

**APPLICANT:** Bd Infrastructure  
7.03 11/7 45 Clarence Stree  
SYDNEY NSW 2000

**PLANNING CERTIFICATE - under section 10.7  
Environmental Planning and Assessment Act 1979**

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**Property:** 1H Hospital Road CONCORD WEST NSW 2138

**Title:** Lot 2 DP 1280788

<b>Certificate No:</b>	PC2023/1055	<b>Certificate Date:</b>	09/05/2023
<b>Receipt No:</b>	Online Receipt	<b>Certificate Fee:</b>	\$233.00
<b>Land No:</b>	52414	<b>Applicant's Ref:</b>	Concord hospital redevelopment

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**IMPORTANT: Please read this certificate carefully.**

The information provided in this certificate relates only to the land described above. If you need information about an adjoining property or nearby land, a separate certificate will be required.

All information provided is correct as at the date above. Please note, it is possible for changes to occur within a short time and we recommend you only rely upon a very recent certificate.

Please contact Council's Strategic Planning section for further information about this Planning Certificate.

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## SECTION 10.7(2)

In accordance with the requirements of section 10.7(2) of the Environmental Planning and Assessment Act (1979) ("the Act"), the following prescribed matters relate to the land at the date of this certificate.

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### SECTION 1 - Names of relevant planning instruments and development control plans

**1. (a) *The following environmental planning instruments apply to the carrying out of development on the land:***

Canada Bay Local Environmental Plan 2013

State Environmental Planning Policy (Biodiversity and Conservation) 2021  
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004  
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008  
State Environmental Planning Policy (Housing) 2021  
State Environmental Planning Policy (Industry and Employment) 2021  
State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development  
State Environmental Planning Policy (Planning Systems) 2021  
State Environmental Planning Policy (Precincts – Central River City) 2021  
State Environmental Planning Policy (Primary Production) 2021  
State Environmental Planning Policy (Resilience and Hazards) 2021  
State Environmental Planning Policy (Resources and Energy) 2021  
State Environmental Planning Policy (Sustainable Buildings) 2022  
State Environmental Planning Policy (Transport and Infrastructure) 2021

**(b) *The following development control plans apply to the carrying out of development on the land:***

City of Canada Bay Development Control Plan  
Sydney Harbour Foreshores & Waterways Area Development Control Plan

**2. (a) *The following proposed environmental planning instruments apply to the carrying out of development on the land and are, or have been, the subject of community consultation or on public exhibition under the Environmental Planning and Assessment Act 1979:***

Explanation of Intended Effect – Special Flood Considerations Clause – exhibition 17 January 2023 to 28 February 2023

***(b) The following draft development control plans apply to the carrying out of development on the land and are, or have been, the subject of community consultation or on public exhibition under the Environmental Planning and Assessment Act 1979:***

No draft development control plans apply

Note:

1. A proposed environmental planning instrument or draft development control plan is not listed in subsection 2 if:
  - a) It has been more than 3 years since the end of the public exhibition period, or
  - b) The Planning Secretary has notified council that the making of the proposed instrument has been deferred indefinitely or has not been approved.
2. In this section a proposed environmental planning instrument means a draft environmental planning instrument and includes a planning proposal for a local environmental plan.

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## **SECTION 2 - Zoning and land use under relevant planning instruments**

1. (a) ***Zoning details in the environmental planning instruments identified in Section 1(1(a)) above:***

### **Zone C2 Environmental Conservation**

#### **1 Objectives of zone**

- To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.
- To prevent development that could destroy, damage or otherwise have an adverse effect on those values.

#### **2 Permitted without consent**

Environmental protection works

#### **3 Permitted with consent**

Environmental facilities; Information and education facilities; Jetties; Roads; Water recreation structures

#### **4 Prohibited**

Business premises; Hotel or motel accommodation; Industries; Multi dwelling housing; Recreation facilities (major); Residential flat buildings; Restricted premises; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3

### **Zone SP2 Infrastructure**

#### **1 Objectives of zone**

- To provide for infrastructure and related uses.
- To prevent development that is not compatible with or that may detract from the provision of infrastructure.
- To ensure that works are compatible with and protect the biodiversity values of the natural environment.

