

Ellen - Cardno  
16 Burelli Street  
Wollongong NSW 2500

## Planning Certificate – Section 10.7 (2 & 5)

Environmental Planning and Assessment Act 1979

### Section 10.7(2) Details

In accordance with the requirements of section 10.7(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.

#### Certificate Information

Certificate Number	1859/22
Certificate Date	19/10/2022
Your Reference	Land and Housing Corp

#### Property Description

Address	Monaro Highway COOMA NSW 2630
Land Title	Lot: 2 DP: 1285072
Assessment Number	41004268

This certificate provides information on how a property (such as land and buildings) may be used and the limits on its development. The certificate contains information Council is aware of through its records and environmental plans, along with data supplied by the State Government.

Snowy Monaro Regional Council does not accept any liability for anything contained in this certificate which has been supplied by third-party sources and does not warrant the accuracy of the contents.

All users of this certificate must acknowledge that Snowy Monaro Regional Council does not owe them any duty of care and they indemnify Snowy Monaro Regional Council from all claims demands suits actions and proceedings for damages and consequential loss howsoever arising from their use of this certificate and its contents where third-party information is relied upon.

Column 1 Section 10.7(2) (Schedule 2 EP&A Regulation 2021)	Identification of the matter referred to in Column 1 and the extent to which it applies to the land
1 Names of relevant planning instruments and development control plans	
(1) The name of each environmental planning instrument that applies to the carrying out of development on the land.  The name of each development control plan that applies to the carrying out of development on the land.	Cooma-Monaro Local Environmental Plan 2013 See Note 6 for list of State Environmental Planning Policies  Cooma-Monaro Shire Development Control Plan 2014 (Amendment 4)
(2) The name of each proposed environmental planning instrument and draft development control plan, which is or has been subject to community consultation or public exhibition under the Act, that will apply to the carrying out of development on the land.  Note - This does not apply in relation to a proposed environmental planning instrument or draft development control plan if— (a) it has been more than 3 years since the end of the public exhibition period for the proposed instrument or draft plan, or (b) for a proposed environmental planning instrument—the Planning Secretary has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved.	Nil
In this section a proposed environmental planning instrument means a draft environmental planning instrument and includes a planning proposal for a local environmental plan.	
2 Zoning and land use under relevant planning instruments	
The following matters for each environmental planning instrument or draft environmental planning instrument that includes the land in a zone, however described—	
(a) the identity of the zone	R2 Low Density Residential
(b) the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent,	See Note 7 – Land Use Table
(c) the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,	See Note 7 – Land Use Table
(d) the purposes for which the instrument provides that development is prohibited within the zone,	See Note 7 – Land Use Table
(e) whether additional permitted uses apply to the land,	Nil

(f) whether development standards applying to the land fix minimum land dimensions for the erection of a dwelling house on the land and, if so, the fixed minimum land dimensions,	Not Applicable
(g) whether the land is in an area of outstanding biodiversity value under the <a href="#">Biodiversity Conservation Act 2016</a> ,	Not applicable
(h) whether the land is in a conservation area (however described),	Not in Heritage Conservation Area
(i) whether an item of environmental heritage (however described) is situated on the land.	No Heritage Item
3 Contributions plans	
The name of each contributions plan under the Act, Division 7.1 applying to the land, including draft contributions plans.	Cooma-Monaro Shire Council Section 7.11 Contributions Plan:(Management and Administration)
If the land is in a special contributions area under the Act, Division 7.1, the name of the area.	No
4 Complying Development	
(1) If the land is land on which complying development may be carried out under each of the complying development codes under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, because of that Policy, clause 1.17A(1)(c)–(e), (2), (3) or (4), 1.18(1)(c3) or 1.19.	<p>The following Codes are not applicable to this land:</p> <p>Commercial and Industrial Alterations Code</p> <p>Commercial and Industrial (New Buildings and Additions) Code</p> <p>Container Recycling Facilities Code</p> <p>The following Codes are applicable to the land and complying development may be carried out on the whole of the land under these Codes:</p> <p>Nil</p> <p>The following Codes are applicable to the land but due to 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 complying development may only be carried out on part of the land under these Codes:</p> <p>NIL</p> <p>The following Codes are applicable to the land but due to 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 complying development may not be carried out on the whole of the land under these Codes:</p> <p>Housing Alterations Code</p>

	<p>General Development Code</p> <p>Subdivisions Code</p> <p>Demolition Code</p> <p>Fire Safety Code</p> <p>Inland Code</p> <p>Low Rise Housing Diversity Code</p>
<p>(2) If complying development may not be carried out on the land because of one of these clauses clause (1.17A(1)(c)–(e), (2), (3) or (4), 1.18(1)(c3) or 1.19), the reasons why it may not be carried out under the clause.</p>	<p>For the Codes listed above that may only be carried out on part of the land or may not be carried out on any part of the land the reasons why complying development may not be carried out are as follows:</p> <p>The land is wholly affected by specific land exemptions being land identified as environmentally sensitive land as it is subject to considerations associated with the Terrestrial Biodiversity clauses contained in the relevant Local Environmental Plan.</p> <p>If complying development is permitted on only part of the land due to the above restrictions, the extent to which these restrictions apply to the land can be found on the NSW Planning Portal website maps at <a href="http://www.planningportal.nsw.gov.au">www.planningportal.nsw.gov.au</a>. These map(s) are based on the legislated maps/s for Cooma-Monaro Local Environmental Plan 2013, Snowy Rover Local Environment Plan 2013 and Bombala Local Environment Plan 2012 and represent the best information Council has on the extent to which the above restrictions affect this land.</p>
<p>(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—</p> <p>(a) a restriction applies to the land, but it may not apply to all of the land, and</p> <p>(b) 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.</p>	Not Applicable
<p>(4) If the complying development codes are varied, under that Policy, clause 1.12, in relation to the land.</p>	Yes - Inland Code is varied
	See Note 3 at the end of this Certificate for further information.

