erection of a dwelling house.

(f) whether the land includes or comprises critical habitat,

The land does **not** comprise critical habitat.

(g) whether the land is in a conservation area (however described),

The land is within a Heritage Conservation Area.

- The land is located within a Heritage Conservation Area Landscape identified in Waverley Local Environmental Plan 2012.
- (h) whether an item of environmental heritage (however described) is situated on the land.

The land does **not** contain an Item of Environmental Heritage.

ITEM 2A

Zoning and land use under <u>State Environmental Planning Policy (Sydney Region Growth Centres) 2006</u>

To the extent that the land is within any zone (however described) under:

- (a) Part 3 of the <u>State Environmental Planning Policy (Sydney Region Growth Centres)</u>
 <u>2006</u> (the 2006 SEPP), or
- (b) A Precinct Plan (within the meaning of the 2006 SEPP), or
- (c) A proposed Precinct Plan that is or has been the subject of community consultation or on public exhibition under the Act,

the particulars referred to in clause 2(a)-(h) in relation to that land (with a reference to "the instrument" in any of those paragraphs being read as a reference to Part 3 of the 2006 SEPP, or the Precinct Plan or proposed Precinct Plan, as the case requires).

The land is **not** subject to the <u>State Environmental Planning Policy (Sydney Region</u> Growth Centres) 2006.

Complying development

- (1) The extent to which 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 <u>State</u>

 Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
- (2) The extent to which complying development may not be carried out on that land because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of that Policy and the reasons why it may not be carried out under those clauses.
- (3) If the council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land, a statement that a restriction applies to the land, but it may not apply to all of the land, and that council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.

Housing Code

Complying development under the Housing Code **may not** be carried out on the land. The land is affected by specific land exemption:

- land is located within a Heritage Conservation Area development is excluded from SEPP (Exempt and Complying Development) 2008, unless the development is for a detached outbuilding or swimming pool.
- part of land is identified in an Environmental Planning Instrument as being high biodiversity.

Rural Housing Code

There are no lands within the Waverley Council area that are affected by this Code.

Low Rise Medium Density Housing Code

Complying development under the Low Rise Medium Density Housing Code **may not** be carried out on the land. The land is affected by specific land exemption:

- land is located within a Heritage Conservation Area development is excluded from SEPP (Exempt and Complying Development) 2008, unless the development is for a detached outbuilding or swimming pool.
- part of land is identified in an Environmental Planning Instrument as being high biodiversity.

Greenfield Housing Code

There are no lands within the Waverley Council area that are affected by this Code.

Housing Alterations Code

Complying development under the Housing Alterations Code **may not** be carried out on the land. The land is affected by specific land exemption:

 part of land is identified in an Environmental Planning Instrument as being high biodiversity.

General Development Code

Complying development under the General Development Code **may not** be carried out on the land. The land is affected by specific land exemption:

 part of land is identified in an Environmental Planning Instrument as being high biodiversity.

Commercial and Industrial Alterations Code

Complying development under the Commercial and Industrial Alteration Code **may not** be carried out on the land. The land is affected by specific land exemptions:

 part of land is identified in an Environmental Planning Instrument as being high biodiversity.

Commercial and Industrial (New Buildings and Additions) Code

Complying development under the Commercial and Industrial (New Building and Additions) Code **may not** be carried out on the land. The land is affected by specific land exemptions:

- part of land is identified in an Environmental Planning Instrument as being high biodiversity.
- land is located within a Heritage Conservation Area.

Container Recycling Facilities Code

Complying development under the Container Recycling Facilities Code **may not** be carried out on the land. The land is affected by specific land exemptions:

 part of land is identified in an Environmental Planning Instrument as being high biodiversity.

Subdivisions Code

Complying development under the Subdivisions Code **may not** be carried out on the land. The land is affected by specific land exemptions:

 part of land is identified in an Environmental Planning Instrument as being high biodiversity.

Demolition Code

Complying development under the Demolition Code **may not** be carried out on the land. The land is affected by specific land exemption:

 part of land is identified in an Environmental Planning Instrument as being high biodiversity.

•

Fire Safety Code

Complying development under the Fire Safety Code **may not** be carried out on the land. The land is affected by specific land exemptions:

 part of land is identified in an Environmental Planning Instrument as being high biodiversity.

