

SECTION 10.7(2) & (5) PLANNING CERTIFICATE

Issued under the Environmental Planning and Assessment Act 1979 &
Schedule 4 Environmental Planning and Assessment Regulation 2000

Application Details

Name: Douglas Partners Pty Ltd
Address: Unit 2 73 Sheppard Street
HUME ACT 2619

Certificate No: 210774
Fees paid: \$133.00
Receipt no: 36156
Applicant's ref: -----
Pages in certificate: 8

Pursuant to section 10.7 of the Act, it is advised that as of the date of this certificate, the subject land was affected by the matters indicated below and in the attachments to this certificate. Information is given only to the extent that Council has been notified by the NSW Department of Planning and Environment and other relevant State Agencies

Property Details

Address: 2 Fairley Street
MURRUMBATEMAN NSW 2582

Property description: PARISH: NANIMA,
LOT: 302, DP: 1228766

Area: 1.544 Hectares
Assessment no: 97352
Owner recorded by Council: Minister for Education & Early Childhood Learning

Prescribed Matters

Information relating to planning instruments and DCPs that apply to the land

<i>Local Environmental Plan</i>	Yass Valley Local Environmental Plan 2013
<i>Yass Valley LEP 2013 Map Reference</i>	Maps for this property can be viewed at www.planningportal.nsw.gov.au/find-a-property Instrument and maps can be viewed at www.legislation.nsw.gov.au
<i>Draft Local Environmental Plan</i>	Nil
<i>Development Control Plan</i>	Draft Yass Valley DCP 2018 currently being prepared.
<i>State Environmental Planning Policies</i>	Refer to Schedule A attached
<i>Draft State Environmental Planning Policies</i>	Refer to Schedule B attached

Information relating to zoning and land use under relevant LEP's

<i>Zoning of the property</i>	RU5 Village
<i>Purposes for which development may be carried out without the need for Development Consent</i>	Home-based child care; Home businesses; Home occupations.
<i>Purposes for which development may be carried out with Development Consent</i>	Amusement centres; Boat building and repair facilities; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Centre-based child care facilities; Commercial premises; Community facilities; Crematoria; Depots; Dwelling houses; Entertainment facilities; Environmental facilities; Environmental protection works; Exhibition villages; Function centres; Information and education facilities; Light industries; Mortuaries; Neighbourhood shops; Oyster aquaculture; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Residential accommodation; Respite day care centres; Roads; Schools; Service stations; Signage; Storage premises; Tank-based aquaculture; Tourist and visitor accommodation; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Water recycling facilities; Water supply systems; Wholesale supplies.
<i>The purposes for which development is prohibited.</i>	Boarding houses; Cellar door premises; Farm stay accommodation; Hostels; Landscaping material supplies; Multi dwelling housing; Pond-based aquaculture; Residential flat buildings; Roadside stalls; Rural workers' dwellings; Timber yards; Vehicle sales or hire premises; Any other development not specified in item 2 or 3.
<i>Yass Valley LEP 2013 Lot Size Map</i>	1,500 square metres. Part 4 - Principal Development Standards in the Yass Valley LEP 2013 outlines the requirements for the subdivision of the land.

Is this property identified on any other Yass Valley LEP 2013 map

Yes, this land is identified as being within an area of Groundwater Vulnerability on the Yass Valley LEP 2013 Groundwater Vulnerability Map. Clause 6.4 Groundwater Vulnerability applies to this land.

Does this zone specify minimum land dimensions or area for the erection of a dwelling-house

The lands dimensions do not prohibit the erection of a dwelling house, in respect of any development standard prescribing minimum land dimensions or area.

NOTE: Clause 4.1D of the Yass Valley LEP 2013 prescribes the minimum land dimensions for the erection of dual occupancy and multi dwelling housing.

Does the land include or comprise critical habitat

No

Is the land in a Conservation Area

No

Is there an item of Environmental Heritage situated on the land

No

Can complying development be carried out on the land under the provisions of clauses 1.17(A), 1.18 and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

Part 3 Housing Code

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

Part 3A Rural Housing Code

Not applicable.

Part 3B Low Rise Medium Density Housing Code

Not applicable.