5 Exempt development	
(1) If the land is land on which exempt development may be carried out under each of the exempt development codes under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, because of that Policy, clause 1.16(1)(b1)–(d) or 1.16A.	
(2) If exempt development may not be carried out on the land because of 1 of those clauses, the reasons why it may not be carried out under the clause.	Not Applicable
(3) If the council does not have sufficient information to ascertain the extent to which exempt development may or may not be carried out on the land, a statement that— (a) a restriction applies to the land, but it may not apply to all of the land, and (b) 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.	Not Applicable
(4) If the exempt development codes are varied, under that Policy, clause 1.12, in relation to the land.	Not applicable
6 Affected building notices and building product rectification orders	
(1) Whether the council is aware that—	
(a) an affected building notice is in force in relation to the land, or	No affected building notice.
(b) a building product rectification order is in force in relation to the land that has not been fully complied with, or	No building product rectification order.
(c) a notice of intention to make a building product rectification order given in relation to the land is outstanding.	No notice of intention to make a building rectification order.
In this section - 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.	
7 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.	Council has not been advised that any 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 3.15 of the Act
8 Road widening and road realignment	
Whether or not the land is affected by any road widening or road realignment under:	

(a)	Division 2 of Part 3 of the Roads Act 1993, or	No
(b)	any environmental planning instrument, or	No
(c)	any resolution of the council.	No
9	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.	No
(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.	No
(3)	<p>In this section—</p> <p>flood planning area has the same meaning as in the Floodplain Development Manual.</p> <p>Floodplain Development Manual means the Floodplain Development Manual (ISBN 0 7347 5476 0) published by the NSW Government in April 2005.</p> <p>probable maximum flood has the same meaning as in the Floodplain Development Manual.</p>	
(3)	Words and expressions in this clause have the same meanings as in the standard instrument set out in the Standard Instrument (Local Environmental Plans) Order 2006.	
10	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	No (see Note below)
(b)	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,	Council has been advised by the NSW Department of Planning that in accordance with section 4.14 of the Environmental Planning and Assessment Act 1979 Council is required to be satisfied that a development complies with 'Planning for Bushfire Protection 2019' where that development is within land identified as bushfire prone.
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),		
<p>Note: 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:</p> <p>(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,</p> <p>(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,</p> <p>(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,</p> <p>(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,</p> <p>(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.</p>		
Contaminated Land		
As of the date of this certificate, Council has no records to indicate that the site is potentially contaminated.		

It is recommended that you ensure that the land has not in the past been used for certain purposes which could have involved the use of contaminants. A list of potentially contaminating uses is outlined in Attachment "A" to the end of this planning certificate.

Refer to Cooma Monaro Development Control Plan 2014 / Snowy River Development Control Plan 2013 / Bombala Development Control Plan 2012 – Planning Guidelines prepared by the Environment Protection Authority and the Department of Urban Affairs and Planning (1998). The guidelines are underpinned by State Environmental Planning Policy No 55 – Remediation of Land (SEPP 55), and the Contaminated Lands Management Act 1987.

In addition, Council has not been made aware of the land being subject to the following:

- land declared to be significantly contaminated land;
- land subject to a management order;
- land subject of an approved voluntary management proposal;
- land subject to an ongoing maintenance order; or
- subject of a site audit statement

Note: Council has recently been provided with mapping information from the Department of Industry – Resources and Energy in conjunction with the NSW Governments Heads of Asbestos Coordination Authorities (HACA) in relation to the presence of 'Naturally Occurring Asbestos' (NOA) within the Shire. The HACA has also published information on what can be done to avoid contact with NOA. This information can be viewed at <http://www.resourcesandenergy.nsw.gov.au/miners-and-explorers/safety-and-health/topics/NOA> where there is a link to mapping and other information. The HACA has also published information on what can be done to avoid contact with NOA. Council has adopted an Asbestos Policy which includes provisions applicable to NOA. Council was not aware of the presence of NOA in the Shire when this Policy was adopted, and has no knowledge of any confirmed NOA sites. However following receipt of the mapping information Council is currently in the process of developing risk controls, guidance materials and an asbestos management plan in accordance with the adopted Asbestos Policy. The confirmed presence of naturally occurring asbestos on a site may result in restrictions being imposed upon future development of the site in accordance with the provisions of the Asbestos Policy.

#### 11 Bush fire prone land

(1) 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.

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

All of the land is bushfire prone.

Information relied on to answer the above question has been provided to Council by the NSW Rural Fire Service, for more information regarding the above information please contact the NSW Rural Fire Service. ([www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au))

#### 12 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.

Council is not aware of any residential dwelling erected on this land which has been identified in the Loose-Fill Asbestos Insulation Register as containing loose fill asbestos ceiling insulation. Contact NSW Fair Trading if further information is required.

#### 13 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
14 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.	No
(2) The date of any subdivision order that applies to the land.	No
(3) Words and expressions used in this clause have the same meaning as they have in Part 16C of this Regulation.	No
15 Property Vegetation Plans	
If the land is land in relation to which a property vegetation plan is approved and in force under the Native Vegetation Act 2003, Part 4, 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 PVP applicable
16 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
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.	
17 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.	
If the land is land to which a property vegetation plan 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 PVP applicable
18 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	No



