



KOGARAH CITY COUNCIL - PLANNING CERTIFICATE
under Section 149 of the
Environmental Planning and Assessment Act 1979.

CIVIC CENTRE, Locked Bag 8, Kogarah, NSW 2217, DX 11118

13 OCT 2011

E I S
PO Box 976
NORTH RYDE BC NSW 1670

Certificate Number: 47259
Certificate Date: 11/10/2011
Receipt Number: 1072053
Your Reference:

Property Description

Owners: South Eastern Sydney and Illawarra Area Health Service
Address: 16 Kensington Street KOGARAH
Land Title: LOT: 12 DP: 800476
Assessment #: 82877

Section 149(2) Details

In accordance with the requirements of section 149(2) of the *Environmental Planning and Assessment Act 1979* (as amended), the following prescribed matters relate to the land at the date of this certificate.

1. Names of Relevant Local Environmental Plans

- (a) The following local environmental plan applies to the land:

Kogarah Local Environmental Plan 1998 gazetted on 02/10/1998 and as amended.

Note: Kogarah Local Environmental Plan 1998 contains Council's Tree Preservation Order that applies to all land in the Kogarah Local Government area.

- (b) The identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Zone") or by reference to a number (such as "Zone No 2(a)");

Special Uses 5(a) - Special uses (General) Zone

Note: While this certificate indicates the zoning of the land, it is suggested the relevant Planning Instrument be inspected at Council's Customer Service Centre (84 Railway Parade, Kogarah) to provide an overall view of the area.

- (c) The purposes for which the plan or instrument provides that development may be carried out within the zone without the need for development consent:

bushfire hazard reduction; drainage; roads; exempt development.

- (d) The purposes for which the plan or instrument provides that development may not be carried out within the zone except with development consent:

centre based child care services; community facilities; concerts, fetes, markets, sporting events or other recreational land uses; educational establishments; housing for older people or people with a disability; places of worship; public buildings; public parking; public utility installations; the particular land use indicated by red lettering on the land use map and land uses ordinarily incidental or ancillary to that land use.

- (e) The purposes for which the plan or instrument provides that development is prohibited within the zone:

Any other development is prohibited.

- (f) Is there 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?

No

- (g) Does the land include or comprise critical habitat?

No

- (h) Is the land located within a heritage conservation area under the provisions of the local environmental plan applying to the land?

No

- (i) Is there a heritage item situated on the land under the provisions of the local environmental plan applying to the land?

No

Note: This advice does not cover items listed on the State Heritage Register, which are listed by NSW Heritage Office and may be found at <http://www.heritage.nsw.gov.au>

2. Names of Relevant Exhibited Draft Environmental Planning Instruments

There are no relevant exhibited draft environmental planning instruments applying to the land.

3. Names of Relevant Development Control Plans

DCP for Accommodation for Older People and People with a Disability
DCP No. 20 - Advertising of Development Applications and Neighbour Notification
DCP No. 26 - Exempt and Complying Development
DCP No. 35 - Telecommunications and Radiocommunications
DCP No. 11 - Centre Based Child Care Services

DCP No. 28 - Rainwater Tanks
DCP for Advertising and Signage
DCP No. 5 - Kogarah Town Centre
Swimming Pool Code

4. Names of Relevant State Environmental Planning Instruments

Below is a list of all State Environmental Planning Policies (including publicised draft policies) that apply to the Kogarah City Council. Depending on circumstances set down in each policy, the policy may be specifically applicable to the land that is the subject of this certificate. You are advised to peruse the policy for the necessary details.

Any enquiries regarding these State policies should be directed to the Department of Planning on:

(02) 9228 6333 or <http://www.planning.nsw.gov.au>

SEPP No. 1 Development Standards
SEPP No. 4 Development Without Consent and Miscellaneous Exempt and Complying Development
SEPP No. 6 Number of Storeys in a Building
SEPP No. 10 Retention of Low-Cost Rental Accommodation
SEPP No. 19 Bushland in Urban Areas
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SEPP No. 32 Urban Consolidation (Redevelopment of Urban Land)
SEPP No. 33 Hazardous and Offensive Development
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SEPP No. 65 Design Quality of Residential Flat Development
SEPP (Housing for Seniors or People with a Disability) 2004
SEPP (Building Sustainability Index: BASIX) 2004
SEPP (Major Projects) 2005
SEPP (Mining, Petroleum Production and Extractive Industries) 2007
SEPP (Temporary Structures and Places of Public Entertainment) 2007
SEPP (Infrastructure) 2007
SEPP (Exempt and Complying Development Codes) 2008
SEPP (Exempt and Complying Development Codes) Amendment (Commercial and Industrial) 2009
SEPP (Affordable Rental Housing) 2009
Deemed SEPP (Georges River Catchment)

5. Complying Development Under the Provisions of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

The following information is provided in accordance with the requirements of Clause 3 of Schedule 4 of the Environmental Planning and Assessment Regulation (Complying

Development).

- (a) Is Complying Development under the provisions of the **General Housing Code** permitted on this land?

The General Housing Code does not apply as the land is not zoned for residential purposes.

- (b) Is Complying Development under the provisions of the **Housing Alterations Code** permitted on this land?

The Housing Alterations Code does not apply as the land is not within a zone permitted under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

- (c) Is Complying Development under the provisions of the **General Development Code** permitted on this land?

The General Development Code does not apply as the land is not within a zone permitted under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

- (d) Is Complying Development under the provisions of the **General Commercial and Industrial Code** permitted on this land?

The General Commercial and Industrial Code does not apply as the land is not within a zone permitted under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

- (e) Is Complying Development under the provisions of the **Subdivisions Code** permitted on this land?