Part 3C Greenfield Housing Code

Not applicable.

Part 3D Inland Code

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

Part 4 Housing Alterations Code

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

Part 4A General Development Code

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

Part 5 Commercial and Industrial Alterations Code

Complying Development under the Commercial and Industrial Alterations Code may only be carried out on a building used as a specified non-residential purpose.

Part 5A Commercial and Industrial (New Buildings and Additions) Code

Not applicable.

Part 5B Container Recycling Facilities Code

Not applicable.

Part 6 Subdivisions Code

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

Part 7 Demolition Code

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

Complying Development under the Fire Safety Code may only be carried out on an existing building used for a residential care facility or other specified non-residential use.

Disclaimer: This certificate only addresses matters raised in Clauses 1.17A, 1.18 and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. It is your responsibility to ensure that you comply with any other general requirements of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Failure to comply with these provisions may mean that a Complying Development Certificate issued under the provisions of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 is invalid.

Note: Clause 1.9 of State Environmental Planning Policy (Exempt and Complying SEPP) specifies its relationship to local environmental plans (LEPs), development control plans (DCPs) and other State environmental planning policies (SEPPs). Please refer to Clauses 1.8 and 1.9 of this SEPP to determine the applicability of exempt and complying provisions of this SEPP, and other applicable LEPs, DCPs and SEPPs.

Is the land affected by the operation of the Coastal Protection Act 1979

No

Are annual charges applicable to this land under the Local Government Act 1993 for coastal protection services that relate to existing coastal protection work

The land within the Yass Valley LGA is not affected by the Coastal Protection Act 1979 being an inland Council. As such, no annual charges apply to this land.

Is the land proclaimed to be in a mine subsidence district within the meaning of the Coal Mine Subsidence Compensation Act 2017

No

Is the land affected by any road widening or road re-alignment proposals under:

Division 2 or Part 3 of the Roads Act 1993

No

Any Environmental Planning Instrument

No

Any resolution of the Council

No

Is the land affected by a policy adopted by the Council or by any other public authority that restricts the development of the land because of the likelihood of:

Land slip

No

Bush fire

Planning for Bush Fire Protection (2019) applies to all land if identified below as bushfire prone. This document can be found at: <http://www.rfs.nsw.gov.au> under Publications.

Tidal inundation

No

Subsidence

No

Acid sulphate soils

No

Any other risk

No

<i>Is development of the land subject to flood related development controls</i>	Clause 6.2 'Flood Planning' of the Yass Valley LEP 2013 applies to land at or below the 1:100 ARI flood event level (plus 0.5 metre freeboard).
<i>Does any Environmental Planning Instrument or Draft Environmental Planning Instrument applying to the land provide for the acquisition of the land by a public authority as referred to in Section 3.15 of the Act</i>	No
<i>Contributions plans applying to the land</i>	Yass Valley Development Contributions Plan 2018, Yass Valley Council Development Servicing Plan 2013 for Water, Yass Valley Council Servicing Plan 2013 for Sewer.
<i>Does the property include or comprise biodiversity certified land (within the meaning of Part 8 of the Biodiversity Conservation Act 2016)</i>	No
<i>Is the property subject to a Biodiversity Stewardship under Part 9 of the Biodiversity Conservation 2016</i>	No
<i>Is the land identified as Bush Fire Prone</i>	No
<i>Does the property contain a Native Vegetation set aside area under the Local Land Services Act 2013</i>	No
<i>Does any Property Vegetation Plan under the <u>Native Vegetation Act 2003</u> apply to this land</i>	No
<i>Has an order been made under the Trees (Disputes Between Neighbours) Act 2006</i>	No
<i>Is there a direction in force under former Part 3A of the Environmental Planning and Assessment Act 1979</i>	No
<i>Has a site compatibility certificate been issued for seniors housing, infrastructure, schools, TAFE establishments or affordable rental housing</i>	No
<i>Is the land significantly contaminated within the meaning of the Contaminated Land Management Act 1997</i>	No
<i>Is the land subject to a management order within the meaning of the Contaminated Land Management Act 1997</i>	No
<i>Is the land the subject of an approved voluntary management proposal within the meaning of the Contaminated Land Management Act 1997</i>	No
<i>Is the land the subject of an ongoing maintenance order within the meaning of the Contaminated Land Management Act 1997</i>	No
<i>Is the land the subject of a site audit statement (if a copy of such a statement has been provided to Council) within the meaning of the Contaminated Land Management Act 1997</i>	No