if the council has been notified of the order).	
19 Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works	
(1) If the Coastal Management Act 2016 applies to the council, whether the owner, or a previous owner, of the land has given written consent to the land being subject to annual charges under the Local Government Act 1993, section 496B, for coastal protection services that relate to existing coastal protection works.	No
20 Western Sydney Aerotropolis	
Whether under State Environmental Planning Policy (Precincts—Western Parkland City) 2021, Chapter 4 the land is— (a) in an ANEF or ANEC contour of 20 or greater, as referred to in that Chapter, section 4.17, or (b) shown on the Lighting Intensity and Wind Shear Map, or (c) shown on the Obstacle Limitation Surface Map, or (d) in the “public safety area” on the Public Safety Area Map, or (e) in the “3 kilometre wildlife buffer zone” or the “13 kilometre wildlife buffer zone” on the Wildlife Buffer Zone Map.	NA
21 Development consent conditions for seniors housing	
If State Environmental Planning Policy (Housing) 2021, Chapter 3, Part 5 applies to the land, any conditions of a development consent granted after 11 October 2007 in relation to the land that are of the kind set out in that Policy, section 88(2).	Need to check any seniors living that was approved 2007.
22 Site compatibility certificates and conditions for affordable rental housing	
1) Whether there is a current site compatibility certificate under State Environmental Planning Policy (Housing) 2021, or a former site compatibility certificate, of which the council is aware, in relation to proposed development on the land and, if there is a certificate— (a) the period for which the certificate is current, and (b) that a copy may be obtained from the Department.	No
2) If State Environmental Planning Policy (Housing) 2021, Chapter 2, Part 2, Division 1 or 5 applies to the land, any conditions of a development consent in relation to the land that are of a kind referred to in that Policy, section 21(1) or 40(1).	No

(3) Any conditions of a development consent in relation to land that are of a kind referred to in State Environmental Planning Policy (Affordable Rental Housing) 2009, clause 17(1) or 38(1).	No
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## IMPORTANT NOTES – SECTION 10.7(2) CERTIFICATE

### Note 1 Terms of Reference

This Certificate does not make reference to the physical conditions of the property. Consequently no inspections have been made in respect of:

- (a) The presence or otherwise of noxious weeds on the property,
- (b) The condition of any structure/s on the land and associated infrastructure.

No advice is included in this Certificate in respect of outstanding or unauthorised works.

Should applicants require such details, that may be in addition to information provided in a S10.7(2) & (5) Certificate, application should be made, accompanied by the appropriate fee for such inspections.

### Note 2 Biosecurity (Weeds)

Weeds are a major environmental threat to the Snowy Monaro Region's agricultural and environmental assets. People considering purchasing land, particularly rural land, in the Council area are urged to contact Council's Biosecurity (Weeds) team for advice regarding landowners' responsibilities for the control of weeds.

### Note 3 Complying Development

- Under the Inland Code complying development for the erection of a new single-storey or two-storey dwelling house may only be carried out on land that (a) has an area of at least 80 hectares, or (b) is subject to a restriction created under section 88B of the Conveyancing Act 1919 that specifies a building envelope for the lot and was required by the council.
- As per clause 1.18 of the Codes SEPP Complying Development is only possible on land where the development would otherwise be permissible with or without consent under the Council's Local Environmental Plan applicable to the land.
- Complying development may not be carried out on land outside the zonings identified in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, or on a lot which is not entirely within the zoning in the Codes SEPP specified for that particular Complying Development code. Refer to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 for other permissibility criteria.

### Note 4 Important Notice for any maps that relate to this certificate

These maps are not a precise survey document. Accurate locations can only be determined by a survey on the ground.

While every care is taken to ensure the accuracy of this data, neither the Snowy Monaro Regional Council nor the Land and Property Management Authority makes any representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs which you might incur as a result of the data being inaccurate or incomplete in any way and for any reason.

### Note 5 Coinciding Legal and Practical Access

Purchasers of rural and non-urban land are advised to ensure that coinciding legal and practical access can be gained to the property from a public road.

### Note 6 State Environmental Planning Policies

Below is a list of all State Environmental Planning Policies (including publicised draft policies) that apply to Snowy Monaro Regional 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 check the policy for the necessary details.

State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development

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 (Transport and Infrastructure) 2021

State Environmental Planning Policy (Industry and Employment) 2021

State Environmental Planning Policy (Resources and Energy) 2021

State Environmental Planning Policy (Resilience and Hazards) 2021

State Environmental Planning Policy (Precincts – Regional) 2021

State Environmental Planning Policy (Primary Production) 2021

State Environmental Planning Policy (Planning Systems) 2021

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

Note 7 Land use table under Cooma-Monaro Local Environmental Plan 2013

Zone R2 Low Density Residential

Without Consent

Environmental protection works; Home-based child care; Home occupations

With Consent

Bed and breakfast accommodation; Boarding houses; Car parks; Caravan parks; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Environmental facilities; Exhibition homes; Group homes; Home occupations (sex services); Neighbourhood shops; Oyster aquaculture; Places of public worship; Plant nurseries; Pond-based aquaculture; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Respite day care centres; Roads; Seniors housing; Signage; Tank-based aquaculture; Water supply systems

Prohibited

Any other development not specified in item 2 or 3

ATTACHMENT A' – S10.7(2)

Activities which are likely to have contaminated sites because of their past or present use:

- asbestos works;
- chemical and petrochemical works;
- docks and railway land, especially large sidings and depots;
- gasworks, other local carbonisation plants and ancillary by products works;
- industries making or using wood preservatives;
- installations involving the processing or use of radioactive materials;
- landfills and other waste disposal and storage sites, and transfer sites;
- land heavily treated with chemicals for agricultural or other purposes, eg aerial spraying;
- metal mines, smelters, foundries, iron and steel works, metal finishing works;
- mine tailings dumps (including mineral sands tailings);
- munitions production and testing sites;
- oil refineries, petroleum storage and distributions sites;
- paper and printing works;
- pesticide storage areas, areas where vehicles used for the transport and storage of pesticides are washed, and areas where tanks are used to store pesticides;
- plants and heavy engineering installations, eg shipbuilding and shipbreaking;
- power stations and switching yards etc;
- scrap yards;
- stock dipping, eg sheep, cattle etc;
- tanneries

## Section 10.7(5) Details

Advice on such other relevant matters affecting the land as Council is aware.