The Subdivisions Code does not apply as the land is not within a zone permitted under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

- (f) Is Complying Development under the provisions of the **Demolition Code** permitted on this land?

The Demolition Code does not apply as the land is not within a zone permitted under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Disclaimer: The above information only addresses matters raised in Clause 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.

6. Coastal Protection

- (a) Has Council been notified by the Department of Public Works that the land is affected by the

operation of the *Coastal Protection Act 1979* ?

No

- (b) Has an order been made under Part 4D of the *Coastal Protection Act 1979* in relation to emergency coastal protection works on the land (or on public land adjacent to that land), except where Council is satisfied that such an order has been fully complied with?

No

- (c) Has Council been notified under Section 55X of the *Coastal Protection Act 1979* that emergency coastal protection works have been placed on the land (or on public land adjacent to that land)?

No

- (d) If emergency coastal protection works have been placed, is Council satisfied that the works have been removed and the land restored in accordance with that Act?

Council has not been notified of any emergency coastal protection works in place on this land.

- (e) Has the current or previous owner of the land consented 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 553 B 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 *Local Government Act 1993*.

Disclaimer: Words and expressions in this clause have the same meaning of those set out in the *Coastal Protection Act 1979*.

7. Mine Subsidence

Is the land proclaimed to be a mine subsidence district within the meaning of Section 15 of the *Mine Subsidence Compensation Act 1961* ?

No

Disclaimer: This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Kogarah City Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

8. Road Widening and Road Realignment

- (a) Is the land affected by any road widening or road realignment under Division 2 of Part 3 of the *Roads Act 1993* ?

No

- (b) Is the land affected by any road widening or road realignment under any environmental planning instrument?

No

- (c) Is the land affected by any road widening or road realignment under any resolution of the Council?

No

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9. Council and other Public Authority Policies on Hazard Risk Restrictions

- (a) Is the land affected by a policy adopted by the Council?

Water Management Policy 2006
Contaminated Land Policy 2009

Note: The above documents can be downloaded on Kogarah City Council's website at <http://www.kogarah.nsw.gov.au>.

- (b) Is the land affected by a policy adopted by any other public authority and notified to the Council for the express purpose of its adoption by that authority being referred to in 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)?

No

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10. Flood Related Development Controls Information

- (a) Is the 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 purpose of group homes or senior housing) is subject to flood related development controls?

No

- (b) Is the development on that land or part of the land for any other purpose is subject to flood related development controls?

The development of the land or part of the land for a purpose not referred to in Question 10(a) may be subject to flood related development controls. For more information please contact Councils Catchments & Waterways section on 9330 9400.

Disclaimer: Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

11. Land Reserved for Acquisition

Is there an environmental planning instrument or proposed environmental planning instrument applying to the land provides for the acquisition of the land by a public authority, as referred to in Section 27 of the Act?

No

12. Contribution Plans

The following contribution plans apply to the land:

Section 94 Contribution Plan No. 1 - Road and Traffic Management

Section 94 Contribution Plan No. 5 - Open Space

Section 94 Contributions Plan No. 8 - Kogarah Town Centre

Section 94 Contribution Plan No. 9 - Kogarah Libraries

13. Bush Fire Prone Land

Is the land to which this certificate relates bush fire prone land?

No

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14. Property Vegetation Plans

Is the land the subject of a property vegetation plan under the *Native Vegetation Act 2003*?

No

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15. Orders Under Tree (Disputes Between Neighbours) Act 2006

Whether an order has been made under the *Trees (Disputes Between Neighbours) Act 2006* to carry out work in relation to a tree on the land (but only if the Council has been notified of the order)

No

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16. Directions Under Part 3A

Is there 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?

No

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17. Site Compatibility Certificates and Conditions for Seniors Housing

- (a) Is there a valid site compatibility certificate (of which the Council is aware), issued under Clause 19 of *State Environmental Planning Policy (Infrastructure) 2007* in respect of proposed development on the land?

No

Disclaimer: This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Kogarah City Council and if the information is vital for the proposed end use, then it should be verified by the applicant. If there is a site compatibility certificate, a copy of this may be obtained from the head office of the Department of Planning.

- (b) Is the land subject to any restriction on occupation of seniors housing referred to in Clause 18(2) of the *State Environmental Planning Policy (Housing for Senior or People with a Disability) 2004* that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land?

No

18.Site Compatibility Certificates for Infrastructure

Is there a valid site compatibility certificate (of which Council is aware), issued under Clause 19 of *State Environmental Planning Policy (Infrastructure) 2007* in respect of proposed development on the land?

No

Disclaimer: This statement is based on information supplied by a third party authority. The accuracy of this information has not been verified by Kogarah City Council and if the information is vital for the proposed end use, then it should be verified by the applicant. If there is a site compatibility certificate, a copy of this may be obtained from the head office of the Department of Planning.

19.Site Compatibility Certificates and Conditions for Affordable Rental Housing

Is there a valid site compatibility certificate (of which Council is aware), issued under Clause 17(1) or 37(1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* in respect of the proposed development on the land?

No

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

- (a) Is 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) Is 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) Is 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) Is 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) Is 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

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Section 149(5) Details

Note: Please note that Council provides this information in good faith, but pursuant to Section 149(6) of the *Environmental Planning and Assessment Act 1979*. Council does not accept any liability in respect of such advice. 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 planning certificate.

1. State Heritage Register Items

Is the land listed on the State Heritage Register?

No

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2. National Trust Heritage Conservation Area

Is the land located within the National Trust Heritage Conservation Area?

