



BALRANALD SHIRE COUNCIL

ALL COMMUNICATIONS
MUST BE ADDRESSED TO
THE GENERAL MANAGER

Contact: RM:NMR:D22.73143:41-2022/23

70 Market Street, Balranald NSW 2715
PO Box 120, Balranald NSW 2715

Tel: 03 5020 1300

Fax: 03 5020 1620

Email: council@balranald.nsw.gov.au

Web: www.visitbalranald.com.au

17 October 2022

LJB Urban Planning Pty Ltd

Dear Applicant

Re: Certificate under Section 10.7 Environmental Planning & Assessment Act, 1979
For: Balranald MPS
Property: 49 Court Street, Balranald NSW 2715
Your Reference:

Attached are the completed Certificates you have requested.

- ☒ 10.7 (2) Environmental Planning & Assessment Act 1979
- ☐ 10.7 (5) Environmental Planning & Assessment Act 1979
- ☐ 6.24 Environmental Planning & Assessment Act 1979
- ☐ 121 ZP Individual Certificate
- ☐ 735 (a) Outstanding Notice
- ☐ Copy of Drainage Diagram / Notice of Unavailability
- ☐ Copy of Sewer Main Plan / Notice of Unavailability
- ☐ Noxious Weeds Certificate

The Council has made no inspection of the properties for the purpose of the certificate/s, and neither makes any representation nor gives any warranty that this list is complete. The purchaser should satisfy themselves by their own inspection of the property that there have been no breaches of the Act in relation to development of the property.

Details of current development consents for the property are available on request from the Council.

Yours faithfully

Nikkita Manning-Rayner
Administration Officer - Health & Development

CERTIFICATE UNDER SECTION 10.7 (2)

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

SHIRE OF BALRANALD
PO BOX 120, Balranald, NSW 2715

Certificate No. 41-2022/23
Receipt No: 76490
Fees: \$62.00

Applicant: Full Name: LJB Urban Planning Pty Ltd
Postal Address:
Reference:

DESCRIPTION OF LAND

Property:

Property Name/No.: 49 Assessment No.: 2604957
Street/Road Name: Court Street Locality: Balranald NSW 2715
Lot/Section/DP: 2//792299

Owner: Balranald MPS
Postal Address: Far West Local Health District, PO Box 10, Balranald NSW 2715

(A) Where an environmental planning instrument, a deemed environmental planning instrument or a draft environmental planning instrument has been placed on exhibition pursuant to the Act restrict, or purports to restrict, the purpose for which development may be carried out on the land, state the name of the instrument.	(i) Balranald Local Environmental Plan 2010 (ii) Refer to State Environmental Planning Policy Schedule attached
(B) Where the land is identified as being within a zone (within the meaning of an instrument referred to in paragraph (A)) state: (i) the identity of the zone (ii) the purpose for which development may be carried out within that zone without development consent and with development consent (iii) the purposes for which the carrying out of development is prohibited within that zone (iv) whether additional permitted uses apply to the land	Balranald Local Environmental Plan 2010 (i) RU5 (ii) Refer to attached Lot size and Land zoning maps, and Land use table (iii) As above (iv) No additional permitted uses apply
(C) State whether the erection of a dwelling-house on that land is prohibited by reason of a development standard relating to the minimum area on which a dwelling-house may be erected, and if so, the fixed minimum area.	A dwelling house is permitted. Refer to lot size maps.
(D) State whether or not any development control plan applies to the land.	No.
(E) State whether or not any contribution plan applies to the land.	No.