#### **2 Permitted without consent**

Environmental protection works

**3 Permitted with consent**

Roads; The purpose shown on the Land Zoning Map including any development that is ordinarily incidental or ancillary to development for that purpose

**4 Prohibited**

Any development not specified in item 2 or 3

**(b) Additional permitted uses:**

No additional uses apply

**(c) Are there development standards applying to the land, which fix minimum land dimensions for the erection of a dwelling house on the land, and if so, what are the fixed dimensions?**

No fixed minimum land dimensions apply to this land

**(d) Is the land in an area of outstanding biodiversity value under the Biodiversity Conservation Act 2016?**

No, the land is not in an area of outstanding biodiversity value

**(e) Is the land within a conservation area?**

No, the land is not within a conservation area

**(f) Is there an item of environmental heritage located on the land?**

Yes

**2. (a) Zoning details in the proposed environmental planning instruments identified in Section 1(2(a)) above:**

No proposed zoning applies to the land

**(b) Proposed additional permitted uses:**

No proposed additional uses apply

**(c) Are there proposed development standards applying to the land, which fix minimum land dimensions for the erection of a dwelling house on the land, and if so, what are the fixed minimum dimensions?**

No proposed fixed minimum land dimensions apply to the land.

**(d) Is the land in a proposed area of outstanding biodiversity value under the Biodiversity Conservation Act 2016?**

No, the land is not in a proposed area of outstanding biodiversity value.

**(e) Is the land within a proposed heritage conservation area?**

No, the land is not within a proposed heritage conservation area

**(f) Is there a proposed item of environmental heritage located on the land?**

No, there are no proposed heritage items located on the land

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### **SECTION 3 – Contributions plans**

**1. (a) The following contributions plans apply to the land**

City of Canada Bay Local Infrastructure Contributions Plan

**(b) The following draft contributions plans apply to the land:-**

No draft contributions plans apply to the land

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### **SECTION 4 – Complying Development**

**1. Is the land, land on which complying development may be carried out under 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?**

***Housing Code (Part 3)***

No, to the extent that the land is affected by specific land exemptions listed below. You should consult the relevant local environmental plan maps to determine the extent of affection over the land.

Land that is identified as Class 1 or 2. However, if the land exemption only applies to part of the lot the exclusion does not apply to the remainder of the lot. Refer to Acid Sulfate Soils Maps for further detail on the part of the lot that may be affected.

The land is zoned C2 Environmental Conservation and is therefore identified as being within an ecologically sensitive area. However, if the land exemption only applies to part of the lot the exclusion does not apply to the remainder of the lot. Refer to Land Zoning Maps for further detail on the part of the lot that may be affected.

Land that comprises, or on which there is, a heritage item or draft heritage item. Refer to Heritage Maps.

Land that comprises, or on which there is, an item that is listed on the State Heritage Register under the Heritage Act 1977 or that is subject to an interim heritage order under the Heritage Act 1977. Refer to Heritage NSW for further detail on the part of the lot that may be affected.

The land is Environmentally Sensitive Land. However, if the land exemption only applies

to part of the lot the exclusion does not apply to the remainder of the lot. Refer to Environmentally Sensitive Land Maps for further detail on the part of the lot that may be affected.

### ***Rural Housing Code (Part 3A)***

No, to the extent that the land is affected by specific land exemptions listed below. You should consult the relevant local environmental plan maps to determine the extent of affection over the land.

Land that is identified as Class 1 or 2. However, if the land exemption only applies to part of the lot the exclusion does not apply to the remainder of the lot. Refer to Acid Sulfate Soils Maps for further detail on the part of the lot that may be affected.