<i>Is there any paper subdivision applicable to this land</i>	No
<i>Has a site verification certificate been issued that the land is land is biophysical strategic agricultural land or critical industry cluster land</i>	No
<i>Is the land listed on the Loose-fill asbestos insulation register of the NSW Fair Trading</i>	No
<i>Is there any affected building notice of which the Council is aware that is in force in respect of the land.</i> Note: affecting building notice has the same meaning as in Part 4 of the Building Products (Safety) Act 2017.	No
<i>Is there 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</i> Note: building product rectification order has the same meaning as in Building Products (Safety) Act 2017.	No
<i>Is there 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</i>	No
<i>Additional matters</i>	The property is identified as being Flood Prone in the <i>Draft Murrumbateman, Bowning, Bookham and Binalong Flood Study (August 2020)</i> . To view the draft study please visit Council's website – https://www.yassvalley.nsw.gov.au/our-services/water/stormwater/flood-studies-sutton-and-gundaroo/

Note: Houses built prior to 1982 may contain loose fill asbestos. For further information contact WorkCover on 131 050 or www.workcover.nsw.gov.au.

Note: The information contained in this certificate needs to be read in conjunction with the provisions of the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000.

Council draws your attention to section 10.7(6) which states that a council shall not incur any liability in respect of any advice provided in good faith pursuant to sub-section (5). The absence of any reference to any matter affecting the land shall not imply that the land is not affected by any matter not referred to in this certificate.

Interested persons should make their own enquiries as to whether any development consent mentioned in this certificate has lapsed.

Additional Advice

(Issued under section 10.7(5) of the Environmental Planning and Assessment Act, 1979)

Information relating to current Council studies and planning proposals

Further information about current Council Studies and Planning Proposals can be found at:

<https://www.yassvalley.nsw.gov.au/our-services/planning-and-building/lep-amendments/>

<https://www.yassvalley.nsw.gov.au/our-services/planning-and-building/controls-policies-and-strategies/>

Any other risk

The property is identified as being Flood Prone in the *Draft Murrumbateman, Bowning, Bookham and Binalong Flood Study (August 2020)*. To view the draft study please visit Council's website – <https://www.yassvalley.nsw.gov.au/our-services/water/stormwater/flood-studies-sutton-and-gundaroo/>

Information relating to tree removal

Clause 5.10 outlines the requirements for removal of trees in heritage conservation areas/heritage items.

Further information about tree removal under the Biodiversity Conservation Act 2016 can be found at:

<http://www.environment.nsw.gov.au/vegetation/selfassess.htm>

Information relating to major projects

Details relating to NSW Major Projects on exhibition or determined within the Yass Valley LGA can be viewed at www.majorprojects.planning.nsw.gov.au

Information relating to Council services and assets

Yass Valley Council policies may apply to this site, they can be viewed at www.yassvalley.nsw.gov.au

Information relating to Development Consents & Building Applications

Can be obtained by lodging an 'Informal Request to View a Property File'.

Relevant documents (if in Council records) will be scanned and accessible on Council's online portal.

<https://myportal.yass.nsw.gov.au/download/258389/dccbd5e4a9ae48c4a4a1d2d41302a11e>

Note: Council draws your attention to section 10.7(6) which states that a council shall not incur any liability in respect of any advice provided in good faith pursuant to sub-section (5). The absence of any reference to any matter affecting the land shall not imply that the land is not affected by any matter not referred to in this certificate.

Interested persons should make their own enquiries as to whether any development consent mentioned in this certificate has lapsed.

A handwritten signature in blue ink that reads "Judith Field". The signature is written in a cursive style with a large initial 'J'.