<p>(F) State whether there are any restrictions to the application of the State Environmental Planning Policy (Exempt & Complying Development Codes) 2008 to the land.</p>	<p>Council does not have sufficient information to ascertain the extent to which exempt or complying development may or may not be carried out on the land.</p>
<p>(G) State whether Council is aware that:</p> <ul style="list-style-type: none"> (i) an affected building notice is in force in relation to the land, or (ii) a building product rectification order is in force in relation to the land that has not been fully complied with, or (iii) a notice of intention to make a building product rectification order given in relation to the land is outstanding. 	<p>No.</p>
<p>(H) State whether any residential premises on the land is listed on the Loose-fill asbestos insulation register.</p>	<p>No.</p>
<p>(I) State whether or not the land has been declared to be a mine subsidence district within the meaning of the Coal Mine Subsidence Compensation Act 2017.</p>	<p>No.</p>
<p>(J) State whether or not the land is affected by any acquisition proposal under –</p> <ul style="list-style-type: none"> (i) any environmental planning instrument; or (ii) any resolution of the council. 	<p>No.</p>
<p>(K) State whether or not the land is affected by any road widening or road realignment under –</p> <ul style="list-style-type: none"> (i) the Roads Act 1993, Part 3, Division 2; or (ii) any environmental planning instrument; or (iii) any resolution of the council. 	<p>No.</p>
<p>(L) State whether Council is aware if any paper subdivision / development plans are applicable to the land.</p>	<p>No.</p>
<p>(M) State whether the following matters apply to the land:</p> <ul style="list-style-type: none"> (i) sensitive land overlays (ii) heritage overlays (iii) conservation restrictions, as advised to the Council (iv) outstanding biodiversity value under the Biodiversity Conservation Act 2016 	<ul style="list-style-type: none"> (i) The land is identified on the sensitive land overlay of the Balranald LEP 2010. Refer to attached maps. (ii) Not applicable. (iii) None advised to Council. (iv) No.
<p>(N) State whether or not the Council has by resolution adopted a policy to restrict the development of the land by reason of the likelihood of land slip, bushfire, flooding, tidal inundation, subsidence, acid sulphate soils, aircraft noise, salinity, coastal hazards, sea level rise or any other risk.</p>	<p>No. However parts of the land may be bush fire prone.</p>

<p>(O) State whether or not the Council has by resolution adopted a policy to restrict the development of the land by reason of the likelihood of contamination.</p>	<p>Council has adopted by resolution a policy on contaminated land which may restrict the development of the land. This policy is implemented when zoning or land use changes are proposed on lands which have previously been used for certain purposes.</p>
<p>(P) <u>Matters Arising under the Contaminated Land Management Act 1997.</u></p> <p>Has Council been advised that:</p> <p>(i) The land is subject to a management order</p> <p>(ii) The land is subject to an approved voluntary management proposal</p> <p>(iii) The land is subject to an ongoing maintenance order</p> <p>(iv) The land is the subject of a site audit statement</p> <p>(v) The land is significantly contaminated</p>	<p>No.</p> <p>No.</p> <p>No.</p> <p>No.</p> <p>Council records do not have sufficient information about previous use of this land to determine whether the land is contaminated. Consideration of Council's adopted policy and the application or provisions under relevant state legislation is warranted.</p>
<p>(Q) State whether or not Council is aware if 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.</p>	<p>No.</p>
<p>(R) State whether Chapter 3, Part 5 of the State Environmental Planning Policy (Housing) 2021 applies to the land, and, if applicable, any conditions of development consent granted after 11 October 2007 in relation to the land that are of a kind set out in Section 88(2) in that Policy.</p>	<p>Approval has not been provided for housing for seniors and people with a disability on this land.</p>
<p>(S) Is Council aware of a current or former Site Compatibility Certificate pertaining to this land under the State Environmental Planning Policy (Housing) 2021</p> <p>Relating to Affordable rental housing And /or Infrastructure And / or Seniors Housing</p>	<p>No.</p>
<p>(T) State whether Chapter 2, Part 2, Division 1 or 5 of the State Environmental Planning Policy (Housing) 2021 applies to the land, and, if applicable, any conditions of development consent in relation to the land that are of a kind referred to in Section 21(1) or 40(1) in that Policy.</p>	<p>Approval has not been provided for affordable housing under those divisions on this land.</p>

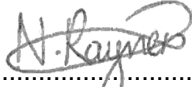
(U) State any conditions of development consent in relation to the land that are of a kind referred to in clause 17(1) or 38(1) of the State Environmental Planning Policy (Affordable Rental Housing) 2009.

Approval has not been provided for affordable housing under those clauses on this land.

Date: 17 October 2022

Balranald Shire Council

Authorised Officer



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Nikkita Manning-Rayner

Administration Officer - Health & Development

Any request for further information in connection with the above should be for the attention of the Health & Development Coordinator, Telephone No: (03) 5020 1300.