The land is zoned C2 Environmental Conservation and is therefore identified as being within an ecologically sensitive area. However, if the land exemption only applies to part of the lot the exclusion does not apply to the remainder of the lot. Refer to Land Zoning Maps for further detail on the part of the lot that may be affected.

Land that comprises, or on which there is, a heritage item or draft heritage item. Refer to Heritage Maps.

The land is Environmentally Sensitive Land. However, if the land exemption only applies to part of the lot the exclusion does not apply to the remainder of the lot. Refer to Environmentally Sensitive Land Maps for further detail on the part of the lot that may be affected.

### ***Low Rise Housing Diversity Code (Part 3B)***

No, to the extent that the land is affected by specific land exemptions listed below. You should consult the relevant local environmental plan maps to determine the extent of affection over the land.

Land that is identified as Class 1 or 2. However, if the land exemption only applies to part of the lot the exclusion does not apply to the remainder of the lot. Refer to Acid Sulfate Soils Maps for further detail on the part of the lot that may be affected.

The land is zoned C2 Environmental Conservation and is therefore identified as being within an ecologically sensitive area. However, if the land exemption only applies to part of the lot the exclusion does not apply to the remainder of the lot. Refer to Land Zoning Maps for further detail on the part of the lot that may be affected.

Land that comprises, or on which there is, a heritage item or draft heritage item. Refer to Heritage Maps.

Land that comprises, or on which there is, an item that is listed on the State Heritage Register under the Heritage Act 1977 or that is subject to an interim heritage order under the Heritage Act 1977. Refer to Heritage NSW for further detail on the part of the lot that may be affected.

The land is Environmentally Sensitive Land. However, if the land exemption only applies to part of the lot the exclusion does not apply to the remainder of the lot. Refer to Environmentally Sensitive Land Maps for further detail on the part of the lot that may be affected.

***Greenfield Housing Code (Part 3C)***

No, to the extent that the land is affected by specific land exemptions listed below. You should consult the relevant local environmental plan maps to determine the extent of affection over the land.

Land that is identified as Class 1 or 2. However, if the land exemption only applies to part of the lot the exclusion does not apply to the remainder of the lot. Refer to Acid Sulfate Soils Maps for further detail on the part of the lot that may be affected.

The land is zoned C2 Environmental Conservation and is therefore identified as being within an ecologically sensitive area. However, if the land exemption only applies to part of the lot the exclusion does not apply to the remainder of the lot. Refer to Land Zoning Maps for further detail on the part of the lot that may be affected.

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Land that comprises, or on which there is, an item that is listed on the State Heritage Register under the Heritage Act 1977 or that is subject to an interim heritage order under the Heritage Act 1977. Refer to Heritage NSW for further detail on the part of the lot that may be affected.

The land is Environmentally Sensitive Land. However, if the land exemption only applies to part of the lot the exclusion does not apply to the remainder of the lot. Refer to Environmentally Sensitive Land Maps for further detail on the part of the lot that may be affected.

***Inland Code (Part 3D)***

No, to the extent that the land is affected by specific land exemptions listed below. You should consult the relevant local environmental plan maps to determine the extent of affection over the land.

Land that is identified as Class 1 or 2. However, if the land exemption only applies to part of the lot the exclusion does not apply to the remainder of the lot. Refer to Acid Sulfate Soils Maps for further detail on the part of the lot that may be affected.

The land is zoned C2 Environmental Conservation and is therefore identified as being within an ecologically sensitive area. However, if the land exemption only applies to part of the lot the exclusion does not apply to the remainder of the lot. Refer to Land Zoning Maps for further detail on the part of the lot that may be affected.

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The land is Environmentally Sensitive Land. However, if the land exemption only applies to part of the lot the exclusion does not apply to the remainder of the lot. Refer to Environmentally Sensitive Land Maps for further detail on the part of the lot that may be affected.

***Housing Alterations Code (Part 4)***

No, to the extent that the land is affected by specific land exemptions listed below. You should consult the relevant local environmental plan maps to determine the extent of affection over the land.

