



Planning Certificate

(Section 10.7(2) & (5) – Environmental Planning and Assessment Act 1979)
(previously s149(2) & (5) certificate)

Certificate Details

Certificate No: ePL2022/0528
Receipt date: 25 August 2022

Applicant Details

Name & Address: The Search People
Gpo Box 1585
SYDNEY NSW 2001

Your Reference: OR-YS8LHN364C33U

Land

Property No: 109790
Title Description: Lot 57 DP 21115
Address: 23 North Pde WAGGA WAGGA NSW 2650

Disclaimer

Information contained in this certificate is valid on the date issued and relates only to the land for which this certificate is issued. The information is provided in good faith subject to sections Schedule 6(2) and 10.7(6) of the Environmental Planning and Assessment Act 1979 and Council shall not incur any liability in respect of any such advice.

This certificate provides prescribed and other relevant information affecting how land may be used including certain restrictions on development. The certificate contains information Council is aware of through its records and environmental plans, along with data supplied by the State Government. Title information shown on this certificate is provided from Council's records and may not conform to information shown on the current Certificate of Title. Easements, restrictions as to uses, rights of way and other similar information shown on the title of the land are not provided on this certificate.

1 Names of relevant planning instruments and DCPs

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

Wagga Wagga Local Environmental Plan 2010 (WWLEP 2010)

State Environmental Planning Policies

- SEPP (Biodiversity and Conservation) 2021
- SEPP (Building sustainability Index: BASIX) 2004
- SEPP (Exempt and Complying Development Codes) 2008
- SEPP (Housing) 2021
- SEPP (Industry and Employment) 2021
- SEPP No. 65 Design Quality of Residential apartment Development
- SEPP (Planning Systems) 2021
- SEPP (Precincts – Regional) 2021
- SEPP (Primary Production) 2021
- SEPP (Resilience and Hazards) 2021
- SEPP (Resources and Energy) 2021
- SEPP (Transport and Infrastructure) 2021

- (2) The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Planning Secretary has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

Draft LEP proposed under WWLEP 2010

LEP21/0004 - Cleek Street, Currawarna change to minimum lot size.

LEP21/0005 - 77 Gurwood Street addition of Office Premises as a permitted use

LEP19/0008 - Collingullie Village Expansion

LEP18/0007 - Blackbutt Road & Oleria Place change to minimum lot size

Draft DCP

Nil

Draft SEPP

Draft State Environmental Planning Policy (Affordable Rental Housing) 2009

Draft State Environmental Planning Policy (Remediation of Land)

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

Wagga Wagga Development Control Plan 2010

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

2 Zoning and land use under relevant LEPs

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

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

R1 General Residential under WWLEP 2010:

Objectives of zone

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To ensure co-ordinated and cost-effective provision of physical, social and cultural infrastructure in new residential areas.

- (b) the purpose for which the instrument provides that development may be carried out within the zone without the need for development consent,

Home businesses; Home occupations; Roads

- (c) the purpose for which the instrument provides that development may not be carried out within the zone except with development consent,

Attached dwellings; Boarding houses; Centre-based child care facilities; Community facilities; Dwelling houses; Group homes; Home industries; Hostels; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Residential flat buildings; Respite day care centres; Semi-detached dwellings; Seniors housing; Shop top housing; Tank-based aquaculture; Any other development not specified in item 2 or 4

- (d) the purpose for which the instrument provides that development is prohibited within the zone,

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Backpackers' accommodation; Biosolids treatment facilities; Boat building and repair facilities; Camping grounds; Caravan parks; Cemeteries; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Entertainment facilities; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Hotel or motel accommodation; Industrial training facilities; Industries; Marinas; Mooring pens; Mortuaries; Open cut mining; Passenger transport facilities; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Resource recovery facilities; Restricted premises; Rural industries; Rural workers' dwellings; Sewage treatment plants; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste disposal

facilities; Waste or resource management facilities; Water recycling facilities; Water treatment facilities; Wharf or boating facilities; Wholesale supplies

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

No

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

No

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

No

- (h) whether an item of environmental heritage (however described) is situated on the land.