Balranald Local Environmental Plan 2010

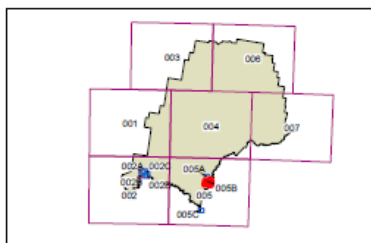
Land Zoning Map - Sheet LZN_005B

Zone

- E1** National Parks & Nature Reserves
- RU1** Primary Production
- RU3** Forestry
- RU4** Rural Small Holdings
- RU5** Village
- W1** Natural Waterways
- W2** Recreational Waterways

Cadastre

- Cadastre 1/9/03 (c) Dept of Lands

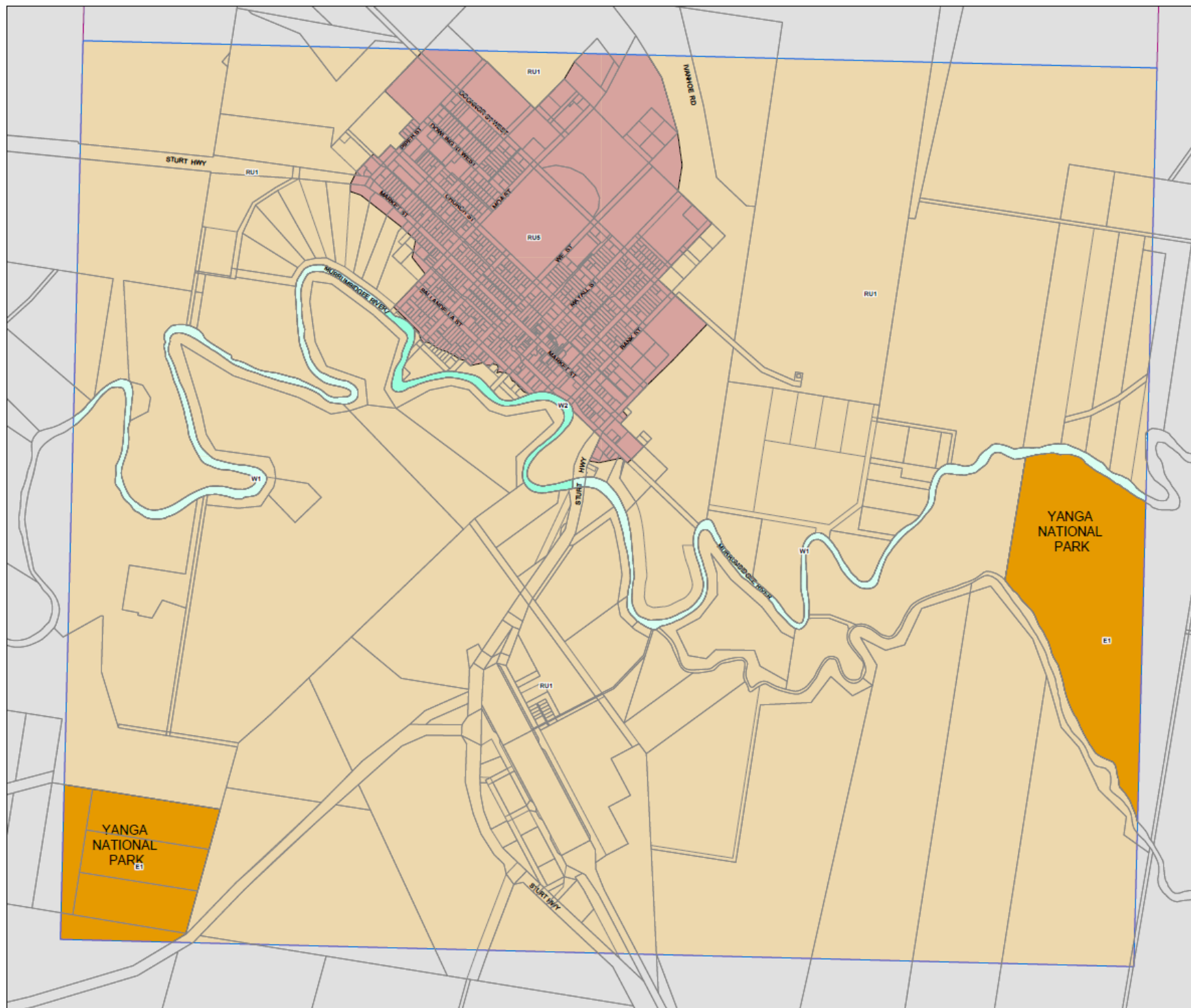


Projection: GDA 1994
Zone 54

0 250 500 metres

Scale: 1:20,000 @ A3

Map Identification Number:
0300_COM_LZN_005B_020_20100528





Balranald Local Environmental Plan 2010

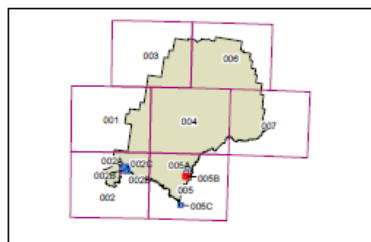
Lot Size Map - Sheet LSZ_005B

Minimum Lot Size

M	600 sqm
U	1200 sqm
W	4000 sqm
AB1	16 ha
AB2	40 ha

Cadastral

Cadastral 1/9/03 (c) Dept of Lands

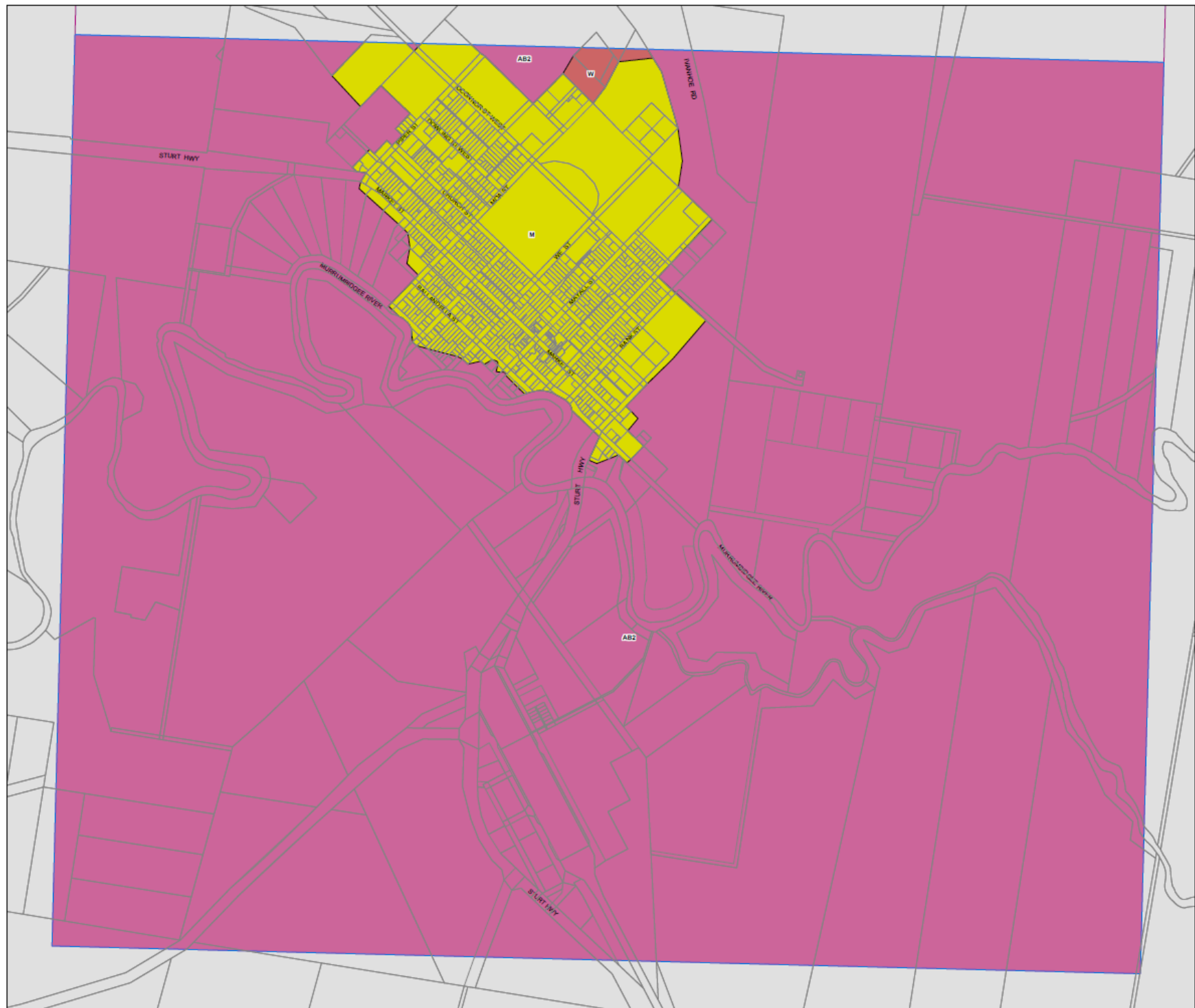


Projection: GDA 1994
Zone 54

0 250 500 metres