No

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3. Adjacent to a Heritage Item

Is the land located adjacent to a heritage item?

The property is shown in Councils records as being adjacent to a heritage listed item.

4. Foreshore or Waterfront Scenic Protection Area

Is the land located within the foreshore or waterfront scenic protection area?

No

5. Foreshore Building Line

Is the land affected by the foreshore building line?

No

6. Greenweb Area

Is the land located within the existing habitat corridor and the habitat reinforcement corridor areas?

No

7. Threatened Species

Does the land contain threatened species under the determination made within the *Threatened Species Conservation Act 1995* ?

No

8. Flooding

Is the land subject to flooding?

The land is located within the Beverley Park Catchment area. A Floodplain Management Study was prepared in December 2006 (Beverley Park Overland Flow Risk Management Study and Plan) and this study indicates that the subject property maybe subject to flooding. You are advised to contact Councils Catchments and Waterways Section on 9330 9400 for further information.

9. Public Reserve Encroachments

Is the land located adjacent to a public reserve?

No

Note: This is a general statement which applies to all lands adjacent to a public reserve.

10. Stormwater Drains

Is the land affected by a stormwater drain?

No

11. Demolition of Buildings

If the building/s on the subject property were constructed prior to 1987 an asbestos survey prepared by a suitably qualified and experienced professional may be required for certain works, including demolition. For more information refer to the Council's Asbestos Policy.

per



Paul Woods
General Manager

Privacy and Personal Information Protection Statement Application for a Certificate under s149 or s603 LGA.

Under the introduction of the Privacy and Personal Information Protection Act (PPIPA) 1998 which commenced on 1 July 2000 Council is required to adhere to the information protection principles which cover the collection, storage, use and disclosure of (and access to) personal information.

These principles do not apply to companies or businesses only to individuals.

The personal information filled out on Council forms must be made by the individual to whom the personal information relates unless authorisation has been obtained or the individual is under the age of 16.

1. The supply of personal information (ie.name, address and telephone number) is voluntary as it is not a legislative requirement.
2. The personal information Council is collecting is directly related to Kogarah Council's function of assessing s149 or s603 certificates.
3. The intended recipients of this information are Council Officers. Council Officers may use the information supplied for notification purposes associated with Council business.

Members of the public may also be able to obtain this information under:

- a) s12 (6) of the Local Government Act, in most cases, the public is allowed to inspect and take a copy of Council documents unless the documents are contrary to the public interest.
 - b) Freedom of Information (FOI) a member of the public may request this information and an assessment would be made whether the information is publicly available or not.
4. The applicant may make application to access or amend the information filled out on the form (i.e. update personal information).
 5. Council is the agency holding the information.
 6. Information will be disposed of in accordance with the State Records Act 1998 (General Disposal Schedule)

For further information regarding PPIPA please contact Manager Administration on 9330 9416 or Senior Governance Co-ordinator on 9330 9420.

IMPORTANT NOTE

Strata Titles

The information contained in Planning Certificates issued for a lot within Strata-Titled development relates to the land the development is situated on. For example, a planning certificate issued for Unit 6, 10 Wherever Street, Kogarah (Lot 6, SP 0000) contains the information about the land known as No. 10 Wherever Street, Kogarah.

General

From Tuesday 12 December 2000 all 149 Planning Certificates will be issued in accordance with the recent amendment to the Environmental Planning and Assessment Regulation 2000 (Schedule 4 Planning Certificates) and the Department of Urban Affairs and Planning's "Information Required for Planning Certificates" Environmental Planning and Assessment Act – Act and Regulation Note issued December 2000.

The amendment has changed the information provided on a 149(2) Planning Certificate.

As Council provides the property information required in accordance with the regulation on the 149(2) planning certificates, the following information will now be provided on 149(5) planning certificate as additional information:

- Located within a Waterfront or Foreshore Scenic Protection area.
- Properties identified as subject to flooding.
- Located within a National Trust Heritage Conservation area.
- Located within a Greenweb area.
- Properties that may contain Threatened Species.
- Properties that may be affected by stormwater drains.

Council encourages you to purchase a 149(5) certificate, which will let you know if the property is affected by any of the above.

For any further enquiries in relation to the above please contact Councils Customer Service Centre on 9330-9400.

Thankyou



13 OCT 2011

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E I S
PO Box 976
NORTH RYDE BC NSW 1670

Certificate Number: 47263
Certificate Date: 11/10/2011
Receipt Number: 1072053
Your Reference:

Property Description

Owners: St George Hospital
Address: 18 Kensington Street KOGARAH
Land Title: LOT: 1 DP: 439948
Assessment #: 82886

← Council ref:
Six Viewer ref:
Lots 1-6 DP1130879

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Any other development is prohibited.

- (f) Is there 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?

No

- (g) Does the land include or comprise critical habitat?

No

- (h) Is the land located within a heritage conservation area under the provisions of the local environmental plan applying to the land?

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Development).

- (a) Is Complying Development under the provisions of the **General Housing Code** permitted on this land?

The General Housing Code does not apply as the land is not zoned for residential purposes.

- (b) Is Complying Development under the provisions of the **Housing Alterations Code** permitted on this land?

The Housing Alterations Code does not apply as the land is not within a zone permitted under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

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Disclaimer: The above information only addresses matters raised in Clause 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.

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operation of the *Coastal Protection Act 1979* ?

No

- (b) Has an order been made under Part 4D of the *Coastal Protection Act 1979* in relation to emergency coastal protection works on the land (or on public land adjacent to that land), except where Council is satisfied that such an order has been fully complied with?