No

2A Zoning and land use under State Environmental Planning Policy (Sydney Region Growth Centres) 2006

Not Applicable

3 Complying Development

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

In relation to clause 1.19 (5)(d) Council have insufficient information to identify significantly contaminated land within the meaning of the Contaminated Land Management Act 1997. Please refer to the NSW Environment Protection Authority (EPA) register of properties at <https://apps.epa.nsw.gov.au/prclmapp/searchregister.aspx>.

Low Rise Housing Diversity Code (R or RU Zones)

Yes

Greenfield Housing Code (R or RU Zones)

No

Inland Housing code (R or RU Zones)

Yes

Housing Alterations Code

Yes

General Development Code

Yes

Industrial and Business Alterations Code

Yes

Industrial and Business (New Buildings and Additions) Code (B or IN or SP Zones)

Yes

Container Recycling Facilities Code (B or IN or SP3 Zones)

Yes

Subdivisions Code

Yes

Demolition Code

Yes

Fire Safety Code

Yes

4,4A (Repealed)

4B Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works

(N/A)

5 Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of the Coal Mine Subsidence Compensation Act 2017

No

6 Road widening and road realignment

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

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

No information available for the purpose of this certificate. Contact Council to obtain current information regarding potential road widening.

7 Council and other public authority policies on hazard risk restrictions

Whether or not the land is affected by a policy:

- (a) adopted by the council, or
- (a) 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?
No, Council does not have a policy on landslip.
- bushfire?
No, Council does not have a policy on bushfire.
- tidal inundation?
No, Council does not have a policy on tidal inundation.
- subsidence?
No, Council does not have a policy on subsidence.
- acid sulphate soils?
No, Council does not have a policy on acid sulphate soils.
- any other risk (other than flooding)?
No, Council does not have a policy on any other risk.

7A Flood related development controls information

- (1) If the land or part of the land is within the flood planning area and subject to flood related development controls.

Council considers the land to which this certificate applies to be within the Flood Planning Area (FPA) identified within the Riverine 2018 flood study and the Major Overland Flow Flood Study 2021 (MOFFS FPA) therefore flood

related development controls may apply. Property owners can review relevant information on the Wagga Online Mapping system.

- (2) If the land or part of the land is between the flood planning area and the probable maximum flood and subject to flood related development controls. Council considers the land to which this certificate applies to be within the Special Flood Consideration (SFC) identified within the Riverine 2018 flood study and the Major Overland Flow Flood Study 2021 (MOFFS SFC) therefore flood related development controls may apply. Property owners can review relevant information on the Wagga Online Mapping system.

- (3) In this clause –

flood planning area has the same meaning as in the Floodplain Development Manual.

Floodplain Development Manual means the *Floodplain Development Manual* (ISBN 0 7347 5476 0) published by the NSW Government in April 2005.

probable maximum flood has the same meaning as in the Floodplain Development Manual.

Note:

This information is based on the Flood Planning areas of the Wagga Wagga Revised Murrumbidgee River Floodplain Risk Management Study and Plan 2018 and the Major Overland Flow Study 2021. Property owners are advised to contact Council to obtain current information regarding local flooding and are encouraged to seek independent flooding advice from a suitably qualified person. For more information see

<https://wagga.nsw.gov.au/services/emergencies/floods/flood-studies>

Note:

Council considers the land to which this certificate applies to be affected by a Major Overland Flow Flood of 1:100 (1%), an extreme rainfall event.

8 Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the Act.

No

9 Contributions plans

The name of each contributions plan applying to the land.

Wagga Wagga Local Infrastructure Contributions Plan 2019-2034

City of Wagga Wagga - Developing Servicing Plan - Stormwater 2007

City of Wagga Wagga - Developing Servicing Plan No 1: Sewerage Services 2013

Riverina Water County Council (RWCC) is responsible for potable water supply within the Wagga Wagga City Council, Lockhart, Urana and Greater Hume Shire Council area. More information can be found on RWCC's website located

at www.rwcc.nsw.gov.au

9A Biodiversity certified land

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

No

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

10 Biodiversity stewardship sites

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

No, Council has not been notified by the Director General of the Office of Environment and Heritage that an agreement exists on the subject land

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

10A Native vegetation clearing set asides

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

No information available

11 Bush fire prone land

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

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

No

12 Property vegetation plans

If the land is land to which a property vegetation plan approved under Part 4 of the Native Vegetation Act 2003 (and that continues in force) applies, a statement to that effect (but only if the council has been notified of the existence of the plan by the person or body that approved the plan under that Act).