Disclaimer: If a restriction applies to the land, the restriction may not apply to all of the land. Council does not have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.

Complying development may be able to be carried out on the land provided it meets the requirements and standards of *State Environmental Planning Policy (Exempt and Complying Development Codes)* 2008.

ITEM 4, 4A (Repealed)

ITEM 4B

Annual charges under <u>Local Government Act 1993</u> for coastal protection services that relate to existing coastal protection works

In relation to a coastal council - whether the owner (or any previous owner) of the land has consented in writing to the land being subject to annual charges under section 496B of the <u>Local Government Act 1993</u> for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act).

No.

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

ITEM 5

Mine subsidence

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

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

ITEM 6

Road widening and road realignment

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

- (a) Division 2 of Part 3 of the *Roads Act 1993*, or
- (b) any environmental planning instrument, or
- (c) any resolution of the council.

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

ITEM 7

Council and other public authority policies on hazard risk restrictions

Whether or not the land is affected by a policy:

- (a) adopted by the council, or
- (b) adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the council,

that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

- (a) The land is **not** affected by a policy adopted by Council that restricts the development of land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).
- (b) The land is **not** affected by a policy adopted by another public authority and notified to the Council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the Council, that restricts the development of land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

ITEM 7A

Flood related development controls information

- (1) Whether or not development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.
 - The land is **not** subject to flood related development controls for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing).
- (2) Whether or not development on that land or part of the land for any other purpose is subject to flood related development controls.
 - The land is **not** subject to flood related development controls.
- (3) Words and expressions in this clause have the same meanings as in the Standard Instrument.

ITEM 8

Land reserved for acquisition

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

The land is **not** affected by any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 that provides for the acquisition of the land by a public authority, as referred to in section 27 of the Act.

ITEM 9

Contributions plans

The name of each contributions plan applying to the land.

Waverley Council Development Contribution Plan 2006

Please note the Development Contribution Plan is amended from time to time. It is the responsibility of the applicant to ensure that the correct version is applied.

ITEM 9A

Biodiversity certified land

If the land is biodiversity certified land under Part 8 of the <u>Biodiversity Conservation Act</u> 2016, a statement to that effect.

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

The land is **not** biodiversity certified land under Part 8 of the <u>Biodiversity</u> Conservation Act 2016.

ITEM 10

Biodiversity stewardship sites

If the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the <u>Biodiversity Conservation Act 2016</u>, a statement to that effect (but only if the council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage).

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

Council has **not** been notified of any biodiversity stewardship agreement under Part 5 of the *Biodiversity Conservation Act 2016* relating to the land.

ITEM 10A

Native vegetation clearing set asides

If the land contains a set aside area under section 60ZC of the <u>Local Land Services Act</u> <u>2013</u>, a statement to that effect (but only if the council has been notified of the existence of the set aside area by Local Land Services or it is registered in the public register under that section).

Council has **not** been notified of the existence of any set aside area by Local Land Services.

ITEM 11

Bush fire prone land

If any of the land is bush fire prone land (as defined in the Act), a statement that all or, as the case may be, some of the land is bush fire prone land.

If none of the land is bush fire prone land, a statement to that effect.

The land is **not** bush fire prone land (as defined in the Act).

ITEM 12

Property vegetation plans

If the land is land to which a property vegetation plan under the <u>Native Vegetation Act</u> <u>2003</u> applies, a statement to that effect (but only if the council has been notified of the existence of the plan by the person or body that approved the plan under that Act).

Council has **not** been notified of any property vegetation plans under the <u>Native</u> <u>Vegetation Act 2003</u> applying to the land.

ITEM 13

Orders under Trees (Disputes Between Neighbours) Act 2006

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

No.

ITEM 14

Directions under Part 3A

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

There is **no** direction under Part 3A.

Site compatibility certificates and conditions for seniors housing

If the land is land to which <u>State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</u> applies:

- (a) a statement of whether there is a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:
 - (i) the period for which the certificate is current, and
 - (ii) that a copy may be obtained from the head office of the Department, and Council is **not** aware of any Site Compatibility Certificate (Seniors Housing) for this property.
- (b) a statement setting out any terms of a kind referred to in clause 18 (2) of that Policy that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.
 - Council is **not** aware of any Site Compatibility Certificate (Seniors Housing) for this property.