Judith Field

Customer Services Officer

31 May 2021

SCHEDULE A

The following State Environmental Planning Policies (SEPPs) apply to the Yass Valley Local Government Area. These policies can be viewed online at www.legislation.nsw.gov.au

Title	Abstract
SEPP No. 21 Caravan Parks	This policy provides for the development of land for a caravan park catering for short-term residents (such as tourists) or for long-term residents.
SEPP No. 33 Hazardous and Offensive Development	This policy relates to hazardous and offensive development, outlining matters for consideration in a development assessment, and that any measures proposed to be employed to reduce the impact of the development are taken into account
SEPP No. 36 Manufactured Home Estates	This policy helps establish well-designed and properly serviced manufactured home estates (MHEs) in suitable locations.
SEPP No. Koala Habitat Protection 2019	This policy encourages the conservation and management of areas of natural vegetation that provide habitat for koalas.
SEPP No. 55 Remediation of Land	This policy promotes the remediation of contaminated land, specifying considerations for rezoning land and determining development applications. It also requires that remediation work meet certain standards and notification requirements
SEPP No. 64 Advertising and Signage	This policy encourages signage which is compatible with the desired amenity and visual character of an area, and provides effective communication in suitable locations. This policy does not regulate the content of signage.
SEPP No. 65 Design Quality of Residential Flat Development	This policy aims to improve the design quality of residential flat development to achieve better built form and aesthetics of buildings and streetscapes. It also aims to maximise amenity, safety and security and minimise consumption of energy.
SEPP (Affordable Rental Housing) 2009	This policy encourages a balanced approach between obligations for retaining and mitigating the loss of existing affordable rental housing, and incentives for the development of new affordable rental housing.
SEPP (Building Sustainability Index: BASIX) 2004	This policy ensures state-wide consistency in the implementation of the BASIX scheme to encourage sustainable residential development.
SEPP Educational Establishments and Child Care Facilities 2017	This policy sets out design requirements and planning approval pathways for child care centres, school, universities and TAFE establishments.

SEPP (Exempt and Complying Development Codes) 2008	This policy provides exempt and complying development codes that have State-wide application. It specifies types of development that are of minimal environmental impact that may either be carried out without the need for development consent, <u>or</u> may be carried out in accordance with a complying development certificate as defined in the Act.
SEPP (Housing for Seniors or People with a Disability) 2004	This policy aims to increase the supply, quality and diversity of residences to meet the needs of seniors or people with a disability.
SEPP (Infrastructure) 2007	This policy provides a consistent planning regime for infrastructure and the provision of services across NSW, along with providing for consultation with relevant public authorities during the assessment process. It supports greater flexibility in the location of infrastructure and service facilities along with improved regulatory certainty and efficiency.
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	This policy aims to provide for the proper management and development of mineral, petroleum and extractive material resources for the social and economic welfare of the State. The policy establishes appropriate planning controls to encourage ecologically sustainable development.
SEPP (Miscellaneous Consent Provisions) 2007	This policy is to ensure that suitable provisions are made for ensuring the safety of persons using temporary structures, and to encourage the protection of the environment at the location, by managing noise, parking and traffic impacts and ensuring heritage protection.
SEPP Primary Production & Rural Development 2019	This policy aims to facilitate the orderly economic use and development of lands for primary production. This policy establishes appropriate planning controls to reduce land use conflict and sterilisation of rural land by balancing primary production, residential development and the protection of native vegetation, biodiversity and water resources.
SEPP (State and Regional Development) 2011	This policy identifies development that is State significant development, State significant infrastructure and critical State significant infrastructure. The Department of Planning and Infrastructure - through Joint Regional Planning Panels, is predominantly responsible for assessing these projects whose size, complexity, importance or potential impacts mean they are of State, rather than Local or Regional significance.
SEPP Vegetation in Non-Rural Areas 2017	This policy seeks to protect the amenity and biodiversity values of trees in urban areas of the State.

<p style="text-align: center;">SEPP</p> <p style="text-align: center;">Concurrence & Consents 2018</p>	<p>This policy provides step in powers to the Planning Secretary to prevent delays to applications and resolve disputes between agencies for integrated development.</p>
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SCHEDULE B

The following draft State Environmental Planning Policies which relate to the Yass Valley Local Government Area and which have been exhibited by the NSW Department of Planning and Environment between 1 September 2010 to date:

Title	Abstract
Nil	