No

- (c) Has Council been notified under Section 55X of the *Coastal Protection Act 1979* that emergency coastal protection works have been placed on the land (or on public land adjacent to that land)?

No

- (d) If emergency coastal protection works have been placed, is Council satisfied that the works have been removed and the land restored in accordance with that Act?

Council has not been notified of any emergency coastal protection works in place on this land.

- (e) Has the current or previous owner of the land consented 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 553 B 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 *Local Government Act 1993*.

Disclaimer: Words and expressions in this clause have the same meaning of those set out in the *Coastal Protection Act 1979*.

7. Mine Subsidence

Is the land proclaimed to be a mine subsidence district within the meaning of Section 15 of the *Mine Subsidence Compensation Act 1961* ?

No

Disclaimer: This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Kogarah City Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

8. Road Widening and Road Realignment

- (a) Is the land affected by any road widening or road realignment under Division 2 of Part 3 of the *Roads Act 1993* ?

No

- (b) Is the land affected by any road widening or road realignment under any environmental planning instrument?

No

- (c) Is the land affected by any road widening or road realignment under any resolution of the Council?

No

Disclaimer: This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Kogarah City Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

9. Council and other Public Authority Policies on Hazard Risk Restrictions

- (a) Is the land affected by a policy adopted by the Council?

**Water Management Policy 2006
Contaminated Land Policy 2009**

Note: The above documents can be downloaded on Kogarah City Council's website at <http://www.kogarah.nsw.gov.au>.

- (b) Is the land affected by a policy adopted by any other public authority and notified to the Council for the express purpose of its adoption by that authority being referred to in 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)?

No

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10. Flood Related Development Controls Information

- (a) Is the 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 purpose of group homes or senior housing) is subject to flood related development controls?

No

- (b) Is the development on that land or part of the land for any other purpose is subject to flood related development controls?

No

Disclaimer: Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

11. Land Reserved for Acquisition

Is there an environmental planning instrument or proposed environmental planning instrument applying to the land provides for the acquisition of the land by a public authority, as referred to in Section 27 of the Act?

No

12. Contribution Plans

The following contribution plans apply to the land:

Section 94 Contribution Plan No. 1 - Road and Traffic Management
Section 94 Contribution Plan No. 5 - Open Space
Section 94 Contributions Plan No. 8 - Kogarah Town Centre
Section 94 Contribution Plan No. 9 - Kogarah Libraries

13. Bush Fire Prone Land

Is the land to which this certificate relates bush fire prone land?

No

Disclaimer: This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Kogarah City Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

14. Property Vegetation Plans

Is the land the subject of a property vegetation plan under the *Native Vegetation Act 2003*?

No

Disclaimer: This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Kogarah City Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

15. Orders Under Tree (Disputes Between Neighbours) Act 2006

Whether an order has been made under the *Trees (Disputes Between Neighbours) Act 2006* to carry out work in relation to a tree on the land (but only if the Council has been notified of the order)

No

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16. Directions Under Part 3A

Is there 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?

No

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17. Site Compatibility Certificates and Conditions for Seniors Housing

- (a) Is there a valid site compatibility certificate (of which the Council is aware), issued under Clause 19 of *State Environmental Planning Policy (Infrastructure) 2007* in respect of proposed development on the land?

No

Disclaimer: This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Kogarah City Council and if the information is vital for the proposed end use, then it should be verified by the applicant. If there is a site compatibility certificate, a copy of this may be obtained from the head office of the Department of Planning.

- (b) Is the land subject to any restriction on occupation of seniors housing referred to in Clause 18(2) of the *State Environmental Planning Policy (Housing for Senior or People with a Disability) 2004* that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land?

No

18. Site Compatibility Certificates for Infrastructure

Is there a valid site compatibility certificate (of which Council is aware), issued under Clause 19 of *State Environmental Planning Policy (Infrastructure) 2007* in respect of proposed development on the land?

No

Disclaimer: This statement is based on information supplied by a third party authority. The accuracy of this information has not been verified by Kogarah City Council and if the information is vital for the proposed end use, then it should be verified by the applicant. If there is a site compatibility certificate, a copy of this may be obtained from the head office of the Department of Planning.

19. Site Compatibility Certificates and Conditions for Affordable Rental Housing

Is there a valid site compatibility certificate (of which Council is aware), issued under Clause 17(1) or 37(1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* in respect of the proposed development on the land?

No

Disclaimer: This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Kogarah City Council and if the information is vital for the proposed end use, then it should be verified by the applicant. If there is a site compatibility certificate, a copy of this may be obtained from the head office of the Department of Planning.

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

- (a) Is 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) Is 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) Is 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) Is 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) Is 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

Disclaimer: This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Kogarah City Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

Section 149(5) Details

Note: Please note that Council provides this information in good faith, but pursuant to Section 149(6) of the *Environmental Planning and Assessment Act 1979*. Council does not accept any liability in respect of such advice. 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 planning certificate.

1. State Heritage Register Items

Is the land listed on the State Heritage Register?

No

Disclaimer: This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Kogarah City Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

2. National Trust Heritage Conservation Area

Is the land located within the National Trust Heritage Conservation Area?

No

Disclaimer: This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Kogarah City Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

3. Adjacent to a Heritage Item

Is the land located adjacent to a heritage item?

The property is shown in Councils records as being adjacent to a heritage listed item.

4. Foreshore or Waterfront Scenic Protection Area

Is the land located within the foreshore or waterfront scenic protection area?

No

5. Foreshore Building Line

Is the land affected by the foreshore building line?

No

6. Greenweb Area

Is the land located within the existing habitat corridor and the habitat reinforcement corridor areas?

No

7. Threatened Species

Does the land contain threatened species under the determination made within the *Threatened Species Conservation Act 1995* ?