### Consents Issued – Development Applications/Complying Development Certificates

NIL - There are no development applications associated with the subject property in the last five years

### Dwelling Entitlement

Yes – a dwelling house is permissible with consent

### Subdivision Potential

Yes - According to Council records the lot has an area of 12.32 ha. The minimum lot size as shown on the Lot Size Map in the Cooma Monaro LEP 2013 is 500 sqm as such there may be the potential to subdivide the land with the consent of Council and subject to the requirements of the Cooma Monaro Local Environmental Plan and Cooma Monaro Development Control Plan.

### Other Relevant Strategic Information

Height of Buildings - 8.5m

Floor Space Ratio - 0.4:1

Bushfire Prone Land - YES

Terrestrial Biodiversity - YES

Riparian land and watercourses\ - NIL# Scenic protection area - NIL

Scenic Protection - Lake Eucumbene and Lake Jindabyne scenic protection areas - NIL

Scenic Protection - Eastern approaches to Kosciuszko National Park - NIL

Groundwater Vulnerability - YES

Landslide Risk & Karst Areas - NIL

Wetlands - NIL

### Water & Wastewater

Connection to Council's water supply is available. There is no correct connection.

Connection to Council's sewer supply is available. There is no correct connection.

### Biosecurity (Weeds)

African lovegrass and St John's wort are noted as present and are subject to Local Weed Management Plans as they are priority weeds for the Snowy Monaro Regional Council area. Serrated Tussock is noted as occurring nearby and is a Weed of National Significance and a priority weed for the SMRC area. Preventing the spread of these priority weeds is

required under the Biosecurity Act (2015), whether that is by wind, water, animals or vehicles/plant machinery. For advice or any queries, please call 1300 345 345 to speak with the Biosecurity team.

#### On Site Sewage Management System (OSSMS)

Not Applicable -

#### Contaminated Lands – Clearance Certificate

Not Applicable

#### Conservation Agreement

Not Applicable

#### Naturally Occurring Asbestos

No

## Attachment 1 – New consolidated SEPPs and repealed SEPPs

Planning principle focus area	New consolidated SEPPs	Repealed SEPPs
Primary Production	State Environmental Planning Policy (Primary Production) 2021	State Environmental Planning Policy (Primary Production and Rural Development) 2019; Sydney Regional Environmental Plan No 8 (Central Coast Plateau Areas)
Resources and Energy	State Environmental Planning Policy (Resources & Energy) 2021	State Environmental Planning Policy (Mining Petroleum Production and Extractive Industries) 2007; Sydney Regional Environmental Plan No. 9 – Extractive Industries (No 2 – 1995)
Resilience and Hazards	State Environmental Planning Policy (Resilience and Hazards) 2021	State Environmental Planning Policy (Coastal Management) 2018; State Environmental Planning Policy 33 - Hazardous and Offensive Development; State Environmental Planning Policy 55 - Remediation of Land
Industry and Employment	State Environmental Planning Policy (Industry & Employment) 2021	State Environmental Planning Policy (Western Sydney Employment Area) 2009; State Environmental Planning Policy 64 - Advertising and Signage
Transport and Infrastructure	State Environmental Planning Policy (Transport and Infrastructure) 2021	State Environmental Planning Policy (Infrastructure) 2007, State Environmental Planning Policy (Educational Establishments and Childcare Facilities) 2017, State Environmental Planning Policy (Major Infrastructure Corridors) 2020; State Environmental Planning Policy (Three Ports) 2013
Biodiversity and Conservation	State Environmental Planning Policy (Biodiversity & Conservation) 2021	State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017; State Environmental Planning Policy (Koala Habitat Protection) 2020; State Environmental Planning Policy (Koala Habitat Protection) 2021; Murray River Regional Environmental Plan No 2—Riverine Land; State Environmental Planning Policy (Bushland in Urban Areas) 2019; State Environmental Planning Policy 50 - Canal Estate Development; State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011; Sydney Regional Environmental Plan 20 - Hawkesbury-Nepean River No. 2 1997; Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005; Greater Metropolitan Regional Environmental Plan No 2—Georges River Catchment; Willandra Lakes Regional Environmental Plan No 1—World Heritage Property
Planning Systems	State Environmental Planning Policy (Planning Systems) 2021	State Environmental Planning Policy (State and Regional Development) 2011; State Environmental Planning Policy (Aboriginal Land) 2019; State Environmental Planning Policy (Concurrences and Consents) 2018
Planning Systems	State Environmental Planning Policy (Precincts – Eastern Harbour City) 2021	State Environmental Planning Policy (State Significant Precincts) 2005; Darling Harbour Development Plan No 1; Sydney Regional Environmental Plan No 26—City West; Sydney Regional Environmental Plan No 16—Walsh Bay; Sydney Regional Environmental Plan No 33—Cooks Cove; State Environmental Planning Policy No 47 – Moore Park Showground
Planning Systems	State Environmental Planning Policy (Precincts – Central River City) 2021	State Environmental Planning Policy (State Significant Precincts) 2005; State Environmental Planning Policy (Sydney Region Growth Centre) 2006; Sydney Regional Environmental Plan 24—Homebush Bay Area; State Environmental Planning Policy (Kurnell Peninsula) 1989; State Environmental Planning Policy (Urban Renewal) 2010
Planning Systems	State Environmental Planning Policy (Western Parkland City) 2021	State Environmental Planning Policy (State Significant Precincts) 2005, State Environmental Planning Policy (Sydney Region Growth Centre) 2006; State Environmental Planning Policy (Western Sydney Aerotropolis) 2020; State Environmental Planning Policy (Penrith Lakes Scheme) 1989; Sydney Regional Environmental Plan No 30—St Marys; State Environmental Planning Policy (Western Sydney Parklands) 2009
Planning Systems	State Environmental Planning Policy (Precincts –	State Environmental Planning Policy (State Significant Precincts) 2005; State Environmental Planning Policy (Activation Precincts) 2020; State Environmental Planning Policy (Kosciuszko National Park—Alpine Resorts) 2007; State



	Regional) 2021	Environmental Planning Policy (Gosford City Centre) 2018
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## Planning Certificate – Section 10.7 (2 & 5)

Environmental Planning and Assessment Act 1979

### Section 10.7(2) Details

In accordance with the requirements of section 10.7(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.