The land is zoned C2 Environmental Conservation and is therefore identified as being within an ecologically sensitive area. However, if the land exemption only applies to part of the lot the exclusion does not apply to the remainder of the lot. Refer to Land Zoning Maps for further detail on the part of the lot that may be affected.

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Land that comprises, or on which there is, an item that is listed on the State Heritage Register under the Heritage Act 1977 or that is subject to an interim heritage order under the Heritage Act 1977. Refer to Heritage NSW for further detail on the part of the lot that may be affected.

***General Development Code (Part 4A)***

No, to the extent that the land is affected by specific land exemptions listed below. You should consult the relevant local environmental plan maps to determine the extent of affection over the land.

The land is zoned C2 Environmental Conservation and is therefore identified as being within an ecologically sensitive area. However, if the land exemption only applies to part of the lot the exclusion does not apply to the remainder of the lot. Refer to Land Zoning Maps for further detail on the part of the lot that may be affected.

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Land that comprises, or on which there is, an item that is listed on the State Heritage Register under the Heritage Act 1977 or that is subject to an interim heritage order under the Heritage Act 1977. Refer to Heritage NSW for further detail on the part of the lot that may be affected.

***Industrial and Business Alterations Code (Part 5)***

No, to the extent that the land is affected by specific land exemptions listed below. You should consult the relevant local environmental plan maps to determine the extent of affection over the land.

The land is zoned C2 Environmental Conservation and is therefore identified as being within an ecologically sensitive area. However, if the land exemption only applies to part of the lot the exclusion does not apply to the remainder of the lot. Refer to Land Zoning Maps for further detail on the part of the lot that may be affected.

Land that comprises, or on which there is, a heritage item or draft heritage item. Refer to Heritage Maps.

Land that comprises, or on which there is, an item that is listed on the State Heritage



Register under the Heritage Act 1977 or that is subject to an interim heritage order under the Heritage Act 1977. Refer to Heritage NSW for further detail on the part of the lot that may be affected.

***Industrial and Business Buildings Code (Part 5A)***

No, to the extent that the land is affected by specific land exemptions listed below. You should consult the relevant local environmental plan maps to determine the extent of affection over the land.

Land that is identified as Class 1 or 2. However, if the land exemption only applies to part of the lot the exclusion does not apply to the remainder of the lot. Refer to Acid Sulfate Soils Maps for further detail on the part of the lot that may be affected.

The land is zoned C2 Environmental Conservation and is therefore identified as being within an ecologically sensitive area. However, if the land exemption only applies to part of the lot the exclusion does not apply to the remainder of the lot. Refer to Land Zoning Maps for further detail on the part of the lot that may be affected.

Land that comprises, or on which there is, a heritage item or draft heritage item. Refer to Heritage Maps.

Land that comprises, or on which there is, an item that is listed on the State Heritage Register under the Heritage Act 1977 or that is subject to an interim heritage order under the Heritage Act 1977. Refer to Heritage NSW for further detail on the part of the lot that may be affected.

The land is Environmentally Sensitive Land. However, if the land exemption only applies to part of the lot the exclusion does not apply to the remainder of the lot. Refer to Environmentally Sensitive Land Maps for further detail on the part of the lot that may be affected.

***Container Recycling Facilities Code (Part 5B)***

No, to the extent that the land is affected by specific land exemptions listed below. You should consult the relevant local environmental plan maps to determine the extent of affection over the land.

The land is zoned C2 Environmental Conservation and is therefore identified as being within an ecologically sensitive area. However, if the land exemption only applies to part of the lot the exclusion does not apply to the remainder of the lot. Refer to Land Zoning Maps for further detail on the part of the lot that may be affected.

Land that comprises, or on which there is, a heritage item or draft heritage item. Refer to Heritage Maps.