No

13 Orders under Trees (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 Information available

14 Directions under Part 3A

If there is a direction by the Minister in force under section 75P(2)(c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the

carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect, a statement to that effect identifying the provision that does not have effect.

No information available

15 Site compatibility certificates and conditions for seniors housing

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

- (a) a statement of whether there is a current site compatibility certificate (seniors housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:
 - (i) the period for which the certificate is current, and
 - (ii) that a copy may be obtained from the head office of the Department, and
- (b) a statement setting out any terms of a kind referred to in clause 18(2) of that Policy that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

No

16 Site compatibility certificates for infrastructure, schools or TAFE establishments

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

- (a) the period for which the certificate is valid, and
- (b) that a copy may be obtained from the head office of the Department.

No

17 Site compatibility certificates and conditions for affordable rental housing

- (1) A statement of whether there is a current site compatibility certificate (affordable rental housing), of which the council is aware, in respect of proposed development on the land and, if there is a certificate, the statement is to include:

- (a) the period for which the certificate is current, and
- (b) that a copy may be obtained from the head office of the Department.

No

- (2) A statement setting out any terms of a kind referred to in clause 17(1) or 38(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 that have been imposed as a condition of consent to a development application in respect of the land.

No

18 Paper subdivision information

- (1) The name of any development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot.

- (2) The date of any subdivision order that applies to the land.
- (3) Words and expressions used in this clause have the same meaning as they have in Part 16C of this Regulation.

No

19 Site verification certificates

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

- (a) the matter certified by the certificate, and

No

Note. A site verification certificate sets out the Planning Secretary's opinion as to whether the land concerned is or is not biophysical strategic agricultural land or critical industry cluster land—see Division 3 of Part 4AA of [State Environmental Planning Policy \(Mining, Petroleum Production and Extractive Industries\) 2007](#)

- (b) the date on which the certificate ceases to be current (if any), and
- (c) that a copy may be obtained from the head office of the Department.

20 Loose-fill asbestos insulation

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

No information available. Contact NSW Fair Trading for more information.

21 Affected building notices and building product rectification orders

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

No

- (2) A statement of:

- (a) whether there is any building product rectification order of which the council is aware that is in force in respect of the land and has not been fully complied with, and

No

- (b) whether any notice of intention to make a building product rectification order of which the council is aware has been given in respect of the land and is outstanding.

No

- (3) In this clause:

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

building product rectification order has the same meaning as in the [Building Products \(Safety\) Act 2017](#).

Contaminated Land

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) that the land to which the certificate relates is significantly contaminated land within the meaning of that Act—if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,
No, The land is not listed on the State Register for significantly contaminated land.
- (b) that the land to which the certificate relates is subject to a management order within the meaning of that Act—if it is subject to such an order at the date when the certificate is issued,
No, the land is not subject to an order.
- (c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act—if it is the subject of such an approved proposal at the date when the certificate is issued,
No, the land is not subject to a voluntary management proposal.
- (d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act—if it is subject to such an order at the date when the certificate is issued,
No, the land is not subject to an ongoing maintenance order.
- (e) that the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act—if a copy of such a statement has been provided at any time to the local authority issuing the certificate.
No, the land is not subject of a site audit statement.

Notes:

In addition to the above, the site is not listed on Council's Register of potentially contaminated land. Property owners should conduct their own investigations to be satisfied that this property is not affected by land contamination.

Other Relevant Matters

S.10.7(5)

No general information is available other than that provided under section 10.7 (2). If you require research on a specific matter for the purpose of a S10.7(5) please contact us.



Vicky Tooze
Development Administration Officer

FOR:
GENERAL MANAGER