ITEM 16

Site compatibility certificates for infrastructure, school or TAFE establishments

A statement of whether there is a valid site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

- (a) the period for which the certificate is valid, and
- (b) that a copy may be obtained from the head office of the Department.
 - Council is **not** aware of a site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments).

ITEM 17

Site compatibility certificates and conditions for affordable rental housing.

- (1) A statement of whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:
 - (a) the period for which the certificate is current, and
 - (b) that a copy may be obtained from the head office of the Department.
 - Council has **not** been notified of any site compatibility certificate and condition for affordable rental housing.
- (2) A statement setting out any terms of a kind referred to in clause 17(1) or 38 (1) of <u>State Environmental Planning Policy (Affordable Rental Housing) 2009</u> that have been

imposed as a condition of consent to a development application in respect of the land.

Council has **not** been notified of any site compatibility certificate and condition for affordable rental housing.

ITEM 18

Paper subdivision information

- (1) The name of any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot.
 - Council is **not** aware of any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot.
- (2) The date of any subdivision order that applies to the land.
 - There is **no** subdivision order applying to the land.
- (3) Words and expressions used in this clause have the same meaning as they have in Part 16C of this Regulation.

ITEM 19

Site verification certificates

A statement of whether there is a current site verification certificate, of which the council is aware, in respect of the land and, if there is a certificate, the statement is to include:

- (a) the matter certified by the certificate, and
 - **Note.** A site verification certificate sets out the Secretary's opinion as to whether the land concerned is or is not biophysical strategic agricultural land or critical industry cluster land—see Division 3 of Part 4AA <u>of State Environmental Planning Policy</u> (Mining, Petroleum Production and Extractive Industries) 2007.
- (b) the date on which the certificate ceases to be current (if any), and
- (c) that a copy may be obtained from the head office of the Department.
 - Council has **not** been notified of any site verification certificates.

ITEM 20

Loose-fill asbestos insulation

If the land includes any residential premises (within the meaning of Division 1A of Part 8 of the <u>Home Building Act 1989</u>) that are listed on the register that is required to be maintained under that Division, a statement to that effect

Council has **not** been notified of a residential dwelling erected on this land containing loose-fill asbestos ceiling insulation. Contact NSW Fair Trading for more information.

Affected building notices and building product rectification orders

(1) A statement of whether there is any affected building notice of which the council is aware that is in force in respect of the land.

Council is **not** aware of any affected building notice that is in force in respect of the land.

- (2) A statement of:
 - (a) whether there is any building product rectification order of which the council is aware that is in force in respect of the land and has not been fully complied with, and
 - Council is **not** aware of any building product rectification order that is in force in respect of the land and has not been fully complied with.
 - (b) whether any notice of intention to make a building product rectification order of which the council is aware has been given in respect of the land and is outstanding.
 - Council is **not** aware of any notice of intention to make a building product rectification order in respect of the land and is outstanding.
- (3) In this clause:

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

building product rectification order has the same meaning as in the <u>Building</u> <u>Products (Safety) Act 2017.</u>

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

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

No.

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

No.

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

No.

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

No.

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

No.

Additional information may be provided under section 10.7(5) of the Environmental Planning & Assessment Act 1979. The provision of any such additional information in this certificate is in good faith and subject to section 10.7(6) of the Environmental Planning & Assessment Act 1979.

- BOARDING HOUSES: State Environmental Planning Policy (Affordable Rental Housing) 2009 (ARHSEPP) includes provisions for Boarding Houses. The ARHSEPP is to be consulted if it is intended to demolish, alter or add to, or change the fabric or furnish of a boarding house or to change its use.
- View recent Development Applications relating to the land via the Development Application Tracking Tool available at Council's website *Track a Development Application*.

Further information about this certificate may be available from Council's Duty Planner.