Land that comprises, or on which there is, an item that is listed on the State Heritage Register under the Heritage Act 1977 or that is subject to an interim heritage order under the Heritage Act 1977. Refer to Heritage NSW for further detail on the part of the lot that may be affected.

***Subdivisions Code (Part 6)***

No, to the extent that the land is affected by specific land exemptions listed below. You should consult the relevant local environmental plan maps to determine the extent of

affection over the land.

The land is zoned C2 Environmental Conservation and is therefore identified as being within an ecologically sensitive area. However, if the land exemption only applies to part of the lot the exclusion does not apply to the remainder of the lot. Refer to Land Zoning Maps for further detail on the part of the lot that may be affected.

Land that comprises, or on which there is, a heritage item or draft heritage item. Refer to Heritage Maps.

Land that comprises, or on which there is, an item that is listed on the State Heritage Register under the Heritage Act 1977 or that is subject to an interim heritage order under the Heritage Act 1977. Refer to Heritage NSW for further detail on the part of the lot that may be affected.

#### ***Demolition Code (Part 7)***

No, to the extent that the land is affected by specific land exemptions listed below. You should consult the relevant local environmental plan maps to determine the extent of affection over the land.

The land is zoned C2 Environmental Conservation and is therefore identified as being within an ecologically sensitive area. However, if the land exemption only applies to part of the lot the exclusion does not apply to the remainder of the lot. Refer to Land Zoning Maps for further detail on the part of the lot that may be affected.

Land that comprises, or on which there is, a heritage item or draft heritage item. Refer to Heritage Maps.

#### ***Fire Safety Code (Part 8)***

No, to the extent that the land is affected by specific land exemptions listed below. You should consult the relevant local environmental plan maps to determine the extent of affection over the land.

The land is zoned C2 Environmental Conservation and is therefore identified as being within an ecologically sensitive area. However, if the land exemption only applies to part of the lot the exclusion does not apply to the remainder of the lot. Refer to Land Zoning Maps for further detail on the part of the lot that may be affected.

Land that comprises, or on which there is, a heritage item or draft heritage item. Refer to Heritage Maps.

Land that comprises, or on which there is, an item that is listed on the State Heritage Register under the Heritage Act 1977 or that is subject to an interim heritage order under the Heritage Act 1977. Refer to Heritage NSW for further detail on the part of the lot that may be affected.

## **2. Is there a complying development code variation under clause 1.12 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* that applies to the land?**

No, there are no complying development code variations that apply to the land.

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## SECTION 5 – Exempt Development

1. ***Is the land, land on which exempt development may be carried out under clauses 1.16(1)(b1) to (d) or 1.16A of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008?***

***Outstanding Biodiversity Value***

Yes, exempt development may be carried out on the land as it is not a declared area of outstanding biodiversity value under the Biodiversity Conservation Act 2016.

***Critical Habitat***

Yes, exempt development may be carried out on the land as it is not a declared critical habitat under Part 7A of the Fisheries Management Act 1994.

***Wilderness Area***

Yes, exempt development may be carried out on the land as it is not a wilderness area, or part of a wilderness area within the meaning of the Wilderness Act 1987.

***State Heritage***

Yes, exempt development may be carried out on the land as it is not land that is, or on which there is, an item that is listed on the State Heritage Register, or that is subject to an interim heritage order under the Heritage Act 1977.

***Land Excluded***

Yes, exempt development may be carried out on the land as it is not land described or otherwise identified on a map as land that is excluded from the General Exempt Development Code.

***Siding Spring Observatory***

Yes, exempt development may be carried out on the land as it is not within 18 kilometres of the Siding Spring Observatory.

2. ***Is there an exempt development code variation under clause 1.12 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 that applies to the land?***

No, there are no exempt development code variations that apply to the land.

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## SECTION 6 – Affected building notices and building product rectification orders

***Is council aware that:***

1. ***An affected building notice is in force in relation to the land?***

No

2. A building product rectification order in force is in relation to the land that has not been fully complied with?  
  
No
3. A notice of intention to make a building product rectification order given in relation to the land that is outstanding?  
  