No

8. Flooding

Is the land subject to flooding?

No

9. Public Reserve Encroachments

Is the land located adjacent to a public reserve?

No

Note: This is a general statement which applies to all lands adjacent to a public reserve.

10. Stormwater Drains

Is the land affected by a stormwater drain?

No

11. Demolition of Buildings

If the building/s on the subject property were constructed prior to 1987 an asbestos survey prepared by a suitably qualified and experienced professional may be required for certain works, including demolition. For more information refer to the Council's Asbestos Policy.

per



Paul Woods
General Manager

Privacy and Personal Information Protection Statement Application for a Certificate under s149 or s603 LGA.

Under the introduction of the Privacy and Personal Information Protection Act (PPIPA) 1998 which commenced on 1 July 2000 Council is required to adhere to the information protection principles which cover the collection, storage, use and disclosure of (and access to) personal information.

These principles do not apply to companies or businesses only to individuals.

The personal information filled out on Council forms must be made by the individual to whom the personal information relates unless authorisation has been obtained or the individual is under the age of 16.

1. The supply of personal information (ie.name, address and telephone number) is voluntary as it is not a legislative requirement.
2. The personal information Council is collecting is directly related to Kogarah Council's function of assessing s149 or s603 certificates.
3. The intended recipients of this information are Council Officers. Council Officers may use the information supplied for notification purposes associated with Council business.

Members of the public may also be able to obtain this information under:

- a) s12 (6) of the Local Government Act, in most cases, the public is allowed to inspect and take a copy of Council documents unless the documents are contrary to the public interest.
 - b) Freedom of Information (FOI) a member of the public may request this information and an assessment would be made whether the information is publicly available or not.
4. The applicant may make application to access or amend the information filled out on the form (i.e. update personal information).
 5. Council is the agency holding the information.
 6. Information will be disposed of in accordance with the State Records Act 1998 (General Disposal Schedule)

For further information regarding PPIPA please contact Manager Administration on 9330 9416 or Senior Governance Co-ordinator on 9330 9420.

IMPORTANT NOTE

Strata Titles

The information contained in Planning Certificates issued for a lot within Strata-Titled development relates to the land the development is situated on. For example, a planning certificate issued for Unit 6, 10 Wherever Street, Kogarah (Lot 6, SP 0000) contains the information about the land known as No. 10 Wherever Street, Kogarah.

General

From Tuesday 12 December 2000 all 149 Planning Certificates will be issued in accordance with the recent amendment to the Environmental Planning and Assessment Regulation 2000 (Schedule 4 Planning Certificates) and the Department of Urban Affairs and Planning's "Information Required for Planning Certificates" Environmental Planning and Assessment Act – Act and Regulation Note issued December 2000.

The amendment has changed the information provided on a 149(2) Planning Certificate.

As Council provides the property information required in accordance with the regulation on the 149(2) planning certificates, the following information will now be provided on 149(5) planning certificate as additional information:

- Located within a Waterfront or Foreshore Scenic Protection area.
- Properties identified as subject to flooding.
- Located within a National Trust Heritage Conservation area.
- Located within a Greenweb area.
- Properties that may contain Threatened Species.
- Properties that may be affected by stormwater drains.

Council encourages you to purchase a 149(5) certificate, which will let you know if the property is affected by any of the above.

For any further enquiries in relation to the above please contact Councils Customer Service Centre on 9330-9400.

Thankyou

BP



KOGARAH CITY COUNCIL - PLANNING CERTIFICATE
 under Section 149 of the
Environmental Planning and Assessment Act 1979. 13 OCT 2011
 CIVIC CENTRE, Locked Bag 8, Kogarah, NSW 2217, DX 11118

E I S
 PO Box 976
 NORTH RYDE BC NSW 1670

Certificate Number: 47261
 Certificate Date: 11/10/2011
 Receipt Number: 1072053
 Your Reference:

Property Description

Owners: St George Hospital
Address: 30 Gray Street KOGARAH
Land Title: LOT: 3 /: C DP: 976627
Assessment #: 54489

Section 149(2) Details

In accordance with the requirements of section 149(2) of the *Environmental Planning and Assessment Act 1979* (as amended), the following prescribed matters relate to the land at the date of this certificate.

1. Names of Relevant Local Environmental Plans

- (a) The following local environmental plan applies to the land:

Kogarah Local Environmental Plan 1998 gazetted on 02/10/1998 and as amended.

Note: Kogarah Local Environmental Plan 1998 contains Council's Tree Preservation Order that applies to all land in the Kogarah Local Government area.

- (b) The identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Zone") or by reference to a number (such as "Zone No 2(a)");

Special Uses 5(a) - Special uses (General) Zone

Note: While this certificate indicates the zoning of the land, it is suggested the relevant Planning Instrument be inspected at Council's Customer Service Centre (84 Railway Parade, Kogarah) to provide an overall view of the area.

- (c) The purposes for which the plan or instrument provides that development may be carried out within the zone without the need for development consent:

bushfire hazard reduction; drainage; roads; exempt development.

- (d) The purposes for which the plan or instrument provides that development may not be carried out within the zone except with development consent:

centre based child care services; community facilities; concerts, fetes, markets, sporting events or other recreational land uses; educational establishments; housing for older people or people with a disability; places of worship; public buildings; public parking; public utility installations; the particular land use indicated by red lettering on the land use map and land uses ordinarily incidental or ancillary to that land use.

- (e) The purposes for which the plan or instrument provides that development is prohibited within the zone:

Any other development is prohibited.

- (f) Is there 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?

No

- (g) Does the land include or comprise critical habitat?