Scale: 1:20,000 @ A3

Map Identification Number:
0300_COM_LSZ_005B_020_20100601






Balranald Local Environmental Plan 2010

Riparian Land Map Waterways Map Groundwater Vulnerability Map Sheet CL1_005B


Riparian Lands

 Vulnerable Riparian


Waterways

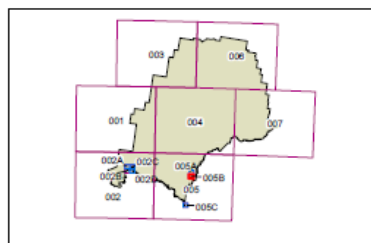
 Wetlands

Groundwater Vulnerability

 Groundwater Vulnerability

Cadastre

 Cadastre 1/9/03 Dept of Lands

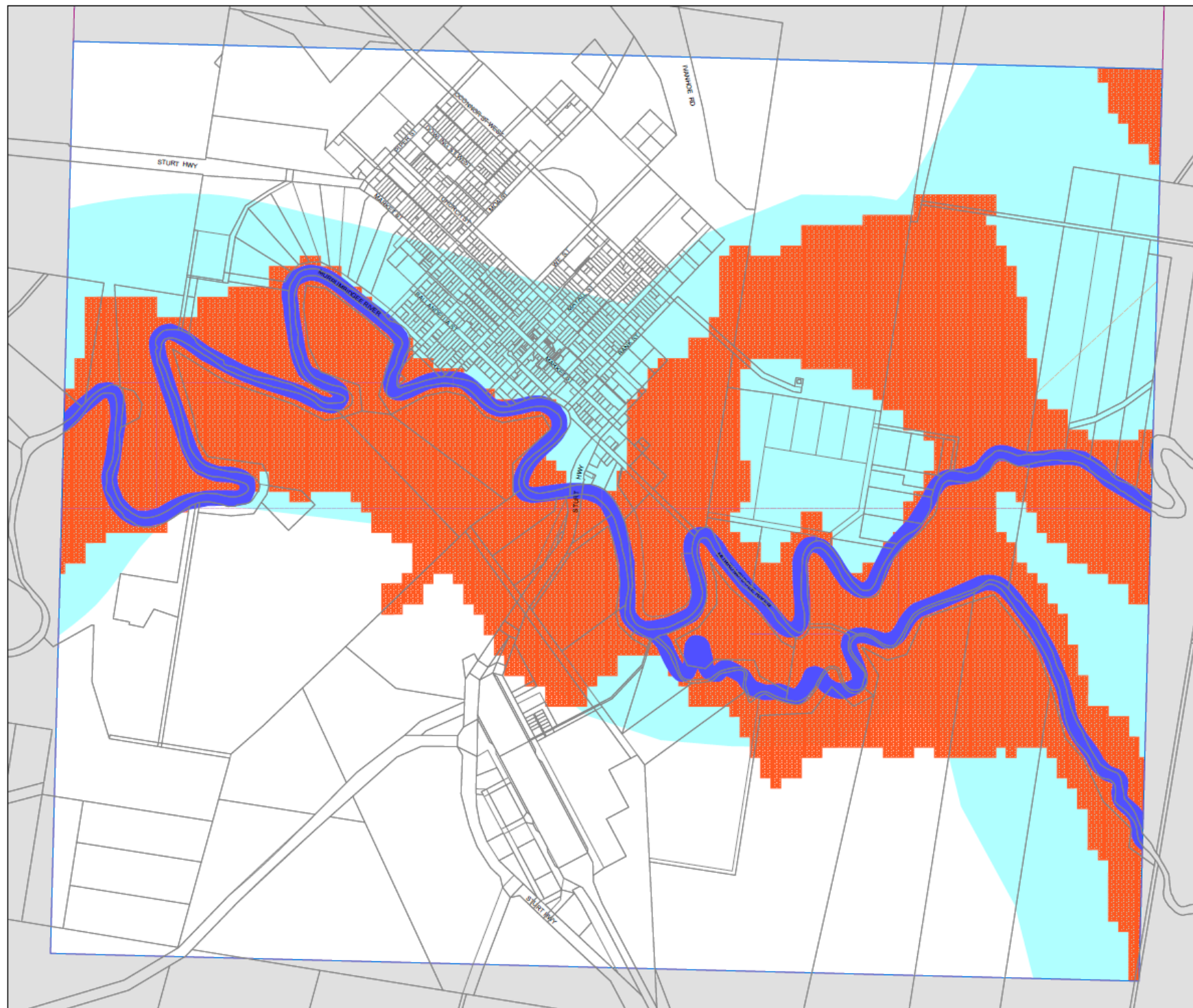


Projection: GDA 1994
Zone 54

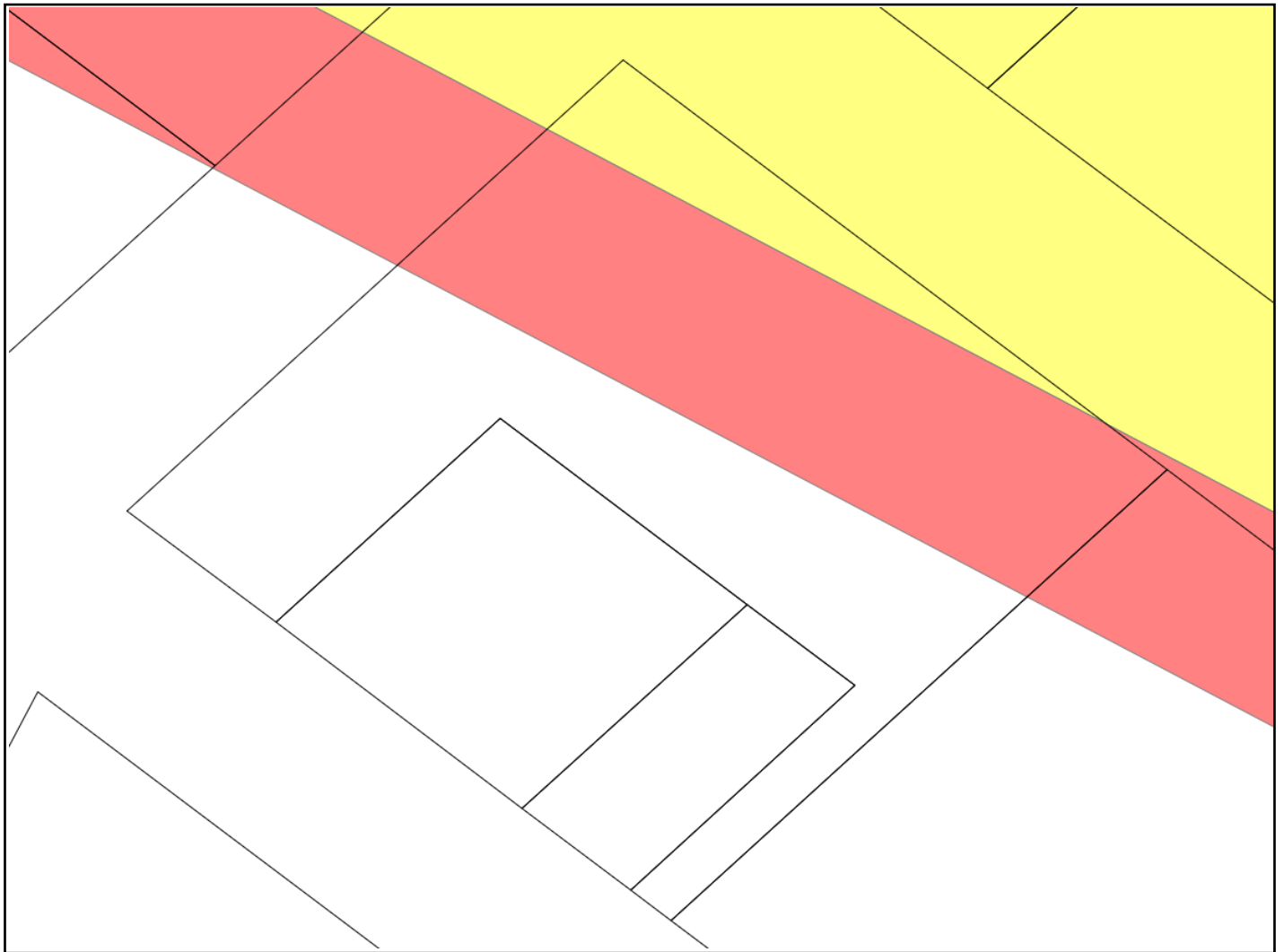
0 250 500 metres

Scale: 1:20,000 @ A3




Map Identification Number:
0300_COM_CL1_005B_020_20100528



Certificate 41-2022/23
49 Court Street, Balranald
Lot 2 DP 792299



BUSH FIRE PRONE LAND MAP - LEGEND

-  Bush Fire Prone Land ~ Vegetation Category 1
-  Bush Fire Prone Land ~ Vegetation Category 2
-  Bush Fire Prone Land ~ Vegetation Buffer - 100m & 30m