Ross McLeod

GENERAL MANAGER

L. B.M

PLANNING CERTIFICATE

UNDER SECTION.7(2&5) ENVIRONMENTAL PLANNING AND ASSESSMENCT 1979

Page No: 1

LLuedecke LEVEL/150 Margaret Street SYDNE'WSW 2000

Cert.No.42044
Date: 24 July 2019
ReceiptNo. 2112038
Yourreference:57079:35014

Property location Moriah College, YorRoad, QUEENS PARK NSW 2022

Parcel description: Lot 22 DF879582

Owner: Mr RN Simons and Mr RM Goot and Mr RBGavshorand Mr D

Goulburnand Mr G BEinfeld

C/- Mr TJohnson PO Box 986

BONDI JUNCTION NSW 1355

[Thenext page ispage2]

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Theinformation in this certificate is provided indersection 10.7(2 Environmental Planning Assessmen Act 1979 and the Environmenta Planning Assessment Regulation 2000, specifically Schedule

TheCouncilwarnsthat:

other authoritiesmay hold information in espect of the landto which this certificate relates;

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SEPP Nd.9 Bushlandn Urban Areas

SEPP N&3 Hazardousand Offensive Development

SEPP No.0 Canal Estates

SEPP No.5 Remediation of Land

SEPP N66.4 Advertising and Signage

SEPP N665 DesignQualityof Residential Flat Development

SEPP No. AffordableHousing (Revised Schemes)

SEPP (Affordable Rental Housing) 2009

SEPP (Building Sustainabilingex:BASIX) 2004

SEPP (Coastalanagement) 2018

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SEPP (Exempted Complying Development Codes) 2008

SEPP (Housing feeniorsor People with a Disability) 2004

SEPP (Infrastructur@007

SEPP (Statend Regional Developmen 2)011

SEPP (Statignificant Precincts) 2005

SEPP (Vegetation Infon-Rural Areas)017

SREPSydney Harbour Catchment) 2005

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(2) Thename of each proposed invironmental planning instrument that will apply to the carrying out of development on the landand that is or has been the subject of community consultation or on public exhibition under the Act (unless the Secretary

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Infrastructure SEPP (Review)

SEPP 6(Advertising an Signage)Amendment

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(3) Thename of each development control plan that appliest the carryingout of development on the land.

The following development control plan (DCP) applies to the land:

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Please note the VDCP2012 isamended from time to time. It is the responsibility of the applicant to ensure that the correct version is applied.

(4) In this clause, proposed environmental anning instrument includes planning proposal for a LEP a draft environmental planning strument.

ITEM 2

Zoning and and useunder relevant LEPs

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- (b) the purposes forwhich theinstrument provides that development aybe carried out within the zone without the needfor development consent,
- (c) the purposes fowhich theinstrument provides that development ay not be carried out within the zone except with development consent,
- (d) the purposes fowhich theinstrument provides that developments prohibited within the zone,

Waverley Local Environmental an 2012 as published the NSWLegislation website (www.legislation.nsw.gov.au) and pated from time to time.

Zone SP2 Infrastructure

1 Objectivesof zone

To provide forinfrastructure and elated uses.

To prevent development that is not compatible with or that may detract from the provision of infrastructure.

PLANNINGERTIFICATENDER SECTION 10.7 (2&5)NVIRONMENTÆLANNINGAND ASSESSMEAKCT1979

2 Permitted without consent

Nil

3 Permitted with consent

Roads; The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose

4 Prohibited

Any development not specified in item 2 or 3.

(e) whether any development tandards applying to the fixminimum land dimensions for the rection of a dwelling-housen the land and, if so, the ninimum land dimensions of fixed,

Theland is not subject o any development and ards that ix minimum land dimensions for the erection of a dwellinghouse.

(f) whether theland includes ocomprises critical abitat,

Theland does not compriseritical habitat.

(g) whether theland isin a conservation arethowever described),

Theland is within a Heritage Conservation Area.

Theland is located within a Heritage Conservation Area-Landscape dentified in Waverley Local Environmenta Plan 2012.

(h) whether an item of environmental heritage (however escribed) is situated in the land.

Theland does not contain Item of Environmenta Heritage.