No

- (h) Is the land located within a heritage conservation area under the provisions of the local environmental plan applying to the land?

No

- (i) Is there a heritage item situated on the land under the provisions of the local environmental plan applying to the land?

No

Note: This advice does not cover items listed on the State Heritage Register, which are listed by NSW Heritage Office and may be found at <http://www.heritage.nsw.gov.au>

2. Names of Relevant Exhibited Draft Environmental Planning Instruments

There are no relevant exhibited draft environmental planning instruments applying to the land.

3. Names of Relevant Development Control Plans

DCP for Accommodation for Older People and People with a Disability
 DCP No. 20 - Advertising of Development Applications and Neighbour Notification
 DCP No. 26 - Exempt and Complying Development
 DCP No. 35 - Telecommunications and Radiocommunications
 DCP No. 11 - Centre Based Child Care Services

DCP No. 28 - Rainwater Tanks
DCP for Advertising and Signage
DCP No. 5 - Kogarah Town Centre
Swimming Pool Code

4. Names of Relevant State Environmental Planning Instruments

Below is a list of all State Environmental Planning Policies (including publicised draft policies) that apply to the Kogarah City Council. Depending on circumstances set down in each policy, the policy may be specifically applicable to the land that is the subject of this certificate. You are advised to peruse the policy for the necessary details.

Any enquiries regarding these State policies should be directed to the Department of Planning on:

(02) 9228 6333 or <http://www.planning.nsw.gov.au>

SEPP No. 1 Development Standards
SEPP No. 4 Development Without Consent and Miscellaneous Exempt and Complying Development
SEPP No. 6 Number of Storeys in a Building
SEPP No. 10 Retention of Low-Cost Rental Accommodation
SEPP No. 19 Bushland in Urban Areas
SEPP No. 21 Caravan Parks
SEPP No. 22 Shops and Commercial Premises
SEPP No. 32 Urban Consolidation (Redevelopment of Urban Land)
SEPP No. 33 Hazardous and Offensive Development
SEPP No. 50 Canal Estate Development
SEPP No. 55 Remediation of Land
SEPP No. 64 Advertising and Signage
SEPP No. 65 Design Quality of Residential Flat Development
SEPP (Housing for Seniors or People with a Disability) 2004
SEPP (Building Sustainability Index: BASIX) 2004
SEPP (Major Projects) 2005
SEPP (Mining, Petroleum Production and Extractive Industries) 2007
SEPP (Temporary Structures and Places of Public Entertainment) 2007
SEPP (Infrastructure) 2007
SEPP (Exempt and Complying Development Codes) 2008
SEPP (Exempt and Complying Development Codes) Amendment (Commercial and Industrial) 2009
SEPP (Affordable Rental Housing) 2009
Deemed SEPP (Georges River Catchment)

5. Complying Development Under the Provisions of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

The following information is provided in accordance with the requirements of Clause 3 of Schedule 4 of the Environmental Planning and Assessment Regulation (Complying

Development).

- (a) Is Complying Development under the provisions of the General Housing Code permitted on this land?

The General Housing Code does not apply as the land is not zoned for residential purposes.

- (b) Is Complying Development under the provisions of the Housing Alterations Code permitted on this land?

The Housing Alterations Code does not apply as the land is not within a zone permitted under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

- (c) Is Complying Development under the provisions of the General Development Code permitted on this land?

The General Development Code does not apply as the land is not within a zone permitted under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

- (d) Is Complying Development under the provisions of the General Commercial and Industrial Code permitted on this land?

The General Commercial and Industrial Code does not apply as the land is not within a zone permitted under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

- (e) Is Complying Development under the provisions of the Subdivisions Code permitted on this land?

The Subdivisions Code does not apply as the land is not within a zone permitted under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

- (f) Is Complying Development under the provisions of the Demolition Code permitted on this land?

The Demolition Code does not apply as the land is not within a zone permitted under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Disclaimer: The above information only addresses matters raised in Clause 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 Environment Planning Policy (Exempt and Complying Development Codes) 2008 is invalid.

6. Coastal Protection

- (a) Has Council been notified by the Department of Public Works that the land is affected by the

operation of the *Coastal Protection Act 1979* ?

No

- (b) Has an order been made under Part 4D of the *Coastal Protection Act 1979* in relation to emergency coastal protection works on the land (or on public land adjacent to that land), except where Council is satisfied that such an order has been fully complied with?

No

- (c) Has Council been notified under Section 55X of the *Coastal Protection Act 1979* that emergency coastal protection works have been placed on the land (or on public land adjacent to that land)?

No

- (d) If emergency coastal protection works have been placed, is Council satisfied that the works have been removed and the land restored in accordance with that Act?

Council has not been notified of any emergency coastal protection works in place on this land.

- (e) Has the current or previous owner of the land consented 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 553 B 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 *Local Government Act 1993*.

Disclaimer: Words and expressions in this clause have the same meaning of those set out in the *Coastal Protection Act 1979*.

7. Mine Subsidence

Is the land proclaimed to be a mine subsidence district within the meaning of Section 15 of the *Mine Subsidence Compensation Act 1961* ?

No

Disclaimer: This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Kogarah City Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

8. Road Widening and Road Realignment

- (a) Is the land affected by any road widening or road realignment under Division 2 of Part 3 of the *Roads Act 1993* ?

No

- (b) Is the land affected by any road widening or road realignment under any environmental planning instrument?

No

- (c) Is the land affected by any road widening or road realignment under any resolution of the Council?

No

Disclaimer: This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Kogarah City Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

9. Council and other Public Authority Policies on Hazard Risk Restrictions

- (a) Is the land affected by a policy adopted by the Council?