Balranald Local Environmental Plan 2010

Current version for 30 June 2022 to date (accessed 14 July 2022 at 16:41)

[Part](#) > pt-cg1.Zone_RU5

Zone RU5 Village

1 Objectives of zone

- To provide for a range of land uses, services and facilities that are associated with a rural village.
- To define the town boundaries of Balranald, Euston and Kyalite.
- To encourage and provide opportunities for population and local employment growth.
- To ensure development maintains and contributes to the character of the zone.
- To protect the amenity of residents.
- To ensure that development does not create unreasonable or uneconomic demands for the provision or extension of services.
- To retain and facilitate expansion and redevelopment of the existing central business districts of the townships of Balranald and Euston and to further strengthen the core retail functions of those areas.

2 Permitted without consent

Environmental protection works; Home occupations; Roads

3 Permitted with consent

Centre-based child care facilities; Community facilities; Dwelling houses; Neighbourhood shops; Oyster aquaculture; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Respite day care centres; Schools; Tank-based aquaculture; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Animal boarding or training establishments; Eco-tourist facilities; Electricity generating works; Farm buildings; Forestry; Hazardous storage establishments; Heavy industries; Industrial training facilities; Local distribution premises; Offensive storage establishments; Port facilities; Rural industries; Waste disposal facilities; Wharf or boating facilities

STATE ENVIRONMENTAL PLANNING POLICY SCHEDULE

State Environmental Planning Policies Applying to **Zone RU5 (Village)** Lands

State Environmental Planning Policy (Biodiversity and Conservation) 2021
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
State Environmental Planning Policy (Housing) 2021
State Environmental Planning Policy (Industry and Employment) 2021
State Environmental Planning Policy (Planning Systems) 2021
State Environmental Planning Policy (Primary Production) 2021
State Environmental Planning Policy (Resilience and Hazards) 2021
State Environmental Planning Policy (Resources and Energy) 2021
State Environmental Planning Policy (Transport and Infrastructure) 2021
State Environmental Planning Policy no 65--Design Quality of Residential Flat Development

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49 Court Street, Balranald
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