ITEM 2A

Zoning and and useunder <u>State EnvironmentaPlanningPolicy</u> (Sydney Regio@rowth <u>Centres)2006</u>

To the extenthat the landiswithin anyzone (howevedescribed) under:

- (a) Part 3 of the <u>StateEnvironmental Planning Policy (Sydney Region Growthres)</u> 2006(the 2006SEPP,)or
- (b) A Precinct Plan within the meaning of the 2006 SEPP), or
- (c) A proposed Precinct Plan that is or has been the subject of community consultation or on public exhibition under the Act,

the particulars referred in clause (a)-(h) in relation to that and (with a reference to "the instrument" in any of those paragraphs beimgadas a reference to Pat of the 2006SEPP, the Precinct Plan or proposed Precinct Plan, the case requires).

Theland is not subject to the <u>StateEnvironmentaPlanning Polic(Sydney Region</u> GrowthCentres) 2006.

Complying development

- (1) The extent to which the land is land on which complying velopment may be carried out under each of the codes for complying development because the provisions of clauses 1.17 (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of State Environmental Planning olicy (Exemptand Complying Developme 6 bdes) 2008.
- (2) The extent to which complying developmentary notice carried outon that land because of the provisions of clauses 1.17A (1)(c) to (e)(2), (3) and (4),1.18 (1)(c3) and 1.19 of that Policy and the reasons why it may not be carried outunder those clauses.
- (3) If the council does not have sufficient information to ascertain the extent to which complying development and ormay not be carried out on the land, a statement that a restriction applies to the land, but it may not apply to all of the land, and that councildoes not have sufficient information ascertain the extent to which complying development and ormay not be carried out on the land.

Housing Code

Complying development the Housin Code may not be carried out on the land. The land is affected by specific land exemption:

land is located within a Heritage Conservation Areadevelopment is excluded from SEPP (Exempted Complying Development) 008, unless the development is for adetached outbuilding or swimming pol.

part of landis identified in an Environmental Planning Instrumesbeinghigh biodiversity.

Rural Housin@ode

There are no landwithin the WaverleyCouncil area that areffected by thisCode.

Low Rise Medium ensity Housin code

Complying development of the Low Rise Medium Density outing Code may nobe carried out on the land. The land is affected by specificand exemption:

land is located within a Heritage Conservation Areadevelopment is excluded from SEPP (Exempted Complying Development) 008, unless the development is for adetached outbuilding or swimming pol.

part of landis identified in an Environmental Planning Instrumesbeinghigh biodiversity.

Greenfield Housing Code

There are no landwithin the WaverleyCouncil area that areffected by thisCode.

Housing Alterations Code

Complying development nder the Housing Alterations Code may not be carried out on the land. The lands affected by specific land exemption:

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part of landis identified in an Environmental Planning Instrumasbeinghigh biodiversity.

General Developmer@ode

Complying development the General Development Contray not be carried on the land. The lands affected by specific land exemption:

part of landis identified in an Environmental Planning Instrumasbeinghigh biodiversity.

Commercial and Industrial Alterationsode

Complying developmentander the Commercial and Industrial Alteration Codemay not be carried out on the land. The land is affected by specificand exemptions:

part of landis identified in an Environmental Planning Instrumasbeinghigh biodiversity.

Commercial and Industrial (New Buildings and ditions)Code

Complying developmentinder the Commercial Industria (New Building and Additions) Code manot becarried outon the land. The lands affected by specificand exemptions:

part of landis identified in an Environmental Planning Instrumasbeinghigh biodiversity.

land is located within a Heritage Conservation Area.

ContainerRecycling Facilities Code

Complying developmentinder the ContaineRecyclingFacilities Codenay not becarried out on the land. The lands affected by specific land exemptions:

part of landis identified in an Environmental Planning Instrumasbeinghigh biodiversity.

Subdivision Code

Complying development nder the Subdivision Sodemay not becarried out on the land. The land is affected specific land exemptions:

part of landis identified in an Environmental Planning Instrumasbeinghigh biodiversity.

Demolition Code

Complying development the Demolition Code may nbte carried outon the land. Theland is affected specific land exemption:

part of landis identified in an Environmental Planning Instrumante biodiversity.

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Fire SafetyCode

Complying development nder the FireSafetyCode may not be carried outon the land. The land is affected by specific land exemptions:

part of landis identified in an Environmental Planning Instrumesbeinghigh biodiversity.

