

Certificate No: PC2022-0483  
Date: 30 August 2021  
Applicants Ref: N/A

**PLANNING CERTIFICATE  
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

*Applicant:*

GeoLink  
1/ 30A Orlando Street  
COFFS HARBOUR NSW 2450

*Owner (as recorded by Council):*

Hunter New England Local Health District -  
Regional Office  
Locked Bag 9783  
NEMSC NSW 2348

*Land:* 31-35 Dean Street NORTH TAMWORTH NSW 2340  
Lot 1 DP 1181268

This certificate is provided pursuant to Section 10.7(2) of the Act. At the date of this certificate, the subject land is affected by the following matters.

***Names of relevant planning instruments and development control plans***

Note: Current environmental planning instruments (State environmental planning policies, regional environmental plans and local environmental plans) may be viewed at the NSW Government legislation web-site – [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au).

***Names of relevant State Environmental Planning Policies***

1. State Environmental Planning Policy No 21-Caravan Parks
2. State Environmental Planning Policy No 33-Hazardous and Offensive Development
3. State Environmental Planning Policy No 36-Manufactured Home Estates
4. State Environmental Planning Policy (Koala Habitat Protection) 2019
5. State Environmental Planning Policy No 50-Canal Estate Development
6. State Environmental Planning Policy No 55-Remediation of Land
7. State Environmental Planning Policy No 64-Advertising and Signage
8. State Environmental Planning Policy No 65-Design Quality of Residential Apartment Development
9. State Environmental Planning Policy No 70-Affordable Housing (Revised Schemes)
10. State Environmental Planning Policy (Affordable Rental Housing) 2009
11. State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
12. State Environmental Planning Policy (Concurrences) 2018
13. State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017
14. State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
15. State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004
16. State Environmental Planning Policy (Infrastructure) 2007
17. State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007
18. State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007
19. State Environmental Planning Policy (Primary Production and Rural Development) 2019
20. State Environmental Planning Policy (State and Regional Development) 2011
21. State Environmental Planning Policy (State Significant Precincts) 2005

***Development Control Plans***

22. Tamworth Regional Development Control Plan 2010.

**Zoning and land use under relevant LEPS**

23. The subject land is affected by the Tamworth Regional Local Environmental Plan 2010. Under this plan, the land is zoned –

**R1 General Residential****1. 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.

**2. Permitted without consent**

Home-based child care; Home occupations; Moorings; Roads

**3. Permitted with consent**

Attached dwellings; Boarding houses; Child care centres; Community facilities; Food and drink premises; Group homes; Home industries; Hostels; Kiosks; Markets; Multi dwelling housing; Neighbourhood shops; Places of public worship; Residential flat buildings; Semi-detached dwellings; Seniors housing; Shop top housing; Any other development not specified in item 2 or 4

**4. Prohibited**

Advertising structures; Agriculture; Air transport facilities; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Heavy industrial storage establishments; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Marinas; Mooring pens; Mortuaries; Open cut mining; Passenger transport facilities; Pubs; Recreation facilities (indoor); Recreation facilities (major); Registered clubs; Research stations; Restricted premises; Rural industries; Rural workers' dwellings; Service stations; Sex services premises; Storage premises; Transport depots; Vehicle body repair workshops; Vehicles repair stations; Waste or resource management facilities; Wharf or boating facilities; Wholesale supplies.

24. The Tamworth Regional Local Environmental Plan 2010 identifies a heritage item is situated on the land to which this certificate relates. For further information, see clause 5.10 of the Plan.

**Complying Development***General Housing Code*

25. Development specified as Complying Development for the General Housing Code in Part 3 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 may not be carried out on the land. It is prevented by a land exemption specified in clauses 1.17A and 1.19, being the land comprises an item of environmental heritage.

The land is partly affected by the land based exclusion. Complying Development may be undertaken on that part of the land which is not within the excluded area.

*Rural Housing Code*

26. Development specified as Complying Development for the Rural Housing Code in Part 3A of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 may not be carried out on the land. It is prevented by a land exemption specified in clauses 1.17A and 1.19, being the land comprises an item of environmental heritage.

The land is partly affected by the land based exclusion. Complying Development may be undertaken on that part of the land which is not within the excluded area.

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*Housing Alterations Code*

27. Development specified as Complying Development for the Housing Alterations Code in Part 4 of State Environmental Planning Policy (Exempt and Complying Development Code) 2008 may not be carried out on the land. It is prevented by a land exemption specified in clauses 1.17A and 1.19, being the land comprises an item of environmental heritage.

The land is partly affected by the land based exclusion. Complying Development may be undertaken on that part of the land which is not within the excluded area.

*General Development Code*

28. Development specified as Complying Development for the General Development Code in Part 4A of State Environmental Planning Policy (Exempt and Complying Development Code) 2008 may not be carried out on the land. It is prevented by a land exemption specified in clauses 1.17A and 1.19, being the land comprises an item of environmental heritage.

The land is partly affected by the land based exclusion. Complying Development may be undertaken on that part of the land which is not within the excluded area.

*Commercial and Industrial Alterations Code*

29. Development specified as Complying Development for the Commercial and Industrial Alterations Code in Part 5 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 may not be carried out on the land. It is prevented by a land exemption specified in clauses 1.17A and 1.19, being the land comprises an item of environmental heritage.