Water Management Policy 2006
Contaminated Land Policy 2009

Note: The above documents can be downloaded on Kogarah City Council's website at <http://www.kogarah.nsw.gov.au>.

- (b) Is the land affected by a policy adopted by any other public authority and notified to the Council for the express purpose of its adoption by that authority being referred to in 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)?

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10. Flood Related Development Controls Information

- (a) Is the 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 purpose of group homes or senior housing) is subject to flood related development controls?

No

- (b) Is the development on that land or part of the land for any other purpose is subject to flood related development controls?

The development of the land or part of the land for a purpose not referred to in Question 10(a) may be subject to flood related development controls. For more information please contact Councils Catchments & Waterways section on 9330 9400.

Disclaimer: Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

11. Land Reserved for Acquisition

Is there an environmental planning instrument or proposed environmental planning instrument applying to the land provides for the acquisition of the land by a public authority, as referred to in Section 27 of the Act?

No

12. Contribution Plans

The following contribution plans apply to the land:

Section 94 Contribution Plan No. 1 - Road and Traffic Management
Section 94 Contribution Plan No. 5 - Open Space
Section 94 Contributions Plan No. 8 - Kogarah Town Centre
Section 94 Contribution Plan No. 9 - Kogarah Libraries

13. Bush Fire Prone Land

Is the land to which this certificate relates bush fire prone land?

No

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14. Property Vegetation Plans

Is the land the subject of a property vegetation plan under the *Native Vegetation Act 2003*?

No

Disclaimer: This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Kogarah City Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

15. Orders Under Tree (Disputes Between Neighbours) Act 2006

Whether an order has been made under the *Trees (Disputes Between Neighbours) Act 2006* to carry out work in relation to a tree on the land (but only if the Council has been notified of the order)

No

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16. Directions Under Part 3A

Is there 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?

No

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- (a) Is there a valid site compatibility certificate (of which the Council is aware), issued under Clause 19 of *State Environmental Planning Policy (Infrastructure) 2007* in respect of proposed development on the land?

No

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- (b) Is the land subject to any restriction on occupation of seniors housing referred to in Clause 18(2) of the *State Environmental Planning Policy (Housing for Senior or People with a Disability) 2004* that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land?

No

18. Site Compatibility Certificates for Infrastructure

Is there a valid site compatibility certificate (of which Council is aware), issued under Clause 19 of *State Environmental Planning Policy (Infrastructure) 2007* in respect of proposed development on the land?

No

Disclaimer: This statement is based on information supplied by a third party authority. The accuracy of this information has not been verified by Kogarah City Council and if the information is vital for the proposed end use, then it should be verified by the applicant. If there is a site compatibility certificate, a copy of this may be obtained from the head office of the Department of Planning.

19. Site Compatibility Certificates and Conditions for Affordable Rental Housing

Is there a valid site compatibility certificate (of which Council is aware), issued under Clause 17(1) or 37(1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* in respect of the proposed development on the land?

No

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

- (a) Is 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) Is 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) Is 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) Is 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) Is 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

Disclaimer: This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Kogarah City Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

Section 149(5) Details

Note: Please note that Council provides this information in good faith, but pursuant to Section 149(6) of the *Environmental Planning and Assessment Act 1979*. Council does not accept any liability in respect of such advice. 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 planning certificate.

1. State Heritage Register Items

Is the land listed on the State Heritage Register?

No

Disclaimer: This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Kogarah City Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

2. National Trust Heritage Conservation Area

Is the land located within the National Trust Heritage Conservation Area?

No

Disclaimer: This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Kogarah City Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

3. Adjacent to a Heritage Item

Is the land located adjacent to a heritage item?

No

4. Foreshore or Waterfront Scenic Protection Area

Is the land located within the foreshore or waterfront scenic protection area?

No

5. Foreshore Building Line

Is the land affected by the foreshore building line?

No

6. Greenweb Area

Is the land located within the existing habitat corridor and the habitat reinforcement corridor areas?

No

7. Threatened Species

Does the land contain threatened species under the determination made within the *Threatened Species Conservation Act 1995* ?

No

8. Flooding

Is the land subject to flooding?

The land is located within the Beverley Park Catchment area. A Floodplain Management Study was prepared in December 2006 (Beverley Park Overland Flow Risk Management Study and Plan) and this study indicates that the subject property maybe subject to flooding. You are advised to contact Councils Catchments and Waterways Section on 9330 9400 for further information.

9. Public Reserve Encroachments

Is the land located adjacent to a public reserve?

No

Note: This is a general statement which applies to all lands adjacent to a public reserve.

10. Stormwater Drains

Is the land affected by a stormwater drain?

No

11. Demolition of Buildings

If the building/s on the subject property were constructed prior to 1987 an asbestos survey prepared by a suitably qualified and experienced professional may be required for certain works, including demolition. For more information refer to the Council's Asbestos Policy.

per



Paul Woods
General Manager



KOGARAH CITY COUNCIL - PLANNING CERTIFICATE
under Section 149 of the
Environmental Planning and Assessment Act 1979.
CIVIC CENTRE, Locked Bag 8, Kogarah, NSW 2217, DX 11118

E I S
PO Box 976
NORTH RYDE BC NSW 1670

Certificate Number: 47261
Certificate Date: 11/10/2011
Receipt Number: 1072053
Your Reference:

Property Description

Owners: St George Hospital
Address: 30 Gray Street KOGARAH
Land Title: LOT: 2 /: C DP: 976627
Assessment #: 54489

Section 149(2) Details

In accordance with the requirements of section 149(2) of the *Environmental Planning and Assessment Act 1979* (as amended), the following prescribed matters relate to the land at the date of this certificate.