Disclaimer: If a restriction applies to the land, the restriction may not apply to all of the land. Council does that have sufficient information to ascertain the extent to which complying development may or may not be carried out on the land.

Complying developmentaly beable to be carried out on the dand provided timeets the requirements and standards State Environmental Planning Olicy (Exempt and Complying Developmental) 2008.

ITEM 4, 4A (Repealed)

ITEM 4B

Annual chargesunder <u>Local Government Act 19</u>**96**r coastal protectionservices that relate to existing coastal protection works

In relation to a coastal councilwhether the owner (or an previous owner) of the land has consented invriting to the landbeing subjecto annual charges under section 496B of the <u>Local Government Act 1993</u> for coastal protection services that elate to existing coastal protection works (within the meaning of section 553 b f that Act).

No.

Note "Existing coastaprotectionworks" are worksto reduce the impact of coastal hazards on lan (such as seawalls, revetments, groynes beach nourishment) hat existed before the commencement of section 553B of the cal Government of 1993.

ITEM 5

Mine subsidence

Whether ornot the landis proclaimed to be a mine subsidence distrivithin the meaning of section 15 of the Mine Subsidence ompensation 15 of the Mine Subsidence ompensation 15 of the Mine Subsidence of the M

Theland is not proclaimed to a minesubsidence district within meaning section 15 of the Mine Subsidence ompensation Act 1961.

ITEM 6

Roadwidening androad realignment

Whether ornot the landis affected by anyroad widening oroad realignment under:

- (a) Division 2of Part 3of the Roads Act 1998;
- (b) any environmental planning instrument, or
- (c) any resolution of the council.

Theland is not affected by any roadidening or road realignment under Division 2 Part3 of the Roads Act 1993, any environmental lanning instrumentor any resolution of the Council.

ITEM 7

Council and other public authority policies on hazard riskestrictions

Whether ornot the landis affected by a policy:

- (a) adopted by thecouncil, or
- (b) adopted by any other public authority nd notified to the council for the express purpose of its adoption by hat authority being referred ton planning certificates issued by the council,

that restricts the development of the land because of **the**lihoodof land slip, bushfire, tidal inundation, subsidence, acid sulphastellsor any otherisk (otherthan flooding).

- (a) Theland is not affected by a policy adopted Council that restricts the development of land because the likelihood of land slip, bushfire, tidal inundation, bidence, acid sulphate soiler any otherrisk (other than flooding).
- (b) Theland isnot affected by a policydopted by another publicuthority and notified to the Council forthe expresspurpose of its adoptionly that authority being referred to in planning certificates issued the Council that restricts the development of land because of the likelihood of land slip, bushfire, tidal inundation being sulphatesoils or any other ris (other thanflooding).

ITEM 7A

Flood related development on trols information

- (1) Whether or notdevelopment orthat landor part of theland forthe purposes of dwelling houses, dual occupanciesulti dwellinghousingor residential flat buildings (not including development for the purposes of group homes or senior shousing) is subject to flood related development controls.
 - Theland is not subjecto flood relateddevelopment controls or the purposes of dwellinghouses, duabccupancies multi dwellinghousing or residential flat buildings (not including development for the urposes of group homes remions housing).
- (2) Whether or notdevelopment orthat landor part of theland for anyother purposes subject toflood related development controls.
 - Theland is not subject of lood related development controls.
- (3) Wordsandexpressions in this clause have he same meaning sin the Standard Instrument.

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ITEM 8

Land reserved for acquisition

Whether ornot any environmental planning instrument proposed environmental planning instrument referred to in clause 1 makes provision in relattorthe acquisition of the land by a public authority, as referred to section 27 of the Act.

Theland is not affected by any environmental lanning instrument or proposed environmental planning instrument referred in clause 1that provides forthe acquisition of the landby apublicauthority, as referred to in section 27 the Act.

ITEM 9

Contributions plans

Thename of each contributions plamplying to the land.

Waverley Council Developme6 ontribution Plan 2006

Please note the Development on tribution Plan immended from time to time. It is the responsibility of the applicant to ensure that the orrectversion is applied.

ITEM 9A

Biodiversity certified land

If the landis biodiversity certified land under Part 8 of the liodiversity Conservation Act 2016, a statement to that effect.