No

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## SECTION 7 - Land reserved for acquisition

*Is there an environmental planning instrument, or proposed environmental planning instrument referred to in Section 1 which makes provision in relation to the acquisition of the land by an authority of the State, as referred to in section 3.15 of the Environmental Planning and Assessment Act 1979?*

No

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## SECTION 8 – Road widening and road realignment

*Is the land affected by any road widening or road realignment under:*

- (a) Division 2 of Part 3 of the Roads Act 1993; or
- (b) Any environmental planning instrument; or
- (c) Any resolution of the Council?

No

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## SECTION 9 – Flood related development controls

1. *Is the land or part of the land within the flood planning area and subject to flood related development controls.*

Unknown, Council has not undertaken a flood study in this location. Please refer to Council's Planning Controls webpage for more information on Flood Planning.

2. *Is the land or part of the land between the flood planning area and the probable maximum flood and subject to flood related development controls.*

Unknown, Council has not undertaken a flood study in this location. Please refer to Council's Planning Controls webpage for more information on Flood Planning.

**SECTION 10 – Council and other public authority policies on hazard risk restrictions****(a) Whether or not any of the land affected by a policy adopted by the Council that restricts the development of the land because of the likelihood of:-**

- |       |                     |     |
|-------|---------------------|-----|
| (i)   | land slip           | No  |
| (ii)  | bushfire            | No  |
| (iii) | tidal inundation    | No  |
| (iv)  | subsidence          | No  |
| (v)   | acid sulphate soils | Yes |

The land is identified as being within Class 2 on the Acid Sulfate Soil Map under the Canada Bay LEP 2013. Works prohibited without Council approval (except as provided by subclause 4 of clause 6.1 of the Canada Bay LEP 2013) include:

- Works below the natural ground surface
- Works by which the watertable is likely to be lowered.

- |      |               |     |
|------|---------------|-----|
| (vi) | contamination | Yes |
|------|---------------|-----|

Council has adopted by resolution a policy on contaminated land that applies to all land within the City of Canada Bay. This policy, and the application of provisions under relevant State legislation are to be implemented when zoning or land use changes are proposed on lands which have previously been used for certain purposes. Please note that this statement refers to whether or not Council has a policy regarding contamination and is not a statement on whether the property is affected by contamination or potential contamination. Please refer to Planning Certificate 10.7(2) – Additional Matters and Planning Certificate 10.7(5) for any contamination information that Council is aware of in relation to the land that is the subject of this certificate.

- |       |                |    |
|-------|----------------|----|
| (vii) | aircraft noise | No |
|-------|----------------|----|

- |        |          |    |
|--------|----------|----|
| (viii) | salinity | No |
|--------|----------|----|

- |      |                 |    |
|------|-----------------|----|
| (ix) | coastal hazards | No |
|------|-----------------|----|

- |     |                |    |
|-----|----------------|----|
| (x) | sea level rise | No |
|-----|----------------|----|

**(b) Whether or not any of the land is affected by a policy adopted by any other public authority and notified to the Council that the policy will be included in a planning certificate issued by the Council that restricts the development of the land because of the likelihood of:-**

- |       |                     |    |
|-------|---------------------|----|
| (i)   | land slip           | No |
| (ii)  | bushfire            | No |
| (iii) | tidal inundation    | No |
| (iv)  | subsidence          | No |
| (v)   | acid sulphate soils | No |

(vi)	land contamination	No
(vii)	aircraft noise	No
(viii)	salinity	No
(ix)	coastal hazards	No
(x)	sea level rise	No

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### SECTION 11 – Bush fire prone land

- |     |  |     |
|-----|--|-----|
| (a) | <i>All of the land is bush fire prone land.</i>  | No  |
| (b) | <i>Some of the land is bush fire prone land.</i> | No  |
| (c) | <i>None of the land is bush fire prone land.</i> | Yes |
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### SECTION 12 – Loose – fill asbestos insulation

*Has Council been notified that 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?*

No. Contact NSW Fair Trading for more information.