1. Names of Relevant Local Environmental Plans

- (a) The following local environmental plan applies to the land:

Kogarah Local Environmental Plan 1998 gazetted on 02/10/1998 and as amended.

Note: Kogarah Local Environmental Plan 1998 contains Council's Tree Preservation Order that applies to all land in the Kogarah Local Government area.

- (b) The identity of the zone, whether by reference to a name (such as "Residential Zone" or "Heritage Zone") or by reference to a number (such as "Zone No 2(a)"):

Special Uses 5(a) - Special uses (General) Zone

Note: While this certificate indicates the zoning of the land, it is suggested the relevant Planning Instrument be inspected at Council's Customer Service Centre (84 Railway Parade, Kogarah) to provide an overall view of the area.

- (c) The purposes for which the plan or instrument provides that development may be carried out within the zone without the need for development consent:

bushfire hazard reduction; drainage; roads; exempt development.

- (d) The purposes for which the plan or instrument provides that development may not be carried out within the zone except with development consent:

centre based child care services; community facilities; concerts, fetes, markets, sporting events or other recreational land uses; educational establishments; housing for older people or people with a disability; places of worship; public buildings; public parking; public utility installations; the particular land use indicated by red lettering on the land use map and land uses ordinarily incidental or ancillary to that land use.

- (e) The purposes for which the plan or instrument provides that development is prohibited within the zone:

Any other development is prohibited.

- (f) Is there 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?

No

- (g) Does the land include or comprise critical habitat?

No

- (h) Is the land located within a heritage conservation area under the provisions of the local environmental plan applying to the land?

No

- (i) Is there a heritage item situated on the land under the provisions of the local environmental plan applying to the land?

No

Note: This advice does not cover items listed on the State Heritage Register, which are listed by NSW Heritage Office and may be found at <http://www.heritage.nsw.gov.au>

2. Names of Relevant Exhibited Draft Environmental Planning Instruments

There are no relevant exhibited draft environmental planning instruments applying to the land.

3. Names of Relevant Development Control Plans

DCP for Accommodation for Older People and People with a Disability
DCP No. 20 - Advertising of Development Applications and Neighbour Notification
DCP No. 26 - Exempt and Complying Development
DCP No. 35 - Telecommunications and Radiocommunications
DCP No. 11 - Centre Based Child Care Services

DCP No. 28 - Rainwater Tanks
DCP for Advertising and Signage
DCP No. 5 - Kogarah Town Centre
Swimming Pool Code

4. Names of Relevant State Environmental Planning Instruments

Below is a list of all State Environmental Planning Policies (including publicised draft policies) that apply to the Kogarah City Council. Depending on circumstances set down in each policy, the policy may be specifically applicable to the land that is the subject of this certificate. You are advised to peruse the policy for the necessary details.

Any enquiries regarding these State policies should be directed to the Department of Planning on:

(02) 9228 6333 or <http://www.planning.nsw.gov.au>

SEPP No. 1 Development Standards
SEPP No. 4 Development Without Consent and Miscellaneous Exempt and Complying Development
SEPP No. 6 Number of Storeys in a Building
SEPP No. 10 Retention of Low-Cost Rental Accommodation
SEPP No. 19 Bushland in Urban Areas
SEPP No. 21 Caravan Parks
SEPP No. 22 Shops and Commercial Premises
SEPP No. 32 Urban Consolidation (Redevelopment of Urban Land)
SEPP No. 33 Hazardous and Offensive Development
SEPP No. 50 Canal Estate Development
SEPP No. 55 Remediation of Land
SEPP No. 64 Advertising and Signage
SEPP No. 65 Design Quality of Residential Flat Development
SEPP (Housing for Seniors or People with a Disability) 2004
SEPP (Building Sustainability Index: BASIX) 2004
SEPP (Major Projects) 2005
SEPP (Mining, Petroleum Production and Extractive Industries) 2007
SEPP (Temporary Structures and Places of Public Entertainment) 2007
SEPP (Infrastructure) 2007
SEPP (Exempt and Complying Development Codes) 2008
SEPP (Exempt and Complying Development Codes) Amendment (Commercial and Industrial) 2009
SEPP (Affordable Rental Housing) 2009
Deemed SEPP (Georges River Catchment)

5. Complying Development Under the Provisions of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

The following information is provided in accordance with the requirements of Clause 3 of Schedule 4 of the Environmental Planning and Assessment Regulation (Complying

Development).

- (a) Is Complying Development under the provisions of the **General Housing Code** permitted on this land?

The General Housing Code does not apply as the land is not zoned for residential purposes.

- (b) Is Complying Development under the provisions of the **Housing Alterations Code** permitted on this land?

The Housing Alterations Code does not apply as the land is not within a zone permitted under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

- (c) Is Complying Development under the provisions of the **General Development Code** permitted on this land?

The General Development Code does not apply as the land is not within a zone permitted under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

- (d) Is Complying Development under the provisions of the **General Commercial and Industrial Code** permitted on this land?

The General Commercial and Industrial Code does not apply as the land is not within a zone permitted under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

- (e) Is Complying Development under the provisions of the **Subdivisions Code** permitted on this land?

The Subdivisions Code does not apply as the land is not within a zone permitted under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

- (f) Is Complying Development under the provisions of the **Demolition Code** permitted on this land?

The Demolition Code does not apply as the land is not within a zone permitted under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Disclaimer: The above information only addresses matters raised in Clause 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.

6. Coastal Protection

- (a) Has Council been notified by the Department of Public Works that the land is affected by the