Note. Biodiversitycertified landincludesland certifiedunder Part 7AA of the <u>Threatened Species Conservation A@95</u> that is takento be certified under Par8 of the <u>Biodiversity Conservation Act 2016</u>

Theland is not biodiversity certified and under Part8 of the <u>Biodiversity</u> Conservation Act 2016

ITEM 10

Biodiversitystewardship sites

If the landis a biodiversity stewardshipite under a biodiversity tewardship agreement under Part 5of the <u>Biodiversity Conservation 12016</u>, statement to that effect (but only if the council has been notified the existence of the agreement by the Chief Executive of the Office of Environment and Heritage).

Note. Biodiversitystewardship agreements clude biobanking agreements under PartA of the <u>Threatened Species Conservation Act</u> 1t985 are taken to be biodiversity stewardship agreements ander Part 5 of the Biodiversity Conservation Act 2016

Council has not been notified of any biodiversity wardship agreement under Part 5 of the <u>Biodiversity Conservation A2016</u> relating to the land.

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ITEM 10A

Native vegetationclearing set asides

If the landcontains aset aside areaunder section 60Zof the <u>Local LandservicesAct</u> 2013, a statement to that effect(but only if the councilhas beem otified of the existence of the set aside area by Loda And Services of its registered in the public registerunder that section).

Council has not been notified of the existence of any set aside by Localand Services.

ITEM 11

Bushfire prone land

If anyof the land isbush fire proneand (as defined the Act), a statement that all or, as the case may be ome of the land is bush fire proneland.

If none of the land is bush fire rone land, a statemento that effect.

Theland is not bush fire prontand (as define the Act).

ITEM 12

Property vegetation plans

If the landis land to which a property egetation plan under the <u>NativeVegetationAct</u> <u>2003</u> applies, a statement to that effect (but only if the council has been notified of the existence of the plan by the person or body that pproved the plan under that Act).

Council has not been notified of any property vegetation and sunder the Native Vegetation Act 2003 applying to the land.

ITEM 13

Ordersunder <u>Trees (DisputeBetweenNeighbours)Act</u> 2006

Whether anorder has been made under the <u>Trees (Disputes etween Neighbours) ct</u> 2006 to carry outwork in relation to a tree on the land (but only if the councilhas been notified of the order).

No.

ITEM 14

Directions underPart 3A

If there is a direction by the Ministerin force undersection 75R(2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a projector a stage of a projecton the landunder Part 4of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

There is no direction of Part3A.

Site compatibility certificates and conditions for senior shousing

If the landis land to which <u>StateEnvironmental Planning Poli(Housing foSeniorsor People with Disability)2004</u>applies:

- (a) a statement ofwhether there is a current site compatibility ertificate (seniors housing), of which the councilis aware, in respect of proposed velopment to the land and, if there is a certificate, the statements to include:
 - (i) the periodfor which the certificate is current, and
 - (ii) that a copy maybe obtained from the head office of the Department, and Council is not awaref any Site Compatibility Certificate (Seniors Housing) rthis property.
- (b) a statement settingout anyterms of a kindreferred to in clause 8(2) of that Policy that have been imposed asscondition of consents a development application granted after 11 October 2007 in espect of the land.
 - Council is not awaref any Site Compatibility Certificate (Seniors Housing) this property.

ITEM 16

Site compatibility certificates for infrastructure, school or TAF Eestablishments

A statement of whether there is a validate compatibility certificate (infrastructure) or site compatibility certificate (schools of AFE establishments) of which the council is aware, in respect of proposed development on the and and, if there is a certificate, the statement to include:

- (a) the periodfor which the certificate is valid, and
- (b) that a copy maybe obtained from the head office of the Department.

Council is not awaref a site compatibility certificate(infrastructure) or site compatibility certificate(schools of AFE establishments).

ITEM 17

Site compatibility certificates and conditions for affordable ental housing.

- (1) A statement ofwhether there is a current site compatibilityertificate (affordable rental housing), ofwhich the councilis aware in respectof proposed development on the landand, if there is a certificate, the statement to include:
 - (a) the period for which the certificate is current, and
 - (b) that a copy maybe obtained from the head office of the partment.
 - Council has not been notified of any site compatibility tificate and condition for affordable rental housing.
- (2) A statement setting out any terms of a kindeferred to inclause 17(1) or 38(1) of State Environmenta Planning Policy (Affordable Rentabusing) 2009 that have been

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imposedasa condition of consent to a development pplication in respect of the land.