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### Section 13 – Mine subsidence

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

No

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### SECTION 14 – Paper subdivision information

1. *Has a development plan been adopted that applies to the land or that is proposed to be subject to a ballot?*

No

2. *Does a subdivision order apply to the land, and if so what is the date of the order?*

No

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### SECTION 15 – Property vegetation plans

***Has Council been notified (by the person or body that approved the plan) of the existence of a property vegetation plan approved under Part 4 of the Native Vegetation Act 2003 (and that continues in force) applying to the land?***

No

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#### **SECTION 16 – Biodiversity stewardship sites**

***Has Council been notified by the Biodiversity Conservation Trust that the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the Biodiversity Conservation Act 2016 (including biobanking agreements under Part 7A of the Threatened Species Conservation Act 1995 that are taken to be certified under Part 5 of the Biodiversity Conservation Act 2016 )?***

No

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#### **SECTION 17 - Biodiversity certified land**

***Is the land biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016 (including 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)?***

No

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#### **SECTION 18 – Orders under Trees (Disputes Between Neighbours) Act 2006**

***Has Council been notified that 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?***

No

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#### **SECTION 19 – Annual charges under Local Government Act 1993 for coastal protection services that relate to existing coastal protection works**

***Has the owner (or any previous owner) of the land consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act)?***

No

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#### **SECTION 20 – Western Sydney Aerotropolis**

***Under Chapter 4 of State Environmental Planning Policy (Precincts – Western Parkland City) 2021 is the land:***

- (a) *In an ANEF or ANEC contour of 20 or greater, as referred to in that Chapter, section 4.17, or*

No

- (b) *Shown on the Lighting Intensity and Wind Shear Map, or*

No

- (c) *Shown on the Obstacle Limitation Surface Map, or*

No

- (d) *In the “public safety area” on the Public Safety Area Map, or*

No

- (e) *In the “3 kilometre wildlife buffer zone” or the “13 kilometre wildlife buffer zone” on the Wildlife Buffer Zone Map.*

No

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## SECTION 21 – Development consent conditions for seniors housing

*If State Environmental Planning Policy (Housing) 2021, Chapter 3, Part 5 applies to the land, are there any conditions of development consent granted after 11 October 2007 in relation to the land of a kind referred to in clause 88(2)?*

No

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## SECTION 22 – Site compatibility certificates and development consent conditions for affordable rental housing

1. *Is there a current site compatibility certificate (under State Environmental Planning Policy (Housing) 2021, or a former site compatibility certificate, of which Council is aware, in relation to proposed development on the land, and if there is a certificate, what is the period for which it is current?*

No

2. *If State Environmental Planning Policy (Housing) 2021, Chapter 2, Part 2, Division 1 or 5 applies to the land, are there any conditions of development consent in relation to the land of a kind referred to in clause 21(1) or 40(1)?*

No

3. *Are there any conditions of a development consent in relation to land that are a kind of referred to in State Environmental Planning Policy (Affordable Rental Housing) 2009, clause 17(1) or 38(1)?*

No



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## ADDITIONAL MATTERS

In accordance with the requirements of clause 290(1) of the Environmental Planning and Assessment Regulation 2021, the following additional matters relate to the land at the date of this certificate.

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### Matters arising under the Contaminated Land Management Act 1997

*At the date at when this certificate is issued, under section 59(2) of the Contaminated Land Management Act 1997, is:-*

- (a) *The land (or part of the land) to which this certificate relates significantly contaminated land?*

No

- (b) *The land to which this certificate relates subject to a management order?*

No

- (c) *The land to which this certificate relates the subject of an approved voluntary management proposal?*

No

- (d) *The land to which this certificate relates subject to an ongoing maintenance order?*

No

- (e) *The land to which this certificate relates the subject of a site audit statement and a copy of such a statement has been provided to the Council?*

Council's records indicate that the site is subject to an Environmental Management Plan; Titled: Validation Area 2 - 1H Hospital Road, Concord West NSW; Reference: E24216.E08.001.Rev1; Prepared by: Moits Pty Ltd; Dated: 22 September 2021. To obtain a copy of the report, see section 6.6 of Council's Contaminated Land Policy for Access to Information (Council ref: Docset 7578644).