#### Certificate Information

Certificate Number	1860/22
Certificate Date	19/10/2022
Your Reference	Land and Housing Corp

#### Property Description

Address	Monaro Avenue COOMA NSW 2630
Land Title	Lot: 4 DP: 1285072
Assessment Number	40261828

This certificate provides information on how a property (such as land and buildings) may be used and the limits on its development. The certificate contains information Council is aware of through its records and environmental plans, along with data supplied by the State Government.

Snowy Monaro Regional Council does not accept any liability for anything contained in this certificate which has been supplied by third-party sources and does not warrant the accuracy of the contents.

All users of this certificate must acknowledge that Snowy Monaro Regional Council does not owe them any duty of care and they indemnify Snowy Monaro Regional Council from all claims demands suits actions and proceedings for damages and consequential loss howsoever arising from their use of this certificate and its contents where third-party information is relied upon.

Column 1 Section 10.7(2) (Schedule 2 EP&A Regulation 2021)	Identification of the matter referred to in Column 1 and the extent to which it applies to the land
1 Names of relevant planning instruments and development control plans	
(1) The name of each environmental planning instrument that applies to the carrying out of development on the land.  The name of each development control plan that applies to the carrying out of development on the land.	Cooma-Monaro Local Environmental Plan 2013 See Note 6 for list of State Environmental Planning Policies  Cooma-Monaro Shire Development Control Plan 2014 (Amendment 4)
(2) The name of each proposed environmental planning instrument and draft development control plan, which is or has been subject to community consultation or public exhibition under the Act, that will apply to the carrying out of development on the land.  Note - This does not apply in relation to a proposed environmental planning instrument or draft development control plan if— (a) it has been more than 3 years since the end of the public exhibition period for the proposed instrument or draft plan, or (b) for a proposed environmental planning instrument—the Planning Secretary has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved.	Nil
In this section a proposed environmental planning instrument means a draft environmental planning instrument and includes a planning proposal for a local environmental plan.	
2 Zoning and land use under relevant planning instruments	
The following matters for each environmental planning instrument or draft environmental planning instrument that includes the land in a zone, however described—	
(a) the identity of the zone	R2 Low Density Residential
(b) the purposes for which the instrument provides that development may be carried out within the zone without the need for development consent,	See Note 7 – Land Use Table
(c) the purposes for which the instrument provides that development may not be carried out within the zone except with development consent,	See Note 7 – Land Use Table
(d) the purposes for which the instrument provides that development is prohibited within the zone,	See Note 7 – Land Use Table
(e) whether additional permitted uses apply to the land,	Nil

(f) whether development standards applying to the land fix minimum land dimensions for the erection of a dwelling house on the land and, if so, the fixed minimum land dimensions,	Not Applicable
(g) whether the land is in an area of outstanding biodiversity value under the <a href="#">Biodiversity Conservation Act 2016</a> ,	Not applicable
(h) whether the land is in a conservation area (however described),	Not in Heritage Conservation Area
(i) whether an item of environmental heritage (however described) is situated on the land.	No Heritage Item
3 Contributions plans	
The name of each contributions plan under the Act, Division 7.1 applying to the land, including draft contributions plans.	Cooma-Monaro Shire Council Section 7.11 Contributions Plan:(Management and Administration)
If the land is in a special contributions area under the Act, Division 7.1, the name of the area.	No
4 Complying Development	
(1) If the land is land on which complying development may be carried out under each of the complying development codes under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, because of that Policy, clause 1.17A(1)(c)–(e), (2), (3) or (4), 1.18(1)(c3) or 1.19.	<p>The following Codes are not applicable to this land:</p> <ul style="list-style-type: none"> <li>Commercial and Industrial Alterations Code</li> <li>Commercial and Industrial (New Buildings and Additions) Code</li> <li>Container Recycling Facilities Code</li> </ul> <p>The following Codes are applicable to the land and complying development may be carried out on the whole of the land under these Codes:</p> <ul style="list-style-type: none"> <li>Housing Alterations Code</li> <li>Subdivisions Code</li> <li>Demolition Code</li> <li>Fire Safety Code</li> <li>Inland Code</li> <li>Low Rise Housing Diversity Code</li> <li>General Development Code</li> </ul> <p>The following Codes are applicable to the land but due to 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 complying development may only be carried out on part of the land under these Codes:</p> <p>NIL</p>

	<p>The following Codes are applicable to the land but due to 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 complying development may not be carried out on the whole of the land under these Codes:</p> <p>Nil</p>
(2) If complying development may not be carried out on the land because of one of these clauses clause (1.17A(1)(c)–(e), (2), (3) or (4), 1.18(1)(c3) or 1.19), the reasons why it may not be carried out under the clause.	<p>For the Codes listed above that may only be carried out on part of the land or may not be carried out on any part of the land the reasons why complying development may not be carried out are as follows:</p> <p>N/A</p> <p>If complying development is permitted on only part of the land due to the above restrictions, the extent to which these restrictions apply to the land can be found on the NSW Planning Portal website maps at <a href="http://www.planningportal.nsw.gov.au">www.planningportal.nsw.gov.au</a>. These map(s) are based on the legislated maps/s for Cooma-Monaro Local Environment Plan 2013, Snowy Rover Local Environment Plan 2013 and Bombala Local Environment Plan 2012 and represent the best information Council has on the extent to which the above restrictions affect this land.</p>
(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) a restriction applies to the land, but it may not apply to all of the land, and (b) 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.	Not Applicable
(4) If the complying development codes are varied, under that Policy, clause 1.12, in relation to the land.	Yes - Inland Code is varied
	See Note 3 at the end of this Certificate for further information.
<b>5 Exempt development</b>	
(1) If the land is land on which exempt development may be carried out under each of the exempt development codes under State Environmental Planning Policy	