The land is partly affected by a land based exclusion. Complying Development may be undertaken on that part of the land which is not within the excluded area.

*Commercial and Industrial (New Buildings and Additions) Code*

30. Development specified as Complying Development for the Commercial and Industrial (New Buildings and Additions) Code in Part 5A of State Environmental Planning Policy (Exempt and Complying Development Code) 2008 may not be carried out on the land. It is prevented by a land exemption specified in clauses 1.17A and 1.19 being the land comprises an item of environmental heritage.

The land is partly affected by a land based exclusion. Complying Development may be undertaken on that part of the land which is not within the excluded area.

*Subdivisions Code*

31. Development specified as Complying Development for the Subdivisions Code in Part 6 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 may not be carried out on the land. It is prevented by a land exemption specified in clauses 1.17A and 1.19, being the land comprises an item of environmental heritage.

The land is partly affected by a land based exclusion. Complying Development may be undertaken on that part of the land which is not within the excluded area.

*Demolition Code*

32. Development specified as Complying Development for the Demolition Code in Part 7 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 may not be carried out on the land. It is prevented by a land exemption specified in clauses 1.17A and 1.19, being the land comprises an item of environmental heritage.

The land is partly affected by a land based exclusion. Complying Development may be undertaken on that part of the land which is not within the excluded area.

*Fire Safety Code*

33. Development specified as Complying Development for the Fire Safety Code in Part 8 of the State Environmental Planning Policy (Exempt and Complying Development Code) 2008 may not be carried out on the land. It is prevented by a land exemption specified in clauses 1.17A and 1.19 being the land comprises an item of environmental heritage.

The land is partly affected by a land based exclusion. Complying Development may be undertaken on that part of the land which is not within the excluded area.

***Coastal Protection***

34. The land is not affected by the operation of Section 38 or 39 of the Coastal Protection Act.

***Mine subsidence***

35. The land has not been proclaimed to be a mine subsidence district within the meaning of Section 15 of the Mine Subsidence Compensation Act 1961.

***Road widening and road realignment***

36. The land is not affected by any road widening or road realignment proposal under:-  
(1) section 262 of the Local Government Act, 1919;  
(2) an environmental planning instrument; or  
(3) any resolution of Council.

***Council and other public authority policies on hazard risk restrictions***

37. The land is not affected by a policy adopted by any other public authority that has been notified to 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).
38. The land is not affected by a policy adopted by Council that restricts the development of the land because of the likelihood of landslip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding).

***Flood related development control information***

39. Council is unable to confirm whether or not the land is within the flood planning area and subject to flood related development controls set out in the provisions of the Tamworth Regional Local Environmental Plan 2010 (Clause 5.21) and the Tamworth Regional Development Control Plan 2010 (Development on Flood Affected Land).

Note: The flood planning area of the land is not known to Council. Consequently, you should conduct investigations necessary for determining flood levels in relation to the land. At this time Council adopts 1:100 + 0.5m freeboard as the Flood Planning Level.

***Land reserved for acquisition***

40. There are no environmental planning instruments applying to the land which provide for the acquisition of the land by a public authority, as referred to in Section 27 of the Act.

***Contributions plans***

41. Tamworth Regional Council Section 94 (Direct) Development Contributions Plan 2013 applies to the land.
42. Tamworth Regional Council Section 94 (Indirect) Development Contributions Plan 2013 applies to the land.

***Bushfire Prone Land***

43. The subject land is not identified as being "bushfire prone land" on the Bushfire Prone Land Map, certified by the NSW Rural Fire Service.

***Contaminated Land Management Act 1997***

44. The land to which this certificate relates is not subject to the matters identified by Section 59(2) of the Contaminated Land Management Act 1997. You should carry out your own investigations to determine if the site forms part of the list of NSW contaminated sites notified to the NSW Environment Protection Agency. Further investigations by others may be required if it is considered the site may be contaminated.

***Site Compatibility Certificates for Infrastructure***

45. Council is not aware of a valid site compatibility certificate (infrastructure) or a site compatibility certificate (schools or TAFE establishments) in respect of proposed development on the land.

***Site Compatibility Certificates and Conditions for Affordable Rental Housing***

46. Council is not aware of a current site compatibility certificate (affordable rental housing) in respect of proposed development on the land.

***Site Compatibility Certificates and Conditions for Seniors Housing***

47. Council is not aware of a current site compatibility certificate (seniors housing) in respect of proposed development on the land.

***Site Verification Certificates***

48. Council is not aware of a valid site verification certificate in respect of the land.

***Information Regarding Loose-Fill Asbestos Insulation***

49. Some residential homes located in the Tamworth Regional Council Local Government Area have been identified as containing loose fill asbestos insulation, for example in the roof space.

You should make your own enquiries as to the age of the buildings on the land to which this certificate relates and, if it contains a building constructed prior to 1980, it is strongly recommended that any potential purchaser obtain advice from a licensed asbestos assessor to determine whether loose-fill asbestos is present in any building on the land and, if so, the health risks (if any) this may pose for the building's occupants.

Contact NSW Fair Trading for further information.

***Affected building notices and building product rectifications orders***

50. Council is not aware of any affected building notices or building product rectification orders that are in force in respect of the land.