Council's records indicate that the site is subject to Site Audit Statement; Number: 0301-1907-2; Prepared by: Enviroview Pty Ltd; Dated: 3 November 2021. To obtain a copy of the report, see section 6.6 of Council's Contaminated Land Policy for Access to Information (Council ref: Docset 7578635).

Council's records indicate that the site is subject to Site Audit Statement No. 0301-1907-1, prepared by: Enviroview Pty Ltd, dated: 5 March 2020. To obtain a copy of the report, see section 6.6 of Council's Contaminated Land Policy for Access to Information.

Yes, Council's records indicate that the land to which this certificate relates is the subject of Site Audit Statement No. 32952CRH, prepared by Andrew Kohlrusch of ERM Australia, dated 3 November 2006.

To obtain a copy of the Site Audit Statement, see section 6.6 of Council's Contaminated Land Policy for Access to Information.

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## SECTION 10.7(5) ADVICE

In accordance with section 10.7(5) of the Act the following advice is given on other relevant matters affecting the land.

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### 1. **Demolition**

Under the local environmental plan applying to the land, development consent is required for the demolition of any building on the land except where the demolition complies with the exempt development requirements specified in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 and the Canada Bay Local Environmental Plan, 2013.

### 2. **Foreshore Building Line**

***Is the land affected by a foreshore building line?***

No

### 3. **Other Heritage considerations**

***Is the land adjoining or opposite a heritage item under the provisions of the Local Environmental Plan applying to the land?***

Yes

***Has the property been identified as one that is contributory to the heritage values of a conservation area?***

No

***Is the land adjoining or opposite a heritage conservation area under the provisions of the Local Environmental Plan applying to the land?***

Yes

***Does the land contain an item of environmental heritage identified within the State Environmental Planning Policy (Biodiversity and Conservation) 2021?***

No

### 4. **Permit Parking Schemes**

The City of Canada Bay co-ordinates a Resident Permit Parking Scheme, Visitor Permit Parking Scheme and Business Permit Parking Scheme. This property may be restricted from participating in an existing or future Permit Parking Scheme based on eligibility criteria or via Development Application consent condition. For more information contact Council's call centre on 9911 6555.

#### **5. Other Advice**

This land is identified on the Environmentally Sensitive Land Map under the Canada Bay Local Environmental Plan (LEP) 2013 as Environmentally Sensitive Land. Please refer to Clause 6.3 of the Canada Bay LEP 2013.

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### **GENERAL INFORMATION**

The absence of any reference to a matter affecting the land shall not imply that the land is not affected by that matter not referred to in this certificate.

Information provided under section 10.7(2) is in accordance with the matters prescribed under schedule 2 of the Environmental Planning and Assessment Regulation 2021 and is provided only to the extent that the Council has been notified by the relevant public authorities.

When advice in accordance with section 10.7(5) is requested the Council is under no obligation to furnish any advice. If advice is provided Council draws your attention to section 10.7(6) and schedule 6 of the Environmental Planning and Assessment Act 1979 which have the effect that Council shall not incur any liability in respect of advice provided in good faith pursuant to section 10.7(5), including the furnishing of advice in respect of contaminated land.

Any enquiries regarding State Environmental Planning Policies should be directed to the NSW Department of Planning and Environment at [www.planning.nsw.gov.au](http://www.planning.nsw.gov.au)

Please contact Council's Strategic Planning section for further information about this Planning Certificate.

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John Clark  
**General Manager**