(Exempt and Complying Development Codes) 2008, because of that Policy, clause 1.16(1)(b1)–(d) or 1.16A.	
(2) If exempt development may not be carried out on the land because of 1 of those clauses, the reasons why it may not be carried out under the clause.	Not Applicable
(3) If the council does not have sufficient information to ascertain the extent to which exempt development may or may not be carried out on the land, a statement that— (a) a restriction applies to the land, but it may not apply to all of the land, and (b) 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.	Not Applicable
(4) If the exempt development codes are varied, under that Policy, clause 1.12, in relation to the land.	Not applicable
<b>6 Affected building notices and building product rectification orders</b>	
(1) Whether the council is aware that—	
(a) an affected building notice is in force in relation to the land, or	No affected building notice.
(b) a building product rectification order is in force in relation to the land that has not been fully complied with, or	No building product rectification order.
(c) a notice of intention to make a building product rectification order given in relation to the land is outstanding.	No notice of intention to make a building rectification order.
In this section - 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.	
<b>7 Land reserved for acquisition</b>	
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.	Council has not been advised that any 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 3.15 of the Act
<b>8 Road widening and road realignment</b>	
Whether or not the land is affected by any road widening or road realignment under:	
(a) Division 2 of Part 3 of the Roads Act 1993, or	No
(b) any environmental planning instrument, or	No
(c) any resolution of the council.	No
<b>9 Flood related development controls information</b>	
(1) If the land or part of the land is within the	No

flood planning area and subject to flood related development controls.	
(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.	No
<p>(3) In this section—</p> <p>flood planning area has the same meaning as in the Floodplain Development Manual.</p> <p>Floodplain Development Manual means the Floodplain Development Manual (ISBN 0 7347 5476 0) published by the NSW Government in April 2005.</p> <p>probable maximum flood has the same meaning as in the Floodplain Development Manual.</p>	
(3) Words and expressions in this clause have the same meanings as in the standard instrument set out in the Standard Instrument (Local Environmental Plans) Order 2006.	
10 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	No (see Note below)
(b) 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,	Council has been advised by the NSW Department of Planning that in accordance with section 4.14 of the Environmental Planning and Assessment Act 1979 Council is required to be satisfied that a development complies with 'Planning for Bushfire Protection 2019' where that development is within land identified as bushfire prone.
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),	
<p>Note: 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:</p> <p>(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,</p> <p>(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,</p> <p>(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,</p> <p>(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,</p> <p>(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.</p>	
<p>Contaminated Land</p> <p>As of the date of this certificate, Council has no records to indicate that the site is potentially contaminated.</p> <p>It is recommended that you ensure that the land has not in the past been used for certain purposes which could have involved the use of contaminants. A list of potentially contaminating uses is outlined in Attachment "A" to the end of this planning certificate.</p> <p>Refer to Cooma Monaro Development Control Plan 2014 / Snowy River Development Control Plan 2013 / Bombala Development Control Plan 2012 – Planning Guidelines prepared by the Environment</p>	

Protection Authority and the Department of Urban Affairs and Planning (1998). The guidelines are underpinned by State Environmental Planning Policy No 55 – Remediation of Land (SEPP 55), and the Contaminated Lands Management Act 1987.

In addition, Council has not been made aware of the land being subject to the following:

- land declared to be significantly contaminated land;
- land subject to a management order;
- land subject of an approved voluntary management proposal;
- land subject to an ongoing maintenance order; or
- subject of a site audit statement

Note: Council has recently been provided with mapping information from the Department of Industry – Resources and Energy in conjunction with the NSW Governments Heads of Asbestos Coordination Authorities (HACA) in relation to the presence of 'Naturally Occurring Asbestos' (NOA) within the Shire. The HACA has also published information on what can be done to avoid contact with NOA. This information can be viewed at <http://www.resourcesandenergy.nsw.gov.au/miners-and-explorers/safety-and-health/topics/NOA> where there is a link to mapping and other information. The HACA has also published information on what can be done to avoid contact with NOA. Council has adopted an Asbestos Policy which includes provisions applicable to NOA. Council was not aware of the presence of NOA in the Shire when this Policy was adopted, and has no knowledge of any confirmed NOA sites. However following receipt of the mapping information Council is currently in the process of developing risk controls, guidance materials and an asbestos management plan in accordance with the adopted Asbestos Policy. The confirmed presence of naturally occurring asbestos on a site may result in restrictions being imposed upon future development of the site in accordance with the provisions of the Asbestos Policy.

#### 11 Bush fire prone land

(1) 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.

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

All of the land is bushfire prone.

Information relied on to answer the above question has been provided to Council by the NSW Rural Fire Service, for more information regarding the above information please contact the NSW Rural Fire Service. ([www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au))

#### 12 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.

Council is not aware of any residential dwelling erected on this land which has been identified in the Loose-Fill Asbestos Insulation Register as containing loose fill asbestos ceiling insulation. Contact NSW Fair Trading if further information is required.

#### 13 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

#### 14 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.	No
(2) The date of any subdivision order that applies to the land.	No
(3) Words and expressions used in this clause have the same meaning as they have in Part 16C of this Regulation.	No
15 Property Vegetation Plans	
If the land is land in relation to which a property vegetation plan is approved and in force under the Native Vegetation Act 2003, Part 4, 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 PVP applicable
16 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
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.	
17 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.	
If the land is land to which a property vegetation plan 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 PVP applicable
18 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
19 Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works	
(1) If the Coastal Management Act 2016 applies to	No