Council has not been notified of any site compatibility tificate and condition for affordable rental housing.

ITFM 18

Papersubdivisioninformation

- (1) Thename of any development plan adopted by a relevanthority that applies to the land or that is proposed to be subject to a consent ballot.
 - Council is not awaref any development plan adopted by a relevant uthority that applies to the lander that is proposed to esubject to a consent ballot.
- (2) Thedate of any subdivision ordethat applies to the land.
 - There is no subdivision ordapplying to the and.
- (3) Wordsand expressions used in this clause haven eaning as they haven Part 16C of this Regulation.

ITEM 19

Site verification certificates

A statement of whether there is a current site verification certificate, which the council is aware, in respect of the land and, if there is a certificate, estatement to include:

- (a) the matter certified by the certificate and
 - Note. A site verification certificate setsout the Secretary's pinion asto whether the land concerneds or is not biophysical strategic agriculturahdor critical industry cluster land—see Division 3 of Part 4AA of State Environmenta Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007.
- (b) the date on which the certificateeases to beurrent (if any), and
- (c) that a copy maybe obtained from the head office of the Department.
 - Council has not been notified of any site verification tificates.

ITEM 20

Loose-fill asbestos insulation

If the landincludes anyesidential premise within the meaning of Division 1A of Part 8 of the HomeBuilding Act 1989 hat are listed on the registernatis required to be maintained under that Division, statement to that

Council has not been notified of a residential dwelling erectethical and containing loose-fillasbestosceilinginsulation. Contact SWFairTradingfor more information.

Affected building notices and building product rectification orders

(1) A statement ofwhether there is any affected buildimptice of which the council is aware that is inforce in respect the land.

Council is not awaref any affected building notice that is in for the respectof the land.

- (2) A statement of:
 - (a) whether there is any building product rectification order of which the councilis aware that is in force respect of the and and has not been fully complied with, and
 - Council is not awaref anybuilding product rectification order that is in forcein respect of the land and as not beerfully complied with.
 - (b) whether any notice of intention to make abuilding product rectification order of which the council is aware has been givere is pect of the landand is outstanding.
 - Council is not awaref anynotice of of the landandis outstanding.
- (3) In this clause:

affected building notice has the same meanings in Part 4 of the <u>Building Products</u> (Safety) Act 2017.

building product rectification order has the same meaning in the <u>Building</u> Products (Safety) Act 2017.

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

(a) that the landto which thecertificate relates is significantly ontaminated and within the meaning of that Act-if the and (orpart of the land)'s significantly contaminated land at the date when the certificate is issued,

No.

(b) that the landto which thecertificate relates is subjected a management order within the meaning of that Acif it is subject to such arorder at the date when the certificate is issued,

No.

(c) that the landto which the certificate elates is the subject of an approved voluntary management proposal within the meaning of that Act-if it is the subject of such approved proposal at the date when the certificate is issued,

No.

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(d) that the landto which the certificate elates is subject an ongoing maintenance order within the meaning of that Act-if its subject to such an order at the date when the certificate is is sued,

No.

(e) that the landto which thecertificate relates is the ubject of a site audistatement within the meaning of that Act-if a copy of such a statement has been provided any time to the local authority issuing the certificate.

No.

Additional information may be provided under sectito 0.7(5) of the Environmental Planning Assessmen Act 1979. The provision of any such additional information in this certificate is in good fait and subject to section 10.7(6) of the Environmenta Planning Assessmen Act 1979.

BOARDING HOUS State Environmental Planning Policy (Afford Astental Housing) 2009 (ARHSEPP) includes provisiform Soarding Houses. The ARHSEPP is to beconsulted it is intended to demolish, alter or add to, or change the fabric or furnish of a boarding house on change itsuse.

View recent Development Applications relating the land via the Development Application Tracking Toolavailable at Council Rebsite Tracka Development Application.

Further information about this ertificate may be available from ouncil's Duty Planner.

Ross McLeod
GENERAMANAGER