the council, whether the owner, or a previous owner, of the land has given written consent to the land being subject to annual charges under the Local Government Act 1993, section 496B, for coastal protection services that relate to existing coastal protection works.	
20 Western Sydney Aerotropolis	
Whether under State Environmental Planning Policy (Precincts—Western Parkland City) 2021, Chapter 4 the land is— (a) in an ANEF or ANEC contour of 20 or greater, as referred to in that Chapter, section 4.17, or (b) shown on the Lighting Intensity and Wind Shear Map, or (c) shown on the Obstacle Limitation Surface Map, or (d) in the “public safety area” on the Public Safety Area Map, or (e) in the “3 kilometre wildlife buffer zone” or the “13 kilometre wildlife buffer zone” on the Wildlife Buffer Zone Map.	NA
21 Development consent conditions for seniors housing	
If State Environmental Planning Policy (Housing) 2021, Chapter 3, Part 5 applies to the land, any conditions of a development consent granted after 11 October 2007 in relation to the land that are of the kind set out in that Policy, section 88(2).	Need to check any seniors living that was approved 2007.
22 Site compatibility certificates and conditions for affordable rental housing	
1) Whether there is a current site compatibility certificate under State Environmental Planning Policy (Housing) 2021, or a former site compatibility certificate, of which the council is aware, in relation to proposed development on the land and, if there is a certificate— (a) the period for which the certificate is current, and (b) that a copy may be obtained from the Department.	No
2) If State Environmental Planning Policy (Housing) 2021, Chapter 2, Part 2, Division 1 or 5 applies to the land, any conditions of a development consent in relation to the land that are of a kind referred to in that Policy, section 21(1) or 40(1).	No
(3) Any conditions of a development consent in relation to land that are of a kind referred to in State Environmental Planning Policy (Affordable Rental Housing) 2009, clause 17(1)	No

or 38(1).	
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## IMPORTANT NOTES – SECTION 10.7(2) CERTIFICATE

### Note 1 Terms of Reference

This Certificate does not make reference to the physical conditions of the property. Consequently no inspections have been made in respect of:

- (a) The presence or otherwise of noxious weeds on the property,
- (b) The condition of any structure/s on the land and associated infrastructure.

No advice is included in this Certificate in respect of outstanding or unauthorised works.

Should applicants require such details, that may be in addition to information provided in a S10.7(2) & (5) Certificate, application should be made, accompanied by the appropriate fee for such inspections.

### Note 2 Biosecurity (Weeds)

Weeds are a major environmental threat to the Snowy Monaro Region's agricultural and environmental assets. People considering purchasing land, particularly rural land, in the Council area are urged to contact Council's Biosecurity (Weeds) team for advice regarding landowners' responsibilities for the control of weeds.

### Note 3 Complying Development

- Under the Inland Code complying development for the erection of a new single-storey or two-storey dwelling house may only be carried out on land that (a) has an area of at least 80 hectares, or (b) is subject to a restriction created under section 88B of the Conveyancing Act 1919 that specifies a building envelope for the lot and was required by the council.
- As per clause 1.18 of the Codes SEPP Complying Development is only possible on land where the development would otherwise be permissible with or without consent under the Council's Local Environmental Plan applicable to the land.
- Complying development may not be carried out on land outside the zonings identified in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, or on a lot which is not entirely within the zoning in the Codes SEPP specified for that particular Complying Development code. Refer to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 for other permissibility criteria.

### Note 4 Important Notice for any maps that relate to this certificate

These maps are not a precise survey document. Accurate locations can only be determined by a survey on the ground.

While every care is taken to ensure the accuracy of this data, neither the Snowy Monaro Regional Council nor the Land and Property Management Authority makes any representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs which you might incur as a result of the data being inaccurate or incomplete in any way and for any reason.

### Note 5 Coinciding Legal and Practical Access

Purchasers of rural and non-urban land are advised to ensure that coinciding legal and practical access can be gained to the property from a public road.

### Note 6 State Environmental Planning Policies

Below is a list of all State Environmental Planning Policies (including publicised draft policies) that apply to Snowy Monaro Regional 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 check the policy for the necessary details.

State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development

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 (Transport and Infrastructure) 2021

State Environmental Planning Policy (Industry and Employment) 2021

State Environmental Planning Policy (Resources and Energy) 2021

State Environmental Planning Policy (Resilience and Hazards) 2021

State Environmental Planning Policy (Precincts – Regional) 2021

State Environmental Planning Policy (Primary Production) 2021

State Environmental Planning Policy (Planning Systems) 2021

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

Note 7 Land use table under Cooma-Monaro Local Environmental Plan 2013

Zone R2 Low Density Residential

Without Consent

Environmental protection works; Home-based child care; Home occupations

With Consent

Bed and breakfast accommodation; Boarding houses; Car parks; Caravan parks; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Environmental facilities; Exhibition homes; Group homes; Home occupations (sex services); Neighbourhood shops; Oyster aquaculture; Places of public worship; Plant nurseries; Pond-based aquaculture; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Respite day care centres; Roads; Seniors housing; Signage; Tank-based aquaculture; Water supply systems

Prohibited

Any other development not specified in item 2 or 3

ATTACHMENT A' – S10.7(2)

Activities which are likely to have contaminated sites because of their past or present use:

- asbestos works;
- chemical and petrochemical works;
- docks and railway land, especially large sidings and depots;
- gasworks, other local carbonisation plants and ancillary by products works;
- industries making or using wood preservatives;
- installations involving the processing or use of radioactive materials;
- landfills and other waste disposal and storage sites, and transfer sites;
- land heavily treated with chemicals for agricultural or other purposes, eg aerial spraying;
- metal mines, smelters, foundries, iron and steel works, metal finishing works;
- mine tailings dumps (including mineral sands tailings);
- munitions production and testing sites;
- oil refineries, petroleum storage and distributions sites;
- paper and printing works;
- pesticide storage areas, areas where vehicles used for the transport and storage of pesticides are washed, and areas where tanks are used to store pesticides;
- plants and heavy engineering installations, eg shipbuilding and shipbreaking;
- power stations and switching yards etc;
- scrap yards;
- stock dipping, eg sheep, cattle etc;
- tanneries

## Section 10.7(5) Details

Advice on such other relevant matters affecting the land as Council is aware.

### Consents Issued – Development Applications/Complying Development Certificates

NIL - There are no development applications associated with the subject property in the last five years

### Dwelling Entitlement

Yes – a dwelling house is permissible with consent

### Subdivision Potential

No – According to Council records the lot has an area of 605 sqm. The minimum lot size as shown on the Lot Size Map in the Cooma Monaro LEP 2013 is 500 sqm as such there is no potential to subdivide the land. The lot has inadequate land to create multiple lots which meet the required lot size of 500 sqm.

### Other Relevant Strategic Information

Height of Buildings - 8.5m

Floor Space Ratio - 0.4:1

Bushfire Prone Land - YES

Terrestrial Biodiversity - NIL

Riparian land and watercourses - NIL

Scenic protection area - NIL

Scenic Protection - Lake Eucumbene and Lake Jindabyne scenic protection areas - NIL

Scenic Protection - Eastern approaches to Kosciuszko National Park - NIL

Groundwater Vulnerability - YES

Landslide Risk & Karst Areas - NIL

Wetlands - NIL

### Water & Wastewater

Connection to Council's water supply is available. There is no current connection.

Connection to Council's sewer supply is available. There is no current connection.

### Biosecurity (Weeds)

African lovegrass and St John's wort are noted as present and are subject to Local Weed Management Plans as they are priority weeds for the Snowy Monaro Regional Council area. Serrated Tussock is noted as occurring nearby and is a Weed of National Significance

and a priority weed for the SMRC area. Preventing the spread of these priority weeds is required under the Biosecurity Act (2015), whether that is by wind, water, animals or vehicles/plant machinery. For advice or any queries, please call 1300 345 345 to speak with the Biosecurity team.

#### On Site Sewage Management System (OSSMS)

Not Applicable -

#### Contaminated Lands – Clearance Certificate

Not Applicable

#### Conservation Agreement

Not Applicable

#### Naturally Occurring Asbestos

No



## Attachment 1 – New consolidated SEPPs and repealed SEPPs

Planning principle focus area	New consolidated SEPPs	Repealed SEPPs
Primary Production	State Environmental Planning Policy (Primary Production) 2021	State Environmental Planning Policy (Primary Production and Rural Development) 2019; Sydney Regional Environmental Plan No 8 (Central Coast Plateau Areas)
Resources and Energy	State Environmental Planning Policy (Resources & Energy) 2021	State Environmental Planning Policy (Mining Petroleum Production and Extractive Industries) 2007; Sydney Regional Environmental Plan No. 9 – Extractive Industries (No 2 – 1995)
Resilience and Hazards	State Environmental Planning Policy (Resilience and Hazards) 2021	State Environmental Planning Policy (Coastal Management) 2018; State Environmental Planning Policy 33 - Hazardous and Offensive Development; State Environmental Planning Policy 55 - Remediation of Land
Industry and Employment	State Environmental Planning Policy (Industry & Employment) 2021	State Environmental Planning Policy (Western Sydney Employment Area) 2009; State Environmental Planning Policy 64 - Advertising and Signage
Transport and Infrastructure	State Environmental Planning Policy (Transport and Infrastructure) 2021	State Environmental Planning Policy (Infrastructure) 2007, State Environmental Planning Policy (Educational Establishments and Childcare Facilities) 2017, State Environmental Planning Policy (Major Infrastructure Corridors) 2020; State Environmental Planning Policy (Three Ports) 2013
Biodiversity and Conservation	State Environmental Planning Policy (Biodiversity & Conservation) 2021	State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017; State Environmental Planning Policy (Koala Habitat Protection) 2020; State Environmental Planning Policy (Koala Habitat Protection) 2021; Murray River Regional Environmental Plan No 2—Riverine Land; State Environmental Planning Policy (Bushland in Urban Areas) 2019; State Environmental Planning Policy 50 - Canal Estate Development; State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011; Sydney Regional Environmental Plan 20 - Hawkesbury-Nepean River No. 2 1997; Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005; Greater Metropolitan Regional Environmental Plan No 2—Georges River Catchment; Willandra Lakes Regional Environmental Plan No 1—World Heritage Property
Planning Systems	State Environmental Planning Policy (Planning Systems) 2021	State Environmental Planning Policy (State and Regional Development) 2011; State Environmental Planning Policy (Aboriginal Land) 2019; State Environmental Planning Policy (Concurrences and Consents) 2018
Planning Systems	State Environmental Planning Policy (Precincts – Eastern Harbour City) 2021	State Environmental Planning Policy (State Significant Precincts) 2005; Darling Harbour Development Plan No 1; Sydney Regional Environmental Plan No 26—City West; Sydney Regional Environmental Plan No 16—Walsh Bay; Sydney Regional Environmental Plan No 33—Cooks Cove; State Environmental Planning Policy No 47 – Moore Park Showground
Planning Systems	State Environmental Planning Policy (Precincts – Central River City) 2021	State Environmental Planning Policy (State Significant Precincts) 2005; State Environmental Planning Policy (Sydney Region Growth Centre) 2006; Sydney Regional Environmental Plan 24—Homebush Bay Area; State Environmental Planning Policy (Kurnell Peninsula) 1989; State Environmental Planning Policy (Urban Renewal) 2010
Planning Systems	State Environmental Planning Policy (Western Parkland City) 2021	State Environmental Planning Policy (State Significant Precincts) 2005, State Environmental Planning Policy (Sydney Region Growth Centre) 2006; State Environmental Planning Policy (Western Sydney Aerotropolis) 2020; State Environmental Planning Policy (Penrith Lakes Scheme) 1989; Sydney Regional Environmental Plan No 30—St Marys; State Environmental Planning Policy (Western Sydney Parklands) 2009
Planning Systems	State Environmental Planning Policy (Precincts –	State Environmental Planning Policy (State Significant Precincts) 2005; State Environmental Planning Policy (Activation Precincts) 2020; State Environmental Planning Policy (Kosciuszko National Park—Alpine Resorts) 2007; State

	Regional) 2021	Environmental Planning Policy (Gosford City Centre) 2018
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